

POST-CONSTRUCTION RUNOFF
PERMIT NO. PCP2014-02

DOCUMENT NO.

DOCUMENT TITLE

4083788

REGISTER OF DEEDS
WAUKESHA COUNTY, WI
RECORDED ON

June 13, 2014 08:27 AM
James R. Behrend
Register of Deeds

5 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

Tax Key No. MNFV 0115992
MNFV 0116997003

Spencers Pass West

Due
30
5
MNFV



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

POST-CONSTRUCTION RUNOFF PERMIT NO. PCP 2014-02

Village of Menomonee Falls

Property Owner: Tomich Investments IV LLC Stormwater Application No. SWA 2014-02

Tax Key: MNFV0115992 & MNFV0116997003

Parcel MNFV0115992 Description: E1/2 SE1/4 SW1/4 SEC 29 T8N R20E :: ALSO 10 AC OF W1/2 SE1/4 SW1/4 COM OF W1/2 SE1/4 SW1/4 COM 16.5 FT W OF LI BETW W1/2 E1/2 SE1/4 SW1/4 :: ALSO A CERTAIN PC OF LAND 16.5 FT IN WIDTH ALG E SIDE OF W1/2 SE1/4 SW1/4 :: ALSO S1/2 NE1/4 SW1/4 BOUNDED ON NW SIDE BY RIVER :: EX COM S1/4 COR N00°20'25"W 60.00 FT THE BGN; S88°49'14"W 91.60 FT; S01°10'46"E 10.00 FT; S88°49'14"W 300.00 FT; N01°10'46"W 10.00 FT; S88°49'14"W 344.91 FT; N00°12'46"W 5.00 FT; N88°49'14"E 736.51 FT; S00°20'25"E 5.00 FT TO BGN :: EX VOL 645/127 DEEDS :: EX VOL 682/196 DEEDS :: EX VOL 730/451 DEEDS :: EX VOL 816/245 DEEDS :: EX VOL 1023/387 DEEDS :: EX VOL 1023/389 DEEDS :: EX VOL 1206/15 DEEDS :: DOC# 4071722

Parcel MNFV0116997003 Description: SE1/4 SEC 29 T8N R20E COM SW COR N0°19'55"W 60.004 FT THE BGN; N0°19'55"W 2578.781 FT; N88°33'46"E 661.86 FT; S0°25'15"E 2593.51 FT; S88°58'34"W 136.159 FT; N1°01'26"W 214.00 FT; S88°58'34"W 288.75 FT; S1°01'26"E 204.00 FT; S88°58'34"W 240.775 FT TO BGN :: EX COM S1/4 COR N00°20'25"W 60.00 FT TO N LI HWY THE BGN; N00°20'25"W 5.00 FT; N88°58'34"E 173.50 FT; N01°01'26"W 25.00 FT; N88°58'34"E 25.00 FT; S01°01'26"E 25.00 FT; N88°58'34"E 41.72 FT; S01°01'26"E 5.00 FT TO N LI OF HWY; S88°58'34"W 240.25 FT TO BGN :: ALSO E1/2 W1/2 SE1/4 SEC 29 T8N R20E :: EX VOL 1219/114 DEEDS :: EX SPENCERS PASS EAST :: EX DOC# 3421829 :: EX CERT SURV 10654 :: DOC# 4071722

The Village of Menomonee Fall reviewed Stormwater Permit Application SWA 2014-02 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 approved by the Village, which is included in the Stormwater Management Plan dated April 15, 2014.
2. The Property Owner shall construct all detention basins, retention basins, outlet structures, inlet structures, storm sewer, underground storage facility, swales, berms or any structure and grading associated with stormwater management thee "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 ink on standard size mylar, 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 and the Property Owner agrees to hold the Village harmless from any liability in the event the storm water management facilities fail to operate properly.

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.
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 SWA 2014-02 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.

By *Carl P. Tomich*
Carl P. Tomich, Managing Member

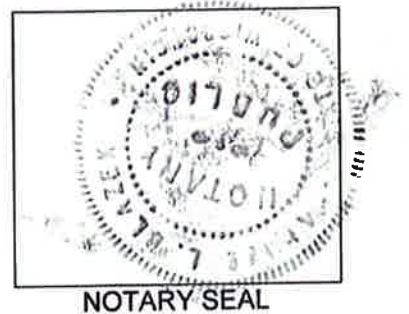
Date: 4/17/2014

State of Wisconsin
County of Waukesha

This instrument was acknowledged before me on 4-17-14 by Carl P. Tomich as Managing Member of Tomich Investments IV LLC.

Aimee L. Blazek
(Signature of notarial officer)

Title (and Rank) CherX
My commission expires: 6-8-18



Village of Menomonee Falls

By *Thomas J. Reppner*
Director of Engineering Services

Date: 4/22/2014



DRAFTED BY
JONATHAN BRETL