RESOLUTION #55-2013

Resolution offered by Supervisor, Gary Baier.

Resolved by the Board of Supervisors of Oneida County, Wisconsin:

WHEREAS, currently Oneida County provides park shelters for use by the public; and WHEREAS, the Oneida County Forestry Department has overseen the replacement and upgrade of the upper Shelter at Almon Park; and

WHEREAS, the Forestry Department proposed that electric service be installed to the shelter as part of the original design and budget; and

WHEREAS, Wisconsin Public Service (WPS) requires an easement for future repair work as a condition of installing new service;

WHEREAS, the parties have agreed to attached contract terms and budget.

NOW, THEREFORE, BE IT RESOLVED, by the Oneida County Board of Supervisors does hereby authorize the granting of an easement to WPS pursuant to the terms of the attached contract.

BE IT FURTHER RESOLVED, that the Oneida County Board Chairman is authorized to sign the agreement on behalf of Oneida County.

Vote Required: I	Majority =	_ 2/3 Majority =	¾ Majority = _	
		nority to adopt: Yes		_ as reviewed
Approved by the		Recreation Committee to	hisday of	
Offered and pass	sage moved by:			
·			Supervisor	
			Supervisor	
			Supervisor	
			Supervisor	
			Supervisor	
Ayes			Caporvicor	
Nays				
Absent				
Abstain				
Adopted				

by the County Board of Supervisors this	s day , 2
Defeated	
Mary Bartelt, County Clerk	Ted Cushing, County Board Chair

56188

DOCUMENT NUMBER

UTILITY EASEMENT / CORPORATION

THIS INDENTURE IS made this	day of
, by and between O	NEDIA COUNTY, a
Wisconsin municipal corporation ("Granto	or") and WISCONSIN
PUBLIC SERVICE CORPORATION, a	Wisconsin corporation, along
with its successors and assigns (collectively, "	Grantee"). For One Dollar
and No/100 (\$1.00) and/or for other good and	valuable consideration,
the receipt and sufficiency of which are hereby	y acknowledged, Grantor
does hereby grant unto said Grantee the perpe	tual right, permission,
authority, privilege and easement, to construct	t, install, operate, maintain,
inspect, remove, replace or abandon in place a	all equipment ("Facilities")
necessary or useful for the purpose of transmit	tting electrical energy and/or

gas for light, heat and power or for such other purpose as electric energy and/or gas is now or may hereafter be used, and for communication upon, over, across, within and above and/or beneath certain "Easement Area(s)" as shown below, or on attached Exhibit "A", on land owned by said Grantor

Return to: Wisconsin Public Service Corp. Real Estate Dept. P.O. Box 19001 Green Bay, WI 54307-9001

Parcel Identification Number (PIN)

PE253 PE254

in the Town of Pelican, County of Oneida, State of Wisconsin, described as follows, to-wit:

Part of the Southwest Quarter of the Southeast Quarter (SW1/4-SE1/4) and also part of the Northwest Quarter of the Southeast Quarter (NW1I4-SE1I4) of Section 19, Township 36 North, Range 9 East, as shown on the *attached Exhibit "A"*.

Grantor acknowledges that the measurements used in the above description or shown on the attached Exhibit "A" are approximate. Grantor agrees that the actual location of grantee's facilities as built and installed will be controlling as to the location of the easement granted.

Grantor grants to the Grantee the perpetual right, privilege and easement to enter upon the Easement Area for the purpose of constructing, installing, operating, maintaining, inspecting, removing, replacing or abandoning in place the Facilities. The Grantee shall have the right to enter on and across any of the Grantor's property outside of the Easement Area as may be reasonably necessary to gain access to the Easement Area and as may be reasonably necessary for the installation, operation, maintenance, inspection, removal or replacement of the Grantee's Facilities. Except in the event of an emergency, Grantee shall make reasonable efforts to notify the Grantor before going upon Grantor's property outside of the Easement Area.

Should Grantee's work on its Facilities require excavation, the Grantee shall restore the surface of the Easement Area to its condition prior to Grantee's work. All work performed by the Grantee pursuant to this Easement will be performed in a safe and proper workmanlike manner.

The Grantee shall have the right to control all brush and trees within the Easement Area by cutting, trimming, chemically treating and/or other means as may be reasonably necessary, within Grantee's exclusive judgment, to prevent interference with or damage to Grantee's Facilities.

In order to insure the use of the Easement Area conforms with the (Wisconsin Gas Safety Code) (Wisconsin Electrical Code) and the Grantee's construction standards, the Grantor shall not permit any of the following to occur within the Easement Area without first securing the written consent of the Grantee: (i) construction of any improvements, including buildings or other structures; (ii) placement of any other objects, or (iii) any change the grade of more than four (4) inches.

Grantee shall indemnify and hold Grantor harmless from and against any liability associated with Grantee's use or occupation of the Easement Area, except where such liability arises from the negligence or willful misconduct of Grantor.

The covenants herein contained shall bind the parties hereto and their respective heirs, executors, administrators, successors, and assigns. No failure or delay of either Party in enforcing its rights hereunder shall act as a waiver thereof, nor shall any single or partial exercise thereof preclude any other or further exercise thereof or the exercise of any other right set forth herein. This Easement may be executed in several counterparts, each of which shall be an original and all of which shall constitute one and the same instrument.

WITNESS the hand and seal of the Grantor the day and year first above written.

	ONEDIA COUNTY	
	Sign Name above Ted Cushing—	-County Board Chairman
	Sign Name above Gary Baier - Forestry, Land and Rec	creation Committee Chairman
STATE OF		
COUNTIOF)SS	
This instrument was acknowled Fed Cushing and Gary Baic said Grantor(s) and acknowled	dged before me thisday ofer, to me known to be the Grantor(s) who executed the foged the same.	, by the above-named regoing instrument on behalf of
	Sign NamePrint Name	
	Notary Public, State of My Commission expires:	
This instrument drafted by:	Jacob Braun	
R/C #077	INTEGRYS BUSINESS SUPPORT, LLC LOCATION # Rhinelander	WR# 1199707

EXHIBIT "A" SHEET 1 OF 2

Easement Description

An easement for utility purposes located in the NW V4-SE V4 and SW V4 - SE V4 of Section 19, Township 36 North, Range '9 East, Town of Pelican, Oneida County WI being 6' wide on each side of the following described line:

Commencing at the S V4 of Section 19 a capped 2" iron pipe, thence N 1 $^{\circ}$ 07' 38" E along the north-south V4line a distance of 1181.82' to a point, thence leaving said V4line S 87 $^{\circ}$ 41' 47" E approximately 33' to the east right of way line of Hixon Lake RD and the point of beginning of said line, thence continuing S 87 $^{\circ}$ 41' 47" E a distance of 144.56' to a point, thence N 88 $^{\circ}$ 38' 39" E a distance of 179.87' to a point, thence S 80 $^{\circ}$ 24' 22" E a distance of 46.71' to a point, thence S 68 $^{\circ}$ 06' 57" E a distance of 46.70' to a point, thence N 73 $^{\circ}$ 47' 01" E a distance of 145.66' to a point, thence N 30 $^{\circ}$ 16' 59" E a distance of217.59'to a point, thence N 20 $^{\circ}$ 54' 27" E a distance of 63.79' to a point, thence N 54 $^{\circ}$ 01' 18" W 53.48' to a point, thence N 88 $^{\circ}$ 11' 26" W a distance of 11.86' to the terminus of said line.

