

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

MEMORANDUM

DATE: March 15, 2019

TO: Commissioners

FROM: Dan Duchniak, General Manager

RE: Relocation Order Resolution and Resolution of Public Necessity for the easements

necessary for the return flow pipeline portion of the Great Water Alliance program

As part of the Great Water Alliance program that will bring Great Lakes water from the City of Milwaukee to the residents in the City of Waukesha, the approval requires the water to be returned to the Great Lakes Basin. In order to accomplish this, a return flow pipeline will be constructed from the Clean Water Plant in Waukesha to a parcel in the City of Franklin at 60th Street and Oakwood Road that is adjacent to the Root River, which discharges into Lake Michigan.

As part of the program, Greeley and Hansen has evaluated several alternatives for the alignment of the Return Flow Pipeline. The preferred route for the Return Flow Pipeline requires 11 easements to avoid construction in the portion of Ryan Road in Franklin that Milwaukee County recently rebuilt as well as avoiding wetlands. Another easement in New Berlin is required to cross I-43.

The 10 easements originally identified and included in the original packet along I-43 are not necessary at this time as we have received approval to utilize the I-43 Right of Way. These easements have been eliminated from the original order and resolution as a result of this approval.

Additionally, a routing alternative near West Sunset Drive and South West Avenue was identified. This route will avoid a congested intersection with several existing utilities and infrastructure as well as providing an efficient means of boring under the railroad tracks in that area. This change will require an additional three easements for construction and are included in the updated relocation order.

In order to continue to ensure the selected route will be available for construction to enable us to meet the requirements in the Amended Stipulation and Order, staff is recommending that an updated Relocation Order Resolution and Resolution of Public Necessity be approved to indicate the City is planning to utilize the properties for easements for the pipeline. We will then begin the negotiations with the property owners to acquire the necessary easements on

the properties involved. 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 the easements.

As part of our contract with Greeley and Hansen, we have been working with subcontractors from the Highland Group and Terra Ventures, firms that specializes in this type of transaction. The City Attorney's office has been appraised of all developments and will monitor the transaction.

Once this resolution is passed, the item will be placed on the Common Council agenda for official action. A certified copy of the resolution must be filed with the Milwaukee County Clerk and the Waukesha County Clerk for the respective properties 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 March 21, 2019. Please let me know if you have any questions you would like to discuss.

Recommended motion: Recommend approval of the Relocation Order Resolution and Resolution of Public Necessity for the easements necessary for the return flow pipeline portion of the Great Water Alliance program

Common Council of the City of Waukesha, Wisconsin

Reso	lution	No.	-19

RELOCATION ORDER RESOLUTION AND RESOLUTION OF PUBLIC NECESSITY FOR THE WAUKESHA WATER UTILITY PIPELINE IN WAUKESHA COUNTY

WHEREAS, the City of Waukesha and the Waukesha Water Utility has determined that a new pipeline must be installed in order to return clean water to the Root River from the City of Waukesha, as part of the Great Water Alliance, in Waukesha County, thereof as further described in attached Plat of Right-of-Way, Plat Sheet 4.10 (hereinafter the "Property").

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

- 1. That this Resolution is a relocation order, further described in attached 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 pipeline to be located on multiple properties in the County of Waukesha;
- 3. That said the new pipeline will be constructed within the area depicted on the Plat of Right-Way drawing, Plat Sheet 4.10, labeled "Permanent Limited Easement for Water Line" attached hereto, and incorporated herein as Exhibit A;
- 4. That the Waukesha Water Utility will acquire permanent easements for such work;
- 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 Waukesha County Clerk within twenty (20) days of its adoption and final approval by City Clerk.

· · · · · · · · · · · · · · · · · · ·	•	, 2019, this relocation order resolution and resolution nays by the Common Council of the City of Waukesha,
	CITY C	DF WAUKESHA
ATTEST:	Shawn	N. Reilly, Mayor

Gina L. Kozlik, City Clerk

RELOCATION ORDER

lpa1708 08/2011 (Replaces LPA3006)

Project:	Road Name:		County:
GWA Water Line	City of Waukesha - West Sunset Drive		Waukesha
Right of way plat date 02/28/2019	Plat sheet number(s) 4.10	Previously approved Rel N/A	ocation Order date

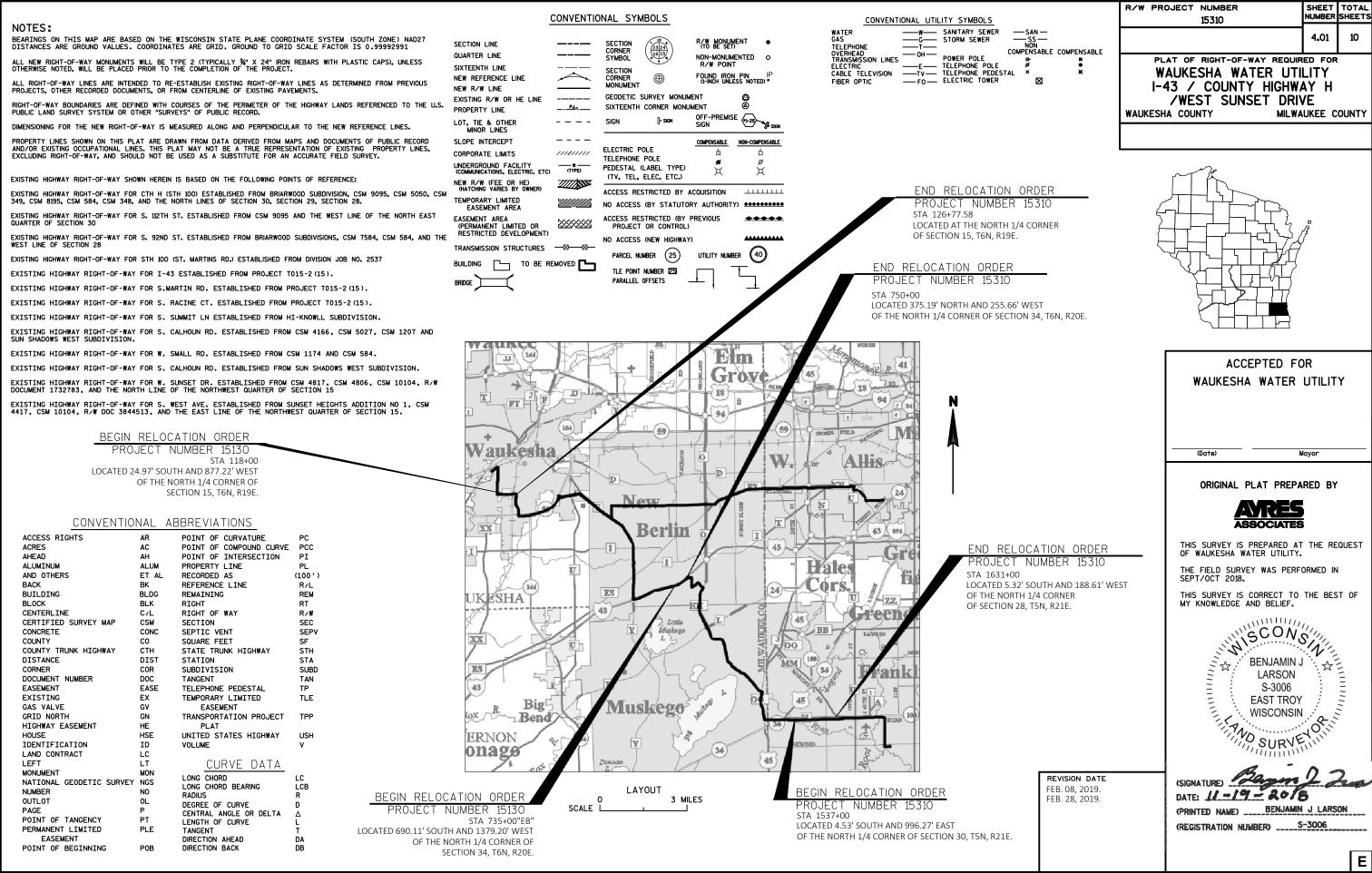
Description of termini of project: A point located 24.97' south and 877.22' west of the North Quarter Corner of Section 15, Township 6 North, Range 19 East, said point being the BEGINNING OF THIS RELOCATION ORDER (STA 118+00); thence easterly 877.58' to the North Quarter Corner of Section 15, Township 6 North, Range 19 East, said point being the END OF THIS RELOCATION ORDER (STA 126+77.58).

To properly establish, lay out, widen, enlarge, extend, construct, reconstruct, improve, or maintain a water transmission line, it is necessary to relocate or change and acquire certain lands or interests in lands as shown on the right of way plat for the above project.

To effect this change, pursuant to authority granted under Sections 32.05(1) and 32.07(2), Wisconsin Statutes, the Waukesha Water Utility orders that:

- 1. The said easement is laid out and established to the lines and widths as shown on the plat.
- 2. The required lands or interests in lands as shown on the plat shall be acquired by: Waukesha Water Utility
- 3. This order supersedes and amends any previous order issued by the: Waukesha Water Utility

Name and Title	Date



PARCEL SHEET NUMBER NUMBER	OWNER (S)	INTEREST REQUIRED	R/W ACRES REQUIRED			TLE PLE ACRES ACRES	TOTAL PARCEL	
NUMBER	NUMBER		REQUIRED	NEW	EXISTING	TOTAL	ACRES ACRES	ACRES
1	4.03(3)	MILLS HOTEL WYOMING, LLC	PLE				0.10	31.91
2	4.03(2)	TRUST U/W/O ROBERT D DIEDRICH	PLE				0.73	19.25
3	4.03(2)	ANDREW AND SARAH MARSCH	PLE				0.11	0.46
4	4.03(2)	BRIAN PLOCH AND KRYSTAL KOPPS	PLE				0.11	0.46
5	4.03(2)	GERALDINE L HERITZ AND RICK M JORDAN	PLE				1.26	37.58
6	4.03(2)	KATHLEEN K PLUTA, JEFFREY HERITZ, AND RONALD HERITZ	PLE				0.64	19.20
7	4.04(2)	JOHN T & MARSHA J NAPIENTEK	PLE				1.52	39.12
8	4.05(2)	ARCHDIOCESE OF MILWAUKEE, A WISCONSIN CORPORATION	PLE				2.78	159.70
9	4.06(1)	ELIMINATED	PLE				1.13	13.19
10	4.06(1)	ELIMINATED	PLE				1.66	10.22
11	4.06(1)	ELIMINATED	PLE				0.53	4.90
12	4.07(1)	ELIMINATED	PLE				1.12	8.76
13	4.07(1)	ELIMINATED	PLE				1.23	4.35
14	4.07(1)	ELIMINATED	PLE				0.77	6.00
15	4.08(1)	ELIMINATED	PLE				2.81	32.97
16	4.09(1)	ELIMINATED	PLE				0.08	1.19
17	4.09(1)	ELIMINATED	PLE				0.05	1.05
18	4.09(2)	GERALD R MCLAIN AND LORA M MCLAIN	PLE				2.36	37.82
19	4.10(3)	HCCP, LLC	PLE				0.11	0.88
20	4.10(3)	OLYMPIA - WAUKESHA, LLC	PLE				0.07	2.39
21	4.10(3)	SUNSET BANK & SAVINGS	PLE				0.23	1.11

DATE 11/19/2018	SCALE, FEET	HWY: CTH H (RYAN ROAD) / I-43 / W SUNSET DR	PLAT SHEET 4.02	
GRID FACTOR		COUNTY: MILWAUKEE	PS&E SHEET	E

PLOT NAME :

