

City of Appleton

100 North Appleton Street Appleton, WI 54911-4799 www.appleton.org

Meeting Agenda City Plan Commission

Any questions about items on this meeting are to be directed to the Community and Economic Development Department, 920-832-6468.

Monday, April 27, 2015

4:00 PM

Council Chambers, 6th Floor

- 1. Call meeting to order
- Roll call of membership
- Approval of minutes from previous meeting

<u>15-610</u> City Plan Minutes from 4-6-15

Attachments: City Plan Minutes 4-6-15.pdf

4. Public Hearings/Appearances

Zoning Ordinance Text and Map Amendments to Article X Floodplain Zoning of Chapter 23 of the Municipal Code relating to Section 23-206(b)(7) Official Maps and Revisions (Associated with Action Item #15-615)

5. Action Items

Request to approve the proposed Zoning Ordinance Text and Map Amendments to Article X Floodplain Zoning of Chapter 23 of the Municipal Code, Section 23-206 (b)(7) Official Maps and Revisions as identified in the attached staff report

Attachments: Staff Report ZO Floodplain Text&Map Amendment.pdf

Request to approve the Appleton Downtown, Inc. request for installation of twenty-one (21) interchangeable banners on light poles, which would hang in the public right-of-way a minimum of eight (8) feet above the sidewalk, along College Avenue between Badger Avenue and Drew Street pending approval by the Municipal Services Committee

Attachments: StaffReport ADI BannerRequest For04-27-15.pdf

15-648 Request to approve the Second Addition to Emerald Valley Final Plat subject to the attached conditions

Attachments: 2nd Add Emerald Valley Final Plat Staff Review.pdf

6. Information Items

<u>15-616</u> Organizational Matters:

- 1. Elect a Vice-Chair
- 2. Set Meeting Date and Time
- 3. Designate a Contact Person

7. Adjournment

Notice is hereby given that a quorum of the Common Council may be present during this meeting, although no Council action will be taken.

Reasonable Accommodations for Persons with Disabilities will be made upon Request and if Feasible.



City of Appleton

100 North Appleton Street Appleton, WI 54911-4799 www.appleton.org

Meeting Minutes - Final City Plan Commission

Any questions about items on this meeting are to be directed to the Community and Economic Development Department, 920-832-6468.

Monday, April 6, 2015

4:00 PM

Council Chambers, 6th Floor

1. Call meeting to order

Meeting called to order at 4:00 p.m.

2. Roll call of membership

Present: 7 - Dukelow, Carpiaux, Priddis, Mayor Hanna, Buetow, Uslabar and

Alderperson Lobner

Others present:

Jill Hendricks, Vision Realty & Development LLC

3. Approval of minutes from previous meeting

15-534 City Plan Minutes from 3-23-15

Attachments: City Plan Minutes 3-23-15.pdf

Priddis moved, seconded by Uslabar, that the Minutes be approved. Roll Call. Motion carried by the following vote:

Aye: 7 - Dukelow, Carpiaux, Priddis, Mayor Hanna, Buetow, Uslabar and

Alderperson Lobner

4. Public Hearings/Appearances

15-536 Rezoning #3-15 to rezone the subject site located east of North Meade

Street and north of East Broadway Drive (part of Parcel

#31-1-9310-15) from AG Agricultural District to R-1A Single-Family

District (Associated with Action Item #15-537)

This Appearance was presented.

5. Action Items

6. Information Items

15-537

Request to approve Rezoning #3-15 to rezone the subject site located east of North Meade Street and north of East Broadway Drive (part of Parcel #31-1-9310-15) from AG Agricultural District to R-1A Single-Family District as shown on the attached map

Attachments: StaffReport KureyProperty Rezoning For04-06-15.pdf

Proceeds to Council on May 6, 2015.

Alderperson Lobner moved, seconded by Carpiaux, that the Report Action Item be recommended for approval. Roll Call. Motion carried by the following vote:

Aye: 7 - Dukelow, Carpiaux, Priddis, Mayor Hanna, Buetow, Uslabar and Alderperson Lobner

7. Adjournment

Uslabar moved, seconded by Alderperson Lobner, that the meeting be adjourned at 4:15 p.m. Roll Call. Motion carried by the following vote:

Aye: 7 - Dukelow, Carpiaux, Priddis, Mayor Hanna, Buetow, Uslabar and Alderperson Lobner



REPORT TO CITY PLAN COMMISSION

Plan Commission Informal Public Hearing Meeting Date: April 27, 2015

Common Council Public Hearing Meeting Date: May 20, 2015

Item: Zoning Ordinance Text and Map Amendment – Floodplain Zoning

relating to Section 23-206(b) Official Maps and Revisions

Case Manager: Don Harp

STAFF ANALYSIS

Background: In 2014, the City completed a Wisconsin Department of Natural Resources (WDNR) required owner inspection report of Kensington Pond Dam, which is regulated under Chapter 31 Wisconsin Statutes. Through that process, WDNR identified a requirement for the City to adopt the previously permitted and approved hydraulic shadow for Kensington Pond into its Floodplain Zoning Ordinance. The proposed ordinance revision is intended to meet the WDNR requirement.

• The hydraulic shadow (dark blue line on the attached map) is the area inundated (flooded) by water during a regional flood (100-year rainfall event) if the Kensington Pond Dam were to fail.

PROPOSED ZONING ORDINANCE TEXT AMENDMENTS

• The text recommended to be added is underlined.

ARTICLE X. FLOODPLAIN ZONING

DIVISION 1. STATUTORY AUTHORIZATION, FINDING OF FACT, STATEMENT OF PURPOSE, TITLE AND GENERAL PROVISIONS.

Sec. 23-206. General provisions.

(b) *Official maps and revisions*. The boundaries of all floodplain districts are designated as floodplains or A-Zones on the maps listed below and the revisions in the City of Appleton Floodplain Appendix. Any change to the base flood elevations (BFE) in the Flood Insurance Study (FIS) or on the Flood Insurance Rate Map (FIRM) must be reviewed and approved by the DNR and FEMA before it is effective. No changes to regional flood elevations (RFE's) on non-FEMA maps shall be effective until approved by the DNR. These maps and revisions are on file in the office of the Division of Inspections of the Department of Public Works for the City of Appleton. If more than one map or revision is referenced, the most restrictive information shall apply.

Zoning Ordinance Text and Map Amendment – Floodplain Zoning April 27, 2015

Page 2

Official maps:

- (1) Calumet County Flood Insurance Rate Map (FIRM), panel numbers 55015C0007E, 55015C0026E and 55015C0027E dated February 4, 2009; with corresponding profiles that are based on the Calumet County Flood Insurance Study (FIS), dated February 2009, volume number 55015CV000A.
- (2) Outagamie County Flood Insurance Rate Map (FIRM) panel numbers (55087C0304D, 55087C0308D, 55087C0309D, 55087C0314D, 55087C0316D, 55087C0317D, 55087C0318D, 55087C0319D, 55087C0330, 55087C0338D, 55087C0427D, 55087C0431D and 55087C451D) dated July 22, 2010: with corresponding profiles that are based on the Outagamie County Flood Insurance Study (FIS) dated July 22, 2010 volume number 55087CV000A.
- (3) Outagamie County Flood Insurance Rate Map (FIRM) panel numbers 55087C0328D, 55087C0329D, 55087C0336D, 55087C0337D dated July 22, 2010 and revised August 23, 2013 with corresponding profiles that are based on the Outagamie County Flood Insurance Study (FIS) dated July 22, 2010 volume number 55087CV000A, all revised and annotated pursuant to FEMA Letter of Map Revision Determination Document Case No: 12-05-6032P, Issue Date April 10, 2013, Effective Date August 23, 2013.
- (4) Outagamie County Flood Storage District Map Panel 1 of 2 approved by Wisconsin Department of Natural Resources and dated July 22, 2010.
- (5) LOMR Case #11-05-7670P, Floodway and Floodplain revisions between Flood Insurance Study (FIS) Cross Section AW to BA, Outagamie County Flood Insurance Rate Map (FIRM) panels 55087C0318D and 55087C0319D, dated July 22, 2010. This reflects changes on the Fox River from just downstream of the Private Middle Dam to approximately 250 feet upstream of the Appleton Upper Dam.
- (6) LOMR Case #13-05-7920P, Floodplain revisions between Flood Insurance Study (FIS) Cross Section AN to AM, Outagamie County Flood Insurance Rate panels 55087C0319D, dated July 22, 2010. This reflects changes along the south side of the Fox River from the College Avenue Bridge to approximately 850 feet downstream.
- (7) <u>City of Appleton Kensington Pond Dam Break Analysis Hydraulic Shadow, Per Figure F-9 of Dam Failure Analysis and Assignment of the Hazard Rating for Kensington Pond Dam, by Earth Tech, dated January 2008, on file with City of Appleton Department of Public Works.</u>

Proposed Amendment to Flood Map

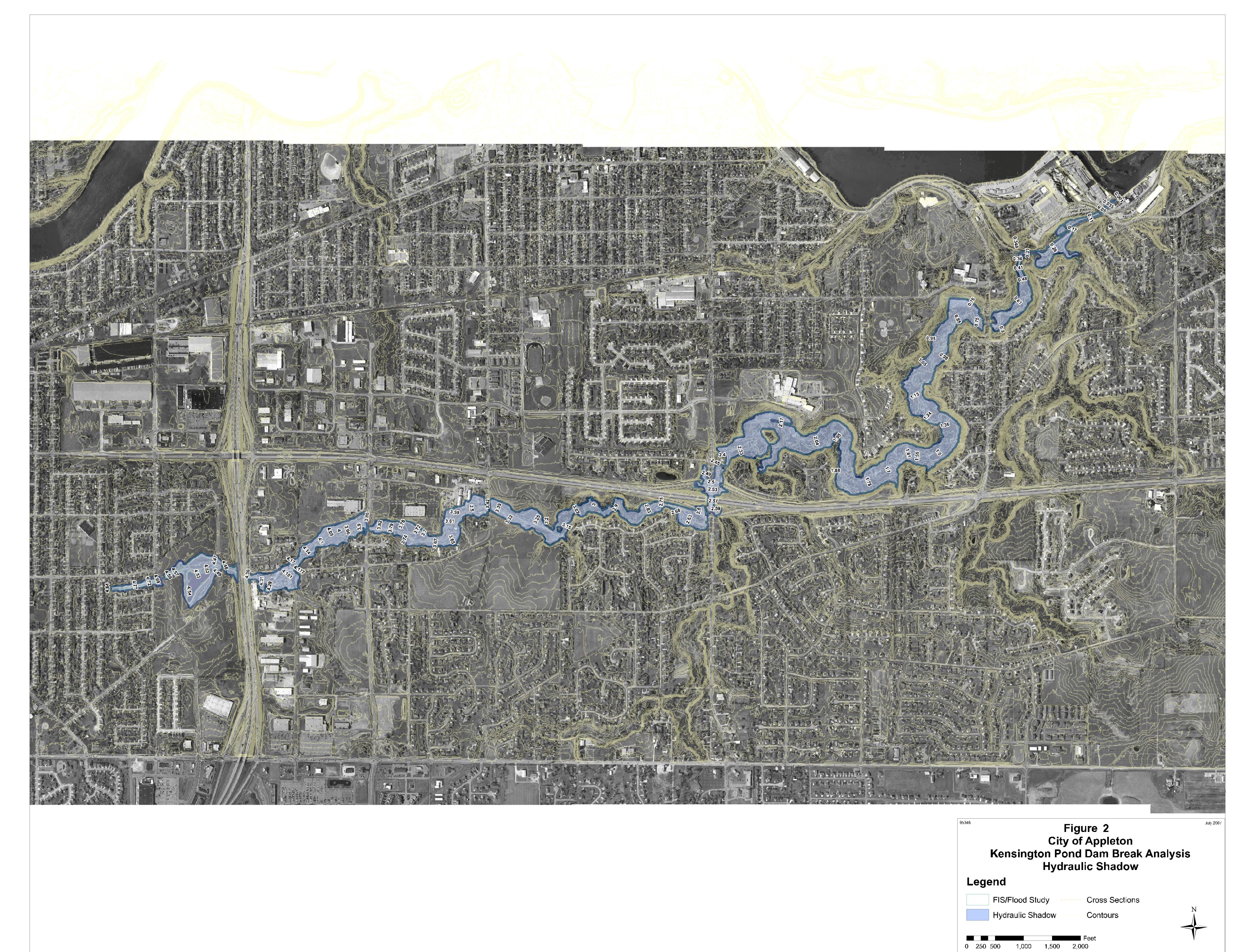
See attached maps.

Zoning Ordinance Text and Map Amendment – Floodplain Zoning April 27, 2015 Page 3

Technical Review Group Report (TRG): This item was reviewed at the March 31, 2015 Technical Review Group meeting. No negative comments were received from participating departments.

RECOMMENDATION PENDING INFORMAL PUBLIC HEARING TESTIMONY:

The proposed text and map amendments to Article X Floodplain Zoning of Chapter 23 of the Municipal Code, Section 23-206 (b) and (7) Official maps and revisions as identified in this report, **BE APPROVED.**





REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: April 27, 2015

Municipal Services Committee Meeting Date: April 28, 2015

Common Council Meeting Date: May 6, 2015

Item: Banner Request for Appleton Downtown, Inc.

Case Manager: David Kress

GENERAL INFORMATION

Applicant: Appleton Downtown, Inc. (ADI) c/o Jennifer Stephany

Location: College Avenue between Badger Avenue and Drew Street

Applicant's Request: The applicant is requesting permission to hang twenty-one (21) 30" x 70" interchangeable banners on light poles, utilizing existing brackets that hang in the public right-of-way a minimum of eight (8) feet above the sidewalk, along College Avenue between Badger Avenue and Drew Street.

BACKGROUND

The original request by ADI for placement of banners was reviewed and approved by the City in 2002. These were installed in 2002-2003. In 2005, replacement banners featuring the "Downtown Cool" branding were reviewed and approved. The current request is part of ADI's recent efforts to launch the new "One Great Place" brand image and slogan for the downtown. As proposed, the new banners will replace those that are currently installed.

STAFF ANALYSIS

Staff review is based on the City policy for banners in the right-of-way and Section 23-562 of the Municipal Code.

1. Requests for installation of banners must be made either by a recognized agency representing the area or from a two-thirds majority of the properties along the proposed route.

ADI is a recognized agency representing the Downtown Business Improvement District.

2. All banners and necessary brackets (including replacement parts) to be supplied by the requesting agency.

ADI is providing the new banners. These will replace the current banners and utilize the existing brackets located on light poles.

3. Storage of banners to be the responsibility of the requesting party.

ADI will purchase the new banners and store them until Department of Public Works staff is available to perform the installation. Once removed, the current banners will be returned to ADI.

Banner Request – Appleton Downtown, Inc. April 27, 2015 Page 2

4. Requesting parties must designate an individual to serve as the contact person with the City.

Jennifer Stephany, Executive Director of ADI, will be the contact person.

5. Banners may be installed only in areas that are predominantly commercial zoning.

The zoning is CBD Central Business District.

6. Banner installation should be consistent with planning and development policies, represent an appropriate theme, and not detract from the aesthetics of an area. Plans for banner installation, including color scheme, theme, and spacing must be approved by the Community and Economic Development Department and Plan Commission before being forwarded to the Municipal Services Committee for issuance of a permit.

This request essentially is an amendment/adjustment to the original request for banner placement, which was approved in 2002. As proposed, the new banners will hang on light poles utilizing the existing brackets, so the spacing will remain as it is currently. The colors, text, and graphics are intended to represent the new "One Great Place" brand image and slogan for the downtown.

7. Banner materials (including the brackets) must be approved by the Department of Public Works.

The Department of Public Works has reviewed and approved the new replacement banners that will utilize existing brackets.

8. Banner installation may be done by the Department of Public Works or by private contract. If a private contractor is used, installation plans showing bracket locations and elevations must be provided and approved by the Department of Public Works.

Installation will be done by the Department of Public Works, with maintenance and upkeep being performed by ADI.

9. If performed by the Department of Public Works, the cost of initial banner and bracket installation will be divided equally between the applicant and the City (exclusive of materials).

Initial banner and bracket installation was done by the Department of Public Works in 2002-2003. Since the existing brackets will be utilized, there will be no cost associated with bracket installation.

10. All costs of repair or replacement of banners done by the Department of Public Works will be charged to the requesting agency or designated individual as they are incurred.

ADI will supply any new or replacement banners.

11. The cost of changeover of banners done by the Department of Public Works will be divided equally between the applicant and the City up to a maximum of twice per year after which all costs will be borne by the applicant.

Banner Request – Appleton Downtown, Inc. April 27, 2015 Page 3

In 2005, when replacement banners were put up, the cost for banner instillation was divided equally between ADI and the City. With this current request, ADI has asked the City to waive the cost for banner installation. The cost waiver request will be discussed at the Municipal Services Committee meeting.

12. Banners will remain the property of the requesting agency.

ADI will retain ownership of the banners.

13. The requesting agency will be given 30-day notice of deteriorated banners (in the judgment of the City) after which they will be removed, and the cost of removal will be billed to the requesting agency or designated individual.

If this is needed, it will be done.

14. Installation of items budgeted by the City for installation is exempt from this policy (angels, flags, etc.).

This does not apply.

Review Criteria: Based upon the above analysis, it would appear the criteria established by the City policy for banners in the right-of-way and Section 23-562 has been satisfied.

Appleton Comprehensive Plan 2010-2030: Listed below are related excerpts from the City's *Comprehensive Plan 2010-2030*.

Chapter 14 Downtown Plan, Initiative 1 Urban Design:

Strategy 1.4 – Implement streetscaping projects to create downtown "identity streets."

- Continue streetscaping efforts on College Avenue, Richmond Street, and Appleton Street.
- Provide continued maintenance and replacement of streetscaping elements.

Technical Review Group (TRG) Report: This item was discussed at the April 21, 2015 Technical Review Group meeting. No negative comments were received from participating departments.

RECOMMENDATION

Based on the above, staff recommends that the Appleton Downtown, Inc. request to have twenty-one (21) interchangeable banners on light poles, which would hang in the public right-of-way a minimum of eight (8) feet above the sidewalk, along College Avenue between Badger Avenue and Drew Street, **BE APPROVED** and forwarded to the Municipal Services Committee.

RECEIVED

To: Paula Vandehey, Director Public Works Department

From: Appleton Downtown Inc.

incorporated

Subject: Request for installation and fee waiver

CITY OF APPLETON COMMUNITY/ECON DEVELOPMENT

As you are aware Appleton Downtown Inc. recently worked together with our stakeholders and partners to launch the new One Great Place brand image and slogan for the Downtown. Part of the rebrand effort will be replacement of the street pole banners. A graphic of the four new designs is attached. We have ordered the new banners and should have them by the middle of April.

We would like to request the banners be installed by Public Works by May 15th 2015.

We are further requesting the City of Appleton to waive the installation fee associated with putting up the 21 pole banners from State & Badger to Drew St. along College Ave.

We hope you consider being a partner in our rebrand efforts and helping us to infuse the central business district with the new vibrant images and the pride of being One Great Place!

Thank you for your consideration.

Sincerely,

Jennifer Stephany

Executive Director



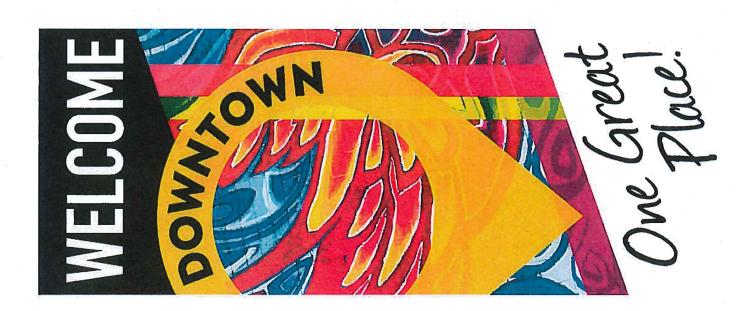


RECEIVED

APR 1 2015

CITY OF APPLETON .
COMMUNITY/ECON DEVELOPMENT



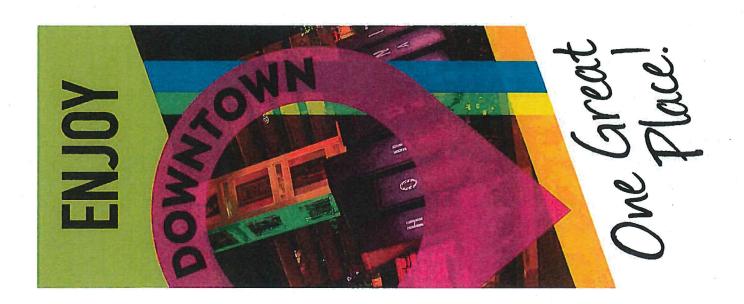


RECEIVED

APR 1 2015

CITY OF APPLETON
COMMUNITY/ECON DEVELOPMENT







REPORT TO CITY PLAN COMMISSION

Plan Commission Meeting Date: April 27, 2015

Common Council Meeting Date: May 6, 2015

Item: Final Plat - Second Addition to Emerald Valley

Case Manager: Don Harp

GENERAL INFORMATION

Owner/Applicant: Robert DeBruin, Emerald Valley Estates, LLC – owner/applicant

Parcel #: Part of 31-1-7600-00

Petitioner's Request: The owner/applicant is proposing to subdivide property under a multi-phased

approach.

BACKGROUND

The Preliminary Plat for the Second Addition to Emerald Valley was approved by the Common Council on March 4, 2015.

Rezoning #11-14 to rezone the subject site from AG Agricultural District to R-1B Single-Family District was approved by the Common Council on February 4, 2015.

The Final Plat for the First Addition to Emerald Valley consisting of 3 residential lots was approved by the Common Council on June 2, 2010.

The Final Plat for Emerald Valley consisting of 50 residential lots was approved by the Common Council on June 6, 2007.

The subject property was annexed to the City in 2004 as part of the French Road Annexation, and a zoning classification of AG Agricultural District was assigned at that time. In 2005, a preliminary plat had been submitted for the overall property, which called for the creation of a total of 252 residential lots.

STAFF ANALYSIS

Existing Conditions: The portion of the lot to be subdivided is currently undeveloped and zoned R-1B Single-Family District. The area being platted for single family development is 14.178 acres which will be divided into 27 lots.

Comparison Between Final Plat and Preliminary Plat: The Final Plat is consistent with the Preliminary Plat layout for these twenty-seven (27) lots in terms of shape, size, and location.

Zoning Ordinance Review Criteria: Lot development standards (Section 23-93) are as follows:

• Minimum lot area: Six thousand (6,000) square feet.

Final Plat Second Addition to Emerald Valley Page 2 April 27, 2015

- The proposed lots range in size from 11,620 square feet to 41,984 square feet. All lots exceed this requirement.
- Minimum lot width: Fifty (50) feet.
 - o The proposed lots range in width from 68 feet to 204 feet. All lots exceed this requirement.
- Minimum front, side and rear yard setbacks: Twenty (20) foot front yard on a local street; Twenty-five (25) front yard on an arterial street; Six (6) foot side yard; and Twenty-five (25) foot rear yard.
 - Required front yard setback had been shown on the Preliminary Plat. Required setbacks will be reviewed through the building permit review process.
- Maximum building height: Thirty-five (35) feet.
 - This will be reviewed through the building permit review process.
- Maximum lot coverage. Fifty percent (50%).
 - o This will be reviewed through the building permit review process.

Compliance with the Appleton Subdivision Regulations: This subdivision complies with the Appleton Subdivision Regulations, and no variances have been requested.

Access and Traffic: The new vehicular access point to this phase is via Amethyst Drive and Bluetopaz Drive, which connects to Providence Avenue and then to Edgewood Drive. Amethyst Drive and Bluetopaz Drive will be designated as local streets with a 60 foot road right-of-way, and Providence Avenue will be designated as a collector street with a 66 foot road right-of-way. The full road right-of-way width of these public streets will be dedicated to the City with the Final Plat.

Surrounding Zoning and Land Uses: The surrounding area is under the jurisdiction of the City of Appleton (north, south, east and west) and Grand Chute (east). The uses are generally residential and agricultural in nature.

2010-2030 Comprehensive Plan: Community Development staff has reviewed this proposed subdivision and determined it is compatible with the One and Two-Family Residential uses shown on the City's 2010-2030 Comprehensive Plan Future Land Use Map.

Parks and Open Space: The Appleton Subdivision Regulations do require parkland dedication or fee in lieu for residential subdivisions. The parkland fees pursuant to Chapter 17 of the Appleton Municipal Code have been waived, in exchange for parkland as part of the original Emerald Valley Development Agreement.

Technical Review Group Report (TRG): This item was discussed at the March 17, 2015 Technical Review Group Report meeting. No negative comments were received from participating departments.

Final Plat Second Addition to Emerald Valley Page 3 April 27, 2015

RECOMMENDATION

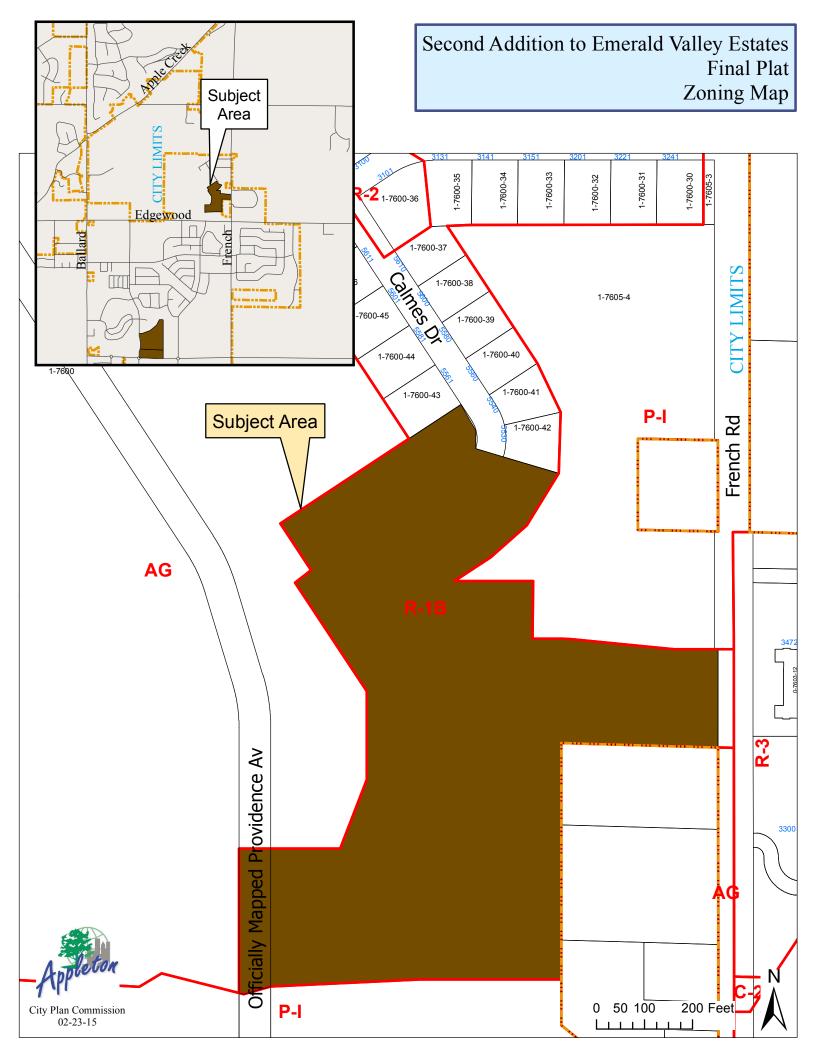
The Second Addition to Emerald Valley Final Plat, **BE APPROVED** subject to the following conditions:

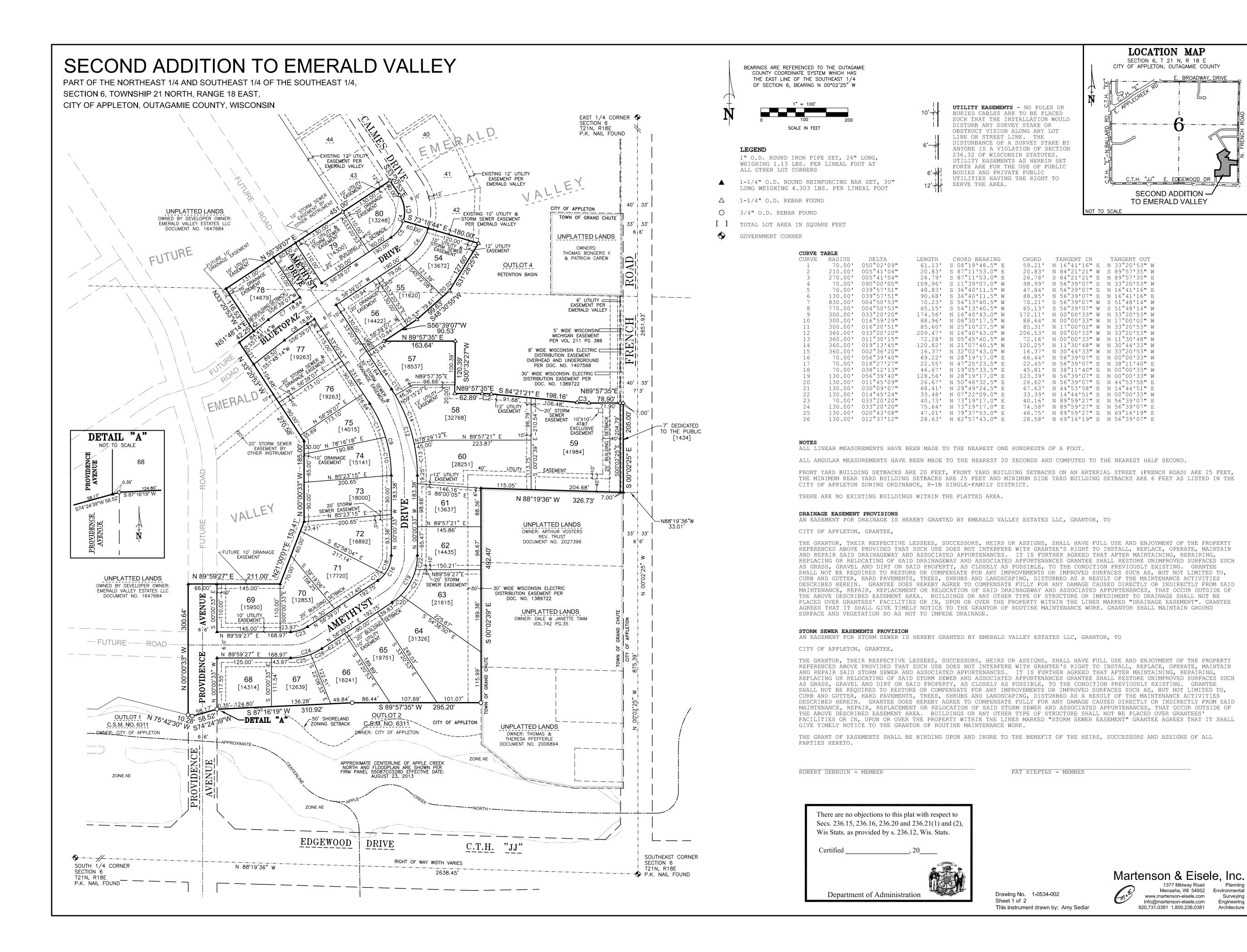
1. The following streets within the Second Addition to Emerald Valley Final Plat meet the standards to be classified as local and collector streets and will henceforth be so classified:

Local Streets: Bluetopaz Drive and Amethyst Drive

Collector Street: Providence Avenue

- 2. All easements, including but not limited to, water mains, sewer mains, storm sewers, and drainage shall be shown on the Final Plat to the satisfaction of the City Engineer prior to the City affixing signatures on the Final Plat.
- 3. A Development Agreement being made and entered into by and between the City of Appleton and the applicant/owner and any amendments related thereto prior to the issuance of any permit to commence construction of any public improvement.
- 4. All requirements from the City of Appleton Public Works Department, Engineering Division, shall be met to the satisfaction of the City Engineer prior to the City affixing signatures on the Final Plat.





Surveying

Engineering

SECOND ADDITION TO EMERALD VALLEY

PART OF THE NORTHEAST 1/4 AND SOUTHEAST 1/4 OF THE SOUTHEAST 1/4.

SECTION 6, TOWNSHIP 21 NORTH, RANGE 18 EAST,

CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE

I, GARY A. ZAHRINGER, PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY:

THAT I HAVE SURVEYED, DIVIDED, AND MAPPED SECOND ADDITION TO EMERALD VALLEY, AT THE DIRECTION OF EMERALD VALLEY ESTATES LLC, PART OF THE NORTHEAST 1/4 AND SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, SECTION 6, TOWNSHIP 21 NORTH, RANGE 18 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 6; THENCE NORTH 00 DEGREES 02 MINUTES 25 SECONDS WEST, ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION, A DISTANCE OF 875.39 FEET; THENCE NORTH 88 DEGREES 19 MINUTES 36 SECONDS WEST, 33.01 FEET TO THE POINT OF BEGINNING; THENCE NORTH 88 DEGREES 19 MINUTES 36 SECONDS WEST, 326.73 FEET; THENCE SOUTH 00 DEGREES 02 MINUTES 39 SECONDS EAST, 492.40 FEET; THENCE SOUTH 89 DEGREES 57 MINUTES 35 SECONDS WEST, ALONG THE NORTH LINE OF CERTIFIED SURVEY MAP NO. 6311, A DISTANCE OF 295.20 FEET; THENCE SOUTH 87 DEGREES 16 MINUTES 19 SECONDS WEST, CONTINUING ALONG THE NORTH LINE OF SAID CERTIFIED SURVEY MAP NO. 6311, A DISTANCE OF 310.92 FEET; THENCE SOUTH 74 DEGREES 24 MINUTES 39 SECONDS WEST, CONTINUING ALONG THE NORTH LINE OF SAID CERTIFIED SURVEY MAP NO. 6311, A DISTANCE OF 58.52 FEET; THENCE NORTH 75 DEGREES 42 MINUTES 30 SECONDS WEST, CONTINUING ALONG THE NORTH LINE OF SAID CERTIFIED SURVEY MAP NO. 6311, A DISTANCE OF 10.28 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 33 SECONDS WEST, 300.64 FEET; THENCE NORTH 89 DEGREES 59 MINUTES 27 SECONDS EAST, 211.00 FEET; THENCE NORTH 21 DEGREES 00 MINUTES 01 SECONDS EAST, 153.41 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 33 SECONDS WEST, 185.00 FEET; THENCE NORTH 33 DEGREES 20 MINUTES 53 SECONDS WEST, 270.58 FEET; THENCE NORTH 51 DEGREES 48 MINUTES 14 SECONDS EAST, 42.25 FEET; THENCE NORTH 33 DEGREES 20 MINUTES 53 SECONDS WEST, 116.53 FEET; THENCE NORTH 56 DEGREES 39 MINUTES 07 SECONDS EAST, 451.00 FEET; THENCE SOUTH 33 DEGREES 20 MINUTES 53 SECONDS EAST, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF CALMES DRIVE, A DISTANCE OF 40.00 FEET; THENCE CONTINUING ALONG THE WESTERLY RIGHT-OF-WAY LINE OF CALMES DRIVE, 61.13 FEET ALONG AN ARC OF CURVE TO THE RIGHT, HAVING A RADIUS OF 70.00 FEET AND A CHORD THAT BEARS SOUTH 08 DEGREES 19 MINUTES 48.5 SECONDS EAST, 59.21 FEET; THENCE SOUTH 73 DEGREES 18 MINUTES 44 SECONDS EAST, ALONG THE SOUTHERLY LINE OF EMERALD VALLEY, A DISTANCE OF 180.00 FEET; THENCE SOUTH 31 DEGREES 28 MINUTES 25 SECONDS WEST, ALONG THE WESTERLY LINE OF OUTLOT 4 OF EMERALD VALLEY, A DISTANCE OF 127.60 FEET; THENCE SOUTH 48 DEGREES 30 MINUTES 55 SECONDS WEST, CONTINUING ALONG THE WESTERLY LINE OF SAID OUTLOT 4, A DISTANCE OF 99.63 FEET; THENCE SOUTH 56 DEGREES 39 MINUTES 07 SECONDS WEST, CONTINUING ALONG THE WESTERLY LINE OF SAID OUTLOT 4, A DISTANCE OF 90.53 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 35 SECONDS EAST, CONTINUING ALONG THE SOUTHERLY LINE OF SAID OUTLOT 4, A DISTANCE OF 163.64 FEET; THENCE SOUTH 00 DEGREES 32 MINUTES 27 SECONDS WEST, CONTINUING ALONG THE WESTERLY LINE OF SAID OUTLOT 4, A DISTANCE OF 120.39 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 35 SECONDS EAST, CONTINUING ALONG THE SOUTH LINE OF SAID OUTLOT 4, A DISTANCE OF 62.89 FEET; THENCE CONTINUING ALONG THE SOUTH LINE OF SAID OUTLOT 4, A DISTANCE OF 20.83 FEET ALONG AN ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 210.00 FEET AND A CHORD THAT BEARS SOUTH 87 DEGREES 11 MINUTES 53 SECONDS EAST, 20.83 FEET; THENCE SOUTH 84 DEGREES 21 MINUTES 21 SECONDS EAST, CONTINUING ALONG THE SOUTH LINE OF SAID OUTLOT 4, A DISTANCE OF 198.16 FEET; THENCE CONTINUING ALONG THE SOUTH LINE OF SAID OUTLOT 4, A DISTANCE OF 26.79 FEET ALONG AN ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 270.00 FEET AND A CHORD THAT BEARS SOUTH 87 DEGREES 11 MINUTES 53 SECONDS EAST, 26.78 FEET; THENCE NORTH 89 DEGREES 57 MINUTES 35 SECONDS EAST, CONTINUING ALONG THE SOUTH LINE OF SAID OUTLOT 4, A DISTANCE OF 78.90 FEET; THENCE SOUTH 00 DEGREES 02 MINUTES 25 SECONDS EAST, ALONG THE WEST RIGHT-OF-WAY LINE OF FRENCH ROAD, A DISTANCE OF 205.00 FEET TO THE POINT OF BEGINNING. CONTAINING 14.178 ACRES AND SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

THAT SUCH PLAT IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE SUBDIVISION THEREOF MADE.

THAT I HAVE MADE SUCH LAND DIVISION AND PLAT BY THE DIRECTION OF THE OWNERS SHOWN HEREIN.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236 OF THE WISCONSIN STATUTES, AND THE SUBDIVISION REGULATIONS OF THE CITY OF APPLETON IN SURVEYING, DIVIDING, DEDICATING AND MAPPING THE SAME.

GIVEN UNDER MY HAND THIS 10TH DAY OF MARCH, 2015.

GARY A. ZAHRINGER, PROFESSIONAL LAND SURVEYOR S-2098

CORPORATE OWNER'S CERTIFICATE OF DEDICATION

EMERALD VALLEY ESTATES LLC, DULY ESTABLISHED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, AS OWNER, DOES HEREBY CERTIFY THAT SAID EMERALD VALLEY ESTATES LLC, CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED ALL AS SHOWN AND REPRESENTED ON THIS PLAT.

EMERALD VALLEY ESTATES LLC, FURTHER CERTIFIES THAT THIS PLAT IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION:

DEPARTMENT OF ADMINISTRATION

CITY OF APPLETON

WITNESS THE HAND AND SEAL OF SAID OWNER(S) THIS _____ DAY OF _____, 2015.

ROBERT DEBRUIN - MEMBER PAT HIEPTAS - MEMBER

STATE OF WISCONSIN)

OUTAGAMIE COUNTY)

PERSONALLY CAME BEFORE ME THIS ____ DAY OF ____ , 2015, THE ABOVE OWNER(S) TO ME KNOWN TO BE THE PERSON(S) , WHO EXECUTED THE FOREGOING

INSTRUMENT AND ACKNOWLEDGE THE SAME.

NOTARY PUBLIC MY COMMISSION EXPIRES_____ UTILITY EASEMENT PROVISIONS

AN EASEMENT FOR ELECTRIC, NATURAL GAS, AND COMMUNICATIONS SERVICE IS HEREBY GRANTED BY EMERALD VALLEY ESTATES LLC, GRANTORS, TO

WISCONSIN ELECTRIC POWER COMPANY, A WISCONSIN CORPORATION DOING BUSINESS AS WE ENERGIES, GRANTEE, WISCONSIN BELL, INC. D/B/A AT&T WISCONSIN, 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, THEREON, 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 FOUR INCHES WITHOUT WRITTEN CONSENT OF GRANTEES. THE GRANT OF FASEMENT SHALL BE BINDING UPON AND INURE TO THE BENEFIT OF THE HEIRS SUCCESSORS AND ASSIGNS OF ALL PARTIES HERETO

ROBERT DEBRUIN - MEMBER	PAT HIEPTAS - MEMBER
LICENSEES, SUCCESSORS AND ASSIGNS (COLLECTIVE PURPOSES OF AND IN ORDER TO CONSTRUCT, RECOUPTIONS OF COMMUNICATION, VIDEO AND /OR IS EQUIPMENT CABINETS OR ENCLOSURES AND SUPPOSE OTHER RELATED OR USEFUL EQUIPMENT, FIXTURES PROPERTY (LOT 59) AND EASEMENT AREA TO PROVE PURPOSE OF ACCESS TO AND USE OF THE EASEMENT THE EXCLUSIVE 10' X 10' EASEMENT AREA SHOUTH THE GRANTOR REPRESENTS AND WARRANTS TO THE GRANTEE HEREBY AGREES TO RESTORE ALL PROPERSENTES SHALL HAVE THE RIGHT TO REMOVE OR THE GRANTOR SHALL NOT CONSTRUCT IMPROVEMENT THE GRANTOR AGREES THAT, DUE TO THE EXCLUSIVE OF THE GRANTEE.	
ROBERT DEBRUIN - MEMBER	PAT HIEPTAS - MEMBER
	EY, IN THE CITY OF APPLETON, IS HEREBY APPROVED BY THE COMMON COUNCIL OF THE CITY OF APPLETON.
ON THIS,	
TIMOTHY HANNA, CITY MAYOR DAT	OF A RESOLUTION ADOPTED BY THE COMMON COUNCIL OF THE CITY OF APPLETON.
DAWN COLLINS, CITY CLERK DAT	
CITY TREASURER'S CERTIFICATE:	
I, ANTHONY D. SAUCERMAN, BEING THE DULY QUA	
	CORDANCE WITH THE RECORDS IN MY OFFICE, THERE
	NTS AS OF ON ANY OF THE
LAND INCLUDED IN SECOND ADDITION TO EMERALI	LLEY.
ANTHONY D. SAUCERMAN, CITY FINANCE DIRECTOR	DATE
	There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis Stats. as provided by s. 236.12, Wis. Stats.
COUNTY TREASURER'S CERTIFICATE:	Certified
I,, BEIN	

TREASURER OF THE COUNTY OF OUTAGAMIE, DO HEREBY CERTIFY THAT THE RECORDS IN MY OFFICE

OF AFFECTING THE LANDS INCLUDED IN SECOND ADDITION TO EMERALD VALLEY.

SHOW NO UNREDEEMED TAX SALES AND NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS AS

DATE _____ SIGNED ____ COUNTY TREASURER

Department of Administration

Drawing No. 1-0534-002 Sheet 2 of 2 This instrument drawn by: Amy Sedlar

