

**SIDEWALK PRIVILEGE AGREEMENT**

This Agreement made by and between the City of Manitowoc, Wisconsin, a municipal corporation, hereinafter referred to as "City" and Coffey Enterprises, LLC, a limited liability company, hereinafter referred to as "Owner."

The parties hereto agree as follows:

1. **Grant.** Pursuant to Wis. Stats. §66.0425, the City hereby grants Owner the privilege to use the following portion of sidewalk or street right-of-way for maintenance of a balcony extending over the City of Manitowoc Mariner's Landing, located at 806 S. 8<sup>th</sup> Street, Manitowoc, Wisconsin as follows:

Part of Lot 7 of the Subdivision of Lots 1 and 2 of Block 218 of the Original Plat of the City of Manitowoc, Located in Government Lot 1 of Section 7, Town 19 North, Range 24 East. City of Manitowoc, Manitowoc County, Wisconsin, described as follows:

Commencing at the NW Corner of Said Section 7; Thence S 89°34'46" E, 742.51 feet coincident with the north line of said Section 7; Thence S 00°26'17" W, 1341.71 feet to a point on the east line of said Lot 7, 1-3/4" north of the southeast corner of said Lot 7; Thence N 89°20'17" W, 7.88 feet coincident with a line parallel to said south line of Lot 7 being the point of beginning; Thence continuing N 89°20'17" W, 20.67 feet; Thence N 00°39'43" E, 6.67 feet; Thence S 89°20'17" E, 20.67 feet; Thence S 00°39'43" W, 6.67 feet to the point of beginning.

Said parcel contains 138 square feet of land and is shown in the attached map.

Tax Parcel Number: 000-218-070.

2. **Consideration.** In consideration for the grant of this privilege, Owner agrees to maintain this property in conformity with City requirements.

3. **Liability.** By acceptance of this Grant, Owner agrees, pursuant to Wis. Stats. §66.0425, to be primarily liable for any damages to person or property by reasons of the granting of this privilege, and as consideration for this privilege, Owner agrees to obtain and maintain in effect for the duration of this Grant, liability insurance with a limit of not less than \$100,000 per person, \$500,000 per occurrence to insure this obligation.

4. **Termination.** This Agreement shall terminate should Owner fail to maintain the property described in paragraph 1 for the purpose granted. In addition, the City shall have the right to terminate this agreement upon ten (10) days written notice to Owner. Such notice is to be delivered in the manner required by statute for the service of a summons.

5. **Removal.** Owner agrees that it shall be obligated to remove any improvements placed on the premises for which this Grant is made upon ten days' notice by the City. Owner agrees that it, as well as its agents, employees, successors or assigns shall be entitled to no damages for removal of any such improvements. If Owner fails to so remove such improvements upon due notice, the improvements shall be removed by the City at Manitowoc at Owner's expense and if Owner fails to pay for such costs a judgment for said amount shall be granted against Owner in favor of the City.

6. **Waiver.** Owner specifically waives its right to contest in any manner the validity of this agreement under Wis. Stats. §66.0425.

7. **Parties.** This agreement shall be binding upon and inure to the benefit of the parties hereto as well as their successors and assigns.

8. **Implementation.** This agreement shall not be effective until it has been executed by the authorized persons for the City, as well as Owner. Failure to properly execute this agreement makes the agreement null and void.

[This portion left intentionally blank]



# EXHIBIT "A"

NW CORNER  
 SEC. 29-19-24  
 (EXISTING CHISELED "X")  
 MTWC. CO. COORD.  
 N 302122.988  
 E 232922.833

S 89°34'46" E  
 742.51'

N. LINE, NW 1/4, SEC. 29-19-24

MANITOWOC RIVER

BRIDGE CONTROL BUILDING

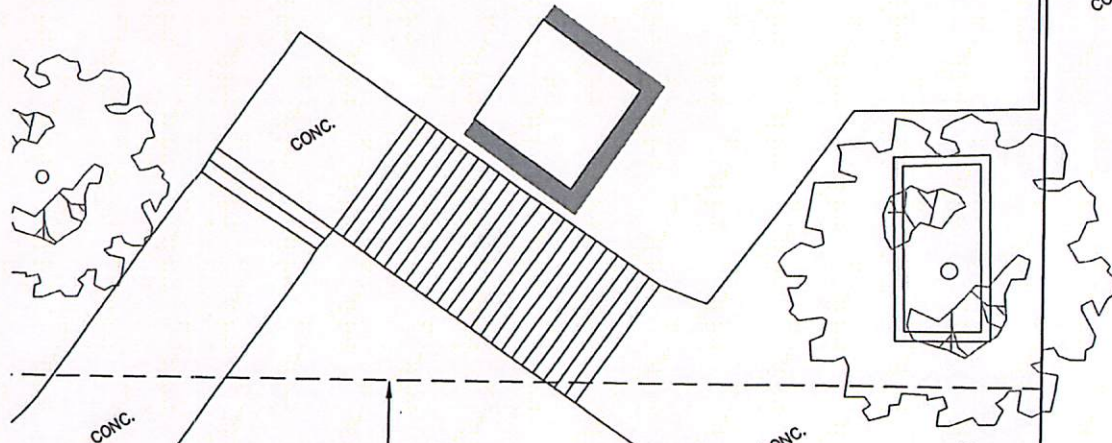
LOT 7

1341.71'  
 S 00°26'17" W

CONC.

SOUTH 8th STREET

(CONCRETE CURB & STREET)



15' WALL MAINTENANCE EASEMENT (FROM THE SOUTH LINE OF LOT 7)

N 00°39'43" E  
 6.67'

S 89°20'17" E 20.67'

S 00°39'43" W  
 6.67'

20.67'

7.88'

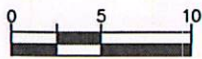
N 89°20'17" W

EXISTING BUILDING

7.50'

LOT 6

CONC.



SCALE 1" = 10'

CLIENT COFFEY ENTERPRISES

DATE 1/11/2021

CAD FILE DWG\CITY\MTWC\ACE\COFFEY\757019 JOB NO. S348020



**Corner Point**  
 A DIVISION OF ACE BUILDING SERVICE  
 3510 S. 26th Street  
 Manitowoc, WI 54220  
 Ph 920.682.6105