

**EASEMENT DEED FOR STORM SEWER AND DRAINAGE – VINER PROPERTY, Pg. 1**

KNOW ALL MEN BY THESE PRESENTS that the Viner Family Limited Partnership grants to the City of La Crosse, a Wisconsin Municipal Corporation, with an address of 400 La Crosse Street, La Crosse, Wisconsin, its successors and assigns, the right to lay, maintain, operate, repair and remove a **storm sewer** under and within a strip of land owned by the Grantor through and over the following described real estate, to wit:

**A twenty (20) foot wide strip of land being ten (10) feet wide on either side of the following described centerline:**

**STORM SEWER EASEMENT DESCRIPTION**

A 20 foot wide storm sewer easement located in part of Government Lot 1, Section 30, T16N-R7W, City of La Crosse, La Crosse County, Wisconsin being part of the former Chicago, Milwaukee, St. Paul and Pacific Railroad and also part of the vacated Commercial Street. The centerline of said 20 foot easement is described as follows and shown on attached Exhibit A:

Commencing at the southeast corner of Section 30, T16N-R7W, thence N 78°01'05" W 1800.69 feet to the intersection of the north line of Buchner Street and the East line of Lot 8, Block 71, of said Southern Addition; thence, along the north line of said Buchner Street, S 89°33'55" E 103.61 feet to the point of beginning;

thence N 05°07'12" E 89.10 feet;  
thence N 68°39'47" W 93.31 feet to the terminus of this easement centerline description.  
Sidelines are to be shortened or lengthened so as not to create any gaps or overlaps.

Subject to any easements, covenants, or restrictions of record.

Be it further known that Grantor grants permanent easement for drainage of storm water discharged from described storm sewer system, across Grantor's property, to the Black River. Future changes to Grantor's property shall accommodate this storm water drainage at no cost to the City.

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 City will be responsible for removal and replacement, if required for utility maintenance or replacement.
2. Above grade structures, such as buildings, towers, power poles, billboards, etc. are not permitted in the easement without approval of the Board of Public Works.
3. Readily removable/replaceable signs (single post signs) are permitted.



1690877  
LACROSSE COUNTY  
REGISTER OF DEEDS  
CHERYL A. MCBRIDE

RECORDED ON  
03/24/2017 10:42AM  
REC FEE: 30.00  
EXEMPT #: 77.25(2B)  
PAGES: 5

#112

This space is reserved for recording data

Return to

CITY ATTORNEY  
400 LA CROSSE STREET  
LA CROSSE, WI 54601

Tax Parcel ID's: 17-10036-80  
17-10035-120

EASEMENT DEED FOR STORM SEWER AND DRAINAGE – VINER PROPERTY, Pg. 2

4. Tree and shrub planting are not permitted within the easement without approval of the Board of Public Works. Flower and/or vegetable gardens are permitted, but the City is not responsible for any repairs, damages, losses or replacements to the garden if it is disturbed for utility maintenance, replacement or removal.
5. The City may, at the City's option, cut brush and trees and/or mow grass and weeds in utility easements.
6. If the City disturbs grassed areas for utility maintenance, replacement or removal, the City will restore with seed and/or sod at the City's option. The City will provide erosion control measures.
7. The ground surface grade in the easement may not be changed more than one foot without prior approval of the Board of Public Works.
8. Concrete rubble, asphalt rubble, stone or rock exceeding 6" in the largest dimension (except as needed for rip-rap), demolition debris or other rubble shall not be placed within the easement.
9. Water service lines (building laterals, etc.) that are within the easement must have an isolation valve within the easement. Service isolation valves may be no nearer than six feet from the edge of the easement. The service isolation valve will be either an approved water main valve and valve box, or a service curb stop on lines 2" in diameter or less.
10. Valve boxes, manholes (personnel access ports), curb stop boxes, sewer cleanouts, pull boxes, etc. must be accessible and maintained at surface grade.

WITNESS the hands and seals of the grantor and the persons joining in and consenting to this conveyance this

27<sup>th</sup> day of FEBRUARY, 2017.

IN THE PRESENCE OF:

Randy Viner  
Viner Family Limited Partnership

Timothy Kabat  
By: Timothy Kabat, Mayor

Randy Viner GP

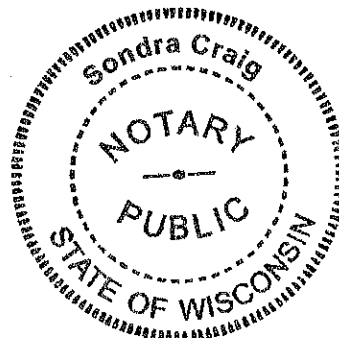
Teri Lehrke  
By: Teri Lehrke, City Clerk

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

Personally came before me this 27<sup>th</sup> day of February, 2017, the above-named Randy Viner, et al Timothy Kabat, Mayor and Teri Lehrke, City Clerk, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Sondra Craig (Sondra Craig)  
Notary Public, La Crosse County, Wisconsin  
My commission 11/11/2017

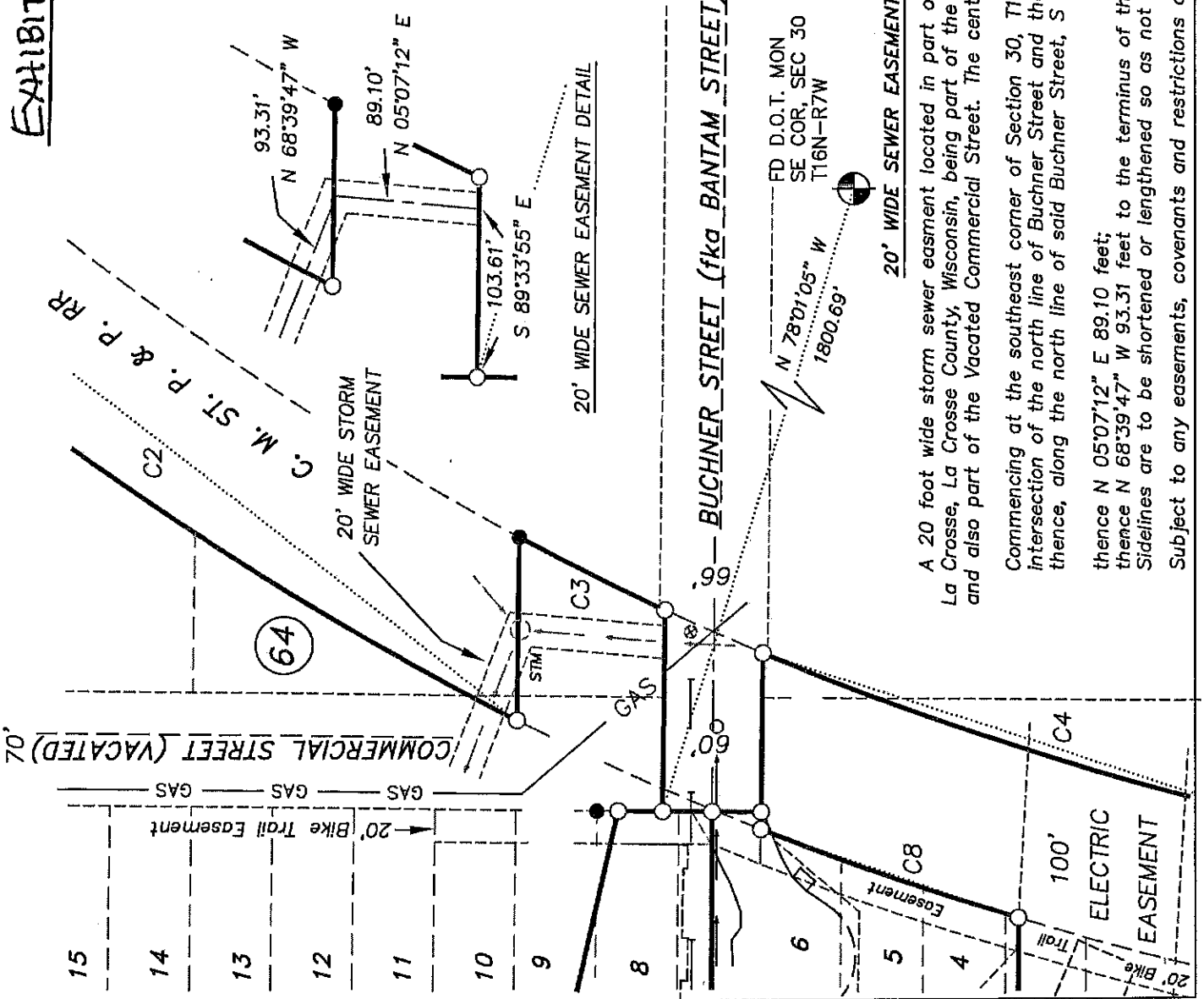
This instrument was drafted by: Mark Johnson  
City of La Crosse,  
400 La Crosse Street  
La Crosse, WI 54601



# EXHIBIT A

1" = 100'

MID - CITY  
INDUSTRIAL  
PARK ADDITION  
GOVERNMENT LOT 1  
SECTION 31, T16N-R7W



## 20' WIDE SEWER EASEMENT DESCRIPTION

A 20 foot wide storm sewer easment located in part of Government Lot 1, Section 30, T16N-R7W, City of La Crosse, La Crosse County, Wisconsin, being part of the former, Chicago Milwaukee St. Paul and Pacific Railroad and also part of the Vacated Commercial Street. The centerline of said 20 foot easement is described as follows:

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thence N 05°07'12" E 89.10 feet;  
thence N 68°39'47" W 93.31 feet to the terminus of this easement centerline description.  
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Subject to any easements, covenants and restrictions of record.

Resolution approving the acquisition of a stormwater utility easement at the western termination of Buchner Street.

RESOLUTION

WHEREAS, an existing privately owned storm sewer drains a portion of the west end of Buchner Street;

NOW, THEREFORE, BE IT RESOLVED, the Common Council of the City of La Crosse hereby accepts a storm sewer utility easement for the storm sewer draining the west end of Buchner Street.

BE IT FURTHER RESOLVED that the City of La Crosse also accept a bill of sale transferring all assets of the sewer system to the City including the storm sewer outfall.

BE IT FURTHER RESOLVED by the Common Council of the City of La Crosse that the City Engineer, Utility Manager and City Attorney are hereby authorized to effectuate this resolution.

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*I, Teri Lehrke, certify that this resolution was duly and officially adopted by the Common Council of the City of La Crosse on February 9, 2017.*



*Teri Lehrke, City Clerk  
City of La Crosse, Wisconsin*

**BILL OF SALE**

The Viner Family Limited Partnership, in consideration of One Dollar (\$1.00) and other good and valuable consideration, to be paid by the City of La Crosse, a Wisconsin municipal corporation, the receipt of which is hereby acknowledged, do hereby:

Convey the following:

Two (2) concrete catch basins and interconnecting pipe located in Buchner Place.

Approximately 95 lineal feet of 12" diameter reinforced concrete storm sewer pipe;

Approximately 90 lineal feet of <sup>18"</sup>~~20"~~ diameter cast iron stormwater outfall pipe; and

One (1) concrete manhole located between the City R.O.W. of Buchner Place and the stormwater outfall.

Any additional appurtenant items associated with the storm sewer and stormwater outfall system.

Dated this 27<sup>th</sup> day of FEBRUARY, 2017.

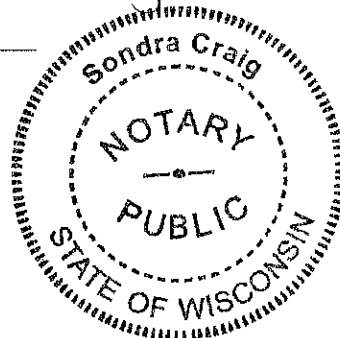
Viner Family Limited Partnership:

BY: Randy Viner  
Randy Viner  
General Partner

Subscribed and sworn to me this 27<sup>th</sup> day of February, 2017.

Sondra Craig (Sondra Craig)  
Notary Public, State of Wisconsin  
My commission: 4/11/2017

This instrument drafted by:  
City of La Crosse,  
400 La Crosse Street  
La Crosse, WI 54601



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Return to

City Attorney  
400 La Crosse Street  
La Crosse WI 54601

Parcel Identification Number/Tax Key Number