



# CITY OF APPLETON

## MEMORANDUM

**Date:** June 12, 2024  
**To:** Plan Commission  
**From:** David Kress, Deputy Director of Community Development  
**Subject:** Restriction Modification – North Edgewood Estates 3

---

The North Edgewood Estates 3 Final Plat was approved by the Common Council on October 20, 2021. The subdivision plat was recorded with the Outagamie County Register of Deeds on November 30, 2021. This plat identified a wetland protected area on Lots 90-97 along Yosemite Lane.

The engineering firm that prepared the plat recently shared a draft Affidavit of Correction, which seeks to modify the wetland restrictions. The firm also provided an updated wetland delineation showing the 2018 delineation compared to the 2023 delineation. Both documents are attached. Also, attached for reference is a copy of the recorded plat.

Per the Wisconsin Platting Manual, an Affidavit of Correction is the instrument needed to complete a restriction modification (including restrictions related to environmentally sensitive areas). 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 modification appears before Plan Commission and Common Council, since that is the manner in which the plat was originally approved.

### RECOMMENDATION:

The wetland restriction modification for Lots 90-97 of North Edgewood Estates 3 (Tax Id #31-1-7612-20, #31-1-7612-21, #31-1-7612-22, #31-1-7612-23, #31-1-7612-24, #31-1-7612-25, #31-1-7612-26, and #31-1-7612-27), as requested and shown on the attached maps, **BE APPROVED** subject to the following condition:

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