

**PERPETUAL EASEMENT FOR PUBLIC
STORM WATER MANAGEMENT PURPOSES**

Gavin Link (the “Owner”), being the owner of the property described in attached Exhibit A (the “Owner’s Property”), in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the sufficiency and receipt whereof is hereby acknowledged, and the benefits that will inure to the Owners by reason of the public storm water drainage way, does grant and convey to the **City of Madison**, a Wisconsin municipal corporation (the “City”), its successors and assigns, a perpetual limited easement for public storm water management purposes (“Easement”), including, but not limited to, the right of ingress and egress; the right to excavate, operate, maintain, repair, and modify the storm water drainage way; and the right to perform all work incidental thereto; in certain portions of the Owner’s Property more particularly described in Exhibit A and depicted on attached Exhibit B (“Easement Area B”).

RETURN TO: City of Madison
 EDD–Office of Real Estate Services
 P.O. Box 2983
 Madison, WI 53701-2983

Tax Parcel Nos.: 251-0709-323-0517-5

This Easement is subject to the following conditions:

1. Construction, Restoration, Repair and Maintenance.
 - a. The work of construction, repair and maintenance by the City shall be done and completed in a good and professional manner at the sole expense of the City. The work shall be performed in a manner as to not cause damage to property.
 - b. All areas affected by the work contemplated herein will be promptly restored at the new elevations of the constructed public storm water drainage way. Said restoration shall be performed at the sole expense of the City after completion of the work, or as soon thereafter as weather reasonably permits, and in a manner satisfactory to the Owner.
 - c. No grade change to Easement Area B shall be made by the Owner without the prior written approval of the City’s City Engineer.
2. Reservation of Use by Owner. The Owner reserves the right to use and occupy Easement Area B in a manner consistent with the rights herein conveyed, provided that such use and occupancy shall not interfere with or disturb the construction, operation, maintenance, repair, or modification of the drainage way. No buildings or structures of any kind shall be built over Easement Area B without the written permission of the City of Madison Engineer.
3. Compliance. The Owner and the City shall comply with all applicable laws, including, but not limited to, any laws, standards, regulations, or permit requirements relating to environmental pollution or contamination or to occupational health and safety.

4. Amendment. This Easement may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest.
5. Binding Effect. The rights and easement granted herein shall be deemed to be covenants running with the land and shall inure to the benefit of and shall be binding upon the parties hereto and their respective successors and assigns.
6. Applicable Law. This Easement shall be construed in accordance with the laws of the State of Wisconsin.
7. Severability. If any term or provision of this Easement is held to be invalid or unenforceable by a court of competent jurisdiction, then such holding shall not affect any of the remaining terms and provisions of this Easement and the same shall continue to be effective to the fullest extent permitted by law.
8. Public Record. This Easement shall be recorded at the office of the Dane County Register of Deeds.

Dated this ____ day of _____, 2017.

By: _____
Gavin Link

State of Wisconsin)
)ss.
 County of Dane)

Personally came before me this _____ day of _____, 2017, the above named Gavin Link known to me to be the persons who executed the above and foregoing instrument and acknowledged the same.

 Notary Public, State of Wisconsin

 Print or Type Name
 My Commission: _____

Acceptance of this Easement is authorized by Resolution Enactment No. _____, File ID No. _____, adopted by the Common Council of the City of Madison on _____, 2017.

This instrument was drafted by the City of Madison Office of Real Estate Services

Real Estate Section Project No. 11372
 Engineering Project No. 11589

EXHIBIT A

Easement Area :

LINK, GAVIN
251-0709-323-0517-5
1923 REETZ RD.

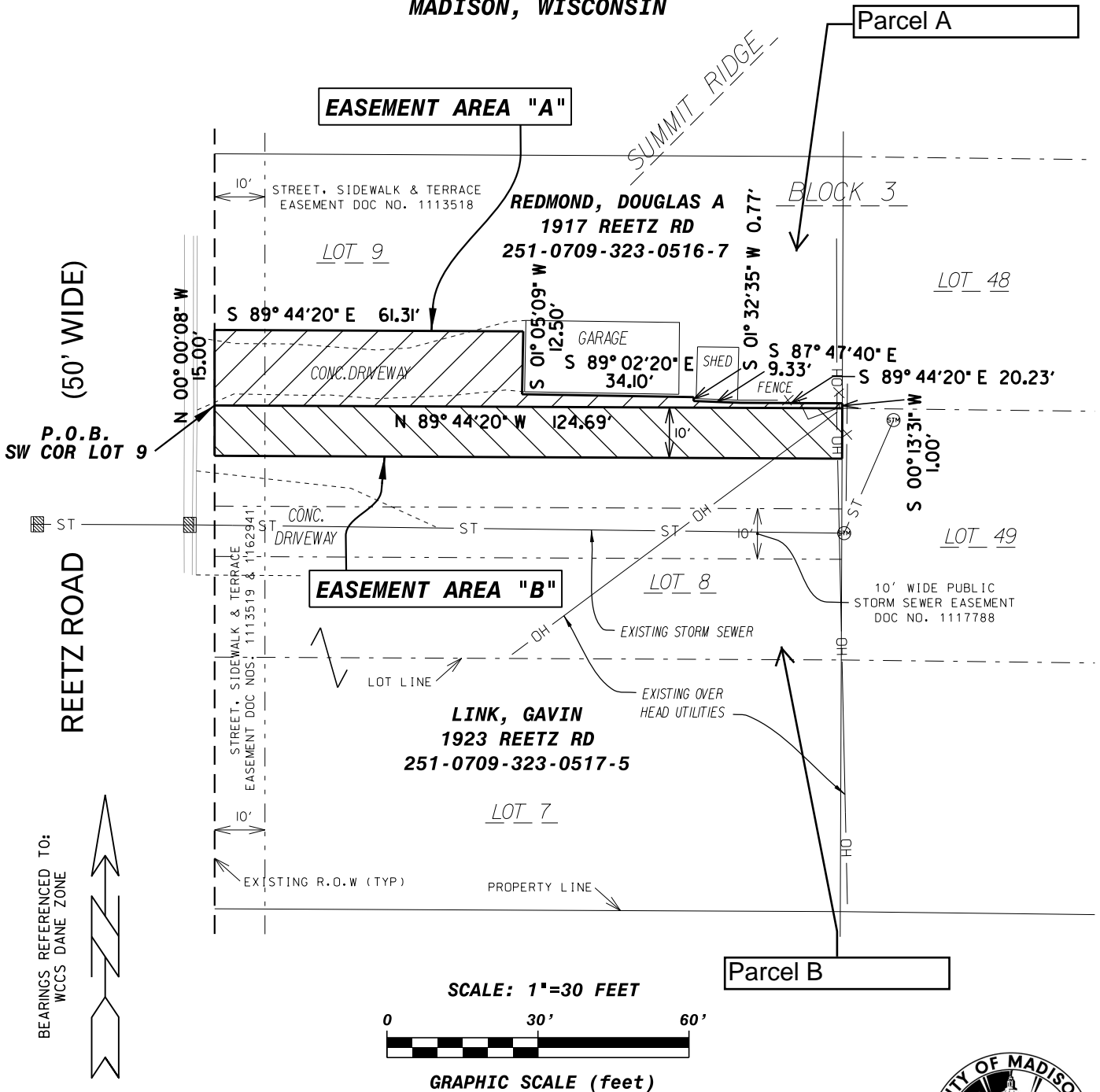
The north 10' of Lot 8, Block 3, Summit Ridge, recorded in Volume 2, of Plats on page 21A, as Document No. 442962, Dane County Register of Deeds, being located in part of the Southwest Quarter (1/4) of the Southwest Quarter (1/4), of Section 32, Town 7 North, Range 9 East, City of Madison, Dane County, Wisconsin.

Containing: 1,247 square feet, more or less.

EXHIBIT B

PUBLIC STORM WATER DRAINAGE EASEMENT

**DEPARTMENT OF PUBLIC WORKS
CITY ENGINEERING DIVISION
MADISON, WISCONSIN**



FILENAME:
M:\DESIGN\Projects\ 11589\Survey\Drawings\Easement Drainage\11589SVY-Easement.dgn
DATE: 6/26/2017
ENGR. PROJ. NO. 11589
REAL ESTATE PROJ. NO. 11355
REVISED: