



Port Abstract & Title LLC  
P.O.Box 974  
West Bend, WI 53095  
262-335-2999  
Fax:262-335-3966

Refer Inquiries to: Joe Nemith (jnemith@knightbarry.com)  
Completed on:4/28/10 5:34 pm  
Last Revised on:4/28/10 5:34 pm  
Printed on:4/28/10 5:34 pm

**Applicant Information**

Kristin Schrader  
Wisconsin Dept of Transportation - Project #1440-15-00  
944 Vanderperrin Way  
Green Bay, WI 54324

Sales Representative:Craig Haskins

**Property Information**

Owner(s) of record:Kenneth M. Birschbach and Diane Birschbach, husband and wife

Property address:State Trunk Highway 23

Land value: \$6,500.00

Improvement value: \$0.00

Total value: \$6,500.00

Fair market value: \$6,500.00

Legal description: The East 1/2 of the Southeast 1/4 of Section 8, Township 15 North of Range 18 East, Town of Empire, Fond du Lac County, Wisconsin. EXCEPTING THEREFROM that part conveyed to John L. Schmitz and wife, by Volume 615 of Records on page 187, and further EXCEPTING THEREFROM that part conveyed to State of Wisconsin, Department of Transportation, Division of Highways in Volume 752 of Records on page 647 and further EXCEPTING THEREFROM Lot 1 of Certified Survey Map No. 4162 as recorded in Volume 23 of Certified Survey Maps on pages 81, 81A and 81B, located in Northeast 1/4 Southeast 1/4 of Section 8-15-18. Also EXCEPTING THEREFROM the lands conveyed to Fond du Lac County for highway purposes, recorded in the Register of Deeds for Fond du Lac County in Volume 360 of Deeds on page 597, and also EXCEPTING THEREFROM that part conveyed to Wisconsin Power and Light Company by Deed recorded as Document No. 703066.

Tax Key No: T08-15-18-08-13-001-00

**Mortgages, Judgments, Liens, Taxes**

1. General Taxes for the year 2010 .
2. Taxes for the year 2009 in the amount of \$103.83 are being paid on a payment plan. The balance due is \$51.91 . All installments that are due have been paid and there are no delinquent balances.
3. Right of Way Grant and other matters contained in the instrument recorded March 10, 1980 in Volume 810, pag 469 as Document No. 357883 .
4. High Voltage Electric Transmission Line Easement and other matters contained in the instrument recorded March 21, 2001 as Document No. 710007 .
5. Easements and rights of Access and other matters contained in the instrument recorded April 5, 1977 in Volume 752, page 647 as Document No. 320204 .
6. Partial Easement Assignment and other matters contained in the instrument recorded January 28, 2002 as Document No. 736734 .
7. Public or private rights, if any, in such portion of the subject premises as may be presently used, laid out, or dedicated in any manner whatsoever, for street, highway and/or alley purposes.

**Other Matters and Footnotes**



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Recordable documents must be delivered to the address shown on the top of this report.

In accordance with applicant's request, we have made a search of the records in the various public offices of Fond du Lac County, and find (i) title to the property described above to be in the owner or owners of record set forth above and (ii) no change of record affecting such property, since the above-mentioned owners of record took title through 4/26/10 at 8:00 am , the effective date of this report, except those matters shown above .

Please read the "Terms and Conditions - Letter Report of Title" set forth on the Knight-Barry Title Group website at [www.knightbarry.com/termsletterreport](http://www.knightbarry.com/termsletterreport) (the "Terms and Conditions"). By accepting this Letter Report of Title, you represent that you have read and understand the Terms and Conditions and that you agree to be bound by the Terms and Conditions. The Knight-Barry Title Group reserves the right to update the Terms and Conditions as necessary - it is your responsibility to review them periodically.

# Fond du Lac County Real Estate Tax Record Detail

Property Record for Parcel Number: T08-15-18-08-13-001-00

Page 1 of 2

## Location Information



Municipality: TOWN OF EMPIRE Location Address:  
Primary Owner Name: KENNETH M BIRSCHBACH Mailing Address: N6478 COUNTY ROAD UU  
Secondary Owner Name: DIANE BIRSCHBACH City, State, Zip: FOND DU LAC WI 54937

## Property Description (As of Last Tax Bill Issued)

### Legal Description:

(Please refer to original source document for actual legal description)

S8 T15N R18E NE 1/4 SE 1/4 EXC 5.04A AS IN V615-187 & EXC HWY AS REC V752-647 & EXC CSM #4162-23-81 #5976-39-53 (910937) 27.869A

(The last line of the legal description contains the volume & page numbers for recorded documents in the Register of Deeds Office.)

Section, Town, Range: S.8, T.15, R.18 Volume: 0 Document Number: 910937  
Total Acres: 27.869 Page: 0

Note: Fair Market Value is not shown for Agricultural Land because of Use Value Assessment per State law.

## Assessment Information

	<u>2009</u>	<u>2008</u>
Assessed Acres	27.869	27.869
Land Value	\$6,500.00	\$5,050.00
Improvement Value	\$0.00	\$0.00
Total Value	\$6,500.00	\$5,050.00
Fair Market Value	\$6,500.00	\$6,100.00
Fair Market Ratio	1.0032	0.8272

## Real Estate Tax Information

	<u>2009</u>	<u>2008</u>
Original Tax	\$103.83	\$93.61
Lottery Credit	\$0.00	\$0.00
First Dollar Credit	\$0.00	\$0.00
Net Tax	\$103.83	\$93.61
Special Assessments	\$0.00	\$0.00
Total Taxes	\$103.83	\$93.61
Total Payments	\$51.92	
Balance Due	\$51.91	

<p style="text-align: center;">13/2</p> <p style="text-align: center;">State Bar of Wisconsin Form 1-2003 <b>WARRANTY DEED</b></p> <p>Document Number _____ Document Name _____</p>	<p>DOC# 910937</p> <p>Recorded FEB. 20, 2008 AT 01:52PM</p> <p><i>Valeria R. Birschbach</i></p> <p>PATRICIA ABALS REGISTER OF DEEDS FOND DU LAC COUNTY</p> <p>Fee Amount: \$13.00 Recording Area Fee Exempt 77.25-(17)</p> <hr/> <p>Name and Return Address ATTORNEY TERRENCE J. GAFFNEY PO BOX 2068 FOND DU LAC, WI 54936-2068</p>
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THIS DEED, made between Delbert G. and Valeria R. Birschbach, husband and wife  
 \_\_\_\_\_ ("Grantor," whether one or more),  
 and Kenneth M. and Diane Birschbach, husband and wife as marital survivorship property  
 \_\_\_\_\_ ("Grantee," whether one or more).

Grantor, for a valuable consideration, conveys to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in Fond du Lac County, State of Wisconsin ("Property") (if more space is needed, please attach addendum):  
 See attached legal description

This deed is given in satisfaction of a certain Land Contract dated January 23, 1993 and recorded in the Office of the Register of Deeds for Fond du Lac County on January 26, 2993 in Volume 1114 on Pages 116-117 as Document No. 525521.

T08-15-18-08-13-001-00 & T08-15-18-08-16-001-00  
Parcel Identification Number (PIN)

This is not homestead property.  
(15)(18-000)

Grantor warrants that the title to the Property is good, indefeasible in fee simple and free and clear of encumbrances except: covenants, conditions, easements and restrictions of record; utility, drain tile, pipe and other conduit, zoning, building line, set-back, and other applicable municipal ordinances, and any liens or encumbrances created by the grantee while in possession of the property.

Dated 1-2-08

\_\_\_\_\_  
(SEAL) Delbert G. Birschbach (SEAL)  
Delbert G. Birschbach

\_\_\_\_\_  
(SEAL) Valeria R. Birschbach (SEAL)  
Valeria R. Birschbach

## AUTHENTICATION

Signature(s) \_\_\_\_\_  
 authenticated on \_\_\_\_\_

TITLE: MEMBER STATE BAR OF WISCONSIN  
 (If not, \_\_\_\_\_  
 authorized by Wis. Stat. § 706.06)

THIS INSTRUMENT DRAFTED BY:

ATTORNEY TERRENCE J. GAFFNEY  
 PO BOX 2068, FOND DU LAC, WI 54936-2068

## ACKNOWLEDGMENT

STATE OF WISCONSIN )  
 ) ss.  
 FOND DU LAC COUNTY )

Personally came before me on \_\_\_\_\_  
 the above-named Delbert G. Birschbach and Valeria R. Birschbach

to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

Terrence J. Gaffney  
 Notary Public, State of Wisconsin  
 My Commission (is permanent) expires: 6/14/09

(Signatures may be authenticated or acknowledged. Both are not necessary.)

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATIONS TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.  
 WARRANTY DEED © 2003 STATE BAR OF WISCONSIN FORM NO. 1-2003

\* Type name below signatures.

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The East Half (E 1/2) of the Southeast Quarter (SE 1/4) of Section 8, Township 15 North of Range 18 East, Town of Empire, Fond du Lac County, Wisconsin. EXCEPTING THEREFROM that part conveyed to John L. Schmitz and wife, by Volume 615 of Records on page 187, and further EXCEPTING THEREFROM that part conveyed to State of Wisconsin, Department of Transportation, Division of Highways in Volume 752 of Records on page 647 and further EXCEPTING THEREFROM Lot 1 of Certified Survey Map No. 4162 as recorded in Volume 23 of Certified Survey Maps on pages 81, 81A and 81B, located in NE1/4 SE1/4 of Section 8-15-18. Also EXCEPTING THEREFROM the lands conveyed to Fond du Lac County for highway purposes, recorded in the Register of Deeds for Fond du Lac County in Volume 360 of Deeds on page 597.

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DOCUMENT NO.

23579

## WARRANTY DEED

STATE OF WISCONSIN—FORM 9  
THIS SPACE RESERVED FOR RECORDING DATAREGISTER'S OFFICE  
FOND DU LAC COUNTY, WIS.RECORDED AT \_\_\_\_\_ M.  
NOV 13 1969 IN \_\_\_\_\_

Vol. \_\_\_\_\_

Kenneth S. Betz

REGISTER OF DEEDS

RETURN TO

NATIONAL EXCHANGE BANK  
FOND DU LAC, WISCONSINTHIS INDENTURE, Made by Delbert Birschbach and  
Valeria Birschbach, his wife, individually and  
as joint tenants,grantor S. of Fond du Lac County, Wisconsin, hereby conveys and warrants  
to John L. Schmitz and Janice K. Schmitz, his wife,  
as joint tenantsgrantee S.  
of Fond du Lac County, Wisconsin, for the sum of  
One Dollar (\$1.00) and other good and valuable  
considerations  
the following tract of land in Fond du Lac County, State of Wisconsin;A parcel of land located in the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 8,  
Township 15 North, Range 18 East, (Town of Empire),  
Fond du Lac County, Wisconsin, and more particularly  
described as follows:Commencing at the East  $\frac{1}{4}$  Post of said Section 8 and  
running thence West, 822.74 feet along the North line  
of the SE $\frac{1}{4}$  of said Section to the place of beginning  
for the description of this parcel:  
Thence South 0°-20' West, 445.00 feet.  
Thence West, 493.00 feet parallel with said North line.  
Thence North 0°-20' East, 445.00 feet parallel with  
the East line of this parcel.  
Thence East, 493.00 feet along said North line to the  
place of beginning, and containing 5.036 acres of land  
more or less with the Northerly 33 feet of above  
described parcel subject to the rights of the public  
for S.T.H. "23" purposes.TRANSFER  
\$ 4.10  
FEEIN WITNESS WHEREOF, the said grantor S. and his wife, hereto set their hand S. and seal S. this 12th  
day of November, A. D., 1969.

SIGNED AND SEALED IN PRESENCE OF

Gerald P. Steffen

p. J. Fischer

(SEAL)

Delbert Birschbach

(SEAL)

Valeria Birschbach

(SEAL)

(SEAL)

STATE OF WISCONSIN,

Fond du Lac County, ss.

Personally came before me, this 12th day of November, A. D., 1969,  
the above named Delbert Birschbach and Valeria Birschbach, his wife,

to me known to be the person S. who executed the foregoing instrument and acknowledged the same.

G15-187

This instrument drafted by

Attorney John J. Schneider

NOTARY  
SEAL

Gerald P. Steffen

Notary Public, Fond du Lac County, Wis.

Notary Public, Fond du Lac County, Wis.

My Commission Expires July 2, 1972

(Section 59.51 (1) of the Wisconsin Statutes provides that all instruments to be recorded shall have plainly printed or typewritten thereon the names of the grantors, grantees, witnesses and notary).

WARRANTY DEED—STATE OF WISCONSIN, FORM NO. 9

703066

STATE BAR OF WISCONSIN FORM 1 - 1998  
WARRANTY DEED

Document Number

RECEIVED FOR RECORD

00 NOV 14 PM 3:43

May 10 2000  
REGISTER OF DEEDS  
FOND DU LAC COUNTY, WIThis Deed, made between Kenneth M. Birschbach and  
Diane M. Birschbach a/k/a Kenneth Birschbach and  
Diane Birschbach\_\_\_\_\_, Grantor,  
and Wisconsin Power and Light Company, a Wisconsin  
Corporation\_\_\_\_\_, Grantee.  
Grantor, for a valuable consideration, conveys to Grantee the following  
described real estate in Fond du Lac County, State of Wisconsin  
(the "Property"):Lot 1 of Certified Survey Map 5976 as described and  
recorded September 6, 2000, in Volume 39 of Certified  
Survey Maps, pages 53 to 53B, in the office of the  
Register of Deeds for Fond du Lac County, being a  
part of the Northeast Quarter (NE 1/4) of the Southeast  
Quarter (SE 1/4) of Section 8, Town 15 North, Range 18  
East, Town of Empire, Fond du Lac County, Wisconsin.

Recording Area

Name and Return Address

Wisconsin Power and Light Company  
222 West Washington Avenue  
P.O. Box 192  
Madison, WI 53701-0192

Part of

T08-15-18-08-13-001-00

Parcel Identification Number (PIN)

This \_\_\_\_\_ homestead property.  
~~xxx~~ (Is not)TRANSFER  
\$ 14340  
FEE

Together with all appurtenant rights, title and interests.

Grantor warrants that the title to the Property is good, indefeasible in fee simple and free and clear of encumbrances except

Dated this 13<sup>th</sup> day of NOVEMBER, 2000.Kenneth M. Birschbach (SEAL)

(SEAL)

\* Kenneth M. Birschbach

\*

Diane M. Birschbach (SEAL)

(SEAL)

\* Diane M. Birschbach

\*

## AUTHENTICATION

Signature(s) \_\_\_\_\_

authenticated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\* TITLE: MEMBER STATE BAR OF WISCONSIN

(If not, \_\_\_\_\_  
authorized by §706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY

Ron Conard

## ACKNOWLEDGMENT

State of Wisconsin,

Fond du Lac

County.

ss.

Personally came before me this 13<sup>th</sup> day of  
NOVEMBER, 2000, the above namedKenneth M. BirschbachDiane M. Birschbach\_\_\_\_\_ to  
me known to be the person \_\_\_\_\_ who executed the foregoing  
instrument and acknowledge the same.Ronald E. Conard\* Ronald E. Conard

Notary Public, State of Wisconsin

My commission is permanent. (If not, state expiration date:

January 5, 2003.)(Signatures may be authenticated or acknowledged. Both are not  
necessary.)

\* Names of persons signing in any capacity must be typed or printed below their signature.

WARRANTY DEED

STATE BAR OF WISCONSIN  
FORM No. 1 - 1998Wisconsin Legal Blank Co., Inc.  
Milwaukee, Wis.

357883

Sec 8, 7 15 N,  
R 18 E. Town Empire  
Fond du Lac CountyM-3979  
(3-62)  
FCC 4602

## RIGHT-OF-WAY GRANT

In consideration of the sum of ONE HUNDRED AND TWO AND NO/100-----  
DOLLARS (\$ 102.00 ), the undersigned, for them sel ves, their heirs, successors and assigns, grant  
and convey unto the WISCONSIN TELEPHONE COMPANY, its successors and assigns, an exclusive right of  
way and easement to place, replace, maintain or remove an underground cable telephone line, including associated  
appliances such as conduits, marker posts and pressure alarm apparatus, on and through certain lands owned by  
the grantors in the Town of Empire, Fond du Lac County,  
Wisconsin, and described as: The North 20 feet of that part of the East 822.74

feet of the Northeast 1/4 of the Southeast 1/4, Section 8, Township 15 N.  
Range 18 E. lying South of and adjacent to new highway (STH 23); Said  
highway land is described in instrument recorded in Vol. 752, Page 647  
Register of Deeds, Fond du Lac County, Wis.

This grant includes the right, on and through the lands hereinbefore described, to place, replace, maintain or  
remove additional underground cable telephone lines, together with associated appliances, subsequent to the plac-  
ing of the telephone line to be initially installed hereunder, ~~it being understood, however, that such additional~~  
~~lines shall be located roughly parallel to, and not more than about ----- feet distant from, the first line~~  
~~installed hereunder.~~

This grant likewise includes the right of ingress and egress on the lands of the undersigned for the purpose of  
exercising the rights herein granted; the right to install a gate or to make a temporary opening in any fence on said  
lands at the point where such fence crosses the route of said telephone line or lines; and the right to cut down and,  
by continued cutting or by chemical treatment, to control the future growth of all trees and brush which may, in the  
judgment of the grantee, interfere with the exercise of the rights herein granted.

The rights herein granted may be assigned by the grantee in whole or in part.

The grantors, for them sel ves, their heirs, successors and assigns, covenant not to erect any  
structure on said lands that would interfere with the installation, replacement, maintenance or removal hereunder  
of said telephone line or lines and associated appliances.

The grantee, for itself, its successors and assigns, covenants that it will pay the reasonable value of any  
crops destroyed and other physical damage done to the property of the grantors, their heirs, successors and  
assigns, arising at any time out of the exercise by it of the rights herein granted.

Signed this 8<sup>TH</sup> day of AUGUST, 1979.

WITNESS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Delbert Birschbach (SEAL)  
Delbert Birschbach Land Owner

Valeria Birschbach (SEAL)  
Valeria Birschbach His Wife

VOL. 810 PAGE 469



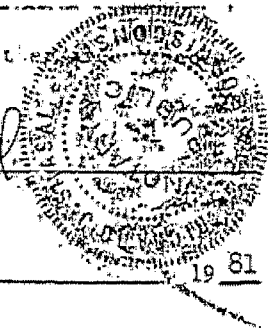
State of Wisconsin )  
County of Fond du Lac ) ss.

Personally appeared before me this 8th day of August  
1979, Delbert Birschbach and Valeria Birschbach

to me known to be the person B who executed the instrument on the other side  
and acknowledged the same.

Richard J. Smasal  
Richard J. Smasal  
Notary Public, State of Wisconsin

My commission expires May 17



Document Drafted By

WISCONSIN TELEPHONE COMPANY

By RICHARD J. SMASAL

VOL 810 PAGE 470

253866-6-0

## CONSENT

THE FEDERAL LAND BANK OF SAINT PAUL, of 375 Jackson Street, St. Paul, Minnesota 55101, mortgagee in, and owner and holder of, a mortgage executed by Olive Birschbach, a single person; Delbert Birschbach also known as Delbert G. Birschbach and Valerie R. Birschbach, as his wife and in her own right, dated July 18, 1975

CONSENTS to an Easement for a Right-Of-Way Grant

## REGISTER'S OFFICE

Fond du Lac County, Wis.

Recorded at 2 PM

MAR 10 1980

Vol. 810 Records Page 469-471GEORGE H. OTTEBY  
REGISTER OF DEEDS

Recording Information

executed by Delbert Birschbach and Valeria Birschbach, as his wife and in her own right,

to WISCONSIN TELEPHONE COMPANY

dated August 8, 1979, recorded \_\_\_\_\_ in (Vol.) (Book) (Liber) \_\_\_\_\_  
of \_\_\_\_\_, on Page \_\_\_\_\_ in the office of the Register of Deeds in and for the County  
of Fond du Lac State of Wisconsin, over premises described as follows:

The North 20 feet of that part of the East 822.74 feet of the NE $\frac{1}{4}$ SE $\frac{1}{4}$  lying South of and adjacent to new highway (STH 23) as described in instrument recorded in Vol. 752, Page 647, Register of Deeds, Fond du Lac, Wisconsin. Section 8, Township 15 North, Range 18 East.

and agrees that in the event of the foreclosure of said mortgage, or other sale of the property described in said mortgage under judicial proceedings, the same may be sold subject to said easement.

Dated August 28, 1979

THE FEDERAL LAND BANK OF SAINT PAUL

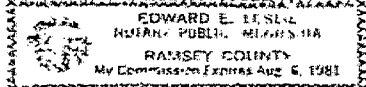
WITNESSES:

E. Leslie  
F. Baron  
E. Leslie  
F. Baron

By James L. Benson Its Vice President  
By William Szabo Its Assistant Secretary

STATE OF MINNESOTA } ss.  
COUNTY OF RAMSEY }

On the date of this instrument the above named officers of The Federal Land Bank of Saint Paul, known to me to be such officers, and by me being duly sworn, said that they are such officers, that the seal affixed hereto is the corporate seal, that this instrument was executed on behalf of the corporation by authority of its Board of Directors as the free act and deed of the corporation.



Edward E. Leslie  
NOTARY PUBLIC

VOL 810 PAGE 471

4703 7/77

Document Number

**High Voltage Electric  
Transmission Line Easement**  
Wis. Stat. Sec. 182.017(7)

0710007

RECORDING FEE 26-  
NO. OF PAGES 9  
RECORDED ON:

2001 MAR 21 AM 9 15

SALLY CARBEAU  
REGISTER OF DEEDS  
FOND DU LAC COUNTY, WI

Record this document with the Register of Deeds

The undersigned Grantor(s) **Kenneth M. Birschbach and Diane Birschbach, Husband and Wife, and Delbert G. Birschbach and Valeria R. Birschbach, Vendors**, (hereinafter called the "Landowner(s)"), in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby grant, convey and warrant unto **Wisconsin Power and Light Company, a Wisconsin Corporation, the Grantee(s) herein**, the Grantees successors, assigns and licensees, the perpetual right and easement to construct, install, maintain, operate, repair, inspect or remove a line of single pole structures and wires, including associated appurtenances for the transmission of electric current and communication facilities, upon, in, over and across lands owned by the Grantor(s) in the **Town of Empire, County of Fond du Lac, State of Wisconsin, said easement to be 620 feet in length and 60 feet in width, lying 40 feet South of and all that part of the Grantor's lands lying within 20 feet North of the reference line described as follows:**

**See Exhibit "A" attached hereto.**

The end margins of the easement strip are lengthened or shortened to terminate at the Landowner's property lines that are intersected by the above described reference line.

The number of such structures to be erected on said easement strip shall be **three (3)**; the maximum height of said structures shall be **75 feet** above the ground; the minimum height of said transmission line(s) above the existing landscape shall be **23 feet**; the number of said transmission line(s), complete circuit(s) to be placed on said structures shall be **one (1)** and have a maximum phase to phase voltage of **138 kilovolts**. The number of electrical conductors comprising said transmission line(s) shall be **three (3)**. The number of static wires to be placed on said structures shall be **one (1)**.

Additional wires and poles are allowed and may be added for the distribution of electricity at voltages less than 100 kV.

The Grantee(s) is (are) also granted the associated necessary rights to:

- 1) enter upon the premises described above for the purposes of exercising the rights conferred by this easement,
- 2) construct, install, maintain, operate, repair, replace, rebuild, inspect and remove the above designated facilities and other appurtenances that the Grantee(s) deem(s) necessary,
- 3) trim, cut down and remove any or all brush, trees and overhanging branches now or hereafter existing on said easement
- 4) treat the stumps of any trees to prevent regrowth.

The Grantee(s) shall pay a reasonable sum for all damages to property, crops, fences, livestock, lawns, roads, fields and field tile (other than trees trimmed or cut down and removed), caused by the construction, maintenance or removal of said facilities.

The Grantee(s) shall not have the right to erect any fence or building on such land other than the above designated facilities and associated appurtenances and the right is hereby expressly reserved to the Landowner(s), the heirs, successors and assigns of every use and enjoyment of said land not inconsistent with the construction, installation, maintenance, operation, repair, replacement, rebuilding, inspection and removal of such structures, wires and associated appurtenances.

The Landowner(s) agree(s) within the above described easement, not to:

- 1) erect any buildings, structures, tanks, antennas or other improvements nor place any mobile home, whether permanent or temporary,
- 2) place or store any flammable materials,
- 3) plant trees,
- 4) place rocks or boulders more than eight inches in diameter,
- 5) place water, sewer or drainage facilities,
- 6) alter the elevation of the existing ground surface by more than six (6) inches, all within said easement and all without the prior written consent of Wisconsin Power and Light Company.

The parties hereto do hereby agree to the terms and conditions set forth in Exhibit(s) A, B, C and D, attached hereto and incorporated herein.

This agreement is binding upon the heirs, successors and assigns of the parties hereto, and shall run with the lands described herein.

As provided by PSC 113, the landowner(s) shall have a minimum period of five days to examine materials approved or provided by the Public Service Commission of Wisconsin describing the landowner's rights and options in the easement negotiating process. The landowner(s) hereby voluntarily waives the five day review period, or acknowledges that they have at least five days to review such materials.

26

The Landowner(s) hereby accept a lump sum payment in consideration of the grant of this easement.

WITNESS the signature(s) of the Grantor(s) this 28<sup>th</sup> day of FEBRUARY, 2001.

Contract Vendors

Delbert G. Birschbach (SEAL)  
Signature

Delbert G. Birschbach

Printed Name

Valeria R. Birschbach (SEAL)  
Signature

Valeria R. Birschbach

Printed Name

Contract Buyers

Kenneth M. Birschbach (SEAL)  
Signature

Kenneth M. Birschbach

Printed Name

Diane Birschbach (SEAL)  
Signature

Diane Birschbach

Printed Name

### ACKNOWLEDGEMENT

STATE OF WISCONSIN

COUNTY OF FOND DU LAC } ss

Personally came before me this 1<sup>st</sup> day of MARCH, 2001, the above named Delbert G. Birschbach and Valeria R. Birschbach, Land Contract Vendors to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

Ronald E. Conard  
Signature of Notary

RONALD E. CONARD  
Printed Name of Notary

Notary Public, State of Wisconsin

My Commission Expires (Is) JAN 5, 2003

### ACKNOWLEDGEMENT

STATE OF WISCONSIN }  
COUNTY OF FOND DU LAC } ss

Personally came before me this 28<sup>th</sup> day of FEBRUARY, 2001, the above named Kenneth M. Birschbach and Diane Birschbach, Land Contract Buyers to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

Ronald E. Conard  
Signature of Notary

RONALD E. CONARD  
Printed Name of Notary

Notary Public, State of WISCONSIN

My Commission Expires (Is) JAN 5, 2003

This instrument drafted by

Ron Conard

Checked By Kenneth Helgerson  
September 1, 2000

RC:pm/Real Estate/Ease-2000/Ease-0070(EHV)/1-2/000905b

Line Title: Ledgeview Tap

Work Order No.: 5908-11-488401

Tract No. 8 of 10a

2

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### EXHIBIT "A"

Commencing at the center of Section 8, Town 15 North, Range 18 East, Town of Empire, Fond du Lac County; thence South 01 degree 29 minutes 45 seconds East, 94 feet to the Point of Beginning; thence North 89 degrees 56 minutes 42 seconds East, 6 feet to a pole hereinafter referred to as Point "A"; thence continuing North 89 degrees 56 minutes 42 seconds East, 614 feet and there terminating. And also all that part of the lands of the Grantors lying 40' feet on each side of the following described reference line; commencing at the Southwest corner of Lot 2 of Certified Survey Map 4431; thence North 31' feet to the Point of Beginning; thence North 35 degrees 44 minutes 24 seconds West, 20' feet more or less to the West line of the Northeast Quarter (NE ¼) of the Southeast Quarter (SE ¼) of Section 8 and there terminating, and also, an easement 504' feet in length and 44' feet in width, being described as lying 4' North and 40' feet South of the following described reference line; commencing at a Point 4' feet South of the South property line of Lot 2 of CSM 4431 and on the West line of the Northeast Quarter (NE ¼) of the Southeast Quarter (SE ¼) of Section 8, Town 15 North, Range 18 East, as the Point of Beginning; thence North 88 degrees 48 minutes 56 seconds East, 31' feet more or less to a pole; thence continuing North 88 degrees 48 minutes 56 seconds East, 473' feet to a pole hereinafter referred to as Point "B", and there terminating; and also, an easement 491' feet in length and 80' feet in width, described as lying 40' feet on each side of the following described reference line; beginning at the aforesaid Point "B", thence, South 87 degrees 51 minutes 22 seconds East, 491' feet to a point and there terminating, and also necessary rights for all required down guys, wires and anchors, extending 36' feet North of Point "B" and also, extending 50' feet South of Point "A"

Said easements being located on part of the lands of the Grantors as described and recorded on January 26, 1993, in Volume 1114 of Records, pages 116 and 117, as Document Number 525521 and as recorded September 14, 1993, in Volume 1147 of Records, page 960, as Document Number 540232 in the office of the Register of Deeds for Fond du Lac County.

All being located in part of the Northwest Quarter (NW ¼) of the Southeast Quarter (SE ¼) and the Northeast Quarter (NE ¼) of the Southeast Quarter (SE ¼) of Section 8, Town 15 North, range 18 East, Town of Empire, Fond du Lac County.

RC:pm  
Real Estate/Ease-2000/  
Ease-0070(EHV)/3/000905b

**HIGH VOLTAGE ELECTRIC LINE EASEMENT  
(EXHIBIT "B")**

As a part of the foregoing High Voltage Electric Line Easement, Grantor(s) do hereby specifically waive certain of the following rights as designated at the bottom hereof:

- c. In constructing and maintaining high-voltage transmission lines on the property covered by the easement, the utility shall:
- 1) If excavation is necessary, ensure that the top soil is stripped, piled and replaced upon completion of the operation.
  - 2) Restore to its original condition and slope, terrace, or waterway, which is disturbed by the construction or maintenance.
  - 3) Insofar as is practicable and when the landowner requests, schedule any construction work in an area used for agricultural production at times when the ground is frozen in order to prevent or reduce soil compaction.
  - 4) Clear all debris and remove all stones and rocks resulting from construction activity upon completion of construction.
  - 5) Satisfactorily repair to its original condition any fence damaged as a result of construction or maintenance operations. If cutting a fence is necessary, a temporary gate shall be installed. Any such gate shall be left in place at the landowner's request.
  - 6) Repair any drainage tile line within the easement damaged by such construction or maintenance.
  - 7) Pay for any crop damage caused by such construction or maintenance.
  - 8) Supply and install any necessary grounding of a landowner's fences, machinery or building.
- d. The utility shall control weeds and brush around the transmission line facilities. No herbicidal chemicals may be used for weed and brush control without the express written consent of the landowner. If weed and brush control is undertaken by the landowner under an agreement with the utility, he shall receive from the utility a reasonable amount for such services.
- e. The landowner shall be afforded a reasonable time prior to commencement of construction to harvest any trees located within the easement boundaries, and if he fails to do so, he shall nevertheless retain title to all trees cut by the utility.
- f. The landowner shall not be responsible for any injury to persons or property caused by the design construction or upkeep of the high-voltage transmission lines or towers.
- g. The utility shall employ all reasonable measures to ensure that the landowner's television and radio reception is not adversely affected by the high-voltage transmission lines.
- h. The utility may not use any lands beyond the boundaries of the easement for any purpose, including ingress to and egress from the right-of-way, without the written consent of the landowner.

The Grantor(s) do hereby waive the rights provided in the following paragraphs of this Exhibit B:

Paragraphs     h    

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RC:pm  
Real Estate/Forms/  
HighVoltEase-ExhA/1/000208

u

Dated this 28<sup>th</sup> day of FEBRUARY, 2001  
2000.

## L. C. VENDORS:

Delbert G. Birschbach

Delbert G. Birschbach

Valeria R. Birschbach

Valeria R. Birschbach

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

STATE OF WISCONSIN )

COUNTY OF FOND DU LAC )

Personally came before me, this 1<sup>st</sup> day of MARCH, 2001, the above-named Delbert G. Birschbach and Valeria R. Birschbach, L. C. Vendors, to me known to be the person s who executed the foregoing instrument and acknowledged the same.

## L. C. BUYERS:

Kenneth M. Birschbach (SEAL)  
 Signature

Kenneth M. Birschbach

Diane Birschbach (SEAL)  
 Signature

Diane Birschbach

\_\_\_\_\_ (SEAL)  
 Signature

\_\_\_\_\_ (SEAL)  
 Signature

\_\_\_\_\_

This instrument was drafted by:

Ron Conard

Notary Public, State of WISCONSIN

My Commission (expires) (is)

JAN. 5, 2003

STATE OF WISCONSIN )

COUNTY OF FOND DU LAC )

Personally came before me, this 28<sup>th</sup> day of FEBRUARY, 2001, the above-named Kenneth M. Birschbach and Diane Birschbach, L. C. Buyers to me known to be the person s who executed the foregoing instrument and acknowledged the same.

Ronald E. Conard

RONALD E. CONARD

Notary Public, State of WISCONSIN

My Commission (expires) (is)

JAN. 5, 2003

RC:pm  
 Real Estate/Forms/  
 HighVoltEase-ExhA/2/000208

Real Estate/Misc-2000/0913-HighVoltEase-ExhA-01/000913a

5

## EXHIBIT C

**CERTIFICATE OF COMPENSATION**  
**Section 32.06(2a), Wis. Stats.**

## TO ALL INTERESTED PERSONS:

The Wisconsin Power and Light Company has acquired from the following named owner(s) in fee, the instrument to which this Exhibit is attached.

The following is a list of persons having an interest of record in the above property immediately prior to the conveyance to the Wisconsin Power and Light Company, the nature of the interest of such persons and the compensation paid by the Wisconsin Power and Light Company for the foregoing instrument.

Identity of Person	Nature of Interest
1. Kenneth Birschbach and Diane Birschbach	Owner(s) in Fee
2. Farm Credit Services	Mortgagee
3. Delbert Birschbach and Valeria Birschbach	Land Contract Vendor
4.	

The legal description of the property is the same as described on the instrument to which this Exhibit is attached.

The compensation paid for the acquisition was \$ 29,350.00

**NOTICE OF RIGHT TO APPEAL**  
**Section 32.06(2a), Wis. Stats.**

Please take notice that any person named in this CERTIFICATE OF COMPENSATION has the right to appeal, pursuant to Section 32.06(2a), Wis. Stats., the amount of compensation paid for such acquisition. Such right of appeal must be exercised within six (6) months after the date of recording said CERTIFICATE OF COMPENSATION.

Line Title: Ledgeview Tap

Work Order No.: 5908-11-488401

Tract No. 8 of 10 a

RC:pm  
Real Estate/Misc-2000/  
0905-Cert\_com-06/1/000905a

10



## SUBORDINATION OF LIEN

Return to: Badgerland Farm Credit Services  
 P.O. Box 870  
 Fond du Lac, WI 54936-0870  
 Attn: Jane

EXHIBIT "D"

Space Above is for Recording Information

## SUBORDINATION OF LIEN

Loan No. 6518089500

Badgerland Farm Credit Services, FLCA, f/k/a FCS of East Central WI, FLCA, a Farm Credit institution ("Mortgagee"), whose address is 315 Broadway Baraboo WI 53913, owner of the mortgage or deed of trust ("Mortgage") dated September 14, 1993, and recorded in ~~Book - Volume - Liber~~ Volume 1147 of Records on Page 961, or as Document, Microfilm, or Other Identifying No. 540233 in the office of the Register of Deeds/County Recorder/Registrar of Titles in the County of Fond du Lac, State of Wisconsin, for value received, does hereby consent to and subordinate the lien of the Mortgage to that certain High Voltage Electric Transmission Line Easement ("Grant"), dated \_\_\_\_\_, executed by Kenneth M. Birschbach and Diane Birschbach, husband and wife ("Grantors") in favor of Wisconsin Power and Light Company, a Wisconsin Corporation ("Grantee"), and recorded in Book - Volume - Liber \_\_\_\_\_ of \_\_\_\_\_ on Page \_\_\_\_\_, or as Document, Microfilm, or Other Identifying No. \_\_\_\_\_ in the above office.

☒ However, if this provision is checked, this subordination is effective insofar as the Grant concerns the following property only, and it does not affect any property other than the following property, situated in the County of Fond du Lac, State of Wisconsin:

Easement to be 620 feet in length and 60 feet in width, lying 40 feet South of and all that part of the Grantor's lands lying within 20 feet North of the reference line described as follows: Commencing at the center of Section 8, T15N, R18E, Town of Empire, Fond du Lac County; thence South 01° 29' 45" East, 94 feet to the Point of Beginning; thence North 89° 56' 42" East, 6 feet to a pole hereinafter referred to as Point "A"; thence continuing North 89° 56' 42" East, 614 feet and there terminating; and also necessary rights for all required down guys, wires and anchors, extending 50 feet South of Point "A". All being located in part of the NW1/4SE1/4 of Section 8, T15N, R18E, Town of Empire, Fond du Lac County, Wisconsin.

(continue legal description on page two if necessary)

This instrument was drafted by: A. Sammon, Badgerland Farm Credit Services  
 P.O. Box 870, Fond du Lac, WI 54936-0870

DIST 117 (02/00)

## SUBORDINATION OF LIEN (Page 2 of 3)

This subordination does not release any property from the lien of the Mortgage, or affect the validity or enforceability of the Mortgage or the priority of the lien thereof except as provided herein.

☐ In addition, if this provision is checked, this subordination is subject to the following conditions:

1. Upon Mortgagee's written request, all payments made pursuant to the Grant which are attributable to the property described in the Mortgage, shall be paid to the Grantors, or to their heirs, successors, or assigns, and the Mortgagee jointly for application on the indebtedness secured by the Mortgage.

2. If the Grant or any other instrument, whether executed, delivered, and recorded before or after the Mortgage, permits the Grantee or the Grantee's heirs, successors, or assigns to purchase the surface of the property described in the Mortgage, or any portion thereof, for a fixed dollar amount or a fixed dollar amount per acre, then the same shall not be purchased at a price less than its fair market value; and, in either event, all payments therefor shall be paid to the Grantors, or to their heirs, successors, or assigns, and the Mortgagee jointly for application on the indebtedness secured by the Mortgage.

3. The Grantee, its heirs, successors, and assigns shall not mine or remove or permit the mining or removal of any minerals from the property described in the Mortgage by the surface or strip-mining method.

4. Any violation of these conditions shall render this subordination void and of no effect.

☐ If this provision is checked, \_\_\_\_\_ (Association) is executing this document as the agent for AgriBank, FCB, acting pursuant to a power of attorney of record.

Dated: March 12, 2001

## WITNESSES:

MORTGAGEE (As Named Above)

By

Michael SchwobeName: Michael SchwobeTitle: Senior Account Officer

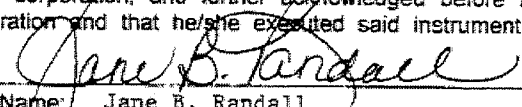
DIST 117 (02/00)

## SUBORDINATION OF LIEN (Page 3 of 3)

## ACKNOWLEDGMENT

STATE OF WISCONSIN )  
 ) ss.  
COUNTY OF FOND DU LAC )

On March 12, 2001, before me personally appeared Michael Schwobe, to me personally known, who being by me duly sworn, did say that he/she is the Senior Account Officer of Badgerland Farm Credit Services, FLCA, a corporation, and is duly authorized by its Board of Directors to execute the foregoing instrument on behalf of said corporation, and further acknowledged before me said instrument to be the free act and deed of said corporation and that he/she executed said instrument for the consideration and purposes therein mentioned.

  
Name: Jane B. Randall  
Notary Public, State of Wisconsin  
Commissioned in N/A County

My commission expires September 30, 2001

DIST 117 (02/00)

9

DOCUMENT NO.

323204

This Indenture, Made by Delbert Birschbach and Valeria Birschbach, his wife,  
 grantor s of Fond du Lac County, Wisconsin, hereby conveys and warrants  
 to the State of Wisconsin, Department of Transportation, Division of Highways  
 grantee of County, Wisconsin,  
 for the sum of One Thousand Ten and 00/100 (\$1,010.00) Dollars.

(See attached Page 2 for legal description)

FEE

# 77.25(2)  
EXEMPT

The consideration stated herein is payment in full for the property described herein and includes full compensation for items of damage set forth in sec. 32.09, Wisconsin Statutes, assuming the completion of the improvements contemplated by the relocation order or orders upon which this instrument is based.

Compensation for additional items of damage listed in sec. 32.19, Wisconsin Statutes, has not been included. If any such items are shown to exist the owner may file claims as provided in sec. 32.20, Wisconsin Statutes.

IN WITNESS WHEREOF, the said grantor S. ha. ve hereunto set their hand S. and seal S. this 9th day of March, A.D., 19 77.

SIGNED AND SEALED IN PRESENCE OF

Delbert Birschbach (SEAL)  
Delbert Birschbach

Valeria Birschbach (SEAL)  
Valeria Birschbach

(SEAL)

(SEAL)

STATE OF WISCONSIN  
Fond du Lac County, ss.

The foregoing instrument was acknowledged before me this 9th day of March, A.D., 19 77

By Delbert Birschbach and Valeria Birschbach,  
his wife

RECEIVED FOR RECORD  
 DAY OF \_\_\_\_\_  
 A.D. 19\_\_ AT \_\_\_\_\_  
 O'CLOCK \_\_\_\_ M. AND RECORDED IN VOL. \_\_\_\_\_  
 OF \_\_\_\_\_ PAGE \_\_\_\_\_

REGISTER OF DEEDS

COUNTY

This instrument was drafted by the State of Wisconsin,  
 Department of Transportation, Division of Highways.

Project I.D. 1442-01-21 OF 017-3(18)

Page 1 of 2

Parcel No. 31

Harry K. Hopkins  
 Notary Public County, Wisconsin  
 My Commission expires Sept. 11, A.D., 19 77.

Negotiated by H. K. Hopkins

752 REG 647

Fee Title in and to the following tract of land in Fond du Lac County, State of Wisconsin, described as:

That part of of the northeast one-quarter of the southeast one-quarter of Section 8, Township 15 North, Range 18 East, described as follows:

Begin at the northeast corner of said southeast one-quarter; thence South 1° 15' 26" East along the east line of said southeast one-quarter 155.00 feet; thence South 88° 44' 34" West 33.00 feet to the west right of way line of C.T.H. "UU"; thence North 74° 39' 54" West 216.78 feet; thence South 89° 12' 09" West 750.00 feet; thence South 84° 07' 23" West 338.97 feet to the west line of the northeast one-quarter of said southeast one-quarter; thence North 1° 22' 33" West along said 114.50 feet to the north line of said southeast one-quarter; thence North 98° 44' 52" East along said line 1328.84 feet to the point of beginning. Excepting therefrom all those lands described in a Warranty Deed recorded in Volume 615 of Fond du Lac County Records on Page 187.

This parcel contains 1.12 Acres, more or less, exclusive of lands previously conveyed or dedicated for highway purposes.

Also, all existing future or potential common law or statutory easements or rights of access between the right of way of the highway, currently designated as S.T.H. 23, and all of the abutting remaining real property of the owner, whether acquired by separate conveyance or otherwise, where the following described real estate abuts on the said highway: the northeast one-quarter of said southeast one-quarter except Volume 615 of Records, on Page 187.

Except the right of access to S.T.H. 23 from said abutting real estate on the south side of said highway, by means of one access point in the west 582.70 feet of the east 822.74 feet of the northeast one-quarter of said southeast one-quarter, pursuant to the provisions of Section 86.07(2), Wisconsin Statutes.

Said parcel of real estate and/or interests therein will be occupied by the State of Wisconsin or its agents on 9 June 1977. However, at the sole discretion of the State of Wisconsin, said parcel and/or interests therein may be reasonably occupied after the date of acquisition by utility companies for the purpose of adjusting their facilities to accommodate the proposed highway construction.

# REGISTER'S OFFICE

Fond du Lac County, Wis.

Recorded at 9 AM.

APR - 5 1977

Vol. 752, Records Page 647-648

GEORGE H. OTTERY

REGISTER OF DEEDS

0736734

Document Number	PARTIAL EASEMENT ASSIGNMENT	RECORDING FEE <u>17-</u> NO. OF PAGES <u>4</u> RECORDED ON:
This Partial Easement Assignment ("Assignment") is made by and between Wisconsin Power and Light Company, a Wisconsin corporation ("Assignor"), and American Transmission Company, LLC, a Wisconsin limited liability company ("Assignee").		2002 JAN 28 PM 1 08  SALLY BARBEAU REGISTER OF DEEDS FOND DU LAC COUNTY, WI  Recording Area Name and Return Address: American Transmission Company LLC Attn. Real Estate Dept. 2489 Rinden Road Cottage Grove, WI 53527-9598

Assignor hereby assigns to Assignee such of Assignor's rights, title and interest in and to the various easements identified on the attached and incorporated Exhibit A ("Easements") as pertain to "electrical transmission" for purposes of placing, maintaining, modifying, operating, replacing and repairing electrical transmission facilities located within the lands described in the Easements. For purposes of this Assignment, "electrical transmission" is defined as electrical facilities equal to 69 kV or greater or as otherwise determined by order of the Public Service Commission of Wisconsin. Included within the Assignment above made, if and to the extent contained in the Easements, is the right to enter onto the lands described in the Easements for purposes of trimming of trees and other vegetation and/or removal of other obstacles within the lands as may interfere with Assignee's electrical transmission facilities, as may be expressed or implied in the Easements,

All other rights under the Easements not assigned hereunder are reserved to Assignor.

This Assignment, and the rights, obligations and interest assigned hereby shall be perpetual and shall run with the lands described within the Easements identified on Exhibit A, and shall be binding upon Assignor and Assignee and each of their respective successors and assigns. This Assignment shall be construed in accordance with the laws of the State of Wisconsin and shall be binding upon and inure to the benefit of Assignor and Assignee and all of their respective successors and assigns.

This Assignment may be executed in one or more counterparts, all of which when taken together, shall constitute one and the same instrument.

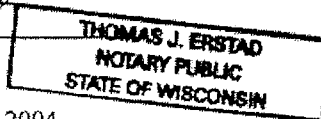
<http://cgcing03/IBPMExpress/MembersOnly/ContentPages/PrintClientside.htm?Prefix=I...> 4/27/2010

01/03/02 JOINT DISTRIBUTION (MORE THAN 25%)  
ON TRANSMISSION CIRCUIT REV I  
X:\CLIENTS\69495\00035A\0008270

STATE OF WISCONSIN )  
 ) SS.  
COUNTY OF Dane )

Personally came before me this 7<sup>th</sup> day of January, 2002, the above-named Thomas M. Finco, as Manager Real Estate of ATC Management Inc., Manager of American Transmission Company, LLC, a Wisconsin limited liability company, to me known to be the person who executed the foregoing instrument in such capacity and acknowledged the same.

By: Thomas J. Erstad  
Name: Thomas J. Erstad  
Notary Public, Wisconsin  
My Commission expires: September 12<sup>th</sup>, 2004



This instrument drafted by: Thomas J. Erstad, American Transmission Company LLC

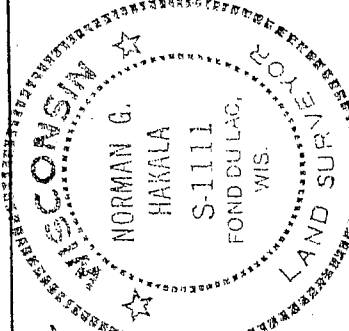


## EXHIBIT "A"

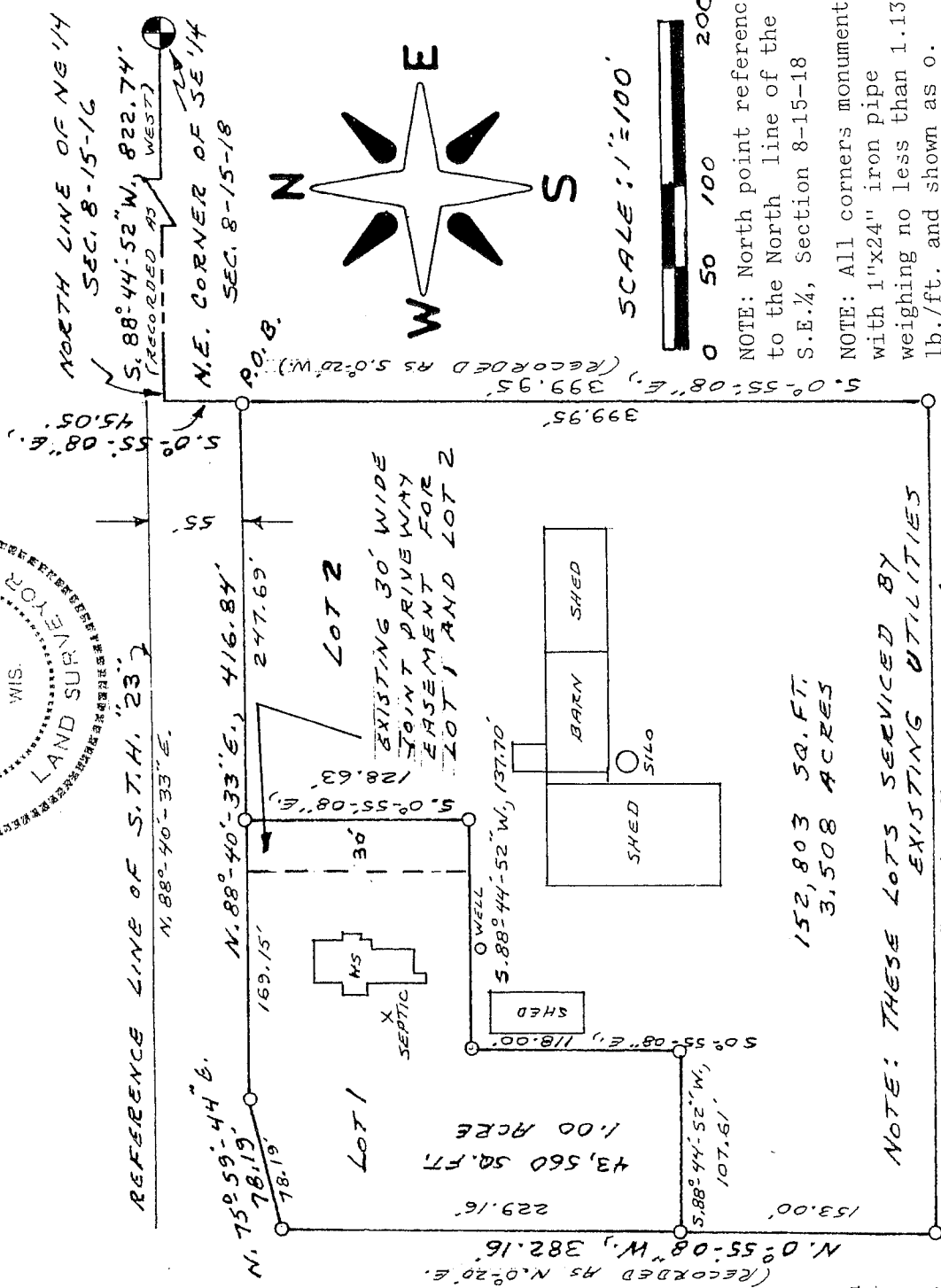
Fond du Lac	City of Fond du Lac	E 1/2 of the NE 1/4	12	15N	17E	703695
Fond du Lac	City of Fond du Lac	S 1/2 of the NW 1/4 and the S 1/2 of the NE 1/4	7	15N	18E	712986
Fond du Lac	City of Fond du Lac	SW 1/4 of the NW 1/4	8	15N	18E	712986
Fond du Lac	City of Fond du Lac	SW 1/4 of the NE 1/4 and the SE 1/4 of the NE 1/4	7	15N	18E	701721
Fond du Lac	City of Fond du Lac	SE 1/4 of the NE 1/4	7	15N	18E	701047
Fond du Lac	Town of Empire	NW 1/4 of the SW 1/4 and the NE 1/4 of the SW 1/4	8	15N	18E	701362
Fond du Lac	Town of Empire	NE 1/4 of the SW 1/4	8	15N	18E	714021
Fond du Lac	Town of Empire	NE 1/4 of the SW 1/4	8	15N	18E	703886
Fond du Lac	Town of Empire	NW 1/4 of the SE 1/4 and the NE 1/4 of the SE 1/4	8	15N	18E	710007
Fond du Lac	Town of Empire	NW 1/4 of the SE 1/4	8	15N	18E	704679
Fond du Lac	Town of Empire	NE 1/4 of the SE 1/4	8	15N	18E	705704

CERTIFIED SURVEY MAP FOR  
THOMAS & JANICE MCCAULEY  
OF UNPLATED LAND IN THE  
N.E. 1/4 OF THE S.E. 1/4, SECTION 8, T.15 N., R.18 E.  
FOND DU LAC COUNTY, WISCONSIN

*Norman G. Hakala*  
JUNE 29, 1993



REVISED THIS DATE  
JULY 20, 1993 TO SHOW  
DRIVEWAY EASEMENT



STATE OF WISCONSIN )  
FOND DU LAC COUNTY ) SS  
Approved in accordance with Sec. 236.12 Wisconsin  
Statutes this 21 day of July, 1993.  
FOND DU LAC COUNTY PLANNING AGENCY  
by *Samuel F. Fink*  
Director of Planning

FOND DU LAC COUNTY )  
STATE OF WISCONSIN ) SS  
Dedication approved; lots approved in accordance with town  
subdivision ordinance.

Dated July 1 1993 Town of Frederick  
By *Larry W. Winkler*  
Chairman  
ATTEST: *[Signature]*  
Clerk

536613

-SURVEYOR'S CERTIFICATE-

I, Norman G. Hakala, Registered Land Surveyor, hereby certify: that I have surveyed and mapped a parcel of land in the ¼ of the SE ¼ of Section 8, Township 15 North, Range 18 East, Fond du Lac County, Wisconsin. That I have made such Certified Survey by the order and direction of Thomas McGauley said survey being bounded and described as follows:

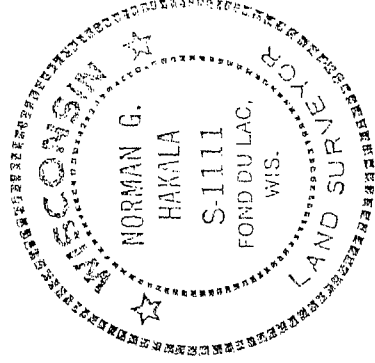
Commencing at the Northeast Corner of the Southeast One-Quarter of Section 8, Township 15 North, Range 18 East, Fond du Lac County, Wisconsin and going thence South 88°-44'-52" WEST, 822.74 feet along the North line of said Southeast One-Quarter, thence South 0°-55'-08" East, 45.05 feet to the South Right of Way line of S.T.H. "23" and the Place of Beginning for the description of this parcel which runs as follows:

thence continuing SOUTH 0°-55'-08" EAST, 399.98 feet.  
thence SOUTH 88°-44'-52" WEST, 493.00 feet parallel with North line of said Southeast One-Quarter.  
thence NORTH 0°-55'-08" WEST, 382.16 feet to the Southerly Right of Way line of said S.T.H. "23".  
thence NORTH 75°-59'-44" EAST, 78.19 feet along said Southerly Right of Way line.  
thence NORTH 88°-40'-33" EAST, 416.84 feet along said Right of Way line to the place of beginning.  
The above described parcel contains 4.508 acres (196,363 sq. ft.) of land more or less. Being subject to easements and restrictions of record.

That such is a correct representation of all exterior boundaries of the land surveyed.  
That I have fully complies with the provisions of Chapter 236 of the Wisconsin Statutes and the Subdivision Regulations of the City of Fond du Lac in surveying, dividing and mapping the same.

*Norman G. Hakala*

NORMAN G. HAKALA R.L.S. NO. S-1111  
FOND DU LAC COUNTY, WISCONSIN  
JUNE 29, 1993  
Project No. 9304



-OWNER'S CERTIFICATE-

As owner's we hereby certify that we caused the land described on this plat to be surveyed, mapped as represented of this plat. We also certify that this plat is required by S. 236.10 or 236.12 to be submitted to the following for approval or objection:

- (1) City of Fond du Lac Planning Commission
- (2) Town of Empire
- (3) Fond du Lac Planning Commission
- (4) Fond du Lac County Highway Commission

Witness-the hand and seal of said owners this 1st day of July, 19 93.  
In presence of

*Arleta M. Drenowka*  
*James K. McGauley*

STATE OF WISCONSIN) SS  
FOND DU LAC COUNTY)

Personally come before me this 1st day of July, 19 93, the above named, *Thomas McGauley*, and *James K. McGauley* to me known to be the persons who executed the foregoing instrument and acknowledged the same:

*Arleta Drenowka*

Notary Public

Commission Expires My commission expires 8/1/96



VOLUME 25 CERTIFIED SURVEY MAPS  
PGS. 74, 74A. & 74B.

93 JUL 21 PM 3:17

*Mary A. Bricker*  
REGISTER OF DEEDS  
FOND DU LAC COUNTY, WI

PLAN COMMISSION CERTIFICATE

STATE OF WISCONSIN) SS  
FOND DU LAC COUNTY)

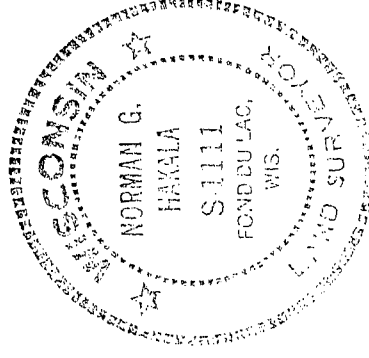
Approved this 19th day of July, 19 93

CITY OF FOND DU LAC PLAN COMMISSION

*Gary C. Due*  
Vice Chairman, Gary Due

*Thomas Lehmen*  
ATTEST:

Thomas Lehmen, Recording Secretary



*Norman G. Hayglas*  
JUL 29, 1993

CERTIFIED SURVEY MAP FOR DELBERT BIRSCHBACH

OF UNPLATTED LANDS IN THE NE<sup>1</sup>/<sub>4</sub> OF THE SE<sup>1</sup>/<sub>4</sub> OF SECTION 8-15-18

TOWN OF EMPIRE, FOND DU LAC COUNTY, WISCONSIN

PLAN COMMISSION CERTIFICATE  
STATE OF WISCONSIN )  
FOND DU LAC COUNTY ) SS

Approved this 17<sup>TH</sup> day of  
February, 1992:

CITY OF FOND DU LAC PLAN COMMISSION

J. William Roemer, Chairman  
ATTEST: *[Signature]*  
Thomas Lehman,  
Recording Secretary



RECORDED  
VOLUME 23 CERTIFIED SURVEY MAPS  
PGS. 81, 81A, & 81B.  
MAR 5 11 07 AM '92

505945

By *[Signature]* *[Signature]*  
ATTEST: *[Signature]* Clerk

NOTE: North point referenced to the East line  
S.E. <sup>1</sup>/<sub>4</sub> Sec. 8-15-18 known as S 1°-15'-26" E.

SCALE: 1" = 100'  
Sheet 1 of 3 Sheets

Steven G. Chicka  
1-12-92

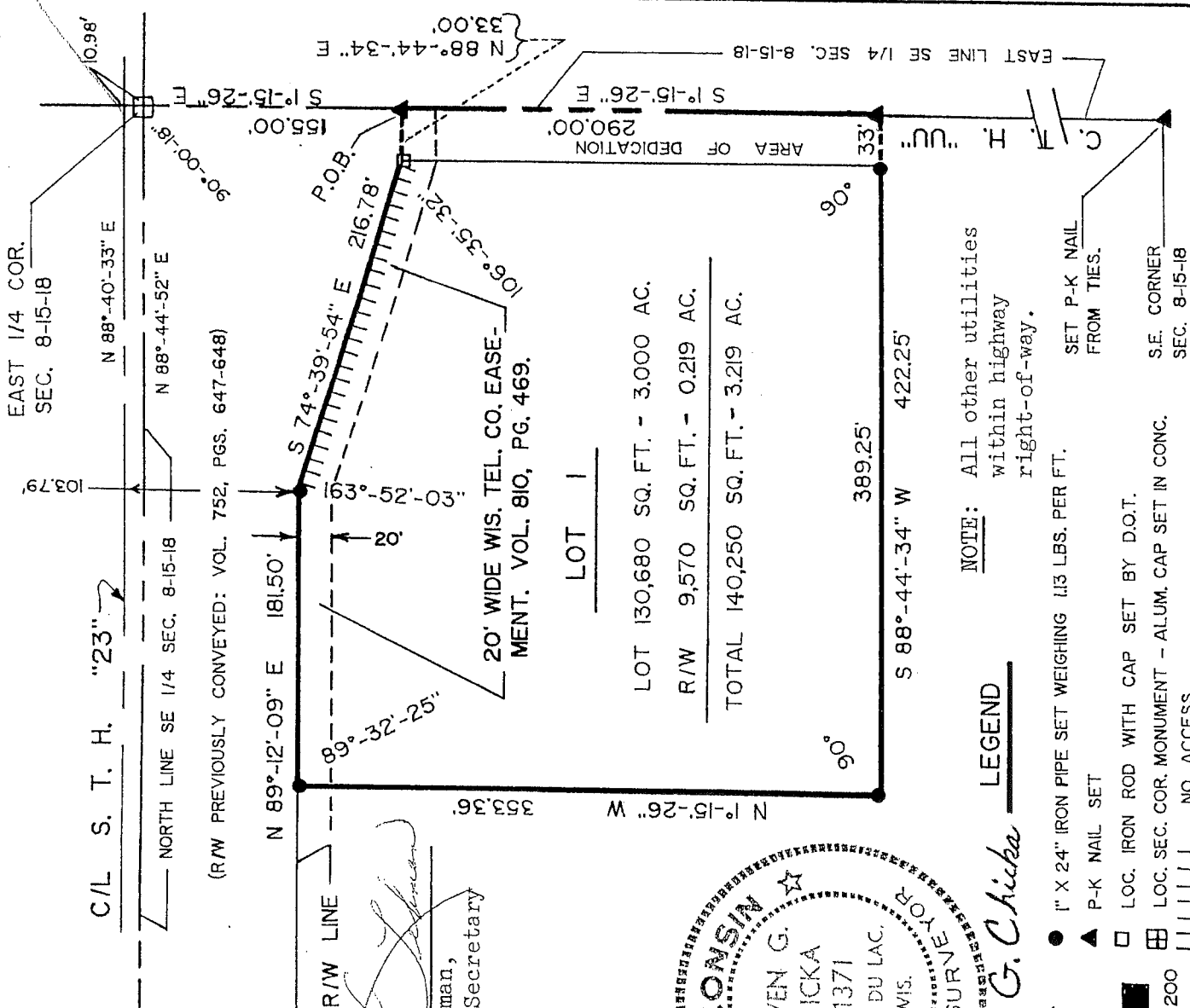
LEGEND

- 1" X 24" IRON PIPE SET WEIGHING 113 LBS. PER FT.
- ▲ P-K NAIL SET
- LOC. IRON ROD WITH CAP SET BY D.O.T.
- ▣ LOC. SEC. COR. MONUMENT - ALUM. CAP SET IN CONC.
- ||||| NO ACCESS

NOTE: All other utilities  
within highway  
right-of-way.

SET P-K NAIL  
FROM TIES.

S.E. CORNER  
SEC. 8-15-18



I, Steven G. Chicka, Registered Land Surveyor of the State of Wisconsin, hereby certify:

That I have surveyed, divided, and mapped a parcel of land in the Northeast One-Quarter of the Southeast One-Quarter ( NE $\frac{1}{4}$  SE $\frac{1}{4}$  ) of Section 8, Township 15 North, Range 18 East, in the Town of Empire, Fond du Lac County, Wisconsin.

That I have made such certified survey by the order and direction of Delbert Birschbach, said parcel being bounded and described as follows:

Commencing at the Northeast corner of the SE $\frac{1}{4}$  (East  $\frac{1}{4}$  Post) of Section 8, Township 15 North, Range 18 East, and running as follows: thence South 1°-15'-26" East along the East line of the SE $\frac{1}{4}$  of said Section 8, 155.00 feet to the Place of Beginning for the description of this parcel; thence continuing South 1°-15'-26" East along the East line of the SE $\frac{1}{4}$  of said Section 8, 290.00 feet; thence South 88°-44'-34" West and at right angles to the East line of the SE $\frac{1}{4}$  of said Section 8, 422.25 feet; thence North 1°-15'-26" West, 353.36 feet to the South right-of-way line of S.T.H. "23" as described by conveyance recorded in Volume 752 on Pages 647-648 of Records in the Register of Deeds Office for Fond du Lac County, Wisconsin; thence North 89°-12'-09" East along said South right-of-way line of S.T.H. "23"; 181.50 feet; thence South 74°-39'-54" East, 216.78 feet to the West right-of-way line of C.T.H. "UU"; thence North 88°-44'-34" East, 33.00 feet to the Place of Beginning, and containing 3.219 acres of land more or less.

That such is a correct representation of all exterior boundaries of the land surveyed and the division made thereof.

That I have fully complied with the provisions of Section 236.34 of the Wisconsin Statutes and the Subdivision Ordinance of the City of Fond du Lac in surveying, dividing, and mapping the same.

Fond du Lac, Wisconsin  
January 12, 1992

Steven G. Chicka  
Steven G. Chicka, R.L.S. No. S-1371



Project No. 92162  
Field Notes: Volume 2-A, Pages 68-70

STATE OF WISCONSIN }  
SS }  
(FOND DU LAC COUNTY)

Approved in accordance with Sec. 236.12 Wisconsin Statutes this 5 day of MARCH, 1992  
FOND DU LAC COUNTY PLANNING AGENCY  
by [Signature] Director of Planning

- OWNERS' CERTIFICATE OF DEDICATION -

As Owners of the above described property, we do hereby certify that we have caused the lands described on this plat to be surveyed, divided, mapped, and dedicated as represented on this plat.  
We also certify that this plat is required by Section 236.10 or Section 236.12 of the Wisconsin Statutes to be submitted to the following for approval or objection:

- (1) Fond du Lac County Planning Agency
- (2) Town Board of the Town of Empire
- (3) Fond du Lac County Highway Commission
- (4) City of Fond du Lac Plan Commission

Witness the hand and seal of said Owners this 19<sup>th</sup> day of JANUARY, 1992.  
In the presence of:

Steven G. Chicksa  
Steven G. Chicksa

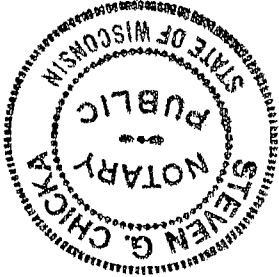
Delbert Birschbach  
Delbert Birschbach, Owner

Valeria Birschbach  
Valeria Birschbach, Owner

STATE OF WISCONSIN )  
FOND DU LAC COUNTY ) SS

Personally came before me this 19<sup>th</sup> day of JANUARY, 1992, the above named Delbert Birschbach and Valeria Birschbach, his wife, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Steven G. Chicksa  
Steven G. Chicksa  
Wisconsin Notary Public  
My Commission Expires  
December 25, 1994



Steven G. Chicksa  
1-12-92

699178

# CERTIFIED SURVEY MAP NO.

PART OF THE NE1/4 OF THE SE1/4 OF SECTION 8, TOWNSHIP 15 NORTH,  
RANGE 18 EAST, TOWN OF EMPIRE, FOND DU LAC COUNTY, WISCONSIN.

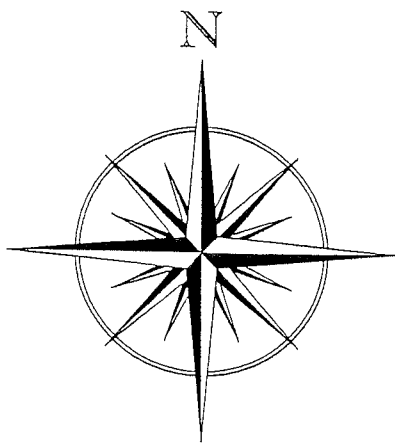
BEARINGS: WISCONSIN STATE PLANE COORDINATE SYSTEM - SOUTH ZONE  
( GROUND DISTANCES - COMB. GRID FACTOR = 0.99991013 )

Q----- S.T.H. "23"----- Q

NORTH LINE SE1/4 SECTION 8

EAST 1/4 CORNER  
SECTION 8  
T15N, R18E

OWNERS: KENNETH M. AND DIANE M. BIRSCHBACH  
N6478 CTH UU  
FOND DU LAC, WI 54935



SCALE: 1"=100'

## LEGEND:

- SECTION CORNER MONUMENT FOUND
- 1" IRON PIPE FOUND
- 3/4" X 30" SOLID IRON ROD SET  
WT.= 1.50 lbs./lin.ft.
- ( ) PREVIOUSLY RECORDED INFORMATION
- AREA OF DEDICATION

## SURVEYED BY :

STEPHEN J. FAULKES  
WISCONSIN POWER AND LIGHT CO.  
8463 MURPHY DRIVE  
MIDDLETON, WI 53562  
PHONE: 608-824-1439

## SURVEYED FOR :

WISCONSIN POWER AND LIGHT CO.  
222 WEST WASHINGTON AVE.  
MADISON, WI 53703

## COUNTY PLANNING CERTIFICATE :

STATE OF WISCONSIN )  
FOND DU LAC COUNTY ) SS

Approved in accordance with the Subdivision Ordinance of Fond Du Lac County

this 29 day of August, 2000.

FOND DU LAC COUNTY PLANNING AGENCY

*[Signature]*  
County Planner

SE CORNER  
SECTION 8  
T15N, R18E



# CERTIFIED SURVEY MAP NO. \_\_\_\_\_

## SURVEYOR'S CERTIFICATE:

I, **STEPHEN J. FAULKES**, Registered Land Surveyor in the State of Wisconsin, **DO HEREBY CERTIFY** that by the order of **WISCONSIN POWER AND LIGHT CO.**, I have surveyed, monumented and mapped part of the NE1/4 of the SE1/4 of Section 8, Township 15 North, Range 18 East, Fourth Principle Meridian, Town of Empire, Fond du Lac County, Wisconsin described as follows:

Commencing at the East 1/4 Corner of said Section 8; **THENCE** S01°15'27"E along the east line of said SE1/4 and also being the centerline of C.T.H. "UU", 444.94 feet to the **POINT-OF-BEGINNING**; **THENCE** S88°44'33"W along the south line of Lot 1, C.S.M. #4162, 333.00 feet; **THENCE** S01°15'27"E, 250.00 feet; **THENCE** N88°44'33"E, 333.00 feet to the east line of said SE1/4; **THENCE** N01°15'27"W, 250.00 feet to the **POINT-OF-BEGINNING**.

Containing 83250 SQ.FT. Or 1.911 ACRES total area and 73250 SQ.FT. Or 1.682 ACRES to right-of-way.

I **DO FURTHER CERTIFY** that this survey is a correct representation of the boundaries of the land surveyed and that I have fully complied with the provisions of Chapter 236 of the Wisconsin Statutes and Chapter 48 of the Fond du Lac County Subdivision Ordinance in surveying and mapping the same and the City of Fond du Lac Subdivision Ordinance in surveying and mapping the same to the best of my knowledge and belief.

*Stephen J. Faulkes*  
Stephen J. Faulkes

RLS # S-1942

Dated:

April 10, 2000



## OWNER'S CERTIFICATE:

As owners, we hereby certify that we caused the land described on this Certified Survey Map to be surveyed, divided, mapped and dedicated as represented on the Certified Survey Map. We also certify that this Certified Survey Map is required by s.236.10 or 236.12 of the Wisconsin Statutes to be submitted to the following for approval or objection:

- Town of Empire Town Board
- Fond Du Lac County Planning Agency
- City of Fond Du Lac Plan Commission
- Fond Du Lac County Highway Department

WITNESS the hand and seal of said owners this 30th day of May, 2000.

In presence of:

*Kenneth M. Birschbach* (Seal)  
Kenneth M. Birschbach

*Delbert G. Birschbach* (SEAL)  
Delbert G. Birschbach

*Diane M. Birschbach* (Seal)  
Diane M. Birschbach

*Valeria Birschbach* (SEAL)  
Valeria Birschbach

STATE OF WISCONSIN )

ss

FOND DU LAC COUNTY)

Personally came before me this 30th day of May, 2000, the above named \* Below to me known to be the same persons who executed the foregoing instrument and acknowledged the same.

(NOTARY SEAL)

*Ronald E. Conard*  
Ronald E. Conard

Notary Public, Fond du Lac, Wisconsin

My commission expires JAN, 5, 2003

\* Kenneth M. Birschbach  
Diane M. Birschbach  
Delbert G. Birschbach  
Valeria Birschbach

# CERTIFIED SURVEY MAP NO. \_\_\_\_\_

## CITY PLAN COMMISSION CERTIFICATE:

STATE OF WISCONSIN )

SS

FOND DU LAC COUNTY)

Approved by the City of Fond Du Lac PLAN COMMISSION this 17 day of

July, 2000

*Ronald J. Jorgensen*  
Chairman

ATTEST: *Theresa Hochrein*  
Recording Secretary

## TOWN BOARD APPROVAL:

STATE OF WISCONSIN )

SS

FOND DU LAC COUNTY)

Resolved that this Certified Survey Map is hereby approved by the Town Board of the TOWN OF EMPIRE this 14th day of June, 2000.

*Mayor J. J. Jorgensen*  
Town Chairman

*[Signature]*  
Town Clerk

RECEIVED FOR RECORD  
VOLUME 39  
CERTIFIED SURVEY MAPS  
PAGES 53-53A-53B

00 SEP -6 PM 1:01

*Mayor J. J. Jorgensen*  
REGISTER OF DEEDS  
FOND DU LAC COUNTY, WI

