

**CITY OF SHEBOYGAN
GENERAL ORDINANCE 18-23-24**

BY ALDERPERSON MITCHELL.

AUGUST 21, 2023.

AN ORDINANCE repealing Gen. Ord. No. 11-04-05 relating to the grant of encroachment privileges to Gurpal Wisconsin Stations, LLC.

WHEREAS, the current owners of the property located at 1026 North 14th Street have advised the City that they no longer need to encroach upon City right of way and have requested that the City terminate the encroachment privilege granted by way of Gen. Ord. No. 11-04-05.

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

SECTION 1: **AMENDMENT** Gen. Ord. No. 11-04-05 passed on June 21, 2004 (copy attached), which had granted Gurpal Wisconsin Stations, LLC, their heirs and assigns, the privilege of encroaching upon described portions of Ontario Ave. located at 1026 North 14th Street in the City of Sheboygan, for the purpose of maintaining a canopy and ice storage building, is hereby repealed in its entirety.

SECTION 2: **REGISTER OF DEEDS** 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 3: **REPEALER CLAUSE** All ordinances or resolutions or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 4: **EFFECTIVE DATE** This Ordinance shall be in effect from and after its passage and publication according to 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

OFFICE OF CITY CLERK
SHEBOYGAN, WI

Plt CITY HALL
828 Center Ave
Sheb

I hereby certify that this is a true copy of a document from the Common Council proceedings of the City of Sheboygan.

Patricia Lohse
City Clerk

X
Gen. Ord. No. // - 04 - 05. By Alderpersons Baumann and Peterson.
June 7, 2004.

AN ORDINANCE granting Gurpal Wisconsin Stations, LLC, its successors and assigns, the privilege of encroaching upon described portions of Ontario Ave. located at 1028 N. 14th St. in the City of Sheboygan for the purpose of maintaining a canopy and ice storage building.

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

Section 1. Subject to the terms and conditions contained herein, Gurpal Wisconsin Stations, LLC, its successors and assigns, is hereby granted the privilege of encroaching 2.0' south of the north r.o.w. line of Ontario Ave. from 108.0' west of the west r.o.w. line of N. 14th St. to 116.0' west of the west r.o.w. of N. 14th St. containing 16 sq. ft. and a canopy from 15.0' west of the west r.o.w. line of N. 14th St. to 38.0' west of the west r.o.w. line of N. 14th St. and extending SE 15.0' from the north r.o.w. line of Ontario Ave. thence NE 18.0' to the north r.o.w. line of Ontario Ave. containing 135.0 sq. ft., Lots 1 & 2, Blk 89, Original Plat, City of Sheboygan, in accordance with the sketch attached hereto and made a part hereof.

Section 2. The privilege as granted above is granted only on the condition that by the acceptance of the privilege, the said Gurpal Wisconsin Stations, 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 Gurpal Wisconsin Stations, 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 Gurpal Wisconsin Stations, LLC, its successors and assigns, or by the State of Wisconsin or by the City of Sheboygan.

1738471

SHEBOYGAN COUNTY, WI
RECORDED ON

07/01/2004 03:52PM

DARLENE J. NAVIS
REGISTER OF DEEDS

RECORDING FEE: 13.00
TRANSFER FEE:

STAFF ID 2
TRANS # 45749

OF PAGES: 2

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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.

*Plon Comm
favorable
Warner / Stepler
Ord be passed.*

[Signature]
Robert R. Stepler

I HEREBY CERTIFY that the foregoing Ordinance was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the 21st day of June, 2004.

Dated June 23 2004, Susan Richards Deputy City Clerk

Approved June 23 2004, James L. Schramm, Mayor

Proceedings Published June 26 2004

Ordinances Published June 26 2004

Certified June 28 2004 to Atty.; Ord. Book; Dir. of City Dev.; Assessor; DPW; Bldg. Insp.; Eng.; Register of Deeds; Gurpal Wisconsin Statitions, LLC