

#02859898

DEED 2613 PAGE 341

THIS INDENTURE, Made this 24th day of February, A.D. 1949, between the PILGRIM EVANGELICAL LUTHERAN CHURCH, a domestic corporation, party of the first part, and the CITY OF WAUWATOSA, a municipal corporation, party of the second part.

W I T N E S S E T H: That party of the first part for valuable consideration do hereby grant to party of the second part, and such other municipal corporation or body or political subdivision as may be now or hereinafter authorized by law to grant, regulate or control public or quasi-public service or functions upon streets and as may succeed to the rights of the party of the second part, an easement and right-of-way in, upon, and along the following described property.

The South 10 feet of Lots 4, 5 and 6, Block 3 Ritter Highland View Extension, a recorded subdivision in the Southeast 1/4 of Section 15, Township 7 North, Range 21 East, City of Wauwatosa, Milwaukee County, Wisconsin.

for storm sewer, the right, power and authority being herewith given to build, construct, repair, rebuild, operate and maintain through, under, and along said right-of-way above described storm sewer, now or hereafter provided, furnished, or installed by or under the direction of party of the second part or other municipal corporation or body or political subdivision, including the right to enter upon said right-of-way for all necessary purposes connected therewith.

It is further understood and agreed that there shall not at anytime be erected or maintained nor shall party of the first part at anytime permit to be erected or maintained in, upon, or along said easement or right-of-way any permanent buildings or structures of any kind or plant or permit to be planted any tree thereon, and said party shall, at their own expense, remove from said easement any temporary structure which may interfere with the building, construction, repair, rebuilding, operation or maintenance of the purpose for which this easement is granted upon demand of the proper parties to which this easement is granted, and in case of failure so to do, said

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structures may be removed forthwith by such party and the costs assessed to said property or otherwise charged to the party of the first part.

TO HAVE AND TO HOLD. The same to the only proper use, benefit and behoof of the said party of the second part, its successors and assigns forever, and the foregoing shall bind the heirs, administrators, executors, successors, and assigns of the party of the first part.

IN WITNESS WHEREOF, The party of the first part have hereunto set their hands and seals this 24th day of February, 1949.

Signed and Sealed

In presence of:

PILGRIM EVANGELICAL LUTHERAN CHURCH

By:

Robert J. Margwald (dual) Harbert J. Schultz (dual)
Edwin H. Schaller (dual) Edwin H. Schaller (dual)
A. W. McEvoy (dual) A. W. McEvoy (dual)

STATE OF WISCONSIN }
MILWAUKEE COUNTY } SS.

Personally came before me this 24th day of February, 1949, the above named Harbert J. Schultz, Edwin H. Schaller and A. W. McEvoy, Trustees

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

Donald Bohmann
Notary Public, Milwaukee County
Wisconsin

My Commission Expires Jan. 11, 1953

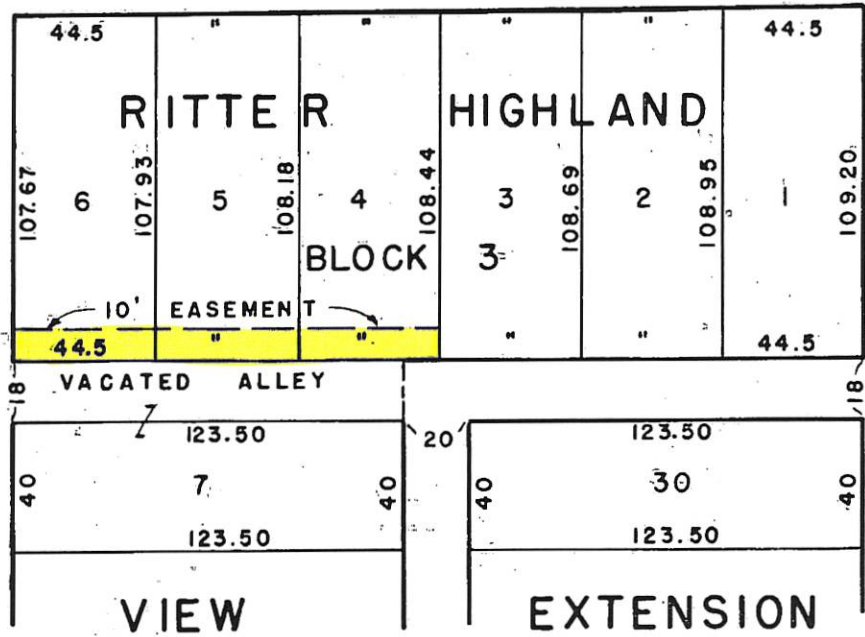


EASEMENT TO
THE CITY OF WAUWATOSA, WISCONSIN
FROM
PILGRIM EVANGELICAL LUTHERAN CHURCH
FOR
STORM SEWER

The South 10 feet of Lots 4, 5 and 6 Block 3 Ritter Highland View Extension, a recorded subdivision Southeast 1/4 of Section 15, Township 7 North Range 21 East, City of Wauwatosa, Milwaukee County, Wisconsin.

W. CENTER ST.

N. 68TH ST.



N. 67TH ST.

OFFICE OF CITY ENGINEER
WAUWATOSA, WISCONSIN.

SCALE 1" = 60'

- a) Preliminary and/or final plans and specifications.
- b) An estimate of the entire cost of the proposed improvements.
- c) A schedule of the proposed assessments.

The Area bounded on the west by North 124th Street, on the north by West Capitol Drive, on the east by the Zoo Freeway, and on the south by West Burleigh Street

WHEREAS, The said report was filed by the Board of Public Works with the City Clerk on February 3, 1975, for public inspection.

NOW, THEREFORE, BE IT RESOLVED, By the Common Council of the City of Wauwatosa, Wisconsin, that, the City Clerk is directed to give notice, as by law provided, of public hearings to all owners to be assessed for the proposed improvements hereinabove listed and to publish notice of the hearings at least once in the official newspaper at least 10 days and not more than 40 days before the time set for the hearings, and;

BE IT FURTHER RESOLVED, That the public hearings be held informally before the Board of Public Works in the Council Chambers at 7:00 P.M. Central Daylight Time, on Monday March 3, and formally before the Common Council in the Council Chambers at 7:30 P.M. Central Daylight Time, on Tuesday, March 4, in the City Hall of the City of Wauwatosa, Wisconsin, at which all persons interested, or their agents or attorneys, concerning matters contained in the preliminary resolution, such assessments and the report, including proposed assessments, will be heard.

Read.

It was moved by Ald. James, seconded by Ald. Bach, that each and every one of the five foregoing resolutions be adopted by one and the same vote, and on roll call the vote was as follows: Ayes 13, Noes -1 (Ald. Mathes voting "No").

From the Board of Public Works --

RESOLUTION

WHEREAS, It is the sense of the Common Council of the City of Wauwatosa, Wisconsin, that it is necessary to relocate a storm sewer in the vacated portion of an alley south of West Center Street extending from the North-South portion of the alley between North 67th Street and North 68th Street, to North 68th Street, all in accordance with the standard specifications for sewer and water construction in Wisconsin.

Ald. Benz excused -13.

NOW, THEREFORE BE IT RESOLVED, By the Common Council of the City of Wauwatosa, Wisconsin.

Section 1. That the plans and specifications as prepared by Consultants of Burroughs-Van Lanen-Strass Architects, Inc. for and in behalf of the City of Wauwatosa and submitted by the Board of Public Works of the City of Wauwatosa for furnishing all labor, material and equipment for constructing said storm sewer and appurtenances in the above described location, and the same are hereby approved.

Section 2. That the Metropolitan Sewerage Commission be requested to approved said plans for the construction of the storm sewer and appurtenances.

Section 3. That the storm sewer shall be constructed at expense to the City of Wauwatosa.

Read.

From the Board of Public Works --

RESOLUTION

WHEREAS, It is the sense of the Common Council of the City of Wauwatosa, Wisconsin, that it is in its best interest to relocate a storm sewer in the vacated portion of an alley south of West Center Street running from the North-South alley between North 67th Street and North 68th Street and running to North 68th Street to accommodate an addition to the church building; and

WHEREAS, The Pilgrim Evangelical Lutheran Church has offered to relocate said storm sewer at their sole expense and have provided an easement already executed and ready for acceptance on the part of the City of Wauwatosa to accommodate the new storm sewer.

NOW, THEREFORE, BE IT RESOLVED, By the Common Council of the City of Wauwatosa, Wisconsin.

Section 1. That the Pilgrim Evangelical Lutheran Church be and the same is hereby authorized and permitted to relocate the storm sewer in the location above described.

Section 2. That the easement document herewith attached and made a part of this resolution be and the same is hereby accepted.

Section 3. That the proper City Officers be and they are hereby authorized and directed to record same in the Register of Deeds Office in Milwaukee County.

Read.

EASEMENT FOR STORM SEWER
LOTS 4, 5, 6 and 7, BLOCK 3
RITTER HIGHLAND VIEW EXTENSION

THIS INDENTURE, Made this 30th day of January 1975, A.D., 1975, between the PILGRIM EVANGELICAL LUTHERAN CHURCH, a domestic corporation, party of the first part, and the CITY OF WAUWATOSA, a municipal corporation, party of the second part.

W I T N E S S E T H: That party of the first part for valuable consideration does hereby grant to party of the second part, and such other municipal corporation or body or political subdivision as may be now or hereinafter authorized by law to grant, regulate or control public or quasi-public service of functions upon streets and as may succeed to the rights of the party of the second part, an easement and right-of-way in, upon, and along the following described property.

A 10 foot wide strip of land extending from the east end to the west end of the vacated alley, the center line of the 10 foot strip being the center line of said vacated alley, located south of Lots 4, 5 and 6 and north of Lot 7 in Block 3, Ritter Highland View Extension, a recorded subdivision in the Southeast 1/4 of Section 15, Township 7 North, Range 21 East, City of Wauwatosa, Milwaukee County, Wisconsin

for storm sewer, the right, power and authority being herewith given to repair, rebuild, operate and maintain through, under, and along said right-of-way above described storm sewer, now or hereafter provided, furnished, or installed by or under the direction of party of the second part or other municipal corporation or body or political subdivision, including the right to enter upon said right-of-way for all necessary purposes connected therewith.

It is further understood and agreed that there shall not at any time be erected or maintained nor shall party of the first part at any time permit to be erected or maintained in, upon, or

along said easement or right-of-way any permanent buildings or structures of any kind or plant or permit to be planted any tree thereon, and said party shall, at their own expense, remove from said easement any temporary structure which may interfere with the building, construction, repair, rebuilding, operation or maintenance of the purpose for which this easement is granted upon demand of the proper parties to which this easement is granted, and in case of failure so to do, said structures may be removed forthwith by such party and the costs assessed to said property or otherwise charged to the party of the first part.

TO HAVE AND TO HOLD. The same to the only proper use, benefit, and behoof of the said party of the second part, its successors and assigns forever, and the foregoing shall bind the heirs, administrators, executors, successors, and assigns of the party of the first part.

IN WITNESS WHEREOF, The party of the first part have hereunto set their hands and seals this 30th day of January, 1975.

Signed and sealed in
presence of:

PILGRIM EVANGELICAL LUTHERAN
CHURCH

John H. Corbett (Seal)

By: Orville W. Otto (Seal)
Trustee

Roger A. Benson (Seal)

Thomas S. Horne, Jr. (Seal)
Trustee

Harry W. Shields (Seal)
Trustee

STATE OF WISCONSIN)
) ss.
MILWAUKEE COUNTY)

Personally came before me this 30th day of January, 1975, the above named Orville W. Otto, Thomas S. Horne, Jr. and Harry W. Shields, Trustees, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

William B. Wagner
Notary Public, Milwaukee County,
Wisconsin
My Commission: _____

W CENTER ST



N 68th ST

N 67th ST

