



Meeting: Village Board
Meeting Date: 09/23/13
Agenda Item: 6h

Mission Statement

Delivering quality services in a courteous, cost-effective and efficient manner.

VILLAGE BOARD MEETING STAFF REPORT

REPORT TO: Burt R. McIntyre, President
Village Board of Trustees

REPORT FROM: Paul F. Evert, Village Administrator

AGENDA ITEM: **Review and take action on the Certified Survey Map for Wisconsin Department of Transportation, Village of Howard, and Vandervest Harley Davidson, located at 1966 Velp Avenue, VH-2651, VH-2652, and VH-2653**

ACTION REQUESTED: ___Ordinance ___Resolution x Motion ___Receive/File

POLICY ISSUE

Should the Village Board approve the Certified Survey Map for Wisconsin Department of Transportation, Village of Howard, and Vandervest Harley Davidson, located at 1966 Velp Avenue, VH-2651, VH-2652, and VH-2653 ?

PRIOR ACTION/REVIEW

The Village acquired the property for the Gordon Nauman Conservancy area several years ago as part of a DNR grant and Georgia Pacific Settlement Agreement caused by PCB contamination. At the time, the property was conveyed to the Village by a Land Only Condominium plat (Unit 3.)

BACKGROUND INFORMATION

When the Rustic Rail was first constructed, it was thought that additional development could take place on the subject property. The Village Board reviewed several proposals for the property, one which included future apartments and a hotel. The condominium was put in place because it was anticipated there would be a need for shared parking, access, etc. The reconstruction of U.S. 41 caused the Wisconsin Department of Transportation to acquire additional property in the area basically rendering the remainder of the property undevelopable. Since the condominium is no longer needed, the Wisconsin Department of Transportation is proposing to get rid of the condominium plat and divide the property by a certified survey map.

FISCAL IMPACT:

- | | |
|------------------------------|------------|
| 1. Is There A Fiscal Impact? | <u>No</u> |
| 2. Is it Currently Budgeted? | <u>N/A</u> |
| 3. If Budgeted, Which Line? | <u>N/A</u> |

RECOMMENDED ACTION

Village staff recommends the Village Board approve the Certified Survey Map. If the Village Board agrees with this action, the following motion could be used, ***“Motion to approve the Certified Survey Map for Wisconsin Department of Transportation, Village of Howard, and Vandervest Harley Davidson, located at 1966 Velp Avenue, VH-2651, VH-2652, and VH-2653.”***

POLICY ALTERNATIVE(S)

The Village Board could take the following actions:

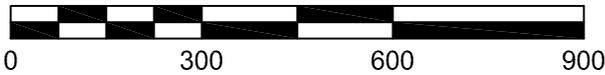
- Approve with revisions
- Deny the suggested motion
- Table the suggested motion and request additional information

ATTACHED INFORMATION

- I. Proposed CSM

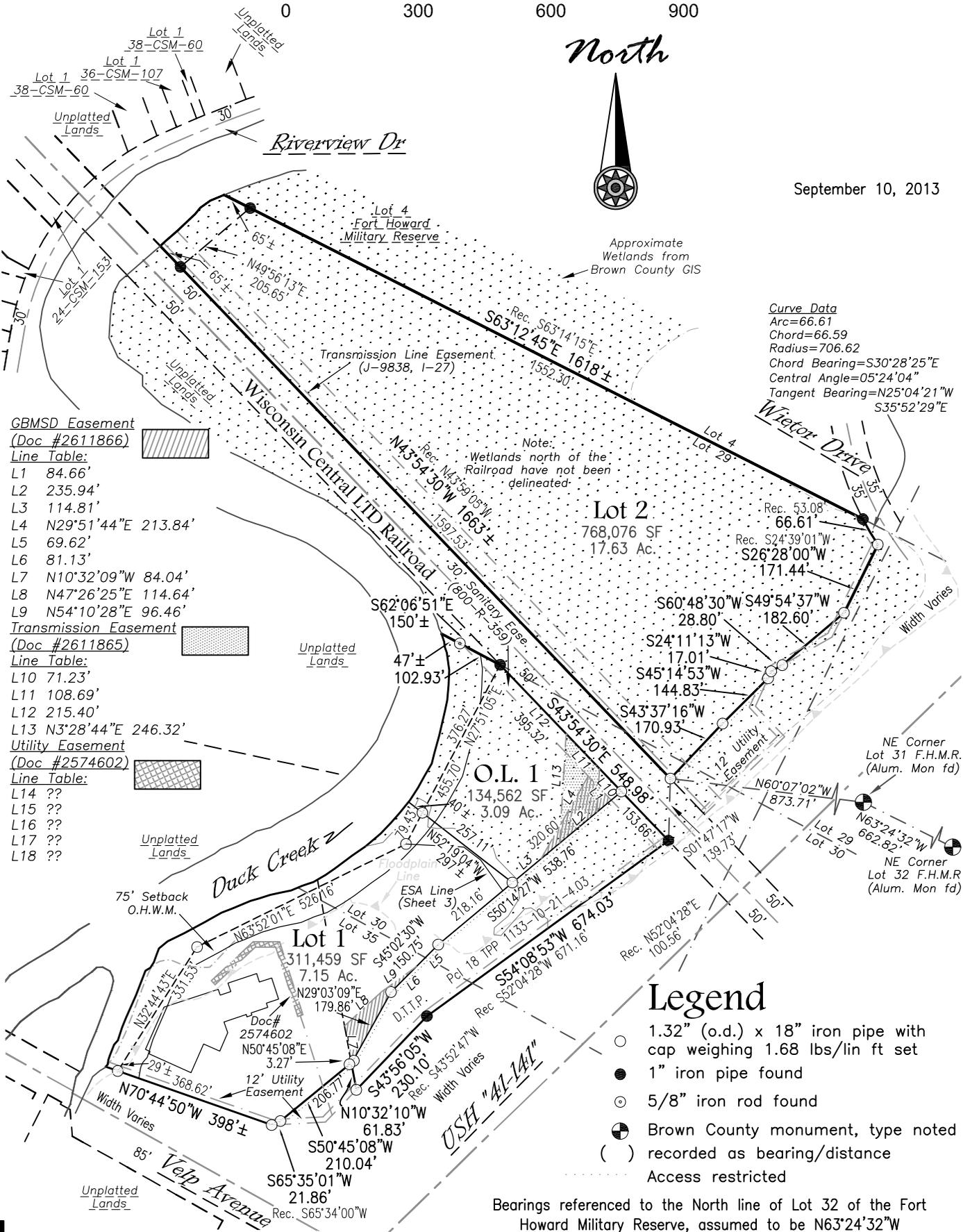
Certified Survey Map

Part of Lot 1 of Volume 49, Certified Survey Maps, Page 139 (Doc#2169148-Map#7248), Brown County Records, being located in Part of Lots 29, 30, & 35 of the Fort Howard Military Reserve, Village of Howard, Brown County, Wisconsin.



North

September 10, 2013



Client: Wis. Dept. of Transportation
 Tax Parcel: VH-2651, VH-2652, VH-2653
 Drafted By: RJO
 File: S-1890CSM 090313.dwg

Mau & Associates
 LAND SURVEYING & PLANNING
 CIVIL & WATER RESOURCE ENGINEERING
 Phone: 920-434-9670 Fax: 920-434-9672

Sheet One of Five
 Project No.: S-1890
 Drawing No.: L-8646



SURVEYOR'S CERTIFICATE

I, David J. Chrouser, Registered Land Surveyor, do hereby certify that such plat is a correct representation of all the exterior boundaries of the land survey and the division thereof. That I have made such a survey, land division and plat by the direction of the owners listed hereon. Said property being part of Lot 1 of Volume 49, Certified Survey Maps, page 139 (Doc #2169148-Map#7248), being in part of Lots 29, 30, & 35 of the Fort Howard Military Reserve, Village of Howard, Brown County, Wisconsin, more fully described as follows:

Commencing at the Northeast Corner of Lot 32 of the Fort Howard Military Reserve, thence N63°24'32"W, 662.82 feet along the North line of said Lot 32 to the Northeast Corner of Lot 31 of the Fort Howard Military Reserve; thence N66°07'02"W, 873.71 feet to the West Right-of-Way of USH "41-141", as recorded and depicted on Transportation Project Plat #1133-10-21-4.03 (Doc #2564857) and the point of beginning; thence N43°54'30"W, 1597.53 feet along the North Right-of-Way of the Wisconsin Central LTD Railroad to a point being S43°54'30"E, 65'± from the East bank of the Duck Creek and is the start of a meander line; thence N49°56'13"E, 205.65 feet along said meander line to a point being S63°12'45"E, 65'± from the East bank of the Duck Creek and is the end of said meander line; thence S63°12'45"E, 1552.30 feet along the North line of Lot 29 of the Fort Howard Military Reserve; thence 66.61 feet along the South Right-of-Way of Wietor Drive being the arc of a 706.62 foot radius curve to the left whose long chord bears S30°28'25"E, 66.59 feet to said West Right-of-Way of USH "41-141"; thence S26°28'00"W, 171.44 feet along said West Right-of-Way; thence S49°54'37"W, 182.60 feet along said West Right-of-Way; thence S60°48'30"W, 28.80 feet along said West Right-of-Way; thence S24°11'13"W, 17.01 feet along said West Right-of-Way; thence S45°14'53"W, 144.83 feet along said West Right-of-Way; thence S43°37'16"W, 170.93 feet along said West Right-of-Way to the North Right-of-Way of the Wisconsin Central LTD Railroad; thence S01°47'17"W, 139.73 feet to the South right of way line of said railroad; thence S54°08'53"W, 674.03 feet along said West Right-of-Way of USH "41-141"; thence S43°56'05"W, 230.10 feet along said West Right-of-Way; thence N10°32'10"W, 61.83 feet along said West Right-of-Way; thence S50°45'08"W, 206.77 feet along said West Right-of-Way; thence S65°35'01"W, 21.86 feet along said West Right-of-Way to the North Right-of-Way of Velp Avenue; thence N70°44'50"W, 368.62 feet along said North Right-of-Way to a point being S70°44'50"E, 29'± from the East bank of the Duck Creek and is the start of a meander line; thence N32°44'43"E, 331.53 feet along said meander line; thence N63°52'01"E, 526.16 feet along said meander line; thence N27°51'05"E, 455.70 feet along said meander line to a point being S62°06'51"E, 150'± from the East bank of the Duck Creek and is the end of said meander line; thence S43°54'30"E, 548.98 feet along said South Right-of-Way of the Wisconsin Central LTD Railroad to the West Right-of-Way of USH "41-141"; thence N01°47'17"E, 139.73 feet to the North right of way line of said railroad and the point of beginning, including all lands lying between the meander line and the East bank of the Duck Creek.

Parcel contains 1,240,065 square feet\28.47 acres more or less, to the meander line. Parcel includes all lands lying between the meander line and the East bank of the Duck Creek
Road dedication contains 101,988 square feet/ 2.34 acres, more or less, and includes all of Parcel 18 of Transportation Project Plat #1133-10-21-4.03.
Subject to easements and restrictions of record.

That such plat is a correct representation of all the exterior boundaries of the land survey. That I have made such a survey, and plat by the direction of the owners listed hereon. That I have fully complied with the provisions of Chapter 236, section 236.34 of the Wisconsin Statutes, the Village of Howard and the Brown County Planning Commission in surveying and mapping the same.

Steven M. Bieda S-2275
September 10, 2011

BROWN COUNTY PLANNING COMMISSION
Approved for the Brown County Plan Commission this ____ day of _____, 20____.

Peter Schlein Senior Planner

TREASURER'S CERTIFICATE
As duly elected Brown County Treasurer, I hereby certify that the records in my office show no unredeemed tax sales and no unpaid taxes or special assessments affecting any of the lands included in this Certified Survey Map as of the dates listed below.

CERTIFICATE FOR THE VILLAGE OF HOWARD
Approved for the Village of Howard this ____ day of _____, 20____.

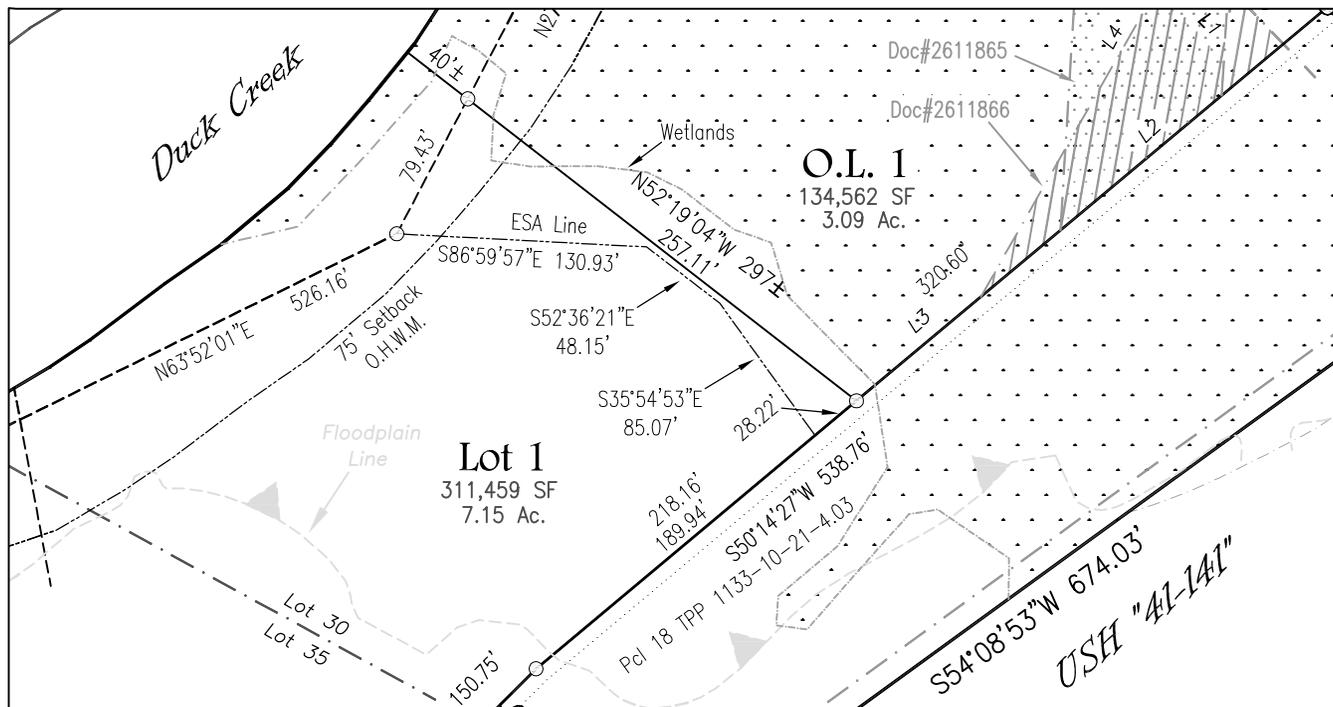
Chris Haltom
Village Clerk/Treasurer

Kerry M. Blaney Date
Brown County Treasurer





ESA Line Detail (1"=100')



Notes:

1) As Owners, we hereby restrict all lots and blocks so that no owner, possessor, user, licensee, or other person may have any right of direct vehicular ingress from or egress to any highway lying within the right of way of USH "41-141", as shown on the land division map. It is expressly intended that this restriction constitute a restriction for the benefit of the public as provided in S.236.293, Wisconsin Statutes and shall be enforceable by the department or its assigns.

2) NOISE NOTE

The lots of this land division may experience noise at levels exceeding the levels in S. Trans 405.04 Table I. These levels are based on federal standards. The department of transportation is not responsible for abating noise from existing state trunk highways or connecting highways, in the absence of any increase by the department to the highway's through-lane capacity.

RESTRICTIVE COVENANTS

- 1) The land on all side and rear lot lines of all lots shall be graded by the property owner and maintained by the abutting property owners to provide for adequate drainage of surface water.
- 2) Each lot owner shall grade the property to conform to the adopted sidewalk grade elevation and maintain said elevation for future sidewalks.
- 3) No poles, pedestals or buried cable are to be placed so as to disturb any survey stake or obstruct vision along any lot lines or street line, a disturbance of a survey stake by anyone is a violation of section 236.32 of the Wisconsin Statutes.

NOTES

- 1) The property owner, at the time of construction, shall implement the appropriate soil erosion control methods outlined in the Wisconsin Construction Site Erosion and Sediment Control Technical Standards (available from the Wisconsin Department of Natural Resources) to prevent soil erosion. However, if at the time of construction the Village has adopted a soil erosion control ordinance; it shall govern over this requirement. This provision applies to any grading, construction, or installation-related activities.
- 2) Lots 1, 2 and Outlot 1 include wetland areas that may require permits from the Wisconsin Department of Natural Resources, Army Corps of Engineers, or the Brown County Zoning Administrators Office or the local municipality Zoning Administrator's Office prior to any development activity.
- 3) Lots 1, 2 and Outlot 1 contain an environmentally sensitive area (ESA) as defined in the Brown County Sewage Plan. The ESA includes wetlands, all land within 35 feet of wetlands 2 acres or greater. Development and land disturbing activities are restricted in the ESA unless amendments are approved by the Brown County Planning Commission and the Wisconsin Department of Natural Resources.





CORPORATE OWNER'S CERTIFICATE

The State of Wisconsin, Department of Transportation, duly organized and existing under and by virtue of the laws of the State of Wisconsin, does hereby certify that we caused the land to be surveyed, divided, mapped and dedicated as represented hereon. State of Wisconsin, Department of Transportation also certifies that this Plat is required by S.236.10 or S.236.12 to be submitted to the following for approval or objection:

VILLAGE OF HOWARD
BROWN COUNTY PLANNING COMMISSION

In Witness Whereof, the said Department has caused these presents to be signed by State of Wisconsin, Department of Transportation, its Representative, on this ____ day of _____, 20__.

-Representative

Personally came before me this ____ day of _____, 20__, the above named Representative of said Department and acknowledged that he executed the foregoing instrument as such representative as the deed of said Department, by its authority.

Notary Public My Commission Expires _____
Brown County, Wisconsin

STATE OF WISCONSIN]
] SS
COUNTY OF BROWN]

CORPORATE OWNER'S CERTIFICATE

The Village of Howard, a Wisconsin municipal corporation, duly organized and existing under and by virtue of the laws of the State of Wisconsin, does hereby certify that we caused the land to be surveyed, divided, mapped and dedicated as represented hereon. The Village of Howard also certifies that this Plat is required by S.236.10 or S.236.12 to be submitted to the following for approval or objection:

VILLAGE OF HOWARD
BROWN COUNTY PLANNING COMMISSION

In Witness Whereof, the said The Village of Howard has caused these presents to be signed by The Village of Howard, its Representative, on this ____ day of _____, 20__.

Paul Evert -Village Administrator

Personally came before me this ____ day of _____, 20__, the above named representative of said corporation and acknowledged that he executed the foregoing instrument as such Member as the deed of said corporation, by its authority.

Notary Public My Commission Expires _____
Brown County, Wisconsin

STATE OF WISCONSIN]
] SS
COUNTY OF BROWN]

*Office of the Register of Deeds
Brown County, Wisconsin*

Received for Record _____, 20 ____,
at _____ o'clock ____ M and recorded as
Document # _____ in
Volume ____ of _____ on Page ____.

Cathy Williquette Lindsay, Register of Deeds

