



# GOWEY ABSTRACT & TITLE COMPANY, INC.

www.goweytitle.com • (800) 673-8710

## 60 YEAR STAGE II OWNERSHIP AND ENCUMBRANCE REPORT

Ms. Ruth Johnson  
Wisconsin Department of Transportation  
944 Vanderperren Way  
Green Bay, WI 54304  
(920) 492-2386  
[ruth.johnson@dot.wi.gov](mailto:ruth.johnson@dot.wi.gov)

RE: Project No. 4640-06-00  
STH 28 – 14<sup>th</sup> St., City of Sheboygan, Sheboygan County  
Parcel 2

As requested, I have examined the real estate records in and to the following Sheboygan County lands:

**That Part of Block 90½ of the Original Plat for the City of Sheboygan more particularly described in that Warranty Deed recorded as Document No. 1620555.**

*For Informational Purposes Only, the above-described lands are designated with the following:*

Tax ID Number(s): 59281205935

Title to said real estate is vested in **CITY OF SHEBOYGAN, a municipal corporation**, free and clear of all liens, judgments, mortgages, unpaid real estate taxes, and other encumbrances, EXCEPT:

1. **2012 Real Estate Taxes** are **EXEMPT**.
2. **Setback & Access Restriction** recorded as Document No. 1593757.
3. **Ingress/Egress Easement** recorded as Document No. 477586.
4. **Highway Easement** recorded as Document No. 886629.
5. **Driveway Restoration Agreement** recorded as Document No. 1617486.
6. Any lien or encumbrance not recorded or filed in the offices of the Register of Deeds, Treasurer, or Clerk of Circuit Court.

Certified through **August 2, 2013 at 4:30 P.M.**

GOWEY ABSTRACT & TITLE COMPANY, INC.

Michael S. Brandner  
JKM/ejb  
Parcel 2



## Real Estate Assessment and Tax Detail

### Property Information

Parcel Number 59281205935  
Municipality CITY OF SHEBOYGAN  
Owner Name Owner name information is not listed. This information is available on public terminals at the following County offices:  
Register of Deeds, Real Property, or Treasurer.  
Situs Address  
Mailing Address 828 CENTER AVE  
City, State, Zip SHEBOYGAN, WI 530814442  
Sec, Town, Range S34 T15 R23  
Full Parcel Description Documents List Approx. Acres 0.2300  
School District SHEBOYGAN

Select Tax Year

[Tax Payments & Balances](#)

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[Tax Bill Images](#)

[Go To Map](#)

Orig Plat

Pt csm 1. 17 P. 242-74 #1893757 as des. in 1620555

WARRANTY DEED

THIS DEED, made between MRED (14<sup>th</sup>/Erie) Associates, a Wisconsin Limited Partnership, located at Waukesha, Wisconsin, Grantor, and the City of Sheboygan, a municipal corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, located at Sheboygan, Wisconsin, Grantee.

Grantor, for a valuable consideration, conveys to Grantee the following described real estate in Sheboygan County, State of Wisconsin (the "Property"):

Part of Block 90 1/2 of the Original Plat for the City of Sheboygan, Wisconsin. Being part of a certified survey map filed in Volume 17 pages 242-244 of Certified Surveys, located in Block 90 1/2 of the Original Plat for the City of Sheboygan, Sheboygan County, Wisconsin, being more particularly described as:  
Commencing at the West corner of said Certified Survey Map, located 13.5'± North of the centerline of the vacated alley in said Block 90 1/2, and adjacent to the East right-of-way for North 14th Street; thence South 01°55'05" East along the East right-of-way of North 14th Street, 93.34 feet to the point of beginning; thence, South 88°37'22" East, 100.00 feet; thence South 72°23'29" East 157.70 feet; thence South 69°31'08" East, 53.71 feet to the East line of said This is not homestead property. Certified Survey Map; thence South 01°34'00" East, 40.5'± to the North shore line of the Sheboygan River; thence northwesterly along the North shore line of said river 311'± to the point where the East right-of-way for North 14th Street intersects with the North shore line of said river; thence North 01°55'05" West along said East line of North 14th Street 29.5'± to the point of beginning. Said tract contains 9,903 square feet or 0.23 acres.

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 municipal and zoning ordinances and recorded easements for public utilities.

Date this 17<sup>th</sup> day of December, 2001.

MRED (14<sup>TH</sup>/ERIE) ASSOCIATES, A  
WISCONSIN LIMITED PARTNERSHIP,  
GENERAL PARTNER Corporate Name

BY: Kay A. Clabault  
MRED (14<sup>TH</sup> & Erie), Inc.  
Kay A. Clabault, Assistant Secretary

AUTHENTICATION

Signature of Kay A. Clabault, Assistant Secretary, authenticated this 17<sup>th</sup> day of DECEMBER, 2001.

\* Stephen G. McLean  
Title: Member State Bar of Wisconsin  
or \_\_\_\_\_  
authorized under § 706.06, Wis. Stats.

This instrument drafted by:  
Stephen G. McLean

WI State Bar No. 01011662

\*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.

ACKNOWLEDGEMENT

STATE OF WISCONSIN )  
 ) SS.  
COUNTY OF \_\_\_\_\_)

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_, the above-named \_\_\_\_\_, to me known to be the person who executed the foregoing instrument and acknowledged the same.

\*  
Notary Public, \_\_\_\_\_ County, WI  
My Commission (Expires) (Is) \_\_\_\_\_

SHEBOYGAN COUNTY, WI  
RECORDED ON

12-17-2001 3:42 PM

DARLENE J. NAVIS  
REGISTER OF DEEDS

RECORDING FEE: 11.00  
TRANSFER FEE: 3.00  
071409 3

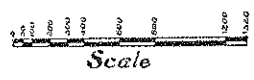
# OF PAGES: 1

RETURN TO:  
City Attorney  
807 Center Ave.  
Sheboygan, WI 53081-4414

Part of 205950

Parcel Ident. No.

Original Plat of the City of Sheboygan





ORIGINAL PLAT OF SHEBOYGAN WIS. (COPY)

Territory of Wisconsin,  
County of Brown.  
I, John F. Meade, Clerk of the District Court for said County, do hereby certify the annexed Map to be a correct and true Copy of the Map of Plat of the Town of Sheboygan now on record in my office, and that the Original Map was filed in the Partition of said town heretofore decreed by this Court.  
In testimony whereof, I have hereunto subscribed my name and affixed the seal of said Court at the Clerk's office this 25th day of March A.D. 1847.  
John F. Meade, Clerk.  
By Joseph Wallace, Deput. Clk. Dist. Brown County W. T.

Note: I have compared the above Map with the Original Plat on file and find it to be a true copy.  
August 17, 1845.  
Edwin Kohlman,  
Register of Deeds.

Register Office  
Sheboygan Co. W. T.  
Received for record April 1st A.D. 1847  
at 2 o'clock P.M.  
J. F. Kohlman, Register

|   |                     |  |  |
|---|---------------------|--|--|
| PROJECT # 192106  | SCALE: 1" = 60 FEET | FILE # CSM.dwg   | *REGISTRAR'S SEAL*   |
| FIELD BOOK # n/a  | DRAWN BY AWS        | SHEET # 1 of 3   |  |
| PAGES # n/a   | CHECKED BY WFO      | SIDE # 1 / 1   |  |
| <div><div><b>MSA</b><br/>TRANSPORTATION • MUNICIPAL • REMEDIATION<br/>DEVELOPMENT • ENVIRONMENTAL<br/>111 Warren Street Beaver Dam, WI 53916<br/>920-887-4242 1-800-552-6330 Fax: 920-887-4250<br/><b>PROFESSIONAL SERVICES</b></div><div><b>SURVEYOR:</b><br/>Angus W. Stocking<br/>MSA PROFESSIONAL SERVICES, INC.<br/>111 WARREN STREET<br/>BEAVER DAM, WI 53916<br/>(920) 887-4242</div><div><b>CLIENT:</b><br/>Sigma Development<br/>220 E. Ryan Road<br/>Oak Creek WI 53154</div></div>   |                     |  | <div>1593757</div> <div>SHEBOYGAN COUNTY, WI<br/>RECORDED ON</div> <div>04-03-2001 1:57 PM</div> <div>DARLENE J. NAVIS<br/>REGISTER OF DEEDS</div> <div>RECORDING FEE: 14.00<br/>TRANSFER FEE:</div> <div>055263 3</div> |
| <b>SHEBOYGAN COUNTY CERTIFIED SURVEY MAP #</b>  |                     |  |  |
| <b>SURVEYOR'S CERTIFICATE:</b> WDOT Certification #59-028-0466-00-C   |                     |  |  |
| <p>I, Angus W. Stocking, Wisconsin Registered Land Surveyor, hereby certify that under the direction of Sigma Development, 220 E. Ryan Rd., Oak Creek WI 53154, I have surveyed, divided and mapped part of Lots 2 and 6 and all of Lots 3, 4 and 5, in block 90, and all of Lots 2, 3, 4, 5 and 6, in Block 90-1/2, and part of vacated Water Street, all in the Original Plat of the City of Sheboygan, all in the Northeast 1/4 of Section 22, Township 15 North, Range 23 East, City of Sheboygan, Sheboygan County, Wisconsin. The parcel is more particularly described as follows:<br/>COMMENCING at the Northwest corner of said Block 90; thence, along the North line of said Block 90, S.89°14'38"E., 43.41 feet to the POINT OF BEGINNING; thence, continuing along said North line, S.89°14'38"E., 222.47 feet; thence S.00°29'32"W., 139.19 feet to the centerline of vacated Water Street; thence, along said centerline, S.89°14'38"E., 34.19 feet; thence, along the East line of said Lot 6 of said Block 90-1/2 and along its Northerly extension, S.00°29'32"W., 181.46 feet to a point that lies N.00°29'32"E., 15.5 feet, more or less, from the Northerly ordinary high water mark of the Sheboygan River, the beginning of a meander line; thence, along said meander line, N.70°38'18"W., 315.56 feet to a point on the Easterly right-of-way of 14th street, said point lying N.00°08'27"E., 29.5 feet, more or less, from said Northerly ordinary high water mark, the end of said meander line; thence, along said Easterly right-of-way, N.00°08'27"E., 93.34 feet; thence, continuing along said Easterly right-of-way, N.08°15'13"E., 85.71 feet to the beginning of a tangent curve, concave Easterly, having a radius of 53.50 feet and a chord which bears N.37°11'12"E., 51.77 feet; thence Northerly, 54.03 feet along said curve, through a central angle of 57°51'57" to the POINT OF BEGINNING. INCLUDING all lands lying between the meander line and the Northerly ordinary high water mark of the Sheboygan River, between side lot lines extended, and all riparian rights thereto.</p> <p>Said parcel contains 80,023 square feet or 1.8424 total acres, more or less, and is subject to easements of record. The bearings are oriented to the West line of Lot 6 of Block 90 of the Original Plat of the city of Sheboygan, recorded to bear N.00°08'27"E.</p> |                     |  |  |
| <div>*SURVEYOR'S SEAL*</div> <div></div>   |                     | <p>I hereby certify that the map is a correct representation of all exterior boundaries of the land surveyed. I further certify that I have fully complied with Section 236 of the Wisconsin Statutes and the Subdivision Ordinances of the City of Sheboygan in surveying and mapping the same.</p> <div><div>9.26.2000</div></div> <div>MSA PROFESSIONAL SERVICES<br/>Angus W. Stocking, REGISTERED LAND SURVEYOR #2424</div> <div>DATE</div> <p>NOTE: IF THE SURVEYOR'S SEAL AT LEFT IS NOT RED IN COLOR, THE SURVEY IS A COPY AND SHOULD BE ASSUMED TO CONTAIN UNAUTHORIZED ALTERATIONS. THE CERTIFICATION CONTAINED ON THIS DOCUMENT SHALL NOT APPLY TO COPIES.</p> |  |

|  |   |  |
|--|---|--|
| PROJECT # 192106   | SCALE: 1" = 60 FEET   | FILE # CSM.dwg   |
| FIELD BOOK # n/a   | DRAWN BY AWS  | SHEET # 2 of 3   |
| PAGES # n/a  | CHECKED BY WFO  | SIDE # 1 / 1   |
| SURVEYOR:<br>Angus W. Stocking<br>MSA PROFESSIONAL SERVICES, INC.<br>111 WARREN STREET<br>BEAVER DAM, WI 53916<br>(920) 887-4242 | <b>MSA</b><br>PROFESSIONAL SERVICES<br>BEAVER DAM, WI 53916<br>© 2000 MSA PROFESSIONAL SERVICES | CLIENT:<br>Sigma Development<br>220 E. Ryan Road<br>Oak Creek WI 53154 |

**SHEBOYGAN COUNTY CERTIFIED SURVEY MAP #**

**Part of Lots 2 and 6 and all of Lots 3, 4 and 5, all in Block 90, and all of Lots 2, 3, 4, 5 and 6, all in Block 90-1/2, and part of vacated Water Street, all in the Original Plat of the City of Sheboygan, and in the Northeast 1/4 of Section 22, Township 15 North, Range 23 East, City of Sheboygan, Sheboygan County, Wisconsin.**

"As owner I hereby restrict all lots and blocks, so that no owner, possessor, user, licensee, or other person may have any right of direct vehicular ingress or egress from any highway lying within the right-of-way of S.T.H. 28, as shown on the land division map; it is expressly intended that this restriction constitute a restriction for the benefit of the public as provided in s.236.293, Stats., and shall be enforceable by the department or its assigns."

**HIGHWAY SETBACK RESTRICTION**

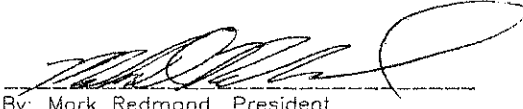
"No improvements or structures are allowed between the right-of-way line and the highway setback line. Improvements and structures include, but are not limited to signs, parking areas, driveways, wells, septic systems, drainage facilities, buildings and retaining walls. It is expressly intended that this restriction is for the benefit of the public as provided in section 236.293, Wisconsin Statutes, and shall be enforceable by the Wisconsin Department of Transportation for more information. The phone number may be obtained by contacting the County Highway Department."

**OWNER'S CERTIFICATE**

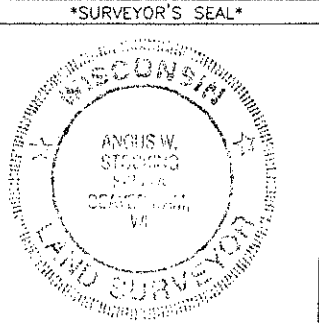
As owners, we, MRED (14th/Erie) Associates, a Wisconsin Limited Partnership, hereby certify that we have caused the land as shown on this map to be surveyed, divided and mapped as represented on this map.


Dated this 28 day of MARCH, 2001

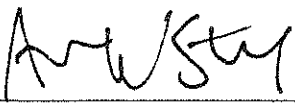
MRED (14th/Erie) Associates, A Wisconsin Limited Partnership  
By: MRED (14th/Erie), Inc.

  
By: Mark Redmond, President

\*SURVEYOR'S SEAL\*




**APPROVED**  
CITY OF SHEBOYGAN  
DEPT. OF CITY DEVELOPMENT  
dated this 13<sup>th</sup> day of Mar, 2001  


 9.26.2000

MSA PROFESSIONAL SERVICES  
Angus W. Stocking, REGISTERED LAND SURVEYOR #2424

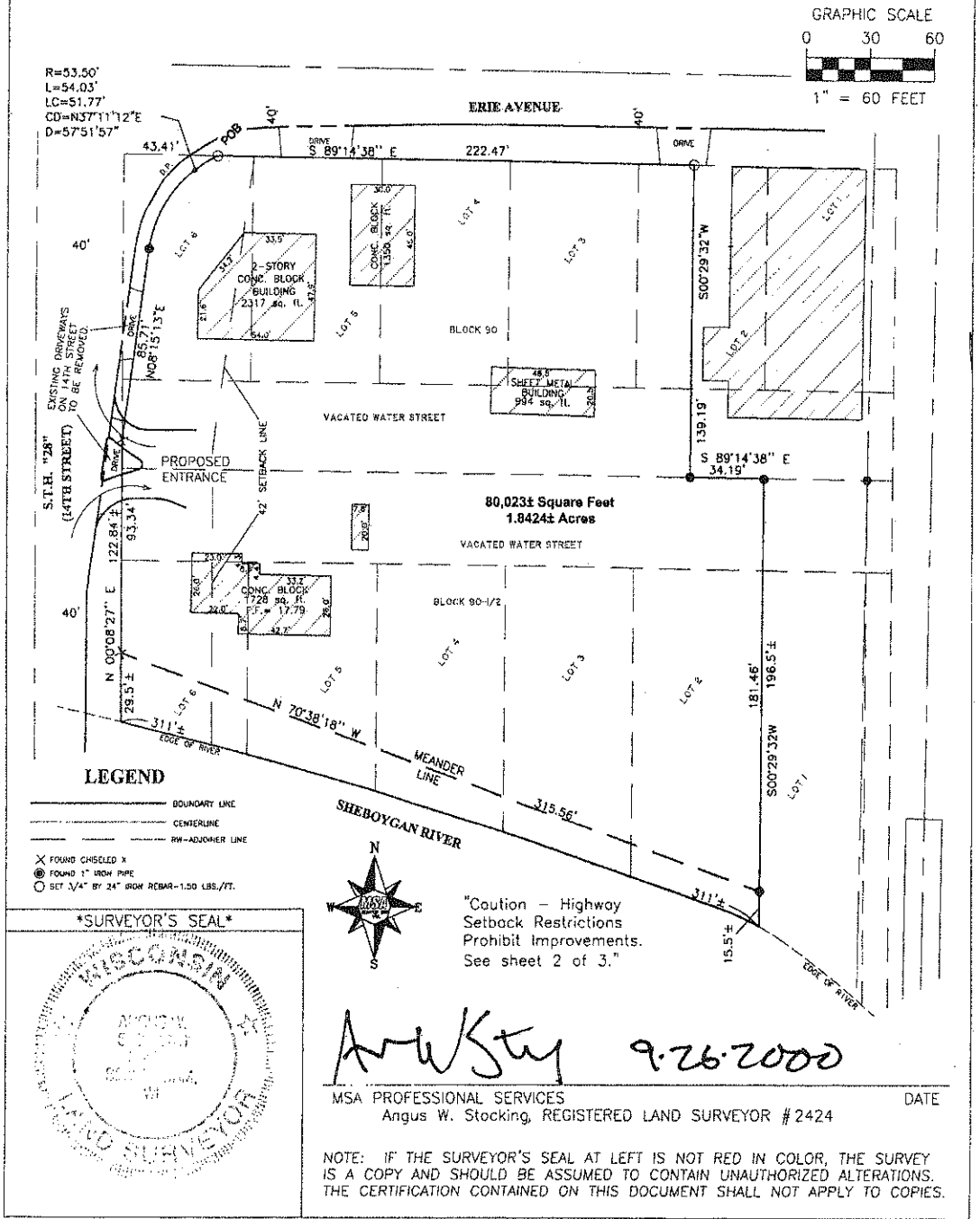
DATE

NOTE: IF THE SURVEYOR'S SEAL AT LEFT IS NOT RED IN COLOR, THE SURVEY IS A COPY AND SHOULD BE ASSUMED TO CONTAIN UNAUTHORIZED ALTERATIONS. THE CERTIFICATION CONTAINED ON THIS DOCUMENT SHALL NOT APPLY TO COPIES.

|  |                     |  |
|--|---------------------|--|
| PROJECT # 192106   | SCALE: 1" = 60 FEET | FILE # CSM.dwg   |
| FIELD BOOK # n/a   | DRAWN BY AWS        | SHEET # 3 of 3   |
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| SURVEYOR:<br>Angus W. Stocking<br>MSA PROFESSIONAL SERVICES, INC.<br>111 WARREN STREET<br>BEAVER DAM, WI 53916<br>(920) 887-4242               |                     | CLIENT:<br>Sigma Development<br>220 E. Ryan Road<br>Oak Creek WI 53154 |
| <br>BEAVER DAM, WI 53916<br>© 2000 MSA PROFESSIONAL SERVICES |                     |  |

SHEBOYGAN COUNTY CERTIFIED SURVEY MAP #

Part of Lots 2 and 6 and all of Lots 3, 4 and 5, all in Block 90, and all of Lots 2, 3, 4, 5 and 6, all in Block 90-1/2, and part of vacated Water Street, all in the Original Plat of the City of Sheboygan, and in the Northeast 1/4 of Section 22, Township 15 North, Range 23 East, City of Sheboygan, Sheboygan County, Wisconsin.



VOL 17 PAGE 244

477585

No.

ERNEST MARKWARDT &amp; ELSIE

MARKWARDT, his wife.

City of Sheboygan

Municipal Corporation

Premises

Warranty Deed

This instrument is acknowledged before me and the public authority upon record this 22nd day of July 1946.

RECORDERS OFFICE

State of Wisconsin

SHEBOYGAN

Received for recording this 22nd day of July 1946.

at 11:22 A.M.

in Vol. 296, p. 312

477586

NO. 1

WARRANTY DEED

This Indenture, Made this 22nd day of July

A. D. 1946, between Erie Oil Company, a Wisconsin corporation,

part Y of the first part, and Service Ice Company, a Wisconsin corporation

part Y of the second part.

Witnesseth, That the said part Y of the first part, for and in consideration of the sum of

One Dollar and other valuable consideration

to it in hand paid by the said part Y of the second part, the receipt whereof is hereby confessed and acknowledged, he is given, granted, bargained, sold, remise, released, aliened, conveyed, and confirmed, and by these presents do es give, grant, bargain, sell, remise, release, alien, convey and confirm unto the said part Y successors

of the second part, its ~~XXXX~~ and assigns forever, the following described real estate, situated in the County of Sheboygan and State of Wisconsin, to-wit:

Commencing at a point on the East line of Fourteenth (14) Street one hundred fifty and sixty-two one-hundredths (150.62) feet South of the Northwest corner of Block ninety (90), Original Plat of the City of Sheboygan, running thence East three hundred (300) feet more or less to a point in the East line of Lot two (2), Block Ninety and One-Half (90½) one hundred fifty and sixty-two one-hundredths (150.62) feet South of the Northeast corner of Lot Two (2) of said Block Ninety (90) (which East line of Lot Two marks the West boundary line of the Chicago and Northwestern Railroad Company right-of-way), thence ~~XXXXXXXXXXXXXXXXXXXX~~ ~~XXXXXXXXXXXX~~ along the west boundary line of said railroad right-of-way to the North bank of the Sheboygan River, thence Northwesterly along the North bank of the Sheboygan River to the east line of Fourteenth (14th) Street, thence North along the east line of Fourteenth (14th) Street eighty-five (85) feet more or less to the point of beginning, said tract of land being part of Lots Two (2), Three (3), Four (4), Five (5) and Six (6), of Block Ninety and One-Half (90½), Original Plat of the City of Sheboygan, and part of vacated North Water Street, together with all riparian rights appertaining thereto.

Together with an easement to use for purposes of right-of-way a strip of land described as follows: Commencing at Northwest corner of the above described premises, thence East three hundred (300) feet, to the East line of Lot Two (2), thence North Ten and sixty-two one-hundredths (10.62) feet more or less to the South property line of the premises owned by Frank Horwitz and William A. Hayssen, thence West fifty-one (51) feet, thence North Fourteen and 38/100 (14.38) feet more or less to a point twenty-five (25) feet North of the North line of the premises herein conveyed to the grantee, thence West parallel to said North line two hundred forty-nine (249) feet more or less to the East line of North Fourteenth (14th) Street, and thence South twenty-five (25) feet to point of beginning. The Grantor corporation also reserves the right for itself, its successors and assigns, to use said twenty-five foot strip for purposes of right-of-way.



This conveyance is made upon the express condition that the above described premises, conveyed to the grantee corporation, shall not be used for a period of twenty-five (25) years from the date hereof for the purpose of sale of automobiles, petroleum products, automobile tires, and/or automobile accessories; the servicing of automobiles and other motor vehicles; the operation of a commercial garage, a public parking lot; and/or any other business which will compete with the automobile service station now being operated by the grantor on the adjoining premises to the North, or which may hereafter be operated there by the grantor, its successors, or assigns. In the event of a violation of this condition, title to the conveyed premises shall immediately revert to the grantor, its successors or assigns. This restrictive covenant is one running with the land, and shall be binding upon the successors and assigns of the grantee, and shall inure to the benefit of the successors and assigns of the grantor.



TOGETHER with all and singular the hereditaments and appurtenances therunto belonging or in any wise appertaining; and all the estate, right, title, interest, claim or demand whatsoever, of the said part y of the first part, either in law or equity, either in possession or expectancy of, in and to the above bargained premises, and their hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises as above described, with the hereditaments and appurtenances, unto the said part y of the second part, and to its ~~successors~~ ~~and assigns~~ ~~FOREVER~~.

AND THE SAID Erie Oil Company ~~successors and assigns~~ ~~do es~~ ~~covenant,~~ ~~successors~~ ~~XXXX~~  
for itself and its ~~successors and assigns~~ ~~do es~~ ~~covenant,~~ ~~successors~~ ~~XXXX~~  
grant, bargain and agree to and with the said part y of the second part, its ~~successors and assigns~~ ~~do es~~ ~~covenant,~~ ~~successors~~ ~~XXXX~~  
and assigns, that at the time of the enrolling and delivery of these presents it is ~~well seized of the~~

premises above described, as of a good, sure, perfect, absolute and indefeasible estate of inheritance in the law, in fee simple, and that the same are free and clear of all incumbrances whatever.

and that the above bargained premises in the quiet and peaceable possession of the said part **Y** of the second part, **successors**  
**its** ~~heirs~~ and assigns, against all and every person or persons lawfully claiming the whole or  
any part thereof: **it** will forever WARRANT AND DEFEND.

IN WITNESS WHEREOF, the said part Y of the first part ~~XXXXXXXXXXXXXXXXXXXX~~ has caused these presents  
to be executed by its proper officers thereunto duly authorized, and its  
~~XXXXXXXXXX~~ XXXXXX XXXXXX  
corporate seal to be thereunto duly affixed the day and year first above  
written. Signed and sealed in presence of XXXXXX XXXXXX XXXXXX

~~PRITE OIL COMPANY.~~

By [Signature]  
President

COUNTERSIGNED: \_\_\_\_\_ (S&K)

By U. W. V.  
Secretary

STATE OF WISCONSIN }  
SHEBOYGAN COUNTY } ss.

Personally came before me this 22 day of July, A. D. 1946  
M. M. Filz, President and A. W. Schultz, Secretary of the above  
named corporation, to me known to be the persons who executed the  
foregoing instrument and to me known to be such president and secretary  
of said corporation, and acknowledged that they executed the foregoing  
instrument as such officers as the deed of said corporation, by its  
authority.

Notary Public, Sheboygan Co., Wis.  
My comm. expires: May 23, 1979.

My comm. expires: May 22, 1979.

○  
Z

Erie Oil Company

of

Service Ice Company

# Warranty Deed

REGISTER'S OFFICE  
COUNTY, W

Received for record this 22nd day.

of  
Spencer  
A.D. 1914-16 at 11-18

at 12 o'clock M., and recorded in Vol.

296 of Deeds, on page 312/4

10

Case 1:11-cv-00001

Register of Deeds.

Myers, Spencer

10

10/10/10

*Journal of Management Studies*, 19(6), 701-718.

886629

## HIGHWAY EASEMENT

THIS INDENTURE, Made this 28 day of October, A.D. 1966, by and between SERVICE ICE COMPANY, a Wisconsin corporation, Grantor, and the CITY OF SHEBOYGAN, a municipal corporation of the State of Wisconsin, Grantee,

## WITNESSETH:

The said Grantor, in consideration of the sum of One (\$1.00) Dollar and other valuable considerations in hand paid by the said Grantee, receipt whereof is hereby confessed and acknowledged, has given, granted and does hereby give and grant unto the said Grantee, its successors and assigns, a limited highway easement for the right to construct and maintain side slopes rip-rap bank protection, along the following described property in the County of Sheboygan, State of Wisconsin, to-wit:

Commencing on the east line of North 14th Street, eighty (80) feet south of the centerline of vacated Ontario Avenue, thence East, perpendicular to said east line, twenty (20) feet, thence South, parallel with said east line, to the north high water line of the Sheboygan River, thence Westerly and upstream, to the east line of North 14th Street, thence North, along said east line, to the place of beginning, being part of Lot six (6), Block ninety and one-half (90½) of the Original Plat of the City of Sheboygan.

The Grantor further grants unto the Grantee, its successors and assigns, the right to operate necessary equipment thereon, the right of ingress and egress, as long as required for such public purpose, including the right to preserve, protect, remove or plant thereon any vegetation that the highway authorities may deem desirable to prevent erosion of the soil, on the condition, however that in any and all events the Grantee shall bear all costs of such installation, construction and maintenance.

The covenants herein contained shall be binding upon the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF THE SAID GRANTOR has caused these presents to be signed by Russell Jacobson, its President and Countersigned by John S. Walter, its Secretary, at Sheboygan, Wisconsin, and its corporate seal to be hereunto affixed the day and year first above written.

In Presence of

SERVICE-ICE COMPANY, (SEAL)

By Russell Jacobson  
Russell Jacobson President

Countersigned:

John S. Walter  
John S. Walter, Secretary

STATE OF WISCONSIN )  
SHEBOYGAN COUNTY ) ss

Personally came before me, this 30 day of October, A.D. 1966, Russell Jacobson, President and John S. Walter, Secretary of the above named corporation, to me known to be the persons who executed the foregoing instrument and to me known to be such President and Secretary of said Corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of said Corporation, by its authority.

Viola Heinen  
Notary Public, Sheboygan Co., Wis.  
My Comm. Exp: Aug 17 1969

1966 NOV 23 AM 9 14

|   |
|---|
| 886629  |
| SERVICE ICE COMPANY<br>and<br>CITY OF SHEBOYGAN   |
| HIGHWAY EASEMENT  |
| REGISTER'S OFFICE<br>SHEBOYGAN COUNTY, WISCONSIN<br>Received for Record the <u>28<sup>th</sup></u> day of<br><u>Nov</u> A. D. 19 <u>66</u> at <u>9:14</u><br>o'clock <u>A</u> M., and Recorded in Vol. <u>497</u><br>of <u>Records</u> on page <u>170/2</u><br>By <u>[Signature]</u> Deputy<br><u>City Clerk</u><br>OFFICE OF THE<br><del>City Attorney</del><br>SHEBOYGAN, WISCONSIN |

Final 1/5 to Chas

VOL 1906 PAGE 867  
1617486

Driveway Restoration Agreement

SHEBOYGAN COUNTY, WI  
RECORDED ON

11-21-2001 1:23 PM

DARLENE J. NAVIS  
REGISTER OF DEEDS

RECORDING FEE: 15.00  
TRANSFER FEE:  
069737 8

# OF PAGES: 3

Recording Area

Name and Return Address

Dept. of Public Works  
833 Center Avenue  
Sheboygan, WI 53081

205950

Parcel Identification Number (PIN)

This information must be completed by submitter: document title, name & return address, and PIN (if required). Other information such as the granting clauses, legal description, etc. may be placed on this first page of the documents or may be placed on additional pages of the documents. Note: Use of this cover page adds one page to your document and \$2.00 to the recording fee. Wisconsin Statutes, 59.517. WRDA 2/96

SCF-3122

## Driveway Restoration Agreement

*Know all Men by these Presents,*

That Redmond Commercial Development  
W228 North 745 Westmound Drive, Waukesha WI 53186

for and in consideration of the grant of approval by Dept. of Public Works

of the City of Sheboygan, a municipal corporation of the State of Wisconsin, for construction of a rolling curb and/or driveway connecting with the public thoroughfare system of said city under the provisions of Section 36.79 of the Municipal Code of said City of Sheboygan, said Section 36.79 being incorporated herein by reference and intending to adopt its terms and provisions to all effects and purposes as though set out in full herein, the undersigned as owner of the following described real estate, lying and being in the County of Sheboygan, State of Wisconsin, and known and described as follows, to-wit:

one 45' opening into Erie Ave. centered 223' east of east right-of-way line of North 14th Street and one 30' opening centered 138' south of the south right-of-way line of Erie Avenue.

Property Description: Original plat  
Lots 2-3-4-5 & 6 blk 90 ½ also S ½ of vacated N. Water St. adjacent the afore described.

*City of Sheboygan, WI*

## Plan Commission Application No.

does covenant and agree for himself, his heirs, successors, administrators and assigns, that upon issuance of permit pursuant to the agreement that he will construct the driveway in accordance with the specifications on file in the office of the Dept. of Public Works and does further agree that- he will construct said driveway in 180 days in compliance with the agreement; and that when the use for such driveway and/or rolling curb shall no longer exist, the adjacent sidewalks and curbs and streets shall be restored to their condition existing prior to the construction allowed under the resolution above specified. The cost of the construction permitted and restoration covenanted herein shall be borne by the promisor herein, his heirs, successors and assigns; and the promisor herein, for himself, his successors, administrators and assigns, covenants and agrees to indemnify and save the City of Sheboygan harmless from any and all claims arising out of and caused by the work of construction and restoration provided herein and done and performed adjacent to the above described premises.

In the event that the said Common Council or the Board of Public Works of said city shall cause written notice to be served on the owner of the premises above described to restore such driveway and/or curb and/or street to their original condition, such notice shall be deemed conclusive, binding evidence that the use for such driveway or rolling curb no longer exists, and failure to cause the restoration covenanted herein to be done within twenty days after service of such notice shall create the right in the City of Sheboygan to cause the work to be done by the proper municipal agency, or by letting the work out on contract, and the costs thereof may be charged to the premises herein described.

This agreement shall be recorded in the Register of Deeds office for Sheboygan County, Wisconsin, and the fees therefor paid by the undersigned.

The covenants contained herein shall attach to and run with the land above described and shall bind the party hereto, his heirs, executors, administrators and assigns.

Where so applicable, the singular form of words used herein shall be construed in the plural and/or in the feminine and/or masculine genders, and/or as applicable to firms, partnerships and corporations.

IN WITNESS WHEREOF, \_\_\_\_\_ Have hereunto set \_\_\_\_\_ hand \_\_\_\_\_ and seal \_\_\_\_\_ this 29<sup>th</sup> day of  
March, A. D., 2001.

In the Presence of:

*Judith L. McMahon*  
*Nancy J. Zurek*

*NRED (14th) Erie Sheboygan, Inc.*  
General Partner, by:

*RAP A. Clabault* (SEAL)  
RAP A. Clabault, Assistant Secretary (SEAL)

STATE OF WISCONSIN } ss.  
SHEBOYGAN COUNTYPersonally came before me, this 15th day of November, A. D., 2001, the above namedKay A. Chabanel, Assistant Secretary

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



NOTARY PUBLIC, SHEBOYGAN COUNTY, WISCONSIN

MY COMMISSION EXPIRES: 8-3-2003

Approved as to form and execution

this \_\_\_\_\_ day of \_\_\_\_\_

CITY ATTORNEY.

STATE OF WISCONSIN } ss.  
SHEBOYGAN COUNTY

Personally came before me, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

President, and \_\_\_\_\_ Secretary of the above named Corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be such President and Secretary of said Corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of said Corporation, by its authority.

NOTARY PUBLIC, SHEBOYGAN COUNTY, WISCONSIN

MY COMMISSION EXPIRES: \_\_\_\_\_

No. \_\_\_\_\_

by \_\_\_\_\_

City of Sheboygan, Wisconsin

## REGISTER'S OFFICE

STATE OF WISCONSIN,  
SHEBOYGAN COUNTY.

Received for Record this \_\_\_\_\_ day of \_\_\_\_\_

A.D., \_\_\_\_\_

at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and recorded in \_\_\_\_\_

Vol. \_\_\_\_\_ of Records \_\_\_\_\_

On page \_\_\_\_\_

Register of Deeds.

Deputy.

Return to:  
Dept. of Public Works  
City Hall