

ORDINANCE NO. 2014-08

**FIRST AMENDMENT TO ORDINANCE 2012-08 ESTABLISHING A
PLANNED DEVELOPMENT DISTRICT FOR PART OF PARCEL AL-50-9-1
LOCATED AT 289 EAST ST. JOSEPH STREET N/K/A AL-50-6,
279 EAST ST. JOSEPH STREET IN THE VILLAGE OF
ALLOUEZ, BROWN COUNTY, WISCONSIN
(RESIDENTIAL CARE APARTMENT COMPLEX)**

WHEREAS, on July 17, 2012, the Village Board of the Village of Allouez adopted Ordinance 2012-08 Establishing a Planned Development District which is more particularly described as follows: See a copy of Certified Survey Map recorded on October 24, 2013 as Document No. 2649118 in Volume 59 of CSM on Pages 6-9, Brown County Records attached hereto and made part of this Ordinance as Exhibit A.

WHEREAS, the Village Board received a request from Alpha Family Limited Partnership and Harry Macco to change the exterior walls of the Residential Care Apartment Complex (RCAC) which is part of East St. Joseph Street Complex; and

WHEREAS, the Village Board for the Village of Allouez, Brown County, Wisconsin held a public hearing at 6:30 p.m. on the 15th day of April, 2014 for the purpose of hearing all interested persons concerning the request to change the exterior walls of the RCAC.

NOW, THEREFORE, BE IT ORDAINED by the Village Board of the Village of Allouez, Brown County, Wisconsin as follows:

1. Ordinance 2012-08 Establishing a Planned Development District for Part of Parcel AL-50-9-1, 289 East St. Joseph Street n/k/a Parcel AL-50-6, 279 East St. Joseph Street is hereby amended to change to the exterior of the RCAC which is part of East St. Joseph Street Complex from textured stucco to veneer stone on all exterior walls (full height) and further incorporates the newly recorded Certified Survey Map for the development as recorded on October 24, 2013 as Document No. 2649118 in Volume 59 of CSM on Pages 6-9, Brown County Records
2. Ordinance 2012-08 as approved on July 17, 2012 shall in all other respects remain in full force and effect.

Passed and approved by the Village Board of the Village of Allouez on this 15th day of April, 2014.

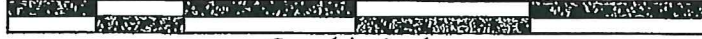
Publication Date:

Steve VandenAvond, President

Debra Baenen, Clerk

Certified Survey Map

100 50 0 100 200 300

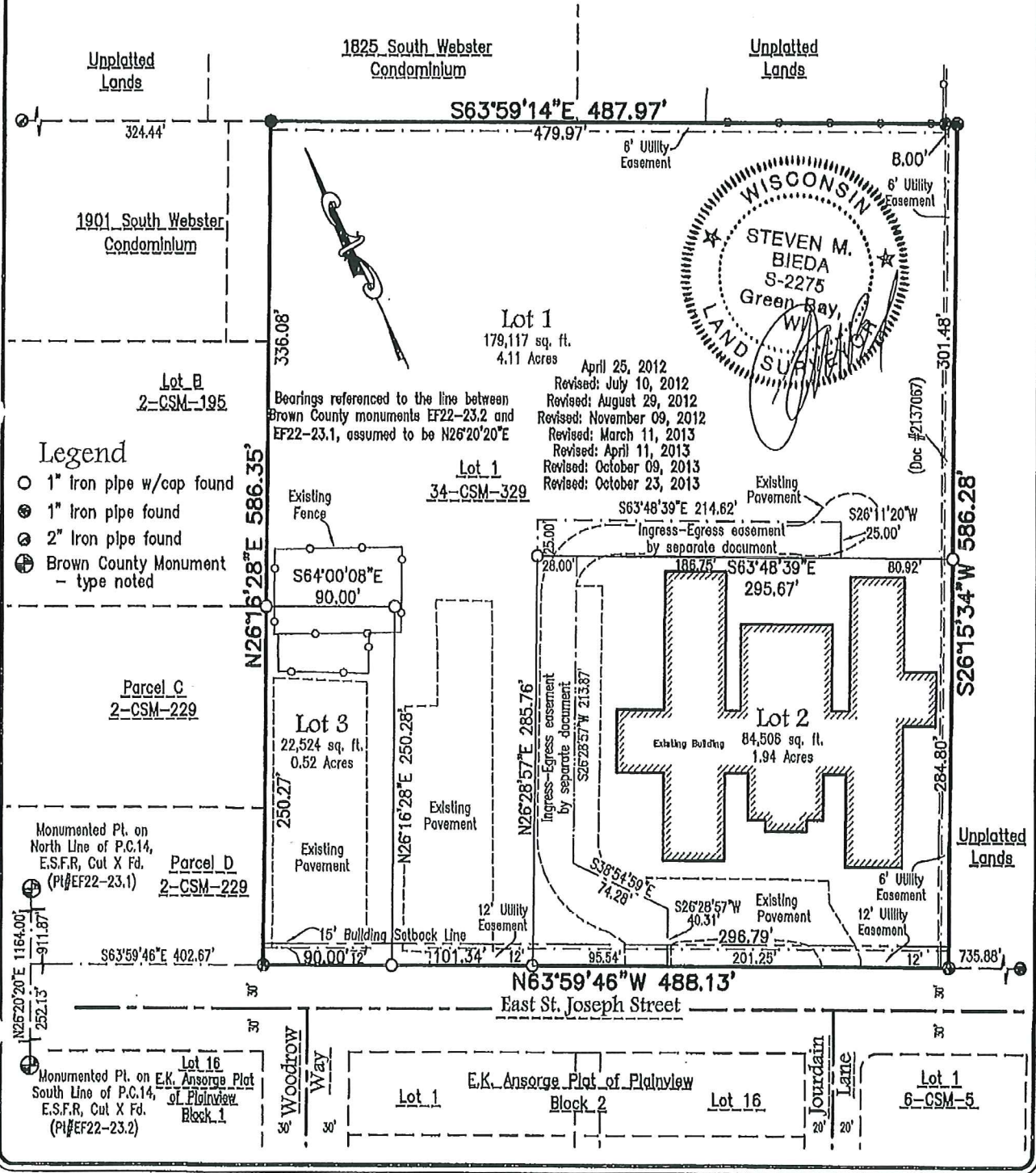


Graphic Scale

SURVEYOR'S CERTIFICATE

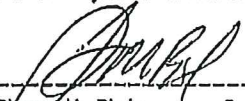
I, Steven M. Bieda, Registered Land Surveyor, S-2275, do hereby certify that I have surveyed, divided and mapped all of Lot 1 of Volume 34, Certified Survey Maps, page 329 (Map#5305-Doc#1529724), Brown County Records and part of Private Claim 14, East Side Fox River, Village of Allouez, Brown County, Wisconsin, more fully described on sheet 2:

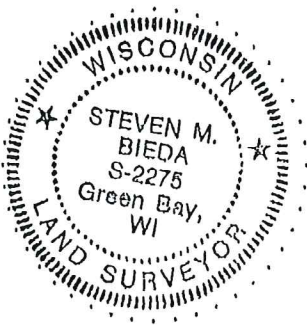
That such plot is a correct representation of all the exterior boundaries of the land survey and the division thereof. That I have made such a survey, land division and plat by the direction of the owners listed hereon. That I have fully complied with the provisions of Chapter 236, section 236.34 of the Wisconsin Statutes, the Village of Allouez, and the Brown County Planning Commission in surveying, dividing and mapping the same.



the Fox River; thence N26°20'20"E, 252.13 feet; thence S63°59'46"E, 402.67 feet along the extension of and North 30 foot Right of Way line of East St. Joseph Street to the Southwest corner of Lot 1 of Volume 34, Certified Survey Maps, page 329, Brown County Records and the point of beginning; thence N26°16'28"E, 586.35 feet along the West line of said lot; thence S63°59'14"E 487.97 feet along the Southeasterly extension and North line of said lot; thence S26°15'34"W, 586.28 feet to said North Right-of-Way line of East St. Joseph Street; thence N63°59'46"W, 488.13 feet along said line to the point of beginning.

Parcel contains 286,147 square feet/ 6.57 acres, more or less.
Parcel subject to easements and restrictions of record.


Steven M. Bieda S-2275
April 25, 2012
Revised: July 10, 2012
Revised: August 29, 2012
Revised: November 09, 2012
Revised: April 01, 2013 (Revised certificates)



CORPORATE OWNER'S CERTIFICATE

Alpha Family Limited Partnership, a Wisconsin Limited Partnership duly organized and existing under and by virtue of the laws of the State of Wisconsin, does hereby certify that I caused the land described and easements granted on this Certified Survey Map to be surveyed, divided and mapped as represented hereon. Alpha Family Limited Partnership, also certifies that this Certified Survey Map is required by S.236.10 or S.236.12 to be submitted to the following for approval or objection:

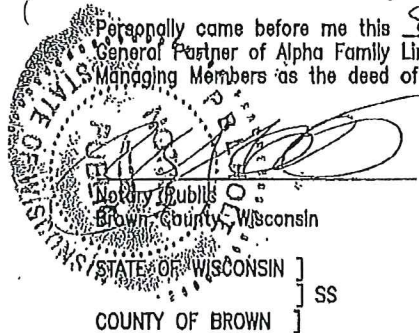
VILLAGE OF ALLOUEZ
BROWN COUNTY PLANNING COMMISSION

In Witness Whereof, the said Alpha Family Limited Partnership, has caused these presents to be signed by Ann E. Bossmeyer and Robert A. Macco, as Managing Members of Belgium Bridges, LLC, the General Partner for Alpha Family Limited Partnership on this 8 day of April, 2013.


Ann E. Bossmeyer-Managing Member


Robert A. Macco-Managing Member

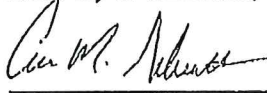
Personally came before me this 8 day of April, 2013, the above named Managing Members of Belgium Bridges, LLC the General Partner of Alpha Family Limited Partnership and acknowledged that they executed the foregoing instrument as such Managing Members as the deed of said partnership, by its authority.



My Commission Expires 1/11/2015

BROWN COUNTY PLANNING COMMISSION

Approved for the Brown County Plan Commission this 24th day of October, 2013.


Peter Schlein
Senior Planner / ~~Principal Planner~~



CERTIFICATE FOR THE VILLAGE OF ALLOUEZ

Approved for the Village of Allouez this 23rd day of Oct., 2013.


Debbie Baenen
Allouez Village Clerk



NOTE:

The property owners, at the time of construction, shall implement the appropriate soil erosion control methods outlined in the Wisconsin Construction Site Erosion and Sediment Control Technical Standards (available from the Wisconsin Department of Natural Resources) to prevent soil erosion. However, if at the time of construction the Village has an adopted soil erosion control ordinance, it shall govern over this requirement. This provision applies to any grading, construction, or installation-related activities.

RESTRICTIVE COVENANTS

- 1) The land on all side and rear lot lines of all lots shall be graded by the property owner and maintained by the abutting property owners to provide for adequate drainage of surface water.
- 2) Each lot owner shall grade the property to conform to the adopted sidewalk grade elevation and maintain said elevation for future sidewalks.

Johnson Bank, a corporation duly organized and existing under and by virtue of the laws 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 Alpha Family Limited Partnership Owner(s).

IN WITNESS WHEREOF, Johnson Bank has caused these presents to be signed by David J. Loritz, its Senior Vice President and countersigned by Michael Uttech, its Assistant Vice President, at Green Bay WI, this 24th day of April, 2013

(signature #1) [Signature] (signature #2) [Signature]
(print name #1) David J. Loritz (print name #2) Michael Uttech
(print title #1) Senior Vice President (print title #2) Assistant Vice President

Personally came before me this 24th day of April, 2013, the above named officers of said corporation to me known to be the persons who executed the foregoing instrument and to me known to be such officers of said corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of said corporation, by its authority.

Kristine Smith
Notary Public Kristine Smith
My Commission Expires 9/29/2013

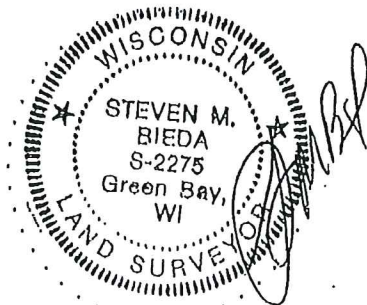


STATE OF WISCONSIN]
] ss
COUNTY OF BROWN]

TREASURER'S CERTIFICATE

As duly elected Brown County Treasurer, I hereby certify that the records in my office show no unredeemed tax sales and no unpaid taxes or special assessments affecting any of the lands included in this Certified Survey Map as of the dates listed below.

Kerry M. Blaney 10-24-13
Kerry M. Blaney Date
Brown County Treasurer



Nicolet National Bank
(name of bank), a corporation duly organized and existing under and by virtue of the laws 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 Alpha Family Limited Partnership
(name of property owner(s)), Owner(s).

IN WITNESS WHEREOF, Nicolet National Bank
(name of bank) has caused these presents to be signed by Brad V. Hutjens, its Chief Credit Officer and countersigned by Eric Siadziński,
(print name #1 above) (print title #1 above) (print name #2 above)
its Vice President, at Green Bay, WI, this 24th day of April, 2013.
(print title #2 above) (city) (state) (day) (month) (year)

(signature #1) [Signature] (signature #2) [Signature]
(print name #1) Brad V. Hutjens (print name #2) Eric Siadziński
(print title #1) Chief Credit Officer (print title #2) Vice President

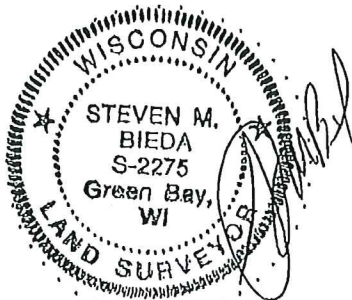
Personally came before me this 24th day of April, 2013, the above named officers of said corporation to me known to be the persons who executed the foregoing instrument and to me known to be such officers of said corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of said corporation, by its authority.

Peggy J. Mroczynski
Notary Public

My Commission Expires April 27, 2014



STATE OF WISCONSIN]
] ss
COUNTY OF BROWN]



April 25, 2012
Revised: July 10, 2012

Office of the Register of Deeds
Brown County, Wisconsin
Received for Record October 24, 2013
at 12:22 o'clock P M and recorded as
Document # 2649118 in
Volume 59 of CSMIS on Page 6-9
Debra A. Dore, Deputy
Cathy Willquette Lindsay, Register of Deeds