



REPORT TO CITY PLAN COMMISSION

Plan Commission Public Meeting Date: August 22, 2016

Common Council Meeting Date: September 7, 2016

Item: Dedication of Public Right-of-Way

Case Manager: Jeff Towne

GENERAL INFORMATION

Owner/Applicant: Kurey Ridge, LLC, Robert DeBruin; Owner
Schuler & Associates, Michael Frank; Applicant

Location: Generally located south of East Werner Road and west of North Ballard Road, part of Tax ID 31-1-9300-01

Petitioner's Request: Right-of-way dedication

BACKGROUND

The applicant has submitted a Certified Survey Map subdividing the adjacent property to the south of the proposed dedication area into two lots. The applicant is dedicating the subject area to the City for roadway purposes. The CSM is currently under review which is subject to the acceptance of the subject land for dedicated public right-of-way by the Plan Commission and Common Council.

STAFF ANALYSIS

Public Right-of-Way Dedication: Approximately .02856 acre (1,244 square feet) of land is included in the proposed right-of-way dedication.

Street Classification: The proposed street will be classified as a local street.

Street Name: Outagamie County staff has made comments regarding the proposed street name of "Ptarmigan Court" and is recommending that it be changed. This will not affect the area to be dedicated.

Surrounding Zoning and Land Uses:

North: R-1B – Residence
Town of Center – Undeveloped agricultural land
South: P-I – City of Appleton Detention Pond
East: Town of Grand Chute – Residence
West: P-I – City of Appleton Detention Pond
R-1B – Residence

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2010-2030 Comprehensive Plan: The City of Appleton 2010-2030 Comprehensive Plan identifies this area for future Multi-Family Residential uses. The proposed public land dedication is consistent with the following goal of the 2010-2030 Comprehensive Plan:

- **Goal 4 – Transportation** (Chapter 6)

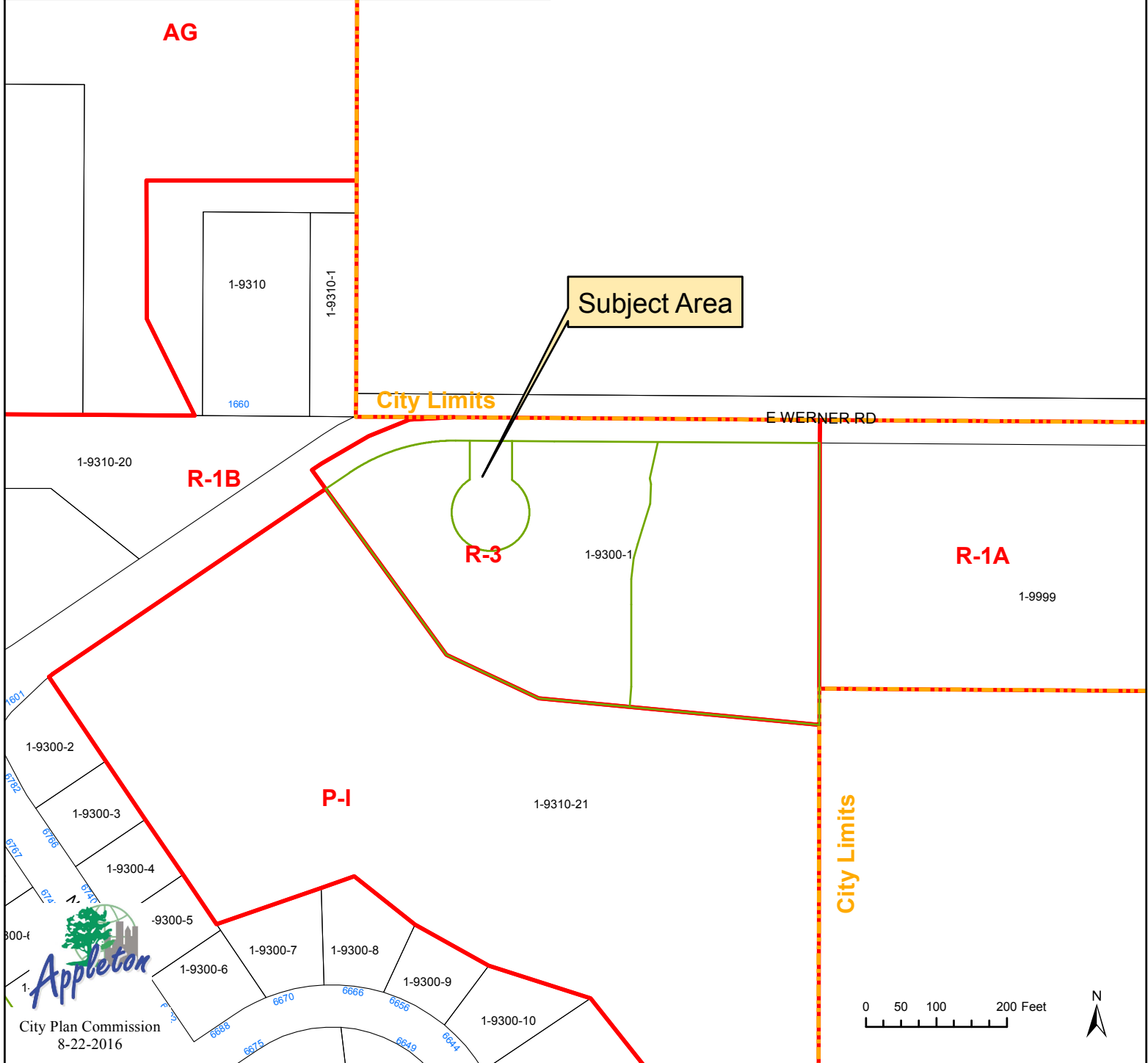
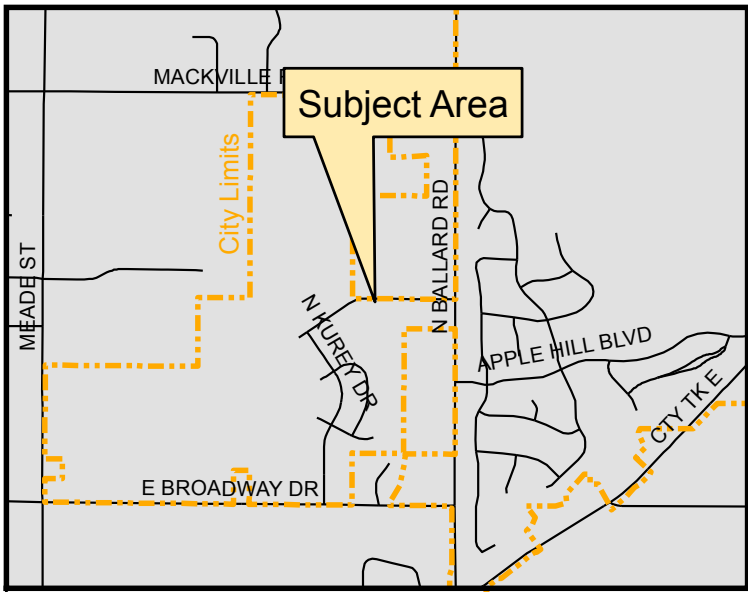
Appleton will support a comprehensive transportation network that provides viable options for pedestrian, bicycle, highway, rail, and air transportation, both locally and within the region.

Technical Review Group Report (TRG): This item was discussed at the August 2, 2016 Technical Review Group meeting. No negative comments were received from participating departments.

RECOMMENDATION

Staff recommends the dedication of land for public right-of-way, as shown on the attached maps, **BE APPROVED**.

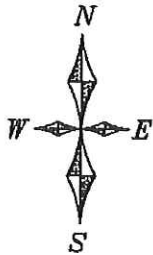
Street Right of Way Dedication Zoning/Vicinity Map



CERTIFIED SURVEY MAP NO. _____

ALL OF LOT ONE (1), GLACIER RIDGE, BEING LOCATED IN THE NORTHEAST OF THE SOUTHEAST 1/4 AND NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 36, TOWNSHIP 22 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.

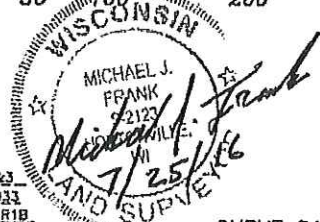
BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM FOR OUTAGAMIE COUNTY NORTH LINE OF SE 1/4 SECTION 36 T22N, R17E BEARS S89°36'25"E



LEGEND

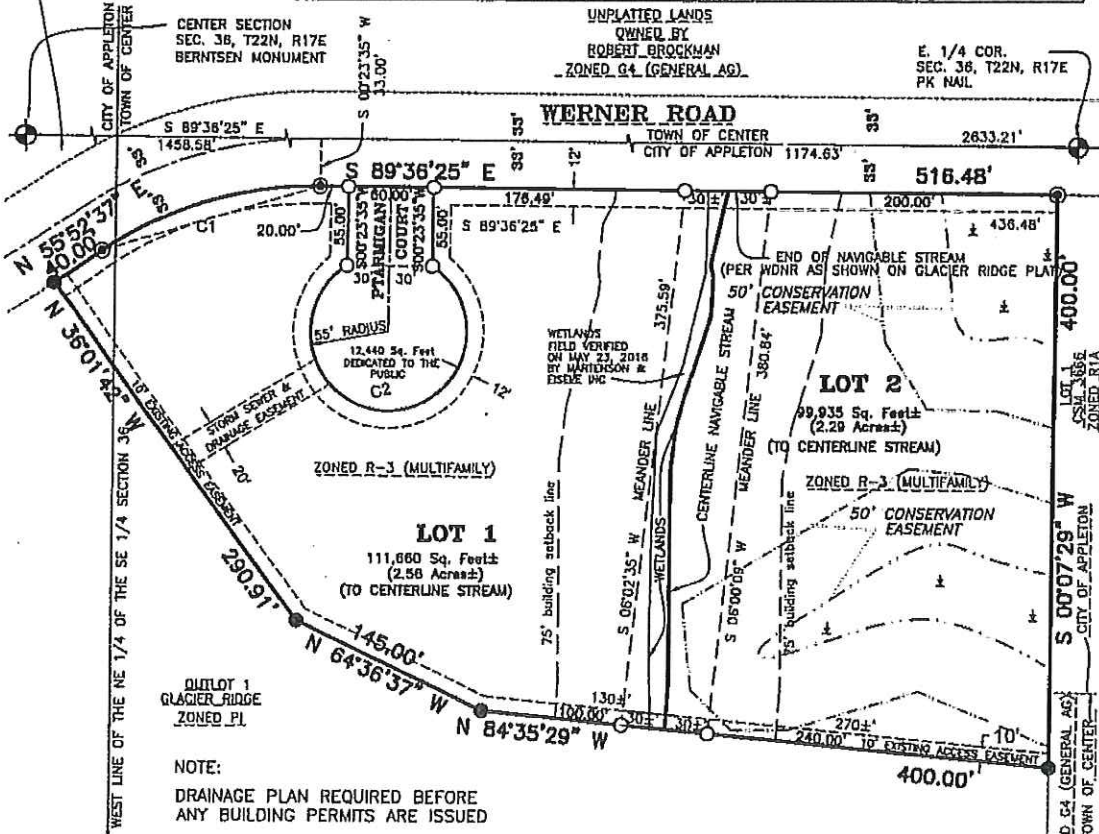
- = 1" DIA. IRON PIPE FOUND
- = 1" DIA. ROUND x 24" LONG IRON PIPE WEIGHING 1.13 LBS./LIN. FOOT SET
- ⊙ = 1 1/4" DIA. ROUND STEEL REBAR FOUND
- = 10' EXISTING ACCESS EASEMENT
- - - = 12' UTILITY EASEMENT
- ± = WETLAND PER GLACIER RIDGE PLAT

LOTS 2&3
CSM 4933
ZONED R1B



CURVE DATA TABLE

NUMBER	DELTA ANGLE	CHORD DIRECTION	RADIUS	ARC LENGTH	CHORD LENGTH	TANGENT IN	TANGENT OUT
C1	34°30'58"	S73°08'05"W	267.00'	160.85'	158.42'	N55°52'37"E	S 89°36'25"E
C2	293°53'18"	S89°36'25"E	55.00'	282.11'	60.00'	S 56°33'04"E	N57°20'14"E



NOTE:
DRAINAGE PLAN REQUIRED BEFORE ANY BUILDING PERMITS ARE ISSUED

SCHULER & ASSOCIATES, INC.
LAND SURVEYORS & ENGINEERS
2711 N. MASON ST., SUITE F, APPLETON, WI 54914

PREPARED FOR:
MEIERS BUILDERS
4875 MELMAR CT.
APPLETON, WI 54913

L-16-4433
SHEET 1 OF 3

CERTIFIED SURVEY MAP NO. _____

CORPORATE OWNER'S CERTIFICATE:

KUREY RIDGE LLC, A LIMITED LIABILITY COMPANY DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, AS OWNER DOES HEREBY CERTIFY THAT SAID LIMITED LIABILITY COMPANY CAUSED THE LAND DESCRIBED ON THIS CERTIFIED SURVEY MAP TO BE SURVEYED, DIVIDED AND MAPPED AS REPRESENTED ON THIS CERTIFIED SURVEY MAP.

IN WITNESS WHERE OF, KUREY RIDGE LLC HAS CAUSED THESE PRESENTS TO BE SIGNED BY ROBERT A. DE BRUIN AT _____,

WISCONSIN, ON THIS _____ DAY OF _____, 2016.

ROBERT A. DE BRUIN, MANAGING MEMBER

STATE OF WISCONSIN)

ss.
_____ COUNTY)



PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 2016,

ROBERT A DE BRUIN, OF KUREY RIDGE LLC, TO ME KNOWN TO BE THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT, AND TO ME KNOWN TO BE SUCH MANAGING MEMBER, OF THE ABOVE NAMED LIMITED LIABILITY COMPANY AND ACKNOWLEDGE THAT HE EXECUTED THE FOREGOING INSTRUMENT AS SUCH OFFICER AS THE DEED OF SAID LIMITED LIABILITY COMPANY, BY ITS AUTHORITY.

NOTARY PUBLIC, _____, WISCONSIN

MY COMMISSION EXPIRES _____

UTILITY EASEMENT PROVISIONS

AN EASEMENT FOR ELECTRIC, NATURAL GAS, AND COMMUNICATIONS SERVICE IS HEREBY GRANTED BY KUREY RIDGE LLC, GRANTOR, TO

WISCONSIN ELECTRIC POWER COMPANY, A WISCONSIN CORPORATION DOING BUSINESS AS WE ENERGIES, GRANTEE,
WISCONSIN BELL, INC. D/B/A AT&T, A WISCONSIN CORPORATION, GRANTEE, AND TIME WARNER ENTERTAINMENT COMPANY, L.P., GRANTEE

THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, TO CONSTRUCT, INSTALL, OPERATE, REPAIR, MAINTAIN AND REPLACE FROM TIME TO TIME, FACILITIES USED IN CONNECTION WITH OVERHEAD AND UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY AND ELECTRIC ENERGY, NATURAL GAS, TELEPHONE AND CABLE TV FACILITIES FOR SUCH PURPOSES AS THE SAME IS NOW OR MAY HEREAFTER BE USED, ALL IN, OVER, UNDER, ACROSS, ALONG AND UPON THE PROPERTY SHOWN WITHIN THOSE AREAS ON THE PLAT DESIGNATED AS "UTILITY EASEMENT AREAS" AND THE PROPERTY DESIGNATED ON THE PLAT FOR STREETS AND ALLEYS, WHETHER PUBLIC OR PRIVATE, TOGETHER WITH THE RIGHT TO INSTALL SERVICE CONNECTIONS UPON, ACROSS WITHIN AND BENEATH THE SURFACE OF EACH LOT TO SERVE IMPROVEMENTS, THERON, OR ON ADJACENT LOTS; ALSO THE RIGHT TO TRIM OR CUT DOWN TREES, BRUSH AND ROOTS AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES. THE GRANTEES AGREE TO RESTORE OR CAUSE TO HAVE RESTORED, THE PROPERTY, AS NEARLY AS IS REASONABLY POSSIBLE, TO THE CONDITION EXISTING PRIOR TO SUCH ENTRY BY THE GRANTEES OR THEIR AGENTS. THIS RESTORATION, HOWEVER, DOES NOT APPLY TO THE INITIAL INSTALLATION OF SAID UNDERGROUND AND/OR ABOVE GROUND ELECTRIC FACILITIES, NATURAL GAS FACILITIES, OR TELEPHONE AND CABLE TV FACILITIES OR TO ANY TREES, BRUSH OR ROOTS WHICH MAY BE REMOVED AT ANY TIME PURSUANT TO THE RIGHTS HEREIN GRANTED. STRUCTURES SHALL NOT BE PLACED OVER GRANTEES' FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE LINES MARKED "UTILITY EASEMENT AREAS" WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEES. AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE SUBDIVIDED PROPERTY SHALL NOT BE ALTERED BY MORE THAN SIX INCHES WITHOUT WRITTEN CONSENT OF GRANTEES.

THE GRANT OF EASEMENT SHALL BE BINDING UPON AND INURE TO THE BENEFIT OF THE HEIRS, SUCCESSORS AND ASSIGNS OF ALL PARTIES HERETO.

ROBERT A. DE BRUIN, MANAGING MEMBER