

VILLAGE OF EAGLE
WAUKESHA COUNTY
RESOLUTION 2003- 02

A RESOLUTION AUTHORIZING THE TRANSFER OF LAND
TO THE ALBERT GAGLIANO REVOCABLE TRUST

WHEREAS, the Village of Eagle, purchased from the Albert Gagliano Revocable Trust approximately 52 acres of land located adjacent to C.T.H. LO and S.T.H. 67, and

WHEREAS, the Village of Eagle then annexed the property into the Village of Eagle, and

WHEREAS, the property was divided into a 40.4966 acre parcel and a 10.6899 acre parcel by Certified Survey Map, (see attached CSM #9526) and;

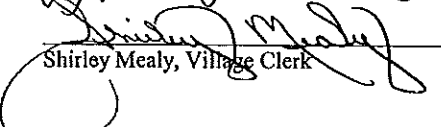
WHEREAS, the Village of EAGLE is the owner of Lot # 2 of CSM # 9526, and;

WHEREAS, the Village Board has detached Lot # 2 of CSM # 9526 by Ordinance NO. 178 and the land will revert to the jurisdiction of the Town of Eagle, contingent upon the Town of Eagle adopting an ordinance attaching the property to the Town of Eagle;

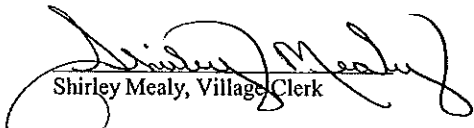
NOW THEREFORE, be it resolved that the Village Board of the Village of Eagle hereby authorizes the execution of a Quit Claim Deed and all other documents necessary to transfer Lot # 2 of CSM # 9526 from the Village of Eagle to the ALBERT GAGLIANO REVOCABLE TRUST.

Dated and approved this 24th day of March, 2002.


Lynn Greenberg, Village President


Shirley Mealy, Village Clerk

I hereby certify that this is a true and correct copy of the Resolution adopted by the Village Board on the 24th day of March, 2003.


Shirley Mealy, Village Clerk

This document was drafted by Village Attorney Shawn N. Reilly.

CERTIFIED SURVEY MAP NO - 9526

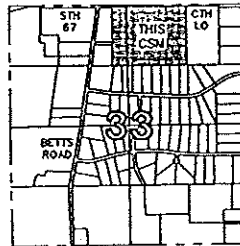
Being a redivision of Out Lot 2, Certified Survey Map No. 6223, recorded on July 16, 1990 in Volume 51 of Certified Survey Maps on Pages 181-183 as Document No. 1602672 and other lands in the Northwest 1/4 of the Northeast 1/4 and part of the Northeast 1/4 of the Northwest 1/4 of Section 33, Town 5 North, Range 17 East, Village of Eagle (formerly the Town of Eagle), Waukesha County, Wisconsin.

OWNER/SUBDIVIDER: Village of Eagle
820 Main St.
Eagle, WI 53119

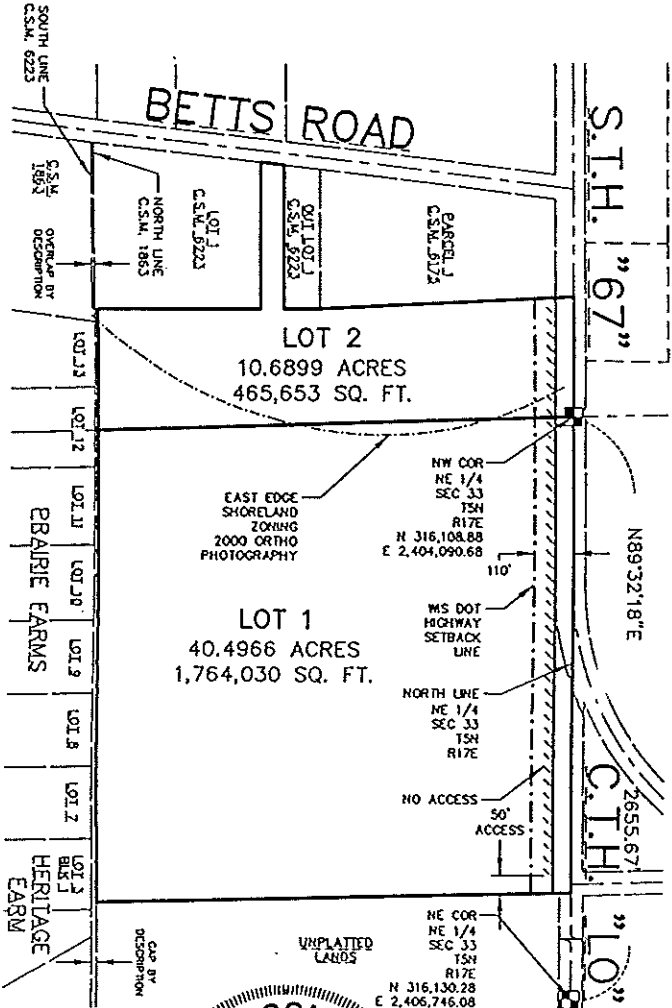
PREPARED BY: Ruekert-Mielke
W233 N 2080 Ridgeview Pkwy.
Waukesha, WI 53188

LOCATION MAP

(NOT TO SCALE)

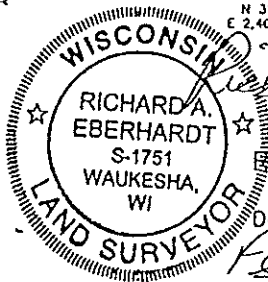
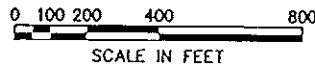


SECTION 33
T5N, R17E



NOTE(S):

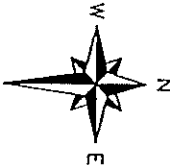
- 1) D.O.T. File No. 67-067-0016-03
- 2) See sheet 6 of 6 for Wis. D.O.T. highway setback restrictions and noise statement.
- 3) Identifiable Section Line: North line of the Northeast 1/4 of Section 33, Town 5 North, Range 17 East, assumed bearing of N89°32'18"E (Wisc. State Plane Coordinate System, South Zone).
- 4) Access to Lot 1 is limited to the East 50' of said Lot 1.
- 5) Access to Lot 2 is limited to Betts Road.
- 6) Lots 1 & 2 are zoned A-2
50' front & rear setback
25' side setback
- 7) See sheet 3 of 6 for legend.
- 8) This land division is free of existing buildings and watercourses.
- 9) These lots are not suitable for development for human habitation until an approved waste disposal system has been installed.
- 10) This land division is not within the 100 year flood plain.



Richard A. Eberhardt

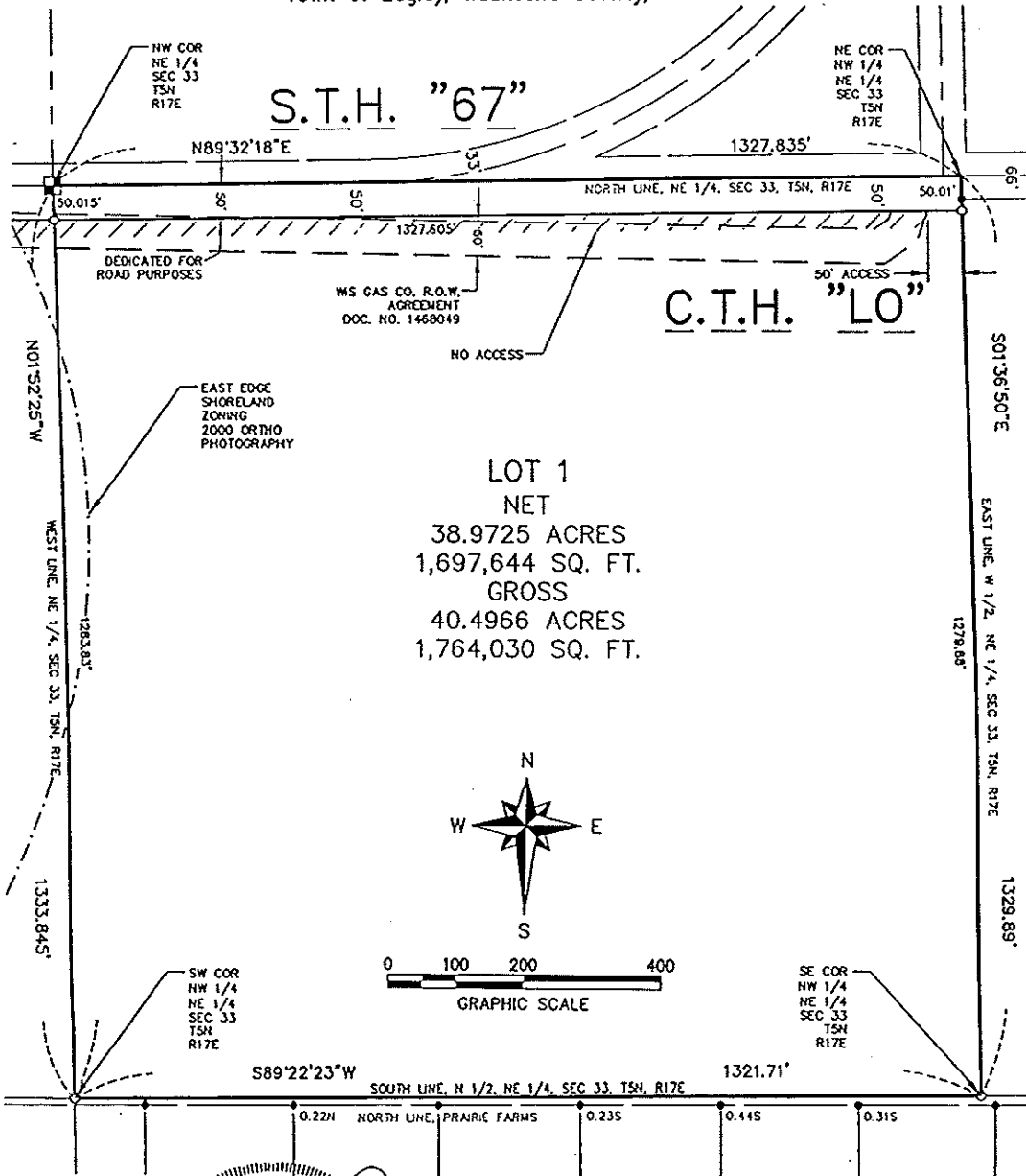
Richard A. Eberhardt, R.L.S. 1751

Dated this 3rd day of February, 2003.

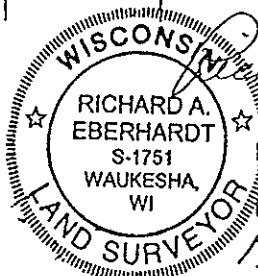
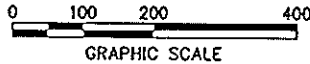


CERTIFIED SURVEY MAP NO - -----

Being a redivision of Out Lot 2, Certified Survey Map No. 6223, recorded on July 16, 1990 in Volume 51 of Certified Survey Maps on Pages 181-183 as Document No. 1602672 and other lands in the Northwest 1/4 of the Northeast 1/4 and part of the Northeast 1/4 of the Northwest 1/4 of Section 33, Town 5 North, Range 17 East, Village of Eagle (formerly the Town of Eagle), Waukesha County, Wisconsin.



LOT 1
NET
 38.9725 ACRES
 1,697,644 SQ. FT.
GROSS
 40.4966 ACRES
 1,764,030 SQ. FT.



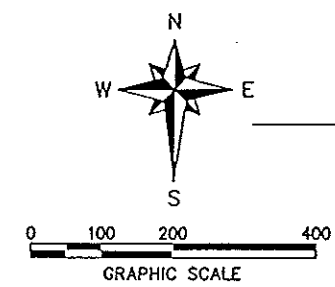
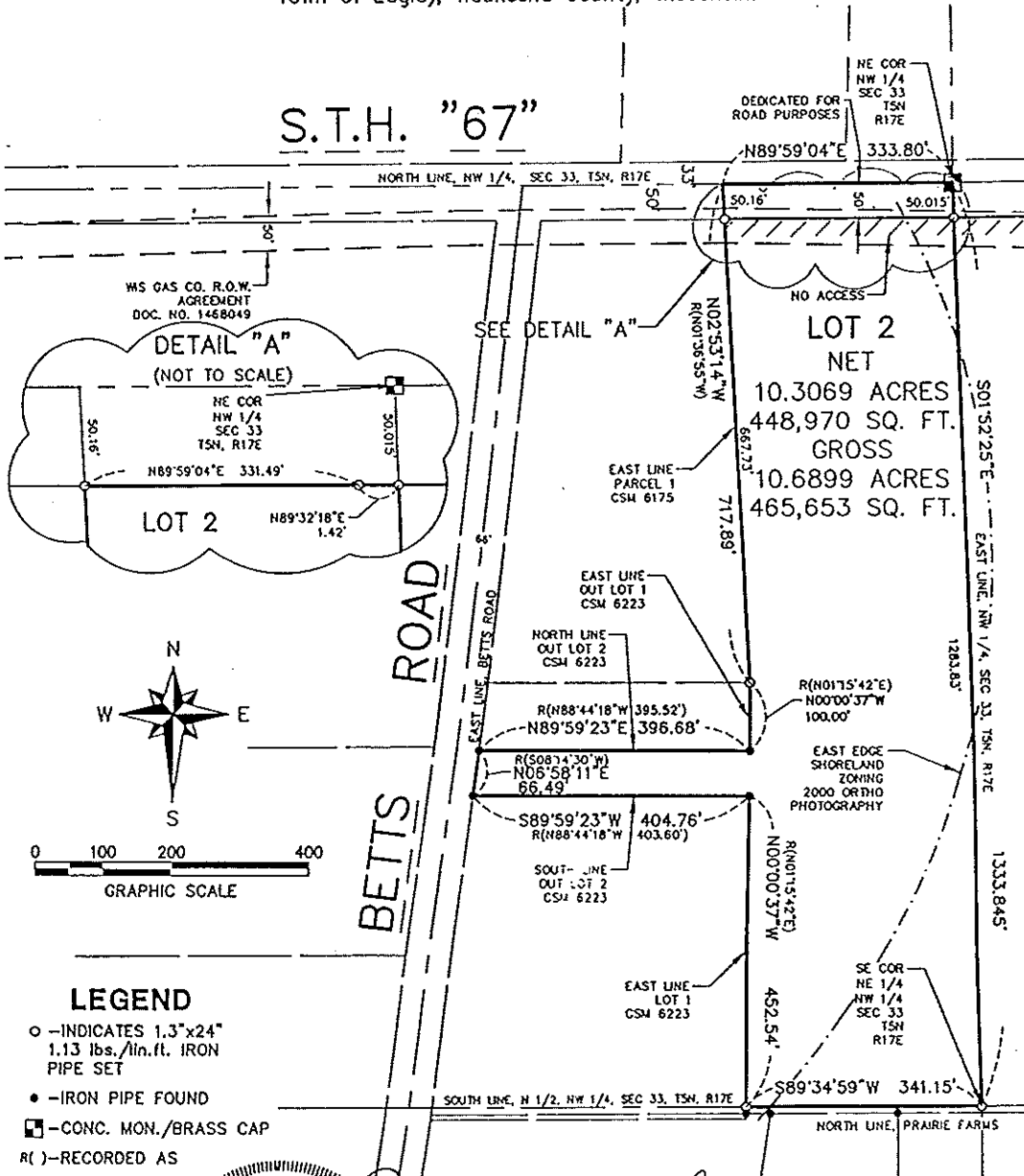
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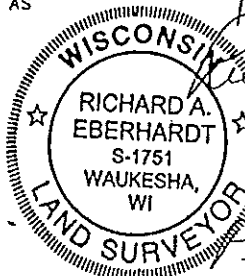
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LEGEND

- - INDICATES 1.3"x24" 1.13 lbs./lin.ft. IRON PIPE SET
- - IRON PIPE FOUND
- - CONC. MON./BRASS CAP
- R() - RECORDED AS



Richard A. Eberhardt

Richard A. Eberhardt, R.L.S. 1751

dated this 3rd day of February, 2003.

FILE # 1746

THIS INSTRUMENT WAS DRAFTED BY BRUCE K. CROSS

SHEET 3 OF 6

G:\land\0692042\0.org\com1746

CERTIFIED SURVEY MAP NO - _____

Being a redivision of Out Lot 2, Certified Survey Map No. 6223, recorded on July 16, 1990 in Volume 51 of Certified Survey Maps on Pages 181-183 as Document No. 1602672 and other lands in the Northwest 1/4 of the Northeast 1/4 and part of the Northeast 1/4 of the Northwest 1/4 of Section 33, Town 5 North, Range 17 East, Village of Eagle (formerly the Town of Eagle), Waukesha County, Wisconsin.

SURVEYOR'S CERTIFICATE

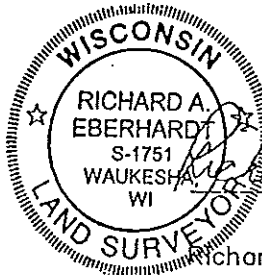
We, Ruekert & Mielke, Inc., Registered Land Surveyor's, do hereby certify that at the direction of the Owner(s), we have made this survey being a redivision of Out Lot 2, Certified Survey Map No. 6223, recorded on July 16, 1990 in Volume 51 of Certified Survey Maps on Pages 181, 182 and 183 as Document No. 1602672 and other lands in the Northwest 1/4 of the Northeast 1/4 and part of the Northeast 1/4 of Section 33, Town 5 North, Range 17 East, Village of Eagle (formerly the Town of Eagle), Waukesha County, Wisconsin, bounded and described as follows:

Commencing at the Northwest corner of the Northeast 1/4 of the aforesaid Section 33; thence N89°32'18"E along the North line of said Northeast 1/4 of Section 33, 1327.835 feet to the Northeast corner of the Northwest 1/4 of said Northeast 1/4 of Section 33; thence S01°36'50"E along the East line of the West 1/2 of said Northeast 1/4 of Section 33, 1329.89 feet to the Southeast corner of the Northwest 1/4 of said Northeast 1/4 of Section 33; thence S89°22'23"W along the South line of the North 1/2 of said Northeast 1/4 of Section 33, 1321.71 feet to the Southwest corner of the Northwest 1/4 of said Northeast 1/4 of Section 33; thence S89°34'59"W along the South line of the North 1/2 of said Northwest 1/4 of Section 33, 341.15 feet to the East line of Lot 1 of the aforesaid Certified Survey Map (C.S.M.) No. 6223; thence N00°00'37"W along the East line of said Lot 1, 452.54 feet to an iron pipe found and the South line of the aforesaid Out Lot 2, C.S.M. No. 6223; thence S89°59'23"W along the South line of said Out Lot 2, 404.76 feet to an iron pipe found and the East line of Belts Road; thence N06°58'11"E along the East line of said Belts Road, 66.49 feet to an iron pipe found and the North line of said Out Lot 2; thence N89°59'23"E along the North line of said Out Lot 2, 396.68 feet to an iron pipe found and the East line of Out Lot 1, said C.S.M. No. 6223; thence N00°00'37"W along the East line of said Out Lot 1, 100.00 feet to the Southeast corner of C.S.M. No. 6175, recorded on May 25, 1990 in Volume 51 of Certified Survey Maps on pages 24, 25 and 26 as Document No. 1593781; thence N02°53'14"W along the East line of said C.S.M. No. 6175, 717.89 feet to the North line of the aforesaid Northwest 1/4 of Section 33; thence N89°59'04"E along said North line, 333.80 feet to the point of beginning. Containing a 51.1865 acres (2,229,683 Sq. Ft.) more or less of land. Subject to covenants, conditions, restrictions and easements of record, excepting the North 50 feet dedicated for road purposes.

That we have made this survey, land division and map by the direction of the Village of Eagle, Owner(s) of said land.

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

That we have fully complied with the provisions of Chapter 236 or the Wisconsin Statutes and the Village of Eagle ordinances in surveying, dividing and mapping of same.



Richard A. Eberhardt

Richard A. Eberhardt, R.L.S. 1751

Dated this 3rd day of February, 2003.

CERTIFIED SURVEY MAP NO - _____

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OWNER'S CERTIFICATE OF DEDICATION

As Owner, the Village of Eagle does hereby certify that we caused said lands to be surveyed, divided, mapped and dedicated as shown on this map.

As Owner(s), also certify that this Certified survey Map must be submitted to the following for approval or objection: Village of Eagle, Wisconsin Department of Transportation, Waukesha County Department of Public Works.

"Except as shown on this map, all lots are hereby restricted so that no owner, possessor, user, licensee or other person may have any right of direct vehicular ingress or egress to any highway lying within the right-of-way of State Trunk Highway "67"; it is expressly intended that this restriction constitute a restriction for the benefit of the public as provided in s.236.293, Stats., and shall be enforceable by the department or its assigns. Any access shall be allowed only by special exception. Any access allowed by special exception shall be confirmed and granted only through the driveway permitting process and all permits are revocable."

Witness the hand and the seal of said Owner this 13th day of February, 2003.

Lynn Greenberg
Lynn Greenberg, President, Village of Eagle Board

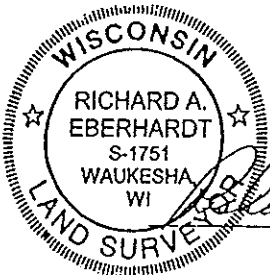
Shirley Mealy
Shirley Mealy, Clerk, Village of Eagle Board

STATE OF WISCONSIN }
COUNTY OF WASHINGTON } SS

Personally came before me this 13th day of February, 2003, the above named Lynn Greenberg and Shirley Mealy, to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

Shawn M. Neilly
Notary Public

Waukesha County, Wisconsin.



My commission expires is permanent

Richard A. Eberhardt

Richard A. Eberhardt, R.L.S. 1751

Dated this 3rd day of February, 2003.

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VILLAGE BOARD APPROVAL

Approved by the Village of Eagle Board on this 13th day of February, 2003

Lynn Greenberg
Lynn Greenberg, President

Shirley Mealy
Shirley Mealy, Clerk

PLANNING COMMISSION RESOLUTION

Approved by the Village of Eagle Planning Commission on this 13th day of

February 2003

Lynn Greenberg
Lynn Greenberg, Chairperson

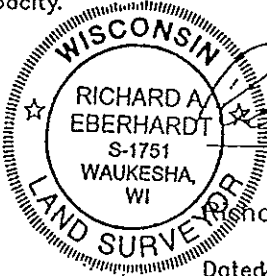
Shirley Mealy
Shirley Mealy, Secretary

HIGHWAY SETBACK RESTRICTIONS

"Except as shown on this map, no improvements or structures are allowed between the right-of-way line and the highway setback line. Improvements and structures include, but are not limited to, signs, parking areas, driveways, wells, septic systems, drainage facilities, buildings and retaining walls. It is expressly intended that this restriction is for the benefit of the public as provided in section 236.293, Wisconsin Statutes, and shall be enforceable by the Wisconsin Department of Transportation or its assigns. Contact the Wisconsin Department of Transportation for more information. The phone number may be obtained by contacting the County Highway Department."

NOISE STATEMENT

"The lots of this land division may experience noise at levels exceeding the levels in s. Trans 405.04, Table 1. These levels are based on federal standards. The Department of Transportation is not responsible for abating noise from existing state trunk highways or connecting highways, in the absence of any increase by the department to the highway's through-lane capacity."



Richard A. Eberhardt

Richard A. Eberhardt, R.L.S. 1751

Dated this 3rd day of February, 2003.