

UTILITY EASEMENT

Document Name

("Easement") made by and between the City of Kaukauna, a Municipal Corporation ("Grantor"), and AT&T Corporation, a Foreign Business Corporation ("Collectively Grantee").

LEGAL DESCRIPTION

WHEREAS, the portion of Grantor's property subject to this Easement ("Premises") is described below and more particularly shown on Exhibit "A":

Part of Lot 18, Inside the Park Place, Document Number 2243700, located in part of the Northeast 1/4 of the Southeast 1/4, Section 35, Township 21 North, Range 18 East, City of Kaukauna, Outagamie County, Wisconsin more fully described as follows:

Commencing at the East 1/4 corner of said Section 35; thence S00°17'11"W, 200.00 feet on the east line of said Southeast 1/4; thence N89°30'26"W, 41.24 feet to the west right of way of S.T.H. '55', the **POINT OF BEGINNING**; thence continuing N89°30'26"W, 10.00 feet; thence N00°19'44"E, 10.00 feet; thence S89°30'26"E, 10.00 feet to said west right of way; thence S00°19'44"W, 10.00 feet on said west right of way to the Point of Beginning.

Said described land (easement area) contains 100 Square Foot (0.002 Acres) of land more or less.

Grantees, their respective successors and assigns, to construct, install, operate, repair, maintain and replace from time to time, facilities used in connection with overhead and underground transmission and distribution of electricity and electric energy, natural gas, telephone and cable TV facilities for such purposes as the same is now or may hereafter be used, all in, over, under, across, along and upon the property shown within those areas on the plat designated as "Utility Easement" and the property designated on the plat for streets and alleys, whether public or private, together with the right to install service connections upon, across, within and beneath the surface of each lot to serve improvements, thereon, or on adjacent lots; also the right to trim or cut down trees, brush and roots as may be reasonably required incidental to the rights herein given, and the right to enter upon the subdivided property for all such purposes.

The Grantees agree to restore or cause to have restored, the property, as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantees or their agents. This restoration, however, does not apply to the initial installation of said underground and/or above ground electric facilities, natural gas facilities, or telephone and cable TV facilities or to any trees, brush or roots which may be removed at any time pursuant to the rights herein granted.

Structures shall not be placed over Grantees' facilities or in, upon or over the property within the lines marked "Utility Easement" without the prior written consent of Grantees.

Recording Area

Name and Return Address:
City Of Kaukauna
Engineering Dept.
144 W. Second St.
Kaukauna, WI 541401

Parcel Identification Number

After installation of any such facilities, the grade of the subdivided property shall not be altered by more than six inches without written consent of grantees.

This Utility Easement Provision does not prevent or prohibit others from utilizing or crossing the Utility Easement as the Utility easement(s) are non-exclusive.

The grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

Grantee shall have the right at any and all times to go upon said strip of land for the purpose of laying, relaying, maintaining, operating, inspecting, repairing, or removing said utilities.

GRANTOR:

CITY OF KAUKAUNA

By: _____
Name: Anthony J. Penterman
Title: Mayor

By: _____
Name: Sally A. Kenny
Title: Clerk

STATE OF WISCONSIN)
) SS
COUNTY OF OUTAGAMIE)

Personally came before me on _____, 2022, the above-named Anthony J. Penterman and Sally A. Kenney, to me known by the person(s) who executed the foregoing instrument and acknowledged to me that they executed the same in their authorized capacity, and that by his/her signature on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.

Witness my hand and official seal.

Notary Public, State of Wisconsin
My commission expires: