

Resolution No.2015-09

**RESOLUTION ACCEPTING DEDICATION OF PUBLIC IMPROVEMENTS IN THE
DYNEX DRIVE AND CAPITOL DRIVE RIGHT OF WAY**

WHEREAS, Kwik Trip hereafter called "DEVELOPER" has constructed the following public improvements: asphalt roadway, curb and gutter, storm sewer, sidewalk, street lighting and a traffic control signal system in the Dynex Drive and Capitol Drive Right-of-Way; and

WHEREAS, the DEVELOPER has completed the construction and installation of the following improvements:

- 250 linear feet of 36-foot Face-to-Face asphalt roadway on Dynex Drive
- 982 feet of eighteen-inch concrete curb and gutter
- 149 feet of twelve-inch concrete storm sewer
- 2 concrete apron endwalls
- 6 concrete storm catch basins
- 1 concrete storm manhole
- 1,608 square feet of concrete sidewalk
- 10.2 feet of six-inch water main, one six-inch valve
- 1 fire hydrant
- Traffic control system consisting of a control cabinet with signal controller, pole bases, pull boxes, signal poles, mounting arms, signal head and other miscellaneous components necessary to create a complete system.

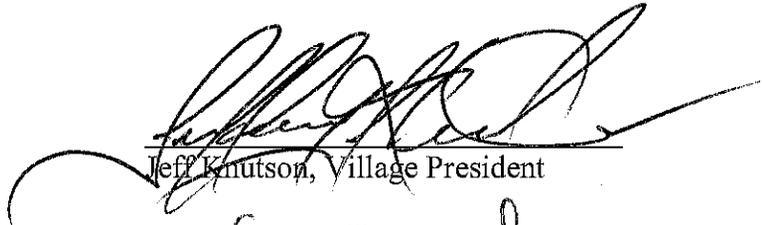
and appurtenances (collectively called "**IMPROVEMENTS**") in accordance with the Standard Development Agreement between the DEVELOPER and the Village of Pewaukee, hereafter called the "VILLAGE" and the provisions of Chapter 40 of the Municipal Code of the Village of Pewaukee. Furthermore, the Director of Public Works has certified the systems' acceptability; and

WHEREAS, it is the DEVELOPER'S intent to, without charge to the VILLAGE, unconditionally give, grant, convey and fully dedicate the IMPROVEMENTS to the VILLAGE, free and clear of all encumbrances, including representation that all of the work and materials have been fully paid for and lien waivers have been obtained from all contractors, sub-contractors, and material suppliers; and

WHEREAS, the DEVELOPER shall guarantee the public improvements to be dedicated against any defects due to faulty materials or workmanship which appear within a period of one (1) year from the date of dedication and shall pay for any damages resulting therefrom to the VILLAGE property and shall indemnify the VILLAGE against any claims, suits, or liabilities brought against the VILLAGE at any time arising out of the alleged defects or other failure of this guarantee.

NOW, THEREFORE, the Village Board of the Village of Pewaukee hereby accepts dedication of the public improvements.

Dated this 7th day of July, 2015

A large, stylized handwritten signature in black ink, appearing to read 'Jeff Knutson', written over a horizontal line.

Jeff Knutson, Village President

A handwritten signature in black ink, appearing to read 'Chaz Schumacher', written over a horizontal line.

Chaz Schumacher, Deputy Village Clerk

WAIVER OF LIEN

December 18, 2014

FOR VALUE RECEIVED, we hereby waive all rights and claims for lien on land and on buildings about to be erected, being erected, erected, altered or repaired and to the appurtenances thereunto,

For The Village of Pewaukee and State of Wisconsin owner,
by Gerald Nell Inc. contractor,
for Improvements and all work related to the Kwik Trip project completed within the property limits and public right of ways according to the drawings approved by and direction provided by the Village of Pewaukee.

same being situated in Waukesha County, State of Wisconsin, described as
Kwik Trip #865 - Pewaukee
130 Dynex Street
Pewaukee, WI 53072

for all labor performed and for all material furnished for the erection, construction, alteration or repair of said building and appurtenances In full.

GERALD NELL INC.

Company Name



Signature

MICHAEL A NELL PRESIDENT

Printed Name

Title

WAIVER OF LIEN

December 29, 2014

FOR VALUE RECEIVED, we hereby waive all rights and claims for lien on land and on buildings about to be erected, being erected, erected, altered or repaired and to the appurtenances thereunto,

For The Village of Pewaukee and State of Wisconsin owner,
by Gerald Nell Inc. contractor,
for Improvements and all work related to the Kwik Trip project completed within the property limits and public right of ways according to the drawings approved by and direction provided by the Village of Pewaukee.

same being situated in Waukesha County, State of Wisconsin, described as
Kwik Trip #865 - Pewaukee
130 Dynex Street
Pewaukee, WI 53072

for all labor performed and for all material furnished for the erection, construction, alteration or repair of said building and appurtenances In full.

AMERICAN ASPHALT MATERIALS, LLC.
Company Name

Robert A. Baatz
Signature

ROBERT A. BAATZ, MANAGER
Printed Name Title

WAIVER OF LIEN

December 29, 2014

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For The Village of Pewaukee and State of Wisconsin owner,
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Pewaukee, WI 53072

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D. C. Burbach, Inc.

W228 N2762 Duplainville Road

Company Name Waukesha, WI 53186

Signature
PETER H. BURBACH, PRESIDENT
Printed Name Title

WAIVER OF LIEN

December 29, 2014

FOR VALUE RECEIVED, we hereby waive all rights and claims for lien on land and on buildings about to be erected, being erected, erected, altered or repaired and to the appurtenances thereunto,

For The Villags of Pewaukee and State of Wisconsin owner,
by Gerald Nell Inc. contractor,

for Improvements and all work related to the Kwik Trip project completed within the property limits and public right of ways according to the drawings approved by and direction provided by the Villags of Pewaukee.

same being situated in Waukesha County, State of Wisconsin, described as
Kwik Trip #865 - Pewaukee
130 Dynex Street
Pewaukee, WI 53072

for all labor performed and for all material furnished for the erection, construction, alteration or repair of said building and appurtenances In full.

OUTDOOR LIGHTING CONST. CO., INC.
8628 W. Calumet Rd.
Milwaukee, WI 53224

Company Name

Signature

Printed Name

Title

DAVID DLUGOPOLSKI **PRESIDENT**

WAIVER OF LIEN

December 29, 2014

FOR VALUE RECEIVED, we hereby waive all rights and claims for lien on land and on buildings about to be erected, being erected, erected, altered or repaired and to the appurtenances thereunto,

For The Village of Pewaukee and State of Wisconsin owner,
by _____ contractor,
for Improvements and all work related to the Kwik Trip project completed within the property limits and public right of ways according to the drawings approved by and direction provided by the Village of Pewaukee.

same being situated in Waukesha County, State of Wisconsin, described as
Kwik Trip #865 - Pewaukee
130 Dynex Street
Pewaukee, WI 53072

for all labor performed and for all material furnished for the erection, construction, alteration or repair of said building and appurtenances In full.

Bedrock Sewer & Water, Inc
Company Name

Jami Radtke
Signature

Jami Radtke President
Printed Name Title

WAIVER OF LIEN

December 29, 2014

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For The Village of Pewaukee and State of Wisconsin owner, _____

by D&L Grading Inc contractor, _____

for Improvements and all work related to the Kwik Trip project completed within the property limits and public right of ways according to the drawings approved by and direction provided by the Village of Pewaukee.

same being situated in Waukesha County, State of Wisconsin, described as _____

Kwik Trip #865 - Pewaukee

130 Dynex Street

Pewaukee, WI 53072

for all labor performed and for all material furnished for the erection, construction, alteration or repair of said building and appurtenances in full.

D&L Grading Inc
Company Name

Benjamin W. Horn
Signature

BENJAMIN W. HORN Vice Pres.
Printed Name Title

WAIVER OF LIEN

December 29, 2014

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For The Village of Pewaukee and State of Wisconsin owner,

by Gerald Neil Inc. contractor,

for Improvements and all work related to the Kwik Trip project completed within the property limits and public right of ways according to the drawings approved by and direction provided by the Village of Pewaukee.

same being situated in Waukesha County, State of Wisconsin, described as

Kwik Trip #865 - Pewaukee

130 Dynex Street

Pewaukee, WI 53072

for all labor performed and for all material furnished for the erection, construction, alteration or repair of said building and appurtenances In full.

CENTURY FENCE COMPANY
Company Name

Lawrence N. Leppla
Signature

LAWRENCE N. LEPLA VIP-FINANCE
Printed Name Title

WAIVER OF LIEN

December 29, 2014

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For The Village of Pewaukee and State of Wisconsin owner,

by Gerald Neil Inc. contractor,

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130 Dynex Street

Pewaukee, WI 53072

for all labor performed and for all material furnished for the erection, construction, alteration or repair of said building and appurtenances In full.

R.A. Smith National, Inc.

Company Name

Heidi Rebernick

Signature

Heidi Rebernick

Printed Name

Accounting Specialist

Title

WAIVER OF LIEN

December 29, 2014

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130 Dynex Street
Pewaukee, WI 53072

for all labor performed and for all material furnished for the erection, construction, alteration or repair of said building and appurtenances In full.

Pro-SERL Paving, Inc
Company Name

[Handwritten Signature]
Signature

Michael Pellwitz product
Printed Name Title

WAIVER OF LIEN

December 29, 2014

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same being situated in Waukesha County, State of Wisconsin, described as

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130 Dynex Street

Pewaukee, WI 53072

for all labor performed and for all material furnished for the erection, construction, alteration or repair of said building and appurtenances In full.

Midwest Drilled Foundations + Eng.
Company Name

Erik Wildes
Signature

Erik Wildes
Printed Name

Acct. Executive
Title