# MINUTES OF THE PLAN COMMISSION MEETING CITY OF CHIPPEWA FALLS MONDAY, APRIL 11, 2016 – 6:30 PM

The Plan Commission met in City Hall on Monday, April 11, 2016 at 6:30 P.M. Present were Commissioners Greg Misfeldt, Mike Tzanakis, Dan Varga, Beth Arneberg, Jerry Smith, Alderperson Chuck Hull, Secretary Rick Rubenzer, Vice-Chairperson Tom Hubbard and Mayor Greg Hoffman. Absent were Commissioners Dave Cihasky and Dennis Doughty. Also attending were persons listed on the attached attendance roster.

- 1. <u>Motion</u> by Varga, seconded by Hubbard to approve the minutes of the March 7, 2016 Plan Commission meeting. All present voting aye. Motion carried.
- 2. Paul Canfield appeared to present the attached Final Plat for Wissota Shores Phase II. Mr. Canfield thought that one to two multi-family units would be constructed per year for the next few years. Commissioner Smith asked about connecting to STH #178 using the existing approach at Lakeview Drive. Mr. Canfield stated that the extension would be long, expensive and that the developer, Two Rivers Real Estate did not own the land. Director of Public Works Rubenzer noted that turn around accommodations at the north end of the project had been added for emergency vehicles.
  Motion by Hubbard, seconded by Tzanakis to recommend the Common Council approve the attached plat of Wissota Shores Phase II contingent on receipt of the \$160 review fees. All present voting aye. Motion carried.
- 3. Director of Public Works Rubenzer gave background zoning and location details for a proposed multi-tenant cell tower and equipment request from McDonell Area Catholic Schools. Shane Begley of Verizon appeared to support Conditional Use Permit Resolution No. 2016-01. He stated that Verizon had attempted to co-locate a cell antenna on the City's' water tower on Westwood Drive but that it was outside the search ring. He then attempted to construct a new tower near Christensen Florist and at Our Savior's Lutheran Church. Then after again pursuing co-location on the water tower, McDonell Area Catholic Schools was negotiated with. He stated that a McDonell representative had handed out 50 flyers advertising a public information meeting which was held on January 19, 2016. No public appeared at the meeting. Mr. Begley stated that the FCC regulated all Verizon tower installations and that Verizon emissions were usually at 1/10 of the maximum allowable emission level. He noted that search rings were established to address capacity concerns. He continued that cell towers in some instances increased property values due to better cell phone and computer coverage and reception. He indicated today young families were looking for very good cell phone reception when looking for a house and that good cell phone reception was a great asset to "911" and emergency services. He also stated that the proposed location was an optimal location as far as being away from residences in the target area search ring. In response to a question about aesthetics, Mr. Begley stated that a stealth design of a tower such as a pine tree or cactus was more suited for a tower height close to sixty feet and also limited the number of vendors that could be located on a tower resulting in more overall cell towers. Mayor Hoffman opened a public hearing and invited all present to come forward, state their name and address, speak for or against the permit and keep comments to two to three minutes if possible.

Please note, these are draft minutes and may be amended until approved by the Common Council.

Ryan McLaughlin of 766 Terrill Street spoke against the permit stating he was opposed to cell tower radiation effects on children in neighborhood and students at the schools. He suggested other locations for the tower.

Kevin and Kris Custer of 1215 Mansfield Street appeared and spoke against the permit. Kevin stated the proposed tower was in their backyard and was concerned about long term health effects. Why couldn't the tower be located elsewhere? He stated some countries had pulled towers away from schools and hospitals. Kris acknowledged there was a need for technology but reiterated that we don't know long time health effects. She wondered if people knew that the tower was going up at McDonell. She stated she hadn't got a flyer from McDonell and neither had her neighbors. She asked for more time to research the matter. She stated the radiation was a carcinogen and could cause brain cancer.

Dorothy Meehan of 1210 Coleman Street spoke and stated the tower was literally in her front yard and asked if it could be located further south. She stated she hadn't received any notice from McDonell.

Bill Febry of 608 Summit Avenue spoke in opposition to the permit. He stated that the west hill was a desirable place to live and wondered if aesthetics came into play. He asked when the first wind turbine would go up, where would it go up and could it be controlled. He also stated that aesthetics are important to us as a city. He stated engineers opinions can vary.

Carling McLaughlin of 766 Terrill Street spoke against the permit stating she was about raising her family in a healthy atmosphere. She requested time to get more information and look for alternatives. She asked if the project had to be done at this time. Brenda Oire of 1101 Mansfield Street spoke against the permit. She stated FCC standards were 30 years old and considered the effects of radiation on adult males, not children. She continued that children were the most vulnerable to radio waves. She was concerned because she hadn't received notice from McDonell and had health concerns for children.

The Plan Commission debated at length considering the existing tower by the court house and what an approval, denial or no action vote meant. Shane Begley again noted that the FCC was the governing body for cell towers, stated they kept current with emissions and Verizon was only at a fraction of the allowable emission level.

Motion by Hubbard, seconded by Hull to approve Conditional Use Permit Resolution No. 2016-01 allowing McDonell Area Catholic Schools to construct a 128' high multitenant communication tower with supporting equipment in a 62 foot by 59 foot fenced enclosure. The Plan Commission again discussed that denying the permit would mean that McDonell Area Catholic Schools and Verizon would need to take the City to court and that most likely the City would lose the case based on State Statute 66.0404 and Act 20. By taking no action, the permit would be approved after ninety days. Mayor Hoffman requested a roll call vote. Voting aye were Hubbard, Hull, Misfeldt, Tzanakis and Hoffman. Voting nay were Varga, Arneberg, Smith and Rubenzer. Conditional Use Permit Resolution No. 2016-01 was approved by a 5-4 vote. Motion carried.

4. **The Plan Commission took no action** on the Conditional Use Permit petition from Hoss Bros., LLC because the proposed apartment complexes are permitted uses in the R-3A Multi-Family Residential Zoning District, which is what Parcel #22808-1722-72655002, Lot #2, Certified Survey Map No. 2655 is zoned.

5. Motion by Varga, seconded by Hubbard to adjourn. All present voting aye. Motion carried. The Plan Commission adjourned at 8:26 P.M.

Richard J. Rubenzer, P.E., Secretary Plan Commission

# PLAN COMMISSION ATTENDANCE SHEET

DATE: April 11,2016

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# PLAN COMMISSION ATTENDANCE SHEET

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# MINUTES OF THE PLAN COMMISSION MEETING CITY OF CHIPPEWA FALLS MONDAY, MARCH 7, 2016 – 6:30 PM

The Plan Commission met in City Hall on Monday, March 7, 2016 at 6:30 P.M. Present were Commissioners Dave Cihasky, Greg Misfeldt, Dennis Doughty, Mike Tzanakis, Dan Varga, Beth Arneberg, Jerry Smith, Alderperson Chuck Hull, Secretary Rick Rubenzer, Vice-Chairperson Tom Hubbard and Mayor Greg Hoffman. Also attending were Max Gehler, Shane Begley, Michael Sedlacek, Tim Holden, Pete Gartman, Doug Sharpe and City Planner Jayson Smith.

- 1. <u>Motion</u> by Hubbard, seconded by Tzanakis to approve the minutes of the January 11, 2016 Plan Commission meeting. All present voting aye. Motion carried.
- 2. Max Gehler appeared and presented the attached preliminary plat for subdivision of a parcel located at the Northeast corner of Old Eau Claire Road and Nelson Road extended easterly. Secretary Rubenzer noted that another preliminary plat from Mr. Gehler had been submitted in 2010 but that issues had been raised with the Archeological review and wetlands. He continued that stormwater treatment and access for lot #'s 4, 5, 6 and 7 and outlot #3 were conditions of the proposed preliminary plat. He continued that a 50 foot minimum right-of-way would be required for a public street and that an easement for the existing water utility 20 inch diameter water main would be required. A private driveway would be allowed pending emergency service review. Mr. Gehler stated an Indian burial mound had detained his previous preliminary plat submittal. He proposed he would provide a cul-de-sac on outlot #3 to allow for vehicle turnaround.

<u>Motion</u> by Tzanakis, seconded by Hubbard to recommend the Common Council approve the attached preliminary plat for Gehler Estates contingent on:

1) Submission and approval of a stormwater management plan.

2) Dedication of a minimum 50 foot wide public right-of-way for the Easterly extension of Nelson Road unless a private drive is utilized.

3) Inclusion of a forty foot wide easement on the easterly extension of Nelson Road for an existing water main.

4) A favorable review and approval of a private drive to serve lot #'s 4, 5, 6 and 7 and outlot #3 from Chippewa Falls Emergency Services (Fire and Police).

5) Receipt of the \$100 Plat review fee plus \$10 per lot.

# All present voting aye. Motion carried.

- 3. Pete Gartman appeared to present the attached preliminary plat for Steve Frazier in the Town of Lafayette. Mr. Gartman stated that the Town of Lafayette had previously rezoned the parcel from R-3 to R-2 and R-1 and that the subdivision would be served with private sanitary sewer and water services. Secretary Rubenzer noted that the City had extraterritorial plat review for this plat but that Chippewa County had agreed to do the stormwater review plan for this project.
  Motion by Hubbard, seconded by Varga to recommend the Common Council approve the attached
  - preliminary plat for Steve Frazier in the Town of Lafayette contingent on:

    1) Submission and approval of a stormwater management plan.
    - 2) Receipt of the \$100 Plat review fee plus \$10 per lot.

# All present voting aye. Motion carried.

4. The Plan Commission considered a Certified Survey Map from Chippewa Surveying for subdivision of a parcel in Emmerton's Addition. The parcel is located at the West dead end of Dover Street. The remnant of the parcel being subdivided will have frontage on Westwood Drive. Potential owner, Michael Sedlacek was present and stated he planned to build a new house on the subdivided parcel. The

Please note, these are draft minutes and may be amended until approved by the Common Council,

new house would be served by Chippewa Falls public utilities.

Motion by Smith, seconded by Hubbard to recommend the Common Council approve the attached Certified Survey Map from Chippewa Surveying for subdivision of a parcel and creation of Lot #1 in Emmerton's Addition in the City of Chippewa Falls. Said approval contingent on:

1) Submission and approval of a stormwater management plan.

2) Receipt of the \$100 Certified Survey review fee.

All present voting aye. Motion carried.

5. Shane Begley of Begley Wireless Consulting Services, LLC appeared on behalf of McDonell Area Catholic Schools and Verizon Wireless to support the attached petition for a Conditional Use Permit to construct a 128 ft. tall multi-tenant monopole communication tower and a 60' x 80' fenced compound at the West edge of the McDonell High School parking lot. Mr. Begley stated that he had attempted to get the cellular communication antennae mounted on the City of Chippewa Falls water tower on Westwood Drive which is approximately 1100' from and 3' (base elevation), higher than the proposed McDonell location. Verizon indicated that the tower was outside the search ring. Mr. Begley stated that he had proposed Christenson Florist and Our Savior's Lutheran Church as potential other locations in the search ring but both proposed locations didn't work out. He indicated that height wasn't as important in this location as was being able to meet capacity concerns at the schools in the vicinity. Secretary Rubenzer stated he had met with Attorney Ferg to discuss the application of state statute 66,0404 created in 2013 by the Wisconsin Legislature. The effect of the law was to severely limit local governments from regulating cell tower installations. Heights under 200 feet, aesthetics and collapse zones cannot be used as reasons to deny proposed cell tower locations. The applicant can, however, be asked to provide evidence why colocation on an existing structure can't be done. Secretary Rubenzer stated he didn't think it was fair or right that residents in existing neighborhoods didn't appear to have much say or control in placement of a proposed cell tower but that the argument would have to be made with the legislature. Verizon RF Engineer Mustafa Siamof provided a sworn statement saying the utility water tower was not in the search ring for the proposal. The Plan Commission discussed the aesthetics of the existing tower next to the County Sheriff's Office and jail and the need for better cell reception at Chi Hi, McDonell, Chippewa Falls Middle School and Notre Dame Middle School. Also, the ability to request additional information was discussed. Mr. Begley noted that McDonell Area Catholic Schools had already signed a contract to place a tower at the proposed location and the Verizon had spent roughly three quarters of a million dollars to get the cell tower application for its proposed location. Motion by Cihasky, seconded by Tzanakis to conduct a public hearing to consider a request from McDonell Area Catholic Schools to construct a 128 ft. tall multi-tenant monopole communication tower and a 60' x 80' fenced compound at the West edge of the McDonell High School parking lot. Said public hearing to be scheduled contingent on:

1) Receipt of the \$300 advertising and processing fee.

2) Receipt of the search ring data for the proposal by March 21, 2016.

3) Proper notification of adjacent property owners.

All present voting aye. Motion carried.

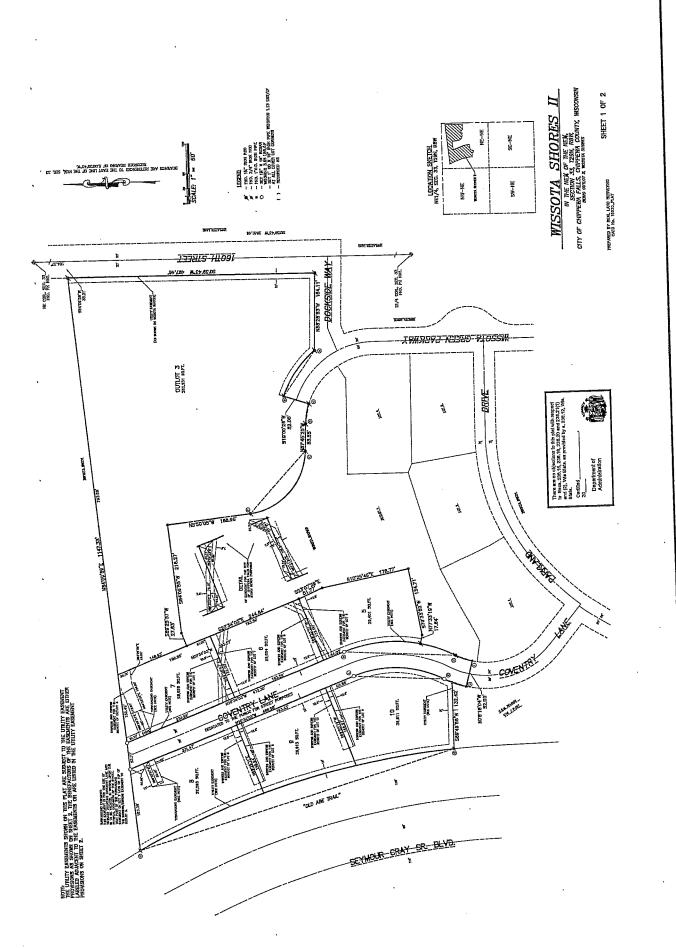
6. Motion by Hubbard, seconded by Varga to adjourn. All present voting aye. Motion carried. The Plan Commission adjourned at 7:30 P.M.

Rubenzer, P.E., Secretary

# PLAN COMMISSION ATTENDANCE SHEET

DATE: Manh 7, 2014

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PETER J. GARTHANNI, P.L.S. 2278 DATED THIS DAY OF 20

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CERNECATE OF COUNTY TREASURER:

STATE OF MISCONSIN COUNTY OF CHIPPEWA' SS

BRIDGET GIVENS, CITY CLERK

SIGNED: PATRICIA SCHIMMEL, COUNTY INEASURER

HEREBY CERTIFY THAT THE POREGOING IS A COPY OF A RESOLUTION ADOPTED BY THE COMMON COUNCY, OT OF OURPERNA FALLS.

DOMACH COUNCI, RESOLUTION: PROJUCED, THAT THE TRANT OF WISSOTA SHORES II IN THE CITY OF CHIPPEWA FALLS, IS HEREBY PROJUCED BY THE COMMON COUNCIL.

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DERTIFICATE OF CITY TREASURERS

STATE OF WISCONSIN COUNTY OF CHIPPEWA SS SIGNED: LYNNE BAUER, CITY TREASURER

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MY COMMISSION EXPIRES

WISSOTA SHORES II N THE NEX TENN THE NEX SECTION 33, TENN THE CITY OF CHIPPEM TALLS, GIPPEM COUNTY, MECONSIN

Prediction of heal land survering Cand No. 18030, PLAT

SHEET 2 OF 2

# RESOLUTION FOR A CONDITIONAL USE PERMIT FOR A MULTI-TENANT COMMUNICATION TOWER AND SUPPORTING EQUIPMENT LOCATED AT #1316 BEL AIR BOULEVARD

WHEREAS, on, March 7, 2016, the Plan Commission received a Conditional Use Permit application for construction of a 128' high multi-tenant cellular communication tower and supporting equipment in an approximate 62 foot by 59 foot fenced enclosure from McDonell Area Catholic Schools; and

**WHEREAS**, the Plan Commission, at its March 7, 2016 meeting, requested the following items be addressed or submitted in addition to the original submittal:

a) Submittal of the search ring data and analysis for the proposed location; and

**WHEREAS,** the property at #1316 Bel Air Boulevard is presently zoned P-1 Public and Institutional District; and

WHEREAS, McDonell Area Catholic Schools has submitted engineering drawings (available for inspection in the City Engineer's Office); and

WHEREAS, the Plan Commission has evaluated the request of McDonell Area Catholic Schools to place a 128' high multi-tenant cellular communication tower and supporting equipment in an approximate 62 foot by 59 foot fenced enclosure located at #1316 Bel Air Boulevard; and

**WHEREAS**, the Plan Commission finds the following facts in regard to this Conditional Use Permit Application:

- 1) The search ring data submitted shows that colocation on the City water tower at 707 Westwood Drive is not feasible.
- 2) The application is deemed substantially complete as per Wisconsin state statute 66.0404; and

WHEREAS, the Plan Commission conducted a public hearing and heard all interested parties about this request on Monday, April 11, 2016, after publication of a Class 2 legal notice and mailing of said notice to adjacent property owners, as required by Chapter 17.47 (5) of the Code of Ordinances of the City of Chippewa Falls, Wisconsin.

NOW, THEREFORE, BE IT RESOLVED BY THE PLAN COMMISSION OF THE CITY OF CHIPPEWA FALLS, WISCONSIN pursuant to Chapters 17.35 (6) (h) and 17.47 of the Code of Ordinances of the City of Chippewa Falls, that the Conditional Use Permit for McDonell Area Catholic Schools located at #1316 Bel Air Boulevard be granted under the following conditions:

That structural plans and record drawings for the tower and the building that have been a) drafted and sealed by a professional engineer be supplied to appropriate departments for review and approval.

That the tower structural height be 128 feet. b)

The proposed tower and equipment building shall be constructed according to the attached c) complete set of approved plans and specifications. The complete set of approved plans and specifications is part of this permit and full size copies will be available for inspection in the offices of the City Engineer and City Inspector.

The proposed tower shall maintain a galvanized steel finish or other neutral color. d)

No advertising materials or other signage shall be permitted on the proposed tower. · e)

Weather, warning and equipment signage is not prohibited.

- The proposed tower shall meet or exceed current regulations or standards of the Federal f) Communications Commission (FCC), the Federal Aviation Administration (FAA) and any other agency of the State or Federal Government with the authority to regulate towers and
- That the monopole tower be enclosed in an approximate sixty-two foot (62') by fifty-nine g) foot (59') fenced enclosure.

That provisions for two (2) additional cellular vendors on the tower be allowed. h)

If the tower becomes abandoned, the most recent owner shall have six (6) months to i) remove the structure, base and compound and restore the site. If said removal is not done, the City may cause the said removal and restoration work to be done and be charged to the property owner as a lien against their property.

That said permit and contracts be subject to the review of the City Attorney. j)

- Except as specifically provided herein, all regulations of the City Zoning Code shall apply. k)
- This permit shall become null and void upon application for any variance from Code 1) requirements.

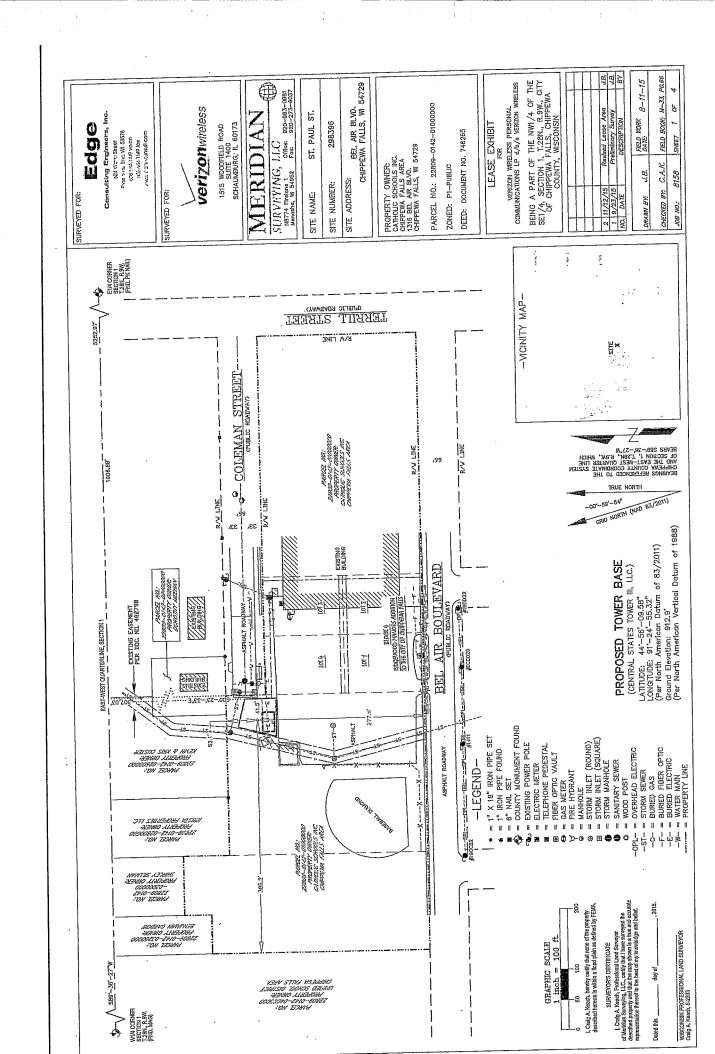
Chapter 17.47 (12) shall apply and this permit shall lapse if construction has not m) commenced within one year.

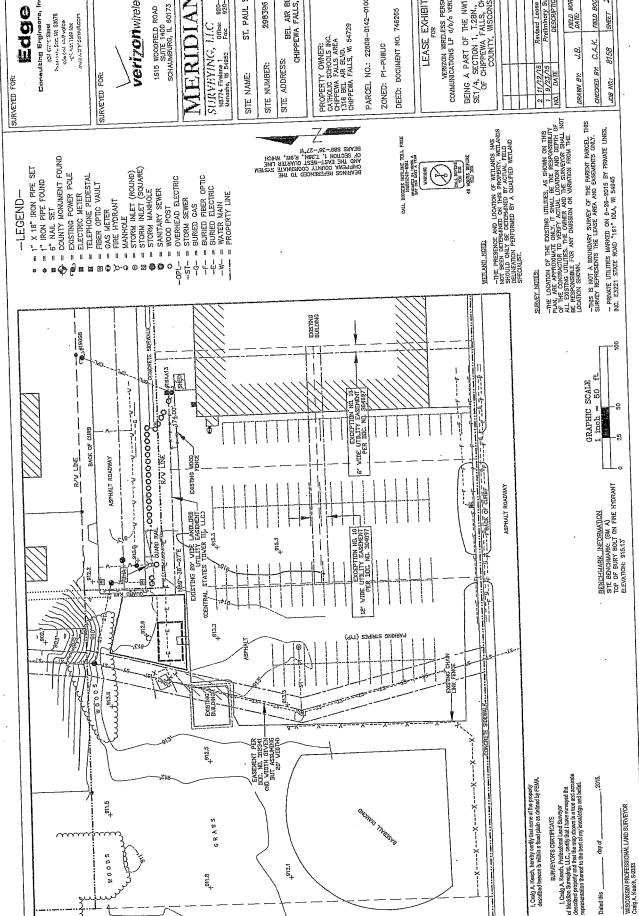
Chapter 17.47 (13) shall apply and this permit shall terminate if the use for which this n) permit is issued shall cease for a continuous two year period.

Modifications or changes to this permit may be made only by the Plan Commission after an 0) application for an amendment has been duly filed and notices and hearing requirements have been complied with.

MOTION:	Hubbard	
SECONDED:_	Hull	
I hereby above Resolutions.	certify that the Plan Commission of ton on April 11, 2016, by a vote of	the City of Chippewa Falls, Wisconsin, adopted the 5 ayes, 4 nays, and 0

Richard J. Rubenzer, P.E., Secretary Plan Commission





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920-993-0881 SURVEYING, 11.C.
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CHIPPEWA FALLS, W 54729

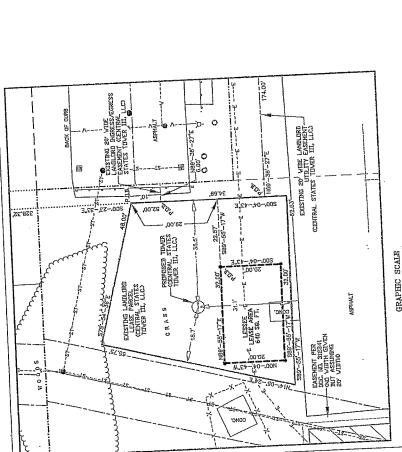
PROPERTY OWNER: CATHOLIC SCHOOLS INC. CHIPPEWA FALLS AREA 1316 BEL AR BLVD. CHIPPEWA FALLS, W 54729

PARCEL NO.: 22809-0142-01000000

BEING A PART OF THE NWI/4 OF THE SE1/4, SECTION 1, T.28N., R.9W., CITY OF CHIPPEWA FALLS, CHIPPEWA COUNTY, WISCONSIN VERIZON WIRELESS PERSONAL COMMUNICATIONS LP d/b/a VERIZON WIRELESS LEASE EXHIBIT

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I, Craig A. Keach, hereby certify that none of the property described hereon is within a flood pialn as defined by FEMA.

I, Craig A, Koach, Professional Land Surveyor of Mandlan Surveyed the of Mandlan Surveyed LLC, craffy that hims surveyed the described property and last the map sitown is a true and sccurate described property and last the map sitown is a true and sccurate representation hereof to the best of my throwkedge and belief: SURVEYOR'S CERTIFICATE

WISCONSIN PROFESSIONAL LAND SURVEYOR Craig A, Keech, S-2333

day of \_\_

Dated this

-LEGEND-

• = 1" ROW PIPE SET

• = 1" ROW PIPE SET

• = 6" NALL SET

• = 6" NALL SET

• = 0" NALL SET

• = CANLING POWER POLE

• = ELECTRIC METER

• = FIBER OPTIC POLIT

• = FIBER OPTIC VAULT

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verizonwireless

SURVEYED FOR:

1515 WOODFIELD ROAD SUITE 1400 SCHAUMBURG, IL 60173

SI) RVI: VING; 1.1.C 0111es 920-993-0881 N974 Firefund 1 0111es 920-273-0881 Menasha, Wi 54952 Fax: MERIDIAN

ST. PAUL ST. 298396 SITE NUMBER: SITE NAME:

CHIPPEWA FALLS, W 54729 SITE ADDRESS:

PROPERTY OWNER: CATHOLIC SCHOOLS INC. CHIPPEWA FALLS ARA 1316 BEL AR BLVO. CHIPPEWA FALLS, WI 54729

PARCEL NO.: 22809-0142-01000000

DEED: DOCUMENT NO. 746265 ZONED: P1-PUBLIC

LEASE EXHIBIT

BEING A PART OF THE NW1/4 OF THE SE1/4, SECTION 1, T.28N., R.9W., CITY OF CHIPPEWA FALLS, CHIPPEWA COUNTY, WISCONSIN VERIZON WRELESS PERSONAL COMMUNICATIONS LP d/b/o verizon wreless

				J.B.	9	i	à	
				Doubled Lanse Area		Preliminary Survey		DESCRIPTION OF THE PARTY OF THE
					11/12/15	2/12/18	3/43/10	24.44
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_				8-11-15		FIELD BOOK: 14-33, PG.66		
Preliminary Survey	NOTE	5		FIELD WORK DATE:		BOOK	*	-
Imhar	0	DESCRIPTION		PIELD		FIELD		-
				J.B.		C.A.K.		
27/20/	6/23/13	DATE		S B Napau		C.A.K.	ברווכה הויי	
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A part of the Northwest Quarter (NW1/4) of the Southeast Quarter (SE1/4) of Section One (1), Township Twonty-Eight (23) North, Range Vinc (9) West, City of Chippewa Falls, Chippewa County Wiscossin commaining 640 square feet (0.014 acres) of land and being described by: Commencing at the East Quarter Corner of said Section 1; thence S89-36-27"W 1912.08 feet along the East-West Quarter line of Section 1; thence S00-23-331 524 linear S00-44-43"E 29.00 feet, thence S89-55-17"W 22.57 feet to the point of beginning; thence S00-44-43"E 29.00 feet, thence N09-55-17"E 32.00 feet to the point of beginning; being subject to any and all eastenents and restrictions of record.

# LANDLORD LEASE PARCEL (CENTRAL STATES TOWER III, LLC.)

A part of the Northwest Quarter (NVP 1/4) of the Southeast Quarter (SE1/4) of Section One (1), Township Twenty-Eight (28) North, Range Mire (9) West, City of Chippown Fells, Chippown, Courty Wissonshi containing 3,207 square feet (0.073 acres) of hard and being described by: Commonding at the East Quarter Corner of said Section 1; thence St9°-36-27"W 1912.08 four along the East-West Quarter line of said Section 1; thence St0°-23-37"E 32.00 Feet, thence St0°-23-37"F 62.63 Feet thence N14°-45°-34"E 1800 Feet, thence St0°-23-37"F 62.63 Feet thence N14°-45°-34"E 65.75 feet thence 579-544.36 E 48.00 feet to the point of beginning, being subject to any and all ensuments and restrictions of record.

# LANDLORD 28 FOOT WIDE INGRESS/RGRESS EASEMENT (CENTRAL STATES TOWER 11, LLC.)

A part of the Noritwest Quarter (NW1/4) of the Southeast Quarter (SE1/4) of Section One (I). Trownship Twenty-Eight (24) North, Range Nine (9) West, City of Citiporwa Palis, Citiporwa County Wisconsin conlaming 12st square feet (0.002 news) of land and heling Ten (10) feat each side of and partlel in the following dascribed line:

Commencing at the East Quarter Corner of said Section 1; therece \$899-450-27"W 1906.88 foct along the East-West Quarter line of Section 1; therece \$809-450-27"E Gold feet to a point on the west line of \$800-740-77"E Gold feet to a point on the west line of Colornas Street and lite point of termination. The side for littee of faid tensorems are to be shortened or lengthened to terminate on said west line of Colornas Street.

# LANDLORD 20 FOOT WIDE UTILITY BASEMENT (CENTRAL STATES TOWER (II, LLC.)

A part of Lot Three (3) and Lot Four (4) Block Four (4) of Ridgewood Manors Addition to the City of Chippewa Falls and locuted in the Morthwest Quarter (NWH) of the Studiesst Quarter (SE1)49 of Section One (1), Towneslap Trates, Elight (28) North, Range Nine (9) West, City of Chippewa Falls, Chippewa County Wisconsin containing 3,480 square fact (0.079 acres) of land and boing Trat (10) feet each side of and parallel to the following described lime:

Commonding at the East Quarter Corner of snid Section 1: thence S89°-36'-27"V 1906.88 feet along the East-West Quarter Corner of Snid Section 1: thence S10°-23'-33"E 525.32 feet, thence S10°-04'-43"E 44.89 feet to the point of termination.

# PARENT PARCEL

Part of the NWM of the SEEA of Section 1, Township 28 North, Range 9 West, City of Chippeva Falls, Chippeva Couny, Wisconsiu described as follows:

Beginning at a point on the West line of Terrill Street, in the City of Chippewa Falls, Wisconsia, suit, point being 363 feet South of the Vortheust correct of the said NWA, of the SEA of Section 1; theneow West and pradled with Mansfield Street 99 feet; thence South 264 feet thoreo East 99 feet to the West line of Terrill Street; shared North 264 feet to the point of beginning.

Part of the NWM of the SEM of Section 1, Township 28 North, Range 9 West, City of Chippewn Falls, Chippewn County, Wisconsin described as follows:

Beginning at a point which is 99 feet West of the East line of sald NWW of SEM on the South line of Coloman Street, thence West on the South line of Coloman Street, thence East along the North line of Bel Air Boulevard; thence East along the North line of Bel Air Boulevard; thence East along the North line of Bel Air Boulevard 66 feet; thence North to point of Deginning.

A parcel of land in the NWW, of the SEM of Socion 1. Township 21 North, Range 9 West, City of Chippewa Palls, Chippewa County, Wisconsin described as follows:

Beginning at a point which is 165 fear Weat of the East line of the NE senner of said NWA, of the SEM, on the South line of Coleman Street, thence East West on the South line of Coleman Street 66 fost, thence Seath and puntled with the East line to the North line of Cel Air Boulevard; thence East along the North line of Del Air Boulevard 66 feet; thence North and purallel with the East line to the point of beginning.

Part of the NWK of the SEM of Scotion 1, Township 28 North, Range 9 Weat, City of Chippews Falls, Chippews County, Wisconsin described as follows:

Beginning at a point 31 feat West of the East line on the South line of Colonnan Street, thence West on the South line of Colonnan Street yes the South line of Colonnan Street beneable with the East line to the North line of Bed Air Boulevard; thence East along the North line of Bed Air Boulevard 99 feest, thence North to point at Peginning.

Part of the NWM of the SEM of Section 1, Township 28 North, Range 9 West, City of Chippena Falls, Chippena Caunty, Wisconsin described as follows:

Beginning at a point which is 330 feet West of the East line of said NWW of the SEM on the South line of Colemna Street; thence West on the South line of Colemna Street 66 feet, lumne South and parallel with the East line to the North line of Bel Air Boulevard; thence East along the North line of Sel Air Boulevard 66 feet, thence North to point of beginning.

All of Block 4 Lors 1, 2, 3, and 4, Ridgessood Manors Addition to the City of Chippewa Falls, Chippewa Falls, Chippewa Falls, Chippewa Eslas, Chippewa Commy, Wisconsint, Being a part of And located upon part of the NW1/4 of the SE1/4 of Section 1, Township 28 North, of Range 9 West

Parvel G: Parvel G: The NWA of the SEM of Section 1, Township 28 North, Range 9 West, City of Chingewn Falls, Chippowa County, Wissonsin described as follows:

Beginning at a point 590 test West and 297 feet South of the NE corner of said NWW of the ECM; thence South and parallel with the East line to the Theories are of Eel Air Boulevard; thence West along the North line of Eel Air Boulevard Loss feet, thence North and parallel with the East line to a point 297 feet South of the North line; thence East 168 feet to the point of heginning.

A pared of land in the NWYs, of the SBX of Section 1, Township 28 North, Rango 9 West, City of Chippows Falls, Chippewa County, Wisconsin described as follows:

Beginning at a point which is 758 food West and 297 best South of the NE conser of said NWA, of the SEA; thence South and parallel with the East line to the North time of Bed. Air Bouleward; thence West along the North inne of Bed. Air Bouleward 56 feet; thence North parallel with the East line to a point 277 teac of the North line; thence East 56 feet to the point of beginning.

Pari of the NWK of the SELs of Section 1, Township 28 North, Range 9 West, City of Chippewn Falls, Chippewn County, Wisconsin described as follows:

Beginning at a point which is 952 fort West and 270 feat South of how NE corner of said NWA of the SEA; thence East and parelled while the North line of Pel Air Bouleward; thoree West slong the North line of Bel Air Bouleward; thoree West slong the North line of Bel Air South of Pel Air Bouleward; thoree West slong the North line of Bel Air Bouleward; 196 feet, thence North and parelled with the East line to a point 265 feet South of the North line; thence East 99 feet, thence North 45 feet to the point of beginning.

# TITLE REPORT REVIEW

TYTLE REPORT: First American Tille Insurance Company

COMMITMENT NO, NCS-743409-MIKE

EFFECTIVE DATE: August 2, 2015

FEE SIMPLE TITLE VESTED IN: Chippewa Palls Area Catholic Schools, Inc.

NOTE: THE STATEMENT OF APPLICABILITY REFERS TO THE LEASE SITE AND ANY EASEMENTS PERTINENT THEREUNTO WHERE SPECIPIC ENCUMBRANCES AFFECT THE LEASE SITE AND/OR A PERTINENT EASEMENT, THEY ARE IDENTIFIED AS

SCHEDULE B-11

(1-9) These are general statements and not specific encumbrances.

(10) Executent granted by Percenoud and Post Home, incorporated, its sucressors and sesigns, to Wisconstal Telephone Company and unto the Neutland States Power Company (Wisconstin), that successors and assigns by an instrument dated August 24, 1961 and recorded on September 7, 1961 in Volume 253 of Records on pages 295-96 as Document New 304097, (Parcel F) Docs apply and its plotted and sturve.

(11) Covenants, conditions and restrictions commined in Warrarty Deed from Darrell Rubel to Chippense Fails Area Unified Sahoot District dated July 14, 1987 and recorded July 30, 1987 in Volume 616 of Records on page 720 as Document No. 466568. (Purcal P) Dates apply Pair eaunot the specifically mapped.

SURVEYED FOR:

Consulting Engineers, Inc. Edge

544 Vittor Sheet Partier to, Smit WI 63578 624 645.149 votca edispekt 1949 (ox A ARLA STRUCOMSULLCOM

verizonwireless SURVEYED FOR:

1515 WOODFIELD ROAD SUITE 1400 SCHAUMBURG, IL 60173

MERIDIAN

920-993-0861 920-273-6037 SURVEYING, LLC NB774 Firelane 1 Menasha, Wi 54952

OHIPPEWA FALLS, WI 54729 ST. PAUL ST. 298396 SITE ADDRESS: SITE NUMBER: SITE NAME:

PROPERTY OWNER: CATHOLIC SCHOOLS INC. CHIPPEWA FALLS AREA 1316 BEL ARI BLVO. CHIPPEWA FALLS, WI 54729

PARCEL NO.: 22809-0142-01000000

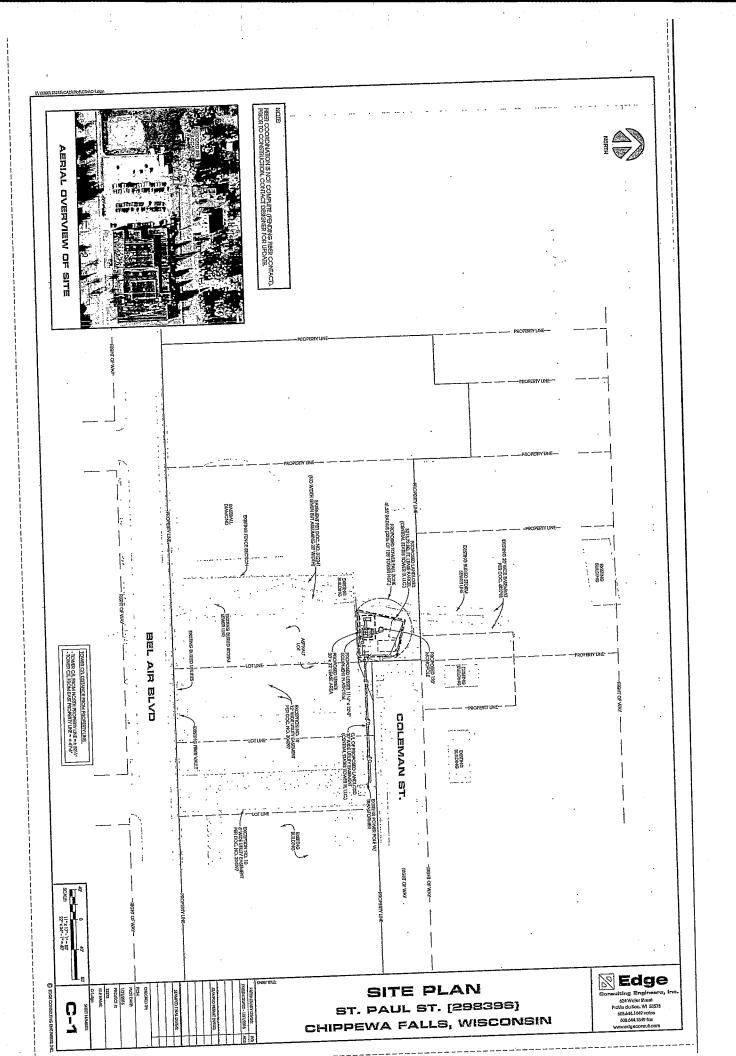
DEED: DOCUMENT NO. 746265

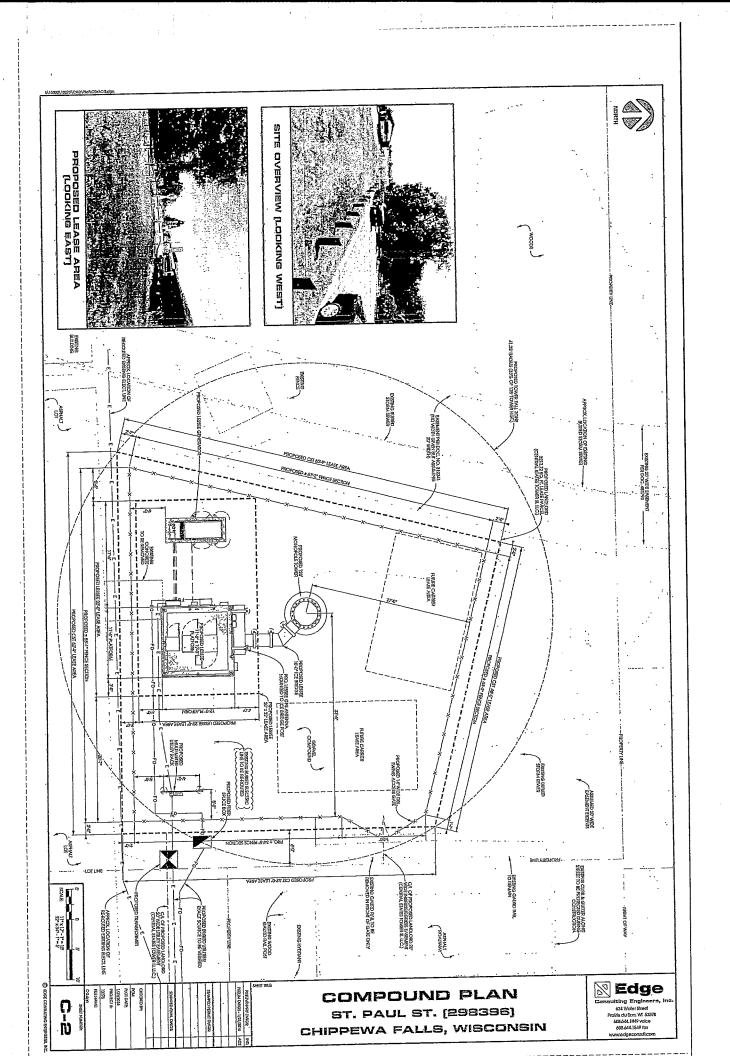
ZONED: P1-PUBLIC

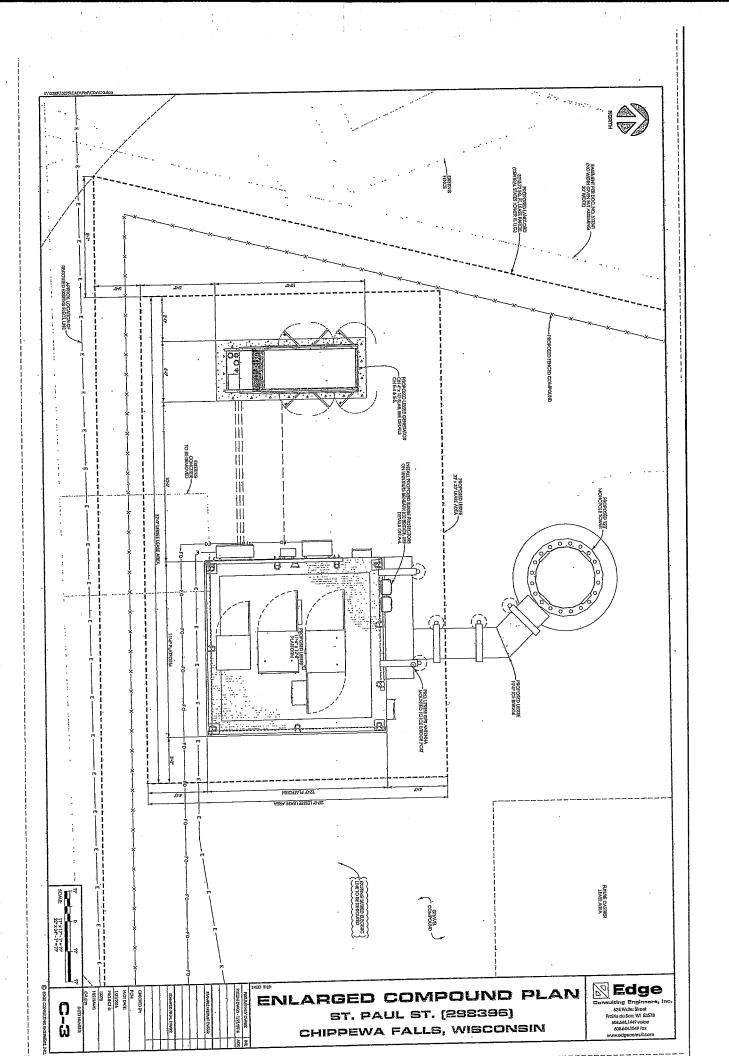
BEING A PART OF THE NWI/4 OF THE SE1/4, SECTION 1, T.2BN., R.9W., CITY OF CHIPPEWA FALLS, CHIPPEWA COUNTY, WISCONSIN VERIZON WIRELESS PERSONAL COMMUNICATIONS LP d/b/a VERIZON WIRELESS LEASE EXHIBIT

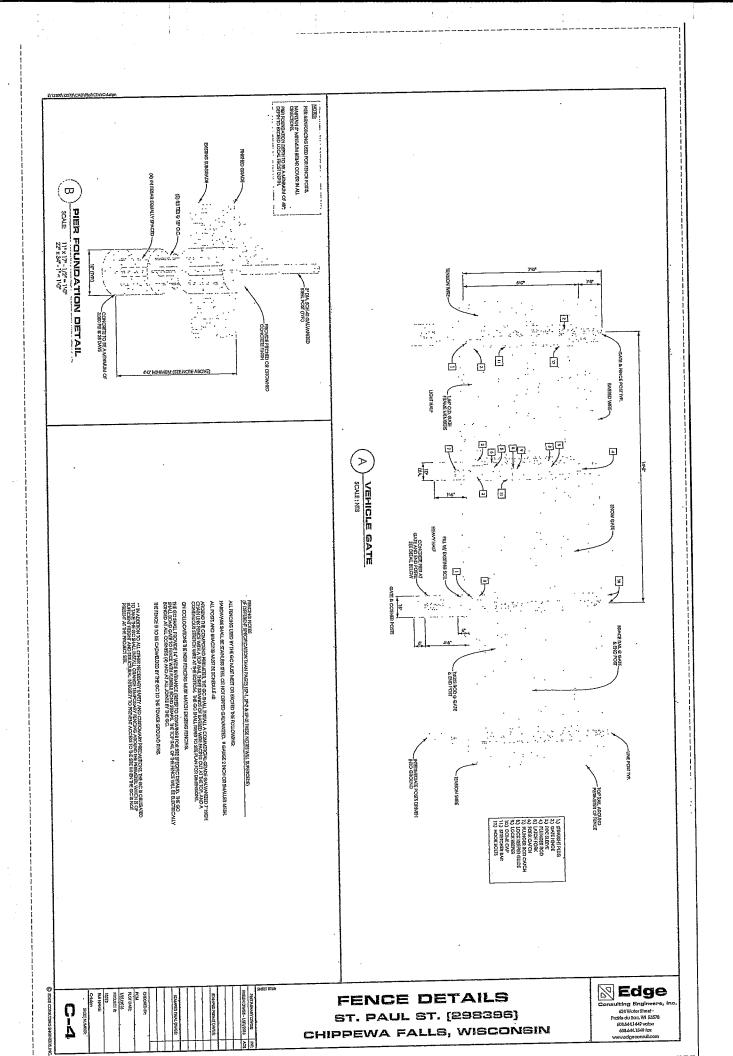
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			Revised Lease Area		Preliminary Survey	
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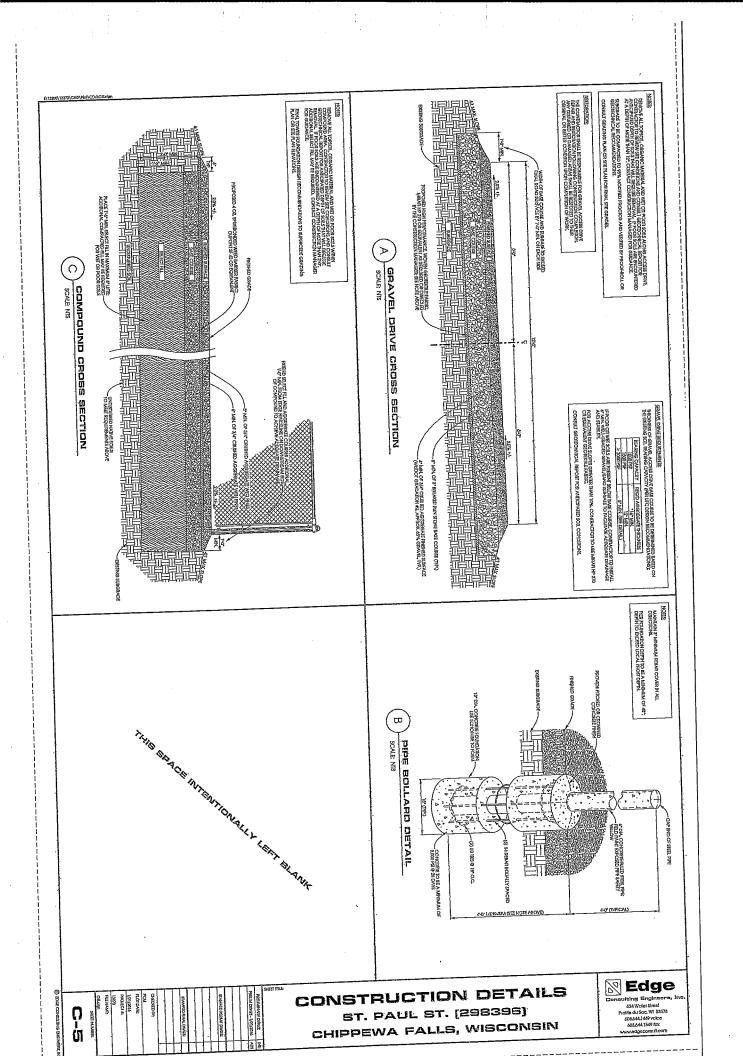
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BY	8-11-15	4-33, PG.66	4 70
DESCRIPTION	FIELD WORK DATE:	FIELD BOOK: M-33, PG.66	CHEFT 4 OF
d	J.B.		
NO. DATE	DRAWN BY:	снескер вк. С.А.К.	. 60

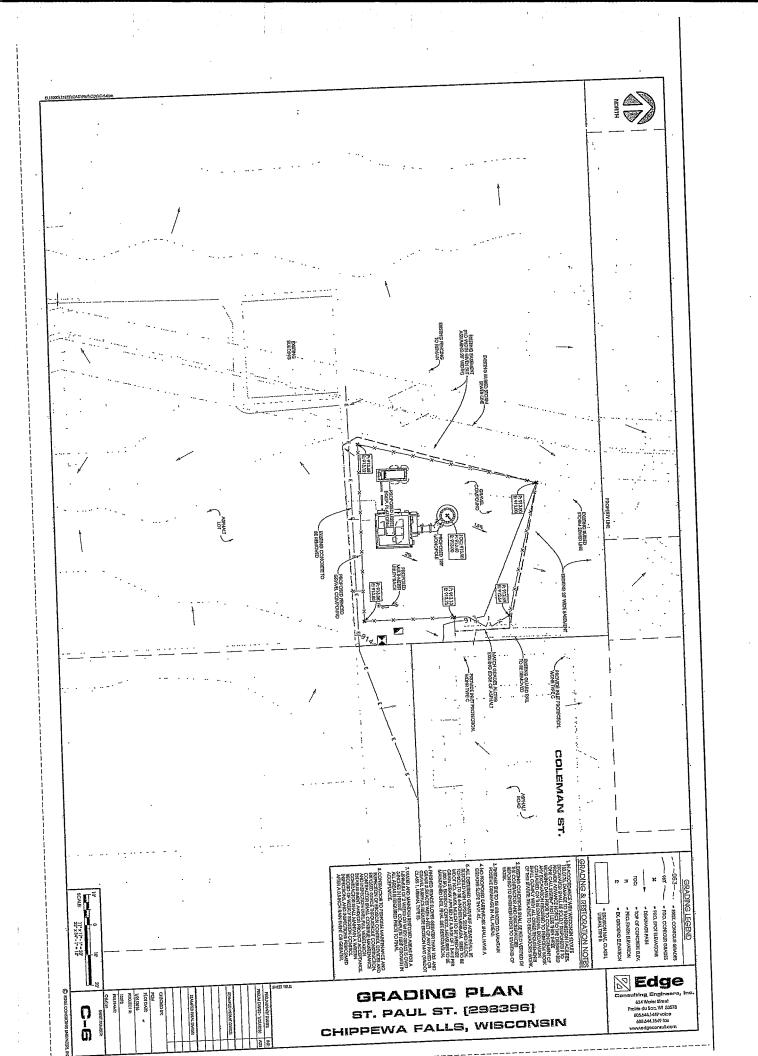


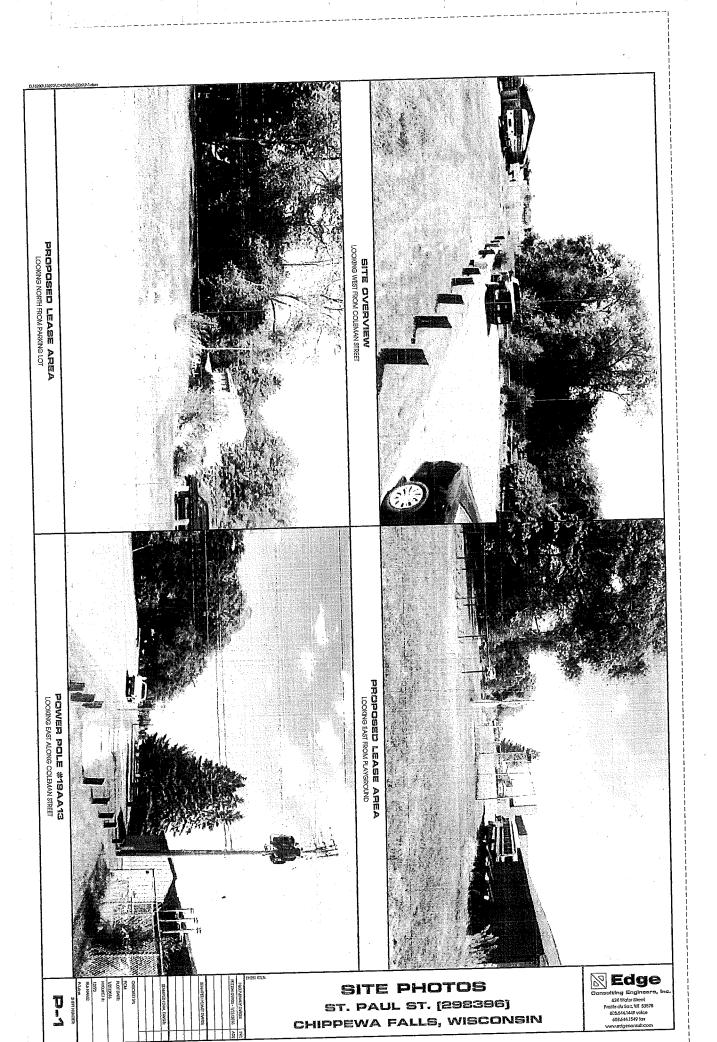












From: Siamof, Mustafa J [mailto:Mustafa.Siamof@VerizonWireless.com]
Sent: Tuesday, March 08, 2016 11:13 PM
To: Shane Begley
Subject: St Paul St Search ring

Shane,

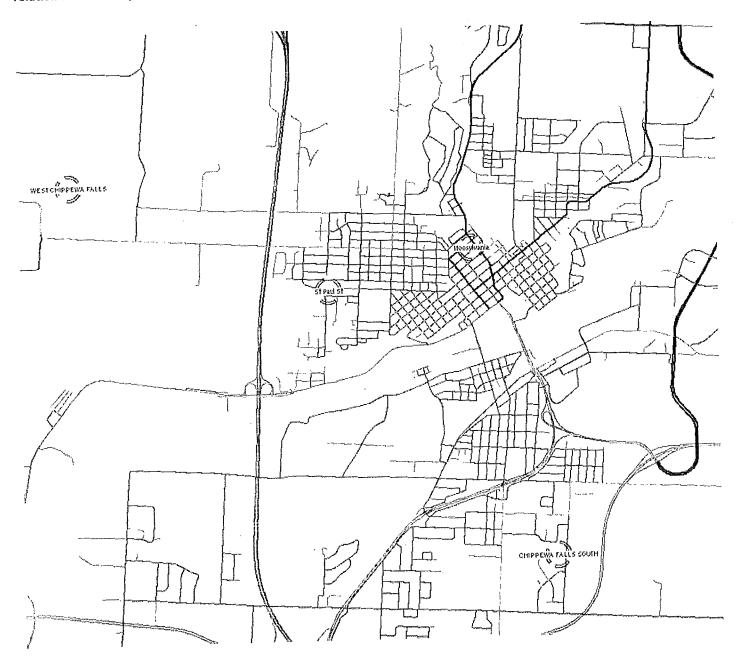
Per your request, this is from our meeting on 6/17/2015.

Below is the search ring for St. Paul St.

St. Paul St Search Ring



The objective of the site is to offload VZ's Moosylvania site located at 32 Spruce Street. The map below show St Paul St in relation to the Moosylvania site.



The below Aerial shows sites in relation to the search area that were submitted and reviewed for candidate selection. Alt #3 Christiansen Florist was my initial selected candidate as it best meets the need of the available candidates provided.



Per my sworn statement there are no suitable structures within the SA and in reviewing the water tank it does not meet Verizon's engineering needs .

SWORN STATEMENT OF MUSTAFA SIAMOF IN SUPPORT OF NEW TOWER CONSTRUCTION PURSUANT TO WIS. STAT. §66.0404						
OUTAGAMIE COUNTY	) ) ss.					
STATE OF WISCONSIN	)					

MUSTAFA SIAMOF, being first duly swom on oath, deposes and says that:

- 1. I am an adult resident of the State of Wisconsin and serve as RF Engineer at Verizon Wireless.
- My job duties include responsibility over the placement of the mobile service support structure being proposed by Central States Tower (Site# WI-00-4968) and Verizon Wireless (298396), located at 1316 Bel Air Blvd., Chippewa Falls WI 54729.
  - 3. This sworn statement is made pursuant to Wis. Stat.  $\S66.0404(2)(b)6$ .
- 4. The Verizon Wireless Proposal is being submitted because collocation within Verizon Wireless search ring for the area covered by the Verizon Wireless Proposal is infeasible, as no existing structures of any kind currently exist which could be milized for such collocation.
- 5. There is a Water Tank owned by the City of Chippewa Falls located at 707 West Wood Drive Chippewa Falls WI 54729 (44 55'58.73"N / 91 25'3.66"W) that is outside the search area and was reviewed for possible collocation but it fails to meet Verizon Wireless needs.

Mustafa Signof

Subscribed and sworn to before me

this equal 2014 Day 1

Notary Public, State of Wisconsin

My commission: 12/2/2/16

Tabocs/8300/00007/6286461

Date Filed:
Fee Paid: 325. Date: 3-22-16 TR#: 48673
Fee Paid: Date: TR#:
PETITION FOR A CONDITIONAL USE PERMIT
TO THE CITY OF CHIPPEWA FALLS, WISCONSIN:
I/We, the undersigned, hereby petition the Plan Commission of the City of Chippewa Falls, WI, for a Conditional Use Permit as authorized by the Chippewa Falls Zoning Code, Section 17.46, for the following described property:
Address of Property: None Assigned
Lot#: Block#: Subdivision: Parcel# 22808-1722  Legal Description: Lot 2 of Certified Survey Map No. 2655 recorded  February 16, 2004, in Volume 12 of Certified Survey Maps on  Pages 91-93 and recorded as Document No. 681694.
Zoning classification of property: R-3A Multi-Family Residential District
Purpose for which this Permit is being requested: 11:11ze and Intercept water   sewer facilities per Water and Sewer Easement Agreement that was recorded on February 21, 2001, for the purpose of constructing a 3-story apartment complex.
Existing use of property within 300 feet of subject property: (List or attach map)  West/North: C-2 General Commercial/Retail  East: R-3-m multiple Family Residence.

	surrounding and proposed
use	
	·
	•
Operational plans of the proposed use:	•
Hours of Operation: NIA	
Days of Operation: N/A	
Number of Employees:\ Part-time	Full-time
•	
Capacity:	1 1 1 - Leanny of
Number of Units: 60 - 72 Cd spends  requirements, etc)  Size: Approximately +1- 71,400 5.	on site layout, stor st. was
requirements, etc)	C + 1 1 = 11 ± 23 800
Size: Approximately +1- 71,400 5.	+, total arta wy = ==,
pertion 100 17174	residents
Size: Approximately 7-11,400 3.3	residents
Number of Residents/Children: 96-124	residents
Number of Residents/Children: 96-124 Ages:	residents
Number of Residents/Children: 96-124	residents
Number of Residents/Children: 96-124 Ages:	esidents
Number of Residents/Children: 96-124 c  Ages: Other:	esidents
Number of Residents/Children: 96-124 c  Ages: Other:  Building plans:	esidents
Number of Residents/Children: 96-124 Ages: Other:  Building plans:	esidents
Number of Residents/Children: 96-124 c  Ages: Other:  Building plans:  Existing buildings: Nane	esidents
Number of Residents/Children: 96-124 Ages: Other:  Building plans:	esidents
Number of Residents/Children: 96-124 c  Ages: Other:  Building plans: Existing buildings: None  Proposed buildings: Apartment Buil	ding (in drsign phase)
Number of Residents/Children: 96-124 Ages: Other:  Building plans:  Existing buildings: None	ding (in drsign phase)
Number of Residents/Children: _96-124 c  Ages:	ding (in drsign phase)
Number of Residents/Children: 96-124 c  Ages: Other:  Building plans:  Existing buildings: None  Proposed buildings: Apartment Buil  Use of part of building:	ding (in drsign phase)
Number of Residents/Children: _96-124 c  Ages:	ding (in design phase)

ı	Change in use: No
	Outside appearance:
	Number of buildings: I with possibility of accessory garages.
Plantin	ng & Landscaping:
	Type: TBD
•	
	Timetable: TBO
Scree	ning:
	Type: TBD
	Fences: TBD
	Type:
	Height: Location:
Earth	Bank:
	Planting:
	Maintenance:
	Other:

Lights	:	
	Number of lights: TBD	
	radilisor of figures.	
•		
	Location: TBD	_
	Location: 1 BD	<del>_</del>
	Hours:	<u> </u>
	Type:	
Olano		
Signs		
-	Type: TBD	
	Lighted:	
	Size:	
	Location:	
	Setbacks:	
	Octodono	
Drive		
	Number of: TBD - One from Colome S+	
	Location:	
	Width:	
•		
Park	dina:	
1 0.11.	Number of stalls: 1.5 stalls per unit minimum	
	Number of stalls: TRD	
	Location of stalls: TBD	
	Setbacks:	
	Surfacing:	
	Screening:	
Drai	inage:	
	Storm sewer:	
	Rock beds:	
	Detention pond: 145 x 145 existing pand	
	Retention pond: 145 x 143 existing	4

٠.

Submit site plan showing property line, buildings	
List any additional information being submitted with the ORICK Pendergast Legal Opinian Water Sewer Easement Agreem 3 Certified Survey Map No. 26 Tentative 1 Draft Site Plan	nent
IN ORDER FOR THIS PETITION TO BE CONSIDER PROPERTY MUST SIGN BELOW:	ED, THE OWNER(S) OF THE
Owner(s)/Address(es):	Petitioner(s)/Address(es):
Hoss Bros., LLC 902 Water Street  Eau Claire, WI 54703  Phone #: 715-225-1923  Email: boomerangrealestate eigmail.com	Phone #:Email:
Phone #:Email:	Chippera Commons, LLC  902 Water 5 treet  Ear Clast, WI 54763  Phone #: 715-225-1923  Email: boomarangred estate Osmarlica
Phone #:Email:	Phone #:Email:

# PENDERGAST LAW OFFICE

RICK L. PENDERGAST Attorney-at-Law rick@pendergastlawoffice.com

LUCIE A. MCGEE Attorney-at-Law <u>lucie@pendergastlawoffice.com</u>

February 8, 2016

Jason Griepentrog c/o Boomerang Real Estate, LLC 902 Water Street Eau Claire, WI 54703

Via email only to boomerangrealestate@gmail.com

Re:

Use of Easement Crossing Lot 2 of CSM 2655

Dear Jason:

It is my legal conclusion that you have the right to use the utility facilities that cross Lot 2 of CSM 2655. I enclose a copy of the CSM that shows the layout of the Easement. It is the cross-hatched section.

I reviewed the Conditional Use Permit, C.U.P. Resolution #00-05, which states that as a condition of issuance (Paragraph L) the owner is to provide the City a permanent easement that's provided for joint construction, operation, use, maintenance, repair, and replacement of the facilities that serve the premises covered by the C.U.P., the adjacent premises also served by the C.U.P., and the premises "to be served" by the C.U.P. You are in the last category of "to be served".

I also reviewed the Water and Sewer Easement Agreement which was recorded on February 21, 2001 as Document No. 618112. This was recorded in compliance with the C.U.P. It provides for a "nonexclusive" right-of-way and Easement for facilities. It is a permanent easement that runs with the land and is binding upon the current parties, their heirs, successors, and assigns. You fall into the later "successor" category. Pursuant to Paragraph 7 of the Easement, the owner of a parcel burdened by the easement (you) may enforce the easement. It is my legal opinion that this gives you the right to use to facilities that cross your properties. Further, if MSP Housing attempts to block your use of the facilities, you may enforce this in Court and recover your attorney fees and costs according to the document.

In reviewing the Title Commitment from All Title Service, Inc., it shows that the property that you purchased is subject to the water and Sewer Agreement previously mentioned. I asked the title company to illustrate how that affects the property that you purchased. This Easement runs along the east 30 feet of the property.

February 4, 2016

Re: Use of Easement Crossing Lot 2 of CSM 2655

Page Two

Accordingly, my legal conclusion is that you have the right to use this facility and that you may enforce in Court if necessary. I would recommend that you proceed along the lines of Mr. Rubenzer's email to you dated September 10, 2014 with regards to amending the C.U.P., revising the map and description and having the Plan Commission approve it.

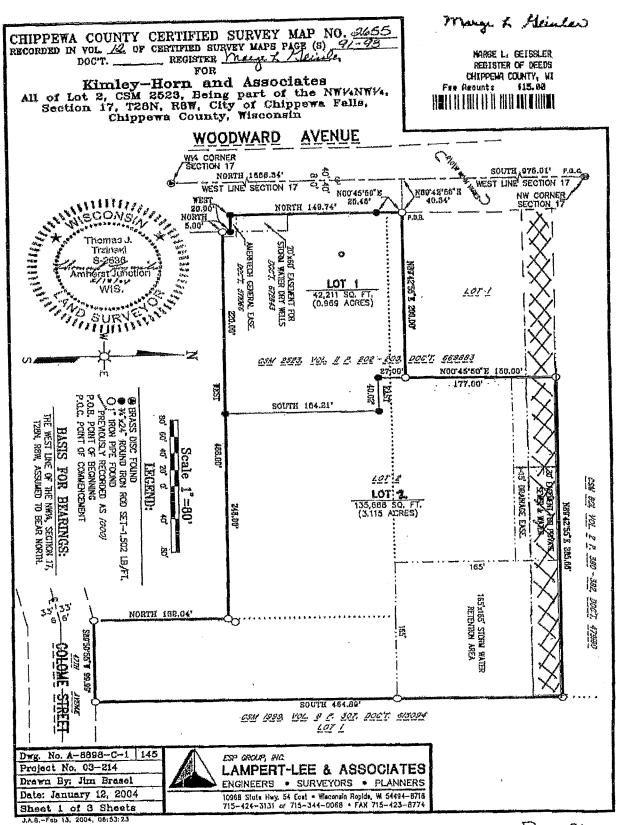
Please let me know if you need anything further.

Sincerely,

Rick L. Pendergast

RLP:jal

Recorded FEB. 16, 2004 AT 12:30PM



# WATER AND SEWER EASEMENT AGREEMENT

THIS WATER AND SEWER EASEMENT AGREEMENT (this "Agreement") is entered into as of the 23 day of January, 2001, but effective December 5, 2000, by and between CHARLES E. WARD, JR. and KATHRYN A. WARD (together, "Grantor") and the CHIPPEWA SENIOR APARTMENTS, LLC (the "Company"), a Wisconsin limited liability company, and MILO S. PINKERTON ("Pinkerton") (together, the Company and Pinkerton are hereinafter referred to as "Grantees").

## WITNESSETH:

WHEREAS, the Grantor is the owner in fee simple of the property more particularly described on the attached Exhibit B (the "Grantor Property");

WHEREAS, Grantor is conveying the Real Estate more particularly described as "Parcel 1," "Parcel 2," and "Parcel 3" on the attached Exhibit C (together, Parcel 1, Parcel 2 and Parcel 3 are referred to as the "Grantee Property");

DOCUMENT# 618112

Recorded FEB. 21,2001 AT 12:55PM

Signed: Marge L. GEISSLER
REGISTER OF DEEDS

CHIPPEWA COUNTY, WI Fee Amount: \$22.00

Lee Hannut: 155.00

Drafted by and after recording return to:

Atty. Christopher L. Kopecky

Foley & Lardner C. Till P Co.

P. O. Box 1497 File Will Co. Madison, WI 53701-1497 (11P \$30 \$05 \$0

See attached Exhibit A
Parcel Identification Number (PIN)

WHEREAS, the Grantor desires to convey and the Grantees desires to accept for the benefit of the Grantee Property a permanent, non-exclusive, right of way and easement over that part of the Grantor Property being a strip of land thirty (30) feet in width more particularly described on the attached Exhibit A (the "Easement Area").

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Grantor and the Grantee agree as follows:

- 1. The Grantor gives, grants and conveys to the Grantees for the benefit of the Grantee Property a perpetual non-exclusive right of way and easement in, under, upon and across the Easement Area for the following purposes and uses:
- a. To construct, operate, maintain, repair and replace sewer and water mains (the "Mains") and other utilities in the Easement Area.
- b. To provide ingress and egress for the service vehicles of the Grantee and its agents and employees used in performing the activities set forth in Paragraph 1(a) above.
- 2. The construction, operation, maintenance, repair, replacement and removal of the Mains shall be performed by or on behalf of the Grantees at their sole expense. The Grantees shall, at their sole expense and in a timely fashion, restore and maintain the surface of the Easement Area and any additional part of the Grantor Property disturbed by the Grantee in performing the activities set forth in Paragraph 1(a) above as nearly as possible to the condition as existed immediately prior to commencement of such activities.

## INCOMENT# 618112

- Grantor hereby warrants that it has good and indefeasible fee simple title to the Grantor 3. Property, subject only to municipal and zoning ordinances; and easements, covenants, restrictions, liens and leases of record; and that it has full power and authority to convey the rights granted herein.
- If the Grantee Property is ever divided into two or more parts by separation of ownership or by lease, all parts shall enjoy the benefit of the Easement Area hereby created.
- Except as otherwise provided herein, this Agreement may be amended by a writing executed by all of the owner(s) of the Grantor Property and the Grantee Property and any mortgagees thereof, and the consent of no other parties shall be required. Any such writing shall be recorded with the Register of Deeds of Chippewa County, Wisconsin.
- In addition to the right of the Grantor to use the Easement Area in a manner which does not interfere with the Grantees use, Grantor may construct a driveway or parking area in the Easement Area which use shall not be considered inconsistent with the use granted to the Grantee hereunder. However, Grantor shall be responsible for any replacement cost of said driveway or parking area necessitated by repair or replacement of said water and sewer lines.
- Any party benefited or burdened by the Easement Area may enforce this instrument by appropriate action, and should it prevail in such litigation, it shall recover as part of its costs reasonable attorneys' fees.
- This Agreement and the burdens and benefits herein contained shall run with the land and 8. be binding upon and inure to the benefit of the parties hereto, and their respective successors and assigns.
- This Agreement is being recorded to amend and replace that certain Water and Sewer Easement Agreement recorded on December 8, 2000, as Document No. 615637 in the office of the Register of Deeds for Chippewa County. This document omits the words "or terminated" from paragraph 5 of that original Easement and amends the legal descriptions in Exhibit C attached hereto.

IN WITNESS WHEREOF, this Agreement has been made, executed and delivered as of the date above written.

Kathryn

GRANTEES:

CHIPPEWA SENIOR APARTMENTS, LLC

By: MSP Real Estate, Inc., Managing Member

# DOCUMENT# 618112

STATE OF WISCONSIN	)	
	)	ss.
COUNTY OF Eas Claire	_)	

Personally came before me this 23 day of January, 2001, the above-named Charles E. Ward, Jr. and Kathryn A. Ward, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

\* Kathering: A. Sires \* Kathering: A. Sires Notary Public, Eau Claire County, Wisconsin My commission expires: 7-4-04

Print Name of Notary Public

Minnegota

STATE OF WISCONSIN
) ss

COUNTY OF Hennepin
)

Personally came before me this 2d day of January, 2001, the above-named Milo S. Pinkerton, to me known to be the President of MSP Real Estate, Inc., known to me to be the Managing Member of Chippewa Falls Senior Apartments, LLC, and Milo S. Pinkerton, individually, to me known to be the person who executed the foregoing instrument and acknowledged the same.

\* TEVESA FVANCES BUTN har Notary Public, Hemee'm County, Wisconsin My commission expires: 1-31-05 TERESA FRANCES BURNHAM
NOTARY PUBLIC-MINNESOTA
My Commission Expires. Jan. 31, 2005

\* Print Name of Notary Public

# **EXHIBIT A**

# Easement Area LEGAL DESCRIPTION

That part of the NW1/4 of the NW1/4 of Section 17, Township 28 North, Range 8 West, City of Chippewa Falls, Chippewa County, Wisconsin more fully described as follows:

Beginning at a point 825.08 feet south and 33 feet east of the northwest corner of said Section 17, being the southwest corner of Certified Survey Map No 801;

thence N 89°42'55 E along the south line of CSM No. 801, a distance of 595.00 feet to the west line of Certified Survey Map No. 1999;

Thence S 00°00'00' W along said CSM No. 1999. A distance of 30.00 feet;

Thence S 89°42'55" W 595.00 feet

595.00 feet to the easterly right of way of Woodward Avenue;

Thence N 00°00'00' E

30.00 feet to the point of beginning.

All bearings contained in the above described parcel are oriented to the west line of the NW1/4 of Section 17-28-8 assumed to bear N 00°00'00' E.

# EXHIBIT B

**Grantor Property** 

That part of the NW1/4 of the NW1/4 of Section 17, Township 28 North, Range 8 West, City of Chippewa Falls, Chippewa County, Wisconsin more fully described as follows:

Beginning at a point 825.08 feet south and 33 feet east of the northwest corner of said Section 17, being the southwest corner of Certified Survey Map No 801;

thence N 89°42'55 E along the south line of CSM No. 801, a distance of 595.00 feet to the west line of Certified Survey Map No. 1999;

Thence S 00°00'00" W along said CSM No. 1999 a distance of 165.00 feet;

Thence S 89°42'55' W 595.00 feet to the easterly right of way of Woodward Avenue;

Thence N 00°00'00' E 165.00 feet to the point of beginning.

All bearings contained in the above described parcel are oriented to the west line of the NW1/4 of Section 17-28-8 assumed to bear N 00°00'00' E.

# **EXHIBIT C**Grantee Property

LOT 1 of Chippewa County Certified Survey Map No. 1999 recorded in Volume 8 of Certified Survey Maps, on page 307, as Document No. 613094.

That part of the NW 1/4 of the NW 1/4 of Section 17, Township 28 North, Range 8 West, City of Chippewa Falls, Chippewa County, Wisconsin more fully described as follows:

Commencing at the northwest corner of said Section 17;

Thence S 00°00'00' W along the west line of said Section 17, a distance of 1321.70 feet;

Thence N 89°50'15' E, 1358.43 feet to the southeast corner of said NW 1/4 of the NW 1/4;

Thence N 00°29'55' E along the east line of said NW 1/4 of the NW 1/4 a distance of 33.00 feet;

Thence S 89°50'55' W along the north line of 47th Avenue, a distance of 497.39 feet to the point of beginning;

Thence S 89°50'55' W 233.25 feet; Thence N 00°00'00' E 629.82 feet; Thence S 00°00'00' W 296.34 feet;

Thence S 89°50'55' W 140.50 feet; Thence S 00°00'00' W 138.50 feet;

Thence S 89°50'55' W 64.25 feet;

Thence S 00°00'00' W 196.00 feet to the point of beginning.

Said parcel contains 216493 square feet more or less.

LOT 2 of Chippewa County Certified Survey Map No. 1999 recorded in Volume 8 of Certified Survey Maps, on page 307, as Document No. 613094.

That part of the NW 1/4 of the NW 1/4 of Section 17, Township 28 North, Range 8 West, City of Chippewa Falls, Chippewa County, Wisconsin more fully described as follows:

Commencing at the northwest corner of said Section 17;

Thence S 00°00'00 W along the west line of said Section 17, a distance of 1321.70 feet;

Thence N 89°50 15 E, 1358.43 feet to the southeast corner of said NW 1/4 of the NW 1/4;

Thence N 00°29'55' E along the east line of said NW 1/4 of the NW 1/4 a distance of 33.00 feet;

Thence S 89°50'55" W along the north line of 47th Avenue, a distance of 248.89 feet to the point of beginning;

Thence S 89°50'55' W 248.50 feet;

Thence N 00°00'00' E 196.00 feet;

Thence N 89°50'55' E 64.25 feet; Thence N 00°00'00' E 138.50 feet;

Thence N 00°00'00" E 138.50 feet; Thence N 89°50'55" E 165.00 feet;

Thence S 00°00'00' W 148.50 feet;

Thence N 89°50'55' E 19.25 feet;

Thence S 00°00'00' W 186.00 feet to the point of beginning.

Said parcel contains 71366 square feet more or less.

# LOT 3

That part of the NW 1/4 of the NW 1/4 of Section 17, Township 28 North, Range 8 West, City of Chippewa Falls, Chippewa County, Wisconsin more fully described as follows:

Commencing at the northwest corner of said Section 17;

Thence S 00°00'00' W along the west line of said Section 17, a distance of 1321.70 feet:

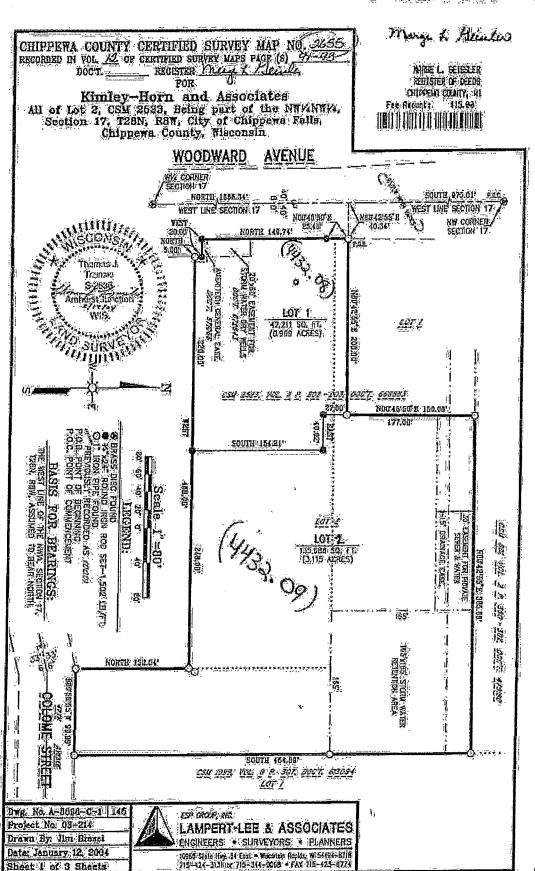
Thence N 89°50'15' E, 1358.43 feet to the southeast corner of said NW 1/4 of the NW 1/4;

Thence N 00°29'55 E along the east line of said NW 1/4 of the NW 1/4 a distance of 33.00 feet to the point of beginning;

Thence S 89°50'55' W 248.89 feet; Thence N 00°00'00" E 186.00 feet; Thence S 89°50'55' W 19.25 feet; Thence N 00°00'00' E 148.50 feet; Thence S 89°50'55' W 24.50 feet; Thence N 00°00'00' É 296.34 feet; Thence N 89°42'55' E 298.14 feet; Thence S 00°29'55' W 631.57 feet to the point of beginning.

Said parcel contains 174666 square feet more or less.

DOCUMENT# 681694 FEB. 16,2004 AT 12:30PM



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RAE 9

