

STATE OF WISCONSIN
AWARD OF DAMAGES FOR DEVELOPMENT RESTRICTION RIGHT
FOR SCENIC EASEMENT
BY STATE HIGHWAY COMMISSION

Section 84.09(2)

For establishing, laying out, widening, enlarging, extending, constructing, reconstructing, improving, and maintaining a certain highway now known as F. T.

Highway 35, the State Highway Commission of Wisconsin finds it necessary to acquire and hereby acquires certain interests, hereinafter described, in a parcel of land owned in fee simple by Estate of Bertha R. Haase, deceased

which parcel is subject to liens held by _____

and which parcel is near or adjacent to the aforesaid highway and is located in Pierce County, Wisconsin, and is more particularly described as follows:

NR 1/4 of the NW 1/4 of Section 1, Township 24 North, Range 18 West.

The said highway is so located as to be a logical portion of the proposed Mississippi River National Parkway, and the State Highway Commission of Wisconsin desires to construct the said highway to standards appropriate for such parkway, and therefore desires to preserve, insofar as is reasonably possible, the natural beauty of the roadsides, and to prevent any unsightly developments that will tend to mar or detract from such natural beauty or to degrade the character of the project as constructed, or to result in danger to travel on the highway; and to that end the State Highway Commission desires to exercise such reasonable controls over the lands within the "restricted area" hereinafter described as may be necessary to accomplish such objectives.

The "restricted area" is all of the real estate hereinbefore described (exclusive of any acquired and recorded highway right of way) within a distance of 350 feet from a reference line described as follows:

Beginning in Township 24 North, Range 18 West, Section 1, on the east line a distance of 2633.5 feet north of the southeast corner of said section; thence S. 89°52' W. 1400 feet.

Now being utilized for agriculture, all conforming to permitted uses.

The interest in land which the State Highway Commission hereby acquires is an easement and right in perpetuity to restrict the use of the lands within the hereinbefore described "restricted area" in the following manner, to wit:

Project F 028-1(37)

Parcel No. 69

- (1) No building or premises shall be used and no building shall hereafter be erected or structurally altered except for one or more of the following permitted uses:
 - (a) ~~One single family residence on tracts having a frontage on the adjacent state trunk highway of not less than three hundred (300) feet.~~
 - (b) General farming, including farm buildings, but not fur farms or farms operated for the disposal of garbage, rubbish, offal, or sewage.
 - (c) Telephone, telegraph, or electric lines or pipes or pipe lines or radio relay structures for the purpose of transmitting messages, heat, light, or power.
 - (d) Uses incident to any of the above permitted uses, including accessory buildings.
 - (e) Any use existing on the premises at the time of the execution of this easement. Existing commercial and industrial uses of lands and buildings may be continued, maintained, and repaired, but may not be expanded nor shall any structural alteration be made.
- (2) No dump of ashes, trash, sawdust or any unsightly or offensive material shall be placed upon such restricted area except as is incidental to the permitted occupation and use of the land for normal agricultural or horticultural purposes.
- (3) No sign, billboard, outdoor advertising structure or advertisement of any kind shall be erected, displayed, placed or maintained upon or within the restricted area, except one sign of not more than 8 square feet in area to advertise the sale, hire or lease of the property or the sale of any products produced upon the premises.
- (4) The conditions of this easement shall not prevent any permanent excavation or works necessary to the occupation or use of the restricted area for purposes of the permitted uses.
- (5) No trees or shrubs shall be removed or destroyed on the land covered by this easement, except as may be incidental to the permitted uses.
- (6) This easement or right to restrict land use does in no way grant to the public the right to enter such area for any purpose.

The awardees, their heirs, executors, administrators, grantees, successors, and assigns, shall neither lease nor convey any other easement in any way affecting the use of said "restricted area" without first securing the written permission of the State Highway Commission of Wisconsin or its successor or successors.

WHEREAS, the said State Highway Commission has endeavored to acquire said interest in land by contract and has been unable to purchase the same expeditiously for a price deemed reasonable;

NOW, THEREFORE, the said State Highway Commission, acting under the provisions of Section 84.09(2) of the Statutes, does hereby award damages to the said above-named owner(s) and lien holder(s), if any, in the sum of Eighty-five and 10/100

Dollars (\$ 85.00) for the taking of the aforesaid interest in land and for the payment of damages accruing thereby.

STATE HIGHWAY COMMISSION OF WISCONSIN

By O.J. Hughes
Secretary

Pursuant to action taken by the State Highway Commission of Wisconsin and to authority granted by motion duly made, seconded and adopted by said Commission the 27th day of July, 1957.