



CITY OF APPLETON

MEMORANDUM

Date: December 10, 2025
To: Plan Commission
From: Lindsey Smith, Principal Planner
Subject: Release of Drainage Easement – Lumbini Estates Plat

The Lumbini Estates Plat was approved by the Common Council on July 17, 2024. This plat identified a 20' Drainage Easement near the rear yard on Lot 15 (Tax Id #31-9-4161-41). The developer's engineer submitted a revised drainage and grading plan to retain the existing trees on Lot 15. As a result of these revisions, the previously required 20-foot drainage easement is no longer necessary. The Department of Public Works has reviewed and approved the revised plan.

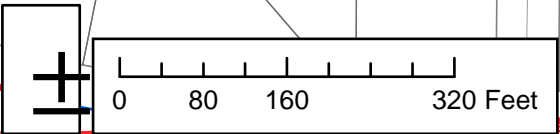
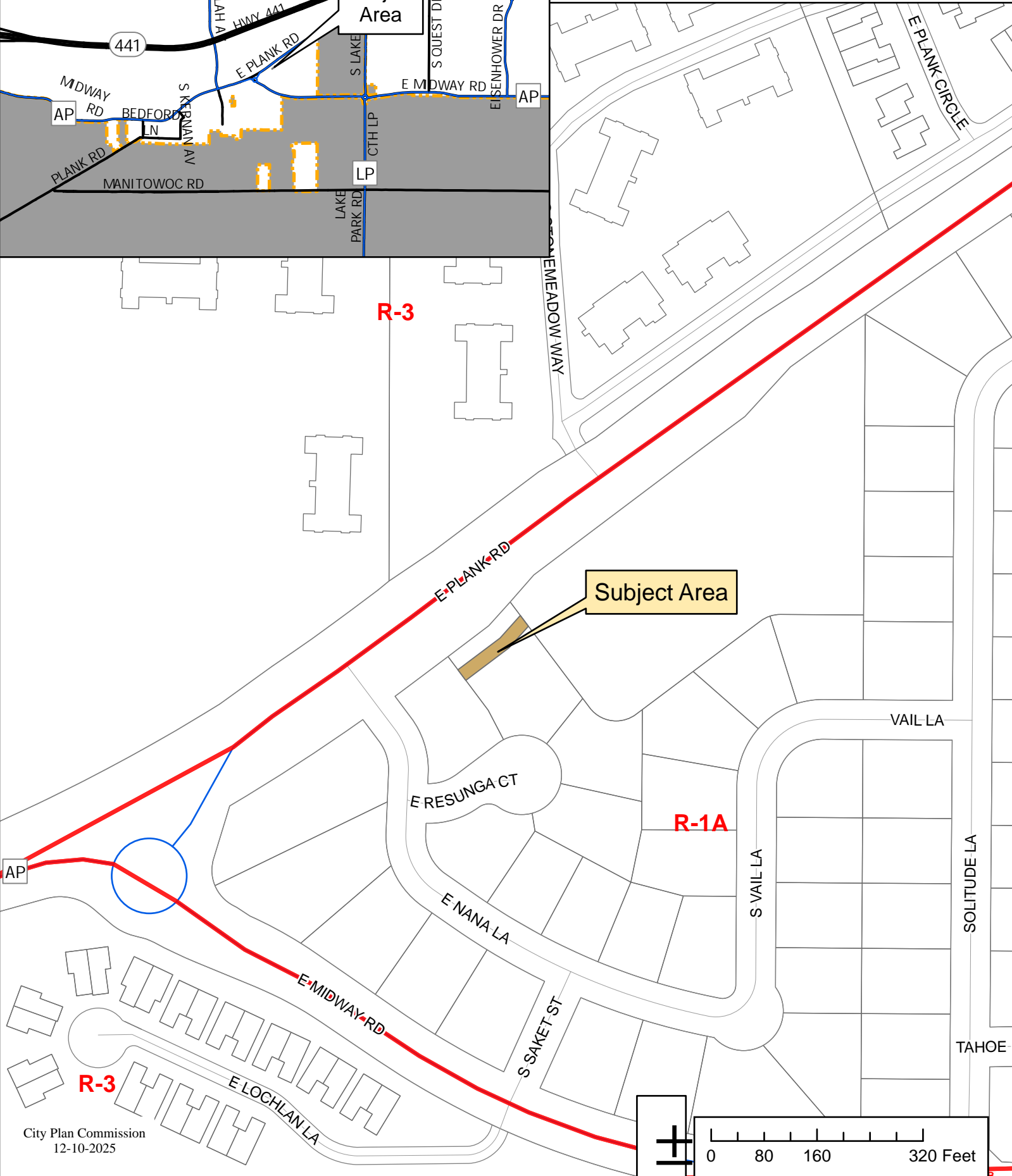
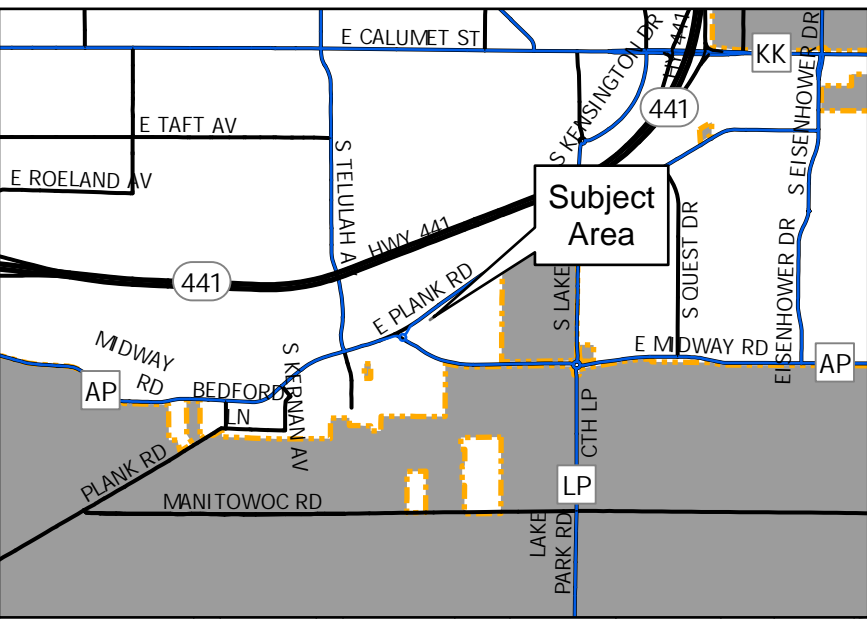
Per the Wisconsin Platting Manual, a Release of Easement is the instrument needed to release rights to an easement created on a plat. Pursuant to Wisconsin Statutes §236.293, a release of easement on a plat that changes restrictions for public benefit must be approved by the governing body of the municipality in which the subdivision is located. The requested release of easement appears before Plan Commission and Common Council, since that is the manner in which the plat was originally approved.

RECOMMENDATION:

Release of Drainage Easement for Lot 15 of Lumbini Estates (Tax Id #31-9-4161-41), as requested and shown on the attached maps, **BE APPROVED** subject to the following condition:

1. To formalize the release of the drainage easement, the owner/agent is responsible for completing and recording an appropriate correction instrument with the Calumet County Register of Deeds.

Release of Drainage Easement
- Lot 15, Lumbini Estates



DRAINAGE EASEMENT RELEASE

THE UNDERSIGNED, CITY OF APPLETON, (CITY), DOES HEREBY RELEASE ALL RIGHT, TITLE AND INTEREST WHICH THE CITY MAY HAVE IN THE 20 FOOT DRAINAGE EASEMENT AS DESCRIBED BELOW AND AS REFERENCED ON EXHIBIT A ATTACHED HERETO, AND INCORPORATED HEREIN.

THE SERVIENT PROPERTY IS LEGALLY DESCRIBED AS:

LOT 15 OF LUMBINI ESTATES, BEING PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 20 NORTH, RANGE 18 EAST, CITY OF APPLETON, CALUMET COUNTY, WISCONSIN.

THE EASEMENT TO BE RELEASED IS LEGALLY DESCRIBED AS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 15 OF LUMBINI ESTATES; THENCE SOUTH 36 DEGREES 52 MINUTES 49 SECONDS EAST, 25.49 FEET, ALONG THE EAST LINE OF LOT 15 OF LUMBINI ESTATES TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 36 DEGREES 52 MINUTES 49 SECONDS EAST, 20.39 FEET, ALONG SAID EAST LINE OF SAID LOT 15 OF LUMBINI ESTATES; THENCE SOUTH 41 DEGREES 55 MINUTES 23 SECONDS WEST, 43.98 FEET; THENCE SOUTH 53 DEGREES 00 MINUTES 30 SECONDS WEST, 81.72 FEET; THENCE NORTH 36 DEGREES 51 MINUTES 03 SECONDS WEST, 20.00 FEET, ALONG THE WEST LINE OF SAID LOT 15 OF LUMBINI ESTATES; THENCE NORTH 53 DEGREES 00 MINUTES 30 SECONDS EAST, 79.73 FEET; THENCE NORTH 41 DEGREES 55 MINUTES 23 SECONDS EAST, 46.00 FEET; TO THE POINT OF BEGINNING.

THE LOCATION OF THE EASEMENT TO BE RELEASED HEREIN DESCRIBED IS SHOWN ON THE REFERENCE DRAWING MARKED "EXHIBIT A" AND MADE A PART HEREOF.

Record and return to:
Martenson & Eisele, Inc.
1377 Midway Road
Menasha, WI 54952

Parcel Identification Numbers:
9-4161-41

IN WITNESS WHEREOF, THE CITY OF APPLETON SAID RELEASEE HAS CAUSED THESE PRESENTS TO BE SIGNED

THIS _____ DAY OF _____, 2025.

JAKE WOODFORD, MAYOR

AMY MOLITOR, CITY CLERK

STATE OF WISCONSIN)

) ss

_____ **COUNTY)**

PERSONALLY, CAME BEFORE ME THIS _____ DAY OF _____, 2025, THE ABOVE-NAMED, TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

NOTARY PUBLIC, STATE OF WISCONSIN

MY COMMISSION EXPIRES _____

EXHIBIT "A"

RELEASE OF DRAINAGE EASEMENT

PART OF LOT 15 OF LUMBINI
ESTATES, CITY OF APPLETON,
CALUMET COUNTY, WISCONSIN.

EAST PLANK ROAD

POINT OF
COMMENCEMENT
NORTHEAST CORNER OF
LOT 15 LUMBINI ESTATES

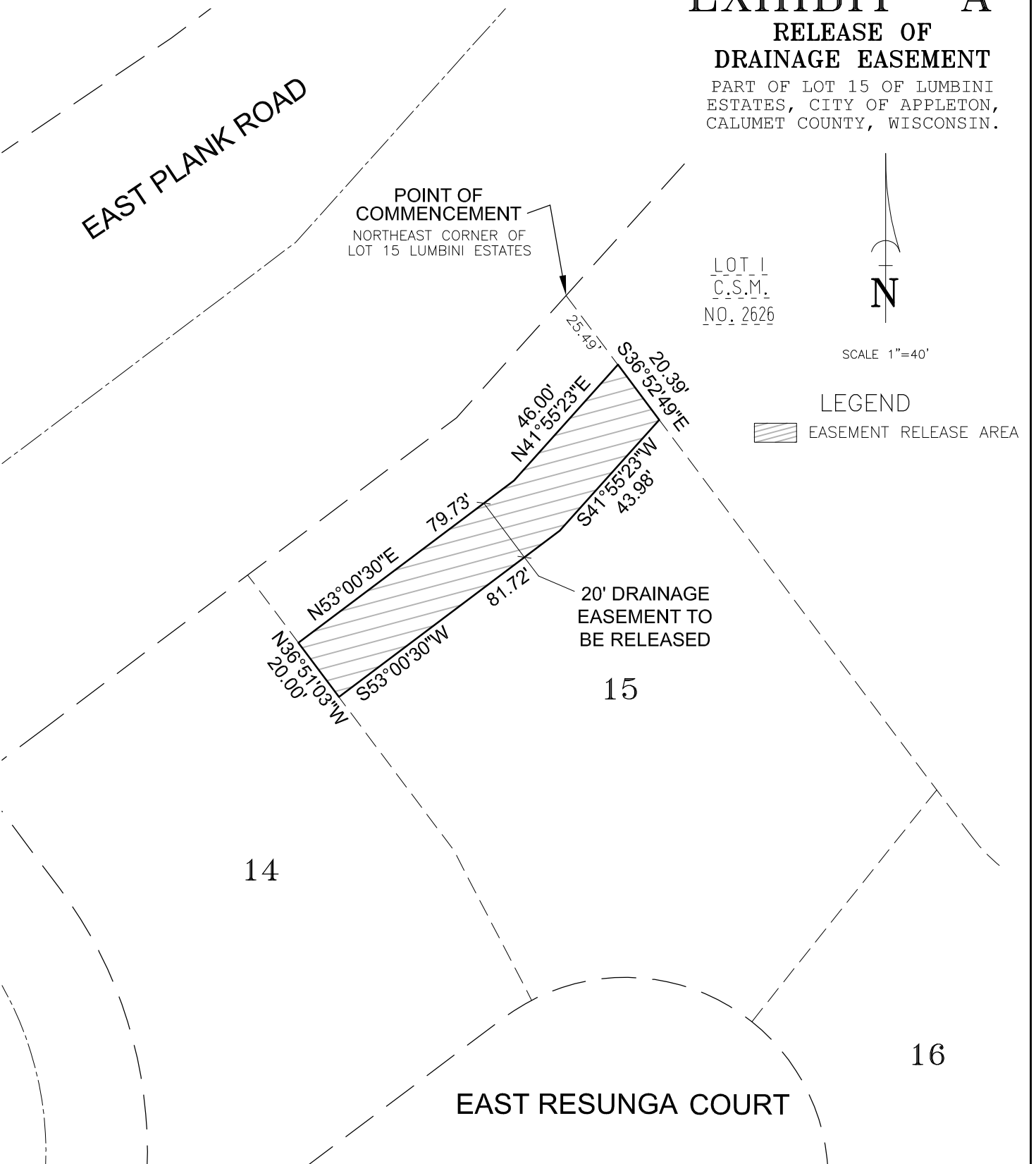
LOT 1
C.S.M.
NO. 2626



SCALE 1"=40'

LEGEND

 EASEMENT RELEASE AREA



Martenson & Eisele, Inc.



1377 Midway Road
Menasha, WI 54952
www.martenson-eisele.com
info@martenson-eisele.com
920.731.0381 1.800.236.0381

Planning
Environmental
Surveying
Engineering
Architecture

PROJECT NO. 1-1720-001
FILE 1-1720-001EaseRelease.dwg
THIS INSTRUMENT WAS DRAFTED BY: L.LUCHT