

SANITARY SEWER AND WATER MAIN EASEMENT

KNOW ALL MEN BY THESE PRESENTS that in the consideration of the sum of _____ and other good and valuable consideration, the receipt whereof is hereby acknowledged, that the City of La Crosse, Wisconsin, a municipal corporation, does hereby grant unto Birdd Land Investments, Inc., their successors and assigns, the right to use the property for water and sanitary sewer utility purposes. Water and sanitary sewer utility purposes means the ability to lay, maintain, operate, repair and remove water or sanitary sewer facilities. Water or sanitary sewer utility purposes specifically excludes any other utilities on the property including, without limitation, storm water utilities. This easement applies to the following real estate described in Exhibit B.

This easement is granted on the following conditions:

1. Standard concrete or asphalt pavement, such as for driveways, parking lots, etc. may be placed in the easement. The Grantee will be responsible for removal and replacement, if required for utility maintenance or replacement.
2. Above grade structures, such as buildings, towers, power poles, signs, etc. are not permitted in the easement without approval of the Board of Public Works.
3. The grantee is responsible for any repairs, damages, losses or replacements to the vegetation if it is disturbed for utility maintenance, replacement or removal. The grantee will provide erosion control measures until vegetation is reestablished.
4. If the grantee disturbs grassed areas for utility maintenance, replacement or removal, the grantee will restore with seed and/or sod at the City's option.
5. The City may, at the City's option, cut brush and trees and/or mow grass and weeds in utility easements.
6. The ground surface grade in the easement may not be changed more than one foot without prior approval of the Board of Public Works.
7. Valve boxes, manholes (personnel access ports), curb stop boxes, sewer cleanouts, pull boxes, etc. in the easement must be accessible and maintained at surface grade.

This space is reserved for recording data

Return to

City Attorney
400 La Crosse Street
La Crosse WI 54601

Parcel Identification Number/Tax Key Number

This easement shall only apply to the property described on Exhibit B and shall not extend beyond this parcel, including future connections to the water system through this parcel.

Dated this ____ day of _____, 2022.

BY: _____
Mitch Reynolds, Mayor

BY: _____
Nikki M. Elsen, City Clerk

STATE OF WISCONSIN)
)ss.
COUNTY OF LA CROSSE)

Personally came before me this ____ day of _____, 2022,
the above-named Mitch Reynolds and Nikki M. Elsen to me known to be the
persons who executed the foregoing instrument and acknowledged the same.

Notary Public, La Crosse County, WI
My commission expires: _____

This instrument drafted by:
Stephen F. Matty, City Attorney
400 La Crosse Street
La Crosse, WI 54601

EXHIBIT B – WATER MAIN AND SEWER EASEMENT

THAT PART OF THE SW 1/4 OF THE NW 1/4 OF SECTION 12, T16N, R7W, CITY OF LA CROSSE, LA CROSSE COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:
COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 12; THENCE N 00°17'14" W ALONG THE WEST LINE OF SAID SW 1/4 OF THE NW 1/4, 218.00 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUING N 00°17'14" W 37.83 FEET TO THE PC OF A 333.00 FOOT RADIUS CURVE, CONCAVE EASTERLY, ON THE WESTERLY R/W OF BERLIN DRIVE; THENCE ALONG THE ARC OF SAID CURVE, THE CHORD OF WHICH BEARS S 03°32'57" E AND MEASURES 37.89 FEET; THENCE S 89°42'46" W 2.16 FEET TO THE POINT OF BEGINNING.

EXHIBIT C

GRAPHIC DESCRIPTION OF EASEMENT

SEE ATTACHED BEHIND