

**VILLAGE OF WESTON, WISCONSIN
AGENDA ITEM COVER SHEET**

MTG/DATE: Board of Trustees – 04/17/17

FROM: Keith Donner, Director of Public Works
Jennifer Higgins, Director of Planning and Development

DESCRIPTION: Resolution No. 2017-022: A Resolution to approve the final plat of Misty Pines.

ACTION:	<input checked="" type="checkbox"/> Approve	<input type="checkbox"/> Ordinance	<input type="checkbox"/> Proclamation
	<input type="checkbox"/> Deny	<input type="checkbox"/> Policy	<input type="checkbox"/> Report
	<input type="checkbox"/> Expenditure	<input type="checkbox"/> Procedure	<input checked="" type="checkbox"/> Resolution

QUESTION:
Should the Village Board approve the final Plat of Misty Pines subdivision by adopting Resolution No 2017-022 per the Plan Commission’s recommendation?

BRIEF:
The 49-lot final plat of Misty Pines has been submitted for final plat approvals. The preliminary plat was approved via [Resolution No 2016-017](#) back in September 2016. Since then, staff has been working with the developer to meet the conditions set forth in [Res 2016-017](#). The final plat has been reviewed by staff and Resolution No. 2017-022 contains the items which are still outstanding on the plat. Please note, the developer has requested to change the preliminary plat proposed street names to honor the victims of the 3-22-17 tragedy. Marathon County has given the green light on the new street name per their Uniform Addressing Project. Parkland Dedication fees have been paid. Staff has requested the County address this new plat under the new Uniform Addressing Grid for Marathon County.

FISCAL IMPACT: 49 new single family homes and 3 new streets

RECOMMEND: Directors recommend approval.

COMMITTEE: Endorsed by PIC and Plan Commission (4/10/2017)

REQUEST: Approve Resolution No 2017-022 under Consent.

Are there additional reference documents which have been attached to this report?

**VILLAGE OF WESTON, WISCONSIN
RESOLUTION NO. 2017-022**

A RESOLUTION, to approve the final plat of Misty Pines.

WHEREAS, pursuant to Wis. Stats. Chapters 61, 62.23, 80.08, 236 and 703, the Village of Weston is authorized to regulate and control the division of land within the Village and its extraterritorial area.

WHEREAS, the preliminary plat of Misty Pines was approved by the Village Board on September 19, 2016 with conditions outlined in Resolution No. 2016-017.

WHEREAS, G&S Investments, LLC has submitted the final plat of **Misty Pines Subdivision**, attached as Exhibit A, for acceptance and approval.

WHEREAS, the Village of Weston Property and Infrastructure Committee and Plan Commission reviewed said final plat at their meetings of April 10, 2017 and have recommended conditional approval of said plat.

BE IT RESOLVED by the Board of Trustee for the Village of Weston hereby approve the recommendations of the Property and Infrastructure Committee and Plan Commission to approve the Final Plat for Misty Pines subject to the following conditions:

1. Minor text corrections, provided by staff on 4/7/17, to G&S Investments, be made to the final plat.
2. Approval of the new street names by Marathon County Conservation, Planning and Zoning Department.
3. Provide letters from Wisconsin Public Service, Charter, and Frontier verifying they have received a copy of the plat and agree to any easement locations and dimensions shown on the plat.
4. Final approval of plans for public improvements by the Director of Public Works/Director of Services in accordance with the requirements of Chapter 74 and other construction standards of the Village of Weston including street tree planting and street lighting.
5. Execution of a Development Agreement in accordance with Section 74.7.03 which requires a performance guarantee (i.e., financial security, bond, etc.) for public improvements based on the level of completeness of the public improvements at the time of filing of the final plat and which also includes the conditions upon which building permits may be issued, among other things.

6. Payment of all required fees under Chapter 74 Subdivisions and other Chapters of the Weston Municipal Code.
7. All required deed restrictions, protective covenants, property owners' association organizational documents, and development agreement shall be recorded prior to, or concurrently with, the final plat.
8. Within one month of the final plat being recorded by the Marathon County Register of Deeds, the subdivider shall provide a hard copy of the plat and a digital version of the plat referenced to the Marathon County Coordinate System in an AutoCAD compatible format, to the Zoning Administrator and Director of Public Works. The subdivider shall also provide verification of recordation of the plat and the other documents required under (5) before the Village will issue building permits or zoning permits within the plat area.

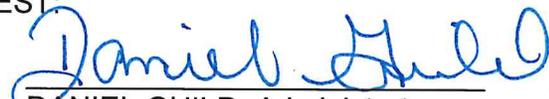
BE IT FURTHER RESOLVED the plat shall be submitted for recording with the Marathon County Register of Deeds within 12 months from the date of this approval and within 36 months from the date of the first approval, September 19, 2016, or the Village approval shall be deemed void.

PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WESTON, at a regular meeting thereof, this 17 day of the month of April, 2017.

VILLAGE OF WESTON, a Municipal Corporation of the State of Wisconsin.

By: 
BARBARA ERMELING, President

ATTEST:

By: 
DANIEL GUILD, Administrator

FILED:

By: 
SHERRY WEINKAUF, Clerk

MISTY PINES

OF ALL OF LOTS 1, 2 AND 3 OF VOLUME 32 CERTIFIED SURVEY MAPS PAGE 145 AND ALL OF LOT 3 OF VOLUME 30 CERTIFIED SURVEY MAPS, PAGE 191 LOCATED IN PART OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 28 NORTH, RANGE 8 EAST, VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20__

Department of Administration



Notes:

Bearings are referenced to the North-South line assumed to bear N 1° 21' 49" E

This project is based on the WISCORS NAD 83(91) Projection

All distances have been measured to the nearest hundredth of a foot. All angular measurements have been made to the nearest 4 seconds and computed to the nearest second

The Minimum First Floor Elevations for all homes built in this subdivision are depicted in a Table on Sheet 3 of this plat

Property owners are required to maintain and preserve the drainage ditches and swales in and adjacent to the boulevards within this subdivision as they are an integral part of the stormwater management plan

Please be aware of note on Sheet 2 related to Utility Easement Provisions.

The 15 foot snow storage easements shown on Lots 11 and 14 terminate 30' west of the east edge of the lots.

Line Table:

LINE	BEARING	DISTANCE
L1	S 89°35'46" W	12.60'
L2	S 89°35'46" W	10.51'
L3	S 89°55'15" W	11.41'
L4	S 89°55'15" W	10.37'

OWNER:
G & S Investments
7306 Zinser Street
Weston, WI 54476
715-355-6717
garyg@gainc.net
kurts@gainc.net

SURVEYOR:
Plover River Land Co., Inc.
156 Kent Street
Wausau, WI 54403
715-449-2229
landman432@gmail.com

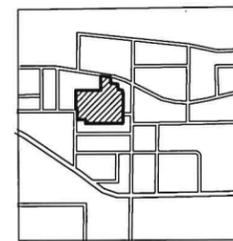
ENGINEER:
REI Engineering
4080 N. 20th Avenue
Wausau, WI 54401
715-675-9784
tellenbecker@reiengineering.com



GRAPHIC SCALE



REGISTER OF DEEDS
MARATHON COUNTY, WI
RECEIVED FOR RECORD THIS _____
DAY OF _____ A.D. 20__
AT _____ O'CLOCK _____ M. IN PLAT
CABINET NO. _____ ON PAGE _____
REGISTRAR



Location Sketch
Section 17-28-08
Scale: 1"=2000'

LEGEND

- ▨ Access Control (30 feet of lots remain uncontrolled)
- Building Setback Line
- 30' Front yard
- 8' Interior Sideyard
- 20' Rear Yard
- Corner Sideyard - 30 feet drive side and 20' non-drive side
- ▲ FOUND 2" I. PIPE
- FOUND 1" I. PIPE
- SET 1 3/16" x 30" IRON ROD WEIGHING 3.76 LBS/LIN FT
- PUBLIC LAND SURVEY CORNER
- () RECORD DATA
- 1" x 24" OD IRON PIPE WEIGHING 1.13 LBS/LIN FT SET AT ALL OTHER LOT CORNERS

MISTY PINES	
OF THE SE 1/4 OF THE NW 1/4 SEC. 17, T 28 N, R 8 E VILLAGE OF WESTON, MARATHON COUNTY WISCONSIN	
DRAFTED BY: DH	CHECKED BY:
DATE: MARCH 22, 2017	JOB NO.
REVISION DATE:	
PLOVER RIVER LAND CO., INC. 156 KENT STREET WAUSAU, WI 54403 (715)449-2229	



South 1/4 Cor Sec 17
Cor in manhole cover
Computed from ties

MISTY PINES

OF ALL OF LOTS 1, 2 AND 3 OF VOLUME 32 CERTIFIED SURVEY MAPS PAGE 145 AND ALL OF LOT 3 OF VOLUME 30 CERTIFIED SURVEY MAPS, PAGE 191 LOCATED IN PART OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 28 NORTH, RANGE 8 EAST, VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

Lot #	Centerline Elevation	Min Floor Elevation
1	1202.30	1203.80
2	1203.52	1205.02
3	1205.5	1207.00
4	1208.188W/1206.24QS	1209.688W/1207.74QS
5	1208.81	1210.31
6	1209.41	1210.91
7	1209.38	1210.88
8	1208.48	1209.98
9	1207.57	1209.07
10	1206.99	1208.49
11	1207.49	1208.99
12	1207.588W/1208.07LS	1209.088W/1209.57LS
13	1207.04	1208.54
14	1207.52	1209.02
15	1208.15	1209.65
16	1208.47	1209.97
17	1209.277W/1208.62LS	1210.777W/1210.12LS
18	1207.66	1209.16
19	1207.945L/1209.298W	1209.445L/1210.798W
20	1209.4	1210.90
21	1208.95	1210.45
22	1208.44	1209.94
23	1207.958W/1209.07QS	1209.458W/1210.57QS
24	1210.11	1211.61
25	1209.48	1210.98
26	1208.83QS/1207.70WA	1210.33QS/1209.20WA
27	1207.04	1208.54
28	1206.86	1208.36
29	1207.8	1209.30
30	1207.84	1209.34
31	1209.055L/1208.88WA	1210.555L/1210.38WA
32	1208.24	1209.74
33	1208.82	1210.32
34	1209.37	1210.87
35	1209.47	1210.97
36	1208.56	1210.06
37	1207.66	1209.16
38	1206.8	1208.30
39	1207.12	1208.62
40	1207.7	1209.20
41	1208.22	1209.72
42	1208.93	1210.43
43	1208.99WA/1209.16QS	1210.49WA/1210.66QS
44	1209.96	1211.46
45	1209.54	1211.04
46	1208.55	1210.05
47	1207.55	1209.05
48	1206.29	1207.79
49	1204.43	1205.93

QS is Quint-Sann Lane
BW is Barday Way
LS is Look Street
WA is Weiland Avenue

VILLAGE BOARD RESOLUTION

Resolved, that the plat of MISTY PINES, G & S Investments, I.I.C, a Wisconsin Corporation, owner, is hereby approved by the Village Board.

DATE APPROVED _____

Legal Representative *village President*

DATE SIGNED _____

Legal Representative *Village President*

I hereby certify that the foregoing is a copy of a resolution adopted by the Village Board of the Village of Weston

Village Clerk

CERTIFICATE OF VILLAGE TREASURER

STATE OF WISCONSIN }
SS
COUNTY OF MARATHON }

I, _____, being duly elected, qualified, and acting Village Treasurer of the Village of Weston, do hereby certify that in accordance with the records in my office, there are no unpaid taxes or delinquent special assessments as of this _____ day of _____, 2017, on any of the lands included in the plat of MISTY PINES.

DATE _____

Village Treasurer

CERTIFICATE OF COUNTY TREASURER

STATE OF WISCONSIN }
SS
COUNTY OF MARATHON }

I, _____, being duly elected, qualified, and acting Treasurer of the County of Marathon, do hereby certify that the records in my office show no unredeemed tax sales and no unpaid taxes or special assessments as of this _____ day of _____, 2017, on any of the lands included in the plat of MISTY PINES.

DATE _____

County Treasurer

UTILITY EASEMENT PROVISIONS

An easement for electric, natural gas, and communications service is hereby granted by G & S Investments, LLC Grantor, to

WISCONSIN PUBLIC SERVICE CORPORATION, a Wisconsin corporation, Grantee, Charter Communications Grantee, and Frontier Communications, Grantee

their respective successors and assigns, to construct, install, operate, repair, maintain and replace from time to time, facilities used in connection with overhead and underground transmission and distribution of electricity and electric energy, natural gas, telephone and cable TV facilities for such purposes as the same is now or may hereafter be used, all in, over, under, across, along and upon the property shown within those areas on the plat designated as "Utility Easement" and the property designated on the plat for streets and alleys, whether public or private, together with the right to install service connections upon, across, within and beneath the surface of each lot to serve improvements, thereon, or on adjacent lots; also the right to trim or cut down trees, brush and roots as may be reasonably required incidental to the rights herein given, and the right to enter upon the subdivided property for all such purposes. The Grantees agree to restore or cause to have restored, the property, as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantees or their agents. This restoration, however, does not apply to the initial installation of said underground and/or above ground electric facilities, natural gas facilities, or telephone and cable TV facilities or to any trees, brush or roots which may be removed at any time pursuant to the rights herein granted. Structures shall not be placed over Grantees' facilities or in, upon or over the property within the lines marked "Utility Easement" without the prior written consent of Grantees. After installation of any such facilities, the grade of the subdivided property shall not be altered by more than six inches without written consent of grantees. This Utility Easement Provision does not prevent or prohibit others from utilizing or crossing the Utility Easement as the Utility easement(s) are non-exclusive.

The grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

CONSENT OF CORPORATE MORTGAGEE

Intercity State Bank, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedication of the land described on this plat, and does hereby consent to the above certificate of G & S Investments, LLC. Owner.

In witness whereof, the said Intercity State Bank has caused these presents to be signed by Randy Balk, it's President, at Schofield, Wisconsin and it's corporate seal to be hereunto affixed this _____ day of _____, 2017.

in the presence of:

Vice-President: _____
Michelle Knopf

INTERCITY STATE BANK

President: _____
Randy Balk

CORPORATE OWNERS CERTIFICATE OF DEDICATION

G & S Investments, LLC., a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said corporation caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on this plat. G & S Investments, LLC. does further certify that this plat is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection:

- 1) Village of Weston
- 2) Department of Administration

Witness the hand and seal of said Owners this _____ day of _____, 2017.

Gary Guemdt

Kurt Seubert

STATE OF WISCONSIN }
SS
COUNTY OF MARATHON }

Personally came before me this _____ day of _____, 2017, the above named Gary Guemdt and Kurt Seubert, members of said corporation and acknowledged that they executed the foregoing instrument as such members of said corporation by it's authority.

Notary Public

My commission expires _____

clean up

FINAL PLAT

MISTY PINES

OF ALL OF LOTS 1, 2 AND 3 OF VOLUME 32 CERTIFIED SURVEY MAPS PAGE 145 AND ALL OF LOT 3 OF VOLUME 30 CERTIFIED SURVEY MAPS, PAGE 191 LOCATED IN PART OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 28 NORTH, RANGE 8 EAST, VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE

I, Daniel E. Higginbotham, Professional Land Surveyor, hereby certify:

THAT I have surveyed, divided and mapped MISTY PINES, a subdivision being all of Lots 1, 2 and 3 of Volume 32 Certified Survey Maps, Page 145 and all of Lot 3 of Volume 30 of Certified Survey Maps, Page 191 located in part of the Southeast 1/4 of the Northwest 1/4 of Section 17, Township 28 North, Range 8 East, Village of Weston, Marathon County, Wisconsin more particularly described as follows:

COMMENCING at the South 1/4 corner of Section 17; thence N 1° 21' 49" E, 2675.35 feet along the North-South 1/4 line of Section 17; thence S 89° 37' 45" W, 182.27 feet to the Southwest corner of a parcel of land previously recorded as Lot 1, Volume 26 Certified Survey Maps, Page 124 and the point of beginning of the parcel herein described;

THENCE continuing S 89° 37' 45" W, 880.14 feet along the North line of Block 4, Mount View Second Addition to the Southeast corner of Parcel 1, Volume 20 Certified Survey Maps, Page 255; thence N 0° 41' 46" E, 90.11 feet along the East line of Parcel 1 to the Northeast corner thereof; thence S 89° 35' 46" W, 204.79 feet along the North line of Parcel 1 to the Easterly R/W of Fox Street; thence N 00° 54' 49" E, 256.27 feet along the Easterly R/W of Fox Street to the Northerly R/W of Sternberg Avenue; thence S 89° 55' 16" W, 30.08 feet along the Northerly R/W of Sternberg Avenue; thence N 0° 50' 11" E, 433.84 feet; thence N 89° 37' 16" E, 580.00 feet along the South line of a parcel of land previously mapped as Parcel 1, Volume 36 Certified Survey Maps, Page 27 and the Westerly extension thereof; thence N 0° 46' 36" E, 331.05 feet along the East line of Parcel 1 to the Southerly R/W of Ross Avenue; thence S 81° 34' 36" E, 237.15 feet along the Southerly R/W of Ross Avenue to the Northwest corner of Outlot 1, Volume 80 Certified Survey Maps, Page 124; thence S 81° 07' 08" E, 175.20 feet along the South line of Outlot 1 and Lot 1 of Volume 80 Certified Survey Maps, Page 124; thence S 1° 29' 54" W, 114.99 feet along the West line of Lot 2, Volume 80 Certified Survey Maps, Page 124; thence S 72° 11' 23" E, 111.72 feet along the South line of Lot 2 to the Southeast corner thereof; thence S 15° 29' 05" E, 103.53 feet along the West line of Lot 2, Volume 30 Certified Survey Maps, Page 102; thence S 1° 24' 50" W, 666.39 feet along the West line of Volume 30 Certified Survey Maps, Page 102 and the Southerly Extension thereof to the Southwest corner of a parcel of land previously recorded as Lot 1, Volume 26 Certified Survey Maps, Page 124 and the point of beginning of the parcel herein described.

THAT I have made such survey, land division and plat by the direction of G & S Investments, LLC.

THAT such plat is a correct representation of the exterior boundaries of the land surveyed and the subdivision thereof made.

THAT I have fully complied with the provisions of Chapter 236 of the Wisconsin Statutes and the subdivision regulations of Village of Weston in surveying, dividing and mapping the same.

Curve No.	Lot No.	Radius	Arc Length	Delta	Chord Bearing	Chord Length	Ahead Bearing	Back Bearing
C1	Total	140.00'	51.30'	20°59'42"	N 79°34'52" W	51.01'	S 89°55'16" W	
		200.00'	73.29'	20°59'42"	N 79°34'52" W	72.88'	S 89°55'16" W	
C2	15	200.00'	55.13'	15°47'40"	N 82°10'54" W	54.96'		
	16	200.00'	18.16'	05°12'02"	N 71°41'03" W	18.15'		
C3	Total	260.00'	183.19'	40°22'08"	N 18°45'45" W	179.42'	S 89°55'16" W	
	2		23.19'	05°06'36"	S 01°07'58" E	23.18'		
	3		114.47'	25°13'34"	S 16°18'03" E	113.55'		
	4		45.53'	10°02'00"	S 33°55'50" E	45.47'		
C4	Total	200.00'	140.91'	40°22'08"	S 18°45'44" E	138.02'		
	48		41.72'	11°57'06"	S 32°58'15" E	41.64'		
	49		99.19'	28°25'02"	S 12°47'11" E	98.18'		
C5	Total	200.00'	140.62'	40°17'00"	S 18°48'18" E	137.74'		
	45		27.11'	7°45'54"	S 2°32'50" E	27.09'		
	46		79.80'	22°51'38"	S 17°51'31" E	79.27'		
	47		33.71'	9°39'28"	S 34°07'04" E	33.67'		
C6	Total	140.00'	57.25'	23°25'40"	S 10°22'38" E	56.85'	N 22°05'28" W	
		197.00'	118.28'	34°24'00"	S 72°23'44" W	116.51'		
C7	41		14.73'	4°17'02"	S 57°20'17" W	14.73'		
	42		103.55'	30°06'58"	S 74°32'17" W	102.36'		
	Total	263.00'	86.00'	18°44'08"	S 80°13'42" W	85.62'	S 70°51'38" W	
C8	Total	200.00'	120.20'	34°26'00"	S 72°24'44" W	118.39'		
	40		27.46'	7°52'02"	S 85°41'45" W	27.44'		
	41		92.73'	26°33'58"	S 68°28'45" W	91.90'		
C10	Total	140.00'	24.51'	10°01'48"	N 84°36'52" E	24.48'	N 79°35'58" E	
		1000.00'	272.20'	15°37'28"	S 82°33'30" E	271.85'	N 74°44'46" W	
C11	28		61.84'	3°32'34"	S 88°35'57" E	61.83'		
	29		97.43'	5°34'56"	S 84°02'12" E	97.39'		
	31		113.43'	6°29'58"	S 77°59'45" E	113.37'		
	Total	1060.00'	393.81'	21°17'12"	S 79°43'40" E	391.55'		
C12	34		40.13'	2°10'10"	S 70°10'05" E	40.13'		
	35		102.06'	5°31'00"	S 74°00'40" E	102.02'		
	36		99.76'	5°23'32"	S 79°27'56" E	99.73'		
	37		98.46'	5°19'20"	S 84°49'22" E	98.42'		
	38		53.40'	2°53'12"	S 88°55'38" E	53.40'		
C13	Total	600.00'	61.14'	5°50'18"	S 87°26'45" E	61.11'		
	9		29.73'	2°50'18"	S 85°56'45" E	29.72'		
	10		31.41'	3°00'00"	S 88°51'54" E	31.41'		
C14	Total	540.00'	55.02'	5°50'18"	S 87°26'45" E	55.00'		
	12		34.87'	3°42'00"	S 86°22'36" E	34.87'		
	13		20.15'	2°08'18"	S 89°17'45" E	20.15'		
C15	Total	600.00'	136.42'	13°01'40"	N 88°57'35" E	136.13'		
	5		40.44'	3°51'42"	N 84°22'36" E	40.43'		
	6		95.98'	9°09'58"	S 89°06'35" E	95.88'		
C16	Total	660.00'	150.07'	13°01'40"	N 88°57'35" E	149.74'		
	19		5.75'	0°29'58"	S 84°46'35" E	5.75'		
	20		97.09'	8°25'40"	N 89°14'24" E	97.00'		
	21		47.23'	4°06'00"	N 84°29'46" E	47.22'		
C17	Total	250.00'	94.15'	21°34'40"	N 71°39'26" E	93.60'	N 60°52'06" E	
	Total	310.00'	129.68'	23°58'02"	N 70°27'45" E	128.73'	N 58°28'44" E	
C18	22		39.29'	7°15'40"	N 78°48'56" E	39.26'		
	23		90.39'	16°42'22"	N 66°49'55" E	90.07'		