

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 construct a portion of Rocky Bleier Run, retaining walls for Rocky Bleier Run adjacent to Oneida Street Bridge in or near the City of Appleton, Wisconsin.
3. That said roadway and retaining walls will be built within the areas marked on the scale drawing, which is attached to this Relocation Order as Exhibit "A" and is incorporated herein;
4. That the legal descriptions for the acquisition and easement areas necessary for this construction are contained in Exhibits "B", "C", and "D", which are also incorporated herein;
5. That the City of Appleton will acquire a fee simple interest in the areas described in the "Legal Description for Acquisition" contained in Exhibit "B" from the present owner.
6. That the City of Appleton will also acquire Temporary Limited Easements for the areas described in the "Legal Description for Temporary Limited Easement" in Exhibit "C" from the present owner.
7. That the City of Appleton will also acquire a Permanent Limited Easement for the areas described in the "Legal Description for Permanent Limited Easement" in Exhibit "D" from the present owner.

Record and return to:

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

Passed and approved this _____ day of _____, 2018.

I hereby certify that on this _____ day of _____, 2018, that the within Relocation Order was adopted by a vote of _____ ayes and _____ nays by the Common Council for the City of Appleton, Wisconsin.

City of Appleton

ATTEST:

APPROVED:

Kami Lynch, City Clerk

Timothy M. Hanna, Mayor

Subscribed and sworn to before me
this ____ day of August, 2018.

Printed Name: _____

Notary Public, State of Wisconsin

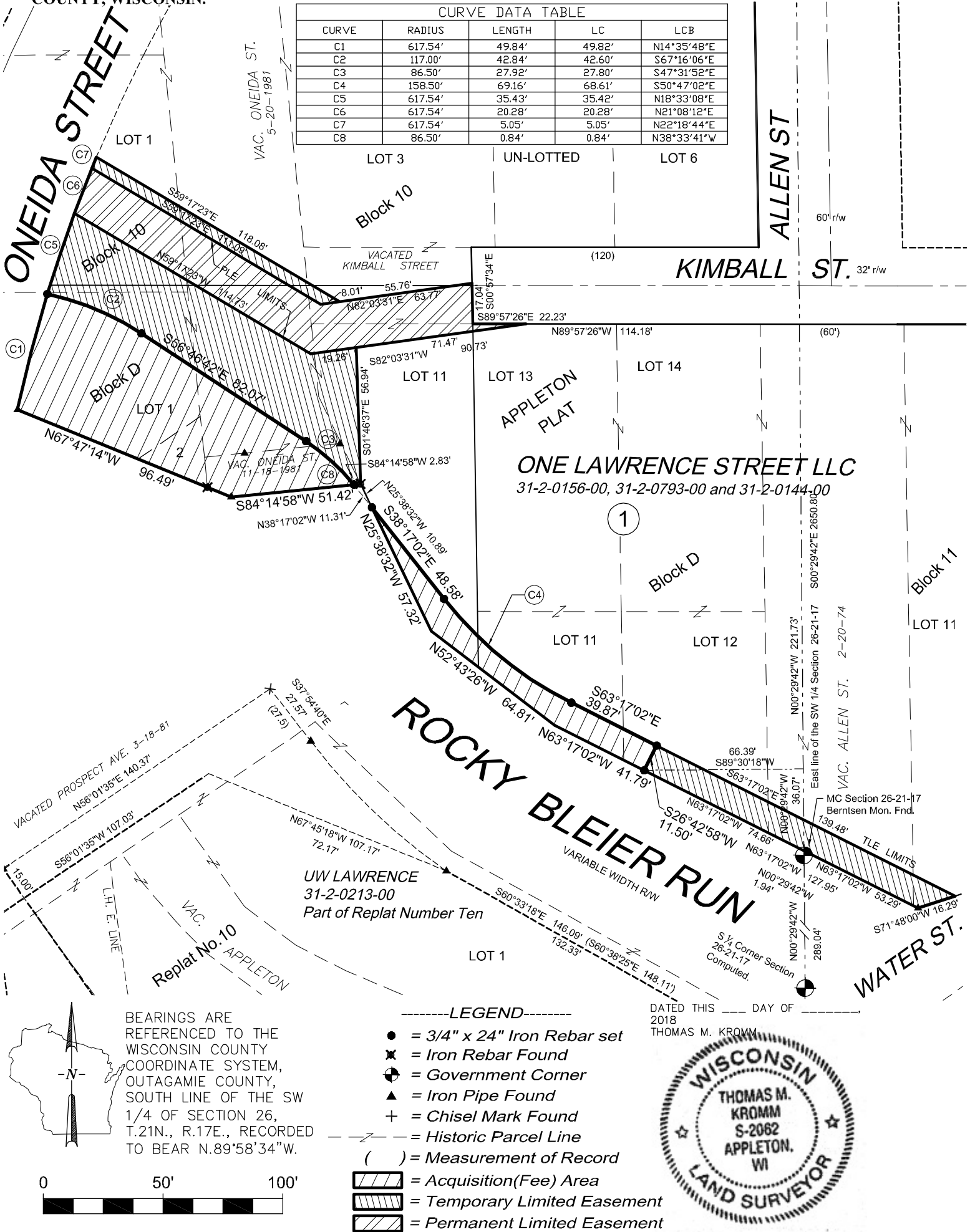
My commission is/expires: _____

This instrument was drafted by:
James P. Walsh, Appleton City Attorney
City Law: A18-0029

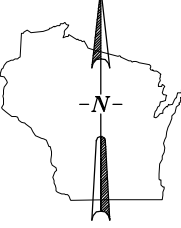
EXHIBIT "A"

ROCKY BLEIER RUN, ONEIDA STREET AND WATER STREET

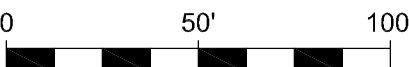
RIGHT-OF WAY MONUMENTATION MAP, LOCATED IN THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 26, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.



CURVE	RADIUS	LENGTH	LC	LCB
C1	617.54'	49.84'	49.82'	N14°35'48"E
C2	117.00'	42.84'	42.60'	S67°16'06"E
C3	86.50'	27.92'	27.80'	S47°31'52"E
C4	158.50'	69.16'	68.61'	S50°47'02"E
C5	617.54'	35.43'	35.42'	N18°33'08"E
C6	617.54'	20.28'	20.28'	N21°08'12"E
C7	617.54'	5.05'	5.05'	N22°18'44"E
C8	86.50'	0.84'	0.84'	N38°33'41"W



BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, OUTAGAMIE COUNTY, SOUTH LINE OF THE SW 1/4 OF SECTION 26, T.21N., R.17E., RECORDED TO BEAR N.89°58'34"W.



LEGEND

- = 3/4" x 24" Iron Rebar set
- ✕ = Iron Rebar Found
- ⊙ = Government Corner
- ▲ = Iron Pipe Found
- ⊕ = Chisel Mark Found
- - - = Historic Parcel Line
- () = Measurement of Record
- [Hatched] = Acquisition (Fee) Area
- [Diagonal Hatched] = Temporary Limited Easement
- [Cross-hatched] = Permanent Limited Easement

DATED THIS _____ DAY OF _____ 2018
THOMAS M. KROMM



SCHEDULE OF LAND AND INTERESTS REQUIRED

PARCEL NO.	SHEET NO.	OWNER	INTEREST	NEW AREA	EXISTING	REMAINING
1	1	ONE LAWRENCE STREET, LLC	FEE	6,974 SQ. FT.	174,815 SQ. FT. M/L	167,841 SQ. FT. M/L
1	1	ONE LAWRENCE STREET, LLC	PLE	3,615 SQ. FT.	N/A	N/A
1	1	ONE LAWRENCE STREET, LLC	TLE	1,538 SQ. FT.	N/A	N/A
1	1	ONE LAWRENCE STREET, LLC	TLE	4,632 SQ. FT.	N/A	N/A
1	1	ONE LAWRENCE STREET, LLC	TLE	573 SQ. FT.	N/A	N/A

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

Legal Description for Acquisition ONE LAWRENCE STREET, LLC

Owner: One Lawrence Street, LLC, a Wisconsin limited liability company

Document: W.D. Document No. 2095916 and 2095911

Fee Interest: 6,974 total Sq. Ft. of new right-of-way

A portion of land for street right-of-way, containing 6,974 square feet of land and being all those lands of the owner within the following described area:

A part of Lot's One (1), Two (2), Eleven (11) and Twelve (12) in Block D and a part of vacated Oneida Street lying adjacent to said Lot's 1, 2 and 11 in Block D, **SECOND WARD PLAT (AKA APPLETON PLAT)**, according to the recorded Assessor's Plat of the City of Appleton, all being located in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section Twenty-Six (26), Township Twenty-One (21) North, Range Seventeen (17) East, City of Appleton, Outagamie County, Wisconsin and being further described by:

Commencing at the South $\frac{1}{4}$ corner of said Section 26;

Thence North $00^{\circ}29'42''$ West 289.04 feet along the East line of the SW $\frac{1}{4}$ of said Section 26 to a Meander corner of said South $\frac{1}{4}$ corner;

Thence continue North $00^{\circ}29'42''$ West 36.07 feet along the East line of the SW $\frac{1}{4}$ of said Section 26;

Thence South $89^{\circ}30'18''$ West 66.39 feet to the Northeasterly line of Rocky Bleier Run and being the point of Beginning;

Thence North $63^{\circ}17'02''$ West 41.79 feet coincident with the Northeasterly line of Rocky Bleier Run;

Thence North $52^{\circ}43'26''$ West 64.81 feet coincident with the Northeasterly line of Rocky Bleier Run;

Thence North $25^{\circ}38'32''$ West 57.32 feet coincident with the Northeasterly line of Rocky Bleier Run;

Thence North $38^{\circ}17'02''$ West 11.31 feet;

Thence Northwesterly 0.84 feet along the arc of a curve to the left having a radius of 86.50 feet and the chord of which bears North $38^{\circ}33'41''$ West 0.84 feet to the Northerly line of Rocky Bleier Run;

Thence South $84^{\circ}14'58''$ West 51.42 feet coincident with the Northerly line of Rocky Bleier Run;

Thence North $67^{\circ}47'14''$ West 96.49 feet coincident with the Northeasterly line of Rocky Bleier Run to the Southeasterly line of Oneida Street (aka Oneida Skyline Bridge) per Wisconsin Department of Transportation Right of Way Plat 1657-2-21;

Thence Northeasterly 49.84 feet along the arc of a curve to the right having a radius of 617.54 feet and the chord of which bears North $14^{\circ}35'48''$ East 49.82 feet and being coincident with the Southeasterly line of Oneida Street per Wisconsin Department of Transportation Right of Way Plat 1657-2-21;

Thence Southeasterly 42.84 feet along the arc of a curve to the right having a radius of 117.00 feet and the chord of which bears South $67^{\circ}16'06''$ East 42.60 feet;

Thence South $56^{\circ}46'42''$ East 82.07 feet;

Thence Southeasterly 27.92 feet along the arc of a curve to the right having a radius of 86.50 feet and the chord of which bears South $47^{\circ}31'52''$ East 27.80 feet;

Thence South $38^{\circ}17'02''$ East 59.89 feet;

Thence Southeasterly 69.16 feet along the arc of a curve to the left having a radius of 158.50 feet and the chord of which bears South 50°47'02" East 68.61 feet;

Thence South 63°17'02" East 39.87 feet;

Thence South 26°42'58" West 11.50 feet to the point of beginning.

Part of Tax Parcel Nos. 31-2-0156-00 and 31-2-0793-00.

SEE ALSO ATTACHED EXHIBIT "A"

EXHIBIT C

Legal Description for Temporary Limited Easement ONE LAWRENCE STREET, LLC

A temporary limited easement for the purpose of facilitating adjacent construction and also grading, containing 1,538 square feet of land and being all those lands of the owner within the following described area:

A part of Lot Twelve (12) in Block D and a part of Lot Eleven (11) in Block Eleven (11) and a part of Vacated Allen Street lying between said Block D and Block 11, **SECOND WARD PLAT (AKA APPLETON PLAT)**, according to the recorded Assessor's Plat of the City of Appleton, all being located in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section Twenty-Six (26), Township Twenty-One (21) North, Range Seventeen (17) East, City of Appleton, Outagamie County, Wisconsin and being further described by:

Commencing at the South $\frac{1}{4}$ corner of said Section 26;
Thence North $00^{\circ}29'42''$ West 289.04 feet along the East line of the SW $\frac{1}{4}$ of said Section 26 to a Meander corner to said South $\frac{1}{4}$ corner;
Thence continue North $00^{\circ}29'42''$ West 1.94 feet along the East line of the SW $\frac{1}{4}$ of said Section 26 to the Northeasterly line of Rocky Bleier Run and being the point of Beginning;
Thence North $63^{\circ}17'02''$ West 74.66 feet coincident with the Northeasterly line of Rocky Bleier Run;
Thence North $26^{\circ}42'58''$ East 11.50 feet;
Thence South $63^{\circ}17'02''$ East 139.48 feet to the Northwesterly line of Water Street;
Thence South $71^{\circ}48'00''$ West 16.29 feet coincident with the Northwesterly line of Water Street to the Northeasterly line of Rocky Bleier Run;
Thence North $63^{\circ}17'02''$ West 53.29 feet coincident to the Northeasterly line of Rocky Bleier Run to the point of beginning.
Part of Tax Parcel No. 31-2-0156-00.

SEE ALSO ATTACHED EXHIBIT "A"

AND

A temporary limited easement for the purpose of facilitating adjacent construction and also grading, containing 4,632 square feet of land and being all those lands of the owner within the following described area:

A part of Lot One (1) in Block Ten (10) and a part of Lot's One (1) and Eleven (11) in Block D and a part of vacated Oneida Street lying between said Block Ten (10) and Block D, **SECOND WARD PLAT (AKA APPLETON PLAT)**, according to the recorded Assessor's Plat of the City of Appleton, , all being located in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section Twenty-Six (26), Township Twenty-One (21) North, Range Seventeen (17) East, City of Appleton, Outagamie County, Wisconsin and being further described by:

Commencing at the South $\frac{1}{4}$ corner of said Section 26;

Thence North 00°29'42" West 289.04 feet along the East line of the SW ¼ of said Section 26 to a Meander corner to said South ¼ corner;
Thence continue North 00°29'42" West 221.73 feet along the East line of the SW ¼ of said Section 26 to the South line of Kimball Street;
Thence North 89°57'26" West 114.18 feet coincident with the South line of Kimball Street;
Thence South 82°03'31" West 71.47 feet to the point of beginning;
Thence South 01°46'37" East 56.94 feet to a point on the Northerly line of Rocky Bleier Run;
Thence South 84°14'58" West 2.83 feet coincident with the Northerly line of Rocky Bleier Run;
Thence Northwesterly 27.08 feet along the arc of a curve to the left having a radius of 86.50 feet and the chord of which bears North 47°48'31" West 26.97 feet;
Thence North 56°46'42" West 82.07 feet;
Thence Northwesterly 42.84 feet along the arc of a curve to the left having a radius of 117.00 feet and the chord of which bears North 67°16'06" West 42.60 feet to the Southeasterly line of Oneida Street (aka Oneida Skyline Bridge) per Wisconsin Department of Transportation Right of Way Plat 1657-2-21;
Thence Northeasterly 35.43 feet along the arc of a curve to the right having a radius of 617.54 feet and the chord of which bears North 18°33'08" East 35.42 feet and being coincident with the Southeasterly line of Oneida Street per Wisconsin Department of Transportation Right of Way Plat 1657-2-21;
Thence South 59°17'23" East 114.73 feet;
Thence North 82°03'31" East 19.26 feet to the point of beginning.

AND

A temporary limited easement for the purpose of facilitating adjacent construction and also grading, containing 573 square feet of land and being all those lands of the owner within the following described area:

A part of Lot One (1), in Block 10 and a part of vacated Oneida Street lying between said Block Ten (10) and Block D and a part of vacated Kimball Street lying between said Block Ten (10) and Block D, **SECOND WARD PLAT (AKA APPLETON PLAT)**, according to the recorded Assessor's Plat of the City of Appleton, all being located in the SE ¼ of the SW ¼ of Section Twenty-Six (26), Township Twenty-One (21) North, Range Seventeen (17) East, City of Appleton, Outagamie County, Wisconsin and being further described by:

Commencing at the South ¼ corner of said Section 26;
Thence North 00°29'42" West 289.04 feet along the East line of the SW ¼ of said Section 26 to a Meander corner to said South ¼ corner;
Thence continue North 00°29'42" West 221.73 feet along the East line of the SW ¼ of said Section 26 to the South line of Kimball Street;
Thence North 89°57'26" West 136.41 feet coincident with the South line of Kimball Street;
Thence North 00°57'34" West 17.04 feet coincident with the current West line of Kimball Street;
Thence South 82°03'31" West 55.76 feet to the point of beginning;
Thence continue South 82°03'31" West 8.01 feet;
Thence North 59°17'23" West 111.09 feet;
Thence Northeasterly 5.05 feet along the arc of a curve to the right having a radius of 617.54 feet and the chord of which bears North 22°18'44" East 5.05 feet and being coincident with the Southeasterly line of Oneida Street per Wisconsin Department of Transportation Right of Way Plat 1657-2-21;

Thence South 59°17'23" East 118.08 feet to the point of beginning.

Part of Tax Parcel Nos. 31-2-0144-00 and 31-2-0793-00.

SEE ALSO ATTACHED EXHIBIT "A"

EXHIBIT D

Legal Description for Permanent Limited Easement ONE LAWRENCE STREET, LLC

A permanent limited storm sewer easement, containing 3,615 square feet of land and being all those lands of the owner within the following described area:

A part of Lot One (1) in Block Ten (10) and a part of Lot's Eleven (11) and Thirteen (13) in Block D and a part of vacated Oneida Street lying between said Block Ten (10) and Block D and a part of vacated Kimball Street lying between said Block Ten (10) and Block D, **SECOND WARD PLAT (AKA APPLETON PLAT)**, according to the recorded Assessor's Plat of the City of Appleton, , all being located in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section Twenty-Six (26), Township Twenty-One (21) North, Range Seventeen (17) East, City of Appleton, Outagamie County, Wisconsin and being further described by:

Commencing at the South $\frac{1}{4}$ corner of said Section 26;

Thence North $00^{\circ}29'42''$ West 289.04 feet along the East line of the SW $\frac{1}{4}$ of said Section 26 to a Meander corner to said South $\frac{1}{4}$ corner;

Thence continue North $00^{\circ}29'42''$ West 221.73 feet along the East line of the SW $\frac{1}{4}$ of said Section 26 to the South line of Kimball Street;

Thence North $89^{\circ}57'26''$ West 114.18 feet coincident with the South line of Kimball Street to the point of beginning;

Thence South $82^{\circ}03'31''$ West 90.73 feet;

Thence North $59^{\circ}17'23''$ West 114.73 feet to the Southeasterly line of Oneida Street (aka Oneida Skyline Bridge) per Wisconsin Department of Transportation Right of Way Plat 1657-2-21;

Thence Northeasterly 20.28 feet along the arc of a curve to the right having a radius of 617.54 feet and the chord of which bears North $21^{\circ}08'12''$ East 20.28 feet and being coincident with the Southeasterly line of Oneida Street per Wisconsin Department of Transportation Right of Way Plat 1657-2-21;

Thence South $59^{\circ}17'23''$ East 111.09 feet;

Thence North $82^{\circ}03'31''$ East 63.77 feet to the current West line of Kimball Street;

Thence South $00^{\circ}57'34''$ East 17.04 feet coincident with the current West line of Kimball Street;

Thence South $89^{\circ}57'26''$ East 22.23 feet coincident with the South line of Kimball Street to the point of beginning.

Part of Tax Parcel Nos. 31-2-0793-00, 31-2-0144-00 and 31-2-0156-00

SEE ALSO ATTACHED EXHIBIT "A".