

**CITY OF CHIPPEWA FALLS
BOARD OF PUBLIC WORKS
MEETING MINUTES
MONDAY, AUGUST 23, 2021 – 5:30 PM**

The Board of Public Works met in City Hall on Monday, August 23, 2021 at 5:30 PM. Attending were Mayor Greg Hoffman, Director of Public Works Rick Rubenzer P.E., Finance Manager Lynne Bauer, Alderperson Hayden Frey and Tom Hubbard. Assistant City Engineer Bill McElroy P.E. also attended and those on the attached attendance roster.

1. **Motion** by Hubbard, seconded by Bauer to approve the minutes of the July 26, 2021 Board of Public Works meeting. **All present voting aye. MOTION CARRIED.**

2. Jim Schuh and Frank Smoot appeared on behalf of the Chippewa Area History Center (CAHC) to request that eleven CAHC blue guidance/directional signs be placed on existing poles around the city as shown on the attachment. Director of Public Works Rubenzer stated that the city had adopted Wisconsin Department of Transportation rules and guidance for placement of blue guidance/directional signs in public right-of-way and that the city controlled this type of sign placement along connecting highways (in this case STH #124). Director of Public Works Rubenzer continued that the Park Board was in the process of requesting placement of similar guidance/directional signage around the city for Irvine Park and that this may be an opportunity for doubling up since both locations are essentially the same. Director of Public Works Rubenzer continued that signage in or along the Riverfront at River and Bridge streets had been previously and is currently discouraged. He stated that people looking for a destination generally use GPS these days but that signs within a couple of blocks of the destination (in this case Bridgewater Avenue and Jefferson Avenue-STH #124) make sense. Mr. Schuh stated that the signs were requested at high traffic locations where more motorists would see them. Mr. Smoot laid out a tentative schedule hoping for completion of the Chippewa Area History Center around February 2022. Mayor Hoffman suggested CAHC representatives discuss possible dual signage with Park and Recreation Director John Jimenez and the Park Board. Director of Public Works Rubenzer will discuss the sign request with West Central Regional Plan Commission. **No action was taken.**

3. The Board of Public Works considered the request for exception to Chippewa Falls Municipal Code 8.06(5)(f) seven year street cut moratorium from St. Charles to install a two inch water service in Spruce Street due to unforeseen circumstances. Director of Public Works Rubenzer stated that Spruce Street paving was five years old and that he didn't believe St. Charles could have anticipated the need for a 2" water service in 2016 when Spruce Street was reconstructed. He stated he had no issues with granting the exception to Chippewa Falls Municipal Code 8.06(5)(f).
Motion by Hoffman, seconded by Hubbard to grant the request for exception to Chippewa Falls Municipal Code 8.06(5)(f) seven year street cut moratorium from St. Charles to install a two inch water service in Spruce Street due to unforeseen circumstances. **All present voting aye. MOTION CARRIED.**

4. Dan and Roberta Burtness appeared to request that part of parcel #22809-1241-60790004 be quit claimed to them as about a third of a pole shed they own encroached onto the parcel. Burtness's have recently purchased the property from Ronald and Janice Gantner who previously obtained the parcel from Floyd Hallum. Mr. Burtness provided the attached documentation showing the Railroad quit claimed (Deed #268427) the parcel to

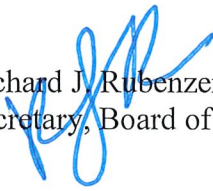
Hallum's in 1953 for \$183. Director of Public Works Rubenzer stated that the city obtained this parcel from American Materials Corporation in 1976 for \$8,500 and received the attached Quit Claim Deed #386157 (recorded December 2, 1976). He continued that he believes that is why the Chippewa County GIS map lists the City of Chippewa Falls as the owner. Director of Public Works Rubenzer stated his opinion was that the parcel could be sold or quit claimed to the Burtness's. Attorney Ferg had opined that if the pole shed had been there for a long time, it would probably constitute adverse possession for the area that it is on and advised to either take no action or solicit a proposal with an appropriate legal description for the area that the shed is on.

Motion by Hoffman, seconded by Hubbard to recommend the Common Council quit claim part of a parcel around a pole shed encroaching on parcel #22809-1241-60790004 to Daniel and Roberta Burtness. **Voting Aye were Hoffman, Hubbard, Fery and Rubenzer.**
Voting nay was Bauer. MOTION CARRIED.

5. Assistant City Engineer Bill McElroy presented background information and a history of Prentice Street between Morris Street and Fourth Avenue (see attached). After discussion about the project, Assistant City Engineer McElroy will review possible segments of Prentice Street to present to the Board of Public Works for inclusion in the Five Year Street Improvement Program and propose moving other proposed projects down the list. **No Action Taken.**

6. Assistant City Engineer McElroy presented background information and a history of River Street between Bridge Street and USH #53 (see attached). The Board of Public Works discussed when the segment between Fleet Street and USH #53 might be reconstructed and funding alternatives for the same.
Motion by Hoffman, seconded by Hubbard to recommend the Common Council move forward with bonding for reconstruction of River Street between Fleet Street and USH #53 in 2023. **All present voting aye. MOTION CARRIED.**

7. **Motion** by Hubbard, seconded by Bauer to adjourn. **All present voting aye. MOTION CARRIED.** The Board of Public Works meeting adjourned at 7:00 P.M.


Richard J. Rubenzer, PE
Secretary, Board of Public Works

BOARD OF PUBLIC WORKS ATTENDANCE SHEET

DATE: August 23, 2021

| NAME | COMPANY REPRESENTING | ADDRESS | PHONE # | EMAIL |
|------------------|------------------------------------|---------------------|----------------|-------|
| DANIEL BURTNESS | | 4535 - 167 st | 715 829 7400 | |
| ROBERTA BURTNESS | | 4535 117th St. C.F | 715-829-2858 | |
| JIM SCHUBA | Chippewa County Historical Society | 5432 178th St. C.F | 715-726-2326 | |
| FRANK SMOOT | " | 321 EAST GREENVILLE | 715 225 - 7469 | |
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NOTICE OF PUBLIC MEETING

CITY OF CHIPPEWA FALLS, WISCONSIN

IN ACCORDANCE with the provisions of Chapter 19, Subchapter IV of the Statutes of the State of Wisconsin, notice is hereby given that a public meeting of the:

Board of Public Works: XXX

Reasonable accommodations for participation by individuals with disabilities will be made upon request. Please call 715-726-2736.

Will be held on **Monday, August 9, 2021 at 5:30 P.M. in the City Hall Council Chambers**, Chippewa Falls, Wisconsin. Items of business to be discussed or acted upon at this meeting are shown on the attached Agenda or listed below:

NOTE: If you are a board member and unable to attend this meeting, please contact the Engineering Dept. at 726-2736.

NOTE:

THE BOARD OF PUBLIC WORKS MEETING

FOR

MONDAY, AUGUST 9, 2021

IS

CANCELLED

DUE TO A LACK OF AGENDA ITEMS.

NOTICE IS HEREBY GIVEN THAT A MAJORITY OF THE CITY COUNCIL MAY BE PRESENT AT THIS MEETING TO GATHER INFORMATION ABOUT A SUBJECT OVER WHICH THEY HAVE DECISION MAKING RESPONSIBILITY.

Please note that attachments to this agenda may not be final and are subject to change. This agenda may be amended as it is reviewed.

CERTIFICATION

I hereby certify that a copy of this Notice was placed in the Chippewa Herald mailbox, 1st floor, City Hall and posted on the City Hall Bulletin Board on Wednesday, August 4, 2021 at 10:00 AM by Mary Bowe.

**CITY OF CHIPPEWA FALLS
BOARD OF PUBLIC WORKS
MEETING MINUTES
MONDAY, JULY 26, 2021 – 5:30 PM**

The Board of Public Works met in City Hall on Monday, July 26, 2021 at 5:30 PM. Attending were Director of Public Works Rick Rubenzer P.E., Finance Manager Lynne Bauer, Alderperson Hayden Frey and Tom Hubbard. Mayor Greg Hoffman was absent.

1. **Motion** by Rubenzer, seconded by Bauer to approve the minutes of the July 12, 2021 Board of Public Works meeting. **All present voting aye. MOTION CARRIED.**

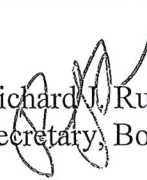
2. The Board of Public Works discussed the replacement of the City underground fuel tank and system located at the City garage. Director of Public Works Rubenzer stated that he had obtained estimates for underground tank removal and site testing, developing a spills prevention plan and installing a new above ground tank and system. The City Engineering Department and Street Department would assist in the process anywhere possible. Director of Public Works Rubenzer stated that the fuel system removal and replacement was not in the City engineering area of expertise. The range of costs to perform the existing Tank System Site Assessment (TSSA) for underground storage tank (UST) removal and design and engineering administrative services for a new above ground storage tank including a spills prevention plan ranges from \$23,000 to \$59,000 depending on which services are chosen and provided. Director of Public Works Rubenzer stated that a request for proposal or qualifications was not necessary but could be undertaken if the Council desired. Director of Public Works Rubenzer then requested permission to negotiate a proposal that would come back to the Common Council for consideration.
Motion by Hubbard, seconded by Frey to authorize Director of Public Works Rubenzer to negotiate a scope of services and obtain a proposal for the replacement of the City fuel system without utilizing a request for proposal and/or qualifications process and then bring the negotiated proposal to the Common Council for consideration. **All present voting aye. MOTION CARRIED.**

3. The Board of Public Works considered the attached Revision #1, June 11, 2021 for State Municipal Financial Agreement for a State-Let Highway Project for resurfacing on STH #124 from Elm Street to CTH S; Project ID 8610-08-03/73. Director of Public Works Rubenzer stated that the original State Municipal Agreement approval in 2019 had \$105,000 in estimated Plan Development charges which now had increased to \$117,094 and the local share had increased from \$16,775 to \$18,150. In addition, real estate acquisition charges were now included which is a 100% Federal/State share of funding item. Director of Public Works Rubenzer looked up the proposed WDOT program construction year and it is 2025.
Motion by Rubenzer, seconded by Hubbard to recommend the Common Council approve the attached Revision #1, June 11, 2021 for State Municipal Financial Agreement for a State-Let Highway Project for resurfacing on STH #124 from Elm Street to CTH S, Project ID 8610-08-03/73 and authorize Mayor Hoffman to execute the said agreement. **All present voting aye. MOTION CARRIED.**

4. The Board of Public Works considered the attached Revision #1, June 14, 2021 for State Municipal Financial Agreement for a State-Let Highway Project for resurfacing on STH #124 from High Street to Bridge Street, Project ID 8610-02-04/74. Director of Public Works Rubenzer stated that the original State Municipal Agreement approval in 2019 had \$124,000 in estimated Plan Development charges which now had increased to \$217,237 and the local share had decreased from \$355,300 to \$215,309. In addition, real estate acquisition charges were now included which is a 100% Federal/State share of funding item. Director of Public Works Rubenzer looked up the proposed WDOT program construction year and it is 2025. He noted that water main construction had been removed from the WDOT project and would be done with a separate local project. He also stated that a Rapid Rotating Flashing Beacon crossing was being considered near the Jefferson Avenue bridge crossing Duncan Creek.

Motion by Hubbard, seconded by Frey to recommend the Common Council approve the attached Revision #1, June 14, 2021 for State Municipal Financial Agreement for a State-Let Highway Project for resurfacing on STH #124 from High Street to Bridge Street, Project ID 8610-02-04/74 and authorize Mayor Hoffman to execute the said agreement. **All present voting aye. MOTION CARRIED.**

5. **Motion** by Bauer, seconded by Frey to adjourn. **All present voting aye. MOTION CARRIED.** The Board of Public Works meeting adjourned at 5:57 P.M.

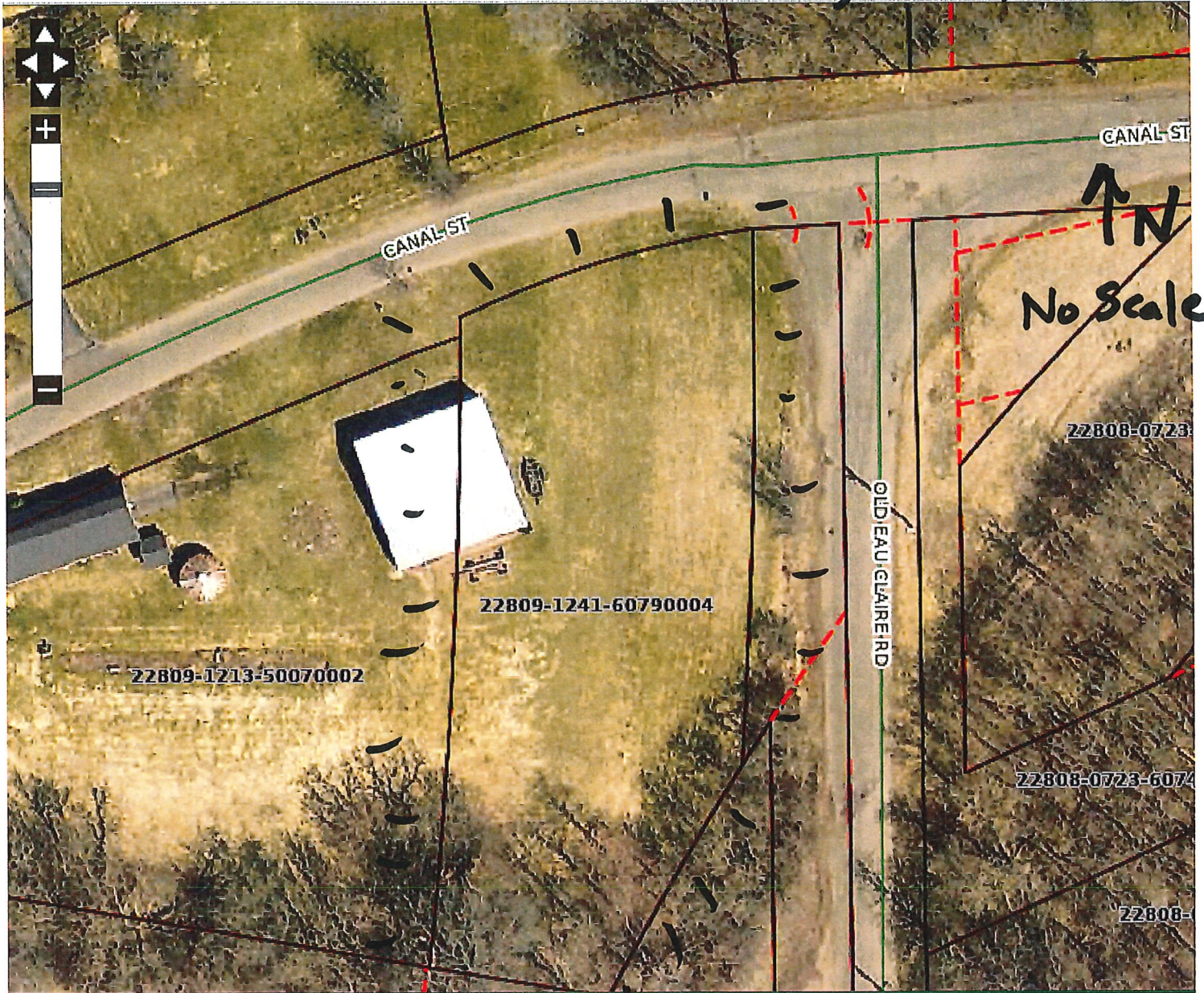

Richard J. Rubenzer, PE
Secretary, Board of Public Works

August 23, 2021



August 23, 2021

Helpful Links



Developed by hei geo

1:471

Lat, Lon: 44.92425, -91.40860



SYDNEY.CERVANTES @ CN.CA

Re: OUR TELEPHONE CONVERSATION ON 6-4-2021

From: Ronald A Gantner rgantn@peoplepc.com

Subject: Gantner/Hallum Vacated Railroad Property and QUIT CLAIM DEED

Date: June 4, 2021 at 3:24 PM

To: Sydney Cervantes



Floyd Hallum purchased and farmed this property since 1945. On April 28, 1948 he contacted the railroad company (letter enclosed) to purchase the vacated railroad property described in the attached letter.

He fenced and farmed this railroad property for nearly 40 years until he died in 1990 at which time his daughter inherited the farm along with the railroad property that he always said he owned.

When we recently decided to sell the farm and looked through all the documents we have regarding the property, we could not find the railroad quit claim deed as noted in the attached letter from Mr. Claar.

We hope that you will provide us with the quit claim deed or information as to how we can acquire a quit claim deed for this vacated railroad property. The railroad property is outlined in red on the enclosed map provided in the original letter sent to Floyd Hallum in 1948 from the railroad.

Thank you for your help so that we can finish closing the sale of our property. It is very much appreciated.

Sincerely,

Ronald & Janice Gantner
P.O. Box 683
Chippewa Falls, WI 54729
Phone # 715-723-3808 or Cell Phone 715-491-1673

INVOICE

COUNTY SURVEYOR
CHIPPEWA COUNTY

ALFRED TILBURY
TOPOGRAPHICAL ENGINEER

CHIPPEWA FALLS, WISCONSIN

Ed Hallum
50 W Canal P.O. A Chippewa Falls

PHONE 1023-W

654 So. MAIN ST.

by Gen Lot 708, Sec 12.

T28. N R. 9. W

10 00

Paid in full Aug 1st
Alfred Tilbury

Mr. Floyd O. Hallum
Route 4
Chippewa Falls, Wisconsin

Dear Sir:

This will acknowledge yours of the 10th in which you refer to the property that you are purchasing from this company as well as the Chicago, Milwaukee, St. Paul and Pacific Railroad Company at Chippewa Falls.

I am sorry for the delay in closing this deal but I expect to be able to forward the deed to you in the very near future. As you know it is necessary to have it executed on the part of the Milwaukee Railroad as well as by our own company and this has taken us some time.

Yours truly,


R. S. Clear
Industrial & Real Estate Commr

**MINNEAPOLIS, ST. PAUL & SAULT STE. MARIE
RAILROAD COMPANY**
OFFICE OF
INDUSTRIAL AND REAL ESTATE COMMISSIONER
MINNEAPOLIS 2, MINNESOTA, BOX 1109

April 28, 1948

Mr. Floyd O. Hallum
Route 4
Chippewa Falls, Wisconsin


Dear Sir:

In line with your request of the 20th I am enclosing herewith a blue print of a part of our Chippewa Falls statipn map on which I have shown in red outline the strip of jointly owned right of way that we are willing to dispose of by quit claim deed for a total consideration of \$183.00 as indicated in my letter of February 5th.

You inquire in your letter whether or not the property extends over to Fifth Street but you will note that it does not run over that far by reference to the blue print. You indicated in your letter of August 15th of last year that you were the fee owner of Government Lot 8 and if that is the case, then you would own the narrow strip between 5th Street and the property that you propose to purchase.

I trust that this will give you the information that you desire and that you will promptly send in your check for the agreed consideration direct to me making it payable to our Treasurer Mr. C. H. Bender.

Yours truly,


R. S. Clear
Industrial & Real Estate Commr

2



Dan Burtness <valleysepticllc@gmail.com>

Fwd: Re: 208184 Doc Request

1 message

Eric Volkens <eric.volkens@midwesttitlegroup.com>
To: valleysepticllc@gmail.com

Thu, Jul 22, 2021 at 9:13 AM


Hey Dan,

Here is the attached document I pulled from the Floyd Hallum purchase in 1945. I figured we could maybe see what the legal description was at that time, I could not find any other deeds between 1944-1952 that reflected any other Floyd Hallum purchase, but it is possible. Another possibility is that they executed the deed and it was never recorded. Let me know if you have any questions.

Thank you,

Eric L. Volkens
Closing Officer
Gowey Title, Midwest Title Group
P: (715) 748-7027 (direct)
F: (715) 748-6826

****PLEASE NOTE ALL FUNDS NEEDED FOR CLOSINGS MUST BE A CASHIER'S CHECK
MADE PAYABLE TO GOWEY TITLE ESCROW ACCOUNT****

 SKM_28721072114150.pdf
228K

NUMBER

235465

This Indenture, Made this 31st and day of July

in the year of our Lord, one thousand nine hundred forty-five

between Laura Greasey of Chippewa County, Wisconsin

and Floyd Orvel Hallum and Josephine B. Hallum

husband and wife, as joint tenants, parties of the second part.

Witnesseth, That the said part y of the first part, for and in consideration of the sum of One dollar and other valuable consideration to her in hand paid by the said parties of the second part, the receipt whereof is hereby confessed and acknowledged, ha given, granted, bargained, sold, remised, released, aliened, conveyed and confirmed, and by these presents do give, grant, bargain, sell, remise, release, alien, convey and confirm unto the said parties of the second part, as joint tenants, the following described real estate, situated in the County of Chippewa Wisconsin, to-wit:

Governments lots seven (7) and eight (8) of Section twelve (12), in township twenty-eight (28), North of range nine (9) west. Excepting and reserving from this conveyance the lands heretofore deeded for right-of-way to Chicago, Milwaukee and St. Paul Railway Company, said deed having been recorded Oct. 10, 1883 in Vol. 38 of deeds, on page 455, in Register of Deeds office. And also excepting and reserving from this conveyance the lands heretofore deeded for right-of-way to Chippewa Falls and Western Railway Company, said deed having been recorded in said Register's Office March 14, 1884 in Vol. 41 of Deeds, page 195. Also excepting and reserving from this conveyance lands deeded to Charles Orthman and Margaret Orthman, his wife, and recorded in said Register's office June 21, 1895 in Vol. 60 of Deeds, page 502. Also excepting and reserving from this conveyance lands deeded to Ezekiel D. Angell and recorded Oct. 17, 1892 in Vol. 59 of deeds, on page 617. Also excepting and reserving from this conveyance lands deeded to Frank Schwartz, and recorded in Vol. 68 of Deeds on page 384 in October 1897. As described in a deed recorded in Vol. 68 of deeds, on page 383.

One \$3.00 Rev. Stp.
One 1.00
One .50 (uncancelled)
One .25
One .20

Together, with all and singular the hereditaments and appurtenances thereunto belonging or in any wise appertaining; and all the estate, right, title, interest, claim or demand whatsoever, of the said part y of the first part, either in law or equity, either in possession or expectancy of, in and to the above bargained premises, and their hereditaments and appurtenances.

To Have and to Hold, the said premises as above described with the hereditaments and appurtenances, unto the said parties of the second part, as joint tenants.

And the Said Laura Greasey

herself, her heirs, executors and administrators, do covenant, grant, bargain and agree to and with the said parties of the second part, and to and with the survivor of them, his or her heirs and assigns, that at the time of the enrolling and delivery of these presents she is well seized of the premises above described, as of a good, sure, perfect, absolute and indefeasible estate of inheritance in the law, in fee simple, and that the same are free and clear from all incumbrances whatever.

and that the above bargained premises in the quiet and peaceable possession of the said parties of the second part, as joint tenants, against all and every person or persons lawfully claiming the whole or any part thereof, she will forever WARRANT AND DEFEND.

In Witness Whereof, the said part y of the first part ha s hereunto set her hand and seal this

31st day of July, 1945

Signed, Sealed and Delivered in Presence of

Doris A. Ackley

Andrew Jacobson

STATE OF WISCONSIN,

Chippewa County, ss.

Laura Greasey (SEAL)

(SEAL)

(SEAL)

(SEAL)

Personally came before me this 31st day of July, 1945, the within named, LAURA GREASEY

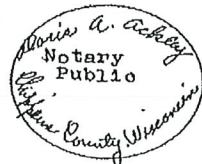
to me known to be the person who executed the foregoing instrument and acknowledged the same.

Received for Record this 9 day of AUG

A. D. 1945, at 9:32 o'clock, A.M.

Mary T. Emerson Register of Deeds.

Deputy.



Doris A. Ackley

Notary Public, Chippewa County, Wisconsin

My Commission expires June 19, 1949 (To be filled in if signed by a Notary Public.)

Lucille Hassmer
Lucille Hassmer

Helen L. Parks
Helen L. Parks

STATE OF WISCONSIN,)
County of Chippewa) ss.

On this the 22 day of April, 1953, before me Ingolf E. Rasmus, the undersigned officer, personally appeared Myrtle Lillie - - - , known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Ingolf E. Rasmus
Notary Public
Chippewa Co.
Wis.

Ingolf E. Rasmus
Ingolf E. Rasmus
Notary Public, Chippewa County,
Wisconsin

My commission expires August 22, 1954.

Received for Record this 24th day of April, 1953, at 8:30 A.M.

Edgar A. Firth, Register of Deeds

QUITCLAIM DEED

EDGAR F. ZELLE, not as an individual, but solely AS TRUSTEE of the property of WISCONSIN CENTRAL RAILWAY COMPANY, in possession of and vested with title to the property of said Railway Company, under authority of the Court in proceedings for the reorganization of a railroad, in the District Court of the United States, for the District of Minnesota, Fourth Division, entitled "In the Matter of Wisconsin Central Railway Company, Debtor", No. 17104, and CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY, a Wisconsin Corporation, Grantors in consideration of the sum of One Hundred Eighty-three Dollars (\$183.00) to them in hand paid, receipt whereof is hereby acknowledged, do hereby Convey and Quitclaim unto FLOYD HALLUM and JOSEPHINE HALLUM, his wife, as joint tenants and not as tenants in common of Chippewa Falls, Wisconsin, Grantees, all right, title and interest which the Grantors may have in and to the following described tract of land being abandoned right of way situated in the County of Chippewa, State of Wisconsin, to-wit:

a strip of land one hundred (100) feet in width, comprising all that part of Government Lot Eight (8), Section Twelve (12), Township Twenty-eight (28) North, of Range Nine (9) West, which is included within two lines running parallel with and respectively fifty (50) feet distant Easterly and fifty (50) feet distant Westerly (measured at right angles) from the center line of the abandoned track (formerly known as the Chippewa Falls and Western Railway extension) jointly owned by the Grantors or their predecessors as said tract was located, constructed and operated over and across said Government Lot prior to its removal and which 100-foot strip of land lies Northerly of a line described as follows: beginning at the point of intersection of the Easterly line of said 100-foot strip of land with a line running parallel with and fifty (50) feet distant Northwesterly (measured at right angles) from the center line of the main tract of the Wisconsin Central Railway Company's Eau Claire Branch as the same is now located, maintained and operated over and across said Government Lot; thence Southwesterly along the last mentioned parallel line to the point of intersection with a line running at right angles with said abandoned track center line through a point therein distant to hundred eighty-two (282) feet Northerly (measured along said abandoned track center line) from the South line of said Government Lot; thence Westerly along the last mentioned right angle line to the Westerly line of said 100-foot strip of land and there terminating; Subject to an easement in the public for any

268427

public road or roads heretofore laid out or established by usage or otherwise and now existing over and across any part of the above described premises. IN WITNESS WHEREOF, the said Trustee has executed these presents under authority of said Court and said Chicago, Milwaukee, St. Paul and Pacific Railroad Company has caused these presents to be executed in its corporate name by its President and attested by its Secretary and its corporate seal to be hereunto affixed this 12 day of July, 1948.

Signed and Sealed in the presence of:

1 - \$.50 Rev. Stp.
1 - \$.05 Rev. Stp. H.R.S. Cancelled 7-26-49

Katherine M. Nelson
Katherine M. Nelson

Edgar F. Zelle
Edgar F. Zelle
Trustee of the Property of Wisconsin
Central Railway Company

R. O. Lewis
R. O. Lewis

CHICAGO, MILWAUKEE, ST. PAUL &
PACIFIC RAILROAD COMPANY,

B. J. Cooley
B. J. Cooley



By C. H. Buford
Its C. H. Buford President
ATTEST:

H. M. Guinter
H. M. Guinter

T. W. Burtness
Its T. W. Burtness Secretary

STATE OF MINNESOTA }
HENNEPIN COUNTY } SS

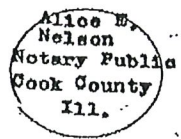
Personally came before me this 16th day of July, 1948, Edgar F. Zelle, As Trustee of the property of Wisconsin Central Railway Company, to me known to be such Trustee, and to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as such Trustee.



V. K. Boe
V. K. Boe
Notary Public, Hennepin County, Minn.
My Commission Expires Feb. 14, 1950.

STATE OF Illinois }
Cook COUNTY } SS

Personally came before me this 12th day of July, 1948, C.H. Buford, the President and T. W. Burtness, Secretary of the above named corporation, Chicago, Milwaukee, St. Paul and Pacific Railroad Company, to me known to be such President and Secretary of said Corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of said corporation, by its authority.



Alice E. Nelson
Alice E. Nelson
Notary Public

Received for Record the 24th day of April A.D. 1953 at 11:00 o'clock A.M.
Edgar A. Firth, Register of Deeds
My commission expires: _____

268435

EXECUTOR'S DEED

TO ALL TO WHOM THESE PRESENTS SHALL COME
I, Elizabeth White, of the Village of Cornell in the County of Chippewa, State of Wisconsin, Executrix of the Estate of Robert A. Larlin, also known as Robert Larlin, deceased, late of Chippewa County, Wisconsin, send Greeting:

WHEREAS, by an order made by the County Court of Chippewa County, on the 14th day of _____, 1953, I, the said Elizabeth White, in my capacity of executrix, of said estate, was authorized and empowered to perform a certain contract entered into by the said Robert Larlin, deceased, during his lifetime for sale of the real estate hereinafter described to Kenneth Stoll and Ella Stoll, husband and wife as joint tenants.

WHEREAS, in my capacity aforesaid, I have made report of my proceedings, upon said order, to said County Court of said County and the Court having concluded that the said

INDEXED

Section 215.16 Wisconsin Statutes

386157

Register of Deeds

This Indenture, Made this 30th day of November, A.D., 1976.

between American Materials Corporation, successor to Eau Claire Sand and Gravel Company a Corporation duly organized

and existing under and by virtue of the laws of the State of Wisconsin, located at Eau Claire, Wisconsin,

Wisconsin, party of the first part, and City of Chippewa Falls

part Y of the second part.

Witnesseth, That the said party of the first part, for and in consideration of the sum of Eight Thousand Five Hundred (\$8,500.00) Dollars,

to it paid by the said party Y of the second part, the receipt whereof is hereby confessed and acknowledged, has given, granted, bargained, sold, remised, released and quit-claimed, and by these presents does give, grant, bargain, sell, remise, release and quit-claim unto the said party Y of the second part, and to its heirs and assigns forever, the following described real estate, situated in the County of Chippewa, State of Wisconsin, to-wit:

A piece or strip of land one hundred (100) feet in width and extending in a course generally easterly from the West line of Southwest Quarter of Southwest Quarter of Section eleven (11), Township Twenty-eight (28) North, Range nine (9) West, across the North half of the Southwest Quarter of Southwest Quarter of said Section eleven (11); thence across the central portion of Government Lot Six (6); thence across the north portion of Government Lot seven (7) and through the northeast corner of said lot; thence in a northeasterly course or direction across Government Lot Eight (8) all in said Section eleven (11), Township twenty-eight (28) North, Range Nine (9) West; thence across the north portion of Government Lot five (5); thence across the central portion of Government Lot Six (6); thence across the north half of the Southeast Quarter; thence across the southeast corner of Government Lot Eight (8) all in Section Twelve (12) Township Twenty-eight (28) North, Range Nine (9) West, and to and adjoining the westerly line of the right-of-way of sth St. Paul, Minneapolis and Saulte St. Marie Railway Company (between Chippewa Falls and Eau Claire) as located and occupied by said railway company at the date hereof, and which said strip of land and premises herein leased formerly constituted the right-of-way of the Chicago, Milwaukee and St. Paul Railway Company, in and across the Government descriptions herein mentioned.

Exempt #2

To Have and to Hold the same, together with all and singular the appurtenances and privileges thereunto belonging or in any wise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the said party of the first part, either in law or equity, either in possession or expectancy of, to the only proper use, benefit and behoof of the said party Y of the second part, its heirs and assigns forever.

In Witness Whereof, the said American Materials Corporation party of the first part, has caused these presents to be signed by Don Johnson a/k/a Donald W. Johnson its President, and countersigned by Fred W. Ayres, its Secretary, at Chippewa Falls, Wisconsin, and its corporate seal to be hereunto affixed, this 30th day of November, A.D., 1976

SIGNED AND SEALED IN PRESENCE OF FEE EXEMPT #2

David H. Rainle

Margel Downs

American Materials Corporation Corporate Name

Don Johnson President

Fred W. Ayres Secretary

State of Wisconsin, Chippewa County, ss.

Personally came before me, this 30 day of November, A.D., 1976

Don Johnson a/k/a Donald W. Johnson, resident, and Fred W. Ayres, Secretary of the above named Corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be such President and Secretary of said Corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of said Corporation, by its authority.

This instrument drafted by Attorney David H. Rainle

David H. Rainle

Notary Public, Chippewa County, Wis.

My commission expires permanent XXXXXXXX

Rick Rubenzer

From: rferg@ferglaw.org
Sent: Wednesday, August 18, 2021 9:57 AM
To: Rick Rubenzer
Cc: Todd Berg
Subject: [EXTERNAL] Re: August 23, 2021 BPW Agenda & Attachments

***** [CAUTION - EXTERNAL EMAIL] DO NOT reply, click links, or open attachments unless you have verified the sender and know the content is safe *****

If there is a shed there for a long time it would probably constitute adverse possession for the area it is on. I would either take no action or solicit a proposal with an appropriate legal description for the area that the shed is on.

From: Rick Rubenzer <r rubenzer@chippewafalls-wi.gov>
Sent: Tuesday, August 17, 2021 4:22 PM
To: rferg@ferglaw.org
Cc: Todd Berg
Subject: FW: August 23, 2021 BPW Agenda & Attachments

Bob: could you review item 4 of the attached BPW agenda? I'm also attaching some additional info that I have. I'm thinking the board will ask for your opinion at its meeting on Monday. I think options could be 1) to quit claim a section of the parcel that the neighbor (Dan Burtness') shed encroaches on to Mr. Burtness 2) Ask Mr. Burtness to make an offer for a section of the parcel around his shed or the parcel itself. 3) Take no action.

I don't see a city need for the parcel but it could possibly be a saleable lot even after a section is removed for the shed. Thanks.

Richard J. Rubenzer PE
Director of Public Works, City Engineer, Utilities Manager
City of Chippewa Falls
30 West Central Street
Chippewa Falls, Wisconsin 54729
715 726 2739 Office 715 577 4917 Cell

From: Mary Bowe
Sent: Tuesday, August 17, 2021 1:07 PM
To: Board of Public Works - City <BoardofPublicWorks@chippewafalls-wi.gov>; Bridget Givens <bgivens@chippewafalls-wi.gov>; Rick Ruf <r ruf@chippewafalls-wi.gov>
Subject: August 23, 2021 BPW Agenda & Attachments

Mary Bowe, Administrative Assistant
City of Chippewa Falls
Engineering Department
30 West Central Street
Chippewa Falls, WI 54729
(715) 726-2736
mbowe@chippewafalls-wi.gov

89' 67'

C

18924+92 RC

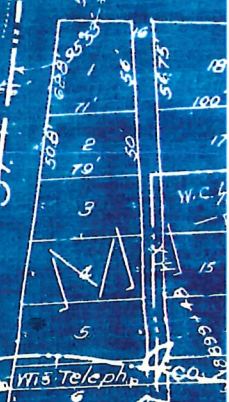
GOV. LOT-8-SEC. 12
T. 28N.-R. 9W

3' 00" C
4" 22' 42"

032+90+0+08 FC on G.M. & S.P.

18932+48 RT

5TH ST



M.B. 18905+645

Has end of 500' Steel

18905

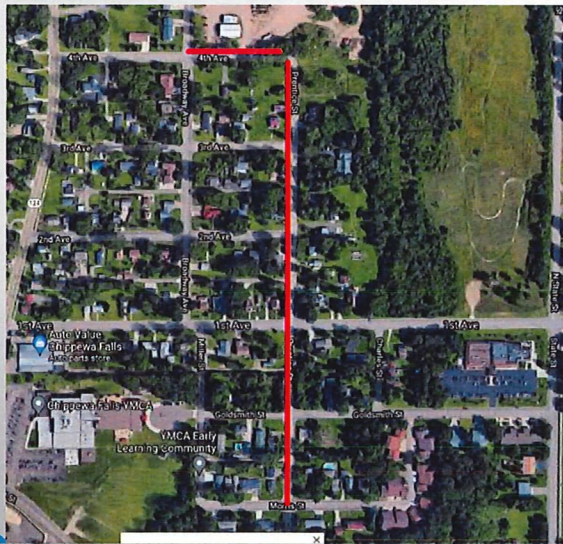
18906

PRENTICE STREET (MORRIS- 4TH) RECONSTRUCTION

BOARD OF PUBLIC WORKS
Aug 23, 2021

LOCATION

- 2020 Limits: Prentice - Morris to 4th Ave, 4th Ave – Broadway to Prentice



HISTORY OF STREET

- 2003 – Proposed for reconstruction – voted down at special assessment hearing (Limits were Prentice (2nd-4th), 4th Ave (Broadway – Prentice))
- 2020 – Again proposed for reconstruction – voted down at special assessment hearing (Had been in CIP since 2017)

NEED

- Deteriorated Asphalt Surface
 - Beyond useful life – short term repairs not effective, minimum maintenance since 2003
 - Plan for no maintenance going forward until rebuilt as it is not efficient use of time/money
- Lack of Drainage
 - Only curb and gutter from 1st – 2nd
 - Minimal to no ditching in remainder
- Utilities
 - Sanitary sewer: None existing, lots along east side of Prentice north of 1st have long private laterals
 - Water Main: 1st – 2nd (1931), 2nd- 3rd (1951)
 - Storm Sewer: Some catch basins around existing Morris and Goldsmith intersections, otherwise nothing

4th Ave (Broadway - Prentice)



PROPOSED DESIGN (2020)

- Curb and Gutter throughout project
- Storm Sewer: Replace existing, New from 2nd Ave – 4th Ave and in 4th Avenue
- Water Main: Replace from 1st Ave – 3rd Ave, New from 3rd Ave – 4th Ave and in 4th Avenue
 - Creates loop and opens up water to vacant lots east of Prentice and at 4th
- Sanitary Sewer: New from 2nd Ave – 4th Ave and in 4th Ave
 - Eliminates long laterals to manholes, opens up sanitary to lots east of Prentice and at 4th
- No Water or Sewer is necessary from Morris to 1st Ave since lots can be served from Morris, Goldsmith or First
- Estimate (from 2020): \$566,000

SPECIAL ASSESSMENTS

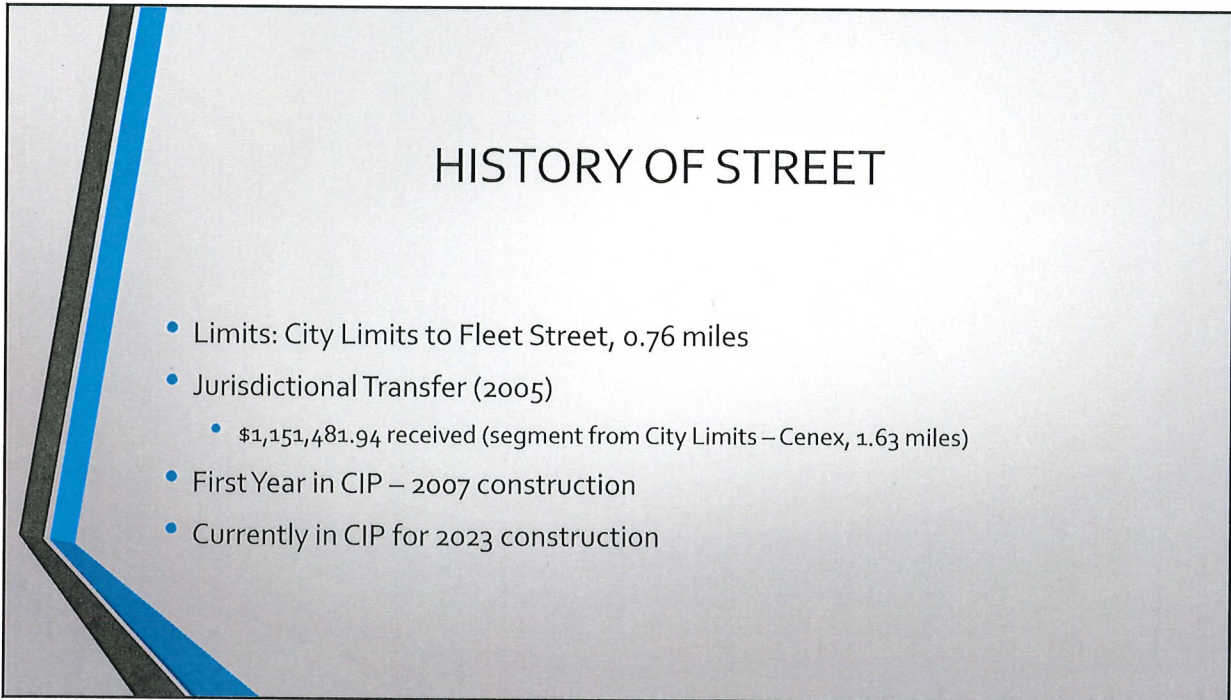
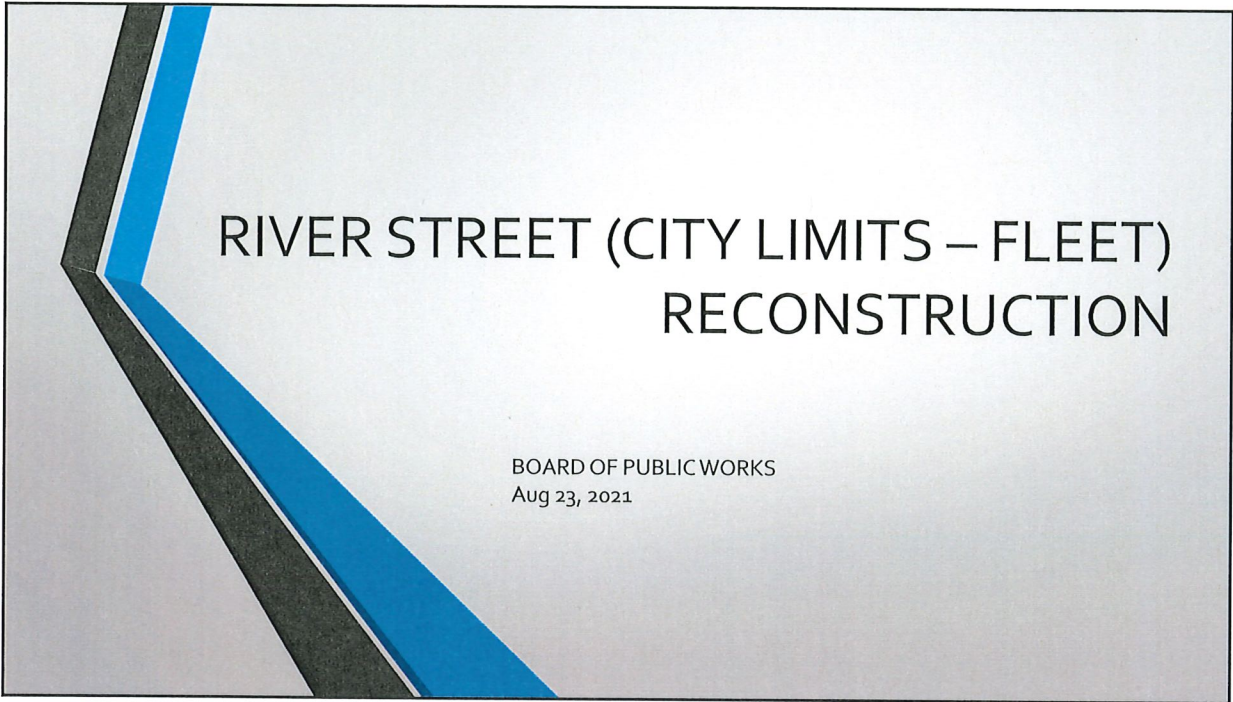
- Low: \$3822, High: \$48,107
 - Low SA amounts in blocks south of 1st Avenue (no utilities)
 - High SA amounts on northern end where high amount of frontage on both Prentice and 4th Avenue and full utilities are proposed
 - Several over \$12,000
 - Special assessment rates increased from 2020 to 2021 and likely will again in 2022

OTHER CONSIDERATIONS

- Split project: Morris – 1st Ave?, Morris – 2nd Ave?
- 3rd Avenue
 - Originally in CIP for 2021 construction – taken out after Prentice cancelled
- Petition for Discontinuance of 4th Ave
 - Signed by 100% of abutting property owners

DISCUSSION/DIRECTION

- Go forward with project? If so, which year? Which projects get replaced?
- Change installment time frame on large special assessments?
 - \$5000 - \$10,000: 15 year payback, \$10,000+: 20 year payback
 - Second side assessment 5 year delay
 - Amend Ch. 3.081 to defer payments interest free if application accepted by Council
- Significant time spent in past on this project – would need support going forward
 - Survey, Design, Letting, Public Coordination (Notices & Communication)



NEED

- Deteriorated Concrete Pavement Joints and Shoulders
 - Street Department Does Significant Patching in this Segment
- Revised Geometrics
- Traffic – 8100 vpd (2017), 6600 vpd (2014)
 - CN Intermodal Facility
 - Opened in 2012
 - Loads for Menards and Custer Farms utilize River Street
 - TIA indicated initially have 53 trips/day and up to 133 trips/day at full build out
- Guardrail – does not meet current standards
- Minimal Utility Work

DESIGN

- Geometrics and traffic study (2013)
 - Revised geometrics and turn lanes (one through lane in each direction)
- Consultant design
 - WisDOT coordination (USH 53 project in 2022 & 2023, tie into existing ramps)
 - Scope of project – longer design timeline
 - Traffic Analysis
 - Traffic Control – maintain traffic

FUNDING

- Current Estimate: \$2,396,000 (includes design)
 - Estimate of special assessments: \$82,000
 - Estimate of utility contribution: \$50,000 (storm sewer)
- Grants
 - MLS Funding (2020): One-time program, applied but not awarded
 - STP-Urban Funding (50%-80% funding): Applied in 2021 for 2023 project. Funding for our area was significantly lower than expected so project could not be funded as it did not meet the 50% minimum. Anticipated that funding will be significantly higher in next cycle. Can apply again in 2023 for 2025 construction.
 - Municipal Street Improvement Discretionary (MSID) (Up to 50% funding): Application for next cycle is this Fall. Last cycle, the amounts appeared to max out at \$450,000. Was applied for in 2016 but not awarded
 - New Transportation Bill: TBD

DISCUSSION/DIRECTION

- Go forward with project? How funded?
- Delay project and wait for Fed/State funding?
- If we move forward – would like to get an RFP out to consultants in late 2021 or early 2022

