

1793248

LACROSSE COUNTY
REGISTER OF DEEDS
ROBIN L. KADRMAS

WATERMAIN AND INGRESS/EGRESS EASEMENT

KNOW ALL MEN BY THESE PRESENTS that in the consideration of the sum of \$10⁰⁰ 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 utility, pedestrian and vehicular ingress and egress access purposes. Water utility purposes means the ability to lay, maintain, operate, repair and remove water facilities. Water utility purposes specifically excludes any other utilities on the property including, without limitation, storm water utilities. Pedestrian and vehicular access purposes means: the non-exclusive and unobstructed use and access easement for the benefit of the of the real estate described in Exhibit A for the express purposes of ingress, egress, regress and accessing the Exhibit A property, including vehicular and pedestrian traffic of any type or nature, over and across the strip of land more particularly described on Exhibit B and graphically depicted on Exhibit C (the "Easement Area"). This easement benefits the real estate described in Exhibit A.

RECORDED ON
05/05/2022 03:19 PM
PAGE COUNT: 6
EXEMPT #:
RECORDING FEE 30.00
ELECTRONICALLY RECORDED
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This space is reserved for recording data

Return to

City Attorney
400 La Crosse St
La Crosse WI 54601

DM0008130

Parcel Identification Number/Tax Key Number

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.
8. All of the terms and conditions in this easement, including the benefits and burdens, shall run with the land and shall be binding upon, inure to the benefit of, and be enforceable by grantor and grantee. The easements granted herein are easements appurtenant to the real estate described on Exhibit A which may not be transferred separately from, or severed from, title to the real estate described on Exhibit A. The specific parties named herein, as fee simple owners of the parcels referenced herein, respectively,

WATERMAIN AND INGRESS/EGRESS EASEMENT

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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.
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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.
8. All of the terms and conditions in this easement, including the benefits and burdens, shall run with the land and shall be binding upon, inure to the benefit of, and be enforceable by grantor and grantee. The easements granted herein are easements appurtenant to the real estate described on Exhibit A which may not be transferred separately from, or severed from, title to the real estate described on Exhibit A. The specific parties named herein, as fee simple owners of the parcels referenced herein, respectively,

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ID: 1793248
 County: LACROSSE
 Date: 05/05/22 Time: 03:19 pm

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Return to

City Attorney
 400 La Crosse St
 La Crosse WI 54601

DM0008130

Parcel Identification Number/Tax Key Number

**EXHIBIT A – WATER MAIN & INGRESS/EGRESS
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 1/4 386.26 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUING N 00°17'14" W 40.00 FEET; THENCE N 89°42'46" E 5.44 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 06°37'05" W AND
MEASURES 40.29 FEET; THENCE S 89°42'46" W 0.60 FEET TO THE POINT OF BEGINNING.**

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

EXHIBIT

LOCATED IN PART OF THE SW-NW OF SECTION 12, T16N, R7W, CITY OF LA CROSSE, LA CROSSE COUNTY, WISCONSIN.

PROPOSED UTILITY AND INGRESS-EGRESS EASEMENT "B" BERLIN DRIVE CENTERLINE 66' WIDE

LEGAL DESCRIPTION FOR A PROPOSED UTILITY AND INGRESS-EGRESS EASEMENT, LOCATED IN PART OF THE SW-NW 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 N00°17'14"W ALONG THE WEST LINE OF SAID SW-NW 386.26 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N00°17'14"W 40.00 FEET; THENCE N89°42'46"E 5.44 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 S06°37'05"W AND MEASURES 40.29 FEET; THENCE S89°42'46"W 0.60 FEET TO THE POINT OF BEGINNING.

I, CHRISTIAN J. RUNNING, PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THIS EXHIBIT FOR BIRD LAND INVESTMENTS INC IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

CHRISTIAN J. RUNNING
 PLS 2558
 REVISED 12/15/2021
 RUNNING LAND SURVEYING
 608-385-8432



LEGAL DESCRIPTION FOR PROPOSED UTILITY EASEMENT "A", LOCATED IN PART OF THE SW-NW 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 N00°17'14"W ALONG THE WEST LINE OF SAID SW-NW 218.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N00°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 S03°32'37"E AND MEASURES 37.89 FEET; THENCE S89°42'46"W 2.16 FEET TO THE POINT OF BEGINNING.

PROPOSED UTILITY EASEMENT "A"

CURVE	RADIUS	333.00	37.81
ARC LENGTH	CHORD LENGTH	37.89	37.89
CHORD BEARING	DELTA ANGLE	S03°32'37"E	6°31'23"
C1	TANGENT BEARING-IN	S03°32'37"E	
C2	TANGENT BEARING-OUT	S05°48'38"E	
		40.29	
		S06°37'05"W	16°56'13"
		140.32	
		S05°08'58"W	
		150.51	

