

RESOLUTION NO. 2020-125

**RESOLUTION OF THE VILLAGE OF CALEDONIA APPROVING THE
RESTRICTIVE COVENANT CREATING SANITARY SEWER EASEMENT RIGHTS
FOR THE VILLAGE IN TAX INCREMENTAL DISTRICT NO. 5**

WHEREAS, the Village of Caledonia has approved a certified survey map for the redevelopment of property (**Parcel Numbers:** 104-04-23-21-003-000, 104-04-23-21-005-000, 104-04-23-21-006-000) ("Redevelopment Parcels") in Tax Incremental District No. 5;

WHEREAS, the Village of Caledonia Utility District operates components of the municipal sanitary sewer system that are to be installed and exist on the Redevelopment Parcels and restrictive covenants and an easement are needed for access, construction, and protection of the sewer system infrastructure. The purpose of the Restrictive Covenant is to create easement rights as proposed in the document for the benefit of the Village and the District, for (i) the future inspection, maintenance, repair, and/or replacement of the Municipal Infrastructure located in, under, and/or on the Property, by the Village and/or District, and (ii) access to and from the Municipal Infrastructure, and its related easement area;

WHEREAS, the final Certified Survey Map for the Redevelopment Parcels is not ready to be recorded as site details need to be refined, however, in accordance with the Development Agreement with CCM-Caledonia, LLC, the Village intends to transfer the Redevelopment Parcels by December 31, 2020 and needs to place its easement and access rights to the Municipal Infrastructure of record before the transfer;

NOW, THEREFORE, BE IT RESOLVED by the Caledonia Village Board that the draft of the Restrictive Covenant Creating Sanitary Sewer Easement Rights for the Village as set forth in **Exhibit A** attached hereto and incorporated herein is hereby authorized and approved, and the Village Attorney is authorized to review and approve the final draft in substantially the same form of the Restrictive Covenant and the Village President and Village Clerk are authorized to execute the final Restrictive Covenant and the Village Administrator and the Village Utility Director are authorized to take such actions necessary in furtherance thereof.

HST Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this day of December 2020.

VILLAGE OF CALEDONIA

By: 

James R. Dobbs
Village President

Attest: 

Karie Pope
Village Clerk