

**AMENDMENT TO THE**

**REGIONAL WATER QUALITY  
MANAGEMENT PLAN**

**CITY OF BURLINGTON/  
BOHNER LAKE SANITARY  
SEWER SERVICE AREAS**

**AS ADOPTED BY THE**

**SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION**

**DECEMBER 2004**

**SOUTHEASTERN WISCONSIN  
REGIONAL PLANNING COMMISSION**

**KENOSHA COUNTY**

Leon T. Dreger  
Thomas J. Gorlinski  
Adelene Robinson

**RACINE COUNTY**

Richard A. Hansen,  
Treasurer  
Michael J. Miklasevich  
James E. Moyer

**MILWAUKEE COUNTY**

William R. Drew,  
Vice Chairman  
Lee Holloway  
Linda J. Seemeyer

**WALWORTH COUNTY**

Anthony F. Balestrieri  
Gregory L. Holden  
Allen L. Morrison

**OZAUKEE COUNTY**

Robert A. Brooks  
Thomas H. Buestrin,  
Chairman  
Gus W. Wirth, Jr.  
Secretary

**WASHINGTON COUNTY**

Kenneth F. Miller  
Daniel S. Schmidt  
David L. Stroik

**WAUKESHA COUNTY**

Kenneth C. Herro  
Anselmo Villarreal  
Paul G. Vrakas

**SOUTHEASTERN WISCONSIN REGIONAL  
PLANNING COMMISSION STAFF**

Philip C. Evenson, AICP . . . . . Executive Director  
Kenneth R. Yunker, PE . . . . . Deputy Director  
Nancy M. Anderson, AICP . . . . . Chief Community Assistance Planner  
Robert E. Beglinger . . . . . Chief Transportation Engineer  
Robert P. Biebel, PE, PH. . . . . Chief Environmental Engineer  
Leland H. Kreblin, RLS. . . . . Chief Planning Illustrator  
Elizabeth A. Larsen . . . . . Business Manager  
John G. McDougall . . . . . Geographic Information Systems Manager  
John R. Meland . . . . . Chief Economic Development Planner  
Donald M. Reed . . . . . Chief Biologist  
William J. Stauber, AICP . . . . . Chief Land Use Planner

# SOUTHEASTERN WISCONSIN REGIONAL PLANNING COMMISSION

W239 N1812 ROCKWOOD DRIVE • PO BOX 1607 • WAUKESHA, WI 53187-1607 •

TELEPHONE (262) 547-6721  
FAX (262) 547-1103

*Serving the Counties of:*

KENOSHA  
MILWAUKEE  
OZAUKEE  
RACINE  
WALWORTH  
WASHINGTON  
WAUKESHA



**SUBJECT:** Certification of Amendment to the Adopted Regional Water Quality Management Plan (Burlington Sewer Service Area)

**TO:** The Legislative Bodies of Concerned Local Units of Government within the Southeastern Wisconsin Region, namely: the County of Racine, the City of Burlington, the Town of Burlington, and the Bohner's Lake Sanitary District No. 1

This is to certify that at the meeting of the Southeastern Wisconsin Regional Planning Commission, held at O'Donnell Park, Milwaukee, Wisconsin, on the 1st day of December 2004, the Commission did by unanimous vote of all Commissioners present, being 17 ayes and 0 nays, and by appropriate Resolution, a copy of which is made a part hereof and incorporated by reference to the same force and effect as if it had been specifically set forth herein in detail, adopt an amendment to the regional water quality management plan, which plan was originally adopted by the Commission on the 12th day of July 1979, as part of the master plan for the physical development of the Region. Said amendment to the regional water quality management plan pertains to the revised Burlington sanitary sewer service area and consists of the documents attached hereto and made a part hereof. Such action taken by the Commission is recorded on, and is a part of, said plan, and the plan as amended is hereby transmitted to the constituent local units of government for consideration, adoption, and implementation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal and cause the Seal of the Southeastern Wisconsin Regional Planning Commission to be hereto affixed. Dated at the City of Pewaukee, Wisconsin, this 2nd day of December 2004.

Thomas H. Buestrin, Chairman  
Southeastern Wisconsin  
Regional Planning Commission

**ATTEST:**

Philip C. Evenson, Deputy Secretary

**RESOLUTION NO. 2004-17**

**RESOLUTION OF THE SOUTHEASTERN WISCONSIN REGIONAL PLANNING  
COMMISSION AMENDING THE ADOPTED REGIONAL WATER QUALITY  
MANAGEMENT PLAN, THAT PLAN BEING A PART OF THE MASTER PLAN  
FOR THE PHYSICAL DEVELOPMENT OF THE REGION CONSISTING OF THE  
COUNTIES OF KENOSHA, MILWAUKEE, OZAUKEE, RACINE, WALWORTH,  
WASHINGTON, AND WAUKESHA IN THE STATE OF WISCONSIN  
(BURLINGTON SANITARY SEWER SERVICE AREA)**

WHEREAS, pursuant to Section 66.0309(10) of the *Wisconsin Statutes*, the Southeastern Wisconsin Regional Planning Commission, at a meeting held on the 12th day of July 1979, duly adopted a regional water quality management plan as documented in the three-volume SEWRPC Planning Report No. 30, *A Regional Water Quality Management Plan for Southeastern Wisconsin: 2000*; and

WHEREAS, at a meeting held on the 5th day of December 2001, the Commission duly adopted an amendment to the regional water quality management plan refining and detailing the Burlington sanitary sewer service area as documented in SEWRPC Community Assistance Planning Report No. 78 (2nd Edition), *Sanitary Sewer Service Area for the City of Burlington and Environs, Racine County, Wisconsin*, December 2001, as amended, and

WHEREAS, by letter dated October 14, 2004, the City of Burlington requested that the Commission amend the Burlington sanitary sewer service area to include certain lands located outside of the currently adopted sewer service area; and

WHEREAS, the proposed amendment to the regional water quality management plan is documented in a Commission staff memorandum entitled, "Response to Request by the City of Burlington to Amend the Burlington Sanitary Sewer Service Area," attached hereto and made a part hereof; and

WHEREAS, the requested change to the regional water quality management plan, as documented in the aforereferenced staff memorandum, was the subject of a public hearing held jointly by the City of Burlington and the Regional Planning Commission on November 16, 2004; and

WHEREAS, Section 66.0309(9) of the *Wisconsin Statutes* authorizes and empowers the Regional Planning Commission, as the work of making the whole master plan progresses, to amend, extend, or add to the master plan or carry any part or subject thereof into greater detail;

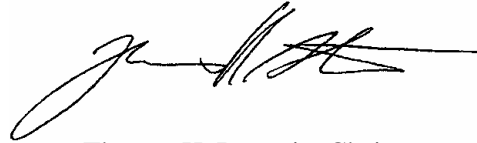
NOW, THEREFORE, BE IT HEREBY RESOLVED:

FIRST: That the regional water quality management plan for the Southeastern Wisconsin Region, being a part of the master plan for the physical development of the Region and comprised of SEWRPC Planning Report No. 30, Volumes One, Two, and Three, which was adopted by the Commission as a part of the master plan on the 12th day of July 1979, and which was amended on the 5th day of December 2001 to include the refined Burlington sewer service area, as set forth in SEWRPC Community Assistance Planning Report No. 78 (2nd Edition), be and the same hereby is amended in the manner identified on Map 1 of the aforementioned SEWRPC staff memorandum.

SECOND: That the Executive Director is authorized to submit findings to the Wisconsin Department of Natural Resources and the Wisconsin Department of Commerce that public and private sanitary sewer extensions necessary to serve the anticipated development on the lands concerned are in conformance with, and would serve to implement, the adopted regional water quality management plan as herein amended.

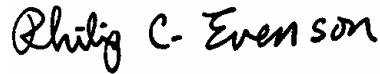
THIRD: That a true, correct, and exact copy of this resolution, together with the aforementioned SEWRPC staff memorandum, shall be forthwith distributed to each of the local legislative bodies of the local governmental units within the Region entitled thereto and to such other bodies, agencies, or individuals as the law may require or as the Commission, its Executive Committee, or its Executive Director, at their discretion, shall determine and direct.

The foregoing resolution, upon motion duly made and seconded, was regularly adopted at the meeting of the Southeastern Wisconsin Regional Planning Commission held on the 1st day of December 2004, the vote being: Ayes 17; Nays 0.

A handwritten signature in black ink, appearing to read 'Thomas H. Buestrin', with a long horizontal flourish extending to the right.

Thomas H. Buestrin, Chairman

ATTEST:

A handwritten signature in black ink, appearing to read 'Philip C. Evenson', written in a cursive style.

Philip C. Evenson, Deputy Secretary

## **SEWRPC STAFF MEMORANDUM**

### **RESPONSE TO REQUEST BY THE CITY OF BURLINGTON TO AMEND THE BURLINGTON SANITARY SEWER SERVICE AREA**

#### **INTRODUCTION AND BACKGROUND**

By letter dated October 14, 2004, the City of Burlington requested that the Southeastern Wisconsin Regional Planning Commission amend the Burlington and environs sanitary sewer service area tributary to the City of Burlington sewage treatment facility. That area is currently documented in SEWRPC Community Assistance Planning Report No. 78 (2nd Edition), *Sanitary Sewer Service Area for the City of Burlington and Environs, Racine County, Wisconsin*, dated December 2001, as amended. The basic purpose of this amendment would be to include within the planned Burlington sewer service area certain lands located immediately adjacent to, but outside of, the currently adopted sewer service area.

#### **AREA DESCRIPTION**

The area proposed to be added to the Burlington and environs sanitary sewer service area encompasses 65 acres located west of Fish Hatchery Road in U.S. Public Land survey Section 20, Township 2 North, Range 19 East, in the Town of Burlington (see Map 1). The subject 65 acre area is currently in agricultural use, and does not include any environmentally significant lands.

Concurrent with the request for the 65-acre addition to the sewer service area, the City of Burlington indicated that, as a condition for City approval of the proposed addition to the sewer service area, the City would require putting off the provision of sanitary sewer service to any new development on another nearby tract of land within the currently approved sewer service area until additional sewage treatment plant capacity is available. That tract of land, which is under the same ownership as the 65-acre area proposed to be added, and includes one dwelling unit currently served by the public sanitary sewer system, encompasses about 33 acres located along Fish Hatchery Road about one-half mile north of the proposed addition (see Map 1). The City and the property owner have executed an agreement regarding the future provision of sanitary sewer service on this tract of land (see Attachment A).

The 65-acre area proposed to be added to the sewer service area is anticipated to be developed for residential use to accommodate 110 housing units with a population of about 260 persons. The 33-acre area that is being precluded from sanitary sewer service, if developed at a density similar to the 65-acre area, would accommodate 55 housing units with a population of about 135 persons.

More detailed delineations of the amended sewer service area and of the environmentally significant lands within are shown on the aerial photograph reproduced as Map 2.

#### **RELATIONSHIP OF THE PROPOSED CHANGE TO THE EXISTING SANITARY SEWER SERVICE AREA**

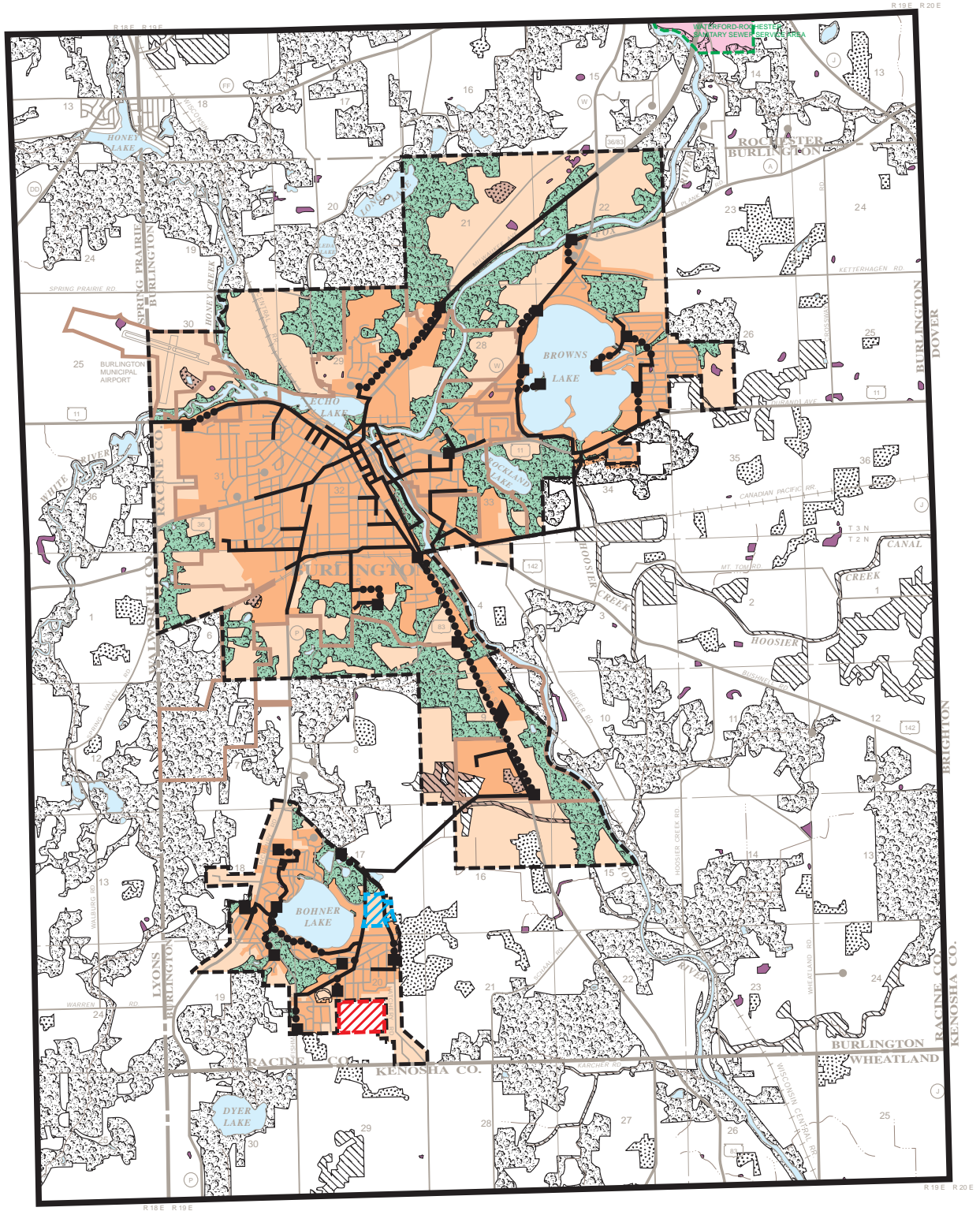
The proposed addition of 65 acres to the Burlington and environs sanitary sewer service area represents an increase in the planned sewer service area of less than 1 percent. The planned population of the expanded sewer service area—that is, the estimated population which could be accommodated upon full development of the sewer service area—would approximate the upper end of the year 2020 population projection range for this area embodied in the regional land use plan.

#### **WATER QUALITY IMPACTS**

Under the adopted regional water quality management plan and the refined sanitary sewer service area plan herein set forth, it is envisioned that all urban lands within the planned urban service area would receive sanitary sewer service. Assuming that all applicable Federal, State, and local permits are obtained and that proper site development and construction practices are employed, there should be no significant adverse water quality impacts attributable to the development of the planned sanitary sewer service area.

Map 1

RECOMMENDED AMENDMENT TO THE BURLINGTON SANITARY SEWER SERVICE AREA

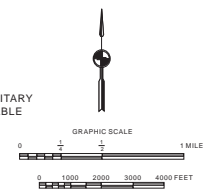


- PRIMARY ENVIRONMENTAL CORRIDOR
- SECONDARY ENVIRONMENTAL CORRIDOR
- ISOLATED NATURAL RESOURCE AREA
- WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE

RESTRICTIONS ON SEWERED DEVELOPMENT

- PRIMARY ENVIRONMENTAL CORRIDORS WITHIN THE PLANNED SANITARY SEWER SERVICE AREA: THE EXTENSION OF SEWERS TO SERVE NEW DEVELOPMENT
- PORTIONS OF SECONDARY ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS WITHIN THE PLANNED SANITARY SEWER SERVICE AREA

- EXISTING AREA SERVED BY SANITARY SEWERS TRIBUTARY TO THE CITY OF BURLINGTON SEWAGE TREATMENT PLANT: 1999
- BURLINGTON AND ENVIRONS PLANNED SANITARY SEWER SERVICE AREA: 2020
- PLANNED SANITARY SEWER SERVICE AREA BOUNDARY
- AREA PROPOSED TO BE ADDED TO THE BURLINGTON SANITARY SEWER SERVICE AREA
- AREA PROPOSED TO BE PRECLUDED FROM PROVISION OF SANITARY SEWER SERVICE UNTIL TREATMENT PLANT CAPACITY IS AVAILABLE AS DETERMINED BY THE CITY OF BURLINGTON
- EXISTING PUBLIC SEWAGE TREATMENT FACILITY
- EXISTING TRUNK SEWER
- EXISTING FORCE MAIN
- EXISTING PUMPING STATION



Source: SEWRPC.

## COST EFFECTIVENESS ANALYSIS

The proposed addition to the Burlington sanitary sewer service area is immediately adjacent to the currently approved sewer service area tributary to the City of Burlington sewage treatment plant. The nearest other public sanitary sewer system, operated by the Town of Lyons Sanitary District No. 2, is located about 5 miles from the subject area. No further analysis is deemed necessary to conclude that the subject area would be served most cost-effectively through connection to the City of Burlington sewage treatment plant.

## SEWAGE TREATMENT PLANT CAPACITY IMPACT ANALYSIS

Sewage from the City of Burlington, the Bohner's Lake Sanitary District No. 1, and the Brown's Lake Sanitary District is treated at the City of Burlington sewage treatment facility. The Burlington sewage treatment plant was completely reconstructed in 1992 and has a design capacity of 3.55 million gallons per day (mgd) on an average annual basis. The average annual flow rate in 2003 was about 2.64 mgd. The anticipated sewage flow to be generated in the area proposed to be added to the Burlington sewer service area may be expected to be about 0.02 mgd on an average annual basis.

If the vacant developable lands within the revised sewer service area were fully developed in accordance with local plans, flows to the Burlington sewage treatment facility would approximate 3.6 to 3.9 mgd on an average annual basis, with the total flows being somewhat dependent upon the sewage flows generated by new commercial and industrial development. The City of Burlington will initiate facilities planning in 2005 to consider a schedule and alternatives for expansion of sewage treatment capacity. In any event, the inclusion of the proposed addition to the sewer service area documented in this report would not materially affect the timeframe for future facility planning and expansion.

## PUBLIC REACTION TO THE PLAN AMENDMENT

A public hearing was held on November 16, 2004 at the Burlington City Hall to receive public comment on, and reaction to, the proposed plan amendment. The hearing was sponsored by the City of Burlington and the Regional Planning Commission. A summary of the plan amendment was presented prior to receiving public comment, including a description of the lands proposed to be added to the sewer service area and any environmentally significant land located within.

A review of the hearing record indicates that no substantive concerns were raised at the hearing. Accordingly, no changes were made to the proposed plan amendment as presented at the public hearing.

## LOCAL GOVERNMENT SUPPORT FOR THE PLAN AMENDMENT

The Common Council of the City of Burlington adopted the plan amendment on November 16, 2004.

## CONCLUDING RECOMMENDATION

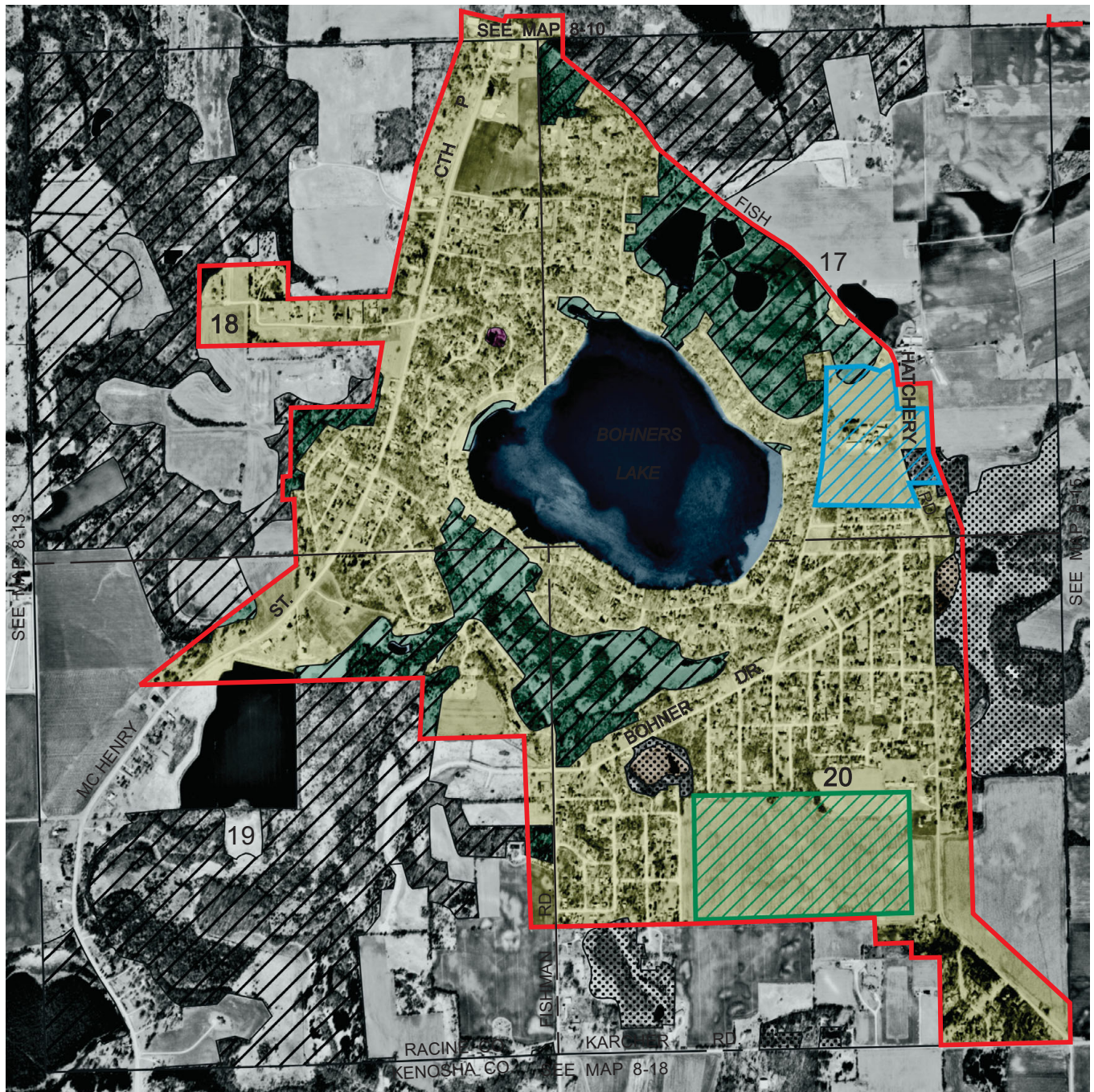
Based on the foregoing, it is recommended that the Southeastern Wisconsin Regional Planning Commission formally amend the sanitary sewer service area for the City of Burlington and Environs as documented in SEWRPC Community Assistance Planning Report No. 78 (2nd Edition), as amended.









## Map 2



### ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE CITY OF BURLINGTON AND ENVIRONS

U. S. Public Land Survey Sections 17, 18, 19, and 20, Township 2 North, Range 19 East



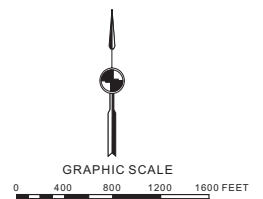
Photography Date: April 1995

-  PRIMARY ENVIRONMENTAL CORRIDOR
-  ISOLATED NATURAL RESOURCE AREA
-  WETLANDS AND SURFACE WATER AREAS LESS THAN FIVE ACRES IN SIZE
-  SURFACE WATER WITHIN ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS
-  GROSS SANITARY SEWER SERVICE AREA BOUNDARY
-  PLANNED SANITARY SEWER SERVICE AREA

-  AREA PROPOSED TO BE ADDED TO THE BURLINGTON SANITARY SEWER SERVICE AREA
-  AREA PROPOSED TO BE PRECLUDED FROM SANITARY SEWER SERVICE UNTIL TREATMENT PLANT CAPACITY IS AVAILABLE - AS DETERMINED BY THE CITY OF BURLINGTON

#### RESTRICTIONS ON SEWERED DEVELOPMENT

-  PRIMARY ENVIRONMENTAL CORRIDORS WITHIN THE PLANNED SANITARY SEWER SERVICE AREA: THE EXTENSION OF SEWERS TO SERVE NEW DEVELOPMENT IS CONFINED TO LIMITED RECREATIONAL AND INSTITUTIONAL USES AND RURAL-DENSITY RESIDENTIAL DEVELOPMENT IN AREAS OTHER THAN WETLANDS, FLOODLANDS, SHORELANDS, AND STEEP SLOPES.
-  PORTIONS OF SECONDARY ENVIRONMENTAL CORRIDORS AND ISOLATED NATURAL RESOURCE AREAS WITHIN THE PLANNED SANITARY SEWER SERVICE AREA WHICH ARE COMPRISED OF WETLANDS, FLOODLANDS, SHORELANDS, AND STEEP SLOPES: THE EXTENSION OF SEWERS TO SERVE NEW DEVELOPMENT IN THESE AREAS IS NOT PERMITTED.



Source: SEWRPC.

NOTE: This map replaces Map 8-14, page 35, of SEWRPC Community Assistance Planning Report No. 78 (2nd Edition), *Sanitary Sewer Service Area for the City of Burlington and Environs*, Racine County, Wisconsin, December 2001.

**Attachment A - AGREEMENT BETWEEN THE CITY OF BURLINGTON,  
TOWN OF BURLINGTON, AND MR. STANLEY J. CZAHOR, JR.**

AGREEMENT

THIS AGREEMENT between the City of Burlington, a Wisconsin municipality ("City" hereinafter), Town of Burlington ("Town" hereinafter) and Stanley J. Czahor, Jr. ("Czahor" hereinafter) is made this 2nd day of OCTOBER, 2004.

WHEREAS, Czahor is the owner of the following parcels of real estate:

PARCEL A

1. Tax Key No. 02-19-20-009-000
2. Tax Key No. 02-19-20-009-100
3. Tax Key No. 02-19-20-014-000

as further described on attached Exhibit "A" and

PARCEL B

1. Tax Key No. 02-19-17-022-000
2. Tax Key No. 02-19-17-022-001
3. Tax Key No. 02-19-16-009-000

as further described on attached Exhibit "B" and further depicted on attached Exhibit "C"; and

WHEREAS, Czahor has proposed to develop Parcel A which development requires addition of part of Parcel A to the Bohner's Lake Sanitary District and the City's sanitary sewer service area; and

WHEREAS, the City has objected to the addition of Parcel A to the Bohner's Lake Sanitary District because the City has capacity issues at its waste water facility; and

WHEREAS, Parcel B is already partially in the Bohner's Lake Sanitary District and is completely in the City's sanitary sewer service area; and

WHEREAS, Czahor is willing to forego development of Parcel B for a period of time.

NOW, THEREFORE, the undersigned agree as follows:

1. Czahor agrees that he will not seek, install, or cause to be installed sanitary sewer service for Parcel B for the later of a period of two (2) years from date hereof or until the City completes its ongoing capacity study and installs any required upgrades.
2. The City agrees it will withdraw its objection of Parcel A to the Bohner's Lake Sanitary District.

3. The Town agrees it will not approve the subdivision of Parcel B for the period set forth in paragraph 1 hereof.

4. This Agreement shall run with this land and shall be binding upon Czahor and his successors and assigns.

Dated this 2nd day of October, 2004.

CITY OF BURLINGTON

By: Claude Lois

Stanley J. Czahor, Jr.

TOWN OF BURLINGTON

By: [Signature]

By: Derald Kaul

By: Adelheid Streif

State of Wisconsin )  
 ) ss.  
County of Racine )

Personally came before me, this 19th day of October, 2004, the above named Claude Lois and Thomas Kircher on behalf of the City of Burlington, to me known to be the persons who executed the foregoing instrument and acknowledge the same.

Diane Baumeister  
expires 4-1-07

Dennis R. Lynch  
Notary Public, Racine County, WI  
My commission: is permanent.

State of Wisconsin )  
 ) ss.  
County of Racine )

Personally came before me, this 21st day of October, 2004, the above named Gerald Kaul and Adelheid Streif on behalf of the Town of Burlington, to me known to be the persons who executed the foregoing instrument and acknowledge the same.

Diane Baumeister  
Notary Public, Racine County, WI  
My commission: 4-1-07

State of Wisconsin )  
 ) ss.  
County of Racine )

Personally came before me, this 22nd day of October, 2004, the above named Stanley J. Czahor, Jr., to me known to be the persons who executed the foregoing instrument and acknowledge the same.

[Signature]  
Notary Public, Racine County, WI  
My commission: is permanent

This Instrument Drafted By:  
Dennis R. Lynch  
Lloyd, Phenicie, Lynch, Kelly & Hotvedt, S.C.  
P O Box 700  
Burlington, WI 53105

00007702 WFD.2 10/1/04

EXHIBIT "A"

LEGAL DESCRIPTION

A Tract of land being a part of the Northwest 1/4 of the Southeast 1/4, the Southwest 1/4 of the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 of Section 20, Town 2 North, Range 19 East, in the Town of Burlington, County of Racine, State of Wisconsin, bounded and described as follows:

Commence at the Southeast corner of said section;

Thence South 88 degrees 44 minutes, 59 seconds West for a distance of 1326.70 feet, along the South line of said 1/4 Section to a point;  
Thence North 01 degrees 24 minutes 58 seconds West for a distance of 1362.25 feet, to a point being the Northeast corner of Certified Survey Map No. 1187 and the point of beginning;  
Thence North 01 degrees 24 minutes 58 seconds West for a distance of 819.87 feet, to a point;  
Thence South 88 degrees 35 minutes 02 seconds West for a distance of 295.20 feet, to a point;  
Thence North 01 degrees 24 minutes 58 seconds West for a distance of 262.79 feet, to a point;  
Thence South 88 degrees 35 minutes 02 seconds West for a distance of 262.41 feet, to a point;  
Thence North 01 degrees 24 minutes 58 seconds West for a distance of 449.43 feet, to a point;  
Thence South 88 degrees 40 minutes 06 seconds West for a distance of 774.59 feet, to a point;  
Thence South 00 degrees 47 minutes 27 seconds East for a distance of 257.05 feet, to a point being the center 1/4 corner of said section;  
Thence South 88 degrees 40 minutes 45 seconds West for a distance of 1315.67 feet, along the North line of the southwest 1/4 of said Section, to a point;  
Thence South 01 degrees 24 minutes 42 seconds East for a distance of 1318.40 feet, along the West line of the East 1/2 of said Southwest 1/4, to a point;  
Thence North 88 degrees 37 minutes 52 seconds East for a distance of 1319.93 feet, along the South line of the North 1/2 of said Southwest 1/4, to a point;  
Thence North 84 degrees 03 minutes 40 seconds East for a distance of 521.14 feet, to a point;  
Thence North 88 degrees 35 minutes 00 seconds East for a distance of 811.33 feet, to the point of beginning. Reserving the Easterly 33.00 feet for public road purposes.

Together with and subject to covenants, easements, and restrictions of record.

Said property contain 79.48 acres more or less.

00007702 WFD.2 10/1/04



## Attachment A (Cont'd.)

### EXHIBIT "B" LEGAL DESCRIPTION

#### PARCEL NO. 1:

The South 1/2 of the Southeast 1/4 of Section 17, Township 2 North of Range 19 East lying East of the Centerline of Fish Hatchery Road, excepting therefrom the following:

Parcel described in Deed to James R. Bauman and Carolyn A. Bauman, husband and wife, recorded in Volume 1479 of Records on Page 448 as Document No. 1041492, Racine County Records.

Parcel described in Deed to Richard L. Fliess and Susan A. Fliess, his wife, recorded in Volume 1893 of Records on Page 376 as Document No. 1245351, Racine County Records.

Parcel described in Deed to Timothy C. Fliess, recorded in Volume 2477 of Records on Page 933 as Document No. 1514230, Racine County Records.

#### PARCEL NO. 2:

The West 1/2 of the Southeast 1/4 of Section 17, Township 2 North of Range 19 East lying Westerly of the Centerline of Fish Hatchery Road and Easterly of the Centerline of Park Street and North of the North line of 5th Addition to Oakwood Hills of Bohners Lake, a recorded Plat, excepting therefrom the following:

Parcel described in Deed to R. Bruce Spink and Mary Jane Spink recorded in Volume 2092 of Records on Page 600 as Document No. 1350619, Racine County Records.

Parcel described in Deed to David P. Schultz recorded in Volume 2399 of Records on Page 695-6 as Document No. 1479085, Racine County Records.

Parcel described in Deed to David Brossard and Dawn M. Marcel recorded in Volume 2092 of Records on Page 602 as Document No. 1350620, Racine County Records.

#### PARCEL NO. 3:

The North 1/2 of the Southwest 1/4 of the Southwest 1/4 of Section 16, Township 2 North of Range 19 East.

00007792.WPD.3/10/104

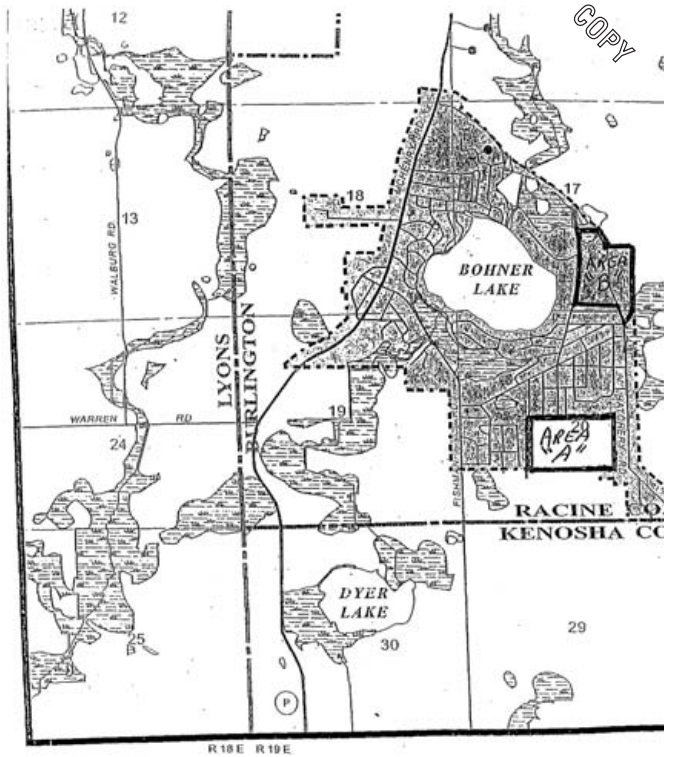


EXHIBIT "C"