

**CITY OF SHEBOYGAN
RESOLUTION 31-26-27**

BY ALDERPERSONS DEKKER AND KELLY.

JUNE 8, 2026.

A RESOLUTION OF NECESSITY authorizing the City to acquire certain real property and interests in land in furtherance of the Southside Sanitary Sewer System Project.

WHEREAS, the City of Sheboygan (“City”) commissioned a facilities plan for the Southside Sanitary Sewer System, which was prepared by Foth Infrastructure & Environment, LLC, originally dated July 2022 and revised February 2024 (the “Facility Plan”), to evaluate the wastewater conveyance needs of the Southside Growth Area of the City;

WHEREAS, the Facility Plan identified that the Southside Growth Area, generally bounded by Washington Avenue to the north, County Road V to the south, the U.P.R.R. to the west, and Lake Michigan to the east, requires new sanitary sewer interceptor infrastructure to convey projected peak wastewater flows of approximately 15.7 million gallons per day from anticipated residential, commercial, and industrial development to the City’s Wastewater Treatment Facility;

WHEREAS, the Facility Plan evaluated three alignment alternatives and, based upon a total present worth cost analysis, environmental impact assessment, and review of cultural and natural resources, recommended Alternative 1 (the Alliant Corridor alignment) as the most cost-effective means of serving the Southside Growth Area, at an estimated total capital cost of \$38.4 million to be constructed in up to three segments (the “Project”);

WHEREAS, the Facility Plan was prepared pursuant to the requirements of Chapter NR 110 of the Wisconsin Administrative Code and a public hearing on the Facility Plan was held on January 24, 2023, and the Project is to be funded in part through the State of Wisconsin Clean Water Fund loan program;

WHEREAS, the recommended alignment for the sanitary sewer interceptor traverses portions of the following properties: (a) Tax Key No. 59281472507, being part of Lot 1 of a Certified Survey Map recorded in Volume 18 of Certified Survey Maps, at Pages 65/66, as Document No. 1607248, being a redivision of Volume 11 of Certified Survey Maps, at Page 151, and also a part of the Northwest 1/4 of the Northeast 1/4 of Section 10, Township 14 North, Range 23 East, in the City of Sheboygan, Sheboygan County, Wisconsin (“Parcel 11”); and (b) Tax Key No. 59030454780, located in part of the Northwest 1/4 of Section 10, Township 14 North, Range 23 East, in the Town of Wilson, Sheboygan County, Wisconsin (“Parcel 13”) (together, the “Properties”), and the City requires, across each of the Properties, (i) a permanent limited sanitary sewer easement for the installation, maintenance, replacement, and access of a sanitary sewer and appurtenant facilities, and (ii) a temporary limited sanitary sewer easement for construction access, equipment

staging, materials storage, and site restoration in connection with the installation of such facilities, which temporary limited easements shall terminate upon the earlier of completion of construction and restoration of the affected areas, or March 6, 2029, all as described and depicted in Exhibit A (legal descriptions) and Exhibit B (easement plats) attached hereto;

WHEREAS, the Common Council of the City of Sheboygan finds that the acquisition of the permanent limited sanitary sewer easements and the temporary limited sanitary sewer easements over the Properties will serve a public purpose because the permanent limited easements will enable the City to install, operate, and maintain essential sanitary sewer infrastructure to serve current and future residents and businesses of the Southside Growth Area, and the temporary limited easements will provide necessary construction access, staging, and restoration areas in connection therewith, thereby protecting public health and water quality and complying with applicable requirements of Chapter NR 110 of the Wisconsin Administrative Code;

WHEREAS, the City has statutory authority to acquire property interests for sewage purposes pursuant to Wis. Stat. §§ 62.22(1)(a) and 62.18(13), and to construct, extend, and improve sewerage facilities pursuant to Wis. Stat. §§ 66.0819(1) and 66.0821(2)(a)1., and to exercise the power of condemnation for such purposes pursuant to Wis. Stat. §§ 32.02(1) and 32.05, and the determination of necessity for such acquisition is made by the City pursuant to Wis. Stat. § 32.07(2);

WHEREAS, the Common Council has adopted a resolution making written findings in compliance with Wis. Stat. § 32.03(6)(bm) with respect to Parcel 13, and has caused such findings to be served upon the owner or owners of the property and upon the Town of Wilson prior to the adoption of this Resolution;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Sheboygan, Sheboygan County, Wisconsin, as follows:

1. That the above WHEREAS clauses, including Exhibits A and B, are hereby incorporated into and made a part of this Resolution.
2. That this Resolution constitutes a determination of necessity adopted in accordance with Wis. Stat. § 32.07(2), and that the acquisition of the permanent limited sanitary sewer easements and temporary limited sanitary sewer easements over the Properties, as described in Exhibits A and B, is necessary for a public purpose, namely: (a) the permanent limited sanitary sewer easements for the installation, maintenance, replacement, and access of the Southside Sanitary Sewer Interceptor and appurtenant facilities; and (b) the temporary limited sanitary sewer easements for construction access, equipment staging, materials storage, and site restoration in connection with the installation of such facilities, which temporary limited easements shall terminate upon the earlier of (i) completion of construction and restoration of the affected areas, or (ii) March 6, 2029.

3. That the Project is necessary for the safety, health, welfare, and convenience of the public in the City of Sheboygan, and the acquisition of the easement interests described herein is required to further the provision of sanitary sewer service to the Southside Growth Area.
4. That the Common Council hereby authorizes and directs the Mayor, City Clerk, City Attorney, and such other City officials as may be appropriate to take all actions necessary to acquire the easement interests identified in Exhibits A and B in accordance with Wis. Stat. ch. 32.
5. That the required easement interests, as identified in Exhibits A and B, shall be acquired in the name of the City of Sheboygan.
6. That this Resolution shall take effect upon passage and publication as required by law.

PASSED AND ADOPTED BY THE CITY OF SHEBOYGAN COMMON COUNCIL

_____.

Presiding Officer

Attest

Ryan Sorenson, Mayor, City of
Sheboygan

Meredith DeBruin, City Clerk, City of
Sheboygan

EXHIBIT A
LEGAL DESCRIPTION OF PROPERTY INTERESTS

PARCEL 11: Tax ID 59281472507

PERMANENT SANITARY SEWER EASEMENT:

Part of Lot 1 of a Certified Survey Map recorded in Volume 18 of Certified Survey Maps, at Pages 65/66, as Document No. 1607248, being a redivision of Volume 11 of Certified Survey Maps, at Page 151, and also a part of the Northwest 1/4 of the Northeast 1/4 of Section 10, Township 14 North, Range 23 East, in the City of Sheboygan, Sheboygan County, Wisconsin, described as follows:

Commencing at the Northwest corner of the Northeast 1/4 of said Section 10; thence South 00°15'24" West along the West line of said Northeast 1/4 Section, 33.01 feet to a point on the South right-of-way line of C.T.H. "EE" and the point of beginning of lands described hereinafter; thence South 88°33'03" East along said South line 39.95 feet to a point on the East line of said Lot 1; thence South 00°20'56" West along said East line 199.76 feet; thence South 88°33'03" East along said East line 0.38 feet; thence South 00°15'24" West 128.26 feet; thence South 21°24'44" West 110.83 feet to a point on the West line of said Northeast 1/4 Section; thence North 00°15'24" East 432.23 feet to the point of beginning.

Said Lands contain 0.348 acres more or less.

Said Permanent Easement to be used for the installation, maintenance/replacement and access of a sanitary sewer.

TEMPORARY LIMITED SANITARY SEWER EASEMENT:

Part of Lot 1 of a Certified Survey Map recorded in Volume 18 of Certified Survey Maps, at Pages 65/66, as Document No. 1607248, being a redivision of Volume 11 of Certified Survey Maps, at Page 151, and also a part of the Northwest 1/4 of the Northeast 1/4 of Section 10, Township 14 North, Range 23 East, in the City of Sheboygan, Sheboygan County, Wisconsin, described as follows:

Commencing at the Northwest corner of the Northeast 1/4 of said Section 10; thence South 00°15'24" West along the West line of said Northeast 1/4 Section, 33.01 feet to a point on the South right-of-way line of C.T.H. "EE"; thence South 88°33'03" East along said South line 39.95 feet to a point on the East line of said Lot 1; thence South 00°20'56" West along said East line 199.76 feet; thence South 88°33'03" East along said East line 0.38 feet; thence South 00°15'24" West 99.52 feet to the point of beginning of lands described hereinafter; thence continue South 89°44'36" East 30.00 feet; thence South 00°15'24" West 50.00 feet; thence North 89°44'36" West 38.23 feet; thence North 21°24'44" East 22.80 feet; thence North 00°15'24" East 28.73 feet; to the point of beginning.

Said Lands contain 0.036 acres more or less.

Said Temporary Limited Easements to be used for the purpose of installation of a sanitary sewer and shall be terminated upon the earlier of (i) completion of construction and restoration of the affected areas, or (ii) March 6, 2029.

PARCEL 13: Tax ID 59030454780

PERMANENT SANITARY SEWER EASEMENT:

Part of the Northwest 1/4 of Section 10, Township 14 North, Range 23 East, in the Town of Wilson, Sheboygan County, Wisconsin, described as follows:

Commencing at the Northeast corner of the Northwest 1/4 of said Section 10; thence South 00°15'24" West along the East line of said Northwest 1/4 Section, 360.01 feet to the point of beginning of lands described hereinafter; thence continue South 00°15'24" West 105.22 feet; thence South 21°24'44" West 369.93 feet; thence South 00°17'33" West 520.00 feet; thence North 88°43'07" West 40.01 feet; thence North 00°17'33" East 526.77 feet; thence North 21°24'44" East 474.77 feet; thence South 88°44'28" East 2.16 feet to the point of beginning.

Said Lands contain 0.871 acres more or less.

Said Permanent Easement to be used for the installation, maintenance/replacement and access of a sanitary sewer.

TEMPORARY LIMITED SANITARY SEWER EASEMENT:

Part of the Northwest 1/4 of Section 10, Township 14 North, Range 23 East, in the Town of Wilson, Sheboygan County, Wisconsin, described as follows:

Commencing at the Northeast corner of the Northwest 1/4 of said Section 10; thence South 00°15'24" West along the East line of said Northwest 1/4 Section, 465.23 feet; thence South 21°24'44" West 369.93 feet; thence South 00°17'33" West 520.00 feet; thence South 88°43'07" East 50.01 feet; thence North 00°17'33" East 511.54 feet; thence North 21°24'44" East 231.40 feet; thence North 00°15'24" East 138.54 feet to the point of beginning.

Said Lands contain 0.937 acres more or less.

Said Temporary Limited Easement to be used for the purpose of installation of a sanitary sewer and shall be terminated upon the earlier of (i) completion of construction and restoration of the affected areas, or (ii) March 6, 2029.

**EXHIBIT B
EASEMENT PLATS**

[Easement Exhibit 11, prepared by Foth Infrastructure & Environment, LLC,
Project I.D. 0024S042.01, surveyed 05/27/24, prepared 06/25/25,
checked 06/25/25, to be attached hereto]

[Easement Exhibit 13, prepared by Foth Infrastructure & Environment, LLC,
Project I.D. 0024S042.01, surveyed 05/27/24, prepared 06/25/25,
checked 06/25/25, revised 01/13/26, to be attached hereto]