

STORM
SEW.
49-79

5366984

ent from

LAINE M. SAUER

TO

VILLAGE OF FOX POINT

Return to

F. W. Widener

324 E. 1st Ave

R. 827

153202

REEL 1261 IMAG 551

THIS INDENTURE Made this 24th day of October
 1979, by and between the undersigned individuals, hereinafter
 referred to as Grantor, and the Village of Fox Point, a Municipal
 corporation located in Milwaukee County, Wisconsin, hereafter
 referred to as Grantee,

W I T N E S S E T H :

Grantor, in consideration of One Dollar (\$1.00), the
 receipt whereof is hereby confessed and acknowledged, has granted
 and conveyed and by these presents does grant and convey unto
 Grantee forever, an easement for the conducting and carrying away
 of surface waters by means of an underground sewer or culvert,
 and for the installation, construction, operation, use and necessary
 repair and maintenance, including reconstruction, of such under-
 ground sewer or culvert in the Village of Fox Point, Milwaukee
 County, Wisconsin, said easement being described as follows:

That part of the Northeast $\frac{1}{4}$ of Section 8, Township
 8 North, Range 22 East in the Village of Fox Point, Milwaukee
 County, Wisconsin which is bounded and described as follows:

Commencing at a point which is the Northwest corner
 of Fox Point Heights Subdivision being a recorded subdivision
 in the Village of Fox Point, thence East 33.12 feet to a point,
 said point being the Northwest corner of Lot 3 in Fox Point
 Heights Subdivision, said point also being the beginning of
 said easement, thence continuing East along the north line of
 Lot 3 163 feet, thence S. $38^{\circ} 35'$ E. 148.13 feet to a point,
 said point being on the east line of Lot 3, thence S. $00^{\circ} 05'$ E.
 along the east line of Lot 3 44.21 feet to a point, said point
 being the southeast corner of Lot 3, thence West along the
 south line of Lot 3 44.71 feet, thence N. $38^{\circ} 35'$ W. 153.33 feet,
 thence West 111.49 feet to a point said point being on the west
 line of Lot 3 and the east line of North Port Washington Road,
 thence N. $50^{\circ} 20'$ W. 40.17 feet along the east line of North
 Port Washington Road to a point, said point being the beginning
 of said easement.

5366984

REGISTER'S OFFICE } SS
 Milwaukee County, Wis. }
 RECORDED AT 4:20 P M

NOV 19 1979 551 to
 REEL 1261 IMAGE 554 incl.

Wm. A. Angell
 REGISTER OF DEEDS

Drafted by Fraley N. Weidner

NOV-19-79 154502 1366984 A 5100

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It is an express condition of the granting of this easement that so much of the surface or sub-surface of the soil as may be disturbed in the installation, construction, operation, use and necessary repair and maintenance, including reconstruction, of such underground sewer or culvert will, at the expense of Grantee, be replaced in substantially the same condition as it now is or may be, and the acceptance of this easement by Grantee and the installation or construction of such underground sewer or culvert, shall constitute an express acceptance by Grantee of this condition to the granting of this easement.

Grantor consents to the entry by the employees, agents or representatives of Grantee necessary and incidental to the installation, construction, operation, use and necessary repair and maintenance, including reconstruction, of such underground sewer or culvert, but reserves to themselves the right to make such use of the land included in said easement, subject to the ordinances of the Village of Fox Point and the Statutes of the State of Wisconsin as will not disturb any such underground sewer or culvert, or interfere or prevent the free flow of surface waters through the same, or prevent ingress and egress thereto for the purpose of proper operation, use and necessary repair and maintenance, including reconstruction, thereof.

This indenture, upon its acceptance by Grantee, shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, successors and assigns.

IN WITNESS WHEREOF, Grantor has executed this indenture the day and year first above written.

In Presence Of

Elaine M. Sauer (SEAL)
(Elaine M. Sauer)

(SEAL)

STATE OF WISCONSIN)
) ss.
 MILWAUKEE COUNTY)

Personally came before me this 24th day of October
 19 79, the above named Elaine M. Sauer

to me known to be the persons who executed the foregoing instrument
 and acknowledged the same.

Richard E. Thomey
 Richard E. Thomey
 Notary Public, Wisconsin

My commission expires:

Signatures of _____

authenticated this _____ day of _____, 19 ____.

Title: Member State Bar of Wisconsin or Other
 Party
 Authorized under Sec.706.06 viz. _____

The undersigned holder of a mortgage on land, including
 that above described, in consideration of One Dollar (\$1.00), the
 receipt whereof is hereby confessed and acknowledged, hereby consents
 to the granting of the above easement and agrees that said mortgage
 shall be and is hereby made subject and subordinate to such easement
 and that any foreclosure of said mortgage shall not affect such
 easement. The mortgage above referred to was recorded in the office
 of the Register of Deeds of Milwaukee County, Wisconsin in Reel 571
 of Mortgages on page 41-43, as Document No. 4572771.

Dated February 2, 1971.

IN WITNESS WHEREOF, we have hereunto set our hands and
 seals this 24th day of October, 19 79.

In Presence Of _____

(SEA

(SEA

(Individuals)

FIRST WISCONSIN NATIONAL BANK

of Milwaukee

(Name of Corporation)

By Gerald J. Cole Mortgage Banking
 Officer

Richard E. Thomey
 Richard E. Thomey, Notary Public, Wisconsin
 My commission expires: _____

REEL 1261 IMAC 554

STATE OF WISCONSIN)
) ss.
MILWAUKEE COUNTY)

Personally came before me this _____ day of _____
19____, the above named _____ and _____
_____, to me known to be the persons who executed the fore
going instrument and acknowledged the same.

Notary Public, Wisconsin
My commission expires:

STATE OF WISCONSIN)
) ss.
MILWAUKEE COUNTY)

Personally came before me this 24th day of October
19 79, Gerald J. Gale, Mortgage Banking Officer and
Richard E. Thomey, Jr. Mgr. Banking Officer of the above name
Bank Corporation, to me known to be the persons who executed the foregoing
instrument, and to me known to be such officers of
said Bank Corporation, and acknowledged that they executed the foregoing
instrument as such officers as the deed of said Bank Corporation, by its
authority.

Albert G. Frackelton
(Albert G. Frackelton)

Notary Public, Wisconsin
My commission expires: A. G. FRACKELTON

~~NOTARY PUBLIC, WISCONSIN~~
PERMANENT COMMISSION

Signatures of _____

authenticated this _____ day of _____, 19____

Title: Member State Bar of Wisconsin or Other
Party
Authorized under Sec. 706.06 viz. _____

Accepted pursuant to the authority of the Village Board.

VILLAGE OF FOX POINT

By

John M. Reinhart President

Jerry W. White Clerk

(VILLAGE SEAL)