

2 **RESOLUTION: Approve the Request of Premier Soda Creek Estates LLC for Winnebago**
3 **County to Grant a Temporary Construction Easement to Facilitate the**
4 **Building of a Walking Path from the Premier Soda Creek Estates’ Multi-**
5 **Family Housing Project into the Community Park**

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8 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

9 **WHEREAS**, Winnebago County is presently involved in a sizeable infrastructure improvement project of the
10 Winnebago County Community Park that is intended to enhance the functionality of the park road system and
11 establish a 2½ mile shared use path network; and

12 **WHEREAS**, it is anticipated that the presence of a 10-foot wide shared use path will become a major
13 recreational asset for the community that will draw interest from a broad array of citizens; and

14 **WHEREAS**, Premier Soda Creek Estates LLC is a private interest that is in the planning stages of building a
15 large apartment complex on property located just outside the northwest corner of the Community Park and south of
16 Jacktar Road in Oshkosh; and

17 **WHEREAS**, it has been recognized by Premier Soda Creek Estates LLC that with the presence of the
18 shared use path in close proximity to the apartment complex, there is a tremendous opportunity to make available to
19 its residents a secure and dependable means for persons to access the abundant leisure service opportunities
20 accessible in the park via the shared use path network; and

21 **WHEREAS**, Premier Soda Creek Estates LLC wishes to proceed with construction of a 10-foot wide asphalt
22 path running from the northeast corner of the Soda Creek Estates Multi-Family Housing Project approximately 223
23 feet southeast across parkland property and link up with the Community Park shared use path; and

24 **WHEREAS**, in order to facilitate development of the aforementioned project, Premier Soda Creek Estates
25 LLC requests that Winnebago County consider granting a 20-foot wide by 223-foot long construction easement that
26 would allow Premier Soda Creek Estates LLC the necessary access in order to build the aforementioned 10-foot
27 wide paved path from the Premier Soda Creek Estates’ Multi-Family Housing Project to the Community Park shared
28 use path; and

29 **WHEREAS**, to ensure that the correct construction methods are implemented and that the Premier Soda
30 Creek Estates’ LLC path follows a set route, the City of Oshkosh has opted to demonstrate its support of the project
31 by allowing a Winnebago County-generated document containing a detailed list of specifications and expectations for
32 constructing the path to be attached to and made a part of the City of Oshkosh—Premier Soda Creek Estates’ LLC
33 Developers Agreement; and

34 **WHEREAS**, Premier Soda Creek Estates LLC shall recognize Winnebago County as a named co-insured
35 and shall assume responsibility to pay liabilities that arise out of any and all activities associated with Winnebago
36 County’s granting of the required temporary construction easement; and

37 **WHEREAS**, your undersigned Committee believes that it would be in the best interests of Winnebago
38 County to proceed in approving the aforementioned temporary construction easement in order to accommodate the
39 Premier Soda Creek Estates’ LLC path building project within the Community Park.

89 Vote Required for Passage: **Majority of Those Present**

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91 Approved by the Winnebago County Executive this ____ day of _____, 2015.

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Mark L Harris
Winnebago County Executive