

RESOLUTION # 2-2000

Resolution to grant WPS an Easement for Electric Distribution

Page 1 of 6

Resolution approved for presentation to the Oneida County Board by the Supervisors of the Land Records Committee.

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

WHEREAS, Wisconsin Public Service Corporation is in the process of obtaining easements from landowners to improve reliability by converting overhead electric lines to underground; and,

WHEREAS, Wisconsin Public Service Corporation has requested an easement from Oneida County across tax parcel numbers Town of Pine Lake PL 551-4 as shown in Exhibit A attached hereto; and

WHEREAS, the Land Records Committee has determined it would be in the best interest of the residents of Oneida County dependent on Wisconsin Public Service Corporation to grant such easements at no cost.

THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Oneida County hereby approve granting an easement for no costs, across those lands as described in Exhibit A below to Wisconsin Public Service Corporation; and,

BE IT FURTHER RESOLVED, that the County Clerk is authorized to sign and place the county seal upon the easement documents and other documents necessary to complete such transaction.

Vote Required: Majority = X 2/3 Majority = 3/4 Majority =

The County Board has the legal authority to adopt: Yes X No as reviewed by the Corporation Counsel, , Date: 1/15/2020

Approved for presentation to the County Board by the Land Records Committee this 14th day of January, 2020.

Consent Agenda Item: X YES NO

Offered and passage moved by:

Donny Passan
Supervisor
John K. [Signature]
Supervisor
[Signature]
Supervisor
[Signature]
Supervisor

Supervisor

52 19 Ayes

53 0 Nays

54 0 Absent

55 0 Abstain

56 X Adopted

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59 by the County Board of Supervisors this 21st day of January, 2020.

60 Defeated

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62 Tracy Hartman, County Clerk

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64 David Hintz, County Board Chair

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71 See pages 3-6 for Exhibit A

Consent Agenda - Res. #1-2020 to #8-2020

Supervisors	AYE	NAY	ABS	ABSTAIN
VanRaalte	X			
Jensen	X			
Fried	X			
Pence	X			
Kelly	-	-	X	
Winkler	X			
Vacant	-	-		
Krolczyk	X			
Schreier	X			
Almekinder	X			
Mott	X			
Ives	X			
Timmons	X			
Cushing	X			
Paszak	X			
Liebert	X			
Holewinski	X			
Oettinger	X			
Sorensen	X			
Fisher	X			
Hintz	X			
TOTALS	19		2	
TAGS				

Resolution #1 – 2020: Offered by the Supervisors of the Land Records Committee approving the conveyance of PIN RH 945 to Five Sisters Coffee, LLC.

Resolution #2 – 2020: Offered by the Supervisors of the Land Records Committee granting an easement across tax parcel number PL 551-4 to Wisconsin Public Service Corporation.

Resolution #3 – 2020: Offered by the Supervisors of the Land Records Committee approving the conveyance of part of PIN CA 933-1 & CA 1001-1 to Bradley J. Wiedenhoef, Gregory T. Wiedenhoef, Chad J. Wiedenhoef and Todd K. Wiedenhoef and part of PIN CA 933-1 & CA 1001-1 to the Town of Cassian.

Resolution #4 – 2020: Offered by the Supervisors of the Land Records Committee approving the conveyance of part of PIN LT 146-4 to Timothy C. Willett.

Resolution #5 – 2020: Offered by the Supervisors of the Land Records Committee approving the conveyance of part of PIN NE 680-1 & part of PIN NE 699-1 to Piper A. Sheahan and part of PIN NE 680-1 & part of PIN NE 699-1 to the Town of Newbold.

Resolution #6 – 2020: Offered by the Supervisors of the Public Safety Committee adopting the Civil Service Rules and Regulations.

Resolution #7 – 2020: Offered by the Supervisors of the Forestry, Land and Recreation Committee approving the 2020 Oneida County Forest Work Plan.

Resolution #8 – 2020: Offered by the Supervisors of the Public Works Committee approving payment of \$50,386.30 to the Town of Sugar Camp with the money to come from the County Bridge Aid Account.

Appointments to Committees, Commissions and other Organizations:

Re-Appoint Dennis Carriere to the Oneida County Library Board with a term to expire in December 2022.

Re-Appoint Ann Ovsak to the Board of Health with a term to expire in June 2022.

Appoint William Boehm, Boehm's, to act as an authorized

Emergency Fire Warden in Oneida County.

Appoint James Henry, Northwoods Store, to act as an authorized

Emergency Fire Warden in Oneida County.

Appoint Charlie Gahler, Woodruff Ace Hardware, to act as an authorized Emergency Fire Warden in Oneida County.

1044838 WPSC	DOCUMENT NUMBER
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ELECTRIC DISTRIBUTION EASEMENT

THIS INDENTURE is made this _____ day of _____, by and between **Oneida County** ("Grantor") and **WISCONSIN PUBLIC SERVICE CORPORATION**, a Wisconsin corporation, along with its successors and assigns ("Grantee"). For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby grant unto said Grantee the perpetual right, permission, authority, privilege and easement, to construct, install, operate, maintain, inspect, remove, replace, or abandon in place all equipment ("Facilities") necessary or useful for the purpose of transmitting electrical energy for light, heat, power and signals, or for such other purpose as electric energy is now or may hereafter be used, and for communication upon, across, within, over and/or beneath certain "Easement Area(s)" as shown below, or on attached exhibit, on land owned by said Grantor, described as follows, to-wit:

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

Parcel Identification Number (PIN)
PL 551-4

Part of the Parcel described in Oneida County Register of Deeds Document Number 108837, being part of the Southeast Quarter of the Northeast Quarter (SE 1/4-NE 1/4) of Section 26, Township 37 North, Range 9 East, **Town of Pine Lake, County of Oneida, State of Wisconsin**, as shown on the attached Exhibit "A".

Grantor acknowledges that the measurements used in the above description 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.

Grantee agrees to restore any part of the surface of the real estate which is damaged by the construction, installation, operation, maintenance, repair, renewal, removal, or changing the size of said Facilities, to approximately the condition of the real estate immediately before such damage occurred. 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, 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 ensure the use of the Easement Area conforms with the 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) changing of the grade by 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.

As provided by Wisconsin Administrative Code § PSC 113.0509, Grantee has provided the Grantor with materials approved or prepared by the PSC describing Grantor's rights and options in the easement process which include an explanation of Grantor's right to have a minimum period of five (5) days to examine the materials unless Grantor voluntarily waives the minimum five (5) day period. Grantor hereby voluntarily waives the five (5) day review period, or acknowledges that Grantor has had at least five (5) days to review the materials before signing this Easement.

[REMAINDER OF PAGE LEFT BLANK]

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

Oneida County

Corporate Name

Sign Name

Print name & title

Sign Name

Print name & title

STATE OF _____)
COUNTY OF _____)SS
_____)

This instrument was acknowledged before me this _____ day of _____, _____, by the above-named _____

Oneida County, to me known to be the Grantor(s) who executed the foregoing instrument on behalf of said Grantor(s) and acknowledged the same

Sign Name _____

Print Name _____

Notary Public, State of _____

My Commission expires: _____

This instrument drafted by: R Placek

WISCONSIN PUBLIC SERVICE CORPORATION

R/C # Rhinelander-77

LOCATION: Town of Pine Lake

RE # 1044838

