

**PERMANENT LIMITED EASEMENT FOR
PUBLIC SIDEWALK PURPOSES**

County of Dane, a Wisconsin quasi-municipal corporation (“Grantor”), being the owners of the property hereinafter described, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, does grant, set over and convey unto the **City of Madison**, a Wisconsin municipal corporation (“City”), a Permanent Limited Easement for public sidewalk purposes (“PLE”) upon, over and across the parcel of land depicted in Exhibit A and described in Exhibit B (“PLE Area”); including, but not limited to, the right of ingress and egress; the right to operate, maintain, repair, replace and modify the public sidewalk improvements; and the right to perform all work incidental thereto.

RETURN TO: City of Madison
Economic Development Division
Office of Real Estate Services
P.O. Box 2983
Madison, WI 53701-2983

This PLE is subject to the following conditions:

Tax Parcel No: 251/0709-233-2102-3 (part of)

- 1) Construction. The work of initial construction of the public sidewalk will be performed by the City in accordance with the terms of City Engineering Project No. 13169.
- 2) Reservation of Use by Grantor. The Grantor reserves the right to use and occupy the PLE Area in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the City's operation, maintenance, repair, replacement and/or modification of the public sidewalk improvements located therein. No above-ground improvements will be allowed in the PLE Area by the Grantor.
- 3) Landscaping by Grantor. Plantings and landscaping within the PLE Area shall not obstruct routine maintenance by the City. In the event of repair or reconstruction of the public sidewalk, plantings and landscaping may be removed by the City without replacement or compensation to the Grantor. The Grantor shall not change the grade of the PLE without the prior written approval of the City's Engineering Division.
- 4) Compliance. The Grantor and the City shall comply with all applicable laws with respect to this PLE, including, but not limited to, any laws, standards, regulations, or permit requirements relating to environmental pollution or contamination or to occupational health and safety.
- 5) Amendment. This PLE may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
- 6) Binding Effect. The rights and easement granted herein shall be deemed to be covenants running with the land and shall inure to the benefit of the City, its successors and assigns, and shall be binding upon the Grantor, its successors and assigns.
- 7) Applicable Law. This PLE shall be construed in accordance with the laws of the State of Wisconsin.
- 8) Severability. If any term or provision of this PLE is held to be invalid or unenforceable by a court of competent jurisdiction, then such holding shall not affect any of the remaining terms and provisions of this Easement and the same shall continue to be effective to the fullest extent permitted by law.
- 9) Public Record. This PLE will be recorded at the office of the Dane County Register of Deeds.

Dated this _____ day of _____, 2022.

COUNTY OF DANE

By: _____
(signature)

(print or type name and title)

State of Wisconsin)
)ss.
County of Dane)

Personally came before me this _____ day of _____, 2022, the above named _____, known to me to be the person who executed the above and foregoing instrument and acknowledged that they executed the foregoing instrument.

Notary Public, State of Wisconsin

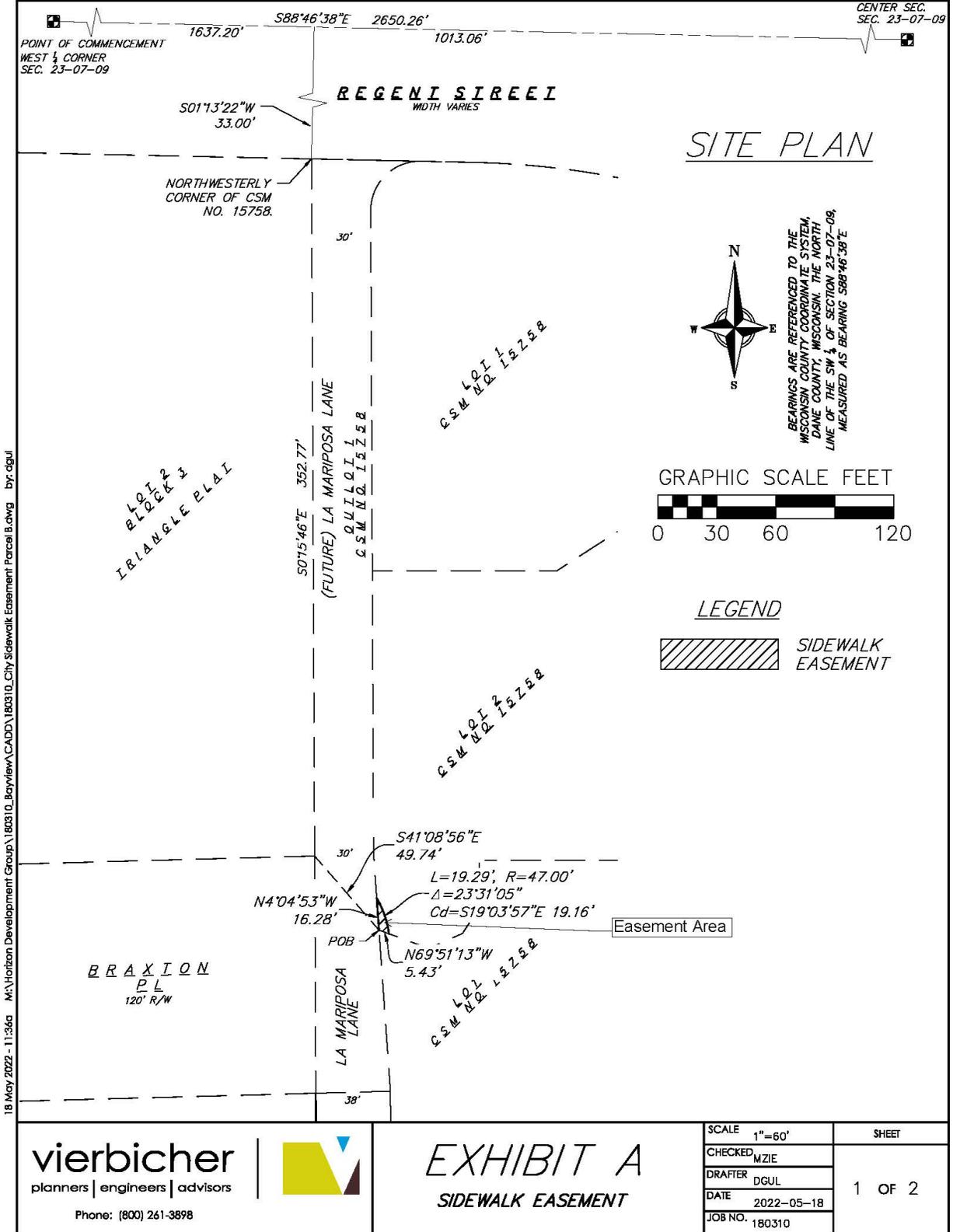
(print or type name)
Commission expires: _____

Acceptance of this Permanent Limited Easement is authorized by Resolution No. RES-22-00369, File No. 71281, adopted by the Common Council of the City of Madison on May 24, 2022.

Drafted by the City of Madison Office of Real Estate Services

Real Estate Project No. 12613
Engineering Project No. 13169

EXHIBIT A
PLE Area (not to scale)



18 May 2022 - 11:36a M:\Horizon Development Group\180310_Boysview\CADD\180310_City Sidewalk Easement Parcel B.dwg by: dgul

vierbicher
planners | engineers | advisors
Phone: (800) 261-3898



EXHIBIT A
SIDEWALK EASEMENT

SCALE	1"=60'	SHEET
CHECKED	MZIE	
DRAFTER	DGUL	
DATE	2022-05-18	
JOB NO.	180310	1 OF 2

EXHIBIT B
Legal Description

Permanent Limited Easement (PLE) for Public Sidewalk Purposes:

Part of Lot 2, Certified Survey Map No. 15758, as recorded in Volume 114 of Certified Survey Maps, on Pages 319 - 326, as Document Number 5750472, Dane County Registry, located in the Northeast Quarter of the Southwest Quarter of Section 23, Township 07 North, Range 09 East, City of Madison, Dane County, Wisconsin, more fully described as follows:

Commencing at the West Quarter Corner of said Section 23; thence S88°46'38"E along the North line of the Southwest Quarter of said Section 23, 1637.20 feet; thence S01°13'22"W 33.00 feet to the northwest corner of said Certified Survey Map No. 15758, and the northeast corner of said Lot 2, Block 3, Triangle Plat; thence S00°15'46"E along the westerly line of said Certified Survey Map 15758, 352.77 feet to the northerly right-of-way line of Braxton Place and the southerly line of said Lot 2, Block 3, Triangle Plat; thence S41°08'56"E, 49.74 feet to the southwesterly corner of Lot 2 and the northwesterly corner of Lot 1, said Certified Survey Map No. 15758, and the point of beginning; thence N04°04'53"W along westerly line of said Lot 2, 16.28 feet; thence 19.29 feet along the arc of a curve to the right, having a radius of 47.00 feet, a central angle of 23°31'05", and a chord bearing S19°03'57"E, 19.16 feet to a point on the northerly line of said Lot 1; thence continuing along said north line, N69°51'13"W, 5.43 feet to the point of beginning.

Said easement description contains 53 square feet, more or less.