State of Wisconsin

PERMANENT FILE NO. 15849

Department of Development

123 West Washington Avenue Post Office Box 75:70 Madison, Wisconsin 53707 608/266-3200

JUN 1 1 1987

Tommy G. Thompson Governor

> Bruno J. Mauer Secretary

June 10, 1987

Mr. Len Leverence Winnebago County Planning & Zoning Committee Courthouse, Box 2808 Oshkosh, Wisconsin 54901

Subject: FIRST ADDITION TO FOX CHASE

SE 1/4 S 29 T18N R16E City of Oshkosh

Dear Mr. Leverence:

We have received the above-named plat. Your county planning agency has the authority to object to this plat under the provisions of s. 236.12 (2) (b), Wis. Stats. Enclosed are four copies for your review. Your agency must either object, or certify no objection within 20 days of your receipt of this submittal.

- If the plat is objected to, we must be notified by letter (the original drawing will be returned to the surveyor for revisions).
- If the plat is certified as nonobjectionable, we must receive a print bearing your certification so that we may finalize our review (see s. 236.12 (6), Wis. Stats.).

It is important that this matter be expedited to avoid delays in processing the plat and to comply with the time limits set by statute. By the date shown below* this office must either object to or certify the plat as nonobjectionable for all the objecting agencies involved, or, the subdivider can demand immediate ONORIEO/DNABOROBJECTION.

Sincerely,

WINNEBAGO COUNTY PLANNING & ZONING COMMITTEE

Jednine W. MU Jeanne A. Storm, Supervisor

Plat Review Unit

Telephone: 608/266-3200

Le Sta Co

County Element

JAS:sg 15-1

Enc: Prints (4)

cc: Steven T. Chronis, Surveyor Clerk, City of Oshkosh

SUBJECT TO THE CONDITION OF APPROVAL, THAT THE FOLLOWING RESTRICTION FOR PUBLIC BENEFIT BE ADDED ON THE FACE OF THE FINAL PLAT. (SEE ATTACHED)

DEPARTMENT OF DEVELOPMENT TIME LIMIT EXPIRES ON: Thursday, July 9, 1987

FURSUANT TO SECTION 17.02(6)(b) OF THE WINNEBAGO COUNTY TOWN/COUNTY ZONING ORDINANCE, UPON FINAL GRADING, THE DEVELOPER AND/OR OWNER SHALL COMPLY WITH THE SURFACE WATER DRAINAGE PLAN AS APPROVED BY THE WINNEBAGO COUNTY PLANNING AND ZONING COMMITTEE.

11-14-86 Notified, Tom Rusch of
POTENTIAL VIOLATION IF
PLAT IS REZORDED DUD BLOG
CONSTRUCTION BEGINS WO FINAL
COUNTY DROWAGE PLAN Appul.

11-17-86 MTG. W/ CITY ENG. DEDTY TOM RUSSA, LLUCD, AND STEVE CHOONIS TO DEDIVAGE PLAN ROJENTS. All PARTIES AGREED ON A CINAL DESIGN. CITY WILL GRUND FINAL DRAINAGE PLAN TO CONDY FOR KHIPPENAL WITHEN 1-2 WKS.

12/8/86 SEE TRANSMITTED LETTER OF 12/8/86

1/9/87 All OBJECTIONS SATISFIED



PLANNING AND ZONING DEPARTMENT

David E. Schmidt, Director
Leonard Leverence, Principle Planner • James Mabry, Zoning Administrator

January 22, 1987

Mr. Steve Chronis Aero-Metric Engineering Inc. P.O. Box 111 Chilton, WI 53014-0111

RE: Fox Chase Plat - Surface Water Drainage Plan

Dear Mr. Chronis:

The purpose of this letter is to inform you that Winnebago County has reviewed and approved the surface water drainage plan as designed and submitted by Mr. Ed Potempa of the City of Oshkosh Engineering Department.

Winnebago County wishes to thank you and the City of Oshkosh for the combined effort in resolving the surface water drainage concerns involved with this plat.

In closing, all of the County objections have been resolved and, therefore, the plat may proceed with development. Thank you.

Sincerely,

Leonard Leverence Principal Planner

IL/hc

pc: City of Oshkosh-Engineering Dept. Ed Potempa

> Jeanette Diakoff, Chairperson Town of Algoma



Winnebago (Munty

PLANNING AND ZONING DEPARTMENT

David E. Schmidt, Director
Leonard Leverence, Principle Planner • James Mabry, Zoning Administrator

October 7, 1986

Mr. Steve Chronis Aero-Metric Engineering, Inc. P. O. Box 111 Chilton, WI 53014-0111

RE: Fox Chase Plat

Dear Mr. Chronis:

This letter is in response to the submittal of the following documents for the above referenced plat.

10/0/86 0 K

1. Avigation Easement is accepted; please notify this office when the document has been recorded with the Winnebago County Register of Deeds office. Document at 66 40 65 (See This File of Cory).

1/9/81 LFL Surface Water Drainage Plan as submitted by the City of Oshkosh Engineering Department on September 23, 1986 does not meet the requirements of section 17.02 (6) of the Winnebago County/Town County Zoning Office.

This office would appreciate your attention to these matters at your earliest convience so that the final plat meets the Winnebago County Planning and Zoning Commission conditions of approval.

Sincerely,

Leonard Levekenee Principal Planner

Attachments: IMCD Report

Avigation Easement

cc: Ed Potempa

Tom Rusch

LL:pc

Courthouse P. O. Box 2808 Oshkosh, WI 54903-2808 414/235-2500

Comment No.



EASEMENT

COPY

witnesseth:

This indenture made this 21st day of August, 1986, by and between Thomas Rusch and Richard L. Gabert hereinafter referred to as Grantor, and Winnebago County, a municipal corporation organized and existing under the laws of the State of Wisconsin, hereinafter referred to as Grantee,

A.D. 1986 at 1.360'clook A.M. O. REGISTER OF DEFOS

Return to

Steven T. Chronis Aero-Metric Engineering, 539 N. Madison St. Chilton, WI 53014

WHEREAS, the Grantee is the owner and operator of the Wittman Field Airport, situated in the said County of Winnebago, State of Wisconsin, and in close proximity to the land of Grantor as hereinafter described and the Grantee desires to obtain and preserve for the use and be effit of the public a right of free and unobstructed right for aircraft landing upon, taking off from, or maneuvering about the said airport.

NCW THEREFORE, for and in consideration of the sum of \$1.00 and other good and valuable consideration, the receipt whereof by the Grantor is hereby acknowledged, the Grantor does hereby grant, bargain, sell and convey unto the Grantee, its successors and assigns, for the benefit of the general public at large, an easement and right-of-way for the free unobstructed passage of aircraft, and the right to cause such sound as may be inherent in the operation of such aircraft, by who soever owned or operated, in and through the airspace over and across those parts of the Grantor's said land which are bounded and described as follows: A part of the SE4 of Section 29, T.18N., R.16E., 13th Ward, City of Oshkosh, Winnebago County, Wisconsin; Commencing at the SE corner of said Section 29; thence N.00°-17'-14"E. 1100.00 feet; thence N.89°-04'-12"W. 900.86 feet; thence S.00°-17'-14"W. 1100.00 feet; thence S.89°-15'-40"E. 900.83 feet to the point of commencement, containing 22.75 acres of land.

Provided, however, that the air space in which the said easement and right-of-way is herein granted shall be that air space which lies at or above 869-887 feet above mean sea level (MSL) which is 75 feet above the present surface level of the land, which land is 794-812 feet above MSL. Determination of non-conforming obstructions shall be based on the height of the obstruction above mean sea level (MSL).

And in furtherance of the said easement and right-of-way the Grantor, for the consideration hereinabove set forth, does hereby grant and convey to the Grantee, its successors and assigns, a continuing right to keep the airspace above the aforesaid heights clear and free from any and all fences, crops, trees, poles, buildings, and other obstructions of any kind or nature whatsoever which now extend, or which may at any time in the future ext nd, above the aforesaid heights of land, together with the right of ingress to, egress from, and passage over the land of the Grantor first above described for the purpose of effecting and maintaining such clearances and of removing any and all obstructions which now or may hereafter extend above the said heights.

All rights hereby granted are limited to the exercise of such rights at or above the Mean Sea Level height limitations over the Grantor's land herein specified, and their effect on the parcel of land herein described.

To have and to hold said easement and all rights appertaining thereto unto the Grantee, its successors and assigns, until said airport shall be abandoned and shall cease to be used for airport purposes.

And for the consideration hereinabove set forth the Grantor hereby convenants, both for himself and his heirs, executors, administrators and assigns, for and during the life of this easement as follows:

- (a) Grantor shall not hereafter construct nor permit nor suffer to remain upon said land any obstruction that extends above the heights aforesaid, and
- (b) Grantor shall not hereafter use or permit or suffer use of the land first above described in such a manner as to create electrical interference with radio communications between the installation upon the aforesaid. Airport and aircraft or as to make it difficult for flyers to distinguish between airport lights and others, or as to result in glare in the eyes of flyers using the said airport, or as to impair visility in the vicinity of the airport, or as otherwise to endanger the landing, taking-off or maneuvering of aircraft.

and the aforesaid covenants and agreements shall run with the land of the Grantor, as hereinabove described, for the benefit of the Grantee, and its successors and assigns in the ownership and operation of the aforesaid Airport.

In witness whereof, the Grantor has her	reunto set its hand and seal the
Thomas V. Rusch (SEAL)	denard L. Baber? (SEAL)
(SEAL)	(SEAL)
ACKNOWLEDGMENT STATE OF WISCONSIN Winnebago County	
Personally came before me, this 25th the above named Thomas N. Rusch and Richa	day of <u>August</u> , 1986, rd L. Gabert
to me known to be the person(s) who execute scknowledged the same. This instrument was drafted by: Steven T. Chronis	the foregoing instrument and Karen L. Ryf * Karen L. Ryf
*Names of persons signing in any capacity should by typed or printed below their signatures.	* Karen L. Ryf Notary Public Winnebago County, Wisconsin
SONAL BURING	My commission expires 4-10-88

SIDNAY PUBLIC State of Wisconsin Karan L. Ryf

1



WINNEBAGO COUNTY LAN AND WATER CONSERVATION DEPARTMENTS SOO EAST SURRYVIEW ROAD, OSHXGSH, WISCORS IN 54901-9774 (414)424-0044 or 725-8321, Ext. 253

URBAN DEVELOPMENT STORMWATER MANAGEMENT/SOIL EROSION CONTROL PLAN REVIEW

TO: Len Leverence	; Winnebago Co	Planning	Department
FROM: Pete Van Airsdale		DATE:	
PROJECT: Fox Chase - First Addit	ion	and the state of t	
DESCRIPTION: Residential Plat			
LOCATION: in part of the N.E. 1/2, 13th Ward, City of Os PROPERTY OWNER: Thomas Rusch	S.E. 4 & S.E. 4, Sinkosh	.E. 4 Sec. 29	- T.18NR.16
Plan prepared by: Ed Potempa, F	.E.; City of Oshk	osh Enginee	ring Dept.
Review requested by: Winnebago	County Planning	Date	: 12-9-86
On-site by: P. Van Airsdale w/Le	n Leverence	Date	9-29-86
(initial review comm	ents submitted 9-	30-86)	
COMMENTS: The design and calcul	ations to limit p	ost-constru	ction storm -
water runoff to pre-construction	n rates are adequ	ate and meet	Winnebago
County Zoning Ordinance requir			-
		•	
		gar and menyali, demonstrations, and plants in 19,44, resp., pasts did 4,44 defending pasts should see	Annual Company of the second company of the
RECOMMENDATIONS: Approval of att	ached plan as sub	mitted by C	ity of
Oshkosh Engineering Dept.	tradadi. "The printed trade processed annual discontinuous delicity as Santa Annual Annual Annual Annual Annual	Derende de la session des differences de l'Art des des des des des des des de l'Art de l'Art de l'Art de l'Art	
Note: please forward a copy o	f final approved	plan to thi	s office.
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10/86

Pg. 1 of 1

(414) 236-5065



December 5, 1986

Winnebage County Planning & Zoning Department 420 Jackson Street Oshkosh, WI 54901

Attention: Leonard Leverence

Gentlemen:

The City of Oshkosh Engineering Department has developed a drainage plan showing proposed storm sewer and street grades for the First Addition to Fox Chase Plat. The plan is drawn on a copy of the preliminary plat of the proposed plat.

The design intends to limit the storm sewer discharge to pre-construction rates (29.6 cfs) by restricted pipe sizes and grading the streets and rear lots to create valleys which would pond water when runoff exceeds pipe capacities. The yellow line on the attached drawing indicates drainage limits of those areas which fall in these valley zones. Water would be ponded in depths from 0" to 15" in these areas before it would overflow the crests of the streets or sidewalks and continue overland to Sawyer Creek. House elevations would be set such that overflow would begin before foundation levels are reached.

The large majority of the plat drainage is shown to pass through the lower collection points. By this method, it is hoped to limit runoff rates and meet the concerns of Winne-bago County. Ample storage areas are provided which should not cause house flooding if the design is followed.

If you have any further questions, please contact me.

Sincerely,

Ed Potempa, P. E.

M. Catonja

EP:bf

Enclosure

cc: Tom Rusch

Anthony S Earl

State of Wisconsin

Department of Development

123 West Washington Avenue Post Office Box 7970 Madison, Wisconsin 53707 608/266-3200

Governor Jemes T. Flynn Lieutenant Governor

October 16, 1986

Mr. Steven T. Chronis AERO-METRIC ENGINEERING, INC. 539 N. Madison Street Chilton, Wisconsin 53014

PERMANENT FILE NO. 15849 FIRST ADDITION TO FOX CHASE SE 1/4 S 29 T18N R16E City of Oshkosh, Winnebago County

Dear Mr. Chronis:

The Department of Development certifies this preliminary plat as nonobjectionable. On the final plat, the Winnebago County Planning & Zoning Committee will also be an objecting

Local government units, during their review of the plat, will resolve, when applicable, that the plat:

- complies with local master plans, official map or subdivision control ordinances;
- conforms with areawide water quality management plans, if sewered;
- complies with Wisconsin shoreland management regulations;
- resolves possible problems with storm water runoff;
- fits the design to the topography;
- displays well designed lot and street layout;
- includes service or is serviceable by necessary utilities.

COMMENTS FROM PRELIMINARY PLAT REVIEW:

s. 236,16 (1) The lots have the minimum width and area required by this section.

s. 236.16 (2) The streets meet the minimum width required by this section.

You have advised us that the certification regarding public sewers will be submitted with the final plat. A copy of our standard form is being sent to the clerk with her copy of this letter.

If there are any questions concerning this review or preparation and submittal of the final plat, please contact our office.

Sincerely,

Jeanne A. Storm, Supervisor by man

onne a. Storm

Plat Review Unit

Telephone: 603/266-3200

cc: Clerk, City of Oshkosh (w/print) & (w/sever certification form) Winnebago County Planning/& Zoning Rusch & Gabert, Owners

JAS:mas

Enc: Original

ORIGINAL DRAWING RECEIVED FROM SURVEYOR ON 9/29/86; REVIEWED BY DOD ON 10/16/36.

State of Wisconsin

Department of Development

123 West Washington Avenue Post Office Box 7970 Hadison, Wisconsin 52707 608/266-3200

October 2, 1986

DESTRICTION ON PROES

Anthony S Earl Governor James T. Flynn Lieutenant Governor

Mr. Steven T. Chronis AERO-METRIC ENGINEERING, INC. 539 N. Madison Street Chilton, Wisconsin 53014 PERMANENT FILE NO. 15765

Subject: FOX CHASE

SE 1/4 S 29 TISN R16E

City of Oshkosh, Winnebago County

Dear Mr. Chronis:

We have examined FOX CHASE and do not object to this final plat. Today, we were notified by the Winnebago County Planning & Zoning Committee that they do not object to this plat. Therefore, the original drawing has been certified as complying with the requirements of: s. 236.15, s. 236.16, s. 236.20, and s. 236.21 (1) \$ (2), Wis. Stats.; and, the Winnebago County Planning & Zoning Committee.

The following changes or corrections must be made to satisfy the conditional certification. Underlining indicates corrected or added information that must be shown. Any variances with these conditions will require written notification to and verification by this office prior to plat approval.

s. 236.20 (2) (c) The 615.47' block length along the east line of lots 12-19 totals and must be changed to 615.86'.

The 525.47' street length along the west line of South Oakwood Road, adjacent to lots 13-19, totals and must be changed to 525.86'.

In the restriction on the face of the plat, full recording data must be shown for the avigation easement over lots 1-10.

s. 236.21 (1) A revision date, "Revised this day of , 19 .".

must be placed near the land surveyor's seal and signature on the revised plat.

After all conditions of the certifications of no objection have been met, the plat may be submitted to the local governing bodies for approval. Local government units, during their review of the plat, will resolve, when applicable, that the plat:

- complies with local master plans, official map or subdivision control ordinances;
- conforms with areawide water quality management plans, if sewered;
- complies with Wisconsin shoreland management regulations;
- resolves possible problems with storm water runoff;

Definition of the

Page 2 Mr. Steven T. Chronts FOX CHASE October 2, 1986

fits the design to the topography;

- displays well designed lot and street layout;

- includes service or is serviceable by necessary utilities.

Any changes to the plat involving details checked by this Department, or, the Winnebago County Planning & Zoning Committee will require submission of the plat to the Department for recertification before the plat is eligible for recording. Such changes can be found by comparing the original drawing with the copy of this plat we furnish the letter recipients listed.

Sincerely,

Jeanne A. Storm, Supervisor

Plat Review Unit

Telephone: 608/266-3200

JAS:mas

Enc: Original, Transparency, Marked Print, Closure Comps., Curve Comps.

cc: Clerk, City of Oshkosh
Winneba;o County Planning & Zoning Committee
Thomas R. Rusch & Richard L. Gabert, Owners
Register of Deeds
ECWRPC

ORIGINAL DRAWING RECEIVED FROM SURVEYOR ON 9/8/86; REVIEWED BY DOD ON 10/2/86.

NOTE TO SURVEYOR: The following item was noticed during our review. At your option, the spelling may be changed without return of the plat to this office:
- In the Legend, "hundredth" is misspelled.

NOTE TO ALL CONCERNED: Per our phone conversation with Leonard Leverence, County Planner, of the Winnebago County Planning & Zoning Committee, the following covenant will be added to the face of the plat prior to recording:

"PURSUANT TO SECTION 17.02(6) (b) OF THE WINNEBAGO COUNTY TOWN COUNTY ZONING ORDINANCE, UPON FINAL GRADING, THE DEVELOPER AND/OR OWNER SHALL COMPLY WITH THE SURFACE WATER DRAINAGE PLAN AS APPROVED BY THE WINNEBAGO COUNTY PLANNING AND ZONING COMMITTEE."

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		SUMPIG DELIMIC MALE LISTS 251-10" 17"-20"-11" 191-11" 15"-20"-20" 86-12" 251-10" 18"-20"-20" 86-12"	EARLING STATUS S	The LOT ARCAS The Control of th
	The state of the s	773,14* 5,57*-59*-38*s, 51+,23* 25*-30*-30* 112,44* **	Carrier Carrier Steel - 10 to 14	12,746 sq. ff. 10 = 10,750 sq. Tt. 13,407 sq. ff. 13,407 sq. ff. 1 = 15,000 sq. ft. 13,407 sq. ft. 12 = 13,000 sq. ft. 4,11 Thomas measurageath here form an 13,500 sq. ft. 12 = 12,000 sq. ft. 4,11 the manusty specimen of a four
	以三点		지난 시간이 사용하게 많은 회의회에 가요?	13, 75, 66, ft. 12,000 Mg. Ft. 13 months metallicate these here are 15, 12,000 Mg. Ft. 10 the merret second and computed to 15, 12,000 Mg. Ft. Mg. 17 second.
	SURVIOUS SETTIFICATE: 1. Stewart. Orders, viscous in Augusta/De Consumptor of	CHARAS CERTIFICATE OF DEDICATION As assess, we hereby careffy that we could the land discribed	CONFERT OF CORPORATE MORTCAGE	15,049 sq. (t. 17 + 30,350 sq. (t. 12 150 sq. (t. 1
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	a part of the furthest Querter (RL) of the Southeast Querter (SR) and the Southeast Querter (SC) of the Southeast Querter (SR) of Soction Turnty-vine (29), Township Eighteen (18) forth,	Nimothopo County Plansing and Zening Countries. NITHESS the hand and seal of sale gamers this day of 1900.	contificate of Thomas A. Assent and Alternia L. Gabert, anners. 18 withest betterof, the said # 6 I wester a State Man has Leased these presents to be signed by Nancy J. Boberts til Pro-	Velley Nork of Dismosts, a consortation duly argentized and principal under and by virtue of the laws of the South of Miscon- tie, martgoon of the observe described land, does hardly consort.
	Range Seathum (16) East, Thirteenth (19th) Mand, City of Olinous, Minnesses County, history in. That I have made turn curvey. Land division and plat by the	le tra Presente et:	stoom, and counterstoned by Charles J. Blackerby, its: Crabler, at Obbiosh, Visconsta, and its comparety seal to be hereuito. affined this compared sealing the compared sealing	to the surveying, dividing, mapping and deficition of the load beauting an this plat, and does havely consent to the above grafificate of Typin to Russe and Richard L. Galert, teatron,
	direction of Thomas, N. Hasch and Exchange L. Canada, covers of Cale Lead and being described by C. Commercing at the Southeast. Covers of said-Section 29 and being the time point of beginning. Theorem.00-177-1967. This Life force, along the said for of the		As, the Presidence of the Control of	In MITPESS ANGREDS, the next Valley Best of Oakson-nec CHING Their projects to be styned by Fower V. Review Vs. Cysteent, and counters lyeed by Rosby V. North, via Cashier, at Cehinoth, stacogein, and its personate until to be revenued.
	50% of half legion 29; thomas 4.95"-45"% 31.2" feet; liments 8.00"-15"-35", 100.00 feet; thence 8.80"-65"-65", 150.00 feet; Bloods 5.00"-14"-35"%, 780.00 feet; thence 5.60"-17"-05"%, 98.48"	STATE OF UISCONSIN) SS:	President-Marcy J., Robert	arriad tals day of 1885. In the Aveloce of
	fact; theres 5.19*-15*-26**C, 175.73* feet; there susting series; 112.66 feet, stong the art, of a curve to the jeft having a radius of 253,16 feet and the choose of which bears 5.57*-59*-59*s, 113.73 feet; theres 1.64*-65*-26**C, 63.00 feet; theres 5.45*-14*-36**s,	Personally case before so this day of 1506, the store same Thomas In Resch and Schorel L. Seber. Co on I have to the sprices are executed the foregoing testiment and		7 (1) (1) (1) (1) (1) (1) (1) (1) (1) (1)
	19.00 feet; themor 5.61"-65"-29"E. 705.27 feet; themor 5.79"-65"- 55"W, 171-2 feet; thubop 5.00"-18"-29"W. 286.10 feet; themor 5.20"-15"-40"E. 54.17 feet; themor 5.00"-44"-3,7"w, 175.00 feet;	etymologori the time. [Rocary See]]	STATE OF WISCONSIN) SS WINNERAGO COURTY) SS	Neg land River 1 to Select
	to a joint on the earth line of the SE of each Section 19; Thince Supplies 5-40 t. 18,29 feet, along the south line of the SE of hald Section 19 to time type point of definiting.	My compassion on trees	Personally core refere no chis day of 1986, Reacy J. Roserts, President, and Charles J. Riscarry,	Conference of here
	ALSO: Commencing as the Southeast Corner of said faction 25; Unexa. N.D.*1.7**1. 1991, all feet, along the cest live of the SSL of said Section 29 to the true, point of beginning; themer com- tings N.D.*1.7**147*1, 125, 24.7**1, along the cest time of the SSL.	COUNTY TREASURETY'S CENTIFICATE	Cashier of the whose natural componations, to see shown to be the per- yon who executed the foregoing instituteness, and to see shows to be such Proclamit and Cashier of said componation, and accordingly that they executed the foregoing septimizes as such officers as:	STATE OF VISCOUSIN) SS LEASENGE COLORY VI. WHEN CANDO COLORY S SS LEASENGE COLORY OF STATE O
	of axis Saction 29; thence R.55°-04°-12"s. 187.44 feet; Dimens. 5.00°-18°-38"s. 637.66 feet; thence 5.65°-65°-78"f. 150.00 feet; hence 8.00°-18°-38"s. 637.66 feet; thence 5.65°-65°-78"f. 150.00 feet; hence 8.00°-18°-38"s.	PRIMARY CO. ALECTORIA) 327	the deed of sald consoration, by its authority. (Notery Sect)	1986, Robert M. Bartery, President, and Redniy M. Horti, Gashiar of the above name: comporation, to he know to be the seminar and emphases the foregoing instrument, and its we know to be such
	rect to the true point of beginning and cantaining 7,4423 acres of land. That such plat is a correct representation of all asterior	I, Buth M. Bradley, being the buly electron, qualified and acting tremumer of the Country of Historians, so hereby contry that the - ands in my office then no nevel med that he had been appeared to the property of the state of the new participation of the state of	Retary Audit. Brisonsis. By Countsion Engines	President and Caption of sald consenting, and estimating that they emposed the foreign instrument of said officers as the said of cald Corporation, by its authority.
	begindering of the land surveyor and the subdivision thereof made. That, I have fully employed with the provisions of Chapter 226 of the process to Scattege and the Subdivision Regulations of the	1960 affacts, the lands technol to the FOC CASE SHOULDSDA	RESTRICTION FOR PUBLIC BENEFIT	(Rotary Seal) Refury Robits Principals
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	Date: Approved (Agent) (ord 12, Date (A	1. Ed Rubes, being the duly appointed analytical and acting	Compay with the more used storm analogue and gredien plan an same title to the Constraint of Public More.	
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# 5 6		1986, as any of the land included in the FOR CHAST SUBJUSTICAL THE Finance Ulrector C Aprice.	Personnt to Section 20 - 3'(c) Proportionite Promet in the of Descrition of the City of Dahash, Jaildivision Ordinance, a SIGU.20 per unit fee small be used by the Committee prior to Passeure of a Sidiling Person. The Fee shall be used for meliging	Clean A Storm
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State of Wisconsin

Department of Development

123 West Washington Avenua Post Office Eox 7970 Hadison, Wisconsin 53707 608/256-3270 Anthony S. Earl Governor James T. Flynn Lleutenant Governor

Still 1 1/2 1986

September 11, 1986

Mr. Len Leverente Winnebags County Planning Agency Courthouse, Fox 2808 Oshkosh, Wisconsin 54901 PERMANENT FILE NO. 15765

Subject: FOX CHASE:

SE 1/4 S 29 T18N R16E

City of Oshkosh, Winnebago County

Dear Mr. Leverence:

We have received the above-named plat. Your county planning agency has the authority to object to this plat under the provisions of s. 236.12 (2) (b), Wis. Stats. Enclosed are four copies for your review. Your agency must either object, or certify no objection within 20 days of your receipt of this submittal.

- If the plat is objected to, we must be notified by letter (the original drawing will be returned to the surveyor for revisions).
- If the plat is certified as nonobjectionable, we must receive a print bearing your certification so that we may finalize our review (see s. 236.12 (6), Wis. Stats.).

It is important that this matter he expedited to avoid delays in processing the plat and to comply with the time limits set by statute. By the date shown below this office must either object to or certify the plat as nonobjectionable for all the objecting agencies involved, or, the subdivider can demand immediate certification of no objection.

Sincerely, WINNEBAGO COUNTY PLANNING & ZONING COMMITTEE

Jeanne A. Storm, Supervisor hymnes

Plat Review Unit
Telephone: 608/266-3200

DATE

WINNEBAGO COUNTY PLANNING & ZONING COMMITTEE

County Planner

County Planner

JAS:nas

Enc: Prints (4)

cc: Clerk, City of Cshkosh

Mr. Steven T. Chronis, Surveyor

SUBJECT TO THE UNDERSTANDING THAT THE FOLLOWING COVENANT SHALL BE ADDED TO THE FACE OF THE PLAT PRIOR TO RECORDING OF THE PLAT. (SEE ATTACHED.)

DEPARTMENT OF DEVELOPMENT TIME LIMIT EXPIRES ON: Wednesday, October 8, 1986

COVENANT

PURSUANT TO SECTION 17.02(6)(b) OF THE WINNEBAGO COUNTY TOWN COUNTY ZONING ORDINANCE, UPON FINAL GRADING, THE DEVELOPER AND/OR OWNER SHALL COMPLY WITH THE SURFACE WATER DRAINAGE PLAN AS APPROVED BY THE WINNEBAGO COUNTY PLANNING AND ZONING COMMITTEE.

State of Wisconsin

Department of Development

123 Web. Similaron Avenue Post Office Box 7970 Madison, Wisconsin 53707 608/266-3200 Anthony S. Earl Governor James T. Flynn Lieutenant Governor

301 3 1 1986

July 18, 1986

Mr. Steven T. Chronis
AERO-METRIC ENGINEERING, INC.
539 N. Madison Street
Chilton, Wisconsin 53014

PERMANENT FILE NO. 15765

FOX CHASE
SE 1/4 S 29 T18N R16E
City of Oshkosh, Winnebago County

Dear Mr. Chronis:

The Department of Development certifies this preliminary plat as nonobjectionable. The Department of Transportation, Division of Highways and Transportation Services will review the plat if it is an "abutting plat" as defined by s. Hy 33.03 (3), Wis. Admin. Code. On the final plat, the Winnebago County Planning Agency will also be an objecting agency.

Local government units, during their review of the plat, will resolve, when applicable, that the plat:

- complies with local master plans, official map or subdivision control ordinances:
- conforms with are wide water quality management plans, if sewered;
- complies with Wicconsin shoreland management regulations;
- resolves possible problems with storm water runoff;
- fits the design to the topography;
- displays well designed lot and street layout;
- includes service or is serviceable by necessary utilities.

COMMENTS FROM PRELIMINARY PLAT REVIEW:

s. 236.16 (1) The lots have the minimum width and area required by this section.

s. 236.16 (2) The streets meet the minimum width required by this section.

We must receive the City Clerk's certification regarding public sewerage facilities with the final plat submittal.

If there are any questions concerning this review or preparation and submittal of the final plat, please contact our office.

Sincerely,

Jeanne A. Storm, Supervisor

Plat Review Unit

Telephone: 608/266-3200

Enc: Original

cc: Clerk, City of Oshkosh

(w/sewer certification form) Winnebago County Planning Agency

Rusch & Gabert, Owners

JASiman

ORIGINAL DRAWING RECEIVED FROM SURVEYOR ON 7/9/86; REVIEWED BY DOD ON 7/18/86.



July 10, 1986

JUL 1 1 1986

Mr. Len Leverence, Principal Planner/Grants Coordinator Winnebago County Courthouse PO Box 2808 Oshkosh, WI 54903

RE: Preliminary Plat of Fox Chase

Dear Len:

Enclosed are two (2) copies of the preliminary plat of Fox Chase for your review. I have inclused a copy of the airport zoning district map and shaded in the area of the plat for your reference.

If there should be a problem of any kind or we need to attend a meeting, please let me know at your earliest convenience. Thank you for your cooperation in this matter.

Very truly yours,

AERO-METRIC ENGINEERING, INC.

- Offsonio

Steven T. Chronis Manager-Property Surveys

STC:mmp Enclosures

REPORT

TO: Planning and Zoning Committee

FROM: Planning and Zoning Department Staff

DATE: July 25, 1986

SUBJECT: Staff Report - Preliminary Plat Fox Chase

LOCATION:

Part of NE-1/4, SE-1/4 and SE-1/4, SE-1/4, Section 29, T18N, R16E, City of Oshkosh, Winnebago County, Approximately 8,000 ft. from termination of Wittman Field East-West Runway.

ACRES:

Total area - approximately 6.0 acres
Affected area - approximately 3.2 acres
(Lots 1 through 8)

CWNER: Thomas Rusch & Richard Gabert

ZONING: City Zoning Jurisdiction R1B Single Family Residential.

County Zoning Jurisdiction Air-3 Overlay. Height permit not required.

Adjacent 70ning and Uses:

County Jurisdiction

North - Agricultural and Mesidential Zoning and Uses. South - Agricultural Zoning and Uses. West - Agricultural Zoning and Uses.

City Jurisdiction

East - Single Family Residential Zoning and Uses.

EXPLANATION:

The applicant is proposing a development of 15 lots (Lots 1 through 8 acres effected by the Air-3 Overlay District) for Single Family Residential Development. In addition, future plans propose an approximate additional 40 lots within the Air-3 District.

The affected property had been annexed by the City of Oshkosh in May, 1986 and rezoned from Agricultural to Single Family Residential.

As presented, the proposed development will not be served by City Storm Sewer and, therefore, additional concern should address surface water drainage affects on adjacent unincorporated properties.

Prior to annexation the County standards for residential development in the agricultural district required a minimum lot size of five (5) acres. The City of Oshkosh R-1B standard is 7,200 sq. ft. The development is proposing lots of approximately 13,500 sq. ft.

FINDINGS OF FACT:

- 1. Winnebago County retains jurisdictional platting authority as an approval authority within County Zoning jurisdiction and as an objecting authority in municipalities located within Winnebago County. In either situation, Chapter 236.12(3), State Stats. states that no instance can a plat be approved until all objections have been satisfied.
- 2. Section 17.24(4)(c) Air-3 Airport Overlay Zone of the Winnebago County Town/County Zoning Ordinance specifies that the "zoning shall reflect a consideration that the establishment of a substantial number of residential uses within this zone would be inconsistent with operations of an airport in general and incompatible with the business/industrial development, traffic flow and other nonresidential development patterns that will be generated by both the specific operations and presence of Wittman Field itself".
- 3. The developer has expressed a willingness to provide Winnebago County an avigation easement.

ADVISORY RECOMMENDATIONS:

A. For approval - The proposed development meets the intent of Section 17.24(4)(c) of the <u>Winnebago County Town/County Zoning Ordinance</u> in that the development is compatible with the operations of the airport in that the proposed development is separated and buffered by substantial existing residential development of similar density to the East.

Conditions:

- 1. Final plat contains restriction identifying avigation easement.
- 2. Surface water drainage plan shall be submitted addressing offsite conveyance of surface water due to development.
- B. For disapproval The preliminary plat as presented does not meet the requirements of Section 17.24(4)(c) Air-3 Airport Overlay Zoning of the Winnebago County Town/County Zoning Ordinance; in that it substantially increases residential uses within the General Airport Zone and therefore, is incompatible with the operations of Wittman Field Airport.
 - 3. S.SM'S INCLUDED WI FINAL PLAT.



PLANNING AND ZONING DEPARTMENT

David E. Schmidt, Director
Leonard Leverence, Principle Planner • James Mabry, Zoning Administrator

August 7, 1986

Mr. Steven Chronis Aero-Metrics Engineering, Inc. 539 North Madison Street Chilton, WI 53014

RE: Fox Chase-Preliminary Plat

Dear Mr. Chronis:

The purpose of this letter is to notify you that the Winnebago County Planning and Zoning Committee met on August 6, 1986 and approved the above referenced preliminary plat with the following conditions:

- 1. Final plat contains avigation easement restriction on face of lot or reference of avigation easement to individual deeds.
- 2. Surface water drainage plan to include entire proposed plat addressing 25 year storm frequency offsite conveyance. Drainage plan shall meet standards as required by Section 17.02(6) of the Winnebago County Town/County Zoning Ordinance.

If you have any questions concerning this information, please contact this office.

Sincerely,

- Leonard Leverence Principal Planner

LL/hc

pc: Thomas Rusch

Jeanne Storm, Department of Development



PLANNING AND ZONING DEPARTMENT

David E. Schmidt, Director Leonard Leverence, Principle Planner • James Mabry, Zoning Administrator

MEMORANIJUM

OF:

Surveyors

FROM:

Leonard Leverence, Winnebago County Planning Department

DATE:

August 8, 1986

SUBJECT:

Subdivision Restrictions Chapter 236.293 Wisconsin Statutes

The following format is recommended for restrictions on plats:

Restrictions for Public Benefit

- A. Winnebago County
 - 1. List Restrictions
- B. Town of
 - 1. List Restrictions
- C. City of ____
 - 1. List Restrictions
- D. Owner/Developer
 - 1. List Astrictions

Courthouse

P. O. Box 2808 • Oshkosh, W! 54903-2808 • 414/235-2500



PLANNING AND ZONING DEPARTMENT

David E. Schmidt, Director Leonard Leverence, Principle Planner • James Mabry, Zoning Administrator

August 14, 1986

Mr. Steve Chronis Aero-Metric Engineering, Inc. 539 N. Madison Street Chilton, WI 53014

Fox Chase Preliminary Plat

Dear Steve:

Please find analosed Avigation Easement required for the preliminary plat of Fox Chase located in the City of Oshkosh, Winnebago County. Please obtain owner's signatures and insert revised legal description for the affected lots covered by this easement. Upon completion, please submit to this office for final approval.

If you have any questions, please feel free to call me.

Sincerely,

Principal Planner

IL/hc

Enclosure

focusent wa.

AVIGATION

EASEMENT

as space reserved for recording data.

Return to

WHEREAS, the Grantee is the owner and operator of the Wittman Field Airport, situated in the said County of Winnebago, State of Wisconsin, and in close proximity to the land of Grantor as nereinafter described and the Grantee desires to obtain and preserve for the use and benefit of the public a right of free and unobstructed right for aircraft landing upon, taking off from, or maneuvering about the said airport.

NCW THEREFORE, for and in consideration of the sum of \$1.00 and other good and valuable consideration, the receipt whereof by the Grantor is hereby acknowledged, the Grantor does hereby grant, bargain, sell and convey unto the Grantee, its successors and assigns, for the benefit of the general public at large, an easement and right-of-way for the free unobstructed passage of aircraft, and the right to cause such sound as may be inherent in the operation of such aircraft, by whomsoever owned or operated, in and through the airspace over and across those parts of the Grantor's said land which are bounded and described as follows:

Provided, however, that the air space in which the said easement and right-of-way is herein granted shall be that air space which lies at or above 869-887 feet above mean sea level (MSL) which is 75 feet above the present surface revel of the land, which land is 794-812 feet above MSL. Determination of non-conforming obstructions shall be based on the height of the obstruction above mean sea level (MSL).

And in furtherance of the said easement and right-of-way the Grantor, for the consideration hereinabove set forth, does hereby grant and convey to the Grantee, its successors and assigns, a continuing right to keep the airspace above the aforesaid heights clear and free from any and all fences, crops, trees, poles, buildings, and other obstructions of any kind or nature whatsoever which now extend, or which may at any time in the future extend, above the aforesaid heights of land, together with the right of ingress to, egress from, and passage over the land of the Grantor first above described for the purpose of effecting and maintaining such clearances and of removing any and all obstructions which now or may hereafter extend above the said heights.

All rights hereby granted are limited to the exercise of such rights at or above the Mean Sea Level height limitations over the Grantor's land herein specified, and their effect on the parcel of land herein described.

To have and to hold said easement and all rights appertaining thereto unto the Grantee, its successors and assigns, until said airport shall be abandoned and shall cease to be used for airport purposes.

And for the consideration hereinabove set forth the Grantor hereby convenants, both for himself and his heirs, executors, administrators and assigns, for and during the life of this easement as follows:

- (a) Grantor shall not hereafter construct nor permit nor suffer to remain upon said land any obstruction that extends above the heights aforesaid, and
- (b) Grantor shall not hereafter use or permit or suffer use of the land first above described in such a manner as to create electrical interference with radio communications between the installation upon the aforesaid. Airport and aircraft or as to make it difficult for flyers to distinguish between airport light, and others, or as to result in glare in the eyes of flyers using the said airport, or as to impair visility in the vicinity of the airport, or as otherwise to endanger the landing, taking-off or maneuvering of aircraft.

and the aforesaid covenants and agreements shall run with the land of the Grantor, as hereinabove described, for the benefit of the Grantee, and its successors and assigns in the ownership and operation of the aforesaid Airport.

In witness whereof, the Grantor has hereunto set its hand and seal the day and year first above written.

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ACKNOWLEDGMENT STATE OF WISCONSIN Winnebago County		
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to me known to be the person(s) who execu acknowledged the same. This instrument was drafted by	ted the foregoin	g instrument and
*Names of persons signing in any capacity should by typed or printed below their signatures.	Notary Public County, Wisco	
	My commission	expires