



December 16, 2016

Outagamie County
BRRTS #07-45-552735

ASHRE LLC
TOM PIENKA
901 DEMING WAY
MADISON WI 53717

ICONICARE LLC
PATRICK EAGAN
901 DEMING WAY
MADISON WI 53717

Subject: Conditional Case-by-Case Grant of Exemption for the Development of a Property Where Solid Waste has been Disposed, **Foremost Farms (Former)**, 935 E. John St., Appleton, Outagamie County, Wisconsin

Dear Messer's Pientka and Eagan:

We have reviewed your request dated October 25, 2016 and revised submittal dated November 21, 2016 for a grant of exemption from regulation under s. NR 506.085, Wis. Adm. Code. Based on that evaluation, the department is issuing this general grant of exemption from the prohibitions contained in s. NR 506.085, Wis. Adm. Code. You must comply with the conditions of this grant of exemption in order to maintain the exemption. This grant of exemption is limited to the proposed changes described in your application. If you are considering additional changes beyond those described in the application, a new application must be submitted to the department for approval.

Please review the information contained in the publication *Development at Historic Fill Sites and Licensed Landfills: Considerations and Potential Problems PUB-RR-685* to assist you in preventing environmental or safety problems during and after development. We would like to particularly draw your attention to the public safety risk posed by the explosive potential for methane gas that may be present on a property due to the presence of decomposing solid waste.

You are reminded that this approval does not relieve you of obligations to meet all other applicable federal, state and local permits, as well as zoning and regulatory requirements. If you have any questions concerning this letter, please contact Jennifer Borski in Oshkosh at 920-424-7887 or by email to jennifer.borski@wisconsin.gov.

Sincerely,

Roxanne N. Chronert
Team Supervisor, Northeast Region
Remediation & Redevelopment Program

c: Patrick Eagan, IconiCare, LLC – Patrick.eagan@iconicacreates.com
Paula Vandehey, City of Appleton – paula.vandehey@appleton.org
Karen Harkness, Appleton Redevelopment Authority – Karen.harkness@appleton.org
Brian Wayner, OMNNI Associates – brian.wayner@omnni.com
Jennifer Borski, DNR – Oshkosh/RR, jennifer.borski@wisconsin.gov
Alexis Heim, DNR – Green Bay/Waste, alexis.heim@wisconsin.gov
DNR File: Foremost Farms (Former), BRRTS #02-45-530084

Attachments:

Figure No. 3, Eagle Point Senior Living Site Detail Map by OMNNI Associates, dated
10/20/2016
Certified Survey Map No. 7281, Document #2089713

BEFORE THE
STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

CONDITIONAL GRANT OF EXEMPTION
FOR
DEVELOPMENT ON A PROPERTY
WHERE SOLID WASTE HAS BEEN DISPOSED

FINDINGS OF FACT

The department finds that:

1. The Appleton Redevelopment Authority owns the property located at 935 East John Street, Appleton, Outagamie County, Wisconsin. The property is 8.1 acres with parcel number 311077200 and is further described as Lots 1,2 and 3 of Certified Survey Map (CSM) No. 7281. See the attached *Figure No. 3, Eagle Point Senior Living Site Detail Map* by OMNNI Associates, dated 10/20/2016 for the property boundaries.
2. Solid waste including foundry sand, coal cinders and lead-bearing painted concrete has been disposed of at this property and remains at this property.
3. ASHRE, LLC and IconiCare, LLC have submitted a request dated October 25, 2016 and a revised request dated November 21, 2016 for an exemption from the prohibition in NR 506.085, Wis. Adm. Code. The request has been submitted under the seal of a professional engineer, professional geologist or hydrologist relating to the proposed development and the environmental conditions at the property.
4. Based upon the information provided to the department, the proposed development at the property is not expected to cause future exceedances of applicable soil and groundwater standards.
5. Additional documents considered in review of the exemption request include the following:
 - *Low Hazard Exemption for the Beneficial Use of Lead-Bearing Painted Concrete and Brick from Demolition of the Former Foremost Farms USA Facility, 935 E. John St., Appleton, Wisconsin*, by the department, dated March 4, 2009;
 - *Low Hazard Exemption for the Beneficial Reuse of On-Site Contaminated Soil at the Foremost Farms Redevelopment Project, 935 E. John St., Appleton, Outagamie County, Wisconsin, FID #445031510*, by the department, dated June 26, 2012;
 - GIS Registry packet for *Foremost Farms (Former)*, 935 E. John St., Appleton, BRRTS #02-45-530084, closed May 16, 2014;
 - *Soil and Waste Management Plan and Post Closure Modification Application, BRRTS ID #02-45-530084*, by OMNNI Assoc., dated October 24, 2016;
 - *Soil and Waste Management Plan - Revised, BRRTS ID #02-45-530084*, by OMNNI Assoc., dated November 17, 2016; and
 - *Certified Survey Map No. 7281, November 2, 2016*, Recorded with the Outagamie County Register of Deeds on November 11, 2016 as Document #2089713.

6. Additional facts relevant to the review of the grant of exemption modification request include the following:
- Certified Survey Map (CSM) No. 7281 has been created by OMNNI Associates for Iconica dated 09-14-16 and signed 11-2-16 that divides the property into three lots, recorded with the Outagamie County Register of Deeds on November 11, 2016 as Document #2089713 (see attached).
 - EP Development, Inc. is planning to purchase the property in 2017 and retain Lots 2 and 3 of CSM 7281. EP Development, Inc. intends to sell Lot 1 of CSM 7281 to ASHRE, LLC for development.
 - Iconica is the design-builder for the proposed development on Lot 1 of CSM 7281.
 - IconiCare, LLC is a developer that is part of ASHRE, LLC.
 - The Eagle Point Senior Living campus is proposed to be developed on Lot 1 of CSM 7281 in 2017, including installation of infrastructure and site grading on Lots 1, 2 and 3 of CSM 7281.
 - Lead-bearing painted (LBP) concrete disposed within the footprint of the former Foremost Farms building in 2011 and 2012 (spanning Lots 1 and 2) is not expected to be disturbed during redevelopment; however, the geotextile liner placed above the LBP concrete as a marker for redevelopment may be breached and a portion of the LBP concrete excavated and replaced as structural fill beneath the proposed building. If breached, the geotextile liner is not proposed to be replaced.
7. If the conditions set forth below are complied with, the development of the property will not result in environmental pollution as defined in ss. 289.01(8) and 299.01(4), Wis. Stats.

CONCLUSIONS OF LAW

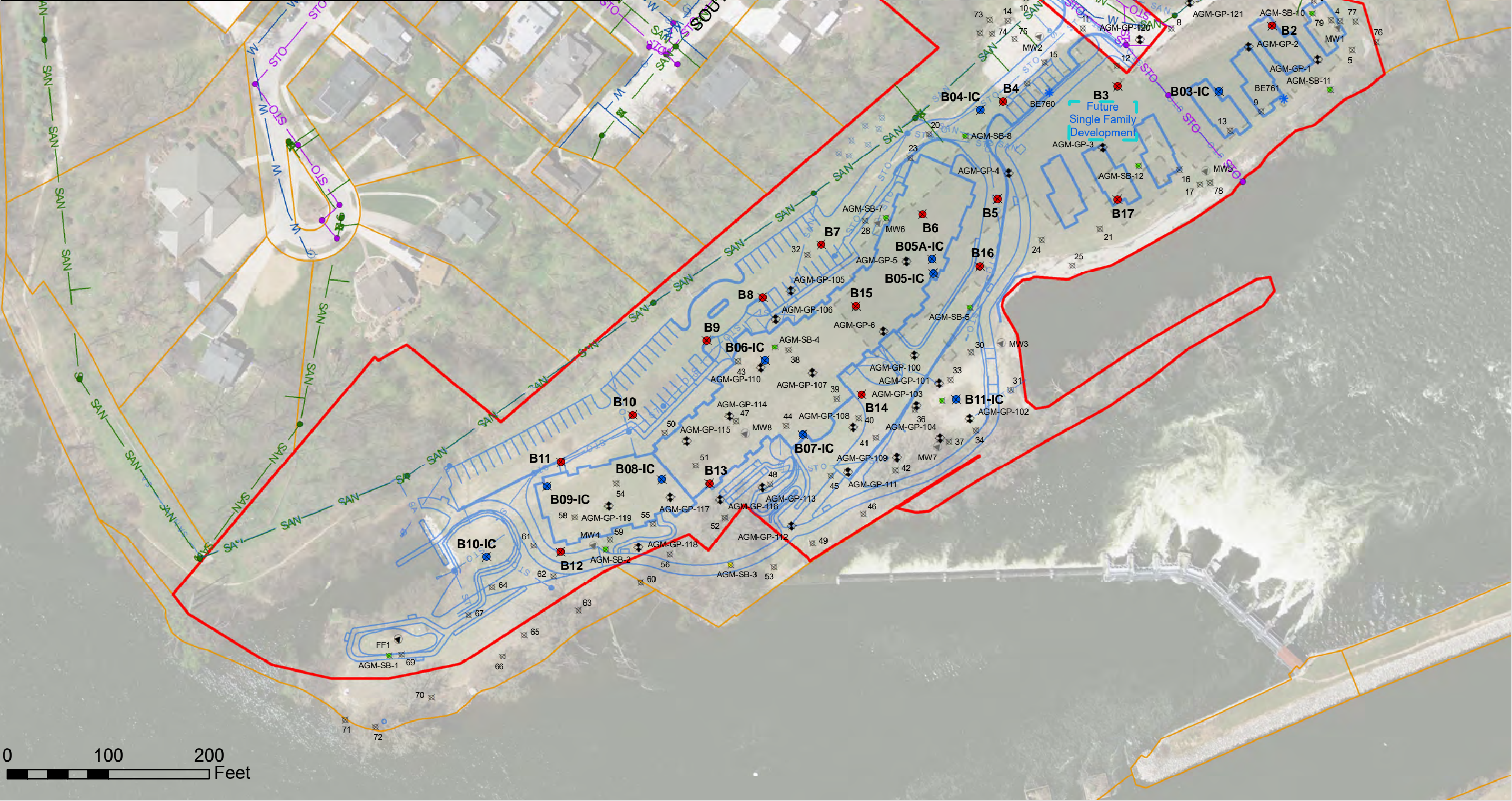
1. The department has the authority under s. NR 500.08(4), Wis. Adm. Code to issue an exemption from the prohibition in s. NR 506.085, Wis. Adm. Code, if the proposed development will not cause environmental pollution as defined in ss. 289.01(8) and 299.01(4), Wis. Stats.
2. The department has authority to approve a grant of exemption with conditions if the conditions are necessary to ensure compliance with the applicable provisions of chapters NR 500 to 538, Wis. Adm. Code, or to assure that environmental pollution will not occur.
3. The conditions set forth below are necessary to ensure compliance with the applicable provisions of chapters NR 500 to 538, Wis. Adm. Code, and to assure that environmental pollution will not occur.
4. In accordance with the foregoing, the department has the authority under s. NR 500.08(4), Wis. Adm. Code, to issue the following conditional grant of exemption.

CONDITIONAL GRANT OF EXEMPTION

The department hereby issues an exemption to from the prohibition in s. NR 506.085, Wis. Adm. Code for development on a property which contains solid waste as proposed in the submittal dated October 24, 2016 and revised submittal dated November 21, 2016, subject to the following conditions:

1. No action related to the development of the property may be taken which will cause a significant adverse impact on wetlands as provided in ch. NR 103, Wis. Adm. Code.
2. No action related to the development of the property may be taken which will cause a significant adverse impact on critical habitat areas, as defined in s. NR 500.03(55), Wis. Adm. Code.
3. No action related to the development of the property may be taken which will cause a detrimental effect on any surface water, as defined in s. NR 500.03(62), Wis. Adm. Code.
4. No action related to the development of the property may be taken which will cause a detrimental effect on groundwater, as defined in s. NR 500.03(62), Wis. Adm. Code, or will cause or exacerbate an attainment or exceedance of any preventive action limit or enforcement standard at a point of standards application as defined in ch. NR 140, Wis. Adm. Code.
5. No action related to the development of the property may be taken which will cause a migration and concentration of explosive gases in any structures in excess of 25% of the lower explosive limit for such gases at any time. No actions may be taken which will cause a migration and concentration of explosive gases in the soils outside of the limits of solid waste disposal within 200 feet of the property boundary or beyond the property boundary in excess of the lower explosive limit for such gases at any time. No actions may be taken which will cause a migration and concentration of explosive gases in the air outside of the limits of solid waste disposal within 200 feet of the landfill boundary or beyond the landfill property boundary in excess of the lower explosive limit for such gases at any time.
6. No action related to the development of the property may be taken which will cause an emission of any hazardous air contaminant exceeding the limitations for those substances contained in s. NR 445.03, Wis Adm. Code.
7. No action related to the development of the property may be taken which will cause an exceedance of a soil clean up standard established in accordance with ch. NR 720, Wis. Adm. Code.
8. This exemption shall transfer with changes in property ownership. In accordance with s.289.46(2), Wis. Stats., any person having or acquiring rights of ownership in land where a solid or hazardous waste disposal facility was previously operated may not undertake any activities on the land which interfere with the closed facility causing a significant threat to public health, safety or welfare. The department should be contacted to discuss any proposed changes to avoid activities that could violate the statute.
9. This grant of exemption is limited to the proposed changes described in your application. If you are considering additional changes beyond those described in the application, a new application must be submitted to the department for approval.
10. A post closure modification application and soil management plan under BRRTS #02-45-530084 must be prepared, reviewed and approved by the Remediation & Redevelopment (RR) Program for each phase of development prior to excavation. The soil management plan must address the potential for reuse of excavated solid waste (foundry sand, etc.) on the property.

Site	Historical Boring Locations (approx)	Former Building Extents (approx)
Parcels	Soil Boring	Soil Boring Locations (6/2016)
W Water Main	Geotechnical Boring	Soil Boring Locations (10/2014)
S Sanitary Sewer	Geotechnical/Environmental Boring	Soil Borings Locations (2/2013)
S Storm Sewer	Geoprobe Environmental Boring	
	Historical Well Locations (approx)	
	Abandoned Monitoring Well	
	Active Monitoring Well	
	Abandoned Water Well	



Project Manager: BDW
 Project Engineer: BDW
 Drawn By: JCW
 Checked By: BDW
 Date: 10/20/2016

**EAGLE POINT SENIOR LIVING
 SITE DETAIL MAP**

CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN



SCALE:
 1" = 100'
 PROJECT NO.
M1445C16
 FIGURE NO.
3

F:\municipal\Jobs\M1445C16 - IcomiCare - Foremost Dairy Redevelopment\GIS\HF-Site Detail Map_withLayout.mxd

2089713

Recorded

November 11, 2016 11:34 AM

OUTAGAMIE COUNTY
SARAH R VAN CAMP
REGISTER OF DEEDS

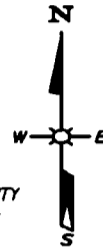
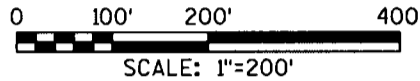
Fee Amount: \$30.00
Total Pages: 5

Volume 43 Page 7281

CERTIFIED SURVEY MAP NUMBER 7281

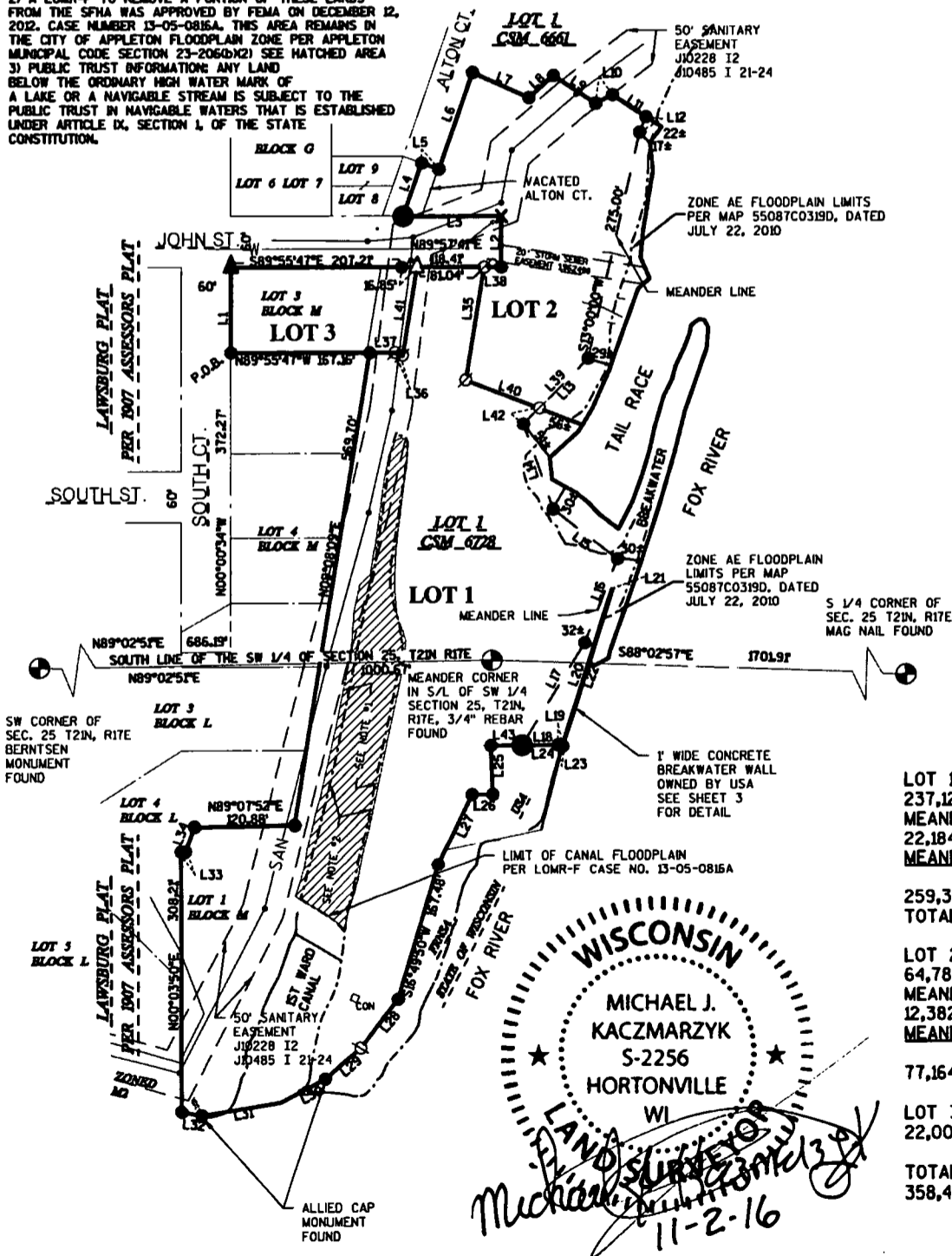
ALL OF LOT 1 CERTIFIED SURVEY MAP NO. 6728 RECORDED IN VOLUME 40 OF CERTIFIED SURVEY MAPS ON PAGE 6728 AS DOCUMENT NO. 2001520, BEING PART OF THE SOUTHWEST 1/4 OF SECTION 25 AND ALSO PART OF THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN

- ⊕ OUTAGAMIE COUNTY SECTION CORNER MONUMENT
- 1" IRON PIPE FOUND 1.3" O.D.
- 3/4" STEEL REBAR FOUND
- ▲ RAILROAD SPIKE FOUND
- ⊘ 3/4" x 24" STEEL REBAR SET WEIGHING 1502 LBS/LIN. FT.
- △ RAILROAD SPIKE SET
- ✕ MAG NAIL FOUND
- () RECORDED AS INFORMATION



BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, OUTAGAMIE COUNTY IN WHICH THE SOUTH LINE OF THE SW 1/4 OF SECTION 25, T21N R17E, RECORDED AS N89°02'51"E

NOTES:
 1) LANDS WITHIN THIS AREA ARE RESTRICTED BY DOCUMENT #1957426 OF THE OUTAGAMIE REGISTERS OFFICE.
 2) A LOMR-F TO REMOVE A PORTION OF THESE LANDS FROM THE SFHA WAS APPROVED BY FEMA ON DECEMBER 12, 2012, CASE NUMBER 13-05-0816A. THIS AREA REMAINS IN THE CITY OF APPLETON FLOODPLAIN ZONE PER APPLETON MUNICIPAL CODE SECTION 23-206.0X(2) SEE HATCHED AREA
 3) PUBLIC TRUST INFORMATION: ANY LAND BELOW THE ORDINARY HIGH WATER MARK OF A LAKE OR A NAVIGABLE STREAM IS SUBJECT TO THE PUBLIC TRUST IN NAVIGABLE WATERS THAT IS ESTABLISHED UNDER ARTICLE IX, SECTION 1, OF THE STATE CONSTITUTION.



LINE TABLE		
L1	N00°00'34"W	101.84'
L2	N00°07'39"E	60.00'
L3	S89°57'42"W	118.52'
L4	N19°31'44"E	66.64'
L5	S70°28'16"E	22.00'
L6	N19°31'44"E	121.23'
L7	S66°26'47"E	74.04'
L8	N48°53'38"E	39.18'
L9	S57°18'17"E	60.31'
L10	N63°54'32"E	22.80'
L11	S57°18'17"E	47.97'
L12	S22°43'30"W	19.80'
L13	S45°00'00"W	110.00'
L14	S19°28'10"E	107.44'
L15	S52°34'30"E	97.60'
L16	S21°21'17"W	108.16'
L17	S31°30'48"W	144.13'
L18	N89°29'08"E	42.92'
L19	S76°33'25"E	5.04'
L20	N17°41'41"E	197.71'
L21	S72°18'19"E	100'
L22	S17°41'41"W	197.64'
L23	N76°33'25"W	6.04'
L24	S89°29'08"W	80.70'
L25	S02°14'20"E	57.37'
L26	S89°42'11"W	25.00'
L27	S26°02'22"W	93.21'
L28	S37°56'51"W	73.49'
L29	S50°03'56"W	56.02'
L30	S62°44'10"W	59.82'
L31	S81°03'24"W	97.05'
L32	N79°29'29"W	24.71'
L33	N89°07'52"E	5.30'
L34	N19°19'59"E	31.96'
L35	N09°08'09"E	136.34'
L36	N69°13'55"W	10.59'
L37	N89°55'47"W	30.00'
L38	N89°57'41"E	20.52'
L39	S45°00'00"W	83.48'
L40	N69°13'55"W	93.87'
L41	N09°08'09"E	106.95'
L42	S45°00'00"W	26.52'
L43	S89°29'08"W	37.78'

LOT 1 AREA:
237,121 SQ FT 5.444 ACRES TO MEANDER LINE.
22,184 SQ FT± 0.509 ACRES± MEANDER LINE TO EDGE OF WATER.

259,305 SQ FT± 5.953 ACRES± TOTAL

LOT 2 AREA:
64,782 SQ FT 1.487 ACRES TO MEANDER LINE.
12,382 SQ FT± 0.284 ACRES± MEANDER LINE TO EDGE OF WATER.

77,164 SQ FT± 1.771 ACRES± TOTAL

LOT 3 AREA:
22,003 SQ FT 0.505 ACRES TOTAL

TOTAL AREA:
358,472 SQ FT± 8.229 ACRES±

WISCONSIN
 MICHAEL J. KACZMARZYK
 S-2256
 HORTONVILLE
 WI

Michael J. Kaczmarzyk
 11-2-16

DATE 09-14-16	DIRECTORY NO.
PROJECT NO. M1445B16	DRAFTED BY JLS
SHEET 1 OF 5	DRAWING NAME ERW-CSM

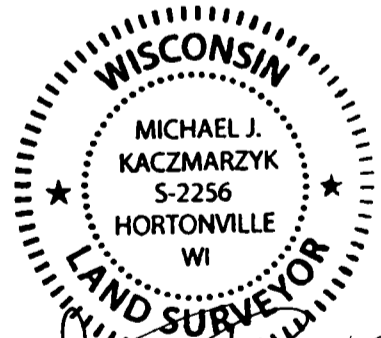
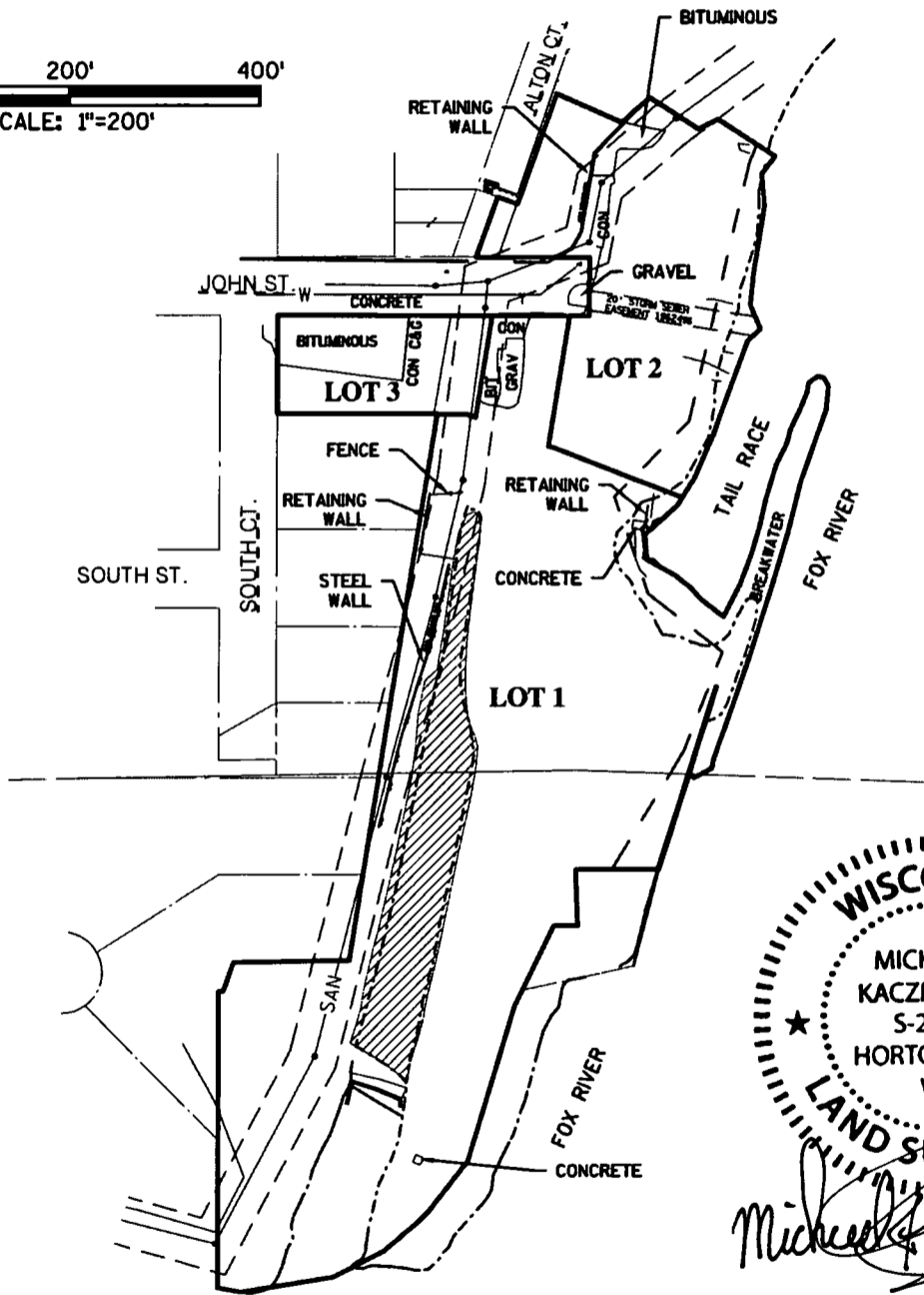
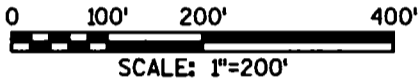
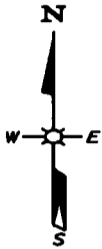
SURVEY FOR: ICONICA
901 DEMING WAY, MADISON WI 53717

OMNI
ASSOCIATES

OMNI ASSOCIATES
ONE SYSTEMS DRIVE
APPLETON, WI 54914
PHONE (920) 735-6900
FAX (920) 830-8100

CERTIFIED SURVEY MAP NUMBER 7281

DETAIL SHEET OF IMPROVEMENTS



Michael J. Kaczmarzyk
11-2-16

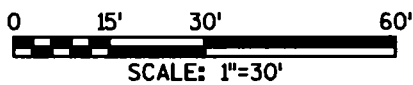
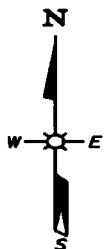
DATE 09-14-16	DIRECTORY NO. -----
PROJECT NO. M1445816	DRAFTED BY JLS
SHEET 2 OF 5	DRAWING NAME ERW-CSM

SURVEY FOR: **ICONICA**
901 DEMING WAY,
MADISON WI 53717

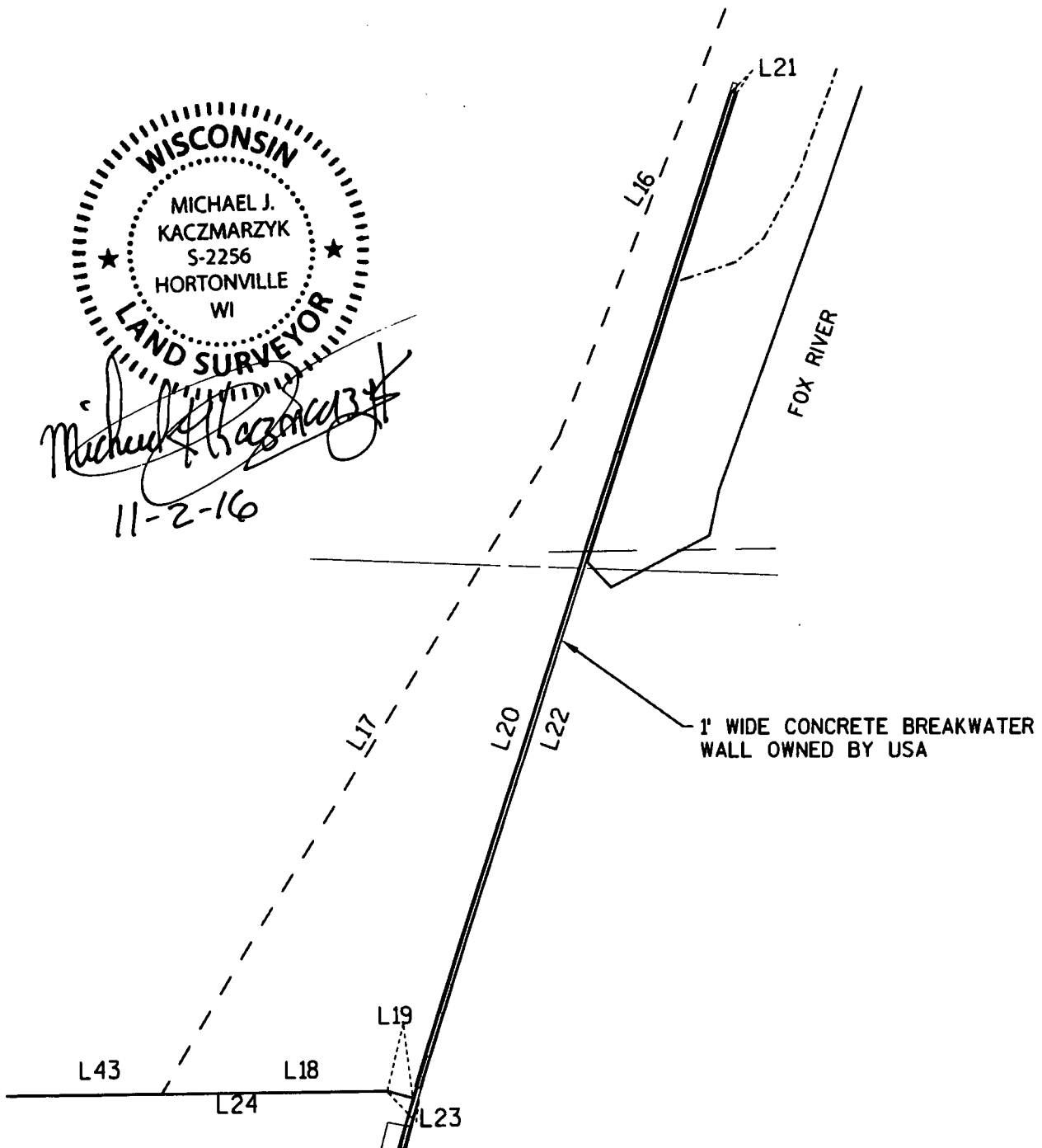
Omni ASSOCIATES
OMNI ASSOCIATES
ONE SYSTEMS DRIVE
APPLETON, WI 54914
PHONE (920) 735-6900
FAX (920) 630-6100

CERTIFIED SURVEY MAP NUMBER 7281

DETAIL SHEET



LINE TABLE		
L16	S2°21'17"W	108.16'
L17	S31°30'48"W	144.13'
L18	N89°29'08"E	42.92'
L19	S76°33'25"E	5.04'
L20	N17°41'41"E	197.71'
L21	S72°18'19"E	100'
L22	S17°41'41"W	197.64'
L23	N76°33'25"W	6.04'
L24	S89°29'08"W	80.70'
L43	S89°29'08"W	37.78'



DATE 09-14-16	DIRECTORY NO. -----
PROJECT NO. M1445B16	DRAFTED BY JLS
SHEET 3 OF 5	DRAWING NAME ERW-CSM

SURVEY FOR: **ICONICA**
 901 DEMING WAY,
 MADISON WI 53717

OMNI
 ASSOCIATES

OMNI ASSOCIATES
 ONE SYSTEMS DRIVE
 APPLETON, WI 54914
 PHONE (920) 735-6800
 FAX (920) 830-6100

CERTIFIED SURVEY MAP NUMBER 7281

SURVEYOR'S CERTIFICATE:

I, MICHAEL J. KACZMARZYK, WISCONSIN REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY:

THAT I HAVE SURVEYED, MAPPED AND DIVIDED AT THE DIRECTION OF ICONICARE ALL OF LOT 1 OF CERTIFIED SURVEY MAP #6728, RECORDED IN VOLUME 40 OF CERTIFIED SURVEY MAPS ON PAGE 6728 AS DOCUMENT #2001520 OF THE OUTAGAMIE COUNTY REGISTRY, BEING PART OF THE SOUTHWEST 1/4 OF SECTION 25 AND ALSO PART OF THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 25;
 THENCE NORTH 89°02'51" EAST 686.19 FEET ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 25 TO THE WEST LINE OF LOT 4, BLOCK "M" OF LAWSBURG PLAT;
 THENCE NORTH 00°00'34" WEST 372.27 FEET ALONG THE WEST LINE OF SAID LOT 4 TO THE NORTHWEST CORNER THEREOF AND ALSO THE BEING THE POINT OF BEGINNING;
 THENCE CONTINUING NORTH 00°00'34" WEST 101.84 FEET ALONG THE WEST LINE OF LOT 3 OF SAID BLOCK "M" TO THE NORTHWEST CORNER OF SAID LOT 3;
 THENCE SOUTH 89°55'47" EAST 207.21 FEET ALONG THE SOUTH LINE OF JOHN STREET;
 THENCE NORTH 89°57'41" EAST 118.41 FEET ALONG THE SOUTH LINE OF SAID JOHN STREET;
 THENCE NORTH 00°07'39" EAST 60.00 FEET ALONG THE EAST LINE OF SAID JOHN STREET;
 THENCE SOUTH 89°57'41" WEST 118.52 FEET ALONG THE NORTH LINE OF SAID JOHN STREET TO THE CENTERLINE OF VACATED ALTON COURT;
 THENCE NORTH 19°31'44" EAST 66.64 FEET ALONG THE CENTERLINE OF VACATED ALTON COURT;
 THENCE SOUTH 70°28'16" EAST 22.00 FEET ALONG THE NORTHERLY LINE OF THE EAST 1/2 OF VACATED ALTON COURT;
 THENCE NORTH 19°31'44" EAST 121.23 FEET ALONG THE EASTERLY LINE OF ALTON COURT;
 THENCE SOUTH 66°26'47" EAST 74.04 FEET; THENCE NORTH 48°53'38" EAST 39.18 FEET;
 THENCE SOUTH 57°18'17" EAST 60.31 FEET; THENCE NORTH 63°54'32" EAST 22.80 FEET;
 THENCE SOUTH 57°18'17" EAST 47.97 FEET TO A MEANDER CORNER WHICH IS NORTH 57°18'17" WEST 22 FEET MORE OR LESS FROM THE ORDINARY HIGH WATER MARK OF THE FOX RIVER;
 THENCE SOUTH 22°43'30" WEST 19.80 FEET ALONG A MEANDER LINE TO A MEANDER CORNER WHICH IS NORTH 57°18'17" WEST 17 FEET MORE OR LESS FROM THE ORDINARY HIGH WATER MARK OF THE FOX RIVER;
 THENCE SOUTH 13°00'00" WEST 275.00 FEET ALONG A MEANDER LINE TO A MEANDER CORNER WHICH IS NORTH 81° WEST 29 FEET MORE OR LESS FROM THE ORDINARY HIGH WATER MARK OF THE FOX RIVER;
 THENCE SOUTH 45°00'00" WEST 110.00 FEET ALONG A MEANDER LINE TO A MEANDER CORNER WHICH IS NORTH 45° WEST 51 FEET MORE OR LESS FROM THE ORDINARY HIGH WATER MARK OF THE FOX RIVER;
 THENCE SOUTH 19°28'10" EAST 107.44 FEET ALONG A MEANDER LINE TO A MEANDER CORNER WHICH IS SOUTH 35° WEST 30 FEET MORE OR LESS FROM THE ORDINARY HIGH WATER MARK OF THE FOX RIVER;
 THENCE SOUTH 52°34'30" EAST 97.60 FEET ALONG A MEANDER LINE TO A MEANDER CORNER WHICH IS NORTH 52°34'30" WEST 30 FEET MORE OR LESS FROM THE ORDINARY HIGH WATER MARK OF THE FOX RIVER;
 THENCE SOUTH 21°21'17" WEST 108.16 FEET ALONG A MEANDER LINE TO A MEANDER CORNER WHICH IS NORTH 71°40' WEST 32 FEET MORE OR LESS FROM THE ORDINARY HIGH WATER MARK OF THE FOX RIVER;
 THENCE SOUTH 31°30'48" WEST 144.13 FEET (RECORDED AS 144.41 FEET) ALONG A MEANDER LINE TO THE END OF SAID MEANDER LINE;
 THENCE NORTH 89°29'08" EAST 42.92 FEET TO AN EXISTING 3/4" REBAR LOCATED AT THE NORTHWESTERLY CORNER OF GRANITE (CONCRETE) STEPS TO THE DAM ACCESS;
 THENCE SOUTH 76°33'25" EAST 5.04 FEET (RECORDED AS 4.91 FEET) ALONG THE FACE OF SAID STEPS TO THE WESTERLY EDGE OF A 100 FOOT WIDE CONCRETE RETAINING WALL;
 THENCE NORTH 17°41'41" EAST 197.71 FEET ALONG THE WESTERLY EDGE OF SAID CONCRETE RETAINING WALL;
 THENCE SOUTH 72°18'19" EAST 100 FEET ALONG THE EDGE OF SAID CONCRETE RETAINING WALL;
 THENCE SOUTH 17°41'41" WEST 197.64 FEET ALONG THE EASTERLY EDGE OF SAID CONCRETE RETAINING WALL;
 THENCE NORTH 76°33'25" WEST 6.04 FEET ALONG THE FACE OF SAID STEPS TO AN EXISTING 3/4" REBAR;
 THENCE SOUTH 89°29'08" WEST 80.70 FEET; THENCE SOUTH 02°14'20" EAST 57.37 FEET; THENCE SOUTH 89°42'11" WEST 25.00 FEET;
 THENCE SOUTH 26°02'22" WEST 93.21 FEET; THENCE SOUTH 16°49'50" WEST 167.48 FEET; THENCE SOUTH 37°56'51" WEST 73.49 FEET;
 THENCE SOUTH 50°03'56" WEST 56.02 FEET; THENCE SOUTH 62°44'10" WEST 59.82 FEET; THENCE SOUTH 81°03'24" WEST 97.05 FEET;
 THENCE NORTH 79°29'29" WEST 24.71 FEET (RECORDED AS 24.75 FEET) TO THE WEST LINE OF SAID BLOCK "M";
 THENCE NORTH 00°03'50" EAST 308.21 FEET ALONG THE WEST LINE OF SAID BLOCK "M";
 THENCE NORTH 89°07'52" EAST 5.30 FEET;
 THENCE NORTH 19°19'59" EAST 31.96 FEET;
 THENCE NORTH 89°07'52" EAST 120.88 FEET ALONG THE SOUTH LINE OF SAID LOT 4 TO THE SOUTHEAST CORNER THEREOF;
 THENCE NORTH 09°08'09" EAST 569.70 FEET (RECORDED AS 569.95 FEET) TO THE SOUTHEAST CORNER OF LOT 3 OF SAID BLOCK "M";
 THENCE NORTH 89°55'47" WEST 167.16 FEET ALONG THE SOUTH LINE OF SAID LOT 3 TO THE POINT OF BEGINNING.
 CONTAINING 358,472 SQUARE FEET (8.229 ACRES) MORE OR LESS.
 INCLUDING ALL THOSE LANDS BETWEEN THE AFORE DESCRIBED MEANDER LINE AND THE FOX RIVER. EXCLUDING THE 1' X 197.7' MORE OR LESS CONCRETE RETAINING/BREAKWATER WALL OWNED BY THE USA, SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

THAT I HAVE FULLY COMPLIED WITH CHAPTER 236.34 OF THE WISCONSIN STATUTES AND WITH THE CITY OF APPLETON SUBDIVISION ORDINANCE IN SURVEYING, DIVIDING AND MAPPING THE SAME. THAT THIS MAP IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE DIVISION THEREOF.

GIVEN UNDER MY HAND THIS 2ND DAY OF NOVEMBER, 2016

Michael J. Kaczmarzyk
 MICHAEL J. KACZMARZYK, WISCONSIN REGISTERED LAND SURVEYOR, S-2256



DATE 09-14-16	DIRECTORY NO. -----
PROJECT NO. M1445B16	DRAFTED BY JLS
SHEET 4 OF 5	DRAWING NAME ERW-CSM

SURVEY FOR: ICONICA
901 DEMING WAY, MADISON WI 53717



CERTIFIED SURVEY MAP NUMBER 7281

OWNER'S CERTIFICATE:

THE REDEVELOPMENT AUTHORITY OF THE CITY OF APPLETON DOES HEREBY CERTIFY THAT WE CAUSED THE LAND DESCRIBED TO BE SURVEYED, DIVIDED, AND MAPPED ALL AS SHOWN AND REPRESENTED ON THIS MAP

Karen E. Harkness
KAREN E. HARKNESS, EXECUTIVE DIRECTOR

Nov. 3, 2016
DATE

STATE OF WISCONSIN:

SS

OUTAGAMIE COUNTY:

PERSONALLY CAME BEFORE ME THIS 3rd DAY OF November, 2016, THE ABOVE NAMED TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

Nancy A. Kohlman
NOTARY PUBLIC COUNTY, WISCONSIN
MY COMMISSION EXPIRES 6/19/20

TREASURER'S CERTIFICATE:

WE HEREBY CERTIFY THAT THERE ARE NO UNREDEEMED TAX SALES, NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS ON ANY OF THE LANDS INCLUDED IN THIS CERTIFIED SURVEY MAP.

Anthony D. Larson
CITY TREASURER

11/8/16
DATED

Anna M. Mufson
COUNTY TREASURER

11/11/16
DATED

CITY OF APPLETON APPROVAL:

THIS CERTIFIED SURVEY MAP HAS BEEN REVIEWED AND ACCEPTED BY THE CITY OF APPLETON.

[Signature]
MAYOR 11/7/16
DATED

Kami Gynn
CITY CLERK 11/07/2016
DATED

RECORDED INSTRUMENTS:

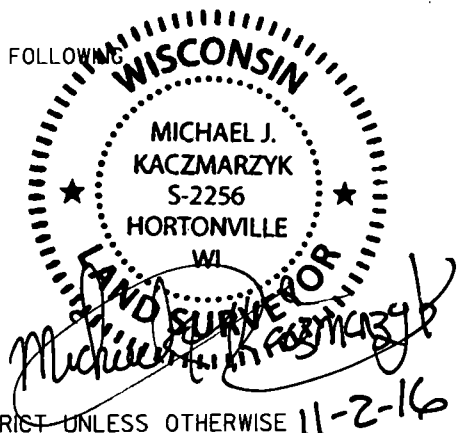
THIS CERTIFIED SURVEY MAP IS CONTAINED WITHIN THE PROPERTY DESCRIBED IN THE FOLLOWING RECORDED INSTRUMENTS.

OWNERS OF RECORD
REDEVELOPMENT AUTHORITY
OF APPLETON

RECORDING INFORMATION
DOCUMENT NUMBER 2002104

NOTES:

- 1) THIS CERTIFIED SURVEY MAP IS ALL OF TAX PARCEL 31-1-0772-00.
- 2) SUBJECT PROPERTY IS CURRENTLY ZONED R3 MULTIFAMILY DISTRICT.
- 3) ALL ADJOINING PROPERTIES ARE ZONED R-1C CENTRAL CITY RESIDENTIAL DISTRICT UNLESS OTHERWISE NOTED. 11-2-16



DATE 09-14-16	DIRECTORY NO.
PROJECT NO. M1445816	DRAFTED BY JLS
SHEET 5 OF 5	DRAWING NAME ERW-CSM

SURVEY FOR: ICONICA
901 DEMING WAY, MADISON WI 53717

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APPLETON, WI 54914
PHONE (920) 735-6900
FAX (920) 830-6100