

Public Input  
6-16-14  
CITY OF  
MANITOWOC

14-1352  
CONSENT

June 16, 2014

David Less  
City Planner

To: Mayor and Common Council  
From: Manitowoc City Plan Commission  
Subject: **PC17-2014: SMI/Abbey Ridge LLC; Request for Release of Sanitary Sewer Easement**

Dear Mayor and Common Council:

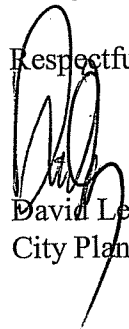
At the regular June 11, 2014 meeting of the Manitowoc City Plan Commission, the Commission reviewed a proposal to extinguish a sanitary sewer easement in the area of the Abbey Ridge Condominium, located between Ravenswood Lane and N. 18<sup>th</sup> Street (see attached "Utility Easement"). The Commission notes that the route of the existing easement encroaches into future buildings planned for this development. Vacating this easement means this area would be serviced by the sewers along Abbey Ridge Lane and Ebony Avenue.



OFFICE OF CITY PLANNING  
CITY PLAN COMMISSION

The Commission unanimously recommended that the Council: (i) authorize terminating the attached Utility Easement; (ii) authorize the City Attorney's office to draft the termination document; (iii) authorize the Mayor and Clerk to sign the document at the call of the Deputy City Planner; and (iv) authorize the Clerk to record the document, with SMI or its third party client to pay for all recording fees.

Respectfully Submitted,

  
David Less  
City Planner

Attachment

Re: Granicus #14-1066





DOC# 1029900

**UTILITY EASEMENT**

STATE OF WI - MTWC CO  
PRESTON JONES REG/DEEDS  
RECEIVED FOR RECORD  
06/26/2007 3:25:47 PM

**FOR VALUE RECEIVED**, Abbey Ridge, LLC, individually and as declarant for Abbey Ridge Condominium ("Grantor") does hereby grant this easement to the City of Manitowoc, a Wisconsin municipal corporation located in Manitowoc County, State of Wisconsin.

This easement shall be for the purpose of installing, maintaining, and repairing public utilities (sewer, water, electricity, gas, telephone, and other data lines) over, on and under the following described property:

A permanent 30 foot and 66 foot wide utility easement and a 50 foot wide temporary construction easement located in the NE 1/4 of the NW 1/4 of Section 18, T. 19 N., R. 24 E., City of Manitowoc, Manitowoc County, Wisconsin, as shown on attached Exhibit A and except as shown having the following described centerline:

Commencing at the Center of said Section 18, thence N. 00° 12' 41" W. along the 1/4 section line, 1,946.01 feet; thence N. 89° 25' 54" W., 37.13 feet to the West right-of-way of N. 18th Street, being the point of beginning; thence continue N. 89° 25' 54" W., 69.46 feet; thence S. 32° 59' 09" W., 219.38 feet; thence S. 72° 32' 37" W., 182.42 feet; thence N. 74° 39' 37" W., 151.31 feet; thence S. 30° 07' 01" W., 335.98 feet; thence N. 89° 55' 26" W., 253.14 feet; thence N. 82° 10' 35" W., 175.94 feet; thence N. 00° 10' 45" W., 597.64 feet; thence N. 46° 55' 54" W., 237.51 feet to the West line of a parcel as described in Volume 530, Page 201, as recorded at the Manitowoc County Register Deeds office.

Said permanent easement contains 2.38 acres of land more or less.

("Easement Property")

Grantor agrees not to construct any building, structure, pond or other permanent improvement on the Easement Property. The Easement Property shall remain unobstructed at all times.

This easement shall run with the land and be binding upon Grantor and its successors in interest.

This easement incorporates by reference the Standard Utility Easement Conditions on file with the Manitowoc County Register of Deeds in Volume 1252, Page 498, Document No. 798738.

Grantor covenants that it will be liable for the cost of any utility hook-up installation it requests on the Easement Property.

15 (13 CLK + 2 CA)  
This Space Reserved for Recording Data

Return To: ABBEY RIDGE LLC  
21135 USH 151  
VALDERS 54245

818201012

Tax Parcel Number



Dated this 26 day of June, 2007.

ABBHEY RIDGE, LLC

BY:

[Signature]  
KEVIN J. KLEINERT, Member

[Signature]  
SCOTT M. BEHRINGER, Member

[Signature]  
JOHN LUKAS, Member

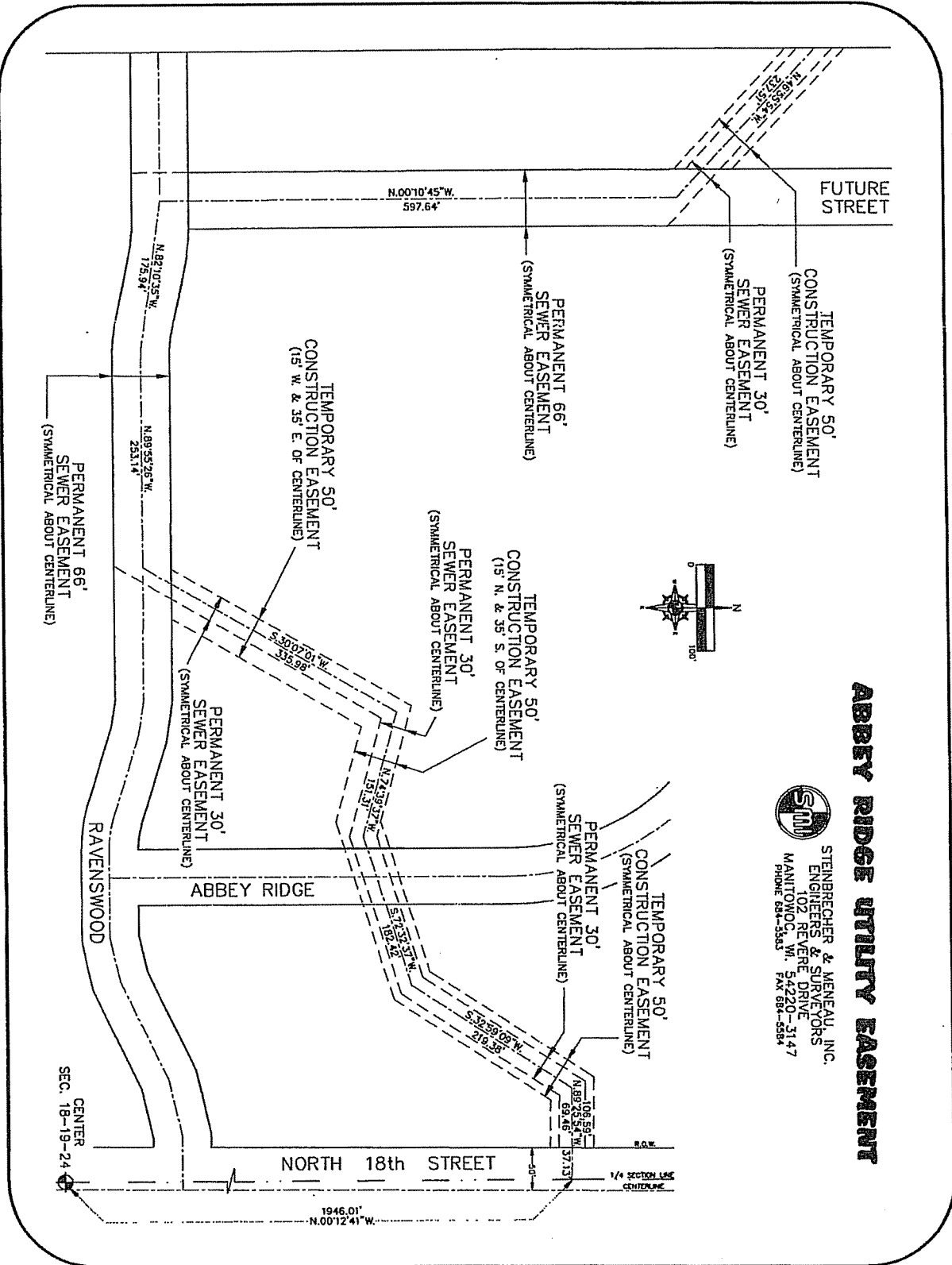
**ACKNOWLEDGMENT**

STATE OF WISCONSIN            )  
  ) SS  
COUNTY OF MANITOWOC        )

Personally came before me this 26 day of June, 2007, the above named, Kevin J. Kleinert, Scott M. Behringer and John Lukas, members of Abbey Ridge, LLC, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

[Signature]  
~~KARLE WAACK~~ Rebecca L Bergene  
Notary Public, Manitowoc County, WI  
My Commission Expires 8/2/09

This instrument was drafted by Attorney Derek McDermott.



# ABBEY RIDGE UTILITY EASEMENT



STENBRECHER & AENEAL, INC.  
 ENGINEERS & SURVEYORS  
 102 REVERE DRIVE  
 MANITOWOC, WI. 54220-1147  
 PHONE 920-353-3533 FAX 920-353-3534

EXHIBIT A