

**DEED**  
Sanitary Sewer Easement Agreement

**Parcel ID Number: WAKC 1347 147**

After recording return to:  
Brian E Running, City Attorney  
City of Waukesha  
201 Delafield Street  
Waukesha WI 53188-3646

The Grantor, **Deer Path Homeowners' Association, Inc. (HOA)**, for a good and valuable consideration, hereby conveys to the Grantee, the **City of Waukesha, Wisconsin**, a Sanitary Sewer Easement, across and upon the following-described real property in Waukesha County, Wisconsin, referred to as the Easement Area, subject to all the terms stated below:

**Legal Description of the Property:**

Outlot 2, Certified Survey Map No. 10163, in the Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section 13, Town 6 North, Range 19 East, City of Waukesha, Waukesha County, Wisconsin.

**Legal Description and Map of the Easement Area on the property:**

Beginning at the Southwest corner of said Outlot 2; thence North 00°15'52" East along the West line of said Outlot 2, 43.06 feet; thence North 28°19'46" East, 394.59 feet to the Southwesterly line of Outlot 1, Certified Survey Map No. 10163; thence South 43°41'19" East along said Southwesterly line, 10.59 feet to the Southeasterly corner of said Outlot 1; thence North 46°18'41" East along the Southeasterly line of said Outlot 1, 64.56 feet; thence South 28°19'46" West, 485.54 feet to the South line of said Outlot 2; thence North 89°44'08" West along said South line, 11.04 feet to the point of beginning. Containing 13,098 square feet, or 0.301 acres.

See Attached Exhibit A.

**Terms of Easement**

1. **Grant of Easement.** The Grantor grants to the Grantee a perpetual easement and right-of-way over, upon and beneath the surface of the Easement Area to construct, operate, inspect, maintain, repair, improve, supplement, reconstruct, and remove sanitary sewerage facilities; along with a right of ingress and egress across the real property which the Easement Area burdens, as reasonably required for the Grantee and the Grantee's contractors to perform such work. During times at which such work is being done, Grantee and Grantee's contractors may also place equipment and materials within the Easement Area as reasonably required to perform such work. The size, type and quantity of the sewerage facilities shall be as reasonably determined by the Grantee. All sewerage facilities shall be located at or below grade. During any period of construction or maintenance the Grantee shall keep the area neat and orderly to allow the Grantor to access its facilities in a reasonable manner. Upon completion of construction or maintenance, Grantee shall remove all material and equipment.
2. **Restrictions within Easement Area.** Grantor, and any persons or entities under contract with Grantor or subject to Grantor's direction or control, shall not do any of the following within the Easement Area without the expressed, written, prior approval of the Grantee:
  - a. Place or construct any buildings or other permanent structures.
  - b. Change the grade elevations.

Conveyance made this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**Grantor: Deer Path Homeowners' Association Inc.**

\_\_\_\_\_  
By:  
Title: President

\_\_\_\_\_  
By:  
Title: Secretary

State of Wisconsin  
} ss.  
Waukesha County

}

\_\_\_\_\_ and \_\_\_\_\_ personally, came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2021, and are known to me to be the persons who executed this instrument in the indicated capacities and acknowledged the same.

\_\_\_\_\_, Notary Public,  
Waukesha County, Wisconsin  
My commission (is permanent) (expires \_\_\_\_\_)

**Grantee: City of Waukesha**

\_\_\_\_\_  
By Shawn N. Reilly, Mayor

\_\_\_\_\_  
Attest: Gina L. Kozlik, City Clerk

State of Wisconsin  
} ss.  
Waukesha County

Shawn N. Reilly and Gina L. Kozlik personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2021, and are known to me to be the persons who executed this instrument in the indicated capacities and acknowledged the same.

\_\_\_\_\_, Notary Public,  
Waukesha County, Wisconsin  
My commission (is permanent) (expires \_\_\_\_\_)

This instrument was drafted by Julie M. Gay, Asst. City Attorney, Waukesha, Wisconsin.

# EXHIBIT A

