OWNER:

PUBLIC WATER MAIN EASEMENT TERMS AND CONDITIONS:

Creation of Easement Rights: A permanent easement over, across a portion of the property (the "Easement Area") is established, memorialized, reserved by, granted, conveyed, transferred and assigned to City of Madison for the uses and purposes hereinafter set forth. The Easement Area may be used by City of Madison for public underground water main purposes. City of Madison and its employees, agents and contractors shall have the right to construct, install, maintain, operate, replace and reconstruct the Water Main Facilities within the Easement Area. City of Madison shall have the further right of Ingress and egress to and from the Easement Area (i) order to exercise its rights and privileges hereunder, and to cut and remove trees, egelation and other impediments in the Easement Area (ii) or the contract of the foregoing purposes.

<u>Property Restoration:</u> City of Madison shall repair any damage caused to any povement, concrete or turf located within the Easement Area and/or the Property as a result of the use of the Easement Area by or on behalf of the City of Madison as provided herein. Following completion of any excavation work, City of Madison shall promptly restore the area affected by the work to the original grade and surface condition including the repair or replacement of povement, concrete and turf.

<u>Limitations on Use of Easement Area:</u> The owner of the Property shall have the right to use the Easement Area for any purpose, provided such use shall not interfere with the easement rights of the City of Madison hereunder. No buildings or structures or fences unrelated to the Water Malin Facilities shall be constructed in and no grade change shall be made to the Easement Area without the written consent of the City of Madison's Water Utility General Manager.

12-041-311-02

WESTWIND

BEING A REDIVISION OF OUTLOT 2 OF CERTIFIED SURVEY MAP NO. 15568, BEING LOCATED IN A PART OF THE NORTHWEST 1/4, NORTHEAST 1/4, SOUTHWEST 1/4 AND SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 20, TOWN 7 NORTH, RANGE 8 EAST, IN THE CITY OF MADISON, DANE COUNTY, WISCONSIN.

OVERALL DETAIL SHEET

Department of Admini

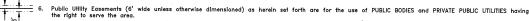
LOTS 1 - 70, OUTLOT 2

AMENEDMENT TO

WESTWIND MADISON, INC 9201 WATERSIDE STREET MIDDLETON, WI 53562 PHONE: (608) 831-5343

GENERAL NOTES:

- — 1. Indicated Found 0.75" outside diameter Reinforcing Bar. (Unless otherwise noted).
- O = 2. Indicates Set 1.270" outside diameter x 18" long Reinforcing Bar weighing 4.303 lbs. per lineal foot. All other Lot and Outlot corners are staked with 0.750" outside diameter x 18" long Reinforcing Bar weighing 1.502 lbs. per lineal foot.
- 3. All linear measurements have been made to the nearest one-hundredth of a foot.
- 4. All angular measurements have been made to nearest second and computed to the nearest half-second.
- 5. All bearings are referenced to Grid North of the Dane County Coordinate System, NAD-83 (1997), in which the North line of the S.E. 1/4 of Section 20, Town 7 North, Range 8 East, bears North 89'41'26" West.



- 7. Additional Condition for Public Utility Easements within Outlots 1, 3, 4 and 5 as granted by this plat. The principal purpose of each Outlot is for public storm water management purposes. All other Public and Private Utility Facilities installed within said Outlots are hereby subservient to the principal public use of the Outlots for public storm water purposes. The City of Madison ("City") shall have he right of reasonable use and occupation of the Public Utility Easement Areas, provided that such use and occupations that the installation, operation, maintenance, repair, replacement and/or modification of the other Public or Private Utility Facilities. If any reasonable use and occupation of the Easement Area by the City shall necessitate the Public or Private Utilities to remove or relocate their facilities or any part thereof, the Public or Private Utility shall perform such work at such time as the City may approve and without any cost to the City.
- 8. Lots/buildings within this subdivision/development are subject to impact fees that are due and payable at the time building permit(s) are issued.
- 9. All lots within this plat are subject to public easements for drainage purposes which shall be a minimum of 6 feet in width measured from the property line to the interior of each lot except that the easements shall be 12 feet in width on the perimeter of the plat. For purposes of two (2) or more lots combined for a single development site, or where two (2) or more lots have a shared driveway agreement, the public easement for drainage purposes shall be a minimum of six (6) feet in width and shall be measured only from the exterior property lines of the combined lots that create a single development site, or have a shared driveway agreement, except that the easement shall be twelve (12) feet in width along the perimeter of the plat. Easements shall not be required on property lines shared with greenways or public streets. No buildings (12) feet in width along the perimeter of the plat. Easements shall not be required on property lines shared with greenways or public streets. No buildings (12) feet in width along the perimeter of the plat. Easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water.

The intra-block drainage easements shall be graded with the construction of each principle structure in accordance with the approved storm water drainage plan on file with the City Engineer and the Zoning Administrator, as amended in accordance with the Madison General Ordinances.

In the event of a City of Madison Plan Commission and/or Common Council approved re-division of a previously subdivided property, the underlying public easements for drainage purposes are released and replaced by those required and created by the current approved subdivision.

- 10. No Driveway shall be constructed that interferes with the orderly operation of a Pedestrian Walkway.
- 11. The 80' wide Landscape Buffer Area is reserved for the private planting and maintenance of trees and/or shrubs by the respective Owner(s) of a Lot encumbered by the Landscape Buffer Area. The landscaping shall be in conformance with the grading and landscaping plan as approved by the City of Madison Planning Division and consistent with the City of Madison Town of Middleton Cooperative Plan.
- 12. The 80' wide Building Setback Line is required and enforceable by the City of Madison.
- 13. Indicates No Access Permitted. No private access shall be permitted between Lots 17, 18 and Outlot 2, Ploneer Road and Mineral Point Road. Future public street connections within Outlot 2 to Ploneer Road and Mineral Point Road for public right of way dedicated by a Final Plat or other land division that has been reviewed and approved by the City of Madison shall be permitted.
 - 14. Outlot 2 within this Subdivision is responsible for compliance with stormwater management requirements under Madison General Ordinance 37 at the time of development of the Outlot, and the Outlot is required to cooperate, with regard to the two planned regional stormwater detention facilities, which will be owned and operated by the City, pursuant to a private "Declaration of Conditions, Covenants and Restrictions", recorded as Doc. No. 5678222, which Agreement was approved by the City of Madison.
 - 15. Outlot 2 within this Subdivision is prohibited from further development until it is further subdivided and developed in substantial conformance to the Preliminary Plat conditionally approved by resolution res-19-00454 file id 55182, adopted June 11, 2019 by the Madison Common Council or any subsequent City of Madison approved Preliminary Plat and Final Plat or Certified Survey Map.
 - 16. Lands within this Subdivision are subject to Declaration of Conditions, Covenants and Restrictions per Document No. 5678222.
 - 17. This plat is subject to a Cooperation Agreement as recorded in Document No. 5756922.

PUBLIC STORM SEWER AND DRAINAGE EASEMENT TERMS AND CONDITIONS:

Credition of Easement Rights: A permanent easement over, across a portion of the property (the "Easement Area") is established, memorialized, reserved by, granted, conveyed, transferred and assigned to City of Madison for the uses and purposes hereinafter set forth. The Easement Area may be used by City of Madison for public underground storm sewer and startace drainage purposes. City Madison and its employees, agents and contractors shall have the right to construct, install, maintain, operate, repair, replace and reconstruct the Storm Sewer and surface drainage Facilities within the Easement Area. City of Madison and the further right of Ingress and egress to and from the Easement Face in order to exercise its rights and privileges hereunder, and to cut and remove trees, vegetation and other impediments in the Easement Area which may obstruct or interfere with the actual or potential use of the Easement Area for the foregoing purposes.

<u>Property Restoration:</u> City of Madison shall repair any damage caused to any povement, concrete or turf located within the Easement Area and/or the Property as a result of the use of the Easement Area by or on behalf of the City of Madison as provided herein. Following completion of any excavation work, City of Madison shall promptly restore the area affected by the work to the original grade and surface condition including the repair or replacement of pavement, concrete and turf.

Limitations on Use of Easement Area: The owner of the Property shall have the right to use the Easement Area for any purpose, provided such use shall not interfere with the easement rights of the City of Madison hereunder. No buildings or structures or fences unrelated to the Storm Sewer and surface drainage Facilities shall be constructed in and no grade change shall be made to the Easement Area without the written consent of the City of Madison's Engineering Division City Engineer.

Binding Effect: This Easement shall run with the land described herein and shall be binding upon the owners of the Property, and their successors in interest.

Release of Rights to Easements Created by Plat: Any release of rights that were placed on platted land which was required by a public body or which names a public body or public utility as grantee shall be released by recording a separate easement release document with the Dane County Register of Deeds in accordance with saz36.250.

PUBLIC EASEMENT FOR SLOPING AND GRADING TERMS AND CONDITIONS:

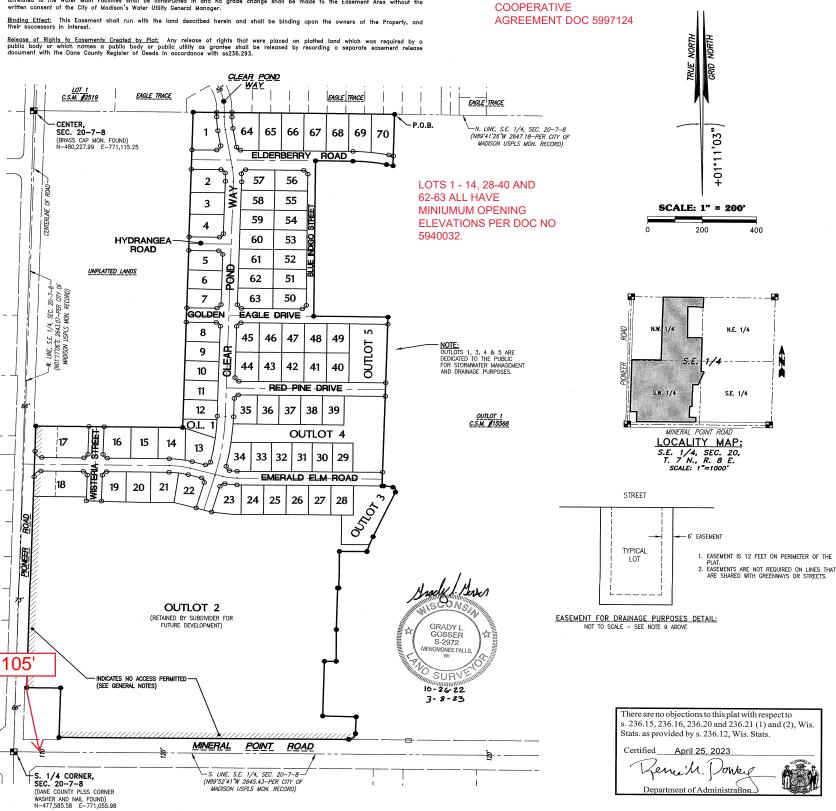
Creation of Easement Rights: A permanent easement over, across and within the Easement Area is established, memorialized, reserved by, granted, conveyed, transferred and assigned to the City of Madison for the uses and purposes hereinafter set forth. The Easement Area may be used by the City of Madison for public sloping and grading purposes. The City of Madison and its employees, agents and contractors shall have the further right of ingress and egress to and from the Easement Area in order to exercise its rights and privileges hereunder, and to cut and remove trees, vegetation and other impediments in the Easement Area which may obstruct or interfere with the actual or potential use of the Easement Area for the foregoing purposes.

Property Restoration: City of Madison shall repair any damage caused to any pavement or turf located within the Easement Area and/or the Property as a result of the use of the Easement Area by or on behalf of the City of Madison as provided herein. Following completion of any excavation work, City of Madison shall promptly restore the area affected by the work to the required final grade and surface condition including the repair or replacement of pavement and turf.

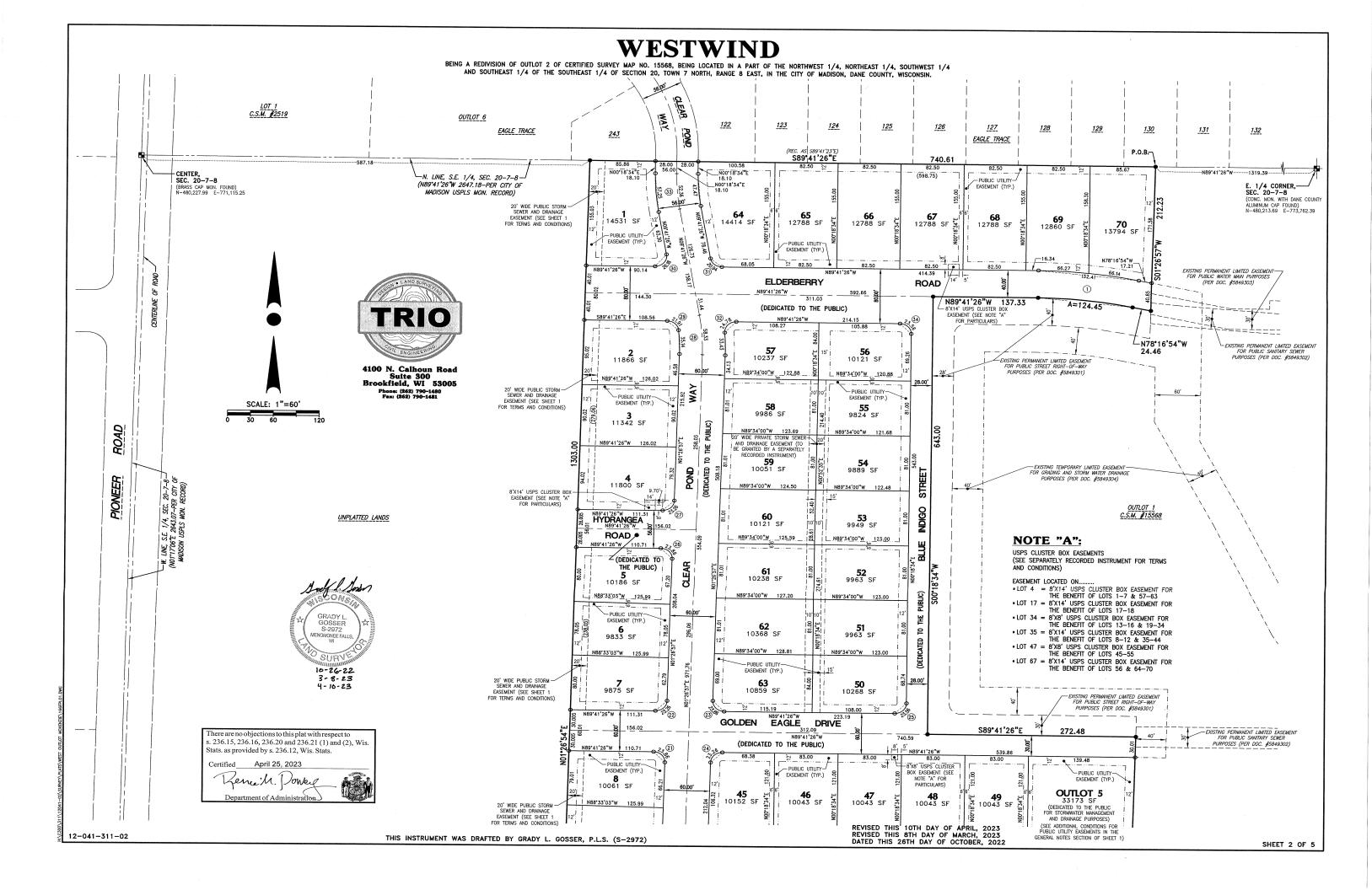
Limitations on Use of Easement Area: The owner of the Property shall have the right to use the Easement Area for any purpose, provided such use shall not interfere with the easement rights of the City of Madison hereunder. No above-ground improvements (other than driveway access crossing) shall be constructed in and no grade change shall be made to the Easement Area without the written consent of the City of Madison's Engineering Division City Engineer.

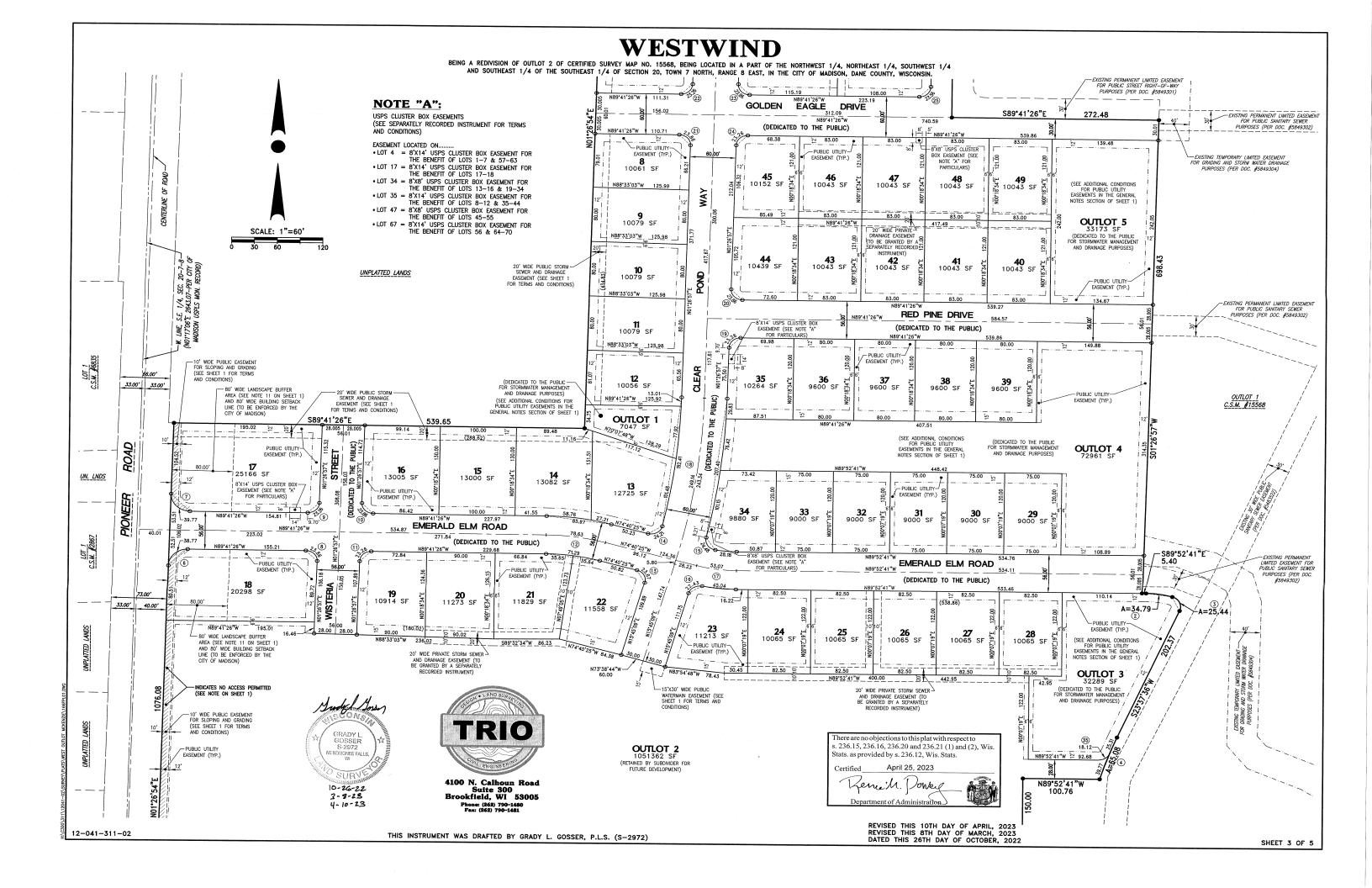
Binding Effect: This Easement shall run with the land described herein and shall be binding upon the owners of the Property, and their successors in interest.

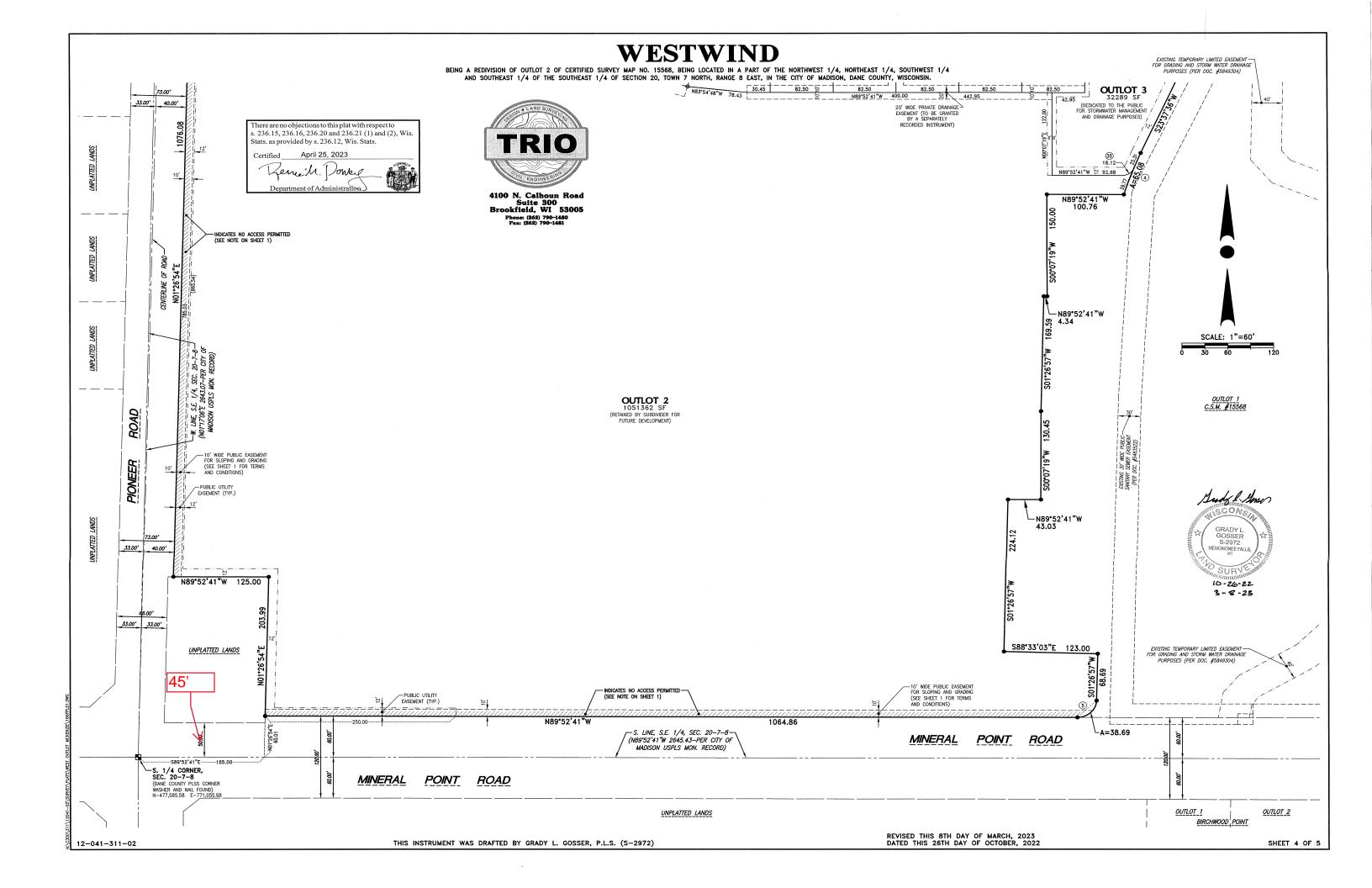
Release of Rights to Easements Created by Plat: Any release of rights that were placed on platted land which was required by a public body or which names a public body or public utility as grantee shall be released by recording a separate easement release document with the Dane Country Register of Deeds in accordance with saz36.25.25



THIS INSTRUMENT WAS DRAFTED BY GRADY L. GOSSER, P.L.S. (S-2972)







CURVE TABLE:

	v	ABLE	<u>.</u>					
NO.	LOT(S)	RADIUS	CENTRAL ANGLE	ARC	CHORD	CHORD BEARING	TANGENT IN	TANGENT OUT
1	EXTERIOR	625.00	11'24'32"	124.45	124.24	N83*59'10"W	N78*16'54"W	N89°41'26"W
	NORTH	665.00	11'24'32"	132.41	132.20	N83*59'10"W	N78*16'54"W	N89*41'26"W
	70	665.00	5'41'57"	66.14	66.12	N81°07'52.5"W	N78*16'54"W	N83°58'51"W
	69	665.00	5*42'35"	66.27	66.24	N86'50'08.5"W	N83*58'51"W	N89°41'26"W
2	EXTERIOR	122.00	16'20'12"	34.79	34.67	N81°42'35"W	N73*32'29"W	N89*52'41"W
3	EXTERIOR	15.00	97'10'05"	25.44	22.50	N24*57'26.5"W	N23'37'36"E	N73'32'29"W
4	EXTERIOR	533.00	6*59'47"	65.08	65.04	S20*07'42.5"W	S23*37'36"W	S16'37'49"W
	OUTLOT 3	533.00	2*43'15"	25.31	25.31	S22'15'58.5"W	S23'37'36"W	S20'54'21"W
	OUTLOT 2	533.00	4*16'32"	39.77	39.76	S18°46'05"W	S20°54'21"W	S16'37'49"W
5	EXTERIOR	25.00	88'40'22"	38.69	34.94	N45*47'08"E	S89*52'41"E	N01°26'57"E
6	18	25.00	88'51'40"	38.77	35.00	S45*52'44"W	N89*41'26"W	S01*26'54"W
7	17	25.00	91'08'20"	39.77	35.70	S44*07'16"E	S01°26'54"W	S89*41'26"E
8	18	15.00	91'08'21"	23.86	21.42	N44*07'15.5"W	N01°26'55"E	N89°41'26"W
9	17	15.00	88*51'38"	23.26	21.00	N45*52'45"E	S89°41'26"E	N01*26'56"E
10	16	15.00	91*08'23"	23.86	21.42	S44°07'14.5"E	S01°26'57"W	S89*41'26"E
11	19	15.00						
		300.00	88*51'37"	23.26	78.40	S45*52'45.5"W	N89*41'26"W	S01*26'57"W
12	C/L		15'01'01"	78.63		N82*10'55.5"W	N74*40'25"W	N89*41'26"W
	NORTH	328.00	15°01'01"	85.97	85.72	N82*10′55.5″W	N74*40'25"W	N89°41'26"W
	14	328.00	10*15*52"	58.76	58.68	N84*33'30"W	N79*25'34"W	N89*41'26"W
	13	328.00	4*45'09"	27.21	27.20	N77'02'59.5"W	N74°40'25"W	N79'25'34"W
	SOUTH	272.00	15°01'01"	71.29	71.09	N82'10'55.5"W	N74'40'25"W	N89*41'26"W
	21	272.00	7*30'31"	35.65	35.62	N85*56'10.5"W	N82*10'55"W	N89'41'26"W
	22	272.00	7*30'30"	35.64	35.62	N78°25'40"W	N74*40'25"W	N82*10'55"W
13	22	15.00	90°25'34"	23.67	21.29	N29*27'38"W	N15*45'09"E	N74°40'25"W
14	13	15.00	92*29'18"	24.21	21.67	N59*04'56"E	S74°40'25"E	N12*50'17"E
15	34	15.00	93*29'58"	24.48	21.85	S33°44'29"E	S13*00'30"W	S80*29'28"E
16	23	15.00	85*41'17"	22.43	20.40	S58*35'47.5"W	N78*33'34"W	S15*45'09"W
17	C/L	200.00	15*12'16"	53.07	52.92	S82*16'33"E	S74°40'25"E	S89*52'41"E
	34	172.00	9"23'13"	28.18	28.15	S85*11'04.5"E	S80°29'28"E	S89*52'41"E
	23	228.00	11*19'07"	45.04	44.97	S84°13'07.5"E	S78*33'34"E	S89*52'41"E
18	C/L	998.00	14*18'12"	249.14	248.50	N08*36'03"E	N15*45'09"E	N01*26'57"E
	C/L SOUTH	998.00	0*19'59"	5.80	5.80	N15*35'09.5"E	N15'45'09"E	N15*25'10"E
	C/L NORTH	998.00	13'58'13"	243.34	242.74	N08*26'03.5"E	N15'25'10"E	N01*26'57"E
	EAST	1028.00	11'33'33"	207.40	207.04	N07*13'43.5"E	N13'00'30"E	N01*26'57"E
	34	1028.00	5*38'15"	101.15	101.11	N10°11'22.5"E	N13*00'30"E	N07*22'15"E
	OUTLOT 4	1028.00	4*15'32"	76.42	76.40	N05*14'29"E	N07*22'15"E	N03*06'43"E
	35	1028.00	1*39'46"	29.83	29.83	N02*16'50"E	N03*06'43"E	N01°26'57"E
	WEST	968.00	11'23'20"	192.41	192.10	N07*08'37"E	N12°50'17"E	N01°26'57"E
	13	968.00	6'00'23"	101.48	101.43	N09*50'05.5"E	N12*50'17"E	
10					77.90			N06*49'54"E
	OUTLOT 1	968.00	4*36'45"	77.92		N04'31'31.5"E	N06*49'54"E	N02°13'09"E
	12	968.00	0*46'12"	13.01	13.01	N01°50'03"E	N02°13'09"E	N01°26'57"E
19	35	15.00	88'51'37"	23.26	21.00	S45*52'45.5"W	N89°41'26"W	S01°26'57"W
20	44	15.00	91°08'23"	23.86	21.42	S44*07'14.5"E	S01*26'57"W	S89*41'26"E
21	8	15.00	91*08'23"	23.86	21.42	N44*07'14.5"W	N01°26'57"E	N89°41'26"W
22	7	15.00	88 51 37"	23.26	21.00	N45*52'45.5"E	S89'41'26"E	N01'26'57"E
23 ·	63	15.00	91'08'23"	23.86	21.42	S44°07'14.5"E	S01°26'57"W	S89'41'26"E
24	45	15.00	88*51'37"	23.26	21.00	S45*52'45.5"W	N89°41'26"W	S01°26'57"W
25	50	15.00	90'00'00"	23.56	21.21	N45°18'34"E	S89*41'26"E	N00'18'34"E
26	5	15.00	91*08'23"	23.86	21.42	N44*07'14.5"W	N01°26'57"E	N89*41'26"W
27	4	15.00	88'51'37"	23.26	21.00	N45*52'45.5"E	S89*41'26"E	N01'26'57"E
28	C/L	300.00	11"08'23"	58.33	58.23	N04*07'14.5"W	N01°26'57"E	N09*41'26"W
	57	330.00	5'48'15"	33.43	33.41	N01'27'10.5"W	N01°26'57"E	N04°21'18"W
	2	270.00	7*27'23"	35.14	35.11	N02'16'44.5"W	N01*26'57"E	N06°00'26"W
29	2	15.00	83°41'00"	21.91	20.01	N47*50'56"W	N06°00'26"W	N89*41'26"W
30	1	15.00	100'00'00"	26.18	22.98	N40°18'34"E	S89*41'26"E	N09°41'26"W
31	64	15.00	80'00'00"	20.94	19.28	S49*41'26"E	S09*41'26"E	S89*41'26"E
·	57	15.00	94*39'52"	24.78	22.06	S42*58'38"W	N89°41'26"W	S04*21'18"E
32	C/L	300.00				***************************************		
			10'00'00"	52.36	52.29	S04*41'26"E	S00'18'34"W	S09*41'26"E
	64	272.00	10'00'00"	47.47	47.41	S04'41'26"E	S00*18'34"W	S09'41'26"E
	1 -	328.00	10°00'00"	57.25	57.17	S04*41'26"E	S00'18'34"W	S09*41'26"E
		1!		0				
34 35	56 OUTLOT 2/3	15.00 15.00	90°00'00"	23.56 18.12	21.21 17.04	N44*41'26"W	N00*18'34"E	N89°41'26"W

WESTWIND

BEING A REDIVISION OF OUTLOT 2 OF CERTIFIED SURVEY MAP NO. 15568, BEING LOCATED IN A PART OF THE NORTHWEST 1/4, NORTHEAST 1/4, SOUTHWEST 1/4 AND SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 20, TOWN 7 NORTH, RANGE 8 EAST, IN THE CITY OF MADISON, DANE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE:

STATE OF WISCONSIN) COUNTY OF WAUKESHA)

I, Grady L. Gosser, Professional Land Surveyor, do hereby certify:

That I have surveyed, divided and mapped a redivision of Outlot 2 of Certified Survey Map No. 15568. recorded in the office of the Register of Deeds for Dane County on December 23, 2020, in Volume 112 of Certified Survey Maps, at Pages 237 through 245 inclusive, as Document No. 5677345, being located in a part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 20, Town 7 North, Range 8 East, in the City of Madison, Dane County, Wisconsin.

Said Parcel contains 2,282,135 Square Feet (or 52.3906 Acres) of land, more or less.

That I have made such survey, land division and map by the direction of WESTWIND MADISON, INC., owner of

That such map is a correct representation of all the exterior boundaries of the land surveyed and the land

That I have fully complied with the provisions of Chapter 236 of the Statutes of the State of Wisconsin and the Subdivision Regulations of the City of Madison in surveying, dividing and mapping the same.

Dated this 26th Day of OCTOBER, 20 22. REVISED: 3/8/23



Grady L. Gesser, P.L.S.
Professional Land Surveyor, S-2972 TRIO ENGINEERING, LLC
4100 N. Calhoun Road, Suite 300
Brookfield, WI 53005 Phone: (262)790-1480

CORPORATE OWNER'S CERTIFICATE OF DEDICATION:

WESTWIND MADISON, INC., a Corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said Corporation caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on this plat. I also certify that this plat is required by S.236.10 or S.236.12 to be submitted to the following for approval or objection.

APPROVING AGENCIES:

AGENCIES WHO MAY OBJECT:

1. City of Madison 1. State of Wisconsin, Department of Administration

Witness the hand and seal of said Owner this _____ A ____ day of May____ . 20 23

WESTWIND MADISON, INC.

STATE OF WISCONSIN) county of Dane)



Print Name: Michelle Heaga Public, County, WI My Commission Expires: 4.11.2017





Phone: (262) 790-1480 Fax: (262) 790-1481

CITY COMMON COUNCIL CERTIFICATE:

Resolved that this plat known as "WESTWIND" located in the City of Madison was hereby approved by Enactment Number $22 \sim 60.790$. File ID Number $22 \sim 60.790$, adopted on the $22 \sim 60.790$ day of 20.790 adopted on the 20.790 day of 20.790 and that said enactment further provided for the acceptance of those lands dedicated and right conveyed by said plat to the City of Madison for public uses City of Madison for public use.

Dated this \mathcal{L}^{yk} Day of $\mathcal{M}ay$, 20 23 .

4e_ - FOR Maribeth L. Witzel-Behl, City Clerk

CITY PLAN COMMISSION CERTIFICATE:

Approved for recording per the Secretary of the City of Madison Plan Commission on this 3^{RP} Day of MAY

Matthew Wachter, Secretary City of Madison Plan Commission

CITY TREASURER CERTIFICATE:

STATE OF WISCONSIN)

Craig/ Franklin, City Treasurer City of Madison, Dane County, Wisconsin

COUNTY TREASURER CERTIFICATE:

STATE OF WISCONSIN)

I, Adam Gallagher, being duly elected, qualified and acting Treasurer of the County of Dane, do hereby certify that the records in my tax office show no unredeemed tax sales and no unpaid taxes or unpaid special assessments as of this day of MAY _____, 20 23 ____ on any of the lands included in the Plat of "WESTWIND".

Adam Gallagher, County Treasurer

COUNTY REGISTER OF DEEDS CERTIFICATE:

Received for record this 8th day of Plats on Pages 997-501 as Document Number 590067 clock P.M. and recorded in Volume Kr.st. Chlefoust. by: Lisa Stafford-Scign, Deputy.
Kristi Chiebowski, Register of Deeds

CONSENT OF CORPORATE MORTGAGEE:

CAPITOL BANK, a corporation duly organized and existing by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedicating of the land described on this Plat, and does hereby consent to the above certificate of WESTWIND MADISON, INC., owner, this _____ day of _____,

CAPITOL BANK

STATE OF WISCONSIN) COUNTY OF Dane

Personally came before me this 2 day of May, 2023, the above named Justin Hart, President of the above named corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be such President of said corporation, and acknowledged that he executed the foregoing instrument as such officer as the deed of said corporation, by its authority.



Hariold
Print Name: Kar,) Hariold
Public, Dave County, WI
My Commission Expires: 6-8-2025

THIS INSTRUMENT WAS DRAFTED BY GRADY L. GOSSER, P.L.S. (S-2972)

REVISED THIS 8TH DAY OF MARCH, 2023 DATED THIS 26TH DAY OF OCTOBER, 2022