



## REPORT TO CITY PLAN COMMISSION

**Plan Commission Meeting Date:** September 11, 2018

**Common Council Meeting Date:** September 19, 2018

**Item:** Final Plat – North Edgewood Estates

**Case Manager:** David Kress

### GENERAL INFORMATION

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**Owner/Applicant:** North Edgewood Estates Development, LLC c/o Kurt Coenen

**Address/Parcel #:** North French Road (Tax Id #31-1-7609-00)

**Petitioner's Request:** The applicant is proposing to subdivide the property into 45 lots and two outlots for single-family residential development.

### BACKGROUND

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On January 17, 2018, Common Council approved the North Edgewood Estates Development Agreement to set forth the City and developer duties and responsibilities with respect to development of the subject land.

On March 21, 2018, Common Council adopted Ordinance 32-18, to annex the subject area from the Town of Grand Chute to the City of Appleton. During review of the North Edgewood Estates Annexation, the Plan Commission initiated a rezoning for the subject property, from temporary AG Agricultural District and P-I Public Institutional District to a permanent zoning classification of R-1B Single-Family District. Rezoning #2-18 was approved by Common Council on April 18, 2018.

The Preliminary Plat for North Edgewood Estates consisting of 45 lots and two outlots was approved by Common Council on April 18, 2018.

### STAFF ANALYSIS

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**Existing Conditions:** The subject lot to be subdivided is currently undeveloped. The area to be platted for single-family residential development totals 24.5715 acres, which will be divided into 45 lots and two outlots.

**Comparison between Final Plat and Preliminary Plat:** The Final Plat is consistent with the Preliminary Plat layout for these 45 lots and two outlots in terms of shape, size, and location.

**Zoning Ordinance Review Criteria:** Lot development standards (Section 23-93 of the Municipal Code) are as follows:

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

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- *The proposed lots range in size from 4,113 square feet to 155,075 square feet. Outlot 1 (4,113 square feet) does not meet the lot area requirement. All other lots exceed this requirement.*
- Minimum lot width: Fifty (50) feet.
  - *The proposed lots range in width from 30 feet to 245.62 feet. Outlot 2 (30 feet) does not meet the lot width requirement. All other lots exceed this requirement.*
- Minimum front, side, and rear yard setbacks: Twenty (20) foot front yard (twenty-five (25) foot minimum on arterial street), Six (6) foot side yard, and Twenty-five (25) foot rear yard.
  - *Required front yard setback is shown on the Final Plat. 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%).
  - *This will be reviewed through the building permit review process.*

**Compliance with the Appleton Subdivision Regulations:** This subdivision complies with the Appleton Subdivision Regulations, except for the proposed minimum lot area for Outlot 1 and proposed minimum lot width for Outlot 2.

Zoning and subdivision regulations are typically written to deal with buildable sites, not sites for incidental features like a stormwater pond. The lot area and lot width deviation requests for Outlot 1 and Outlot 2, respectively, represent an effort to establish buildable lots while accounting for environmental limitations and stormwater needs. Buildings are not anticipated for Outlots 1 and 2.

Per Section 17-3(f) of the Municipal Code, when the Common Council finds that extraordinary hardship or injustice will result from strict compliance with this ordinance, it may vary the terms thereof to the extent deemed necessary and proper to grant relief, provided that the modification meets the following three standards:

- (1) The modification is due to physical features of the site or its location. *Yes, the existing configuration of Aquamarine Avenue and Rubyred Drive, west of French Road, impact the location of future street connections to the subject property near Outlot 1. Also, the existing site topography and wetlands influence the location of the proposed stormwater pond on Outlot 2. These physical features contribute to the challenges of designing Outlots 1 and 2 to satisfy the requirements of the R-1B District.*
- (2) The modification is the least deviation from this ordinance which will mitigate the hardship. *Yes, granting relief on Outlots 1 and 2 allow the other proposed lots to exceed the minimum lot area and lot width requirements.*
- (3) The modification is not detrimental to the public interest and is in keeping with the general spirit and intent of this ordinance. *Yes, the proposed lots are similar in size and shape to those already located in the surrounding neighborhood, including similar outlots immediately west of French Road.*

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**Access and Traffic:** Vehicular access to the subject lots is provided by an existing arterial street, French Road, which connects to extensions of Aquamarine Avenue and Rubyred Drive. The 60-foot wide street right-of-way for Aquamarine Avenue and Denali Trail and the 70-foot wide street right-of-way for Rubyred Drive will be dedicated to the public with the Final Plat. However, the City's street name policy does not allow for the street suffix "Trail" in the proposed Denali Trail.

### Surrounding Zoning Classification and Land Uses:

North: Town of Grand Chute. The adjacent land uses to the north are currently agricultural.

South: R-3 Multi-Family District, P-I Public Institutional District, and Town of Grand Chute. The adjacent land uses to the south are currently a mix of multi-family residential and institutional uses, including an existing utility substation.

East: R-1B Single-Family District. The adjacent land uses to the east are currently agricultural.

West: R-1B Single-Family District, P-I Public Institutional District, and Town of Grand Chute. The adjacent land uses to the west are currently a mix of single-family residential and institutional uses.

**Appleton Comprehensive Plan 2010-2030:** Community and Economic Development staff has reviewed this proposal and determined it is compatible with the One and Two-Family Residential and Public/Institutional designations shown on the City's *Comprehensive Plan 2010-2030* Future Land Use Map. Listed below are related excerpts from the City's *Comprehensive Plan 2010-2030*.

#### *Goal 1 – Community Growth*

*Appleton will continue to provide opportunities for residential, commercial, and industrial growth, including appropriate redevelopment sites within the downtown and existing neighborhoods, and greenfield development sites at the City's edge.*

#### *Goal 3 – Housing Quality, Variety, and Affordability*

*Appleton will provide a variety of rental and ownership housing choices in a range of prices affordable to community residents, and ensure that existing housing is adequately maintained in terms of physical quality and market viability.*

#### *OBJECTIVE 5.3 Housing and Neighborhoods:*

*Provide a range of housing options that meet the needs and appeal to all segments of the community and allows residents to age in place.*

*Policy 5.3.3 Plan for a supply of developable land suitable for residential development.*

#### *OBJECTIVE 10.1 Land Use:*

*Provide an adequate supply of suitable land meeting the demand for development of various land uses.*

#### *OBJECTIVE 10.4 Land Use:*

*Plan for compact, efficient, and fiscally responsible growth of residential, commercial, and industrial development in new neighborhoods in order to implement the principles of smart growth.*

*Policy 10.4.1 Continue to guide residential growth to locations either contiguous to or within*

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*presently urbanized areas. As peripheral development occurs, it should be at a compact, urban density to ensure new neighborhoods can be efficiently served by public infrastructure.*

**Parks and Open Space:** Section 17-29 of the Municipal Code requires parkland dedication or fee in lieu of dedication for residential subdivisions. Since no parkland will be dedicated on the subject property, park fees will be due prior to the City signing the Final Plat, which is consistent with the North Edgewood Estates Development Agreement.

**Technical Review Group (TRG) Report:** This item was discussed at the August 21, 2018 Technical Review Group meeting. No negative comments were received from participating departments.

### **RECOMMENDATION**

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The North Edgewood Estates Final Plat, as shown on the attached maps, **BE APPROVED** subject to the following conditions:

1. The Final Plat shall be recorded within 12 months from the approval date of the last approving authority and within 36 months from the approval date of the first approving authority. Failure to do so requires the subdivider to recommence the entire procedure for Final Plat approval.
2. On the east end of Lots 41 and 42, the dimension shown between the 1” Iron Pipe Found monuments (326.06’) is incorrect. Revise as necessary.
3. Indicate access control restrictions along North French Road for Lots 16, 17, and 27, as well as Outlot 1.
4. Park fees of \$13,500 (\$300 per lot) shall be paid to the City of Appleton Finance Department prior to City signatures being affixed to the Final Plat.
5. Grant relief from the minimum lot width requirement for Outlot 2 and the minimum lot area requirement for Outlot 1, per Section 17-3(f) of the Municipal Code and as stated previously in the staff report.
6. The owner/applicant shall work with the Town of Grand Chute to resolve the issue with the existing 40’ Drainage Maintenance Easement per CSM 4228, likely by getting a release from the Town. The owner/applicant shall also work with the City of Appleton Department of Public Works to create a similar easement, with the City as grantee, on the Final Plat.
7. Utilize a different street suffix, as the City’s street name policy does not allow for the street suffix “Trail” shown for the proposed Denali Trail.
8. A Stormwater Permit application with Stormwater Management Plan is required and has been received for review. There are outstanding City review comments on the application that must be addressed prior to Stormwater Permit issuance. Revisions to the plat, drainage plan, and storm sewer design may be required based on the ongoing review process. Final Plat approval will not

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be granted until a Stormwater Permit has been issued, and all corresponding plat requirements have been met.

9. The plat identifies a 75' setback from the ordinary high water mark of the navigable stream. However, Section 23-754(a) of the Municipal Code states the following requirements: There shall be established a shoreland setback area of at least fifty (50) feet from the ordinary high water mark.
10. All requirements from the City of Appleton Department of Public Works, Engineering Division shall be met to the satisfaction of the City Engineer prior to the City affixing signatures on the Final Plat.
11. The following streets within the Final Plat are to be classified as follows:
  - a. Rubyred Drive: Collector Street
  - b. Aquamarine Avenue: Local Street
  - c. Denali Trail (street suffix to be changed): Local Street
12. Per Sections 17-12(b)(2) and 17-12(b)(8) of the Municipal Code, provide a separate exhibit showing Shoreland Zoning Setback, a separate exhibit showing Wetland Protective Areas and a separate exhibit showing Flood Fringe and Floodway, as well as any areas that have been removed from the floodplain via placement of fill. On each exhibit the appropriate line work shall be defined by a metes and bounds description. The metes and bounds descriptions shall be in sufficient detail so that their exact geographical limits can be determined on the affected Lots. Each exhibit shall include a statement referencing the corresponding section of the Appleton Municipal Code. The floodplain exhibit shall include a statement that for any structures with basements located within areas removed from the floodplain via fill placement, a Professional Engineer registered in Wisconsin shall submit a statement prior to occupancy that the structure is reasonably safe from flooding, per FEMA Technical Bulletin 10-01, Figure 1.
13. Per Section 17-12(b)(7) of the Municipal Code, provide the ownership and maintenance obligation for the landscape, drainage and storm sewer easements shown on the plat.
14. Per Section 17-12(b)(10) of the Municipal Code, provide the reference datum for the OHWM elevations listed on the Plat.
15. Per Section 17-12(e) of the Municipal Code, the minimum length for survey monuments is 24" and 30", revise as necessary.
16. Per Section 17-12(g) of the Municipal Code, add storm sewer and drainage verbiage to the Easement Provisions on sheet 2 of 2 as appropriate.
17. Per §236.20(2)(b) of the Wisconsin Statutes, show the outside diameter of iron pipes found and or set.

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18. Per §236.20(6) of the Wisconsin Statutes, add Public Trust statement.
19. Per §236.20(2)(c) of the Wisconsin Statutes, provide bearings and distances for the easement boundary and to the adjacent Outlot 2 for the Transmission Easement shown on the Plat.
20. Development is subject to conditions of the Development Agreement between North Edgewood Estates Development, LLC and the City of Appleton that was approved by Common Council on January 17, 2018.
21. Revise Note #4 to state “Outlot 2 to be deeded to and maintained by the City of Appleton for stormwater management.”
22. On the Preliminary Plat, wetlands were shown on Lot 27. They are not shown on the Final Plat. Verify the presence or absence of wetlands on Lot 27.



# North Edgewood Estates Final Plat Aerial Map

Subject Area

City Limits

City Limits

E AQUAMARINE AV

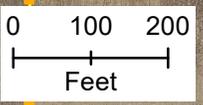
E RUBYRED DR

N FRENCH RD

E PARIS WAY



City Plan Commission  
9-11-18

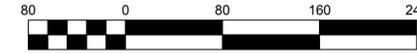
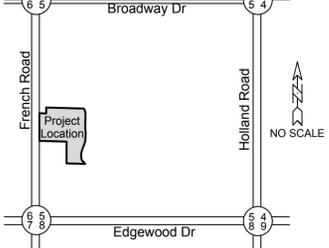


# North Edgewood Estates

All of Lot 2 of CSM 7488, being part of the Northwest 1/4 of the Southwest 1/4 Section 5, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin

## LOCATION MAP

SEC 5, T 21 N, R 18 E,  
CITY OF APPLETON,  
OUTAGAMIE COUNTY, WI



Bearings are referenced to the East line of the Northeast 1/4, Section 05, T21N, R18E, assumed to bear S00°02'25"E, base on the Outagamie County Coordinate System.

CURVE TABLE							LINE TABLE			
Curve	Radius	Chord Direction	Chord Length	Arc Length	Central Angle	Tangent Bearing-in	Tangent Bearing-out	Line	Bearing	Length
C1	280.00'	S 77°53'22" E	117.87'	118.76'	24°18'05"	S 89°57'35" W	S 65°44'20" E	L1	N 76°29'27" E	20.18'
C2	280.00'	N 83°29'43" W	63.83'	63.97'	13°05'23"	S 89°57'35" W	N 76°57'01" W	L2	N 76°29'27" E	20.14'
C3	280.00'	N 71°20'41" W	54.70'	54.79'	11°12'41"	N 76°57'01" W	N 65°44'20" W	L3	S 28°10'09" E	132.78'
C4	220.00'	S 77°42'49" E	91.29'	91.96'	23°56'57"	S 65°44'20" W	S 89°41'18" E	L4	N 28°10'09" W	132.78'
C5	220.00'	N 70°24'18" W	35.79'	35.83'	9°19'55"	N 65°44'20" W	N 75°04'15" W			
C6	220.00'	N 82°22'46" W	55.97'	56.13'	14°37'02"	N 75°04'15" W	N 89°41'18" W			
C7	70.00'	S 83°24'05" W	16.84'	16.89'	13°49'15"	N 76°29'27" E	S 89°41'18" E			
C8	280.00'	S 03°30'17" E	37.26'	37.28'	7°37'46"	S 00°18'36" W	S 07°19'10" E			
C9	70.00'	S 07°29'55" E	19.02'	19.08'	15°37'01"	S 15°18'25" E	S 00°18'36" W			
C10	130.00'	N 83°24'05" E	31.28'	31.36'	13°49'15"	N 89°41'18" W	S 76°29'27" W			
C11	280.00'	S 77°42'49" E	116.19'	117.04'	23°56'57"	N 65°44'20" W	N 89°41'18" W			
C12	280.00'	S 87°23'14" E	22.48'	22.49'	4°36'07"	S 89°41'18" E	S 85°05'11" E			
C13	280.00'	N 76°48'48" W	80.58'	80.86'	16°32'45"	N 89°41'18" W	N 68°32'25" W			
C14	280.00'	S 67°08'23" E	13.69'	13.69'	2°48'05"	S 68°32'25" E	S 65°44'20" E			
C15	220.00'	S 77°53'22" E	92.61'	93.31'	24°18'05"	S 89°57'35" W	N 65°44'20" W			
C16	220.00'	N 77°15'29" W	87.87'	88.46'	23°02'18"	N 65°44'20" W	N 88°46'39" W			
C17	220.00'	S 89°24'32" E	4.85'	4.85'	1°15'46"	S 88°46'39" E	N 89°57'35" E			
C18	135.00'	N 74°18'18" W	73.22'	74.15'	31°28'13"	S 88°34'11" E	N 89°57'36" E			
C19	215.00'	N 73°34'11" W	111.29'	112.57'	29°59'59"	S 88°34'11" E	S 58°34'12" E			
C20	215.00'	S 62°31'02" E	29.60'	29.62'	7°53'41"	S 58°34'12" E	S 66°27'52" E			
C21	215.00'	N 77°31'02" E	82.44'	82.95'	22°06'19"	N 66°27'52" W	N 88°34'11" W			
C22	285.00'	S 72°29'52" E	157.80'	159.89'	32°08'39"	S 88°34'11" E	S 56°25'32" E			
C23	285.00'	N 85°13'29" W	33.26'	33.28'	6°41'24"	N 88°34'11" W	N 81°52'47" W			
C24	285.00'	N 72°40'40" W	91.15'	91.54'	18°24'14"	N 81°52'47" W	N 63°28'34" W			
C25	285.00'	N 59°57'03" W	35.05'	35.07'	7°03'01"	N 63°28'34" W	N 56°32'52" W			
C26	70.00'	S 09°25'53" W	22.58'	22.68'	18°34'00"	N 00°08'53" E	N 18°42'53" E			
C27	120.00'	S 14°00'38" E	58.71'	59.31'	28°19'01"	N 28°10'09" W	N 00°08'53" E			
C28	120.00'	N 12°59'19" W	54.55'	55.03'	26°16'23"	N 00°08'53" E	N 26°07'30" W			
C29	120.00'	S 27°08'49" E	4.28'	4.28'	2°02'39"	S 26°07'30" E	S 28°10'09" E			
C30	280.00'	S 23°53'42" E	41.74'	41.78'	8°32'54"	N 19°37'15" W	N 28°10'09" W			
C31	65.00'	S 74°18'18" E	35.26'	35.70'	31°28'14"	N 89°57'35" E	S 58°34'11" E			
C32	285.00'	S 73°34'11" E	147.53'	149.23'	30°00'00"	S 58°34'11" E	S 88°34'11" E			
C33	285.00'	S 62°20'04" E	37.42'	37.45'	7°31'45"	S 58°34'11" E	S 66°05'56" E			
C34	285.00'	S 74°49'31" E	86.48'	86.81'	17°27'09"	S 66°05'56" E	S 83°33'05" E			
C35	285.00'	S 86°03'38" E	24.95'	24.96'	5°01'06"	S 83°33'05" E	S 88°34'11" E			
C36	215.00'	S 72°29'52" E	119.04'	120.62'	32°08'39"	S 88°34'11" E	S 56°25'32" E			
C37	215.00'	S 83°26'48" E	38.40'	38.45'	10°14'46"	S 88°34'11" E	S 78°19'25" E			
C38	215.00'	S 67°22'29" E	81.67'	82.17'	21°53'52"	S 78°19'25" E	S 56°25'32" E			
C39	130.00'	N 12°53'33" E	57.36'	57.83'	25°29'21"	N 25°38'13" E	N 00°08'53" E			
C40	180.00'	N 14°00'38" W	88.06'	88.96'	28°19'01"	N 00°08'53" E	N 28°10'09" W			
C41	180.00'	N 00°34'31" W	4.54'	4.54'	1°26'47"	N 00°08'53" E	N 01°17'55" W			
C42	180.00'	N 12°38'08" W	70.77'	71.23'	22°40'26"	N 01°17'55" W	N 23°58'21" W			
C43	180.00'	N 26°04'15" W	13.18'	13.18'	4°11'48"	N 23°58'21" W	N 28°10'09" W			
C44	220.00'	N 13°55'47" W	108.23'	109.35'	28°28'45"	N 28°10'09" W	N 00°18'36" E			
C45	220.00'	N 20°59'42" W	54.95'	55.09'	14°20'54"	N 28°10'09" W	N 13°49'15" W			
C46	220.00'	N 06°45'20" W	54.12'	54.26'	14°07'51"	N 13°49'15" W	N 00°18'36" E			
C47	130.00'	N 03°35'42" W	17.71'	17.72'	7°48'35"	N 00°18'36" E	N 07°29'59" W			



## NOTES

- All linear measurements have been made to the nearest one hundredth of a foot.
- All angular measurements have been made to the nearest 20 seconds and computed to the nearest half seconds.
- Outlot 1 will be owned by the developer who retains the rights and privileges to deed the lands to an adjoining land owner.
- Outlot 2 is dedicated to the Public for Stormwater management per this document.

## LEGEND

- △ 1/4" Rebar Found
- 3/4" Rebar Found
- 1" Iron Pipe Found
- 1/4" x 18" Steel Rebar @ 4.30lbs/LF SET
- All other corners
- 3/4" x 18" Steel Rebar @ 1.50lbs/LF SET
- SF Lot areas in square feet

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.

Certified \_\_\_\_\_, 20\_\_\_\_

Department of Administration



Aug. 13, 2018--4:34pm J:\Projects\5032\Final.dwg (Civil\_3D\_5032\Final.dwg) Printed by: jim

File: 5032Final.dwg  
Date: 08/13/2018  
Drafted By: jim  
Sheet: 1 of 2

Revision Date: Aug 13, 2018



**DAVEL ENGINEERING & ENVIRONMENTAL, INC.**  
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1811 Racine Street, Menasha, WI 54952  
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www.davel.pro

# North Edgewood Estates

All of Lot 2 of CSM 7488, being part of the Northwest 1/4 of the Southwest 1/4 Section 5, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin

Surveyor's Certificate

I, James R. Sehloff, Professional land surveyor, hereby certify: That in full compliance with the provisions of Chapter 236 of the Wisconsin Statutes and the subdivision regulations of the City of Appleton, and under the direction of North Edgewood Estates, LLC, owner of said land, I have surveyed divided and mapped North Edgewood Estates; that such plat correctly represents all exterior boundaries and the subdivision of the land surveyed; and that this land is All of Lot 2 of CSM 7488, being part of the Northwest 1/4 of the Southwest 1/4 Section 5, Township 21 North, Range 18 East, City of Appleton, Outagamie County, Wisconsin, containing 1,070,335 Square Feet (24.5715 Acres) of land more or less, including all lands between the meander line and the Ordinary High Water Mark of a tributary of Apple Creek, subject to all easements, and restrictions of record.

Given under my hand this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

James R. Sehloff, Wisconsin Professional Land Surveyor No. S-2692

Utility Easement Provisions

An easement for electric, natural gas, and communications service is hereby granted by

North Edgewood Estates, LLC, Grantor, to:

Wisconsin Electric Power Company and Wisconsin Gas, LLC, Wisconsin corporations doing business as We Energies, Grantee, SBC, Grantee, and Time Warner Cable, 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 easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

North Edgewood Estates, LLC

Kurt Coenen, Managing Member \_\_\_\_\_ Date \_\_\_\_\_

Owner's Certificate

North Edgewood Estates, LLC, a limited liability company duly organized and existing under and by virtue of the laws of the State of Wisconsin, as the property owner, does hereby certify that said limited liability company caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on this plat.

North Edgewood Estates, LLC, does further certify this plat is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection:

City of Appleton  
Department of Administration

Dated this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

In the presence of: North Edgewood Estates, LLC

Kurt Coenen

State of Wisconsin)

\_\_\_\_\_ County) ss

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_, the above the property owner(s) to me known to be the persons who executed the foregoing instrument and acknowledge the same.

My Commission Expires \_\_\_\_\_  
Notary Public, Wisconsin

Watermain Easement Provisions

An easement for Watermain is hereby granted by:

North Edgewood Estates, LLC, Grantor, to:

THE CITY OF APPLETON, Grantee,

The Grantor, their respective lessees, successors, heirs or assigns, shall have full use and enjoyment of the property referenced above provided that such use does not interfere with Grantee's right to install, replace, operate, maintain and repair said watermain and associated appurtenances. It is further agreed that after maintaining, repairing, replacing or relocating of said watermain and associated appurtenances Grantee shall restore unimproved surfaces such as grass, gravel and dirt on said property, as closely as possible, to the condition previously existing. Grantee shall not be required to restore or compensate for any improvements or improved surfaces such as, but not limited to, curb and gutter, hard pavements, trees, shrubs and landscaping, disturbed as a result of the maintenance activities described herein. Grantee does hereby agree to compensate fully for any damage caused directly or indirectly from said maintenance, repair, replacement or relocation of said watermain and associated appurtenances, that occur outside of the above described easement area. Buildings or any other type of structure shall not be placed over Grantees' facilities or in, upon or over the property within the lines marked "watermain easement" Grantee agrees that it shall give timely notice to the Grantor of routine maintenance work.

The grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

North Edgewood Estates, LLC

Kurt Coenen, Managing Member \_\_\_\_\_

City of Appleton Approval

Resolved, that the plat of North Edgewood Estates, in the City of Appleton, Outagamie County, North Edgewood Estates, LLC, owners, is hereby approved by the Common Council of the City of Appleton.

Mayor \_\_\_\_\_ Date \_\_\_\_\_

I hereby certify that the foregoing is a copy of a resolution adopted by the the Common Council of the City of Appleton.

Clerk \_\_\_\_\_ Date \_\_\_\_\_

Treasurer's Certificate

We, being the duly elected, qualified and acting Treasurer's of the City of Appleton and Outagamie County, do hereby certify that in accordance with the records in our office, there are no unredeemed tax sales and unpaid taxes, or special assessments on and of the land included in this plat.

City Treasurer \_\_\_\_\_ Date \_\_\_\_\_

County Treasurer \_\_\_\_\_ Date \_\_\_\_\_

This Final Plat is contained wholly within the property described in the following recorded instruments:

the property owner of record:	Recording Information:	Parcel Number(s):
North Edgewood Estates, LLC	Doc No. 2126430	31-1-7609-00

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.

Certified \_\_\_\_\_, 20 \_\_\_\_

Department of Administration 

Revision Date: Aug 10, 2018  
File: 5032Final.dwg  
Date: 08/10/2018  
Drafted By: jim  
Sheet: 2 of 2



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