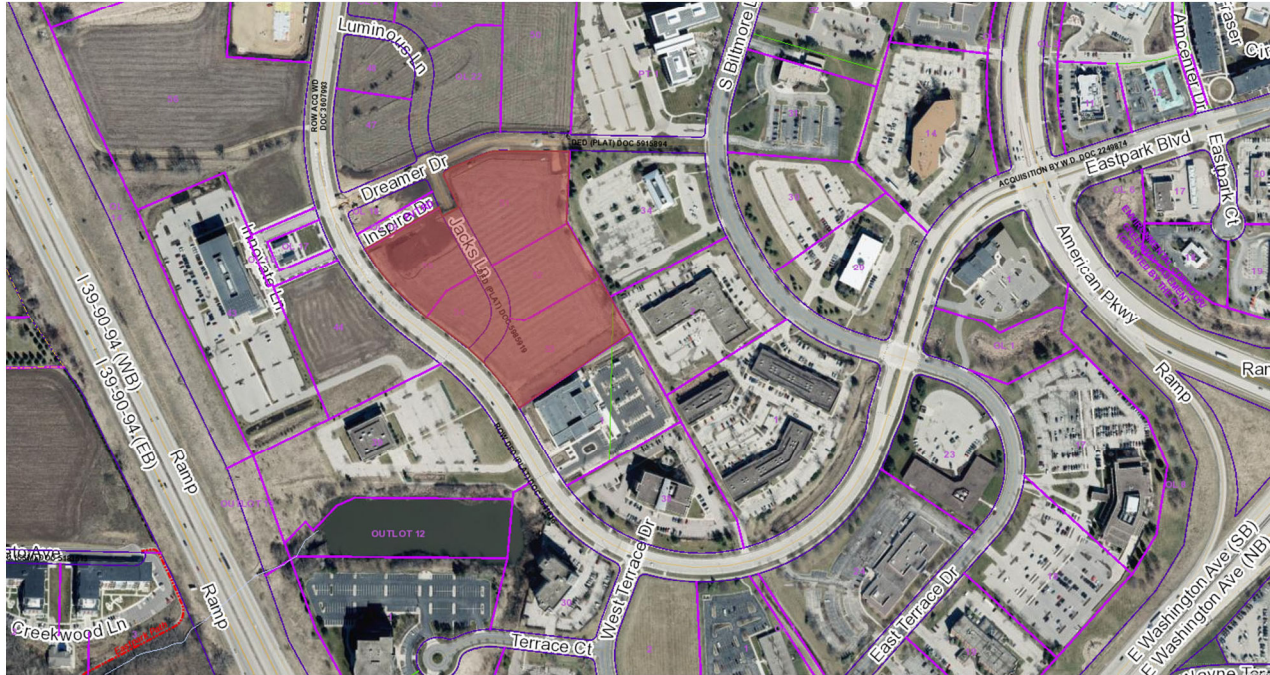


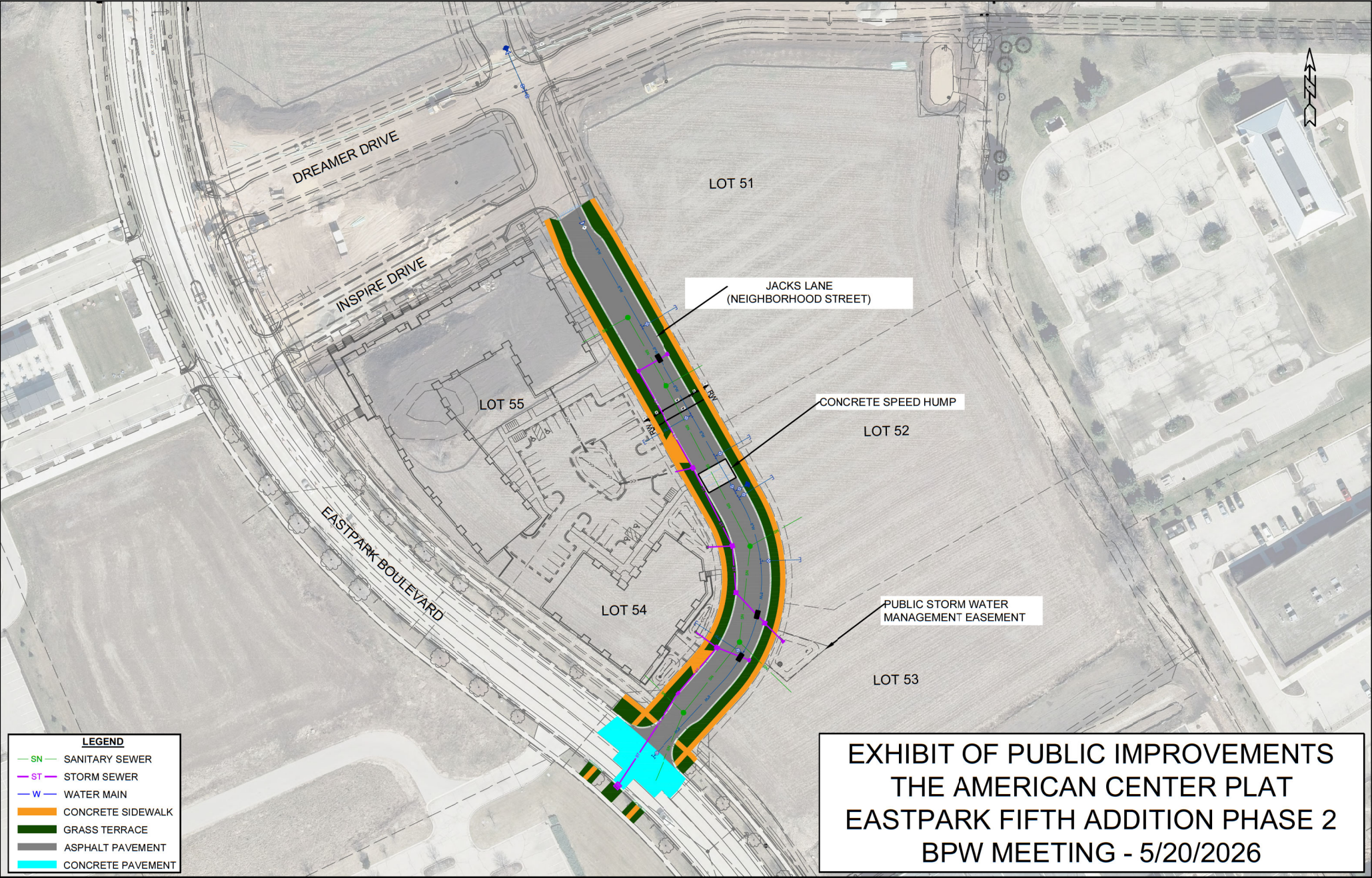
**The American Center Plat Eastpark Fifth Addition – Phase 2**  
**Contracts 9761**  
**MUNIS 16176**  
**Developer: Cascade Development LLC**

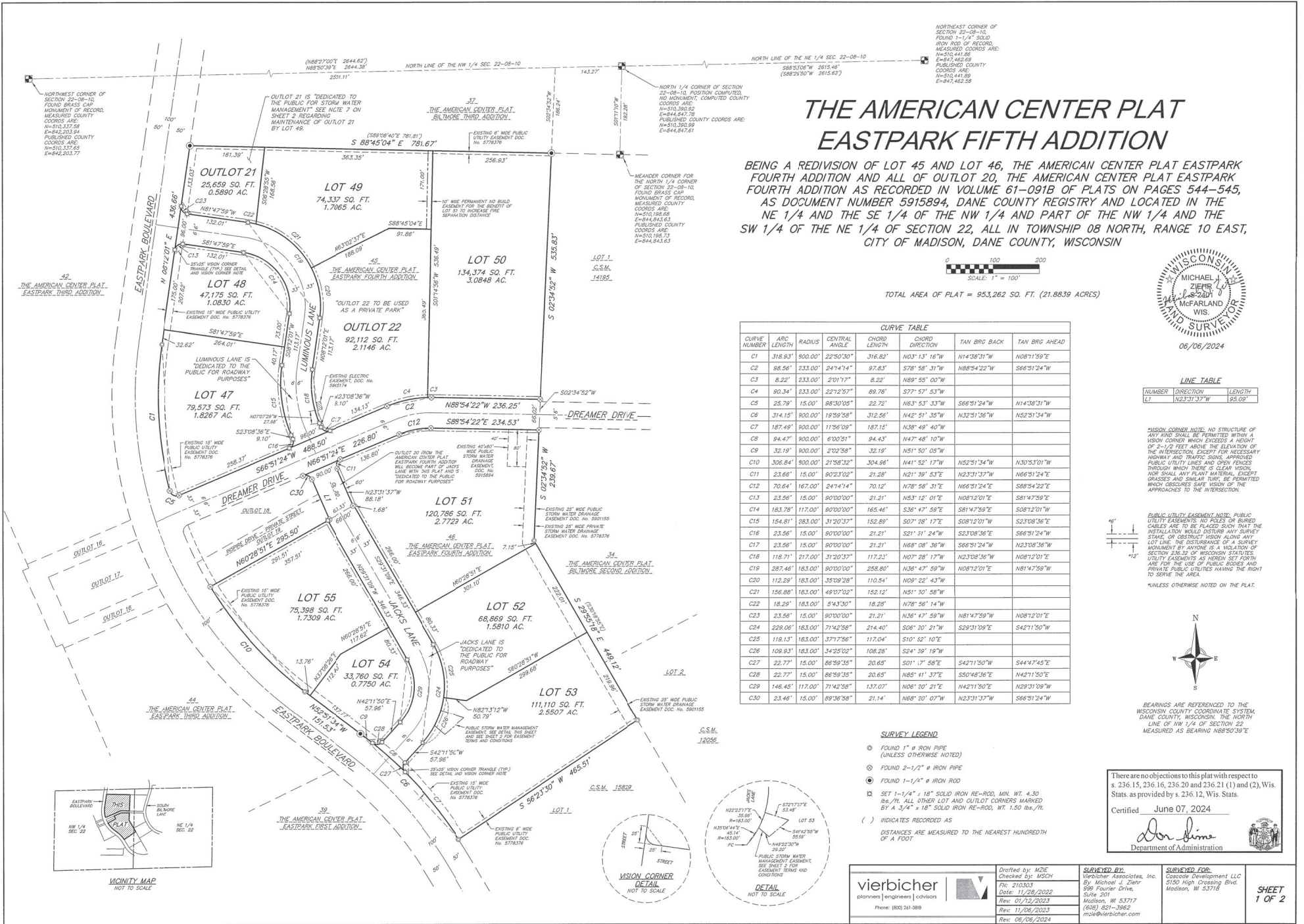


This development is location in The American Center, east of Interstate 39-90-94 and north of E Washington Avenue (USH 151).

**Summary of Improvements:**

- City standard public street, terrace, sidewalk, and utility improvements, including a speed hump on Jacks Lane as required by City of Madison Transportation Commission, to serve The American Center Plat Eastpark Fifth Addition subdivision.
- Repair or replacement of concrete pavement on Eastpark Boulevard due to utility construction required to serve the project.
- Construction of pedestrian ramps at Eastpark Boulevard and Jacks Lane.
- Street lighting, signing, pavement markings, and traffic control as required by the City Traffic Engineer.
- Private sanitary, storm, and water service laterals to serve all lots within The American Center Plat Eastpark Fifth Addition.
- The is the second and final phase of public improvements required to serve The American Center Plat Eastpark Fifth Addition.





# THE AMERICAN CENTER PLAT EASTPARK FIFTH ADDITION

BEING A REDIVISION OF LOT 45 AND LOT 46, THE AMERICAN CENTER PLAT EASTPARK FOURTH ADDITION AND ALL OF OUTLOT 20, THE AMERICAN CENTER PLAT EASTPARK FOURTH ADDITION AS RECORDED IN VOLUME 61-091B OF PLATS ON PAGES 544-545, AS DOCUMENT NUMBER 5915894, DANE COUNTY REGISTRY AND LOCATED IN THE NE 1/4 AND THE SE 1/4 OF THE NW 1/4 AND PART OF THE NW 1/4 AND THE SW 1/4 OF THE NE 1/4 OF SECTION 22, ALL IN TOWNSHIP 08 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN

## SURVEYOR'S CERTIFICATE

I, Michael J. Ziehr, Professional Land Surveyor No. 2401 hereby certify that in full compliance with the provisions of Chapter 236 of the Wisconsin Statutes and the subdivision regulations of the City of Madison and under the direction of the owner(s) of said land, I have surveyed, divided, and mapped THE AMERICAN CENTER PLAT EASTPARK FIFTH ADDITION; that such plat correctly represents all exterior boundaries and the subdivision of the lands surveyed; and that this land is a redivision of Lot 45 and Lot 46 and including all of Outlot 20, The American Center Plat Eastpark Fourth Addition as recorded in Volume 61-091B of Plats on pages 544-545, as Document Number 5915894, Dane County Registry and located in the NE 1/4 and the SE 1/4 of the NW 1/4 and part of the NW 1/4 and the SW 1/4 of the NE 1/4 of Section 22, all in Township 08 North, Range 10 East, City of Madison, Dane County, Wisconsin, more fully described as follows:

All of Lot 45, Lot 46 and Outlot 20, The American Center Plat Eastpark Fourth Addition as recorded in Volume 61-091B of Plats on pages 544-545, as Document Number 5915894, Dane County Registry, City of Madison, Dane County, Wisconsin. Said description contains 953,262 square feet or 21.8839 acres more or less.

Verbiher Associates Inc.  
By: Michael J. Ziehr

Dated this 06th day of NOVEMBER 2023.

Signed: Michael J. Ziehr  
Michael J. Ziehr, R.L.S. No. 2401



## OWNER'S CERTIFICATE

American Family Mutual Insurance Company S.L., f/a/a American Family Mutual Insurance Company, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner(s), we hereby certify that they have caused the land described on this plat to be surveyed, divided, mapped, and dedicated as represented on this plat. We further certify that this plat is required by S.236.10 or S.236.12 to be submitted to the following for approval or objection:

Department of Administration  
Common Council, City of Madison

IN WITNESS WHEREOF, the said American Family Mutual Insurance Company, S.L., f/a/a American Family Mutual Insurance Company, has caused these presents to be signed by Karl Grosse, Real Estate and Workplace Solutions Director and Josh Peterson, Business and Workplace Services Vice President, American Center, and its corporate seal to be hereunto affixed on this 15th day of NOVEMBER 2023.

American Family Mutual Insurance Company S.L.  
f/a/a American Family Mutual Insurance Company

By: Josh Peterson  
Business and Workplace Services Vice President

By: Karl Grosse  
Real Estate and Workplace Solutions Director

State of Wisconsin )  
County of Dane )

Personally came before me this 15th day of NOVEMBER 2023, the above named Josh Peterson and Karl Grosse, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

My Commission expires 15 FEBRUARY 2024

Notary Public, State of Wisconsin

## CITY OF MADISON PLAN COMMISSION APPROVAL

Approved for recording per the Secretary of the City of Madison Planning Commission.

Dated this 16th day of SEPTEMBER 2024

Matthew Wichter  
Matthew Wichter, Secretary of Planning Commission

## CITY OF MADISON COMMON COUNCIL APPROVAL

Resolved, that the plat of THE AMERICAN CENTER PLAT EASTPARK FIFTH ADDITION, located in the NE 1/4 and the SE 1/4 of the NW 1/4 and part of the NW 1/4 and the SW 1/4 of the NE 1/4 of Section 22, all in Township 08 North, Range 10 East, City of Madison, Dane County, Wisconsin, was hereby approved by Common Council Number 21-00475, File ID Number 33902, adopted on this 16th day of JULY 2023 and that said enactment further provided for the acceptance of those lands dedicated and rights conveyed by said plat of THE AMERICAN CENTER PLAT EASTPARK FIFTH ADDITION to the City of Madison for public use.

Dated this 16th day of September, 2023

Theresa Land for  
Theresa Land for, City Clerk  
City of Madison, Dane County, Wisconsin

## OWNER'S CERTIFICATE

Illuminate Development LLC, a Wisconsin limited liability company, as owner(s), we hereby certify that they have caused the land described on this plat to be surveyed, divided, mapped, and dedicated as represented on this plat. We further certify that this plat is required by S.236.10 or S.236.12 to be submitted to the following for approval or objection:

Department of Administration  
Common Council, City of Madison

IN WITNESS the hand and seal of said owner(s) this 15th day of NOVEMBER 2023.

Illuminate Development LLC

By: [Signature]  
State of Wisconsin )  
County of Dane )

Personally came before me this 15th day of NOVEMBER 2023, the above named Luke Stimpert, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

My Commission expires 8-22-26  
[Signature]  
Notary Public, State of Wisconsin

## CONSENT OF MORTGAGEE

Lake Ridge Bank, a banking association duly organized and existing under and 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 Owner's Certificate.

IN WITNESS WHEREOF, the said Lake Ridge Bank, has caused these presents to be signed by JEFF FLETCHER, its SVP, and [Signature], its Vice President, on this 15th day of NOVEMBER 2023, at Madison, Wisconsin.

Lake Ridge Bank

By: Jeffrey Fletcher SVP

State of Wisconsin )  
County of Dane )

Personally came before me this 15th day of NOVEMBER 2023, the above named Jeff Fletcher and [Signature], to me known to be the persons who executed the foregoing instrument, and to me known to be such SVP and Vice President of said banking association, and acknowledged that they executed the foregoing instrument as such officers at the deed of said banking association, by its authority.

My Commission expires 11-02-24  
Matthew Kordt  
Notary Public, State of Wisconsin

## DANE COUNTY TREASURER'S CERTIFICATE

I, Adam Gallagher, being the duly elected, qualified, and acting Treasurer of the County of Dane, do hereby certify that the records in my office show no unrecorded tax sales and no unpaid taxes or unpaid special assessments affecting any of the lands included in the plat of THE AMERICAN CENTER PLAT EASTPARK FIFTH ADDITION, as of this 17th day of SEPTEMBER 2024.

Adam Gallagher  
Adam Gallagher, Dane County Treasurer

## CITY OF MADISON TREASURER'S CERTIFICATE

As the duly appointed City Treasurer of the City of Madison, Dane County, Wisconsin, I hereby certify that the records in my office show no unrecorded tax sales and no unpaid taxes or unpaid special assessments affecting any of the lands included in the plat of THE AMERICAN CENTER PLAT EASTPARK FIFTH ADDITION as of this 17th day of September 2024.

Franklin  
Craig Franklin, City of Madison Treasurer

## PLAT NOTES. THIS PLAT IS SUBJECT TO THE FOLLOWING:

1. Affidavit, Resolution and revised Declarations of Protective Covenants and Conditions for The American Center recorded as Document No. 2379020, as modified by Revision of Land Use Plan Affidavit recorded as Document No. 3786641.
2. Possible Avigation Easement over lands in The American Center development as disclosed by instrument recorded as Document No. 3485666.
3. Unrecorded Height Limitation Map, Dane County Regional Airport-Traus Field, Madison, Wisconsin, Wisconsin Bureau of Aeronautics, adopted April 16, 2010.
4. Reservations for and dedications of easements and rights of way, building setback lines, conditions, notations and all other matters as may affect the Land as set forth on Certified Survey Map No. 15282, recorded October 7, 2021 in Volume 115 of Certified Survey Maps, Pages 251 through 256, inclusive, as Document No. 5778378.
5. All lots within this Plat are subject to public easements for drainage purposes which shall be a minimum of six (6) feet in width measured from the property line to the interior of each lot except that the easements shall be twelve (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, driveways, or retaining walls shall be placed in any easement for drainage purposes. Fences may be placed in the easement only if they do not impede the anticipated flow of water. In the event of a City of Madison Plan Commission and/or Common Council approved redivision 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.
6. All lots created by this Plat are individually responsible for compliance with Chapter 37 of the Madison General Ordinances in regard to storm water management of the time they develop.
7. Outlot 21 shall also be subject to the following terms and conditions regarding maintenance:
  - a. Routine Maintenance by Lot 49. Following the initial installation/construction of the Facilities, the Lot 49 Owner (being the Owner of Lot 49 of this plat) shall perform routine maintenance of the Easement Area in accordance with the following specifications:
    - i. The Lot 49 Owner shall mow Outlot 21 a minimum of two (2) times per year so that water flow shall be unobstructed in a ten (10)-year storm event.
    - ii. The Lot 49 Owner shall promptly pull and clear weeds and volunteer brush and trees in Outlot 21 a so they are not allowed to attach a trunk size of one inch-diameter or larger.
    - iii. The Lot 49 Owner shall maintain the inlet openings and discharge openings within Outlot 21 so they are free of debris and obstructions.
    - iv. The Lot 49 Owner shall be responsible for following all applicable ordinances, codes, statutes, and laws and/or requirements of the City Engineer for any maintenance activity.
  8. Lots within this subdivision are subject to impact fees that are due and payable at the time building permits are issued.

## Public Storm Water Management Easements

**Creation of Easement Rights.** A permanent easement over, across a portion of the property (the "Easement Area") is established, memorialized, reserved, granted, conveyed, transferred and assigned to City of Madison for the use and purpose hereinafter described. The Easement Area may be used by City of Madison for public storm water management and storm sewer purposes. City of Madison and its employees, agents and contractors shall have the right to construct, install, maintain, operate, repair, replace and reconstruct the Storm Water Management and Storm Sewer Facilities within the Easement Area. City of Madison 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.

The Easement shall also be subject to the following terms and conditions regarding maintenance:

1. **Routine Maintenance by Owner.** Following the initial installation/construction of the Facilities, the Owner of Lot 53 of this plat (hereinafter "Owner") shall perform routine maintenance of the Easement Area in accordance with the following specifications:
  - a. The Owner shall mow the Easement Area a minimum of two (2) times per year so that water flow shall be unobstructed in a ten (10)-year storm event.
  - b. The Owner shall promptly pull and clear weeds and volunteer brush and trees in the Easement Area so they are not allowed to attach a trunk size of one inch-diameter or larger.
  - c. The Owner shall maintain the inlet openings and discharge openings as they are free of debris and obstructions.
  - d. The Owner shall be responsible for following all applicable ordinances, codes, statutes, and laws and/or requirements of the City Engineer for any maintenance activity.
2. **Structural Maintenance by City.** Following the initial installation/construction of the Facilities, the City shall perform structural maintenance of the Facilities and Easement Area in accordance with the following specifications:
  - a. The City shall maintain the underground pipe and inlets so they are free of debris within the pipes.
  - b. The City shall be responsible for repair and replacement of the underground pipe and inlets.
  - c. The City shall repair any damage to the physical structure of the storm water management facilities (e.g., repair of beams, slugs, etc. that may have structurally failed).
  - d. In all cases, the City shall be responsible for following all applicable ordinances, codes, statutes, and laws, and obtaining all permits required for any maintenance activity.

**Property Restoration.** City of Madison shall repair any damage caused to any pavement, 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 Water Drainage Facilities shall be constructed in and no grade changes shall be made in the Easement Area without the written consent of the City of Madison's Engineering Division City Engineer.

**Building Ejecta.** 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 Easement Created by Plat.** Any release of rights that were placed on matter and which was received 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 ss.236.293.

## RECORDING DATA

### CERTIFICATE OF REGISTER OF DEEDS

Received for recording this 17th day of September 2024, at 10:12 o'clock A.M. and recorded in Volume 62-016A of Plats, on pages 20-21, as Document Number 5935919.  
Witnessed by Josh Binstock, Deputy Dane County Register of Deeds

There are no objections to this plat with respect to s. 236.15, 236.16, 236.20 and 236.21 (1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.  
Certified November 13, 2023  
Bernie M. Pones  
Department of Administration

|                                                                                 |                                                                                                                                |                                                                                                                                                       |                                                                                                     |                        |
|---------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|------------------------|
| <b>vierbicher</b><br>planners   engineers   architects<br>Phone: (608) 261-3898 | Drafted by: MZE<br>Checked by: MZCH<br>FN: 210303<br>Date: 11/28/2022<br>Rev: 01/12/2023<br>Rev: 03/03/2023<br>Rev: 11/28/2023 | <b>SURVEYED BY:</b><br>Verbiher Associates, Inc.<br>By: Michael J. Ziehr<br>659 Fourth Street, Suite 201<br>Madison, WI 53717<br>mzieh@vierbicher.com | <b>SURVEYED FOR:</b><br>Illuminate Development LLC<br>5150 High Crossing Blvd.<br>Madison, WI 53718 | <b>SHEET</b><br>2 OF 2 |
|---------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|------------------------|