

Report to the Manitowoc Plan Commission

Meeting Date: Wednesday, January 27, 2021

Request: PC 8-2021: Manitowoc Lutheran High School Request to Purchase City Owned Property.

Report: Paul Klueker, Manitowoc Lutheran High School (MLHS) Steering Committee is inquiring about a piece of former right-of-way property located at the northeast corner of the Waldo Blvd and N. Rapids Road. The property is currently owned by the City of Manitowoc but was given to the City from the State of Wisconsin. In 1995, WisDOT quit claimed the property to the City for “mutual benefits”. The City has not used the property for any purposes other than existing utilities that are located on the property.

WisDOT placed the following restrictions on the deed:

“the property is being conveyed with the reservation that the City be permitted to use the property for park, open space, or street purposes only. In the event the use changes to something other than this specific use, title shall revert to the grantor.

Under no conditions shall the grantor be permitted to sell the land and retain the proceeds.

There shall be no vehicular ingress or egress between the above – described land and the highways currently designated STH 42 and CTH “R”.

All public and private utilities located upon, over or under the above-described lands shall have the continued right of occupancy and the continued right of ingress and egress for personnel and equipment for the purpose of maintain or improving their facilities.”

The subject property is approximately 1.96 acres according to the Assessor records.

The following utilities run through property: Sanitary sewer (green on the map), MPU Electric (dashed red), and storm sewer (orange). An easement would need to be drafted for the utilities.

The property is predominately zoned R-6 Multiple Family with a small sliver at the far north end zoned R-2 Single Family Residential.

Currently MLHS has an electronic message sign located on the property. MLHS also has historically maintained the property cutting the grass and plowing the snow. MLHS is in the planning stages of an expansion to their campus; they are planning a building and parking lot expansion and would like the property for a portion of the proposed parking lot and baseball field.

When WisDOT and the City were planning the reconstruction of Waldo Blvd an earlier plan showed a roundabout at this intersection, which subsequently wasn't constructed; this stretch of Waldo Blvd was milled and overlaid. Enough land should be retained to insure that a roundabout, utilities and other infrastructure can be constructed sometime in the future at this intersection.

This item will also be discussed at the Public Infrastructure Committee level.

Recommendation: Approve the request to acquire the property from the city subject to the following: i) City retain enough property to allow the construction of any potential roundabout, ii) if not currently in place easements shall be created for any and all utilities that may be in the property.



Manitowoc Lutheran High School

4045 Lancer Circle + Manitowoc, WI 54220

To: Manitowoc Common Council
900 Quay St.
Manitowoc, WI 54220

Wednesday, January 20, 2021

Dear Mayor Nickels,

Manitowoc Lutheran High School (MLHS) is requesting the transfer of ownership of a 1.94 acre parcel of land, currently owned by the city to MLHS. The parcel is an old roadbed, just northeast of the intersection of Waldo Blvd & Cty R. (Please see attached map, the parcel is outlined in yellow.)

Parcel Number: 82 42 02 025

Legal Description: PRT OF SW 1/4 SW 1/4 & NW 1/4 NW 1/4 IN SEC 24-19-23 DESC IN V1118 P547 EX V2040 P406 FOR ST

MLHS is considering an expansion of the current facility, adding a new gym and chapel onto the southwest corner of the existing building. The purpose of acquiring the parcel is so that there is no question as who is the rightful owner of the parcel, as we may expand our parking lot into a small portion of that area.

We understand that there are state restrictions on the current quit claim deed (see attached). Steering Committee member, Paul Klueker, did have a telephone conversation with Wisconsin DOT representative, Kevin Gross regarding the possible transfer of ownership and those restrictions. Here is a verification of what was discussed during that call, in an e-mail from Paul to Mr. Gross: Thursday, October 8th, 2020:

Hi Kent,

Here is what I heard during our conversation.

The DOT does not have any concerns or issues for the city off Manitowoc to transfer ownership of the 1.94 acre parcel in question to Manitowoc Lutheran High School.

The DOT would relax the restrictions it doesn't need anymore. Any appropriate easements would remain in place, such as a utility easement.

A quit claim deed would have to be re-issued.

The property could be transferred (or sold) on paper for a nominal fee, like \$1.00. (This is also known as a sale for the sum of material benefits.)

This property will not be sold for profit, like a sale to a developer.

Thank you Kent, for your prompt attention.

Mr. Gross replied on Friday, October 9th, 2020:

Yes, this does capture what we discussed yesterday.

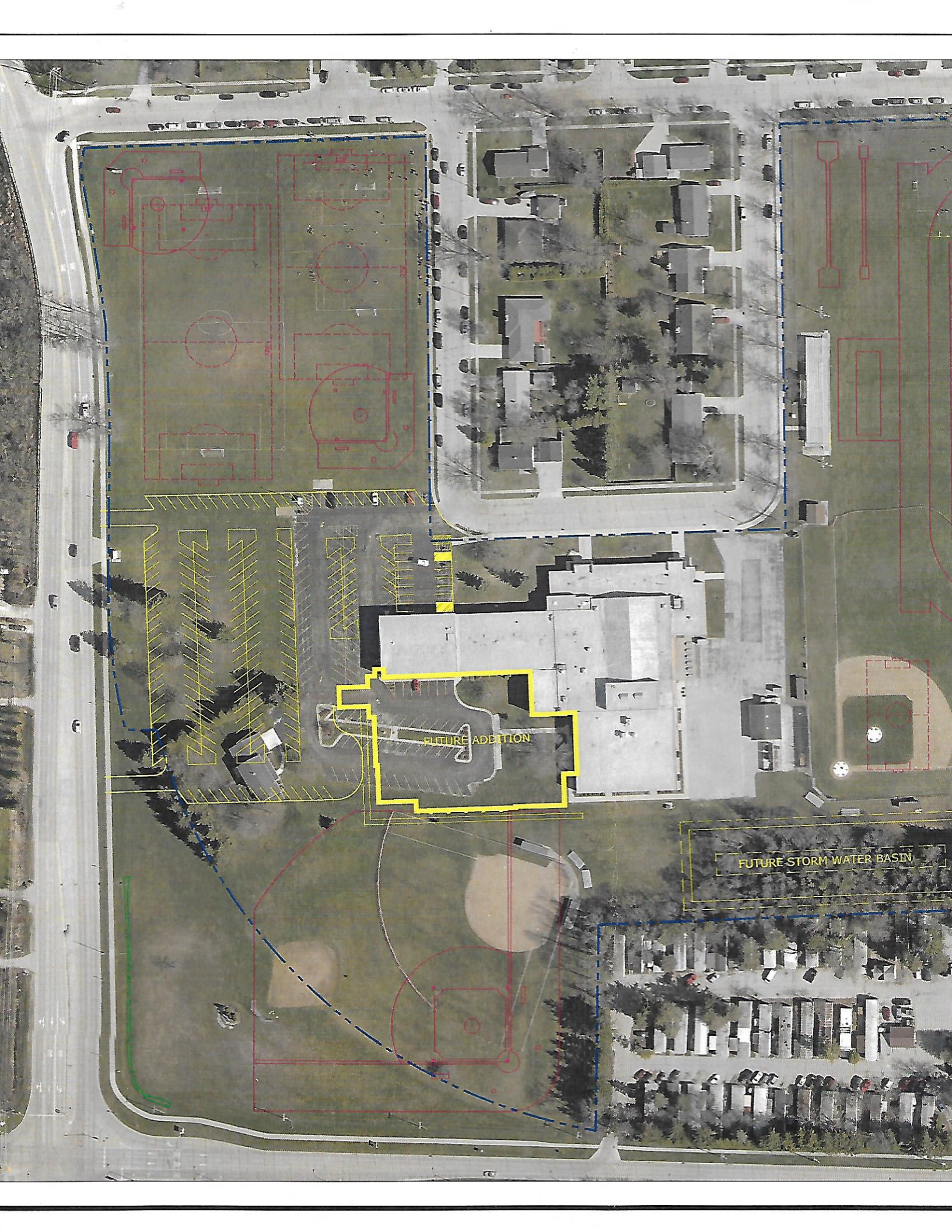
Please consider our request at your earliest convenience.

Thank you,

Paul Klueker, MLHS Steering Committee

pkluenker@yahoo.com

920-901-9112 (Textable)



FUTURE ADDITION

FUTURE STORM WATER BASIN

750796

QUIT CLAIM DEED
State Grantor

Document No.

Exempt from fees s. 77.25(2)

RE3047 790

THIS DEED, made by the State of Wisconsin, Department of Transportation, grantor,
quit claims to the City of Manitowoc

grantee(s), for the sum of Mutual Benefits

pursuant to Section 84.09(5) Wisconsin Statutes, the property described below.
Legal Description/Restrictions

This space reserved for recording data

RECEIVED FOR RECORD
VOL. 1118 PAGE 547
'95 MAR 20 AM 10 02
MANITOWOC COUNTY, WI
FRESTON JONES
REGISTER OF DEEDS

Return to: Property Management
Department of Transportation
P O Box 28080
Green Bay, WI 54304-0080

FEE 77.25 (2r)
EXEMPT

12.00 chg

A tract of land in the SW $\frac{1}{4}$ -SW $\frac{1}{4}$ of Section 13 and in the NW $\frac{1}{4}$ -NW $\frac{1}{4}$ of Section 24, all
in T19N, R23E, City of Manitowoc, Manitowoc County, Wisconsin and described as follows:

Commencing at the southwest corner of said Section 13; thence N 87°23'45"E along the
south line of said Section 13 for 79.77 feet to the proposed easterly right of way line of
CTH "R" (North Rapids Road), the point of beginning; thence N 00°38'30"E along said
easterly right of way line for 428.71 feet to a point of curvature of a 687.32 foot radius
curve with a long chord bearing, S 06°32'12"E, 171.77 feet; thence southeasterly along the
arc of said curve to the left, 172.22 feet; thence S 89°21'30"E for 36.75 feet to a point
on a 651.78 foot radius curve with a long chord bearing, S 47°13'34"E, 704.43 feet; thence
southeasterly along the arc of said curve to the left, 744.20 feet; thence S 00°47'05"W
for 7.33 feet to the proposed north right of way line of STH 42 (Waldo Boulevard); thence
N 88°32'15"W along said north right of way line for 380.67 feet; thence N 43°56'53"W for
284.86 feet to the proposed easterly right of way line of CTH "R"; thence N 00°38'30"E
along said easterly right of way line for 13.28 feet to the point of beginning.

Containing 1.94 acres, more or less.

It is expressly intended and agreed by and between the parties hereto that:

(Cont.)

As approved by the Governor of the State of Wisconsin on

9-20-94
(Date)



X [Signature] 3-15-95
(State Real Estate Manager - Highways)
DONALD D. SPENNER
State of Wisconsin)
) ss.
[Signature] County)

On the above date, this instrument was acknowledged before me
by the above-named person, to me known to be the Department
of Transportation State Real Estate Manager, Highways.

Roberta A. Berger
(Signature, Notary Public, State of Wisconsin)

ROBERTA A. BERGER
(Print or Type Name, Notary Public, State of Wisconsin)

April 19, 1998
(Date Commission Expires)

QUIT CLAIM DEED (Cont.)

This property is being conveyed with the reservation that the City be permitted to use the property for park, open space, or street purposes only. In the event the use changes to something other than this specific use, title shall revert to the grantor.

Under no conditions shall the grantor be permitted to sell the land and retain the proceeds.

There shall be no vehicular ingress or egress between the above-described land and the highways currently designated STH 42 and CTH "R".

All public and private utilities located upon, over or under the above-described lands shall have the continued right of occupancy and the continued right of ingress and egress for personnel and equipment for the purpose of maintaining or improving their facilities.



Internal Map - Community Development

City Website Zoning



4045 LANCER CIR

Legend	
Orange	Storm Sewer
Green	Sanitary
Blue & Red	Electrical
Yellow	Lot Line

200ft

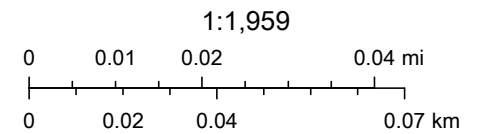
-87.696 44.110 Degrees

City of Manitowoc



1/23/2021, 9:41:23 AM

- | | | | | |
|---------------|---------------------|------------------------|---------------------------|---------------------|
| Storm Pond | Rem/Abandoned Pipes | Storm Manhole | Manhole, Standard (100) | CB Cell (100) |
| Storm Main | Storm Lateral | Inlet, any style (100) | Open Grt/Beehive MH (100) | CB_MH (100) |
| Pipe (Active) | Storm Outfall | Inlet/Manhole (100) | Cleanout (100) | Miscellaneous Cells |



City of Naperville, Illinois, Esri., Inc.

CTH R Roundabout Alternative



USH 10/STH 42 (Waldo Boulevard), City of Manitowoc, Manitowoc County



From
DOT
2012

Zoning Map



1/23/2021, 10:12:40 AM

Zoning	R-2	R-5	B-1	B-4
	P-1	R-3	R-6	B-2
	R-1	R-4	R-7	B-3
				I-1

