

Sidewalk Easement Agreement

Parcel ID No. WAKC0978354

Return to:

Engineering Department
City of Waukesha
130 Delafield Street
Waukesha, WI 43188

The Grantor, Windings Maintenance Corp., for good and valuable consideration, hereby conveys to the Grantee, City of Waukesha, Wisconsin, a permanent sidewalk easement across the following described property in Waukesha County, Wisconsin, referred to as the Easement Area, subject to all of the terms below: 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, across and through the Easement Area to install and construct a sidewalk. The easement shall be for the use of the public, to cross upon the sidewalk to be constructed in the Easement Area.
2. **Restrictions within Easement Area.** Grantor shall not do any of the following without the expressed, written and proper approval of the Grantee:
 - a. Change the grade elevations.
 - b. Excavate
 - c. Place any items or do any acts which reasonably be expected to interfere with Grantee's rights granted herein.
3. **Removal of Items from the Easement Area.** In order to perform any activities authorized in section 1, Grantee may remove any items from the Easement Area which are in violation of the restrictions of section 2. and Grantee shall not be liable for damage to such items resulting from removal. However, Grantee shall provide advance notice of work to be performed in the Easement Area and shall cooperate with Grantor to minimize damage to items removed from the Easement Area.
4. **Grantor's Use of Property.** Grantor reserves the right to use the Property for purposes which will not interfere with the City's full enjoyment of the easement rights granted hereby.
5. **Covenants Run with the Land.** All of the terms, conditions, covenants and other provisions contained in this Agreement, including the benefits and burdens, shall run with the land and shall be binding upon and inure to the benefit of and be enforceable by Owner and the City and their respective successors and assigns.
6. **Governing Law.** This instrument shall be construed and enforced in accordance with the laws of the State of Wisconsin.

STATE OF WISCONSIN)
) ss.

COUNTY OF WAUKESHA)

Personally came before me this _____ day of _____, 2017 the above named Shawn N. Reilly, Mayor, and Gina Kozlik, City Clerk, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public,

Waukesha County, Wisconsin

My commission is (permanent) (expires): _____

This instrument drafted by:

Julie M. Gay

Asst. City Atty.

SBN 1006564

201 Delafield Street

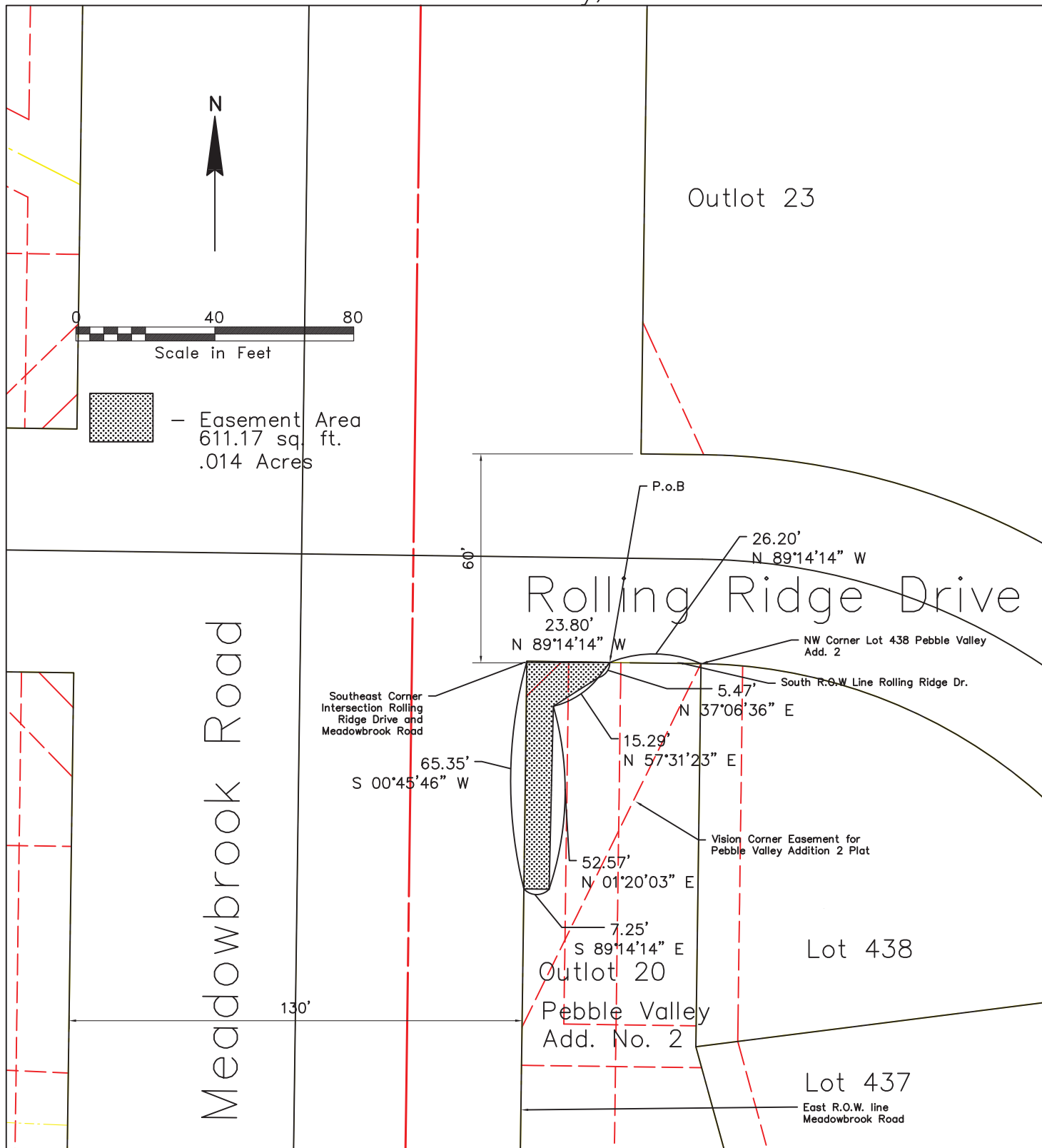
Waukesha, WI 53188

EXHIBIT A

Sidewalk Easement

SHEET 1 OF 2

Northwest 1/4 of the Northwest 1/4 of Section 29
Township 7 North, Range 19 East, City of Waukesha,
Waukesha County, Wisconsin



CITY OF WAUKESHA

PREPARED FOR:

CITY OF WAUKESHA
130 DELAFIELD STREET
WAUKESHA, WI 53188

PREPARED BY:

CITY OF WAUKESHA
130 DELAFIELD STREET
WAUKESHA, WI 53188

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SHEET 2 OF 2

All that part of the Northwest 1/4 of the Northwest 1/4 of Section 29, Township 7 North, Range 19 East, City of Waukesha, Waukesha County, Wisconsin, bounded and described as follows:

Commencing at the Northwest corner of Lot 438, Pebble Valley, Addition 2; thence North 89°14'14" West, along the South right of way line of Rolling Ridge Drive, 26.20 feet to the point of beginning; thence South 37°06'36" West, 5.47 feet; thence South 57°31'23" West, 15.29 feet; thence South 01°20'03" West, 52.57 feet; thence North 89°14'14" West, 7.25 feet to the East right of way line of Meadowbrook Road; thence North 00°45'46" East, along said right of way line, 65.35 feet to the Southeast corner of the intersection of Rolling Ridge Drive and Meadowbrook Road; thence South 89°14'14" East, 23.80 feet to the point of beginning; said parcel contains 611 square feet or 0.014 acres, more or less.

File Link: O:_Projects\2017\Meadowbrook Rd_(WWB)\dwg\Easement Ex sidewalk.dwg

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