

RESOLUTION NO. 2014-31

**A RESOLUTION BY THE PUBLIC WORKS AND CAPITAL IMPROVEMENTS
COMMITTEE AUTHORIZING THE VILLAGE OF STURTEVANT
TO EXECUTE AND RECORD UTILITY AND SIDEWALK EASEMENTS**

The Village Board of the Village of Sturtevant, Racine County, Wisconsin, resolve as follows:

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RECITALS:

A. Permanent limited easements for existing sanitary sewer main, storm sewer main and sidewalk are needed from St. Sebastian's Congregation ("Owner"), fee holders of certain real property in the Village of Sturtevant, Racine County, State of Wisconsin, identified as Parcel ID No. 181-03-22-030-000, to construct, reconstruct, maintain, improve, repair or operate the aforementioned existing public facilities.

B. After providing the statutory eminent domain process brochure for acquiring property interests, the Owner agreed to provide the necessary easements at no cost.

NOW, THEREFORE, BE IT RESOLVED that the Village hereby authorize the placement of said sanitary sewer, storm sewer and sidewalk easements over Owner's property with parcel I.D. No. 181-03-22-030-000 for public sanitary sewer, storm sewer and sidewalk, substantially in the form attached as Exhibit A, which is attached and incorporated herein by reference.

Dated this 1st day of July, 2014.

VILLAGE OF STURTEVANT

Steve Jansen, Village President

Mary Cole, Village Clerk

EXHIBIT A
RESOLUTION 2014-31

**PERMANENT LIMITED EASEMENT AGREEMENT FOR SANITARY SEWER,
STORM SEWER AND SIDEWALK PURPOSES**

This **PERMANENT LIMITED EASEMENT AGREEMENT FOR SANITARY SEWER, STORM SEWER AND SIDEWALK PURPOSES (“Agreement”)** is entered into by and between **ST. SEBASTIAN’S CONGREGATION (“Owner”)** and the **VILLAGE OF STURTEVANT, Racine County, Wisconsin (“the Village”)**;

RECITALS

- A. Owner is the fee holder of certain real property located in the Village of Sturtevant, County of Racine, State of Wisconsin, which is generally described as part of Tax Key No. 181-03-22-28-030-000, and which is more generally described as 3126 95th Street, Sturtevant, Wisconsin (“Property”).
- B. The Village has requested that Owner grant it certain permanent, limited utility and right-of-way easements (collectively, “Easements”) over portions of said Property (collectively, “Easement Areas”), all as further described herein and as depicted and described in the attached and incorporated Exhibits hereto.

AGREEMENT

For the mutual promises contained herein and other good and valuable consideration, the sufficiency of which the parties hereby acknowledged, the parties agree as follows:

- 1. **Grant of Sanitary Sewer Easement.** Owner grants to the Village a perpetual, non-exclusive sanitary sewer easement over the 30’ wide area described and depicted in Exhibit A hereto (“Sanitary Sewer Easement Area”). This grant includes the nonexclusive right to construct, reconstruct, maintain, improve, repair, alter or operate within the Sanitary Sewer Easement Area governmentally-owned or -operated public utility appurtenances, including, without limitation, the existing sanitary sewer, together with right to enter with all necessary and proper workers, equipment, and materials with respect thereto, for conveying such public sanitary sewer utility service through, over, across and under the Sanitary Sewer Easement Area, together also with the right to excavate and/or refill ditches and/or trenches as necessary, and to remove such trees, bushes, undergrowth and other obstructions as may interfere with the exercise of this Agreement.
- 2. **Grant of Storm Sewer Easement.** Owner grants to the Village a perpetual, non-exclusive sanitary sewer easement over the 20’ wide area described and depicted in Exhibit B hereto (“Storm Sewer Easement Area”). This grant includes the nonexclusive right to construct, reconstruct, maintain, improve, repair, alter or operate within, on or under the Sanitary Sewer Easement Area governmentally-owned or -operated public utility appurtenances, including, without limitation, the existing storm sewer, together with right to enter with all necessary and proper workers, equipment, and materials with respect thereto, for conveying storm water through, over, across and under the Storm Sewer Easement Area, together also with the right to excavate and/or refill ditches and/or trenches as necessary, and to remove