

## AGENDA FOR REGULAR MEETING OF COMMON COUNCIL

To be held on Tuesday, December 3, 2019 at 6:30 P.M. in the City Hall  
Council Chambers, 30 West Central Street, Chippewa Falls, WI

1. CLERK CALLS THE ROLL

2. APPROVAL OF MINUTES OF PREVIOUS MEETING

(a) Approve minutes of the Regular Council Meeting of November 19, 2019.

(b) Approve minutes of the Special Council Meeting of December 3, 2019. (*minutes to be distributed prior to Council Meeting*)

3. PERSONAL APPEARANCES BY CITIZENS - No matter presented by a citizen shall be acted on at the meeting except in emergencies affecting the public health, safety or welfare.

(a) Update from the Chippewa Falls Police Department Alumni Association including recent fundraising efforts.

4. PUBLIC HEARINGS

(a) Public Hearing regarding the vacation and discontinuance of a section of Old Prairie View Road and a section of Woodward Avenue. (*see Resolution No.2019-43*)

5. COMMUNICATIONS - None

6. REPORTS

(a) The Board of Public Works meeting of November 25, 2019 was cancelled due to a lack of agenda items.

7. COUNCIL COMMITTEE REPORTS in the order in which they are named in Section 2.21 of the Municipal Code - None

8. APPLICATIONS

(a) Consider Operator (Bartender) Licenses as approved by the Police Department. (*Complete list provided prior to Council meeting*).

(b) Consider appeal of Troy Rands of the denial of his Taxicab Driver License Application as recommended by the Police Department.

(c) Consider Street Use Permit Application from Chippewa Falls Main Street to utilize a portion of the parking lot at the Chippewa Falls Area Chamber of Commerce for the Bridge to Wonderland Parade on December 7, 2019 from 2:00 pm – 7:30 pm (see attached map).

9. PETITIONS - None

10. MAYOR ANNOUNCES APPOINTMENTS

(a) Announce appointment of Election Inspectors for the 2020-2021 Election Term as recommended by the Mayor (*complete list provided prior to Council meeting*). Action on this item scheduled for December 17, 2019.

11. MAYOR'S REPORT - None

12. REPORT OF OFFICERS – None

13. ORDINANCES - None

14. RESOLUTIONS

(a) Consider **Resolution #2019-43 Entitled:** Resolution Regarding the Discontinuance of a Section of Old Prairie View Road Lying West of Woodward Avenue and South of State Trunk Hwy #124 and a Section of Woodward Avenue Lying Along the West Side of Woodward Avenue and South of STH #124.

(b) Consider **Resolution #2019-49 Entitled:** Resolution (regarding the sale of real estate to McDonald's USA, LLC).

**15. OTHER NEW OR UNFINISHED BUSINESS AS AUTHORIZED BY LAW**

(a) Discuss and consider ratification of a labor agreement between the City of Chippewa Falls and the Chippewa Falls Professional Police Association.

**16. CLAIMS**

(a) Consider claims as recommended by the Claims Committee.

**17. CLOSED SESSION - None**

**18. ADJOURNMENT**

The Claims Committee will meet at 6:00 PM to review the claims of various boards and departments of the City.

**NOTE:** REASONABLE ACCOMMODATIONS FOR PARTICIPATION BY INDIVIDUALS WITH DISABILITIES WILL BE MADE UPON REQUEST. FOR ADDITIONAL INFORMATION OR TO REQUEST THIS SERVICE, CONTACT THE CITY CLERK AT 726-2719.

Please note that attachments to this agenda may not be final and are subject to change.  
This agenda may be amended as it is reviewed.

**CERTIFICATION OF OFFICIAL NEWSPAPER**

I, hereby, certify that a copy of this notice has been posted on the bulletin board at City Hall and a copy has been given to the Chippewa Herald on November 27, 2019 at 1:45 pm by BNG.

## MINUTES OF THE REGULAR MEETING OF THE COMMON COUNCIL

The regular meeting of the Common Council of the City of Chippewa Falls was held on Tuesday, November 19, 2019 in the City Hall Council Chambers. Mayor Greg Hoffman called the meeting to order at 6:30 pm. The Pledge of Allegiance was recited.

### CLERK CALLS THE ROLL

Council Members present: John Monarski, Rob Kiefer, CW King, Chuck Hull, Paul Olson, Paul Nadreau, and Jason Hiess.

Also Present: City Attorney Robert Ferg, Finance Manager/Treasurer Lynne Bauer, Director of Public Works/City Engineer/Utilities Manager Rick Rubenzer, City Planner/Transit Manager Brad Hentschel, Police Chief Matt Kelm, Tourism Director Jackie Boos, City Clerk Bridget Givens, and those on the attached sign-in sheet.

### APPROVAL OF MINUTES OF PREVIOUS MEETING

**(a) Motion by Kiefer/Monarski** to approve the minutes of the Regular Council Meeting of November 5, 2019. **All present voting aye, motion carried.**

### PERSONAL APPEARANCES BY CITIZENS

Mayor Hoffman announced that Dennis Doughty, the gentleman who runs the cameras to record and live stream the Council Meetings, has resigned after six years and thanked Dennis for his years of service.

**(a)** Tourism Director, Jackie Boos, provided a brief tourism update to the Council.

**(b)** Student Council Representatives from Holy Ghost were in attendance to introduce themselves and explain their responsibilities as representatives.

**PUBLIC HEARINGS** - None

**COMMUNICATIONS** - None

### REPORTS

**(a)** The Board of Public Works meeting of November 11, 2019 was cancelled due to a lack of agenda items.

**(b) Motion by Hull/Kiefer** to approve the Plan Commission minutes of November 11, 2019. **All present voting aye, motion carried.**

**(c) Motion by King/Kiefer** to approve the Business Improvement District (BID) Board of Directors minutes of November 12, 2019. **Roll Call Vote: Aye – King, Kiefer, Hull, Olson, Nadreau, Hiess, Monarski. Motion carried.**

### COUNCIL COMMITTEE REPORTS

**(a) Motion by Monarski/Nadreau** to approve the Committee #1 Revenues, Disbursements, Water and Wastewater minutes of November 12, 2019. **Roll Call Vote: Aye – Monarski, Nadreau, Hiess, Kiefer, King, Hull, Olson. Motion carried.**

**(b) Motion by Monarski/Hull** to approve the Committee #1 Revenues, Disbursements, Water and Wastewater minutes of November 19, 2019. **Roll Call Vote: Aye – Monarski, Hull, Olson, Nadreau, Hiess, Kiefer, King. Motion carried.**

**(c) Motion by Kiefer/Nadreau** to approve the Committee #2 Labor Negotiations, Personnel, Policy and Administration minutes of November 19, 2019. **Roll Call Vote: Aye – Kiefer, Nadreau, Hiess, Monarski, King, Hull, Olson. Motion carried.**

**(d)** The Park Board minutes of November 12, 2019 were presented.

**(e)** The Library Board minutes of October 9, 2019 were presented.

**(f)** The Library Board Special Meeting minutes of October 24, 2019 were presented.

### APPLICATIONS

**(a) Motion by King/Kiefer** to approve the Operator (Bartender) Licenses as approved by the Police Department. **All present voting aye, motion carried.**

**PETITIONS** - None

**MAYOR ANNOUNCES APPOINTMENTS** - None

**MAYOR'S REPORT** - None

**REPORT OF OFFICERS** - None

**ORDINANCES** - None

**RESOLUTIONS**

**(a) Motion by Kiefer/King to approve Resolution #2019-45 Entitled:** Resolution Documenting Availability of Reserve Liquor License. **Roll Call Vote: Aye – Kiefer, King, Hull, Olson, Nadreau, Hiess, Monarski. Motion carried.**

**(b) Motion by Monarski/Hull to approve Resolution #2019-46 Entitled:** Resolution Final Plat of Marilyn Second Addition. **Roll Call Vote: Aye – Monarski, Hull, Olson, Nadreau, Hiess, Kiefer, King. Motion carried.**

**(c) Motion by King/Monarski to approve Resolution #2019-47 Entitled:** Resolution Final Plat of Lot #1 of Certified Survey Map #112 and Part of the NW ¼ of the NE ¼ of Section 18, T28N, R8W. **Roll Call Vote: Aye – King, Monarski, Kiefer, Hull, Olson, Nadreau, Hiess. Motion carried.**

**OTHER NEW OR UNFINISHED BUSINESS AS AUTHORIZED BY LAW** - None

**CLAIMS**

**(a) Motion by Olson/Hull to approve the claims as recommended by the Claims Committee.**

City General Claims:	\$1,801,737.95
Authorized/Handwritten Claims:	\$82.00
Department of Public Utilities:	\$114,539.67
Total of Claims Presented	<u>\$1,916,359.62</u>

**Roll Call Vote: Aye – Olson, Hull, Nadreau, Hiess, Monarski, Kiefer, King. Motion carried.**

**CLOSED SESSION**

**(a) Monarski/Kiefer to go into Closed Session under Wis. Stats. Sec. 19.85(1)(e) for "deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a Closed Session" to discuss and consider the following:**

- a. Potential tax increment financing incentives and a Developers Agreement for a project in Lake Wissota Business Park – TID #14 including all matters relative to procurement of a satisfactory Developers Agreement (Chippewa County Project 916); and to include the Council, Mayor, Ferg, Bauer, Rubenzer, Hentschel, Givens and representatives of Chippewa County Project 916; may return to Open Session for possible action on Closed Session item.

**Roll Call Vote: Aye – Monarski, Kiefer, King, Hull, Olson, Nadreau, Hiess. Motion carried.**

The Council discussed Item (a) above.

**Motion by Kiefer/Monarski to return to Open Session. All present voting aye, motion carried.**

**ADJOURNMENT**

**Motion by Olson/Hull to adjourn at 7:38 pm. All present voting aye, motion carried.**

Submitted by:  
Bridget Givens, City Clerk

# CITY COUNCIL ATTENDANCE SHEET - November 19, 2019

NAME	ADDRESS
Maureen Carlson	17984 54th Avenue, CF 54729
Jackie Boas	Chamber -
Caitlin McE Inry	Holy Ghost Student Council
KARL HANSON	1130 WARREN ST. CHIPPewa
SHAWN NEAL	8296 Commerce Pkwy
Todd Bresina	778 Bluffview Cir.
Steve Franz	4833 160 <sup>th</sup> St CF
Rhonda Elstrom	5967 167 <sup>th</sup> St

# NOTICE

NOTICE IS HEREBY GIVEN, that there is pending before the Common Council of the City of Chippewa Falls, Wisconsin, a Resolution dated December 3, 2019, that proposes by its terms that upon its adoption, to vacate and discontinue a section of Old Prairie View Road and a section of Woodward Avenue pursuant to Section 66.1003(2) of the Wisconsin Statutes; and

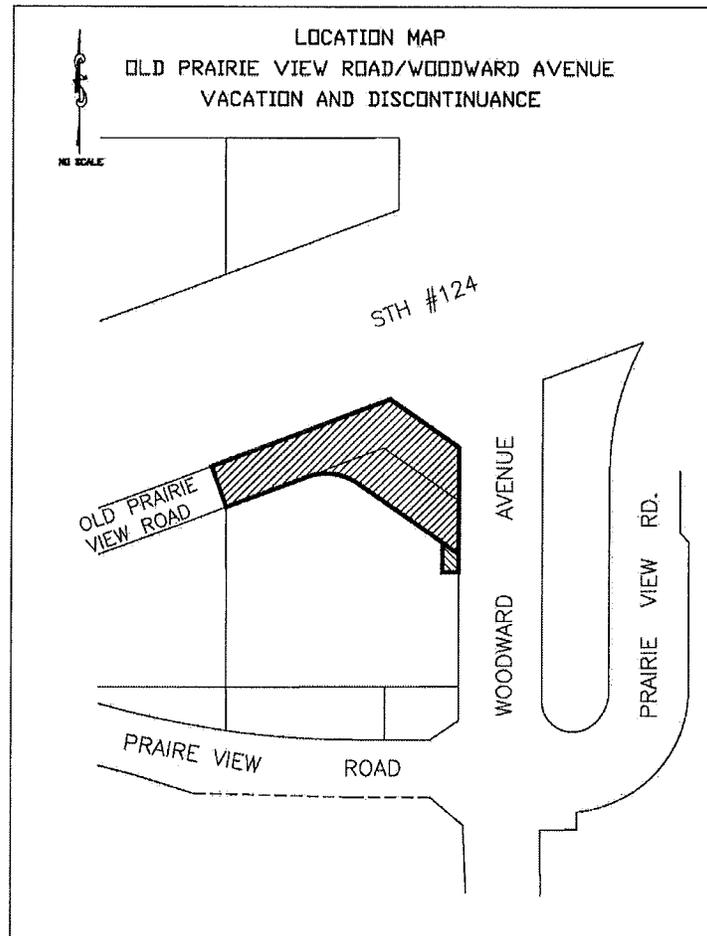
That such Resolution will be acted upon by the Common Council of the City of Chippewa Falls at a regular meeting to be held on December 3, 2019, commencing at 6:30 p.m. or as soon thereafter as the matter can be heard; and a public hearing will be held at that time; and

That the following is a description of that portion of the laid out public street in the City of Chippewa Falls, Chippewa County, Wisconsin, which said resolution proposes to have vacated and discontinued:

The section of Old Prairie View Road lying west of Woodward Avenue and east of Parcel #4444.5000, Pizza Hut property, lying south of State Trunk Highway #124 and a 19' wide section of Woodward Avenue lying along the west side of Woodward Avenue and south of Old Prairie View Road.

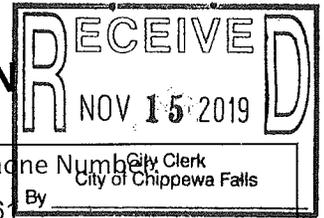
Dated this 28<sup>th</sup> day of October, 2019.

Bridget Givens, City Clerk  
City of Chippewa Falls, Wisconsin





# CITY OF CHIPPEWA FALLS STREET USE PERMIT APPLICATION



Applicant Name and Address: Teri Ouimette, 514 N. Bridge St., Chippewa Falls, WI 54729	Applicant Phone Number: 715-723-6667	City Clerk By: _____ City of Chippewa Falls
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<input type="checkbox"/> Please check here if the applicant is the individual in charge of the event. If not, please indicate Name, Address and Phone Number of responsible individual.	Name, Address and Phone Number of the headquarters of the organization and responsible head of such organization: Chippewa Falls Main Street 514 N. Bridge St. Chippewa Falls, WI 54729
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Name of the event: Bridge to Wonderland Parade	Estimated number of persons participating: 10,000
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Date and start and end times requested for street use:  
December 7, 2019 2-7:30 p.m.

Accurate description of the portion of the street or streets being requested for use (attach maps if necessary):  
Inner parking section of Chamber of Commerce lot and parking spots on the west side of S. Bridge Street (see map)

Use, described in detail, for which the street use permit is requested:  
The CFPD has asked that we permit off these spots to mark as "No Parking" spots during the parade

City services requested for the event (e.g., Street Department or Police Department staff time)  
Traffic cones to block off the spots

The applicant agrees to indemnify, defend, and hold the City and its employees and agents harmless against all claims, liability, loss, damage or expense incurred by the City or account of any injury to, or death of, any persons or any damage to property caused by or resulting from the activities for which the permit is granted. This Street Use Permit for the event may be terminated by the Chippewa Falls Police Department if the health, safety, and welfare of the public appears to be endangered by the activities or if the event is in violation of any of the conditions of the permit or regulations adopted by the Common Council. **Applicant understands they shall be present when the Board of Public Works or City Council considers the request for Street Use Permit. Failure to appear may be grounds for denial of the requested permit.**

	11/11/19
Signature of Applicant	Date

### OFFICE USE ONLY

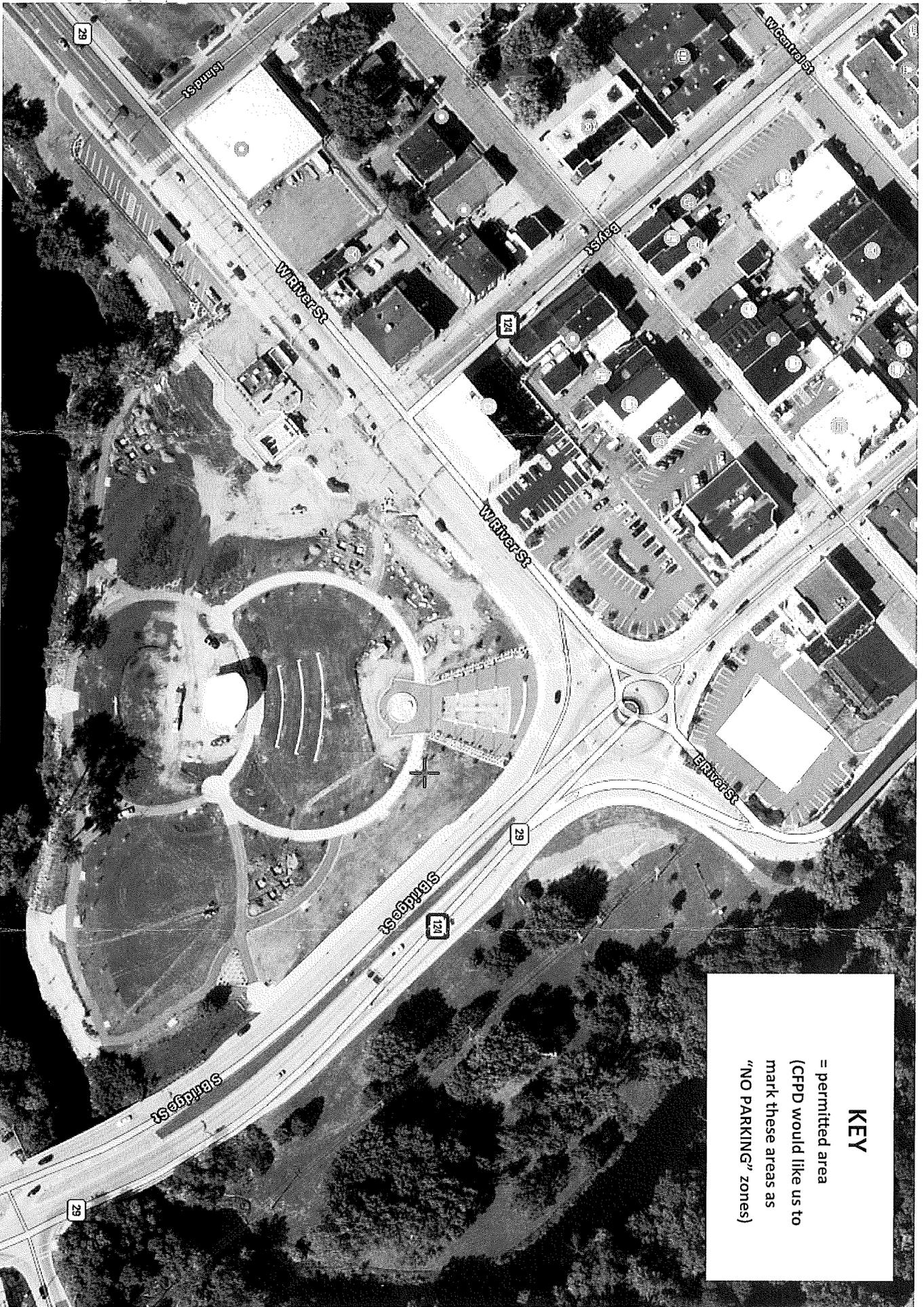
Estimated cost of City services requested (to be completed by Police Chief and Director of Public Works):  
*10 hrs of staff time @ 50/hour = \$500*

Requirements of Applicant:  
*None from CFPD. [Signature]*

Approved by:	11-18-19		11/19/2019
Signature of Chief of Police		Signature of Director of Public Works	

Recommendation of Board of Public Works (if required):  Approved  Denied

Decision of City Council (required):  Approved  Denied



**KEY**  
= permitted area  
(CFPD would like us to  
mark these areas as  
"NO PARKING" zones)

RESOLUTION REGARDING THE DISCONTINUANCE OF A SECTION OF  
OLD PRAIRIE VIEW ROAD LYING WEST OF WOODWARD AVENUE AND  
SOUTH OF STATE TRUNK HIGHWAY #124 AND A SECTION OF  
WOODWARD AVENUE LYING ALONG THE WEST SIDE OF WOODWARD  
AVENUE AND SOUTH OF STH #124

WHEREAS, two sections of Old Prairie View Road lying West of Woodward Avenue and South of State Trunk Highway #124 (herein described and hereafter referred to as TRACT 2 PARCEL 1 and TRACT 2 PARCEL 3) and a section of Woodward Avenue lying on the West side of Woodward Avenue and South of State Trunk Highway #124 (herein described and hereafter referred to as TRACT 2 PARCEL 2) are presently dedicated as City Street Rights of Way; and

WHEREAS, at its' meeting of January 7, 2019, the Chippewa Falls Board of Public Works recommended vacation and discontinuance of the said of parcels; and

WHEREAS, it is in the public interest to discontinue and vacate the parcels and place them on the tax rolls and the public interest so requires; and

WHEREAS, the interests of the City of Chippewa Falls will not be harmed by the proposed vacation and discontinuance; and

WHEREAS, the City of Chippewa Falls Common Council has duly considered the basis for this Resolution;

Now THEREFORE, BE IT RESOLVED that pursuant to the provisions of §66.1003 (4) of the Wisconsin Statutes that the following described portions of Old Prairie View Road and Woodward Avenue in the City of Chippewa Falls, Chippewa County, Wisconsin be discontinued and vacated and deeded to the only adjoining private land owner, McDonald's Corporation or any of its affiliates or nominees, c/o McDonald's Corporation, 110 N. Carpenter Street, Chicago, IL 60607-2101 Attention Legal Director, #091 L/C 048-0120:

TRACT 2:  
Parcel 1:

A parcel of land located in the NE ¼ of the NE ¼, Section 18, T28N, R8W that was conveyed to the City by Franchise Realty Interstate Corporation by Quit Claim Deed, Document Number 403940, described as follows: Commencing at the NE corner of Section 18, T28N, R8W; thence south 00 degrees 00 minutes 16 seconds west, along the east line of the Northeast Quarter of the Northeast Quarter of Section 18, T28N, R8W, a distance of 529.82 feet; thence North 89 degrees 59 minutes 44 seconds West, a distance of 54.00 feet to a point on the west right-of-way line of Woodward Avenue; thence North 00 degrees 00 minutes 16 seconds east, along said westerly right-of-way, a distance of 20.24 feet to the point of beginning; thence north 55 degrees 14 minutes 15 seconds west along a northerly line of Lot 1, CSM 1130, a distance of 141.50 feet; thence northwesterly 62.67 feet along said southerly right-of-way and a northerly line of said lot 1 and a tangential curve, concave to the southwest, having a radius of 65.00 feet and a central angle of 55 degrees 14 minutes 30 seconds to the southerly right-of-way of Prairie View Road; thence North 69 degrees 31 minutes 16 seconds east along said southerly right-of-way of Prairie View Road, not tangent to last described curve, a distance of 94.92 feet; thence south 55

degrees 13 minutes 14 seconds east, along said south right of way, a distance of 106.08 feet; thence south 00 degrees 00 minutes 16 seconds west, a distance of 60.87 feet to the point of beginning.

TRACT 2:  
Parcel 2:

A portion of Woodward Avenue described as follows:

Commencing at the NE corner of Section 18, T28N, R8W; thence south 00 degrees 00 minutes 16 seconds west, along the east line of the Northeast Quarter of the Northeast Quarter of Section 18, T28N, R8W, a distance of 529.82 feet; thence North 89 degrees 59 minutes 44 seconds West, a distance of 54.00 feet to a point on the west right-of-way line of Woodward Avenue, a northeasterly corner of Lot 1, CSM 1130, and the point of beginning; thence north 00 degrees 00 minutes 16 seconds east, a distance of 20.24 feet; thence north 55 degrees 14 minutes 15 seconds west, a distance of 23.12 feet to a northeasterly corner of said Lot 1; thence south 00 degrees 00 minutes 16 seconds west, along an easterly line of said lot 1 a distance of 33.42 feet to a northeasterly corner of said lot 1; thence south 89 degrees 59 minutes 44 seconds east, along a northerly line of said lot 1, a distance of 19.00 feet to the point of beginning.

TRACT 2:  
Parcel 3:

That portion of the frontage road known as Old Prairie View Road lying east of the Pizza Hut property and west of Woodward Avenue described as follows:

Commencing at the NE corner of Section 18, T28N, R8W; thence south 00 degrees 00 minutes 16 seconds west, along the east line of the Northeast Quarter of the Northeast Quarter of Section 18, T28N, R8W, a distance of 529.82 feet; thence North 89 degrees 59 minutes 44 seconds West, a distance of 54.00 feet to a point on the west right-of-way line of Woodward Avenue and a northeasterly corner of Lot 1, CSM 1130; thence north 00 degrees 00 minutes 16 seconds East, a distance of 81.11 feet to a point of the southerly right-of-way line of Old Prairie View Road and the point of beginning; thence continuing North 00 degrees 00 minutes 16 seconds east, a distance of 60.87 feet to a point on the northerly right-of-way line of Old Prairie View Road; thence North 55 degrees 13 minutes 14 seconds west along the northerly right-of-way line of Old Prairie View Road, a distance of 97.53 feet; thence South 69 degrees 31 minutes 16 seconds West, along the northerly right-of-way line of Old Prairie View Road, a distance of 220.22 feet; thence South 20 degrees 28 minutes 44 seconds East, a distance of 50.00 feet to a point on the southerly right-of-way line of Old Prairie View Road, said point being the northwesterly corner of said Lot 1, CSM 1130; thence north 69 degrees 31 minutes 16 seconds East along the southerly right-of-way line of Old Prairie View Road and a northerly line of said Lot 1, a distance of 194.05 feet; thence south 55 degrees 13 minutes 14 seconds east, along the southerly right-of-way line of Old Prairie View Road, a distance of 106.08 feet to the point of beginning.

BE IT FURTHER RESOLVED that the City of Chippewa Falls does retain an easement for any public utilities which may presently exist or be located in such portions of Old Prairie View Road and Woodward Avenue herein discontinued and vacated as shown on the attached easement exhibits with legal descriptions.

Dated this 3<sup>rd</sup> day of December, 2019.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

APPROVED: \_\_\_\_\_  
Mayor Gregory S. Hoffman

\_\_\_\_\_  
Council President CW King

ATTEST: \_\_\_\_\_  
City Clerk Bridget Givens



# EASEMENT EXHIBIT

## PUBLIC SANITARY SEWER

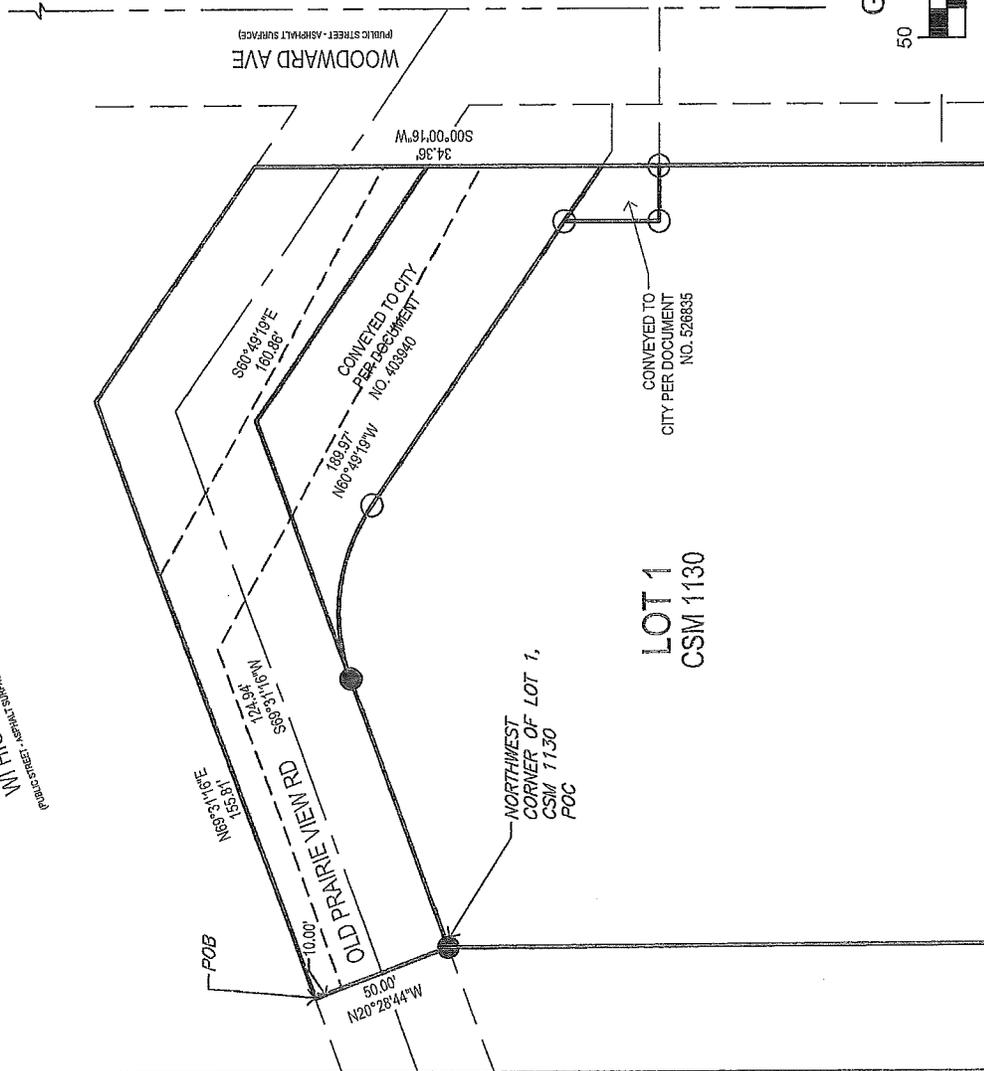
### EASEMENT DESCRIPTION:

A SANITARY SEWER EASEMENT, OVER UNDER AND ACROSS THAT PORTION OF THE FRONTAGE ROAD KNOWN AS OLD PRAIRIE VIEW ROAD LYING EAST OF THE PIZZA HUT PROPERTY AND WEST OF WOODWARD AVENUE AND OVER, UNDER AND ACROSS A PORTION OF LAND THAT WAS CONVEYED TO THE CITY BY FRANCHISE REALTY INTERSTATE CORPORATION BY QUIT CLAIM DEED, DOCUMENT NUMBER 4038940, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1, CSM NO. 1130; THENCE NORTH 20 DEGREES 28 MINUTES 44 SECONDS WEST, ASSUMED BEARING, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 69 DEGREES 31 MINUTES 16 SECONDS EAST, A DISTANCE OF 155.81 FEET; THENCE SOUTH 60 DEGREES 48 MINUTES 19 SECONDS EAST, A DISTANCE OF 160.86 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 16 SECONDS WEST, A DISTANCE OF 34.36 FEET; THENCE NORTH 60 DEGREES 48 MINUTES 19 SECONDS WEST, A DISTANCE OF 183.97 FEET; THENCE SOUTH 60 DEGREES 31 MINUTES 16 SECONDS WEST, A DISTANCE OF 124.94 FEET; THENCE NORTH 20 DEGREES 28 MINUTES 44 SECONDS WEST, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

SAID EASEMENT CONTAINING 6,666 SQUARE FEET, MORE OR LESS.

WI HIGHWAY 124  
(centerline - center of road - south-western)



LOT 1  
 CSM 1130

- LEGEND:
- PROPERTY CORNER
  - SECTION CORNER
  - M MEASURED DISTANCE
  - P PLATTED DISTANCE
  - D DEEDED DISTANCE
  - PRA PREVIOUSLY RECORDED AS ROW RIGHT OF WAY
  - POC POINT OF COMMENCEMENT
  - POB POINT OF BEGINNING



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 Established 1959

**MCDONALD'S**  
 CHIPPEWA FALLS, WI

EASEMENT EXHIBIT

REFERENCE NUMBER:  
 DRAWN BY:  
 LM

PROJECT NUMBER:  
 180021

# EASEMENT EXHIBIT

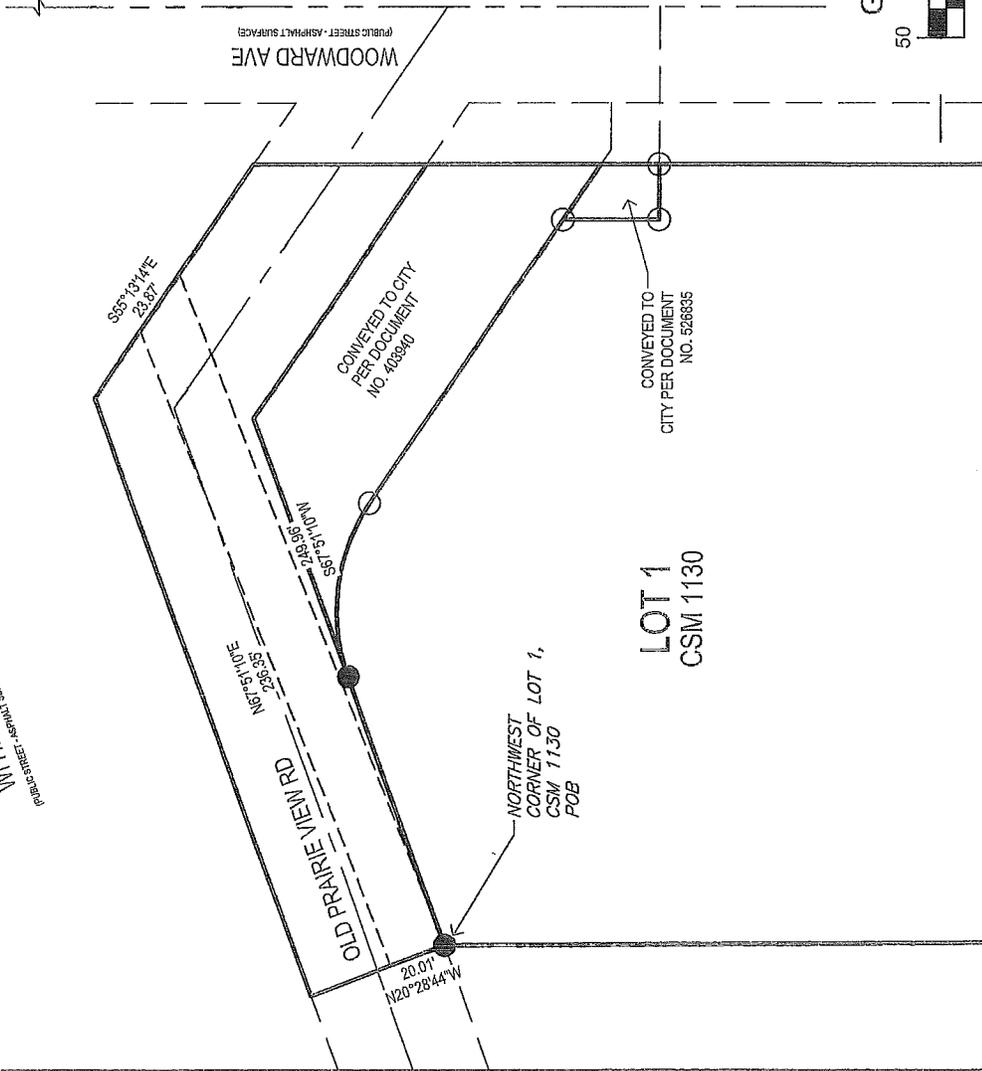
## PUBLIC WATER MAIN

### EASEMENT DESCRIPTION:

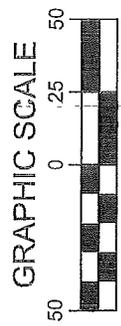
A WATER MAIN EASEMENT, OVER, UNDER AND ACROSS THAT PORTION OF THE FRONTAGE ROAD KNOWN AS OLD PRAIRIE VIEW ROAD LYING EAST OF THE PIZZA HUT PROPERTY AND WEST OF WOODWARD AVENUE DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, CSM NO. 1130; THENCE NORTH 20 DEGREES 28 MINUTES 44 SECONDS WEST, ASSUMED BEARING, A DISTANCE OF 20.01 FEET; THENCE NORTH 67 DEGREES 51 MINUTES 10 SECONDS EAST, A DISTANCE OF 236.35 FEET; THENCE SOUTH 55 DEGREES 13 MINUTES 14 SECONDS EAST, A DISTANCE OF 23.87 FEET; THENCE SOUTH 67 DEGREES 51 MINUTES 10 SECONDS WEST, A DISTANCE OF 249.98 FEET TO THE POINT OF BEGINNING.

SAID EASEMENT CONTAINING 4,863 SQUARE FEET, MORE OR LESS.



- LEGEND:
- PROPERTY CORNER
  - ⊙ SECTION CORNER
  - M MEASURED DISTANCE
  - P PLATTED DISTANCE
  - D DEEDED DISTANCE
  - PRA PREVIOUSLY RECORDED AS
  - ROW RIGHT OF WAY
  - POC POINT OF COMMENCEMENT
  - POB POINT OF BEGINNING



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 Established 1959

**MCDONALD'S**  
 CHIPPEWA FALLS, WI  
 EASEMENT EXHIBIT

REFERENCE NUMBER:  
 DRAWN BY:  
 LM  
 PROJECT NUMBER:  
 180021

WI HIGHWAY 124  
 (PUBLIC STREET - ASPHALT SURFACE)

WOODWARD AVE  
 (PUBLIC STREET - ASPHALT SURFACE)

CONVEYED TO CITY PER DOCUMENT NO. 40884p

CONVEYED TO CITY PER DOCUMENT NO. 528835

LOT 1  
 CSM 1130

NORTHWEST CORNER OF LOT 1, CSM 1130  
 POB

# EASEMENT EXHIBIT

## PUBLIC SANITARY LIFT STATION

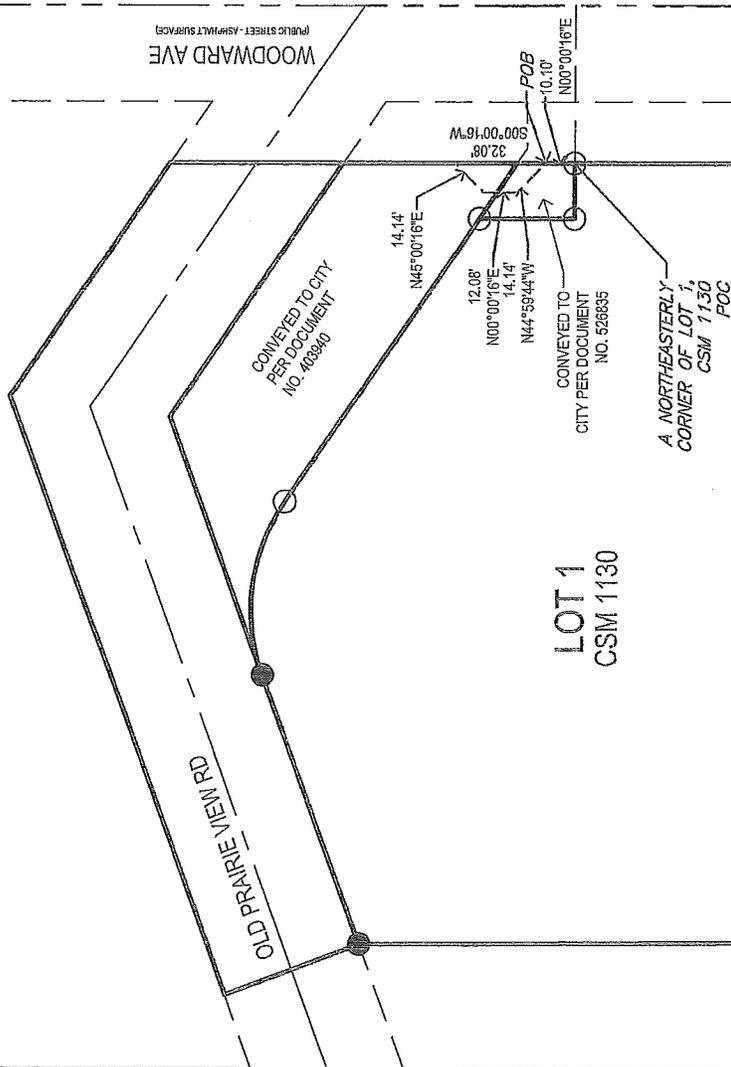
### EASEMENT DESCRIPTION:

A LIFT STATION EASEMENT, OVER UNDER AND ACROSS A PORTION OF LAND THAT WAS CONVEYED TO THE CITY OF CHIPPEWA FALLS BY FRANCHISE REALTY INTERSTATE CORPORATION BY QUIT CLAIM DEED, DOCUMENT NUMBER 403940 AND A PORTION OF LAND THAT WAS CONVEYED TO THE CITY BY McDONALD'S CORPORATION (SUCCESSOR IN INTEREST BY MERGER TO FRANCHISE REALTY INTERSTATE CORPORATION), DOCUMENT NUMBER 526835-VOL 772.PG.373-374, CORRECTED WARRANTEE DEED DESCRIBED AS FOLLOWS:

COMMENCING AT A NORTHEASTERLY CORNER OF LOT 1, CSM NO. 1130, BEING THE NORTHERLY END OF A LINE WHICH BEARS NORTH 00 DEGREES 00 MINUTES 16 SECONDS EAST, A DISTANCE OF 131.00 FEET NORTHERLY FROM A SOUTHEASTERLY CORNER OF SAID LOT 1 AND ABUTTING WOODWARD AVENUE; THENCE CONTINUING NORTH 00 DEGREES 00 MINUTES 16 SECONDS EAST, A DISTANCE OF 10.10 FEET TO THE POINT OF BEGINNING; THENCE NORTH 44 DEGREES 59 MINUTES 44 SECONDS WEST, A DISTANCE OF 14.14 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 16 SECONDS EAST, A DISTANCE OF 12.08 FEET; THENCE NORTH 45 DEGREES 00 MINUTES 16 SECONDS EAST, A DISTANCE OF 14.14 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 16 SECONDS WEST, A DISTANCE OF 32.08 FEET TO THE POINT OF BEGINNING.

SAID EASEMENT CONTAINING 221 SQUARE FEET, MORE OR LESS.

WI HIGHWAY 124  
PUBLIC STREET - ASPHALT SURFACE



LOT 1  
CSM 1130

A NORTHEASTERLY CORNER OF LOT 1, CSM 1130, POC  
CONVEYED TO CITY PER DOCUMENT NO. 526835  
N00°00'16"E  
12.08'  
N44°59'44"W  
14.14'  
N45°00'16"E  
14.14'  
32.08'  
S00°00'16"W  
10.10'  
POB  
N00°00'16"E

CONVEYED TO CITY PER DOCUMENT NO. 403940

WOODWARD AVE  
PUBLIC STREET - ASPHALT SURFACE

OLD PRAIRIE VIEW RD

GRAPHIC SCALE



- LEGEND:
- PROPERTY CORNER
  - SECTION CORNER
  - M MEASURED DISTANCE
  - P PLATTED DISTANCE
  - D DEEDED DISTANCE
  - PRA PREVIOUSLY RECORDED AS ROW RIGHT OF WAY
  - POC POINT OF COMMENCEMENT
  - POB POINT OF BEGINNING

MCDONALD'S  
CHIPPEWA FALLS, WI  
EASEMENT EXHIBIT

Bishop Engineering  
"Planting Your Successful Development"  
3501 104th Street  
Des Moines, Iowa 50322-3825  
Phone: (515)276-0467 Fax: (515)276-0217  
Civil Engineering & Land Surveying  
Established 1959

REFERENCE NUMBER:  
DRAWN BY:  
LM  
PROJECT NUMBER:  
180021

**RESOLUTION**

WHEREAS, the sale of the real estate to McDonald's USA, LLC, a Delaware limited liability company, in the City of Chippewa Falls and more particularly described in a deed attached hereto has previously been authorized and approved by the Chippewa Falls Common Council;

WHEREAS, the discontinuance of a public way is being authorized and approved by the Chippewa Falls Common Council with a conveyance of the public way to McDonald's USA, LLC, a Delaware limited liability company, with the real estate to be conveyed more particularly described in a deed attached hereto;

WHEREAS, as aforementioned, both proposed Warranty Deeds transferring title are attached hereto;

NOW THEREFORE, THE CHIPPEWA FALLS COMMON COUNCIL DOES HEREBY RESOLVE AS FOLLOWS:

1. The attached Warranty Deeds to convey title to McDonald's USA, LLC, a Delaware limited liability company, are ratified and approved and Mayor Gregory S. Hoffman and City Clerk Bridget Givens are hereby authorized to sign the said deeds and the City Attorney is authorized to file an electronic real estate transfer return and close the conveyance transactions.

Dated this 3<sup>rd</sup> day of December, 2019.

COUNCIL PRESIDENT: \_\_\_\_\_  
CW King

VOTE: Aye: \_\_\_\_\_ Nay: \_\_\_\_\_

APPROVED: \_\_\_\_\_  
Gregory S. Hoffman, Mayor

ATTEST: \_\_\_\_\_  
Bridget Givens, City Clerk

State Bar of Wisconsin Form 2-2003  
**WARRANTY DEED**

Document Number

Document Name

**THIS DEED**, made between City of Chippewa Falls, a Wisconsin municipal corporation,

("Grantor," whether one or more), and McDonald's USA, LLC, a Delaware limited liability company,

("Grantee," whether one or more).  
Grantor for a valuable consideration, conveys and warrants to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in Chippewa County, State of Wisconsin ("Property") (if more space is needed, please attach addendum):

See Attached Legal Description

The Grantor retains an easement for any public utilities which may presently exist or be located in the real estate conveyed.

Exceptions to warranties:  
See Exhibit A

Dated December 3, 2019

\_\_\_\_\_(SEAL) \_\_\_\_\_(SEAL)  
\* Gregory S. Hoffman, Mayor \*

\_\_\_\_\_(SEAL) \_\_\_\_\_(SEAL)  
\* Bridget Givens, City Clerk \*

**AUTHENTICATION**

Signature(s) of Gregory S. Hoffman and Bridget Givens

authenticated on December 3, 2019

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

THIS INSTRUMENT DRAFTED BY:  
Attorney Robert A. Ferg  
Chippewa Falls, Wisconsin

**ACKNOWLEDGMENT**

STATE OF \_\_\_\_\_ )  
\_\_\_\_\_) ss.  
\_\_\_\_\_ COUNTY )

Personally came before me on \_\_\_\_\_,  
the above-named \_\_\_\_\_  
to me known to be the person(s) who executed the foregoing  
instrument and acknowledged the same.

\* \_\_\_\_\_  
Notary Public, State of \_\_\_\_\_  
My commission (is permanent) (expires: \_\_\_\_\_)

Recording Area

Name and Return Address  
**Attorney Robert A. Ferg**  
**411 North Bridge Street, Suite 201**  
**Chippewa Falls, Wisconsin 54729**

22808-1811-09500000

Parcel Identification Number (PIN)

This is not homestead property.  
~~(is)~~ (is not)

(Signatures may be authenticated or acknowledged. Both are not necessary.)

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATION TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.

WARRANTY DEED

©2003 STATE BAR OF WISCONSIN

FORM NO. 2-2003

\*Type name below signatures.

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## EXHIBIT A TO WARRANTY DEED

### EXCEPTIONS TO WARRANTIES

Exceptions to warranties listed as follows:

1. Municipal zoning ordinances; and
2. Terms and conditions of Easement dated April 24, 1950, filed May 3, 1950, as Document No. 256674.

As amended by Partial Release of Easement dated May 15, 1978, filed June 21, 1978 in Volume 473 of Records, page 508, as Document No. 399443.

## LEGAL DESCRIPTION

A parcel of land located in the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , Section 18, T28N, R8W, described as follows:

Commencing at the NE corner of Section 18, T28N, R8W; Thence south 00 degrees 00 minutes 16 seconds west along the east line of the Northeast Quarter of the Northeast Quarter of Said Section 18, a distance of 660.62 feet; thence north 89 degrees 47 minutes 46 seconds west, a distance of 54.00 feet to a point on the westerly right-of-way line of Woodward Avenue, said point being a southeasterly corner of Lot 1, CSM 1130, and the point of beginning; Thence continuing south 89 degrees 47 minutes 46 seconds west, along a southerly line of said lot 1, a distance of 85.00 feet to a southeasterly corner of said lot 1; thence south 00 degrees 12 minutes 14 seconds east, along an easterly line of said lot 1, a distance of 60.62 feet to a southeasterly corner of said lot 1 and the north right-of-way of Prairie View Road; thence South 89 degrees 59 minutes 44 seconds East, along the north right of way of said Prairie View Road, a distance of 51.78 feet; thence north 56 degrees 18 minutes 52 seconds east, a distance of 39.66 feet to the westerly right-of-way of Woodward Avenue; thence north 00 degrees 00 minutes 16 seconds east, along said westerly right-of-way, a distance of 38.93 feet to the point of beginning.

State Bar of Wisconsin Form 2-2003  
**WARRANTY DEED**

Document Number

Document Name

**THIS DEED**, made between City of Chippewa Falls, a Wisconsin municipal corporation,

("Grantor," whether one or more), and McDonald's USA, LLC, a Delaware limited liability company,

("Grantee," whether one or more).  
Grantor for a valuable consideration, conveys and warrants to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in Chippewa County, State of Wisconsin ("Property") (if more space is needed, please attach addendum):

**See Attached Legal Description**

**The Grantor retains an easement for any public utilities which may presently exist or be located in the real estate conveyed.**

Exceptions to warranties:  
**See Exhibit A**

Dated December 3, 2019

\_\_\_\_\_(SEAL) \_\_\_\_\_(SEAL)  
\* Gregory S. Hoffman, Mayor \*

\_\_\_\_\_(SEAL) \_\_\_\_\_(SEAL)  
\* Bridget Givens, City Clerk \*

**AUTHENTICATION**

Signature(s) of Gregory S. Hoffman and Bridget Givens  
authenticated on December 3, 2019

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

THIS INSTRUMENT DRAFTED BY:  
Attorney Robert A. Ferg  
Chippewa Falls, Wisconsin

**ACKNOWLEDGMENT**

STATE OF \_\_\_\_\_ )  
\_\_\_\_\_) ss.  
\_\_\_\_\_ COUNTY )

Personally came before me on \_\_\_\_\_,  
the above-named \_\_\_\_\_

to me known to be the person(s) who executed the foregoing  
instrument and acknowledged the same.

\* \_\_\_\_\_  
Notary Public, State of \_\_\_\_\_  
My commission (is permanent) (expires: \_\_\_\_\_)

Recording Area

Name and Return Address  
**Attorney Robert A. Ferg**  
**411 North Bridge Street, Suite 201**  
**Chippewa Falls, Wisconsin 54729**

22808-1811-71130001

Parcel Identification Number (PIN)

This is not homestead property.  
~~(is)~~ (is not)

(Signatures may be authenticated or acknowledged. Both are not necessary.)

**NOTE: THIS IS A STANDARD FORM. ANY MODIFICATION TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.**

WARRANTY DEED

©2003 STATE BAR OF WISCONSIN

FORM NO. 2-2003

\*Type name below signatures.

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## EXHIBIT A TO WARRANTY DEED

### EXCEPTIONS TO WARRANTIES

Exceptions to warranties listed as follows:

1. Municipal zoning ordinances; and
2. Terms and conditions of Easement dated April 24, 1950, filed May 3, 1950, as Document No. 256674.

As amended by Partial Release of Easement dated May 15, 1978, filed June 21, 1978 in Volume 473 of Records, page 508, as Document No. 399443.

## LEGAL DESCRIPTION

### **Tract 2:**

#### **Parcel 1:**

A parcel of land located in the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , Section 18, T28N, R8W, that was conveyed to the City by Franchise Realty Interstate Corporation by Quit Claim Deed, Document Number 403940, described as follows: Commencing at the NE corner of Section 18, T28N, R8W; thence south 00 degrees 00 minutes 16 seconds west, along the east line of the Northeast Quarter of the Northeast Quarter of Section 18, T28N, R8W, a distance of 529.82 feet; thence North 89 degrees 59 minutes 44 seconds West, a distance of 54.00 feet to a point on the west right-of-way line of Woodward Avenue; thence North 00 degrees 00 minutes 16 seconds east, along said westerly right-of-way, a distance of 20.24 feet to the point of beginning; thence north 55 degrees 14 minutes 15 seconds west along a northerly line of Lot 1, CSM 1130, a distance of 141.50 feet; thence northwesterly 62.67 feet along said southerly right-of-way and a northerly line of said lot 1 and a tangential curve, concave to the southwest, having a radius of 65.00 feet and a central angle of 55 degrees 14 minutes 30 seconds to the southerly right-of-way of Prairie View Road; thence North 69 degrees 31 minutes 16 seconds east along said southerly right-of-way of Prairie View Road, not tangent to last described curve, a distance of 94.92 feet; thence south 55 degrees 13 minutes 14 seconds east, along said south right of way, a distance of 106.08 feet; thence south 00 degrees 00 minutes 16 seconds west, a distance of 60.87 feet to the point of beginning.

### **Tract 2:**

#### **Parcel 2:**

A vacated portion of Woodward Avenue described as follows:  
Commencing at the NE corner of Section 18, T28N, R8W; thence south 00 degrees 00 minutes 16 seconds west, along the east line of the Northeast Quarter of the Northeast Quarter of Section 18, T28N, R8W, a distance of 529.82 feet; thence North 89 degrees 59 minutes 44 seconds West, a distance of 54.00 feet to a point on the west right-of-way line of Woodward Avenue, a northeasterly corner of Lot 1, CSM 1130, and the point of beginning; thence north 00 degrees 00 minutes 16 seconds east, a distance of 20.24 feet; thence north 55 degrees 14 minutes 15 seconds west, a distance of 23.12 feet to a northeasterly corner of said Lot 1; thence south 00 degrees 00 minutes 16 seconds west, along an easterly line of said lot 1 a distance of 33.42 feet to a northeasterly corner of said lot 1; thence south 89 degrees 59 minutes 44 seconds east, along a northerly line of said lot 1, a distance of 19.00 feet to the point of beginning.

**Tract 2:**

**Parcel 3:**

That vacated portion of the frontage road known as Old Prairie View Road lying east of the Pizza Hut property and west of Woodward Avenue described as follows:

Commencing at the NE corner of Section 18, T28N, R8W; thence south 00 degrees 00 minutes 16 seconds west, along the east line of the Northeast Quarter of the Northeast Quarter of Section 18, T28N, R8W, a distance of 529.82 feet; thence North 89 degrees 59 minutes 44 seconds West, a distance of 54.00 feet to a point on the west right-of-way line of Woodward Avenue and a northeasterly corner of Lot 1, CSM 1130; thence north 00 degrees 00 minutes 16 seconds East, a distance of 81.11 feet to a point of the southerly right-of-way line of Old Prairie View Road and the point of beginning; thence continuing North 00 degrees 00 minutes 16 seconds east, a distance of 60.87 feet to a point on the northerly right-of-way line of Old Prairie View Road; thence North 55 degrees 13 minutes 14 seconds west along the northerly right-of-way line of Old Prairie View Road, a distance of 97.53 feet; thence South 69 degrees 31 minutes 16 seconds West, along the northerly right-of-way line of Old Prairie View Road, a distance of 220.22 feet; thence South 20 degrees 28 minutes 44 seconds East, a distance of 50.00 feet to a point on the southerly right-of-way line of Old Prairie View Road, said point being the northwesterly corner of said Lot 1, CSM 1130; thence north 69 degrees 31 minutes 16 seconds East along the southerly right-of-way line of Old Prairie View Road and a northerly line of said Lot 1, a distance of 194.05 feet; thence south 55 degrees 13 minutes 14 seconds east, along the southerly right-of-way line of Old Prairie View Road, a distance of 106.08 feet to the point of beginning.