  
Gen. Ord. No. 29 - 22 - 23. By Alderperson Perrella. March 6, 2023.

AN ORDINANCE granting Sheboygan Self Storage, LLC, its successors and assigns, the privilege of encroaching upon described portions of South 13<sup>th</sup> Street and Kentucky Avenue right of way in the City of Sheboygan for the purpose of addressing the existing building structure, emergency egress, and adding a sun shade feature.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. Subject to the terms and conditions contained herein, Sheboygan Self Storage, LLC, its successors and assigns, is hereby granted the privilege of encroaching upon South 13<sup>th</sup> Street and Kentucky Avenue right of way as follows:

A Part of the South 13th Street Right-of-way and Kentucky Avenue Right-of-way adjacent to Block 257 of the Original Plat of Sheboygan, being part of the Southeast 1/4 of the Northeast 1/4, Section 27, T15N, R23E, City of Sheboygan, Sheboygan County, Wisconsin described as follows:

Commencing at the Southeast Corner of Block 257 of the Original Plat of Sheboygan; thence N89°48'59"W 220.68 feet along the South line of said Block 257 to the POINT OF BEGINNING of this description; thence S00°34'04"W 0.38 feet along the East wall of said Building No. 1234; thence N89°58'27"W 110.47 feet along the South Wall of said Building; thence S00°01'33"W 4.00 feet; thence N89°58'27"W 34.03 feet; thence N00°30'21"E 44.04 feet; thence N89°31'49"W 1.00 feet; thence N00°30'21"E 8.00 feet; thence S89°31'49"E 5.00 feet; thence N00°30'21"E 87.59 feet along the West Wall of said Building No. 1234; thence N89°46'16"E 0.36 feet; thence S00°04'20"E 134.84 feet along the West line of Lot 7 of said Block 257; thence S89°48'59"E 138.75 feet along the South line of said Block 257 to the point of beginning. This described portion contains 557 square feet or 0.013 acres.

for the purpose of addressing the existing building structure, emergency egress, and adding a sun shade feature.

Section 2. The privilege as granted above is granted only on the condition that by the acceptance of the privilege, the said Sheboygan Self Storage, LLC, its successors and assigns:

a. Shall become primarily responsible and liable for all and any damage to persons or property caused by and arising from the grant and exercise of such privilege.

*City Plan*

b. Shall remove the encroachment allowed herein within ten (10) days after notice so to remove given by the State of Wisconsin or the City of Sheboygan; in the event of the failure so to remove, the said Showcase Painting & Drywall, its successors and assigns: shall pay the costs of removal by the State of Wisconsin or the City of Sheboygan, waiving all claim or claims for damages resulting from such removal, whether the removal is done by the said Sheboygan Self Storage, LLC, its successors and assigns, or by the State of Wisconsin or by the City of Sheboygan

c. Shall pay such compensation to the City of Sheboygan for the grant of this privilege as may be determined by a board consisting of the Mayor, the Director of Public Works and the City Attorney; the compensation shall be paid into the General Fund.

d. Shall make such construction and/or alterations and maintain the same subject to the approval of the City Building Inspector and Director of Public Works, and shall waive the right to contest in any manner the validity of this ordinance or the amount of compensation charged.

Section 3. The provisions of §66.045(1)(2) of the Wisconsin Statutes are incorporated herein by reference to all intents and purposes as if set out fully.

Section 4. The City Clerk is authorized and directed to record a certified copy of this ordinance in the office of the Register of Deeds for Sheboygan County, Wisconsin, the costs thereof to be charged to the General Fund.

Section 5. This ordinance shall take effect and be in full force from and after its passage and publication and upon payment of the consideration to be determined hereunder, provided, however, that in the event of failure to exercise the privilege herein granted and the payment of such consideration within six (6) months from the effective date hereof, then and in that event such privilege shall be rendered null and void.

I HEREBY CERTIFY that the foregoing Ordinance was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Dated \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_, City Clerk

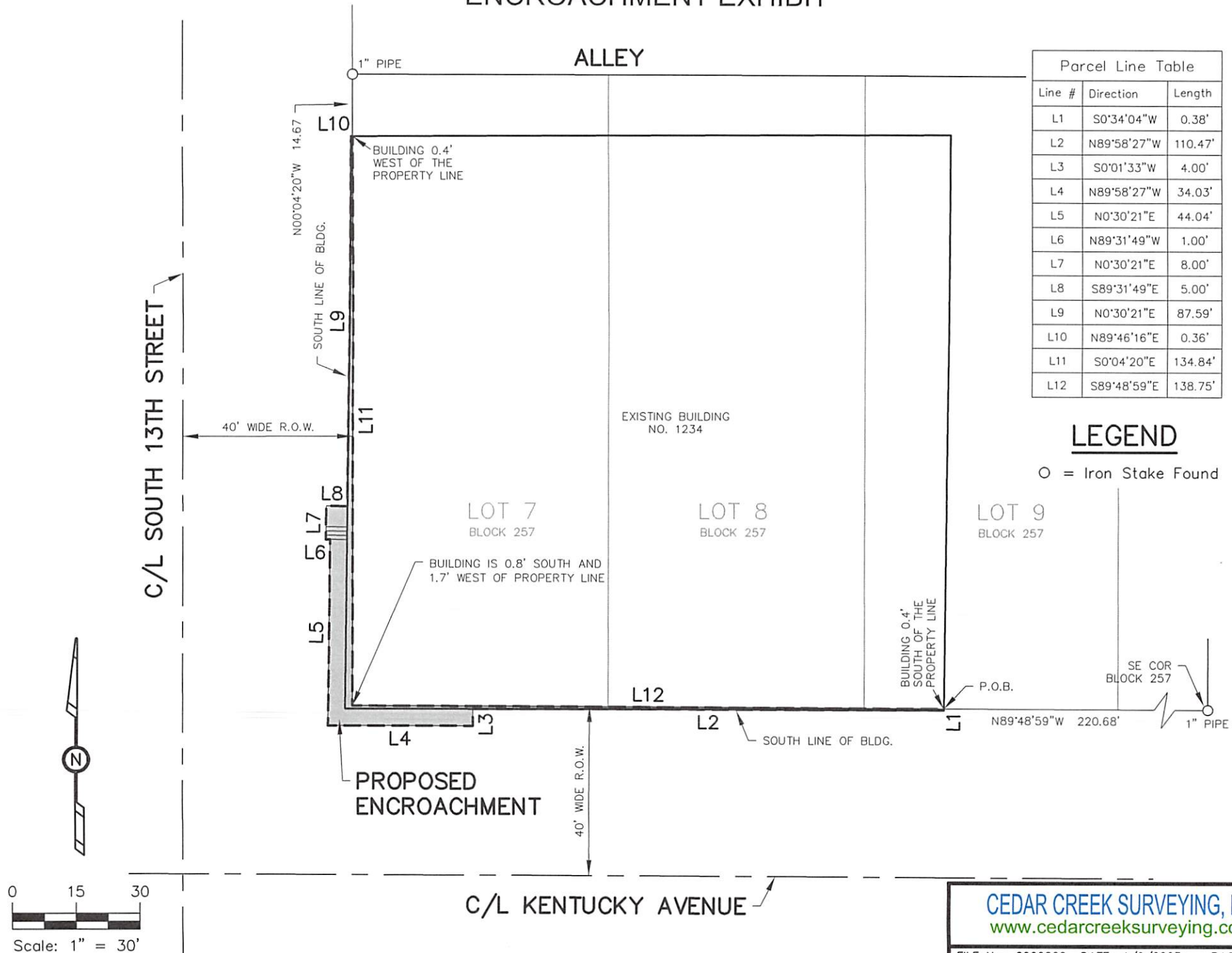
Approved \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_, Mayor

# ENCROACHMENT EXHIBIT

Parcel Line Table		
Line #	Direction	Length
L1	S0°34'04"W	0.38'
L2	N89°58'27"W	110.47'
L3	S0°01'33"W	4.00'
L4	N89°58'27"W	34.03'
L5	N0°30'21"E	44.04'
L6	N89°31'49"W	1.00'
L7	N0°30'21"E	8.00'
L8	S89°31'49"E	5.00'
L9	N0°30'21"E	87.59'
L10	N89°46'16"E	0.36'
L11	S0°04'20"E	134.84'
L12	S89°48'59"E	138.75'

## LEGEND

○ = Iron Stake Found



**CEDAR CREEK SURVEYING, LLC**  
[www.cedarcreeksurveying.com](http://www.cedarcreeksurveying.com)



Legal Description of Encroachment Area adjacent to Parcel #59281507730

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