

**CITY OF SHEBOYGAN
GENERAL ORDINANCE 17-25-26**

BY ALDERPERSON CLOSE.

SEPTEMBER 23, 2025.

AN ORDINANCE granting Quasius Construction Co., its successors and assigns, the privilege of encroaching upon described portions of Niagara Avenue and North 8th Street right of way in the City of Sheboygan for the purpose of expanding of the Weill Center for Performing Arts building.

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

Section 1. This Ordinance enlarges the encroachment area and replaces Gen. Ord. No. 4-25-26 adopted on June 2, 2025 by the City of Sheboygan Common Council and recorded in the Sheboygan County Register of Deeds Office on June 13, 2025 as Document No. 2179570.

Section 2. Subject to the terms and conditions contained herein, Quasius Construction Co., its successors and assigns, is hereby granted the privilege of encroaching upon Niagara Avenue and North 8th Street right of way as follows:

Part of Niagara Avenue and North 8th Street right-of-way as platted in the Original Plat of Sheboygan, City of Sheboygan, Sheboygan County, Wisconsin, described as:

Commencing at the Northwest corner of Lot 6, Block 127 of the Original Plat of Sheboygan; thence S89°35'21"E 157.96 feet along the North line of said Block 127 and the South right-of-way line of Niagara Avenue to the POINT OF BEGINNING of this description; thence N0°24'39"E 29.00 feet; thence S89°35'21"E 75.00 feet; thence N0°24'39"E 35.00 feet; thence S89°35'21"E 149.01 feet; thence S0°19'53"W 103.97 feet; thence N89°40'07"W 21.00 feet; thence N0°19'53"E 40.00 feet along the East line of said Block 127 and the West right-of-way line of North 8th Street to the Northeast corner of Lot 1 of said Block 127; thence N89°35'21"W 203.10 feet along the North line of said Block 127 and the South right-of-way line of Niagara Avenue to the point of beginning.

The described area contains 12,554 square feet, or 0.288 acres.

for the purpose of expanding the Weill Center for Performing Arts building.

Section 3. The privilege as granted above is granted only on the condition that by the acceptance of the privilege, the said Quasius Construction Co., 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 Quasius Construction Co., 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 Quasius Construction Co., 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 4. 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 5. 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 6. 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