

RELOCATION ORDER

The City of Appleton, Outagamie/Calumet/Winnebago Counties, Wisconsin, by its Common Council and for its Relocation Order hereby resolves as follows:

1. That this Resolution is a Relocation Order in accordance with subsection 32.05(1), Wisconsin Statutes, for the purpose of the within-described public improvement project and it is also a determination of necessity for that project in accordance with subsection 32.07(2), Wisconsin Statutes;
2. That the City of Appleton hereby determines that it is necessary and of public purpose to widen the pavement to accommodate turning movements at Telulah Avenue and for the construction of a roundabout at East South River Street, in the City of Appleton, Wisconsin.
3. That said roadway will be built within the areas marked on the scale drawings, which are attached to this Relocation Order as Exhibit "A" and Exhibit "B" and are incorporated herein;
4. That the legal descriptions for the acquisition areas necessary for this construction are contained in Exhibits "C", "D", "E", "F", "G" and "H", which are also incorporated herein;
5. That the City of Appleton will acquire a fee simple interest in the areas described in Exhibits "B", "C", "D", "E", "F" and "G", from the present owners and Permanent Limited Easement interest in the areas described in Exhibits "F" and "H".

Passed and approved this _____ day of _____, 2015.

I hereby certify that on this _____ day of _____, 2015, that the within Relocation Order was adopted by a vote of _____ ayes and _____ nays by the City Council for the City of Appleton, Wisconsin.

ATTEST:

Dawn A. Collins, City Clerk

APPROVED:

Timothy M. Hanna, Mayor

This instrument was drafted by:

James P. Walsh, Appleton City Attorney

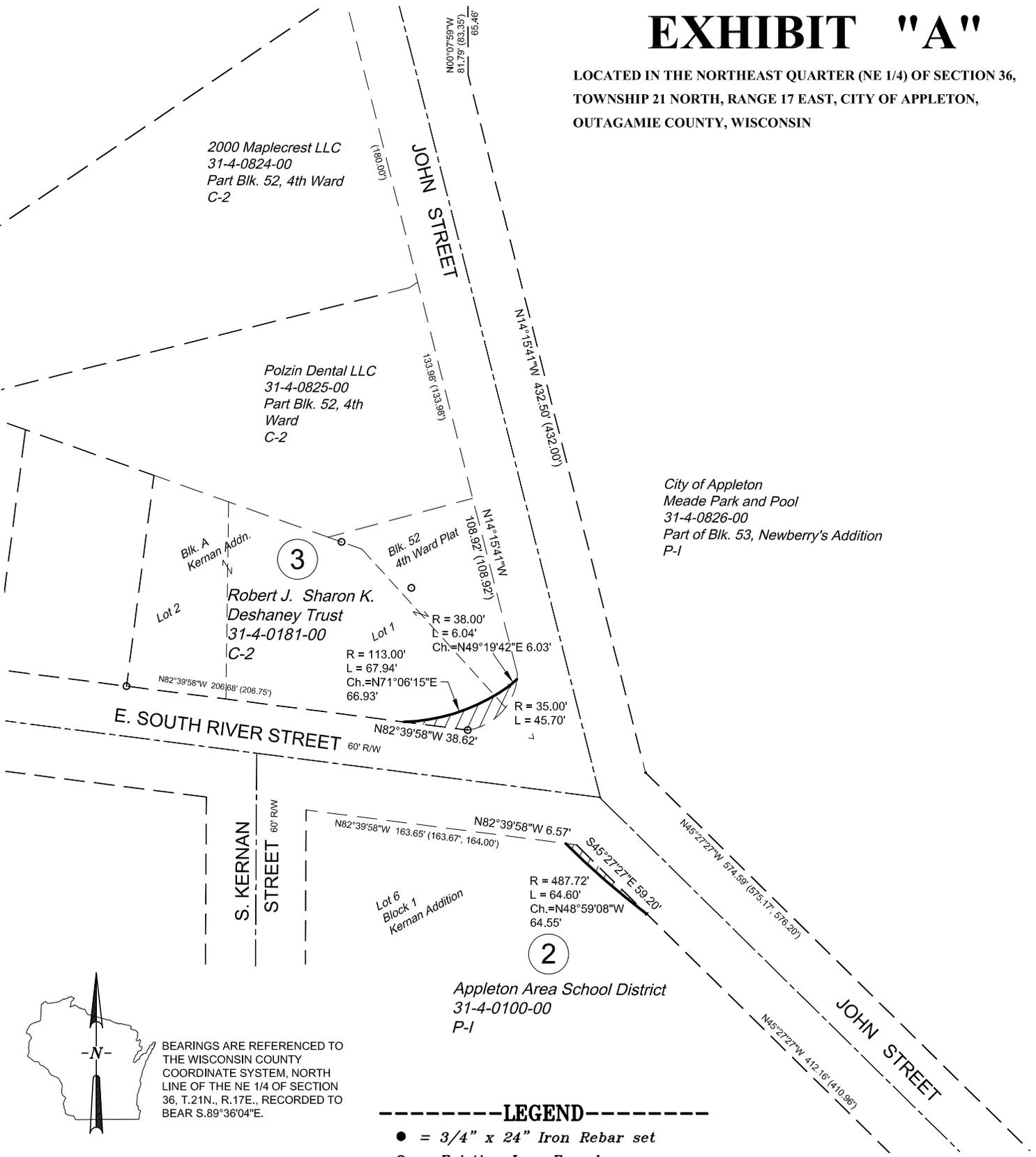
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Record and return to:

City of Appleton – City Attorney's Office
100 North Appleton Street
Appleton, WI 54911-4799

EXHIBIT "A"

LOCATED IN THE NORTHEAST QUARTER (NE 1/4) OF SECTION 36,
TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON,
OUTAGAMIE COUNTY, WISCONSIN



LEGEND

- = 3/4" x 24" Iron Rebar set
- = Existing Iron Found
- ⊕ = Government Corner
- ▨ = Acquisition Area

SCHEDULE OF LAND AND INTERESTS REQUIRED

PARCEL NO.	SHEET NO.	OWNER	INTEREST	NEW AREA	EXISTING	REMAINING
1	1		FEE	SQ FT	ACRES	ACRES
2	1	APPLETON AREA SCHOOL DISTRICT	FEE	164 SQ FT	3.46 ACRES	3.46 ACRES
3	1	ROBERT J. SHARON K. DESHANEY TRUST	FEE	564 SQ FT	25,985± SQ FT	25,421± SQ FT

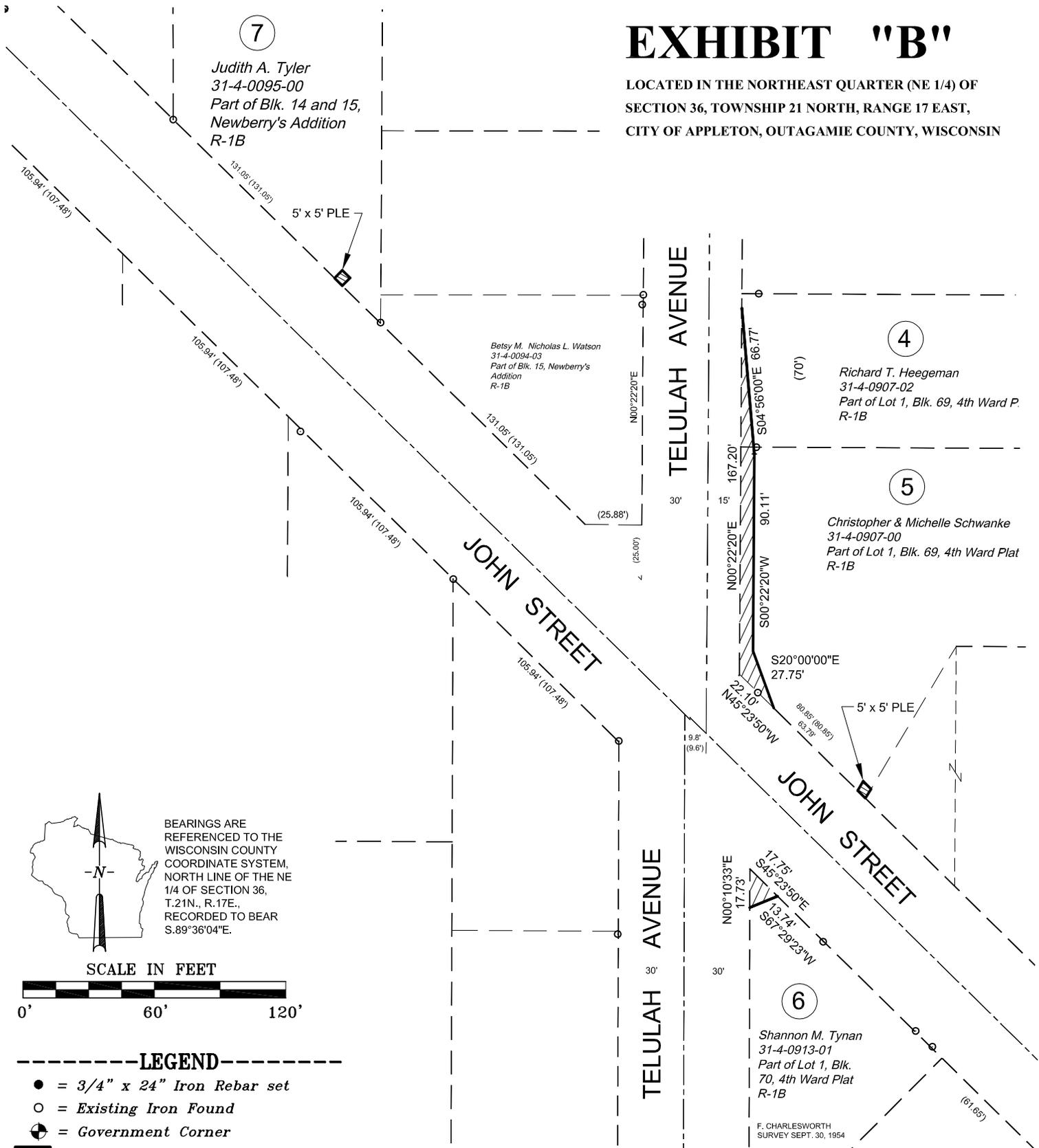
CITY OF APPLETON

DEPT. OF PUBLIC WORKS
ENGINEERING DIVISION
100 NORTH APPLETON STREET
APPLETON, WI 54911

920-832-6474
DRAFTED BY: T. KROMM

EXHIBIT "B"

LOCATED IN THE NORTHEAST QUARTER (NE 1/4) OF SECTION 36, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN



CITY OF APPLETON

DEPT. OF PUBLIC WORKS
ENGINEERING DIVISION
100 NORTH APPLETON STREET
APPLETON, WI 54911
920-832-6474

DRAFTED BY: T. KROMM

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SCHEDULE OF LAND AND INTERESTS REQUIRED

PARCEL NO.	SHEET NO.	OWNER	INTEREST	NEW AREA	EXISTING	REMAINING
4	B	RICHARD T. HEEGEMAN	FEE	186 SQ FT	11,480± SQ FT	11,294± SQ FT
5	B	CHRISTOPHER AND MICHELLE SCHWANKE	FEE PLE	739 SQ FT 24 SQ FT	17,930± SQ FT	17,191± SQ FT
6	B	SHANNON M. TYNAN	FEE	112 SQ FT	7,799± SQ FT	7,687± SQ FT
7	B	JUDITH A. TYLER	PLE	25 SQ FT	N/A	N/A

EXHIBIT C

Legal Description for Acquisition Parcel 2 Appleton Area School District

A portion of land for street right way, being all those lands of the owner within the following described area:

A part of Lot 6 in Block 1, **KERNAN ADDITION**, according to the recorded Assessor's Plat of the City of Appleton, being located in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 36, T.21N., R.17E., City of Appleton, Outagamie County, Wisconsin, containing 164 square feet of land m/l and being further described by:

Commencing at the North $\frac{1}{4}$ corner of said Section 36;
Thence South 89°36'04" East 617.92 feet along the North line of the NE $\frac{1}{4}$ of said Section 36;
Thence South 00°23'56" East 887.07 feet to the South line of E. South River Street at the Southwesterly line of John Street also being coincident with an angle point in the Northerly line of said Block 1 and being the point of beginning;
Thence South 45°27'27" East 59.20 feet along the Northeasterly line of said Block 1 and also being coincident with the Southwesterly line of John Street;
Thence Northwesterly 64.60 feet along the arc of a curve to the right having a radius of 487.72 feet and the chord of which bears North 48°59'08" West 64.55 feet to the North line of said Block 1 and also being the Southerly line of E. South River Street;
Thence South 82°39'58" East 6.57 feet along the Southerly line of E. South River Street to the Point of Beginning.

Part of Tax Parcel No. 31-4-0100-00.

SEE ALSO EXHIBIT "A"

EXHIBIT D

Legal Description for Acquisition Parcel 3 Robert J. Sharon K. Deshaney Trust

A portion of land for street right way, being all those lands of the owner within the following described area:

A part of Lot 1 in Block A, **KERNAN ADDITION** and a part of Block 52, **FOURTH WARD PLAT**, all according to the recorded Assessor's Plat of the City of Appleton, being located in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 36, T.21N., R.17E., City of Appleton, Outagamie County, Wisconsin, containing 564 square feet of land m/l and being further described by:

Commencing at the North $\frac{1}{4}$ corner of said Section 36;
Thence South 89°36'04" East 591.87 feet along the North line of the NE $\frac{1}{4}$ of said Section 36;
Thence South 00°23'56" East 823.46 feet to the most Easterly and common corner of said Block A and said Block 52;
Thence North 14°15'41" West 40.00 feet along the Easterly line of said Block 52 and also being coincident with lands described in Volume 207 on Page 386 as Document Number 269325;
Thence Southwesterly 3.14 feet along the arc of a curve to the right having a radius of 35.00 feet and the chord of which bears South 04°07'55" West 3.14 feet to the point of beginning;
Thence continue Southwesterly 45.70 feet along the arc of a curve to the right having a radius of 35.00 feet and the chord of which bears South 44°06'16" West 42.52 feet to the Northerly line of E. South River Street;
Thence North 82°39'58" West 38.615 feet along the Northerly line of E. South River Street;
Thence Northeasterly 67.945 feet along the arc of a curve to the left having a radius of 113.00 feet and the chord of which bears North 71°06'15" East 66.93 feet;
Thence Northeasterly 6.04 feet along the arc of a curve to the left having a radius of 38.00 feet and the chord of which bears North 49°19'42" East 6.03 feet to the Point of Beginning.

Part of Tax Parcel No. 31-4-0181-00.

SEE ALSO EXHIBIT "A"

EXHIBIT E

Legal Description for Acquisition

Parcel 4

Richard T. Heegeman

A portion of land for street right way, being all those lands of the owner within the following described area:

A part of Lot 1 in Block 69, **FOURTH WARD PLAT**, according to the recorded Assessor's Plat of the City of Appleton, being located in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 36, T.21N., R.17E., City of Appleton, Outagamie County, Wisconsin, containing 186 square feet of land m/l and being further described by:

Commencing at the North $\frac{1}{4}$ corner of said Section 36;

Thence South 89°36'04" East 1331.02 feet along the North line of the NE $\frac{1}{4}$ of said Section 36;

Thence South 00°22'20" West 1495.34 feet to the Southwest corner of Lot 1 of said Block 69 and said point being 45.00 feet East of the West line of Telulah Avenue and being the point of beginning;

Thence North 00°22'20" East 167.20 feet along the East line of Telulah Avenue coincident with the West line of said Lot 1;

Thence South 04°56'00" East 66.77 feet;

Thence South 00°22'20" West 98.28 feet;

Thence Southeasterly 15.98 feet along the arc of a curve to the left having a radius of 20.00 feet and the chord of which bears South 22°30'45" East 15.555 feet to the Northeasterly line of John Street coincident with the Southerly line of said Lot 1;

Thence North 45°23'50" West 17.06 feet along the Northeasterly line of said John Street to the point of beginning.

Said parcel subject to all easements and restrictions of record.

Part of Tax Parcel No. 31-4-0907-02.

SEE ALSO EXHIBIT "B"

EXHIBIT F

Legal Description for Acquisition Parcel 5 Christopher and Michelle Schwanke

A portion of land for street right way, being all those lands of the owner within the following described area:

A part of Lot 1 in Block 69, **FOURTH WARD PLAT**, according to the recorded Assessor's Plat of the City of Appleton, being located in the SE ¼ of the NE ¼ of Section 36, T.21N., R.17E., City of Appleton, Outagamie County, Wisconsin, containing 739 square feet of land m/l and being further described by:

Commencing at the North ¼ corner of said Section 36;
Thence South 89°36'04" East 1331.02 feet along the North line of the NE ¼ of said Section 36;
Thence South 00°22'20" West 1495.34 feet to the Southwest corner of Lot 1 of said Block 69 and said point being 45.00 feet East of the West line of Telulah Avenue and being the point of beginning;
Thence North 00°22'20" East 167.20 feet along the East line of Telulah Avenue coincident with the West line of said Lot 1;
Thence South 04°56'00" East 66.77 feet;
Thence South 00°22'20" West 90.11 feet;
Thence South 20°00'00" East 27.75 feet to the Northeasterly line of John Street being coincident with the Southerly line of said Lot 1;
Thence North 45°23'50" West 17.06 feet along the Northeasterly line of said John Street to the point of beginning.
Said parcel subject to all easements and restrictions of record.
Part of Tax Parcel No. 31-4-0907-00.

SEE ALSO EXHIBIT "B"

Also

A Permanent Limited Easement for street lighting purposes, being all those lands of the owner within the following described area:

A part of Lot 1 in Block 69, **FOURTH WARD PLAT**, according to the recorded Assessor's Plat of the City of Appleton, being located in the SE ¼ of the NE ¼ of Section 36, T.21N., R.17E., City of Appleton, Outagamie County, Wisconsin, containing 24 square feet of land m/l and being further described by:
Commencing at the North ¼ corner of said Section 36;
Thence South 89°36'04" East 1331.02 feet along the North line of the NE ¼ of said Section 36;
Thence South 00°22'20" West 1495.34 feet to the Southwest corner of Lot 1 of said Block 69 and said point being 45.00 feet East of the West line of Telulah Avenue;

Thence South 45°23'50" East 75.85 feet along the Southwesterly line of Lot 1 of said Block 69 and being coincident with the Northeasterly line of John Street to the point of beginning;

Thence North 30°48'11" East 5.00 feet;

Thence South 45°23'50" East 5.00 feet;

Thence South 30°48'11" West 5.00 feet to the Northeasterly line of John Street;

Thence North 45°23'50" West 5.00 feet along the Northeasterly line of John Street to the point of beginning.

Said parcel subject to all easements and restrictions of record.

Part of Tax Parcel No. 31-4-0907-00.

SEE ALSO EXHIBIT "B"

EXHIBIT G

Legal Description for Acquisition Parcel 6 Shannon M. Tynan

A portion of land for street right way, being all those lands of the owner within the following described area:

A part of Lot 1 in Block 70, **FOURTH WARD PLAT**, according to the recorded Assessor's Plat of the City of Appleton, being located in the SE ¼ of the NE ¼ of Section 36, T.21N., R.17E., City of Appleton, Outagamie County, Wisconsin, containing 112 square feet of land m/l and being further described by:

Commencing at the North ¼ corner of said Section 36;

Thence S.89°36'04"E. 1331.02 feet along the North line of the NE ¼ of said Section 36;

Thence S.00°10'39"W. 1584.33 feet to the most Northerly corner of Lot 1 of said Block 70 and said point being 60.00 feet East of the West line of Telulah Avenue and being the point of beginning;

Thence S.45°23'50"E. 17.75 feet along the Southeasterly line of John Street and being coincident with the Northeasterly line of said Lot 1;

Thence S.67°29'23"W. 13.74 feet to the East line of said Telulah Avenue being coincident with the West line of said Lot 1;

Thence N.00°10'33"E. 17.73 feet along the East line of Telulah Avenue coincident with the West line of said Lot 1 to the point of beginning.

Said parcel subject to all easements and restrictions of record.

Part of Tax Parcel No. 31-4-0913-01.

SEE ALSO EXHIBIT "B"

EXHIBIT H

Legal Description for Acquisition (Permanent Limited Easement)

Parcel 7
Judith A. Tyler

A Permanent Limited Easement for street lighting purposes, being all those lands of the owner within the following described area:

A part of Block 14, **NEWBERRY'S ADDITION**, according to the recorded Assessor's Plat of the City of Appleton, being located in the NW ¼ of the NE ¼ of Section 36, T.21N., R.17E., City of Appleton, Outagamie County, Wisconsin, containing 25 square feet of land m/l and being further described by: Commencing at the North ¼ corner of said Section 36;
Thence South 89°36'04" East 1286.02 feet along the North line of the NE ¼ of said Section 36;
Thence South 00°22'20" West 1452.54 feet to the most Southerly corner of Block 15 of said Newberry's Addition;
Thence North 45°27'27" West 191.63 feet along the Southwesterly line of Block's 15 and 14 of said Newberry's Addition and also being coincident with the Northeasterly line of John Street to the point of beginning;
Thence continue North 45°27'27" West 5.00 feet along the northeasterly line of John Street;
Thence North 44°32'33" East 5.00 feet;
Thence South 45°27'27" East 5.00 feet;
Thence South 44°32'33" West 5.00 feet to the point of beginning.
Said parcel subject to all easements and restrictions of record.

Part of Tax Parcel No. 31-4-0095-00.

SEE ALSO EXHIBIT "B"