

COMMUNICATIONS UTILITY EASEMENT

For and in consideration of One and no/100 Dollars (\$1.00), the undersigned, The Board of Regents of the University of Wisconsin System, hereinafter called "Grantor," hereby grants to the City of La Crosse, a Wisconsin municipal corporation, hereinafter referred to as "City," this underground communication utility easement."

RECITALS

A. Grantor owns real property in the City of La Crosse, La Crosse County, Wisconsin, described as follows:

See attached Exhibit A.

(the "Property")

B. City wishes to locate within the Property the facilities described as follows:

The necessary cables, wires, conduits fixtures and other facilities and appurtenances necessary for the purpose of locating an underground communication fiber optic line which will span between two wells owned by the City of La Crosse running through the athletic fields of the University of Wisconsin—La Crosse.

C. Grantor agrees to grant City, its successors and assigns, the right, privilege and easement to construct, operate, maintain, use, rebuild, or remove the Facilities under and upon the following described portion of the property.

A parcel of land being part of the NW ¼ of the SW ¼ of Section 33, Township 16 North, Range 7 West, City of La Crosse, La Crosse County, Wisconsin described as follows:

A strip of land 10.00 feet wide as shown in Exhibit "A", attached hereto and described as commencing at the West ¼ corner of said Section 33; thence S 89°15'16" E, 1327.40' to the Northeast corner of the Northwest ¼ of the Southwest ¼ of Section 33; thence S 55°02'03" W, 955.79' to the Northeast corner of a City owned parcel for Well #21; thence S 01°22'45" E, 103.13' to the Southeast corner of said parcel; thence along the South line of said parcel S 88°37'15" W, 27.60' to the point of beginning of this easement centerline description; thence S 76°23'37" E, 69.02'; thence S 88°01'35" E, 15.68'; thence N 81°07'54" E, 57.08'; thence N 89°54'53" E, 107.41'; thence N 87°21'42" E, 300.31'; thence S 81°04'12" E, 13.27' to the West line of a City owned parcel for Well #20 and the termination point of this easement centerline. The sidelines of the above-described easement shall be shortened or lengthened as needed to the City Well parcel boundaries.

NOW, THEREFORE, in consideration of the foregoing Recitals, which are incorporated herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Grantor hereby grants to the City, a perpetual, non-exclusive easement to construct, install, operate, repair, remove, replace, reconstruct, alter, relocate, patrol, inspect, mark, improve, enlarge and maintain the necessary cables, wires, supports, conduits, and other appurtenances necessary for the purpose of an underground fiber optic communication line between two wells owned by the City La Crosse running through the athletic fields of the University of Wisconsin – La Crosse. Grantor also grants to the City of La Crosse the full right and authority to (1) reasonably access the easement area and the facilities over and across the property for the purpose of maintaining, replacing and constructing the underground fiber optic communication line; and (2) the right of reasonable temporary use by the City of La Crosse of the property adjacent to the easement area during construction, repair or replacement of the underground fiber optic communication line.

This space is reserved for recording data

Return to & Drafted by:

City Attorney
400 La Crosse St
La Crosse WI 54601

Parcel Identification Number/Tax Key Number

17-20261-10 & 17-22660-90

After installation of the fiber optic cable or after the exercise of any of the rights granted herein, the City agrees to restore the Property and the Easement area to as near their original condition as is reasonably possible and remove therefrom all debris, spoils and equipment resulting from the use of the easement area.

It is mutually understood and agreed that this instrument covers all agreements and stipulations between the parties regarding the subject matter herein and that no representation or statements, verbal or written, have been made modifying, adding to or changing the terms thereof.

The rights granted herein may be exercised at any time subsequent to the execution of this document and said rights shall continue until such time as City, its successors and assigns have notified Grantor, its successors or assigns, that City has abandoned and relinquishes its easement rights. Following such notification by City, Grantor, its successors and assigns may require by written notification that City remove all of its equipment from the easement area at City's expense, or if no notification is given, then City may decide to abandon such facilities in place. City shall deliver a recordable release of easement within 180 days of date of written notification of abandonment and relinquishment.

The undersigned certify that this instruction is executed with the full right, power and authority to do so on behalf of Grantor.

BOARD OF REGENTS OF THE UNIVERSITY OF WISCONSIN SYSTEM

BY: *Alexandria Roe*
Alexandria Roe, Assoc. VP Capital Planning and Budget

BY: _____

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

Dated this 7th day of November, 2023.

BY: *Ellen W. Rosner*
Notary Public, State of Wisconsin
My Commission: 5/22/2027

Ellen W. Rosner



EXHIBIT "A"

COMMUNICATIONS EASEMENT

LANDOWNER:
UW-LA CROSSE
BOARD OF REGENTS

