Telephone: (262) 521-5272 • Fax: (262) 521-5265 • E-mail: contactus@waukesha-water.com

## **MEMORANDUM**

DATE: August 16, 2018

TO: Commissioners

FROM: Dan Duchniak, General Manager

RE: Recommend approval of the Relocation Order Resolution and Resolution of Public

Necessity for the Waukesha Water Utility New Pumping Station near the Vicinity of West

Oklahoma Avenue and South 76<sup>th</sup> Street

In December 2017, the City of Waukesha entered into an agreement with the City of Milwaukee to provide Great Lakes water to the City of Waukesha.

As part of the agreement, a new pumping station must be constructed that will pump the water from the City of Milwaukee to the City of Waukesha. Milwaukee is responsible to "design, construct, own, operate and maintain" the pumping station per the contract. We have been working with the City of Milwaukee on the routing study, including facility location, for the infrastructure necessary to bring the water to the City of Waukesha.

We have agreed that the best location is a lot in the vicinity of West Oklahoma Avenue and South 76<sup>th</sup> Street. The parcel is currently a parking lot that is owned by four property owners. We plan to acquire the parcels needed and combine them to create the final lot for the booster pumping station. The location has a number of advantages and both the Milwaukee Water Utility staff and Waukesha Water Utility staff agree that it is the best location for this facility.

In order to continue to move the process forward and because there are a number of different property owners involved, staff is recommending that a Relocation Order Resolution and Resolution of Public Necessity be passed to indicate the City is planning to utilize the property for this purpose. We will then begin the negotiations with the property owners to acquire this property. If negotiations are not successful, which we have no reason to believe they will not be, the City will be able to utilize its powers of eminent domain to acquire this piece of land. As part of our contract with Greeley and Hansen, we have been working with a subcontractor from the Highland Group, a firm that specializes in this type of transaction. The City Attorney's office has been apprised of all developments and will monitor the transaction.

Once this resolution is passed, the item will then be placed on the Common Council agenda for official action. A certified copy of the resolution must be filed with the Milwaukee County Clerk within twenty days of its adoption and final approval by the City Clerk.

I look forward to discussing this with you at the commission meeting on August 16, 2018. Please let me know if you have any questions you would like to discuss.

**Recommended motion:** Move to recommend approval of the Relocation Order Resolution and Resolution of Public Necessity for the Waukesha Water Utility New Pumping Station near the Vicinity of West Oklahoma Avenue and South 76<sup>th</sup> Street.

## Common Council of the City of Waukesha, Wisconsin

## Resolution No.

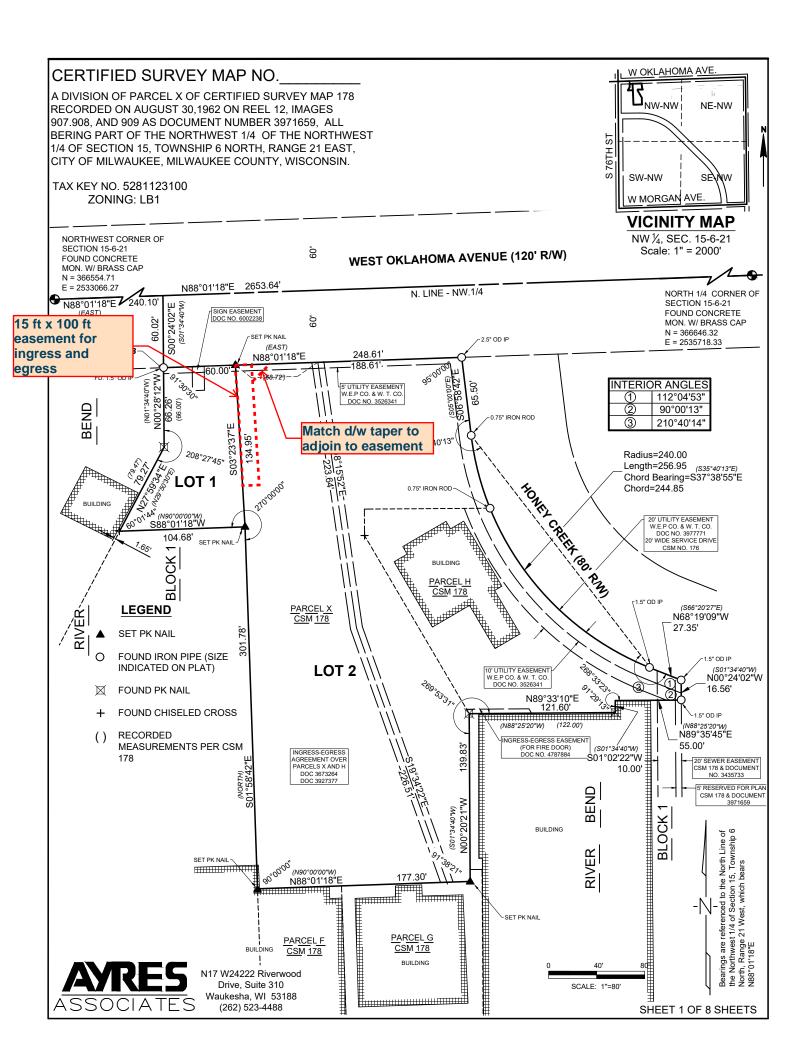
## RELOCATION ORDER RESOLUTION AND RESOLUTION OF PUBLIC NECESSITY FOR THE WAUKESHA WATER UTILITY NEW PUMPING STATION NEAR THE VICINITY OF WEST OKLAHOMA AVENUE AND SOUTH 76<sup>TH</sup> STREET

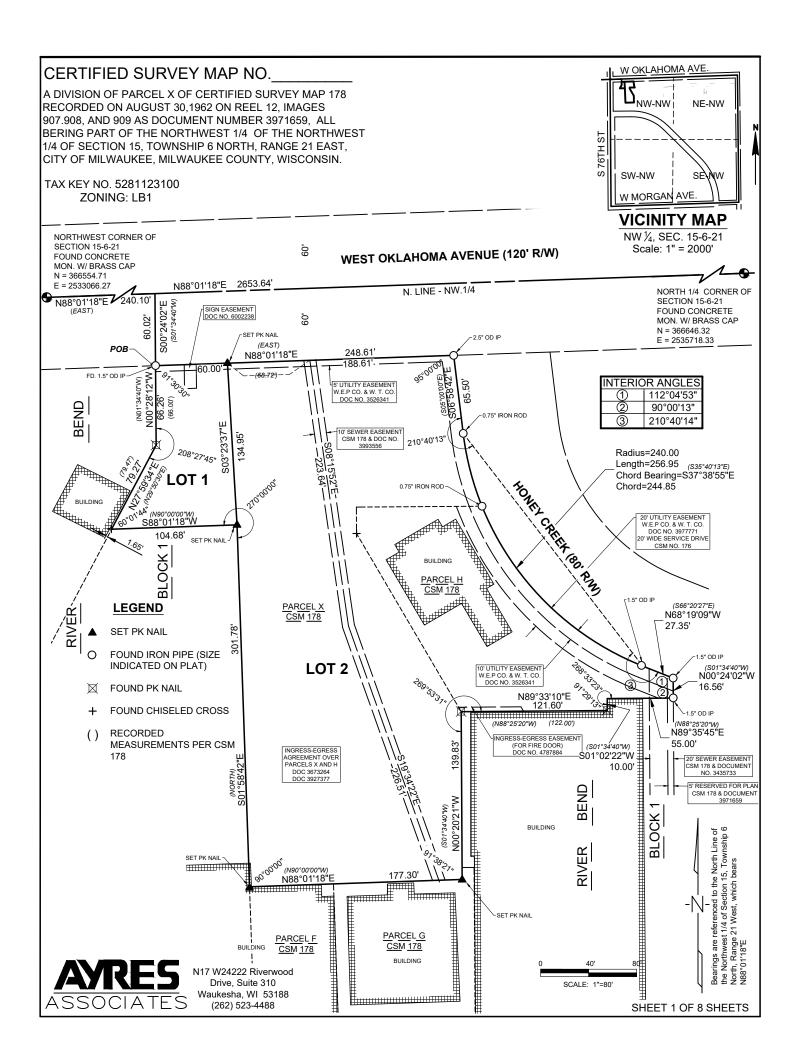
WHEREAS, the City of Waukesha and the Waukesha Water Utility has determined that a new Pumping Station must be installed in order to supply drinking water to the City of Waukesha as part of the Great Water Alliance Program near the vicinity of West Oklahoma Avenue and South 76<sup>th</sup> Street thereof as further described in attached Exhibit A (hereinafter the "Property").

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Common Council of the City of Waukesha, Waukesha, Wisconsin, as follows:

- 1. That this Resolution is a relocation order in accordance with subsection 32.05(1), Wisconsin Statutes, for the purpose of the public improvement project described herein and it is also a determination of necessity for that project in accordance with subsection 32.07(2), Wisconsin Statutes;
- 2. That the Common Council of the City of Waukesha hereby determines that it is necessary and a public purpose to construct a new Pumping Station to be located on the Property in the City of Milwaukee;
- 3. That the said new Pumping Station will be constructed within the area depicted on the scale drawing labeled lot one attached hereto, with exact dimensions to be determined at a later date and incorporated herein as Exhibit A;
- 4. That the Waukesha Water Utility will acquire a permanent easement and temporary construction easement for such work described in Exhibit A, with exact dimensions to be determined at a later date;
- 5. That the legal description of said lands will be prepared prior to completing final negotiations with the Property owner and are incorporated by reference;
- 6. That a certified copy of this resolution shall be filed with the Milwaukee County Clerk within twenty (20) days of its adoption and final approval by City Clerk.

I hereby certify that on this	Day of	, 2018, this relocation order
resolution and resolution of public neces	sity adopted by a vote of	ayes and nays by the Common
Council of the City of Waukesha, Wauke	esha, Wisconsin.	
·		
	CITY OF WAUKESI	HA
	Shawn N. Reilly, May	yor
ATTEST:	•	•
Gina I. Kazlik City Clark		
ATTEST:  Gina L. Kozlik, City Clerk	Shawn N. Reilly, May	yor





CERTIFIED SURVEY MAP NO
A DIVISION OF PARCEL X OF CERTIFIED SURVEY MAP 178 RECORDED ON AUGUST 30,1962 ON REEL 12, IMAGES 907.908, AND 909 AS DOCUMENT NUMBER 3971659, ALL BERING PART OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 6 NORTH, RANGE 21 EAST, CITY OF MILWAUKEE, MILWAUKEE COUNTY, WISCONSIN.
SURVEYOR'S CERTIFICATE STATE OF WISCONSIN )
MILWAUKEE COUNTY ): ss
I, (), registered surveyor, certify:
That I have surveyed, divided and mapped a part of the in the City of Milwaukee, Milwaukee County, Wisconsin, which is bounded and described as follows:
Parcel X and Parcel H of Certified Survey Map 178 Being part of Block 1 Rivers Bend and a part of the vacated service drive to the north, all being part of the Northwest 1/4 of the Northwest 1/4 of Section 15, Township 6 North Range 21 East, City of Milwaukee, Milwaukee County, Wisconsin.
That I have made the survey, land division, and map by the direction of (owner's name).
That the map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.
That I have fully complied with Chapter 236 of the Wisconsin Statutes and Chapter 119 of the Milwaukee Code of Ordinances in surveying, dividing and mapping the same.
(), Registered Wisconsin Land Surveyor, ()



CERTIFIED SURVEY MAP NO	
A DIVISION OF PARCEL X OF CERTIFIED SURVEY MAP 178 R 30,1962 ON REEL 12, IMAGES 907.908, AND 909 AS DOCUMEN BERING PART OF THE NORTHWEST 1/4 OF THE NORTHWES TOWNSHIP 6 NORTH, RANGE 21 EAST, CITY OF MILWAUKEE, WISCONSIN.	NT NUMBER 3971659, ALL ST 1/4 OF SECTION 15,
CORPORATE OWNER'S CERTIFICATE:	
Wisconsin, as owner, certifies that said corporation	anized and existing under and by virtue of the laws of the State o caused the land described on this map to be surveyed, divided, in accordance with the requirements of Chapter 119 of the
In consideration of the approval of the map by Milwaukee Code, the undersigned agrees:	y the Common Council and in accordance with Chapter 119 of the
·	wer and telephone services and cable television or communicatio urvey Map shall be installed underground in easements provided
This agreement shall be binding on the under	rsigned and assigns.
In Witness Whereof, MD Fifth Ward Propertie	es, Inc. has caused these presents to be signed by
, its President; and c	countersigned by, its Secretary, a
, Wisconsin, this	day of, 20
In the presences of:	
	St. Francis Bank FSB
	(Corporate Name)
(Witness)	(Print Name), President
(Witness)	 ————————————————————————————————
(vviiiess)	(Fint Name), Secretary
STATE OF WISCONSIN)	
MILWAUKEE COUNTY ):SS	
executed the foregoing instrument, and to me know	, 20,President, ne above named corporation, to me known as the person who in to be the President and Secretary of the corporation, and ument as such officers as the deed of said corporation, by its
(Notary Seal)	

My Commission expires \_\_\_\_\_

CERTIFIED SURVEY M.	AP NO		
30,1962 ON REEL 12, IMAGES 907. BERING PART OF THE NORTHWES	TIFIED SURVEY MAP 178 RECORDED ON AI 908, AND 909 AS DOCUMENT NUMBER 3971 ST 1/4 OF THE NORTHWEST 1/4 OF SECTIO EAST, CITY OF MILWAUKEE, MILWAUKEE CO	659, ALL N 15,	
CORRORATE OWNERS OF			
ISTAR ROWLING CEN		zed and existing under and by virtue of the	laws of
the State of Wisconsin, as ov	wner, certifies that said corporation cau and dedicated as represented on this i	used the land described on this map to be map in accordance with the requirements of	
In consideration of the Milwaukee Code, the unders		Council and in accordance with Chapter 11	9 of the
		ne services and cable television or commu be installed underground in easements pro	
This agreement shall b	pe binding on the undersigned and ass	signs.	
	1D Fifth Ward Properties, Inc. has caus		
	, its President; and countersigned b	y, its Secre	etary, a
	, Wisconsin, this day of	, 20	
In the presences of:		IOTAR ROLL INC. OFNITERS LLR	
		ISTAR BOWLING CENTERS I LP	
		(Corporate Name)	
(Witness)		(Print Name), President	_
(Witness)		(Print Name), Secretary	
STATE OF WISCONSIN)			
MILWAUKEE COUNTY ):SS			
Personally came befor	re me this day of, 20_ Secretary of the above name	, Presid d corporation, to me known as the person w	
executed the foregoing instru	iment, and to me known to be the Pre	sident and Secretary of the corporation, and officers as the deed of said corporation, by	d
(Notary Seal)			
	<del></del>		

My Commission expires \_\_\_\_\_

CERTIFIED SURVEY N	/AP NO		
30,1962 ON REEL 12, IMAGES 90 BERING PART OF THE NORTHW	RTIFIED SURVEY MAP 178 RECORDED ON AUG 7.908, AND 909 AS DOCUMENT NUMBER 397169 EST 1/4 OF THE NORTHWEST 1/4 OF SECTION EAST, CITY OF MILWAUKEE, MILWAUKEE COU	59, ALL 15,	
CORPORATE OWNER'S C			
Wisconsin, as owner, certifi	a corporation duly organized and existing es that said corporation caused the land represented on this map in accordance wonces.	described on this map to be su	ırveyed, divided,
In consideration of th Milwaukee Code, the under	e approval of the map by the Common Cosigned agrees:	ouncil and in accordance with (	Chapter 119 of the
	to provide electrical power and telephonell lots in this Certified Survey Map shall be		
This agreement shall	be binding on the undersigned and assign	gns.	
In Witness Whereof,	MD Fifth Ward Properties, Inc. has cause	ed these presents to be signed	by
	, its President; and countersigned by		_, its Secretary, a
	, Wisconsin, this day of	, 20	
		(Corporate Name)	
(Witness)		(Print Name), President	
(Witness)		——————————————————————————————————————	
STATE OF WISCONSIN) MILWAUKEE COUNTY ):S	S		
,			
andexecuted the foregoing instr	ore me this day of, 20 , Secretary of the above named or rument, and to me known to be the Presidented the foregoing instrument as such of	corporation, to me known as th dent and Secretary of the corpo	oration, and
(Notary Seal)			
	<del></del>		

My Commission expires \_\_\_\_\_

CERTIFIED SURVEY MA	NP NO			
A DIVISION OF PARCEL X OF CERT 30,1962 ON REEL 12, IMAGES 907.9 BERING PART OF THE NORTHWES TOWNSHIP 6 NORTH, RANGE 21 EA WISCONSIN.	08, AND 909 AS DOCUMEN T 1/4 OF THE NORTHWES	T NUMBER 39716 T 1/4 OF SECTION	859, ALL N 15,	
CORPORATE OWNER'S CE	RTIFICATE:			
7509-15 W. Oklahoma as attorney-in-fact and Manag State of Wisconsin, as owner divided, mapped, and dedicat the Milwaukee Code of Ordin	ger, a corporation duly of certifies that said corp ed as represented on t	organized and oration caused	the land described on this	e of the laws of the map to be surveyed,
In consideration of the Milwaukee Code, the undersign		the Common (	Council and in accordance	with Chapter 119 of the
a. That all utility lines to systems lines or cables to all therefor.			ne services and cable telev be installed underground in	
This agreement shall b	e binding on the unders	signed and ass	igns.	
In Witness Whereof, M	D Fifth Ward Properties	s, Inc. has caus	ed these presents to be si	gned by
	, its President; and co	ountersigned by	у	, its Secretary, a
	, Wisconsin, this	_ day of	, 20	
			7509-15 W. Oklahoma (Corporate Name)	ı, LLC
(Witness)			(Print Name), Presider	nt
(Witness)			——————————————————————————————————————	у
STATE OF WISCONSIN) MILWAUKEE COUNTY ):SS				
Personally came before andexecuted the foregoing instruacknowledged that the executauthority.	ment, and to me known	to be the Pres		corporation, and
(Notary Seal)				
	_			

My Commission expires \_\_\_\_\_

CERTIFIED SURVEY MAI	P NO			
A DIVISION OF PARCEL X OF CERTIF 30,1962 ON REEL 12, IMAGES 907.90 BERING PART OF THE NORTHWEST TOWNSHIP 6 NORTH, RANGE 21 EASWISCONSIN.	8, AND 909 AS DOCUME 1/4 OF THE NORTHWES	NT NUMBER 3971659 ST 1/4 OF SECTION 1	9, ALL 5,	
CONSENT OF CORPORATE I	MORTGAGEE:			
First-Citizens Bank & Tru- laws of the State of Wisconsin, dividing, mapping, restricting ar consent to the above certificate	mortgagee of the about	ove described land and described on	this Certified Survey Map, a	ne surveying,
In Witness Whereof, the		has ca	used these presents to be s	signed by
	_, its President; and c	countersigned by _		, its Secretary, at
	_, Wisconsin, this	day of	, 20	
In the presence of:				_
			First Citizens Bank & Ti	rust Company_
			(Corporate Name)	
(Witness)		<del> </del>	(Print Name), President	<del> </del>
(Witness)			(Print Name), Secretary	
STATE OF WISCONSIN)				
MILWAUKEE COUNTY ):SS				
,,,				
Personally came before	me this day of	, 20,		_ President, and
executed the foregoing instrum			ration, to me known as the p	
acknowledged that the execute authority.				
(Notary Seal)				
	_			
	, Notary Public			
State of Wisconsin	_, ,			

My Commission expires \_\_\_\_\_

CERTIFIED SURVEY MAP NO	
A DIVISION OF PARCEL X OF CERTIFIED SURVEY MAP 178 RE 80,1962 ON REEL 12, IMAGES 907.908, AND 909 AS DOCUMENT BERING PART OF THE NORTHWEST 1/4 OF THE NORTHWEST TOWNSHIP 6 NORTH, RANGE 21 EAST, CITY OF MILWAUKEE, IWISCONSIN.	Г NUMBER 3971659, ALL 1/4 OF SECTION 15,
CERTIFICATE OF CITY TREASURER:	
STATE OF WISCONSIN)	
MILWAUKEE COUNTY ):SS	
	ified and acting City Treasurer of the City of Milwaukee, certify e City Treasurer of the City of Milwaukee there are no unpaid included in this Certified Survey Map.
	Spencer Coggs City Treasurer
COMMON COUNCIL CERTIFICATE OF APPROVAL	<u>-:</u>
I certify that this Certified Survey Map was appradopted by the Common Council of the City of Milwau	roved under Resolution File No, ukee on
James R. Owezarski, City Clerk	
Tom Barrett, Mayor	