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Common Council  
Chambers  
8640 S. Howell Ave.  
PO Box 27  
Oak Creek, WI 53154  
(414) 768-6500

## COMMON COUNCIL MEETING AGENDA

TUESDAY, MAY 5, 2015  
AT 7:00 P.M.

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COUNCIL MEETINGS CAN BE SEEN LIVE ON GOVERNMENT ACCESS CHANNELS 25 AND 99

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1. Call Meeting to Order / Roll Call
2. Pledge of Allegiance
3. Approval of Minutes: 4/21/15

### Proclamation

4. **Mayoral Proclamation:** Poppy Days, May 8, 9, and 10, 2014, Oelschlaeger-Dallmann American Legion Post 434 and Auxiliary (by Committee of the Whole). NOTE: Poppy Princess Anneliese Oswald will be present to distribute Poppies.
5. **Mayoral Proclamation:** Buddy Poppy Days, May 15, 16, and 17, 2015, Meyer-Dziedzic VFW Post 8482 (by Committee of the Whole).

### Old Business

6. Common Council President Aldermanic Appointments:
  - a. Personnel Committee (minimum of 2) – 3
    - Ald. Bukiewicz
    - Ald. Gehl
    - Ald. Toman
  - b. Capital Improvements Committee – 3
    - Ald. Gehl, chair
    - Ald. Guzikowski
    - Ald. Toman
  - c. License Committee -3
    - Ald. Gehl
    - Ald. Kurkowski, chair
    - Ald. Verhalen
  - d. Plan Commission Representatives – 2
    - Ald. Bukiewicz
    - Ald. Guzikowski
  - e. Board of Health Representative – 1
    - Ald. Kurkowski
  - f. Emergency Government Committee Representative – 1 (plus Council President)
    - Ald. Kurkowski

- g. Parks, Recreation and Forestry Commission – 1
  - Ald. Bukiewicz
- h. Traffic and Safety Commission – 1
  - Ald. Verhalen
- i. Finance Committee – 3
  - Ald. Bukiewicz
  - Ald. Gehl, chair
  - Ald. Toman

New Business

**MAYOR & COMMON COUNCIL**

- 7. **Presentation:** Presentation by Owner's Representative, Steve Chamberlin, on the City Hall, Library and Fire Station projects.
- 8. **Resolution:** Consider Resolution No. 11615-050515, authorizing the issuance and sale of \$8,900,000 Taxable General Obligation Promissory Notes, Series 2015B (by Committee of the Whole).
- 9. **Motion:** Consider a motion to confirm the Mayor's appointment of Attorney Melissa Karls as City Attorney, effective 7/1/15, pursuant to Oak Creek Municipal Code Section 2.44(a), replacing retiring City Attorney Lawrence Haskin (by Committee of the Whole).
- 10. **Motion:** Consider a motion to concur with the Mayor's reappointments as follows:  
  
Board of Review – 5 year term to expire 5/2020  
Bradley Evans  
Dennis McNulty  
Frank Haybeck  
Janice Wilinski
- 11. **Motion:** Consider a motion to approve the 2015 Vendor Summary Report (by Committee of the Whole).

**STREETS, PARKS & FORESTRY**

- 12. **Motion:** Consider a motion to reject the bids for the 2015 Meadow View and Miller Park pathway/trail improvements (Project Nos. 15012 & 15013) (by Committee of the Whole).

**ENGINEERING**

- 13. **Resolution:** Consider Resolution No. 11614-050515, approving a storm water management practices maintenance agreement with Kwik Trip, Inc. for the proposed Kwik Trip #290 store located at 7880 S. 10<sup>th</sup> St. (Tax Key No. 783-9073) (1<sup>st</sup> District).
- 14. **Resolution:** Consider Resolution No. 11616-050515, a resolution of necessity for acquisition of lands for public street purpose, permanent easements for vision corners, temporary easements for grading, highway easements for maintaining roadway, and authorizing negotiation for such acquisition and condemnation, if necessary, for 5th Avenue relocation project from the intersection of STH 100 (Ryan)/STH 32 (Chicago) to 5th Avenue/Ryan Road. (Project No. 12026) (4<sup>th</sup> District).

## LICENSE COMMITTEE

The License Committee did not meet prior to the Council meeting. Tentative recommendations are as follows:

15. **Motion:** Consider a *motion* to grant an Operator's license to the following (*favorable background report received*):
  - Ben Malicki, 3513 116<sup>th</sup> St., Franksville (Piggly Wiggly)
  - Michael Baron, 1212 Blake Ave., South Milwaukee (Kwik Trip)
  - Kanisha Reeves, 8349 S. Newbury Dr., Oak Creek (Applebee's)
  - Samantha Saggio, 4361 S. Pennsylvania Ave., St. Francis (Buffalo Wild Wings)
  - Nicole Swiatowski, 728 Lakeview Ave., South Milwaukee (The Cellar)
  - Christina Martin, 3876 E. Maple St., Oak Creek (Ryan Road Mobil)
16. **Motion:** Consider a *motion* to grant a Transient Merchant license to Susy Suarez-Lemcke, 115 16<sup>th</sup> Ave., South Milwaukee, for Edward Jones, 116 E. Drexel Ave., Oak Creek, selling financial services (*favorable background report received*).
17. **Motion:** Consider a *motion* to grant a Transient Merchant license to Austin Emanuele, 9232 W. Allerton Ave., Greenfield, for Milwaukee Turf Care, LLC dba Weed Man, 11011 W. Forest Home Ave., Hales Corners, WI, selling lawn care services (*favorable background report received*).

## MISCELLANEOUS

18. **Motion:** Consider a *motion* to convene into Closed Session immediately following the conclusion of the Common Council meeting pursuant to Wisconsin State Statutes to discuss the following:
  - a. Section 19.85 (1)(g) to consider a Notice of Injury submitted on behalf of Lawrence Ashbaugh regarding an injury sustained on November 10, 2014.
  - b. Section 19.85 (1)(g) to consider a Notice of Circumstances Giving Rise to Claim and Claim submitted by Kari S. Mann regarding a claim for relief.
19. **Motion:** Consider a *motion* to reconvene into Open Session.
20. **Motion:** Consider a *motion* to take action, if necessary.

## **Adjournment.**

### Public Notice

Upon reasonable notice, a good faith effort will be made to accommodate the needs of disabled individuals through sign language interpreters or other auxiliary aid at no cost to the individual to participate in public meetings. Due to the difficulty in finding interpreters, requests should be made as far in advance as possible preferably a minimum of 48 hours. For additional information or to request this service, contact the Oak Creek City Clerk at 768-6511, (FAX) 768-9587, (TDD) 768-6513 or by writing to the ADA Coordinator at the Health Department, City Hall, 8640 S. Howell Avenue, Oak Creek, Wisconsin 53154.

It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice

**MAYORAL PROCLAMATION**

**POPPY DAYS  
MAY 8<sup>th</sup>, MAY 9<sup>th</sup> AND MAY 10<sup>th</sup>, 2015  
OELSCHLAEGER-DALLMANN  
AMERICAN LEGION POST 434 AND AUXILIARY**

WHEREAS, The Oelschlaeger-Dallmann American Legion Post and Auxiliary 434 have set aside Friday, May 8, Saturday, May 9, and Sunday, May 10, 2015, to honor all our Veterans of all wars by distribution of poppies on these days on our City; and,

WHEREAS, The annual distribution of poppies is one of the American Legion Post and Auxiliary's many veteran projects of which we are proud; and,

WHEREAS, All monies received from the distribution goes directly to the following:

- 60% percent of all money received will be distributed for:
  - Direct aid to veterans and their families in need in the City of Oak Creek
- 40% percent of all money received will be distributed for:
  - Scholarships and loans for veteran children
  - Rehabilitation projects at Zablocki VA Medical Center
  - Wisconsin Veterans' Home at King, Wisconsin
  - Christmas Gift Shop at Zablocki VA Medical Center
  - Camp American Legion, a rehabilitation center for veterans
  - National Child Welfare Foundation
  - All veteran affairs and rehabilitation programs

BE IT, THEREFORE, RESOLVED that I, Stephen Scaffidi, Mayor of the City of Oak Creek, do hereby proclaim May 8, 9 and 10, 2015, to be Poppy Days in the City of Oak Creek.

BE IT FURTHER RESOLVED that I encourage the citizens of Oak Creek to contribute generously for the annual poppy distribution by the American Legion Post and Auxiliary 434.

\_\_\_\_\_  
Stephen Scaffidi  
Mayor, City of Oak Creek

ATTEST:

\_\_\_\_\_  
Catherine A. Roeske  
City Clerk

**MAYORAL PROCLAMATION**

**BUDDY POPPY DAYS  
MEYER-DZIEDZIC VFW POST 8482  
MAY 15, 16, AND 17, 2015**

WHEREAS, the annual distribution of Buddy Poppies by the Veterans of Foreign Wars of the United States, Meyer-Dziedzic Post 8482 of Oak Creek, Wisconsin, has been officially recognized and endorsed by governmental leaders since 1922; and

WHEREAS, the annual distribution of Buddy Poppies will be held in Oak Creek on May 15, May 16, and May 17; and

WHEREAS, VFW Buddy Poppies are assembled by disabled veterans, and the proceeds of this worthy fund-raising campaign are used exclusively for the benefit of disabled and needy veterans, and the widows and orphans of deceased veterans; and

WHEREAS, the basic purpose of the annual distribution of Buddy Poppies by the Veterans of Foreign Wars is eloquently reflected in the desire to "Honor the Dead by Helping the Living".

THEREFORE, BE IT RESOLVED that I, Stephen Scaffidi, Mayor of the City of Oak Creek, do hereby urge the citizens of this community to recognize the merits of this cause by contributing generously to its support through the purchase of Buddy Poppies on the days set aside for the distribution of these symbols of appreciation for the sacrifices of our veterans.

BE IT FURTHER RESOLVED that I urge all citizens to wear a Buddy Poppy as mute evidence of our gratitude to the men and women of this country who have risked their lives in defense of the freedoms that we continue to enjoy as American Citizens.

\_\_\_\_\_  
Stephen Scaffidi  
Mayor, City of Oak Creek

ATTEST:

\_\_\_\_\_  
Catherine A. Roeske  
City Clerk



*The City Hall & Library building enclosure is progressing well, as window and glass curtain wall work continues. Interior work within City Hall primarily includes MEP rough-in, as the Library interior partitions & MEP work is well under way.*

*The Fire Station is nearing completion, as carpentry and finishes advance to final stages.*

**City Hall & Library April Progress**

- Library wall partitions
- Library rough mechanical & electrical
- Exterior stone masonry
- City Hall rough mechanical & electrical
- Rough carpentry
- Exterior glass enclosure systems
- Site preparatory work
- Interior systems framing

**Fire Station April Progress**

- Finish carpentry & casework
- Mechanical & electrical finish work
- Floor finishes
- Apparatus bay systems
- Painting & coatings
- Acoustical ceiling grid
- Site preparatory work
- Interior specialties

**City Hall & Library - Upcoming Activities (May)**

| Work Activity                    | Week |      |      |      |
|----------------------------------|------|------|------|------|
|                                  | 5/4  | 5/11 | 5/18 | 5/25 |
| Exterior stone masonry           | X    | X    | X    | X    |
| Interior partitions              |      | X    | X    | X    |
| Exterior glass systems           | X    | X    | X    | X    |
| Mechanical & electrical rough-in | X    | X    | X    | X    |
| Site work                        |      |      | X    | X    |
| Rough carpentry                  | X    | X    | X    | X    |
|                                  |      |      |      |      |

**Fire Station - Upcoming Activities (May)**

| Work Activity        | Week |      |      |      |
|----------------------|------|------|------|------|
|                      | 5/4  | 5/11 | 5/18 | 5/25 |
| Finish MEP           | X    | X    |      |      |
| Painting             | X    | X    |      |      |
| Finish flooring      | X    | X    | X    | X    |
| Interior specialties |      | X    | X    | X    |
| Casework & cabinetry | X    | X    |      |      |
| Acoustical ceilings  |      | X    | X    | X    |
| Site Work            | X    | X    | X    | X    |
|                      |      |      |      |      |



**South Entry**



**City Hall - East Stone Work**



**Reception Area**



**Lobby Waiting & Gathering Area**



**Library Main Level**



**Parking Garage Entry**



**OAKCREEK**  
— WISCONSIN —

**Progress Photos**  
April Activity

**FIRE STATION**



**North Entry**



**Apparatus Bay**



**Entry Area**



**Fitness Room**



**Kitchen**



**Masonry Washing**



# City of Oak Creek Common Council Report

Meeting Date: May 5, 2015

Item No.: 8

**Recommendation:** That the Common Council approve Resolution #11615-050515 authorizing the issuance and sale of \$8,900,000 taxable general obligation promissory notes series 2015B.

**Background:** The City has negotiated Finance Development Agreements with Blair Williams and Shawn Falen (DTS B3 LLC and DTS C3 LLC) and Barrett Visionary (Emerald Row LLC) for building construction projects including City grants at Drexel Town Square. The grants include \$5.3 million for (10A) Emerald Row project which includes 166 apartment units consisting of 153,000 square feet of rentable space, approximately 135 indoor parking spaces, and approximately 65 outdoor parking spaces. The Wired Development B3 building project includes a City grant of \$1,680,051 and includes a four story mixed use building with underground parking including 36 stalls, 16,000 square feet of ground floor commercial rental space, and 36 apartment units on the upper three floors. The C3 building project includes a City grant of \$1,319,949 and includes a 3-story mixed use building with underground parking for 36 cars, 16,000 square feet of first floor commercial retail space, and 26 apartment units on the upper two floors. We expect all three buildings will be under construction at DTS by no later than July 1. Building plans for all three buildings have already been submitted and are being reviewed by our Building Department.

The City has utilized the services of Quarles & Brady as bond counsel for this issuance as well as Paul Thompson of Hutchinson, Shockey, Erley & Co. to prepare and issue all of the required documentation for these bonds. Mr. Thompson will be at the Council meeting to answer questions and provide the Council with the interest rates obtained for the sale of these bonds. Moodys Investor service has issued a Aa2 rating on these bonds and reaffirmed the rating of Aa2 and MIG1 for other outstanding City bonds and notes.

It is anticipated these notes (see attached preliminary Debt Service Schedule) will be replaced with permanent financing once the projects are complete and rent stabilization achieved. The City has negotiated minimum assessed valuations for the three buildings as follows:

- Emerald Row \$16,700,000
- B3 Building \$8,180,000
- C3 Building \$6,720,000

A debt schedule showing City outstanding bonds is attached.

**Fiscal Impact:** The interest only payments on these bonds is expected to be paid from tax increment revenues generated from the DTS project.

Fiscal Review by:



Bridget M. Souffrant, CMTW  
Finance Director/Comptroller

Prepared and Submitted by:



Gerald R. Peterson, ICMA-CM  
City Administrator

RESOLUTION NO. 11615-050515

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$8,900,000 TAXABLE  
GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2015B

WHEREAS, the Common Council hereby finds and determines that it is necessary, desirable and in the best interest of the City of Oak Creek, Milwaukee County, Wisconsin (the "City") to raise funds for public purposes, including paying project costs of Tax Incremental District No. 11 of the City (the "Project");

WHEREAS, the Common Council hereby finds and determines that the Project is within the City's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b), Wisconsin Statutes;

WHEREAS, cities are authorized by the provisions of Section 67.12(12), Wisconsin Statutes, to borrow money and issue general obligation promissory notes for such public purposes;

WHEREAS, due to certain provisions contained in the Internal Revenue Code of 1986, as amended, it is necessary to issue such general obligation promissory notes on a taxable rather than tax-exempt basis; and

WHEREAS, it is the finding of the Common Council that it is necessary, desirable and in the best interest of the City to sell the taxable general obligation promissory notes to Hutchinson, Shockey, Erley & Co. (the "Purchaser"), pursuant to the terms and conditions of its note purchase proposal attached hereto as Exhibit A and incorporated herein by this reference (the "Proposal").

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1. Authorization and Sale of the Notes. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12(12), Wisconsin Statutes, the principal sum of EIGHT MILLION NINE HUNDRED THOUSAND DOLLARS (\$8,900,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal is hereby accepted and the Mayor and City Clerk or other appropriate officers of the City are authorized and directed to execute an acceptance of the Proposal on behalf of the City. To evidence the obligation of the City, the Mayor and City Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the City, taxable general obligation promissory notes aggregating the principal amount of EIGHT MILLION NINE HUNDRED THOUSAND DOLLARS (\$8,900,000) (the "Notes") for the sum set forth on the Proposal, plus accrued interest to the date of delivery.

Section 2. Terms of the Notes. The Notes shall be designated "Taxable General Obligation Promissory Notes, Series 2015B"; shall be issued in the aggregate principal amount of \$8,900,000; shall be dated their date of delivery; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rate per annum and mature on May 1, 2018 as set forth on the Pricing Summary attached hereto as Exhibit B-1 and incorporated herein by this reference. Interest shall be payable semi-annually on

May 1 and November 1 of each year commencing on November 1, 2015. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Notes is set forth on the Debt Service Schedule attached hereto as Exhibit B-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Notes shall be subject to redemption prior to maturity, at the option of the City, on May 1, 2017 or on any date thereafter. Said Notes shall be redeemable as a whole or in part, and if in part, by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

Section 4. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit C and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the City are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the City a direct annual irrepealable tax in the years 2015 through 2017 for the payments due in the years 2015 through 2018 in the amounts set forth on the Schedule. The amount of tax levied in the year 2015 shall be the total amount of debt service due on the Notes in the years 2015 and 2016; provided that the amount of such tax carried onto the tax rolls shall be abated by any amounts appropriated pursuant to subsection (D) below which are applied to payment of principal of or interest on the Notes in the year 2015.

(B) Tax Collection. So long as any part of the principal of or interest on the Notes remains unpaid, the City shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Notes, said tax shall be, from year to year, carried onto the tax roll of the City and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Notes when due, the requisite amounts shall be paid from other funds of the City then available, which sums shall be replaced upon the collection of the taxes herein levied.

(D) Appropriation. The City hereby appropriates from taxes levied in anticipation of the issuance of the Notes, proceeds of the Notes or other funds of the City on hand a sum sufficient to be irrevocably deposited in the segregated Debt Service Fund Account created below and used to pay the interest on the Notes coming due on November 1, 2015 as set forth on the Schedule.

## Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the City may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for \$8,900,000 Taxable General Obligation Promissory Notes, Series 2015B, dated May 19, 2015" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. The City Treasurer shall deposit in the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Notes; (ii) any premium which may be received by the City above the par value of the Notes and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Notes when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Notes until all such principal and interest has been paid in full and the Notes canceled; provided (i) the funds to provide for each payment of principal of and interest on the Notes prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Notes may be used to reduce the next succeeding tax levy, or may, at the option of the City, be invested by purchasing the Notes as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account.

(C) Remaining Monies. When all of the Notes have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 7. Proceeds of the Notes; Segregated Borrowed Money Fund. The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the City and disbursed solely for the purposes for which borrowed or for the payment of the principal of and the interest on the Notes. Monies in the Borrowed Money Fund may be temporarily invested in

Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purposes for which the Notes have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purposes shall be deposited in the Debt Service Fund Account.

Section 8. Execution of the Notes; Closing; Professional Services. The Notes shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Notes, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Notes is hereby ratified and approved in all respects.

Section 9. Payment of the Notes; Fiscal Agent. The principal of and interest on the Notes shall be paid by the City Clerk or City Treasurer (the "Fiscal Agent").

Section 10. Persons Treated as Owners; Transfer of Notes. The City shall cause books for the registration and for the transfer of the Notes to be kept by the Fiscal Agent. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Note surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

Section 11. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Notes (the "Record Date"). Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the City at the close of business on the Record Date.

Section 12. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the City and on file in the City Clerk's office.

Section 13. Official Statement. The Common Council hereby approves the Preliminary Official Statement with respect to the Notes and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the City in connection with the preparation of such Preliminary Official Statement and any addenda to it or final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Preliminary Official Statement and any addenda or final Official Statement. The City Clerk shall cause copies of the Preliminary Official Statement and any addenda or final Official Statement to be distributed to the Purchaser.

Section 14. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Notes, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Notes or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

To the extent required under the Rule, the Mayor and City Clerk, or other officer of the City charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 15. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Notes in the Record Book.

Section 16. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Notes, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are

acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Note proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 17. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted, approved and recorded May 5, 2015.

\_\_\_\_\_  
Stephen Scaffidi  
Mayor

ATTEST:

\_\_\_\_\_  
Catherine A. Roeske  
City Clerk

(SEAL)

EXHIBIT A

Note Purchase Proposal

To be provided by Hutchinson, Shockey, Erley & Co. and incorporated into the Resolution.

(See Attached)

DRAFT



EXHIBIT B-1

Pricing Summary

To be provided by Hutchinson, Shockey, Erley & Co. and incorporated into the Resolution.

(See Attached)

DRAFT

EXHIBIT B-2

Debt Service Schedule and Irrepealable Tax Levies

To be provided by Hutchinson, Shockey, Erley & Co. and incorporated into the Resolution.

(See Attached)

DRAFT

EXHIBIT C

(Form of Note)

REGISTERED UNITED STATES OF AMERICA DOLLARS  
STATE OF WISCONSIN  
MILWAUKEE COUNTY  
NO. R- \_\_\_\_\_ CITY OF OAK CREEK \$ \_\_\_\_\_  
TAXABLE GENERAL OBLIGATION PROMISSORY NOTE, SERIES 2015B

MATURITY DATE: ORIGINAL DATE OF ISSUE: INTEREST RATE: CUSIP:  
May 1, 2018 May 19, 2015 \_\_\_\_\_% \_\_\_\_\_

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: \_\_\_\_\_ THOUSAND DOLLARS  
(\$ \_\_\_\_\_)

FOR VALUE RECEIVED, the City of Oak Creek, Milwaukee County, Wisconsin (the "City"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest shall be payable semi-annually on May 1 and November 1 of each year commencing on November 1, 2015 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Note are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Note is registered on the Bond Register maintained by the City Clerk or City Treasurer (the "Fiscal Agent") or any successor thereto at the close of business on the 15th day of the calendar month next preceding the semi-annual interest payment date (the "Record Date"). This Note is payable as to principal upon presentation and surrender hereof at the office of the Fiscal Agent.

For the prompt payment of this Note together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the City are hereby irrevocably pledged.

This Note is one of an issue of Notes aggregating the principal amount of \$8,900,000, all of which are of like tenor, except as to denomination, issued by the City pursuant to the provisions of Section 67.12(12), Wisconsin Statutes, for public purposes, including paying

project costs of Tax Incremental District No. 11 of the City, all as authorized by a resolution of the Common Council duly adopted by said governing body at a meeting held on May 5, 2015. Said resolution is recorded in the official minutes of the Common Council for said date.

The Notes are subject to redemption prior to maturity, at the option of the City, on May 1, 2017 or on any date thereafter. Said Notes are redeemable as a whole or in part, and if in part, by lot (as selected by the Depository), at the principal amount thereof, plus accrued interest to the date of redemption.

In the event the Notes are redeemed prior to maturity, as long as the Notes are in book-entry-only form, official notice of the redemption will be given by mailing a notice by registered or certified mail, overnight express delivery, facsimile transmission, electronic transmission or in any other manner required by the Depository, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Notes of a maturity are to be called for redemption, the Notes of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation, date and maturities of the Notes called for redemption, CUSIP numbers, and the date of redemption. Any notice provided as described herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Notes shall cease to bear interest on the specified redemption date provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Notes shall no longer be deemed to be outstanding.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Note have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the City, including this Note and others issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that a direct annual irrepealable tax has been levied sufficient to pay this Note, together with the interest thereon, when and as payable.

This Note is transferable only upon the books of the City kept for that purpose at the office of the Fiscal Agent, only in the event that the Depository does not continue to act as depository for the Notes, and the City appoints another depository, upon surrender of the Note to the Fiscal Agent, by the registered owner in person or his duly authorized attorney, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Note in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the City for any tax, fee or other governmental charge required to be paid with respect to such registration. The Fiscal Agent shall not be obliged to make any transfer of the Notes (i) after the Record Date, (ii) during the fifteen (15) calendar days preceding the date of any publication of notice of any

proposed redemption of the Notes, or (iii) with respect to any particular Note, after such Note has been called for redemption. The Fiscal Agent and City may treat and consider the Depository in whose name this Note is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever. The Notes are issuable solely as negotiable, fully-registered Notes without coupons in the denomination of \$5,000 or any integral multiple thereof.

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

IN WITNESS WHEREOF, the City of Oak Creek, Milwaukee County, Wisconsin, by its governing body, has caused this Note to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Mayor and City Clerk; and to be sealed with its official or corporate seal, if any, all as of the original date of issue specified above.

CITY OF OAK CREEK,  
MILWAUKEE COUNTY, WISCONSIN

By: \_\_\_\_\_  
Stephen Scaffidi  
Mayor

(SEAL)

By: \_\_\_\_\_  
Catherine A. Roeske  
City Clerk

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

\_\_\_\_\_  
(Name and Address of Assignee)

\_\_\_\_\_  
(Social Security or other Identifying Number of Assignee)

the within Note and all rights thereunder and hereby irrevocably constitutes and appoints \_\_\_\_\_, Legal Representative, to transfer said Note on the books kept for registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature Guaranteed:

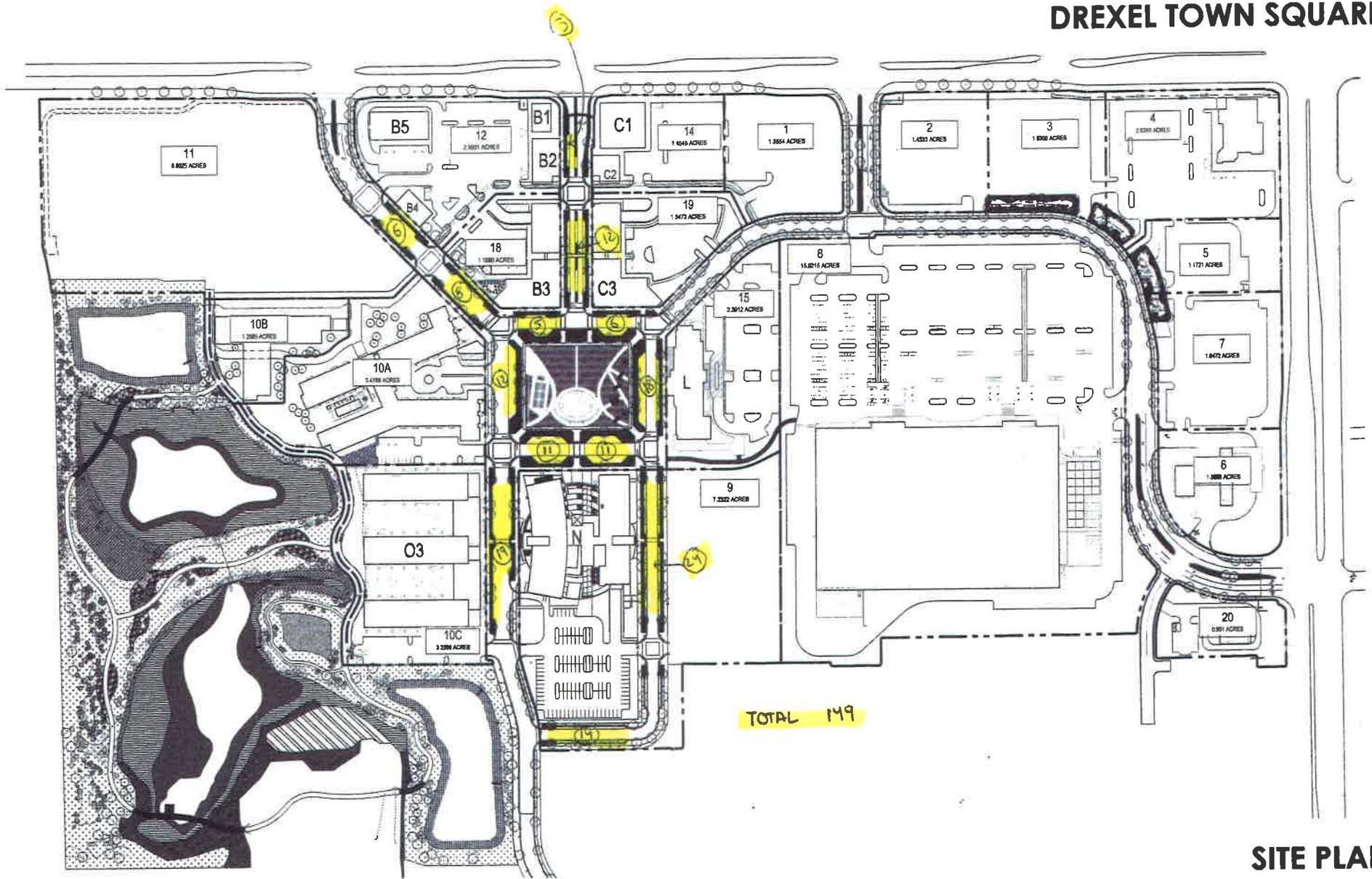
\_\_\_\_\_  
(e.g. Bank, Trust Company  
or Securities Firm)

\_\_\_\_\_  
(Depository or Nominee Name)

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Note in every particular, without alteration or enlargement or any change whatever.

\_\_\_\_\_  
(Authorized Officer)

# DREXEL TOWN SQUARE



RINKA|CHUNG  
© RINKA CHUNG ARCHITECTURE INC 2014

PRELIMINARY DRAFT  
NOT FOR CONSTRUCTION

**SITE PLAN**

NOVEMBER 10, 2014 130109  
1" = 200'

CITY OF OAK CREEK  
TAXABLE NOTES -- DTS  
DEVELOPER INCENTIVES 3 YR. TERM

**Debt Service Schedule**

| Date         | Principal             | Coupon   | Interest            | Total P+I             | Fiscal Total |
|--------------|-----------------------|----------|---------------------|-----------------------|--------------|
| 05/19/2015   | -                     | -        | -                   | -                     | -            |
| 11/01/2015   | -                     | -        | 90,112.50           | 90,112.50             | 90,112.50    |
| 05/01/2016   | -                     | -        | 100,125.00          | 100,125.00            | -            |
| 11/01/2016   | -                     | -        | 100,125.00          | 100,125.00            | 200,250.00   |
| 05/01/2017   | -                     | -        | 100,125.00          | 100,125.00            | -            |
| 11/01/2017   | -                     | -        | 100,125.00          | 100,125.00            | 200,250.00   |
| 05/01/2018   | 8,900,000.00          | 2.250%   | 100,125.00          | 9,000,125.00          | -            |
| 11/01/2018   | -                     | -        | -                   | -                     | 9,000,125.00 |
| <b>Total</b> | <b>\$8,900,000.00</b> | <b>-</b> | <b>\$590,737.50</b> | <b>\$9,490,737.50</b> | <b>-</b>     |

**Yield Statistics**

|                                   |             |
|-----------------------------------|-------------|
| Bond Year Dollars                 | \$26,255.00 |
| Average Life                      | 2.950 Years |
| Average Coupon                    | 2.2500000%  |
| Net Interest Cost (NIC)           | 2.2500000%  |
| True Interest Cost (TIC)          | 2.2501978%  |
| Bond Yield for Arbitrage Purposes | 1.4505400%  |
| All Inclusive Cost (AIC)          | 2.2501978%  |

**IRS Form 8038**

|                           |             |
|---------------------------|-------------|
| Net Interest Cost         | 1.7045640%  |
| Weighted Average Maturity | 2.950 Years |



The percentage mix of equalized value by class of property for the past five years was as follows:

|                   | <u>2014</u> | <u>2013</u> | <u>2012</u> | <u>2011</u> | <u>2010</u> |
|-------------------|-------------|-------------|-------------|-------------|-------------|
| Real Estate       |             |             |             |             |             |
| Residential       | 61.40%      | 60.46%      | 59.77%      | 60.17%      | 61.16%      |
| Commercial        | 30.20       | 30.05       | 31.45       | 30.30       | 30.32       |
| Manufacturing     | 4.66        | 4.92        | 5.19        | 4.52        | 4.57        |
| Agriculture       | 0.01        | 0.01        | 0.01        | 0.01        | 0.01        |
| Undeveloped       | 0.01        | 0.01        | 0.01        | 0.01        | 0.01        |
| Ag Forest         | 0.01        | 0.01        | 0.01        | 0.02        | 0.00        |
| Other             | 0.25        | 0.26        | 0.27        | 0.26        | 0.26        |
| Personal Property | <u>3.45</u> | <u>4.27</u> | <u>3.28</u> | <u>4.71</u> | <u>3.66</u> |
|                   | 100.00%     | 100.00%     | 100.00%     | 100.00%     | 100.00%     |

### CITY DEBT STRUCTURE

#### Total Outstanding General Obligation Debt Summary (As of January 20, 2015)

| Type of<br>Obligation              | Date of<br>Issue | Original<br>Amount                      | Maturity<br>Dates | Current<br>Amount Outstanding  |
|------------------------------------|------------------|---|-------------------|--------------------------------|
| G.O. Refunding Bonds (CABS)        | 12/04/02         | \$ 3,250,000                            | 9/01/15           | \$ 360,000                     |
| G.O. Refunding Bonds               | 10/15/06         | 1,200,000                               | 10/01/16          | 300,000                        |
| G.O. Refunding Bonds               | 4/01/10          | 7,000,000                               | 4/01/30           | 6,075,000                      |
| G.O. Refunding Bonds               | 2/21/12          | 4,530,000                               | 3/01/17           | 2,830,000                      |
| G.O. Refunding Bonds               | 4/02/13          | 5,825,000                               | 4/01/32           | 5,700,000                      |
| Taxable G.O. Promissory Notes      | 4/02/13          | 3,000,000                               | 4/01/23           | 2,750,000                      |
| Taxable G.O. Promissory Notes      | 10/15/13         | 10,525,000                              | 10/01/15          | 10,525,000                     |
| Taxable G.O. Promissory Notes      | 11/19/13         | 5,925,000                               | 11/01/16          | 5,925,000                      |
| G.O. Promissory Notes              | 11/19/13         | 17,625,000                              | 11/01/16          | 17,625,000                     |
| G.O. Promissory Notes              | 12/30/13         | 10,000,000                              | 12/01/23          | 9,525,000                      |
| G.O. Promissory Notes              | 6/03/14          | 20,500,000                              | 4/01/15           | 20,500,000 <sup>1</sup>        |
| G.O. Refunding Bonds, Series 2014B | 12/16/14         | 2,725,000                               | 5/01/32           | 2,725,000                      |
| G.O. Refunding Bonds, Series 2015A | 1/20/15          | 19,650,000                              | 6/1/34            | <u>19,650,000</u> <sup>2</sup> |
|                                    |                  | Outstanding General Obligation Debt     |                   | 104,490,000                    |
|                                    |                  | Less: Refunding of the 2014 Notes       |                   | ( 20,500,000)                  |
|                                    |                  | Less: 2015 Principal Payments           |                   | ( 13,285,000)                  |
|                                    |                  | Net Outstanding General Obligation Debt |                   | <u>\$ 70,705,000</u>           |

<sup>1</sup> To be refunded at maturity on April 1, 2015 with Bond proceeds.

<sup>2</sup> New Issue.

General Obligation Debt Service Schedules

|                       | \$2,184,986.85 G. O. Ref<br>Bonds (CABs) - 12/04/02 <sup>1,2</sup> |          | \$1,200,000 G. O. Ref<br>Bonds - 10/15/06 |               | \$7,000,000 G. O. Ref<br>Bonds - 04/01/10 <sup>3</sup> |                  |
|-----------------------|--|----------|---|---------------|--|------------------|
|                       | Principal  | Interest | Principal                                 | Interest      | Principal  | Interest         |
|                       | 09/01  |          | 10/01                                     |               | 04/01  |                  |
| 2015                  | \$ 360,000   |          | \$ 150,000                                | \$ 13,500     | \$ 275,000   | \$ 231,531       |
| 2016                  |  |          | 150,000                                   | 6,750         | 275,000  | 225,344          |
| 2017                  |  |          |   |               | 300,000  | 217,406          |
| 2018                  |  |          |   |               | 300,000  | 208,031          |
| 2019                  |  |          |   |               | 325,000  | 196,656          |
| 2020                  |  |          |   |               | 325,000  | 183,656          |
| 2021                  |  |          |   |               | 350,000  | 170,156          |
| 2022                  |  |          |   |               | 350,000  | 156,157          |
| 2023                  |  |          |   |               | 375,000  | 141,656          |
| 2024                  |  |          |   |               | 400,000  | 126,156          |
| 2025                  |  |          |   |               | 400,000  | 110,156          |
| 2026                  |  |          |   |               | 425,000  | 93,657           |
| 2027                  |  |          |   |               | 450,000  | 75,594           |
| 2028                  |  |          |   |               | 475,000  | 55,641           |
| 2029                  |  |          |   |               | 500,000  | 34,312           |
| 2030                  |  |          |   |               | 550,000  | 11,688           |
|                       | <u>360,000</u>   | <u>-</u> | <u>300,000</u>                            | <u>20,250</u> | <u>6,075,000</u>                                       | <u>2,237,797</u> |
| Less 2015<br>Payments | <u>360,000</u>   | <u>-</u> | <u>150,000</u>                            | <u>13,500</u> | <u>275,000</u>   | <u>231,531</u>   |
|                       | \$ -   | \$ -     | \$ 150,000                                | \$ 6,750      | \$ 5,800,000   | \$ 2,006,266     |

<sup>1</sup> Par amount issued.

<sup>2</sup> Supported with tax increment revenues from Tax Incremental District No. 4.

<sup>3</sup> Supported with State utility aid due to location of Wisconsin Energy power plant in Oak Creek.

|                       | \$4,530,000 G. O. Ref<br>Bonds - 2/21/12 <sup>1</sup> |               | \$5,825,000 G. O. Ref<br>Bonds - 4/02/13 <sup>1</sup> |                  | \$3,000,000 Taxable<br>G.O. Notes - 4/02/13 |                |
|-----------------------|---|---------------|---|------------------|---|----------------|
|                       | Principal   | Interest      | Principal   | Interest         | Principal                                   | Interest       |
|                       | 03/01   |               | 04/01   |                  | 04/01                                       |                |
| 2015                  | \$ 925,000  | \$ 40,275     | \$ 225,000  | \$ 195,500       | \$ 275,000                                  | \$ 53,938      |
| 2016                  | 950,000   | 25,025        | 250,000   | 190,750          | 300,000                                     | 51,062         |
| 2017                  | 955,000   | 8,356         | 250,000   | 185,750          | 300,000                                     | 46,563         |
| 2018                  |   |               | 250,000   | 178,250          | 300,000                                     | 40,562         |
| 2019                  |   |               | 250,000   | 168,250          | 300,000                                     | 34,563         |
| 2020                  |   |               | 275,000   | 159,125          | 300,000                                     | 28,375         |
| 2021                  |   |               | 275,000   | 149,500          | 325,000                                     | 21,328         |
| 2022                  |   |               | 300,000   | 138,000          | 325,000                                     | 13,203         |
| 2023                  |   |               | 300,000   | 126,000          | 325,000                                     | 4,469          |
| 2024                  |   |               | 325,000   | 113,500          |   |                |
| 2025                  |   |               | 325,000   | 100,500          |   |                |
| 2026                  |   |               | 350,000   | 87,000           |   |                |
| 2027                  |   |               | 350,000   | 74,094           |   |                |
| 2028                  |   |               | 375,000   | 61,859           |   |                |
| 2029                  |   |               | 375,000   | 49,203           |   |                |
| 2030                  |   |               | 400,000   | 35,875           |   |                |
| 2031                  |   |               | 400,000   | 21,875           |   |                |
| 2032                  |   |               | 425,000   | 7,438            |   |                |
|                       | <u>2,830,000</u>                                      | <u>73,656</u> | <u>5,700,000</u>                                      | <u>2,042,469</u> | <u>2,750,000</u>                            | <u>294,063</u> |
| Less 2015<br>Payments | <u>925,000</u>  | <u>40,275</u> | <u>225,000</u>  | <u>195,500</u>   | <u>275,000</u>                              | <u>53,938</u>  |
|                       | \$ 1,905,000  | \$ 33,381     | \$ 5,475,000  | \$ 1,846,969     | \$ 2,475,000                                | \$ 240,125     |

<sup>1</sup> Supported with State utility aid due to location of Wisconsin Energy power plant in Oak Creek.

General Obligation Debt Service Schedules continued

|           | <u>\$10,525,000 Taxable G. O.</u><br><u>Notes - 10/15/13</u> <sup>1</sup> |                | <u>\$5,925,000 Taxable G. O.</u><br><u>Notes - 11/19/13</u> <sup>2</sup> |                | <u>\$17,625,000 G. O.</u><br><u>Notes - 11/19/13</u> <sup>2</sup> |                |
|-----------|---|----------------|--|----------------|---|----------------|
|           | Principal   | Interest       | Principal  | Interest       | Principal   | Interest       |
|           | <u>10/01</u>  |                | <u>11/01</u>   |                | <u>11/01</u>  |                |
| 2015      | \$ 10,525,000   | \$ 171,031     |  | \$ 118,500     |   | \$ 352,500     |
| 2016      |   |                | \$ 5,925,000   | 118,500        | \$ 17,625,000   | 352,500        |
|           | <u>10,525,000</u>   | <u>171,031</u> | <u>5,925,000</u>   | <u>237,000</u> | <u>17,625,000</u>   | <u>705,000</u> |
| Less 2015 |   |                |  |                |   |                |
| Payments  | <u>10,525,000</u>   | <u>171,031</u> | <u>-</u>   | <u>118,500</u> | <u>-</u>  | <u>352,500</u> |
|           | \$ -  | \$ -           | \$ 5,925,000   | \$ 118,500     | \$ 17,625,000   | \$ 352,500     |

<sup>1</sup> Take-out of this issue is expected to be supported with tax increment revenues from Tax Incremental District No. 8.

<sup>2</sup> Take-out of this issue is expected to be supported with tax increment revenues from Tax Incremental District No. 11.

|           | <u>\$10,000,000 G.O.</u><br><u>Notes - 12/30/13</u> <sup>1</sup> |                  | <u>\$2,725,000 G.O. Ref</u><br><u>Bonds, Ser 2014B - 12/16/14</u> <sup>2</sup> |                | <u>\$19,650,000 G.O. Ref</u><br><u>Bonds, Ser 2015A - 1/20/15</u> <sup>1,3</sup> |                  |
|-----------|--|------------------|--|----------------|--|------------------|
|           | Principal  | Interest         | Principal  | Interest       | Principal  | Interest         |
|           | <u>12/01</u>   |                  | <u>05/01</u>   |                | <u>06/01</u>   |                  |
| 2015      | \$ 425,000   | \$ 312,000       | \$ 125,000   | \$ 75,066      |  | \$ 571,085       |
| 2016      | 425,000  | 303,500          | 125,000  | 82,844         | \$ 650,000   | 654,562          |
| 2017      | 425,000  | 295,000          | 125,000  | 79,094         | 725,000  | 640,813          |
| 2018      | 450,000  | 286,500          | 125,000  | 75,344         | 725,000  | 626,312          |
| 2019      | 450,000  | 277,500          | 125,000  | 70,969         | 750,000  | 611,563          |
| 2020      | 475,000  | 259,500          | 125,000  | 65,968         | 750,000  | 596,562          |
| 2021      | 475,000  | 240,500          | 150,000  | 60,469         | 800,000  | 581,063          |
| 2022      | 500,000  | 221,500          | 150,000  | 55,219         | 825,000  | 556,562          |
| 2023      | 5,900,000  | 206,500          | 150,000  | 50,719         | 850,000  | 523,063          |
| 2024      |  |                  | 150,000  | 46,219         | 950,000  | 487,062          |
| 2025      |  |                  | 150,000  | 41,718         | 975,000  | 448,563          |
| 2026      |  |                  | 150,000  | 37,219         | 1,025,000  | 408,562          |
| 2027      |  |                  | 175,000  | 32,234         | 1,050,000  | 372,313          |
| 2028      |  |                  | 175,000  | 26,766         | 1,075,000  | 329,687          |
| 2029      |  |                  | 175,000  | 21,187         | 1,125,000  | 280,313          |
| 2030      |  |                  | 175,000  | 15,500         | 1,125,000  | 235,312          |
| 2031      |  |                  | 175,000  | 9,703          | 1,550,000  | 181,812          |
| 2032      |  |                  | 200,000  | 3,375          | 1,550,000  | 126,594          |
| 2033      |  |                  |  |                | 1,575,000  | 76,781           |
| 2034      |  |                  |  |                | <u>1,575,000</u>   | <u>25,594</u>    |
|           | <u>9,525,000</u>   | <u>2,402,500</u> | <u>2,725,000</u>   | <u>849,613</u> | <u>19,650,000</u>  | <u>8,334,178</u> |
| Less 2015 |  |                  |  |                |  |                  |
| Payments  | <u>425,000</u>   | <u>312,000</u>   | <u>125,000</u>   | <u>75,066</u>  | <u>-</u>   | <u>571,085</u>   |
|           | \$ 9,100,000   | \$ 2,090,500     | \$ 2,600,000   | \$ 774,547     | \$ 19,650,000  | \$ 7,763,093     |

<sup>1</sup> Supported with State utility aid due to location of Wisconsin Energy power plant in Oak Creek.

<sup>2</sup> Supported with tax increment revenues from Tax Incremental District No. 7.

<sup>3</sup> New Issue.

Total General Obligation Debt  
(After Refunding)

|                       | Total<br><u>Principal</u> | Total<br><u>Interest</u> | Total<br><u>Debt Service</u> | Less:<br>Offsetting<br>Revenues <sup>1</sup> | Net<br><u>Debt Service</u> |
|-----------------------|---------------------------|--------------------------|------------------------------|--|----------------------------|
| 2015 <sup>2</sup>     | \$ 13,285,000             | \$ 2,491,182             | \$ 15,776,182                | \$ 15,266,877                                | \$ 509,305                 |
| 2016                  | 26,675,000                | 2,010,837                | 28,685,837                   | 28,178,025                                   | 507,812                    |
| 2017                  | 3,080,000                 | 1,472,982                | 4,552,982                    | 4,206,419                                    | 346,563                    |
| 2018                  | 2,150,000                 | 1,414,999                | 3,564,999                    | 3,224,437                                    | 340,562                    |
| 2019                  | 2,200,000                 | 1,359,501                | 3,559,501                    | 3,224,938                                    | 334,563                    |
| 2020                  | 2,250,000                 | 1,293,186                | 3,543,186                    | 3,214,811                                    | 328,375                    |
| 2021                  | 2,375,000                 | 1,223,016                | 3,598,016                    | 3,251,688                                    | 346,328                    |
| 2022                  | 2,450,000                 | 1,140,641                | 3,590,641                    | 3,252,438                                    | 338,203                    |
| 2023                  | 7,900,000                 | 1,052,407                | 8,952,407                    | 8,622,938                                    | 329,469                    |
| 2024                  | 1,825,000                 | 772,937                  | 2,597,937                    | 2,597,937                                    | -                          |
| 2025                  | 1,850,000                 | 700,937                  | 2,550,937                    | 2,550,937                                    | -                          |
| 2026                  | 1,950,000                 | 626,438                  | 2,576,438                    | 2,576,438                                    | -                          |
| 2027                  | 2,025,000                 | 554,235                  | 2,579,235                    | 2,579,235                                    | -                          |
| 2028                  | 2,100,000                 | 473,953                  | 2,573,953                    | 2,573,953                                    | -                          |
| 2029                  | 2,175,000                 | 385,015                  | 2,560,015                    | 2,560,015                                    | -                          |
| 2030                  | 2,250,000                 | 298,375                  | 2,548,375                    | 2,548,375                                    | -                          |
| 2031                  | 2,125,000                 | 213,390                  | 2,338,390                    | 2,338,390                                    | -                          |
| 2032                  | 2,175,000                 | 137,407                  | 2,312,407                    | 2,312,407                                    | -                          |
| 2033                  | 1,575,000                 | 76,781                   | 1,651,781                    | 1,651,781                                    | -                          |
| 2034                  | 1,575,000                 | 25,594                   | 1,600,594                    | 1,600,594                                    | -                          |
|                       | <u>83,990,000</u>         | <u>17,723,813</u>        | <u>101,713,813</u>           | <u>98,332,633</u>                            | <u>3,381,180</u>           |
| Less 2015<br>Payments | <u>13,285,000</u>         | <u>2,491,182</u>         | <u>15,776,182</u>            | <u>15,266,877</u>                            | <u>509,305</u>             |
|                       | \$ 70,705,000             | \$ 15,232,631            | \$ 85,937,631                | \$ 83,065,756                                | \$ 2,871,875               |

<sup>1</sup> Offsetting revenues include Tax Incremental District revenues and State utility aid.

<sup>2</sup> 2015 Total Interest includes \$16,867 of interest due on the 2012 Notes to be paid on January 7, 2015 and \$339,389 of interest on the 2014 Notes to be paid on April 1, 2015.

**Total Outstanding Revenue Debt Summary (As of January 20, 2015)**

Waterworks System Revenue Debt

| <u>Type of Obligation</u>                                    | <u>Date of<br/>Issue</u> | <u>Original<br/>Amount Issued</u>              | <u>Maturity<br/>Dates</u> | <u>Current<br/>Amount Outstanding</u> |
|--|--------------------------|--|---------------------------|---------------------------------------|
| Waterworks System Revenue Bonds                              | 11/01/05                 | \$ 12,130,000                                  | 12/01/20                  | \$ 5,455,000                          |
| Waterworks System Revenue Bonds,<br>Series 2010 <sup>1</sup> | 1/13/10                  | 879,848  | 5/01/29                   | 656,384                               |
| Waterworks System Ref Rev Bonds                              | 3/15/11                  | 6,500,000                                      | 12/01/31                  | 6,150,000                             |
| Waterworks System Revenue Bonds,<br>Series 2011 <sup>1</sup> | 11/23/11                 | 5,889,853                                      | 5/01/31                   | 5,160,968                             |
| Waterworks System Revenue Bonds,<br>Series 2013 <sup>1</sup> | 05/08/13                 | 2,598,203                                      | 5/01/33                   | 2,487,202                             |
| Waterworks System Revenue Bonds,<br>Series 2014 <sup>1</sup> | 05/28/14                 | 5,471,070                                      | 5/01/34                   | <u>5,471,070</u> <sup>2</sup>         |
|  |                          | Outstanding Waterworks System Revenue Debt     |                           | 25,380,624                            |
|  |                          | Less 2015 Principal Payments                   |                           | <u>( 1,799,458)</u>                   |
|  |                          | Net Outstanding Waterworks System Revenue Debt |                           | <u>\$ 23,581,166</u>                  |

<sup>1</sup> The Waterworks System Revenue Bonds, Series 2010 dated January 13, 2010, the Waterworks System Revenue Bonds, Series 2011 dated November 23, 2011, the Waterworks System Revenue Bonds, Series 2013 dated May 8, 2013, and the Waterworks System Revenue Bonds, Series 2014 dated May 28, 2014, (collectively, the "SDWLs") are issued under the Safe Drinking Water Loan Program administered by the State of Wisconsin. The SDWLs are junior and subordinate to the Revenue Bonds dated November 1, 2005 and the Refunding Revenue Bonds dated March 15, 2011 of the Waterworks System (the "System") with respect to the pledge of the revenues of the System.

<sup>2</sup> As of December 12, 2014, \$1,968,019.52 of the total authorized amount has been disbursed.

Revenue Bond Debt Service Schedules

|                       | \$12,130,000<br>Waterworks Sys<br>Rev Bonds - 11/01/05 |            | \$879,848<br>Waterworks Sys Rev Bonds,<br>Ser 2010 (SDWL) - 1/13/10 |            | \$6,500,000<br>Waterworks Sys Ref Rev<br>Bonds - 3/15/11 |              |
|-----------------------|--|------------|---|------------|--|--------------|
|                       | Principal  |            | Principal   |            | Principal  |              |
|                       | 12/01  | Interest   | 05/01   | Interest   | 12/01  | Interest     |
| 2015                  | \$ 1,275,000   | \$ 249,669 | \$ 36,159   | \$ 17,030  | \$ 125,000   | \$ 281,894   |
| 2016                  | 1,325,000  | 197,075    | 37,123  | 16,053     | 125,000  | 278,456      |
| 2017                  | 1,125,000  | 142,750    | 38,114  | 15,049     | 200,000  | 274,706      |
| 2018                  | 550,000  | 86,500     | 39,131  | 14,018     | 250,000  | 267,706      |
| 2019                  | 575,000  | 59,000     | 40,175  | 12,960     | 250,000  | 258,957      |
| 2020                  | 605,000  | 30,250     | 41,247  | 11,874     | 275,000  | 248,956      |
| 2021                  |  |            | 42,347  | 10,759     | 350,000  | 237,956      |
| 2022                  |  |            | 43,477  | 9,614      | 350,000  | 223,956      |
| 2023                  |  |            | 44,637  | 8,439      | 375,000  | 208,907      |
| 2024                  |  |            | 45,828  | 7,232      | 400,000  | 192,500      |
| 2025                  |  |            | 47,051  | 5,992      | 400,000  | 172,500      |
| 2026                  |  |            | 48,306  | 4,720      | 425,000  | 152,500      |
| 2027                  |  |            | 49,595  | 3,415      | 450,000  | 131,250      |
| 2028                  |  |            | 50,918  | 2,074      | 475,000  | 108,750      |
| 2029                  |  |            | 52,276  | 698        | 500,000  | 85,000       |
| 2030                  |  |            |   |            | 575,000  | 60,000       |
| 2031                  |  |            |   |            | 625,000  | 31,250       |
|                       | 5,455,000  | 765,244    | 656,384   | 139,927    | 6,150,000  | 3,215,244    |
| Less 2015<br>Payments | 1,275,000  | 249,669    | 36,159  | 17,030     | 125,000  | 281,894      |
|                       | \$ 4,180,000   | \$ 515,575 | \$ 620,225  | \$ 122,897 | \$ 6,025,000   | \$ 2,933,350 |

|                       | \$5,889,583<br>Waterworks Sys Rev Bonds,<br>Ser 2011 (SDWL) - 11/23/11 |            | \$2,598,203<br>Waterworks Sys Rev Bonds,<br>Ser 2013 (SDWL) - 5/08/13 |            | \$5,471,070<br>Waterworks Sys Rev Bonds,<br>Ser 2014 (SDWL) - 5/28/14 <sup>1</sup> |              |
|-----------------------|--|------------|---|------------|--|--------------|
|                       | Principal  |            | Principal   |            | Principal  |              |
|                       | 05/01  | Interest   | 05/01   | Interest   | 05/01  | Interest     |
| 2015                  | \$ 253,635   | \$ 110,752 | \$ 109,664  | \$ 46,824  | \$ 241,227   | \$ 105,318   |
| 2016                  | 259,215  | 105,110    | 111,775   | 44,692     | 245,871  | 102,997      |
| 2017                  | 264,918  | 99,345     | 113,927   | 42,519     | 250,604  | 98,308       |
| 2018                  | 270,746  | 93,452     | 116,120   | 40,305     | 255,428  | 93,529       |
| 2019                  | 276,703  | 87,430     | 118,355   | 38,049     | 260,345  | 88,659       |
| 2020                  | 282,790  | 81,276     | 120,634   | 35,748     | 265,357  | 83,695       |
| 2021                  | 289,012  | 74,986     | 122,956   | 33,403     | 270,465  | 78,634       |
| 2022                  | 295,370  | 68,558     | 125,323   | 31,014     | 275,671  | 73,477       |
| 2023                  | 301,868  | 61,988     | 127,735   | 28,578     | 280,978  | 68,221       |
| 2024                  | 308,509  | 55,274     | 130,194   | 26,096     | 286,387  | 62,863       |
| 2025                  | 315,296  | 48,412     | 132,700   | 23,566     | 291,900  | 57,402       |
| 2026                  | 322,233  | 41,399     | 135,255   | 20,986     | 297,519  | 51,836       |
| 2027                  | 329,322  | 34,232     | 137,859   | 18,357     | 303,246  | 46,163       |
| 2028                  | 336,567  | 26,907     | 140,512   | 15,679     | 309,083  | 40,381       |
| 2029                  | 343,972  | 19,421     | 143,217   | 12,947     | 315,033  | 34,487       |
| 2030                  | 351,539  | 11,771     | 145,975   | 10,163     | 321,098  | 28,480       |
| 2031                  | 359,273  | 3,952      | 148,784   | 7,327      | 327,279  | 22,357       |
| 2032                  |  |            | 151,649   | 4,434      | 333,579  | 16,116       |
| 2033                  |  |            | 154,568   | 1,487      | 340,000  | 9,756        |
| 2034                  |  |            |   |            |  | 3,273        |
|                       | 5,160,968  | 1,024,265  | 2,594,795   | 531,088    | 5,471,070  | 1,210,712    |
| Less 2015<br>Payments | 253,635  | 110,752    | 107,593   | 48,914     | -  | 44,760       |
|                       | \$ 4,907,333   | \$ 913,513 | \$ 2,487,202  | \$ 482,174 | \$ 5,471,070   | \$ 1,165,952 |

<sup>1</sup> Debt service based on full amount of the Safe Drinking Water Loan dated on May 28, 2014. As of December 12, 2014, \$1,968,019.52 of the total authorized amount has been disbursed.

Total Waterworks System Debt Service and Coverage

|                       | Total<br><u>Principal</u> | Total<br><u>Interest</u> | Total<br><u>Debt Service</u> | Total<br>Debt Service<br><u>Less SDWLs</u> | <u>Coverage</u> <sup>1</sup> |
|-----------------------|---------------------------|--------------------------|------------------------------|--|------------------------------|
| 2015                  | \$ 1,799,458              | \$ 811,487               | \$ 2,610,945                 | \$ 1,931,563                               | 3.10                         |
| 2016                  | 2,099,340                 | 744,383                  | 2,843,723                    | 1,925,531                                  | 3.11                         |
| 2017                  | 1,987,830                 | 672,677                  | 2,660,507                    | 1,742,456                                  | 3.43                         |
| 2018                  | 1,476,601                 | 595,510                  | 2,072,111                    | 1,154,206                                  | 5.18                         |
| 2019                  | 1,515,661                 | 545,055                  | 2,060,716                    | 1,142,957                                  | 5.23                         |
| 2020                  | 1,585,016                 | 491,799                  | 2,076,815                    | 1,159,206                                  | 5.16                         |
| 2021                  | 1,069,672                 | 435,738                  | 1,505,410                    | 587,956                                    | 10.17                        |
| 2022                  | 1,084,635                 | 406,619                  | 1,491,254                    | 573,956                                    | 10.42                        |
| 2023                  | 1,124,911                 | 376,133                  | 1,501,044                    | 583,907                                    | 10.24                        |
| 2024                  | 1,165,509                 | 343,965                  | 1,509,474                    | 592,500                                    | 10.09                        |
| 2025                  | 1,181,434                 | 307,872                  | 1,489,306                    | 572,500                                    | 10.45                        |
| 2026                  | 1,222,694                 | 271,441                  | 1,494,135                    | 577,500                                    | 10.36                        |
| 2027                  | 1,264,295                 | 233,417                  | 1,497,712                    | 581,250                                    | 10.29                        |
| 2028                  | 1,306,243                 | 193,791                  | 1,500,034                    | 583,750                                    | 10.25                        |
| 2029                  | 1,348,548                 | 152,553                  | 1,501,101                    | 585,000                                    | 10.22                        |
| 2030                  | 1,387,547                 | 110,414                  | 1,497,961                    | 635,000                                    | 9.42                         |
| 2031                  | 1,454,155                 | 64,886                   | 1,519,041                    | 656,250                                    | 9.11                         |
| 2032                  | 478,928                   | 20,550                   | 499,478                      | -  | -                            |
| 2033                  | 488,147                   | 11,243                   | 499,390                      | -  | -                            |
| 2034                  | <u>340,000</u>            | <u>3,273</u>             | <u>343,273</u>               | -  | -                            |
|                       | 25,380,624                | 6,792,806                | 32,173,430                   | 15,585,488                                 |                              |
| Less 2015<br>Payments | <u>1,799,458</u>          | <u>811,487</u>           | <u>2,610,945</u>             | <u>1,931,563</u>                           |                              |
|                       | \$ 23,581,166             | \$ 5,981,319             | \$ 29,562,485                | \$ 13,653,925                              |                              |

<sup>1</sup> Coverage based on audited 2013 net revenues of \$5,980,786 on Total Debt Service less SDWLs.

**Debt Ratios**

Outstanding general obligation, direct debt as a percentage of equalized value and on a per capita basis as of January 20, 2015 (after refunding) and for the previous five years as of December 31 as follows:

Ratios of General Obligation Debt to  
Equalized Valuation and Population

| <u>Year</u> | <u>Outstanding<br/>General Obligation<br/>Debt</u> | <u>Equalized<br/>Valuation</u> | <u>Percent of<br/>Equalized Value</u> | <u>Population</u> <sup>1</sup> | <u>Per<br/>Capita</u> |
|-------------|--|--------------------------------|---------------------------------------|--------------------------------|-----------------------|
| 2015        | \$ 83,990,000 <sup>2</sup>                         | \$ 2,878,046,700               | 2.92%                                 | 34,707                         | \$ 2,419.97           |
| 2014        | 84,840,000 <sup>2</sup>                            | 2,878,046,700                  | 2.95                                  | 34,707                         | 2,444.46              |
| 2013        | 68,725,000   | 2,921,983,900                  | 2.35                                  | 34,695                         | 1,980.83              |
| 2012        | 23,410,000   | 2,932,766,600                  | 0.80                                  | 34,530                         | 677.96                |
| 2011        | 14,415,000   | 3,088,952,200                  | 0.47                                  | 34,495                         | 417.89                |
| 2010        | 16,046,302   | 3,113,583,000                  | 0.52                                  | 34,451                         | 465.77                |

<sup>1</sup> Estimated by the Wisconsin Department of Administration. 2010 population is per the 2010 U.S. Census.

<sup>2</sup> Unaudited.

## Indirect Debt

The indirect general obligation debt of the City as of January 1, 2015 is listed below.

| Governmental Unit  | Outstanding Debt<br>as of January 1, 2015<br>(Less: 2015 Payments) | Percent<br>of Debt<br>Within City | Amount<br>of Debt<br>Within City |
|--|--|-----------------------------------|----------------------------------|
| Oak Creek-Franklin School District <sup>1</sup>          | \$ 40,430,000  | 82.52%                            | \$ 33,362,836                    |
| Milwaukee County   | 622,804,246  | 5.17                              | 32,198,980                       |
| Milwaukee Metropolitan<br>Sewerage District <sup>2</sup> | 834,595,439  | 5.27                              | 43,983,180                       |
| Milwaukee Area Technical College <sup>3</sup>            | 74,725,000   | 4.17                              | <u>3,116,033</u>                 |
|  |  |                                   | \$ 112,661,029                   |

<sup>1</sup> On November 4, 2014, School District electors approved a referendum in the amount of \$59.095 million for the purpose of school construction. The District anticipates the issuance of all or portions of the referendum approved beginning in 2015.

<sup>2</sup> The Sewerage District expects to draw approximately \$22.1 million in Clean Water Fund Loans ("CWF Loans") and to issue up to \$100 million in general obligation bonds in 2015. The CWF Loans are supported by the full faith and credit of the Sewerage District.

<sup>3</sup> Anticipated financings through November 2015 total approximately \$36.0 million.

|  |                |
|--|----------------|
| Total Indirect Debt                                      | \$ 112,661,029 |
| Indirect Debt Per Capita                                 | \$ 3,246.06    |
| Indirect Debt as a % of Equalized Value                  | 3.82%          |
| Total Direct Debt  | \$ 70,705,000  |
| Total Direct Debt Per Capita                             | \$ 2,037.20    |
| Total Direct Debt as a % of Equalized Value              | 2.40%          |
| Total Direct and Indirect Debt                           | \$ 183,366,029 |
| Total Direct and Indirect Debt Per Capita                | \$ 5,283.26    |
| Total Direct and Indirect Debt as a % of Equalized Value | 6.21%          |

## Short-Term Debt

The City has no outstanding short-term debt.

## Legal Debt Limit

The City has the power to incur indebtedness for City purposes specified by statute (Article 11 Section 3 of the Wisconsin Constitution and Chapter 67, Wisconsin Statutes) in an aggregate amount, not exceeding five percent of the equalized value of taxable property in the City, as last determined by the State of Wisconsin Department of Revenue. In general, such indebtedness may be in the form of bonds and promissory notes for various public purposes.

The City's unused borrowing capacity is as follows:

|  |                      |
|--|----------------------|
| Equalized Value of Taxable Property in the City for 2014                           | \$ 2,952,097,300     |
| Outstanding General Obligation Debt as of January 20, 2015,<br>Including New Issue | \$104,490,000        |
| Less: Refunding of the 2014 Notes  | ( 20,500,000)        |
| Less: 2015 Principal Payments  | <u>( 13,285,000)</u> |
| Net General Obligation Debt Outstanding  | \$ 70,705,000        |
| Legal Debt Capacity (5% of Equalized Value)  | \$ 147,604,865       |
| Unused Margin of Indebtedness  | \$ 76,899,865        |
| Percent of Unused Margin of Indebtedness   | 52.10%               |

**No Default on City Indebtedness**

The City has never defaulted on any of its prior or outstanding indebtedness.

**Future Financings**

The City anticipates issuing additional general obligation debt in 2015. The amount and date are unknown at this time.

**FINANCIAL INFORMATION**

**Annual Budgets**

Annual budgets are prepared by department heads and forwarded to the Mayor, Common Council and Finance Committee, who develop a preliminary budget for submission to the Common Council. In late November of each year the Common Council, after conducting public hearings on the budget proposals at which time any resident or taxpayer of the City has an opportunity to be heard, adopts a final budget for the succeeding year and levies taxes for proposed budget purposes. The amounts of taxes so levied, the amounts of the various appropriations and the purposes for such appropriations stated in the final budget (after any alterations made pursuant to the public hearing) may not be changed unless authorized by a vote of two-thirds of the entire membership of the Common Council. Notice of any changes made in the foregoing manner must be published within 10 days thereafter. Failure to give such notice precludes any changes in the budget.

Summaries of the adopted 2014 Budget and 2015 Budget follow:

| <u>General Fund Budgets</u> |  |                           |                        |  |
|-----------------------------|--|---------------------------|------------------------|--|
|                             | 2014<br>Adopted<br>Budget<br>(Amended) | 2015<br>Adopted<br>Budget | Percent<br>to<br>Total |  |
| <b>REVENUES</b>             |  |                           |                        |  |
| Taxes                       | \$ 13,587,782                          | \$ 12,597,175             | 54.66%                 |  |
| Other Taxes                 | 2,210,982                              | 2,270,872                 | 9.85                   |  |
| Intergovernmental           | 4,770,302                              | 4,952,425                 | 21.49                  |  |
| Grants and Aids             | 238,804                                | 293,961                   | 1.28                   |  |
| Licenses and Permits        | 586,516                                | 700,530                   | 3.04                   |  |
| Charges for Services        | 592,715                                | 612,550                   | 2.66                   |  |
| Public Health and Safety    | 30,600                                 | 21,600                    | 0.09                   |  |
| Commercial Revenues         | 1,548,725                              | 1,393,749                 | 6.05                   |  |
| Expenditure Offset          | 613,770                                | 205,023                   | 0.89                   |  |
| <b>TOTAL REVENUES</b>       | <b>\$ 24,180,196</b>                   | <b>\$ 23,047,885</b>      | <b>100.00%</b>         |  |
| <b>EXPENDITURES</b>         |  |                           |                        |  |
| General Government          | \$ 6,276,655                           | \$ 6,486,689              | 28.14%                 |  |
| Public Safety               | 11,267,551                             | 10,305,235                | 44.71                  |  |
| Health                      | 627,384                                | 603,829                   | 2.62                   |  |
| Public Works                | 3,948,176                              | 3,727,205                 | 16.17                  |  |
| Leisure Services            | 2,060,430                              | 1,924,927                 | 8.35                   |  |
| <b>TOTAL EXPENDITURES</b>   | <b>\$ 24,180,196</b>                   | <b>\$ 23,047,885</b>      | <b>100.00%</b>         |  |



# City of Oak Creek Common Council Report

Meeting Date: May 5, 2015

Item No.:

9

**Recommendation:** That the Common Council Confirm the Mayor's appointment of Melissa Karls as the City Attorney effective July 1, 2015.

**Background:** Larry Haskin has served as the City Attorney for the past 30 years since May 1, 1985. Recently, Mr. Haskin submitted his retirement notice to be effective June 30, 2015. Under the City's Municipal Code, the Mayor is charged with appointing the City Attorney with the confirmation of the Council. Mayor Scaffidi has contemplated a replacement for the position and it is his decision to appoint Melissa Karls as City Attorney effective July 1, 2015. By City Code, the City Attorney appoints the Assistant City Attorney.

Melissa Karls has served the City as an Assistant City Attorney since 2007. Prior to the City she served as state prosecutor and had been in private practice. Melissa completed her bachelor of science at St. Norbert College, her master's in business administration at the University of Wisconsin-Milwaukee and her law degree at Marquette University Law School. In addition to assisting the city attorney with providing general legal services to the City, one of Melissa's primary roles has been to serve as the chief municipal prosecutor, working with the police department, the clerical staff and the municipal court staff on all aspects of prosecution of municipal violations. Melissa has worked extensively with the staff and the Common Council on a number of legal issues. She has regularly attended License Committee meetings and provided advice to the Clerk's office on licensing matters. Melissa has worked on a number of Excessive Assessment Claims, representing the City in Circuit Court on those matters. In addition she has represented the Board of Review on contested hearings. Melissa has done a great deal of work as well on public records requests, providing advice and direction to the Clerk's office, the Police Department and the rest of the staff on those issues. Melissa is active in the community and currently serves on the education committee of her neighborhood school.

**Fiscal Impact:** An ordinance establishing pay for the City Attorney will be on the Council's next agenda for consideration pending confirmation of the Mayor's appointment.

Fiscal Review by:



Bridget M. Souffrant, CMTW  
Finance Director/Comptroller

Appointment by:



Stephen Scaffidi  
Mayor

Prepared and Submitted by:



Gerald R. Peterson, ICMA-CM  
City Administrator

# City of Oak Creek Common Council Report

Meeting Date: May,5, 2015

Item No.: 12

**Recommendation:** That the Common Council considers a motion to reject the bids for the 2015 Meadow View and Miller Park pathway/trail improvements (Project Nos. 15012 & 15013).

**Background:** The Streets, Parks and Forestry Department developed the plans and specifications bid package for the 2015 Park pathway/trail improvements project. There is approximately \$57,538 that has been allocated to complete the pathways at these two locations. We received four bids for this project.

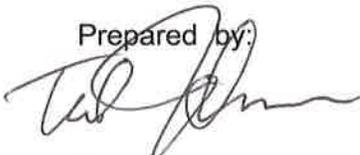
| Bidder                | Base Bid    | Alternate Bid |
|-----------------------|-------------|---------------|
| Black Diamond         | \$81,830.00 | \$13,112.00   |
| Johnson & Sons Paving | \$91,188.20 | \$8,522.80    |
| Poblocki Paving       | \$92,114.00 | \$11,473.00   |
| Payne & Dolan         | \$93,268.75 | \$22,782.10   |

The bids came in very high. Asphalt prices were the main driver in the high bids, but the inlet and storm sewer pipe contributed to the bids being significantly higher than our estimates as well.

It is staff's recommendation that the Common Council reject the bids for Meadow View and Miller Park pathway/trail improvements, and considers combining this work with work at Manor Marquette and Willow Heights Park. By combining the work making one large project, and giving the contractors the option to complete the work fall 2015, or spring 2016 may result in a more favorable bid.

**Fiscal Impact:** None at this time.

Prepared by:



Ted Johnson  
Director of Streets Parks & Forestry

Respectfully submitted:



Gerald Peterson, ICMA-CM  
City Administrator

Fiscal review by:



Bridget M. Souffrant, CMTW  
Finance Director / Comptroller

# City of Oak Creek Common Council Report

Meeting Date May 5, 2015

Item No.: 13

**Recommendation:** That the Common Council adopts Resolution No. 11614-050515, a resolution approving a storm water management practices maintenance agreement with Kwik Trip, Inc. for the proposed Kwik Trip #290 store located at 7880 S. 10<sup>th</sup> Street. (Tax Key No. 783-9073) (1<sup>st</sup> Aldermanic District)

**Background:** The proposed Kwik Trip #290 store located at 7880 S. 10<sup>th</sup> Street requires onsite storm water management practices in accordance with Sections 13.100 through 13.114 of the Municipal Code. Section 13.109 of the Municipal Code requires a maintenance agreement between the City and the permittee for the future maintenance of the required storm water management practices.

**Fiscal Impact:** None. The owner is responsible for all costs per the Storm Water Management Practices maintenance agreement.

Prepared by:



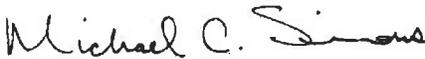
Philip J. Beiermeister, P.E.  
Environmental Design Engineer

Respectfully submitted:



Gerald R. Peterson, ICMA-CM  
City Administrator

Approved by:



Michael C. Simmons, P.E.  
City Engineer

Fiscal review by:



Bridget M. Souffrant, CMTW  
Finance Director/Comptroller

**RESOLUTION NO. 11614-050515**

BY: \_\_\_\_\_

**RESOLUTION APPROVING A STORM WATER MANAGEMENT PRACTICES MAINTENANCE AGREEMENT FOR KWIK TRIP #290 STORE LOCATED AT 7880 S. 10<sup>TH</sup> STREET**

**(TAX KEY NO. 783-9073)**

**(1<sup>ST</sup> ALDERMANIC DISTRICT)**

WHEREAS, Kwik Trip, Inc.(Owner), requires onsite storm water management practices for their proposed Kwik Trip #290 store located at 7880 S. 10<sup>th</sup> Street, and,

WHEREAS, the City requires that the Owner enter into a Storm Water Management Practices Maintenance Agreement, and,

WHEREAS, the required Storm Water Management Practices Maintenance Agreement has been prepared and signed by the Owner,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek that the attached Storm Water Management Practices Maintenance Agreement, as signed by the Owner, is hereby approved by the City.

BE IT FURTHER RESOLVED that the Mayor and the City Clerk are hereby authorized and directed to execute the attached agreement on behalf of the Common Council of the City of Oak Creek and upon execution by both the City of Oak Creek and the Owner, the City Attorney is hereby authorized and directed to record the same in the Office of the Register of Deeds in and for Milwaukee County, Wisconsin.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 5<sup>th</sup> day of May, 2015.

Passed and adopted this 5<sup>th</sup> day of May, 2015.

\_\_\_\_\_  
President, Common Council

Approved this 5<sup>th</sup> day of May, 2015.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

VOTE: AYES \_\_\_\_\_ NOES \_\_\_\_\_

Document Number

KWIK TRIP 290  
7880 S. 10<sup>TH</sup> STREET, OAK CREEK  
Storm Water Management Practices Maintenance  
Agreement  
Document Title

Recording Area

Michael C. Simmons  
Engineering Department  
8640 South Howell Avenue  
Oak Creek, WI 53154  
Name and Return Address

783-9073

Parcel Identification Number (PIN)

## STORM WATER MANAGEMENT PRACTICES MAINTENANCE AGREEMENT

THIS AGREEMENT, made and entered into this \_\_\_ day of \_\_\_\_\_, 2015, by and between Kwik Trip, Inc, 1626 Oak Street, La Crosse WI 52602, hereinafter called the "Owner", and the City of Oak Creek, hereinafter called the "City".

WITNESSETH:

WHEREAS, the Owner is the owner of the following described lands situated in the City of Oak Creek, County of Milwaukee, State of Wisconsin, to-wit:

Parcel 2 of Certified Survey Map No. 8065 in the Southwest ¼ of Section 8, Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin.

hereinafter called the "Property".

WHEREAS, the Owner is developing the Property; and

WHEREAS, the Site Plan/Subdivision Plan known as Kwik Trip 290 located at 7880 S. 10<sup>th</sup> Street, hereinafter called the "Plan", which is expressly made a part hereof, as approved or to be approved by the City, provides for on-site storm water management practices within the confines of the Property; and

WHEREAS, the City and the Owner, its successors and assigns, including any homeowners association, agree that the health, safety, and welfare of the residents of the City of Oak Creek, require that on-site storm water management practices as defined in Section 13.103 of the Oak Creek Municipal Code be constructed and maintained on the Property; and

WHEREAS, the City requires that on-site storm water management practices as shown on the Plan be constructed and adequately maintained by the Owner, its successors and assigns, including any homeowners association.

NOW, THEREFORE, in consideration of the foregoing premises, the mutual covenants contained herein, and the following terms and conditions, the parties hereto agree as follows:

1. The on-site storm water management practices shall be constructed by the Owner, its successors and assigns, including any homeowners association, in accordance with the plans and specifications identified in the Plan. The storm water management practices shall serve the drainage area designated in the Plan.
2. The Owner, its successors and assigns, including any homeowners association, shall regularly inspect the storm water management practices as often as conditions require, but in any event at least once each year. The standard Operation and Maintenance Report attached to this agreement as Exhibit A and by this reference made a part hereof shall be used for the purpose of the regular inspections of the storm water management practices. The Owner, its successors and assigns shall keep the Operation and Maintenance Reports from past inspections as well as a log of maintenance activity indicating the date and type of maintenance completed. The Reports and maintenance log shall be made available to the City for review. The purpose of the inspections is to assure safe and proper functioning of the facilities. The inspections shall cover all facilities including but not limited to berms, outlet structures, subsurface structures, infiltration areas, pond areas and access roads. Deficiencies shall be noted in the Operation and Maintenance Report.
3. The Owner, its successors and assigns, including any homeowners association, shall adequately maintain the storm water management practices, including but not limited to all pipes and channels built to convey storm water to the facility, as well as all structures, improvements, and vegetation provided to control the quantity and quality of the storm water. Adequate maintenance is herein defined as keeping the storm water management facilities in good working condition so that these facilities are performing their design functions and are in accordance with the Detention Basin Maintenance Standards attached to this agreement as Exhibit B and by this reference made a part hereof.
4. The Owner, its successors and assigns, including any homeowners association, hereby grant permission to the City, its authorized agents and employees, to enter upon the Property and to inspect the storm water management practices whenever the City deems necessary. The purpose of inspection is to investigate reported deficiencies and/or to respond to citizen complaints. The City shall provide the Owner, its successors and assigns, including any homeowners association, copies of the inspection findings and a directive to commence with the repairs if necessary. Corrective actions shall be taken within a reasonable time frame as established by the City Engineer.
5. If the Owner, its successors and assigns, including any homeowners association, fails to maintain the storm water management practices in good working condition acceptable to the City and does not perform the required corrective actions in the specified time, the City may:
  - a) Issue a citation to the Owner, its successors and assigns. The penalty for violation of this section shall be not less than \$50.00 nor more than \$500.00 for each offense, together with the costs of prosecution. Each day that the violation exists shall constitute a separate offense, and
  - b) Perform the corrective actions identified in the inspection report and assess the Owner, its successors and assigns for the cost of such work. The cost of such work shall be specially assessed against the Property pursuant to Wisconsin Statutes Section 66.0703. If the facilities are located on an outlot owned collectively by a homeowners association, the City may assess each member of the homeowners association according to the ownership interest in the facilities located on the property. This provision shall not be construed to allow the City to erect any structure of permanent nature on the land of the Owner outside of the easement for the storm water management practices. It is expressly understood and agreed that the City is under no obligation to routinely maintain or repair said storm water management practices, and in no event shall this Agreement be construed to impose any such obligation on the City.

6. The Owner, its successors and assigns, including any homeowners association, will perform the work necessary to keep these facilities in good working order as appropriate. In the event a maintenance schedule for the storm water management practices (including sediment removal) is outlined on the approved plans, the schedule will be followed. The minimal amount of maintenance on the storm water management practices shall be in accordance with the Detention Basin Maintenance Standards (Exhibit B).
7. In the event the City pursuant to this Agreement, performs work of any nature, or expends any funds in performance of said work for labor, use of equipment, supplies, materials, and the like, the Owner, its successors and assigns, including any homeowners association, shall reimburse the City upon demand, within thirty (30) days of receipt thereof for all actual costs incurred by the City hereunder.
8. This Agreement imposes no liability of any kind whatsoever on the City and the Owner agrees to hold the City harmless from any liability in the event the storm water management practices fail to operate properly.
9. This Agreement shall be attached as an exhibit to any document which creates a homeowners association that is responsible for maintenance of the storm water management practices and be recorded at the Milwaukee County Register of Deeds, and shall constitute a covenant running with the land, and shall be binding on the Owner, its administrators, executors, assigns, heirs and any other successors in interests, including any homeowners association. The owner shall provide the City with a copy of any document which creates a homeowners association that is responsible for the storm water management practices.

WITNESS the following signatures and seals:

KWIK TRIP, INC.

*Jeffrey J. Wröbel*  
 Jeffrey J. Wröbel, Vice President & CFO

The foregoing Agreement was acknowledged before me this 17th day of April, 2015,

by *Jeffrey J. Wröbel*

*Katie Klug*  
 NOTARY PUBLIC

My Commission Expires: 9-18-16



CITY OF OAK CREEK, WISCONSIN

\_\_\_\_\_  
Stephen A. Scaffidi, Mayor

\_\_\_\_\_  
Catherine A. Roeske, City Clerk

The foregoing Agreement was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2015,

by \_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

This document was prepared by Philip J. Beiermeister, P.E. of the City of Oak Creek Engineering Division.

Approved as to Form:

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Date

T:\Shared\PJB-work\SWM Maintenance Agreements\783-9073 KwikTrip maintenance agreement.doc





**EXHIBIT A**  
**OPERATION AND MAINTENANCE INSPECTION REPORT**  
**STORM WATER MANAGEMENT PONDS**

Inspector Name: \_\_\_\_\_

Tax Key No.: \_\_\_\_\_

Inspection Date: \_\_\_\_\_

Location: \_\_\_\_\_

Detention Basin Type:    Wet Pond    \_\_\_\_\_    Underground    \_\_\_\_\_  
                                  Extended Dry    \_\_\_\_\_    Bioretention    \_\_\_\_\_  
                                  Artificial Wetland    \_\_\_\_\_

Watershed \_\_\_\_\_

| Items Inspected<br>(Pond components)               | Checked<br>(Yes/ No/ NA) | Maintenance<br>Needed<br>(Yes/ No/ NA) | Remarks |
|--|--------------------------|--|---------|
| <b>Embankment and Emergency spillway</b>           |                          |  |         |
| 1. Trash and debris                                |                          |  |         |
| 2. Vegetation and ground cover adequate            |                          |  |         |
| 3. Embankment erosion                              |                          |  |         |
| 4. Animal burrows                                  |                          |  |         |
| 5. Unauthorized plantings/tree growth              |                          |  |         |
| 6. Cracking, bulging, or sliding of embankment     |                          |  |         |
| a. Upstream face and toe of slope                  |                          |  |         |
| b. Downstream face and toe of slope                |                          |  |         |
| 7. Settlement                                      |                          |  |         |
| 8. Seeps/leaks on downstream face                  |                          |  |         |
| 9. Emergency spillway                              |                          |  |         |
| a. Clear of trash and debris                       |                          |  |         |
| b. Settlement                                      |                          |  |         |
| c. Slope protection or riprap failures             |                          |  |         |
| 10. Other (specify)                                |                          |  |         |
| <b>Inlet/Outlet Structures</b>                     |                          |  |         |
| Type: Pipe (RCP/CMP/Plastic)                       |                          |  |         |
| Stand pipe/inlet box with orifice                  |                          |  |         |
| Weir (V-notch/Rectangular)                         |                          |  |         |
| Other _____  |                          |  |         |
| 1. Erosion/scouring/undermining at inlet or outlet |                          |  |         |
| 2. Primary outlet structure                        |                          |  |         |
| a. Debris or sediment removal necessary            |                          |  |         |
| b. Damaged   |                          |  |         |
| c. Orifice plate damaged, out of place or missing  |                          |  |         |
| 3. Trash rack/hood maintenance                     |                          |  |         |
| a. Trash or debris removal necessary               |                          |  |         |
| b. Damaged or missing                              |                          |  |         |
| c. Corrosion/rust control                          |                          |  |         |
| <b>Pond Bottom/Pool Area</b>                       |                          |  |         |
| 1. Sediment accumulation (estimate depth)          |                          |  |         |
| 2. Water level at normal pool elevation            |                          |  |         |
| 3. Oil sheen on water                              |                          |  |         |

**EXHIBIT B**  
**DETENTION BASIN MAINTENANCE STANDARDS**

| Maintenance Component                 | Defect                               | Conditions When Maintenance Is Needed   | Results Expected When Maintenance Is Performed  |
|---------------------------------------|--------------------------------------|---|---|
| Side Slopes and Embankments           | Trash & Debris                       | Any visual evidence of dumping, trash or debris.  | Trash and debris cleared from site.   |
|                                       | Unmowed vegetation/<br>Ground Cover  | Unless designated by the Common Council as a nature center or wildlife preserve, if the facility is located in a platted subdivision, multi-family apartment complex, planned development or a mobile home district, mowing is needed when vegetation exceeds 6 inches in height. In all other areas, mowing is needed when vegetation exceeds one foot in height. Mowed vegetation should be removed from areas where it could enter the pond, either when the pond level rises or by rainfall runoff. | When mowing is needed, grass/ground cover should be mowed to 2 inches in height. Trees and bushes should be removed where they interfere with pond maintenance activities; that is, at the inlet, outlet and near engineered structures. Nature centers and wildlife preserves should follow the maintenance guidelines in the approving resolution and approved storm water management plan. |
|                                       | Rodent Holes                         | Any evidence of rodent holes if facility is acting as a dam or berm, or any evidence of water piping through dam or berm via rodent holes.  | Rodents destroyed and dam or berm repaired.   |
|                                       | Tree Growth                          | Tree growth does not allow maintenance access or interferes with maintenance activity (i.e., slope mowing, silt removal or equipment movements).  | Trees do not hinder maintenance activities.   |
|                                       | Erosion                              | Eroded damage over 2 inches deep where cause of damage is still present or where there is potential for continued erosion.  | Slopes should be stabilized by using appropriate erosion control measures; e.g., rock rip-rap, planting of grass, erosion mat, compaction.  |
| Inlet/ Outlet Pipe                    | Debris and Sediment                  | Sediment and/or debris clogging more than 10% of the pipe opening.  | No clogging or blockage in the inlet and outlet piping.   |
|                                       | Damaged                              | Rust is causing more than 50% deterioration to any part of metal pipes, cracks in plastic pipe or cracks or exposed rebar in concrete pipes.  | Pipe repaired or replaced.  |
|                                       |                                      | Any dent that decreases the cross section area of pipe by more than 10% or retards the flowage of water.  | Pipe repaired or replaced.  |
|                                       | Erosion/Scouring                     | Eroded or scoured bottom at inlet or outlet pipes; undermining of structure or end section.   | Area should be stabilized by using appropriately sized rock rip-rap.  |
|                                       | Damaged or Missing Orifice Plate     | Control device is not working properly due to missing, out of place, or bent orifice plate.   | Plate is in place and works as designed.  |
|                                       | Orifice Plate Obstructions           | Any trash, debris, sediment, or vegetation blocking the plate.  | Plate is free of all obstructions and works as designed.  |
| Trash Racks/Hoods                     | Trash and Debris                     | Trash or debris that is plugging more than 20% of the openings in the barrier.  | Barrier clear to receive capacity flow.   |
|                                       | Damaged/ Missing Bars or Hood.       | Bars or hood are bent out of shape more than 3 inches.  | Bars in place with no bends more than 3/4 inch.   |
|                                       |                                      | Bars are missing or entire barrier missing.   | Bars in place according to design.  |
|                                       |                                      | Bars are loose and rust is causing 50% deterioration to any part of barrier.  | Repair or replace barrier to design standards.  |
| Pool Area                             | Sediment Accumulation in Pond Bottom | Sediment accumulations in pond bottom that exceeds the design sediment depth.   | Sediment cleaned out to designed pond shape and depth; pond reseeded if necessary to control erosion.   |
|                                       | Water Level                          | Water level does not drain down to normal designed pool elevation.  | Check outlet structure and downstream conveyance system for obstructions.   |
|                                       | Oil Sheen on Water                   | Prevalent and visible oil sheen.  | Remove oil from water by use of oil-absorbent pads or by vacator truck. Refer problem to locate source and correct.   |
| Emergency Overflow/Spillway and Dikes | Settlements                          | Any part of these components that has settled 4-inches lower than the design elevation, or inspector determines dike/ berm is unsound.  | Dike should be built back to the design elevation and repaired to specifications.   |
|                                       | Rock Missing                         | Only one layer of rock exists above native soil in area five square feet or larger, or any exposure of native soil at the top emergency spillway.   | Replace rocks to design standards.  |

# City of Oak Creek Common Council Report

Meeting Date: May 5, 2015

Item No.: 14

**Recommendation:** That the Common Council adopt Resolution No. 11616-050515, a resolution of necessity for acquisition of lands for public street purpose, permanent easements for vision corners, temporary easements for grading, highway easements for maintaining roadway, and authorizing negotiation for such acquisition and condemnation, if necessary, for 5th Avenue relocation project from the intersection of STH 100 (Ryan)/STH 32 (Chicago) to 5th Avenue/Ryan Road. (Project No. 12026) (4<sup>th</sup> Aldermanic District).

**Background:** Strand Associates has been working with Engineering staff since 2012 on the design of the 5<sup>th</sup> Avenue relocation project, which will be the new road extension spanning from the intersection of STH 100 (Ryan)/STH 32 (Chicago) to 5<sup>th</sup> Avenue/Ryan Road. The City will need to acquire certain rights-of-way and easements in order to reconstruct the road. Strand Associates has coordinated the preparation of a ROW plat and legal descriptions for the acquisitions.

There are portions of 11 parcels to acquire ROW; highway, permanent, or temporary easements. The parcels are identified and detailed on the attached resolution. The total area of ROW to be acquired is 6.452 acres, highway easement is 0.208 acres, permanent easement is 1.482 acres, and temporary easement is 2.341 acres.

**Fiscal Impact:** This design work will be paid through the sale of promissory notes authorized by Resolution No. 11440-121713.

Prepared by:



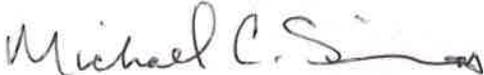
Matthew J. Sullivan, P.E.  
Design Engineer

Respectfully submitted;



Gerald Peterson, ICMA-CM  
City Administrator

Approved by:



Michael C. Simmons, P.E.  
City Engineer

Fiscal review by:



Bridget M. Spuffrant, CMTW  
Finance Director / Comptroller

**RESOLUTION NO. 11616-050515**

**BY: \_\_\_\_\_**

**RESOLUTION ESTABLISHING A DETERMINATION OF NECESSITY FOR ACQUISITION OF LANDS FOR PUBLIC STREET PURPOSES, PERMANENT EASEMENTS FOR VISION CORNERS, TEMPORARY EASEMENTS FOR GRADING, HIGHWAY EASEMENTS FOR MAINTAINING ROADWAY, AUTHORIZING NEGOTIATION FOR SUCH ACQUISITION AND AUTHORIZING CONDEMNATION IF NECESSARY**

**(PROJECT NO. 12026)**

**(4<sup>TH</sup> ALDERMANIC DISTRICT)**

WHEREAS, the City of Oak Creek decided that public necessity demands the construction of S. 5<sup>th</sup> Avenue Relocation from the intersection of STH 100 (Ryan)/STH 32 (Chicago) to 5<sup>th</sup> Avenue/Ryan Road; and

WHEREAS, public necessity demands that the City of Oak Creek acquire the fee simple titles of the lands required for street construction purposes, as indicated on the plat and legal descriptions attached hereto and incorporated herein by reference, and

WHEREAS, public necessity demands that the City of Oak Creek acquire the permanent easements required for vision corner purposes, as indicated on the plat and legal descriptions attached hereto and incorporated herein by reference, and

WHEREAS, public necessity demands that the City of Oak Creek acquire the temporary easements required for grading, as indicated on the plat and legal descriptions attached hereto and incorporated herein by reference, and

WHEREAS, public necessity demands that the City of Oak Creek acquire the highway easements required for maintaining roadway, as indicated on the plat and legal descriptions attached hereto and incorporated herein by reference, and

WHEREAS, the properties affected are listed below, on the plat and on the attached legal descriptions.

| Parcel Number | Tax Key Number | Area (acre) |       |       |       |
|---------------|----------------|-------------|-------|-------|-------|
|               |                | Fee         | PLE   | TLE   | HE    |
| 1             | 912-9995-002   | 3.292       | 0.520 | 1.164 |       |
| 2             | 912-9997       | 0.443       | 0.725 | 0.131 |       |
| 3             | 912-9999       |             | 0.210 | 0.060 |       |
| 4             | 913-9995       | 0.298       | 0.027 | 0.211 |       |
| 6             | 913-9996       | 0.915       |       |       |       |
| 7             | 912-9998       | 0.538       |       |       |       |
| 8             | 869-9943       | 0.800       |       |       |       |
| 9             | 868-9994-001   | 0.166       |       | 0.289 |       |
| 10            | 869-9995-003   |             |       | 0.106 |       |
| 11            | 912-9928       |             |       | 0.331 | 0.208 |
| 12            | 913-9997       |             |       | 0.049 |       |

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Oak Creek that the determination of necessity for acquisition of lands for public street purposes, permanent easements for vision corners, temporary easements for grading and highway easements for maintaining roadway that the lands as described, and as shown on the attached plat and legal descriptions, be acquired for said purposes, and

BE IT FURTHER RESOLVED that the ROW plat identified as I.D. 2987-00-14 is approved and directed to be filed with the County Clerk for Milwaukee County, and

BE IT FURTHER RESOLVED that the attached Relocation Order for this project with City I.D. 2987-00-14 beginning at STA 20+00.00 and ending at STA 41+00.00 is hereby approved and the City Attorney or agent for the City of Oak Creek, at the direction of the City Attorney, is hereby authorized and directed to serve the Relocation Order on the County Clerk in and for Milwaukee County, Wisconsin; and

BE IT FURTHER RESOLVED that the City Engineer, or agent for the City of Oak Creek at the direction of the City Engineer, is hereby authorized and directed to negotiate for the acquisition of those lands required for the purposes above stated, and in the event said lands cannot be obtained by negotiation, the City Attorney and Special Counsel are hereby authorized and directed to take by condemnation those lands as required for said purposes.

Introduced at a regular meeting of the Common Council of the City of Oak Creek held this 5<sup>th</sup> day of May, 2015.

Passed and adopted this 5<sup>th</sup> day of May, 2015.

\_\_\_\_\_  
President, Common Council

Approved this 5<sup>th</sup> day of May, 2015

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

VOTE: AYES \_\_\_\_\_ NOES \_\_\_\_\_

**ORDER BY THE COMMON COUNCIL OF THE CITY OF OAK CREEK FOR ACQUISITION OF LANDS FOR PUBLIC STREET PURPOSES, PERMANENT EASEMENTS FOR VISION CORNERS, TEMPORARY EASEMENTS FOR GRADING, HIGHWAY EASEMENTS FOR MAINTAINING ROADWAY, AUTHORIZING NEGOTIATION FOR SUCH ACQUISITION AND AUTHORIZING CONDEMNATION IF NECESSARY**

WHEREAS, the Oak Creek Common Council on May 5, 2015 adopted Resolution No. 11616-05015, a Resolution Establishing a Determination of Necessity for Acquisition of Lands for Public Street Purposes, Permanent Easements for Vision Corners, Temporary Easements for Grading, Highway Easements for Maintaining Roadway, Authorizing Negotiation for such Acquisition and Authorizing Condemnation if Necessary and,

WHEREAS, public necessity demands that the City of Oak Creek acquire the fee simple titles of the lands required for street expansion purposes, as indicated on ROW plat identified as I.D. 2987-00-14 and legal descriptions attached hereto and incorporated herein by reference, and

WHEREAS, public necessity demands that the City of Oak Creek acquire the permanent easements required for vision corners, as indicated on ROW plat identified as I.D. 2987-00-14 and legal descriptions attached hereto and incorporated herein by reference, and

WHEREAS, public necessity demands that the City of Oak Creek acquire the temporary easements required for grading, as indicated on ROW plat identified as I.D. 2987-00-14 and legal descriptions attached hereto and incorporated herein by reference, and

WHEREAS, public necessity demands that the City of Oak Creek acquire the highway easements required for maintaining roadway, as indicated on ROW plat identified as I.D. 2987-00-14 and legal descriptions attached hereto and incorporated herein by reference, and

WHEREAS, that the Relocation Order for this project with City I.D. 2987-00-14 begins at STA 20+00 and ends at STA 41+00.00, and

WHEREAS, the fee simple titles of lands area, permanent easement areas, temporary easement areas and highway easement areas are depicted on the ROW plat identified as I.D. 2987-00-14 attached hereto and as described on legal descriptions attached hereto and both exhibits are incorporated herein by reference.

NOW, THEREFORE IT IS ORDERED by Common Council of the City of Oak Creek, Milwaukee County, Wisconsin that the aforementioned fee simple titles, permanent easements, temporary easement and highway easements be acquired in accordance with Resolution Number 11616-050515.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Stephen A. Scaffidi, Mayor

\_\_\_\_\_  
Catherine A. Roeske, City Clerk

|  |                      |                   |
|--|----------------------|-------------------|
| R/W PROJECT NUMBER<br>2987-00-14   | SHEET NUMBER<br>4.01 | TOTAL SHEETS<br>4 |
| FEDERAL PROJECT NUMBER   |                      |                   |
| PLAT OF RIGHT-OF-WAY REQUIRED FOR<br><b>S. 5TH AVENUE</b><br>(S. CHICAGO ROAD TO E. RYAN ROAD) |                      |                   |
| LOCAL ROAD   |                      | MILWAUKEE COUNTY  |
| CONSTRUCTION PROJECT NUMBER<br>2987-00-74  |                      |                   |

**CONVENTIONAL ABBREVIATIONS**

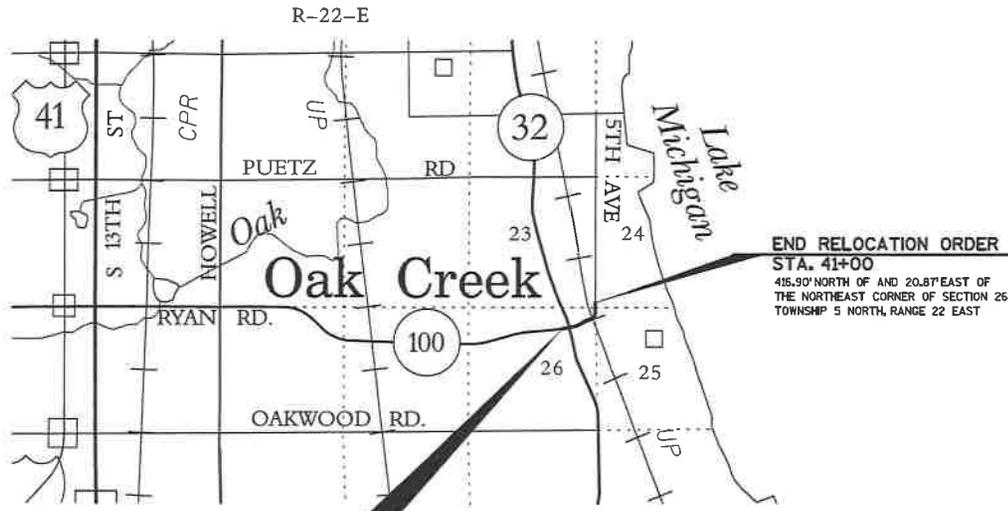
|                            |        |                            |       |
|----------------------------|--------|----------------------------|-------|
| ACCESS POINT               | AP     | REFERENCE LINE             | R/L   |
| DRIVEWAY CONNECTION        | DC     | RELEASE OF RIGHTS          | ROR   |
| ACCESS RIGHTS              | AR     | REMAINING                  | REM.  |
| ACRES                      | AC     | RIGHT-OF-WAY               | R/W   |
| AND OTHERS                 | ET AL. | SECTION                    | SEC.  |
| CENTERLINE                 | C/L    | STATION                    | STA.  |
| CERTIFIED SURVEY MAP       | CSM    | TEMPORARY LIMITED EASEMENT | TLE   |
| CORNER                     | COR.   | VOLUME                     | V.    |
| DOCUMENT                   | DOC.   | <b>CURVE DATA</b>          |       |
| EASEMENT                   | EASE.  | LONG CHORD                 | LOH   |
| HIGHWAY EASEMENT           | H.E.   | LONG CHORD BEARING         | LOB   |
| LAND CONTRACT              | L.C.   | RADIUS                     | R     |
| MONUMENT                   | MON.   | DEGREE OF CURVE            | D     |
| PAGE                       | P.     | CENTRAL ANGLE OR DELTA     | DELTA |
| PERMANENT LIMITED EASEMENT | PLE    | LENGTH OF CURVE            | L     |
| PROPERTY LINE              | PL     | TANGENT                    | TAN   |
| RECORDED AS                | (BOOK) |                            |       |

**CONVENTIONAL SYMBOLS**

|                            |                        |   |      |
|----------------------------|------------------------|---|------|
| FOUND IRON PIPE/PIN        | OF PIPE OR LESS BOTTED | PROPOSED R/W LINE                           | ---  |
| R/W MONUMENT               | • (SET)                | EXISTING H.E. LINE                          | ---  |
| R/W STANDARD               | ▲ (SET)                | PROPERTY LINE                               | ---  |
| SIGN                       | ISIGN                  | LOT & TIE LINES                             | ---  |
| SECTION CORNER MONUMENT    | ⊙                      | SLOPE INTERCEPTS                            | //// |
| SECTION CORNER SYMBOL      | ⊙                      | CORPORATE LIMITS                            | ---  |
| SEE (WATCH VARIATIONS)     | ⊙                      | NO ACCESS (BY PREVIOUS ACQUISITION/CONTROL) | ---  |
| TEMPORARY LIMITED EASEMENT | ⊙                      | NO ACCESS (BY ACQUISITION)                  | ---  |
| HIGHWAY EASEMENT           | ⊙                      | NO ACCESS (BY STATUTORY AUTHORITY)          | ---  |
| R/W BOUNDARY POINT         | ⊙                      | SECTION LINE                                | ---  |
| PARCEL NUMBER              | ⊙                      | QUARTER LINE                                | ---  |
| UTILITY PARCEL NUMBER      | ⊙                      | SIXTEENTH LINE                              | ---  |
| SIGN NUMBER                | ⊙                      | EXISTING CENTERLINE                         | ---  |
| OFF PREMISES BUILDING      | ⊙                      | PROPOSED REFERENCE LINE                     | ---  |
|                            |                        | PARALLEL OFFSET                             | ---  |

**CONVENTIONAL UTILITY SYMBOLS**

|                             |     |
|-----------------------------|-----|
| WATER                       | --- |
| GAS                         | --- |
| TELEPHONE                   | --- |
| OVERHEAD TRANSMISSION LINES | --- |
| ELECTRIC                    | --- |
| CABLE TELEVISION            | --- |
| FIBER OPTIC                 | --- |
| SANITARY SEWER              | --- |
| STORM SEWER                 | --- |
| NON COMPENSABLE             |     |
| POWER POLE                  | --- |
| TELEPHONE POLE              | --- |
| TELEPHONE PEDESTAL          | --- |
| ELECTRIC TOWER              | --- |



**BEGIN RELOCATION ORDER**  
**STA. 20+00**  
 968.98' SOUTH OF AND 1003.65' WEST OF  
 THE NORTHEAST CORNER OF SECTION 26  
 TOWNSHIP 5 NORTH, RANGE 22 EAST

**END RELOCATION ORDER**  
**STA. 41+00**  
 415.90' NORTH OF AND 20.87' EAST OF  
 THE NORTHEAST CORNER OF SECTION 26  
 TOWNSHIP 5 NORTH, RANGE 22 EAST

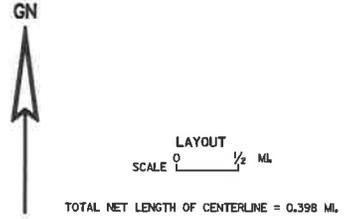
**NOTES**

COORDINATES AND BEARINGS ON THIS PLAT ARE ORIENTED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, MILWAUKEE COUNTY ZONE, NAD 83 (2011) ADJUSTMENT. THE COORDINATES SHOWN ARE GRID COORDINATES AND ARE TO BE USED AS GRID OR GROUND VALUES ON THIS PLAT.

RIGHT-OF-WAY MONUMENTS WILL BE 3/4" REBAR UNLESS NOTED AND WILL BE PLACED PRIOR TO THE COMPLETION OF THE PROJECT.

RIGHT-OF-WAY BOUNDARIES ARE DEFINED WITH COURSES OF THE PERIMETER OF THE HIGHWAY LANDS REFERENCED TO THE U.S. PUBLIC LAND SURVEY SYSTEM OR OTHER SURVEYS OF PUBLIC RECORD.

DIMENSIONED DISTANCES FROM BUILDINGS TO THE NEW RIGHT-OF-WAY LINES AS SHOWN ARE APPROXIMATE.



ACCEPTED FOR  
 CITY OF OAK CREEK

ORIGINAL PLAT PREPARED BY

**SA**  
**STRAND**  
 ASSOCIATES\*

510 WEST WINGRA DRIVE  
 MADISON, WISCONSIN 53715  
 (608) 251-4843

REVISION DATE

E



# SCHEDULE OF LANDS & INTERESTS REQUIRED

OWNER'S NAMES ARE SHOWN FOR REFERENCE PURPOSES ONLY AND ARE SUBJECT TO CHANGE PRIOR TO THE TRANSFER OF LAND INTERESTS.

| PARCEL NUMBER | SHEET NUMBER | OWNER (S)   | INTEREST REQUIRED | R/W S.F. REQUIRED |          |         | T.L.E. | P.L.E. | H.E. |
|---------------|--------------|---|-------------------|-------------------|----------|---------|--------|--------|------|
|               |              |   |                   | NEW               | EXISTING | TOTAL   | S.F.   | S.F.   | S.F. |
| 1             | 4.03,4.04    | 9648 SOUTH CHICAGO ROAD, LLC                        | FEE, PLE, TLE     | 143,410           | ----     | 143,410 | 50,701 | 22,672 | ---- |
| 2             | 4.03,4.04    | WISCONSIN ELECTRIC POWER COMPANY (WEPCO)            | FEE, PLE, TLE     | 19,312            | ----     | 19,312  | 5,685  | 31,598 | ---- |
| 3             | 4.03         | ERICK SLAMKA LIVING TRUST,                          | PLE, TLE          | ----              | ----     | ----    | 2,604  | 9,138  | ---- |
| 4             | 4.04         | JEROME J. AND ELIZABETH E. LEMKE, LIFE ESTATE       | FEE, PLE, TLE     | 12,993            | 3,685    | 16,678  | 9,201  | 1,160  | ---- |
| 5             |              |   |                   |                   |          |         |        |        |      |
| 6             | 4.04         | GEORGE & KATHLEN R. KASTER                          | FEE               | 39,875            | 3,685    | 43,560  | ----   | ----   | ---- |
| 7             | 4.04         | PATRICK J. FITZPATRICK TRUST                        | FEE               | 23,415            | 8,624    | 32,039  | ----   | ----   | ---- |
| 8             | 4.04         | LISA TOMCZAK & CRAIG BALLER                         | FEE               | 34,837            | 9,312    | 44,149  | ----   | ----   | ---- |
| 9             | 4.04         | EDISON M. BOERKE FAMILY TRUST                       | FEE, TLE          | 7,218             | 20,767   | 27,985  | 12,605 | ----   | ---- |
| 10            | 4.04         | CITY OF OAK CREEK                                   | TLE               | ----              | ----     | ----    | 4,620  | ----   | ---- |
| 11            | 4.03         | UNION PACIFIC RAILROAD COMPANY                      | HE, TLE           | ----              | ----     | ----    | 14,416 | ----   | 9079 |
| 12            | 4.04         | TRAVIS G. AND KAREN M. ADLER                        | TLE               | ----              | ----     | ----    | 2,155  | ----   | ---- |
| 100           | 4.03,4.04    | AMERICAN TRANSMISSION COMPANY LLC                   | RELEASE OF RIGHTS |                   |          |         |        |        |      |
| 101           | 4.03,4.04    | WISCONSIN ELECTRIC POWER COMPANY (WEPCO) (ELECTRIC) | RELEASE OF RIGHTS |                   |          |         |        |        |      |
| 102           | 4.03,4.04    | WE ENERGIES GAS                                     | RELEASE OF RIGHTS |                   |          |         |        |        |      |
| 103           | 4.03,4.04    | PAETEC  | RELEASE OF RIGHTS |                   |          |         |        |        |      |

4

4

|               |        |                      |                    |  |                 |
|---------------|--------|----------------------|--------------------|--|-----------------|
| REVISION DATE | DATE : | SCALE, FEET<br>0 N/A | HWY: S. 5TH AVENUE | STATE R/W PROJECT NUMBER 2987-00-14    | PLAT SHEET 4.02 |
|               |        |                      | COUNTY: MILWAUKEE  | CONSTRUCTION PROJECT NUMBER 2987-00-74 | PS&E SHEET E    |

FILE NAME : S:\MIL\1900--1999\1960\006\M\cross\PLAN\RW P1of\040102\_r.p.dgn

PLOT DATE : 3/30/2015

PLOT BY : \_user\name\_

PLOT NAME :

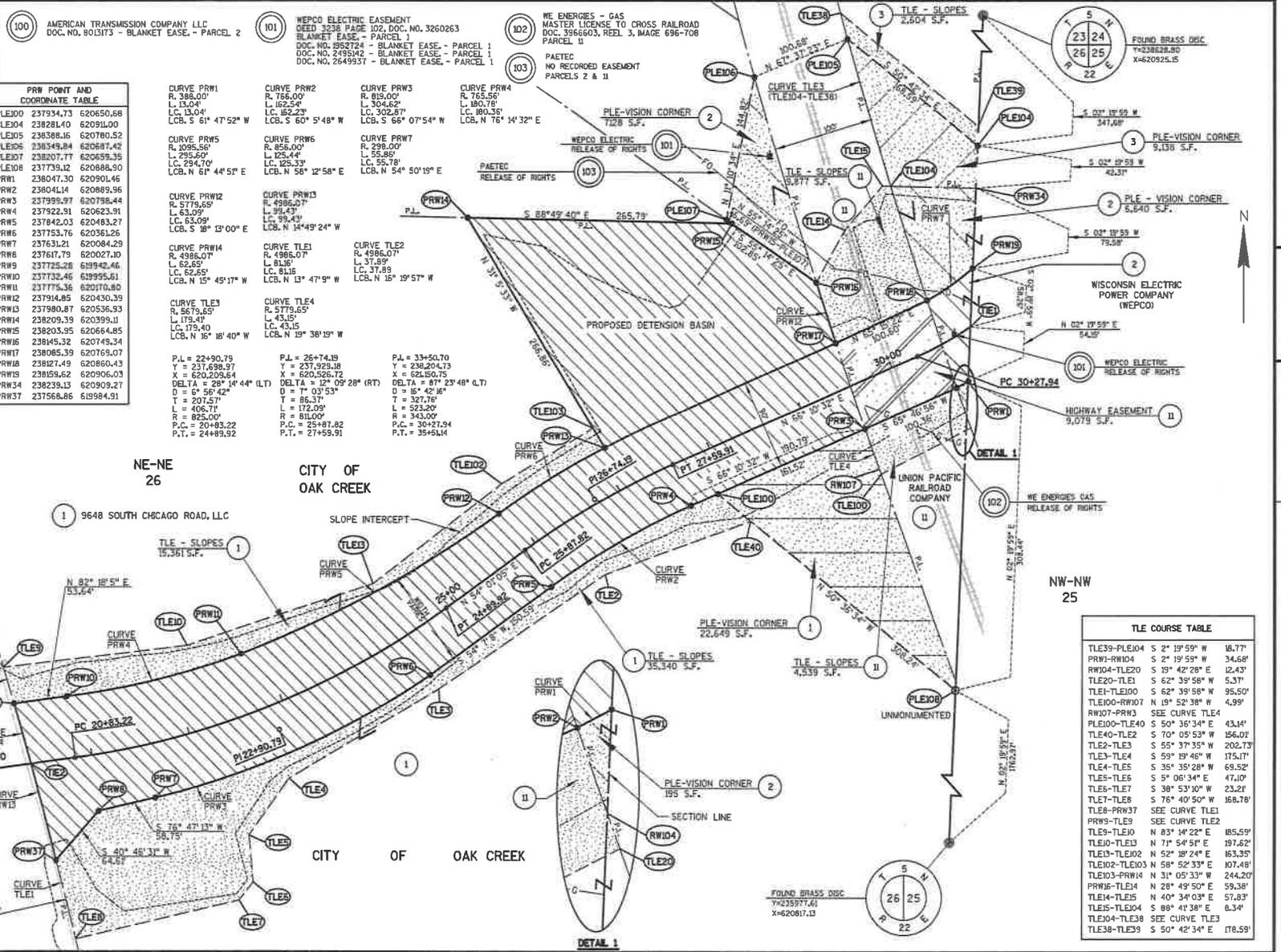
PLOT SCALE : 40'.....PlotScale.....40'

WISDOT/CADD SHEET 60

| ROAD NAME      | BASIS OF EXISTING R/W                               | WIDTH |
|----------------|---|-------|
| S. CHICAGO RD. | PREVIOUS PROJECT: 2040-02-23                        | 140'  |
| (15TH 32)      |   |       |
| RAILROAD       | ORIGINAL RIGHT OF WAY AND TRACK MAP NUMBER W5 V-2/T | 100'  |

| POINT, STATION, AND OFFSET TABLE | POINT, STATION, AND OFFSET TABLE | PRW POINT AND COORDINATE TABLE |
|----------------------------------|----------------------------------|--------------------------------|
| PLE100 27+89.18 45.00'           | TLE2 26+43.23 65.13'             | PLE100 237934.73 620650.68     |
| PLE104 32+57.69 -18.47'          | TLE3 24+35.87 62.81'             | PLE104 238281.40 620910.00     |
| PLE105 34+34.43 -274.83'         | TLE4 22+78.24 74.47'             | PLE105 238398.46 620780.52     |
| PLE106 29+90.46 -319.07'         | TLE5 22+27.08 14.27'             | PLE106 238349.84 620694.42     |
| PLE107 29+07.40 -303.27'         | TLE6 22+18.45 15.02'             | PLE107 238207.77 620659.35     |
| PLE108 29+28.08 320.16'          | TLE7 22+02.54 173.38'            | PLE108 237739.12 620688.90     |
| PRW1 30+59.91 45.00'             | TLE8 20+59.14 179.38'            | PRW1 238047.30 620904.66       |
| PRW2 30+48.38 45.00'             | TLE9 20+23.91 -99.51'            | PRW2 238041.14 620889.96       |
| PRW3 29+50.70 45.00'             | TLE10 22+24.76 -85.49'           | PRW3 237995.97 620798.44       |
| PRW4 27+59.91 45.00'             | TLE11 24+40.68 -61.27'           | PRW4 237922.91 620623.91       |
| PRW5 25+87.82 45.00'             | TLE14 30+11.70 -43.81'           | PRW5 237842.03 620483.27       |
| PRW6 24+40.00 46.33'             | TLE5 30+97.67 -165.14'           | PRW6 237753.76 620361.26       |
| PRW7 24+53.03 53.40'             | TLE20 30+43.84 87.30'            | PRW7 237631.21 620084.29       |
| PRW8 20+97.98 56.02'             | TLE38 35+54.30 -276.18'          | PRW8 237617.79 620027.10       |
| PRW9 20+29.58 -62.04'            | TLE39 32+84.50 -125.88'          | PRW9 237725.28 619942.46       |
| PRW10 20+83.22 -62.00'           | TLE40 28+06.62 83.51'            | PRW10 237732.46 619955.61      |
| PRW11 22+78.37 -59.61'           | TLE100 29+47.20 35.02'           | PRW11 237776.36 620170.80      |
| PRW12 25+87.82 -45.00'           | TLE302 26+06.12 -67.73'          | PRW12 237914.85 620430.39      |
| PRW13 27+06.66 -45.00'           | TLE103 27+05.38 -67.62'          | PRW13 237980.87 620536.93      |
| PRW14 26+94.87 -314.48'          | TLE104 31+10.20 -160.02'         | PRW14 238209.39 620399.11      |
| PRW15 29+10.88 -195.56'          |                                  | PRW15 238203.95 620664.85      |
| PRW16 29+64.49 -107.79'          |                                  | PRW16 238045.32 620749.34      |
| PRW17 29+58.33 -45.00'           |                                  | PRW17 238085.39 620769.07      |
| PRW18 30+43.66 -45.00'           |                                  | PRW18 238217.19 620850.43      |
| PRW19 31+27.96 -45.00'           |                                  | PRW19 238586.62 620906.03      |
| PRW34 32+04.15 -97.29'           |                                  | PRW34 238239.13 620909.27      |
| PRW37 20+50.58 98.67'            |                                  | PRW37 237568.86 619984.91      |
| RWD14 30+45.04 74.96'            |                                  |                                |
| RWD17 29+47.55 88.03'            |                                  |                                |
| TE1 30+88.24 0.00'               |                                  |                                |
| TE2 20+39.32 0.00'               |                                  |                                |



| TLE COURSE TABLE |                 |         |
|------------------|-----------------|---------|
| TLE39-PLE104     | S 2° 19' 59" W  | 18.77'  |
| PRW3-RWD4        | S 2° 19' 59" W  | 34.68'  |
| RWD4-TLE20       | S 19° 42' 28" E | 12.43'  |
| TLE20-TLE1       | S 62° 39' 58" W | 5.37'   |
| TLE1-TLE100      | S 62° 39' 58" W | 95.50'  |
| TLE100-RWD107    | N 19° 52' 38" W | 4.99'   |
| RWD107-PRW3      | SEE CURVE TLE4  |         |
| PLE100-TLE40     | S 50° 36' 34" E | 43.14'  |
| TLE40-TLE2       | S 70° 09' 53" W | 156.07' |
| TLE2-TLE3        | S 55° 37' 35" W | 202.73' |
| TLE3-TLE4        | S 59° 19' 46" W | 175.17' |
| TLE4-TLE5        | S 35° 35' 28" W | 69.52'  |
| TLE5-TLE6        | S 5° 06' 34" E  | 47.10'  |
| TLE6-TLE7        | S 38° 53' 10" W | 23.21'  |
| TLE7-TLE8        | S 76° 40' 50" W | 168.76' |
| TLE8-PRW37       | SEE CURVE TLE1  |         |
| PRW3-TLE9        | SEE CURVE TLE2  |         |
| PRW9-TLE10       | N 83° 14' 22" E | 185.59' |
| TLE10-TLE13      | N 71° 54' 51" E | 197.62' |
| TLE13-TLE102     | N 52° 38' 24" E | 163.35' |
| TLE102-TLE103    | N 58° 52' 33" E | 107.48' |
| TLE103-PRW14     | N 31° 05' 33" W | 244.20' |
| PRW15-TLE14      | N 28° 49' 50" E | 59.38'  |
| TLE14-TLE15      | N 40° 34' 03" E | 57.83'  |
| TLE15-TLE104     | S 88° 14' 38" E | 8.34'   |
| TLE104-TLE38     | SEE CURVE TLE3  |         |
| TLE38-TLE39      | S 50° 42' 34" E | 178.59' |

|               |      |             |                    |   |                 |
|---------------|------|-------------|--------------------|---|-----------------|
| REVISION DATE | DATE | SCALE: FEET | HWY: S. 5TH AVENUE | STATE R/W PROJECT NUMBER: 2987-00-14    | PLAT SHEET 4.03 |
|               |      | 0 50 100    | COUNTY: MILWAUKEE  | CONSTRUCTION PROJECT NUMBER: 2987-00-74 | PS&E SHEET E    |



**Fee title** in and to all that land of the owner contained within the following described tract located in part of the Northeast 1/4 of the Northeast 1/4 of Section 26, Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin more fully described as follows:

Commencing at the Northeast corner of said Section 26,  
Thence South 2° 19' 59" West, 469.57 feet along the East line of said Section 26 to the point of beginning;

Thence South 2° 19' 59" West, 112.41 feet to a point of circular curve to the right and having a radius of 388.00 feet;  
Thence 13.04 feet along the arc of said circular curve whose long chord bears South 61° 47' 52" West, 13.04 feet;  
Thence South 65° 46' 56" West, 100.36 feet;  
Thence South 66° 10' 32" West, 190.79 feet to a point of circular curve to the left and having a radius of 766.00 feet;  
Thence 162.54 feet along the arc of said circular curve whose long chord bears South 60° 05' 48" West, 162.23 feet;  
Thence South 54° 07' 08" West, 150.59 feet to a point of circular curve to the right and having a radius of 819.00 feet;  
Thence 304.62 feet along the arc of said circular curve whose long chord bears South 66° 07' 54" West, 302.87 feet;  
Thence South 76° 47' 13" West, 58.75 feet;  
Thence South 40° 46' 31" West, 64.61 feet to the Northeasterly right-of-way line of S. Chicago Road (STH 32) and a point of circular curve to the left and having a radius of 4,986.07 feet;  
Thence 99.43 feet along the arc of said circular curve whose long chord bears North 14° 49' 24" West, 99.43 feet to a point of circular curve to the left and having a radius of 4,986.07 feet;  
Thence 62.65 feet along the arc of said circular curve whose long chord bears North 15° 45' 17" West, 62.65 feet;  
Thence North 82° 18' 05" East, 53.64 feet to a point of circular curve to the left and having a radius of 765.56 feet;  
Thence 180.78 feet along the arc of said circular curve whose long chord bears North 76° 14' 32" East, 180.36 feet to a point of circular curve to the left and having a radius of 1,095.56 feet;  
Thence 295.60 feet along the arc of said circular curve whose long chord bears North 61° 44' 51" East, 294.70 feet to a point of circular curve to the right and having a radius of 856.00 feet;  
Thence 125.44 feet along the arc of said circular curve whose long chord bears North 58° 12' 58" East, 125.33 feet;  
Thence North 31° 05' 33" West, 266.86 feet;  
Thence South 88° 49' 40" East, 265.79 feet;  
Thence South 55° 14' 25" East, 102.85 feet to a point of circular curve to the left and having a radius of 5,779.65 feet;  
Thence 63.09 feet along the arc of said circular curve whose long chord bears South 18° 13' 00" East, 63.09 feet;  
Thence North 65° 15' 22" East, 100.60 feet to a point of circular curve to the left and having a radius of 298.00 feet;  
Thence 55.86 feet along the arc of said circular curve whose long chord bears North 54° 50' 19" East, 55.78 feet to the point of beginning.

Containing 143,410 square feet (3.292 acres), more or less, exclusive of lands previously conveyed or dedicated for highway purposes.

Also, a **Permanent Limited Easement** for the right to construct and maintain vision corners, which prohibits the construction of buildings and fences and limits the vegetation growing thereon to a maximum height of 30", including for such purpose the right to operate the necessary equipment thereon and the right of ingress and egress as long as required for such public purpose, including the right to preserve, protect, remove or plant thereon any vegetation that the highway authorities may deem necessary to desirable, but without prejudice to the owner's right to make or construct improvements on said lands or to flatten the slopes, providing said activities will not impair or otherwise adversely affect the highway facilities within the right-of-way, in and to all that land of the owner contained within the following described tract of located in part of the Northeast 1/4 of the Northeast 1/4 of Section 26, and part of the Northwest 1/4 of the Northwest 1/4 of Section 25, all in Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin more fully described as follows:

Commencing at the Northeast corner of said Section 26;  
Thence South 2° 19' 59" West, 347.68 feet along the East line of said Section 26 to the point of beginning;

Thence South 50° 42' 34" East, 68.60 feet;  
Thence South 88° 46' 50" East, 6.76 feet to a point of circular curve to the right and having a radius of 298.00 feet;  
Thence 102.07 feet Southwesterly along the arc of said circular curve whose long chord bears South 39° 39' 21" West, 101.57 feet to the east line of said Section 26;  
Thence South 2° 19' 59" West, 112.41 feet along said East line to a point of circular curve to the left and having a radius of 388.00 feet;  
Thence 122.35 feet Northeasterly along the arc of said circular curve whose long chord bears North 51° 48' 02" East, 121.85 feet;  
Thence South 4° 37' 26" West, 310.84 feet;  
Thence South 45° 08' 06" West, 110.35 feet;  
Thence North 50° 36' 34" West, 314.76 feet;  
Thence North 66° 10' 32" East, 161.52 feet to a point of circular curve to the right and having a radius of 5,779.65 feet;  
Thence 90.32 along the arc of said circular curve whose long chord bears North 18° 58' 37" West, 90.32 feet to a point of circular curve to the right and having a radius of 5,779.65 feet;  
Thence 63.09 feet along the arc of said circular curve whose long chord bears North 18° 13' 00" West, 63.09 feet;  
Thence North 55° 14' 25" West, 109.54 feet;  
Thence North 11° 10' 34" East, 144.82 feet;  
Thence North 67° 37' 23" East, 100.68 feet;  
Thence South 50° 42' 34" East, 168.59 feet to the point of beginning.

Containing 22,672 square feet (0.520 acres), more or less.

Not including those lands of the owner previously described above.

Also, a **Temporary Limited Easement** for the right to construct cut and/or fill slopes, including for such purpose the right to operate the necessary equipment thereon and the right of ingress and egress as long as required for such public purpose, including the right to preserve, protect,

remove, or plant thereon any vegetation that the highway authorities may deem necessary or desirable, in and to all that land of the owner contained within the following described tract located in part of the Northeast 1/4 of the Northeast 1/4 of Section 26, Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin more fully described as follows:

Commencing at the Northeast corner of said Section 26;  
Thence South 2° 19' 59" West, 328.91 feet to the point of beginning;

Thence South 2° 19' 59" West, 287.75 feet to the northeasterly line of Union Pacific Railroad Company lands;  
Thence South 19° 42' 28" East, 12.43 feet along said northeasterly line;  
Thence South 62° 39' 58" West, 100.87 feet to the southwesterly line of said Union Pacific Railroad Company lands;  
Thence North 19° 52' 38" West, 4.99 feet to a point of circular curve to the right and having a radius of 5,779.65 feet;  
Thence 43.15 feet along the arc of said circular curve whose long chord bears North 19° 38' 19" West, 43.15 feet along said southwesterly line;  
Thence South 66° 10' 32" West, 161.52 feet;  
Thence South 50° 36' 34" East, 43.14 feet;  
Thence South 70° 05' 53" West, 156.01 feet;  
Thence South 55° 37' 35" West, 202.73 feet;  
thence South 59° 19' 46" West, 175.17 feet;  
Thence South 35° 35' 28" West, 69.52 feet;  
Thence South 5° 06' 34" East, 47.10 feet;  
Thence South 38° 53' 10" West, 23.21 feet;  
Thence South 76° 40' 50" West, 168.78 feet to the existing northeasterly right-of-way of S. Chicago Road (STH 32) and a point of circular curve to the left and having a radius of 4,986.07 feet;  
Thence 81.16 feet along the arc of said circular curve whose long chord bears North 13° 47' 09" West, 81.16 feet to a point of circular curve to the left and having a radius of 4,986.07 feet;  
Thence 99.43 feet along the arc of said circular curve whose long chord bears North 14° 49' 24" West, 99.43 feet to a point of circular curve to the left and having a radius of 4,986.07 feet;  
Thence 62.65 feet along the arc of said circular curve whose long chord bears North 15° 45' 17" West, 62.65 feet to a point of circular curve to the left and having a radius of 4,986.07 feet;  
Thence 37.89 along the arc of said circular curve whose long chord bears North 16° 19' 57" West, 37.89 feet;  
Thence North 83° 14' 22" East, 185.59 feet;  
thence North 71° 54' 51" East, 197.62 feet;  
Thence North 52° 18' 24" East, 163.35 feet;  
Thence North 58° 52' 33" East, 107.48 feet;  
Thence North 31° 05' 33" West, 244.20 feet;  
Thence South 88° 49' 40" East, 265.79 feet;  
Thence South 55° 14' 25" East, 102.85 feet to the southwesterly line of Union Pacific Railroad Company lands;  
thence North 28° 49' 50" East, 59.38 feet;  
Thence North 40° 34' 03" East, 57.83 feet;  
Thence South 88° 41' 38" East, 8.34 feet to the northeasterly line of Union Pacific Railroad Company lands and a point of circular curve to the right and having a radius of 5,679.65 feet;

Thence 179.40 feet along the arc of said circular curve whose long chord bears North 16° 18' 40" West, 179.40 feet;  
Thence South 50° 42' 34" East, 178.59 feet to the point of beginning.

Containing 50,701 square feet (1.164 acres), more or less.

Not including those lands of the owner previously described above.

All TLE's expire at the completion of the construction project for which this instrument is given

**Fee title** in and to all that land of the owner contained within the following described tract located in part of the Northeast 1/4 of the Northeast 1/4 of Section 26 in Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin more fully described as follows:

Commencing at the Northeast corner of said Section 26,  
Thence South 2° 19' 59" West, 469.57 feet along the East line of the Northeast 1/4 of said Section 26 to the point of beginning;

Thence South 2° 19' 59" West, 112.41 feet to a point of circular curve to the right and having a radius of 388.00 feet;  
Thence 13.04 feet along the arc of said circular curve whose long chord bears South 61° 47' 52" West, 13.04 feet;  
Thence South 65° 46' 56" West, 100.36 feet;  
Thence South 66° 10' 32" West, 190.79 feet to a point of circular curve to the left and having a radius of 766.00 feet;  
Thence 162.54 feet along the arc of said circular curve whose long chord bears South 60° 05' 48" West, 162.23 feet;  
Thence South 54° 07' 08" West, 150.59 feet to a point of circular curve to the right and having a radius of 819.00 feet;  
Thence 304.62 feet along the arc of said circular curve whose long chord bears South 66° 07' 54" West, 302.87 feet;  
Thence South 76° 47' 13" West, 58.75 feet;  
Thence South 40° 46' 31" West, 64.61 feet to the Northeasterly right-of-way line of S. Chicago Road (STH 32) and a point of circular curve to the left and having a radius of 4,986.07 feet;  
Thence 99.43 feet along the arc of said circular curve whose long chord bears North 14° 49' 24" West, 99.43 feet to a point of circular curve to the left and having a radius of 4,986.07 feet;  
Thence 62.65 feet along the arc of said circular curve whose long chord bears North 15° 45' 17" West, 62.65 feet;  
Thence North 82° 18' 05" East, 53.64 feet to a point of circular curve to the left and having a radius of 765.56 feet;  
Thence 180.78 feet along the arc of said circular curve whose long chord bears North 76° 14' 32" East, 180.36 feet to a point of circular curve to the left and having a radius of 1,095.56 feet;  
Thence 295.60 feet along the arc of said circular curve whose long chord bears North 61° 44' 51" East, 294.70 feet to a point of circular curve to the right and having a radius of 856.00 feet;  
Thence 125.44 feet along the arc of said circular curve whose long chord bears North 58° 12' 58" East, 125.33 feet;  
Thence North 31° 05' 33" West, 266.86 feet;  
Thence South 88° 49' 40" East, 265.79 feet;  
Thence South 55° 14' 25" East, 102.85 feet to a point of circular curve to the left and having a radius of 5,779.65 feet;  
Thence 63.09 feet along the arc of said circular curve whose long chord bears South 18° 13' 00" East, 63.09 feet;  
Thence North 65° 15' 22" East, 100.60 feet to a point of circular curve to the left and having a radius of 298.00 feet;  
Thence 55.86 feet along the arc of said circular curve whose long chord bears North 54° 50' 19" East, 55.78 feet to the point of beginning.



Containing 3,038 square feet (0.070 acres), more or less, exclusive of lands previously conveyed or dedicated for highway purposes.

**Also, Fee title** in and to all that land of the owner contained within the following described tract located in part of the Northwest 1/4 of the Northwest 1/4 of Section 25, in Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin more fully described as follows:

Commencing at the Northwest corner of said Section 25;

Thence South 2° 19' 59" West, 33.01 feet along the West line of the Northwest 1/4 of said Section 25 to the southerly right of way line of E. Ryan Road and the point of beginning;

Thence North 88° 49' 40" West, 301.63 feet along said southerly right-of-way line to a point of circular curve to the left and having a radius of 5,779.65 feet on the westerly line of Union Pacific Railroad Company lands;

Thence 202.84 feet along the arc of said circular curve whose long chord bears

South 14° 12' 31" East, 202.83 feet;

Thence North 55° 14' 25" West, 353.52 feet to the southerly right-of-way line of E. Ryan Road;

Thence North 55° 14' 25" West, 59.65 feet to the North line of Section 26;

Thence South 88° 49' 40" East, 384.65 feet along said North line to a point of circular curve to the right and having a radius of 5,680.15 feet;

Thence 25.53 feet along the arc of said circular curve whose long chord bears

North 12° 59' 17" West, 25.53 feet to a point of circular curve to the right and having a radius of 5,680.15 feet on the northerly right-of-way line of E. Ryan Road;

Thence 169.27 feet along the arc of said circular curve whose long chord bears

North 12° 00' 21" West, 169.27 feet;

Thence South 88° 49' 18" East, 231.91 feet to the westerly right-of-way line of S. 5th Avenue;

Thence North 2° 19' 04" East, 196.12 feet along said westerly right-of-way line;

Thence South 88° 05' 19" East, 24.75 feet to the east line of the southeast 1/4 of Section 23;

Thence South 88° 05' 19" East, 33.00 feet to the easterly right-of-way line of S. 5th Avenue;

Thence South 2° 19' 04" West, 75.53 feet along said easterly right-of-way line;

Thence South 7° 25' 40" East, 66.74 feet;

Thence South 8° 27' 42" East, 137.13 feet;

Thence South 13° 07' 23" East, 69.35 feet;

Thence South 45° 57' 55" East, 11.83 feet to the northerly right-of-way line of E. Ryan Road;

Thence South 88° 46' 59" East, 179.64 feet along said northerly right-of-way line;

Thence South 1° 29' 44" West, 33.00 feet to the North line of the northwest 1/4 of Section 25;

Thence South 1° 29' 44" West, 33.00 feet to the southerly right-of-way line of E. Ryan Road;

Thence North 88° 46' 59" West, 54.45 feet along said southerly right-of-way line;

Thence South 2° 19' 59" West, 356.99 feet;

Thence North 88° 47' 00" West, 62.60 feet to a point of circular curve to the right and having a radius of 388.00 feet;

Thence 257.51 feet Southwesterly along the arc of said circular curve whose long chord bears South 41° 49' 16" West, 252.81 feet

to the West line of the Northwest 1/4 of Section 25;

Thence North 2° 19' 59" East, 54.15 feet along said West line;

Thence North 2° 19' 59" East, 58.26 feet to a point of circular curve to the left and having a radius of 298.00 feet;

Thence 367.66 Northeasterly along the arc of said circular curve whose long chord bears North 14° 07' 25" East, 344.78 feet;

Thence North 21° 13' 16" West, 108.64 feet to the southerly right-of-way line of Ryan Road;

Thence North 88° 47' 03" West, 27.04 feet along said southerly right-of-way line to the point of beginning.

Containing 16,274 square feet (0.374 acres), more or less.

Also, a **Permanent Limited Easement** for the right to construct and maintain vision corners, which prohibits the construction of buildings and fences and limits the vegetation growing thereon to a maximum height of 30", including for such purpose the right to operate the necessary equipment thereon and the right of ingress and egress as long as required for such public purpose, including the right to preserve, protect, remove or plant thereon any vegetation that the highway authorities may deem necessary to desirable, but without prejudice to the owner's right to make or construct improvements on said lands or to flatten the slopes, providing said activities will not impair or otherwise adversely affect the highway facilities within the right-of-way, in and to all that land of the owner contained within the following described tract located in part of the Northeast 1/4 of the Northeast 1/4 of Section 26 and part of the Northwest 1/4 of the Northwest 1/4 of Section 25, all in Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin more fully described as follows:

Commencing at the Northeast corner of said Section 26;

Thence South 2° 19' 59" West, 347.68 feet along the East line of said Section 26 to the point of beginning;

Thence South 50° 42' 34" East, 68.60 feet;

Thence South 88° 46' 50" East, 6.76 feet to a point of circular curve to the right and having a radius of 298.00 feet;

Thence 102.07 feet Southwesterly along the arc of said circular curve whose long chord bears South 39° 39' 21" West, 101.57 feet to the east line of said Section 26;

Thence South 2° 19' 59" West, 112.41 feet along said East line to a point of circular curve to the left and having a radius of 388.00 feet;

Thence 122.35 feet Northeasterly along the arc of said circular curve whose long chord bears North 51° 48' 02" East, 121.85 feet;

Thence South 4° 37' 26" West, 310.84 feet;

Thence South 45° 08' 06" West, 110.35 feet;

Thence North 50° 36' 34" West, 314.76 feet;

Thence North 66° 10' 32" East, 161.52 feet to a point of circular curve to the right and having a radius of 5,779.65 feet;

Thence 90.32 along the arc of said circular curve whose long chord bears

North 18° 58' 37" West, 90.32 feet to a point of circular curve to the right and having a radius of 5,779.65 feet;

Thence 63.09 feet along the arc of said circular curve whose long chord bears North 18° 13' 00" West, 63.09 feet;

Thence North 55° 14' 25" West, 109.54 feet;

Thence North 11° 10' 34" East, 144.82 feet;

Thence North 67° 37' 23" East, 100.68 feet;

Thence South 50° 42' 34" East, 168.59 feet to the point of beginning.

Containing 31,598 square feet (0.725 acres), more or less.

Not including those lands of the owner previously described above.

Also, a **Temporary Limited Easement** for the right to construct cut and/or fill slopes, including for such purpose the right to operate the necessary equipment thereon and the right of ingress and egress as long as required for such public purpose, including the right to preserve, protect, remove, or plant thereon any vegetation that the highway authorities may deem necessary or desirable, in and to all that land of the owner contained within the following described tract located in part the Northwest 1/4 of the Northwest 1/4 of Section 25, in Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin more fully described as follows:

Commencing at the Southeast corner of Section 23, Township 5 North, Range 22 East; Thence North 2° 19' 04" East, 385.38 feet along the East line of the Southeast 1/4 of said Section 23 to the point of beginning;

Thence South 88° 05' 19" East, 33.00 feet to the easterly right-of-way of S. 5th Avenue;  
Thence South 88° 05' 19" East, 26.21 feet;  
Thence South 0° 56' 40" West, 141.56 feet;  
Thence South 11° 57' 53" East, 76.37 feet;  
Thence South 3° 45' 57" East, 82.23 feet;  
Thence South 42° 13' 29" East, 41.26 feet;  
Thence North 78° 44' 46" East, 40.13 feet;  
Thence South 84° 41' 33" East, 118.56 feet;  
Thence South 1° 29' 44" West, 24.01 feet to the northerly right-of-way of E. Ryan Road;  
Thence South 1° 29' 44" West, 33.00 feet to the South line of Section 24;  
Thence South 1° 29' 44" West, 33.00 feet to the southerly right-of-way line of E. Ryan Road;  
Thence South 1° 29' 44" West, 27.15 feet;  
Thence South 63° 59' 17" West, 27.95 feet;  
Thence South 75° 44' 16" West, 31.55 feet;  
Thence South 2° 19' 59" West, 308.63 feet;  
Thence South 42° 09' 24" West, 206.76 feet;  
Thence North 4° 37' 26" East, 41.69 feet to a point of circular curve to the right and having a radius of 388.00 feet;  
Thence 122.35 feet Southwesterly along the arc of said circular curve through whose long chord bears South 51° 48' 02" West, 121.85 feet to the West line of said Section 24;  
Thence North 2° 19' 59" East, 112.41 feet along said West line;  
Thence North 2° 19' 59" East, 140.66 feet;  
Thence South 50° 42' 34" East, 53.54 feet;  
Thence North 18° 40' 01" East, 131.65 feet;  
Thence North 13° 40' 08" West, 132.90 feet;  
Thence North 27° 55' 15" West, 85.68 feet to the intersection of the West line of Section 25 and the southerly right-of-way line of S. Ryan Road;  
Thence North 88° 49' 40" West, 542.33 feet along said southerly right-of-way;  
Thence North 55° 14' 25" West, 59.65 feet to the North line of Section 26;  
Thence South 88° 49' 40" East, 384.65 feet along said North line to a point of circular curve to the right and having a radius of 5680.15 feet on the easterly line of Union Pacific Railroad Company lands;  
Thence 25.53 feet along the arc of said circular curve whose long chord bears North 12° 59' 17" West, 25.53 feet to a point on a circular curve to the right and having a radius of 5,680.15 feet on the northerly right-of-way line of E. Ryan Road;  
Thence 169.27 feet along the arc of said circular curve whose long chord bears North 12° 00' 21" West, 169.27 feet;

Thence South 88° 49' 18" East, 189.08 feet;  
Thence North 15° 43' 03" East, 118.09 feet;  
Thence North 1° 54' 41" East, 81.98 feet;  
Thence South 88° 05' 19" East, 16.03 feet to the westerly right-of-way line of S. 5th Avenue;  
Thence South 88° 05' 19" East, 24.75 feet to the point of beginning.

Containing 5,685 square feet (0.130 acres), more or less.

Not including those lands of the owner previously described above.

All TLE's expire at the completion of the construction project for which this instrument is given

A **Permanent Limited Easement** for the right to construct and maintain vision corners, which prohibits the construction of buildings and fences and limits the vegetation growing thereon to a maximum height of 30", including for such purpose the right to operate the necessary equipment thereon and the right of ingress and egress as long as required for such public purpose, including the right to preserve, protect, remove or plant thereon any vegetation that the highway authorities may deem necessary to desirable, but without prejudice to the owner's right to make or construct improvements on said lands or to flatten the slopes, providing said activities will not impair or otherwise adversely affect the highway facilities within the right-of-way, in and to all that land of the owner contained within the following described tract located in part of the Northeast 1/4 of the Northeast 1/4 of Section 26, Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin more fully described as follows:

Commencing at the Northeast corner of said Section 26;  
Thence South 2° 19' 59" West, 347.68 feet along the East line of said Section 26 to the point of beginning;

Thence South 50° 42' 34" East, 68.60 feet;  
Thence South 88° 46' 50" East, 6.76 feet to a point of circular curve to the right and having a radius of 298.00 feet;  
Thence 102.07 feet Southwesterly along the arc of said circular curve whose long chord bears South 39° 39' 21" West, 101.57 feet to the east line of said Section 26;  
Thence South 2° 19' 59" West, 112.41 feet along said East line to a point of circular curve to the left and having a radius of 388.00 feet;  
Thence 122.35 feet Northeasterly along the arc of said circular curve whose long chord bears North 51° 48' 02" East, 121.85 feet;  
Thence South 4° 37' 26" West, 310.84 feet;  
Thence South 45° 08' 06" West, 110.35 feet;  
Thence North 50° 36' 34" West, 314.76 feet;  
Thence North 66° 10' 32" East, 161.52 feet to a point of circular curve to the right and having a radius of 5,779.65 feet;  
Thence 90.32 along the arc of said circular curve whose long chord bears North 18° 58' 37" West, 90.32 feet to a point of circular curve to the right and having a radius of 5,779.65 feet;  
Thence 63.09 feet along the arc of said circular curve whose long chord bears North 18° 13' 00" West, 63.09 feet;  
Thence North 55° 14' 25" West, 109.54 feet;  
Thence North 11° 10' 34" East, 144.82 feet;  
Thence North 67° 37' 23" East, 100.68 feet;  
Thence South 50° 42' 34" East, 168.59 feet to the point of beginning.

Containing 9,138 square feet (0.210 acres), more or less.

Also, a **Temporary Limited Easement** for the right to construct cut and/or fill slopes, including for such purpose the right to operate the necessary equipment thereon and the right of ingress and egress as long as required for such public purpose, including the right to preserve, protect, remove, or plant thereon any vegetation that the highway authorities may deem necessary or desirable, in and to all that land of the owner contained within the following described tract located in part of the Northeast 1/4 of the Northeast 1/4 of Section 26, Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin more fully described as follows:

Commencing at the Northeast corner of said Section 26;

Thence South 2° 19' 59" West, 328.91 feet to the point of beginning;

Thence South 2° 19' 59" West, 287.75 feet to the northeasterly line of Union Pacific Railroad Company lands;

Thence South 19° 42' 28" East, 12.43 feet along said northeasterly line;

Thence South 62° 39' 58" West, 100.87 feet to the southwesterly line of said Union Pacific Railroad Company lands;

Thence North 19° 52' 38" West, 4.99 feet to a point of circular curve to the right and having a radius of 5,779.65 feet;

Thence 43.15 feet along the arc of said circular curve whose long chord bears North 19° 38' 19" West, 43.15 feet along said southwesterly line;

Thence South 66° 10' 32" West, 161.52 feet;

Thence South 50° 36' 34" East, 43.14 feet;

Thence South 70° 05' 53" West, 156.01 feet;

Thence South 55° 37' 35" West, 202.73 feet;

Thence South 59° 19' 46" West, 175.17 feet;

Thence South 35° 35' 28" West, 69.52 feet;

Thence South 5° 06' 34" East, 47.10 feet;

Thence South 38° 53' 10" West, 23.21 feet;

Thence South 76° 40' 50" West, 168.78 feet to the existing northeasterly right-of-way of S. Chicago Road (STH 32) and a point of circular curve to the left and having a radius of 4,986.07 feet;

Thence 81.16 feet along the arc of said circular curve whose long chord bears North 13° 47' 09" West, 81.16 feet to a point of circular curve to the left and having a radius of 4,986.07 feet;

Thence 99.43 feet along the arc of said circular curve whose long chord bears North 14° 49' 24" West, 99.43 feet to a point of circular curve to the left and having a radius of 4,986.07 feet;

Thence 62.65 feet along the arc of said circular curve whose long chord bears North 15° 45' 17" West, 62.65 feet to a point of circular curve to the left and having a radius of 4,986.07 feet;

Thence 37.89 along the arc of said circular curve whose long chord bears North 16° 19' 57" West, 37.89 feet;

Thence North 83° 14' 22" East, 185.59 feet;

Thence North 71° 54' 51" East, 197.62 feet;

Thence North 52° 18' 24" East, 163.35 feet;

Thence North 58° 52' 33" East, 107.48 feet;

Thence North 31° 05' 33" West, 244.20 feet;

Thence South 88° 49' 40" East, 265.79 feet;

Thence South 55° 14' 25" East, 102.85 feet to the southwesterly line of Union Pacific Railroad Company lands;

Thence North 28° 49' 50" East, 59.38 feet;

Thence North 40° 34' 03" East, 57.83 feet;

Thence South 88° 41' 38" East, 8.34 feet to the northeasterly line of Union Pacific Railroad Company lands and a point of circular curve to the right and having a radius of 5,679.65 feet;

Thence 179.40 feet along the arc of said circular curve whose long chord bears North 16° 18' 40" West, 179.40 feet;

Thence South 50° 42' 34" East, 178.59 feet to the point of beginning.

Containing 2,604 square feet (0.060 acres), more or less.

Not including those lands of the owner previously described above.

All TLE's expire at the completion of the construction project for which this instrument is given

**Fee title** in and to all that land of the owner contained within the following described tract located in part of the Northwest 1/4 of the Northwest 1/4 of Section 25, in Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin more fully described as follows:

Commencing at the Northwest corner of said Section 25;

Thence South 2° 19' 59" West, 33.01 feet along the West line of the Northwest 1/4 of said Section 25 to the southerly right of way line of E. Ryan Road and the point of beginning;

Thence North 88° 49' 40" West, 301.63 feet along said southerly right-of-way line to a point of circular curve to the left and having a radius of 5,779.65 feet on the westerly line of Union Pacific Railroad Company lands;

Thence 202.84 feet along the arc of said circular curve whose long chord bears South 14° 12' 31" East, 202.83 feet;

Thence North 55° 14' 25" West, 353.52 feet to the southerly right-of-way line of E. Ryan Road;

Thence North 55° 14' 25" West, 59.65 feet to the North line of Section 26;

Thence South 88° 49' 40" East, 384.65 feet along said North line to a point of circular curve to the right and having a radius of 5,680.15 feet;

Thence 25.53 feet along the arc of said circular curve whose long chord bears North 12° 59' 17" West, 25.53 feet to a point of circular curve to the right and having a radius of 5,680.15 feet on the northerly right-of-way line of E. Ryan Road;

Thence 169.27 feet along the arc of said circular curve whose long chord bears North 12° 00' 21" West, 169.27 feet;

Thence South 88° 49' 18" East, 231.91 feet to the westerly right-of-way line of S. 5th Avenue;

Thence North 2° 19' 04" East, 196.12 feet along said westerly right-of-way line;

Thence South 88° 05' 19" East, 24.75 feet to the east line of the southeast 1/4 of Section 23;

Thence South 88° 05' 19" East, 33.00 feet to the easterly right-of-way line of S. 5th Avenue;

Thence South 2° 19' 04" West, 75.53 feet along said easterly right-of-way line;

Thence South 7° 25' 40" East, 66.74 feet;

Thence South 8° 27' 42" East, 137.13 feet;

Thence South 13° 07' 23" East, 69.35 feet;

Thence South 45° 57' 55" East, 11.83 feet to the northerly right-of-way line of E. Ryan Road;

Thence South 88° 46' 59" East, 179.64 feet along said northerly right-of-way line;

Thence South 1° 29' 44" West, 33.00 feet to the North line of the northwest 1/4 of Section 25;

Thence South 1° 29' 44" West, 33.00 feet to the southerly right-of-way line of E. Ryan Road;

Thence North 88° 46' 59" West, 54.45 feet along said southerly right-of-way line;

Thence South 2° 19' 59" West, 356.99 feet;

Thence North 88° 47' 00" West, 62.60 feet to a point of circular curve to the right and having a radius of 388.00 feet;

Thence 257.51 feet Southwesterly along the arc of said circular curve whose long chord bears South 41° 49' 16" West, 252.81 feet

to the West line of the Northwest 1/4 of Section 25;

Thence North 2° 19' 59" East, 54.15 feet along said West line;

Thence North 2° 19' 59" East, 58.26 feet to a point of circular curve to the left and having a radius of 298.00 feet;

Thence 367.66 Northeasterly along the arc of said circular curve whose long chord bears North 14° 07' 25" East, 344.78 feet;

Thence North 21° 13' 16" West, 108.64 feet to the southerly right-of-way line of Ryan Road;

Thence North 88° 47' 03" West, 27.04 feet along said southerly right-of-way line to the point of beginning.



Said parcel contains 3,685 (0.085 acres) of land already in use for highway purposes and 12,993 square feet (0.298 acres) more or less, of additional land.

Also, a **Permanent Limited Easement** for the right to construct and maintain vision corners, which prohibits the construction of buildings and fences and limits the vegetation growing thereon to a maximum height of 30", including for such purpose the right to operate the necessary equipment thereon and the right of ingress and egress as long as required for such public purpose, including the right to preserve, protect, remove or plant thereon any vegetation that the highway authorities may deem necessary to desirable, but without prejudice to the owner's right to make or construct improvements on said lands or to flatten the slopes, providing said activities will not impair or otherwise adversely affect the highway facilities within the right-of-way, in and to all that land of the owner contained within the following described tract located in part of the Northwest 1/4 of the Northwest 1/4 of Section 25, in Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin more fully described as follows:

Commencing at the Northeast corner of said Section 26;  
Thence South 2° 19' 59" West, 347.68 feet along the East line of said Section 26 to the point of beginning;

Thence South 50° 42' 34" East, 68.60 feet;  
Thence South 88° 46' 50" East, 6.76 feet to a point of circular curve to the right and having a radius of 298.00 feet;  
Thence 102.07 feet Southwesterly along the arc of said circular curve whose long chord bears South 39° 39' 21" West, 101.57 feet to the east line of said Section 26;  
Thence South 2° 19' 59" West, 112.41 feet along said East line to a point of circular curve to the left and having a radius of 388.00 feet;  
Thence 122.35 feet Northeasterly along the arc of said circular curve whose long chord bears North 51° 48' 02" East, 121.85 feet;  
Thence South 4° 37' 26" West, 310.84 feet;  
Thence South 45° 08' 06" West, 110.35 feet;  
Thence North 50° 36' 34" West, 314.76 feet;  
Thence North 66° 10' 32" East, 161.52 feet to a point of circular curve to the right and having a radius of 5,779.65 feet;  
Thence 90.32 along the arc of said circular curve whose long chord bears North 18° 58' 37" West, 90.32 feet to a point of circular curve to the right and having a radius of 5,779.65 feet;  
Thence 63.09 feet along the arc of said circular curve whose long chord bears North 18° 13' 00" West, 63.09 feet;  
Thence North 55° 14' 25" West, 109.54 feet;  
Thence North 11° 10' 34" East, 144.82 feet;  
Thence North 67° 37' 23" East, 100.68 feet;  
Thence South 50° 42' 34" East, 168.59 feet to the point of beginning.

Containing 1,160 square feet (0.027 acres), more or less.

Also, a **Temporary Limited Easement** for the right to construct cut and/or fill slopes, including for such purpose the right to operate the necessary equipment thereon and the right of ingress and egress as long as required for such public purpose, including the right to preserve, protect, remove, or plant thereon any vegetation that the highway authorities may deem necessary or desirable, in and to all that land of the owner contained within the following described tract located in part the Northwest 1/4 of the Northwest 1/4 of Section 25, in Township 5 North,

Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin more fully described as follows:

Commencing at the Southeast corner of Section 23, Township 5 North, Range 22 East; Thence North 2° 19' 04" East, 385.38 feet along the East line of the Southeast 1/4 said Section 23 to the point of beginning;

Thence South 88° 05' 19" East, 33.00 feet to the easterly right-of-way of S. 5th Avenue;  
Thence South 88° 05' 19" East, 26.21 feet;  
Thence South 0° 56' 40" West, 141.56 feet;  
Thence South 11° 57' 53" East, 76.37 feet;  
Thence South 3° 45' 57" East, 82.23 feet;  
Thence South 42° 13' 29" East, 41.26 feet;  
Thence North 78° 44' 46" East, 40.13 feet;  
Thence South 84° 41' 33" East, 118.56 feet;  
Thence South 1° 29' 44" West, 24.01 feet to the northerly right-of-way of E. Ryan Road;  
Thence South 1° 29' 44" West, 33.00 feet to the South line of Section 24;  
Thence South 1° 29' 44" West, 33.00 feet to the southerly right-of-way line of E. Ryan Road;  
Thence South 1° 29' 44" West, 27.15 feet;  
Thence South 63° 59' 17" West, 27.95 feet;  
Thence South 75° 44' 16" West, 31.55 feet;  
Thence South 2° 19' 59" West, 308.63 feet;  
Thence South 42° 09' 24" West, 206.76 feet;  
Thence North 4° 37' 26" East, 41.69 feet to a point of circular curve to the right and having a radius of 388.00 feet;  
Thence 122.35 feet Southwesterly along the arc of said circular curve through whose long chord bears South 51° 48' 02" West, 121.85 feet to the West line of said Section 24;  
Thence North 2° 19' 59" East, 112.41 feet along said West line;  
Thence North 2° 19' 59" East, 140.66 feet;  
Thence South 50° 42' 34" East, 53.54 feet;  
Thence North 18° 40' 01" East, 131.65 feet;  
Thence North 13° 40' 08" West, 132.90 feet;  
Thence North 27° 55' 15" West, 85.68 feet to the intersection of the West line of Section 25 and the southerly right-of-way line of S. Ryan Road;  
Thence North 88° 49' 40" West, 542.33 feet along said southerly right-of-way;  
Thence North 55° 14' 25" West, 59.65 feet to the North line of Section 26;  
Thence South 88° 49' 40" East, 384.65 feet along said North line to a point of circular curve to the right and having a radius of 5680.15 feet on the easterly line of Union Pacific Railroad Company lands;  
Thence 25.53 feet along the arc of said circular curve whose long chord bears North 12° 59' 17" West, 25.53 feet to a point on a circular curve to the right and having a radius of 5,680.15 feet on the northerly right-of-way line of E. Ryan Road;  
Thence 169.27 feet along the arc of said circular curve whose long chord bears North 12° 00' 21" West, 169.27 feet;  
Thence South 88° 49' 18" East, 189.08 feet;  
Thence North 15° 43' 03" East, 118.09 feet;  
Thence North 1° 54' 41" East, 81.98 feet;  
Thence South 88° 05' 19" East, 16.03 feet to the westerly right-of-way line of S. 5th Avenue;  
Thence South 88° 05' 19" East, 24.75 feet to the point of beginning.

Containing 9,201 square feet (0.211 acres), more or less.

All TLE's expire at the completion of the construction project for which this instrument is given.

**Fee title** in and to all that land of the owner contained within the following described tract located in part of the Northwest 1/4 of the Northwest 1/4 of Section 25, in Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin more fully described as follows:

Commencing at the Northwest corner of said Section 25;

Thence South 2° 19' 59" West, 33.01 feet along the West line of the Northwest 1/4 of said Section 25 to the southerly right of way line of E. Ryan Road and the point of beginning;

Thence North 88° 49' 40" West, 301.63 feet along said southerly right-of-way line to a point of circular curve to the left and having a radius of 5,779.65 feet on the westerly line of Union Pacific Railroad Company lands;

Thence 202.84 feet along the arc of said circular curve whose long chord bears

South 14° 12' 31" East, 202.83 feet;

Thence North 55° 14' 25" West, 353.52 feet to the southerly right-of-way line of E. Ryan Road;

Thence North 55° 14' 25" West, 59.65 feet to the North line of Section 26;

Thence South 88° 49' 40" East, 384.65 feet along said North line to a point of circular curve to the right and having a radius of 5,680.15 feet;

Thence 25.53 feet along the arc of said circular curve whose long chord bears

North 12° 59' 17" West, 25.53 feet to a point of circular curve to the right and having a radius of 5,680.15 feet on the northerly right-of-way line of E. Ryan Road;

Thence 169.27 feet along the arc of said circular curve whose long chord bears

North 12° 00' 21" West, 169.27 feet;

Thence South 88° 49' 18" East, 231.91 feet to the westerly right-of-way line of S. 5th Avenue;

Thence North 2° 19' 04" East, 196.12 feet along said westerly right-of-way line;

Thence South 88° 05' 19" East, 24.75 feet to the east line of the southeast 1/4 of Section 23;

Thence South 88° 05' 19" East, 33.00 feet to the easterly right-of-way line of S. 5th Avenue;

Thence South 2° 19' 04" West, 75.53 feet along said easterly right-of-way line;

Thence South 7° 25' 40" East, 66.74 feet;

Thence South 8° 27' 42" East, 137.13 feet;

Thence South 13° 07' 23" East, 69.35 feet;

Thence South 45° 57' 55" East, 11.83 feet to the northerly right-of-way line of E. Ryan Road;

Thence South 88° 46' 59" East, 179.64 feet along said northerly right-of-way line;

Thence South 1° 29' 44" West, 33.00 feet to the North line of the northwest 1/4 of Section 25;

Thence South 1° 29' 44" West, 33.00 feet to the southerly right-of-way line of E. Ryan Road;

Thence North 88° 46' 59" West, 54.45 feet along said southerly right-of-way line;

Thence South 2° 19' 59" West, 356.99 feet;

Thence North 88° 47' 00" West, 62.60 feet to a point of circular curve to the right and having a radius of 388.00 feet;

Thence 257.51 feet Southwesterly along the arc of said circular curve whose long chord bears South 41° 49' 16" West, 252.81 feet

to the West line of the Northwest 1/4 of Section 25;

Thence North 2° 19' 59" East, 54.15 feet along said West line;

Thence North 2° 19' 59" East, 58.26 feet to a point of circular curve to the left and having a radius of 298.00 feet;

Thence 367.66 Northeasterly along the arc of said circular curve whose long chord bears North 14° 07' 25" East, 344.78 feet;

Thence North 21° 13' 16" West, 108.64 feet to the southerly right-of-way line of Ryan Road;

Thence North 88° 47' 03" West, 27.04 feet along said southerly right-of-way line to the point of beginning.

Said parcel contains 3,685 (0.085 acres) of land already in use for highway purposes and 39,875 square feet (0.915 acres) more or less, of additional land.

**Fee title** in and to all that land of the owner contained within the following described tract located in part of the Northeast 1/4 of the Northeast 1/4 of Section 26, in Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin more fully described as follows:

Commencing at the Northeast corner of said Section 26;  
Thence South 2° 19' 59" West, 33.01 feet along the East line of said Section 26 to the southerly right of way line of E. Ryan Road and the point of beginning;

Thence North 88° 49' 40" West, 301.63 feet along said southerly right-of-way line to a point of circular curve to the left and having a radius of 5,779.65 feet on the westerly line of Union Pacific Railroad Company lands;

Thence 202.84 feet along the arc of said circular curve whose long chord bears South 14° 12' 31" East, 202.83 feet;

Thence North 55° 14' 25" West, 353.52 feet to the southerly right-of-way line of E. Ryan Road;

Thence North 55° 14' 25" West, 59.65 feet to the North line of Section 26;

Thence South 88° 49' 40" East, 384.65 feet along said North line to a point of circular curve to the right and having a radius of 5,680.15 feet;

Thence 25.53 feet along the arc of said circular curve whose long chord bears North 12° 59' 17" West, 25.53 feet to a point of circular curve to the right and having a radius of 5,680.15 feet on the northerly right-of-way line of E. Ryan Road;

Thence 169.27 feet along the arc of said circular curve whose long chord bears North 12° 00' 21" West, 169.27 feet;

Thence South 88° 49' 18" East, 231.91 feet to the westerly right-of-way line of S. 5th Avenue;

Thence North 2° 19' 04" East, 196.12 feet along said westerly right-of-way line;

Thence South 88° 05' 19" East, 24.75 feet to the east line of the southeast 1/4 of Section 23;

Thence South 88° 05' 19" East, 33.00 feet to the easterly right-of-way line of S. 5th Avenue;

Thence South 2° 19' 04" West, 75.53 feet along said easterly right-of-way line;

Thence South 7° 25' 40" East, 66.74 feet;

Thence South 8° 27' 42" East, 137.13 feet;

Thence South 13° 07' 23" East, 69.35 feet;

Thence South 45° 57' 55" East, 11.83 feet to the northerly right-of-way line of E. Ryan Road;

Thence South 88° 46' 59" East, 179.64 feet along said northerly right-of-way line;

Thence South 1° 29' 44" West, 33.00 feet to the North line of the northwest 1/4 of Section 25;

Thence South 1° 29' 44" West, 33.00 feet to the southerly right-of-way line of E. Ryan Road;

Thence North 88° 46' 59" West, 54.45 feet along said southerly right-of-way line;

Thence South 2° 19' 59" West, 356.99 feet;

Thence North 88° 47' 00" West, 62.60 feet to a point of circular curve to the right and having a radius of 388.00 feet;

Thence 257.51 feet Southwesterly along the arc of said circular curve whose long chord bears South 41° 49' 16" West, 252.81 feet

to the West line of the Northwest 1/4 of Section 25;

Thence North 2° 19' 59" East, 54.15 feet along said West line;

Thence North 2° 19' 59" East, 58.26 feet to a point of circular curve to the left and having a radius of 298.00 feet;

Thence 367.66 Northeasterly along the arc of said circular curve whose long chord bears North 14° 07' 25" East, 344.78 feet;

Thence North 21° 13' 16" West, 108.64 feet to the southerly right-of-way line of Ryan Road;

Thence North 88° 47' 03" West, 27.04 feet along said southerly right-of-way line to the point of beginning.

Said parcel contains 8,624 (0.198 acres) of land already in use for highway purposes and 23,415 square feet (0.538 acres) more or less, of additional land.

**Fee title** in and to all that land of the owner contained within the following described tract located in part of the Southeast 1/4 of the Southeast 1/4 of Section 23, in Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin more fully described as follows:

Commencing at the Northeast corner of Section 26, Township 5 North, Range 22 East; Thence South 2° 19' 59" West, 33.01 feet along the East line of the Northeast 1/4 of said Section 26 to the southerly right of way line of E. Ryan Road and the point of beginning;

Thence North 88° 49' 40" West, 301.63 feet along said southerly right-of-way line to a point of circular curve to the left and having a radius of 5,779.65 feet on the westerly line of Union Pacific Railroad Company lands;

Thence 202.84 feet along the arc of said circular curve whose long chord bears South 14° 12' 31" East, 202.83 feet;

Thence North 55° 14' 25" West, 353.52 feet to the southerly right-of-way line of E. Ryan Road; Thence North 55° 14' 25" West, 59.65 feet to the North line of Section 26;

Thence South 88° 49' 40" East, 384.65 feet along said North line to a point of circular curve to the right and having a radius of 5,680.15 feet;

Thence 25.53 feet along the arc of said circular curve whose long chord bears North 12° 59' 17" West, 25.53 feet to a point of circular curve to the right and having a radius of 5,680.15 feet on the northerly right-of-way line of E. Ryan Road;

Thence 169.27 feet along the arc of said circular curve whose long chord bears North 12° 00' 21" West, 169.27 feet;

Thence South 88° 49' 18" East, 231.91 feet to the westerly right-of-way line of S. 5th Avenue;

Thence North 2° 19' 04" East, 196.12 feet along said westerly right-of-way line;

Thence South 88° 05' 19" East, 24.75 feet to the east line of the southeast 1/4 of Section 23;

Thence South 88° 05' 19" East, 33.00 feet to the easterly right-of-way line of S. 5th Avenue;

Thence South 2° 19' 04" West, 75.53 feet along said easterly right-of-way line;

Thence South 7° 25' 40" East, 66.74 feet;

Thence South 8° 27' 42" East, 137.13 feet;

Thence South 13° 07' 23" East, 69.35 feet;

Thence South 45° 57' 55" East, 11.83 feet to the northerly right-of-way line of E. Ryan Road;

Thence South 88° 46' 59" East, 179.64 feet along said northerly right-of-way line;

Thence South 1° 29' 44" West, 33.00 feet to the North line of the northwest 1/4 of Section 25;

Thence South 1° 29' 44" West, 33.00 feet to the southerly right-of-way line of E. Ryan Road;

Thence North 88° 46' 59" West, 54.45 feet along said southerly right-of-way line;

Thence South 2° 19' 59" West, 356.99 feet;

Thence North 88° 47' 00" West, 62.60 feet to a point of circular curve to the right and having a radius of 388.00 feet;

Thence 257.51 feet Southwesterly along the arc of said circular curve whose long chord bears South 41° 49' 16" West, 252.81 feet

to the West line of the Northwest 1/4 of Section 25;

Thence North 2° 19' 59" East, 54.15 feet along said West line;

Thence North 2° 19' 59" East, 58.26 feet to a point of circular curve to the left and having a radius of 298.00 feet;

Thence 367.66 Northeasterly along the arc of said circular curve whose long chord bears North 14° 07' 25" East, 344.78 feet;

Thence North 21° 13' 16" West, 108.64 feet to the southerly right-of-way line of Ryan Road;

Thence North 88° 47' 03" West, 27.04 feet along said southerly right-of-way line to the point of beginning.



Said parcel contains 9,312 (0.214 acres) of land already in use for highway purposes and 34,837 square feet (0.800 acres) more or less, of additional land.

**Fee title** in and to all that land of the owner contained within the following described tract located in part of the Southwest 1/4 of the Southwest 1/4 of Section 24, in Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin more fully described as follows:

Commencing at the Southeast corner of Section 26, Township 5 North, Range 22 East; Thence South 2° 19' 59" West, 33.01 feet along the East line of the Northeast 1/4 of said Section 26 to the southerly right of way line of E. Ryan Road and the point of beginning;

Thence North 88° 49' 40" West, 301.63 feet along said southerly right-of-way line to a point of circular curve to the left and having a radius of 5,779.65 feet on the westerly line of Union Pacific Railroad Company lands;

Thence 202.84 feet along the arc of said circular curve whose long chord bears South 14° 12' 31" East, 202.83 feet;

Thence North 55° 14' 25" West, 353.52 feet to the southerly right-of-way line of E. Ryan Road; Thence North 55° 14' 25" West, 59.65 feet to the North line of Section 26;

Thence South 88° 49' 40" East, 384.65 feet along said North line to a point of circular curve to the right and having a radius of 5,680.15 feet;

Thence 25.53 feet along the arc of said circular curve whose long chord bears North 12° 59' 17" West, 25.53 feet to a point of circular curve to the right and having a radius of 5,680.15 feet on the northerly right-of-way line of E. Ryan Road;

Thence 169.27 feet along the arc of said circular curve whose long chord bears North 12° 00' 21" West, 169.27 feet;

Thence South 88° 49' 18" East, 231.91 feet to the westerly right-of-way line of S. 5th Avenue; Thence North 2° 19' 04" East, 196.12 feet along said westerly right-of-way line;

Thence South 88° 05' 19" East, 24.75 feet to the east line of the southeast 1/4 of Section 23;

Thence South 88° 05' 19" East, 33.00 feet to the easterly right-of-way line of S. 5th Avenue;

Thence South 2° 19' 04" West, 75.53 feet along said easterly right-of-way line;

Thence South 7° 25' 40" East, 66.74 feet;

Thence South 8° 27' 42" East, 137.13 feet;

Thence South 13° 07' 23" East, 69.35 feet;

Thence South 45° 57' 55" East, 11.83 feet to the northerly right-of-way line of E. Ryan Road;

Thence South 88° 46' 59" East, 179.64 feet along said northerly right-of-way line;

Thence South 1° 29' 44" West, 33.00 feet to the North line of the northwest 1/4 of Section 25;

Thence South 1° 29' 44" West, 33.00 feet to the southerly right-of-way line of E. Ryan Road;

Thence North 88° 46' 59" West, 54.45 feet along said southerly right-of-way line;

Thence South 2° 19' 59" West, 356.99 feet;

Thence North 88° 47' 00" West, 62.60 feet to a point of circular curve to the right and having a radius of 388.00 feet;

Thence 257.51 feet Southwesterly along the arc of said circular curve whose long chord bears South 41° 49' 16" West, 252.81 feet

to the West line of the Northwest 1/4 of Section 25;

Thence North 2° 19' 59" East, 54.15 feet along said West line;

Thence North 2° 19' 59" East, 58.26 feet to a point of circular curve to the left and having a radius of 298.00 feet;

Thence 367.66 Northeasterly along the arc of said circular curve whose long chord bears North 14° 07' 25" East, 344.78 feet;

Thence North 21° 13' 16" West, 108.64 feet to the southerly right-of-way line of Ryan Road;

Thence North 88° 47' 03" West, 27.04 feet along said southerly right-of-way line to the point of beginning.

Said parcel contains 20,767 (0.477 acres) of land already in use for highway purposes and 7,218 square feet (0.166 acres) more or less, of additional land.

Also, a **Temporary Limited Easement** for the right to construct cut and/or fill slopes, including for such purpose the right to operate the necessary equipment thereon and the right of ingress and egress as long as required for such public purpose, including the right to preserve, protect, remove, or plant thereon any vegetation that the highway authorities may deem necessary or desirable, in and to all that land of the owner contained within the following described tract located in part the Southwest 1/4 of the Southwest 1/4 of Section 24, in Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin more fully described as follows:

Commencing at the Southeast corner of Section 23, Township 5 North, Range 22 East;  
Thence North 2° 19' 04" East, 385.38 feet along the East line of the Southeast 1/4 said Section 23 to the point of beginning;

Thence South 88° 05' 19" East, 33.00 feet to the easterly right-of-way of S. 5th Avenue;  
Thence South 88° 05' 19" East, 26.21 feet;  
Thence South 0° 56' 40" West, 141.56 feet;  
Thence South 11° 57' 53" East, 76.37 feet;  
Thence South 3° 45' 57" East, 82.23 feet;  
Thence South 42° 13' 29" East, 41.26 feet;  
Thence North 78° 44' 46" East, 40.13 feet;  
Thence South 84° 41' 33" East, 118.56 feet;  
Thence South 1° 29' 44" West, 24.01 feet to the northerly right-of-way of E. Ryan Road;  
Thence South 1° 29' 44" West, 33.00 feet to the South line of Section 24;  
Thence South 1° 29' 44" West, 33.00 feet to the southerly right-of-way line of E. Ryan Road;  
Thence South 1° 29' 44" West, 27.15 feet;  
Thence South 63° 59' 17" West, 27.95 feet;  
Thence South 75° 44' 16" West, 31.55 feet;  
Thence South 2° 19' 59" West, 308.63 feet;  
Thence South 42° 09' 24" West, 206.76 feet;  
Thence North 4° 37' 26" East, 41.69 feet to a point of circular curve to the right and having a radius of 388.00 feet;  
Thence 122.35 feet Southwesterly along the arc of said circular curve through whose long chord bears South 51° 48' 02" West, 121.85 feet to the West line of said Section 24;  
Thence North 2° 19' 59" East, 112.41 feet along said West line;  
Thence North 2° 19' 59" East, 140.66 feet;  
Thence South 50° 42' 34" East, 53.54 feet;  
Thence North 18° 40' 01" East, 131.65 feet;  
Thence North 13° 40' 08" West, 132.90 feet;  
Thence North 27° 55' 15" West, 85.68 feet to the intersection of the West line of Section 25 and the southerly right-of-way line of S. Ryan Road;  
Thence North 88° 49' 40" West, 542.33 feet along said southerly right-of-way;  
Thence North 55° 14' 25" West, 59.65 feet to the North line of Section 26;  
Thence South 88° 49' 40" East, 384.65 feet along said North line to a point of circular curve to the right and having a radius of 5680.15 feet on the easterly line of Union Pacific Railroad Company lands;  
Thence 25.53 feet along the arc of said circular curve whose long chord bears North 12°59' 17" West, 25.53 feet to a point on a circular curve to the right

and having a radius of 5,680.15 feet on the northerly right-of-way line of E. Ryan Road;  
Thence 169.27 feet along the arc of said circular curve whose long chord bears North 12° 00'  
21" West, 169.27 feet;  
Thence South 88° 49' 18" East, 189.08 feet;  
Thence North 15° 43' 03" East, 118.09 feet;  
Thence North 1° 54' 41" East, 81.98 feet;  
Thence South 88° 05' 19" East, 16.03 feet to the westerly right-of-way line of S. 5th Avenue;  
Thence South 88° 05' 19" East, 24.75 feet to the point of beginning.

Containing 12,605 square feet (0.289 acres), more or less.

Not including those lands of the owner previously described above.

All TLE's expire at the completion of the construction project for which this instrument is given

**A Temporary Limited Easement** for the right to construct cut and/or fill slopes, including for such purpose the right to operate the necessary equipment thereon and the right of ingress and egress as long as required for such public purpose, including the right to preserve, protect, remove, or plant thereon any vegetation that the highway authorities may deem necessary or desirable, in and to all that land of the owner contained within the following described tract located in part the Southeast 1/4 of the Southeast 1/4 of Section 23, in Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin more fully described as follows:

Commencing at the Southeast corner of Section 23, Township 5 North, Range 22 East;  
Thence North 2° 19' 04" East, 385.38 feet along the East line of the Southeast 1/4 of said Section 23 to the point of beginning;

Thence South 88° 05' 19" East, 33.00 feet to the easterly right-of-way of S. 5th Avenue;  
Thence South 88° 05' 19" East, 26.21 feet;  
Thence South 0° 56' 40" West, 141.56 feet;  
Thence South 11° 57' 53" East, 76.37 feet;  
Thence South 3° 45' 57" East, 82.23 feet;  
Thence South 42° 13' 29" East, 41.26 feet;  
Thence North 78° 44' 46" East, 40.13 feet;  
Thence South 84° 41' 33" East, 118.56 feet;  
Thence South 1° 29' 44" West, 24.01 feet to the northerly right-of-way of E. Ryan Road;  
Thence South 1° 29' 44" West, 33.00 feet to the South line of Section 24;  
Thence South 1° 29' 44" West, 33.00 feet to the southerly right-of-way line of E. Ryan Road;  
Thence South 1° 29' 44" West, 27.15 feet;  
Thence South 63° 59' 17" West, 27.95 feet;  
Thence South 75° 44' 16" West, 31.55 feet;  
Thence South 2° 19' 59" West, 308.63 feet;  
Thence South 42° 09' 24" West, 206.76 feet;  
Thence North 4° 37' 26" East, 41.69 feet to a point of circular curve to the right and having a radius of 388.00 feet;  
Thence 122.35 feet Southwesterly along the arc of said circular curve through whose long chord bears South 51° 48' 02" West, 121.85 feet to the West line of said Section 24;  
Thence North 2° 19' 59" East, 112.41 feet along said West line;  
Thence North 2° 19' 59" East, 140.66 feet;  
Thence South 50° 42' 34" East, 53.54 feet;  
Thence North 18° 40' 01" East, 131.65 feet;  
Thence North 13° 40' 08" West, 132.90 feet;  
Thence North 27° 55' 15" West, 85.68 feet to the intersection of the West line of Section 25 and the southerly right-of-way line of S. Ryan Road;  
Thence North 88° 49' 40" West, 542.33 feet along said southerly right-of-way;  
Thence North 55° 14' 25" West, 59.65 feet to the North line of Section 26;  
Thence South 88° 49' 40" East, 384.65 feet along said North line to a point of circular curve to the right and having a radius of 5680.15 feet on the easterly line of Union Pacific Railroad Company lands;  
Thence 25.53 feet along the arc of said circular curve whose long chord bears North 12°59' 17" West, 25.53 feet to a point on a circular curve to the right and having a radius of 5,680.15 feet on the northerly right-of-way line of E. Ryan Road;  
Thence 169.27 feet along the arc of said circular curve whose long chord bears North 12° 00' 21" West, 169.27 feet;

Thence South 88° 49' 18" East, 189.08 feet;  
Thence North 15° 43' 03" East, 118.09 feet;  
Thence North 1° 54' 41" East, 81.98 feet;  
Thence South 88° 05' 19" East, 16.03 feet to the westerly right-of-way line of S. 5th Avenue;  
Thence South 88° 05' 19" East, 24.75 feet to the point of beginning.

Containing 4,620 square feet (0.106 acres), more or less.

All TLE's expire at the completion of the construction project for which this instrument is given

**An easement for highway purposes**, as long as so used, including the right to preserve, protect, and remove any vegetation existing on said lands and the right to plant thereon and protect any vegetation that the highway authorities may deem desirable to prevent erosion of the soil or to beautify the highway, in and to all that land of the owner contained within the following described tract located in part of the Northeast 1/4 of the Northeast 1/4 of Section 26, Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin more fully described as follows:

Commencing at the Northeast corner of said Section 26,  
Thence South 2° 19' 59" West, 469.57 feet along the East line of the Northeast 1/4 of said Section 26 to the point of beginning;

Thence South 2° 19' 59" West, 112.41 feet to a point of circular curve to the right and having a radius of 388.00 feet;  
Thence 13.04 feet along the arc of said circular curve whose long chord bears South 61° 47' 52" West, 13.04 feet;  
Thence South 65° 46' 56" West, 100.36 feet;  
Thence South 66° 10' 32" West, 190.79 feet to a point of circular curve to the left and having a radius of 766.00 feet;  
Thence 162.54 feet along the arc of said circular curve whose long chord bears South 60° 05' 48" West, 162.23 feet;  
Thence South 54° 07' 08" West, 150.59 feet to a point of circular curve to the right and having a radius of 819.00 feet;  
Thence 304.62 feet along the arc of said circular curve whose long chord bears South 66° 07' 54" West, 302.87 feet;  
Thence South 76° 47' 13" West, 58.75 feet;  
Thence South 40° 46' 31" West, 64.61 feet to the Northeasterly right-of-way line of S. Chicago Road (STH 32) and a point of circular curve to the left and having a radius of 4,986.07 feet;  
Thence 99.43 feet along the arc of said circular curve whose long chord bears North 14° 49' 24" West, 99.43 feet to a point of circular curve to the left and having a radius of 4,986.07 feet;  
Thence 62.65 feet along the arc of said circular curve whose long chord bears North 15° 45' 17" West, 62.65 feet;  
Thence North 82° 18' 05" East, 53.64 feet to a point of circular curve to the left and having a radius of 765.56 feet;  
Thence 180.78 feet along the arc of said circular curve whose long chord bears North 76° 14' 32" East, 180.36 feet to a point of circular curve to the left and having a radius of 1,095.56 feet;  
Thence 295.60 feet along the arc of said circular curve whose long chord bears North 61° 44' 51" East, 294.70 feet to a point of circular curve to the right and having a radius of 856.00 feet;  
Thence 125.44 feet along the arc of said circular curve whose long chord bears North 58° 12' 58" East, 125.33 feet;  
Thence North 31° 05' 33" West, 266.86 feet;  
Thence South 88° 49' 40" East, 265.79 feet;  
Thence South 55° 14' 25" East, 102.85 feet to a point of circular curve to the left and having a radius of 5,779.65 feet;  
Thence 63.09 feet along the arc of said circular curve whose long chord bears South 18° 13' 00" East, 63.09 feet;  
Thence North 65° 15' 22" East, 100.60 feet to a point of circular curve to the left and having a radius of 298.00 feet;

Thence 55.86 along the arc of said circular curve whose long chord bears North 54° 50' 19" East, 55.78 feet to the point of beginning.

Containing 9,079 square feet (0.208 acres), more or less

Also, a **Temporary Limited Easement** for the right to construct cut and/or fill slopes, including for such purpose the right to operate the necessary equipment thereon and the right of ingress and egress as long as required for such public purpose, including the right to preserve, protect, remove, or plant thereon any vegetation that the highway authorities may deem necessary or desirable, in and to all that land of the owner contained within the following described tract located in part of the Northeast 1/4 of the Northeast 1/4 of Section 26, and part of the Northwest 1/4 of the Northwest 1/4 of Section 25, all in Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin more fully described as follows:

Commencing at the Northeast corner of said Section 26;  
Thence South 2° 19' 59" West, 328.91 feet along the East line of the Northeast 1/4 of said Section 26 to the point of beginning;

Thence South 2° 19' 59" West, 287.75 feet to the northeasterly line of Union Pacific Railroad Company lands;

Thence South 19° 42' 28" East, 12.43 feet along said northeasterly line;

Thence South 62° 39' 58" West, 100.87 feet to the southwesterly line of said Union Pacific Railroad Company lands;

Thence North 19° 52' 38" West, 4.99 feet to a point of circular curve to the right and having a radius of 5,779.65 feet;

Thence 43.15 feet along the arc of said circular curve whose long chord bears North 19° 38' 19" West, 43.15 feet along said southwesterly line;

Thence South 66° 10' 32" West, 161.52 feet;

Thence South 50° 36' 34" East, 43.14 feet;

Thence South 70° 05' 53" West, 156.01 feet;

Thence South 55° 37' 35" West, 202.73 feet;

thence South 59° 19' 46" West, 175.17 feet;

Thence South 35° 35' 28" West, 69.52 feet;

Thence South 5° 06' 34" East, 47.10 feet;

Thence South 38° 53' 10" West, 23.21 feet;

Thence South 76° 40' 50" West, 168.78 feet to the existing northeasterly right-of-way of S. Chicago Road (STH 32) and a point of circular curve to the left and having a radius of 4,986.07 feet;

Thence 81.16 feet along the arc of said circular curve whose long chord bears North 13° 47' 09" West, 81.16 feet to a point of circular curve to the left and having a radius of 4,986.07 feet;

Thence 99.43 feet along the arc of said circular curve whose long chord bears North 14° 49' 24" West, 99.43 feet to a point of circular curve to the left and having a radius of 4,986.07 feet;

Thence 62.65 feet along the arc of said circular curve whose long chord bears North 15° 45' 17" West, 62.65 feet to a point of circular curve to the left and having a radius of 4,986.07 feet;

Thence 37.89 along the arc of said circular curve whose long chord bears North 16° 19' 57" West, 37.89 feet;

Thence North 83° 14' 22" East, 185.59 feet;

thence North 71° 54' 51" East, 197.62 feet;



Thence North 52° 18' 24" East, 163.35 feet;  
Thence North 58° 52' 33" East, 107.48 feet;  
Thence North 31° 05' 33" West, 244.20 feet;  
Thence South 88° 49' 40" East, 265.79 feet;  
Thence South 55° 14' 25" East, 102.85 feet to the southwesterly line of Union Pacific Railroad Company lands;  
thence North 28° 49' 50" East, 59.38 feet;  
Thence North 40° 34' 03" East, 57.83 feet;  
Thence South 88° 41' 38" East, 8.34 feet to the northeasterly line of Union Pacific Railroad Company lands and a point of circular curve to the right and having a radius of 5,679.65 feet;  
Thence 179.40 feet along the arc of said circular curve whose long chord bears North 16° 18' 40" West, 179.40 feet;  
Thence South 50° 42' 34" East, 178.59 feet to the point of beginning.

Containing 14,416 square feet (0.331 acres), more or less.

Not including those lands of the owner previously described above.

All TLE's expire at the completion of the construction project for which this instrument is given

**A Temporary Limited Easement** for the right to construct cut and/or fill slopes, including for such purpose the right to operate the necessary equipment thereon and the right of ingress and egress as long as required for such public purpose, including the right to preserve, protect, remove, or plant thereon any vegetation that the highway authorities may deem necessary or desirable, in and to all that land of the owner contained within the following described tract located in part the Northwest 1/4 of the Northwest 1/4 of Section 25, in Township 5 North, Range 22 East, City of Oak Creek, Milwaukee County, Wisconsin more fully described as follows:

Commencing at the Southeast corner of Section 23, Township 5 North, Range 22 East;  
Thence North 2° 19' 04" East, 385.38 feet along the East line of the Southeast 1/4 said Section 23 to the point of beginning;

Thence South 88° 05' 19" East, 33.00 feet to the easterly right-of-way of S. 5th Avenue;  
Thence South 88° 05' 19" East, 26.21 feet;  
Thence South 0° 56' 40" West, 141.56 feet;  
Thence South 11° 57' 53" East, 76.37 feet;  
Thence South 3° 45' 57" East, 82.23 feet;  
Thence South 42° 13' 29" East, 41.26 feet;  
Thence North 78° 44' 46" East, 40.13 feet;  
Thence South 84° 41' 33" East, 118.56 feet;  
Thence South 1° 29' 44" West, 24.01 feet to the northerly right-of-way of E. Ryan Road;  
Thence South 1° 29' 44" West, 33.00 feet to the South line of Section 24;  
Thence South 1° 29' 44" West, 33.00 feet to the southerly right-of-way line of E. Ryan Road;  
Thence South 1° 29' 44" West, 27.15 feet;  
Thence South 63° 59' 17" West, 27.95 feet;  
Thence South 75° 44' 16" West, 31.55 feet;  
Thence South 2° 19' 59" West, 308.63 feet;  
Thence South 42° 09' 24" West, 206.76 feet;  
Thence North 4° 37' 26" East, 41.69 feet to a point of circular curve to the right and having a radius of 388.00 feet;  
Thence 122.35 feet Southwesterly along the arc of said circular curve through whose long chord bears South 51° 48' 02" West, 121.85 feet to the West line of said Section 24;  
Thence North 2° 19' 59" East, 112.41 feet along said West line;  
Thence North 2° 19' 59" East, 140.66 feet;  
Thence South 50° 42' 34" East, 53.54 feet;  
Thence North 18° 40' 01" East, 131.65 feet;  
Thence North 13° 40' 08" West, 132.90 feet;  
Thence North 27° 55' 15" West, 85.68 feet to the intersection of the West line of Section 25 and the southerly right-of-way line of S. Ryan Road;  
Thence North 88° 49' 40" West, 542.33 feet along said southerly right-of-way;  
Thence North 55° 14' 25" West, 59.65 feet to the North line of Section 26;  
Thence South 88° 49' 40" East, 384.65 feet along said North line to a point of circular curve to the right and having a radius of 5680.15 feet on the easterly line of Union Pacific Railroad Company lands;  
Thence 25.53 feet along the arc of said circular curve whose long chord bears North 12° 59' 17" West, 25.53 feet to a point on a circular curve to the right and having a radius of 5,680.15 feet on the northerly right-of-way line of E. Ryan Road;  
Thence 169.27 feet along the arc of said circular curve whose long chord bears North 12° 00' 21" West, 169.27 feet;

Thence South 88° 49' 18" East, 189.08 feet;  
Thence North 15° 43' 03" East, 118.09 feet;  
Thence North 1° 54' 41" East, 81.98 feet;  
Thence South 88° 05' 19" East, 16.03 feet to the westerly right-of-way line of S. 5th Avenue;  
Thence South 88° 05' 19" East, 24.75 feet to the point of beginning.

Containing 2,155 square feet (0.049 acres), more or less.

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