

**Three Party Street Vacation Agreement
Erb Street north of Michigan Street
City of Appleton – R Lewis & R Lewis, LLC - Nonn**

WHEREAS, the City of Appleton, hereinafter "City", desires to vacate that portion of Erb Street north of Michigan Street; and.

WHEREAS, R Lewis and R Lewis, LLC, hereinafter "Lewis", desire to support said street vacation; and

WHEREAS, Amber Nonn and Mitchell Nonn, hereinafter "Nonn", desire to support the vacation of Erb Street and the disposition of property as a result of said vacation;

NOW, THEREFORE, IT IS HEREBY AGREED among the parties as follows:

City shall undertake the following:

1. City shall vacate Erb Street north of Michigan Street located in the city of Appleton and retain all necessary utility easements.
2. City shall replace the sanitary sewer and watermain in this section of Erb Street by December 31, 2019.
3. City shall delete the addition of any storm main in this section of Erb Street as originally planned for 2019.
4. City shall continue snow plowing this section of Erb Street through March 2020.
5. City shall remove all pavement from said vacation and pave a 16-foot wide driveway extension from the existing driveway at an agreed location between the City and Nonn family in 2020.
6. City shall install topsoil and seed on the remaining area not paved for the driveway, and vacated by said street vacation in 2020. Timing of said work shall be coordinated with Nonn Family and in accordance with a drainage plan that will be developed by the City.
7. City shall remove the existing guardrail at the north end of Erb Street in 2020.
8. At a point in the future, as determined by the City, modify the Erb/Michigan intersection based on said street vacation.

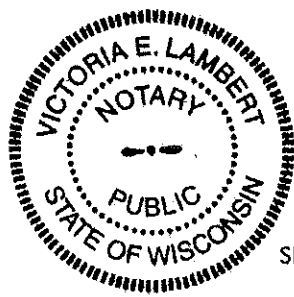
Dated this 4 day of October, 2019

R Lewis and R Lewis, LLC

By: <u>Rebecca L. Verheyden</u>	By: <u>N/A</u>
Printed Name: <u>Rebecca Lewis-Verheyden</u>	Printed Name: <u>N/A</u>
Title: <u>President</u>	Title: <u>N/A</u>

STATE OF WISCONSIN)
 : ss.
 BROWN COUNTY)

Personally came before me on Oct 4 2019, the above-named Rebecca L Verheyden and N/A, to me known to be the persons who executed the foregoing instrument and acknowledge the same.



Victoria E Lambert
 Printed Name: Victoria E Lambert
 Notary Public, State of Wisconsin
 My commission is/expires 07/01/2022

SIGNATURES CONTINUE ON THE FOLLOWING PAGE

Dated this 17th day of October, 2019

By: Amber Nonn
Amber Nonn

By: Mitchell Nonn
Mitchell Nonn

STATE OF WISCONSIN)
 : ss.
OUTAGAMIE COUNTY)

Personally came before me on 10/17/19, the above-named Amber Nonn and Mitchell Nonn, to me known to be the persons who executed the foregoing instrument and acknowledge the same.

Steven J. Everts

Printed Name: STEVEN J. EVERTS
Notary Public, State of Wisconsin
My commission is/expires 2/16/21

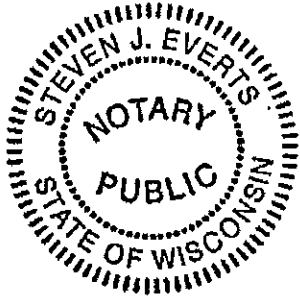
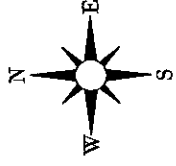
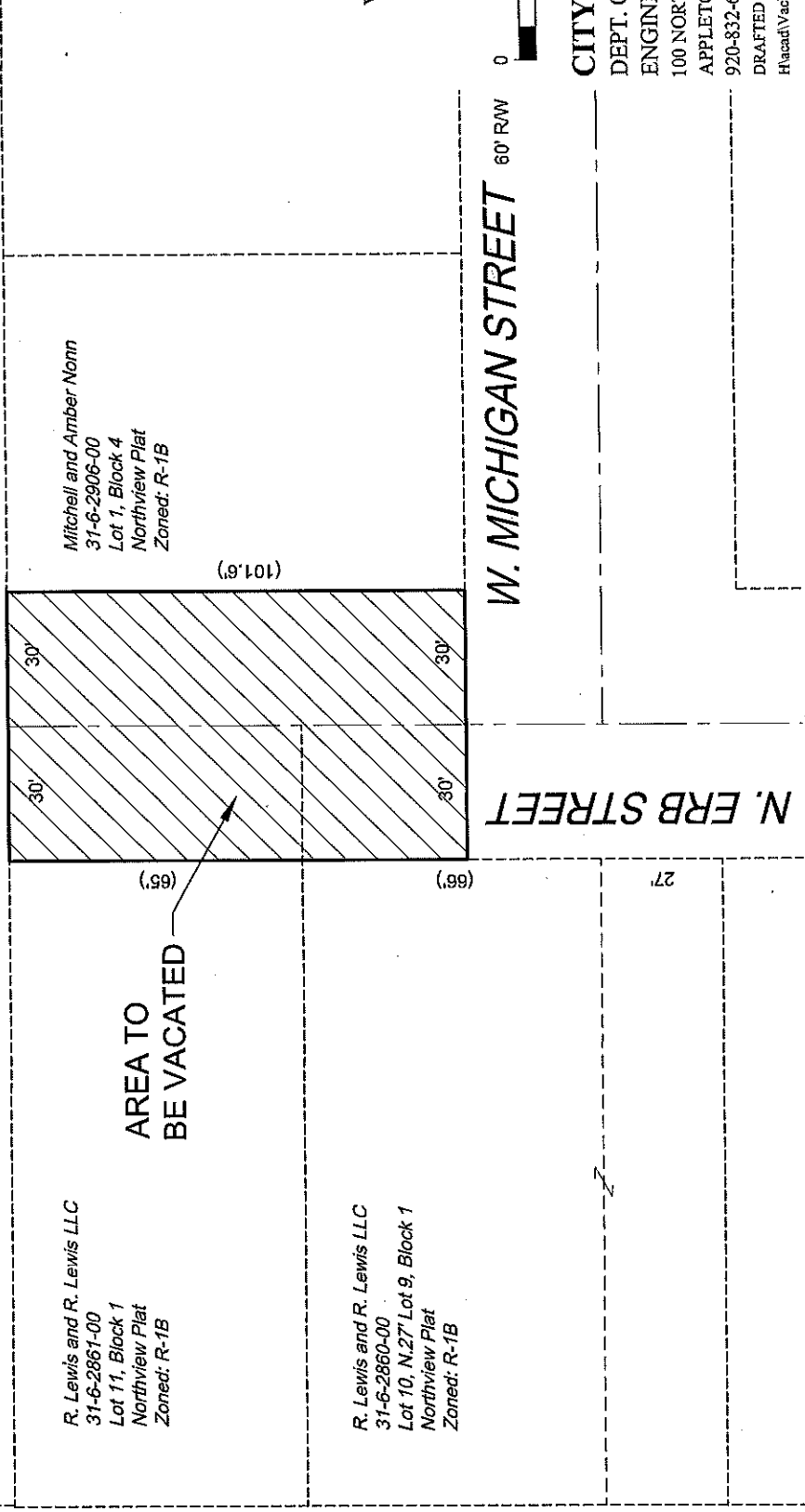


EXHIBIT "A"

ERB STREET VACATION

R. Lewis and R. Lewis LLC
 31-6-7704-00
 Lot 2, CSM #1926, Zoned: C-2



CITY OF APPLETON
 DEPT. OF PUBLIC WORKS
 ENGINEERING DIVISION
 100 NORTH APPLETON STREET
 APPLETON, WI 54911
 920-832-6474
 DRAFTED BY: T. KROMMM
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