

eno objections to this plat with respect to 5, 236.16, 236.20 and 236.21 (1) and (2), Wis. provided by s. 236.12, Wis. Stats.
d October 23, 2023
Perce M. Power epartment of Administration

Revised September 19, 2023

# FOURTH ADDITION TO CLEARWATER CREEK

PART OF LOT 2 OF CERTIFIED SURVEY MAP NO. 3927 FILED IN VOLUME 21 OF CERTIFIED SURVEY MAPS ON PAGE 3927 AS DOCUMENT NO. 1388606, BEING PART OF THE SOUTHWEST 1/4 OF THE FRACTIONAL NORTHEAST 1/4; AND UNPLATTED LANDS BEING PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4; ALL IN SECTION 2, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, CHRISTOPHER R. CLEARY, PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY:

THAT I HAVE SURVEYED, DIVIDED, AND MAPPED FOURTH ADDITION TO CLEARWATER CREEK, AT THE DIRECTION OF CLEARWATER CREEK, LLC, PART OF LOT 2 OF CERTIFIED SURVEY MAP NO. 3927 FILED IN VOLUME 21 OF CERTIFIED SURVEY MAPS ON PAGE 3927 AS DOCUMENT NO. 1388606, BEING PART OF THE SOUTHWEST 1/4 OF THE FRACTIONAL NORTHEAST 1/4; AND UNPLATTED LANDS BEING PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4; ALL IN SECTION 2, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 2; THENCE NORTH 89 DEGREES 40 MINUTES 21 SECONDS WEST, ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION, A DISTANCE OF 1300.89 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 07 MINUTES 09 SECONDS EAST, ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION, A DISTANCE OF 19.71 FEET; THENCE SOUTH 50 DEGREES 55 MINUTES 11 SECONDS WEST, ALONG THE NORTHERLY LINE OF OUTLOT 2, FIRST ADDITION TO CLEARWATER CREEK, A DISTANCE OF 880.71 FEET; THENCE SOUTH 41 DEGREES 17 MINUTES 35 SECONDS WEST, CONTINUING ALONG THE NORTHERLY LINE OF SAID OUTLOT 2, A DISTANCE OF 209.90 FEET; THENCE NORTH 39 DEGREES 21 MINUTES 44 SECONDS WEST, ALONG THE NORTHEASTERLY LINE OF OUTLOT 1, CERTIFIED SURVEY MAP NO. 7827, A DISTANCE OF 227.58 FEET; THENCE 88.74 FEET ALONG AN ARC OF A CURVE TO THE LEFT, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SWEETWATER WAY, SAID CURVE HAVING A RADIUS OF 280.00 FEET AND A CHORD THAT BEARS NORTH 59 DEGREES 43 MINUTES 01.5 SECONDS EAST, 88.37 FEET; THENCE NORTH 50 DEGREES 38 MINUTES 16 SECONDS EAST, CONTINUING ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SWEETWATER WAY, A DISTANCE OF 22.82 FEET; THENCE NORTH 29 DEGREES 14 MINUTES 54 SECONDS WEST, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SWEETWATER WAY, A DISTANCE OF 60.95 FEET; THENCE THE FOLLOWING SIX CALLS ARE ALONG THE SOUTHERLY LINE OF THE THIRD ADDITION TO CITADWATED COPER AND CEDTITED CHOURY MAD NO. 9106.

F	<b>7DDTJTO</b> Ľ	1 IO C	LEAD	WAIER	CKEEL	AND CE	KT TI	TED SOK	VEI MAI	- NO. 0100:
	THENCE	NORTH	39	DEGREE	S 21	MINUTES	44	SECONDS	WEST,	59.84 FEET;
	THENCE	NORTH	00	DEGREES	S 15	MINUTES	15	SECONDS	EAST,	100.20 FEET;
	THENCE	NORTH	73	DEGREE	S 01	MINUTES	34	SECONDS	EAST,	49.11 FEET;
	THENCE	NORTH	50	DEGREE	S 38	MINUTES	16	SECONDS	EAST,	190.00 FEET;
	THENCE	NORTH	43	DEGREE	S 34	MINUTES	56	SECONDS	EAST,	95.72 FEET;
	THENCE	NORTH	50	DEGREES	S 38	MINUTES	16	SECONDS	EAST,	290.53 FEET;

THENCE SOUTH 00 DEGREES 19 MINUTES 45 SECONDS WEST, ALONG THE EAST LINE OF LOT 2, CERTIFIED SURVEY MAP NO. 3927, A DISTANCE OF 87.84 FEET; THENCE SOUTH 89 DEGREES 40 MINUTES 21 SECONDS EAST, ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 2, A DISTANCE OF 455.83 FEET TO THE POINT OF BEGINNING. CONTAINING 312,063 SQ.FT. [7.164 ACRES].

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 OUTAGAMIE COUNTY AND THE CITY OF APPLETON IN SURVEYING, DIVIDING AND MAPPING THE SAME.

GIVEN UNDER MY HAND THIS Z5th DAY OF OCTOBER, 2023. with the R. Cleary EARY, PROFESSIONAL LAND SUBJEYOR S-2551 CHRISTOPHER R. CLEARY,

#### CORPORATE OWNER'S CERTIFICATE OF DEDICATION

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

CLEARWATER CREEK, 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, OUTAGAMIE COUNTY, AND CITY OF APPLETON.

WITNESS THE HAND AND SEAL OF SAID OWNER(S) THIS 4 DAY OF ANUANY , 2024.

Ruhelt Re Breen ROBERT DEBRUIN

STATE OF WISCONSIN ) ) SS

OUTAGAMIE COUNTY )

PERSONALLY CAME BEFORE ME THIS 4 DAY OF JANUAP THE ABOVE OWNER(S) TO ME KNOWN TO BE THE PERSON(S), WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

MOTARY PUBLIC MY COMMISSION EXPIRES 10/20/2027

Martenson & Eisele, Inc. 1377 Midway Road Planning Menasha, WI 54952 Environmental www.martenson-eisele.com Survevina info@martenson-eisele.com Engineering 920,731,0381 1,800,236,0381 Architecture



UTILITY EASEMENT PROVISIONS CLEARWATER CREEK, 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 EASEMENT SHALL BE BINDING UPON AND INURE TO THE BENEFIT OF THE HEIRS, SUCCESSORS AND ASSIGNS OF ALL PARTIES HERETO.

DRAINAGE EASEMENT PROVISIONS AN EASEMENT FOR DRAINAGE IS HEREBY GRANTED BY CLEARWATER CREEK, LLC, GRANTOR, TO

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 DRAINAGEWAY AND ASSOCIATED APPURTENANCES. IT IS FURTHER AGREED THAT AFTER MAINTAINING, REPAIRING, REPLACING OR RELOCATING OF SAID DRAINAGEWAY AND ASSOCTATED 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 DRAINAGEWAY AND ASSOCIATED APPURTENANCES, THAT OCCUR OUTSIDE OF THE ABOVE DESCRIBED EASEMENT AREA. BUILDINGS OR ANY OTHER TYPE OF STRUCTURE OR IMPEDIMENT TO DRAINAGE SHALL NOT BE PLACED OVER GRANTEES' FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE LINES MARKED "DRAINAGE EASEMENT". GRANTEE AGREES THAT IT SHALL GIVE TIMELY NOTICE TO THE GRANTOR OF ROUTINE MAINTENANCE WORK. GRANTOR SHALL MAINTAIN GROUND SURFACE AND VEGETATION SO AS NOT TO IMPEDE DRAINAGE.

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

Robert De Brun

STORM SEWER EASEMENTS PROVISION

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 STORM SEWER AND ASSOCIATED APPURTENANCES. IT IS FURTHER AGREED THAT AFTER MAINTAINING, REPAIRING, REPLACING OR RELOCATING OF SAID STORM SEWER 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 STORM SEWER 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 "STORM SEWER EASEMENT" GRANTEE AGREES THAT IT SHALL GIVE TIMELY NOTICE TO THE GRANTOR OF ROUTINE MAINTENANCE WORK.

ASSIGNS OF ALL PARTIES HERETO.

Rohert De Brun



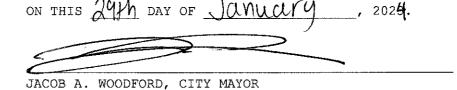
AN EASEMENT FOR ELECTRIC, NATURAL GAS, AND COMMUNICATIONS SERVICE IS HEREBY GRANTED BY

AN EASEMENT FOR STORM SEWER IS HEREBY GRANTED BY CLEARWATER CREEK, LLC, GRANTOR, TO

THE GRANT OF EASEMENTS SHALL BE BINDING UPON AND INURE TO THE BENEFIT OF THE HEIRS, SUCCESSORS AND

## COMMON COUNCIL RESOLUTION:

RESOLVED, THAT THE FOURTH ADDITION TO CLEARWATER CREEK, IN THE THE COMMON COUNCIL OF THE CITY OF APPLETON.



I HEREBY CERTIFY THAT THE FOREGOING IS A COPY OF A RESOLUTION CITY OF APPLETON.

129/2024

## CITY TREASURER'S CERTIFICATE:

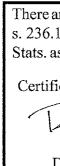
I, JERI A. OHMAN, BEING THE DULY QUALIFIED AND ACTING FINANCE CITY OF APPLETON, DO HEREBY CERTIFY THAT IN ACCORDANCE WITH T ARE NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS AS OF LAND INCLUDED IN THE FOURTH ADDITION TO CLEARWATER CREEK.

123/24 Junnan  $\overline{\ldots}$ JERI A. OHMAN, CITY FINANCE DIRECTOR

#### COUNTY TREASURER'S CERTIFICATE: Rochelle Ostern

I, Kochelle Oslery	_, BEING THE DULY ELECTED,
TREASURER OF THE COUNT OF OUTAGAMIE	
SHOW NO UNREDEEMED TAX SALES AND NO	UNPAID TAXES OR UNPAID SPE
OF 129 24 AFFECTING	THE LANDS INCLUDED IN THE
•	0

DATE 1/29/24 SIGNED KOCLElle OSLE



CITY OF APPLETON, IS HEREBY APPROVED BY
ADOPTED BY THE COMMON COUNCIL OF THE
DIRECTOR OF THE
e records in my office, there $23/24$ on any of the
QUALIFIED AND ACTING
HE RECORDS IN MY OFFICE CIAL ASSESSMENTS AS
FOURTH ADDITION TO CLEARWATER CREEK.
UNTY TREASURER
e no objections to this plat with respect to 5, 236.16, 236.20 and 236.21 (1) and (2), Wis.
provided by s. 236.12, Wis. Stats.
d October 23, 2023
femeill. Jonkey
epartment of Administration
Revised September 19, 2023 Drawing No. 1-0822-003
Sheet 1 of 2 This instrument drawn by: C. Cleary