

CORRECTION INSTRUMENT

4561199

REGISTER OF DEEDS  
WAUKESHA COUNTY, WI  
RECORDED ON

February 26, 2021 01:53 PM

James R Behrend  
Register of Deeds

8 PGS  
TOTAL FEE:\$30.00  
TRANS FEE:\$0.00

Book Page -



DOCUMENT NO.

DOCUMENT TITLE

Grace Commons  
Post Construction  
Run off permit

Recording Data

Return to:

Village of Menomonee Falls  
**Engineering Services**  
W156 N8480 Pilgrim Road  
Menomonee Falls, WI 53051

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

Under Wis. Stat. § 706.085

Document Number

Document Name

**Undersigned** hereby states that a certain document ("conveyance") titled as Post-Construction Runoff Permit No. PCP2018-04 (type of document), and executed between \_\_\_\_\_, Grantor, and \_\_\_\_\_, Grantee, was recorded in Waukesha County, Wisconsin, on March 19, 2020, in volume \_\_\_\_\_, page \_\_\_\_\_, as document number 4460654, and contained the following error:

Titled with incorrect permit number and title. Error on recording cover page and permit cover page.

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

Document should be updated to Post-Construction Runoff Permit No. PCP2018-03

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):

Recording Area

Name and Return Address  
Village of Menomonee Falls  
Engineering Services  
W156N8480 Pilgrim Rd  
Menomonee Falls, WI 53051

MNF0018999007

Parcel Identification Number (PIN)

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 Feb. 23, 2021.

**AUTHENTICATION**

Signature of \_\_\_\_\_

authenticated on \_\_\_\_\_,

\_\_\_\_\_

TITLE: MEMBER STATE BAR OF WISCONSIN

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

THIS INSTRUMENT DRAFTED BY:

Thomas Hoffman



Personally came before me on 2-23, 2021  
the above-named Tom Hoffman  
to me known to be the person who executed the foregoing  
instrument and acknowledged the same.

Amy Vanderhei  
\* Amy Vanderhei  
Notary Public, State of Wisconsin  
My Commission (is permanent) (expires: 7-4-2021)

(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

POST-CONSTRUCTION RUNOFF  
PERMIT No. PCP2018-03

DOCUMENT NO.

DOCUMENT TITLE

Recording Data

Return to:

Village of Menomonee Falls  
***Engineering Services***  
W156 N8480 Pilgrim Road  
Menomonee Falls, WI 53051

GRACE COMMONS PROPERTY LLC



*Village of Menomonee Falls*  
W156 N8480 Pilgrim Road  
Menomonee Falls, WI 53051-3140  
Telephone: (262) 532-4200

## POST-CONSTRUCTION RUNOFF PERMIT NO. PCP2018-03

Village of Menomonee Falls

Property Owner 1: Grace Commons Property LLC

Stormwater Application No: SWA2018-03

Tax ID: MNF0018999007

Parcel: LOT 2 of CERT SURV 11706, Book 117, Pages 235 -243, Document # 4339696

The Village of Menomonee Falls reviewed Stormwater Permit Application SWA2018-03 for compliance with Village of Menomonee Fall requirements.

Under Village of Menomonee Falls Ordinance Chapter 38, Article V, the Village of Menomonee Falls hereby grants approval for a POST CONSTRUCTION RUNOFF PERMIT with the requirements set forth in Section I, Section II, and Section III under terms and conditions of this permit.

This permit does not relieve the property owner from responsibility for compliance with any other applicable federal, state, or local law, rule, standard, ordinance, judgment or decree.

This Permit shall be recorded with the Register of Deeds, Waukesha County, Wisconsin, and shall constitute a covenant running with the land, and shall be binding on the Property Owner, their successors or assigns.

### TERMS AND CONDITIONS:

#### Section I: General Requirements

1. The Property Owner shall develop the Property pursuant to a Site Plan, which is included in the Stormwater Management Plan approved by the Village.
2. The Property Owner shall construct all detention basins, retention basins, outlet structures, inlet structures, storm sewer, underground storage facilities, swales, berms or any structure and grading associated with stormwater management (the "Stormwater Management Facilities") pursuant to a Site Plan approved by the Village.
3. Upon completion of the project, the Property Owner has thirty (30) days to submit an inspection report to the Village as proof of compliance on the Village approved Inspection Report form. Along with the inspection report, the Property Owner shall supply the Village with complete set of construction as-built drawings in PDF format (\*.PDF) and in AutoCAD format (\*.DWG) on CD. The as-built plan and inspection report will be used by the Village to determine if the Stormwater Management Facilities are constructed according to the Village approved plans. The Stormwater

POST-CONSTRUCTION RUNOFF  
PERMIT NO. PCP2018-04

DOCUMENT NO.

DOCUMENT TITLE

4460654

REGISTER OF DEEDS  
WAUKESHA COUNTY, WI  
RECORDED ON

March 19, 2020 09:36 AM

James R Behrend

Register of Deeds

4 PGS

TOTAL FEE:\$30.00

TRANS FEE:\$0.00

Book Page -



Recording Data

Return to:

Village of Menomonee Falls  
***Engineering Services***  
W156 N8480 Pilgrim Road  
Menomonee Falls, WI 53051

GRACE COMMONS PROPERTY LLC

DUE 30/4 MNFV



*Village of Menomonee Falls*  
W156 N8480 Pilgrim Road  
Menomonee Falls, WI 53051-3140  
Telephone: (262) 532-4200

## POST-CONSTRUCTION RUNOFF PERMIT NO. PCP2018-04

Village of Menomonee Falls

Property Owner 1: Grace Commons Property LLC

Stormwater Application No: SWA2018-04

Tax ID: MNF0018999007

Parcel: LOT 2 of CERT SURV 11706, Book 117, Pages 235 -243, Document # 4339696

The Village of Menomonee Falls reviewed Stormwater Permit Application SWA2018-04 for compliance with Village of Menomonee Fall requirements.

Under Village of Menomonee Falls Ordinance Chapter 38, Article V, the Village of Menomonee Falls hereby grants approval for a POST CONSTRUCTION RUNOFF PERMIT with the requirements set forth in Section I, Section II, and Section III under terms and conditions of this permit.

This permit does not relieve the property owner from responsibility for compliance with any other applicable federal, state, or local law, rule, standard, ordinance, judgment or decree.

This Permit shall be recorded with the Register of Deeds, Waukesha County, Wisconsin, and shall constitute a covenant running with the land, and shall be binding on the Property Owner, their successors or assigns.

### TERMS AND CONDITIONS:

#### Section I: General Requirements

1. The Property Owner shall develop the Property pursuant to a Site Plan, which is included in the Stormwater Management Plan approved by the Village.
2. The Property Owner shall construct all detention basins, retention basins, outlet structures, inlet structures, storm sewer, underground storage facilities, swales, berms or any structure and grading associated with stormwater management (the "Stormwater Management Facilities") pursuant to a Site Plan approved by the Village.
3. Upon completion of the project, the Property Owner has thirty (30) days to submit an inspection report to the Village as proof of compliance on the Village approved Inspection Report form. Along with the inspection report, the Property Owner shall supply the Village with complete set of construction as-built drawings in PDF format (\*.PDF) and in AutoCAD format (\*.DWG) on CD. The as-built plan and inspection report will be used by the Village to determine if the Stormwater Management Facilities are constructed according to the Village approved plans. The Stormwater

Management Facilities will be accepted only after the Village approves the as-built plans and inspection report.

4. The Property owner shall not construct, place or allow or suffer the construction or placement of structures within the Stormwater Management Facilities that affect the operation of the facilities; or that alter the elevations and slopes from those designed, established and constructed; without the specific written approval of the Village.
5. The Property Owner shall submit a landscape proposal and diagram with vegetation types to the Village prior to planting trees or shrubs in the Stormwater Management Facilities. The Village shall have the right to determine which species of trees and shrubs are appropriate for planting within the Stormwater Management Facilities. The Property Owner shall not plant shrubs or trees in the Stormwater Management Facilities unless approved by the Village.
6. The Property Owner hereby grants permission to the Village, its authorized agents and employees, to enter upon the Property and to inspect the Stormwater Management Facilities whenever the Village deems necessary.
7. This Permit imposes no liability of any kind whatsoever on the Village. The Property Owner agrees to hold harmless the Village, its board members, employees, agents, and officers from any costs, damages, loss, claim, suit, liability or award which may arise, come, be brought or incurred or assessed because of the existence of, any action or failure to act with respect to the storm water facilities on the Property or because of any adverse effect upon any person or property related or alleged to be related to the storm water detention basins from any liability if the Stormwater Management Facilities fail to operate properly. The Village shall have the right to defend any such claim and the Property Owner shall reimburse the Village for any and all cost and/or expenses, including but not limited to attorney's fees, which the Village may incur as a result of such claims.

## Section II: Maintenance

1. The Property Owner shall adequately maintain the Stormwater Management Facilities. Adequate maintenance is defined as good working condition so that these facilities are performing their design functions. The Property Owner must inspect the Stormwater Management Facilities within 3 days after any rainfall event of 5.8 inches or greater during a 24-hour duration.
2. The Property Owner shall hire a licensed professional engineer to inspect the Stormwater Management Facilities every (5) five years and submit an inspection report to the Village as proof of compliance. The Village approved Inspection Report form shall be used to determine the condition of the facilities. The purpose of the inspection is to assure safe and proper functioning of the facilities. The inspection shall cover the entire facility such as berms, outlet structure, pond areas, access roads, etc. The conditions shall be noted in the inspection report.
3. The Property Owner will perform or otherwise be responsible for the maintenance of the Stormwater Management Facilities as described in the approved Stormwater Management Plan submitted with application SWA2018-04 on file at Village Hall. This includes any work necessary to keep the Stormwater Management Facilities in good working order and making all the necessary repairs and/or improvements to correct damages, both natural and man made; and to resolve any citizen complaints. If deficiencies or damages are noted in the inspection report provided to the Village under ¶2 or if complaints are reported to the Village, the Property Owner has thirty (30) days from the date of the report or complaint to take appropriate measures to correct any deficiencies or damages and respond to citizen complaints.

## Section III: Enforcement

1. Failure to comply the terms and conditions set forth in the permit shall constitute a violation of Chapter 38, Article V of the Village Code and will result in enforcement under Chapter 38, Sec. 38-213 ENFORCEMENT AND PENALTIES.

By signing below, I accept the TERMS AND CONDITIONS set forth in this permit.

*Grace Commons LLC*

GRACE COMMONS PROPERTY LLC.

By:

*James A. Tarantino, Planning Major*

JAMES TARANTINO

Date: 7.10.18

State of Wisconsin )  
) ss.

County of Waukesha

Personally came before me this 13 day of JULY, 2018, the above named James Tarantino, to me known to be the person(s) who executed the foregoing instrument in their respective official capacity and acknowledged that they executed the foregoing instrument.

Notary Public *Renee Sandri* *Renee Sandri*

Waukesha County, Wisconsin

My Commission Expires on 11/01/2020



NOTARY SEAL

Village of Menomonee Falls

By:

*Thomas M. Hoffman*

Director of Engineering Services

Date: 02/21/2020



This instrument was drafted by:  
Thomas M. Hoffman, P.E.  
Director of Engineering Services  
Village of Menomonee Falls