



City of Appleton

100 North Appleton Street
Appleton, WI 54911-4799
www.appleton.org

Meeting Agenda - Final City Plan Commission

*Any questions about items on this meeting are to be directed to
the Community and Economic Development Department,
920-832-6468.*

Tuesday, January 12, 2021

4:00 PM

Council Chambers, 6th Floor

1. Call meeting to order
2. Roll call of membership
3. Approval of minutes from previous meeting
[21-0011](#) City Plan Minutes from 12-8-20

Attachments: [City Plan Minutes 12-8-20.pdf](#)

4. Public Hearings/Apearances

- [21-0008](#) Special Use Permit #7-20 for a parking ramp located at 120 South Oneida Street (Tax Id #31-2-0052-00), as shown on the attached maps and per attached plan of operation, to run with the land subject to the conditions in the attached staff report and approve attached Resolution (Associated with Action Item #21-0009)

Attachments: [ClassIIPublicHearingNoticeNewspaper_YMCAParkingRamp_SUP#7-20.pdf](#)
[PublicHearingNoticeNeighborhood_YMCAParkingRamp_SUP#7-20.pdf](#)

5. Action Items

- [21-0009](#) Request to approve Special Use Permit #7-20 for a parking ramp located at 120 South Oneida Street (Tax Id #31-2-0052-00), as shown on the attached maps and per attached plan of operation, to run with the land subject to the conditions in the attached staff report and approve attached Resolution (2/3 vote of Common Council required for approval)

Attachments: [StaffReport_YMCAParkingRamp_SUP_For01-12-21.pdf](#)

- [21-0010](#) Request to approve the Cain Annexation consisting of approximately 0.77 acre located at 675 East Edgewood Drive, currently in the Town of Grand Chute, as shown on the attached maps subject to the stipulation in the attached staff report

Attachments: [StaffReport_Cain Annexation_For01-12-21.pdf](#)

[21-0034](#)

Request to approve the access restriction release for Lot 91 of First Addition to Clearwater Creek (Tax Id #31-6-6200-91), as shown on the attached map, pending approval by the Municipal Services Committee, and subject to the owner/agent completing and recording an appropriate correction instrument with the Outagamie County Register of Deeds

Attachments: [StaffMemo_FirstAddnToClearwaterCreek_RestrictionRelease_For01-12-21.pdf](#)
[RequestEmail_FirstAddnToClearwaterCreek_RestrictionRelease.pdf](#)
[RecordedPlat_FirstAddnToClearwaterCreek_RestrictionRelease.pdf](#)

6. Information Items

7. Adjournment

Notice is hereby given that a quorum of the Common Council may be present during this meeting, although no Council action will be taken.

Reasonable Accommodations for Persons with Disabilities will be made upon Request and if Feasible.



City of Appleton

100 North Appleton Street
Appleton, WI 54911-4799
www.appleton.org

Meeting Minutes - Final City Plan Commission

*Any questions about items on this meeting are to be directed
to the Community and Economic Development Department,
920-832-6468.*

Tuesday, December 8, 2020

4:00 PM

Council Chambers, 6th Floor

1. Call meeting to order

Meeting called to order at 4:00 p.m.

2. Roll call of membership

Present: 6 - Palm, Rabec, Robins, Mayor Woodford, Fenton and Buetow

Others present:

Alderson Vered Meltzer, District #2

Br. Rob Roemer, Capuchin, St. Fidelis, 1100 N. Ballard Road

Jill Hendricks, Vision Realty & Development

3. Approval of minutes from previous meeting

[20-1549](#)

City Plan Minutes from 10-27-20

Attachments: [City Plan Minutes 10-27-20.pdf](#)

Buetow moved, seconded by Fenton, that the Minutes be approved. Roll Call.

Motion carried by the following vote:

Aye: 6 - Palm, Rabec, Robins, Mayor Woodford, Fenton and Buetow

4. **Public Hearings/Appearances**

[20-1551](#)

Rezoning #10-20 to rezone 1000 North Ballard Road (Tax Id #31-1-1372-00), including to the centerline of the adjacent right-of-way and the Fox River, as shown on the attached maps, from P-I Public Institutional District to C-1 Neighborhood Mixed Use District (Associated with Action Item #20-1553)

Attachments: [InformalPublicHearingNotice_1000 N Ballard Rezoning#10-20.pdf](#)

This public hearing was held, and Br. Rob Roemer and Alderson Vered Meltzer spoke on the item.

5. Action Items

[20-1553](#)

Request to approve Rezoning #10-20 to rezone 1000 North Ballard Road (Tax Id #31-1-1372-00), including to the centerline of the adjacent right-of-way and the Fox River, as shown on the attached maps, from P-I Public Institutional District to C-1 Neighborhood Mixed Use District

Attachments: [StaffReport_TheRefuge_Rezoning_For12-8-20.pdf](#)

Proceeds to Council on January 6, 2021.

Buetow moved, seconded by Fenton, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 6 - Palm, Rabec, Robins, Mayor Woodford, Fenton and Buetow

[20-1554](#)

Request to approve the Sixth and Seventh Additions to Emerald Valley Final Plat as shown on the attached maps and subject to the conditions in the attached staff report

Attachments: [StaffReport_6-7thAddEmeraldValley_FinalPlat_For12-8-20.pdf](#)

Buetow moved, seconded by Robins, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 6 - Palm, Rabec, Robins, Mayor Woodford, Fenton and Buetow

[20-1555](#)

Request to approve the Extraterritorial Preliminary Plat for Marsden Park located in the Town of Grand Chute as shown on the attached maps

Attachments: [StaffReport_MarsdenPark_PrePlat_For12-08-20.pdf](#)

Rabec moved, seconded by Buetow, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 6 - Palm, Rabec, Robins, Mayor Woodford, Fenton and Buetow

[20-1556](#)

Request to approve the dedication of land for public right-of-way for future Sequoia Drive generally located south of Broadway Drive and east of French Road as shown on the attached maps

Attachments: [StaffReport_SequoiaDr_StreetDedication_For12-08-20.pdf](#)

Palm moved, seconded by Rabec, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 6 - Palm, Rabec, Robins, Mayor Woodford, Fenton and Buetow

6. Information Items

7. Adjournment

Fenton moved, seconded by Buetow, that the meeting be adjourned at 4:20 p.m. Roll Call. Motion carried by the following vote:

Aye: 6 - Palm, Rabec, Robins, Mayor Woodford, Fenton and Buetow

CITY OF APPLETON
NOTICE OF PUBLIC HEARING
PROPOSED SPECIAL USE PERMIT

NOTICE IS HEREBY GIVEN of a Public Hearing to be held before the City Plan Commission on Tuesday, January 12, 2021, at 4:00 P.M., in Council Chambers, 6th Floor, City Hall, 100 North Appleton Street, or as soon thereafter as can be heard, for the purpose of considering a Special Use Permit.

Pursuant to Sections 23-66 and 23-114 of the Appleton Municipal Code, to consider a request by Hoffman Planning, Design & Construction Inc., applicant, and the YMCA of the Fox Cities, owner, for property located at 120 South Oneida Street (Tax Id #31-2-0052-00) to obtain a Special Use Permit for a parking ramp. In the CBD Central Business District, a Special Use Permit is required for a standalone parking ramp.

All persons interested are invited to express your views or concerns regarding the above-described request. The Plan Commission meeting is open to the public; however, considering the COVID-19 Health Emergency, you are strongly encouraged to share any feedback with Plan Commission members via written letter, email or phone call instead of appearing in person. Please contact David Kress, Principal Planner, in the Community and Economic Development Department at 920-832-6428 or by email at david.kress@appleton.org.

Alternatively, you can also contact the Mayor's Office at mayor@appleton.org and your comments will be forwarded to the Plan Commission. The City Plan Commission makes a recommendation to the Common Council who makes the final decision on the matter.

CITY PLAN COMMISSION
APPLETON, WISCONSIN

COMMUNITY & ECONOMIC DEVELOPMENT
CITY HALL - 100 NORTH APPLETON STREET
APPLETON, WISCONSIN 54911-4799
(920) 832-6468

Reasonable accommodations for persons with disabilities will be made upon request and if feasible.

RUN: December 29, 2020
January 5, 2021

NOTICE OF PUBLIC HEARING
OF THE
APPLETON CITY PLAN COMMISSION

Dear property owner(s):

The City of Appleton Plan Commission will conduct a Public Hearing on Tuesday, January 12, 2021, at 4:00 P.M., or as soon thereafter as can be heard, in Common Council Chambers, 6th Floor, City Hall, 100 North Appleton Street, for the purpose of considering the following proposed Special Use Permit:

- Pursuant to Sections 23-66 and 23-114 of the Appleton Municipal Code, to consider a request by Hoffman Planning, Design & Construction Inc., applicant, and the YMCA of the Fox Cities, owner, for property located at 120 South Oneida Street (Tax Id #31-2-0052-00) to obtain a Special Use Permit for a parking ramp. In the CBD Central Business District, a Special Use Permit is required for a standalone parking ramp.

- ALDERMANIC DISTRICT: 4 – Alderperson Joe Martin

You are being notified as a policy of the City of Appleton Community and Economic Development Department. This notification invites you to express your views or concerns regarding the above-described request. The Plan Commission meeting is open to the public; however, considering the COVID-19 Health Emergency, you are strongly encouraged to share any feedback with Plan Commission members via written letter, email or phone call instead of appearing in person. Please contact David Kress, Principal Planner, in the Community and Economic Development Department at 920-832-6428 or by email at david.kress@appleton.org.

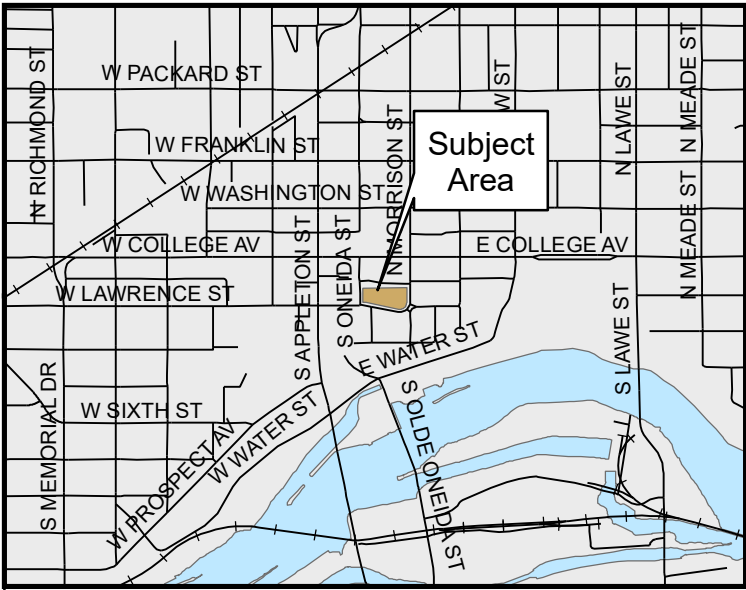
Alternatively, you can also contact the Mayor's Office at mayor@appleton.org and your comments will be forwarded to the Plan Commission. The City Plan Commission makes a recommendation to the Common Council who makes the final decision on the matter.

CITY PLAN COMMISSION

COMMUNITY & ECONOMIC DEVELOPMENT
CITY HALL - 100 NORTH APPLETON STREET
APPLETON, WISCONSIN 54911-4799
920-832-6468

Reasonable accommodations for persons with disabilities will be made upon request and if feasible.

120 South Oneida Street
 Special Use Permit
 Parking Ramp (Parking Garage)
 Zoning Map

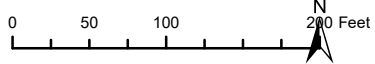
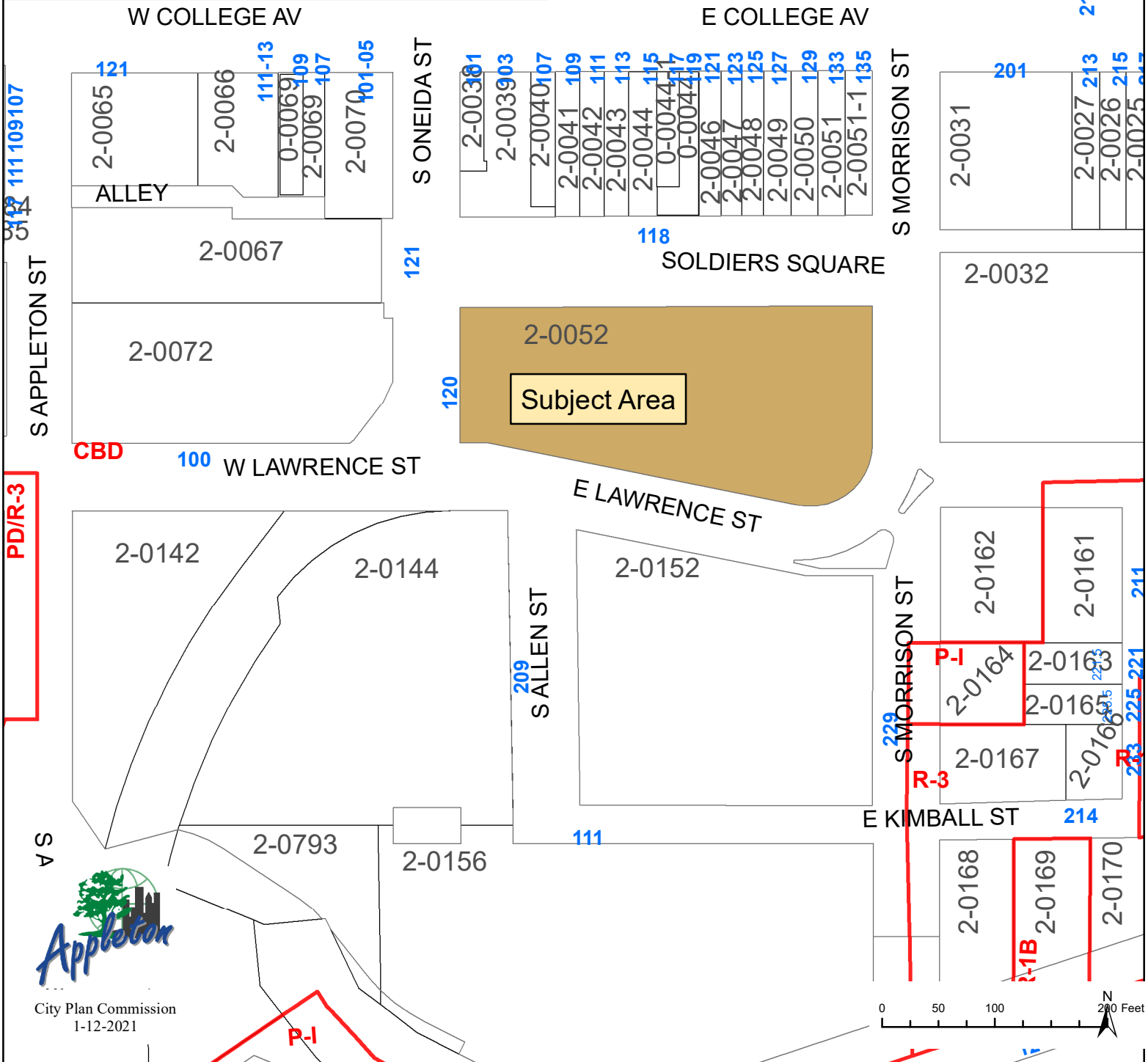


2-0282-6
2-0282-7
2-0282-8
2-0282-9
2-0282-10
2-0282-11
2-0282-12
2-0282-13
2-0282-14
2-0282-15

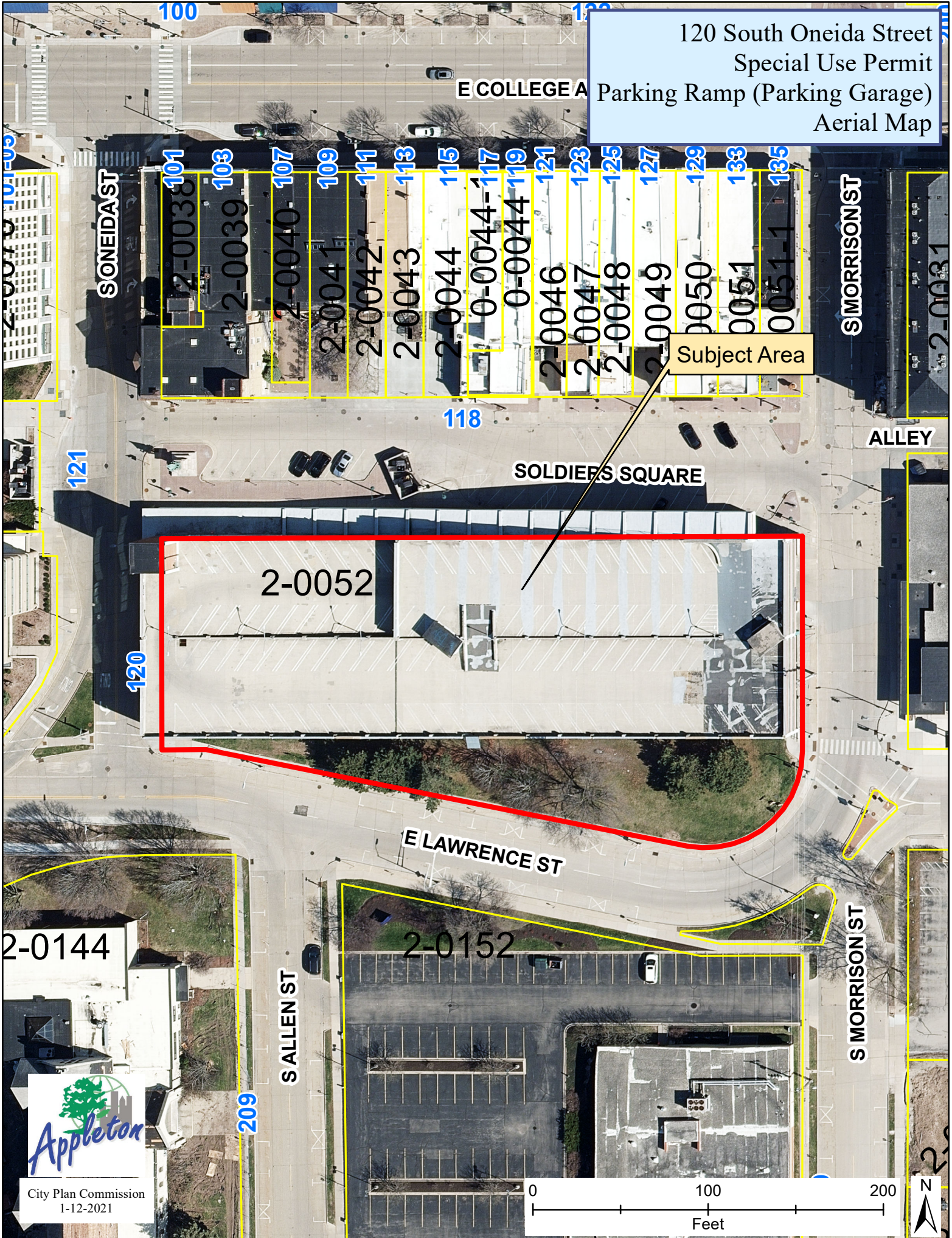
122

2-0312
2-0313
2-0315
2-0316
2-0317

200 204 206 208 210-12 214 216



120 South Oneida Street
Special Use Permit
Parking Ramp (Parking Garage)
Aerial Map



Subject Area

2-0052

S ONEIDA ST

S MORRISON ST

SOLDIERS SQUARE

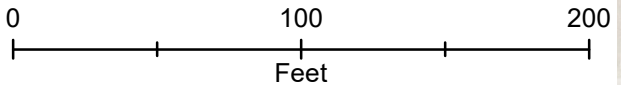
E LAWRENCE ST

S ALLEN ST

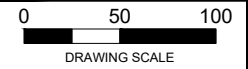
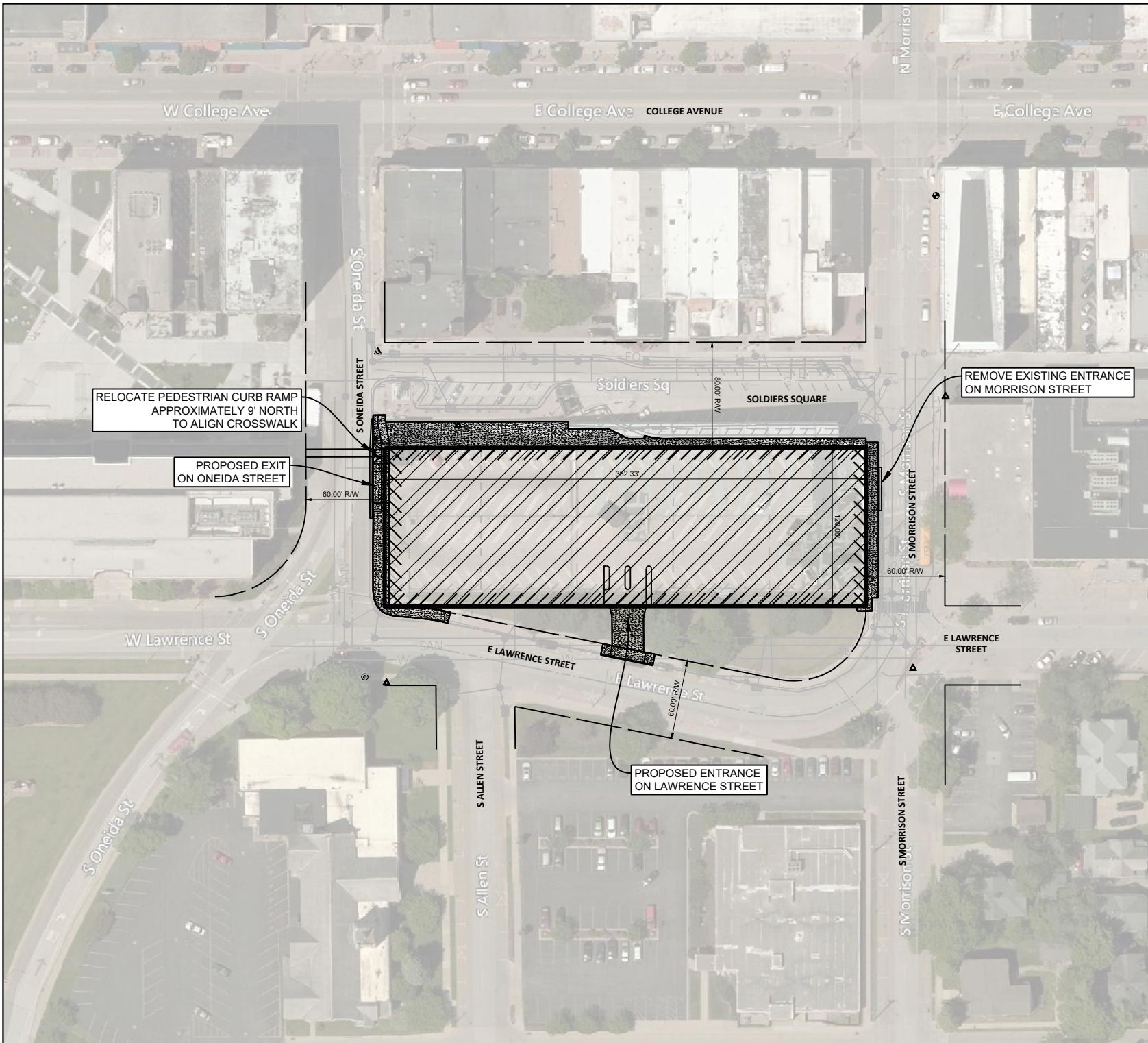
S MORRISON ST



City Plan Commission
1-12-2021



File Name: N:\3001128-00\Civil 3D 2020\Sheets\Other\8.5x11 - YMCA-Ramp-Overview.dwg
 Plotted By: SMBEKX on 12/07/2020 at 10:51 AM



YMCA PARKING RAMP 120 S ONEIDA STREET APPLETON, WI



ONE SYSTEMS DRIVE
 APPLETON, WI 54914
 (920) 735-6900

SHEET DESCRIPTION

SITE OVERVIEW

PROJECT MANAGER: RDG

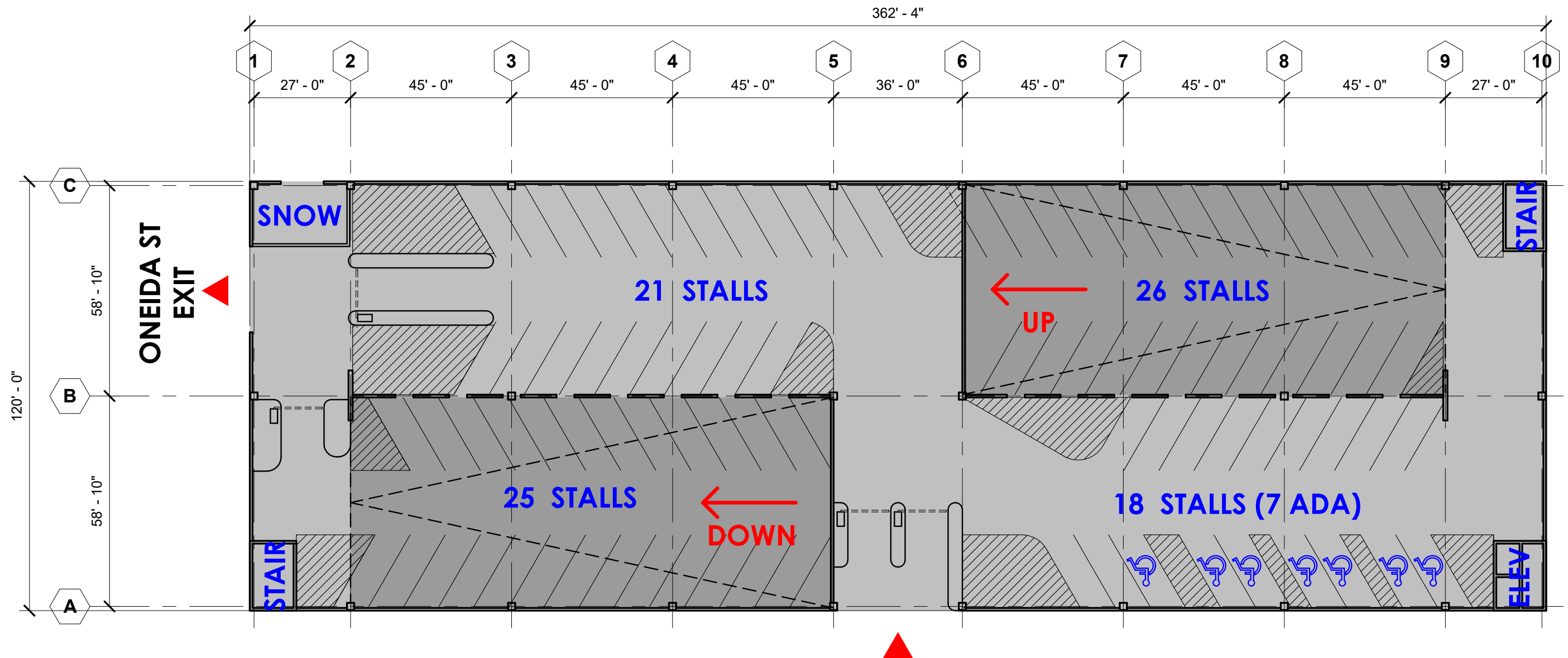
PROJ NO: R3001128.00

DATE: 11/23/2020

DRAWING NO.

PRELIMINARY

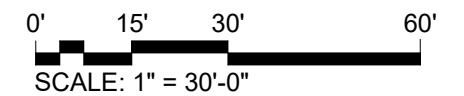
© 2014 OMNI Associates, Inc. - This design, drawing and detail is the copyrighted property of OMNI Associates, Inc. No part shall be copied, duplicated, distributed or reproduced in any manner without written consent of OMNI Associates, Inc.



FIRST FLOOR	90
SECOND FLOOR	108
THIRD FLOOR	108
FOURTH FLOOR	5
TOTAL	311

**LAWRENCE ST
ENTRANCE**

90 FIRST FLOOR STALLS (39 NOT ON SLOPE)

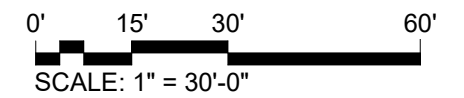
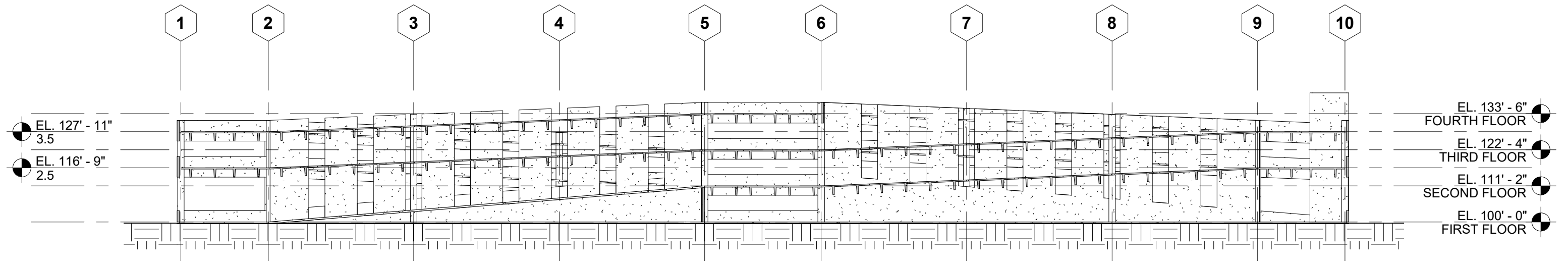


Ground Level Concept

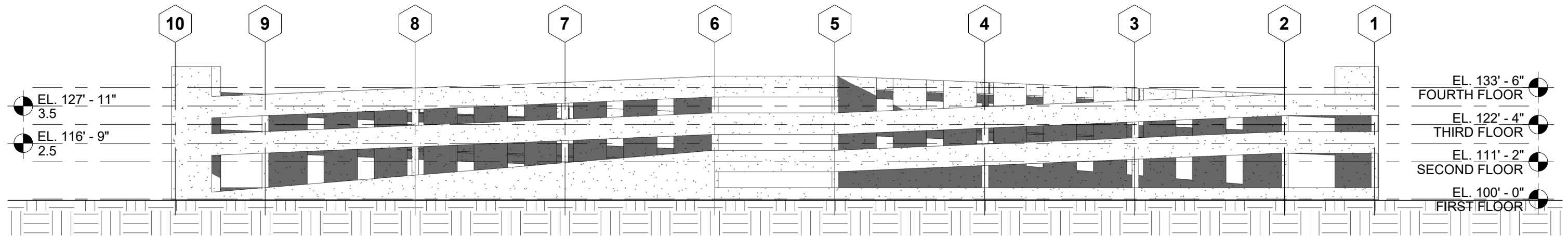


project # 20347
7 Dec 2020

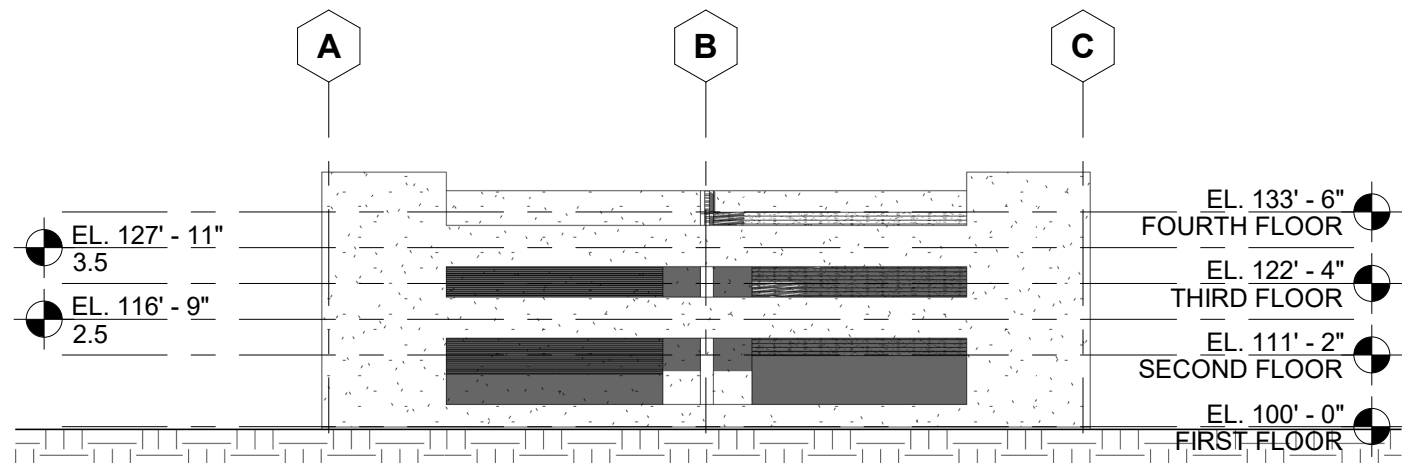
PR-01



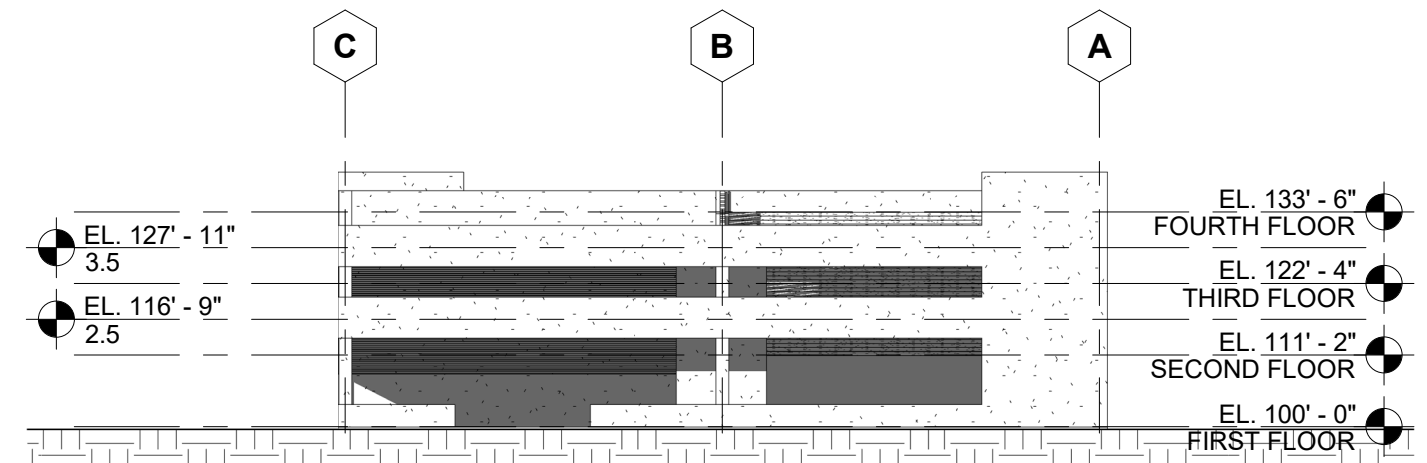
Conceptual Building Section



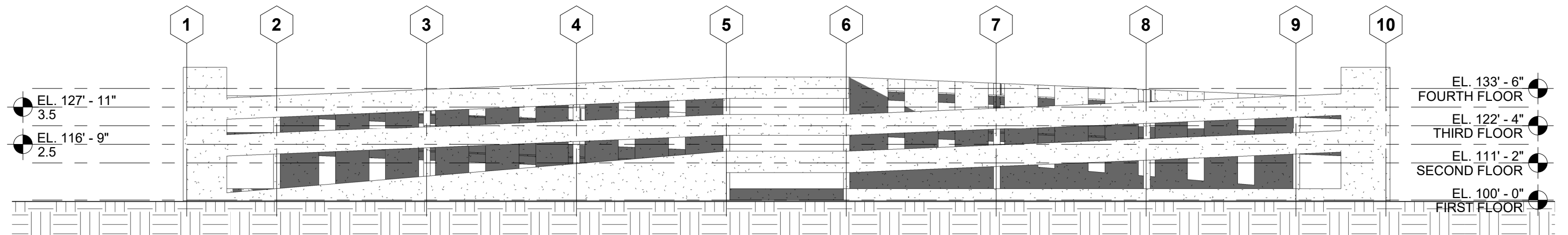
North Elevation



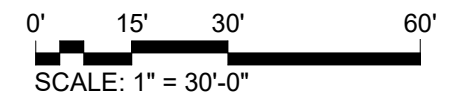
East Elevation

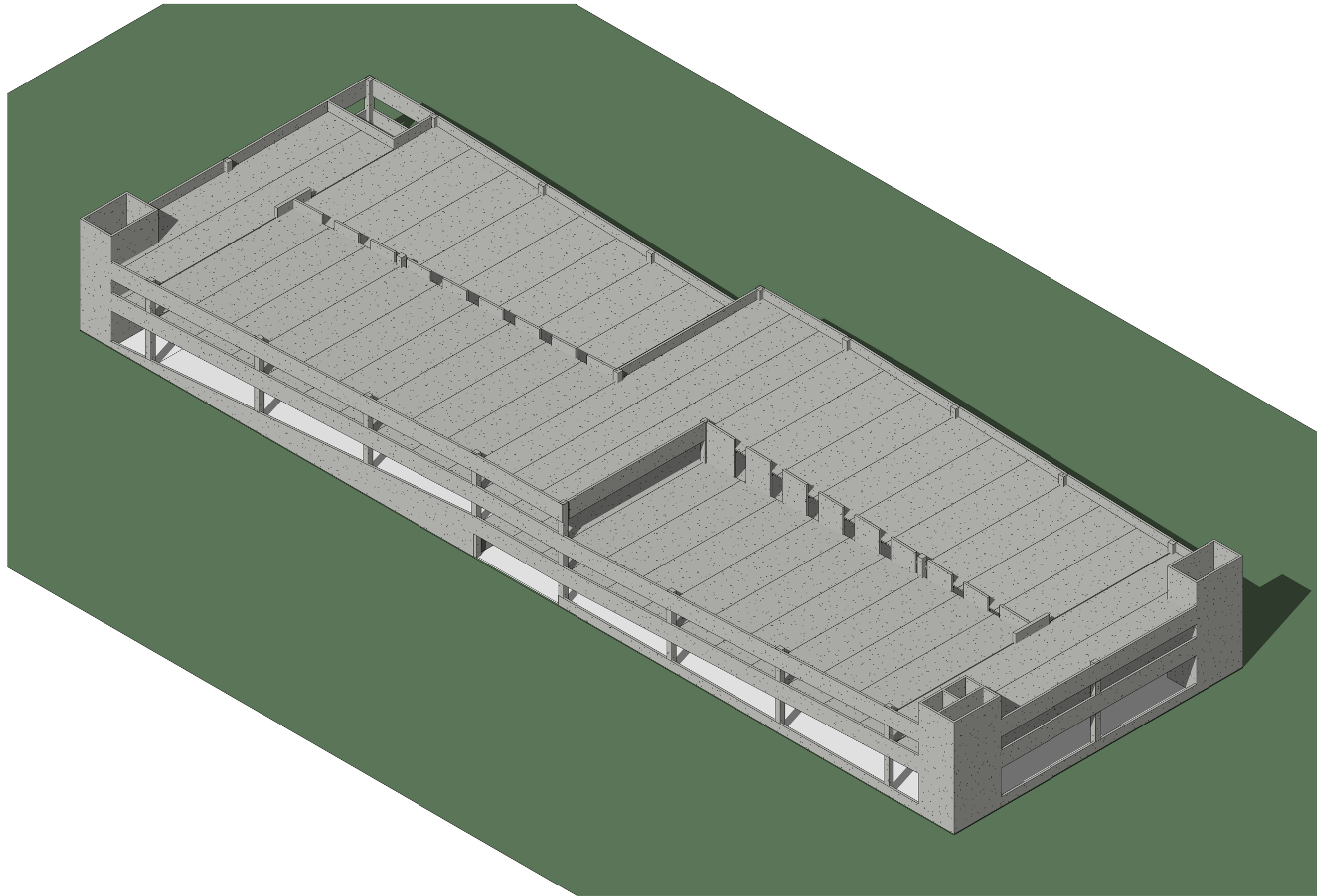


West Elevation



South Elevation





Conceptual Massing



REPORT TO CITY PLAN COMMISSION

Plan Commission Public Hearing Date: January 12, 2021

Common Council Meeting Date: January 20, 2021

Item: Special Use Permit #7-20 for a standalone parking ramp

Case Manager: David Kress, Principal Planner

GENERAL INFORMATION

Owner: YMCA of the Fox Cities c/o William Breider

Applicant: Hoffman Planning, Design & Construction, Inc. c/o Robert Koehler

Address/Parcel #: 120 South Oneida Street (Tax Id #31-2-0052-00)

Petitioner's Request: The applicant is requesting a Special Use Permit for a standalone parking ramp in the CBD Central Business District.

BACKGROUND

The subject area is located on the block bound by Oneida Street, Lawrence Street, Morrison Street, and Soldiers Square. The YMCA of the Fox Cities already owns and operates an existing parking ramp on the subject site. The existing parking ramp was built in 1967 and predates the requirement for a Special Use Permit. Before establishing a new, standalone parking ramp on the subject property, the owner/applicant must receive approval of a Special Use Permit.

In 1996, the property was sold from the City of Appleton to the YMCA and Certified Survey Map No. 2585 was recorded to combine lots with a vacated portion of Lawrence Street. The 1996 agreement that transferred the existing parking ramp from the City to the YMCA contained restrictive covenants. On October 21, 2020, Common Council approved a resolution waiving certain restrictive covenants concerning redevelopment of the property.

STAFF ANALYSIS

Project Summary: The applicant proposes to demolish the existing parking ramp and construct a new, standalone parking ramp on the subject site. The proposed four-story parking ramp would include approximately 311 parking spaces and be approximately 135,000 square feet in size, as shown on the attached development plan. Vehicular access points are proposed along Lawrence Street and Oneida Street; however, the exact configuration will be determined during the Site Plan review process.

Operational Information: A plan of operation is attached to the staff report.

Existing Site Conditions: The 1.26-acre site is currently developed with a parking ramp, which is approximately 166,500 square feet in size. The existing parking ramp contains approximately 420 parking spaces. Vehicular access is currently provided by curb cuts on Oneida Street and Morrison Street. Part of the existing parking ramp overhangs into the Soldiers Square public right-of-way.

Current Zoning and Procedural Findings: The subject property has a zoning designation of CBD Central Business District. Per Section 23-114(e) of the Municipal Code, a standalone parking ramp (parking garage) requires a Special Use Permit in the CBD District. The Plan Commission makes a recommendation to the Common Council who will make the final decision on the Special Use Permit. A two-thirds vote of the Common Council is required for approval.

Surrounding Zoning and Land Uses: The surrounding area is under the jurisdiction of the City of Appleton (north, south, east, and west). The uses are generally commercial and institutional in nature.

North: CBD Central Business District. The adjacent land uses to the north are currently a mix of commercial uses.

South: CBD Central Business District. The adjacent land uses to the south are currently institutional (Mosaic Family Health) and vacant land.

East: CBD Central Business District. The YMCA facility is located east of the subject site.

West: CBD Central Business District. The adjacent land uses to the west are currently a mix of commercial uses.

Appleton Comprehensive Plan 2010-2030: Community and Economic Development staff has reviewed this proposal and determined it is compatible with the Central Business District designation shown on the City's *Comprehensive Plan 2010-2030* Future Land Use Map. Listed below are related excerpts from the City's *Comprehensive Plan 2010-2030*.

Goal 1 – Community Growth

Appleton will continue to provide opportunities for residential, commercial, and industrial growth, including appropriate redevelopment sites within the downtown and existing neighborhoods, and greenfield development sites at the City's edge.

OBJECTIVE 6.7 Transportation:

Maintain a balanced parking program which provides an adequate supply of parking without undermining economic development and neighborhood development efforts.

Policy 6.7.4 Encourage underground and structured parking, where feasible, as future development occurs.

OBJECTIVE 9.4 Economic Development:

Ensure the continued vitality of downtown and the City's neighborhood commercial districts.

OBJECTIVE 10.2 Land Use:

Encourage redevelopment to meet the demand for a significant share of future growth, and to enhance the quality of existing neighborhoods.

OBJECTIVE 10.5 Land Use:

Support the continued redevelopment and revitalization of land uses adjacent to Appleton's key transportation corridors and downtown.

Technical Review Group (TRG) Report: This item appeared on the December 22, 2020 TRG agenda.

- Department of Public Works Comments: The exact configuration of vehicle ingress/egress may differ from concept plan and will be reviewed as part of the Site Plan review process and in accordance with the Downtown Mobility Study.

Zoning Ordinance Requirements and Substantial Evidence: When reviewing an application for a Special Use Permit, the City must determine if the applicant's proposal satisfies Municipal Code requirements and conditions. Pursuant to Section 23-66(c)(5) of the Municipal Code, the Plan Commission and Common Council must provide substantial evidence supporting their decision to approve, approve with conditions, or deny the Special Use Permit. Substantial evidence means "facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a Special Use Permit and that reasonable persons would accept in support of a conclusion." Any requirements and conditions listed for approval must be reasonable, and to the extent practicable, measurable.

Per Section 23-172(d)(2) of the Municipal Code, parking ramps are exempt from dimensional and landscaping requirements of the off-street parking and loading section. However, other applicable Zoning Ordinance requirements shall be complied with. Based on the attached development plan drawings, the proposed parking ramp appears to satisfy lot coverage, setback, and building height standards specified in the CBD District. Ultimately, Site Plan review and approval is required, pursuant to Section 23-570 of the Municipal Code, prior to the issuance of a building permit by the Inspections Division.

Finding of Fact: This request was reviewed in accordance with the standards (proper zoning district, district regulations, special regulations, comprehensive plan and other plans, traffic, landscaping and screening, neighborhood compatibility, and impact on services) for granting a Special Use Permit under Section 23-66(e)(1-8) of the Municipal Code, which were found in the affirmative, as long as all stipulations are satisfied.

RECOMMENDATION

Staff recommends, based on the above analysis, that Special Use Permit #7-20 for a parking ramp located at 120 South Oneida Street (Tax Id #31-2-0052-00), as shown on the attached maps and per attached plan of operation, along with the attached resolution, **BE APPROVED** to run with the land, subject to the following conditions:

1. All Zoning, Building, Fire, Engineering, Utility and other Municipal Codes, and all applicable State and Federal laws shall be complied with.

Substantial Evidence: Standardized condition to ensure the applicant understands the City's Municipal Code and all applicable State and Federal laws must be followed.

2. Compliance with the plan of operation is required at all times. Changes to the plan of operation, including any future changes to the agent/operator, shall be submitted to the Community and Economic Development Department for review and approval.

Substantial Evidence: Standardized condition that establishes parameters for the current application and identifies the process for review of any future changes to the special use.

Special Use Permit #7-20

January 12, 2021

Page 4

3. Site Plan review and approval is required, pursuant to Section 23-570 of the Municipal Code, prior to the issuance of a building permit by the Inspections Division. Zoning Ordinance requirements and other departmental comments will be examined further during review of the Site Plan. The exact configuration of vehicle ingress/egress may differ from concept plan and will be reviewed as part of the Site Plan review process and in accordance with the Downtown Mobility Study.

Substantial Evidence: This condition provides notice to the applicant that Site Plan review is required for a new principal building or structure, as specified in the Zoning Ordinance. It also clarifies that the use approval is not strictly tied to the development plan drawings. The need to determine mutually agreeable points of access was also captured in the resolution approved by Common Council on October 21, 2020.

**CITY OF APPLETON
RESOLUTION FOR SPECIAL USE PERMIT #7-20
PARKING RAMP
120 SOUTH ONEIDA STREET**

WHEREAS, the YMCA of the Fox Cities has applied for a Special Use Permit for a parking ramp located at 120 South Oneida Street, also identified as Parcel Number 31-2-0052-00; and

WHEREAS, the location for the proposed parking ramp is located in the CBD Central Business District, and the proposed use may be permitted by Special Use Permit within this zoning district pursuant to Chapter 23 of the Municipal Code; and

WHEREAS, the City of Appleton Plan Commission held a public hearing on January 12, 2021 on Special Use Permit #7-20, at which all those wishing to be heard were allowed to speak or present written comments and other materials at the public hearing; and

WHEREAS, the City of Appleton Plan Commission has reviewed and considered the Community and Economic Development Department's staff report and recommendation, as well as other spoken and written evidence and testimony presented at the public hearing; and

WHEREAS, the City of Appleton Plan Commission reviewed the standards for granting a Special Use Permit under Sections 23-66(e)(1-8) of the Municipal Code; and

WHEREAS, the City of Appleton Plan Commission reviewed the standards for imposing conditions on the Special Use Permit under Section 23-66(c)(5) of the Municipal Code, and forwarded Special Use Permit #7-20 to the City of Appleton Common Council with a favorable conditional or not favorable (CIRCLE ONE) recommendation; and

WHEREAS, the City of Appleton Common Council has reviewed the report and recommendation of the City of Appleton Plan Commission at their meeting on January 20, 2021.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Common Council, based on Community and Economic Development Department's staff report and recommendation, as well as other spoken and written evidence and testimony presented at the public hearing and Common Council meeting, and having considered the recommendation of the City Plan Commission, that the Common Council:

1. Determines all standards listed under Sections 23-66(e)(1-8) of the Municipal Code are found in the affirmative YES or NO (CIRCLE ONE)
2. If NO, the City of Appleton Common Council hereby denies Special Use Permit #7-20 for a parking ramp located at 120 South Oneida Street, also identified as Parcel Number 31-2-0052-00, based upon the following standards and determinations: (List reason(s) why the Special Use Permit was denied)
3. If YES, the City of Appleton Common Council hereby approves Special Use Permit #7-20 for a parking ramp located at 120 South Oneida Street, also identified as Parcel Number 31-2-0052-00, subject to the

following conditions as they are related to the purpose of the City of Appleton Municipal Code and based on substantial evidence:

CONDITIONS OF APPROVAL FOR SPECIAL USE PERMIT #7-20

- A. All Zoning, Building, Fire, Engineering, Utility and other Municipal Codes, and all applicable State and Federal laws shall be complied with.
 - B. Compliance with the plan of operation is required at all times. Changes to the plan of operation, including any future changes to the agent/operator, shall be submitted to the Community and Economic Development Department for review and approval.
 - C. Site Plan review and approval is required, pursuant to Section 23-570 of the Municipal Code, prior to the issuance of a building permit by the Inspections Division. Zoning Ordinance requirements and other departmental comments will be examined further during review of the Site Plan. The exact configuration of vehicle ingress/egress may differ from concept plan and will be reviewed as part of the Site Plan review process and in accordance with the Downtown Mobility Study.
4. The City Clerk’s Office is hereby directed to give a copy of this resolution to the owner/applicant, Community and Economic Development Department, Inspections Division, and any other interested party.

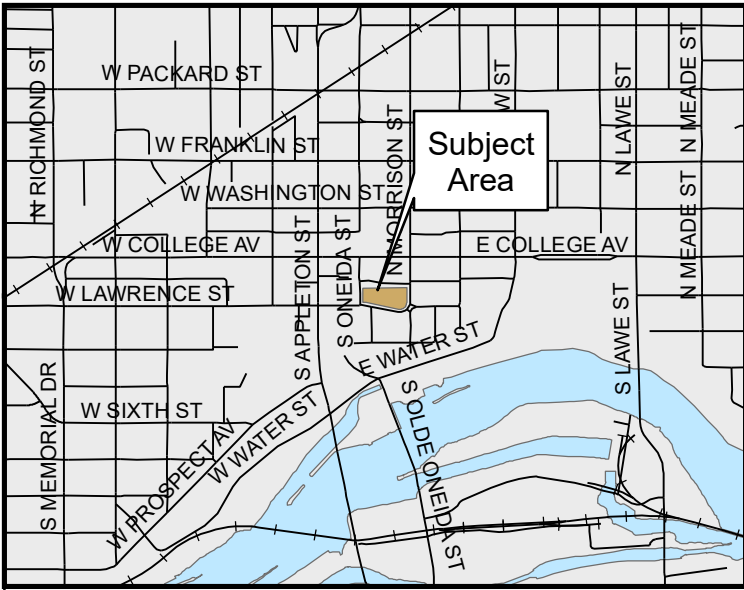
Adopted this _____ day of _____, 2021.

Jacob A. Woodford, Mayor

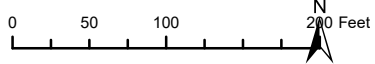
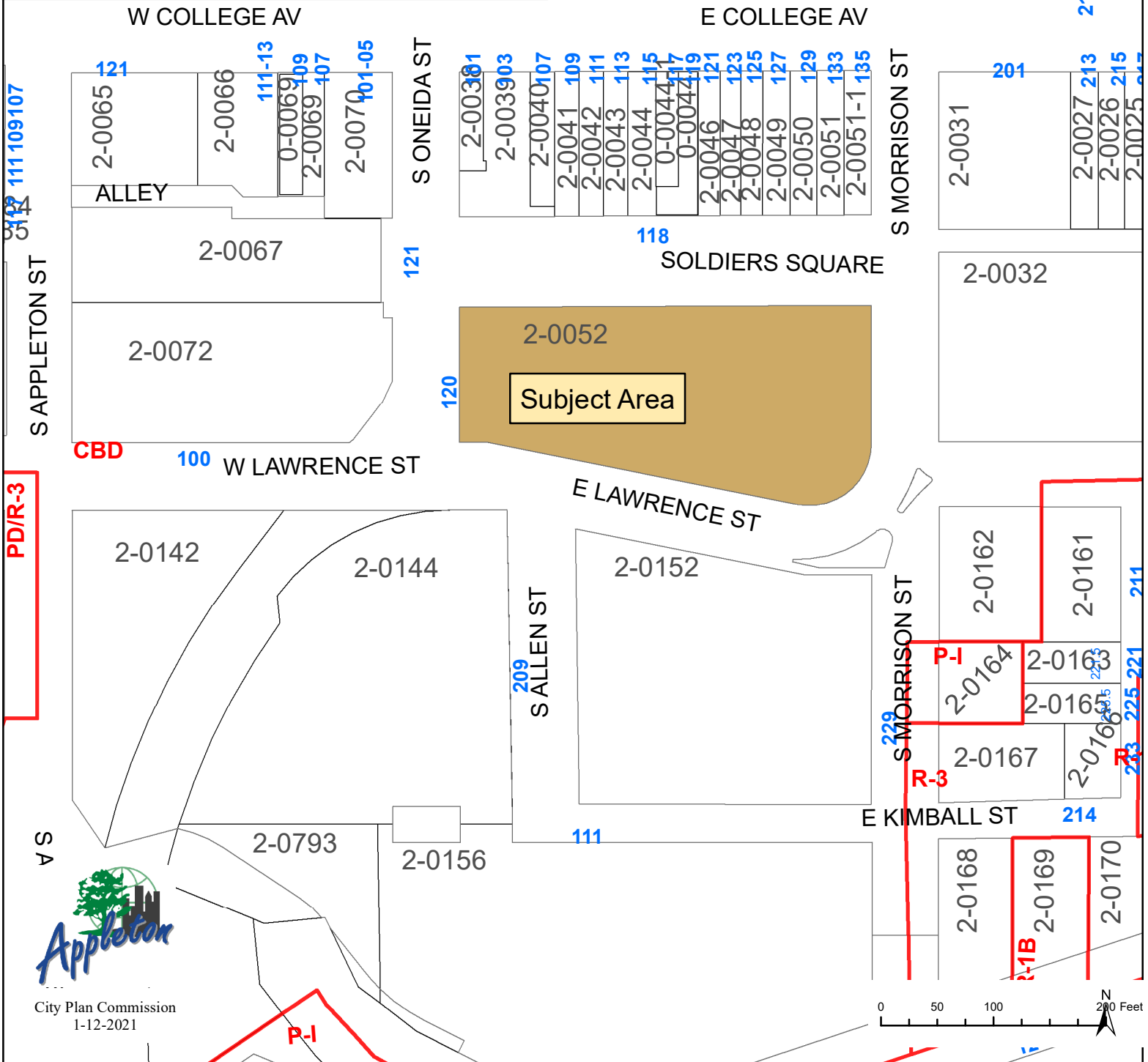
ATTEST:

Kami Lynch, City Clerk

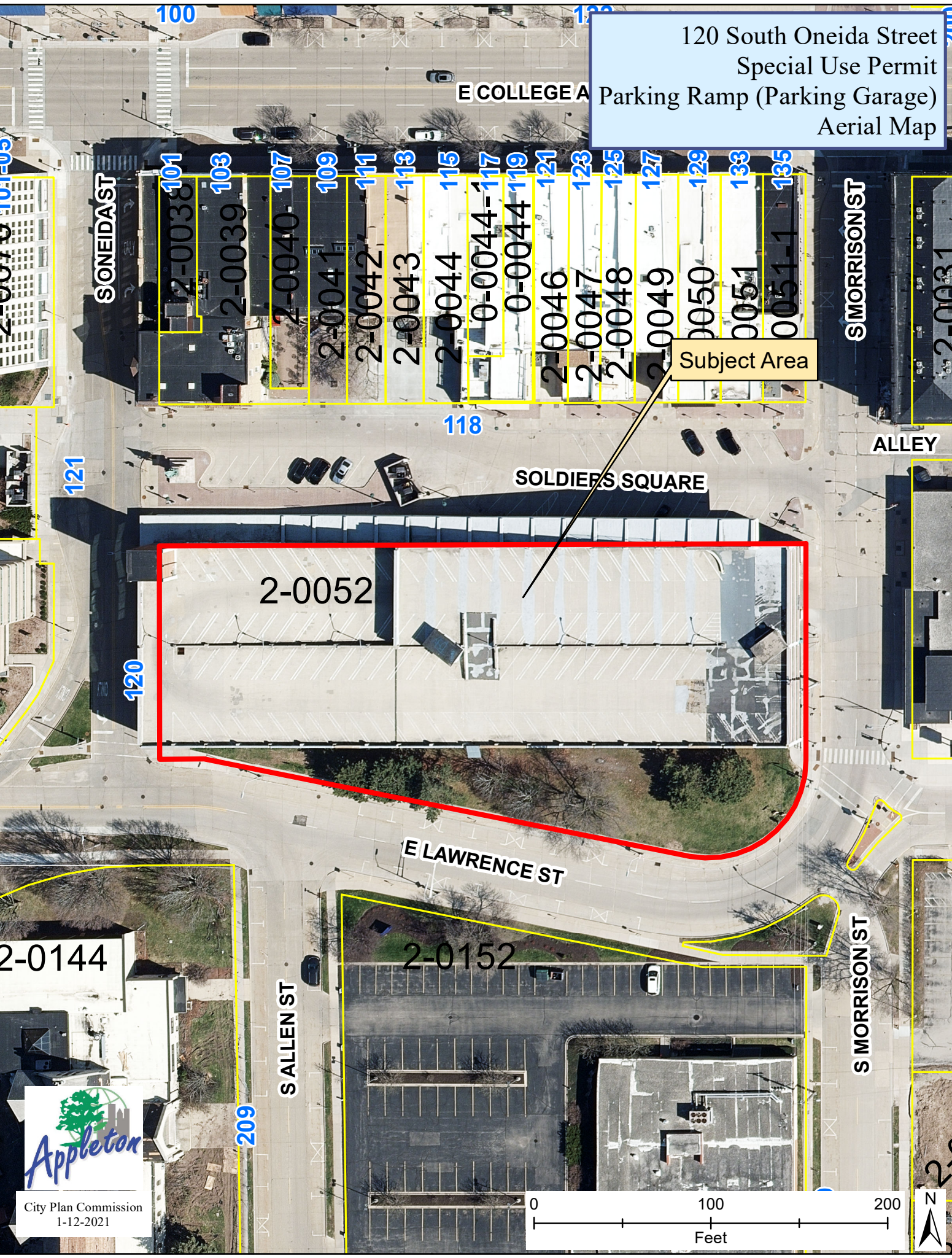
120 South Oneida Street
 Special Use Permit
 Parking Ramp (Parking Garage)
 Zoning Map



2-0282-6
2-0282-7
2-0282-8
2-0282-9
2-0282-10
2-0282-11
2-0282-12
2-0282-13
2-0282-14
2-0282-15



120 South Oneida Street
Special Use Permit
Parking Ramp (Parking Garage)
Aerial Map



Subject Area

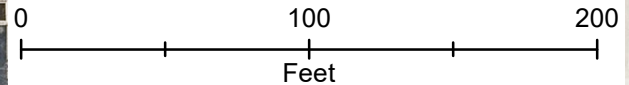
2-0052

2-0152

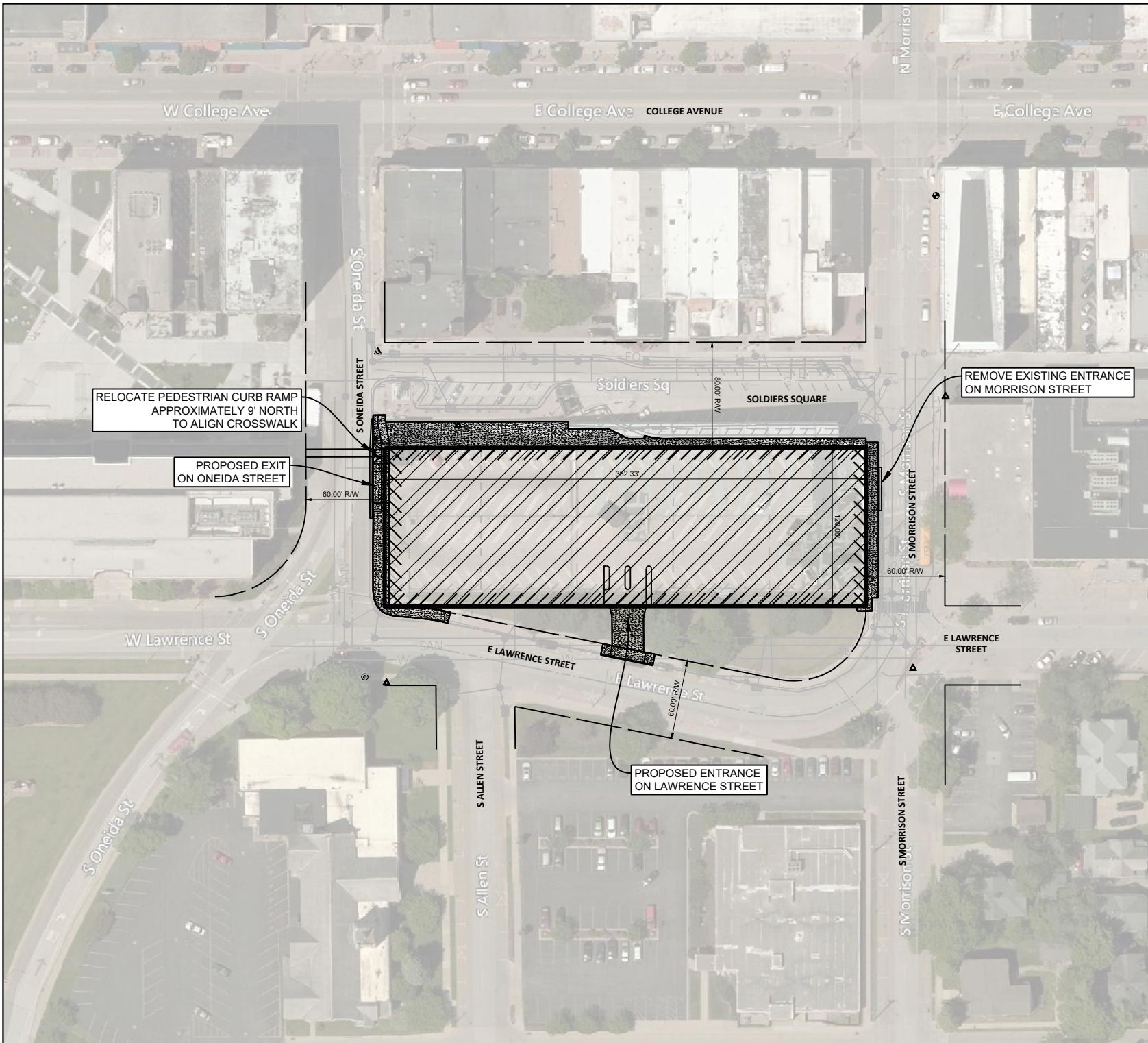
2-0144



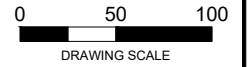
City Plan Commission
1-12-2021



File Name: N:\3001128-00\Civil 3D 2020\Sheets\Other\8.5x11 - YMCA-Ramp-Overview.dwg
 Plotted By: SMBEKX on 12/07/2020 at 10:51 AM



NORTH



YMCA PARKING RAMP 120 S ONEIDA STREET APPLETON, WI



ONE SYSTEMS DRIVE
 APPLETON, WI 54914
 (920) 735-6900

SHEET DESCRIPTION

SITE OVERVIEW

PROJECT MANAGER: RDG

PROJ NO: R3001128.00

DATE: 11/23/2020

DRAWING NO.

PRELIMINARY

© 2014 OMNI Associates, Inc. - This design, drawing and detail is the copyrighted property of OMNI Associates, Inc. No part shall be copied, duplicated, distributed or reproduced in any manner without written consent of OMNI Associates, Inc.

GENERAL PROJECT INFORMATION

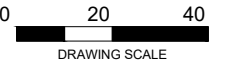
120 SOUTH ONEIDA STREET
 APPLETON, WI 54911
 OUTAGAMIE COUNTY

TAX ID PARCEL NO.: 31-2-0052-00
 PROPERTY OWNER: YMCA OF APPLETON
 EXISTING PARCEL SIZE: 1.26 ACRES
 PROPOSED PARCEL SIZE: 1.02 ACRES
 ZONING DISTRICT: CBD (CENTRAL BUSINESS DISTRICT)

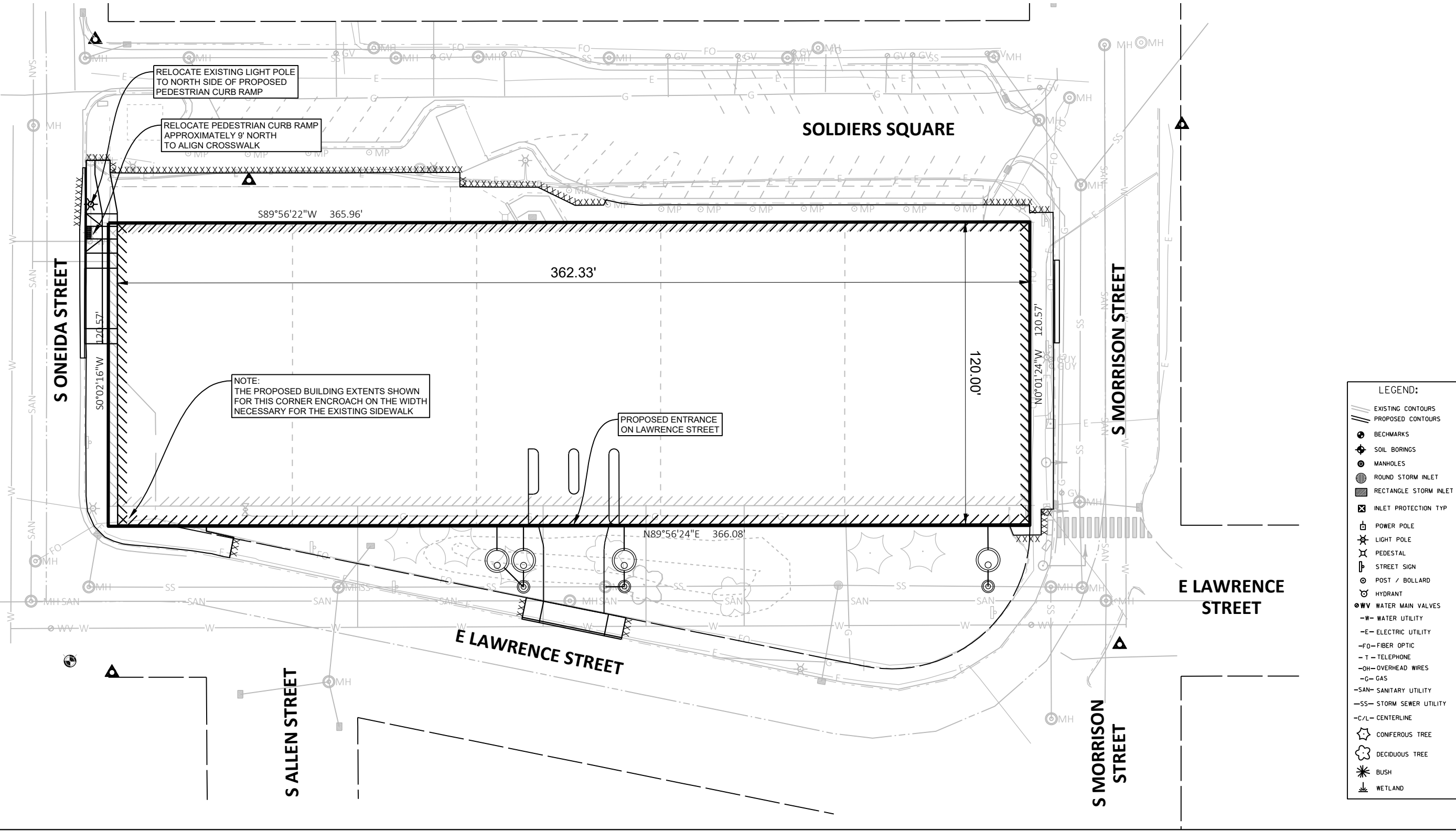
LEGAL DESCRIPTION: **CSM 2585 LOT 1 VOL 14 DOC 1194038 (EXISTING)**



NORTH



DRAWING SCALE



RELOCATE EXISTING LIGHT POLE TO NORTH SIDE OF PROPOSED PEDESTRIAN CURB RAMP

RELOCATE PEDESTRIAN CURB RAMP APPROXIMATELY 9' NORTH TO ALIGN CROSSWALK

NOTE: THE PROPOSED BUILDING EXTENTS SHOWN FOR THIS CORNER ENCR OACH ON THE WIDTH NECESSARY FOR THE EXISTING SIDEWALK

PROPOSED ENTRANCE ON LAWRENCE STREET

LEGEND:

- EXISTING CONTOURS
- PROPOSED CONTOURS
- BECHMARKS
- SOIL BORINGS
- MANHOLES
- ROUND STORM INLET
- RECTANGLE STORM INLET
- INLET PROTECTION TYP
- POWER POLE
- LIGHT POLE
- PEDESTAL
- STREET SIGN
- POST / BOLLARD
- HYDRANT
- WV WATER MAIN VALVES
- W- WATER UTILITY
- E- ELECTRIC UTILITY
- FO- FIBER OPTIC
- T- TELEPHONE
- OH- OVERHEAD WIRES
- G- GAS
- SAN- SANITARY UTILITY
- SS- STORM SEWER UTILITY
- C/L- CENTERLINE
- CONIFEROUS TREE
- DECIDUOUS TREE
- BUSH
- WETLAND

**YMCA PARKING RAMP
 120 SOUTH ONEIDA STREET
 APPLETON, WI**



ONE SYSTEMS DRIVE
 APPLETON, WI 54914
 (920) 735-6900


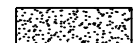

REV.	DATE	DESCRIPTION




SHEET DESCRIPTION
SITE PLAN
PROJECT MANAGER: RDG
PROJ NO: R3001128.00
DATE: 11/23/2020
DRAWING NO.
C102

File Name: N:\3001128.00\Civil 3D 2020\SheetsPlan\YMCA-Ramp\102-SitePlan.dwg
 Plotted By: SMBKX on 12/04/2020 at 01:16 PM

© 2014 OMNI Associates, Inc. - This design, drawing and detail is the copyrighted property of OMNI Associates, Inc. No part shall be copied, duplicated, distributed or reproduced in any manner without written consent of OMNI Associates, Inc.

DEMOLITION PLAN KEY

-  REMOVE EXISTING PARKING STRUCTURE
-  REMOVE EXISTING CONCRETE
-  CANTILEVER STRUCTURE ABOVE PAVEMENT

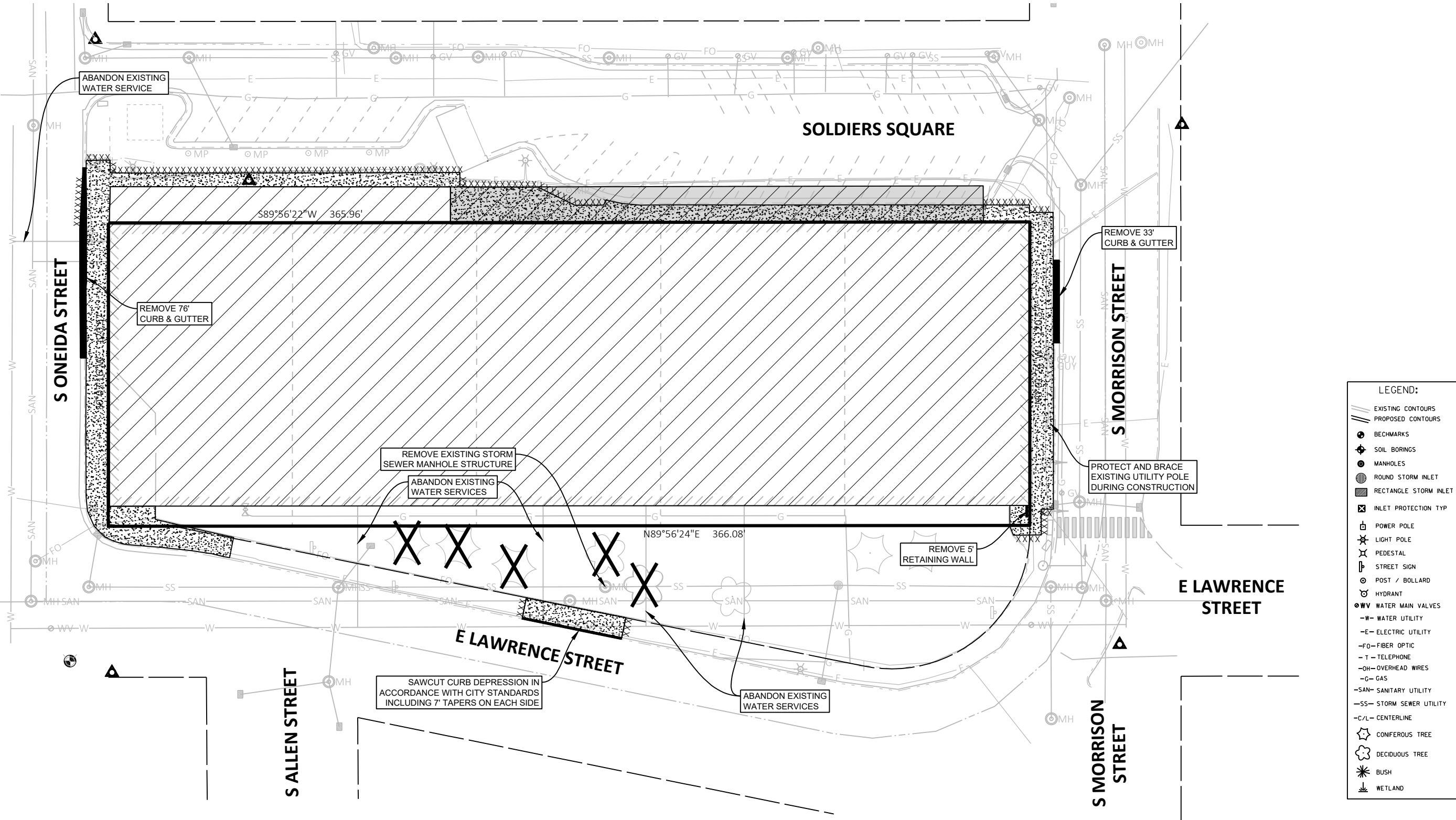
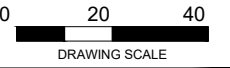
-  REMOVE EXISTING WALL OR CURB & GUTTER AS NOTED ON PLAN
-  REMOVE TREE
-  SAWCUT PAVEMENT FULL DEPTH

GENERAL DEMOLITION NOTES:

1. ABANDONED UTILITIES SHALL COMPLY WITH CITY OF APPLETON STANDARD SPECIFICATIONS.
2. THE REMOVED STORM INLETS AND MANHOLES ON THIS DRAWING ARE TO BE IMMEDIATELY REPLACED WITH NEW PROPOSED STRUCTURES. ALL EXISTING CONNECTIONS TO THE REMOVED STORM STRUCTURES ARE TO BE MAINTAINED AND CONNECTED TO THE NEW STRUCTURES.
3. UNLESS OTHERWISE NOTED ON THE PLAN, ALL EXISTING ABOVE-GROUND STRUCTURES (E.G. SIGNS, POSTS, BOLLARDS, ETC.) IN THE DISTURBED PARTS OF THE RIGHT-OF-WAY SHALL BE TEMPORARILY REMOVED DURING CONSTRUCTION AND REPLACED PRIOR TO PROJECT COMPLETION. CARE SHALL BE TAKEN TO PREVENT DAMAGE TO ALL CITY PROPERTY. ANY ITEMS DAMAGED DURING CONSTRUCTION SHALL BE REPLACED AT CONTRACTOR'S EXPENSE.



NORTH



**YMCA PARKING RAMP
120 SOUTH ONEIDA STREET
APPLETON, WI**































ONE SYSTEMS DRIVE
APPLETON, WI 54914
(920) 735-6900

REV.	DATE	DESCRIPTION

SHEET DESCRIPTION	
DEMOLITION PLAN	
PROJECT MANAGER: RDG	PROJ NO: R3001128.00
DATE: 11/23/2020	DRAWING NO.
C201	


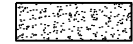


LEGEND:

-  EXISTING CONTOURS
-  PROPOSED CONTOURS
-  BECHMARKS
-  SOIL BORINGS
-  MANHOLES
-  ROUND STORM INLET
-  RECTANGLE STORM INLET
-  INLET PROTECTION TYP
-  POWER POLE
-  LIGHT POLE
-  PEDESTAL
-  STREET SIGN
-  POST / BOLLARD
-  HYDRANT
-  WATER MAIN VALVES
-  WATER UTILITY
-  ELECTRIC UTILITY
-  FIBER OPTIC
-  TELEPHONE
-  OVERHEAD WIRES
-  GAS
-  SANITARY UTILITY
-  STORM SEWER UTILITY
-  CENTERLINE
-  CONIFEROUS TREE
-  DECIDUOUS TREE
-  BUSH
-  WETLAND

File Name: N:\3001128.00\Civil 3D 2020\Sheets\Plan\YMCA-Ramp201-DemolitionPlan.dwg
Plotted By: SMBKX on 12/04/2020 at 11:12 AM

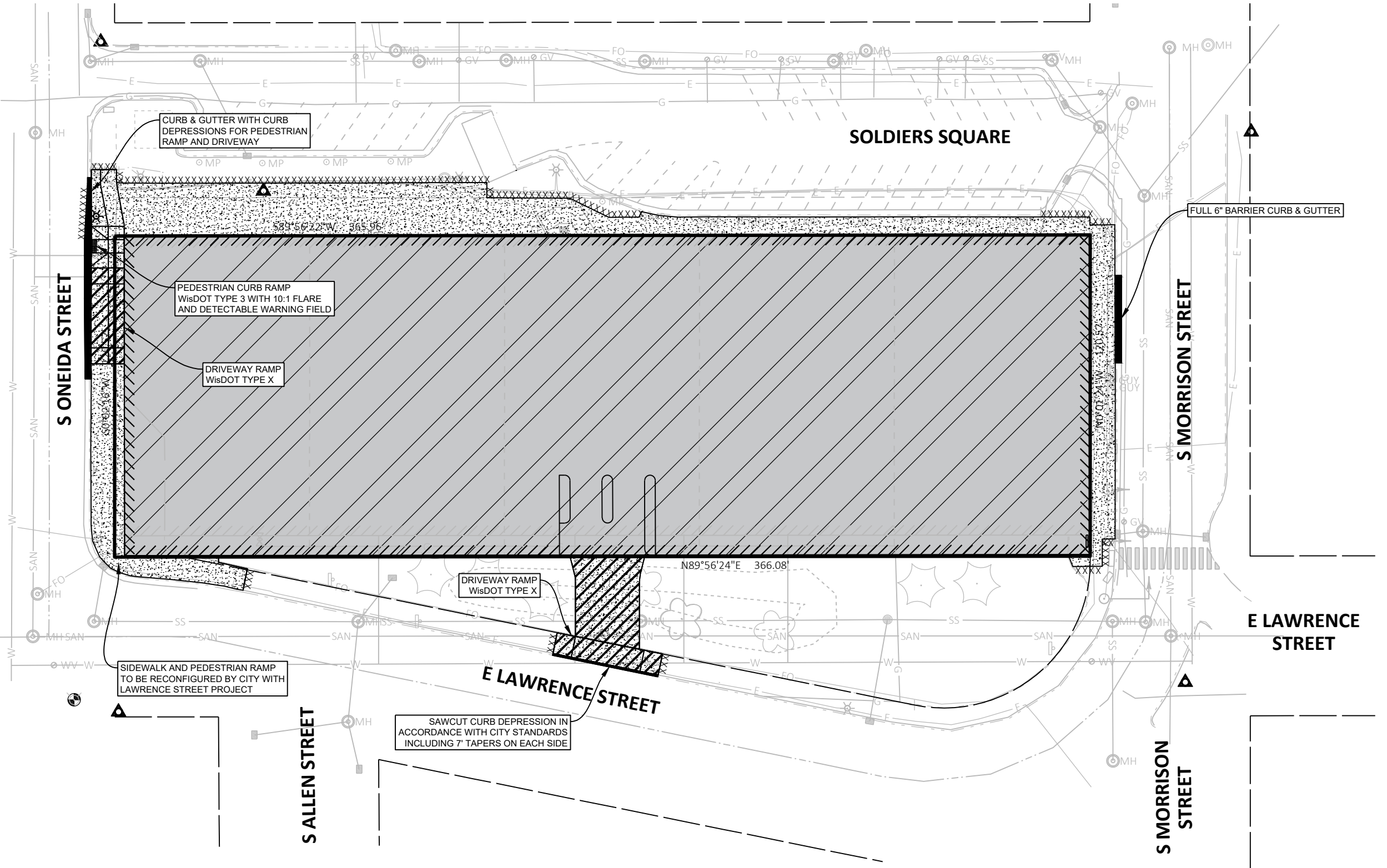
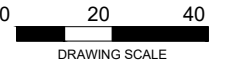
© 2014 OMNI Associates, Inc. - This design, drawing and detail is the copyrighted property of OMNI Associates, Inc. No part shall be copied, duplicated, distributed or reproduced in any manner without written consent of OMNI Associates, Inc.

PAVEMENT PLAN KEY

-  **PROPOSED PARKING STRUCTURE**
-  **PROPOSED CONCRETE SIDEWALK**
-  **PROPOSED CONCRETE SIDEWALK AT DRIVEWAY**
-  **PROPOSED CURB & GUTTER**



NORTH



**YMCA PARKING RAMP
120 SOUTH ONEIDA STREET
APPLETON, WI**
























ONE SYSTEMS DRIVE
APPLETON, WI 54914
(920) 735-6900

REV.	DATE	DESCRIPTION

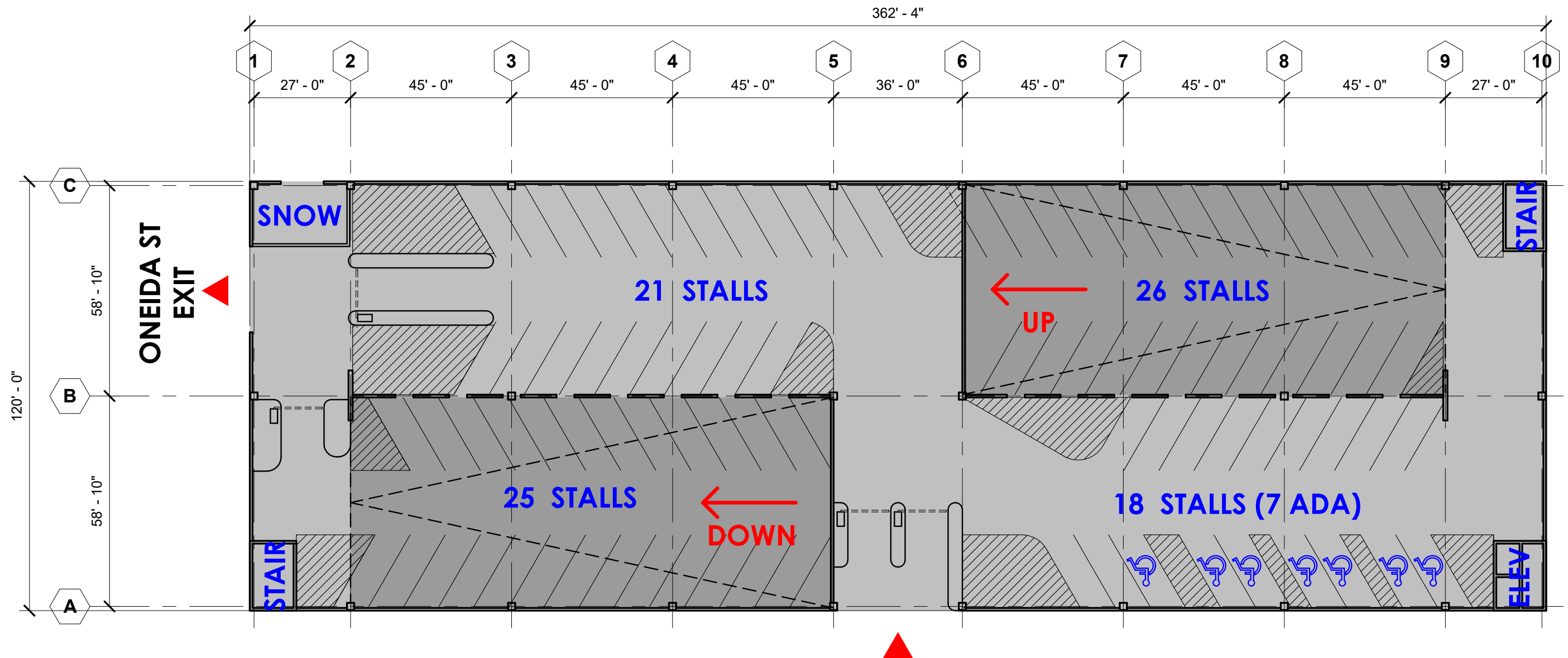
SHEET DESCRIPTION

PAVEMENT PLAN
PROJECT MANAGER: RDG
PROJ NO: R3001128.00
DATE: 11/23/2020
DRAWING NO.
C202

- LEGEND:**
-  EXISTING CONTOURS
 -  PROPOSED CONTOURS
 -  BECHMARKS
 -  SOIL BORINGS
 -  MANHOLES
 -  ROUND STORM INLET
 -  RECTANGLE STORM INLET
 -  INLET PROTECTION TYP
 -  POWER POLE
 -  LIGHT POLE
 -  PEDESTAL
 -  STREET SIGN
 -  POST / BOLLARD
 -  HYDRANT
 -  WATER MAIN VALVES
 -  -W- WATER UTILITY
 -  -E- ELECTRIC UTILITY
 -  -FO- FIBER OPTIC
 -  -T- TELEPHONE
 -  -OH- OVERHEAD WIRES
 -  -G- GAS
 - -SAN- SANITARY UTILITY
 - -SS- STORM SEWER UTILITY
 - -C/L- CENTERLINE
 - CONIFEROUS TREE
 - DECIDUOUS TREE
 - BUSH
 - WETLAND

File Name: N:\3001128.00\Civil 3D 2020\Sheets\Plan\YMCA-Ramp202-PavementPlan.dwg
Plotted By: SMBKX on 12/04/2020 at 12:41 PM

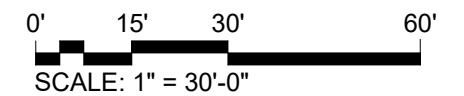
© 2014 OMNI Associates, Inc. - This design, drawing and detail is the copyrighted property of OMNI Associates, Inc. No part shall be copied, duplicated, distributed or reproduced in any manner without written consent of OMNI Associates, Inc.



FIRST FLOOR	90
SECOND FLOOR	108
THIRD FLOOR	108
FOURTH FLOOR	5
TOTAL	311

**LAWRENCE ST
ENTRANCE**

90 FIRST FLOOR STALLS (39 NOT ON SLOPE)

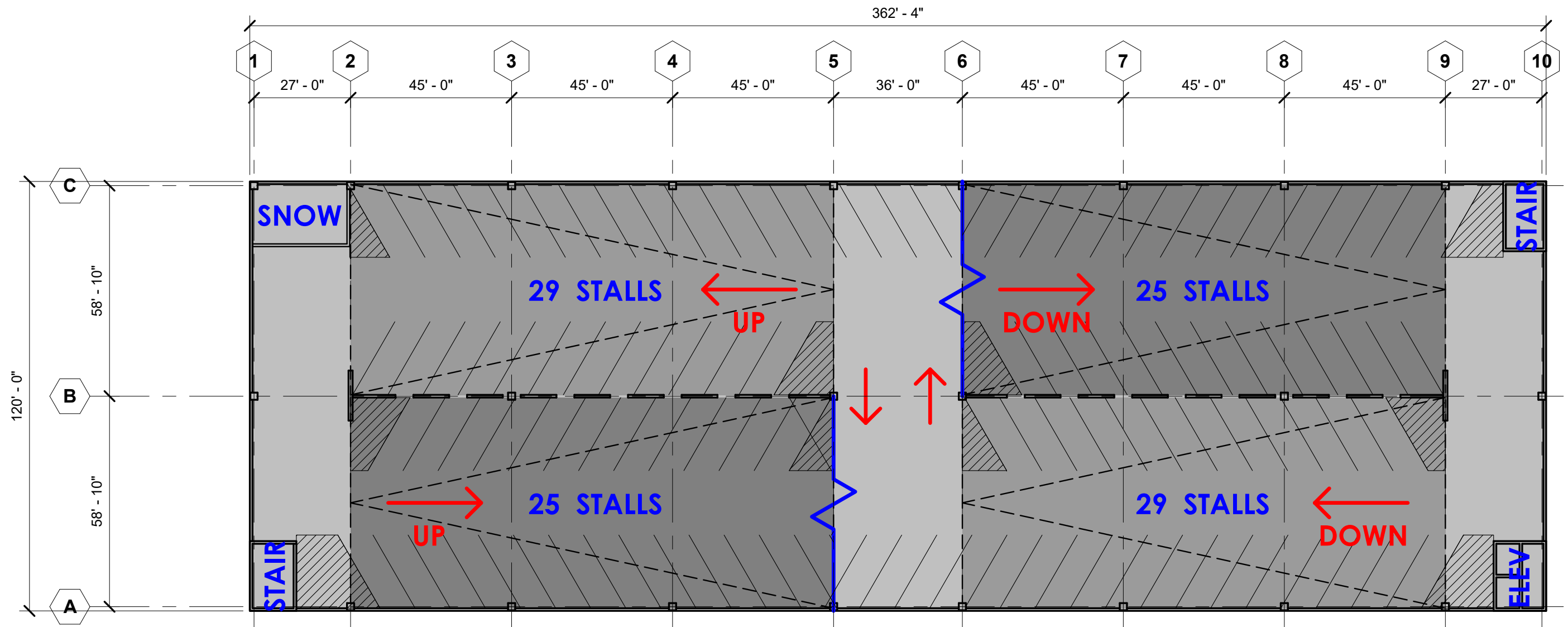


Ground Level Concept



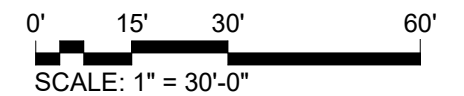
project # 20347
7 Dec 2020

PR-01



FIRST FLOOR	90
SECOND FLOOR	108
THIRD FLOOR	108
FOURTH FLOOR	5
TOTAL	311

108 SECOND FLOOR STALLS

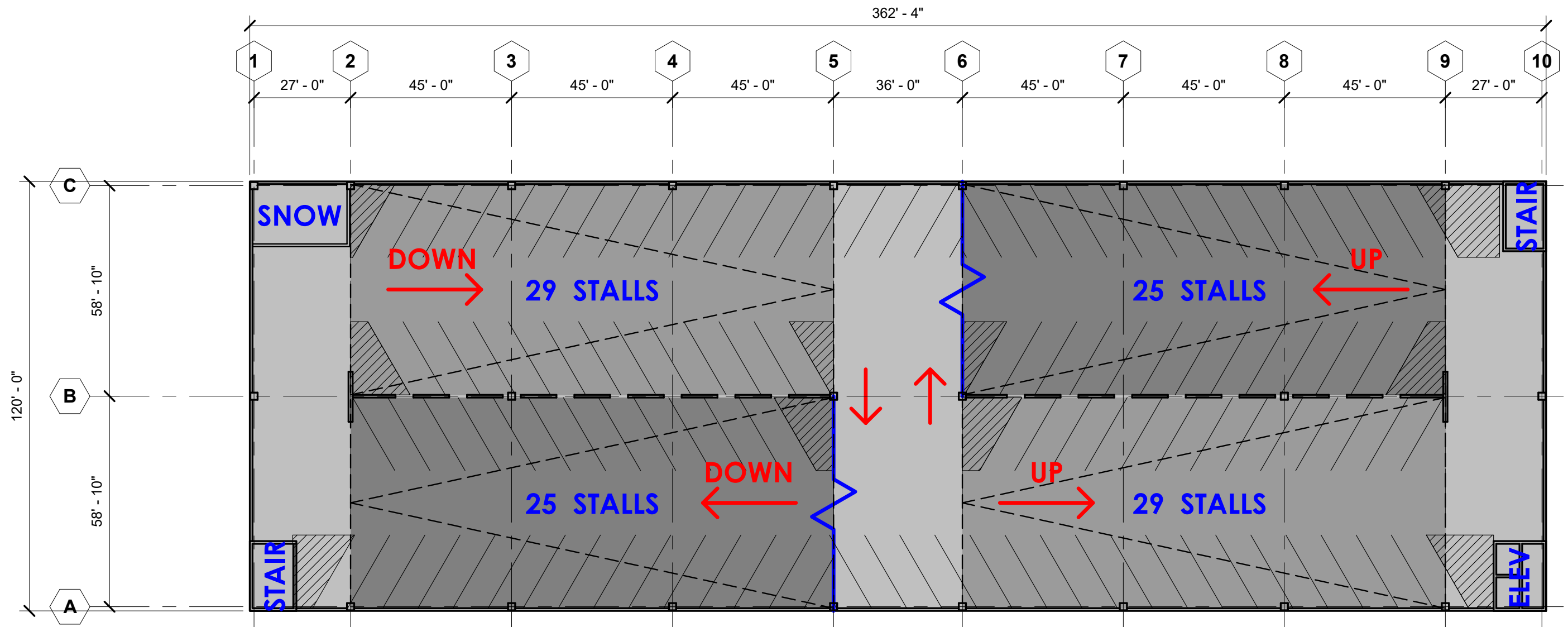


Second Level Concept



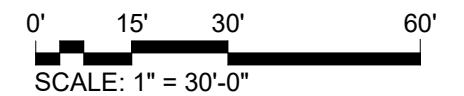
project # 20347
7 Dec 2020

PR-02



FIRST FLOOR	90
SECOND FLOOR	108
THIRD FLOOR	108
FOURTH FLOOR	5
TOTAL	311

108 THIRD FLOOR STALLS

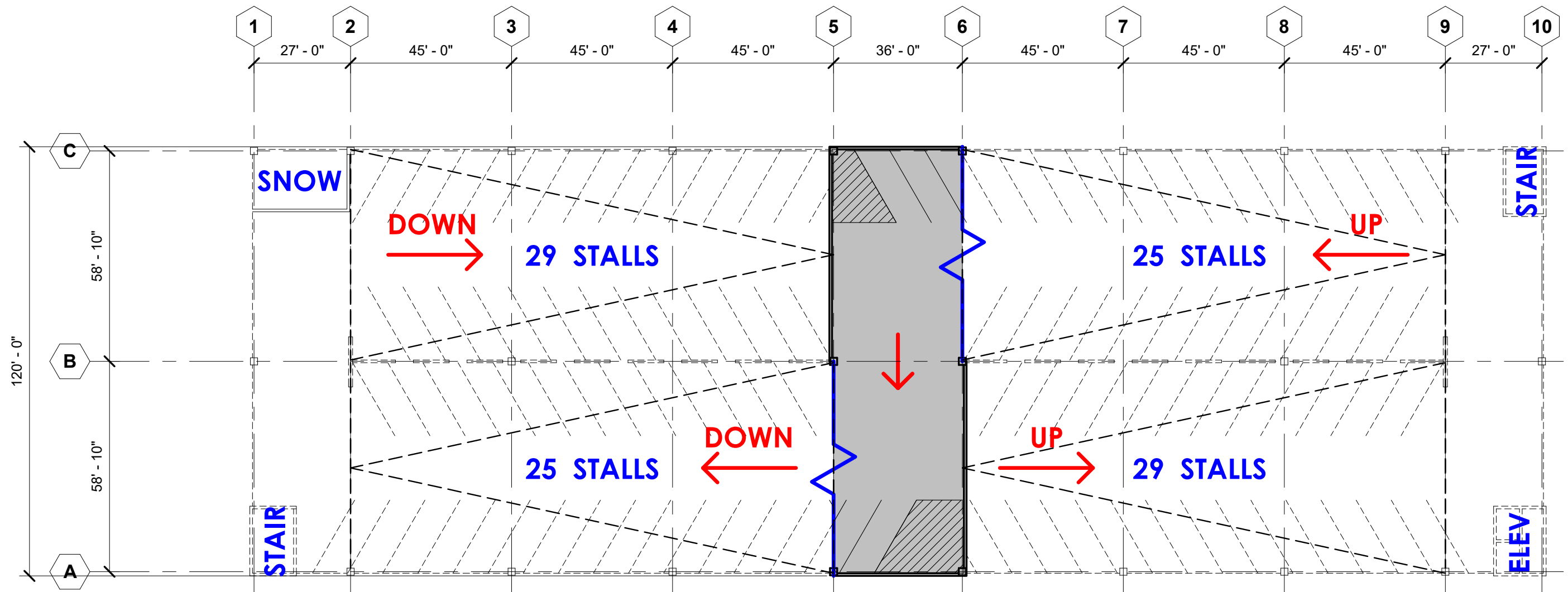


Third Level Concept



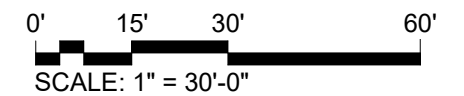
project # 20347
7 Dec 2020

PR-03



FIRST FLOOR	90
SECOND FLOOR	108
THIRD FLOOR	108
FOURTH FLOOR	5
TOTAL	311

5 FOURTH FLOOR STALLS

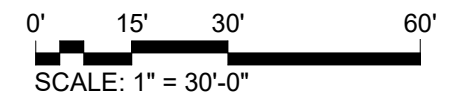
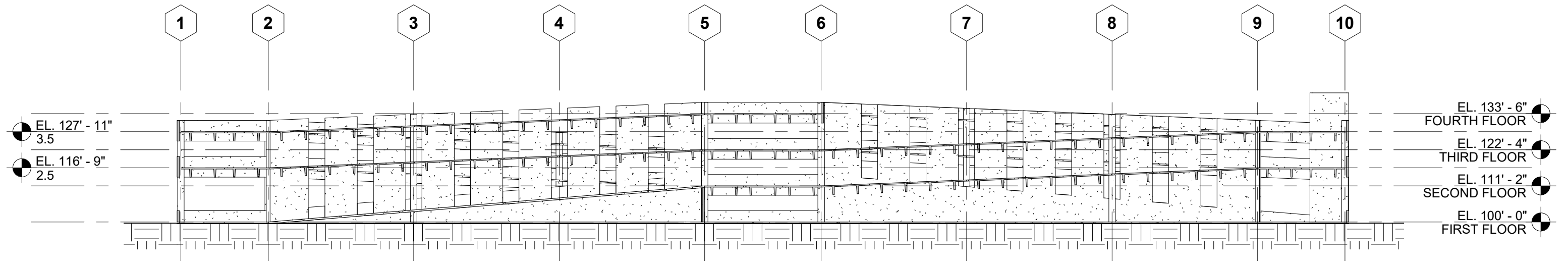


Fourth Level Concept

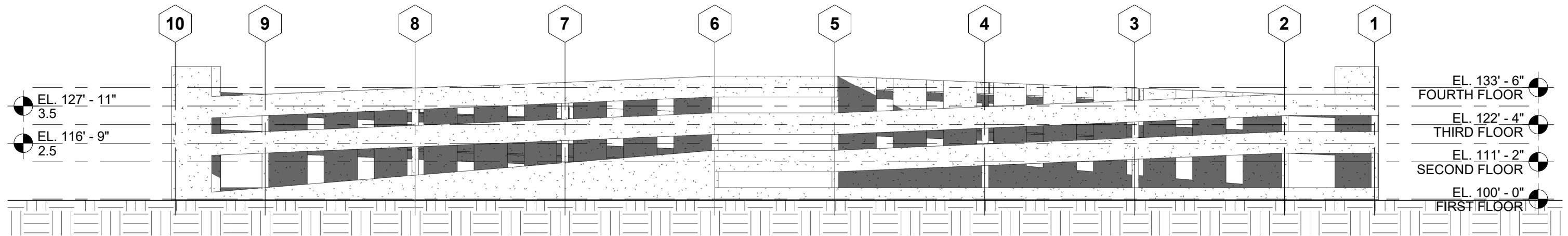


project # 20347
7 Dec 2020

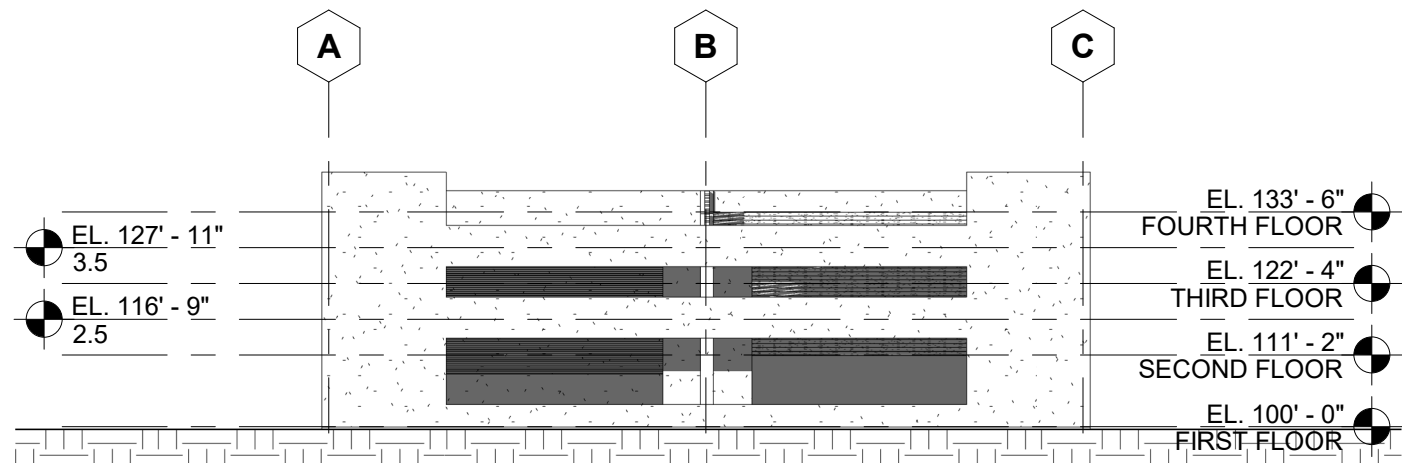
PR-04



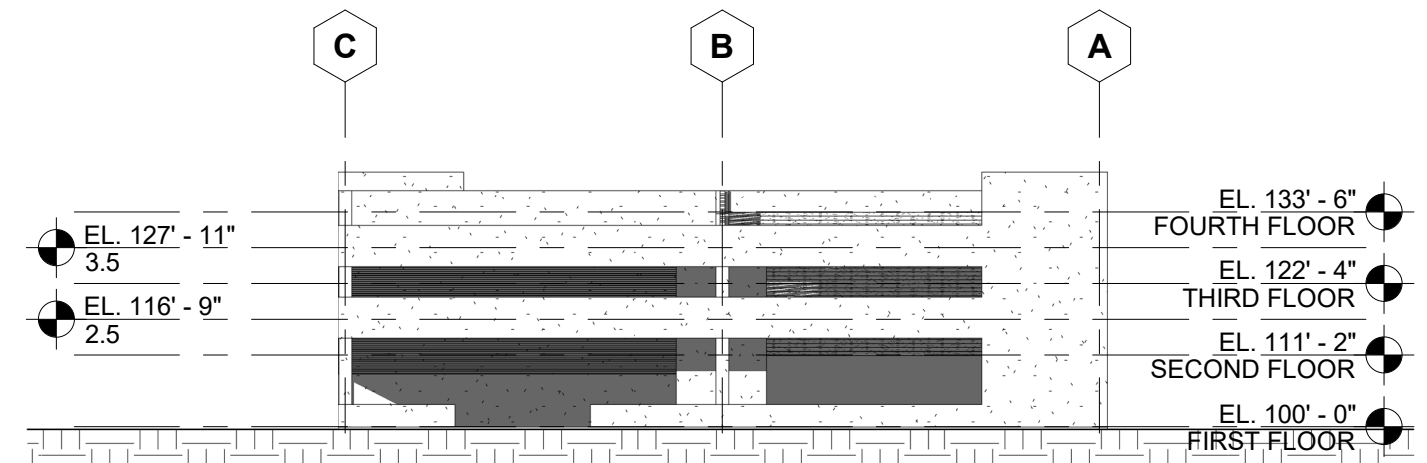
Conceptual Building Section



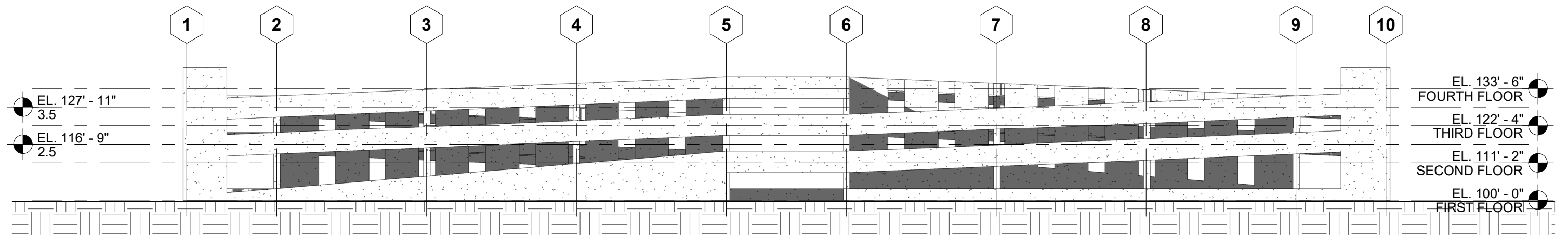
North Elevation



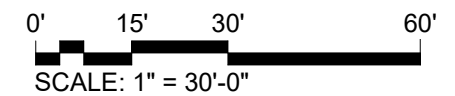
East Elevation

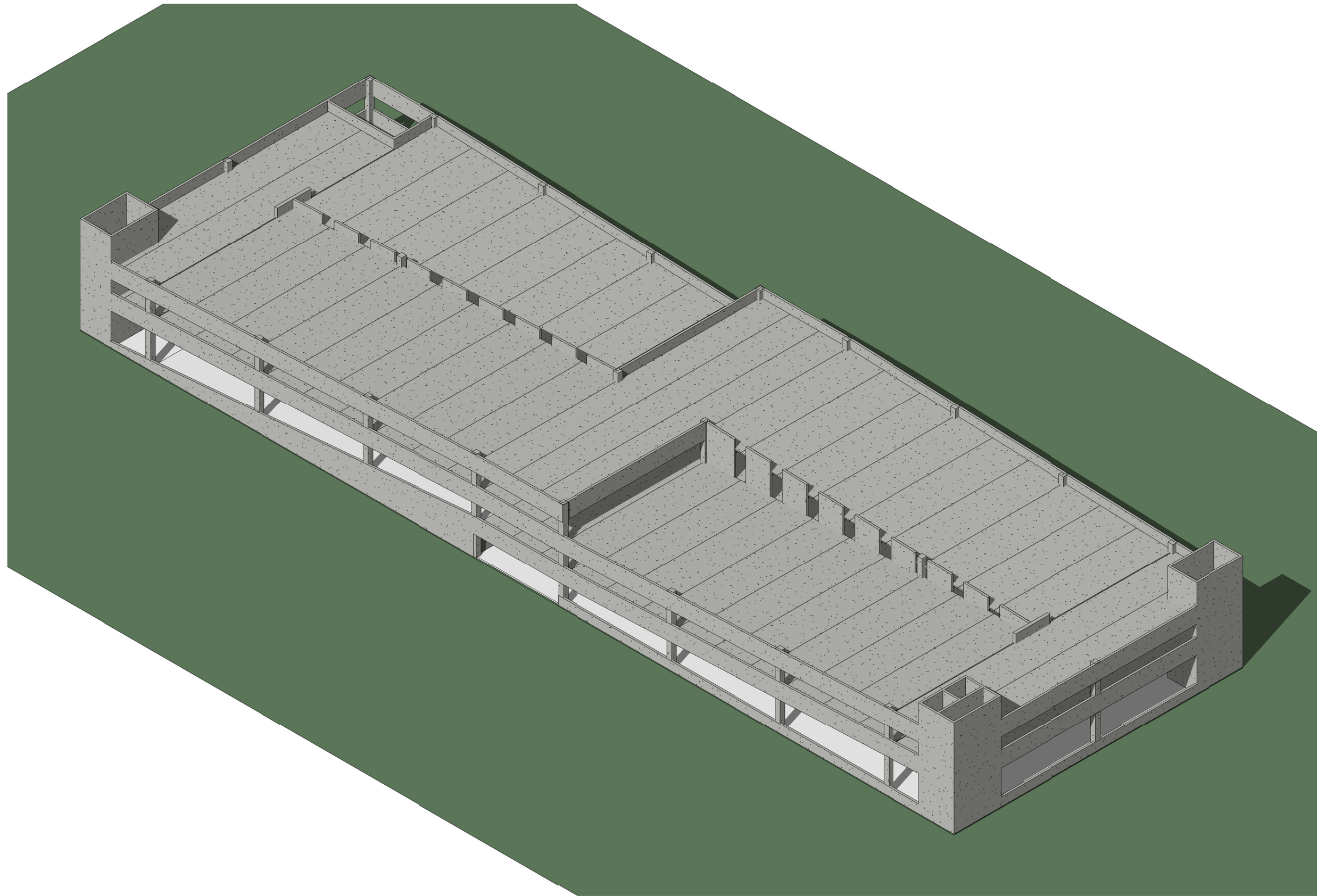


West Elevation



South Elevation





Conceptual Massing



Exterior Precedent Images

PLAN OF OPERATION AND LOCATIONAL INFORMATION

Business Information:

Name of business: YMCA of the Fox Cities

Years in operation: 132

Type of proposed establishment (detailed explanation of business):

Replacement Parking for the YMCA of the Fox Cities

Proposed Hours of Operation:

Day	From	To
Monday thru Thursday	12am	12am
Friday	12am	12am
Saturday	12am	12am
Sunday	12am	12am

Building Capacity and Storage Areas:

Maximum number of persons permitted to occupy the building or tenant space as determined by the International Building Code (IBC) or the International Fire Code (IFC), whichever is more restrictive: 675.00 persons

Gross floor area of the existing building(s):

±166,500 SF

Gross floor area of the proposed building(s):

±135,000 SF

Identify location, number, capacity and flammable liquid materials stored in storage tanks or containers:

10-15 Gallons of fuel and oil within portable containers for service / maintenance vehicles, ground floor, northwest corner.

Odor:

Describe any potential smoke, odors emanating from the proposed use and plans to control them:

Comparable to current parking structure. No special control applications planned. Open parking structure with natural ventilation.

Noise:

Describe the noise levels anticipated from the proposed use and all mechanical equipment:

Vehicle traffic at low speeds, ±50-70 db, no different than current use and street traffic.

How will the noise be controlled?

No specific sound control measures proposed.

Outdoor Lighting:

Type: None

Location: None

Off-Street Parking:

Number of spaces existing on-site: 420.00

Number of spaces proposed on-site: 311.00

Street Access:

Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

Adjustments or creation of new curb cuts as required for entry and exit from structure. A turning lane off of E Lawrence Street would be desired / beneficial when reconfigured.

Outdoor Uses:

Size: 0.00 square feet

Type and location of outdoor storage area(s) of business property, goods, or merchandise not intended for customer viewing or immediate sale:

N/A

Type and height of screening of plantings/fencing/gating for outdoor storage area(s):

N/A

Type, location, size of outdoor display area(s) of merchandise for sale or other business property:

N/A

Number of Employees:

Number of existing employees: 0.00

Number of proposed employees: 0.00

Number of employees scheduled to work on the largest shift: 0.00



REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: January 12, 2021

Common Council Meeting Date: January 20, 2021

Item: Cain Annexation (675 E. Edgewood Drive)

Case Manager: Jessica Titel

GENERAL INFORMATION

Owner/Applicant: Larry & Cheryl Cain

Address/Parcel: 675 E. Edgewood Drive (Town of Grand Chute Tax Id. 101038801)

Petitioner's Request: Owner is requesting direct annexation by unanimous approval pursuant to Section 66.0217(2), Wisconsin State Statutes of land currently located in the Town of Grand Chute, Outagamie County.

Purpose for Annexation: To allow the existing single-family residence to be connected to the City sanitary sewer and water system.

Population of Such Territory: 5

Annexation Area: 0.77 acres m/l

BACKGROUND

On March 16, 1992, the City of Appleton and the Town of Grand Chute agreed to and entered into an Intermunicipal Boundary Agreement pursuant to Section 66.027 and 66.30 of the Wisconsin State Statutes for the purpose of defining and expanding the provision of governmental services, including water and sewer services, by establishing the City's growth area and establishing provisions for annexation of land within the Town of Grand Chute to the City of Appleton.

Before Common Council approves the annexation ordinance, the City must allow a 20-day statutory review period, which starts when the Wisconsin Department of Administration (DOA) receives the annexation application materials and fee. The DOA received the annexation application materials and fee on December 18, 2020, so this requirement will be satisfied prior to Common Council taking action at their January 20, 2021 meeting.

STAFF ANALYSIS

The Community and Economic Development Department staff has reviewed the annexation petition and identifies the following:

Cain Annexation

January 12, 2021

Page 2

- The area proposed for annexation is contiguous to the existing City boundary to the north (public right-of-way), south and east.
- Annexation of the site in question is consistent with the Intermunicipal Boundary Agreement with the Town of Grand Chute.
- City sanitary sewer and water infrastructure is already installed within East Edgewood Drive. Annexation to the City of Appleton is required before the subject property could connect to the City sewer and/or water.
- Currently, the subject property consists of one single-family home and a detached accessory building.
- The owner is requesting that the City Plan Commission initiate a rezoning for the subject property from temporary AG Agricultural District to a permanent zoning classification of R-1A Single-Family District. The temporary zoning classification must be made permanent in accordance with Section 23-65(d), Zoning Map Amendments, within 90 days, or the zoning will revert to AG Agricultural District.

Surrounding Zoning Classification and Land Uses:

North: R-1A and Town of Grand Chute. The adjacent land use to the north is currently City of Appleton public right-of-way and residential (Town of Grand Chute).

South: R-1A Single Family Residential. The adjacent land use to the south is currently single family residential.

East: R-1A Single Family Residential. The adjacent land use to the east is currently single-family residential.

West: Town of Grand Chute. The adjacent land use to the west is currently single-family residential.

Appleton Comprehensive Plan 2010-2030: The City of Appleton *Comprehensive Plan 2010-2030* identifies this area for future One and Two-Family Residential uses. The proposed annexation is consistent with the following goals and objectives of the *Comprehensive Plan 2010-2030*.

Goal 1 – Community Growth

Appleton will continue to provide opportunities for residential, commercial, and industrial growth, including appropriate redevelopment sites within the downtown and existing neighborhoods, and greenfield development sites at the City's edge.

Goal 3 – Housing Quality, Variety, and Affordability

Appleton will provide a variety of rental and ownership housing choices in a range of prices affordable to community residents, and ensure that existing housing is adequately maintained in terms of physical quality and market viability.

5.1 OBJECTIVE: Continue efforts to ensure an adequate supply of housing affordable to all income levels in the community.

5.3 OBJECTIVE: Provide a range of housing options that meet the needs and appeal to all segments of the community and allows residents to age in place.

Technical Review Group (TRG) Report: This item was discussed at the December 22, 2020 Technical Review Group meeting. No negative comments were received from participating departments.

FUTURE ACTIONS

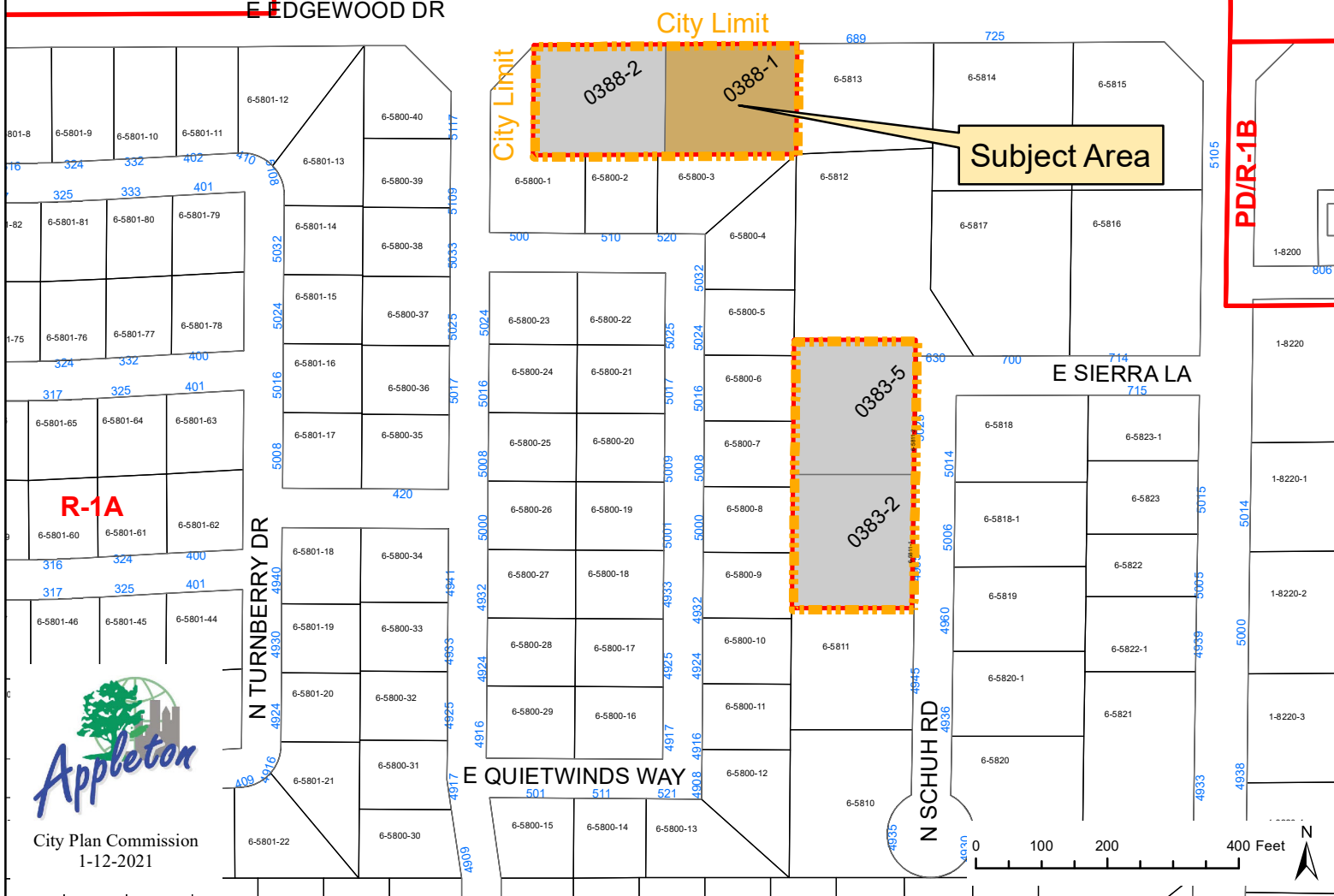
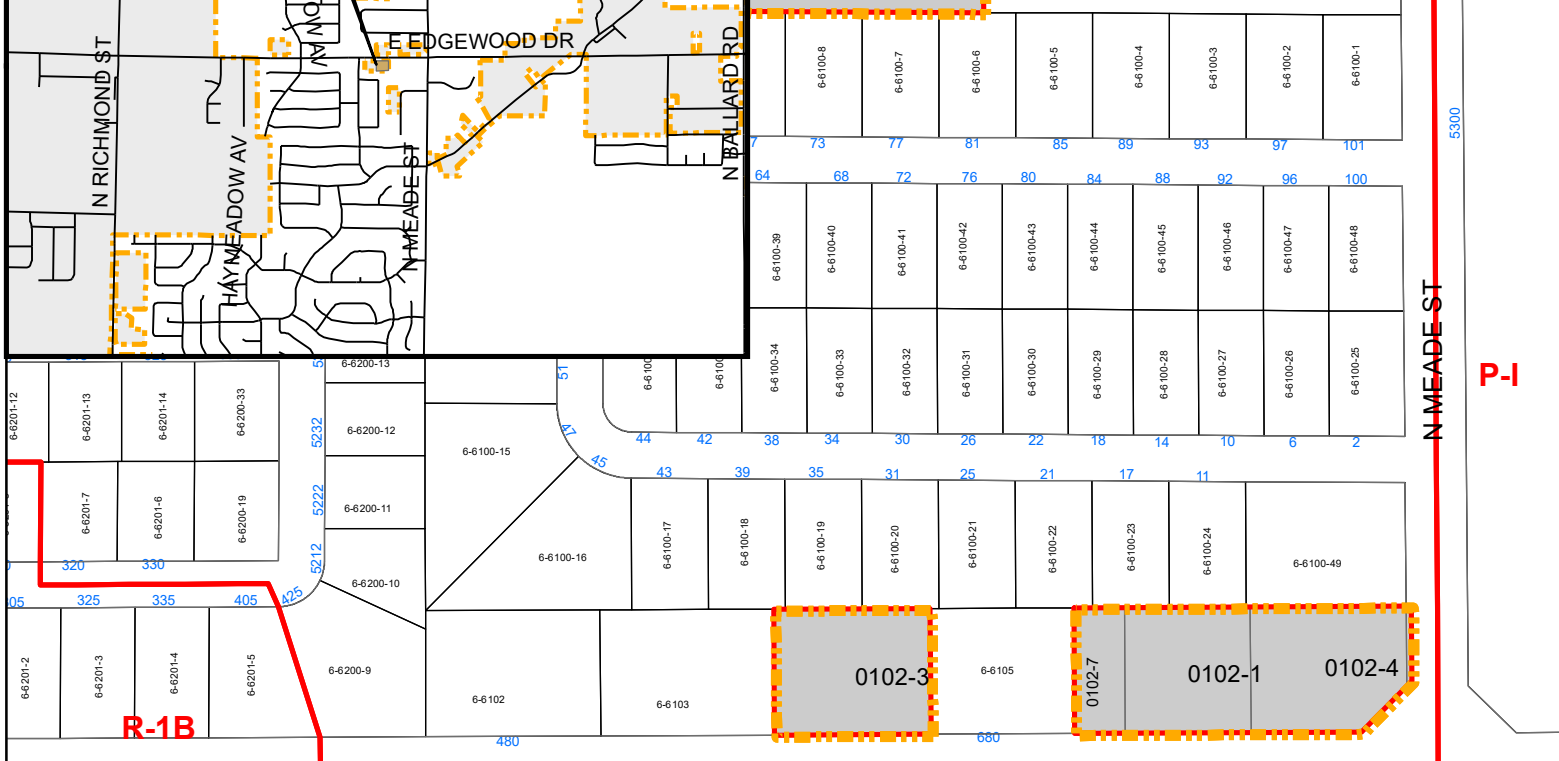
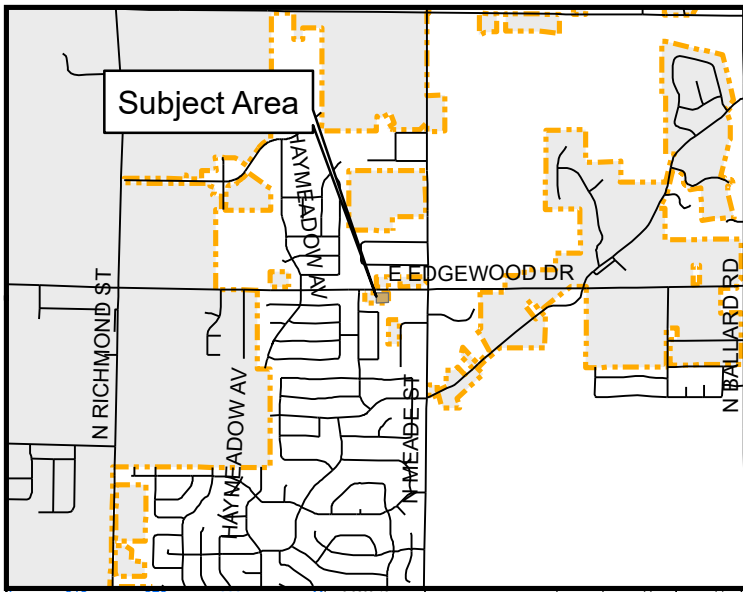
- Per Section 23-65(e) of the Municipal Code, a temporary zoning classification is assigned to newly annexed territory, with permanent zoning taking place following the annexation process. All territory annexed to the City is assigned a zoning classification as recommended by Plan Commission. The Plan Commission shall consider the following criteria in selection of an appropriate zoning district for the annexed land:
 - The existing land uses within the territory to be annexed;
 - The surrounding land uses that exist on adjacent properties regardless of municipal boundary lines;
 - The comprehensive plan of the City.
- The owner is requesting that Plan Commission initiate a rezoning for the subject property from temporary AG Agricultural District to a permanent zoning classification of R-1A Single-Family District. A rezoning initiated directly by Plan Commission will be processed in accordance with Section 23-65(d), Zoning Map Amendments, which includes review and action by the Common Council.

RECOMMENDATION

Staff recommends that the Cain Annexation (675 E. Edgewood Drive), as shown on the attached maps, **BE APPROVED** with the following stipulation:

1. The Plan Commission initiate the rezoning for the subject property from temporary AG Agricultural District to a permanent zoning classification of R-1A Single-Family District, pursuant to Section 23-65(d)(1) of the Municipal Code.

Annexation Cain – 675 E. Edgewood Drive Town of Grand Chute Zoning Map



Annexation
Cain – 675 E. Edgewood Drive
Town of Grand Chute
Aerial Map

E EDGEWOOD DR

City Limits

Subject Area



City Plan Commission
1-12-2021

ENE WAY





**PETITION FOR DIRECT ANNEXATION BY UNANIMOUS APPROVAL
PURSUANT TO SECTION 66.0217(2), WISCONSIN STATUTES**

I/We, the undersigned, constituting all of the sole owner of the real property and all of the electors that reside in the following territory of the Town of Grand Chute, Outagamie County, Wisconsin, petition the Common Council of the City of Appleton to annex the territory described below and shown on the attached scale map to the City of Appleton, Outagamie County, Wisconsin.

The East 200 feet of the North 217.8 feet of the West One-half (W ½) of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of Section Eleven (11), Township Twenty-one (21) North, Range Seventeen (17) East, Town of Grand Chute, Outagamie County, Wisconsin, less that part reserved for highway purposes, containing 0.77 Acres of land m/l.

The current population of such territory is 5. The number of electors that reside on the lands to be annexed is 1.

I/We, the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexation, incorporation, or consolidation proceedings, if any.

I/We further respectfully request that the City Plan Commission initiate a rezoning for the subject property, from temporary AG Agricultural District to a permanent zoning classification of R-1A Single-Family District.

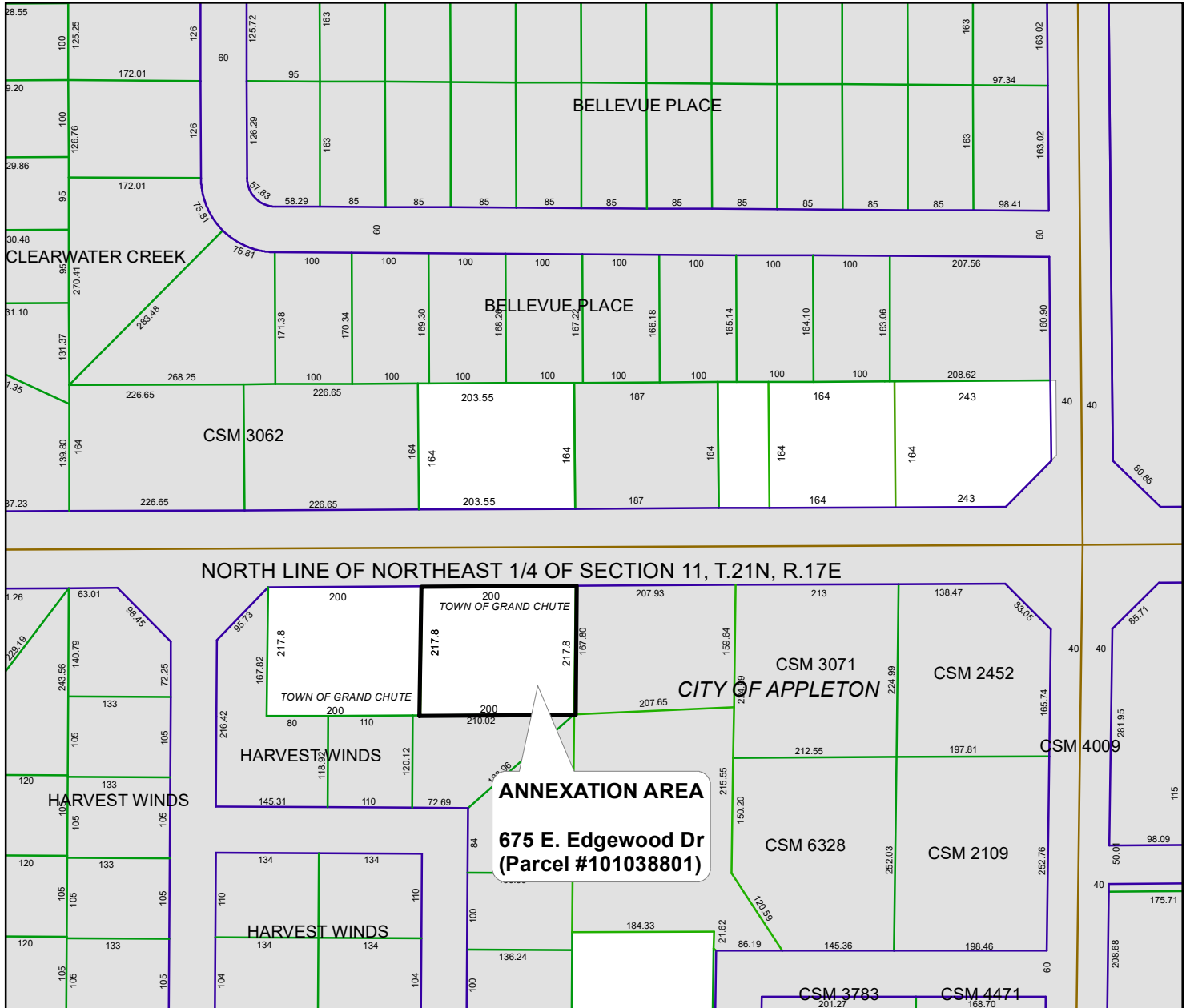
Area of lands to be annexed contains 0.77 acres m/l.

Tax Parcel number of lands to be annexed: 101038801

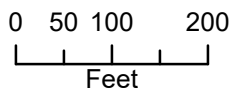
Signature of Petitioner	Owner/Elector	Date of Signing	Address of Petitioner (Include Zip Code)
<i>Cheryl S Cain</i>	Owner (Larry W. & Cheryl S. Cain Revocable Trust 2012)	12/4/2020	818 E. Pondview Court Appleton, WI 54913
Cheryl Stelse Cain			
<i>Larry William Cain</i>	Owner (Larry W. & Cheryl S. Cain Revocable Trust 2012)	12/4/2020	818 E. Pondview Court Appleton, WI 54913
Larry William Cain			
<i>Trevor Schulz</i>	Elector	12/5/2020	675 E. Edgewood Drive Appleton, WI 54913
Trevor Schulz			

ANNEXATION EXHIBIT

The East 200 feet of the North 217.8 feet of the West One-half (W 1/2) of the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section Eleven (11), Township Twenty-one (21) North, Range Seventeen (17) East, Town of Grand Chute, Outagamie County, Wisconsin, less that part reserved for highway purposes, containing 0.77 Acres of land m/l.



BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM OUTAGAMIE COUNTY, NORTH LINE OF NORTHEAST 1/4 OF SECTION 11, T.21N, R.17E
Recorded to bear S89,14'49"E



CITY OF APPLETON
DEPT OF COMMUNITY
AND ECONOMIC DEVELOPMENT
GIS DIVISION
100 NORTH APPLETON STREET
APPLETON WI 54911
920-832-6468
MAPPED BY J SCHNEIDER
LEGAL DESC BY T KROMM
Date: 12/3/2020



MEMORANDUM

TO: City Plan Commission

FROM: David Kress, Principal Planner

DATE: January 7, 2021

RE: Restriction Release – First Addition to Clearwater Creek

The First Addition to Clearwater Creek Final Plat was approved by the Common Council on June 18, 2008. The subdivision plat was recorded with the Outagamie County Register of Deeds on July 16, 2008. This plat established an access restriction for certain lots with frontage on Haymeadow Avenue.

The owner/agent of Lot 91 of First Addition to Clearwater Creek (Tax Id #31-6-6200-91) recently provided a request to the Department of Public Works, seeking a release of the access restriction for that particular parcel. The owner/agent request is attached. Also attached is a copy of the recorded plat with the restriction release area highlighted.

An Affidavit of Correction is the instrument needed to complete a restriction release, per the Wisconsin Platting Manual. Pursuant to Wisconsin Statutes §236.295(2)(a), each affidavit correcting a plat that changes restrictions for public benefit must be approved by the governing body of the municipality in which the subdivision is located. The requested restriction release appears before Plan Commission and Common Council, since that is the same manner in which the plat was originally approved. The restriction release is also going to the Municipal Services Committee, with a staff recommendation to approve.

RECOMMENDATION:

The access restriction release for Lot 91 of First Addition to Clearwater Creek (Tax Id #31-6-6200-91), as requested and shown on the attached map, pending approval by the Municipal Services Committee, **BE APPROVED** subject to the following condition:

1. To formalize the restriction release, the owner/agent is responsible for completing and recording an appropriate correction instrument with the Outagamie County Register of Deeds.

David Kress

Subject: FW: Formal request

Begin forwarded message:

From: Jill Hendricks <jill@visionrealtyanddev.com>
Date: January 7, 2021 at 8:33:51 AM CST
To: Paula Vandehey <Paula.Vandehey@appleton.org>
Cc: Kurt Craanen <Kurt.Craanen@appleton.org>, Phil Lasee <phil@laseeconstruction.com>
Subject: Formal request

Paula:

This is a formal request to put this request on the agenda for Municipal services. Lot 91 Clearwater Creek

My builder who is building a home on lot 91, hired Davel to do a site plan and there is a three foot drop from South to North. There is a deed restriction on lot 91 that the drive way must come off Bluewater way, however that poses a problem with elevation of garage vs. home and the sale ability of the spec with 4 to 5 foot steps leading from the garage into the home. We are requesting a variance for the driveway to come off of Haymeadow.

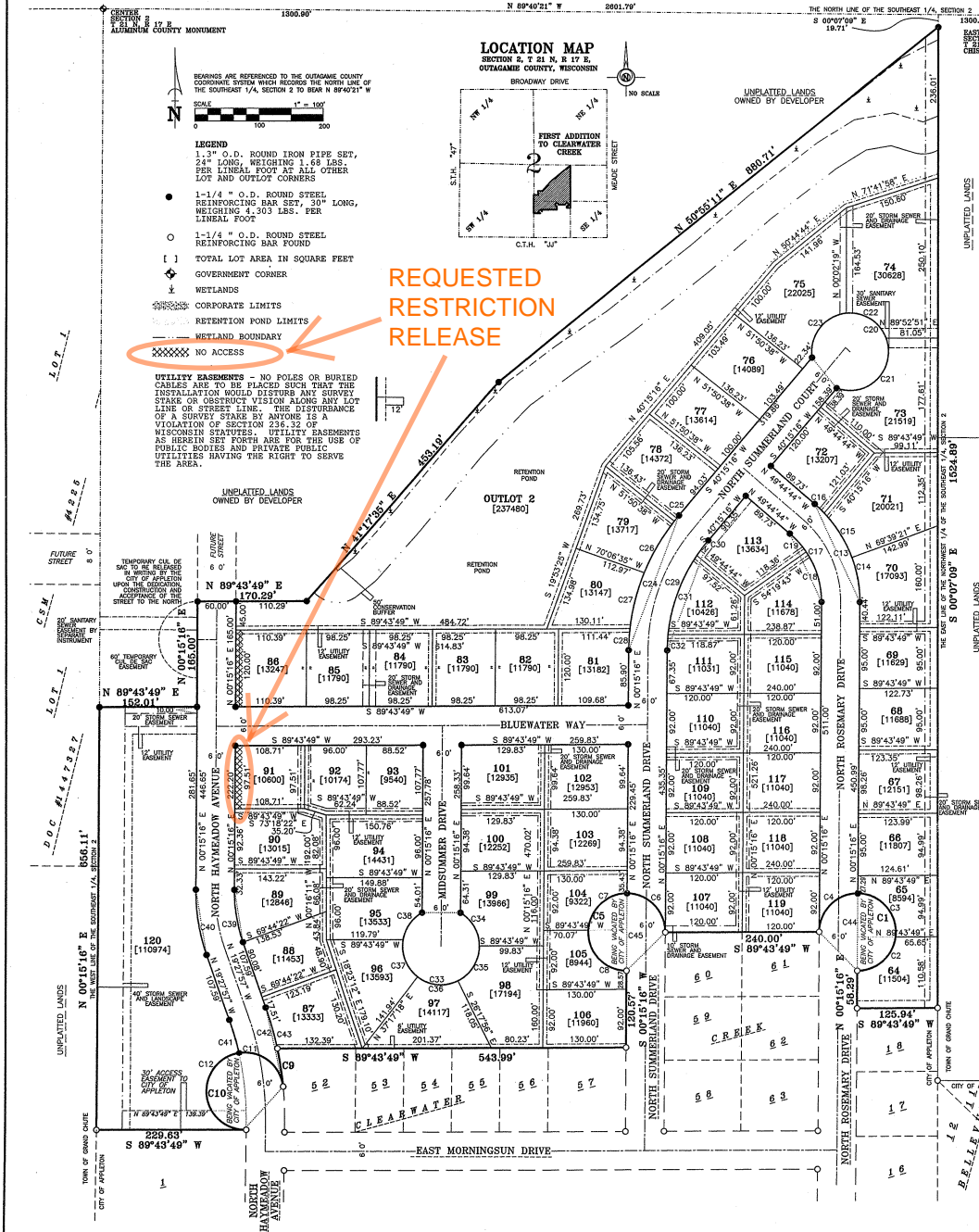
Thank you
Jill



Jill Hendricks
Vision Realty & Development LLC
PO Box 225
2100 Freedom Rd
Little Chute, WI 54140
920-687-7070 Office
920-676-4788 Cell

FIRST ADDITION TO CLEARWATER CREEK

THE REPLAT OF PART OF CLEARWATER CREEK, RECORDED AS DOCUMENT #1674467 IN CABINET J PAGES 85 - 86 AND PARTS OF THE NORTHWEST 1/4 AND SOUTHWEST 1/4 OF SECTION 2, TOWN 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN



1802951
Recorded
July 16, 2008 AT 10:45AM
Wet/Cab. K. Pub/Heck TL-78
JUDICE FLEMING
REGISTER OF DEEDS
Fee Amount: \$58.80
Total Pages: 2

CURVE TABLE	CURVE	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD	TANGENT IN	TANGENT OUT
1	60.00°	270°00'30"	282.75'	N 44°44'59.00" W	84.85'	S 89°44'44" W	S 00°14'46" W	
2	60.00°	083°08'23"	81.05'	N 48°41'04.50" E	19.52'	S 88°44'44" E	N 01°06'53" E	
3	60.00°	096°51'37"	101.43'	N 41°18'55.50" E	89.78'	N 07°06'53" E	S 89°44'44" W	
4	60.00°	090°00'30"	94.26'	S 45°15'01.00" W	94.26'	S 45°15'01.00" W	S 89°44'44" W	
5	60.00°	270°00'41"	282.76'	S 45°15'36.50" W	84.84'	N 00°15'57" E	S 89°44'44" E	
6	60.00°	090°00'41"	94.26'	N 44°44'23.50" E	84.86'	N 00°15'57" E	S 89°44'44" W	
7	60.00°	081°15'01"	91.37'	S 46°37'45.50" W	82.79'	N 00°44'44" W	S 03°00'15" W	
8	60.00°	082°44'59"	97.13'	S 43°22'14.50" E	86.86'	S 00°00'15" W	S 89°44'44" E	
9	530.00°	061°27'33"	59.76'	S 08°58'40.50" W	59.72'	N 05°41'54" W	S 12°09'27" W	
10	60.00°	061°17'00"	273.62'	S 42°18'16.00" W	91.08'	S 07°03'18" W	S 88°20'18" E	
11	60.00°	092°08'52"	96.50'	N 53°07'44.00" E	86.43'	S 07°03'18" W	S 80°47'50" W	
12	60.00°	168°08'08"	177.12'	S 03°46'14.00" E	119.46'	S 80°47'50" W	S 88°20'18" E	
13	200.00°	050°00'00"	174.53'	N 24°44'44.00" E	169.05'	N 00°15'16" E	S 49°44'44" W	
14	200.00°	020°35'55"	71.90'	N 10°02'41.50" W	71.92'	N 00°15'16" E	S 20°20'39" W	
15	200.00°	023°35'06"	82.33'	N 30°28'12.00" W	81.73'	N 00°20'39" W	S 43°45'44" W	
16	200.00°	005°48'59"	20.30'	N 46°50'14.50" W	20.29'	N 43°55'45" W	S 49°44'44" W	
17	140.00°	050°00'00"	122.11'	N 24°44'44.00" E	118.23'	N 00°15'16" E	S 49°44'44" W	
18	140.00°	034°09'31"	83.46'	N 16°49'29.50" E	82.23'	N 00°15'16" E	S 33°54'15" W	
19	140.00°	015°50'29"	38.71'	N 41°49'29.50" E	38.58'	N 33°54'15" W	S 49°44'44" W	
20	60.00°	298°52'09"	312.98'	N 39°41'50.50" W	61.02'	S 69°48'26" E	S 88°20'18" E	
21	60.00°	130°54'07"	137.08'	N 44°44'30.50" E	109.15'	S 69°48'26" E	S 42°33'39" W	
22	60.00°	075°14'42"	78.80'	N 58°19'54.00" W	73.25'	N 20°42'33" W	S 84°02'45" W	
23	60.00°	092°43'20"	97.10'	S 37°41'05.00" W	86.84'	S 84°02'45" W	S 08°40'35" E	
24	330.00°	040°00'00"	230.38'	S 20°15'16.00" W	225.73'	S 20°15'16" W	S 00°15'16" W	
25	330.00°	022°00'03"	11.52'	S 38°15'14.50" W	11.52'	S 38°15'14" W	S 08°40'35" E	
26	330.00°	016°16'59"	93.78'	S 30°06'43.50" W	93.47'	S 38°15'13" W	S 21°58'14" W	
27	330.00°	016°56'53"	101.27'	S 29°04'47.00" W	101.27'	S 21°58'14" W	S 08°40'35" E	
28	330.00°	005°56'05"	34.18'	S 03°13'18.50" W	34.17'	S 06°11'21" W	S 00°15'16" W	
29	270.00°	040°00'00"	186.50'	S 20°15'16.00" W	184.69'	S 40°15'16" W	S 00°15'16" W	
30	270.00°	016°18'53"	29.84'	S 37°05'19.00" W	29.82'	S 40°15'16" W	S 33°55'23" E	
31	270.00°	028°25'31"	133.95'	S 19°42'37.50" E	132.58'	S 35°29'52" W	S 05°29'52" W	
32	270.00°	005°14'56"	24.74'	S 02°04'34.00" W	24.70'	S 05°29'52" W	S 00°15'16" W	
33	60.00°	030°42'42"	314.15'	S 89°44'44" W	314.15'	S 89°44'44" W	S 08°40'35" E	
34	60.00°	059°28'33"	62.28'	N 30°09'27.50" W	59.52'	N 00°16'11" W	S 58°44'44" W	
35	60.00°	053°58'01"	65.99'	N 21°46'44.00" E	65.99'	N 43°42'04" E	S 00°15'16" W	
36	60.00°	063°44'08"	66.74'	S 84°25'52.00" E	63.36'	S 52°33'48" E	S 63°42'04" E	
37	60.00°	062°06'22"	65.04'	S 21°30'37.00" E	61.90'	S 09°32'34" E	S 52°33'48" E	
38	60.00°	050°42'42"	53.11'	S 34°53'55.00" E	51.13'	S 09°32'34" E	S 08°40'35" E	
39	240.00°	019°43'13"	82.60'	S 09°36'20.50" E	82.20'	N 00°15'16" W	S 13°27'57" E	
40	300.00°	019°43'13"	103.26'	S 09°36'20.50" E	102.75'	S 00°15'16" W	S 13°27'57" E	
41	470.00°	006°37'17"	54.32'	N 16°09'18.50" E	54.29'	N 15°00'16" W	S 15°27'57" E	
42	530.00°	013°46'03"	127.35'	N 12°34'55.50" E	127.05'	N 05°41'54" W	S 13°27'57" W	
43	60.00°	001°18'30"	43.60'	N 15°48'42.00" E	43.60'	N 12°09'27" W	S 08°40'35" E	
44	60.00°	180°00'00"	188.49'	N 00°15'16.00" E	120.00'	N 89°44'44" W	S 89°44'44" W	
45	60.00°	180°00'00"	188.50'	S 00°15'16.00" W	120.00'	N 89°44'44" W	S 89°44'44" W	

NOTES
ALL LINEAR MEASUREMENTS HAVE BEEN MADE TO THE NEAREST ONE HUNDRETH OF A FOOT. ALL ANGULAR MEASUREMENTS HAVE BEEN MADE TO THE NEAREST 20 SECONDS AND COMPUTED TO THE NEAREST HALF SECOND.

MONUMENT WAIVER ON FILE WITH THE CITY OF APPLETON.
LOTS 64-81 AND 102-119 ARE ZONED R-1A. CITY OF APPLETON FRONT YARD BUILDING SETBACK IS 20 FEET, SIDE YARD IS 8 FEET AND REAR YARD IS 25 FEET. LOTS 82-85 AND 92-101 ARE ZONED R-1B. CITY OF APPLETON FRONT YARD BUILDING SETBACK IS 20 FEET, SIDE YARD IS 6 FEET AND REAR YARD IS 25 FEET. LOTS 86-91 ARE ZONED FD-R-3. CITY OF APPLETON FRONT YARD BUILDING SETBACK IS 20 FEET, SIDE YARD IS 20 FEET AND REAR YARD IS 35 FEET. LOT 120 IS ZONED FD-R-3. CITY OF APPLETON FRONT YARD BUILDING SETBACK IS 20 FEET, SIDE YARD IS 6 FEET AND REAR YARD IS 35 FEET.

ACCESS TO THE EAST END OF OUTLOT 2 WILL BE PROVIDED FROM THE FUTURE PHASE CONTIGUOUS TO THE NORTH.

OUTLOT 2 WHICH CONTAINS RETENTION PONDS IS TO BE DEEDED TO AND MAINTAINED BY THE CITY OF APPLETON.
THAT PORTION OF NORTH ROSEMARY DRIVE PRESENTLY IN THE PROCESS OF BEING VACATED SHALL, UPON APPROVAL OF THE VACATION BY THE CITY OF APPLETON, BE ATTACHED TO LOTS 64 AND 65 BY CERTIFIED SURVEY MAP.

THAT PORTION OF NORTH SUMMERLAND DRIVE PRESENTLY IN THE PROCESS OF BEING VACATED SHALL, UPON APPROVAL OF THE VACATION BY THE CITY OF APPLETON, BE ATTACHED TO LOTS 104 AND 105 BY CERTIFIED SURVEY MAP.

THAT PORTION OF NORTH SUMMERLAND AVENUE PRESENTLY IN THE PROCESS OF BEING VACATED SHALL, UPON APPROVAL OF THE VACATION BY THE CITY OF APPLETON, BE ATTACHED TO LOT 120 BY CERTIFIED SURVEY MAP.

SANITARY, STORM SEWER, DRAINAGE, LANDSCAPE AND WATERMAIN EASEMENTS PROVISION
AN EASEMENT FOR SANITARY, STORM SEWER, DRAINAGE, LANDSCAPE AND WATERMAIN IS HEREBY GRANTED BY CLEARWATER CREEK DEVELOPMENT, L.L.C., GRANTOR, TO CITY OF APPLETON, GRANTEE.

THE GRANTOR, THEIR RESPECTIVE LESSEES, SUCCESSORS, HEIRS OR ASSIGNS, SHALL HAVE FULL USE AND ENJOYMENT OF THE PROPERTY REFERENCED ABOVE PROVIDED THAT SUCH USE DOES NOT INTERFERE WITH GRANTEE'S RIGHT TO INSTALL, REPLACE, OPERATE, MAINTAIN AND REPAIR SAID SANITARY SEWER, STORM SEWER, DRAINAGE, WATERMAIN AND ASSOCIATED APPURTENANCES. IT IS FURTHER AGREED THAT AFTER MAINTAINING, REPAIRING, REPLACING OR RELOCATING OF SAID SANITARY SEWER, STORM SEWER, DRAINAGE, WATERMAIN AND ASSOCIATED APPURTENANCES GRANTEE SHALL RESTORE UNIMPROVED SURFACES SUCH AS GRASS, GRAVEL AND DIRT ON SAID PROPERTY, AS CLOSELY AS POSSIBLE, TO THE CONDITION PREVIOUSLY EXISTING. GRANTEE SHALL NOT BE REQUIRED TO RESTORE OR CONVEY FOR ANY IMPROVEMENTS OR IMPROVED SURFACES SUCH AS, BUT NOT LIMITED TO, CURB AND GUTTER, HARD PAVEMENTS, TREES, SHRUBS AND LANDSCAPING, DISTURBED AS A RESULT OF THE MAINTENANCE ACTIVITIES DESCRIBED HEREIN. GRANTEE DOES HEREBY AGREE TO COMPENSATE FULLY FOR ANY DAMAGE CAUSED DIRECTLY OR INDIRECTLY FROM SAID MAINTENANCE, REPAIR, REPLACEMENT OR RELOCATION OF SAID SANITARY SEWER, STORM SEWER, DRAINAGE, WATERMAIN AND ASSOCIATED APPURTENANCES, THAT OCCUR OUTSIDE OF THE ABOVE DESCRIBED EASEMENT AREA, BUILDINGS OR ANY OTHER TYPE OF STRUCTURE SHALL NOT BE PLACED OVER GRANTEE'S FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE LINES MARKED "SANITARY SEWER EASEMENT", "STORM SEWER EASEMENT", "DRAINAGE EASEMENT AND WATERMAIN EASEMENT". GRANTEE AGREES THAT IT SHALL GIVE TIMELY NOTICE TO THE GRANTOR OF ROUTINE MAINTENANCE WORK.

THE GRANT OF EASEMENT SHALL BE BINDING UPON AND INURE TO THE BENEFIT OF THE HEIRS, SUCCESSORS AND ASSIGNS OF ALL PARTIES HERETO.

DRAINAGE EASEMENTS
LOTS 64-76, 78-79, 84-85, 87 THROUGH 105 AND 107 THROUGH 119 CONTAIN DRAINAGE EASEMENTS. THE DRAINAGE EASEMENTS ARE CONVEYANCE PATHS FOR STORM WATER OR HOME SEWER EFFLUENT FROM THE ADJACENT LOT TO THE NORTH. LOT OWNERS SHALL NOT PLACE STRUCTURES OF ANY TYPE WHICH INTERFERES WITH THE FLOW OR ANY CHANGES TO THE SHAPE OF THE DRAINAGE EASEMENT BY THE LOT OWNER OR HIS HEIR OR ASSIGNS.

UPON FAILURE OF LOT OWNER'S TO MAINTAIN SAID DRAINAGE WAYS AND EASEMENTS AS DESIGNED, THE CITY OF APPLETON RETAINS THE RIGHT TO PERFORM MAINTENANCE AND OR REPAIRS. THE PAYMENT OF SAID MAINTENANCE AND OR REPAIRS SHALL BE EQUALLY ASSESSED TO THE ADJACENT LOT OWNERS.

LANDSCAPE EASEMENT
LOT 120 CONTAINS A LANDSCAPE EASEMENT. THE LANDSCAPE EASEMENT CONTAINS AN EARTHEN BERM THAT SERVES TO VISIBLY BUFFER THE ADJACENT PROPERTY AND ALSO SERVES TO PROTECT STORMWATER DRAININGS WITHIN THE SITE TO THE NORTH. LOT OWNERS SHALL NOT PLACE STRUCTURES OF ANY TYPE WITHIN THE EASEMENT OR MODIFY THE SIZE AND SHAPE OF THE EARTHEN BERM. THE PLACEMENT OF FILL IN THE EASEMENT, WHICH INTERFERES WITH THE FLOW OR ANY CHANGES TO THE SHAPE OF THE LANDSCAPE EASEMENT BY THE LOT OWNER OR HIS HEIR OR ASSIGNS IS PROHIBITED.

UPON FAILURE OF LOT OWNER'S TO MAINTAIN SAID EASEMENT AS DESIGNED, THE CITY OF APPLETON RETAINS THE RIGHT TO PERFORM MAINTENANCE AND OR REPAIRS. THE PAYMENT OF SAID MAINTENANCE AND OR REPAIRS SHALL BE EQUALLY ASSESSED TO THE ADJACENT LOT OWNERS.

ACCESS RESTRICTION CLAUSE
AS OWNER I HEREBY RESTRICT LOTS 86 AND 91 IN THAT NO OWNER, POSSESSOR, USER, LICENSEE, NOR OTHER PERSON SHALL HAVE ANY RIGHT OF DIRECT VEHICULAR INGRESS OR EGRESS HEREIN EXCEPT AS AUTHORIZED BY THE CITY OF APPLETON. THIS RESTRICTION SHALL BE ENFORCEABLE AS A RESTRICTION FOR THE BENEFIT OF THE PUBLIC ACCORDING TO SECTION 236.293, WISCONSIN STATUTES, AND SHALL BE ENFORCEABLE BY THE CITY OF APPLETON.

Robert De Bruin
DATE: 6-24-08
Robert De Bruin
DATE: 6-24-08

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

Certified June 19, 2008
Pamela P. Pomy
Department of Administration

Wisconsin
PLAT SURVEYOR
MILWAUKEE, WI
11/19/07

Martenson & Eisele, Inc.
1377 Moway Road
Menasha, WI 54952
www.martenson-eisele.com
920.731.0381 1.800.236.0381
Planning
Surveying
Engineering
Architecture

Drawing No. 655-10
Sheet 1 of 2

FIRST ADDITION TO CLEARWATER CREEK

THE REPLAT OF PART OF CLEARWATER CREEK, RECORDED AS DOCUMENT #1674467 IN CABINET J PAGES 85 - 86 AND PARTS OF THE NORTHEAST 1/4 AND SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 2, TOWN 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN

SURVEYORS CERTIFICATION

I, DAVID D. EISELE, WISCONSIN REGISTERED LAND SURVEYOR, HEREBY CERTIFY:

THAT I HAVE SURVEYED, DIVIDED, AND MAPPED PART OF THE NORTHWEST 1/4 AND SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 2, TOWN 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 2; THENCE ALONG THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 2, NORTH 89 DEGREES 40 MINUTES 21 SECONDS WEST, 1300.89 FEET; THENCE ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 1/4, SOUTH 00 DEGREES 07 MINUTES 09 SECONDS EAST, 19.71 FEET TO THE POINT OF BEGINNING; THENCE, CONTINUING ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 1/4, SOUTH 00 DEGREES 07 MINUTES 09 SECONDS EAST, 1524.89 FEET; THENCE ALONG THE NORTH LINE OF CLEARWATER CREEK, SOUTH 89 DEGREES 43 MINUTES 49 SECONDS WEST, 125.94 FEET; THENCE CONTINUING ALONG THE NORTH LINE OF SAID CLEARWATER CREEK ALSO BEING THE EAST RIGHT-OF-WAY LINE OF NORTH ROSEMARK DRIVE, NORTH 00 DEGREES 15 MINUTES 16 SECONDS EAST, 58.29 FEET; THENCE, CONTINUING ALONG THE NORTH LINE OF SAID CLEARWATER CREEK, SOUTH 89 DEGREES 43 MINUTES 49 SECONDS WEST, 240.00 FEET; THENCE CONTINUING ALONG THE NORTH LINE OF SAID CLEARWATER CREEK, 282.76 FEET ALONG AN ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 60.00 FEET WITH A CHORD WHICH BEARS SOUTH 45 DEGREES 15 MINUTES 36.0 SECONDS WEST, 84.84 FEET; THENCE CONTINUING ALONG THE NORTH LINE OF SAID CLEARWATER CREEK, SOUTH 89 DEGREES 43 MINUTES 49 SECONDS WEST, 543.89 FEET; THENCE CONTINUING ALONG THE NORTH LINE OF SAID CLEARWATER CREEK ALSO BEING THE WEST RIGHT-OF-WAY LINE OF NORTH SUMMERLAND DRIVE, SOUTH 00 DEGREES 15 MINUTES 16 SECONDS WEST, 120.57 FEET; THENCE CONTINUING ALONG THE NORTH LINE OF SAID CLEARWATER CREEK, SOUTH 89 DEGREES 43 MINUTES 49 SECONDS WEST, 543.89 FEET; THENCE CONTINUING ALONG THE NORTH LINE OF SAID CLEARWATER CREEK ALSO BEING THE WEST RIGHT-OF-WAY LINE OF NORTH SUMMERLAND DRIVE, SOUTH 00 DEGREES 15 MINUTES 16 SECONDS WEST, 273.62 FEET ALONG AN ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 60.00 FEET WITH A CHORD WHICH BEARS SOUTH 08 DEGREES 55 MINUTES 40.5 SECONDS EAST, 59.72 FEET; THENCE CONTINUING ALONG THE NORTH LINE OF SAID CLEARWATER CREEK, SOUTH 89 DEGREES 43 MINUTES 49 SECONDS WEST, 229.63 FEET; THENCE ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 2, NORTH 00 DEGREES 15 MINUTES 16 SECONDS EAST, 656.11 FEET; THENCE NORTH 89 DEGREES 43 MINUTES 49 SECONDS EAST, 152.01 FEET; THENCE NORTH 00 DEGREES 15 MINUTES 16 SECONDS EAST, 165.00 FEET; THENCE NORTH 89 DEGREES 43 MINUTES 49 SECONDS EAST, 170.29 FEET; THENCE NORTH 41 DEGREES 17 MINUTES 35 SECONDS EAST, 453.19 FEET; THENCE NORTH 50 DEGREES 55 MINUTES 11 SECONDS EAST, 880.71 FEET TO THE POINT OF BEGINNING, CONTAINING 1,291,696 SQUARE FEET (29.633 ACRES).

THAT SUCH PLAT IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE SUBDIVISION THEREOF MADE.

THAT I HAVE MADE SUCH LAND DIVISION AND PLAT BY THE DIRECTION OF THE OWNERS SHOWN HEREON.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236 OF THE WISCONSIN STATUTES AND THE SUBDIVISION REGULATION OF THE CITY OF APPLETON IN SURVEYING, DIVIDING, DEDICATING AND MAPPING THE SAME.

GIVEN UNDER MY HAND THIS 19th DAY OF NOVEMBER, 2007.

David D. Eisele
DAVID D. EISELE, R.L.S. S-974



CORPORATE OWNER'S CERTIFICATE OF DEDICATION

CLEARWATER CREEK DEVELOPMENT, LLC., A CORPORATION DULY ESTABLISHED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, AS OWNER, DOES HEREBY CERTIFY THAT SAID CLEARWATER CREEK DEVELOPMENT, LLC., CAUSED THE LAND ABOVE DESCRIBED TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED ALL AS SHOWN AND REPRESENTED ON THIS PLAT.

CLEARWATER CREEK DEVELOPMENT, LLC., FURTHER CERTIFIES THAT THIS PLAT IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION:

CITY OF APPLETON
DEPARTMENT OF ADMINISTRATION

WITNESS THE HAND AND SEAL OF SAID OWNER THIS 20th DAY OF June, 2008.

Robert De Bruin
ROBERT DE BRUIN MEMBER

STATE OF WISCONSIN)
OUTAGAMIE COUNTY) SS

PERSONALLY CAME BEFORE ME THIS 24th DAY OF June, 2008, THE ABOVE OWNER TO ME KNOWN TO BE THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGES THE SAME.

William H. Hensley
WILLIAM H. HENSELEY
NOTARY PUBLIC MY COMMISSION EXPIRES 9-25-2011



CONSENT OF CORPORATE MORTGAGEE

M & I BANK, A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, MORTGAGEE OF THE LANDS HEREIN DESCRIBED, DOES HEREBY CONSENT TO THE SURVEYING, DIVIDING, MAPPED AND DEDICATED ON THIS PLAT, AND DOES HEREBY CONSENT TO THE ABOVE CERTIFICATE OF CLEARWATER CREEK DEVELOPMENT, LLC. IN WITNESS WHEREOF, THE SAID M & I BANK, HAS CAUSED THESE PRESENTS TO BE SIGNED BY SHANNAN HARRIGAN THIS 25th DAY OF June, 2008.

Shannan Harrigan
SHANNAN HARRIGAN VICE PRESIDENT

STATE OF WISCONSIN)
OUTAGAMIE COUNTY) SS

PERSONALLY CAME BEFORE ME THIS 25 DAY OF June, 2008, THE ABOVE OWNER TO ME KNOWN TO BE THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGES THE SAME.

A. J. Joran
A. J. JORAN
NOTARY PUBLIC MY COMMISSION EXPIRES 11/25/10



COMMON COUNCIL RESOLUTION

RESOLVED, THAT THE FIRST ADDITION TO CLEARWATER CREEK, IN THE CITY OF APPLETON, IS HEREBY APPROVED BY THE COMMON COUNCIL OF THE CITY OF APPLETON.

DATE 7-14-08 SIGNED *Mayor* MAYOR

I HEREBY CERTIFY THAT THE FOREGOING IS A COPY OF A RESOLUTION ADOPTED BY THE COMMON COUNCIL OF THE CITY OF APPLETON.

DATE 10-18-08 SIGNED *Mayor* CITY CLERK

CITY TREASURER'S CERTIFICATE

I, Dina Mumford, BEING THE DULY QUALIFIED AND ACTING TREASURER OF THE CITY OF APPLETON, DO HEREBY CERTIFY THAT THE RECORDS IN MY OFFICE, THERE ARE NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS AS OF July 15, 2008 ON ANY OF THE LAND INCLUDED IN THE FIRST ADDITION TO CLEARWATER CREEK.

DATE 7/15/08 SIGNED *Dina Mumford* CITY TREASURER

COUNTY TREASURER'S CERTIFICATE

STATE OF WISCONSIN)

OUTAGAMIE COUNTY) SS

I, Dina Mumford, BEING THE DULY ELECTED, QUALIFIED AND ACTING TREASURER OF THE COUNTY OF OUTAGAMIE, DO HEREBY CERTIFY THAT THE RECORDS IN MY OFFICE SHOW NO UNREDEEMED TAX SALES AND NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS AS OF 7/16/08 AFFECTING THE LANDS INCLUDED IN THE FIRST ADDITION TO CLEARWATER CREEK.

DATE 7/16/08 SIGNED *Dina Mumford* COUNTY TREASURER

UTILITY EASEMENT PROVISIONS

AN EASEMENT FOR ELECTRIC, NATURAL GAS AND COMMUNICATIONS SERVICE IS HEREBY GRANTED BY

CLEARWATER CREEK DEVELOPMENT, LLC., GRANTOR, TO

WISCONSIN ELECTRIC POWER COMPANY AND WISCONSIN GAS, LLC, WISCONSIN CORPORATIONS DOING BUSINESS AS WE ENERGIES,

WISCONSIN BELL, INC., D.B.A. SEC WISCONSIN, A WISCONSIN CORPORATION,

AND TIME WARNER ENTERTAINMENT COMPANY, L.P., GRANTEEES,

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, NATURAL GAS, TELEPHONE AND CABLE TV FACILITIES FOR SUCH PURPOSES AS THE SAME IS NOW OR MAY HEREAFTER BE USED, 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 RIGHT 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 GRANTEEES AGREE TO RESTORE OR CAUSE TO HAVE RESTORED, THE PROPERTY, AS NEARLY AS IS REASONABLY POSSIBLE, TO THE CONDITION EXISTING PRIOR TO SUCH ENTRY BY THE GRANTEEES OR THEIR AGENTS. THIS RESTORATION, HOWEVER, DOES NOT APPLY TO THE INITIAL INSTALLATION OF SAID UNDERGROUND AND/OR ABOVE GROUND ELECTRIC FACILITIES, NATURAL GAS FACILITIES, OR TELEPHONE AND CABLE TV FACILITIES OR TO ANY TREES, BRUSH OR ROOTS WHICH MAY BE REMOVED AT ANY TIME PURSUANT TO THE RIGHTS HEREIN GRANTED. STRUCTURES SHALL NOT BE PLACED OVER GRANTEEES' FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE LINES MARKED "UTILITY EASEMENT AREAS" WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEEES. AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE SUBDIVIDED PROPERTY SHALL NOT BE ALTERED BY MORE THAN FOUR INCHES WITHOUT WRITTEN CONSENT OF GRANTEEES.

THE GRANT OF EASEMENT SHALL BE BINDING UPON AND INURE TO THE BENEFIT OF THE HEIRS, SUCCESSORS AND ASSIGNS OF ALL PARTIES HERETO.

Robert De Bruin
ROBERT DE BRUIN

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis Stat. as provided by s. 236.12, Wis. Stats.
Certified June 19th 20 08
Rebecca M. Dowdy
Department of Administration

Martenson & Eisele, Inc.
1377 Midway Road
Menasha, WI 54952
www.martenson-eisele.com
info@martenson-eisele.com
920.731.0391 1.800.236.0381
Flaming
Environmental
Surveying
Engineering
Architecture