

*****ATTACHMENTS*****

PARCEL NO. 629/180
MAP NO. 1035500
ZONING CLASSIFICATION: NO

Office Use Only
APPLICATION/FILE NO. _____
REVIEW DATE: 8/25/15

FILING FEE: \$250.00 (Payable to City of Sheboygan)

**CITY OF SHEBOYGAN
APPLICATION FOR
CONDITIONAL USE PERMIT**
Requirements Per Section 15.905
Revised May 2012

Completed application is to be filed with the Department of City Development, 828 Center Avenue, Suite 104. To be placed on the agenda of the City Plan Commission, application must be filed two weeks prior to date of meeting. Applications will not be processed if all required attachments and filing fee of \$250 (payable to the City of Sheboygan) is not submitted along with a complete and legible application. Application filing fee is non-refundable.

1. APPLICANT INFORMATION

APPLICANT: 1907 CLUB
ADDRESS: 2908 N. 21st^{st.} E-MAIL: stanley.kayman@att.net
PHONE: (920) 226-1415 FAX NO. ()

2. DESCRIPTION OF THE SUBJECT SITE/PROPOSED PROJECT

NAME OF PROPOSED/EXISTING BUSINESS: 1907 CLUB
ADDRESS OF PROPERTY AFFECTED: see above
LEGAL DESCRIPTION: Recovery Clubhouse

BRIEF DESCRIPTION OF EXISTING OPERATION OR USE: _____
Recovery

DETAILED DESCRIPTION OF PROPOSED OPERATION OR USE INCLUDING ANY CHANGES TO THE EXISTING USE: _____
same

BRIEF DESCRIPTION OF ALL REQUESTED VARIANCES FROM PROVISIONS OF THE ZONING ORDINANCE, WHICH ARE RELATED TO THE PROPOSED OPERATION OR USE: _____
position new sign 18' from curb and 6' from driveway

Sokolowski, Steve

From: Kaymen, Stan <Stan.kaymen@powerprodllc.com>
Sent: Friday, August 14, 2015 8:38 AM
To: Sokolowski, Steve
Cc: Kaymen, Stan
Subject: Proposed new sign - 1907 Club

To whom it may concern:

1907 Club is the oldest and largest recovery clubhouse in Sheboygan. Founded in 1957, we have served thousands of individuals suffering from addiction to alcohol and drugs over the years, and their families. As part of a new campaign, we would like to upgrade our sign and install the new sign in a better location with better visibility. The current sign is next to the building and is partially obscured by bushes.

We have received a design from Priority Sign for a sign made out of aluminum and steel with vinyl lettering. The new sign features our new logo and will be illuminated at night by floodlamps with sensors. We propose to install the new sign 18' from the curb of N. 21st St. and 6' from the driveway. Given this new location, this will enhance the ability of current clients and guests to identify our location while being safe for pedestrians on the sidewalk and vehicles in the street. Permission is requested to proceed.

Thank you.

Stanley Kaymen
1907 Club Board of Directors
920 226 1415

Power Products, LLC Email Notice

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Thank you.

OFFICE USE ONLY
PARCEL NO.: _____
MAP NO.: _____
ZONING CLASSIFICATION: _____

OFFICE USE ONLY
REVIEW DATE: _____
APPROVAL: _____
Steve Sokolowski, City Planner

**CITY OF SHEBOYGAN
DEPARTMENT OF CITY DEVELOPMENT**

828 Center Avenue Suite 104, Sheboygan, WI 53081
Phone: (920) 459-3377 Fax: (920) 459-7302
E-Mail: development@ci.sheboygan.wi.us

SIGN PERMIT APPLICATION
(November, 2009)

Completed application and all required attachments are to be filed with the Department of City Development, 828 Center Avenue, Suite 104 for review by the City Planner.

1. APPLICANT INFORMATION

APPLICANT: 1907 CLUB
ADDRESS: 2908 N. 21st St. Sheboygan
E-MAIL ADDRESS: stanley.kaymen@att.net
PHONE: (920) 226-1415 FAX NO: ()

2. OWNER INFORMATION

OWNER OF SITE: 1907 Club
ADDRESS: same
PHONE: () FAX NO: ()

3. DESCRIPTION OF THE PROPOSED SIGN AND USE OF THE SUBJECT SITE

NAME OF PROPOSED/EXISTING BUSINESS: same
ADDRESS OF PROPERTY AFFECTED: same
USE OF PROPERTY: Recovery
TYPE OF SIGN: Aluminum / plastic
DESCRIPTION OF PROPOSED SIGN: New sign from Priority Sign - see Sia
"monolith non-illuminated sign"

4. CONFIGURATION OF PROPOSED SIGN:

HEIGHT: 6'0" X WIDTH: 3'4³/₈" = TOTAL SQUARE FOOTAGE: 18.25 approx.

AMOUNT OF PUBLIC STREET FRONTAGE: > 100'

AMOUNT OF EXPOSED EXTERIOR WALL LENGTH: _____

SETBACK: 18 feet from curb

METHOD OF ATTACHMENT: in ground

METHOD OF ILLUMINATION: floodlights w sensors

SIGN MATERIALS: aluminium frame, stainless steel, vinyl

TOTAL SQUARE FOOTAGE OF SIGNS ON SUBJECT PROPERTY: 18.25

BEFORE PROPOSED SIGN: ~~18~~: 17 AFTER PROPOSED SIGN: 18.25

5. CERTIFICATE

I hereby certify that all of the above statements and attachments submitted hereto are true and correct to the best of my knowledge and belief.

Stanley P. Kaymer
APPLICANT'S SIGNATURE

8-14-15
DATE

Stanley P. Kaymer.
PRINT ABOVE NAME

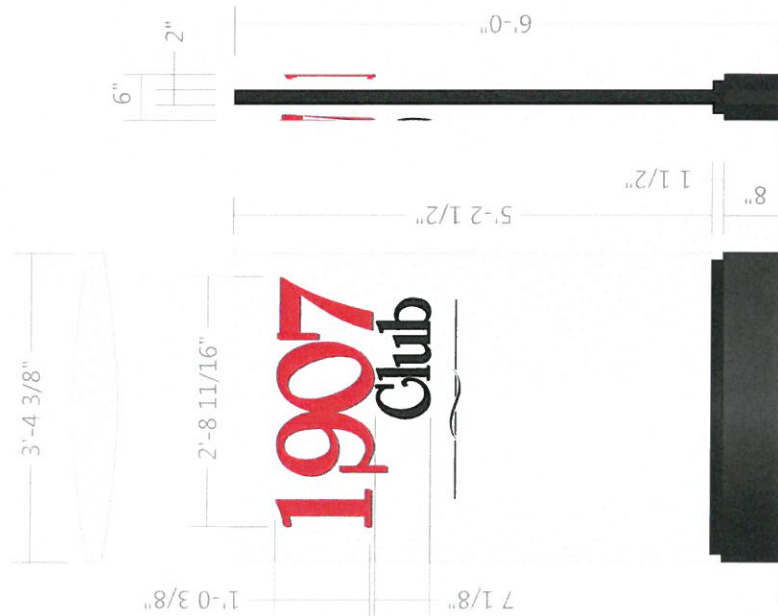
6. APPLICATION SUBMITTAL REQUIREMENTS

- a. For new development, the approved site plan for the subject property, showing the location and dimensions of all buildings, structures, signs on the subject property, property boundaries and dimensions; and the location of the proposed sign.
- b. For existing development, a site plan approved by the City Planner & Zoning Manager, showing the location and dimensions of all buildings, structures, signs on the subject property, property boundaries and dimensions; and the location of the proposed sign.
- c. A scale drawing of the proposed sign listing the height, width, total square footage, method of attachment, method of illumination, sign materials, design and appearance.

S1a

D/F Non-Illuminated Monolith Sign

Aluminum frame and skin construction. Painted stainless steel and black with vinyls applied both sides. Externally illuminate with flood lighting.



Scale: 1/2" = 1'-0" | 20sf



priority sign

Revisions:
 X
 X
 X
 X

X
 X
 X
 X

File Location:
 Art\Dept\Color\Color\xxx

Date: xx.xx.xx
 Designer: xx
 PM: xx

City/State: xxx
 Address: xxx

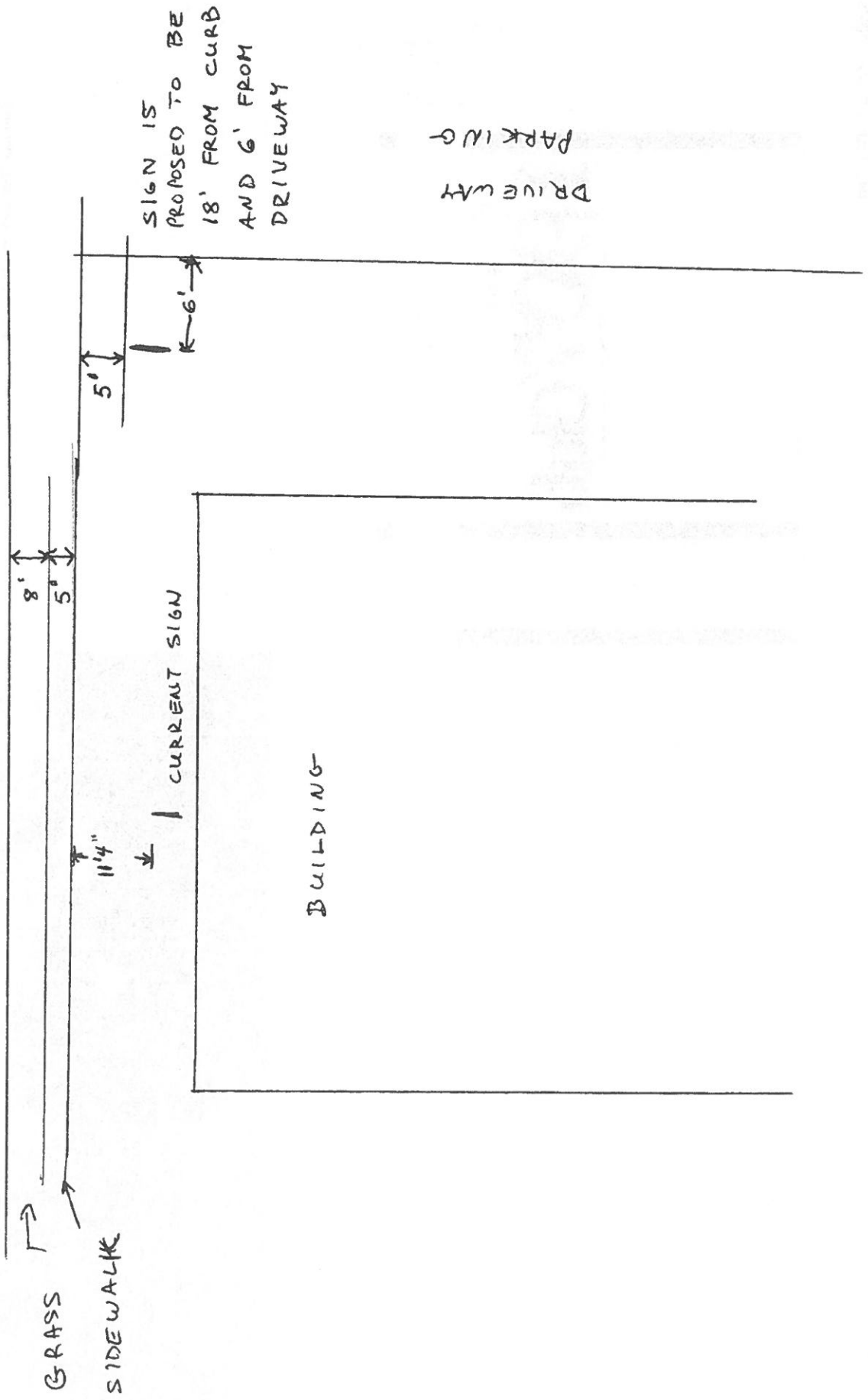
Drawing #
 Site Name

Cxxxxx-S1a

Steve, the stakes are a little hard to see, but here is a few from the north of where the sign would be, 18' from the curb, 5' from the sidewalk 6' from the driveway, 3.5' width approximately.



N. 21st St.



STANLEY KAYMEN



2908 N 21st St

© 2015 Google

Google earth



PARCEL NO. 431740
MAP NO. 34152003
ZONING CLASSIFICATION: GC

Office Use Only
APPLICATION/FILE NO. _____
REVIEW DATE: 8/11/15

FILING FEE: \$250 00 (Payable to City of Sheboygan)

CITY OF SHEBOYGAN
APPLICATION FOR
CONDITIONAL USE PERMIT
Requirements Per Section 15.905
Revised May 2012

Completed application is to be filed with the Department of City Development, 828 Center Avenue, Suite 104. To be placed on the agenda of the City Plan Commission, application must be filed two weeks prior to date of meeting. Applications will not be processed if all required attachments and filing fee of \$250 (payable to the City of Sheboygan) is not submitted along with a complete and legible application. Application filing fee is non-refundable.

1. APPLICANT INFORMATION

APPLICANT: Kwik Trip Inc

ADDRESS: 2622 S. Business Dr E-MAIL: SJZickler@kwiktrip.com

PHONE: (608) 793-5933 FAX NO. (608) 781-8960

2. DESCRIPTION OF THE SUBJECT SITE/PROPOSED PROJECT

NAME OF PROPOSED/EXISTING BUSINESS: Kwik Trip # 780

ADDRESS OF PROPERTY AFFECTED: 2622 S. Business Dr

LEGAL DESCRIPTION: Please Attached A+A Survey

BRIEF DESCRIPTION OF EXISTING OPERATION OR USE: _____

Convenience store w/ Gas

DETAILED DESCRIPTION OF PROPOSED OPERATION OR USE INCLUDING ANY CHANGES TO THE EXISTING USE: _____

Kitchen Addition/Interior Remodel

BRIEF DESCRIPTION OF ALL REQUESTED VARIANCES FROM PROVISIONS OF THE ZONING ORDINANCE, WHICH ARE RELATED TO THE PROPOSED OPERATION OR USE: N/A



Steve Sokolowski
Planning & Zoning
City of Sheboygan
828 Center Avenue
Sheboygan, WI. 53081

August 17, 2015

Dear Mr. Sokolowski,

Kwik Trip Inc. is requesting to be placed on the Aug. 24th Architectural Review Meeting and the Aug. 25th Conditional User Meeting. The existing convenience store currently is open 24/7 and sells items from food to beverages to fuel. The store at any time would have around 5 to 6 employees working. The 655 sq. /ft. addition would not change the current use of the store but would add a new food prep area to be sold.

The current square footage of the store is 3,958 sq. /ft. and stated before the addition would be 655 sq. /ft. bringing the new square footage to 4,613. Approximately 390sq/ft. of that addition will make up the new kitchen. The remaining will house the Make-up Air Unit. The new addition exterior brick will match the existing exterior (Red & Champagne). The fenced in area for the equipment will be a cedar board on board fence to block the view of the equipment for ascetics of our neighbors. Around the new fence will be landscaped with Japanese Barberry, and Andorra Junipers. Three trees will need to be removed and replaced between the fence and the sidewalk. The trees that will be planted will be of the same caliber to what was removed. The parking stalls in front of the store will also be replaced and made ADA compliant. There are currently 13 parking stalls which one is the handicap stall along with an access aisle.

During construction Kwik Trip would make sure that all construction is done during approved working hours per the City of Sheboygan and that the site is kept clean of debris that could end up on our neighbor's property. Most importantly we would make sure that all of our guests are kept safe during construction phases. Construction fence will be installed to ensure safety. Kwik Trip will use a designated staging area for all construction material and contractor



Our Mission: "To serve our customers and community more effectively than anyone else by treating our customers, co-workers and suppliers as we, personally, would like to be treated, and to make a difference in someone's life."

Kwik Trip & Kwik Star Stores • Tobacco Outlet Plus • Convenience Transportation, LLC • Hearty Platter Restaurants & Cafés



parking by the dumpster area to eliminate any congestion in the lot for the safety of our guests both driving and walking.

Interior changes to the store would consist of remodeling the existing sales floor. The coffee bar would become larger with new equipment and countertop/ cabinetry. A new more efficient cooler box would be installed with LED lighting. A new fresh case would be installed to provide healthier eating options for our guests. The checkout counter would be upgraded from a 2 POS to a 3 POS with all new countertops and cabinetry. The color scheme of the store would not change.

We appreciate your time and consideration, please feel free to contact me with any questions or concerns.

Sincerely,

Scott Zietlow
Project Manager
Kwik Trip Inc.
608-793-5933



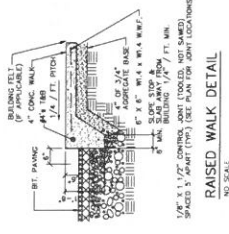
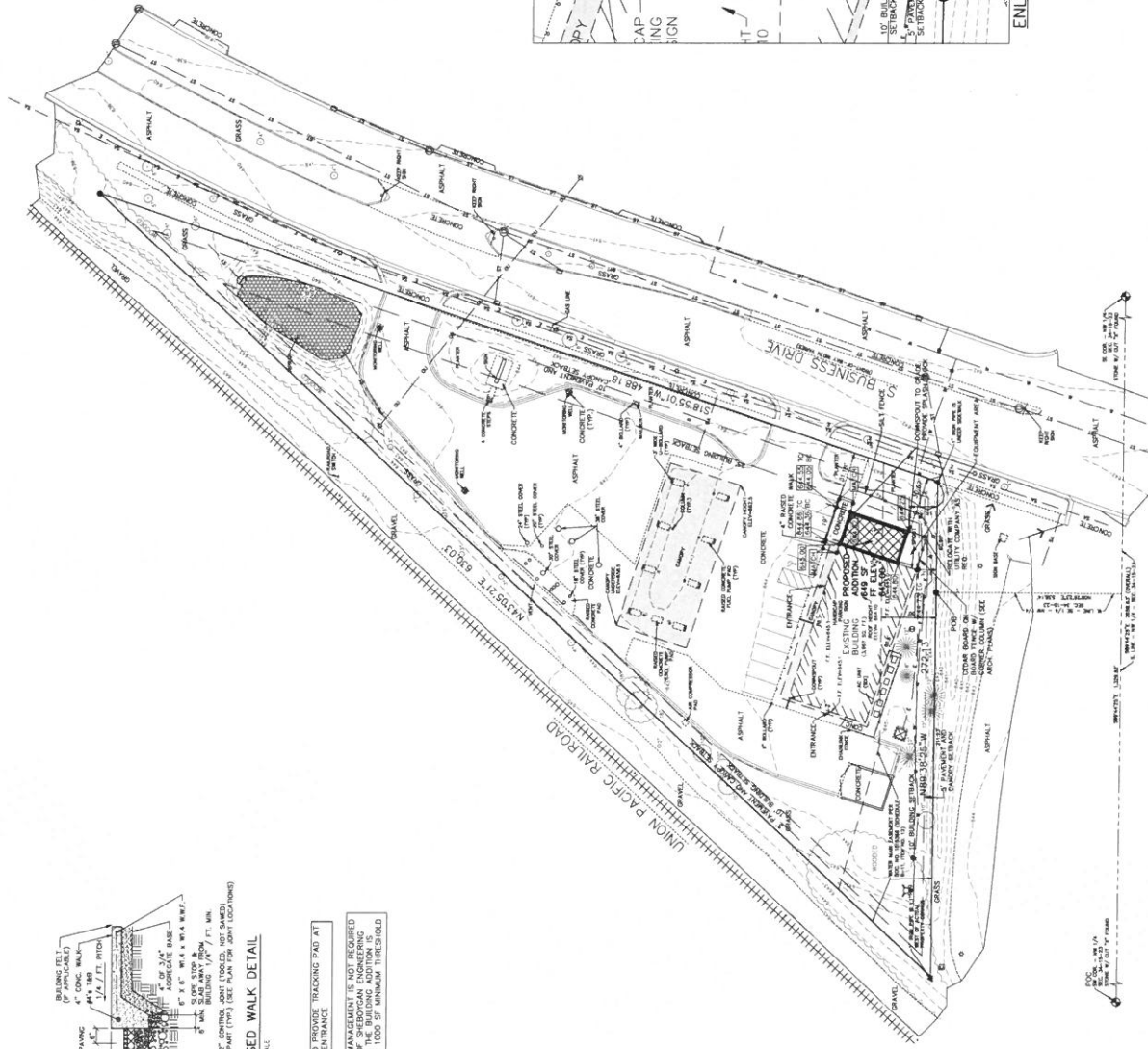
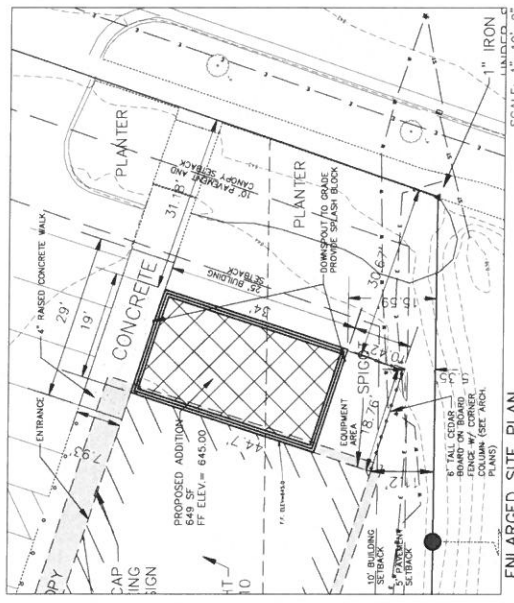
Our Mission: "To serve our customers and community more effectively than anyone else by treating our customers, co-workers and suppliers as we, personally, would like to be treated, and to make a difference in someone's life."

Kwik Trip & Kwik Star Stores • Tobacco Outlet Plus • Convenience Transportation, LLC • Hearty Platter Restaurants & Cafés

EXISTING SITE DATA			
PRODUCT	AREA (SQ)	RATIO	
CONCRETE	63,972	4.3%	
ASPHALT	13,906	0.9%	
PAVEMENT (TOP & CONC.)	77,878	5.2%	
LANDSCAPE/OPEN SPACE	1,412	0.1%	
TOTAL	153,172	100%	

PROPOSED SITE DATA			
PRODUCT	AREA (SQ)	RATIO	
CONCRETE	63,972	4.3%	
ASPHALT	13,906	0.9%	
PAVEMENT (TOP & CONC.)	77,878	5.2%	
LANDSCAPE/OPEN SPACE	1,412	0.1%	
TOTAL	153,172	100%	

SITE INFORMATION:
 PROPERTY AREA: AREA = 65,972 SF. (1.45 ACRES).
 EXISTING ZONING: SUBURBAN COMMERCIAL (SC)
 PROPOSED ZONING: SUBURBAN COMMERCIAL (SC)
 GAS STATION
 BUILDING: SIDE = 25',
 SIDE = 12',
 REAR = 10'
 PAVEMENT AND CHANGING ROOM: SIDE = 10',
 REAR = 5'
 PROPOSED BUILDING HEIGHT: 17' (MAX. HEIGHT 30')
 PARKING PROVIDED: 12 STALLS (1 H.C. ACCESSIBLE)
 18 FULL PUMP SPACES
 HANDICAP STALLS PROVIDED: 1
 MAX. LANDSCAPE SURFACE RATIO: 25%



NOTE: REFER TO SPECIFICATIONS FOR CONSTRUCTION ENTRANCE.
SWM NOTE: STORM WATER MANAGEMENT IS NOT REQUIRED DEPT. BECAUSE THE BUILDING ADDITION IS LESS THAN THE 1000 SF MINIMUM THRESHOLD.
RAISED WALK DETAIL
 NO SCALE

LANDSCAPING NOTES			
SYMBOL	COMMON NAME	BOTANICAL NAME	PLANTED SIZE QUANTITY
○	Mulch Area (to be removed)	GEORGIOUS TREES	2" 3
●	Japanese Barberry	Berberis Thunbergii	3/4" 3
⊙	Andromeda Juniper	Juniperus horizontalis 'Nana'	1 1/2" 15"
⊚	Flowering Tree (to be removed)	Flowering Tree	2 1/2" 4

LANDSCAPING CALCULATIONS	
ZONE	PLANTS PROVIDED
BUILDING (EXCLUDING PERIMETER)	22/100 = 0.2242 POINTS = 28 LANDSCAPING POINTS 1 JAPANESE BARBERRY = 1 POINT
EXISTING LOT (TOTAL AREA)	10 ANDROMEDA JUNIPERS = 10 PTS 2 ANDROMEDA JUNIPERS = 2 PTS 2 JAPANESE BARBERRIES = 2 PTS
EXISTING PLANTS	3 1/2" TREES (MULCH EXISTING) 4 EVERGREEN SHRUBS (MULCH EXISTING)

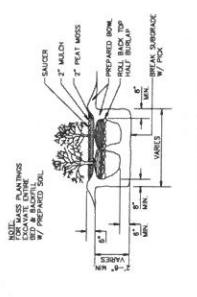
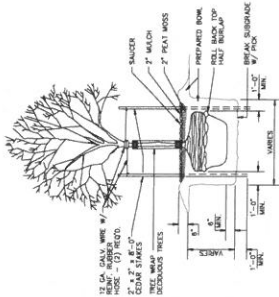
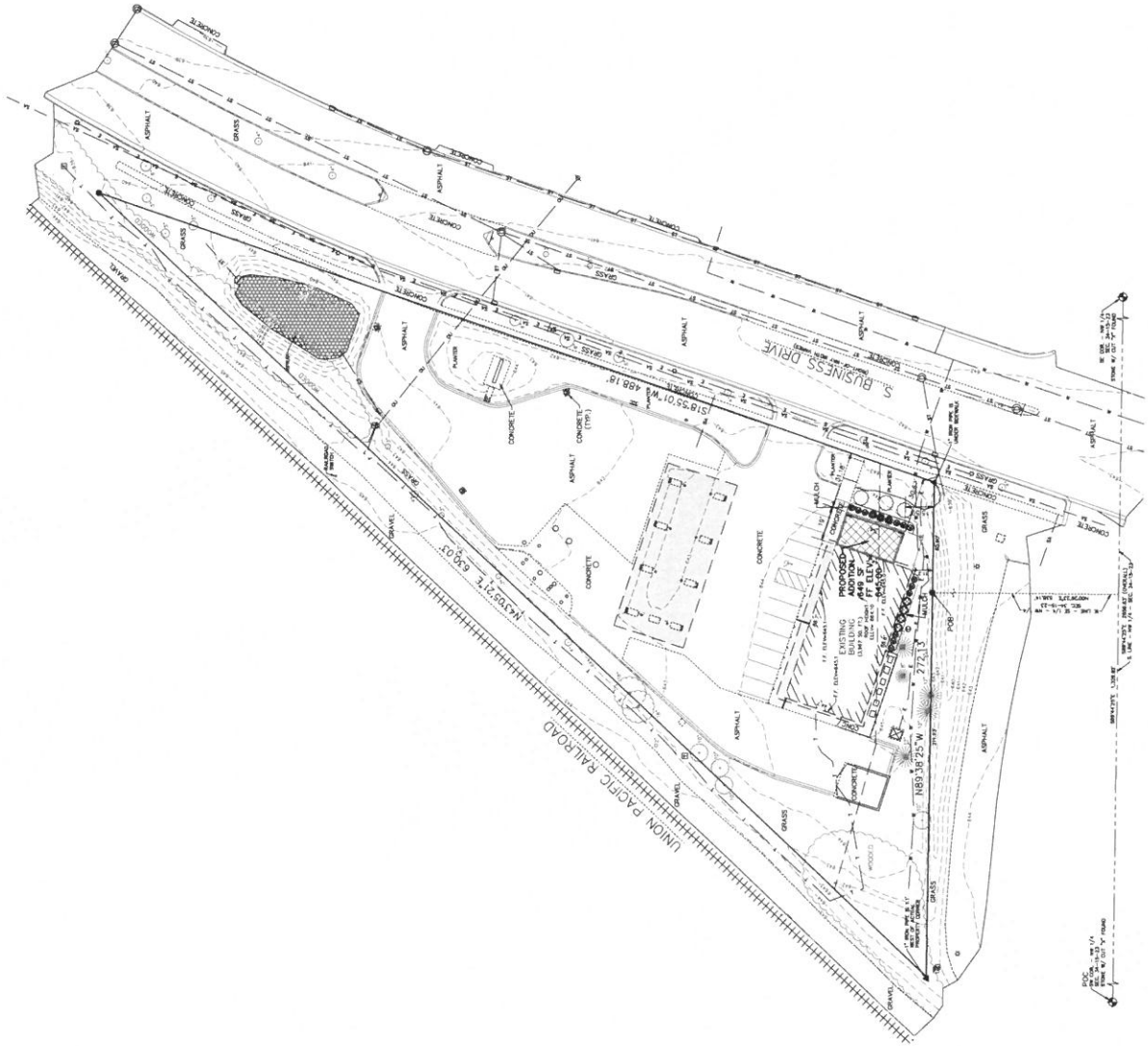
OWNER:
KMK TRIP INC.
1628 OAK STREET
LA CROSSE WI, 54603

PROJECT:
KMK TRIP STORE NO. 780
2823 S BUSINESS DR
SHEBOYGAN WI, 53081

PRELIMINARY SHEET DATES:
JULY 23, 2015
AUGUST 7, 2015
AUGUST 17, 2015

JOB NUMBER
1515330
SHEET

C1.3



NORTH
LANDSCAPE PLAN
SCALE: 1" = 30' FEET

PRELIMINARY DRAWING - NOT FOR CONSTRUCTION



PROJECT TITLE:
 Store #780
 2622 S. Business Drive
 Sheboygan, WI 53081

PROJECT NO.:
 1081.64
DRAWING DATE:
 05/19/15

DRAWN BY:
 BMS

SET TYPE:
 Construction Documents

REVISIONS

NO.	DATE

SHEET TITLE
 Exterior Elevations

SHEET NO.
A200

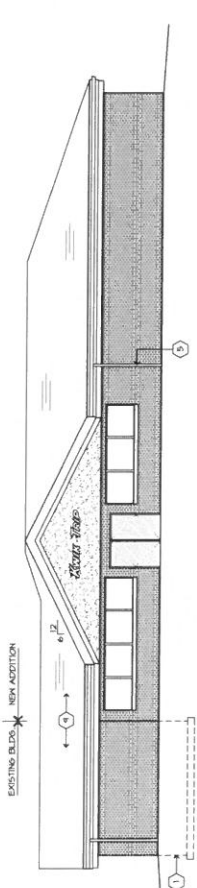
- GENERAL NOTES**
- EXISTING SHINGLED ROOFING TO REMAIN PATCH & REPAIR. NEW ROOFING TO BE INSTALLED FOR NEW ADDITION.
 - CONTROL JOINT SEALANT SHALL MATCH COLOR OF BRICK (TYMICAL).
 - RECONSTRUCT EXISTING DOWNSPUTS TO ACCOMMODATE FULL-HEIGHT BRICK AT EXISTING LOCATION.

ELEVATION KEY NOTES

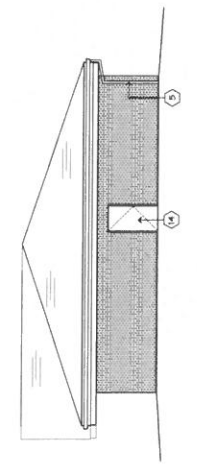
- NEW/OLD FOUNDATION & CONCRETE FOOTING. EXISTING FOUNDATION TO REMAIN. NEW CONCRETE TO BE CAST-IN-PLACE CONC. FOR RED BRICK VENEER.
- TAN BRICK VENEER.
- CONTROL JOINT SEALANT COLOR TO MATCH EXISTING FULL BRICK.
- ALUMINUM DOWNSPUT.
- NEW YELLOW METAL DOOR & FRAME.
- ALUMINUM FASCIA - WHITE.
- BLACK ASPHALT SHINGLES - MATCH EXISTING.
- SHINGLE OVER CONTINUOUS VENTED RIDGE CAP.
- EPS. COLOR: TAN.
- APPROX. LOCATION OF MECHANICAL UNIT & OPENINGS. SEE MECH. PLAN.
- NEW/OLD EXISTING VENT. SIDING AND PROVIDE EXISTING DOOR & FRAME TO REMAIN.
- NEW HINGED.
- NEW ALUM. ENTRANCE.
- EXISTING SHINGLED ROOF. VERIFY CONDITION OF ROOF WITH OWNER. REPAIRS TO BE MADE AS REQUIRED FOR NEW BRICK VENEER.
- EXISTING ALUMINUM GUTTER TO REMAIN.
- EXISTING ALUMINUM FASCIA TO REMAIN.
- REPAIRED ALUMINUM GUTTER.
- EXISTING HINGED TO REMAIN.

EXTERIOR COLOR SCHEDULE

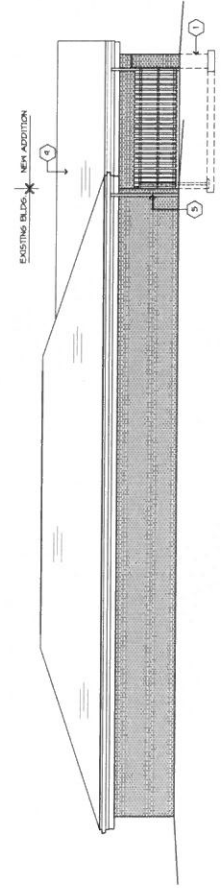
MATERIAL	MANUFACTURER	COLOR
FASCIA	UNA-CLAD	REGAL RED
MORTAR	24 GA.	STONE WHITE
RED BRICK	SIOUX CITY	CABERNET
TAN BRICK	SIOUX CITY	CLAY BUFF
EPS	TOTAL WALL	MORNING MIST
		SWIRL TEXTURE



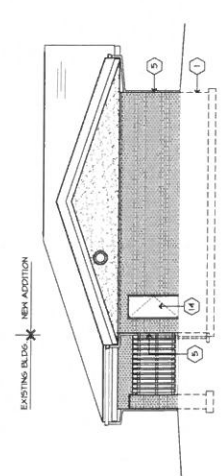
1 NORTH ELEVATION
 1/8"=1'-0"



2 WEST ELEVATION
 1/8"=1'-0"



3 SOUTH ELEVATION
 1/8"=1'-0"

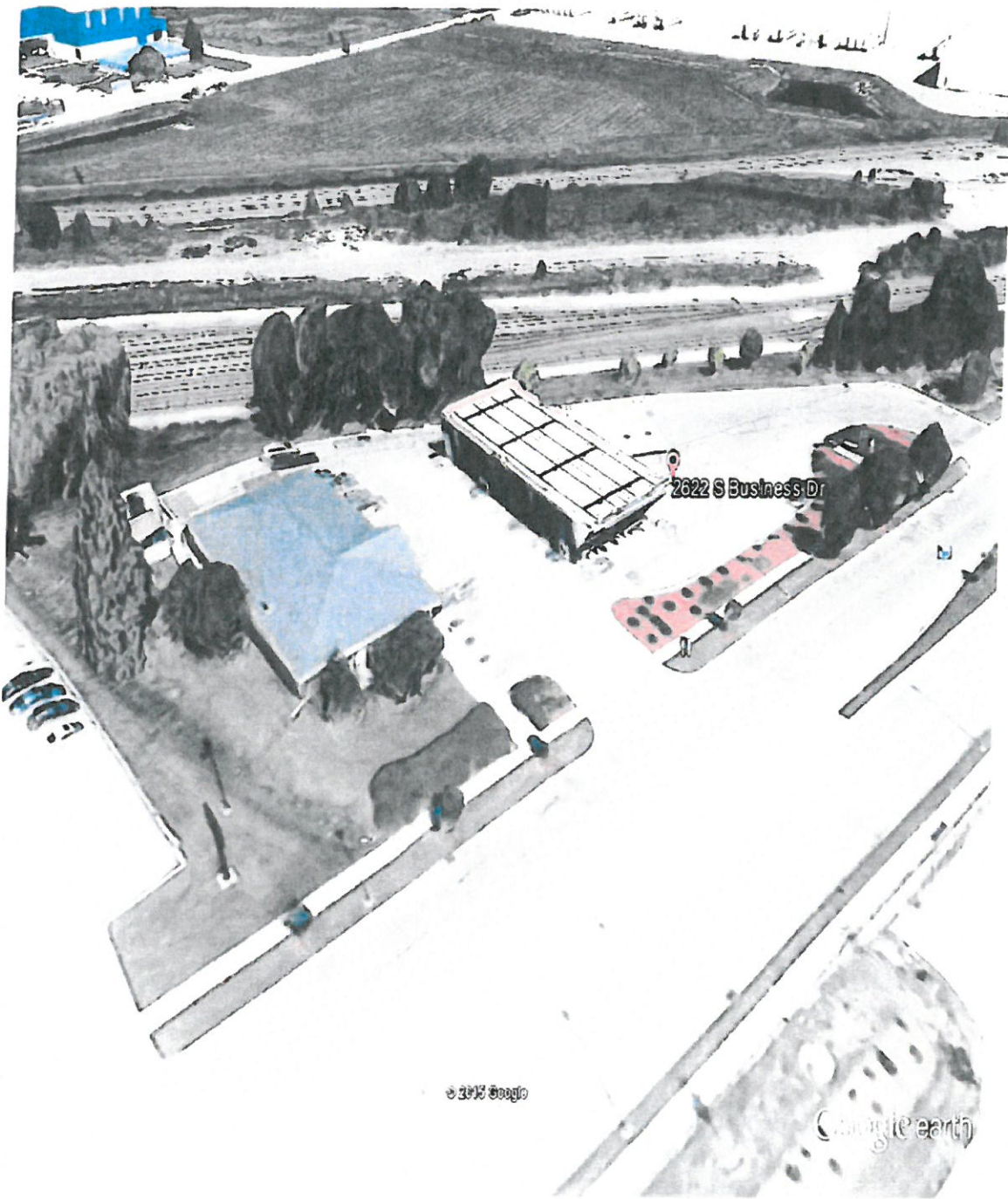


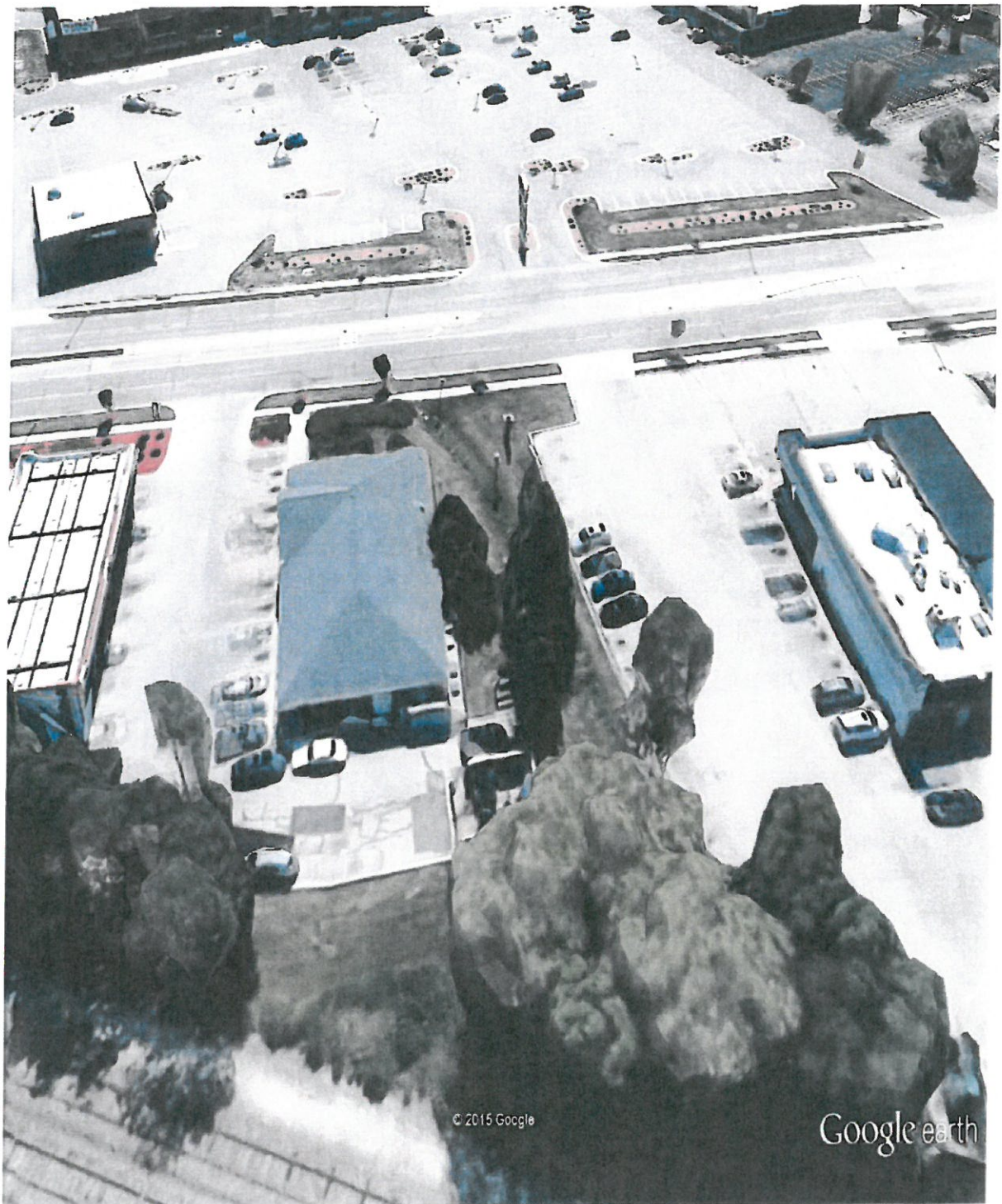
4 EAST ELEVATION
 1/8"=1'-0"



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Google earth



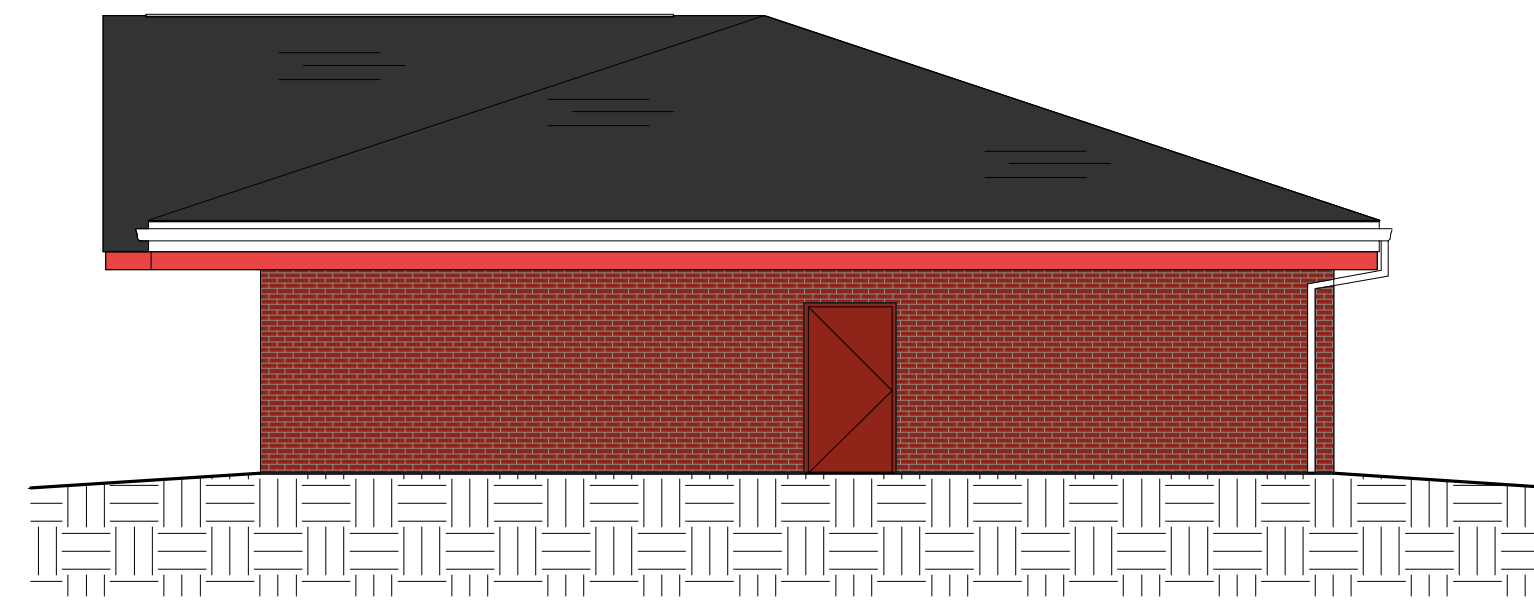


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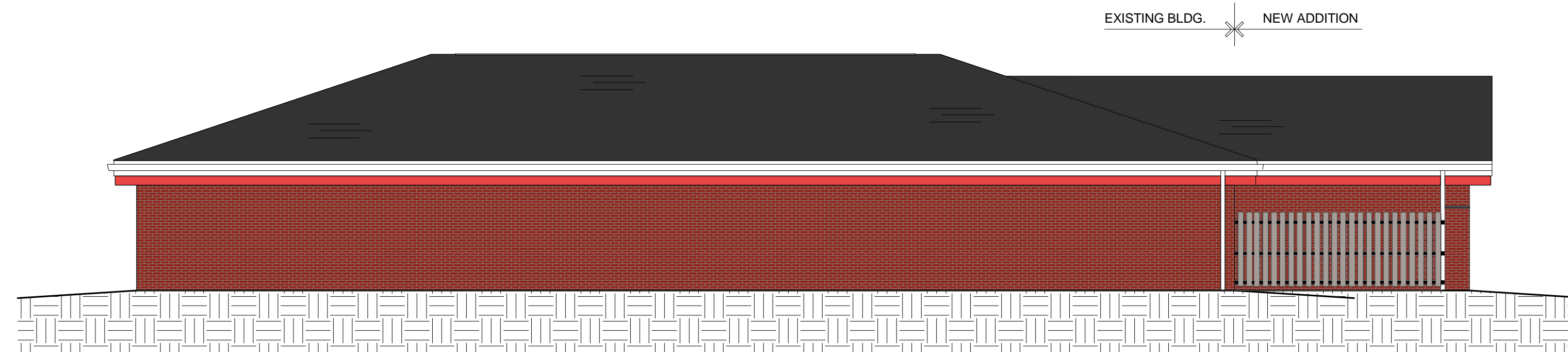
Google earth



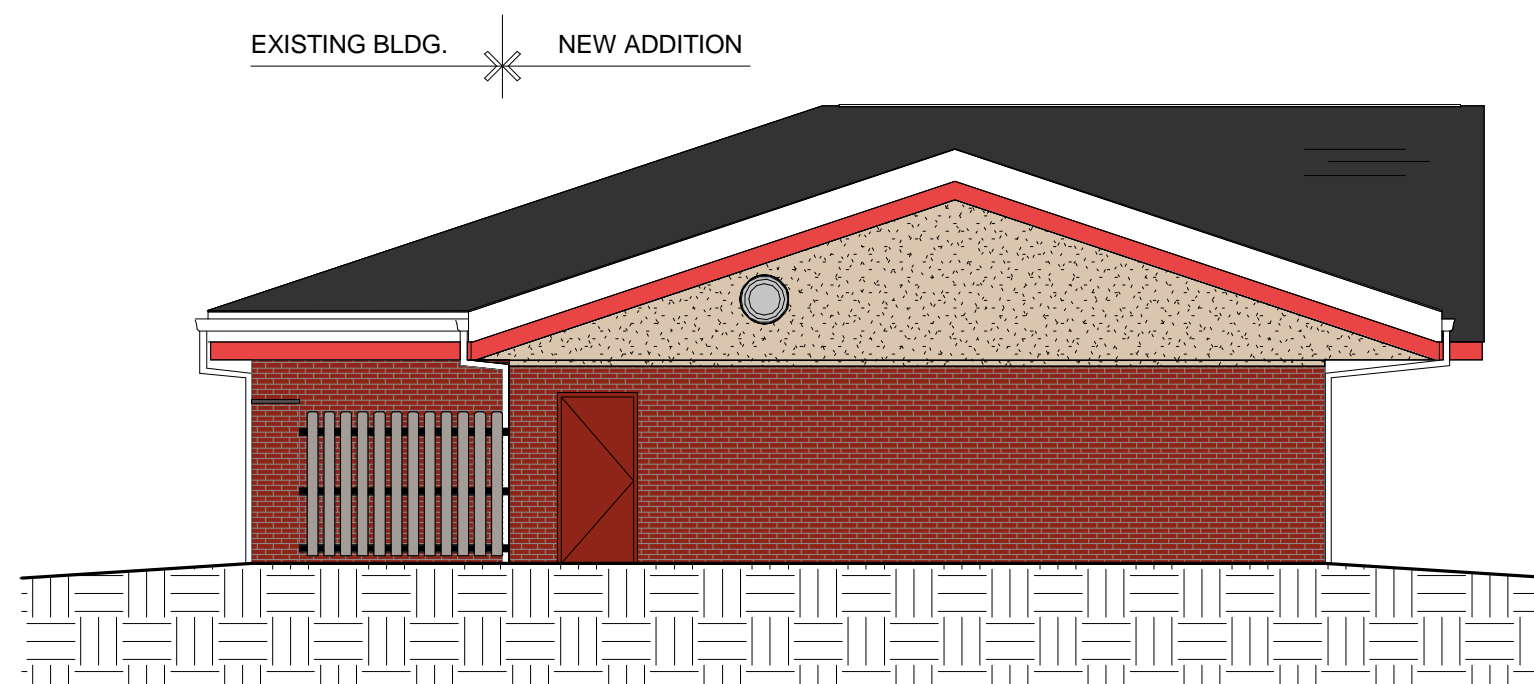
1 NORTH ELEVATION
1/8" = 1'-0"



2 WEST ELEVATION
1/8" = 1'-0"



3 SOUTH ELEVATION
1/8" = 1'-0"



4 EAST ELEVATION
1/8" = 1'-0"

REVISIONS NO.	DATE

II

3.2

R. O. No. 102- 15 - 16. By CITY CLERK. August 17, 2015.

Submitting a communication from Katie Beine requesting an encroachment for a raised wooden garden bed positioned approximately two feet from the curb for access by pedestrians.

City Plan

City Clerk

Katie Beine
2660 White Fox Drive
Sheboygan, WI 53081
(920)918-9307

August 13, 2015

Dear Common Council of Sheboygan:

I am writing this letter in request for an encroachment permit for our small "Gleaning Garden," which sits, in a quiet neighborhood, on the corner of our property at 2660 White Fox Drive in Sheboygan. This garden is in a wooden raised bed that stands 1 foot tall, 8 feet long, and 6 feet wide. The garden has been positioned about two feet from the curb for access by pedestrians. The purpose of this garden in this specific area is to encourage community building within our subdivision, as anyone is allowed to pick the produce that grows during the season. This garden also is a small step in teaching our own children about responsibility and generosity towards others.

I am looking forward to continuing to have our garden throughout the seasons to nurture good food and friendships. Thank you for your consideration.

Sincerely,

Katie M. Beine

Katie Beine

Enclosure

**ENCROACHMENT DESCRIPTION
FOR 2660 WHITE FOX DRIVE GARDEN BOX**

THAT PART OF THE RIGHT OF WAY FOR WHITE FOX DRIVE ADJACENT TO LOT 116 OF FOX MEADOWS ADDITION NO. 6 LOCATED IN THE NE $\frac{1}{4}$ OF SECTION 9, T.14N., R.23E. CITY OF SHEBOYGAN, SHEBOYGAN COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF LOT 116, FOXMEADOWS ADDN. NO. 6, THENCE S.00°17'33"W. ALONG THE WEST LINE OF SAID LOT 116 BEING THE EAST RIGHT OF WAY LINE FOR WHITE FOX DRIVE 110.00 FEET, THENCE N.90°00'00"W. 6.17 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE N.90°00'00"W. 6.17 FEET, THENCE SOUTH 9.28 FEET, THENCE EAST 6.32 FEET, THENCE NORTH 9.28 FEET TO THE POINT OF BEGINNING, SAID DESCRIBED ENCROACHMENT CONTAINS 58.65 SQUARE FEET.

59281435716
2660 WHITE FOX DR.
BEINE, STEVEN G. KATHERINE M.
FOX MEADOWS ADDN NO 6 LOT 116

WHITE FOX DRIVE

EAST R/W WHITE FOX DRIVE
110.00
S00° 17' 33"W

6.32
9.28
N90° 00' 00"W
6.17'
P.O.B



SCALE 1" = 20'

WHITE FOX DRIVE

CITY OF SHEBOYGAN
ENGINEERING DEPT.
DRAFTED BY: BRIAN SANDBERG
DATE: 7\28\2015

X

6.1

Gen. Ord. No. 15 - 15 - 16. By Alderpersons Hammond and Lessard.
August 17, 2015.

AN ORDINANCE granting Steve G. and Katherine M. Beine, their heirs and assigns, the privilege of encroaching upon described portions of White Fox Dr. located at 2660 White Fox Dr. in the City of Sheboygan for the purpose of maintaining a garden box.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. Subject to the terms and conditions contained herein, Steve G. and Katherine M. Beine, their heirs and assigns, is hereby granted the privilege of encroaching upon described portions of White Fox Dr. located at 2660 White Fox Dr. in the City of Sheboygan,

THAT PART OF THE RIGHT OF WAY FOR WHITE FOX DRIVE ADJACENT TO LOT 116 OF FOX MEADOWS ADDITION NO. 6 LOCATED IN THE NE1/4 OF SECTION 9, T.14N., R.23E. CITY OF SHEBOYGAN, SHEBOYGAN COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 116, FOXMEADOWS ADDN. NO. 6, THENCE S.00°17'33"W. ALONG THE WEST LINE OF SAID LOT 116 BEING THE EAST RIGHT OF WAY LINE FOR WHITE FOX DRIVE 110.00 FEET, THENCE N.90°00'00"W. 6.17 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE N.90°00'00"W. 6.17 FEET, THENCE SOUTH 9.28 FEET, THENCE EAST 6.32 FEET, THENCE NORTH 9.28 FEET TO THE POINT OF BEGINNING, SAID DESCRIBED ENCROACHMENT CONTAINS 58.65 SQUARE FEET.

for the purpose of maintaining a garden box, in accordance with the sketch attached hereto and made a part hereof.

Section 2. The privilege as granted above is granted only on the condition that by the acceptance of the privilege, the said Steve G. and Katherine M. Beine, their heirs and assigns:

a. Shall become primarily responsible and liable for all and any damage to persons or property caused by and arising from the grant and exercise of such privilege.

b. Shall remove the encroachment allowed herein within ten (10) days after notice so to remove given by the State of Wisconsin or the City of Sheboygan; in the event of the failure so to remove, the said Steve G. and Katherine M. Beine, their heirs and assigns: shall pay the costs of removal by the State of Wisconsin or the City of Sheboygan, waiving all claim or claims for damages resulting from such removal, whether the removal is done by the said Steve G. and Katherine M. Beine, their heirs and assigns, or by the State of Wisconsin or by the City of Sheboygan.

City Plan

ENCROACHMENT DESCRIPTION

FOR 2660 WHITE FOX DRIVE GARDEN BOX

THAT PART OF THE RIGHT OF WAY FOR WHITE FOX DRIVE ADJACENT TO LOT 116 OF FOX MEADOWS ADDITION NO. 6 LOCATED IN THE NE1/4 OF SECTION 9, T.14N., R.23E. CITY OF SHEBOYGAN, SHEBOYGAN COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 116, FOXMEADOWS ADDN. NO. 6, THENCE S.00°17'33"W. ALONG THE WEST LINE OF SAID LOT 116 BEING THE EAST RIGHT OF WAY LINE FOR WHITE FOX DRIVE 110.00 FEET, THENCE N.90°00'00"W. 6.17 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE N.90°00'00"W. 6.17 FEET, THENCE SOUTH 9.28 FEET, THENCE EAST 6.32 FEET, THENCE NORTH 9.28 FEET TO THE POINT OF BEGINNING, SAID DESCRIBED ENCROACHMENT CONTAINS 58.65 SQUARE FEET.

WHITE FOX DR
2600





II

3.3

R. O. No. 103 - 15 - 16. By CITY CLERK. August 17, 2015.

Submitting a Petition for Direct Annexation by One-Half Approval pursuant to Sect. 66.0217(3)(a), Wisconsin Statutes (former Butzen property).

City Plan

City Clerk

PETITION FOR DIRECT ANNEXATION BY ONE-HALF APPROVAL
PURSUANT TO SECTION 66.0217(3)(a), WISCONSIN STATUTES

We, the undersigned, constituting the owners of one-half of the real property, in which no electors reside, in the following territory of the Town of Wilson, Sheboygan County, Wisconsin, lying contiguous to the City of Sheboygan, petition the Common Council of the City of Sheboygan to annex the territory described below and shown on the attached scale map to the City of Sheboygan, Sheboygan County, Wisconsin:

BEING PART OF THE NORTHEAST 1/4 AND THE SOUTHEAST 1/4 OF SECTION 4, TOWNSHIP 14 NORTH, RANGE 23 EAST, SHEBOYGAN COUNTY, BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 4, THENCE S.0°40'49"W. ALONG THE EAST LINE OF SAID SECTION 4 1335.18 FEET. THENCE N.89°56'30"W. 469.99 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE N.89°56'30"W. 1800.61 FEET, THENCE S.00°03'15"E. 1218.82 FEET TO THE SOUTHWEST CORNER OF LOT 1 OF A CERTIFIED SURVEY MAP RECORDED IN VOLUME 15 PAGE 9 AND 10 CERTIFIED SURVEYS, SHEBOYGAN COUNTY REGISTER OF DEEDS, THENCE S.86°48'33"E. ALONG THE SOUTH LINE OF SAID LOT 1 EXTENDED BEING 300' NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHEAST 1/4 OF SECTION 4 1560.11 FEET, THENCE S.17°27'21"W. 309.55 FEET, THENCE N.86°48'33"W. 12.94 FEET, THENCE S.17°51'31"W. 308.44 FEET, THENCE S.87°17'17"E 356.55 FEET TO THE CENTERLINE OF SOUTH BUSINESS DRIVE, THENCE N.17°50'38"E. ALONG SAID CENTERLINE 220.37 FEET, THENCE N.86°42'41"W. 64.21 FEET TO THE WEST RIGHT OF WAY LINE FOR SOUTH BUSINESS DRIVE, THENCE N.17°50'53"E ALONG SAID WEST RIGHT OF WAY LINE 84.85 FEET TO THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 4, THENCE S.86°48'33"E. 1.35 FEET. THENCE N.17°50'23"E. ALONG THE WEST RIGHT OF WAY LINE FOR SOUTH BUSINESS DRIVE 461.48 FEET, THENCE N.21°33'54"E. ALONG SAID WEST RIGHT OF WAY LINE 100.21 FEET, THENCE N.17°57'03"E. ALONG SAID WEST RIGHT OF WAY LINE 287.44 FEET, THENCE N.77°24'51"W. 386.61 FEET, THENCE N.12°53'04"E. 743.23 FEET TO THE POINT OF BEGINNING. CONTAINING 56.79 ACRES OF LAND.

PROPOSED ANNEXATION

CITY OF SHEBOYGAN PARCEL ID# 59030452442, 59030452441, 59030452691
 WISCONSIN POWER AND LIGHT PARCEL ID# 59030452451, 590304502
 IN SECTION 4, T. 14 N., R. 23 E.

BEING PART OF THE NORTHEAST 1/4 AND THE SOUTHEAST 1/4 OF SECTION 4 TOWNSHIP 14 NORTH, RANGE 23 EAST SHEBOYGAN COUNTY, BEING MORE PARTICULARLY DESCRIBED AS.

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 4, THENCE S.0°40'49"W. ALONG THE EAST LINE OF SAID SECTION 4 1335.18 FEET. THENCE N.89°56'30"W. 469.99 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE N.89°56'30"W. 1800.61 FEET, THENCE S.00°03'15"E. 1218.82 FEET TO THE SOUTHWEST CORNER OF LOT 1 OF A CERTIFIED SURVEY MAP RECORDED IN VOLUME 15 PAGE 9 AND 10 CERTIFIED SURVEYS, SHEBOYGAN COUNTY REGISTER OF DEEDS, THENCE S.86°48'33"E. ALONG THE SOUTH LINE OF SAID LOT 1 EXTENDED BEING 300' NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHEAST 1/4 OF SECTION 4 1560.11 FEET, THENCE S.17°27'21"W. 309.55 FEET, THENCE N.86°48'33"W. 12.94 FEET, THENCE S.17°51'31"W. 308.44 FEET, THENCE S.87°17'17"E 356.55 FEET TO THE CENTERLINE OF SOUTH BUSINESS DRIVE, THENCE N.17°50'38"E. ALONG SAID CENTERLINE 220.37 FEET, THENCE N.86°42'41"W. 64.21 FEET TO THE WEST RIGHT OF WAY LINE FOR SOUTH BUSINESS DRIVE, THENCE N.17°50'53"E ALONG SAID WEST RIGHT OF WAY LINE 84.85 FEET TO THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 4, THENCE S.86°48'33"E. 1.35 FEET. THENCE N.17°50'23"E. ALONG THE WEST RIGHT OF WAY LINE FOR SOUTH BUSINESS DRIVE 461.48 FEET, THENCE N.21°33'54"E. ALONG SAID WEST RIGHT OF WAY LINE 100.21 FEET, THENCE N.17°57'03"E. ALONG SAID WEST RIGHT OF WAY LINE 287.44 FEET, THENCE N.77°24'51"W. 386.61 FEET, THENCE N.12°53'04"E. 743.23 FEET TO THE POINT OF BEGINNING. CONTAINING 56.79 ACRES.

E. LINE NE 1/4 SECTION 4
 1335.18
 500' 40' 49"W

CITY OF SHEBOYGAN

P.O.B.

TOWN OF WILSON

1218.82 1800.61 469.99
 S00° 03' 15"E N89° 56' 30"W N89° 56' 30"W



PROPOSED ANNEXATION
 AREA = 56.79 ACRES

CSM VOL. 15
 PAGE 9-10
 WISCONSIN POWER
 & LIGHT
 PId#59030452502

CITY OF SHEBOYGAN OWNED
 PId#59030452442

S86° 48' 33"E
 1560.11

WISCONSIN POWER & LIGHT
 TRANSMISSION LINES

S. LINE NE 1/4 SECTION 4

N86° 48' 33"W
 12.94

CITY OF SHEBOYGAN

WISCONSIN POWER
 & LIGHT
 PId#59030452451

S86° 48' 33"E
 1.35

N86° 42' 41"W
 64.21



BEHRENS PARKWAY

CITY OF SHEBOYGAN
 PId#59030452691

MOENNING RD.

N17° 50' 53"E 84.85
 N17° 50' 23"E 461.48
 N17° 50' 38"E 220.37
 N17° 51' 31"W 308.44
 S17° 27' 21"W 309.55
 N17° 57' 03"E 287.44
 N21° 33' 54"E 100.21
 N12° 53' 04"E 743.23
 N17° 50' 38"E 356.55

TOWN OF WILSON

TRACT 1 & 2
 PId#59030452441

CITY OF SHEBOYGAN
 PId#59030452441

N12° 53' 04"E
 743.23

N17° 24' 51"W
 386.61

BLVD.

CITY OF SHEBOYGAN

~~IX~~

6.2

Gen. Ord. No. 16 - 15 - 16. By Alderpersons Hammond and Lessard.
August 17, 2015.

AN ORDINANCE annexing territory to the City of Sheboygan, Wisconsin.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. **Territory Annexed.** In accordance with sec. 66.0217 of the Wisconsin Statutes and the petition for direct annexation by one-half approval filed with the City Clerk on the 13th day of August, 2015, signed by all the owners of one-half of the real property, the following described territory in the Town of Wilson, Sheboygan County, Wisconsin, is hereby annexed to the City of Sheboygan, Wisconsin:

BEING PART OF THE NORTHEAST 1/4 AND THE SOUTHEAST 1/4 OF SECTION 4, TOWNSHIP 14 NORTH, RANGE 23 EAST, SHEBOYGAN COUNTY, BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 4, THENCE S.0°40'49"W. ALONG THE EAST LINE OF SAID SECTION 4 1335.18 FEET. THENCE N.89°56'30"W. 469.99 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE N.89°56'30"W. 1800.61 FEET, THENCE S.00°03'15"E. 1218.82 FEET TO THE SOUTHWEST CORNER OF LOT 1 OF A CERTIFIED SURVEY MAP RECORDED IN VOLUME 15 PAGE 9 AND 10 CERTIFIED SURVEYS, SHEBOYGAN COUNTY REGISTER OF DEEDS, THENCE S.86°48'33"E. ALONG THE SOUTH LINE OF SAID LOT 1 EXTENDED BEING 300' NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHEAST 1/4 OF SECTION 4 1560.11 FEET, THENCE S.17°27'21"W. 309.55 FEET, THENCE N.86°48'33"W. 12.94 FEET, THENCE S.17°51'31"W. 308.44 FEET, THENCE S.87°17'17"E 356.55 FEET TO THE CENTERLINE OF SOUTH BUSINESS DRIVE, THENCE N.17°50'38"E. ALONG SAID CENTERLINE 220.37 FEET, THENCE N.86°42'41"W. 64.21 FEET TO THE WEST RIGHT OF WAY LINE FOR SOUTH BUSINESS DRIVE, THENCE N.17°50'53"E ALONG SAID WEST RIGHT OF WAY LINE 84.85 FEET TO THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 4, THENCE S.86°48'33"E. 1.35 FEET. THENCE N.17°50'23"E. ALONG THE WEST RIGHT OF WAY LINE FOR SOUTH BUSINESS DRIVE 461.48 FEET, THENCE N.21°33'54"E. ALONG SAID WEST RIGHT OF WAY LINE 100.21 FEET, THENCE N.17°57'03"E. ALONG SAID WEST RIGHT OF WAY LINE 287.44 FEET, THENCE N.77°24'51"W. 386.61 FEET, THENCE N.12°53'04"E. 743.23 FEET TO THE POINT OF BEGINNING. CONTAINING 56.79 ACRES OF LAND.

Section 2. **Effect of Annexation.** From and after the date of this

City Plan







II

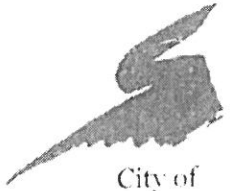
3.5

R. O. No. 105 - 15 - 16. By CITY CLERK. August 17, 2015.

Submitting a copy of the Notice of Intent to Circulate Petition for Annexation of Territory to City of Sheboygan

City Clerk

City Plans



City of
Sheboygan
spirit on the lake.

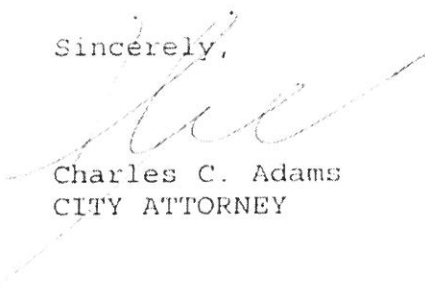
August 3, 2015

BY HAND DELIVERY

Ms. Susan Richards, Clerk
City of Sheboygan
828 Center Avenue
Sheboygan, WI 53081

Enclosed please find a copy of the Notice of Intent to Circulate Petition for Annexation of Territory to City of Sheboygan which was published as a Class 1 Notice in *The Sheboygan Press* on Saturday, August 1, 2015.

Sincerely,


Charles C. Adams
CITY ATTORNEY

CCA/kah
Enclosures

CITY ATTORNEY'S OFFICE

CITY HALL
828 CENTER AVE SUITE 304
SHEBOYGAN, WI
53081-4442

920 469-3917
FAX 920 469-3919

www.sheboyganwi.gov

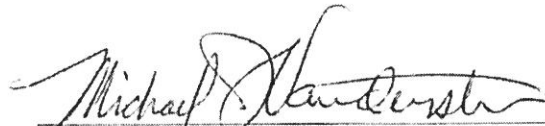
COPY

NOTICE OF INTENT TO CIRCULATE PETITION FOR
ANNEXATION OF TERRITORY TO CITY OF SHEBOYGAN

PLEASE TAKE NOTICE that not less than 10 nor more than 20 days after the date of publication of this Notice, the City of Sheboygan, owner of real property in the territory described in Exhibit A, intends to circulate a petition in accordance with section 66.0217(3) of the Wisconsin Statutes for direct annexation of the territory legally described in Exhibit A and shown on the scale map attached hereto as Exhibit B from the Town of Wilson, Sheboygan County, Wisconsin, to the City of Sheboygan, Wisconsin.

A copy of the scale map may be inspected at the office of the Town Clerk for the Town of Wilson, 5935 South Business Drive, Sheboygan, and the office of the City Clerk for the City of Sheboygan, 828 Center Avenue, Sheboygan.

Dated: July 27, 2015



CITY OF SHEBOYGAN

By Michael J. Vandersteen, Mayor
828 Center Avenue
Sheboygan, WI 53081

EXHIBIT A

LEGAL DESCRIPTION

BEING PART OF THE NORTHEAST 1/4 AND THE SOUTHEAST 1/4 OF SECTION 4, TOWNSHIP 14 NORTH, RANGE 23 EAST, SHEBOYGAN COUNTY, BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 4, THENCE S.0°40'49"W. ALONG THE EAST LINE OF SAID SECTION 4 1335.18 FEET. THENCE N.89°56'30"W. 469.99 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE N.89°56'30"W. 1800.61 FEET, THENCE S.00°03'15"E. 1218.82 FEET TO THE SOUTHWEST CORNER OF LOT 1 OF A CERTIFIED SURVEY MAP RECORDED IN VOLUME 15 PAGE 9 AND 10 CERTIFIED SURVEYS, SHEBOYGAN COUNTY REGISTER OF DEEDS, THENCE S.86°48'33"E. ALONG THE SOUTH LINE OF SAID LOT 1 EXTENDED BEING 300' NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NORTHEAST 1/4 OF SECTION 4 1560.11 FEET, THENCE S.17°27'21"W. 309.55 FEET, THENCE N.86°48'33"W. 12.94 FEET, THENCE S.17°51'31"W. 308.44 FEET, THENCE S.87°17'17"E 356.55 FEET TO THE CENTERLINE OF SOUTH BUSINESS DRIVE, THENCE N.17°50'38"E. ALONG SAID CENTERLINE 220.37 FEET, THENCE N.86°42'41"W. 64.21 FEET TO THE WEST RIGHT OF WAY LINE FOR SOUTH BUSINESS DRIVE, THENCE N.17°50'53"E ALONG SAID WEST RIGHT OF WAY LINE 84.85 FEET TO THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 4, THENCE S.86°48'33"E. 1.35 FEET. THENCE N.17°50'23"E. ALONG THE WEST RIGHT OF WAY LINE FOR SOUTH BUSINESS DRIVE 461.48 FEET, THENCE N.21°33'54"E. ALONG SAID WEST RIGHT OF WAY LINE 100.21 FEET, THENCE N.17°57'03"E. ALONG SAID WEST RIGHT OF WAY LINE 287.44 FEET, THENCE N.77°24'51"W. 386.61 FEET, THENCE N.12°53'04"E. 743.23 FEET TO THE POINT OF BEGINNING. CONTAINING 56.79 ACRES OF LAND.

EXHIBIT B

PROPOSED ANNEXATION

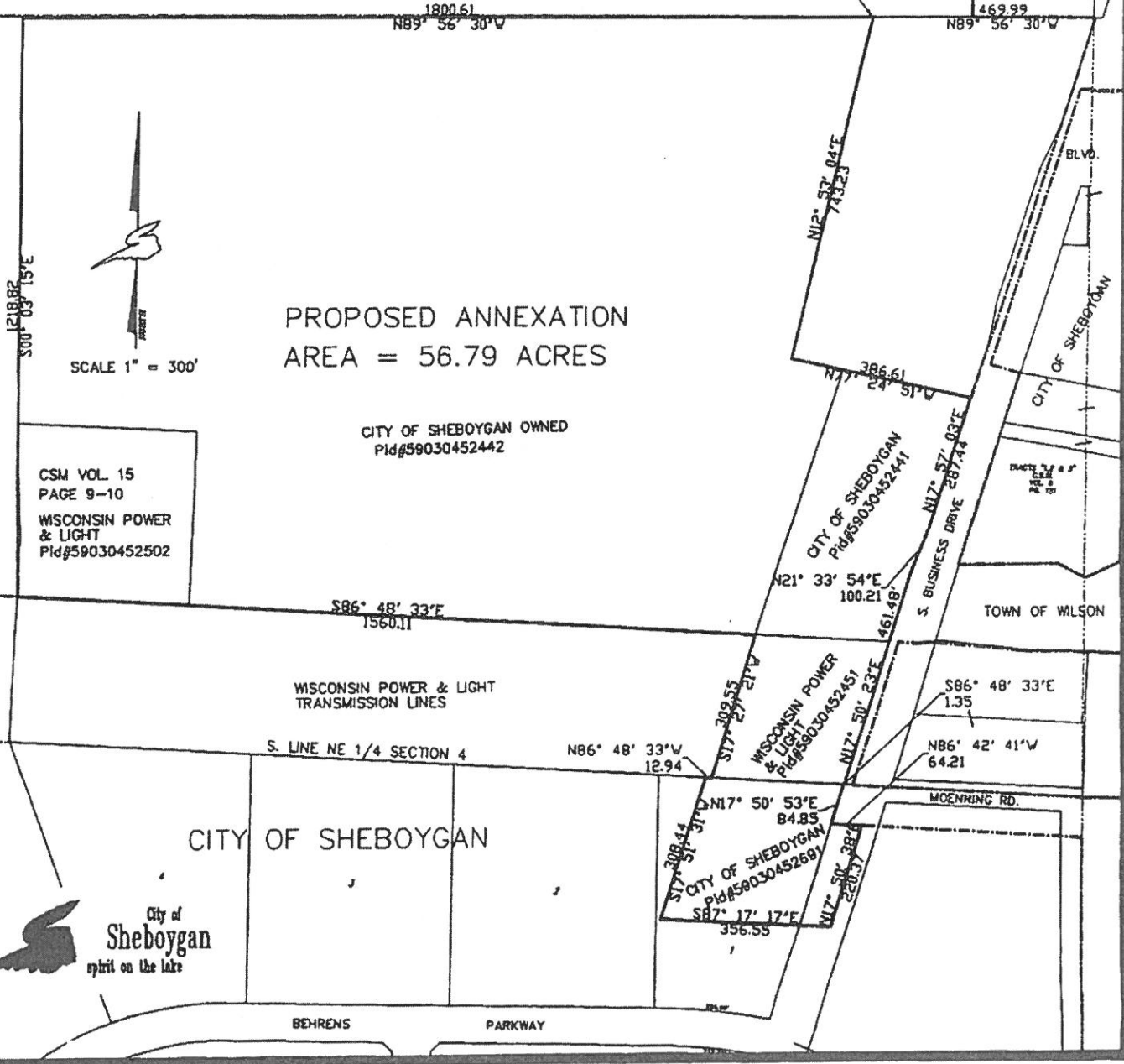
CITY OF SHEBOYGAN PARCEL ID# 59030452442, 59030452441, 59030452691
 WISCONSIN POWER AND LIGHT PARCEL ID# 59030452451, 590304502
 IN SECTION 4, T. 14 N., R. 23 E.

BEING PART OF THE NORTHEAST 1/4 AND THE SOUTHEAST 1/4 OF SECTION 4 TOWNSHIP 14 NORTH, RANGE 23 EAST SHEBOYGAN COUNTY, BEING MORE PARTICULARLY DESCRIBED AS.

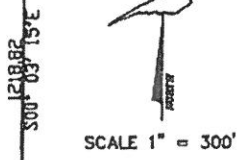
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CITY OF SHEBOYGAN

TOWN OF WILSON



PROPOSED ANNEXATION
 AREA = 56.79 ACRES



CSM VOL. 15
 PAGE 9-10
 WISCONSIN POWER
 & LIGHT
 PId#59030452502

CITY OF SHEBOYGAN OWNED
 PId#59030452442

WISCONSIN POWER & LIGHT
 TRANSMISSION LINES

S. LINE NE 1/4 SECTION 4

CITY OF SHEBOYGAN



E. LINE NE 1/4 SECTION 4
 1335.18
 300° 40' 49" W

II

3.10

R. O. No. 106 - 15 - 16. By CITY CLERK. August 17, 2015.

Submitting a communication from Mau & Associates requesting a vacation of a 15' water main easement on a piece of property on Bollman Dr.

City Plan

City Clerk

II

Mau & Associates
400 Security Blvd.
Green Bay, WI. 54313
Phone: (920) 434-9670
Fax: (920) 434-9672

⋮

Mau & Associates

Date: August 13, 2015

Client: Bob Mangen

City of Sheboygan Engineering Division

RE: Vacation of a 15' Watermain Easement (see enclosed map).

Dear Sirs:

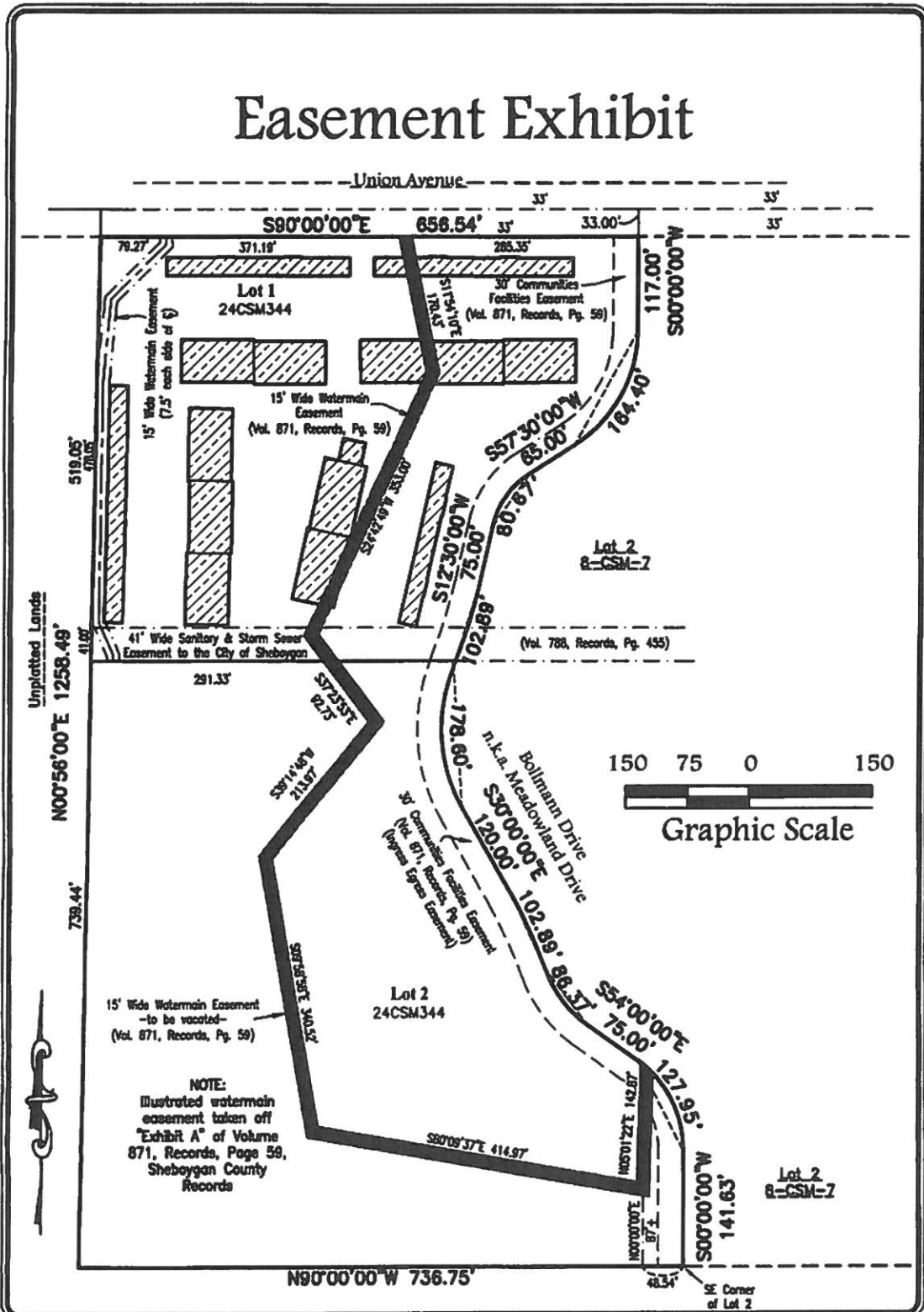
We are working for Bob Mangen on a piece of property on Bollman Drive, approximately 519 feet south of Union Avenue. We have split the property via Volume 24, Certified Survey Maps, page 344 (enclosed). However, there is a 15 foot wide watermain easement recorded in Volume 871 Records page 59-63) that dissects Lot 2 of said map. We would like to vacate the highlighted portion of the easement as depicted on the enclosed map.

If you have the ability to sign for the easement release, please sign in black ink on the enclosed "Release of Easement" document, print your name and title below signature. Also, have it notarized, and return to me. Thank you for your time.

Sincerely,

Mike Andraschko

Easement Exhibit



Client: Robert Mangen
 Drafted By: MRA
 File: M-13708Exhibit 071911.dwg

Scale: 1" = 150'
 Tax Parcel Number

Mau & Associates
 LAND SURVEYING & PLANNING
 CIVIL & WATER RESOURCE ENGINEERING
 Phone: 920-434-9070 Fax: 920-434-9072

Sheet One of One
 Project No.: M-13708
 Drawing No.: L-7942

Vol 871 pg 59

COMMUNITY FACILITIES EASEMENT DECLARATION

1050029

This Declaration is made this 28th day of August, 1979 by EDWARD ROSE BUILDING COMPANY, a Michigan corporation, whose address is 23999 West Ten Mile Road, Suite A, P.O. Box 937, Southfield, Michigan, 48037; hereinafter called "Rose".

WHEREAS, Rose is the owner of the following described property, to wit:

A part of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 33, T15N, R23E, City of Sheboygan, Sheboygan County, Wisconsin, more particularly described as follows:

BEGINNING at the Northeast corner of said Section 33, said Northeast corner being in the centerline of Union Avenue; thence 80°46'N along the East line of said Section 33, 1,291.49 feet; thence due West, parallel to the North line of said Section 33, 1,073.00 feet; thence N0°56'W parallel to the East line of said Section 33, 1,291.49 feet to the North line of said Section 33, said North section line also being the centerline of Union Avenue; thence due East along said North line of Section 33, 1,073.00 feet to the place of beginning, containing 31.81 acres more or less, subject to a right-of-way for Union Avenue and the Northern 33 feet thereof, and encompassing, property conveyed by Warranty Deeds recorded as Documents 937391, 987393, 1001576, 1018092, 1033995, 1033996, 1033997, Sheboygan County Records; and

WHEREAS, Rose has on a portion of the above-described property partially constructed and intends to complete fully a residential multifamily complex consisting of 597 dwelling units in apartment buildings commonly known as Foxcroft Apartments, Stages 1, 2, 3, etc.; and

WHEREAS, in order to provide necessary services for the Foxcroft Apartment complex, Rose has partially completed, and intends to construct in addition to a water main network. In addition, Rose has constructed a private drive commonly known as Dollmann Drive, a swimming pool, a pool building and may construct other recreational amenities, all of the foregoing, both existing facilities and proposed, being hereinafter collectively referred to as "Community Facilities", which Community Facilities will be situated in various stages of the Foxcroft Apartments complex but are intended to be available for the use, benefit and enjoyment of the entire Foxcroft Apartments complex; and

WHEREAS, it would not be feasible or economical for Rose to maintain and operate the foregoing Community Facilities only for those occupants residing within a single stage of Foxcroft Apartments; and

WHEREAS, Rose desires that the cost of operation and maintenance of the Community Facilities be shared by the owners of the various stages of the apartment complex in proportion to the respective benefit derived by the respective owners.

NOW THEREFORE, in consideration of One Dollar (\$1.00), the receipt of which is hereby acknowledged, the following is declared:

1. Rose, as owner of the above described Foxcroft Apartments complex hereby establishes and grants non-exclusive perpetual easements in favor of the legal owners of the various stages of Foxcroft Apartments for the utilization of, ingress to, egress from, construction, maintenance, repair, replacement and operation of the above-described Community Facilities. The easements created hereby are those depicted on the site plan attached hereto, with a part hereof and marked Exhibit A.
2. The use and enjoyment of any Community Facility by the various stages within Foxcroft Apartments shall be subject to the same rules, regulations and restrictions as those governing the owner of the stage within which the particular Community Facility is located.
3. The duty to operate, maintain, repair or replace any particular Community Facility shall be that of the owner of the stage upon which or in which such Community Facility is located, but the expense of such operation, maintenance, repair or replacement

shall be shared by the owners of each stage with each owner bearing that proportion of the said expenses determined by the ratio of finished dwelling units in such owner's stage to the total number of finished dwelling units in the entire Foxcroft Apartments complex. Real estate taxes and hazard and liability insurance shall be included as an operational expense to be shared between the owners but only as to the pool, pool building, and any other recreational facilities which may be constructed.

- 4. Anything herein contained to the contrary notwithstanding, the license, right and privileges declared hereby are for the benefit of, and are restricted solely to, the owners from time to time of Foxcroft Apartments, Stage 1, 2, 3, etc., as Rose, in its sole discretion, may choose to include but the owner of each stage may grant or revoke at will the benefit of such license, right or privilege to the respective tenants of such owner and the said license and business invitations of such tenants now or hereafter occupying the apartments on such stages for the duration of such tenancy. Nothing herein contained shall be construed to create any estate in or for the benefit of the general public or any individual, tenant, guest, or business invitee of such tenants.
- 5. The owners of the stages have the right to design, convey or purvey said rights and benefits for any property described in this Covenent Declaration.

IN WITNESS WHEREOF, the parties hereto have set their hands this day and year first written above.

HOWARD RICE HOLDINGS COMPANY,
A Michigan Corporation

By: *Melton Rose*
Melton Rose, President

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

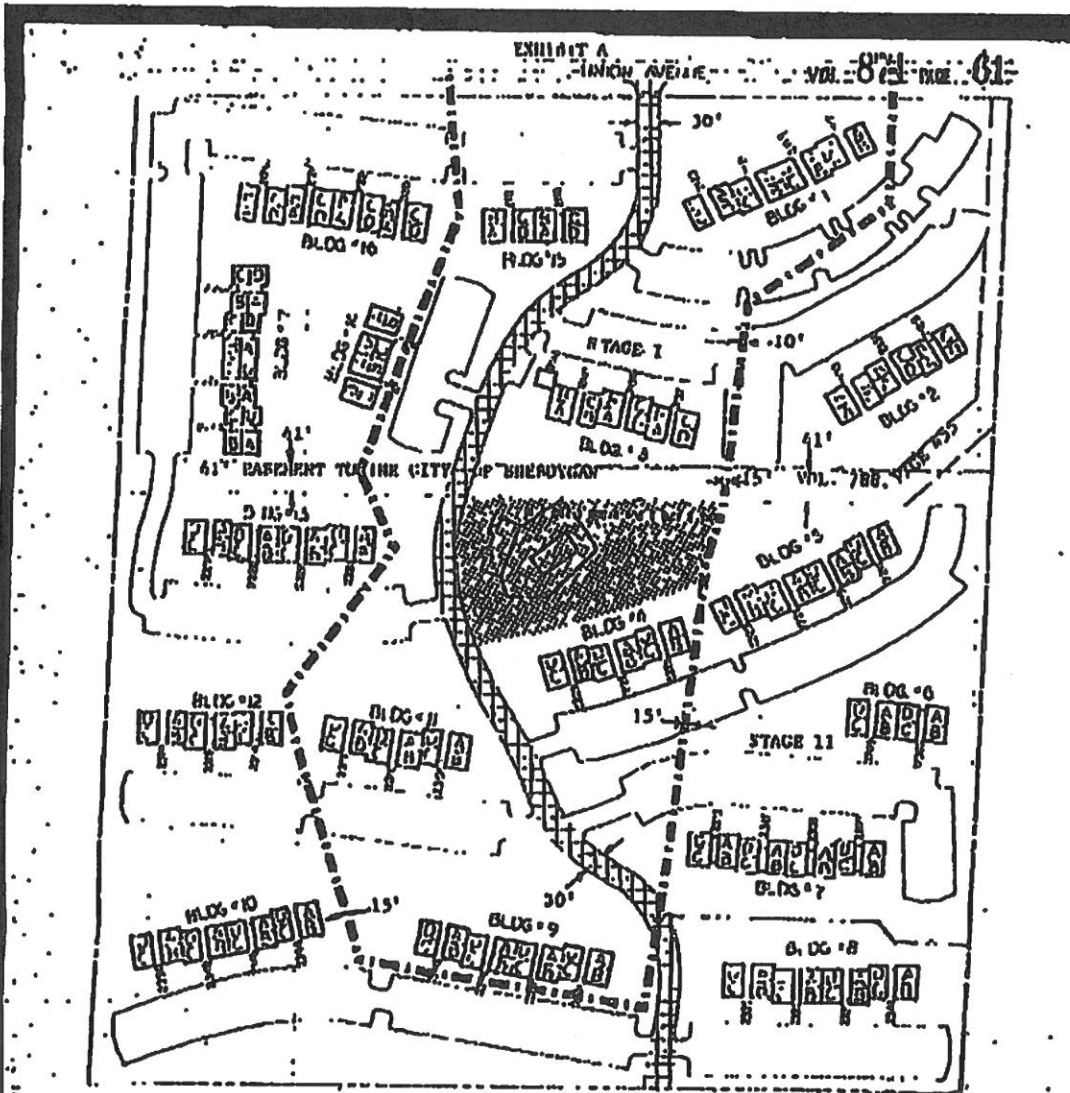
This foregoing instrument was acknowledged before me on this 28th day of August, 1979 by MELTON ROSE, President of HOWARD RICE HOLDINGS COMPANY, a Michigan Corporation, on behalf of the Corporation.



Betty J. Dennis
Notary Public, Oakland County, Michigan
My Commission Expires:

BETTY J. DENNIS
Notary Public, Oakland County, Michigan
My Commission Expires: 08/18/2008

THIS INSTRUMENT IS FILED BY
Betty J. Dennis
6100 Scupperdon Road
P.O. Box 3115
Farmington, Michigan 48403



FOXCROFT APARTMENTS

SHEBOYGAN, WISCONSIN



CONCRETE FACILITIES PAVEMENT PARALLEL

Water main easement, ten foot and fifteen foot wide as indicated on the above drawing. The centerline of this easement coincides with the centerline of the no-built upon main



Recreational Facilities Easement, the description of which is attached hereto as EXHIBIT B.



Easement over Bellmann Drive, a private drive, the description of which is attached hereto as EXHIBIT C.

EXHIBIT B

VOL 871 PAGE 62

RECREATIONAL AMENITIES EASEMENT

A part of the Northwest 1/4 of the Northwest 1/4 of Section 33, T15N, R23E, City of Richwood, Richwood County, West Virginia, described as follows:

Commencing at the Northwest corner of Section 33, T15N, R23E; thence S00°56'00"W along the East line of the NE 1/4 of said Section 33, a distance of 511.00 feet; thence West 328.52 feet to the POINT OF BEGINNING; thence, continuing West from said point of beginning 285.58 feet; thence, Southwesterly along a curve to the right, a distance of 50.86 feet, said curve having a radius of 559.50 feet, and a main chord which bears S20°01'42"W 50.84 feet; thence, Southeasterly, along a curve to the left, a distance of 178.60 feet, said curve having a radius of 194.92 feet, and a main chord which bears S03°45'00"E 172.42 feet; thence, S30°00'00"E 4.54 feet; thence N70°10'00"E 289.73 feet; thence N13°21'53"E 83.01 feet; thence South 68.99 feet, to the point of beginning, and containing 1.218 acres of land. *clj*

A.P.

EXHIBIT C

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EASEMENT OVER BOLLISMAN DRIVE, A PRIVATE DRIVE

A part of the Northeast 1/4 of the Northeast 1/4 of Section 33, T15N, R23E, City of Shaboygan, Shaboygan County, Wisconsin, said easement being 30 feet wide and lying 18 feet easterly and 12 feet westerly of the following described line:

Commencing at the Northeast corner of Section 33, T15N, R23E; thence West along the North line of the Northeast 1/4 of the Northeast 1/4 of Section 33 a distance of 433 feet to the POINT OF BEGINNING; thence South 150.00 feet to a point of curvature; thence Southwesterly along the arc of a curve to the right 146.34 feet, said curve having a radius of 145.82 feet and a main chord which bears S28°45'00"W a distance of 140.28 feet; thence S57°30'00"W 65.00 feet to a point of curvature; thence Southwesterly along the arc of a curve to the left 94.81 feet, said curve having a radius of 170.71 feet and a main chord which bears S35°00'00"W a distance of 92.39 feet; thence S12°30'00"W 75.00 feet; thence Southwesterly along a curve to the right 99.75 feet, said curve having a radius of 571.50 feet, and a main chord which bears S17°30'00"W 99.62 feet; thence Southwesterly along a curve to the left 199.00 feet, said curve having a radius of 212.92 feet, and a main chord which bears S07°45'00"W 188.34 feet; thence S30°00'00"E 120.00 feet, to a point of curvature; thence, Southeastery along a curve to the right 99.75 feet, said curve having a radius of 571.50 feet, and a main chord which bears S23°00'00"E 99.62 feet; thence Southeastery, along a curve to the left 97.05 feet, said curve having a radius of 163.54 feet, and a main chord which bears S17°00'00"E 95.63 feet; thence S34°00'00"E 75.00 feet to a point of curvature; thence Southeastery along a curve to the right 110.98 feet, said curve having a radius of 117.76 feet and a main chord which bears S27°00'00"E 106.82 feet; thence South 141.63 feet to a point of termination. *cks*

1973 SEP 6 AM 3 25

T.S.

RECORDED 9-16-08 11:00 AM

Wm. Kelly

CLERK'S OFFICE
SHABOYGAN COUNTY, WISCONSIN
Recorded for Record No. 62 Day of
Nov. A. D. 1973. P. 25
and Recorded in Vol.
Records 871/63
of page 63/63

Wm. Kelly (Signature)

1194447

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**FIRST AMENDMENT TO COMMUNITY FACILITIES
EASEMENT DECLARATION**

FIRST AMENDMENT TO COMMUNITY FACILITIES EASEMENT DECLARATION made this 27 day of November, 1989 by SHEBOYGAN PROPERTIES, LIMITED PARTNERSHIP (hereinafter the "Owner").

WHEREAS, the Owner is the sole owner of all of the real estate (hereinafter the "Real Estate") described in that certain Community Facilities Easement Declaration dated August 28, 1979 and recorded in the office of Register of Deeds for Sheboygan County, Wisconsin on November 6, 1979, in Volume 871 of Records on pages 59-63 (hereinafter the "Declaration");

WHEREAS, the Owner has divided the Real Estate into two parcels, Lot 2 and Lot 1 as depicted on the Certified Survey Map attached hereto as Exhibit A, which Certified Survey Map was filed for record in Volume 8 of Certified Survey Maps on Page 7 in the office of the Register of Deeds for Sheboygan County, Wisconsin;

WHEREAS, at some time in the future Lots 1 and 2 may have different owners as contemplated in the Declaration; and

WHEREAS, the Owner desires to amend the Declaration as provided herein.

NOW THEREFORE, for \$1.00 and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Declaration is hereby modified as follows:

1. The number of stages of Foxcroft Apartments shall be modified to two stages: (a) Lot 2 which has already been developed with 286 rentable units; and (b) Lot 1 which as of the date hereof has not been developed. Lots 1 and 2 are depicted on the attached Certified Survey Map.

2. Notwithstanding that Bollmann Drive is located on Lot 1, the owner of Lot 2 shall have the duty to operate, maintain, repair or replace Bollmann Drive, the private drive depicted on the Certified Survey Map, provided however that if Lot 1 is developed, the expense of operation, maintenance, repair or replacement shall be shared between the owners of Lots 1 and 2 with each owner bearing that proportion of said expense determined by the ratio of finished dwelling units on such owner's property compared to the total number of finished units on the entire Real Estate. All other Community Facilities shall be governed by paragraph 3 of the Declaration.

3. It is understood that the Cable TV system presently located upon Lot 2 shall be deemed to be a part of the Community Facilities under the Declaration. The cost of operation, repair,

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maintenance and programming of the Cable TV and programming system shall be shared between the owners of Lots 1 and 2 based on the number of apartment units on the respective lots subscribing to the service compared with the total number of apartment units on the entire Real Estate subscribing to said service. The responsibility of operating, maintaining, replacing, repairing and programming of the Cable TV System shall be that of the owner of Lot 2 with the sharing of expenses as provided in this paragraph.

4. Further, the owner hereby declares that Lot 2 shall be subject to an easement in favor of Lot 1 for construction purposes so that Lot 1 may be developed with multi-family housing units. An easement in favor of Lot 1 for connection to utilities (including without limitation sewer, water, telephone, electric, gas and Cable TV) over, upon, across and under Lot 2 is hereby declared. Further an easement for access and any other easement necessary to that the additional units can be constructed upon Lot 1 and the services are shared as contemplated by the Declaration as amended is hereby declared.

5. All future owners of Lots 1 and 2 agree to do, execute, acknowledge and deliver and cause to be done, executed and delivered all such further acts, assignments, transfers and assurances as shall reasonably be requested of them to carry out the Declaration as amended hereby and give effect to its provisions.

6. All terms of the Declaration except as modified herein shall remain in full force and effect as if set forth at length in this Amendment.

7. The Declaration and this Amendment shall run with the land and be binding upon and inure to the benefit of the owners of Lots 1 and 2.

IN WITNESS WHEREOF, the parties hereto have set their hands the date first above written.

SHEROYDAN PROPERTIES,
LIMITED PARTNERSHIP

By:

Richard G. Sheveland
Richard G. Sheveland,
General Partner

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By: Sheveland Investment Company, Inc., General Partner

By: Richard G. Sheveland Pres.
Richard G. Sheveland,
President

Attest: Gordon Sheveland
Gordon Sheveland,
Secretary

ACKNOWLEDGMENTS

STATE OF WISCONSIN)
Milwaukee County) ss.

9285 272 N00012.00 JR

The foregoing instrument was acknowledged before me this 27 day of November, 1989 by Richard G. Sheveland, as a general partner of Sheboygan Properties, Limited Partnership.

Mary Neese Fertl
Notary Public Mary Neese Fertl
My Commission: 10/28/88

STATE OF WISCONSIN)
Milwaukee County) ss.

The foregoing instrument was acknowledged before me this 27 day of November, 1989 by Richard G. Sheveland and Gordon Sheveland, President and Secretary respectively of Sheveland Investment Company, Inc. as a general partner of Sheboygan Properties, Limited Partnership.

Mary Neese Fertl
Notary Public Mary Neese Fertl
My Commission: 10/28/88

This instrument was drafted by and after recording should be returned to:

Attorney Mary Neese Fertl
411 E. Wisconsin Avenue
Milwaukee, Wisconsin 53202

REL/400/85375001
111589

REGISTRAR'S
SHEBOYGAN
Received
Day of Nov AD. 1989
2:27 o'clock PM, and
Recorded in Vol. 1126
of 508 on page 508/10

Darlene J. Noid
Registrar

EXHIBIT A

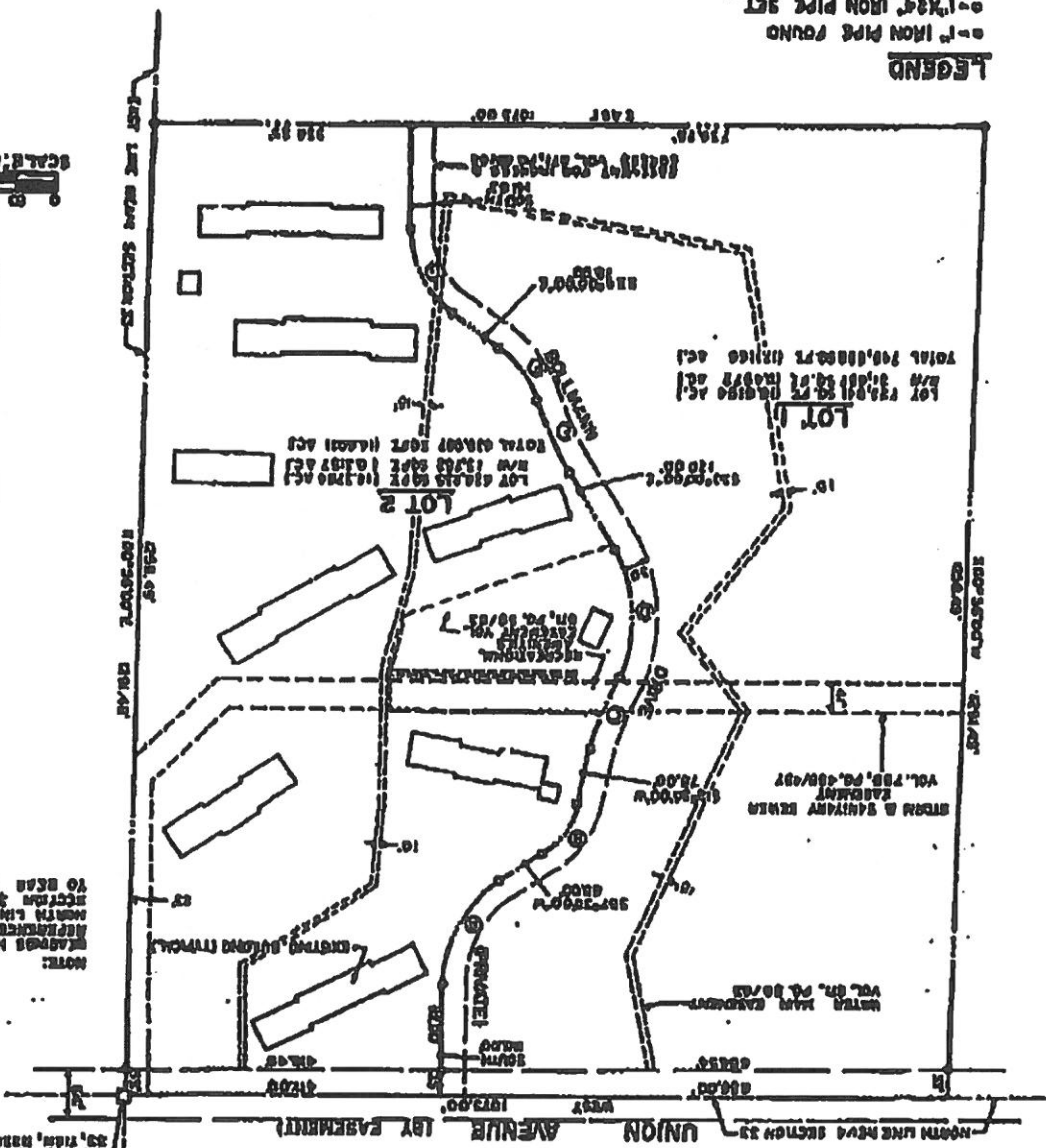
1126 AVE 509

NOTE: REAR PORTION OF SECTION 33, RECORDED NORTH LINE AND 1/4 SECTION REFERRED TO THE REAR PART.

THE COMMON SECTION 33, T13N, R23E.

Part of the NE 1/4 NE 1/4 Section 33, T13N, R23E, City of Sheboygan, Sheboygan County, Wisconsin.

CERTIFIED SURVEY MAP



CURVE	ARC	RADIUS	GEN. ANGLE	CHORD	CHORD BEARING
A	166.60'	163.82'	97°30'00"	157.59'	528°45'00"N
B	80.67'	102.71'	65°00'00"	78.61'	539°00'00"N
U	102.89'	589.50'	10°00'00"	102.76'	817°30'00"N
D	178.60'	196.92'	52°30'00"	172.42'	503°45'00"E
R	101.89'	589.50'	10°00'00"	102.76'	525°00'00"E
S	86.37'	163.54'	34°00'00"	85.10'	837°00'00"E
C	127.95'	135.76'	54°00'00"	123.27'	527°00'00"E

LEGEND
 0" IRON PIPE FOUND
 0" IRON PIPE SET
 WOUND 1126/1127



11/11/1984

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CERTIFICATE OF SURVEYOR

I, Edgar Harvey, Jr., State of Wisconsin Registered Land Surveyor No. S-1489 do hereby certify: That, in full compliance with the provisions of Chapter 236.34 of the Wisconsin Statutes and the subdivision regulations of the City of Sheboygan, and under the order and direction of EDWARD ROSE BUILDING COMPANY (Owner) and Sheboygan Properties (holder of a land contract), I have surveyed, mapped and divided into two (2) lots, the following described parcel of land located in part of the NE 1/4, NE 1/4 Section 33, T15N, R23E, City of Sheboygan, Sheboygan County, Wisconsin,

Commencing at the NE corner Section 33, T15N, R23E, City of Sheboygan, Sheboygan County, Wisconsin, said corner being the true point of beginning;

Thence, from said point of beginning, west along the north line NE 1/4 Section 33, 1073.00 feet; thence S00°56'00"W 1291.49 feet to a one inch iron pipe found; thence east 1073.00 feet to a one inch iron pipe found on the east line NE 1/4 Section 33; thence N00°56'00"E along said east line 1291.49 feet to the point of beginning; and containing 1,385,385 square feet (31.8087 acres) of land, including therein the north 34,409 square feet (0.8129 acres) lying in the right-of-way of Union Avenue.

Subject to and together with all easements of record, including an easement for storm sewers and sanitary sewers recorded in Volume 788, pages 453 through 457 of Sheboygan County Records, an easement for water main, an easement for recreational amenities and an easement for ingress and egress, all recorded in Volume 871, pages 39 through 63 of Sheboygan County Records.

I further certify that this survey is correct to the best of my knowledge and belief.

Edgar Harvey, Jr.
Edgar Harvey, Jr., S.L.S. No. S-1489

Nov. 14, 1986
Date

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1002270

CASEMENT

THIS INDENTURE, made this 3rd day of September, 1976, by and between Ernst Bollmann, Sr., R/R Union Avenue, Sheboygan, Wisconsin, and Edward Neen Building Company, a Michigan corporation, 25999 Mont Ten Mile Road, Southfield, Michigan, Grantors, and the City of Sheboygan, a municipal corporation, Grantee;

The said Grantors, in consideration of the sum of One (\$1.00) Dollar and other valuable consideration in hand paid by the said Grantee, receipt whereof is hereby confessed and acknowledged, have given, granted and do hereby give and grant unto the said Grantee, its successors and assigns, the perpetual right, privilege and easement for municipal purposes, to construct and maintain storm sewers and sanitary sewers, in, under and along the following described property in the County of Sheboygan, State of Wisconsin, to-wit:

A part of the E 1/2 of the NE 1/4 of Section 33, T16N, R23E, City of Sheboygan, Sheboygan County, Wisconsin, more particularly described as follows: Beginning at the northwest corner of said Section 33, thence S0°58'14" along the east line of said Section 33, 447.60 feet; thence N46°56'14" 100.24 feet; thence east, parallel to the north line of said Section 33, 966.76 feet to a point on a line which line parallel to and 1073.00 feet west of the east line of said Section 33; thence N0°56'14" along said line 41.00 feet; thence East, parallel to the north line of said Section 33, 949.00 feet; thence N46°56'14" 141.88 feet; thence N0°56'14", parallel to the east line of said Section 33, 412.62 feet to the north line of said Section and the centerline of Union Avenue; thence East along said north line 23.00 feet to the place of beginning of this description.

012/018-2175

The Grantee further grant unto the Grantee, its successors and assigns, the perpetual right, privilege and easement to enter on said premises for the purpose of laying, patrolling, maintaining, widening, repairing and renewing of said storm and sanitary sewers on the condition, however, that in any and all such events the Grantee shall bear all costs of such installations, construction and maintenance.

That as part of the consideration hereof the Grantee assumes the obligation of filling and leveling any trenches dug for such purpose and to restore the top soil in its original location.

This covenants herein contained shall be binding upon the parties hereto and their successors and assigns.

Handwritten notes and signatures at the bottom of the page.

