

**TEMPORARY GRADING EASEMENT**

**THIS EASEMENT is made by and between** the CITY OF FRANKLIN, a municipal corporation of the State of Wisconsin, hereinafter referred to as “City”, and \_\_\_\_\_ as Owners (including successors and assigns of above Owners as may be or may become applicable), hereinafter called “Grantor”, (if more than one Grantor is listed above, said language herein referring thereto shall be interpreted in the plural and refer jointly and severally to such as Grantors).

WITNESSETH

WHEREAS, Grantor is the owner and holder of record Title to certain real property particularly described on Exhibit “A” which is attached hereto and incorporated herein (the property); and

WHEREAS, City of Franklin desires the right to perform temporary grading per the approved plan as shown on the plan attached hereto as Exhibit “A”.

NOW THEREFORE, in consideration of the grant of the easement hereinafter described, the grading within the described easement, and the payment of One Dollar (\$1.00) and other valuable consideration to the Grantor the receipt whereof is hereby acknowledged, said Grantor, being the owner and person interested in the land hereinafter described, does hereby grant unto \_\_\_\_\_ temporary grading easement, more particularly described on Exhibit “A” attached hereto (the “Easement area”).

1. That said easement used only for grading purposes.
2. That the length of term of this easement shall expire \_\_\_\_\_.
3. That no structures shall be placed within the limits of this easement.
4. That City of Franklin shall be responsible for landscaping within the easement area. Landscaping shall consist of establishing and maintaining a residential quality grass cover through the term of this easement.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seals this

ON THIS DATE OF: \_\_\_\_\_, 200\_.

\_\_\_\_\_  
Company Name

By: \_\_\_\_\_

By: \_\_\_\_\_

STATE OF WISCONSIN )  
                                  SS  
COUNTY OF MILWAUKEE)

Before me personally appeared on the \_\_\_\_\_ day of \_\_\_\_\_, A.D. 200\_, the above named

\_\_\_\_\_  
President or Name printed

\_\_\_\_\_  
Secretary or Name printed

to me known to be the person(s) who executed the foregoing Easement and acknowledged the same as the voluntary act and deed of said corporation.

\_\_\_\_\_  
NOTARY PUBLIC

My commission expires \_\_\_\_\_

CITY OF FRANKLIN

By: \_\_\_\_\_

Thomas M. Taylor, Mayor

By: \_\_\_\_\_

Sandra L. Wesolowski, City Clerk

STATE OF WISCONSIN )  
                                  SS  
COUNTY OF MILWAUKEE)

On this \_\_\_\_\_ day of \_\_\_\_\_, 200\_, before me personally appeared Thomas M. Taylor and Sandra L. Wesolowski, who being by me duly sworn, did say that they are respectively the Mayor and City Clerk of the City of Franklin, and that the seal affixed to said instrument is the corporate seal of said municipal corporation, and acknowledged that they executed the foregoing assignment as such officers as the deed of said municipal corporation by its authority, and pursuant to resolution file No. \_\_\_\_\_ adopted by its Common Council on \_\_\_\_\_, 200\_.

\_\_\_\_\_  
Notary Public, Milwaukee County, Wisconsin

My commission expires \_\_\_\_\_

Exhibit A

Temporary Grading Easement