

INDUSTRIAL PARK COMMISSION

City of Kaukauna
Council Chambers
Municipal Services Building
144 W. Second Street, Kaukauna



Thursday, June 01, 2023 at 3:00 PM

AGENDA

1. Roll Call.
2. Approval of Minutes.
 - a. [Approve Minutes from May 2, 2023 Meeting.](#)
3. Election of Officers.
 - a. Election of Chair.
 - b. Election of Vice Chair.
4. New Business.
 - a. [Review of Offer - Outlot 3 NEW Prosperity Center](#)
5. Closed Session.
 - a. Adjourn to Closed Session Pursuant to State Statute 19.85(1)(e) to discuss disposition of public property - Ready Mix Concrete Plant; NEW Prosperity Center Lot 7
 - b. Return to Open Session for possible action
6. Other Business.
7. Adjourn.

NOTICES

IF REQUESTED THREE (3) DAYS PRIOR TO THE MEETING, A SIGN LANGUAGE INTERPRETER WILL BE MADE AVAILABLE AT NO CHARGE.

INDUSTRIAL PARK COMMISSION

City of Kaukauna
Council Chambers
 Municipal Services Building
 144 W. Second Street, Kaukauna



Tuesday, May 02, 2023 at 3:00 PM

MINUTES

1. Roll Call.

Associate Planner Lily Paul called the meeting to order at 3:02 PM.

Members present: Ryan Gaffney, Scott Jerome, Tony Nytes, Nick Rieth, Glenn Schilling, Michael Avanzi

Member(s) absent: Mike Vandenberg

Other(s) present: Associate Planner Lily Paul, Planning & Community Development Director Joe Stephenson, Director of Public Works John Neumeier

2. New Business.

a. Facade Alternative Request - Driessen Incubators; Outlot 3 NEW Prosperity Center

PCDD Stephenson explained the Driessen Incubator development as rentable workshops for new/small businesses. They offer storage and even an office space. The site that is proposed for this development is Outlot 3 of NEW Prosperity Center. This site features a 100 year flood plain that would make it difficult to configure a proper development. To counter the cost and work it would take the developer to reconfigure the flood plain, PCDD Stephenson suggested a \$1 sale of the site, especially considering the TIF for that area can no longer enter into agreements. Commissioners agreed that the deal would make sense if the development created more jobs, built value was higher, and payback was sooner. There were concerns with the façade, as the developer was requesting partial steel siding and masonry wainscot.

Schilling made a motion to reject the offer and deny the request for alternative siding. Avanzi seconded the motion. The motion passed unanimously.

b. Front Yard Setback Variance Request - Straight Line Refrigeration; NEW Prosperity Center Lot 13 & Part of Lot 12

PCDD Stephenson presented the site plan for future development Straight Line Refrigeration, which showed a 25 foot building set back from the property line. The covenant in the park is a 50 foot building setback. The developer is requesting permission from the Commission for 25 feet instead of 50 feet, which would still

follow City Zoning Code. This site has offered some hardship with wetlands on it, and DPW Neumeier mentioned this layout is the best for the property.

Rieth made a motion to approve the 25 foot setback request for Straight Line Refrigeration with the findings that the 50 foot setback and wetlands prohibit the site to be configured adequately. Jerome seconded the motion. The motion passed unanimously.

3. Closed Session.

- a. Adjourn to Closed Session Pursuant to State Statute 19.85(1)(e) to discuss disposition of public property - Ready Mix Concrete Plant; NEW Prosperity Center Lot 7

The meeting did not adjourn into closed session

- b. Return to Open Session for possible action
- c. Adjourn to Closed Session Pursuant to State Statute 19.85(1)(e) to discuss disposition of public property - Driessen Incubators; Outlot 3 NEW Prosperity Center

The meeting did not adjourn into closed session.

- d. Return to Open Session for possible action

4. Other Business.

Commissioners and staff decided that 3PM meeting time worked well, and that the commission shall meet on an as need basis. There is a vacancy to be filled, if commissioners and staff have any recommendations please bring them to the Mayor. They must be a resident.

5. Adjourn.

Rieth made a motion to adjourn the meeting. Gaffney seconded the motion. Motion passed unanimously. Meeting adjourned at 3:38 PM.



MEMO

PLANNING AND COMMUNITY DEVELOPMENT

To: Industrial Park Commission
From: Joe Stephenson
Date: 5-25-2023
Re: Incubators – Outlot 3 NEW Prosperity Center

Craig Driessen recently submitted a plan to build manufacturing incubators on Outlot 3. After review by the Industrial Park Commission it was decided that the use of a metal façade did not meet the aesthetic that the industrial park seeks to cultivate.

Since then Craig has gone back to the drawing board and committed to not including metal siding on the buildings. He seeks to have a similar design to the Central Star building on the corner of Kelso and Electric City BLVD.



The use would stay the same with individually rented incubator units but due to the timing of the request Craig has pushed back his time table: 1 12,000 square foot unit built in 2024, 1 12,000 square foot unit built in 2025, and 1 large 24,000 square foot unit built in 2026. His initial offer of \$1 for the lot still stands.

Staff believes the proposed use is needed within the City of Kaukauna to strengthen our young entry level entrepreneurs. We frequently get calls for spaces to rent, like this, but the city does not have much if any small vacant industrial units available. In addition, this lot has flood plain issues and other setback issues that makes it hard to market.

Recommendation:

Approval of the sale of Outlot 3 at New Prosperity Center Industrial Park for \$1 and direct Craig Driessen to submit an offer to purchase to the Common Council with the following conditions:

1. The offer is contingent upon a mutually agreed upon development agreement that includes a buy back clause.
2. The offer is contingent on the Industrial Park Commission approval of a site plan and elevations.



NEW PROSPERITY CENTER

ALL OF LOT 2 OF OUTAGAMIE COUNTY CERTIFIED SURVEY MAP NO. 5475 AS RECORDED IN VOLUME 31 OF CSM'S, PAGE 5475
AS DOCUMENT NO. 1728739, LOCATED IN THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, THE
NORTHWEST 1/4 OF THE NORTHWEST 1/4, THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE NORTH-
WEST 1/4, SECTION 7, TOWNSHIP 21 NORTH, RANGE 19 EAST, IN THE CITY OF KAUKAUNA, OUTAGAMIE COUNTY, WISCONSIN

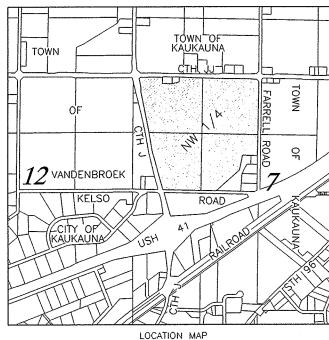
1742382
Recorded
FEB. 23, 2007 AT 11:45AM
4th Cal. R. Plat #444-42
OUTAGAMIE COUNTY
JUDICE FLEET
REGISTER OF DEEDS
Fee Recd: \$50.00

CURVE DATA									
CURVE	LOT	RADIUS	DELTA	CHORD LENGTH	CHORD BEARING	ARC LENGTH	ARC BEARING	TANGENT BEARINGS	
1	OUTLOT 3	3,759.72'	91°06'34"	72.76'	N 10°51'02" W	72.76'	N 17°24'19" W	N 10°17'45" E	
2	OUTLOT 3	11,404.16'	00°36'36"	121.43'	S 89°59'53" E	121.43'	N 89°41'35" E	S 89°41'35" E	
3	10	100.00'	90°00'00"	141.42'	N 45°49'17" E	137.08'	N 00°49'17" E	S 89°10'43" E	
4	4	179.00'	90°00'00"	241.46'	N 45°49'17" E	274.88'	N 00°49'17" E	S 89°10'43" E	
5	5	179.00'	90°00'00"	131.41'	S 89°46'08" W	134.71'	N 00°49'17" E	S 89°10'43" E	

There are no objections to this plat with respect to
Sees. 236.15, 236.16, 236.20 and 236.21(1) and (2),
Wis Stats. as provided by s. 236.12, Wis. Stats.

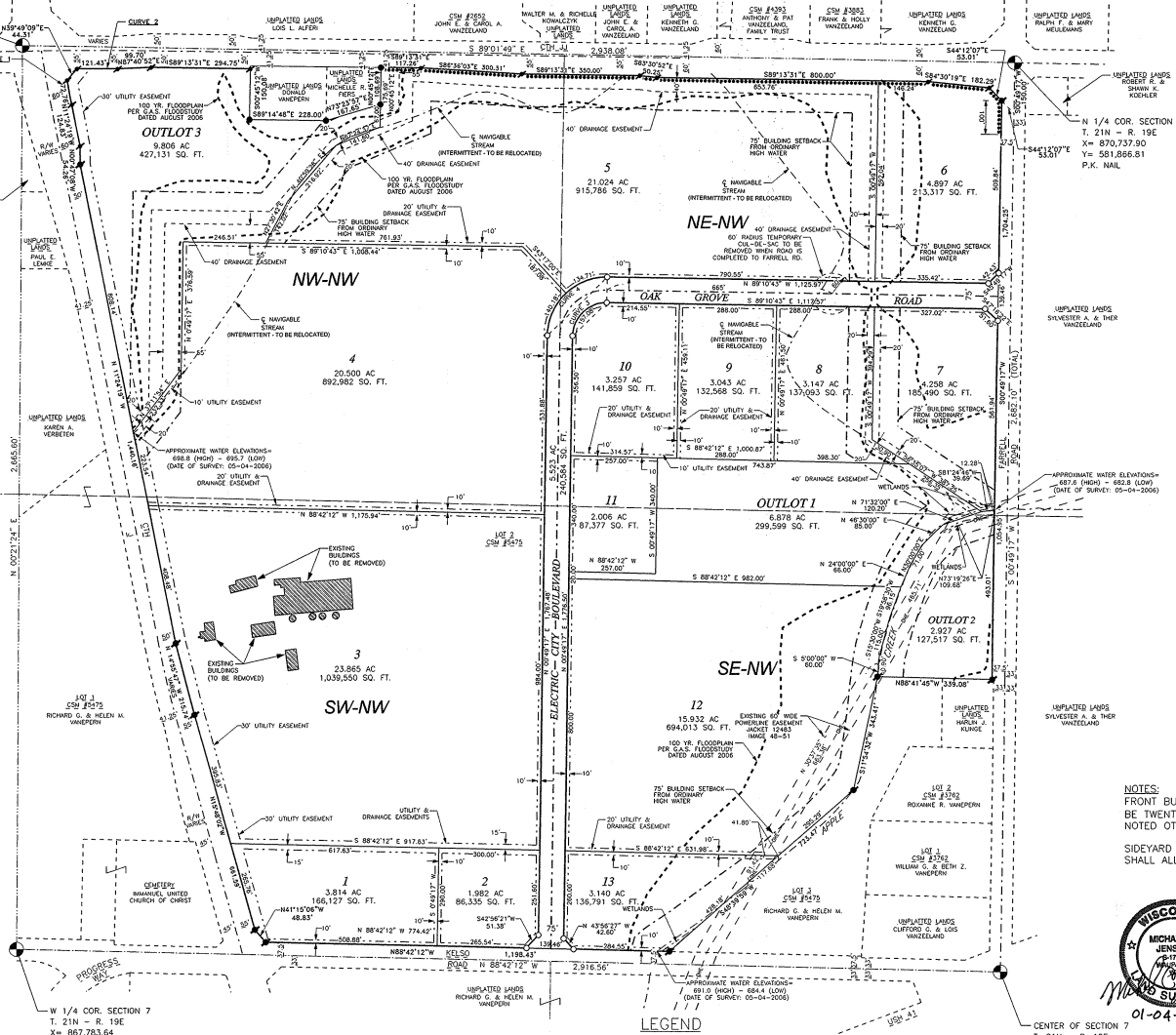
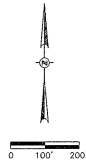
Certified JANUARY 30, 2007

Rebecca M. Jones
Department of Administration



VERTICAL DATUM REFERENCE
CITY OF KAUKAUNA VERTICAL
DATUM

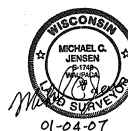
NORTH REFERENCE
NORTH IS REFERENCED TO THE NORTH
LINE OF THE NORTHWEST QUARTER OF
SECTION 7, T. 21N., R. 19E. WHICH
BEARS S 89°01'49" E ACCORDING TO
OUTAGAMIE COUNTY COORDINATES.



- NO ACCESS TO HIGHWAY
- - - - - 75' BLDG. SETBACK FROM
ORDINARY HIGH WATER
- - - - - DRAINAGE EASEMENT
- - - - - DRAINAGE &/OR UTILITY EASEMENT
- - - - - 100' YR. FLOODPLAIN
[Symbol] WETLANDS

- EXISTING 3/4" REBAR FOUND
EXISTING 1.315" O.D. ROUND IRON PIPE FOUND
EXISTING 1 1/4" ROUND REBAR FOUND
1 1/4" X 18" REBAR SET
WEIGHING 4.30 LBS./LINEAL FT.
OUTAGAMIE COUNTY SECTION CORNER
1.315" O.D. X 18" ROUND IRON PIPE,
WEIGHING 1.68 LBS. PER LINEAL FOOT,
SET AT ALL OTHER LOT CORNERS
() RECORDED BEARING AND/OR DISTANCE

NOTES:
FRONT BUILDING SETBACKS SHALL
BE TWENTY FIVE FEET (25') UNLESS
NOTED OTHERWISE.
SIDEYARD AND REAR YARD SETBACKS
SHALL ALL BE TEN FEET (10').



**GRAEF
ANHALT
SCHLOEMER
and Associates Inc.**
1150 Springhurst Drive, Suite 201
Green Bay, WI 54303-5950
920-592-9440
FAX 920-592-9445
Web Site: www.gsaai.com

REVISION DATE:
DEC. 19, 2006

SHEET 1 OF 2

NEW PROSPERITY CENTER

ALL OF LOT 2 OF OUTAGAMIE COUNTY CERTIFIED SURVEY MAP NO. 5475 AS RECORDED IN VOLUME 31 OF CSM'S, PAGE 5475
AS DOCUMENT NO. 1728739, LOCATED IN THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, THE
NORTHEAST 1/4 OF THE NORTHWEST 1/4, THE NORTHWEST 1/4 OF THE NORTHWEST 1/4, AND THE SOUTHWEST 1/4 OF THE NORTH-
WEST 1/4, SECTION 7, TOWNSHIP 21 NORTH, RANGE 19 EAST, IN THE CITY OF KAUKAUNA, OUTAGAMIE COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE:

I, MICHAEL C. JENSEN, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED, DIVIDED, AND MAPPED ALL OF LOT 2 OF OUTAGAMIE COUNTY CERTIFIED SURVEY MAP NO. 5475 AS RECORDED IN VOLUME 31 OF CSM'S, PAGE 5475 AS DOCUMENT NO. 1728739, LOCATED IN THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, THE NORTH-EAST 1/4 OF THE NORTHWEST 1/4, THE NORTHWEST 1/4 OF THE NORTHWEST 1/4, AND THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 21 NORTH, RANGE 19 EAST, IN THE CITY OF KAUKAUNA, OUTAGAMIE COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHWEST 1/4; THENCE S00°49'17"W ALONG THE EAST LINE OF NORTHWEST 1/4, ALSO BEING THE CENTERLINE OF FARRELL ROAD, 150.00 FEET; THENCE N44°12'07"W, 53.01 FEET TO A NORTHEASTERLY CORNER OF SAID LOT 2, THE POINT OF BEGINNING;

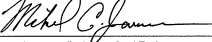
THENCE S00°49'17"W ALONG THE EAST LINE OF SAID LOT 2, ALSO BEING THE EXISTING WESTERLY FARRELL ROAD RIGHT-OF-WAY LINE, 1,704.25 FEET; THENCE N88°41'45"W ALONG SAID LOT 2 BOUNDARY LINE, 339.08 FEET; THENCE S11°54'32"W ALONG SAID LOT 2 BOUNDARY LINE, 343.41 FEET; THENCE S48°39'59"W ALONG SAID LOT 2 BOUNDARY LINE, 723.47 FEET; THENCE N88°42'12"W ALONG SAID LOT 2 BOUNDARY LINE, ALSO BEING THE EXISTING NORTHERLY KELSO ROAD RIGHT-OF-WAY LINE, 1,198.43 FEET; THENCE N41°15'06"W ALONG SAID LOT 2 BOUNDARY LINE, 48.83 FEET; THENCE N15°48'02"W ALONG SAID LOT 2 BOUNDARY LINE, ALSO BEING THE EXISTING EASTERLY CTH J RIGHT-OF-WAY LINE, 661.59 FEET; THENCE N14°55'47"W ALONG SAID LOT 2 BOUNDARY LINE, ALSO BEING THE EXISTING EASTERLY CTH J RIGHT-OF-WAY LINE, 215.74 FEET; THENCE N11°24'19"W ALONG SAID LOT 2 BOUNDARY LINE, ALSO BEING THE EXISTING EASTERLY CTH J RIGHT-OF-WAY LINE, 1,440.16 FEET; THENCE N00°47'08"W ALONG SAID LOT 2 BOUNDARY LINE, ALSO BEING THE EXISTING EASTERLY CTH J RIGHT-OF-WAY LINE, 54.26 FEET; THENCE N11°24'19"W ALONG SAID LOT 2 BOUNDARY LINE, ALSO BEING THE EXISTING EASTERLY CTH J RIGHT-OF-WAY LINE, 124.83 FEET TO THE BEGINNING OF A NON-TANGENT CURVE; THENCE NORTH-WESTERLY ALONG SAID CURVED LOT 2 BOUNDARY LINE, ALSO BEING THE EXISTING EASTERLY CTH J RIGHT-OF-WAY LINE, CONCAVE TO THE RIGHT, 72.76 FEET (HAVING A CHORD BEARING AND LENGTH OF N10°51'02"W, 72.76 FEET AND A RADIUS LENGTH OF 3,759.72 FEET) TO A VISION CORNER; THENCE N39°49'09"E ALONG SAID LOT 2 BOUNDARY LINE, ALSO BEING SAID EXISTING VISION CORNER LINE, 44.31 FEET; THENCE SOUTHEASTERLY ALONG SAID LOT 2 BOUNDARY LINE, ALSO BEING THE CURVED EXISTING SOUTHERLY CTH JJ RIGHT-OF-WAY LINE, CONCAVE TO THE RIGHT, 121.43 FEET (HAVING A CHORD BEARING AND LENGTH OF S89°59'53"E, 121.43 FEET AND A RADIUS LENGTH OF 11,404.16 FEET); THENCE N87°40'52"E ALONG SAID LOT 2 BOUNDARY LINE, ALSO BEING THE EXISTING SOUTHERLY CTH JJ RIGHT-OF-WAY LINE, 99.70 FEET; THENCE S89°13'31"E ALONG SAID LOT 2 BOUNDARY LINE, ALSO BEING THE EXISTING SOUTHERLY CTH JJ RIGHT-OF-WAY LINE, 294.75 FEET; THENCE S00°45'12"W ALONG SAID LOT 2 BOUNDARY LINE, ALSO BEING THE WEST LINE OF LANDS AS DESCRIBED IN DOCUMENT NUMBER 1404879 AS RECORDED IN OUTAGAMIE REGISTER OF DEEDS, 150.08 FEET; THENCE S89°14'48"E ALONG SAID LOT 2 BOUNDARY LINE, ALSO BEING THE SOUTHERLY LINE OF SAID LANDS, 228.00 FEET; THENCE N73°23'57"E ALONG SAID LOT 2 BOUNDARY LINE, ALSO BEING THE SOUTHEASTERLY LINE OF LANDS AS DESCRIBED IN DOCUMENT NUMBER 1576375 AS RECORDED IN OUTAGAMIE COUNTY REGISTER OF DEEDS, 167.65 FEET; THENCE N00°45'12"E ALONG SAID LOT 2 BOUNDARY LINE, ALSO BEING THE EAST LINE OF SAID LANDS, 108.69 FEET; THENCE S89°13'31"E ALONG SAID LOT 2 BOUNDARY LINE, ALSO BEING THE EXISTING SOUTHERLY CTH JJ RIGHT-OF-WAY LINE, 117.26 FEET; THENCE S86°36'03"E ALONG SAID LOT 2 BOUNDARY LINE, ALSO BEING THE EXISTING SOUTHERLY CTH JJ RIGHT-OF-WAY LINE, 300.31 FEET; THENCE S89°13'31"E ALONG SAID LOT 2 BOUNDARY LINE, ALSO BEING THE EXISTING SOUTHERLY CTH JJ RIGHT-OF-WAY LINE, 350.00 FEET; THENCE S83°30'52"E ALONG SAID LOT 2 BOUNDARY LINE, ALSO BEING THE EXISTING SOUTHERLY CTH JJ RIGHT-OF-WAY LINE, 50.25 FEET; THENCE S89°13'31"E ALONG SAID LOT 2 BOUNDARY LINE, ALSO BEING THE EXISTING SOUTHERLY CTH JJ RIGHT-OF-WAY LINE, 800.00 FEET; THENCE S84°30'19"E ALONG SAID LOT 2 BOUNDARY LINE, ALSO BEING THE EXISTING SOUTHERLY CTH JJ RIGHT-OF-WAY LINE, 182.29 FEET TO A VISION CORNER; THENCE S44°12'07"E ALONG SAID LOT 2 BOUNDARY LINE, ALSO BEING THE SAID EXISTING VISION CORNER LINE, 53.01 FEET TO THE POINT OF BEGINNING.

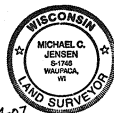
SAID PARCEL CONTAINS 135.999 ACRES (5,924,119 SQUARE FEET), MORE OR LESS.

THAT I HAVE MADE SUCH SURVEY, MAP, AND LAND DIVISION AS SHOWN HEREON, UNDER THE DIRECTION OF THE CITY OF KAUKAUNA AND ALBANY INTERNATIONAL CORPORATION, THE OWNERS OF SAID LANDS.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236 OF THE WISCONSIN STATUTES AND THE SUBDIVISION REGULATIONS OF THE CITY OF KAUKAUNA, IN SURVEYING, DIVIDING, AND MAPPING SUCH LANDS.

THAT THE WITHIN MAP IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE LAND DIVISION MADE THEREOF.


MICHAEL C. JENSEN, S-1748
REGISTERED WISCONSIN LAND SURVEYOR



01-04-07

OWNERS CERTIFICATE:

AS OWNERS, WE HEREBY CERTIFY THAT WE CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED, AND DEDICATED AS REPRESENTED ON THE PLAT. WE ALSO CERTIFY THAT THIS PLAT IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION:

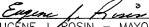
1. DEPARTMENT OF ADMINISTRATION
2. CITY OF KAUKAUNA COMMON COUNCIL


WE ALSO HEREBY RESTRICT ALL LOTS AND BLOCKS IN THAT NO OWNER, POSSESSOR, USER, NOR LICENSEE, NOR OTHER PERSON SHALL HAVE ANY RIGHT OF DIRECT VEHICULAR INGRESS OR EGRESS WITH CTH JJ AND FARRELL ROAD, WHERE SHOWN ON THIS PLAT; IT BEING EXPRESSLY INTENDED THAT THIS RESTRICTION SHALL CONSTITUTE A RESTRICTION FOR THE BENEFIT OF THE PUBLIC ACCORDING TO SECTION 236.293, WISCONSIN STATUTES AND SHALL BE ENFORCEABLE BY THE OUTAGAMIE COUNTY HIGHWAY DEPARTMENT.

WITNESS THE HAND AND SEAL OF SAID OWNERS THIS 22nd DAY OF January, 2007.

IN PRESENCE OF:

CITY OF KAUKAUNA


EUGENE J. ROSIN - MAYOR

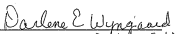

SUSAN J. DUDA - CITY CLERK

CITY OF KAUKAUNA - NOTARY

STATE OF WISCONSIN)

OUTAGAMIE COUNTY)

PERSONALLY CAME BEFORE ME THIS 16th DAY OF January, 2007, THE ABOVE NAMED, TO ME KNOWN TO BE THE SAME PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.


NOTARY PUBLIC Darlene E. Wyngaard

Outagamie COUNTY
MY COMMISSION EXPIRES 11-15-09

ALBANY INTERNATIONAL CORPORATION - NOTARY

STATE OF New York)

ALBANY COUNTY)

PERSONALLY CAME BEFORE ME THIS 16th DAY OF January, 2007, THE ABOVE NAMED, TO ME KNOWN TO BE THE SAME PERSON WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.


NOTARY PUBLIC

Albany COUNTY
MY COMMISSION EXPIRES 3/31/07

COMMON COUNCIL APPROVAL:


WE HEREBY CERTIFY THAT THE NEW PROSPERITY CENTER PLAT WAS APPROVED AND ACCEPTED BY THE COMMON COUNCIL OF THE CITY OF KAUKAUNA ON THE 19th DAY OF September, 2006.


EUGENE J. ROSIN - MAYOR

1/22/07
DATE

CITY OF KAUKAUNA TREASURER'S CERTIFICATE:

WE HEREBY CERTIFY THAT THERE ARE NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS ON ANY OF THE LAND INCLUDED IN THE NEW PROSPERITY CENTER PLAT.


SUSAN J. DUDA - CITY TREASURER

1/22/07
DATE

OUTAGAMIE COUNTY TREASURER'S CERTIFICATE:

WE HEREBY CERTIFY THAT THERE ARE NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS ON ANY OF THE LAND INCLUDED IN THE NEW PROSPERITY CENTER PLAT.


DINA M. MUMFORD - COUNTY TREASURER

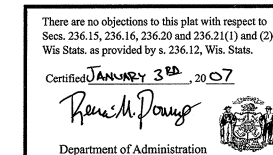
2-23-07
DATE

KAUKAUNA UTILITIES, SBC, AND TIME WARNER CABLE

GRANTEES TO THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, TO CONSTRUCT, INSTALL, OPERATE, REPAIR, MAINTAIN AND REPLACE FROM TIME TO TIME, FACILITIES USED IN CONNECTION WITH OVERHEAD AND UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY, AND ELECTRIC ENERGY FOR SUCH PURPOSES AS THE SAME IS NOW OR MAY HEREAFTER BE USED AND FOR SOUNDS AND SIGNALS, ALL IN, OVER, UNDER, ACROSS, ALONG AND UPON THE PROPERTY SHOWN WITHIN THOSE AREAS ON THE PLAT DESIGNATED AS "UTILITY EASEMENT" AREAS AND THE PROPERTY DESIGNATED ON THE PLAT FOR STREETS AND ALLEYS, WHETHER PUBLIC OR PRIVATE, TOGETHER WITH THE RIGHTS TO INSTALL SERVICE CONNECTIONS UPON, ACROSS, WITHIN AND BENEATH THE SURFACE OF EACH LOT TO SERVE IMPROVEMENTS THEREON, OR ON ADJACENT LOTS, ALSO THE RIGHT TO TRIM OR CUT DOWN TREES, BRUSH AND ROOTS AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES. THE GRANTEES AGREE TO RESTORE OR CAUSED TO HAVE RESTORED, THE PROPERTY, AS NEARLY AS IS REASONABLY POSSIBLE, TO THE CONDITIONS EXISTING PRIOR TO SUCH ENTRY BY THE GRANTEES OR THEIR AGENTS. THIS RESTORATION, HOWEVER, DOES NOT APPLY TO THE INITIAL INSTALLATION OF SAID UNDERGROUND AND/OR ABOVE GROUND ELECTRIC FACILITIES OR COMMUNICATIONS FACILITIES OR TO ANY TREES, BRUSH OR ROOTS WHICH MAY BE REMOVED AT ANY TIME PURSUANT TO THE RIGHTS HEREIN GRANTED. BUILDINGS SHALL NOT BE PLACED OVER GRANTEES' FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE LINES MARKED "UTILITY EASEMENT" AREAS WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEES. AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE SUBDIVIDED PROPERTY SHALL NOT BE ALTERED BY MORE THAN FOUR INCHES WITHOUT THE CONSENT OF GRANTEES. THE GRANT OF EASEMENT SHALL BE BINDING UPON AND INURE OF THE BENEFIT OF THE HEIRS, SUCCESSORS AND ASSIGNS OF ALL PARTIES HERETO.

NO UTILITY POLES, PEDESTALS, TRANSFORMERS OR BURIED CABLES ARE TO BE PLACED WITHIN TWO (2) FEET OF A SURVEY STAKE OR OBSTRUCT VISION ALONG ANY LOT LINE OR STREET LINE.

THE DISTURBANCE OF A SURVEY STAKE BY ANYONE IS A VIOLATION OF SECTION 236.32 OF THE WISCONSIN STATUTES. UTILITY EASEMENTS AS HEREIN SET FORTH ARE FOR THE USE OF PUBLIC BODIES AND PRIVATE PUBLIC UTILITIES HAVING THE RIGHT TO SERVE THE AREA.




**GRAEF
ANHALT
SCHLOEMER
and Associates Inc.**
1150 Springhurst Drive, Suite 201
Green Bay, WI 54303-5950
920-592-9440
FAX 920-592-9445
Web Site: www.gasdi.com
SHEET 2 OF 2

REVISION DATE:
DEC. 18, 2006