

# Agenda Item Report



**Winnebago County**  
*The Wave of the Future*

DATE: FEBRUARY 21, 2022  
TO: PARKS AND RECREATION COMMITTEE  
FROM: DIRECTOR OF PARKS AND EXPO CENTER  
RE: WPS ACCESS AND MAINTENANCE EASEMENT

## **Background:**

In 2021, the Parks Department began construction on the Sunnyview Exposition Center East Campus Improvements. As part of this project, the Parks Department is upgrading and expanding the electrical service. Due to these improvements, Wisconsin Public Service (WPS) needs to upgrade 1 transformer and add 2 new transformers to the site. In order to install these services, WPS is requesting an easement in the locations of the transformers and the associated high voltage underground wires.

## **Requested Action:**

The Parks Department recommends that the Parks and Recreation Committee approves the easement between Wisconsin Public Service and Winnebago County for the purposes of installing and maintaining transformers at the Sunnyview Exposition Center site.

## **Attachments:**

- Draft Resolution
- Proposed Easement from WPS

1  
2  
3 **RESOLUTION: Authorize an Access and Maintenance Easement to Wisconsin Public Service**  
4 **Corporation for the Purposes of Providing Upgraded Electrical Services to the**  
5 **Sunnyview Exposition Center.**  
6

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

9 **WHEREAS**, the Winnebago County Parks Department is in the process of constructing the Phase 1  
10 Sunnyview Exposition Center East Campus Improvements; and

11 **WHEREAS**, Wisconsin Public Service Corporation needs to install 3 new electrical transformers on the  
12 Sunnyview Exposition Center site located at 500 E County Road Y, Oshkosh, WI 54901; and

13 **WHEREAS**, Wisconsin Public Service Corporation is requesting an electric underground easement in order  
14 to install and maintain their electrical services on Winnebago County Park property.  
15

16 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby  
17 authorizes the proposed easement from Wisconsin Public Service Corporation.  
18

19 **Fiscal Impact:** No fiscal impact. This project is part of the existing Sunnyview Exposition Center East Campus  
20 Capital Improvement Project that began in 2021.  
21

22 Respectfully submitted by:

23 **PARKS & RECREATION COMMITTEE**

24 Committee Vote:

25 Respectfully submitted by:

26 **PERSONNEL & FINANCE COMMITTEE**

27 Committee Vote:

28 Vote Required for Passage: **Three-Fourths of Membership**  
29

30 Approved by the Winnebago County Executive this \_\_\_\_ day of \_\_\_\_\_, 2022  
31

32 \_\_\_\_\_  
33 Jon Doemel  
34 Winnebago County Executive



1/25/2022

Wisconsin Public Service Corporation  
P.O. Box 19001  
Green Bay, WI 54307-9001  
[www.wisconsinpublicservice.com](http://www.wisconsinpublicservice.com)

ROW

Winnebago County, a State of Wisconsin Municipal Corporation  
PO Box 2808  
Oshkosh, WI 54903-2808

Dear Customer:

You or your agent recently worked with a Wisconsin Public Service Corporation (WPSC) representative to define the location of an easement at ***500 E County Rd Y in the City of Oshkosh, County of Winnebago, State of Wisconsin.***

I have enclosed two copies of the easement for your review. The exhibit is only temporary until the final one can be completed. When the final exhibit is complete we will send it along with a copy of the easement for your review. After you review the exhibit, the document will be recorded with the Office of the Register of Deeds. Signing this document will allow WPSC to install facilities on your property in the location described in the easement.

Please note that the Public Service Commission entitles you to a minimum of five days to examine the materials provided. However, you have the option to waive the five-day review period and sign and return the easement at any time.

*You will note that the documents **require** you to sign them in the presence of a **Notary Public**.* Please make the necessary arrangements to meet with a Notary Public in your vicinity and have the Notary sign the documents where indicated. All signatures and blanks filled in must be completed in **BLACK INK** to be accepted by the Register of Deeds for recording.

Please return one of the documents to me in the pre-paid envelope provided at your earliest convenience. The second document is for your records. Installation cannot be scheduled until the completed document has been received.

Please contact me if you have any questions regarding the easement. Please refer to Work Request **3303643**.

Thank you.

Sincerely,

Katherine Troudt - Right of Way Agent  
Wisconsin Public Service Corporation  
(920) 433-1816  
[Katherine.Troudt@wecenergygroup.com](mailto:Katherine.Troudt@wecenergygroup.com)

Enclosure

**1061920** WPSC

DOCUMENT NUMBER

**ELECTRIC UNDERGROUND EASEMENT**

THIS INDENTURE is made this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between **Winnebago County, a State of Wisconsin Municipal Corporation**, ("Grantor") and **WISCONSIN PUBLIC SERVICE CORPORATION**, a Wisconsin Corporation, along with its successors and assigns (collectively, "Grantee") for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor, owner of land, hereby grants and warrants to, Grantee, a permanent easement upon, within, beneath, over and across a part of Grantor's land hereinafter referred to as "easement area" more particularly described as follows:

Part of the Parcel described in Winnebago County Register of Deeds Volume 1363 on page 456, recorded as Document Number 429697, being part of the West One Half of the Southeast Quarter (W 1/2-SE 1/4) and the East One Half of the Southwest Quarter (E 1/2-SW 1/4) of Section 25, Township 19 North, Range 16 East, **City of Oshkosh, County of Winnebago, State of Wisconsin**, as shown on the attached Exhibit "A".

Return to:  
Wisconsin Public Service Corp.  
Real Estate Dept.  
P.O. Box 19001  
Green Bay, WI 54307-9001

Parcel Identification Number (PIN)  
**91530000000**

1. **Purpose: ELECTRIC UNDERGROUND** - The purpose of this easement is to construct, install, operate, maintain, repair, replace and extend underground utility facilities, conduit and cables, electric pad-mounted transformers, manhole, electric pad-mounted switch-fuse units, electric pad-mounted vacuum fault interrupter, concrete slabs, power pedestals, riser equipment, terminals and markers, together with all necessary and appurtenant equipment under and above ground as deemed necessary by Grantee, all to transmit electric energy, signals, television and telecommunication services, including the customary growth and replacement thereof. Trees, bushes, branches and roots may be trimmed or removed so as not to interfere with Grantee's use of the easement area.
2. **Access:** Grantee shall have the right to enter on and across any of the Grantor's property outside of the easement area as may be reasonably necessary to gain access to the easement area and as may be reasonably necessary for the construction, installation, operation, maintenance, inspection, removal or replacement of the Grantee's facilities.
3. **Buildings or Other Structures:** Grantor agrees that no structures will be erected in the easement area or in such close proximity to Grantee's facilities as to create a violation of all applicable State of Wisconsin electric and gas codes or any amendments thereto.
4. **Elevation:** Grantor agrees that the elevation of the ground surface existing as of the date of the initial installation of Grantee's facilities within the easement area will not be altered by more than 4 inches without the written consent of Grantee.

5. **Restoration:** Grantee agrees to restore or cause to have restored Grantor's land, as nearly as is reasonably possible, to the condition existing prior to such entry by Grantee or its agents. This restoration, however, does not apply to any trees, bushes, branches or roots which may interfere with Grantee's use of the easement area.
6. **Exercise of Rights:** It is agreed that the complete exercise of the rights herein conveyed may be gradual and not fully exercised until sometime in the future, and that none of the rights herein granted shall be lost by non-use.
7. **Binding on Future Parties:** This grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.
8. **Easement Review:** Grantor acknowledges receipt of materials which describe Grantor's rights and options in the easement negotiation process and furthermore acknowledges that Grantor has had at least 5 days to review this easement document *or* voluntarily waives the five day review period.

[REMAINDER OF PAGE LEFT BLANK]

WITNESS the hand and seal of the Grantor the day and year first above written.

**Winnebago County, a State of Wisconsin Municipal Corporation**

Corporate Name \_\_\_\_\_

Sign Name \_\_\_\_\_

Print name & title \_\_\_\_\_

Sign Name \_\_\_\_\_

Print name & title \_\_\_\_\_

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )SS  
\_\_\_\_\_ )

This instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by the above-named \_\_\_\_\_

**Winnebago County, a State of Wisconsin Municipal Corporation**, to me known to be the Grantor(s) who executed the foregoing instrument on behalf of said Grantor(s) and acknowledged the same

Sign Name \_\_\_\_\_

Print Name \_\_\_\_\_

Notary Public, State of \_\_\_\_\_

My Commission expires: \_\_\_\_\_

This instrument drafted by: Katherine Troutt

Wisconsin Public Service Corporation

Date	County	Municipality	Site Address	Parcel Identification Number
January 25, 2022	Winnebago	City of Oshkosh	500 E County Rd Y	91530000000
Real Estate No.	WPSC District	WR#	WR Type	I/O
1061920	Oshkosh-40	3303643	ECA	6000272

# EXHIBIT "A"

NOT TO SCALE  
FOR REFERENCE ONLY

