



WC3416751-027

STORMWATER INSPECTION  
AND MAINTENANCE  
AGREEMENT

Document Title

SEP 14 2006

NE 1/4 SEC 16

REGISTER'S OFFICE  
WAUKESHA COUNTY, WI  
RECORDED ON

09-01-2006 9:40 AM

MICHAEL J. HASSLINGER  
REGISTER OF DEEDS

REC. FEE: 56.00  
REC. FEE-CD: 5.00  
REC. FEE-ST: 2.00  
TRAN. FEE:  
TRAN. FEE-STATE:  
PAGES: 27

Recording Area

Name and Return Address

THOMAS HOFFMAN  
V. OF MENOMONEE FALLS  
W156 N8480 PILGRIM RD.  
MENOMONEE FALLS, WI 53051

2006 Wildwood Lake Development

Parcel Identification Number (PIN)

Doc  
63  
07  
MNFV

## STORMWATER INSPECTION AND MAINTENANCE AGREEMENT

This Agreement, made and entered into this 29 day of August, 2006, by and between MCS Investments, Inc., here-in-after referred to as "**DEVELOPER**", and the **VILLAGE OF MENOMONEE FALLS**, a Municipal Corporation, located in the County of Waukesha and the State of Wisconsin, here-in-after referred to as "**VILLAGE**".

## WITNESSETH:

**WHEREAS, DEVELOPER** is the owner of certain lands located in the Northeast Quarter (NE ¼) of Section 16, Town 8 North, Range 20 East, in the Village of Menomonee Falls, Waukesha County, Wisconsin identified as Outlot 1 of Certified Survey Map No. 10267 further shown in **Exhibit "A"** attached hereto, and which is here-in-after referred to as the "**PROPERTY**"; and

**WHEREAS, the DEVELOPER** has submitted for approval by the Village of a Development Plan as part of a PRD Agreement Resolution and the construction of storm water detention basins on the **PROPERTY**; and

**WHEREAS, the DEVELOPER** acknowledges that the stormwater detention facilities to be constructed and maintained under this agreement are for the benefit of the properties comprising Wildwood Lake; and

**WHEREAS, the DEVELOPER** warrants and represents that it is the owner in fee of the **PROPERTY**, and that this real estate is free and clear of all liens and encumbrances; and

**WHEREAS the DEVELOPER** together with its respective heirs, personal representatives, and assigns, by separate document granted the **VILLAGE** and its assigns, certain permanent and perpetual easements for storm water detention basins and related facilities, including storm sewer inlets and manholes.

These easement rights include the right to build, construct, operate, inspect, maintain, repair, reconstruct and enlarge any and all presently existing and hereinafter constructed facilities, and the right of entry in, across, beneath, and above the real estate here-in-after more particularly described in **Exhibit "B"**; and

**WHEREAS, DEVELOPER** as a part of the development of the Wildwood Lake, has granted an easement for the storm water detention areas and has constructed storm water detention basins within the said easements on the **PROPERTY**; and

**WHEREAS, the hydraulic volume design calculations of the said detention basins includes the easement areas, and requires the establishment of certain elevations and slopes in the easement areas of the PROPERTY**; and

**WHEREAS, the VILLAGE** finds it necessary to insure that the design volume of the detention basins is not reduced by changes in the established elevations and slopes in the easement areas on the **PROPERTY**; and

**WHEREAS, the DEVELOPER** intends to establish a Senior Community and Condo Association which is responsible for the maintenance of the landscaping thereon, and the

maintenance of the stormwater detention basins within the **PROPERTY**; and

**WHEREAS**, the **VILLAGE** intends to reserve the right to enforce the requirement that the stormwater detention basin areas within said easements are maintained in a manner consistent with the PRD Agreement approved by the Village Board and the Architectural Control Board of the Village.

**NOW THEREFORE**, in consideration of the mutual covenants and agreements,  
**IT IS AGREED**, as follows:

1. Each lot in Certified Survey Map 10267 shall have attached to it an equal and undividable ownership in Outlot 1 within the **PROPERTY** and each and every lot owner shall be considered the "**OWNER**" of the stormwater detention basins in Outlot 1 within the **PROPERTY**. Subject to the other terms of the agreement, the Senior Community and Condo Association shall, as the agent of the **OWNER**, thereafter be primarily responsible for the landscaping, maintenance, and inspection of the stormwater detention basins located on the **PROPERTY**. If the Senior Community and Condo Association is never created, is not responsive, or is dissolved, then the **OWNER** shall be responsible for all obligations in this agreement.
2. The elevations and slopes that have been established in the storm water detention easements on the **PROPERTY**, as identified on **Exhibit "C"**, shall not be altered from those designed, established and constructed, without the specific written approval of the **VILLAGE**.
3. No Structure of any type will be allowed within the aforesaid easements.
4. Before either may plant trees or shrubs in the aforesaid easements, the **OWNER** or Senior Community and Condo Association must obtain a permit from the Village of Menomonee Falls Department of Public Works. The Department of Public Works shall have the right to determine which species of trees and shrubs are or are not appropriate for planting within the aforesaid easements. Neither the **OWNER** nor Senior Community and Condo Association may plant shrubs or trees in the easements, unless approved by the **VILLAGE**.
5. The easement area shall be maintained in a manner consistent with the PRD Agreement approved by the Village Board and the Architectural Control Board of the Village. This includes the obligation to maintain the slopes and elevations at the originally designed, established and constructed elevations and slopes within the easement areas; to make all the necessary repairs and/or improvements to correct damages, both natural and man made; and to resolve any complaints.
6. Every five (5) years from the date of this agreement, the Senior Community and Condo Association shall hire a licensed professional engineer to inspect and certify the storm water detention basins on the **PROPERTY** and submit an inspection report to the **VILLAGE** as proof of compliance. The Inspection Report form provided by the **VILLAGE** shall be used to determine the condition of the storm water detention basins.

The purpose of the inspection is to assure safe and proper functioning of the storm water detention basins. The inspection shall cover the entire facility such as berms, outlet structures, pond areas, access roads, etc.. The conditions shall be noted in the inspection report.

7. Should the **VILLAGE** find that the aforesaid elevations and slopes have been altered, changed or for any reason deviate from those designed, established and constructed; or, if structures are found in the aforesaid easements; or, if shrubs or trees which have not been approved by the **VILLAGE** have been planted in the aforesaid easements; or, if the easement areas are not being maintained in a manner consistent with the PRD Agreement approved by the Village Board and the Architectural Control Board of the Village, the Senior Community and Condo Association shall be responsible for the cost and expense of returning the slopes and elevations to the originally designed, established and constructed elevations and slopes; removing structures; removing inappropriate shrubs or trees; and maintaining the **PROPERTY** in a manner consistent with PRD Agreement approved by the Village Board and the Architectural Control Board of the Village.
8. If the Senior Community and Condo Association fails to conduct or submit an inspection certifying the basins; or, fails to return the slopes and elevations to the originally designed, established and constructed elevations and slopes, and make all the necessary repairs and/or improvements to correct damages, both natural and man made; or remove structures or inappropriate shrubs or trees, or maintain the easement area in a manner consistent with the PRD Agreement approved by the Village Board and the Architectural Control Board of the Village, the **VILLAGE** shall have the authority, upon thirty (30) days written notice to the **OWNER**, Senior Community and Condo Association to complete said work as described above. In addition, the **VILLAGE** shall be empowered without notice of public hearing, to impose a special assessment for the cost of said work upon each and every lot on Certified Survey Map 10267, payable with the next succeeding tax roll.
9. Each and every lot owner on Certified Survey Map 10267 shall be jointly and severally liable for any expense or cost incurred by the **VILLAGE** to inspect, preserve, maintain, or restore the aforesaid easement areas on the **PROPERTY**, or landscaping thereon. The **VILLAGE** shall be empowered, without notice of hearing, to levy a special assessment against each lot owner on Certified Survey Map 10267, and each and every lot owner agrees to pay for any such special assessment for expenses incurred by the **VILLAGE**.
10. **OWNER** and Senior Community and Condo Association agree to indemnify and 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 detention basins, and the storm water easements 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 and storm water easements. The **VILLAGE** shall have the right to defend any such claim and the **OWNER** and Senior Community and Condo Association shall reimburse the **VILLAGE** for any and all costs and/or

000150 SEP 21/88

expenses, including but not limited to attorney's fees, which the **VILLAGE** may incur as a result of such claims.

11. As long as the **DEVELOPER** possesses any interest in any property in Wildwood Lake, the **DEVELOPER** shall be considered an **OWNER** as that term is used in this Agreement, and shall be subject to all the obligations of an **OWNER** under this Agreement
12. The rights and obligations created by this Agreement shall be covenants running with All Lots on Certified Survey Map 10267 and shall inure to the benefit of, and be binding upon, the parties, their heirs, personal representatives, successors and assigns.

**END OF TEXT. SIGNATURE PAGES AND EXHIBITS FOLLOW.**

000151 SEP 11 06

**MCS INVESTMENTS, INC.**

IN WITNESS WHEREOF, MCS Investments, Inc., has caused this Agreement to be signed this 29 day of August, 2006.

MCS Investments, Inc.

By: Gary Milske  
Gary Milske, President

State of Wisconsin )  
County of Douglas ) SS

Personally came before me this 29 day of August, 2006, the above named Gary Milske, to me known to be the person who executed the foregoing instrument in his respective official capacity as President of MCS Investments, Inc., and acknowledged that he executed the foregoing instrument as a corporate officer as the deed of said Corporation by its authority.

[Signature]  
Notary Public

Douglas County, State of Wisconsin  
My Commission Expires on 12-20-09

\*\*\*\*\*

**VILLAGE OF MENOMONEE FALLS**

Approved by the Village Board of the Village of Menomonee Falls on the 29 day of August, 2006.

By: Richard A. Rechlicz  
Richard A. Rechlicz,  
President

Village

Attest: Richard A. Farrenkopf  
Richard A. Farrenkopf,  
Manager/Clerk-Treasurer

Village

Approved as to Form: Michael J. Morse  
Michael J. Morse, Village Attorney

This instrument was drafted by:  
Thomas M. Hoffman, PE  
Senior Civil Engineer  
Date: July 28, 2006



000152 SEP 11 8

EXHIBIT "A"

Copy of CSM 10267

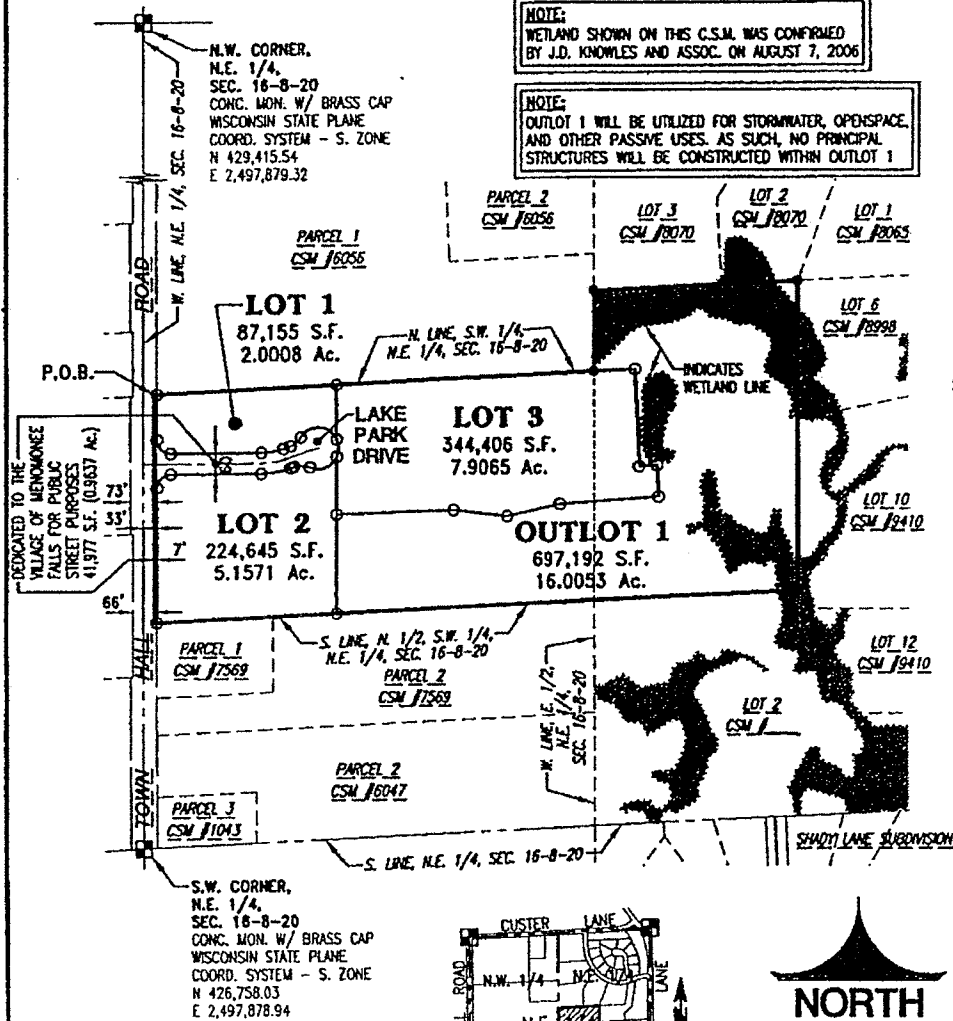
## EXHIBIT "A"

## CERTIFIED SURVEY MAP NO. 10267

BEING A REDIVISION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 10266 BEING A PART OF THE NORTHEAST 1/4, SOUTHWEST 1/4 AND SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 16, TOWN 8 NORTH, RANGE 20 EAST, IN THE VILLAGE OF MENOMONEE FALLS, WAUKESHA COUNTY, WISCONSIN.

NOTE:  
WETLAND SHOWN ON THIS C.S.M. WAS CONFIRMED  
BY J.D. KNOWLES AND ASSOC. ON AUGUST 7, 2006

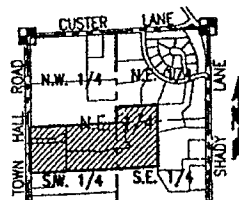
NOTE:  
OUTLOT 1 WILL BE UTILIZED FOR STORMWATER, OPENSOURCE,  
AND OTHER PASSIVE USES. AS SUCH, NO PRINCIPAL  
STRUCTURES WILL BE CONSTRUCTED WITHIN OUTLOT 1



**LOSIK ENGINEERING  
DESIGN GROUP**

3815 N. Brookfield Road Ste. 201  
Brookfield, WI 53045

Phone (262) 790-1480  
Fax (262) 790-1481  
E-mail: losik@losikeng.com



LOCALITY MAP  
N.E. 1/4, SEC. 16,  
T 8 N, R 20 E  
SCALE 1" = 2000'

**NORTH**

SCALE: 1" = 400'

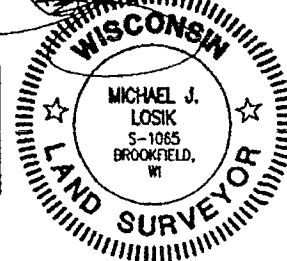
0 200 400 800

## NOTES:

- - INDICATES Concrete Monument with Brass Cap
- - INDICATES "Set" 1-5/16" O.D. x 24" long iron pipe weighing 1.68 lbs. per lineal foot.
- - INDICATES "Found" 1-5/16" O.D. x 24" long iron pipe weighing 3.65 lbs. per lineal foot.
- All electric, telephone & communication distribution lines & laterals including CATV cables constructed after the recording of this Certified Survey Map shall be placed underground.

NOTE: All bearings are referenced to Grid North of Wisconsin State Plane Coordinate System, South Zone (NAD-27), in which the West line of the N.E. 1/4 of Section 16, Town 8 North, Range 20 East bears N00°00'29"E.

DRAFTED THIS 18TH DAY OF MAY, 2006 (REVISED 8/14/06)  
THIS INSTRUMENT WAS DRAFTED BY MICHAEL J. LOSIK, S-1065



JOB NO. 95-014-311-03

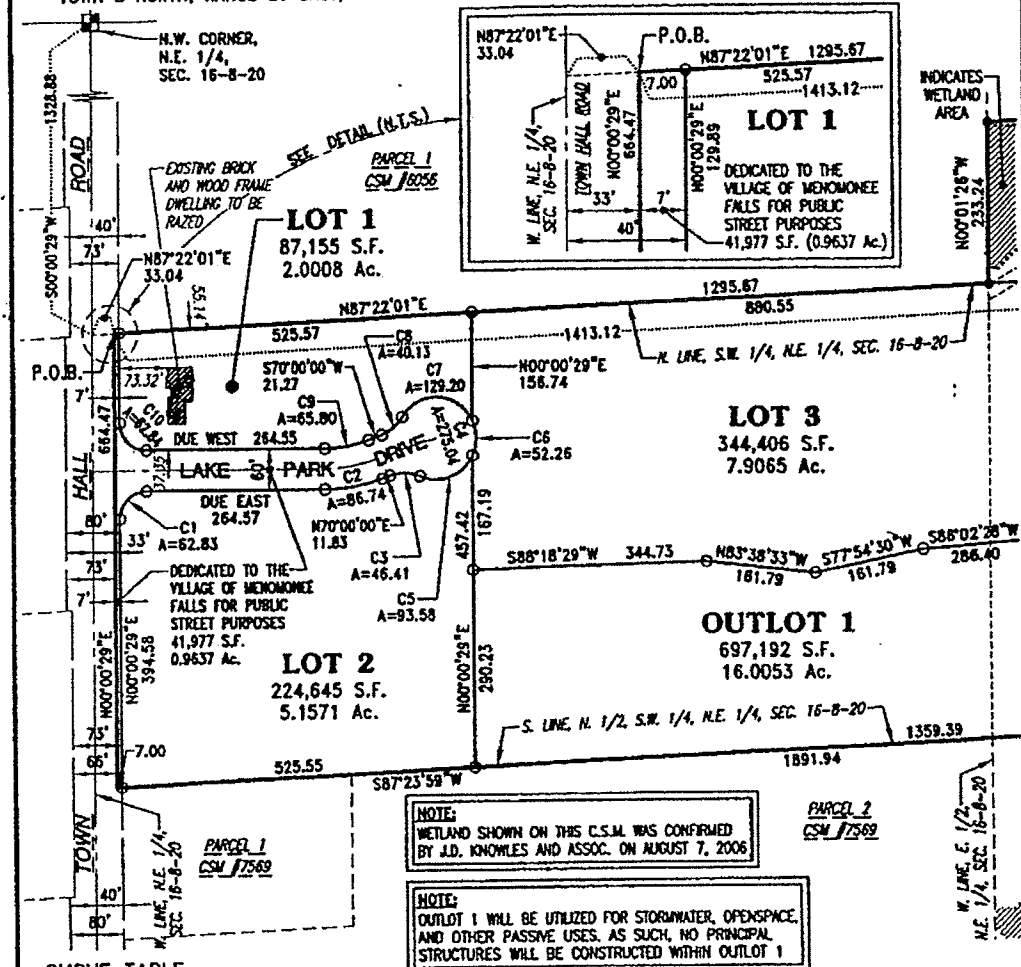
SHEET 1 OF 10



## EXHIBIT "A" CONT...

## CERTIFIED SURVEY MAP NO. 10267

BEING A REDIVISION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 10266 BEING A PART OF THE  
NORTHEAST 1/4, SOUTHWEST 1/4 AND SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 16,  
TOWN 8 NORTH, RANGE 20 EAST, IN THE VILLAGE OF MENOMONEE FALLS, WAUKESHA COUNTY, WISCONSIN.



## CURVE TABLE:

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING	TANGENT IN	TANGENT OUT
C1	40.00	89°59'31"	62.83	56.56	N45°00'14.5"E	N00°00'29"E	DUE EAST
C2	248.50	20°00'00"	86.74	86.30	N80°00'00"E	DUE EAST	N70°00'00"E
C3	60.00	44°19'21"	46.41	45.27	S87°50'19.5"E	N70°00'00"E	S65°40'39"E
C4	60.00	262°38'28"	275.04	90.12	N16°59'52"W	S65°40'39"E	S31°40'55"W
C5	60.00	89°21'46"	93.58	84.38	N69°38'28"E	S65°40'39"E	N24°57'35"E
C6	60.00	49°54'11"	52.26	50.62	N00°00'29.5"E	N24°57'35"E	N24°58'38"W
C7	60.00	123°22'29"	129.20	105.64	N86°37'50.5"W	N24°58'38"W	S31°40'55"W
C8	60.00	36°19'05"	40.13	39.38	S50°50'27.5"W	S31°40'55"W	S70°00'00"W
C9	188.50	20°00'00"	85.80	85.47	S80°00'00"W	S70°00'00"W	DUE WEST
C10	40.00	90°00'29"	62.84	56.57	N44°59'45.5"W	DUE WEST	N00°00'29"E

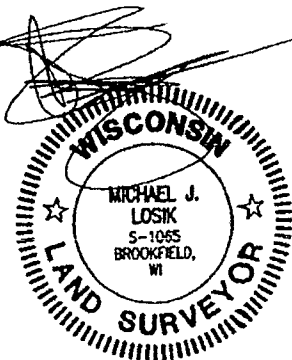
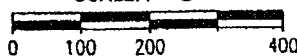
**LOSIEK ENGINEERING  
DESIGN GROUP**

3815 N. Brookfield Road Ste. 201  
Brookfield, WI 53045

Phone: (262) 790-1488  
Fax: (262) 790-1481  
E-mail: lodg@losiek.com



SCALE: 1"=200'



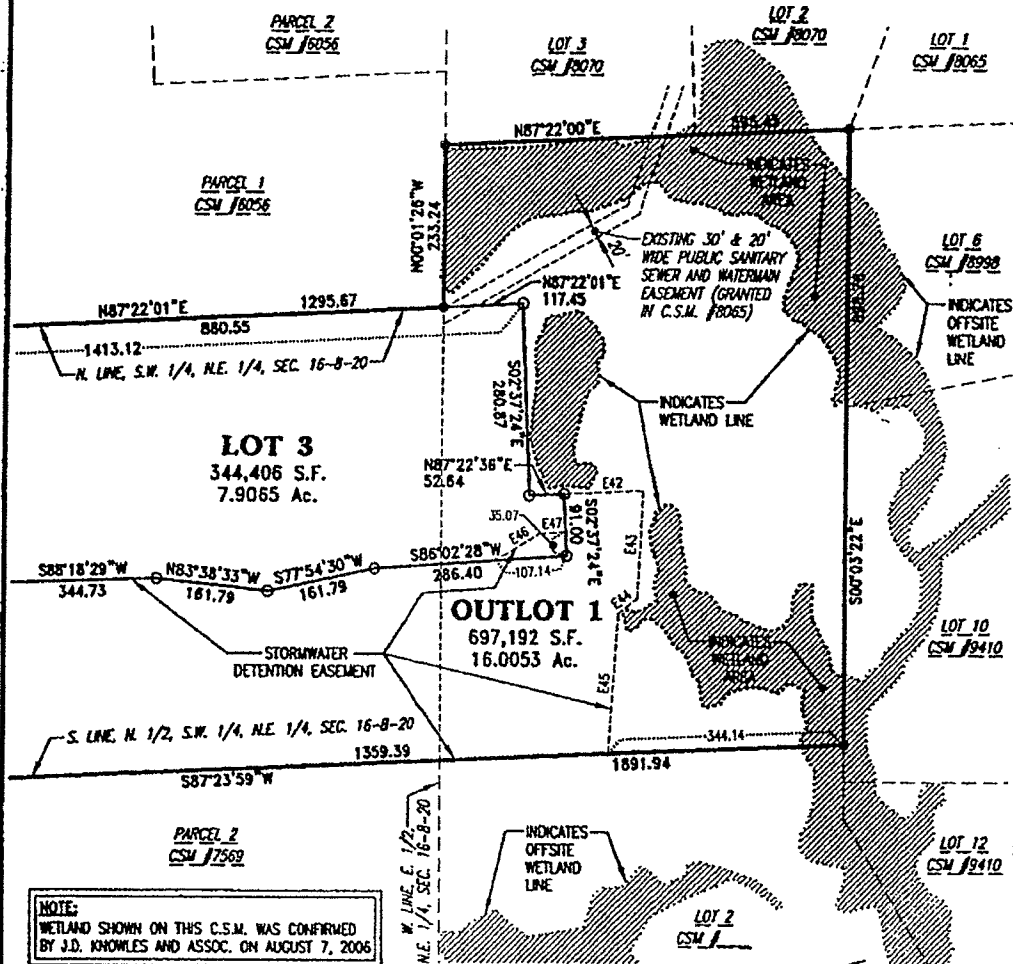
DRAFTED THIS 18TH DAY OF MAY, 2006 (REVISED 8/14/06)  
THIS INSTRUMENT WAS DRAFTED BY MICHAEL J. LOSIK, S-1065

JOB NO. 95-014-311-03  
SHEET 2 OF 10

## EXHIBIT "A" CONT...

## CERTIFIED SURVEY MAP NO. 10267

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NORTHEAST 1/4, SOUTHWEST 1/4 AND SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 16,  
TOWN 8 NORTH, RANGE 20 EAST, IN THE VILLAGE OF MENOMONEE FALLS, WAUKESHA COUNTY, WISCONSIN.



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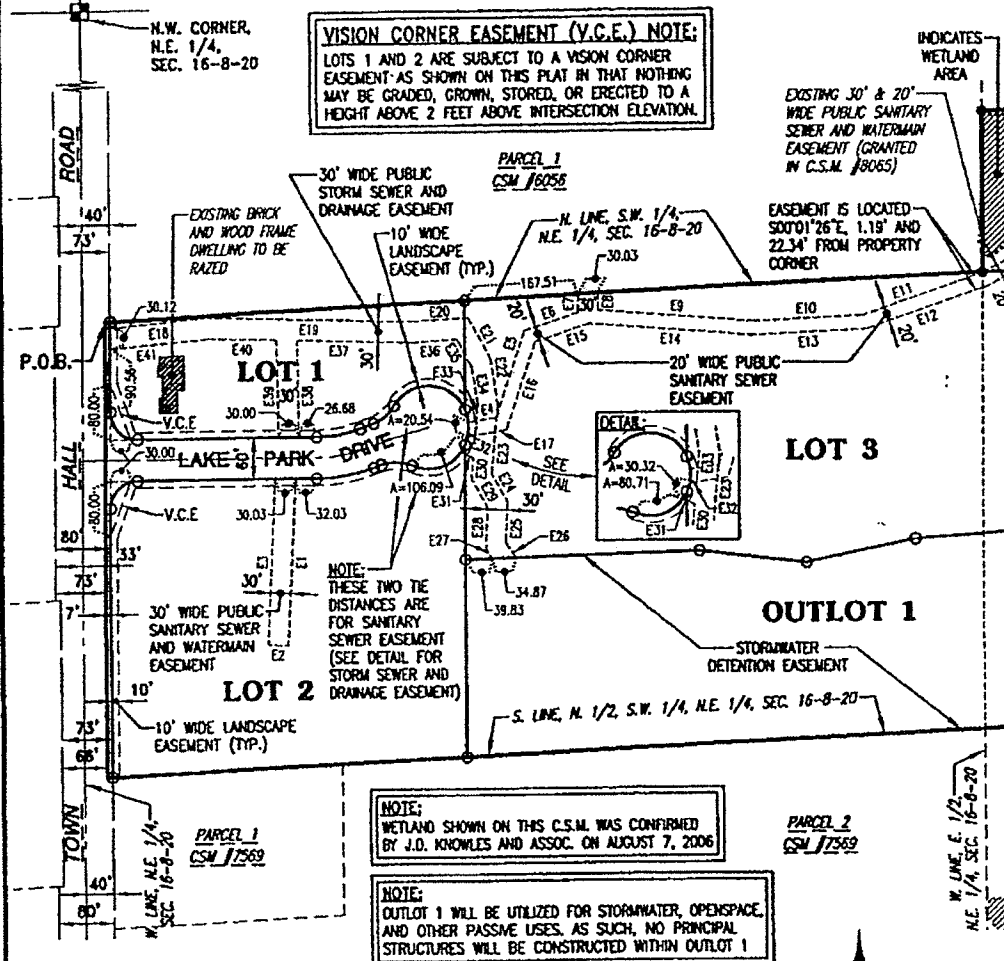
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JOB NO. 95-014-311-03  
SHEET 3 OF 10

**EXHIBIT "A" CONT...**

**CERTIFIED SURVEY MAP NO.** 10267

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NORTHEAST 1/4, SOUTHWEST 1/4 AND SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 16,  
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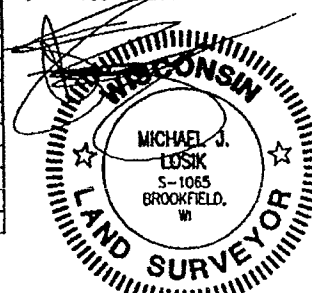
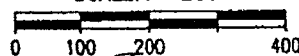


**EASEMENT LINE TABLE:**

NO.	DIRECTION	DISTANCE	NO.	DIRECTION	DISTANCE	NO.	DIRECTION	DISTANCE
E1	S02°43'48"W	245.09	E17	S81°19'39"W	58.51	E33	N05°17'10"E	43.84
E2	N87°16'14"W	30.00	E18	N84°59'57"E	142.32	E34	N08°42'27"W	56.75
E3	N02°43'46"E	243.66	E19	S08°23'30"E	305.13	E35	N29°12'19"W	44.99
E4	N81°19'39"E	42.09	E20	N86°35'24"E	83.35	E36	S86°35'24"W	65.84
E5	N18°31'28"E	131.24	E21	S29°12'19"E	69.24	E37	N86°23'30"W	171.87
E6	N72°22'46"E	82.73	E22	S08°42'27"E	65.86	E38	S00°59'04"E	139.35
E7	N00°01'07"W	27.00	E23	N05°17'10"W	100.07	E39	N00°59'04"W	140.19
E8	S00°01'07"E	25.22	E24	S3°07°59"E	46.92	E40	N88°23'30"W	102.81
E9	S85°38'56"E	227.89	E25	S02°38'44"W	39.44	E41	S8°59'57"W	143.22
E10	N88°22°04"E	164.72	E26	S32°20'18"E	26.78	E42	N67°22'36"E	117.00
E11	N70°58'03"E	183.20	E27	N32°20'18"W	18.46	E43	S03°00'25"W	159.12
E12	S70°58'03"W	179.19	E28	N30°38'44"E	60.09	E44	S50°35'30"W	33.94
E13	S87°22°04"E	168.82	E29	N3°07°59"W	47.68	E45	S0°41'10"W	206.34
E14	N85°38'56"W	241.45	E30	N05°17'10"E	30.70	E46	N59°20'14"E	78.02
E15	S72°22'46"E	83.20	E31	N67°29'05"W	19.76	E47	N65°02'28"E	38.26
E16	S18°31'28"W	133.29	E32	S67°29'05"E	10.32			

**NORTH**  
SCALE: 1"=200'

SCALE: 1"=200'

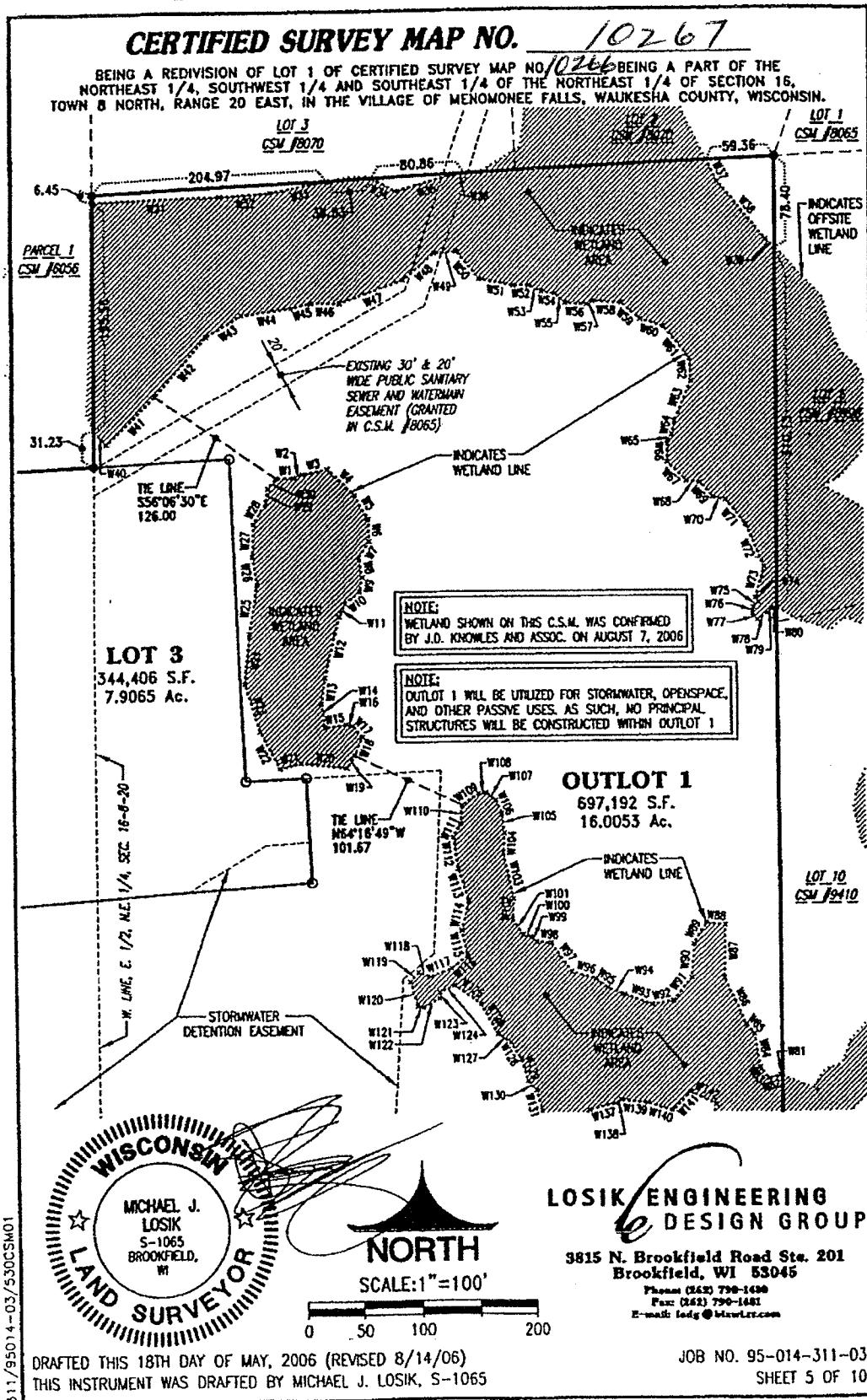


DRAFTED THIS 18TH DAY OF MAY, 2006 (REVISED 8/14/06)  
THIS INSTRUMENT WAS DRAFTED BY MICHAEL J. LOSIK, S-1065

JOB NO. 95-014-311-03  
SHEET 4 OF 10

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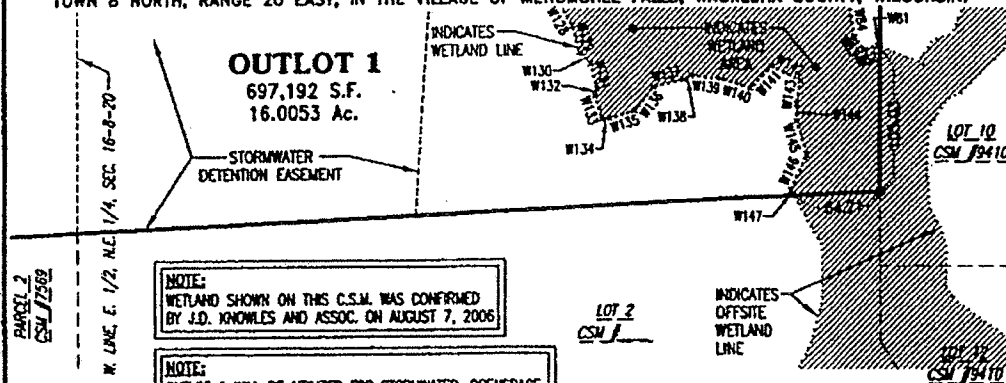
## EXHIBIT "A" CONT...



## EXHIBIT "A" CONT...

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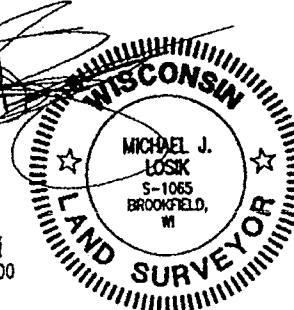
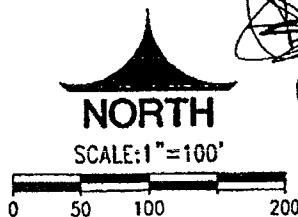
WETLAND LINE TABLE:

NO.	DIRECTION	DIST.	NO.	DIRECTION	DIST.	NO.	DIRECTION	DIST.	NO.	DIRECTION	DIST.	NO.	DIRECTION	DIST.
W1	N89°51'31"E	15.21	W31	N88°20'15"E	110.67	W61	S38°43'40"E	34.96	W90	S04°20'06"W	29.05	W119	S38°23'52"W	10.57
W2	N68°18'54"E	8.35	W32	N86°08'04"E	44.00	W62	S03°43'20"E	19.88	W91	S39°23'33"W	25.31	W120	S14°51'03"E	22.18
W3	N78°43'08"E	22.40	W33	N79°04'09"E	51.16	W63	S23°03'45"W	36.67	W92	S79°49'12"W	18.86	W121	S81°58'36"E	5.63
W4	S46°19'50"E	32.83	W34	S61°56'25"E	23.75	W64	S11°02'14"W	11.88	W93	N69°38'47"W	26.03	W122	N59°56'47"E	15.78
W5	S29°27'51"E	23.64	W35	N74°50'09"E	52.81	W65	S36°10'11"W	6.58	W94	N68°07'50"W	15.14	W123	N02°02'48"E	5.35
W6	S02°19'40"E	19.56	W36	N83°03'47"E	8.90	W66	S00°18'05"E	18.10	W95	N53°09'53"W	13.28	W124	N67°13'49"E	14.10
W7	S31°01'43"W	16.39	W37	S26°06'35"E	20.67	W67	S43°33'58"E	22.48	W96	N73°14'00"W	21.56	W125	S54°13'28"E	27.92
W8	S08°30'15"E	17.70	W38	S40°08'34"E	65.14	W68	S81°57'56"E	11.63	W97	N35°29'01"W	30.70	W126	S29°36'06"E	29.53
W9	S10°13'10"W	12.71	W39	S48°33'47"E	11.05	W69	S40°09'16"E	16.23	W98	N86°06'00"W	13.44	W127	S59°32'49"E	13.86
W10	S53°09'45"W	16.51	W40	S39°42'22"E	18.62	W70	S77°02'03"E	11.10	W99	N49°53'03"W	6.52	W128	S30°45'35"E	17.44
W11	S25°32'16"W	13.21	W41	N46°53'57"E	59.13	W71	S39°57'50"E	27.47	W100	N75°20'30"W	7.08	W129	S17°00'42"E	19.89
W12	S12°55'38"W	54.52	W42	N41°06'52"E	67.82	W72	S23°48'55"E	40.97	W101	N33°11'07"W	16.24	W130	S43°11'06"E	10.85
W13	S09°24'58"W	22.75	W43	N58°48'47"E	35.70	W73	S16°14'32"W	28.35	W102	N02°27'22"E	17.71	W131	S14°36'12"E	18.73
W14	S09°01'41"E	21.46	W44	N82°53'42"E	43.14	W74	S36°07'37"E	4.51	W103	N12°28'59"W	40.99	W132	S15°40'38"W	5.33
W15	N81°21'52"E	18.52	W45	N75°58'50"E	18.46	W75	S43°52'12"W	6.61	W104	N04°11'17"E	16.78	W133	S17°20'11"E	18.01
W16	S75°10'47"E	5.89	W46	S88°55'10"E	25.01	W76	S04°56'08"W	5.74	W105	N07°50'03"W	17.55	W134	N82°07'15"E	5.82
W17	S43°36'14"E	13.14	W47	N70°49'58"E	58.36	W77	S37°29'56"E	6.70	W106	N23°57'37"W	12.57	W135	N74°05'47"E	19.26
W18	S24°54'10"W	17.53	W48	N49°40'02"E	35.10	W78	N57°08'53"E	10.91	W107	N52°54'27"W	10.66	W136	N38°56'09"E	22.04
W19	S31°33'53"W	12.87	W49	N86°12'51"E	18.50	W79	N37°17'24"E	5.21	W108	S85°01'03"W	6.60	W137	N77°17'43"E	23.32
W20	N83°11'01"W	40.52	W50	S39°53'08"E	30.94	W80	N88°42'48"E	5.05	W109	S56°47'16"W	17.92	W138	N80°03'44"E	6.08
W21	S75°22'55"W	18.97	W51	S79°25'03"E	31.31	W81	N68°57'52"W	1.57	W110	S05°04'50"W	16.44	W139	S83°37'36"E	23.24
W22	N28°11'45"W	36.85	W52	N89°13'58"E	13.56	W82	S73°40'39"W	11.01	W111	S26°56'36"W	13.44	W140	S77°57'41"E	22.76
W23	N17°08'44"W	43.45	W53	S63°45'32"E	12.49	W83	N37°50'09"W	12.02	W112	S07°58'01"E	27.52	W141	N43°46'24"E	22.62
W24	N05°46'22"E	43.84	W54	S82°08'25"E	12.61	W84	N09°53'27"W	29.43	W113	S17°16'16"E	29.07	W142	S62°54'57"E	23.91
W25	N08°56'13"E	43.56	W55	S47°01'12"E	11.92	W85	N39°58'58"W	10.74	W114	S14°01'07"W	26.45	W143	S09°49'45"W	16.84
W26	N08°28'33"W	25.23	W56	S85°02'31"E	18.43	W86	N25°18'18"W	44.36	W115	S11°41'08"E	22.42	W144	S00°03'33"E	12.46
W27	N01°31'57"E	28.04	W57	N81°04'32"E	6.02	W87	N01°25'45"E	45.61	W116	S51°45'22"W	16.97	W145	S16°41'10"E	25.46
W28	N30°10'54"E	22.15	W58	S86°09'23"E	25.14	W88	N83°19'00"W	16.21	W117	S69°11'16"W	19.63	W146	S24°25'32"W	26.67
W29	N06°30'01"E	11.77	W59	S49°33'40"E	21.74	W89	S29°10'30"W	20.79	W118	N70°24'44"W	11.42	W147	S29°16'42"E	4.09
W30	N39°26'28"E	11.38	W60	S72°02'58"E	21.57									

**LOSIK ENGINEERING  
DESIGN GROUP**

3815 N. Brookfield Road Ste. 201  
Brookfield, WI 53045

Phone: (262) 790-1488  
Fax: (262) 790-1481  
E-mail: lodg@losik.com



DRAFTED THIS 18TH DAY OF MAY, 2006 (REVISED 8/14/06)  
THIS INSTRUMENT WAS DRAFTED BY MICHAEL J. LOSIK, S-1065

JOB NO. 95-014-311-03  
SHEET 6 OF 10

## EXHIBIT "A" CONT...

## CERTIFIED SURVEY MAP NO. 10267

Being a redivision of Lot 1 of Certified Survey Map No. ~~10266~~ being a part of the Northeast 1/4, Southwest 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 16, Town 8 North, Range 20 East, in the Village of Menomonee Falls, Waukesha County, Wisconsin.

## SURVEYOR'S CERTIFICATE:

STATE OF WISCONSIN)

WAUKESHA COUNTY )ss

I, Michael J. Losik, Registered Land Surveyor, do hereby certify:

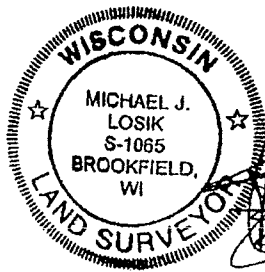
That I have surveyed, divided and mapped a redivision of Lot 1 of Certified Survey Map No. ~~10266~~ being a part of the Northeast 1/4, Southwest 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 16, Town 8 North, Range 20 East, in the Village of Menomonee Falls, Waukesha County, Wisconsin, now being more particularly bounded and described as follows:

Commencing at the Northwest corner of the said Northeast 1/4 Section; Thence South 00° 00' 29" West and along the West line of the said Northeast 1/4 Section and the centerline of "Town Hall Road", 1328.88 feet to a point; Thence North 87° 22' 01" East and along the North line of the said Southwest 1/4 of the said Northeast 1/4 Section, 33.04 feet to a point on the East Right-of-Way line of said "Town Hall Road" and the place of beginning of lands hereinafter described;

Continuing thence North 87° 22' 01" East and along the said North line, 1295.67 feet to a point on the West line of the East 1/2 of the said Northeast 1/4 Section; Thence North 00° 01' 26" West and along the said West line, 233.24 feet to a point; Thence North 87° 22' 00" East and along the North line of said Lot 1 of said Certified Survey Map No. ~~10266~~, 595.45 feet to a point; Thence South 00° 03' 22" East and along the East line of said Lot 1 and parallel to the East line of the said Northeast 1/4 Section, 898.76 feet to a point; Thence South 87° 23' 59" West and along the South line of said Lot 1 and the South line of the North 1/2 of the said Southwest 1/4 of the said Northeast 1/4 Section and the Easterly extension thereof, 1891.94 feet to a point on the said East Right-of-Way line of said "Town Hall Road"; Thence North 00° 00' 29" East and along the said East Right-of-Way line, 664.47 feet to the point of beginning of this description.

The gross area of said parcel contains 1,395,375 Square Feet (or 32.0334 Acres) of land, more or less. The net area of said parcel after conveyance of lands for the public street dedication contains 1,353,398 Square Feet (or 31.0697 Acres) of land, more or less.

That I have made such survey, land division and map by the direction of MCS Investments, Inc., owner of said land.

Drafted this 18<sup>th</sup> day of May, 2006 (Revised 8/14/06)

Job No. 95-014-311-03

THIS INSTRUMENT WAS DRAFTED BY MICHAEL J. LOSIK, S-1065

Sheet 7 of 10

L:\MOBBYSWP\DOCS\DOCUMENT\311\95014-03\530-Certified Survey Map\Redivision Lot 1.5-15-06.wpd

**EXHIBIT "A" CONT...****CERTIFIED SURVEY MAP NO. 10267**

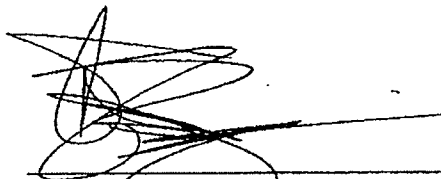
Being a redivision of Lot 1 of Certified Survey Map No. 10266 being a part of the  
Northeast 1/4, Southwest 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 16,  
Town 8 North, Range 20 East, in the Village of Menomonee Falls, Waukesha County, Wisconsin.

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

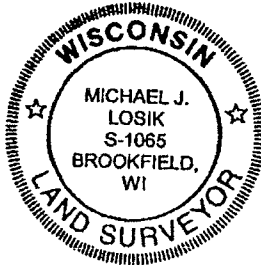
That I have fully complied with the provisions of Chapter 236.34 of the Statutes of the State of  
Wisconsin and the subdivision regulations, Chapter 18 of the Village of Menomonee Falls in surveying,  
dividing, mapping and dedicating the same.

Dated this 18<sup>th</sup> day of MAY, 20 06.

REV. 8/14/06



Michael J. Losik, P.E., L.S.  
Registered Land Surveyor, S-1065  
LOSIK ENGINEERING DESIGN GROUP, LTD.  
3815 N. Brookfield Rd., Suite 201  
Brookfield, WI 53051



Drafted this 18<sup>th</sup> day of May, 2006 (Revised 8/14/06)

Job No. 95-014-311-03

THIS INSTRUMENT WAS DRAFTED BY MICHAEL J. LOSIK, S-1065

Sheet 8 of 10

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000161 SEP 11 2006

## EXHIBIT "A" CONT...

### CERTIFIED SURVEY MAP NO. 10267

Being a redivision of Lot 1 of Certified Survey Map No. 10266, being a part of the Northeast 1/4, Southwest 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 16, Town 8 North, Range 20 East, in the Village of Menomonee Falls, Waukesha County, Wisconsin.

#### CORPORATE OWNER'S CERTIFICATE:

STATE OF WISCONSIN )

WAUKESHA COUNTY ) ss )

MCS Investments, Inc., a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, certifies that said corporation caused the land described on this map to be surveyed, divided and mapped as represented on this map in accordance with the requirements of Chapter 236.34 of the Wisconsin Statutes and Chapter 18 of the Village of Menomonee Falls ordinances.

In witness whereof, the said, MCS Investments, Inc., has caused these presents to be signed by Gary J. Milske, its President, at Appleton, Wisconsin, this 18 day of August, 2006.

MCS INVESTMENTS, INC.

Gary J. Milske  
Gary J. Milske, President

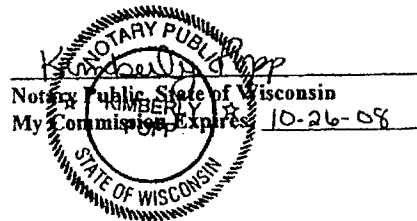
STATE OF WISCONSIN )

DUNBAR ) ss )  
WAUKESHA COUNTY )

Personally came before me this 18 day of August, 2006, the above named Gary J. Milske, President of the above named corporation to me known to be such President of said corporation and acknowledged that he executed the foregoing instrument as such officer as the deed of said corporation, by its authority.

Date: 8-18-06

( Seal )



Drafted this 18<sup>th</sup> day of May, 2006 (Revised 8/14/06)

THIS INSTRUMENT WAS DRAFTED BY MICHAEL J. LOSIK, S-1065

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Job No. 95-014-311-03

Sheet 9 of 10



**EXHIBIT "A" CONT...****CERTIFIED SURVEY MAP NO. 10267**

Being a redivision of Lot 1 of Certified Survey Map No. 10266 being a part of the  
Northeast 1/4, Southwest 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 16,  
Town 8 North, Range 20 East, in the Village of Menomonee Falls, Waukesha County, Wisconsin.

**MENOMONEE FALLS PLAN COMMISSION:**

Preliminary Approval:

Date

Secretary

Final Approval:

Date

Secretary

**VILLAGE BOARD APPROVAL:**

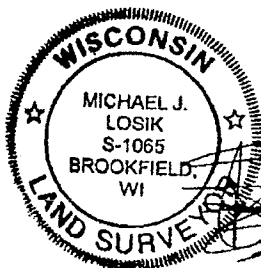
Resolved that Lots 1, 2, 3 and Outlot 1 of this Certified Survey Map, being a redivision of Lot 1 of  
Certified Survey Map No. 10266 being a part of the Northeast 1/4, Southwest 1/4 and Southeast 1/4  
of the Northeast 1/4 of Section 16, Town 8 North, Range 20 East, in the Village of Menomonee Falls,  
Waukesha County, Wisconsin, having been approved by the Plan Commission, being the same, is  
hereby approved and dedication herein accepted by the Village Board of Trustees of the Village of  
Menomonee Falls on this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Richard A. Rechlicz, President

I hereby certify that the foregoing is a copy of a resolution adopted by the Village Board of Trustees  
of the Village of Menomonee Falls, Wisconsin on \_\_\_\_\_.

\_\_\_\_\_  
Richard A. Farrenkopf  
Village Clerk/Village Manager

Recorded \_\_\_\_\_ Document No. \_\_\_\_\_ Vol. \_\_\_\_\_ Page \_\_\_\_\_



Drafted this 18<sup>th</sup> day of May, 2006 (Revised 3/14/06)

THIS INSTRUMENT WAS DRAFTED BY MICHAEL J. LOSIK, S-1065

Job No. 95-014-311-03

Sheet 10 of 10

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0001163 SEP 21 8

EXHIBIT "B"

Legal description of Easement

000164 SEP 05

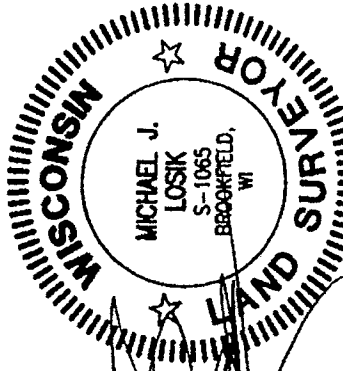
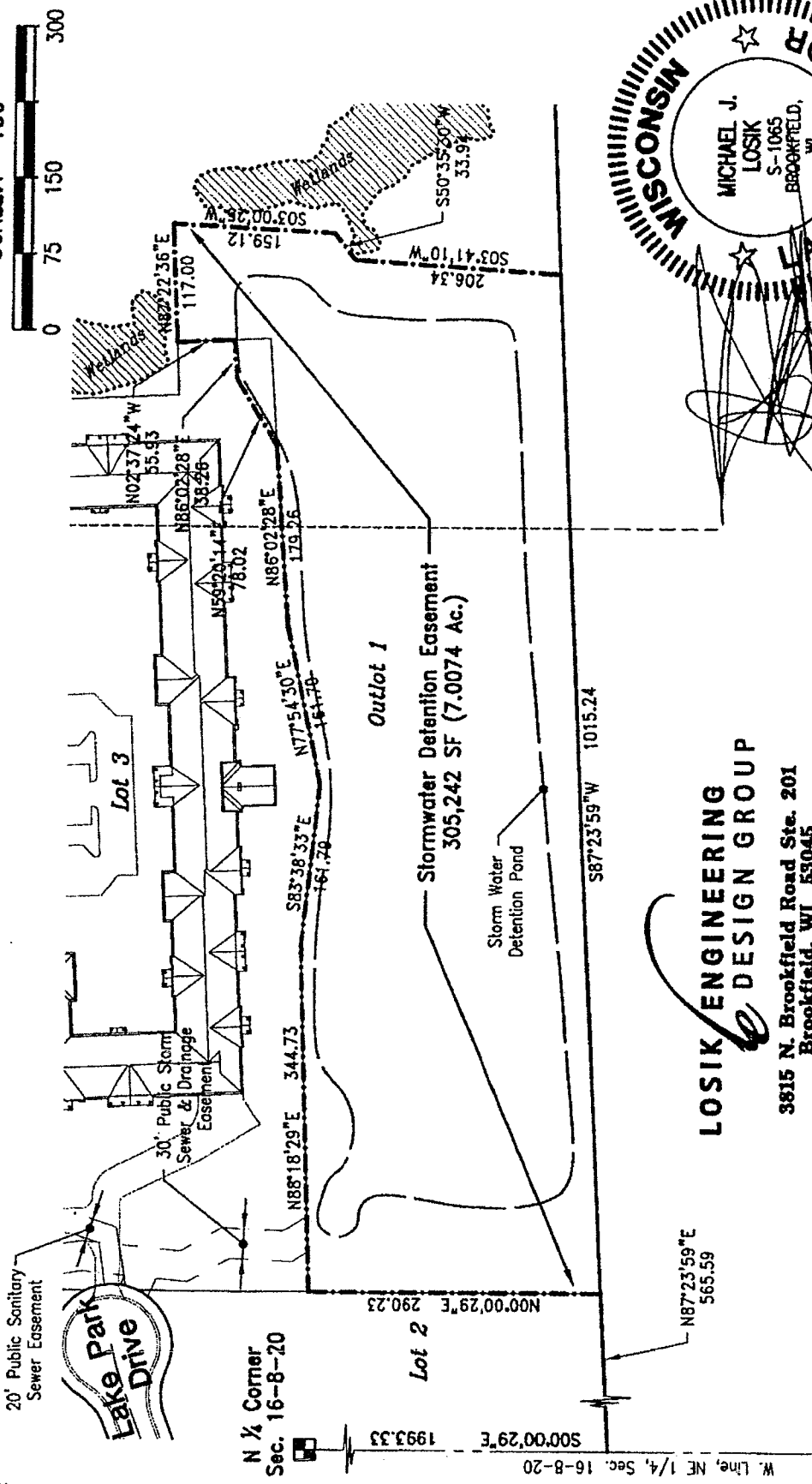
# EXHIBIT "B"

## Stormwater Detention Easement

On, over, & across Lot 3 & Outlot 1 of Wildwood Lake CSM 10267  
Menomonee Falls, Wisconsin



SCALE: 1"=150'



DATE: 8-16-06

## LOSIK ENGINEERING & DESIGN GROUP

3815 N. Brookfield Road Ste. 201  
Brookfield, WI 53045

Phone: (262) 790-1490  
Fax: (262) 790-1481  
E-mail: ludg@blawfmr.com

THIS EXHIBIT WAS PREPARED BY MICHAEL J. LOSIK, PE, LS. (S-1065)

311\95014-03\885DEX04-Easements

**EXHIBIT "B" CONTINUED**

OF:

**Stormwater Detention Easement****On, over & across Lot 3 & Outlot 1 of Wildwood Lake CSM  
Menomonee Falls, Wisconsin**

10267

**LEGAL DESCRIPTION:**

10267  
A Stormwater Detention Easement located on, over and across Lot 3 & Outlot 1 of Wildwood Lake CSM, being a part of the Northeast ¼, Southwest ¼ and Southeast ¼ of the Northeast ¼ of Section 16, Town 8 North, Range 20 East, in the Village of Menomonee Falls, Waukesha County, Wisconsin, now being more particularly bounded and described as follows:

Commencing at the N ¼ corner of said Section 16; Thence South 00°00'29" East and along the West line of said Northeast ¼ Section, 1993.33 feet to a point; Thence North 87°23'59" East, 565.59 feet to the place of beginning of lands hereinafter described;

Thence North 00°00'29" East and parallel to said West line, 290.23 feet to a point; Thence North 88°18'29" East, 344.73 feet to a point; Thence South 83°38'33" East, 161.79 feet to a point; Thence North 77°54'30" East, 161.79 feet to a point; Thence North 86°02'28" East; 179.26 feet to a point; Thence North 59°20'14" East, 78.02 feet to a point; Thence North 86°02'28" East, 38.26 feet to a point; Thence North 02°37'24" West, 55.93 feet to a point; Thence North 87°22'36" East, 117.00 feet to a point; Thence South 03°00'25" West, 159.12 feet to a point; Thence South 50°35'30" West, 33.94 feet to a point; Thence South 03°41'10" West, 206.34 feet to a point; Thence South 87°23'59" West, 1015.24 feet to the point of beginning of this description.

Said Easement contains 305,242 Square Feet (or 7.0074 Acres) of land, more or less.

Date: 8/16/06



Michael J. Losik, P.E., L.S.  
President  
LOSIK ENGINEERING DESIGN GROUP, LTD.  
3815 N. Brookfield Rd. - Suite 201  
Brookfield, WI 53045  
Phone: (262)790-1480 Fax: (262)790-1481

000166 SEP 11/8

EXHIBIT "C"

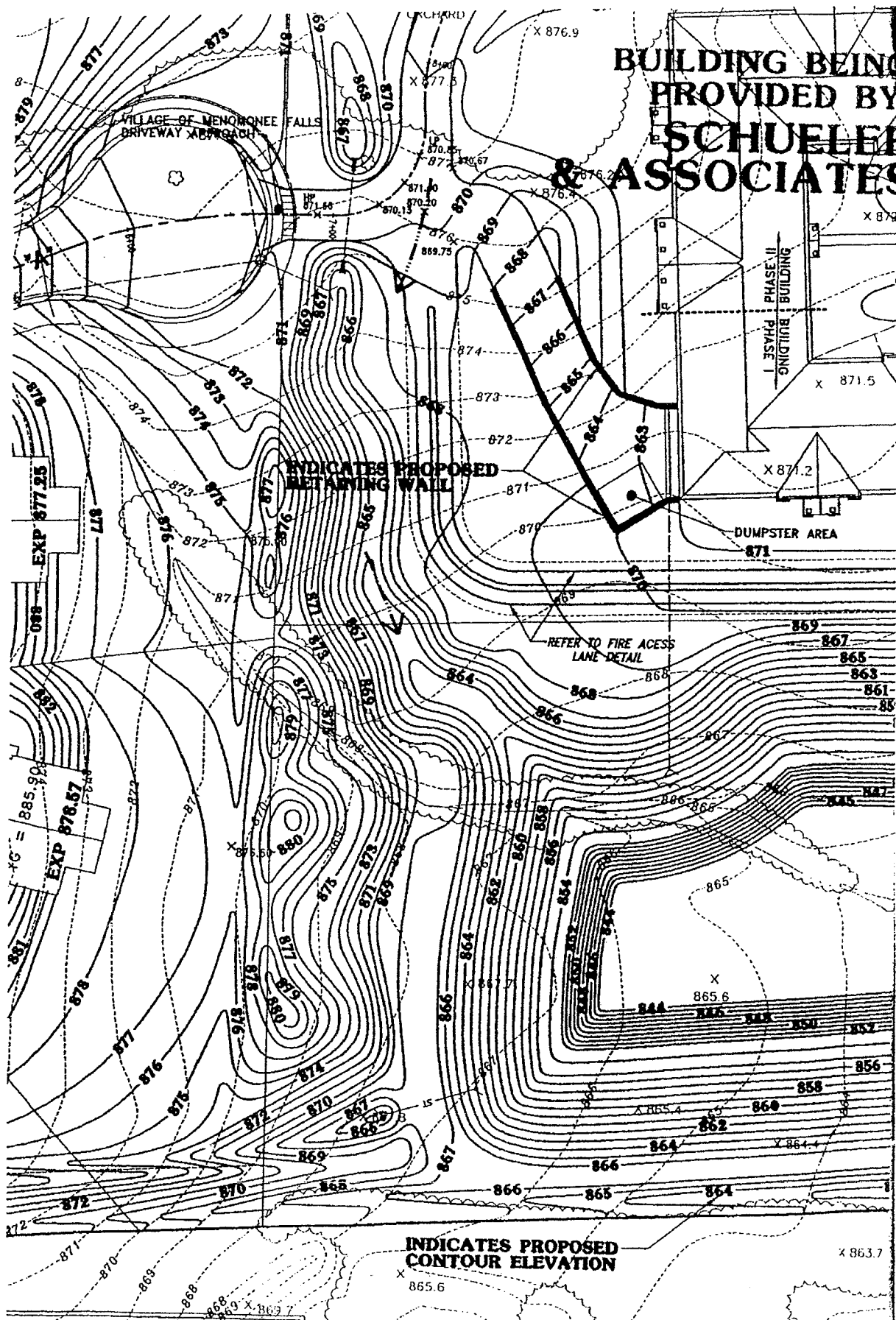
Detention Pond Grading Plan & Outlet Structure

**BUILDING BEING  
PROVIDED BY  
SCHUELE  
ASSOCIATES**

INDICATES PROPOSED  
RETAINING WALL

~~REFER TO FIRE ACCESS  
LANE DETAIL~~

**INDICATES PROPOSED  
CONTOUR ELEVATION**



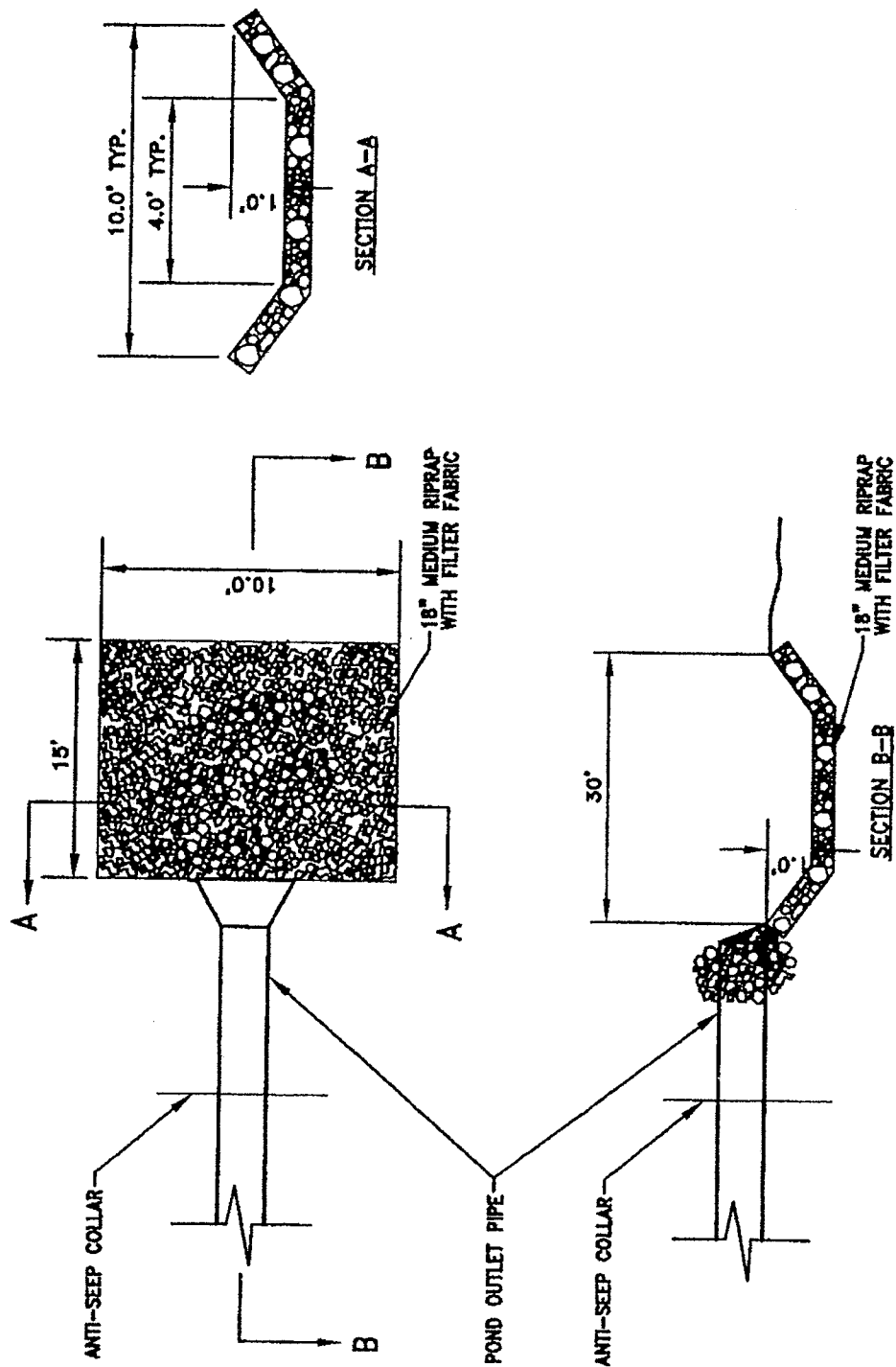
Topographic map showing contour lines, buildings, and a fire lane. The map includes the following features:

- Contour Lines:** Elevation contours ranging from 850 to 868.
- Buildings:** Several buildings are shown with their footprints and rooflines. One building is labeled "FG 872.0 GF 862.5".
- Fire Lane:** A dashed line labeled "FIRE LANE" runs horizontally across the middle of the map.
- Elevation Points:** Numerous points are marked with 'X' and labeled with elevations, including:
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  - X 833.9
  - X 833.8
  - X 833.7
  - X 833.6
  - X 833.5
  - X 833.4
  - X 833.3
  - X 833.2
  - X 833.1
  - X 833.0
  - X 832.9
  - X 832.8
  - X 832.7
  - X 832.6
  - X 832.5
  - X 832.4
  - X 832.3
  - X 832.2
  - X 832.1
  - X 832.0
  - X 831.9
  - X 831.8
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  - X 831.6
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  - X 831.3
  - X 831.2
  - X 831.1
  - X 831.0
  - X 830.9
  - X 830.8
  - X 830.7
  - X 830.6
  - X 830.5
  - X 830.4
  - X 830.3
  - X 830.2
  - X 830.1
  - X 830.0
  - X 829.9
  - X 829.8
  - X 829.7
  - X 829.6
  - X 829.5
  - X 829.4
  - X 829.3
  - X 829.2
  - X 829.1
  - X 829.0
  - X 828.9
  - X 828.8

Topographic map showing contour lines and elevation points. Key features include:

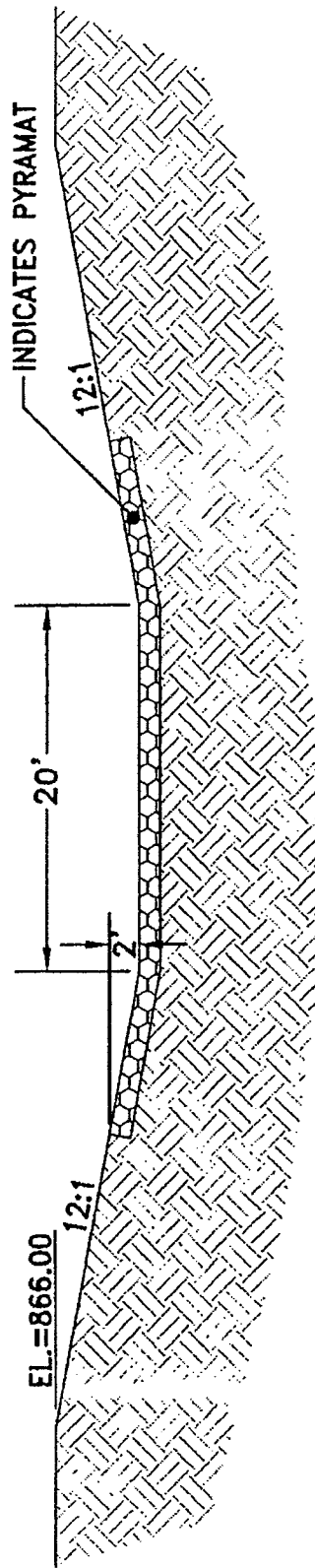
- Buildings:** Labeled "BUILDING PHASE I", "BUILDING PHASE II", and "BUILDING PHASE III".
- Water Body:** Labeled "LAKE".
- Elevation Points:** Numerous points marked with "X" and numerical values, such as X 851.4, X 851.6, X 852.4, X 852.6, X 853.4, X 853.6, X 854.4, X 854.6, X 855.4, X 855.6, X 856.4, X 856.6, X 857.4, X 857.6, X 858.4, X 858.6, X 859.4, X 859.6, X 860.4, X 860.6, X 861.4, X 861.6, X 862.4, X 862.6, X 863.4, X 863.6, X 864.4, X 864.6, X 865.4, X 865.6, X 866.4, X 866.6, X 867.4, X 867.6, X 868.4, X 868.6, X 869.4, X 869.6, X 870.4, X 870.6, X 871.4, X 871.6, X 872.4, X 872.6, X 873.4, X 873.6, X 874.4, X 874.6, X 875.4, X 875.6, X 876.4, X 876.6, X 877.4, X 877.6, X 878.4, X 878.6, X 879.4, X 879.6, X 880.4, X 880.6, X 881.4, X 881.6, X 882.4, X 882.6, X 883.4, X 883.6, X 884.4, X 884.6, X 885.4, X 885.6, X 886.4, X 886.6, X 887.4, X 887.6, X 888.4, X 888.6, X 889.4, X 889.6, X 890.4, X 890.6, X 891.4, X 891.6, X 892.4, X 892.6, X 893.4, X 893.6, X 894.4, X 894.6, X 895.4, X 895.6, X 896.4, X 896.6, X 897.4, X 897.6, X 898.4, X 898.6, X 899.4, X 899.6, X 900.4, X 900.6.
- Shaded Area:** A rectangular area shaded with cross-hatching, located near the center of the map.
- Legend:** A box at the bottom right labeled "INDICATE AREA".



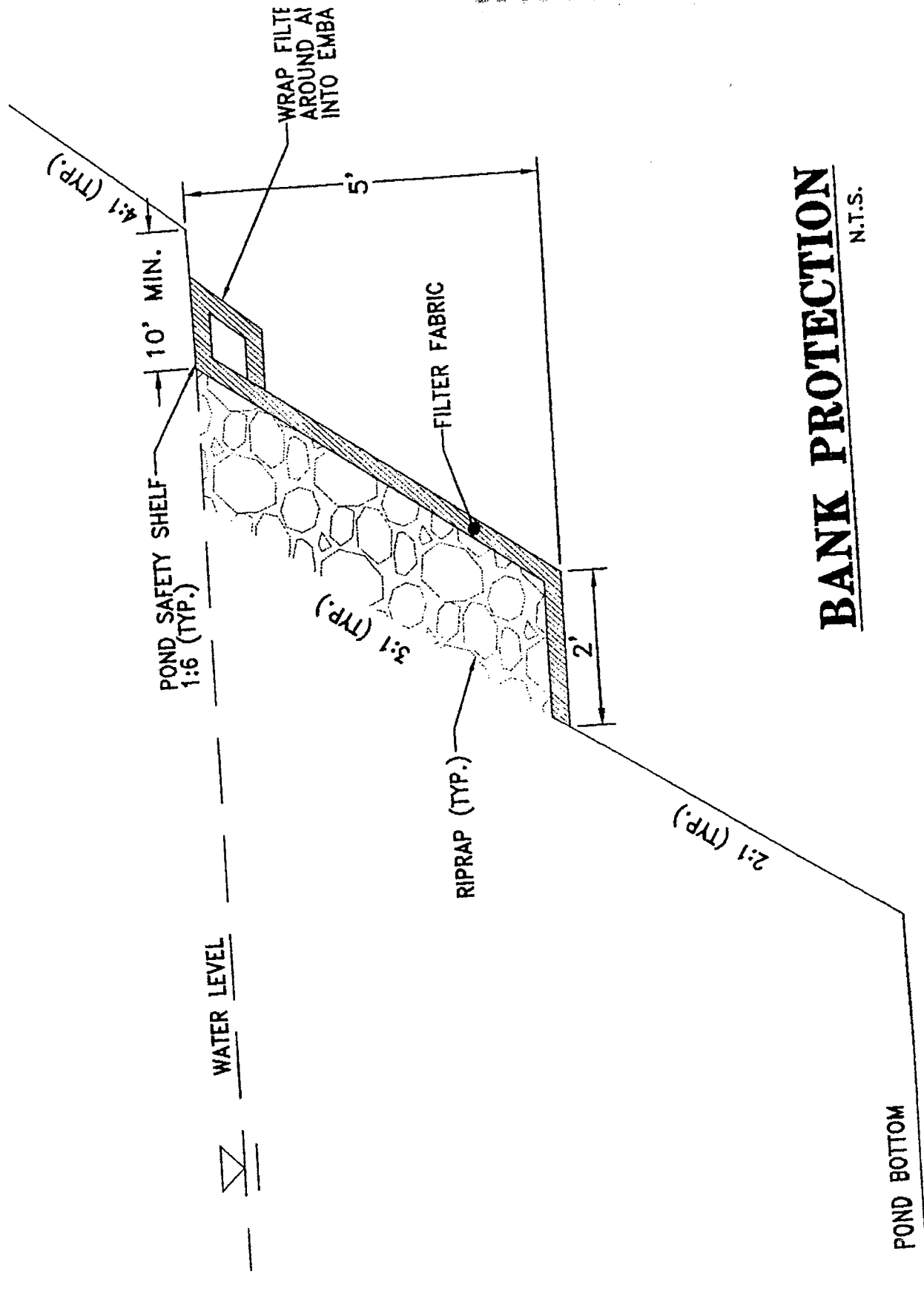


# **STILLING BASIN AT POND OUTLET PIPE**

NOT TO SCALE



**SPILLWAY CROSS SECTION DETAIL**  
N.T.S.



# **BANK PROTECTION**

N.T.S.



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

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September 29, 2006

MCS Investments, Inc.  
660 W. Ridgeview Drive  
Appleton, WI 54911-1254

Attn: Gary Milske

**Re: Wildwood Lake Development—  
Stormwater Detention Basins Easement  
Sanitary Sewer, Water Main & Storm Sewer Easement  
Stormwater Inspection and Maintenance Agreement  
Tax Key Nos. 0061.997  
0061.996  
0061.999.015**

Dear Mr. Milske,

Please find enclosed recorded copies of the above-mentioned easements and agreement for the Wildwood Lake Development for your records. It contains recording information showing proof of recording by the Waukesha County Register of Deeds.

Should you have any questions or require additional information, please do not hesitate to contact Tom Hoffman at (262) 532-4415.

Sincerely,  
VILLAGE OF MENOMONEE FALLS

Linda I. Losiniecki  
Administrative Assistant III  
Engineering Services

Enclosures

Cc: Arlyn R. Johnson, Director of Public Works/Engineering  
Thomas M. Hoffman PE, Sr. Civil Engineer  
Dave Bate, Financial Services  
Easement / Acquisition File  
Vault