

RESOLUTION 2021-5299

RELEASE OF STORM SEWER EASEMENT BETWEEN THE CITY OF KAUKAUNA AND LEO DRIESSEN

WHEREAS, the City of Kaukauna recorded that certain instrument dated April 29, 2008, recorded in the office of the Outagamie County Register of Deeds on May 21, 2008, as Document No. 1796378, containing a storm sewer easement; and

WHEREAS, pursuant to the terms of the Easement, the City was granted an easement in, over and upon a parcel of land situated in the City of Kaukauna, Outagamie County, Wisconsin, to-wit:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 6, BLOCK 5 OF THE LAWE, MEADE AND BLACKS ADDITION, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH 55 ° EAST, 30.14 FEET; THENCE NORTH 35 ° EAST, 21.00 FEET; THENCE NORTH 84 ° WEST, 46.63 FEET; THENCE SOUTH 35 ° WEST, 5.98 FEET; THENCE SOUTH 33 ° EAST, 12.65 FEET; THENCE NORTH 35 ° EAST, 12.00 FEET TO THE POINT OF BEGINNING.

WHEREAS, Bowland, LLC is the current owner of record of the subject property; and

WHEREAS, the City does not require the Easement and the easement will not be used for its intended purposes; and

WHEREAS, the City has entered into a revised Easement agreement with the current owner of record of the subject property; and

WHEREAS, the City releases this Easement in conjunction with the entry into the new Easement agreement with Bowland, LLC.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City hereby releases, terminates and quitclaims any and all right, title and interest in and to the Easement.

This Release is binding upon the Owner of the property underlying the Easement Area, its successors and assigns, and runs with the property underlying the described Easement area.

Introduced and adopted this 21st day of September, 2021.

APPROVED: _____
Anthony J. Penterman, Mayor

ATTEST: _____
Sally A. Kenney, City Clerk