

**In the Matter of Approving a Distribution Easement Underground to the Wisconsin Electric Power Company as Grantee and the Village of River Hills as Grantor**

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**RESOLUTION NO. 2023-03**

**WHEREAS**, the Village of River Hills (the “Grantor”) owner of lands at Parcel #090-0011-000, Parcel #090-9985-000, and Parcel #090-9982-001, in the Village of River Hills, Milwaukee County, Wisconsin, (the “Property”) agrees to grant an easement to the Wisconsin Electric Power Company (d.b.a. We Energies), (the Grantee”); and

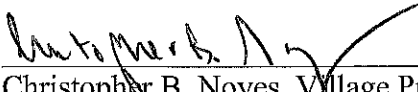
**WHEREAS**, the Grantee desires a permanent easement to construct, install operate, maintain, repair, replace and extend underground utility facilities, together with all necessary and appurtenant equipment under and above ground as deemed necessary by Grantee, all to transmit electric energy; and

**WHEREAS**, the Easement does not allow utility poles to be installed within the easement area. Trees, bushes, branches and roots may be trimmed or removed so as not to interfere with Grantee’s use of the easement area; and

**WHEREAS**, attached to this Resolution is a Distribution Easement Underground (the “Easement”) setting forth the terms and conditions of the Easement.

**NOW, THEREFORE, BE IT RESOLVED** by the Village Board of the Village of River Hills, that the attached Distribution Easement Underground is approved and the Village President and the Village Clerk are authorized and directed to sign the Easement.

**PASSED AND ADOPTED** by the Village Board of the Village of River Hills this 8<sup>th</sup> day of March 2023.

  
\_\_\_\_\_  
Christopher B. Noyes, Village President

  
\_\_\_\_\_  
Tammy LaBorde, Village Clerk

**DISTRIBUTION EASEMENT  
UNDERGROUND**

Document Number

WR NO. **4772366** IO NO. **76580**

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **Village of River Hills**, hereinafter referred to as "Grantor", owner of land, hereby grants and warrants to **WISCONSIN ELECTRIC POWER COMPANY, a Wisconsin corporation doing business as We Energies**, hereinafter referred to as "Grantee", a permanent easement upon, within, beneath, over and across a part of Grantor's land hereinafter referred to as "easement area".

The easement area is described as strips of land ten (10) feet in width being a part of grantor's land in the **Northwest 1/4 of Section 17, Township 8 North, Range 22 East, Village of River Hills, Milwaukee County, Wisconsin.**

The location of the easement area with respect to Grantor's land is as shown on the attached drawing, marked Exhibit "A", and made a part of this document.

RETURN TO:  
We Energies  
PROPERTY RIGHTS & INFORMATION GROUP  
231 W. MICHIGAN STREET, ROOM P277  
PO BOX 2046  
MILWAUKEE, WI 53201-2046

1. **Purpose:** 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. Grantee agrees that utility poles shall not be installed within the easement area. 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 or its agents shall have the right to enter and use Grantor's land with full right of ingress and egress over and across the easement area and adjacent lands of Grantor for the purpose of exercising its rights in the easement area.
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 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 some time 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.

090-0011-000 and 090-9985-000 and  
090-9982-001  
(Parcel Identification Number)

Grantor:

Village of River Hills

By Christopher B. Noyes

(Print name and title): Christopher B. Noyes, Village President

By Tammy LeBorde

(Print name and title): Tammy LeBorde, Village Manager

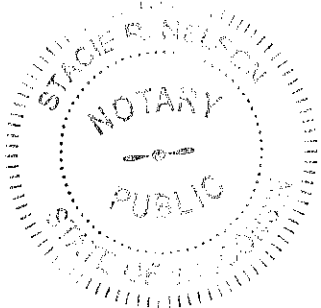
Personally came before me in Milwaukee County, Wisconsin on March 8, 2023.

the above named Village President, the Village Manager

and \_\_\_\_\_, the \_\_\_\_\_

of the Village of River Hills, for the municipal corporation, by its authority, and pursuant to Resolution File

No. 2023-03 adopted by its Village Board of Trustees on March 8, 2023.



(NOTARY STAMP/SEAL)

Stacie R Nelson

Notary Public Signature, State of Wisconsin

Stacie R Nelson

Notary Public Name (Typed or Printed)

My commission expires 07/10/2026