

**CITY OF SHEBOYGAN
DIRECT REFERRAL GENERAL ORDINANCE 5-24-25
TO CITY PLAN COMMISSION**

BY ALDERPERSONS BELANGER AND PERRELLA.

JUNE 25, 2024.

AN ORDINANCE granting VUE 14, LLC, its successors and assigns, the privilege of encroaching upon described portions of Illinois Avenue right of way in the City of Sheboygan for the purpose of creating front steps to the building.

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

Section 1. Subject to the terms and conditions contained herein, VUE 14, LLC, its successors and assigns, is hereby granted the privilege of encroaching upon Illinois Avenue right of way as follows:

A 5.00 foot permanent easement over, under, and across that part of Illinois Avenue as dedicated on THE ORIGINAL PLAT OF THE CITY OF SHEBOYGAN, Sheboygan County, Wisconsin, lying to the right of the following described lines:

Commencing at the northwest corner of Lot 6, Block 247, said THE ORIGINAL PLAT OF THE CITY OF SHEBOYGAN; thence on an assumed bearing of North 89 degrees 58 minutes 33 seconds East, along the north line of said Block 247, a distance of 47.12 feet to Point 'A' and the point of beginning; thence North 0 degrees 03 minutes 52 seconds East 1.24 feet and said line there terminating.

AND

Beginning at aforementioned Point 'A'; thence North 89 degrees 58 minutes 33 seconds East 45.94 feet to Point "B" and the point of beginning; thence North 0 degrees 03 minutes 52 seconds East 2.17 feet and said line there terminating.

AND

Beginning at aforementioned Point 'B'; thence North 89 degrees 58 minutes 33 seconds East 45.94 feet to Point "C" and the point of beginning; thence North 0 degrees 03 minutes 52 seconds East 4.10 feet and said line there terminating.

AND

Beginning at aforementioned Point 'C'; thence North 89 degrees 58 minutes 33 seconds East 32.06 feet to Point "D" and the point of beginning; thence North 0 degrees 03 minutes 52 seconds East 5.05 feet and said line there terminating.

AND

Beginning at aforementioned Point 'D'; thence North 89 degrees 58 minutes 33 seconds East 45.94 feet to Point "E" and the point of beginning; thence North 0 degrees 03 minutes 52 seconds East 5.98 feet and said line there terminating.

AND

Beginning at aforementioned Point 'E'; thence North 89 degrees 58 minutes 33 seconds East 26.00 feet to the point of beginning; thence North 0 degrees 03 minutes 52 seconds East 6.94 feet and said line there terminating.

Said easement contains 127 square feet more or less.

for the purpose of adding front steps to the building.

Section 2. The privilege as granted above is granted only on the condition that by the acceptance of the privilege, the said VUE 14, 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.

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 VUE 14, LLC, 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 VUE 14, 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.

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