

PUBLIC WATER MAIN EASEMENT

The **County of Dane**, a Wisconsin municipal corporation (the "Owner"), being the owner of the property described on attached Exhibit A (the "Property"), and **Madison Area Technical College District** ("MATC"), being the lessee of the Property, 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, located in Dane County, Wisconsin (the "City"), its successors and assigns, a perpetual easement ("Easement") for public water main purposes, including, but not limited to, the right of ingress and egress; the right to operate, maintain, repair, replace and modify the existing water main facilities and improvements (the "Facilities"); and the right to perform all work incidental thereto in a portion of the Property more particularly described on attached Exhibit A and depicted on attached Exhibit B (the "Easement Area").

Return to: City of Madison
EDD – Office of Real Estate Services
P.O. Box 2983
Madison, WI 53701-2983

Tax Parcel No: 251-0810-294-0086-9

This Easement is subject to the following conditions:

1. Restoration, Repair and Maintenance.

- a. The work of repair and maintenance by the City shall be done and completed in a good and professional manner at the sole expense of the City. The work shall be performed in a manner to not interfere with or endanger the use of the Easement Area. In all cases, the City shall be responsible for following all applicable ordinances, codes, statutes, and laws, and obtaining all permits required for any construction, repair or maintenance activity.
- b. After completion of the work, or as soon thereafter as the weather reasonably permits, the City, at its expense, shall promptly restore the area affected by the work to the original grade and vegetation or surface condition, including repair or replacement of pavement and concrete, and in a manner satisfactory to the Owner.
- c. Following the installation of the Facilities and final grading of the Easement Area, no grade change shall be made to the Easement Area without the written consent of the City of Madison Water Utility's General Manager.
- d. No buildings or structures, unrelated to the Facilities, shall be constructed in the Easement Area without the written consent of the City of Madison Water Utility's General Manager.

2. Reservation of Use by Owner. The Owner reserves the right to use and occupy the Easement Area in a manner consistent with the rights conveyed herein, provided that such use and

occupancy shall not interfere with or disturb the operation, maintenance, repair, replacement and/or modification of the Facilities.

3. Landscaping by Owner. Plantings and landscaping within the Easement Area shall not obstruct routine maintenance by the City. In the event of repair or reconstruction, plantings and landscaping may be removed by the City without replacement or compensation to the Owner.
4. Compliance. The Owner and the City shall comply with all applicable laws, 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 Easement 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 and shall be binding upon the parties hereto and their respective successors and assigns.
7. Applicable Law. This Easement shall be construed in accordance with the laws of the State of Wisconsin.
8. Severability. If any term or provision of this Easement 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 Easement shall be recorded at the office of the Dane County Register of Deeds.

Dated this _____ day of _____, 2015

COUNTY OF DANE,
a Wisconsin municipal corporation

By: _____
(signature)

By: _____
(print or type name and title)

State of Wisconsin)
) ss.
County of Dane)

Personally came before me this ____ day of _____, 2015, the above named _____ (name), _____ (title) of the County of Dane, known to me to be the person who executed the above and foregoing instrument and acknowledged that he/she executed the foregoing instrument as such _____ as the deed of such corporation, by its authority.

Notary Public, State of Wisconsin

(print or type notary name)

Commission expires: _____

MADISON AREA TECHNICAL COLLEGE DISTRICT,
a Wisconsin municipal corporation

By: _____
(signature)

By: _____
(print or type name and title)

State of Wisconsin)
) ss.
County of Dane)

Personally came before me this ____ day of _____, 2015, the above named
_____ (name), _____ (title) of
Madison Area Technical College District, known to me to be the person who executed the above and
foregoing instrument and acknowledged that he/she executed the foregoing instrument as such
_____ as the deed of such corporation, by its authority.

Notary Public, State of Wisconsin

(print or type notary name)

Commission expires: _____

This Public Water Main Easement is authorized by Resolution Enactment No RES-15-00812, File ID
No. 39905, adopted by the Common Council of the City of Madison on October 6, 2015.

Drafted by the City of Madison Office of Real Estate Services

Real Estate Project No. 10852
Engineering Division Project No. 53B3398

EXHIBIT A

Description of the Easement Area:

Part of the Southeast Quarter of the Southeast Quarter of Section 29 and part of the Northeast Quarter of the Northeast Quarter of Section 32, Township 08 North, Range 10 East, City of Madison, Dane County, Wisconsin, more particularly described as follows:

Commencing at the Southeast corner of Section 29, aforesaid; thence North 88 degrees 39 minutes 02 seconds West along the South line of the Southeast Quarter of said Section 29 a distance of 1,301.21 feet to the East right-of-way line of Wright Street; thence South 02 degrees 23 minutes 53 seconds West along said right-of-way line, 138.13 feet to the Point of Beginning; thence South 87 degrees 19 minutes 43 seconds East, 17.79 feet; thence South 02 degrees 23 minutes 53 seconds West, 19.96 feet; thence South 43 degrees 46 minutes 40 seconds East, 48.17 feet; thence South 87 degrees 06 minutes 20 seconds East, 332.38 feet; thence North 10 degrees 47 minutes 29 seconds East, 75.01 feet; thence South 79 degrees 12 minutes 31 seconds East, 20.00 feet; thence South 10 degrees 47 minutes 29 seconds West, 72.23 feet; thence South 87 degrees 06 minutes 20 seconds East, 118.40 feet; thence South 40 degrees 47 minutes 07 seconds East, 20.91 feet; thence South 88 degrees 27 minutes 53 seconds East, 143.15 feet; thence North 43 degrees 46 minutes 24 seconds East, 135.90 feet; thence North 43 degrees 35 minutes 06 seconds West, 105.51 feet; thence North 46 degrees 24 minutes 54 seconds East, 20.00 feet; thence South 43 degrees 35 minutes 06 seconds East, 104.88 feet; thence North 44 degrees 48 minutes 29 seconds East, 265.46 feet; thence South 88 degrees 17 minutes 42 seconds East, 34.88 feet; thence North 01 degrees 42 minutes 18 seconds East, 10.00 feet; thence South 88 degrees 17 minutes 42 seconds East, 20.00 feet; thence South 01 degrees 42 minutes 18 seconds West, 10.00 feet; thence South 88 degrees 17 minutes 42 seconds East, 204.75 feet; thence North 01 degrees 42 minutes 16 seconds East, 162.57 feet; thence North 00 degrees 18 minutes 47 seconds East, 50.49 feet; thence North 03 degrees 39 minutes 09 seconds East, 17.78 feet; thence North 87 degrees 55 minutes 08 seconds West, 40.79 feet; thence North 02 degrees 04 minutes 52 seconds East, 20.00 feet; thence South 87 degrees 55 minutes 08 seconds East, 41.28 feet; thence North 01 degrees 42 minutes 17 seconds East, 389.89 feet; thence North 88 degrees 06 minutes 24 seconds West, 43.00 feet; thence South 01 degrees 51 minutes 41 seconds West, 38.35 feet; thence South 88 degrees 08 minutes 43 seconds East, 21.68 feet; thence South 01 degrees 51 minutes 17 seconds West, 20.00 feet; thence North 88 degrees 08 minutes 43 seconds West, 41.68 feet; thence North 01 degrees 51 minutes 41 seconds East, 58.36 feet; thence North 88 degrees 06 minutes 24 seconds West, 272.40 feet; thence South 00 degrees 49 minutes 09 seconds East, 58.40 feet; thence South 89 degrees 10 minutes 51 seconds West, 20.00 feet; thence North 00 degrees 49 minutes 09 seconds West, 59.34 feet; thence North 88 degrees 06 minutes 24 seconds West, 34.96 feet; thence North 88 degrees 08 minutes 27 seconds West, 240.54 feet; thence South 02 degrees 19 minutes 42 seconds East, 37.68 feet; thence North 86 degrees 01 minutes 25 seconds East, 63.89 feet; thence South 03 degrees 58 minutes 35 seconds East, 20.00 feet; thence South 86 degrees 01 minutes 25 seconds West, 84.47 feet; thence North 02 degrees 19 minutes 42 seconds West, 59.73 feet; thence North 88 degrees 08 minutes 27 seconds West, 284.34 feet; thence South 01 degrees 45 minutes 18 seconds West, 57.10 feet; thence North 89 degrees 48 minutes 57 seconds West, 56.79 feet; thence North 00 degrees 11 minutes 03 seconds East, 20.00 feet; thence South 89 degrees 48 minutes 57 seconds East, 37.33 feet; thence North 01 degrees 45 minutes 18 seconds East, 37.67 feet; thence North 88 degrees 08 minutes 27 seconds West, 166.11 feet; thence South 01 degrees 51 minutes 33 seconds West, 10.00 feet; thence North 88 degrees 08 minutes 27 seconds West, 20.00 feet; thence North 01 degrees 51 minutes 33 seconds East, 10.00 feet; thence North 88

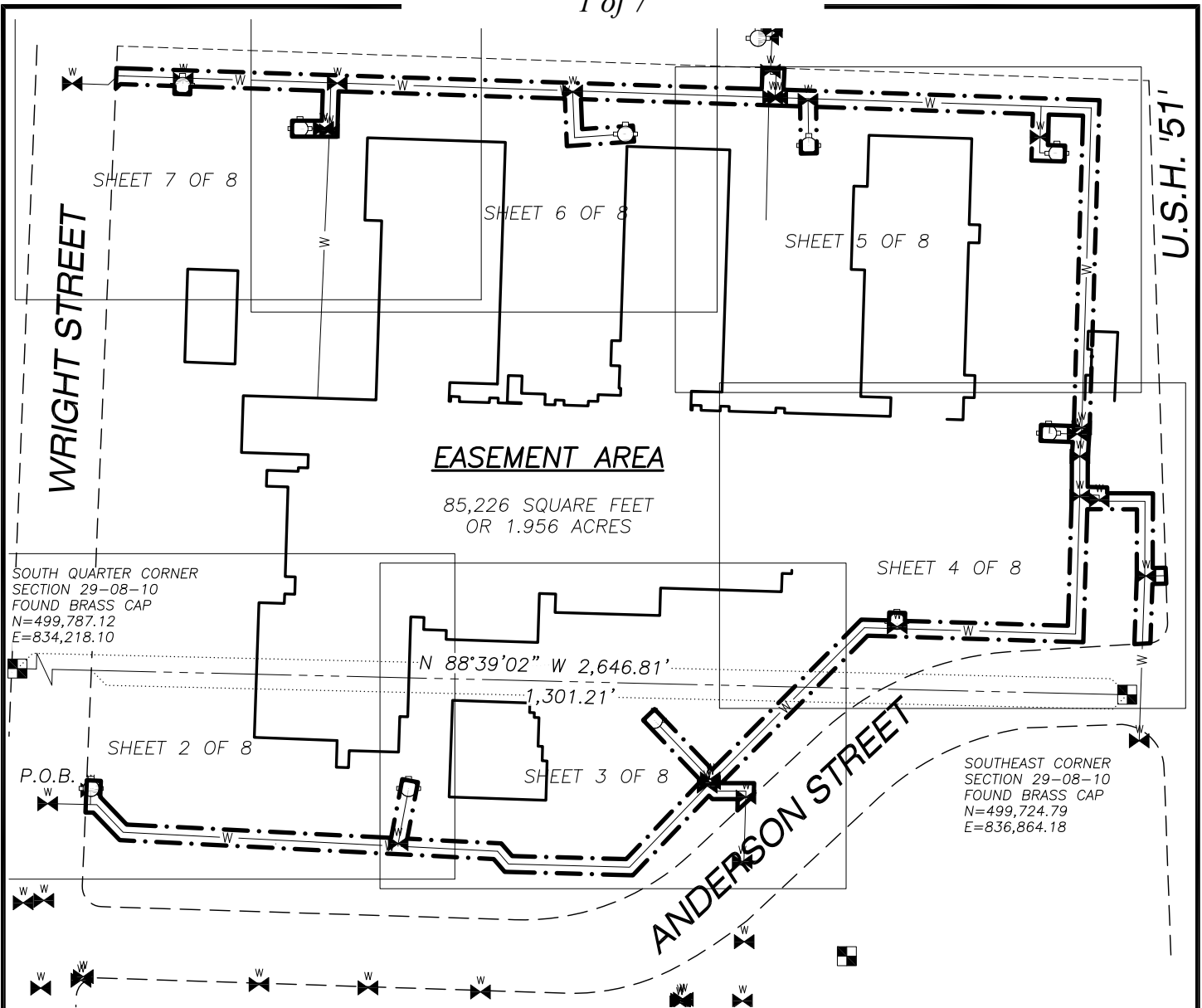
degrees 08 minutes 27 seconds West, 68.04 feet; thence South 46 degrees 51 minutes 14 seconds West, 8.13 feet to the Easterly right-of-way line of Wright Street; thence North 02 degrees 23 minutes 53 seconds East along said right-of-way line, 25.75 feet; thence South 88 degrees 08 minutes 27 seconds East, 810.53 feet; thence North 02 degrees 39 minutes 47 seconds East, 26.91 feet; thence South 88 degrees 05 minutes 05 seconds East, 27.43 feet; thence South 02 degrees 55 minutes 58 seconds West, 26.89 feet; thence South 88 degrees 06 minutes 24 seconds East, 397.09 feet; thence South 01 degrees 42 minutes 17 seconds West, 411.81 feet; thence South 03 degrees 39 minutes 09 seconds West, 35.90 feet; thence South 00 degrees 18 minutes 47 seconds West, 37.97 feet; thence South 88 degrees 17 minutes 44 seconds East, 24.54 feet; thence South 00 degrees 13 minutes 28 seconds West, 7.33 feet; thence South 89 degrees 53 minutes 47 seconds East, 57.45 feet; thence South 00 degrees 13 minutes 11 seconds West, 93.62 feet; thence North 88 degrees 57 minutes 51 seconds East, 16.28 feet to the Westerly right-of-way line of U.S.H. '51'; thence South 01 degrees 58 minutes 38 seconds East along said right-of-way line, 20.00 feet; thence South 88 degrees 57 minutes 51 seconds West, 17.33 feet; thence South 01 degrees 54 minutes 31 seconds West, 74.44 feet to a point on a curve on the Northerly right-of-way line of Anderson Street; thence Southwesterly 2.59 feet along an arc of a curve to the right, having a radius of 25.00 feet, the chord bears South 84 degrees 57 minutes 32 seconds West, 2.59 feet; thence South 86 degrees 30 minutes 52 seconds West, 17.50 feet; thence North 01 degrees 54 minutes 31 seconds East, 85.75 feet; thence North 00 degrees 13 minutes 11 seconds East, 83.65 feet; thence North 89 degrees 53 minutes 47 seconds West, 62.41 feet; thence South 01 degrees 42 minutes 16 seconds West, 166.98 feet; thence North 88 degrees 17 minutes 42 seconds West, 270.96 feet; thence South 44 degrees 48 minutes 29 seconds West, 260.81 feet; thence South 89 degrees 55 minutes 33 seconds East, 41.23 feet; thence South 01 degrees 35 minutes 25 seconds West, 15.18 feet to the Northerly right-of-way line of Anderson Street; thence South 47 degrees 01 minutes 09 seconds West along said right-of-way line, 28.07 feet; thence North 01 degrees 35 minutes 25 seconds East, 14.34 feet; thence North 89 degrees 55 minutes 33 seconds West, 31.86 feet; thence North 44 degrees 55 minutes 32 seconds West, 5.96 feet; thence South 43 degrees 46 minutes 24 seconds West, 138.34 feet; thence North 88 degrees 27 minutes 53 seconds West, 160.85 feet; thence North 40 degrees 47 minutes 07 seconds West, 21.19 feet; thence North 87 degrees 06 minutes 20 seconds West, 470.36 feet; thence North 43 degrees 46 minutes 40 seconds West, 47.83 feet; thence North 88 degrees 46 minutes 33 seconds West, 9.92 feet to the East right-of-way line of Wright Street; thence North 02 degrees 23 minutes 53 seconds East along said right-of-way line, 40.41 feet to the Point of Beginning.

Said Easement contains 85,226 square feet or 1.956 acres.

The above metes and bounds description is intended to describe the exterior boundaries of a twenty foot wide parcel, or strip, land centered over an existing water main its fittings, fixtures and appurtenances, including separate twenty foot wide strips of land centered on those pipes running from said water main to hydrants connected to and located along said water main.

EXHIBIT B

1 of 7



LEGEND

- GOVERNMENT CORNER
- HYDRANT
- WATER VALVE
- EASEMENT LINE
- SECTION LINE
- RIGHT-OF-WAY LINE
- PLATTED LOT LINE
- WATER LINE

NOTES

1. FIELD WORK PERFORMED BY JSD PROFESSIONAL SERVICES, INC. ON APRIL 11, 2015.
2. BEARINGS FOR THIS SURVEY AND MAP ARE BASED ON THE WISCONSIN COUNTY COORDINATE SYSTEM, (WCCS), DANE COUNTY. THE SOUTH LINE OF SOUTHEAST QUARTER OF SECTION 29-08-10, BEARS N 89°39'02" W.
3. SEE SHEET 8 OF 8 FOR LINE AND CURVE TABLE.
4. THE ABOVE METES AND BOUNDS DESCRIPTION IS INTENDED TO DESCRIBE THE EXTERIOR BOUNDARIES OF A TWENTY FOOT WIDE PARCEL, OR STRIP, LAND CENTERED OVER AN EXISTING WATER MAIN ITS FITTINGS, FIXTURES AND APPURTENANCES, INCLUDING SEPARATE TWENTY FOOT WIDE STRIPS OF LAND CENTERED ON THOSE PIPES RUNNING FROM SAID WATER MAIN TO HYDRANTS CONNECTED TO AND LOCATED ALONG SAID WATER MAIN.

EXHIBIT

PART OF THE SE 1/4 OF THE SE 1/4 OF SECTION 29 AND PART OF THE NE 1/4 OF THE NE 1/4 OF SECTION 32, TOWNSHIP 08 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.

PREPARED BY:

JSD Professional Services, Inc.
Engineers • Surveyors • Planners

161 HORIZON DRIVE, SUITE 101
VERONA, WISCONSIN 53593
PHONE: (608)848-5060

PREPARED FOR:

MADISON COLLEGE
1701 WRIGHT STREET
MADISON, WI 53704

PROJECT NO: 14-6538

FILE NO: A-324

FIELDBOOK/PG: -

SHEET NO: 1 OF 8

SURVEYED BY: -

DRAWN BY: JK

CHECKED BY: CO

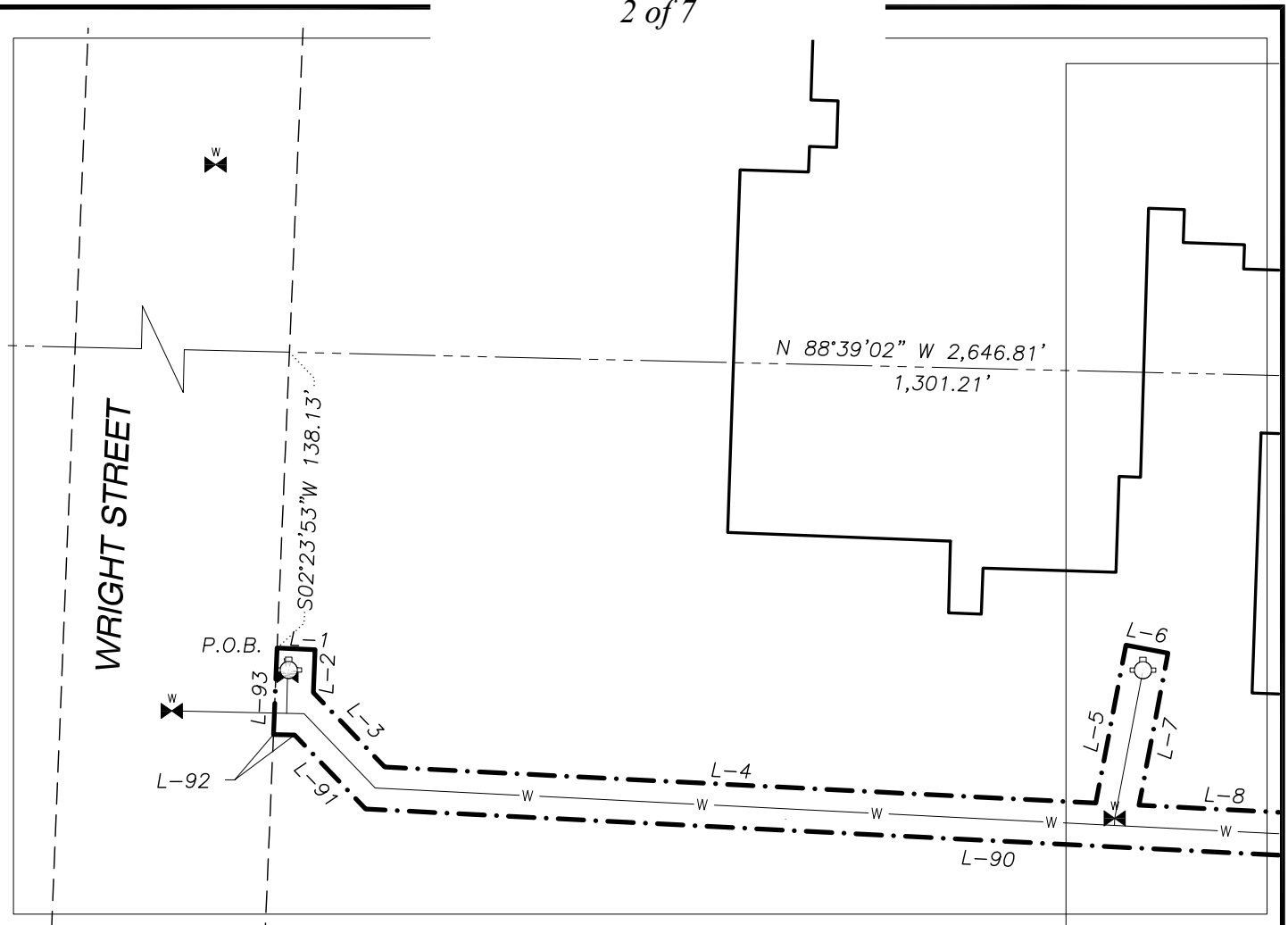
APPROVED BY: TJB



SCALE: 1" = 200'

EXHIBIT B

2 of 7



LEGEND

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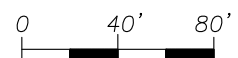
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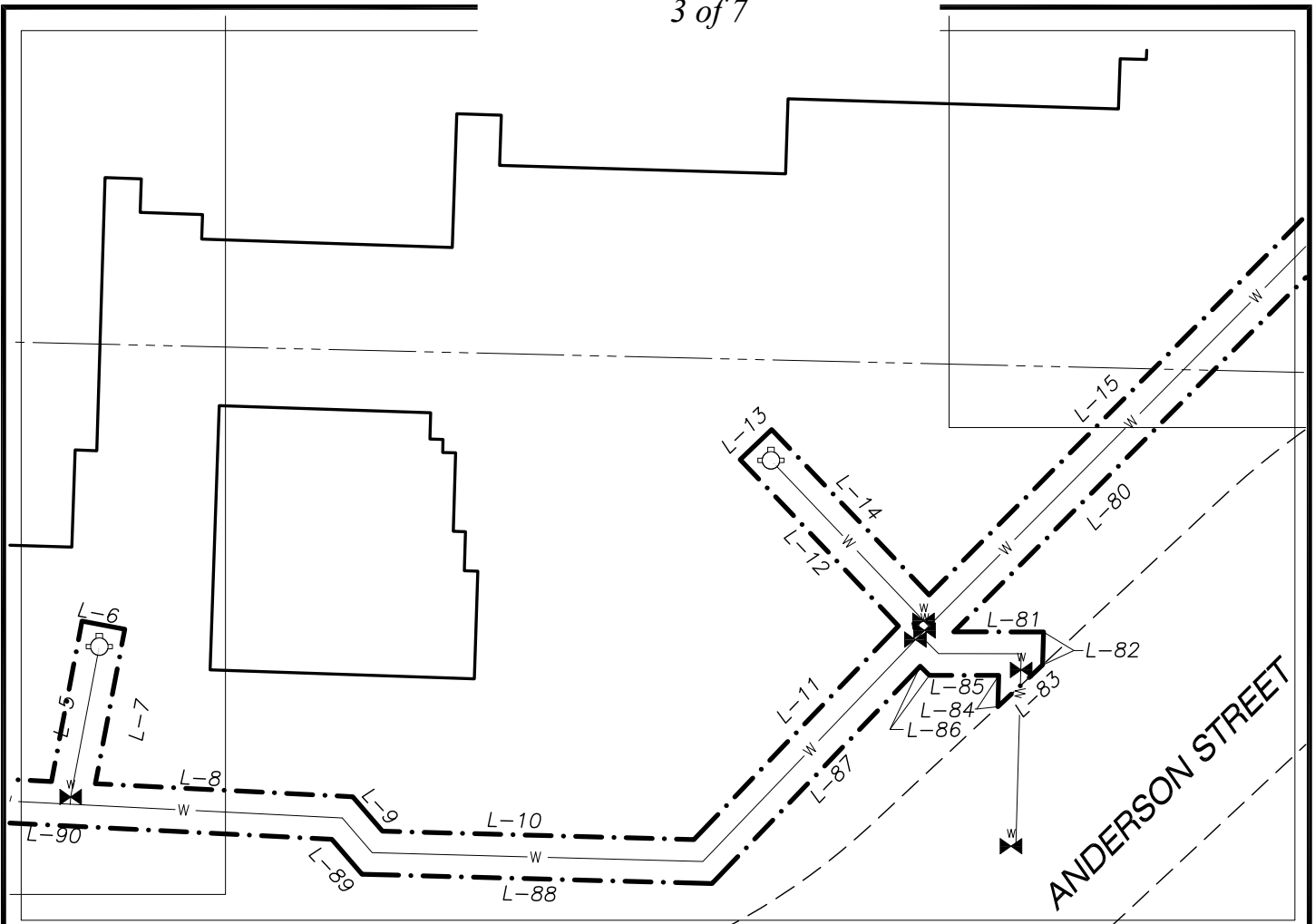
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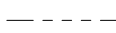
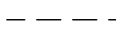

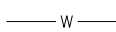
SCALE: 1" = 80'

EXHIBIT B

3 of 7



LEGEND

-  GOVERNMENT CORNER
-  HYDRANT
-  WATER VALVE
-  EASEMENT LINE
-  SECTION LINE
-  RIGHT-OF-WAY LINE
-  PLATTED LOT LINE
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PROJECT NO: 14-6538

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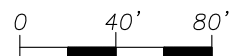
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SURVEYED BY: -

DRAWN BY: JK

CHECKED BY: CO

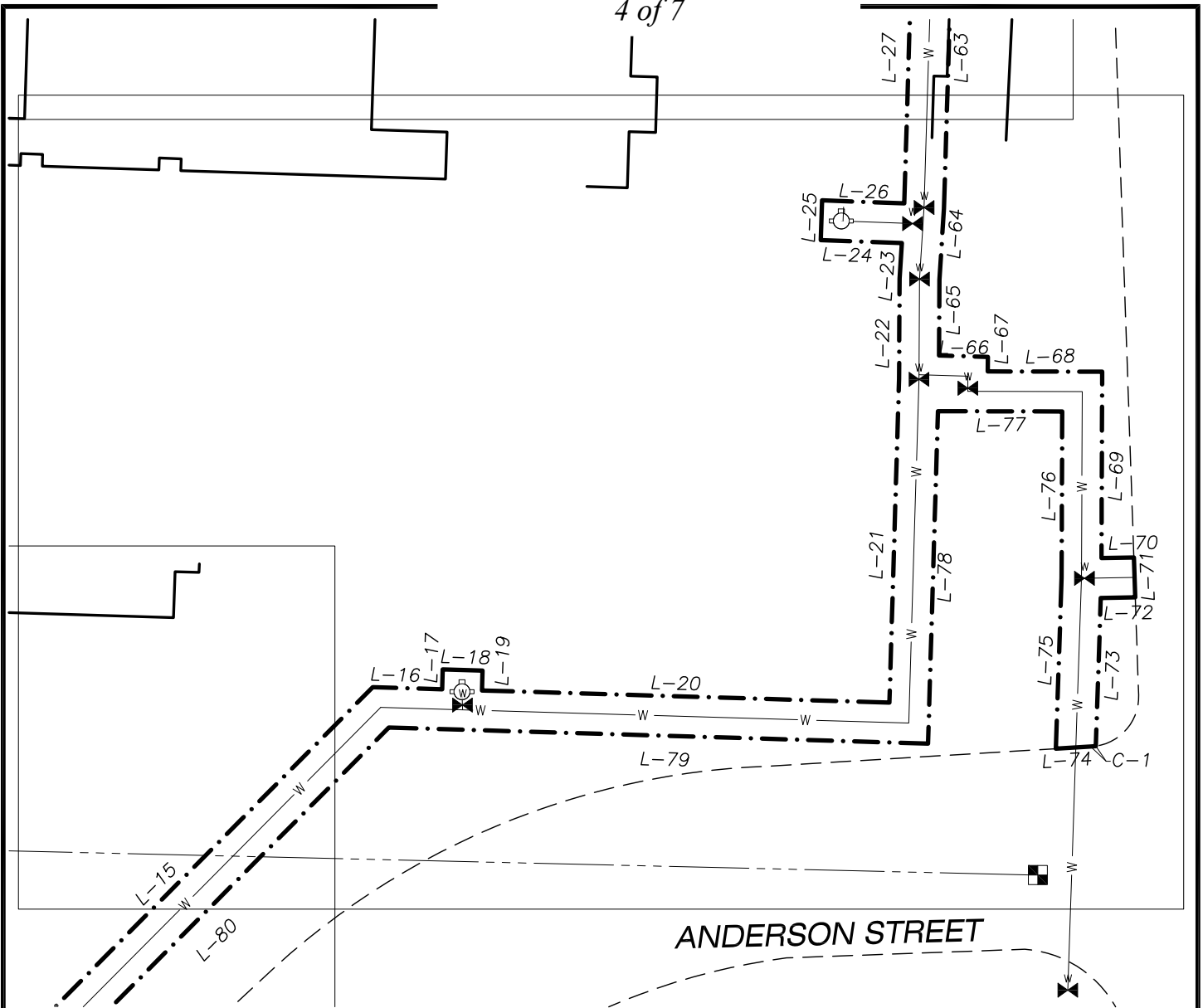
APPROVED BY: TJB



SCALE: 1" = 80'

EXHIBIT B

4 of 7



LEGEND

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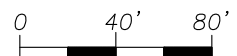
SHEET NO: 4 OF 8

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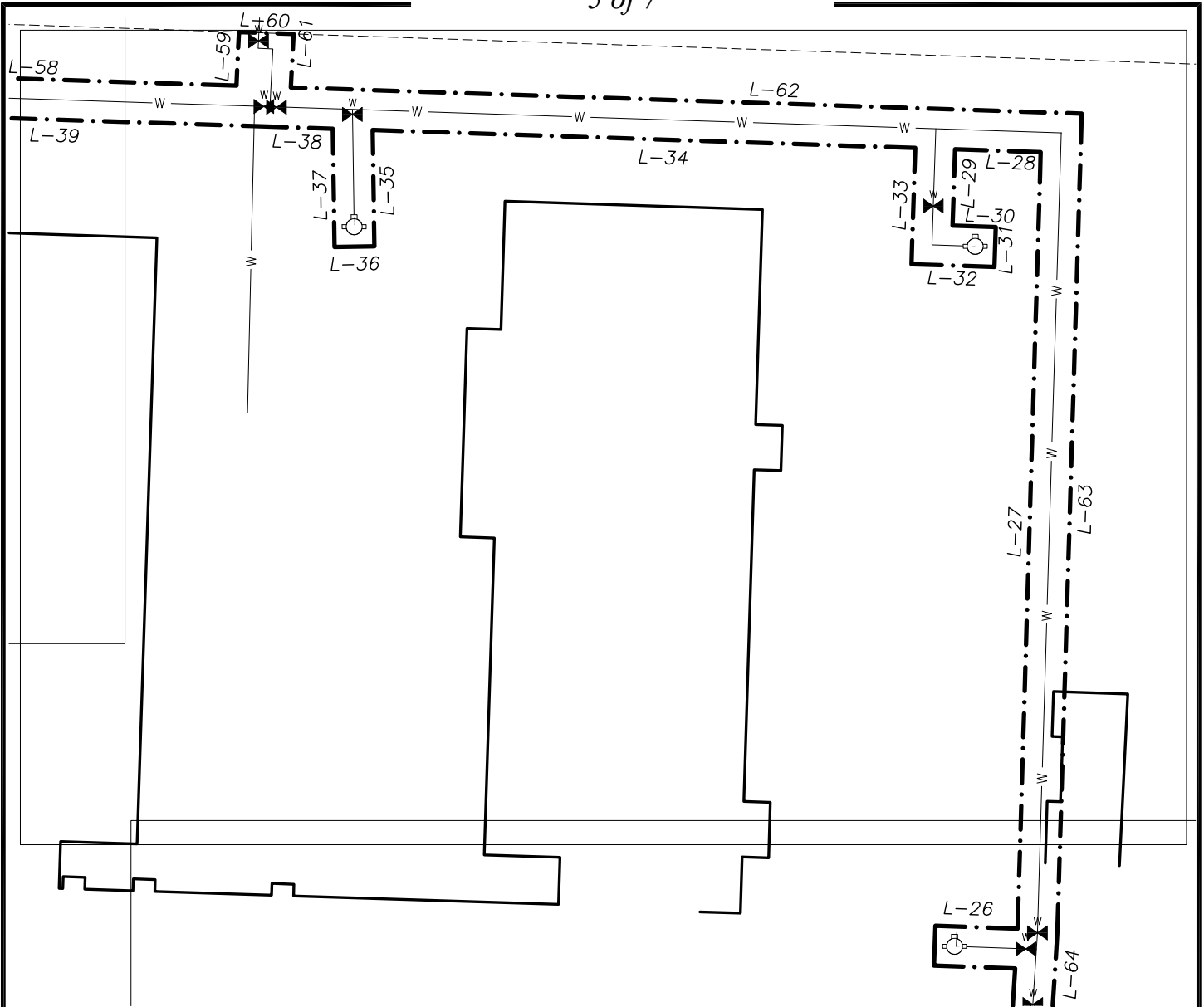
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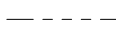
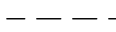

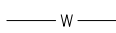
SCALE: 1" = 80'

EXHIBIT B

5 of 7



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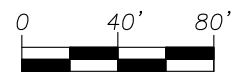
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DRAWN BY: JK

CHECKED BY: CO

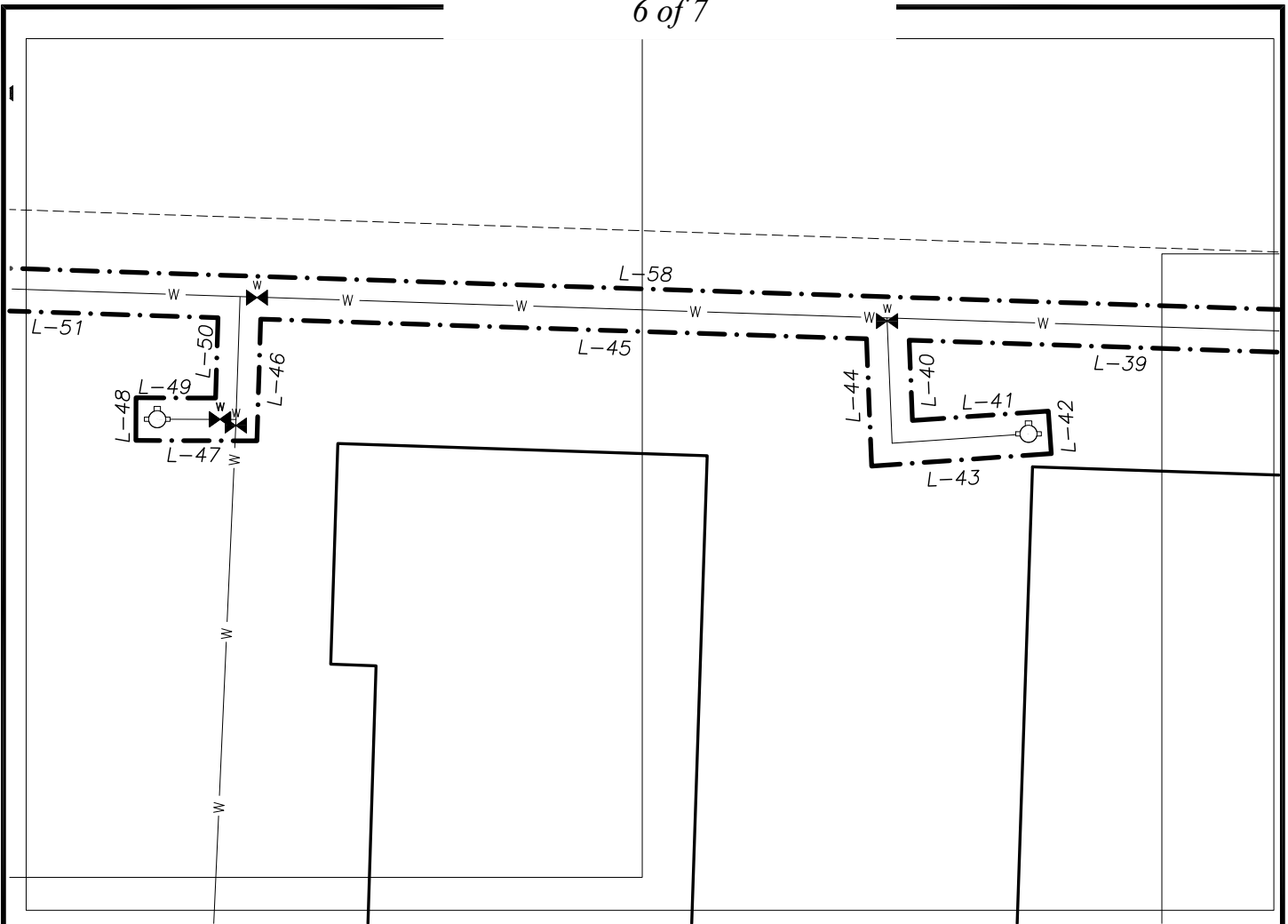
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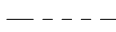
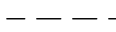

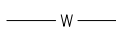
SCALE: 1" = 80'

EXHIBIT B

6 of 7



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EXHIBIT

PART OF THE SE 1/4 OF THE SE 1/4 OF SECTION 29 AND PART OF THE NE 1/4 OF THE NE 1/4 OF SECTION 32, TOWNSHIP 08 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.

PREPARED BY:

JSD Professional Services, Inc.
• Engineers • Surveyors • Planners

161 HORIZON DRIVE, SUITE 101
VERONA, WISCONSIN 53593
PHONE: (608)848-5060

PREPARED FOR:

MADISON COLLEGE
1701 WRIGHT STREET
MADISON, WI 53704

PROJECT NO: 14-6538

FILE NO: A-324

FIELDBOOK/PG: -

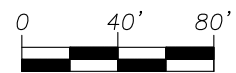
SHEET NO: 6 OF 8

SURVEYED BY: -

DRAWN BY: JK

CHECKED BY: CO

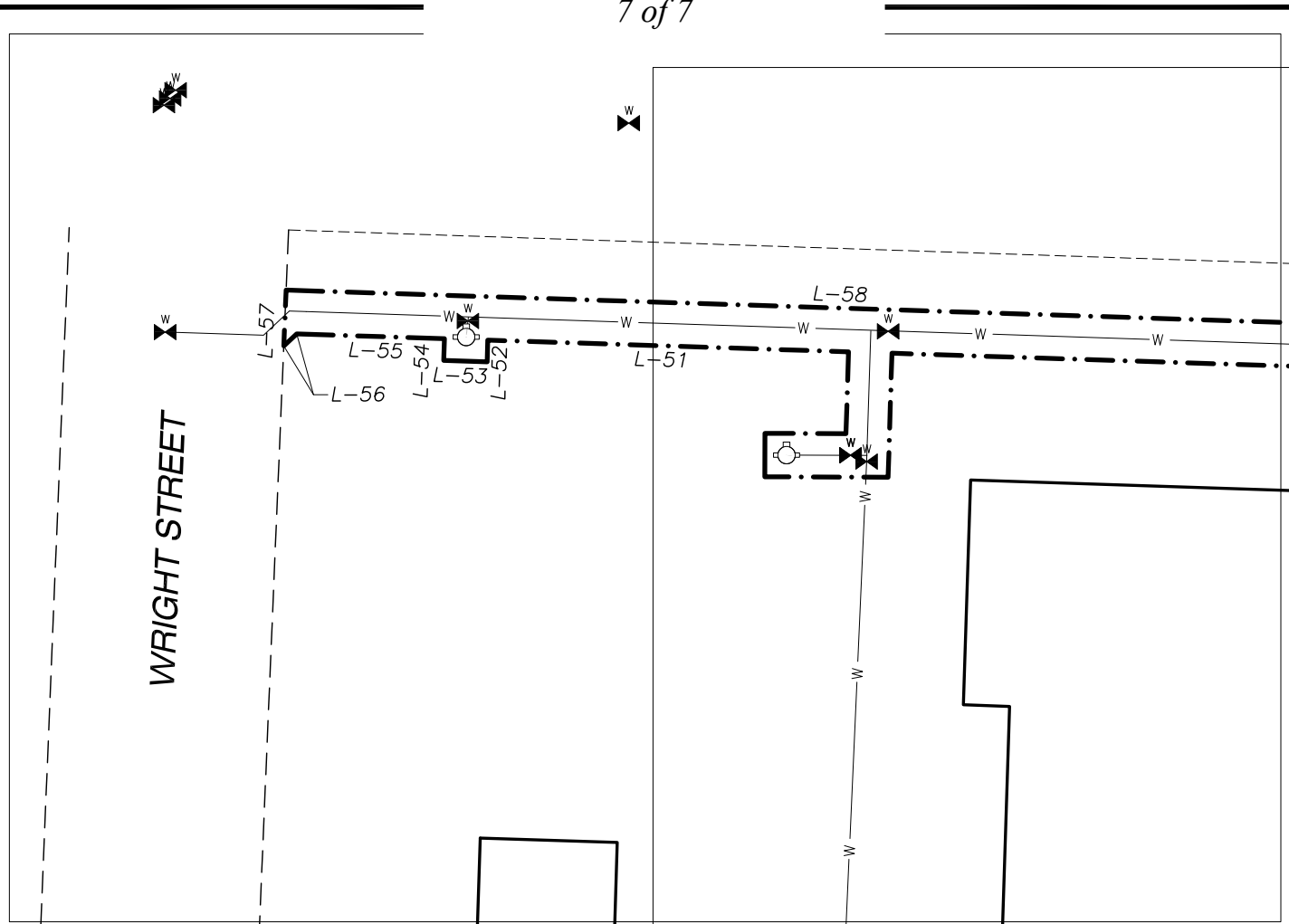
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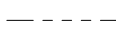
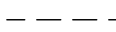

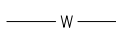
SCALE: 1" = 80'

EXHIBIT B

7 of 7



LEGEND

-  GOVERNMENT CORNER
-  HYDRANT
-  WATER VALVE
-  EASEMENT LINE
-  SECTION LINE
-  RIGHT-OF-WAY LINE
-  PLATTED LOT LINE
-  WATER LINE

NOTES

1. FIELD WORK PERFORMED BY JSD PROFESSIONAL SERVICES, INC. ON APRIL 11, 2015.
2. BEARINGS FOR THIS SURVEY AND MAP ARE BASED ON THE WISCONSIN COUNTY COORDINATE SYSTEM, (WCCS), DANE COUNTY. THE SOUTH LINE OF SOUTHEAST QUARTER OF SECTION 29-08-10, BEARS N 89°39'02" W.
3. SEE SHEET 8 OF 8 FOR LINE AND CURVE TABLE.
4. THE ABOVE METES AND BOUNDS DESCRIPTION IS INTENDED TO DESCRIBE THE EXTERIOR BOUNDARIES OF A TWENTY FOOT WIDE PARCEL, OR STRIP, LAND CENTERED OVER AN EXISTING WATER MAIN ITS FITTINGS, FIXTURES AND APPURTENANCES, INCLUDING SEPARATE TWENTY FOOT WIDE STRIPS OF LAND CENTERED ON THOSE PIPES RUNNING FROM SAID WATER MAIN TO HYDRANTS CONNECTED TO AND LOCATED ALONG SAID WATER MAIN.

EXHIBIT

PART OF THE SE 1/4 OF THE SE 1/4 OF SECTION 29 AND PART OF THE NE 1/4 OF THE NE 1/4 OF SECTION 32, TOWNSHIP 08 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.

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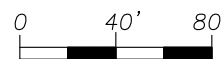
SHEET NO: 7 OF 8

SURVEYED BY: -

DRAWN BY: JK

CHECKED BY: CO

APPROVED BY: TJB



SCALE: 1" = 80'