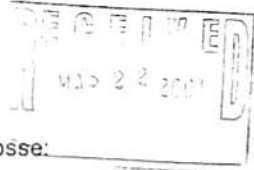


File # 2001-03-013

REPORT OF COMMITTEE



To the Honorable Mayor and Common Council of the City of La Crosse:

Your Highways, Properties & Utilities Committee and Finance & Personnel Committee having under consideration the annexed resolution authorizing transfer of excess land adjacent to 33rd Street recreational trail, and said matter having been referred to the Board of Public Works, and the same having made and filed their reports thereon, recommends adoption of same as amended.

Respectfully submitted,

- | | |
|-------------------------|------------------------|
| Donald F. Gilles, Chmn. | Phillip J. Addis, Chmn |
| John J. Satory, Jr. | Steve F. Taylor |
| Joe Ledvina | David R. Morrison |
| Charles Clemence | Bernard F. Maney |
| Douglas L. Farmer | Gerald V. Every |
| Bill Harnden | Robert Larkin |

RESOLUTION ADOPTED
MAR 06 2001
BY COUNCIL

IR 21 2001
MP
PC
RT
RJA ✓

AMENDED RESOLUTION

BE IT RESOLVED by the Common Council of the City of La Crosse that it hereby offers to transfer to all adjoining property owners for the sum of one dollars (\$1.00) per parcel any excess land along the 33rd Street Recreational Trail that will be constructed this summer.

BE IT FURTHER RESOLVED that the City shall maintain an eight (8) foot easement to the East of the fence for maintenance of the Pammel Creek Flood Control project or other City purposes.

BE IT FURTHER RESOLVED that the transfer documents provide that the adjacent property owners shall maintain said eight foot easement area with respect to the mowing of the grass and shall not place any structures on said eight foot easement without prior consent from the Board of Public Works.

BE IT FURTHER RESOLVED that if the adjacent property owners do not wish to purchase the access land at one (\$1.00) then in order to protect the property interest of the City, the new recreational trail fence for the 33rd Street Recreational Trail shall be placed on the property line at those points.

BE IT FURTHER RESOLVED that there is hereby appropriated up to the sum of Eight Thousand Five Hundred dollars (\$8,500.00) from the contingency fund in order to provide for any additional title or survey work.

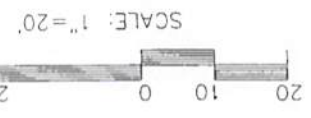
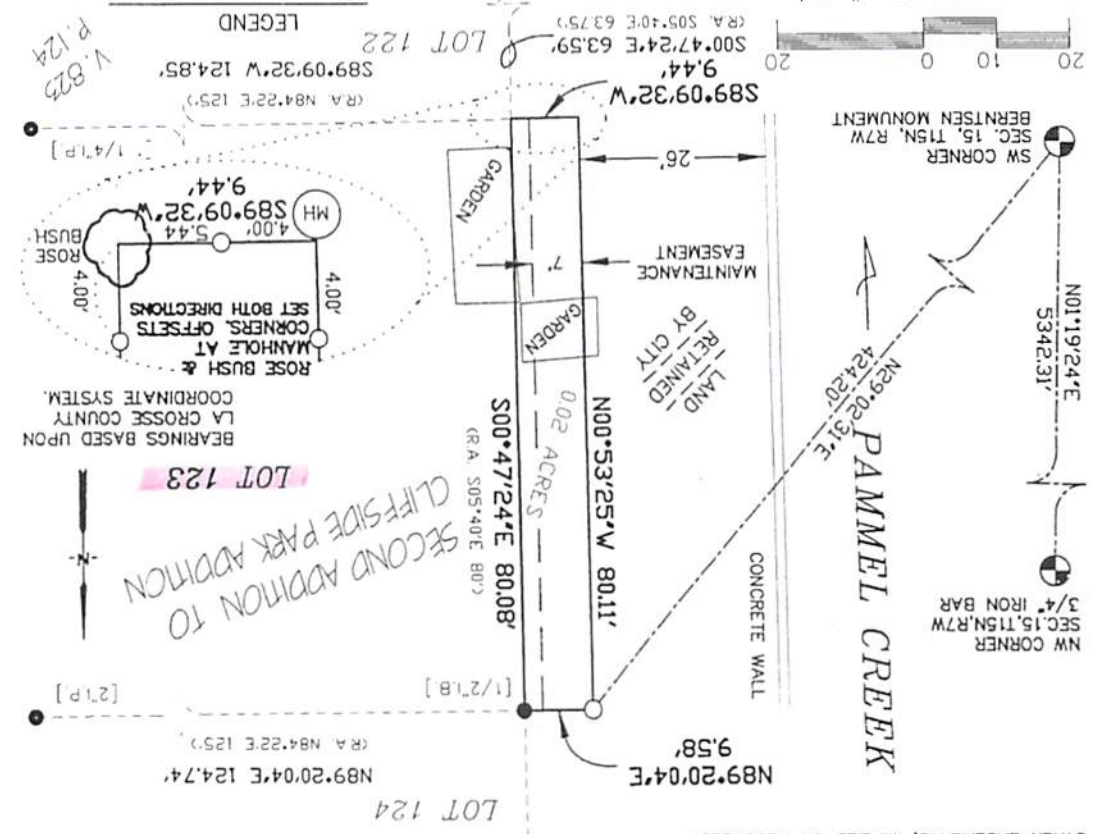
Typed: 3-2-01
Approved: _____

PARAGON ASSOCIATES
 SURVEYING ENGINEERING
 LANDSCAPE ARCHITECTURE
 744 MOORE ST.
 LA CROSSE, W 54603
 (608) 781-3110 FAX (608) 781-3197
 (20)

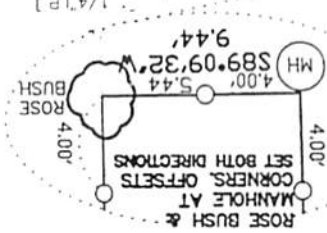


I, PAUL E. FAIRCHILD, REGISTERED LAND SURVEYOR #2058, HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE ABOVE PARCEL AT THE DIRECTION OF THE CITY OF LA CROSSE, AND THAT THE ATTACHED SURVEY-MAP IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

- SET 3/4"x24" IRON BAR (1.50 LBS./LIN.FT.)
 - FOUND CORNER
- () RECORDED AS BEARING & DISTANCE



BEARINGS BASED UPON
 LA CROSSE COUNTY
 COORDINATE SYSTEM.



SECOND ADDITION TO
 CLIFFSIDE PARK ADDITION



PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW/SW) OF SECTION 15, TOWNSHIP 15 NORTH, RANGE 7 WEST, CITY OF LA CROSSE, LA CROSSE COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:
 COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 15, THENCE N29°02'31"E 424.20 FEET TO THE EXTENSION OF THE NORTH LINE OF LOT 123, SECOND ADDITION TO CLIFFSIDE PARK ADDITION AND THE POINT OF BEGINNING; THENCE ALONG SAID EXTENSION N89°20'04"E 9.58 FEET TO THE NORTHWEST CORNER OF SAID LOT 123; THENCE ALONG THE WEST LINE OF SAID LOT 123, S00°47'24"E 80.08 FEET TO THE SOUTHWEST CORNER OF SAID LOT 123; THENCE ALONG THE SOUTH EXTENSION OF SAID LOT 123, S89°09'32"W 9.44 FEET; THENCE N00°53'25"W 80.11 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 0.02 ACRES AND IS SUBJECT TO A 7' WIDE EASEMENT FOR THE PURPOSE OF MAINTENANCE AND RECONSTRUCTION OF PAMMEL CREEK AND ALL OTHER EASEMENTS, IMPLIED OR RECORDED.

PLAT OF SURVEY



OFFICE OF
CITY ENGINEER
 CITY HALL
 400 LA CROSSE ST
 LA CROSSE WI 54601-3396
 (608) 789-7505

June 15, 2001

Residential Property Owners Near Proposed Bicycle/Pedestrian Facility Along Pammel Creek
SUBJECT: Land Transaction and Pertinent Information

Dear Homeowner:

Please find the following enclosed:

1. Copy of Council Resolution Adopted March 8, 2001
2. Copy of Council Resolution Adopted May 10, 2001
3. Original Quit Claim Deed Specific to Your Property
4. A Copy of a Plat of Survey Specific to Your Property
5. Return Envelope Postage Paid

In accordance with the Council resolutions adopted, please sign the bottom of this letter and return it to the City of La Crosse if you are willing to accept the portion of land adjacent to your residence. The City will record the quit claim deed and transfer the property. Also, in accordance with the Council resolutions, the fence will be placed on the property line. If a property owner elects not to accept the City land, then the fence will not be placed 25' from the Pammel Creek wall but will be placed on the existing property line you currently occupy. The City will retain a 7' easement for maintenance and reconstruction of Pammel Creek flood improvements on the east side of the fence in which the property owner will be responsible to maintain this area.

City staff will be available to answer any questions at a meeting to be held on Wednesday, June 27, 2001 at 6:00 p.m. at State Road School. If you can not make it to this meeting and want to talk to someone regarding this letter, please call Randy Turtenwald, City Engineer, or Ron Oleson at 789-7505 or Patrick Houlihan, City Attorney, at 789-7511.

Sincerely,

Randy Turtenwald, P.E.
 City Engineer

- cc: Council Member Joe Ledvina
 Council Member Sam Solverson
 Mayor John Medinger
 City Attorney, Patrick Houlihan
 Director of Public Works, Patrick Caffrey

I HOWARD & JANICE ENGEN accept the City's property as shown
 (Please print your full name)

on plat of survey Howard Engen Janice Engen
 (Signature) 6-28-01

Quit Claim Deed

1293814

LACROSSE COUNTY, WI
REGISTER OF DEEDS
DEBORAH J. FLOCK

RECORDED ON 11-21-2001
AT 1:54 PM

REC. FEE: 13.00
TRANSFER FEE: 77.25(2)

PAGES: 2

VOL. 1536 PAGE 777

#110

RETURN TO City Clerk, City Hall
400 La Crosse Street
La Crosse WI 54601

Tax Key No. 17-50309-16
17-50309-15
17-50309-17

City of La Crosse, a Wisconsin Municipal Corporation

quit-claims to Howard Engen and Janice Engen,
husband and wife, as survivorship marital property.

the following described real estate in La Crosse County,
State of Wisconsin:

See Attached Legal Description

The Grantor (City) shall maintain a seven (7) foot easement to the East of the fence for maintenance of the Pammel Creek Flood Control project or other City purposes.

This Deed is given on condition that the Grantee(s) shall maintain said seven (7) foot easement area with respect to mowing of the grass and shall not place any structures on said seven (7) foot easement without prior consent from the Board of Public Works of the City of La Crosse, Wisconsin.

No real estate transfer return is required with respect to this conveyance pursuant to s. 77.25(2), Wis. Stats.

This is not homestead property.
(is) (is not)

Dated this 15th day of June, 2001

(SEAL) John D. Medinger, Mayor
(SEAL) Teri Lehrke, City Clerk

AUTHENTICATION

Signatures authenticated this June 15th day of June, 2001

TITLE: MEMBER STATE BAR OF WISCONSIN
(If not, authorized by § 706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY

Patrick J. Houlihan, City Attorney

(Signatures may be authenticated or acknowledged. Both are not necessary.)
The use of witnesses is optional.

ACKNOWLEDGMENT

STATE OF WISCONSIN

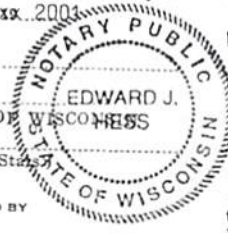
LA CROSSE County, as

Personally came before me, this 15th day of June, 2001, the above named

John D. Medinger and Teri Lehrke

to me known to be the persons who executed the foregoing instrument and acknowledge the same.

Edward J. Hess
Notary Public La Crosse County, Wis.
My Commission is permanent. (If not, state expiration date: May 1, 2005.)



*Names of persons signing in any capacity should be typed or printed below their signatures.