

TOWN OF GRAND CHUTE
SANITARY DISTRICT NO. 1 & 2
(OUTAGAMIE COUNTY, WISCONSIN)

FINAL RESOLUTION SD12-04-2018

WHITETAIL WAY SANITARY SEWER & WATER MAIN EXTENSION

A FINAL RESOLUTION AUTHORIZING SPECIAL ASSESSMENTS FOR WATER AND SEWER MAIN INSTALLATION LOCATED ON WHITETAIL WAY IN SECTION 31, T21N, R17E AS LOCATED IN THE TOWN OF GRAND CHUTE, AND LEVYING SPECIAL ASSESSMENTS AGAINST SPECIALLY ABUTTING PROPERTY OWNERS OR ON AN AREA WIDE BASIS TO SPECIFICALLY BENEFITING PROPERTY OWNERS UNDER CHAPTER 60 AND 66.0703(1)(b), ET AL, POLICE POWERS, WIS. STATS., 2015-16 AS AMENDED.

WHEREAS, the Board of Commissioners of the Town of Grand Chute Sanitary District No. 1 & 2, Outagamie County, Wisconsin, did pass a Preliminary Resolution 2 Series of 2018, on the 5th day of April, 2018, declaring its intention to exercise special assessment powers under Wisconsin Statutes, Chapters 60 and 66, for the construction and installation of water and sewer main as shown on Exhibits "A" and "B" and did publish the required statutory Notice of Public Hearing on Special Assessments in the Post-Crescent, and did further mail a copy of said Notice of Public Hearing to abutting property owners or area wide property owners within the required statutory time, including a scale map of the project; and,

WHEREAS, the specially abutting property owners or area wide specifically benefiting property owners affected by the water and sewer main installation are those owners of real estate within the area described in the preceding paragraph; and,

WHEREAS, the Board of Commissioners of the Town of Grand Chute Sanitary District No. 1 & 2, Outagamie County, Wisconsin, did hold a Public Hearing at the Town of Grand Chute Town Hall, 1900 W. Grand Chute Blvd., Grand Chute, Outagamie County, Wisconsin, on the 1st day of May, 2018, at 6:30 P.M., pursuant to the published Notice of Public Hearing and a mailing of said Notice to abutting property owners or area wide benefiting property owners, for the purpose of informing and hearing all interested persons concerning the Preliminary Resolution and the Report of the District Engineers on the proposed improvements of water and sewer main installation, and did hear all persons desiring audience at said hearing.

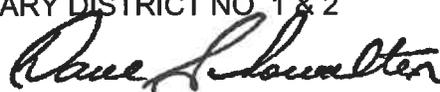
NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Grand Chute Sanitary District No. 1 & 2, Outagamie County, Wisconsin, as follows:

1. That the Report of the District Engineers for said Town of Grand Chute Sanitary District No. 1 & 2 pertaining to the construction and installation of the above-described public improvements, being of water and sewer main installation, and all plans and specifications thereto, as modified, is hereby approved and adopted, and that the properties being assessed are specially benefited by this project.
2. That the Town of Grand Chute Sanitary District No. 1 & 2 is hereby directed and delegated to carry out the work of said improvements in accordance with the Report of the District Engineers.

3. That payment of said improvements be made by assessing the cost to the specially abutting property owners or to specifically benefiting property owners on an area wide basis under Chapters 60 and 66.0703(1)(b), et al, Wis. Stats., 2013-14 as amended.
4. That the Town of Grand Chute Sanitary District No. 1 & 2 has approved an Agreement for Recapture of Expenses, which agreement establishes that the above-described public improvements are to be constructed and installed through a developer-funded private contract, and that said developer is further directed to carry out the work for said improvements, all as aforementioned.
5. That all costs to specially benefiting area property owners shown on the Report of the District Engineers, as modified, are true and correct, have been determined on a reasonable basis, and are hereby confirmed. That all assessments are determined to specifically benefit the real estate in an area being served by the stormwater conveyance route.
6. That the assessments shall be paid in full at due date, or in installments as provided in Town of Grand Chute Special Assessment Policy with all deferred payments to bear interest at the current borrowing rate for this project of the Town of Grand Chute Sanitary District No. 1 & 2 plus two (2) percent for administrative charges, which resulting sum will be charged per annum on the unpaid balance. Installments or assessments not paid when due shall bear interest from the delinquent date at the rate of eighteen (18) percent per annum.
7. That those special assessments levied, identified on the Engineer's Report as "Recapture Agreement or Deferred" shall be deferred until such time as hookups to the system occur. In accordance with the Town Special Assessment Policy Rev. 2013 section II.C and/or VI.C, the property owner may defer hookup for up to 10 years following completion of the public system if the property has previously installed private facilities. Should the private facilities fail or need replacement during the deferral period, hookup shall be immediate and payment may be immediate or in accordance with Section III.B.4 and/or VI.B.4. That interest charges for those properties shall also be deferred until such time as hookups occur.
8. The Commission Secretary of the Town of Grand Chute Sanitary District No. 1 & 2 shall further mail a copy of this Final Resolution and a statement of the final assessment against specially abutting property owners or to area wide specifically benefiting property, to each property owner whose name appears on the assessment roll and whose post office address is known or can, with reasonable diligence, be ascertained. This assessment may be revised, where necessary, pursuant to Chapter 66, Wis. Stats.

Date introduced, approved and adopted this 15 day of May, 2018.

TOWN OF GRAND CHUTE
SANITARY DISTRICT NO. 1 & 2



Dave Schowalter
Commission President



Karen L. Weinschrott
Commission Secretary

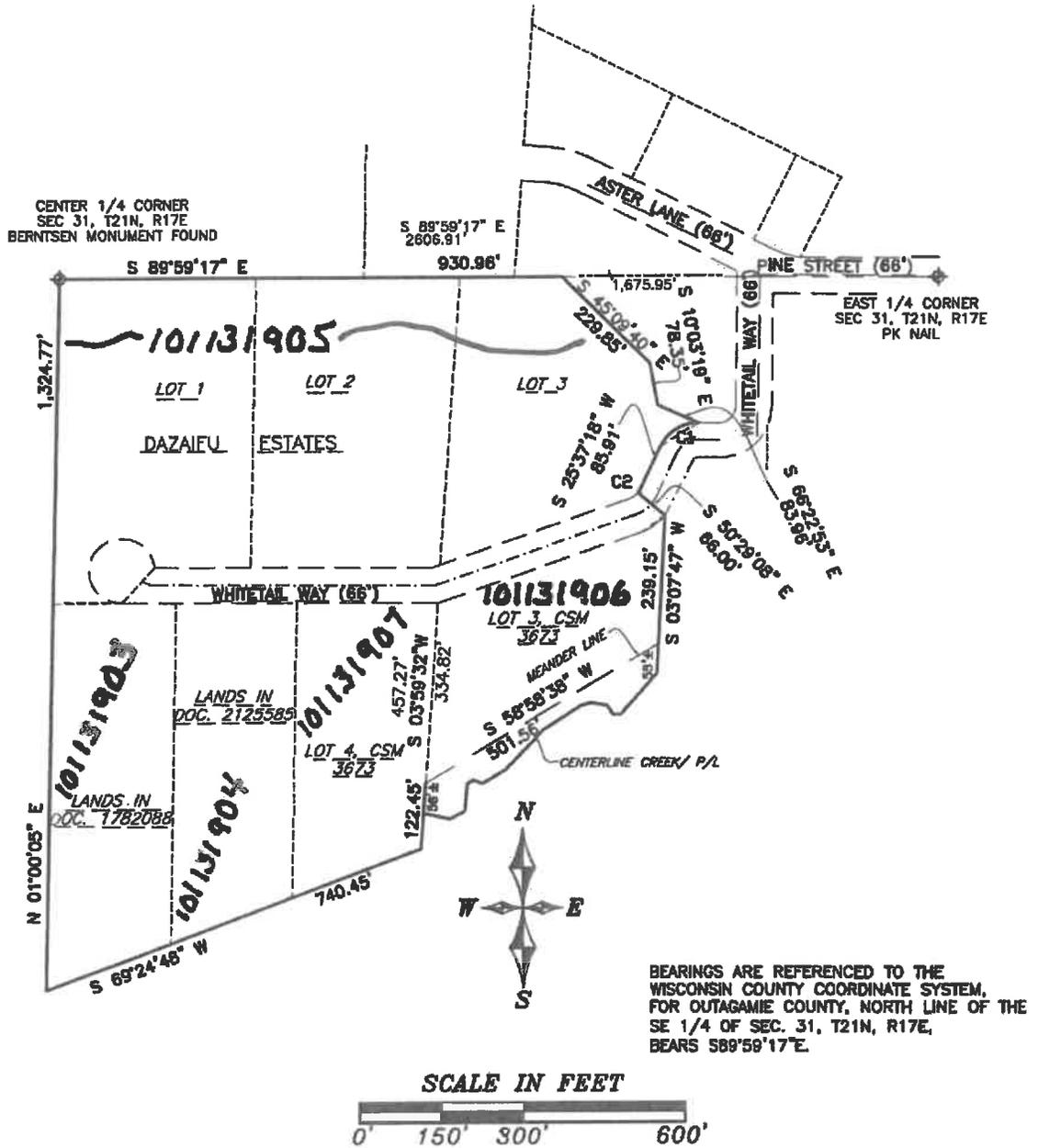
Exhibit A

LEGAL DESCRIPTION

ALL OF DAZAIFU ESTATES, A SUBDIVISION OF RECORD, ALL OF LOTS THREE (3) AND FOUR (4) OF CERTIFIED SURVEY MAP NO. 3673 AS RECORDED IN VOLUME 19 OF CERTIFIED SURVEY MAPS ON PAGE 3673 AS DOCUMENT NO. 1355813, PART OF WHITETAIL WAY, AND PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 AND PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST ALL BEING IN SECTION 31, TOWNSHIP 21 NORTH, RANGE 17 EAST, TOWN OF GRAND CHUTE, OUTAGAMIE COUNTY, WISCONSIN AND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 31; THENCE NORTH 89 DEGREES 59 MINUTES 17 SECONDS WEST, ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 31, A DISTANCE OF 1,675.95 FEET TO THE NORTHEAST CORNER OF DAZAIFU ESTATES, BEING THE POINT OF BEGINNING; THENCE SOUTH 45 DEGREES 09 MINUTES 40 SECONDS EAST, ALONG THE EASTERLY LINE OF DAZAIFU ESTATES, 229.85 FEET; THENCE SOUTH 10 DEGREES 03 MINUTES 19 SECONDS EAST 78.35 FEET, ALONG SAID EASTERLY LINE; THENCE SOUTH 68 DEGREES 22 MINUTES 53 SECONDS EAST 83.98 FEET, ALONG SAID EASTERLY LINE; THENCE ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF WHITETAIL WAY 69.47 FEET, ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 79.70 FEET AND A CHORD THAT BEARS SOUTH 56 DEGREES 11 MINUTES 28.5 SECONDS WEST 84.84 FEET; THENCE SOUTH 25 DEGREES 37 MINUTES 18 SECONDS WEST, ALONG THE NORTHERLY LINE OF WHITETAIL WAY, 85.91 FEET; ; THENCE ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF WHITETAIL WAY 8.99 FEET, ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 37.00 FEET AND A CHORD THAT BEARS SOUTH 32 DEGREES 34 MINUTES 24 SECONDS WEST 8.94 FEET; THENCE SOUTH 50 DEGREES 29 MINUTES 08 SECONDS EAST 66.00 FEET; THENCE SOUTH 03 DEGREES 07 MINUTES 47 WEST, ALONG THE EAST LINE OF LOT THREE (3) OF SAID CERTIFIED SURVEY MAP NUMBER 3673, A DISTANCE OF 239.15 FEET TO THE BEGINNING OF A MEANDER LINE, SAID POINT BEING 65 FEET, MORE OR LESS, NORTH 03 DEGREES 07 MINUTES 47 SECONDS EAST OF THE CENTERLINE OF AN UNNAMED CREEK; THENCE SOUTH 58 DEGREES 58 MINUTES 38 SECONDS WEST, ALONG SAID MEANDER LINE, 501.56 FEET TO THE TERMINATION OF SAID MEANDER LINE, SAID POINT BEING 50 FEET, MORE OR LESS, NORTH 03 DEGREES 59 MINUTES 32 SECONDS EAST OF SAID CREEK CENTERLINE; THENCE SOUTH 03 DEGREES 59 MINUTES 32 SECONDS WEST, ALONG THE EAST LINE OF LOT FOUR (4) OF SAID CERTIFIED SURVEY MAP NUMBER 3673, A DISTANCE OF 122.45 FEET TO THE SOUTHEAST CORNER OF SAID LOT FOUR (4); THENCE SOUTH 89 DEGREES 24 MINUTES 48 SECONDS WEST, ALONG THE SOUTHERLY LINE OF SAID LOT FOUR (4) AND ALONG THE SOUTHERLY LINE OF LANDS DESCRIBED IN DOCUMENTS 2125585 AND 1782088, A DISTANCE OF 740.45 FEET, MORE OR LESS, TO THE SOUTHWEST CONER OF LANDS DESCRIBED IN DOCUMENT NO. 1782088; THENCE NORTH 01 DEGREE 00 MINUTES 05 SECONDS EAST, ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 31, A DISTANCE OF 1,324.77 FEET MORE OR LESS TO THE CENTER 1/4 OF SAID SECTION 31; THENCE SOUTH 89 DEGREES 59 MINUTES 17 SECONDS EAST, ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 31, A DISTANCE OF 830.96 FEET TO THE POINT OF BEGINNING, CONTAINING 1,118,100 SQUARE FEET (27.11 ACRES) OF LAND, MORE OR LESS, INCLUDING THOSE LANDS LYING BETWEEN THE MEANDER LINE AND THE CENTERLINE OF THE UNNAMED CREEK IN LOT 3, OF SAID CERTIFIED SURVEY MAP NUMBER 3673 AND SUBJECT TO ALL EASEMENTS, AND RESTRICTIONS OF RECORD.

Exhibit B



CURVE DATA TABLE

NUMBER	DELTA ANGLE	CHORD DIRECTION	RADIUS	ARC LENGTH	CHORD LENGTH	TAN. BEAR. IN	TAN. BEAR. OUT
C1	64°19'05"	S58°11'28.5"W	79.70'	89.47'	84.84'	N89°38'59"W	S26°01'56"W
C2	13°54'56"	S32°34'24"W	37.00'	8.98'	8.94'	S25°37'18"W	S39°32'14"W

TOWN OF GRAND CHUTE
Final Schedule of Assessments
Whitetail Way Sanitary Sewer and Water Main Extension

Property Owner	Property Address	Parcel Number	Total Assessment/Status
Abitz, Daniel L. & Patricia Rev Trust	5239 W. Whitetail Way	101131903	\$22,180.92 Recapture Agreement (Deferred)
Frank, Gary A. Living Trust	5211 W. Whitetail Way	101131904	\$22,180.92 Recapture Agreement (Deferred)
Nakashima, Hiroyuki & Vicki	W. Whitetail Way – Lot 1	101131905	\$22,180.92 Recapture Agreement (See Note 1)
Nakashima, Hiroyuki & Vicki	W. Whitetail Way – Lot 2	101131905	\$22,180.92 Recapture Agreement (See Note 1)
Nakashima, Hiroyuki & Vicki	W. Whitetail Way – Lot 3	101131905	\$22,180.92 Recapture Agreement (See Note 1)
Abitz Family Trust	W. Whitetail Way	101131906	\$22,180.92 Recapture Agreement (Deferred)
Van Ryzin, Daniel & Lauren.	W. Whitetail Way	101131907	\$22,180.92 Recapture Agreement (Deferred)
			\$155,266.44

Note 1: Under the terms of the Whitetail Way Agreement for Recapture of Expenses, assessment amounts allocated to Lots 1, 2 and 3 of Parcel 101131905 are prepaid through Developer-funded utility installation contract.