

**In This Update:**

- **From the City Manager:** Seven Mile Creek Landfill Update, City of Eau Claire’s Kyes Park, Housing Updates, City Manager’s Office Staffing Recruitments
- **Employee Spotlight**
- **Council Calendar**
- **Updates from:** Health Department, Community Services

**From the City Manager:** Here are a few updates from this week...

**Seven Mile Creek Landfill Update:** The local Siting Committee met last week and voted unanimously to recommend a Final Negotiated Agreement with owner/operator GFL in regard to its expansion of the Seven Mile Creek Landfill. This has been a several year process, initiated by the previous owner of the landfill when they applied for a substantial expansion approved by the DNR. The Siting Committee’s role has been to negotiate with the landfill owner to mitigate local impacts and to compensate for those community and neighbor impacts that cannot be eliminated. The recommended agreement builds on the existing 2016 terms that, along with good local management of the facility, have resulted in a well-maintained, but still large and expanding, regional landfill.

Financial highlights of the new or expanded terms include:

- 107 owner-occupied properties out to one mile from the landfill will receive “sociological payments,” which are negotiated payments given to residents who may experience impacts;
- 44 neighboring owners will receive property value protection; and
- There will be a slight increase in the tonnage fees from \$1.85 to \$2.00 per ton that increases at CPI.

Two other key terms were agreed upon:

- **Height:** A primary request of the Committee when the expansion was first proposed was to reduce its height. The landfill applied for and the DNR had approved a 64-foot height increase, and the Agreement reduces that almost in half to 33 feet.
- **Use after closure:** Landfills don’t remain open forever, but they stay as an altered landscape for generations. Thus, further efforts were made to put the landfill to some beneficial use after closure. Now, in addition to monitoring for safety, the landfill will be planted with native wildflowers for pollinator habitat and will be considered as a possible solar farm location. Finally, additional litter, cleaning, screening, and odor control measure will be utilized by the landfill.

The Siting Committee's work is now done. Thank you to City members Jamie Radabaugh, Thomas Kemp, Lane Berg, and Steve Nick. Next steps are for review and approval by all three local governments: Town of Seymour, Eau Claire County, and the City. The Town is expected to review in early October the Final Negotiated Agreement, along with a corresponding intergovernmental agreement to continue the practice of the City serving as the fiscal agent for distribution of the tonnage fees. The County and City expect to place the item on agendas in later October. If you have any questions, please direct them to City Attorney Steve Nick who served as the chair of the Siting Committee.

**City of Eau Claire's Kyes Park:** I want to share some history and information regarding The Margaret and Sid Kyes Community Park. Ms. Kyes approached the City in 2003 with an interest in donating about 115 acres of land that she and her husband owned and wished to preserve as parkland. Through discussions with former City Community Services Director Phil Fieber and City Attorney Steve Nick, Ms. Kyes and the City developed a plan for the transfer of the land at her passing for continued use as a City park. The land is at the intersection of Lowes Creek Road and County Highway II (CTH II) and near the recent Orchard Hills annexation, in which residential housing is proposed. It is also close to existing residential housing in the Town of Washington, and it's just down the road from Eau Claire County's Lowes Creek Park.

The land was planted in seedlings soon after the donation agreement was signed and those trees now cover most of the property. While future use of the park will be part of a City planning process, the agreement and deed restriction in the transfer from Ms. Kyes emphasizes "natural open space." Lands to the west of Lowes Creek Road and north of CTH II can be an area for youth athletic fields, while the land south of CTH II could be developed with a picnic pavilion, play area, restrooms, and trails. The area to the east of Lowes Creek is reserved for natural open space, but also would allow for trails, benches, and picnic areas. Importantly, contrary to concerns I understand some of you may have heard, the land cannot be used for residential development. It is a City Park and was graciously donated by the Kyes family for only that purpose.

Ms. Kyes died on March 18th, 2012. The City, by resolution of the City Council on May 22nd, 2012, accepted the donation of Kyes Park land on these terms. (See attached.) The land has been owned by the City since 2012. It is now proposed for annexation, since it is near future residential City development. The future annexation of the park was the expectation when Council Resolution 2012-239 resulted in the acceptance of the parcel as City parkland. Should you have any questions, you can contact City Attorney Steve Nick on matters of the Park's current use and contact Community Services Director Lane Berg on plans for the Parks' future uses.

**Housing Updates:** I shared some updates verbally at last week's Council meeting, and here are a few more details related to both the supply of attainable and affordable housing and to the supports needed by to individuals and families experiencing homelessness or housing insecurity.

- Housing Needs Assessment (HNA) RFP: The planned HNA will be carried out with the County and the City of Altoona, and it will provide a valuable basis for future work. An RFP for the HNA was published Friday, September 9th, with responses due 9/30, and the City has received a number of inquiries from potential consultants. The work will look at public and non-public data sets (construction, realty, employment, assessment) and analyze existing housing inventory. The consultant will carry out a gap analysis, including analyze housing gaps for households of different demographics and incomes. Our hope is to complete the work by June, and it will inform additional efforts, such as the zoning overhaul.
- Zoning Overall: Our plans for the ARPA-funded zoning overhaul include issuing an RFP by end of the year. The work will be intensive, especially with a focus on community engagement, and it will take 12 to 18 months to complete. We anticipate that we will have material for Plan Commission, Council, and Community review by the summer of 2024.
- Fall Conference: The Housing Opportunities Commission's is planning to convene a fall conference on the morning of December 1st. Topics will include: Housing and transportation, sustainability, and zoning code update, with round tables on employee-sponsored housing, universal design, and strategies of supporting BIPOC builders/developers.
- Short-Term Rental Regulation: A Health Department Population Fellow has been studying issues related to short-term rentals in Eau Claire. Using a host compliance software, the City has found that we have 70 active listings, and 75 percent of hosts renting out the whole house. Analysis will continue and we hope to have proposed updated codes by the end of year.
- Downtown Challenges: Businesses have expressed frustration with challenges related to the impact of people experiencing homelessness on their businesses. DECI plans for an Idea Lounge focused on addressing issues related to people experiencing homelessness. Stay tuned for more details.
- Coordination and Problem Solving: As mentioned in the staffing update, we are currently hiring for a person who will work as part of the City Managers' Performance Management Team to coordinate and track work related to housing and homelessness. Other parts of the community, such as the Department of Human Services in the County, are also seeking to add service delivery and coordination capacity.
- Homeless Outreach Transition Team: The newly formed, cross-departmental outreach team (HOTT) reports that it has been out five separate times now, for about four hours each time, and they were planning two more outreach efforts scheduled for last week. Here are some notes on their experiences so far...
  - In the last 365 days, the ECPD has interacted with 414 different individuals who identify as "homeless" when officers ask for their current address. The team looks for specific individuals who are housing insecure and have had numerous police contacts within the last 365 days so that there's a smaller group of people to support.

- In addition, for any person the team comes into contact with who says they are housing insecure or unhoused, the team provides information on getting signed up for housing and other services. Western Dairyland joined with the team the last two times and so were able to add people to the housing list during contact.
- As of 9/13/22 the team has had documented contact with 30 different individuals. Some of these individuals initially refused services, and the team tried to connect a second time to see if they would be willing to seek services.
  - 27% of the individuals contacted either refused to talk or were not interested in receiving any services;
  - 30% of the individuals contacted said they were interested in receiving services, but have not followed through with contacting DHS or Western Dairyland for services; and
  - 43% of the individuals have signed up to be on the housing list or have been actively seeking services. The majority of this group are signing up for the housing list.
- The HOTT team consists of a police supervisor, one or two police officers, a person from DHS, and a person from Western Dairyland. They have found it better to split up into teams of two or three to cover more area.
- **Eviction Filings:** Western Dairyland and the Department of Human Services recently reported that a number of pandemic-related assistance programs are winding down, and there's concern that more households will lose stable housing. One program, in particular, the WERA (Wisconsin Emergency Rental Assistance) has been providing households assistance since February of 2021. The following is more information on those impacted by the WERA program:
  - 1,222 Unique Households in Eau Claire County received \$5,674,696 in WERA, or an average of \$4,644/household;
  - In the last seven weeks, there have been 29 eviction filings in Eau Claire County, and of those, 14 have applied for WERA at some point; and
  - 70 households in Eau Claire county have received the maximum (18 months) of assistance.

**City Manager Office Staffing Recruitment:** Note that the Equity Diversity and Inclusion position has now been posted, and the City Clerk role will post this week. I'll be reaching out to community leaders this week to recruit for these key leadership positions. See: [Job Openings | Sorted by Posting Date descending | JOB OPENINGS \(governmentjobs.com\)](#)

**Employee Spotlight:** Here's our next spotlight! (Give a shout-out to a City employee using this form: [Spotlight Form](#)).

This week's spotlight is for **Bradley Lindstrom** (pictured here in a recent podcast episode)

Brad's co-workers said this about Brad: "*Brad spearheads so many innovative projects in the Dabble Box! He helps inspire creativity in every person that comes in. You can just see how much he loves his job and being a part of a new wave of library work!*"



- **Position:** "I work in both the Reference department and the Dabble Box makerspace as a Coordinator. In Reference, I often sum up my job as human Google. I am asked any of a variety of questions and come up with an answer. In the makerspace, I facilitate customer exploration of our equipment and supplies including our arts and crafts, 3D printer, digital art, robot coding, and much more."
- **What people may not know:** "I am an oddly perfect fit for my position. I love technology and dabbling in any creative efforts that spark my interest but I also love reading, writing, and sharing my literary passion with others. I have a degree in English Education, but have also worked as a computer tech while in college and a helicopter electrician while serving in the U.S. Navy. Working in the library makerspace allows me to use my oddball combination of skills like no other job I've had."
- **Favorite activities:** I am a true jack of all trades and master of none. My ADHD redirects my interests all over the place, but I seldom focus on one thing long enough to master it. I would rather try a little of everything than to focus on any one thing.
- **Best part about working for the City:** "I love Eau Claire and the wonderfully creative community here. We can see and hear our amazing creatives at places like the Pablo, Phoenix Park, Artisan Forge, and the University. You can hardly turn a corner without some great work of art or performance to be seen. Working for the City allows me to more effectively contribute to that endeavor."
- **Life philosophy:** "Go with the flow. I have accomplished more than anyone could have imagined with my impoverished upbringing, and I've done it because I see a direction to head and I let it happen. It's not to say there isn't a lot of work to be done on the way, but allowing myself to explore the opportunities that I have been presented usually works in my favor."
- **Anything else?** "I would like to throw out a thanks to everyone that has helped make my life as amazing as it is, including my wife and family, my incredible coworkers and our Dabble Box Taskforce, and this amazing community."

### **Council Calendar**

- ❖ *Tuesday, September 20th: DOR certifies percent change in Consumer Price Index*

- Monday, September 26th: Regular Council Public Hearing/Discussion night
  - o Public Hearing on the Proposed 2023-2027 Capital Improvement Planning Budget
- Tuesday, September 27th: Regular Council Meeting
  - o City Council action on 2023-2027 Capital Improvement Planning Budget
  - o Check-in between City Manager and Council
- ❖ *Saturday, October 1st: City Council receives 2023 Proposed Operating Budget*
- Tuesday, October 4th: Special Council Meeting - Operating Budget work session #1
- Monday, October 10th: Regular Council Public Hearing/Discussion night
  - o First Public Hearing on the Proposed 2023 Operating Budget
- Tuesday, October 11th: Regular Council Meeting
  - o Operating Budget work session #2
- Tuesday, October 18th: Special Council Meeting - Operating Budget work session #3
- ❖ *Tuesday, October 18th: Budget amendments due*
- Monday, October 24: Regular Council Public Hearing/Discussion night
- Tuesday, October 25th: Regular Council Meeting
  - o Operating Budget work session – amendment discussion
- Monday, November 7th: Regular Council Public Hearing/Discussion night
  - o Second Public Hearing on 2023 Proposed Operating Budget
- ❖ *Tuesday, November 8th: General Election, with referendum ballot question*
- Tuesday, November 8th: Regular Council Meeting
- Tuesday, November 15th: Special Council Meeting
  - o City Council action on 2023 Proposed Operating Budget
- Monday, November 21st: Regular Council Public Hearing/Discussion night
- Tuesday, November 22nd: Regular Council Meeting
  - o City Council action on 2023 Proposed Operating Budget (if not completed sooner)
  - o City Council action on levy
- ❖ *Tuesday, November 22nd: Deadline for Council action on 2023 budget and Levy*
- Monday, December 12th: Regular Council Public Hearing/Discussion night
- Tuesday, December 13th: Regular Council Meeting
- Monday, December 26th & Tuesday, December 27th: Historically, these meetings have been cancelled.

**Additional Dates:**

- Road-eo: 9/20 and 9/21: Sign up to help for a shift or longer to “judge. [City of Eau Claire Employees: City/County Snowplow ROADeo \(signupgenius.com\)](#)
- Regional Wisconsin League of Cities Meeting, 9/22: <https://www.lwm-info.org/1677/Fall-Regional-Meetings>
- Eggs & Issues: Fall Election Outlook with Bill McCoshen, 9/22
- Cannery LIHTC Housing Project Groundbreaking, 9/26
- SCS Eau Claire Ceremonial Groundbreaking, 9/29
- Wisconsin League of Cities Annual Conference, 10/19-10/21
- City Bus Tour: Dates in September and October. Please let me or Alia Johnson ([alia.johnson@eauclairewi.gov](mailto:alia.johnson@eauclairewi.gov)) know if you’d like to join in on a tour, if space is available.
- Housing Opportunities Conference, 12/1
- Clearwater Parade: 12/2, Contact the Recreation Department for more information [recreation@eauclairewi.gov](mailto:recreation@eauclairewi.gov).

**Health Department:**

**COVID-19 Waste Water Surveillance:** The City of Eau Claire participates in the State organized COVID-19 Wastewater surveillance program. This program aims to better understand the spread of COVID-19 in Wisconsin, by testing samples of wastewater across the state to look for SARS-CoV-2, the virus that causes COVID-19. This project is a collaboration between the Wisconsin Department of Health Services, Wisconsin State Lab of Hygiene, and the University of Wisconsin-Milwaukee. Local participation has provided us with information about trends in COVID-19 disease, especially with reduced testing occurring. The Health Department analyzes and uses this data as part of our overall COVID response efforts.


In the most recent local surveillance report, we are observing a downward trend in cases as of 9/13/22. To see the most up-to date wastewater data, you can view the [state wastewater dashboard](#). We observe a gap between SARS-CoV-2 Concentrations in wastewater and COVID-19 cases identified through testing. This is due to decreasing testing practices both nationally and locally, increased access to and use of home tests, and asymptomatic infections that do not test. As a Health Department, we view wastewater monitoring as an important tool for understanding the true impact of COVID-19 given our given testing limitations.

**Vaccines:** The Health Department is offering the fall “bivalent” COVID booster at several locations. These “bivalent” vaccines help to protect against the Omicron variant as well as the original COVID virus strain. The CDC recommends that anyone who is age 12 or older and has already received their first doses of Pfizer, Moderna, Novavax, or Johnson & Johnson plan to get this booster.

- Oakwood Mall (drive- thru): The Health Dept. is partnering with Oakwood Mall and AMI to host drive-thru vaccine clinics on Saturdays, 9am-2pm (September 24, October 1, and October 8). Located in the south mall parking lot, behind Hobby Lobby (4720 Golf Road, Eau Claire). Booster doses are free of charge and no insurance is needed. Appointments encouraged, but walk-ins accepted. Make an appointment at [vaccinate.wi.gov](https://vaccinate.wi.gov).
- Eau Claire Health Dept. Clinic: Every Tuesday from 4:30-6:30pm. Appointments encouraged, but walk-ins accepted. Make an appointment at [ecvaccine.as.me](https://ecvaccine.as.me)

Can't make these clinics? No problem, there are many other places to get your vaccination. Other vaccine options are available at [vaccines.gov](https://vaccines.gov) and from area healthcare providers. As new locations are added, they will be added to this site.

**COVID Level:** Eau Claire County has increased from a low level of COVID-19 activity to a ■ medium level of COVID-19 activity. See the graphic below to learn what prevention steps you should take based on our COVID-19 community level.

 To learn more about the CDC's community levels and view the data, visit: <https://www.cdc.gov/coronavirus/2019-ncov/your-health/covid-by-county.html>

**Community Services:**

**Utilities Manager:** Mr. Ben Spanel has been named as the new Utilities Manager for the Community Services Division. Ben has spent 11 years with the City of Eau Claire as a Utilities Supervisor and has previously served as the Director of Public Works in the Village of Holmen. Ben was raised in Eau Claire and graduated from Regis High School, and he has a degree in Civil Engineering from UW-Madison. Ben's coworkers admire his organizational skills, thorough deliverables, mature decision-making, handling tough personnel issues, and ability to remain calm in the face of difficult issues, such as the 11th and Fountain Street sewer backup. Please join the Community Services Department in welcoming Ben to this new role.

**Recreation:** Here are a few Recreation updates...

- New signs: The Carson Park Football Stadium received a new sign, with the new logos for the City of Eau Claire and the schools that use the facility.
- Fall registrations: Fall and Winter Program registrations began on September 7th. Recreation





received 518 enrollments so far, taking in over \$19,000 in revenue. In line with previous years, 96 percent of registrations were able to be completed online. If you're interested in the many exciting programs that Recreation offers - for kids and adults - check out the Prime Times catalog at [www.eauclairewi.gov/primetimes](http://www.eauclairewi.gov/primetimes).

- Concessions renovation: The Fairfax Pool concessions stand renovation began this week and will continue through the spring of 2023.
- Dry floor use: At Hobbs Ice Arena, community groups have been utilizing the dry floor before the ice is scheduled to go back in the O'Brien Rink on September 24th. The Chippewa Valley Roller Derby hosted "Bruise-a-Thon" at the arena on September 10th and the Here We Grow Again Consignment Sale took place September 13-19th.

**Parks:** Some Parks news includes...

- Boardwalk trail: The Parks Division and Engineering Department held a public meeting on September 14th to get input about a proposed boardwalk trail from the John & Faye Menard Tennis Center to Rod & Gun Park along Half Moon Lake. Approximately 40 people attended to give their input on the project. The City will be working with the Department of Natural Resources to develop a route for the boardwalk to present to the Waterways and Parks Commission.
- Trail-widening: The Parks Division has begun its annual trail-widening project. Each fall, staff use mowing equipment to remove invasive species along the trail. This not only allows a better line of sight for trail users, it also serves to make snow removal operations easier and more effective. Initially this work may appear as damage along the trail system, but it is a crucial aspect of trail maintenance and also serves to help native species to thrive by removing underbrush and letting sunlight reach the native plants on the ground.

**Utilities:** Operations at the Water Treatment Plant are running smoothly and demand is decreasing with the cooler weather. Maintenance work underway around town includes...

- The Oakwood Water Tower is being drained in preparation for paint work to be done later this week.
- Distribution crews continue working with contractors and collecting construction water samples.
- Crews started the fall hydrant flushing process.
- Big meter testing has been completed for the year.
- Lead service lines continue to be replaced and properties are still being inspected for lead services.
- Operations at the Wastewater Treatment Plant are also running smoothly. Staff are preparing equipment for the fall bio-solids distribution effort.
- Sewer Collection Crews have started fall root cutting of sewer mains.

And last, but not least, Crews also completed a “Sewer Siphon Beautification Project” along the Chippewa River Bike Trail and inside the Southwest Dog Park. This was a difficult task that included brush removal, scrubbing, priming, painting, and restoration. Special thanks to Jahn Eberhardt and Mike Mancl for putting in so much effort into the project to ensure its success. The pictures show how awesome they look!



**Transit:** Transit held a public input session for the proposed expansion of the UWEC routes on September 7th. Each member of the public that attended spoke in favor of the proposed expansion. Work is continuing on the downtown Transfer Center Project. Weekday Average Ridership was 2,365 for September. This is up 18% from September 2021 (1,996) and down 22% from the pre-pandemic September 2019 (3,047). Average Fare Box weekday revenues for September is \$309. Revenues are up 7% from September 2021 (\$288) and down 37% from the September 2019 average (\$488).

**Streets:** Here are two Streets updates...

- **Madison Street:** The Streets Maintenance crew has been replacing the 9-inch concrete pavement on Madison Street between Farwell and Hobart. This past Monday and Tuesday, five sections were removed and replaced. By using high strength concrete, Madison Street will be reopened to traffic by 3PM on Friday September 16<sup>th</sup>.



- **Fall and winter preparation:** The weather has been very nice lately, but the colder weather will be coming soon. To prepare for the ice and snow that the eventual cold weather will bring, the 13 Main Arterial plow trucks will be ready by October 28<sup>th</sup>. The remaining equipment will be prepared and ready as conditions warrant. The Fleet mechanics are performing routine maintenance and inspections on each of the five street sweepers. The street sweepers will be very busy in October and early November cleaning up leaves. There will be four weeks that the sweepers will be running 16 hours day. The Street sweepers require a lot of maintenance and the mechanics do a great job keeping the sweeper fleet moving.



**CITY COUNCIL**

**AGENDA ITEM COVER SHEET**

**Meeting Date:** Tuesday, May 22, 2012

**Agenda Item:** Resolution accepting a bequest from Elizabeth Kyes for 115 acres of land at Lowes Creek Road and County II for a future park

**SUMMARY / BACKGROUND**

In 2002, Elizabeth Kyes bequested 115 acres of land to the City of Eau Claire, upon her death, for use as a future park. In the spring of 2003, Mrs Kyes purchased trees, (via the WI DNR Wisconsin Forest Landowner Grant) for the property and City Forestry crews and volunteers planted over 60,000 trees on the property. On October 14, 2003, the City Council agreed to accept the terms and conditions of her future donation.

Mrs. Kyes died on March 18, 2012 in Eau Claire.

Staff recommends that the City accept the land and fully honor the terms of the bequest. At present there are no concrete plans or funding for developing this park. The City Comprehensive Plan (Page 5-7 and 5-8) recommends acquisition of this property and the 2008-2012 Parks and Open Space Master Plan recommends acquiring property along the Lowes Creek shoreline. Plans for future development of park should take place during the updating of the 2008-2012 Park and Open Space Master Plan.

Because of new regulations of the WI DNR, Stewardship Funds may not be available, as Mrs. Kyes specifically prohibits hunting and trapping, two items that the WI DNR requires to be allowed on acquisitions of more than five acres when Stewardship Funds are used.

Waterways and Plan Commission recommended acceptance of the donation.

**ACTION / ATTACHMENTS**

**Action:** Resolution

**Attachments:** Resolution  
Terms of Bequest

**RESOLUTION**

**RESOLUTION AUTHORIZING THE ACCEPTANCE OF A BEQUEST FROM ELIZABETH KYES FOR 115 ACRES OF LAND AT LOWES CREEK ROAD AND COUNTY II FOR A FUTURE PARK.**

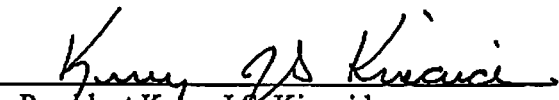
**WHEREAS**, the City of Eau Claire is interested in providing quality park areas and facilities for its residents; and;

**WHEREAS**, the Elizabeth Kyes estate has offered to donate 115 acres of property at Lowes Creek Road and County Hwy II, where future City growth will likely occur in the future; and;

**WHEREAS**, the City of Eau Claire would like to thank Elizabeth Kyes and her family for this generous donation to future Eau Claire generations; and;

**THEREFORE BE IT RESOLVED** by the City Council of the City of Eau Claire, that the Interim City Manager and City Clerk are hereby authorized to act on behalf of the City of Eau Claire to take necessary action to accept this donation from the Elizabeth Kyes family.

Adopted,  
May 22, 2012

(SEAL)   
President Kerry J.S. Kincaid

(SEAL)   
Interim City Manager Brian Amundson

**RESOLUTION**

**RESOLUTION ACKNOWLEDGING A BEQUEST FROM ELIZABETH KYES FOR 115 ACRES OF LAND AT THE INTERSECTION OF LOWES CREEK ROAD AND COUNTY HIGHWAY II IN EAU CLAIRE COUNTY, FOR USE AS A FUTURE CITY PARK**

**WHEREAS**, the City of Eau Claire is interested in providing quality park areas and facilities for its residents; and

**WHEREAS**, Elizabeth Kyes has 115 acres of scenic property in an area south of the City of Eau Claire, where future growth may occur; and

**WHEREAS**, Elizabeth Kyes would like this property to be enjoyed by all future generations as a public park; and

**WHEREAS**, the City of Eau Claire would like to thank Elizabeth Kyes for her generous donation to the community;

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Eau Claire accept and agree to honor the terms and conditions of the bequest as written.

Adopted,  
October 14, 2003

\*\*\*\*\*

Motion to adopt resolution.

Toby Biegel

Seconded by:

Dallas S. Neville

\*\*\*\*\*

3. I give to the City of Eau Claire, Wisconsin (the "City") all of the real estate owned by me located in Eau Claire County, Wisconsin (collectively, the "Property"), subject to the following terms and conditions which shall run with the Property and shall exist in perpetuity:

- i. The Property shall be renamed and described as "The Margaret and Sid Kyes Community Park." A sign shall be placed and maintained in a conspicuous location on the Property acknowledging the donation of the Property by the Kyes family.
- ii. The Property shall be maintained as a park for use by the general public that emphasizes and provides natural open space. The areas of the Property located to the west of Lowes Creek Road shall be maintained as active areas and shall provide for active recreation. The area of the Property located to the west of Lowes Creek Road and North of County Highway II shall be the only area where athletic fields may be constructed. Said athletic fields shall be primarily for children and shall not include large stadiums, but only sport fields for either organized or informal play. Cross-country skiing may also be established in this area of the Property. The development of this area of the Property may include amenities consistent with such athletic fields such as parking lots, restrooms, lighting, etc.
- iii. The area of the Property located to the west of Lowes Creek Road and South of County Highway II shall not include sports fields of any kind. This area may be developed for family and group picnic areas. It may include picnic shelters, open area for informal play, and facilities such as horseshoe courts, play equipment for children, walking trails and open grass areas for informal play. Parking for the users of these facilities located on this portion of the Property may be established on this portion of the Property. Cross-country skiing trails may also be established in this area. The development of this area of the Property may include amenities consistent with the uses described in this subsection (iii) such as parking lots, restrooms, lighting, etc.
- iv. Both areas of the Property located to the east of Lowes Creek Road shall be areas that emphasize and provide natural open space. To that end, the Property may be used for foot trails, benches, small group picnic areas with only one or two adjoining picnic tables, open-air pavilions, floral gardens, arboretums, tree planting, forest management, development of wildlife habitat, and other but consistent uses. The development of this area of the Property may include amenities consistent with the uses described in this subsection (iv) such as parking lots, restrooms, lighting, etc.

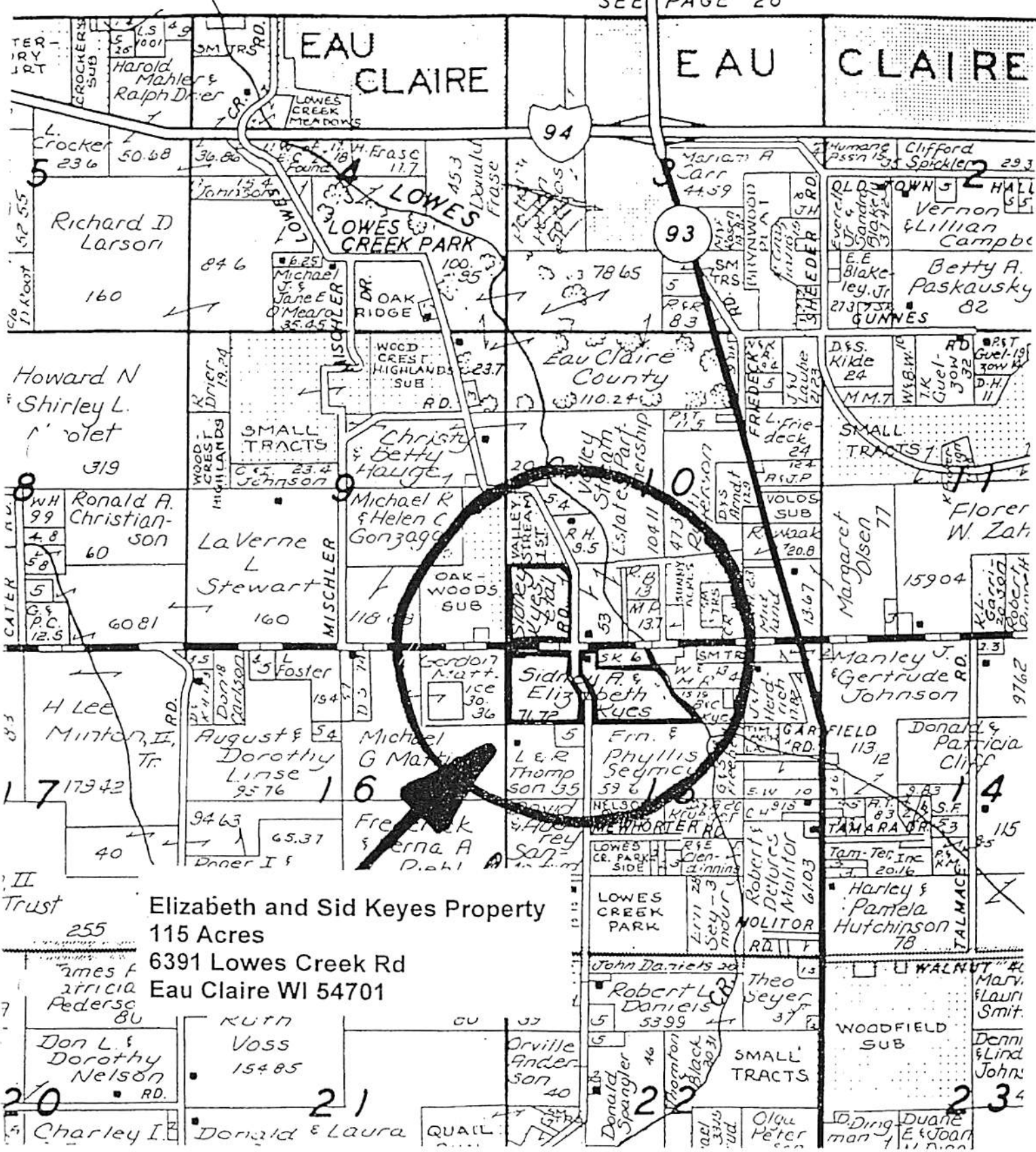
- v. In the areas of the Property located to the east of Lowes Creek Road, access roads may be constructed but shall be limited and, to the extent possible, not cut through the center of any of the four quadrants of the Property. Parking areas should be kept to the parts of the Property near the main roads of County Highway II or Lowes Creek Road. Parking areas should encroach as little as possible on the interior spaces of each of these two areas of the Property. Access to these areas of the Property should be mainly on trails. Trails can be made from asphalt in order to enhance winter usage and handicap accessibility.
- vi. Except for authorized maintenance and emergency vehicles, no off-road motorized vehicles of any sort including, but not limited to, all terrain vehicles, snowmobiles, off-road motorcycles ("dirt bikes"), or the like may be operated on the Property except for the parking of such vehicles in areas designated as parking lots.
- vii. No portion of the Property shall be open to hunting or trapping, unless the City determines that hunting or trapping is necessary to control wildlife populations which hunting or trapping is controlled and strictly monitored by the City. The Property is currently subject to an easement granted to the Wisconsin Department of Natural Resources (the "DNR") which does reserve and grant to the DNR the right to hunt and trap on all or any portion of the Property which easement rights shall supercede the prohibition against hunting and trapping contained herein during such time as such easement remains in existence.
- viii. Except as provided herein or which may exist at the time of my death, the Property shall not be conveyed, assigned or encumbered by any liens or indebtedness whether voluntary or involuntary.
- ix. The City shall, within sixty (60) days of the appointment of a personal representative in my estate, and prior to the transfer of all or any portion of the Property to them, acknowledge, in writing, its agreement to be bound by the restrictions provided herein.
- x. If for any reason the City, at any time, fails to comply with the restrictions provided herein, the City's interest in the Property shall terminate and the ownership of the Property shall then be vested in a not-for-profit entity whose primary purpose is to protect and preserve open space and, in this instance, continued use of the Property in the manner and subject to the restrictions contained herein. Such not-for-profit entity shall be such an entity as selected by a court of competent jurisdiction in Eau Claire County, Wisconsin. Such entity shall accept the Property subject to the restrictions contained herein and shall acknowledge, in writing, its agreement to be bound by such restrictions.



into perpetuity, which acknowledgment shall be received by the court within sixty (60) days after its selection by such court. Any resident of the City of Eau Claire shall have standing to petition such court for a determination as to the City's, or any of its successor's or subsequent holder's of the Property, failure to comply with the restrictions provided herein and to request such court to determine the successor to the City of the Property.

# INGTON ANT VALLEY

115 Acres  
6391 Lowes Creek Rd  
Eau Claire WI 54701  
SEE PAGE 26  
T.26



**Elizabeth and Sid Keyes Property**  
115 Acres  
6391 Lowes Creek Rd  
Eau Claire WI 54701

Trust  
255  
James F.  
Patricia  
Pedersen  
80  
Don L. &  
Dorothy  
Nelson  
20  
Charley I.

Kurt  
Voss  
15485  
21  
Donald & Laura

Orville  
Anderson  
40  
QUAIL

Donald  
Spangler  
46  
22  
Olga  
Peter

WOODFIELD  
SUB  
D. Ding  
man  
Duane  
E. Joann  
234



8 0 6 2 8 0 5  
Tx:4044862

State Bar of Wisconsin Form 00-2011  
**CORRECTION INSTRUMENT**

Under Wis. Stat. § 706.085

Document Number

Document Name

**1097214**  
**KATHRYN A. CHRISTENSON**  
**EAU CLAIRE COUNTY, WI**  
**REGISTER OF DEEDS**

**RECORDED ON**  
**03/11/2014 11:30 AM**

**REC FEE: 30.00**  
**TRANSFER FEE:**  
**EXEMPT #**  
**PAGES: 12**

Undersigned hereby states that a certain document ("conveyance") titled as Personal Representative's Deed (type of document), and executed between Scott M. Ryburn and Kathleen E. Henning, Grantor, and City of Eau Claire, Wisconsin, Grantee, was recorded in Eau Claire County, Wisconsin, on January 23, 2014, in volume \_\_\_\_\_, page \_\_\_\_\_, as document number 1095884, and contained the following error:

Legal description for Parcel A contains a typographical error, and should read, in its entirety, as described on Exhibit A, attached hereto.

Undersigned makes this Correction Instrument for the purpose of correcting the conveyance as follows:

To correct typo in original legal description for Parcel A.

Recording Area

Name and Return Address

William S. Milne  
Weld, Riley, Prens & Ricci, S.C.  
P.O. Box 1030  
Eau Claire, WI 54702-1030

024-1162-02-010

Parcel Identification Number (PIN)

The basis for Undersigned's personal knowledge is (check one):

- Undersigned is the Grantor/Grantee of the property described in the conveyance.
- Undersigned is the drafter of the conveyance that is the subject of the Correction Instrument
- Undersigned is the settlement agent in the transaction that is the subject of this Correction Instrument
- Other (Explain):

A copy of the conveyance (in part or whole)  is  is not attached to this Correction Instrument (if a copy of the conveyance is not attached, attach the legal description).

Undersigned has sent notice of the execution and recording of this Correction Instrument by 1<sup>st</sup> class mail to all parties to the transaction that was the subject of the conveyance at their last known addresses.

Dated March 10, 2014

William S. Milne (SEAL)  
\* William S. Milne

**AUTHENTICATION**

Signature of \_\_\_\_\_  
authenticated on \_\_\_\_\_

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

THIS INSTRUMENT DRAFTED BY:  
William S. Milne  
Weld, Riley, Prens & Ricci, S.C.

**ACKNOWLEDGMENT**

STATE OF WISCONSIN )  
EAU CLAIRE COUNTY ) ss

Personally came before me on March 10  
the above-named William S. Milne  
to me known to be the person who executed the foregoing  
instrument and acknowledged the same.

\* Dustin F. Van Rueden  
Notary Public, State of Wisconsin  
My Commission (is permanent) (expires: \_\_\_\_\_)



(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.

CORRECTION INSTRUMENT  
\* Type name below signatures.

STATE BAR OF WISCONSIN

FORM NO. 00-2011

**EXHIBIT A**  
**to**  
**CORRECTION INSTRUMENT**

**Corrected Legal Description to Parcel A**

**PARCEL A:**

That part of the SW ¼ of the SW ¼ of Section 10, Township 26 North, Range 9 West, Town of Washington, Eau Claire County, Wisconsin, which lies North of County Highway II and West of South Lowes Creek Road.

Said parcel also being described as follows:

Beginning at the Southwest Corner of said Section 10; thence S86°53'48"E along the South line thereof 493.21 feet to the centerline of County Highway II; thence N89°46'52"E along said centerline 679.43 feet to the centerline of Lowes Creek Road; thence N00°19'26"E 1006.60 feet to the point-of-curve of a 611.60 foot radius curve, concave southwesterly; thence along the arc of said curve, the chord of which bears N12°31'27"W and measures 272.00 feet to the point-of-curve of a 1022.94 foot radius curve, concave southwesterly; thence along the arc of said curve, the chord of which bears N25°52'56"W and measures 18.20 feet to the North line of said SW-SW; thence N87°12'56"W along said North line 1175.01 feet to the Northwest corner of said SW-SW; thence S02°43'37"E 1322.96 feet to the point of beginning.

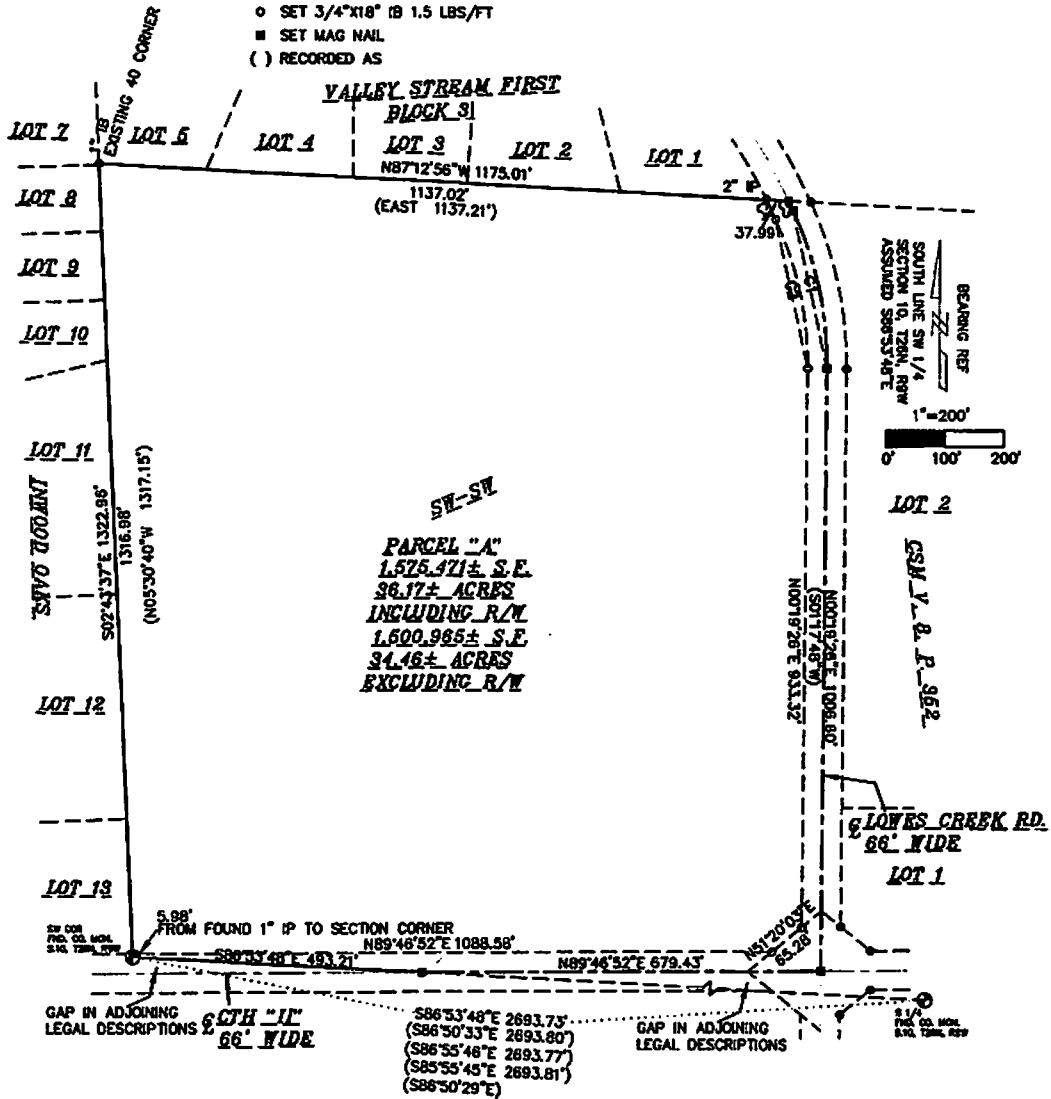
Tax Parcel Identification Number: 024-1162-02-010

# PLAT OF SURVEY

LOCATED IN PART OF THE SW-SW OF SECTION 10, T26N, R9W, TOWN OF WASHINGTON, EAU CLAIRE COUNTY, WISCONSIN.

## LEGEND

- FOUND 1" IRON PIPE, UNLESS NOTED
- SET 3/4"x18" (B 1.5 LBS/FT
- SET MAG NAIL
- ( ) RECORDED AS



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TAN BRCS.
C1	611.60'	274.29'	272.00'	N 12°31'27" W	25°41'46"	N00°19'26" E, N25°22'20" W
C2	578.60'	259.49'	257.32'	N 12°31'27" W	25°41'46"	N00°19'26" E, N25°22'20" W
C3	1022.94'	18.21'	18.20'	N 25°52'56" W	01°01'11"	N25°22'20" W, N26°23'31" W
C4	889.94'	36.14'	36.14'	N 26°25'05" W	02°05'30"	N25°22'20" W, N27°27'50" W

LEGAL DESCRIPTION:  
 LOCATED IN PART OF THE SW-SW OF SECTION 10, T26N, R9W, TOWN OF WASHINGTON, EAU CLAIRE COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:  
 BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 10; THENCE S86°53'48" E ALONG THE SOUTH LINE THEREOF 493.21 FEET TO THE CENTERLINE OF CTH "I"; THENCE N89°46'52" E ALONG SAID CENTERLINE 679.43 FEET TO THE CENTERLINE OF LOWES CREEK RD.; THENCE N00°19'26" E 1006.80 FEET TO THE PC OF A 611.60 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY; THENCE ALONG THE ARC OF SAID CURVE, THE CHORD OF WHICH BEARS N12°31'27" W AND MEASURES 272.00 FEET TO THE PC OF A 1022.94 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY; THENCE ALONG THE ARC OF SAID CURVE, THE CHORD OF WHICH BEARS N25°52'56" W AND MEASURES 18.20 FEET TO THE NORTH LINE OF SAID SW-SW; THENCE N87°12'56" W ALONG SAID NORTH LINE 1175.01 FEET TO THE NORTHWEST CORNER OF SAID SW-SW; THENCE S02°43'37" E 1322.98 FEET TO THE POINT OF BEGINNING.  
 PARCEL "A" IS SUBJECT TO AND TOGETHER WITH ANY EASEMENTS, COVENANTS, RESTRICTIONS OR RIGHTS OF WAY OF RECORD.  
 PARCEL "A" CONTAINS 1,575.471± S.F. OR 36.17± ACRES INCLUDING HIGHWAY RIGHT OF WAYS.  
 PARCEL "A" CONTAINS 1,500,965± S.F. OR 34.46± ACRES EXCLUDING HIGHWAY RIGHT OF WAYS.

FOR:  
 ATTY. BILL MILNE  
 3624 OAKWOOD HILLS PKWY.  
 EAU CLAIRE, WI  
 54701

BY:  
 RUNNING LAND SURVEYING  
 700 DAUPHIN ST  
 LA CROSSE, WI  
 54603  
 608-779-5322

I, CHRISTIAN J. RUNNING, REGISTERED LAND SURVEYOR, HEREBY CERTIFY THAT THIS SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*Christian J. Running*  
 CHRISTIAN J. RUNNING  
 RLS 2558  
 DATE: 9/05/13  
 REVISED: 2/26/14





## EXHIBIT A

### Legal Description of the Property

#### PARCEL A:

That part of the SW ¼ of the SW ¼ of Section 10, Township 26 North, Range 9 West, Town of Washington, Eau Claire County, Wisconsin, which lies North of County Highway II and West of South Lowes Creek Road.

Said parcel also being described as follows:

Beginning at the Southwest Corner of said Section 10; thence S86°53'48"E along the South line thereof 493.21 feet to the centerline of County Highway II; thence N89°46'52"E along said centerline 679.43 feet to the centerline of Lowes Creek Road; thence N00°19'26"E 1006.60 feet to the point-of-curve of a 611.60 foot radius curve, concave southwesterly; thence along the arc of said curve, the chord of which bears N12°31'27"E and measures 272.00 feet to the point-of-curve of a 1022.94 foot radius curve, concave southwesterly; thence along the arc of said curve, the chord of which bears N25°52'56"W and measures 18.20 feet to the North line of said SW-SW; thence N87°12'56"W along said North line 1175.01 feet to the Northwest corner of said SW-SW; thence S02°43'37"E 1322.96 feet to the point of beginning.

Tax Parcel Identification Number: 024-1162-02-010

#### PARCEL B:

That part of the NW ¼ of the NW ¼ of Section 15, Township 26 North, Range 9 West, Town of Washington, Eau Claire County, Wisconsin, lying West of South Lowes Creek Road.

Said parcel also being described as follows:

Beginning at the Northwest Corner of said Section 15; thence S01°45'44"W along the West line of said NW-NW 1294.36 feet to the Southwest corner of said NW-NW; thence S86°57'29"E along the South line thereof 1340.24 feet to a point on a 600 foot radius curve, concave Southwesterly, on the centerline of Lowes Creek Road; thence along the arc of said curve, the chord of which bears N12°30'24"W and measures 73.18 feet; thence continuing along said centerline N16°00'10"W 233.74 feet to the point-of-curve of a 1250.00 foot radius curve, concave Northeasterly; thence along the arc of said curve, the chord of which bears N07°53'20"W and measures 352.85 feet; thence continuing along said centerline N00°13'30"E 655.68 feet to a point on the North line of said NW-NW;

thence N86°53'48"W along said North line 1174.13 feet to the point of beginning.

Tax Parcel Identification Number: 024-1180-07-050

**PARCEL C:**

Lot 3 of Certified Survey Map #1903, recorded in Volume 10 of Certified Survey Maps, Page 214, as Document No. 823581, being a part of the NW ¼ of the NW ¼ and the NW ¼ of the NE ¼ of Section 15, Township 26 North, Range 9 West, Town of Washington, Eau Claire County, Wisconsin; EXCEPT Lot 5 of Certified Survey Map No. 2002 recorded in Volume 11 of Certified Survey Maps, Page 21, as Document No. 847804; AND ALSO EXCEPT that part of said Lot 3 of CSM No. 1903 lying East of the following described line (the "*Tree Line*"):

Commencing at the North Quarter Corner of Section 15, Township 26 North, Range 9 West, Town of Washington, Eau Claire County, Wisconsin; thence S64°44'13"W 845.30 feet to the Southeast Corner of Lot 5 of CSM No. 2002, being the **Point of Beginning** of the Tree Line; thence S76°00'57"E 107.65 feet; thence S43°22'50"E 255.06 feet; thence S38°56'34"E 129.28 feet; thence S16°04'48"E 284.68 feet; thence S00°33'48"E 172.24 feet; thence S60°16'39"W 248.00 feet; thence S03°02'31"W 22.89 feet to the South line of said Lot 3 of CSM No. 1903, being the termination point of the Tree Line.

Tax Parcel Identification Number: Part of 024-1180-06-010



## EXHIBIT B

**Supplement to Personal Representative's Deed, between Scott M. Ryburn and Kathleen E. Henning, as co-personal representatives of the estate of Elizabeth A. Kyes (Grantor) and the City of Eau Claire (Grantee).**

This conveyance is subject to the following terms and conditions:

- i. The Property shall be renamed and described as "The Margaret and Sid Kyes Community Park." A sign shall be placed and maintained in a conspicuous location on the Property acknowledging the donation of the Property by the Kyes family.
- ii. The Property shall be maintained as a park for use by the general public that emphasizes and provides natural open space. The areas of the Property located to the west of Lowes Creek Road shall be maintained as active areas and shall provide for active recreation. The area of the Property located to the west of Lowes Creek Road and North of County Highway II shall be the only area where athletic fields may be constructed. Said athletic fields shall be primarily for children and shall not include large stadiums, but only sport fields for either organized or informal play. Cross-country skiing may also be established in this area of the Property. The development of this area of the Property may include amenities consistent with such athletic fields such as parking lots, restrooms, lighting, etc.
- iii. The area of the Property located to the west of Lowes Creek Road and South of County Highway II shall not include sports fields of any kind. This area may be developed for family and group picnic areas. It may include picnic shelters, open area for informal play, and facilities such as horseshoe courts, play equipment for children, walking trails and open grass areas for informal play. Parking for the users of these facilities located on this portion of the Property may be established on this portion of the Property. Cross-country skiing trails may also be established in this area. The development of this area of the Property may include amenities consistent with the uses described in this subsection (iii) such as parking lots, restrooms, lighting, etc.
- iv. Both areas of the Property located to the east of Lowes Creek Road shall be areas that emphasize and provide natural open space. To that end, the Property may be used for foot trails, benches, small group picnic areas with only one or two adjoining picnic tables, open-air pavilions, floral gardens, arboretums, tree planting, forest management, development of wildlife habitat, and other but consistent uses. The development of this area of the Property may include amenities

consistent with the uses described in this subsection (iv) such as parking lots, restrooms, lighting, etc.

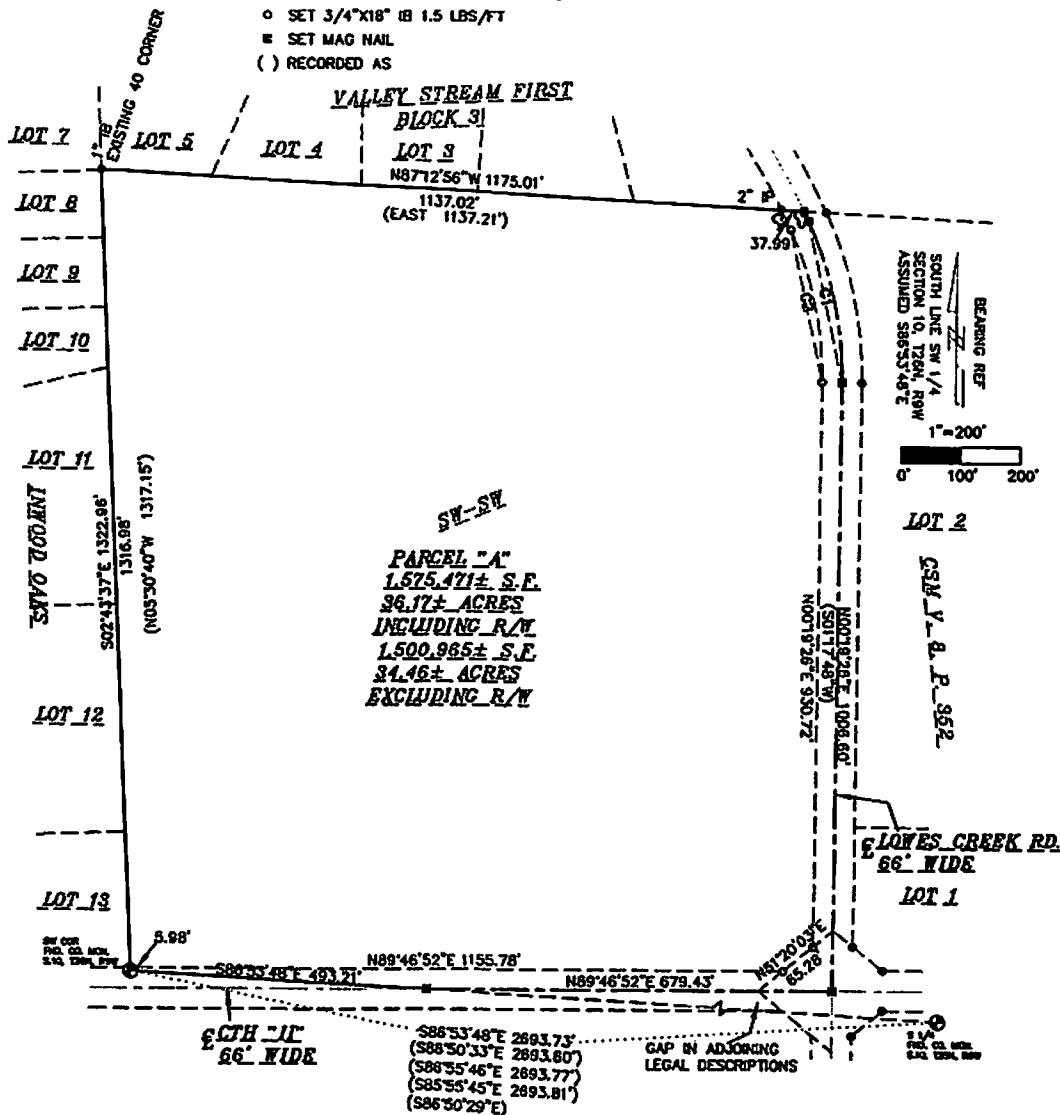
- v. In the areas of the Property located to the east of Lowes Creek Road, access roads may be constructed but shall be limited and, to the extent possible, not cut through the center of any of the four quadrants of the Property. Parking areas should be kept to the parts of the Property near the main roads of County Highway II or Lowes Creek Road. Parking areas should encroach as little as possible on the interior spaces of each of these two areas of the Property. Access to these areas of the Property should be mainly on trails. Trails can be made from asphalt in order to enhance winter usage and handicap accessibility.
- vi. Except for authorized maintenance and emergency vehicles, no off-road motorized vehicles of any sort including, but not limited to, all terrain vehicles, snowmobiles, off-road motorcycles ("dirt bikes"), or the like may be operated on the Property except for the parking of such vehicles in areas designated as parking lots.
- vii. No portion of the Property shall be open to hunting or trapping, unless the City determines that hunting or trapping is necessary to control wildlife populations which hunting or trapping is controlled and strictly monitored by the City. The Property is currently subject to an easement granted to the Wisconsin Department of Natural Resources (the "DNR") which does reserve and grant to the DNR the right to hunt and trap on all or any portion of the Property which easement rights shall supercede the prohibition against hunting and trapping contained herein during such time as such easement remains in existence.
- viii. Except as provided herein or which may exist at the time of my death, the Property shall not be conveyed, assigned or encumbered by any liens or indebtedness whether voluntary or involuntary.
- ix. The City shall, within sixty (60) days of the appointment of a personal representative in my estate, and prior to the transfer of all or any portion of the Property to them, acknowledge, in writing, its agreement to be bound by the restrictions provided herein.
- x. If for any reason the City, at any time, fails to comply with the restrictions provided herein, the City's interest in the Property shall terminate and the ownership of the Property shall then be vested in a not-for-profit entity whose primary purpose is to protect and preserve open space and, in this instance, continued use of the Property in the manner and subject to the restrictions contained herein. Such not-for-profit entity shall be such an entity as selected by a court of competent

jurisdiction in Eau Claire County, Wisconsin. Such entity shall accept the Property subject to the restrictions contained herein and shall acknowledge, in writing, its agreement to be bound by such restrictions, into perpetuity, which acknowledgment shall be received by the court within sixty (60) days after its selection by such court. Any resident of the City of Eau Claire shall have standing to petition such court for a determination as to the City's, or any of its successor's or subsequent holder's of the Property, failure to comply with the restrictions provided herein and to request such court to determine the successor to the City of the Property.

**PLAT OF SURVEY**  
 LOCATED IN PART OF THE SW-SW OF SECTION 10, T26N, R9W, TOWN  
 OF WASHINGTON, EAU CLAIRE COUNTY, WISCONSIN.

**LEGEND**

- FOUND 1" IRON PIPE, UNLESS NOTED
- SET 3/4"x18" IB 1.5 LBS/FT
- SET MAG NAIL
- ( ) RECORDED AS



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	611.60'	274.29'	272.00'	N 12°31'27" W	25°41'46"
C2	578.60'	259.49'	257.32'	N 12°31'27" W	25°41'46"
C3	1022.94'	18.21'	18.20'	N 25°52'56" W	01°01'11"
C4	889.94'	36.14'	36.14'	N 26°25'05" W	02°05'30"

**LEGAL DESCRIPTION:**  
 LOCATED IN PART OF THE SW-SW OF SECTION 10, T26N, R9W, TOWN OF WASHINGTON, EAU CLAIRE COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:  
 BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 10; THENCE S86°53'49"E ALONG THE SOUTH LINE THEREOF 493.21 FEET TO THE CENTERLINE OF CTH "D"; THENCE N89°46'52"E ALONG SAID CENTERLINE 679.43 FEET TO THE CENTERLINE OF LOWES CREEK RD.; THENCE N00°19'26"E 1006.60 FEET TO THE PC OF A 611.60 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY; THENCE ALONG THE ARC OF SAID CURVE, THE CHORD OF WHICH BEARS N12°31'27"E AND MEASURES 272.00 FEET TO THE PC OF A 1022.94 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY; THENCE ALONG THE ARC OF SAID CURVE, THE CHORD OF WHICH BEARS N25°52'56"W AND MEASURES 18.20 FEET TO THE NORTH LINE OF SAID SW-SW; THENCE N87°12'56"W ALONG SAID NORTH LINE 1175.01 FEET TO THE NORTHWEST CORNER OF SAID SW-SW; THENCE S02°43'37"E 1322.96 FEET TO THE POINT OF BEGINNING.

PARCEL "A" IS SUBJECT TO AND TOGETHER WITH ANY EASEMENTS, COVENANTS, RESTRICTIONS OR RIGHTS OF WAY OF RECORD.  
 PARCEL "A" CONTAINS 1,575,471± S.F. OR 36.17± ACRES INCLUDING HIGHWAY RIGHT OF WAYS.  
 PARCEL "A" CONTAINS 1,500,985± S.F. OR 34.46± ACRES EXCLUDING HIGHWAY RIGHT OF WAYS.

I, CHRISTIAN J. RUNNING, REGISTERED LAND SURVEYOR, HEREBY CERTIFY THAT THIS SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*Christian J. Running*  
 CHRISTIAN J. RUNNING  
 RLS 2358  
 DATE: 9/05/13

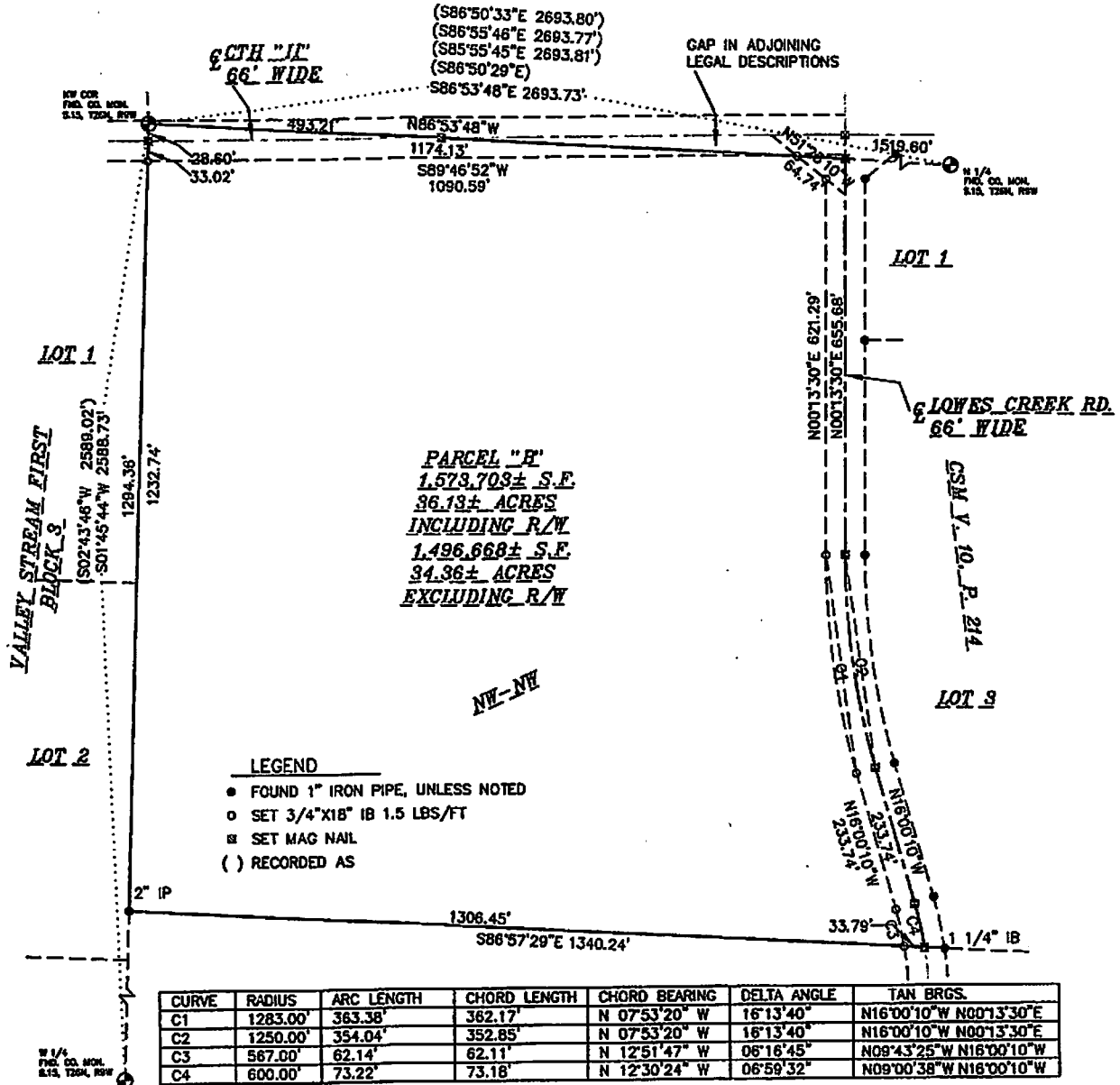
FOR:  
 ATTY. BILL MILNE  
 3624 OAKWOOD HILLS PKWY.  
 EAU CLAIRE, WI  
 54701

BY:  
 RUNNING LAND SURVEYING  
 700 DAUPHIN ST  
 LA CROSSE, WI  
 54603  
 608-779-5322



# PLAT OF SURVEY

LOCATED IN PART OF THE NW-NW OF SECTION 15, T26N, R9W, TOWN OF WASHINGTON, EAU CLAIRE COUNTY, WISCONSIN.



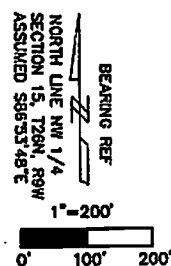
**PARCEL "B"**  
 1,573,703± S.F.  
 36.13± ACRES  
 INCLUDING R/W  
 1,496,868± S.F.  
 34.36± ACRES  
 EXCLUDING R/W

- LEGEND**
- FOUND 1" IRON PIPE, UNLESS NOTED
  - SET 3/4"x18" IB 1.5 LBS/FT
  - SET MAG NAIL
  - ( ) RECORDED AS

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TAN BRGS.
C1	1283.00'	363.38'	362.17'	N 07°53'20" W	16°13'40"	N16°00'10"W N00°13'30"E
C2	1250.00'	354.04'	352.85'	N 07°53'20" W	16°13'40"	N16°00'10"W N00°13'30"E
C3	567.00'	62.14'	62.11'	N 12°51'47" W	08°16'45"	N09°43'25"W N16°00'10"W
C4	600.00'	73.22'	73.18'	N 12°30'24" W	08°59'32"	N09°00'38"W N16°00'10"W

**PARCEL "B" LEGAL DESCRIPTION:**  
 LOCATED IN PART OF THE NW-NW OF SECTION 15, T26N, R9W, TOWN OF WASHINGTON, EAU CLAIRE COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:  
 BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 15; THENCE S01°45'44"W ALONG THE WEST LINE OF SAID NW-NW 1294.36 FEET TO THE SOUTHWEST CORNER OF SAID NW-NW; THENCE S86°57'29"E ALONG THE SOUTH LINE THEREOF 1340.24 FEET TO A POINT ON A 600 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, ON THE CENTERLINE OF LOWES CREEK RD.; THENCE ALONG THE ARC OF SAID CURVE, THE CHORD OF WHICH BEARS N12°30'24"W AND MEASURES 73.18 FEET; THENCE CONTINUING ALONG SAID CENTERLINE N16°00'10"W 233.74 FEET TO THE PC OF A 1250.00 FOOT RADIUS CURVE, CONCAVE NORTHEASTERLY; THENCE ALONG THE ARC OF SAID CURVE, THE CHORD OF WHICH BEARS N07°53'20"W AND MEASURES 352.85 FEET; THENCE CONTINUING ALONG SAID CENTERLINE N00°13'30"E 655.68 FEET TO A POINT ON THE NORTH LINE OF SAID NW-NW; THENCE N86°53'48"W ALONG SAID NORTH LINE 1174.13 FEET TO THE POINT OF BEGINNING.

PARCEL "B" IS SUBJECT TO AND TOGETHER WITH ANY EASEMENTS, COVENANTS, RESTRICTIONS OR RIGHTS OF WAY OF RECORD.  
 PARCEL "B" CONTAINS 1,573,703± S.F OR 36.13± ACRES INCLUDING HIGHWAY RIGHT OF WAYS.  
 PARCEL "B" CONTAINS 1,496,868± S.F OR 34.36± ACRES EXCLUDING HIGHWAY RIGHT OF WAYS.



FOR:  
 ATTY. BILL MILNE  
 3624 OAKWOOD HILLS PKWY.  
 EAU CLAIRE, WI  
 54701

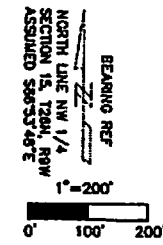
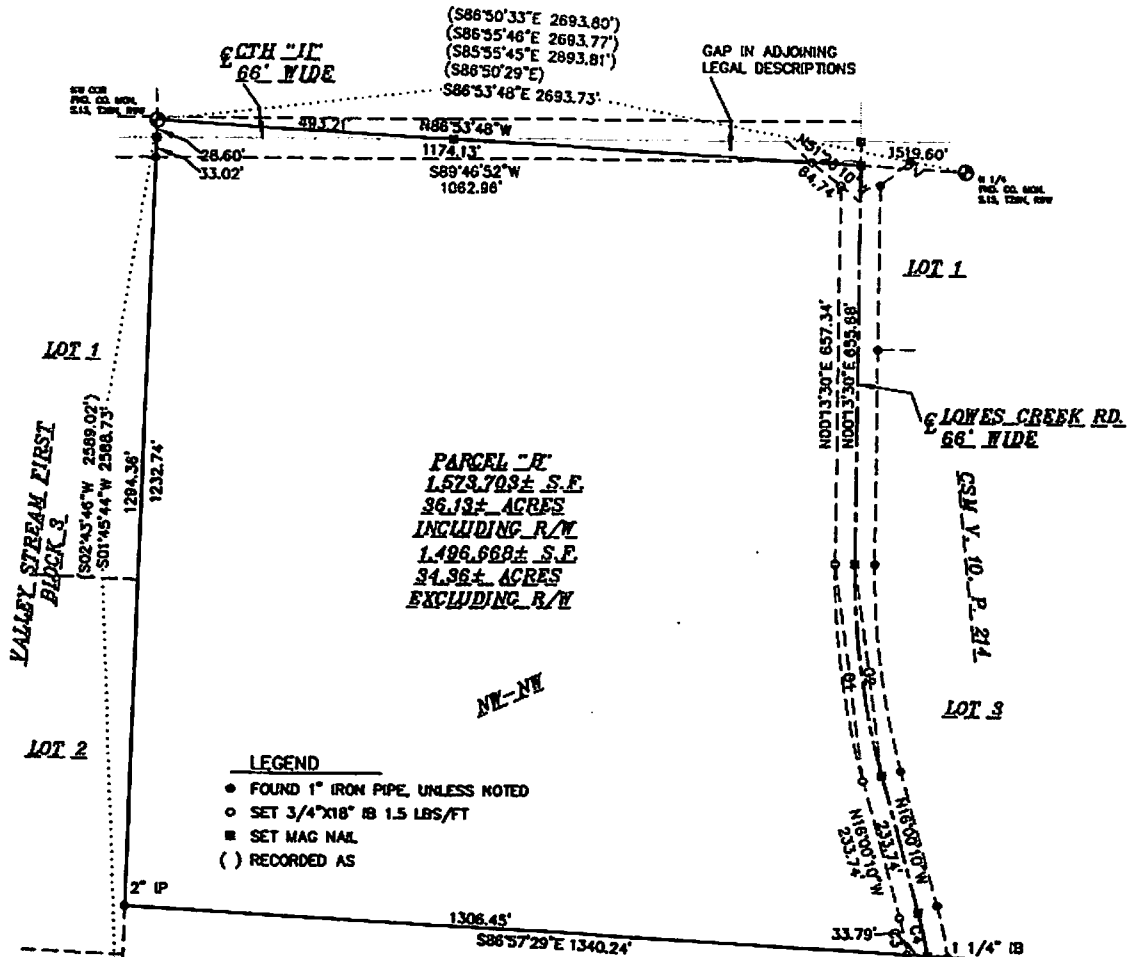
BY:  
 RUNNING LAND SURVEYING  
 700 DAUPHIN ST  
 LA CROSSE, WI  
 54603  
 608-779-5322

I, CHRISTIAN J. RUNNING, REGISTERED LAND SURVEYOR, HEREBY CERTIFY THAT THIS SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

*Christian J. Running*  
 CHRISTIAN J. RUNNING  
 RLS 2558  
 DATE: 9/05/13  
 REVISED: 3/26/14



**PLAT OF SURVEY**  
 LOCATED IN PART OF THE NW-NW OF SECTION 15, T26N, R9W, TOWN  
 OF WASHINGTON, EAU CLAIRE COUNTY, WISCONSIN.



FOR:  
 ATTY. BILL MILNE  
 3624 OAKWOOD HILLS PKWY.  
 EAU CLAIRE, WI  
 54701

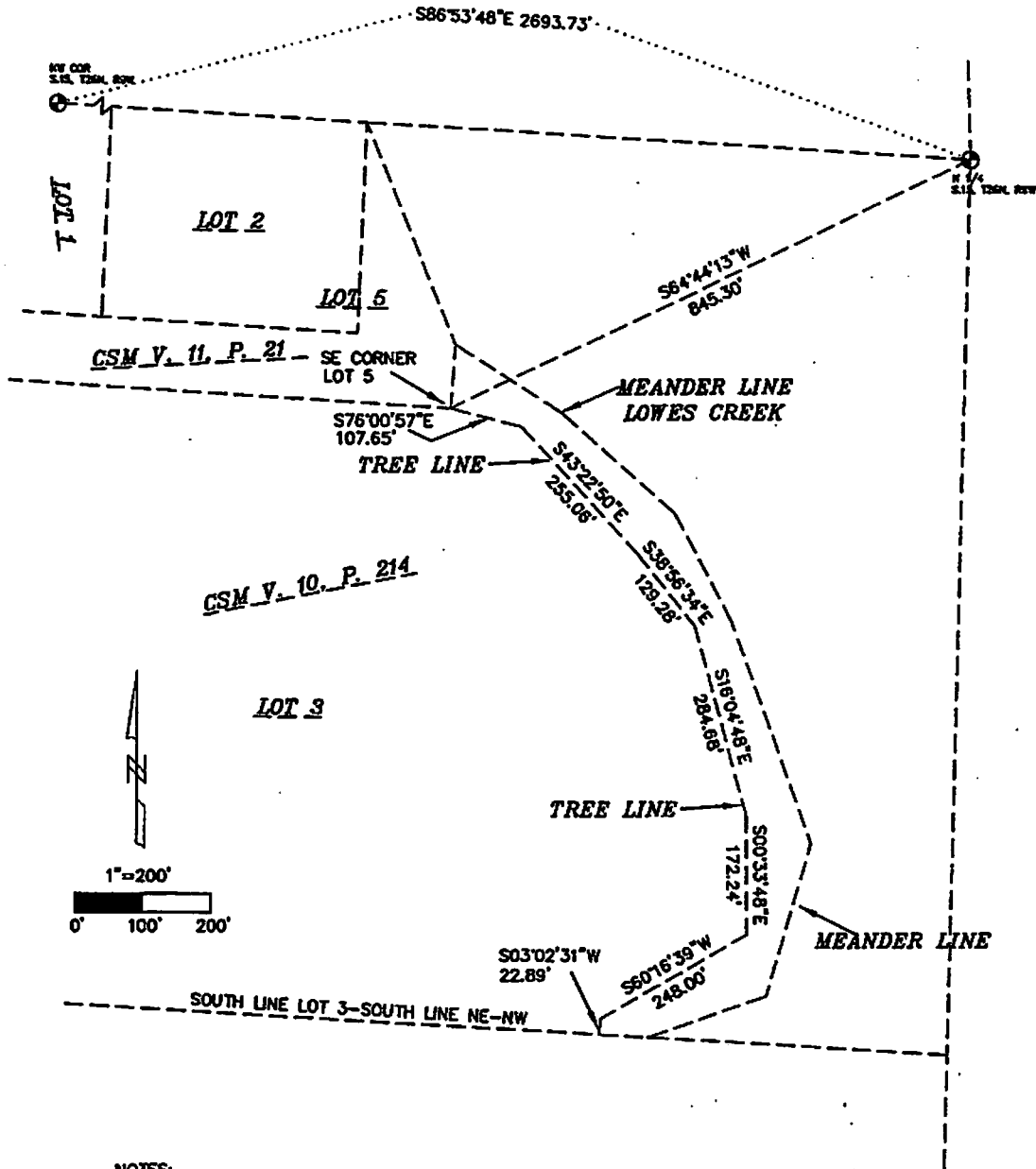
BY:  
 RUNNING LAND SURVEYING  
 700 DAUPHIN ST  
 LA CROSSE, WI  
 54603  
 608-779-5322

I, CHRISTIAN J. RUNNING, REGISTERED LAND  
 SURVEYOR, HEREBY CERTIFY THAT THIS SURVEY  
 IS CORRECT TO THE BEST OF MY KNOWLEDGE  
 AND BELIEF.

*Christian J. Running*  
 CHRISTIAN J. RUNNING  
 RLS 2558  
 DATE: 9/05/13



# SKETCH



NOTES:  
 -THIS IS NOT A SURVEY. THIS IS FOR ILLUSTRATIVE PURPOSES ONLY.  
 -ACREAGE IS BASED ON RECORDED DIMENSIONS OF LOT 3 OF CERTIFIED SURVEY MAP VOLUME 10, PAGE 214, AND LOT 5 OF CERTIFIED SURVEY MAP VOLUME 11, PAGE 21.  
 -ACREAGE LYING WEST OF THE TREE LINE IS 942,299± S.F. OR 21.63± ACRES. AND INCLUDES R/W OF LOWES CREEK RD.  
 -ACREAGE LYING EAST OF THE TREE LINE AND WEST OF THE CENTERLINE OF LOWES CREEK IS 594,725± S.F. OR 13.65± ACRES.