

# Dane County Rezone Petition

<b>Application Date</b>	<b>Petition Number</b>
02/10/2026	DCPREZ-2026-12256
<b>Public Hearing Date</b>	
05/05/2026	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME AMBLE LAND LLC	PHONE (with Area Code) (815) 621-6258	AGENT NAME RODINA REAL ESTATE, LLC	PHONE (with Area Code) (608) 279-0326
BILLING ADDRESS (Number & Street) 5900 COUNTY HIGHWAY D		ADDRESS (Number & Street) 130 N. IOWA ST.	
(City, State, Zip) OREGON, WI 53575		(City, State, Zip) Dodgeville, WI 53533	
E-MAIL ADDRESS sheena.amble@gmail.com		E-MAIL ADDRESS kevin@rodinarealestate.com	

ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF REZONE		ADDRESS OR LOCATION OF REZONE		ADDRESS OR LOCATION OF REZONE	
5900 County Highway D					
TOWNSHIP OREGON	SECTION 5	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0509-054-9315-0					

## REASON FOR REZONE

ZONING CHANGE TO ENABLE BUILDING RECONSTRUCTION FOR EXISTING BUSINESS

FROM DISTRICT:	TO DISTRICT:	ACRES
LC Limited Commercial District	GC General Commercial District	4.88

<b>C.S.M REQUIRED?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	<b>PLAT REQUIRED?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Applicant Initials _____	<b>DEED RESTRICTION REQUIRED?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	<b>INSPECTOR'S INITIALS</b>  RUH1	<b>SIGNATURE:(Owner or Agent)</b>   <b>PRINT NAME:</b>   <b>DATE:</b>
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COMMENTS: 1. CURRENT LC ZONING LIMITS SITES TO 10,000 SQ FT TOTAL BUILDING AREA.  
 2. SEPTIC SYSTEM / POWTS MUST BE LOCATED ON THE COMMERCIAL LOT UNLESS INFEASIBLE. A LOT LINE ADJUSTMENT IS RECOMMENDED.  
 3. A NEW SITE GRADING PLAN WILL BE REQUIRED BASED ON THE PROPOSED POWTS LOCATION. AN UPDATED SWMP MAY BE NEEDED.  
 4. A NEW DEED RESTRICTION WILL BE REQUIRED BECAUSE REZONING TERMINATES EXISTING RESTRICTION DOC #5612599.



**Dane County**  
**Department of Planning and Development**  
 Zoning Division  
 Room 116, City-County Building  
 210 Martin Luther King Jr. Blvd.  
 Madison, Wisconsin 53703  
 (608) 266-4266

Application Fees	
General:	\$395
Farmland Preservation:	\$495
Commercial:	\$545
<ul style="list-style-type: none"> <li>• PERMIT FEES DOUBLE FOR VIOLATIONS.</li> <li>• ADDITIONAL FEES MAY APPLY. CONTACT DANE COUNTY ZONING AT 608-266-4266 FOR MORE INFORMATION.</li> </ul>	

## REZONE APPLICATION

### APPLICANT INFORMATION

Property Owner Name:	Amble Land, LLC	Agent Name:	Rodina Real Estate, LLC
Address (Number & Street):	5900 County Highway D	Address (Number & Street):	130 N Iowa St
Address (City, State, Zip):	Oregon, WI 53575	Address (City, State, Zip):	Dodgeville, WI 53533
Email Address:	sheena.amble@gmail.com	Email Address:	Kevin@rodinarealestate.com
Phone#:	815.621.6258	Phone#:	608.279.0326

### PROPERTY INFORMATION

Township:	Town of Oregon	Parcel Number(s):	042/0509-054-9315-0
Section:	Section 5	Property Address or Location:	5900 County Highway D, Oregon, WI 53575

### REZONE DESCRIPTION

**Reason for the request.** In the space below, please provide a brief but detailed explanation of the rezoning request. Include both current and proposed land uses, number of parcels or lots to be created, and any other relevant information. For more significant development proposals, attach additional pages as needed.

Is this application being submitted to correct a violation?  
 Yes  No

The subject property is currently zoned LC (Limited Commercial) and is used for an existing commercial operation. The applicant is requesting a rezone to GC (General Commercial) solely to maintain compliance with applicable zoning ordinance requirements in order to construct a replacement commercial building on the property. The proposed building will replace an existing structure and will be located on the same footprint as the existing building. No expansion of use, no intensification of activity, and no change to the overall land use of the property is proposed as part of this request. No new parcels or lots are proposed, and the total acreage of the property will remain unchanged. The existing Conditional Use Permit associated with the property is intended to remain in effect. The rezone is administrative in nature and is requested solely to allow the replacement building to proceed in compliance with current zoning standards.

Existing Zoning District(s)	Proposed Zoning District(s)	Acres
LC - Limited Commercial	GC - General Commercial	4.88

**Applications will not be accepted until the applicant has contacted the town and consulted with department staff to determine that all necessary information has been provided. Only complete applications will be accepted. All information from the checklist below must be included. Note that additional application submittal requirements apply for commercial development proposals, or as may be required by the Zoning Administrator.**

<input checked="" type="checkbox"/> Scaled drawing of proposed property boundaries	<input checked="" type="checkbox"/> Legal description of zoning boundaries	<input checked="" type="checkbox"/> Information for commercial development (if applicable)	<input checked="" type="checkbox"/> Pre-application consultation with town and department staff	<input checked="" type="checkbox"/> Application fee ( <b>non-refundable</b> ), payable to the Dane County Treasurer
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I certify by my signature that all information provided with this application is true and correct to the best of my knowledge and understand that submittal of false or incorrect information may be grounds for denial. Permission is hereby granted for Department staff to access the property if necessary to collect information as part of the review of this application. Any agent signing below verifies that he/she has the consent of the owner to file the application.

Owner/Agent Signature  Date 2/6/2024  
 Kevin Gornulsky / Rodina Real Estate

## SUPPLEMENTAL INFORMATION FOR COMMERCIAL DEVELOPMENT

A scaled site plan and detailed operations plan must be submitted for commercial rezone applications. Please use the checklist below to ensure you are submitting all required information applicable to your request. Please attach the relevant maps and plans listed below to your application form.

**SCALED SITE PLAN.** Show sufficient detail on 11" x 17" paper. Include the following information, as applicable:

Scale and north arrow

Date the site plan was created

Existing subject property lot lines and dimensions

Existing and proposed wastewater treatment systems and wells

All buildings and all outdoor use and/or storage areas, existing and proposed, including provisions for water and sewer.

All dimension and required setbacks, side yards and rear yards

Location and width of all existing and proposed driveway entrances onto public and private roadways, and of all interior roads or driveways.

Location and dimensions of any existing utilities, easements or rights-of-way

Parking lot layout in compliance with s. [10.102\(8\)](#)

Proposed loading/unloading areas

Zoning district boundaries in the immediate area. All districts on the property and on all neighboring properties must be clearly labeled.

All relevant natural features, including navigable and non-navigable waters, floodplain boundaries, delineated wetland areas, natural drainage patterns, archeological features, and slopes over 12% grade

Location and type of proposed screening, landscaping, berms or buffer areas if adjacent to a residential area

Any lighting, signs, refuse dumpsters, and possible future expansion areas.

**NEIGHBORHOOD CHARACTERISTICS.** Describe existing land uses on the subject and surrounding properties.

Provide a brief written statement explaining the current use(s) of the property on which the rezone is proposed.

Provide a brief written statement documenting the current uses of surrounding properties in the neighborhood.

**OPERATIONAL NARRATIVE.** Describe in detail the following characteristics of the operation, as applicable:

Hours of operation

Number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time

Anticipated noise, odors, dust, soot, runoff or pollution and measures taken to mitigate impacts to neighboring properties.

Descriptions of any materials stored outside and any activities, processing or other operations taking place outside an enclosed building

Compliance with county stormwater and erosion control standards under [Chapter 11](#) of [Chapter 14](#), Dane County Code

Sanitary facilities, including adequate private onsite wastewater treatment systems and any manure storage or management plans approved by the Madison and Dane County Public Health Agency and/or the Dane County Land and Water Resources Department.

Facilities for managing and removal of trash, solid waste and recyclable materials.

Anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.

A listing of hazardous, toxic or explosive materials stored on site, and any spill containment, safety or pollution prevention measures taken

Outdoor lighting and measures taken to mitigate light-pollution impacts to neighboring properties

Signage, consistent with section [10.800](#)

**ADDITIONAL PROPERTY OWNERS.** Provide contact information for additional property owners, if applicable.

Additional Property Owner Name(s):

Address (Number & Street):

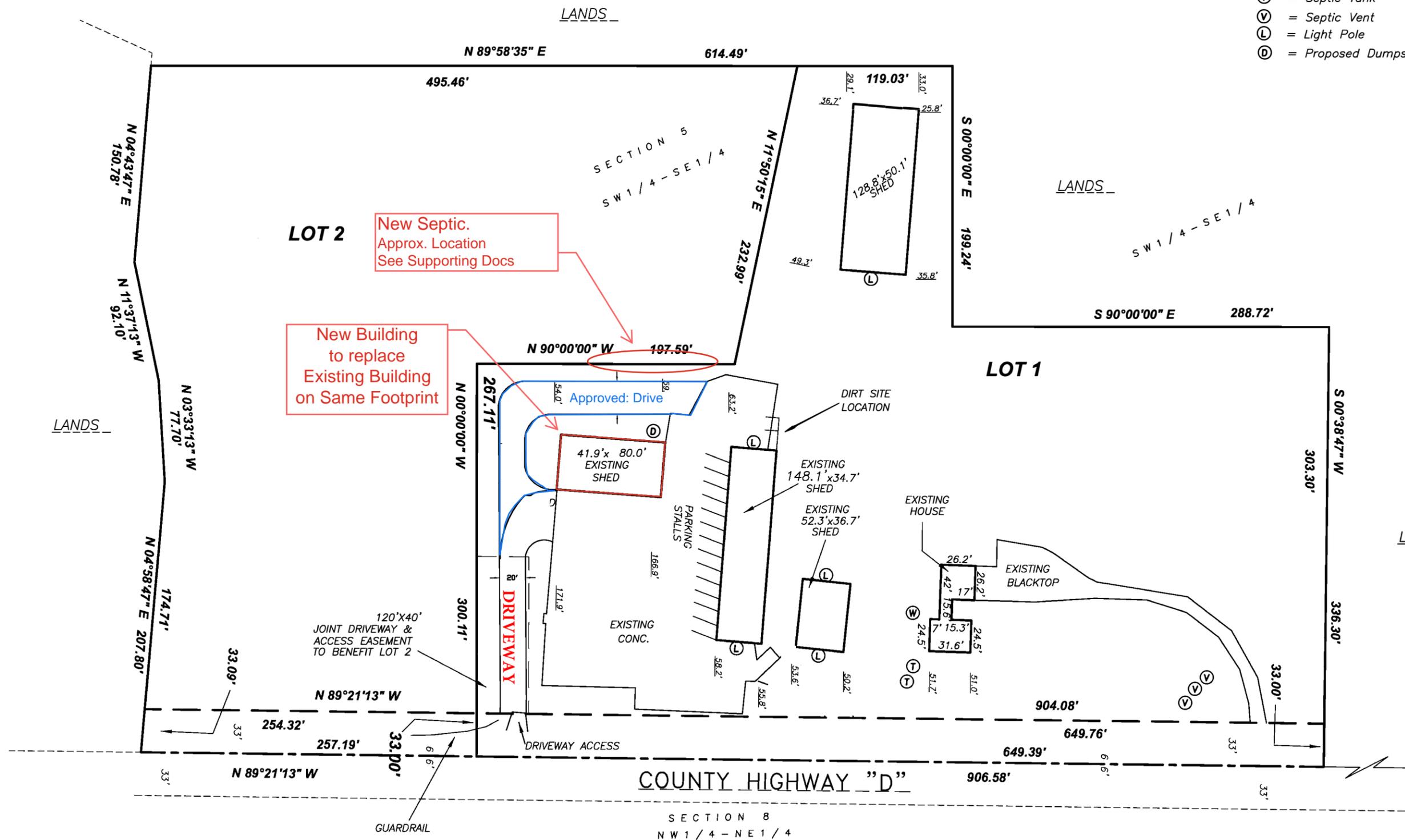
Address (City, State, Zip):

Email Address:

Phone Number:

**Legend:**

- ⊙ = Well
- ⊕ = Septic Tank
- ⊖ = Septic Vent
- ⊙ = Light Pole
- ⊙ = Proposed Dumpster Area



SCALE 1" = 80'



**BIRRENKOTT SURVEYING INC.**  
 LAND SURVEYING & PERC TESTING  
 P.O. BOX 237 (608) 837-7463  
 1677 N. BRISTOL ST. SUN PRAIRIE, WIS. 53590 FAX (608) 837-1081

**SITE PLAN- 5900 CTH D, OREGON**

February 21, 2020 Updated February 6, 2026

REVISED

PREPARED FOR:  
 Sheena Amble  
 2215 S. Fish Hatchery Road  
 Fitchburg, WI 53575  
 (815)-621-6258

SURVEYED BY	T.A.S.
DRAWN BY	B.T.S.
CHECKED BY	M.A.P.
APPR'D BY	M.A.P.

200096.DWG

JOB NO.	200096
SHEET	1 OF 1
FB	369/40

## **NEIGHBORHOOD CHARACTERISTICS**

### **Current Use of Subject Property:**

The subject property is currently used for landscaping services, with associated buildings, vehicle parking, and limited outdoor material storage consistent with the existing zoning approvals. Outdoor storage is minimal in nature and limited to materials customarily associated with landscaping operations, such as bark or soil, and is conducted in compliance with existing site limitations.

The applicant has taken proactive measures to minimize visual impacts from the property, including installation of fencing along the frontage of County Highway D in front of the existing buildings to reduce visual exposure from the roadway.

The proposed rezone does not involve any change to the intensity of use, hours of operation, traffic generation, or operational characteristics of the property. The request is made solely to allow construction of a replacement building on the existing footprint in compliance with applicable zoning requirements.

### **Surrounding Property Uses:**

Land uses in the surrounding area consist primarily of agricultural land, with a limited number of rural residential properties and scattered commercial uses. Immediately to the west of the subject property is a vacant residential parcel under common ownership, followed by an existing rural residence located further west. Additional residential properties are located beyond a roadway separation further west of the site.

Properties to the north, east, and south of the subject property are predominantly agricultural in nature. A similar landscaping-related commercial operation is located approximately 1.4 miles south of the site along County Highway D, reflecting the presence of compatible commercial activity within the broader corridor.

The subject property has been used for commercial purposes for an extended period, and the proposed rezone represents a continuation of this long-standing commercial presence. Notably, there have been no complaints associated with the operation of the property since the applicant took occupancy.

## **OPERATIONAL NARRATIVE**

### **Noise, Odors, Dust, Runoff, and Pollution:**

The subject property is used for landscaping and related commercial services consistent with long-standing operations previously reviewed and approved by Dane County. Noise associated with the use is limited to normal vehicle movement, equipment staging, and loading activities typical of a landscaping operation. No industrial processing, fabrication, or continuous high-noise activities occur on the site. Seasonal increases in activity related to snow and ice management may occur during winter weather events; these activities were previously reviewed and addressed as part of the prior rezoning and conditional use approvals.

Outdoor material storage on the site is limited in scope and consists primarily of landscaping materials such as bark, soil, and mulch. Materials are stored in contained bins or designated areas behind existing buildings and are limited to storage and loading functions only. No on-site material processing, screening, or mixing is proposed. Salt and ice melt materials are stored within enclosed structures.

Outdoor operational areas consist primarily of gravel, concrete, and blacktop surfaces that were established as part of earlier site development. Stormwater runoff is managed through existing site improvements, including a retention basin constructed in compliance with County requirements in connection with driveway and entrance improvements. These measures were designed to manage runoff associated with the commercial use and remain unchanged as part of the proposed rezone.

The operation does not generate unusual odors, emissions, or sources of pollution. Existing operational controls and site design measures—including limited outdoor storage, downward-directed lighting, absence of outdoor loudspeakers, and vegetative screening where required—have been effective in minimizing impacts to neighboring properties.

The property has operated under these conditions for an extended period with no documented complaints regarding noise, dust, runoff, or other operational impacts. No changes to operational intensity, hours of operation, traffic generation, or environmental impacts are proposed as part of this request, which is limited solely to construction of a replacement building on the existing footprint.

## **Outdoor Storage and Exterior Activities:**

Outdoor storage on the subject property is limited and incidental to the approved landscaping and related commercial services. Materials stored outdoors consist primarily of landscaping materials such as soil, mulch, and bark. These materials are stored in contained bins or designated storage areas located behind existing buildings and screened from public view where required.

Outdoor activities are limited to vehicle parking, equipment staging, and loading and unloading of materials. No outdoor processing, fabrication, or manufacturing activities occur on the site. Salt and ice melt materials are stored within enclosed structures.

Employee parking is located on the west side of the primary shop building in accordance with prior approvals and site plans. No retail sales, customer transactions, or public access activities take place on the property.

The proposed rezone does not introduce any new outdoor storage areas or exterior activities. All outdoor storage and exterior operations will continue to be conducted in a manner consistent with prior zoning approvals and applicable conditions.

## **Outdoor Lighting:**

Outdoor lighting on the subject property is limited and designed for safety and security purposes only. Existing lighting consists of a minimal number of fixtures mounted on building ends to provide illumination for pedestrian and vehicle safety.

All exterior lighting is directed downward and inward toward the property and is designed to minimize light spillover onto adjacent properties or roadways. No additional lighting is proposed as part of the rezone request.

The proposed rezone does not alter the location, number, or intensity of outdoor lighting on the property. Existing lighting practices have been effective in minimizing impacts to surrounding agricultural and residential uses and will continue unchanged.

## **Signage, Solid Waste, Recycling, and Hazardous Materials:**

Signage on the subject property is limited to a single freestanding, non-illuminated sign in compliance with applicable Dane County sign regulations. No additional signage or illuminated signage is proposed as part of this request.

Solid waste and recyclable materials generated by the operation are managed through contracted waste removal services. The site includes one trash dumpster and one recycling container, both serviced regularly by a licensed waste hauler. Waste and recycling containers are located behind existing buildings to minimize visibility from adjacent properties and public roadways.

The operation does not involve the storage or handling of hazardous, toxic, or explosive materials. Permanent on-site fuel storage is prohibited. Two mobile fuel transfer tanks are utilized as permitted under existing approvals and are operated in compliance with applicable spill containment and safety standards.

No changes to signage, waste management practices, or fuel handling procedures are proposed as part of the rezone request. All such activities will continue to be conducted in accordance with prior zoning approvals and applicable regulatory requirements.

## **Sanitary Facilities / On-Site Wastewater Treatment Systems**

### **Sanitary Facilities:**

The subject property is currently served by an existing private on-site wastewater treatment system (POWTS) that serves the caretaker's residence located on the property. This system was previously reviewed, approved, and permitted by the Dane County Environmental Health Division and remains in use solely for residential sanitary needs. The existing residential POWTS is not proposed to be modified, expanded, or utilized to serve any commercial facilities.

The primary purpose of the proposed rezone and construction of a replacement commercial building is to provide appropriate on-site sanitary facilities and office space for staff associated with the existing landscaping operation. At present, the lack of an on-site bathroom and office within the commercial building necessitates reliance on off-site facilities, which is not operationally practical.

In support of the proposed replacement building, a soil evaluation has been completed for the property to determine suitability for a new, separate on-site wastewater treatment system intended to serve the commercial building only. The soil evaluation was

conducted in accordance with Wisconsin Administrative Code SPS 385 and identifies suitable soil conditions for the installation of a private on-site wastewater treatment system. The evaluation contemplates a proposed office use with associated sanitary facilities to serve employees, and no residential use is proposed for the new system.

The proposed commercial sanitary system will be designed and permitted separately from the existing residential POWTS and will be reviewed and approved by the Madison and Dane County Public Health Agency and/or the Dane County Land and Water Resources Department, as applicable. Final system design, sizing, and loading rates will be confirmed as part of the sanitary permitting process prior to construction.

No manure storage or agricultural waste management facilities are present on the property, and none are proposed. The proposed rezone does not alter existing residential sanitary facilities and is limited to enabling construction of a replacement commercial building with compliant on-site sanitary and office facilities for employees.



# MADISON COMMERCIAL LANDSCAPES INC

**PLANNING INFORMATION OVERVIEW  
5900 COUNTY HWY D OREGON, WI 53575**

## **BUSINESS PROFILE**

Madison Commercial Landscapes, Inc is a family owned business. Since 1989 MCL has been providing our Commercial clients with the highest quality of service. Landscaping, Hardscaping and Commercial Snow Removal. MCL is one of the most trusted leaders of snow and ice management services.

## **CONTACT**

Website: [Madisoncommerciallandscapesinc.com](http://Madisoncommerciallandscapesinc.com)

Current Email:

[Nate@madisoncommerciallandscapes.com](mailto:Nate@madisoncommerciallandscapes.com)

Phone: (608)835-7700

## **CURRENT OPERATIONS**

- 10-12 employees during labor season, including office staff
- Existing house is a care takers residence
- Hours of operation for labor season 6:30am-7:00pm
- Winter snow removal hours weather dependent (majority of snow equipment staged Downtown Madison)

## **FLEET/EQUIPMENT**

13 Trucks/Dump trucks  
13 Bobcats  
3 Lawn mowers  
10 Trailers

## **CONTAINER STORAGE**

- 1 Trash Dumpster contracted with local trash removal company. Placed behind oversided car port. Picked up weekly
- 1 Recycle dumpster to be picked up biweekly
- 2 mobile fuel tanks
- 3 material bins located behind "Shop" (long enclosed out building). Used for dirt, mulch and overflow
- Salt and Ice Melt will be stored inside

## **LIGHTING/SIGNAGE**

- MCL will has one, free standing, non-lighted sign
- MCL has a single outdoor light onto building ends to aid in safety. All lighting will be directed downwards towards the property

## **ADDITIONAL PERTINENTS**

- No outside loudspeakers
- Employee parking will be on west side of "shop" building

## **COMMUNITY**

Madison Commercial Landscapes proudly supports organizations in the community we serve. A few of the organizations that we support are... The Goodman Center, Local Schools, Wisconsin Womens Entrepreneurs, local returning veterans and we enjoy being a positive and contributing member of the Oregon Community.

Division of Industry Services

in accordance with SPS 385, Wis. Adm. Code

Attach complete site plan on paper not less than 8 1/2 x 11" in size. Plan must include, but not limited to: vertical and horizontal reference point (BM), direction and % slope, scale or dimensions, north arrow, location & distance to nearest road.

County	DANE
Parcel I.D.	042/0509-054-9315-0
Reviewed by	Date

**Please print all information**

Personal information you provide may be used for secondary purposes (Privacy Law, s.15.04(1)(m)).

Property Owner <b>AMBLE LAND LLC</b>	Property Location <b>SW 1/4, SE 1/4, S 5, T 5 N, R 9 E</b>
Property Owner's Mailing Address <b>5900 COUNTY HIGHWAY D</b>	Lot # <b>1</b> Subd. Name or CSM# <b>15446</b>
City <b>OREGON</b> State <b>WI</b> Zip Code <b>53575</b> Phone Number	<input type="checkbox"/> City <input checked="" type="checkbox"/> Town <b>OREGON</b> Nearest Road <b>5900 COUNTY HIGHWAY D</b>

New Construction Use:  Residential/No. bedrooms Code derived design flow rate: **172.5 GPD**  
 Replacement  Public or commercial- Describe: **OFFICE**

Parent Material: **LOESS, GLACIAL OUTWASH** Flood Plain elevation if applicable **Unknown**

General comments: **PROPOSED OFFICE, 5 EMPLOYEE AND 2 FLOOR DRAINS**

and recommendations: **FLOW RATE TO BE CONFIRMED BY DESIGNER PRIOR TO DESIGN**  
**0.5 GPD/SQ. FT. LOADING RATE**

Boring  Boring  Pit # **1** Ground surface elev. **972.19'** Depth to limiting factor **N/A**

Horizon	Depth inches	Dominant Color Munsell	Redox Description Qu. Sz. Cont. Color	Texture	Structure Gr. Sz. Sh.	Consistence (Moist)	Roots	Boundary	Soil Application Rate GPD/ft <sup>2</sup>	
									*Eff#1	*Eff#2
Ap	0-12	10YR3/2		l	2mgr	fr	2f	as	0.6	0.8
Bt1	12-25	10YR4/4		cl	2msbk	fi	1f	cs	0.4	0.6
Bt2	25-36	10YR4/4		cl	1msbk	fi	1f	cs	0.2	0.3
Bt3	36-52	10YR4/6		scl	1msbk	fi	1f	cw	0.2	0.3
C1	52-72	10YR5/6		gr lfs	0sg	l		cw	0.5	1
C2	72-114	10YR6/4		fs	0sg	l			0.5	1

Boring  Boring  Pit # **2** Ground surface elev. **973.12'** Depth to limiting factor **N/A**

Horizon	Depth inches	Dominant Color Munsell	Redox Description Qu. Sz. Cont. Color	Texture	Structure Gr. Sz. Sh.	Consistence (Moist)	Roots	Boundary	Soil Application Rate GPD/ft <sup>2</sup>	
									*Eff#1	*Eff#2
Mixed Fill	0-15	10YR3/2		cl	1msbk	fi	2f	aw	0.2	0.3
Bt	15-20	10YR4/6		scl	2msbk	fi	1f	cw	0.4	0.6
C1	20-30	10YR6/4		gr lfs	0sg	l		cw	0.5	1
C2	30-48	10YR6/4		gr ls	0sg	l		cw	0.7	1.6
C3	48-114	10YR5/6		gr lfs	0sg	l			0.5	1

\*Effluent #1 = BOD<sub>5</sub> > 30 ≤ 220 mg/L and TSS > 30 ≤ 150 mg/L

\*Effluent #2 = BOD<sub>5</sub> ≤ 30 mg/L and TSS ≤ 30 mg/L

CST Name <b>CLAY VANDERLEEST</b>	Signature: 	CST Number <b>1190689</b>
Address <b>N7803 TOPPE RD WATERLOO, WI 53594</b>	Date Evaluation Conducted: <b>5/5/2025</b>	<b>SP-121100003</b>
		Telephone No. <b>(608) 509-2855</b>

Boring  Boring

Pit

Ground surface elev. 973.77'

Depth to limiting factor N/A

Horizon	Depth inches	Dominant Color Munsell	Redox Description Qu. Sz. Cont. Color	Texture	Structure Gr.Sz.Sh.	Consistence (Moist)	Roots	Boundary	Soil Application Rate GPD/ft <sup>2</sup>	
									*Eff#1	*Eff#2
Mixed Fill	0-48	10YR3/2		cl	1msbk	fi	2f	aw	0.2	0.3
C1	48-103	10YR6/4		gr lfs	Osg	l		cw	0.5	1
C2	103-120	10YR5/4		lvfs	Omass	vfr			0.4	0.6

Boring  Boring

Pit

Ground surface elev.

Depth to limiting factor

Horizon	Depth inches	Dominant Color Munsell	Redox Description Qu. Sz. Cont. Color	Texture	Structure Gr.Sz.Sh.	Consistence (Moist)	Roots	Boundary	Soil Application Rate GPD/ft <sup>2</sup>	
									*Eff#1	*Eff#2

Boring  Boring

Pit

Ground surface elev.

Depth to limiting factor

Horizon	Depth inches	Dominant Color Munsell	Redox Description Qu. Sz. Cont. Color	Texture	Structure Gr.Sz.Sh.	Consistence (Moist)	Roots	Boundary	Soil Application Rate GPD/ft <sup>2</sup>	
									*Eff#1	*Eff#2

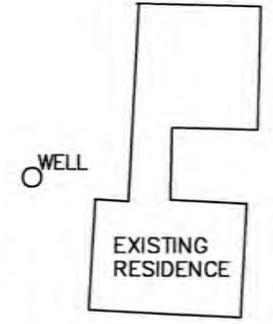
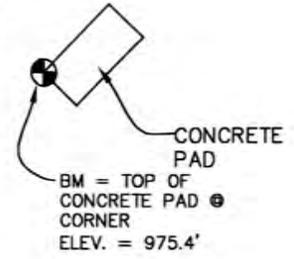
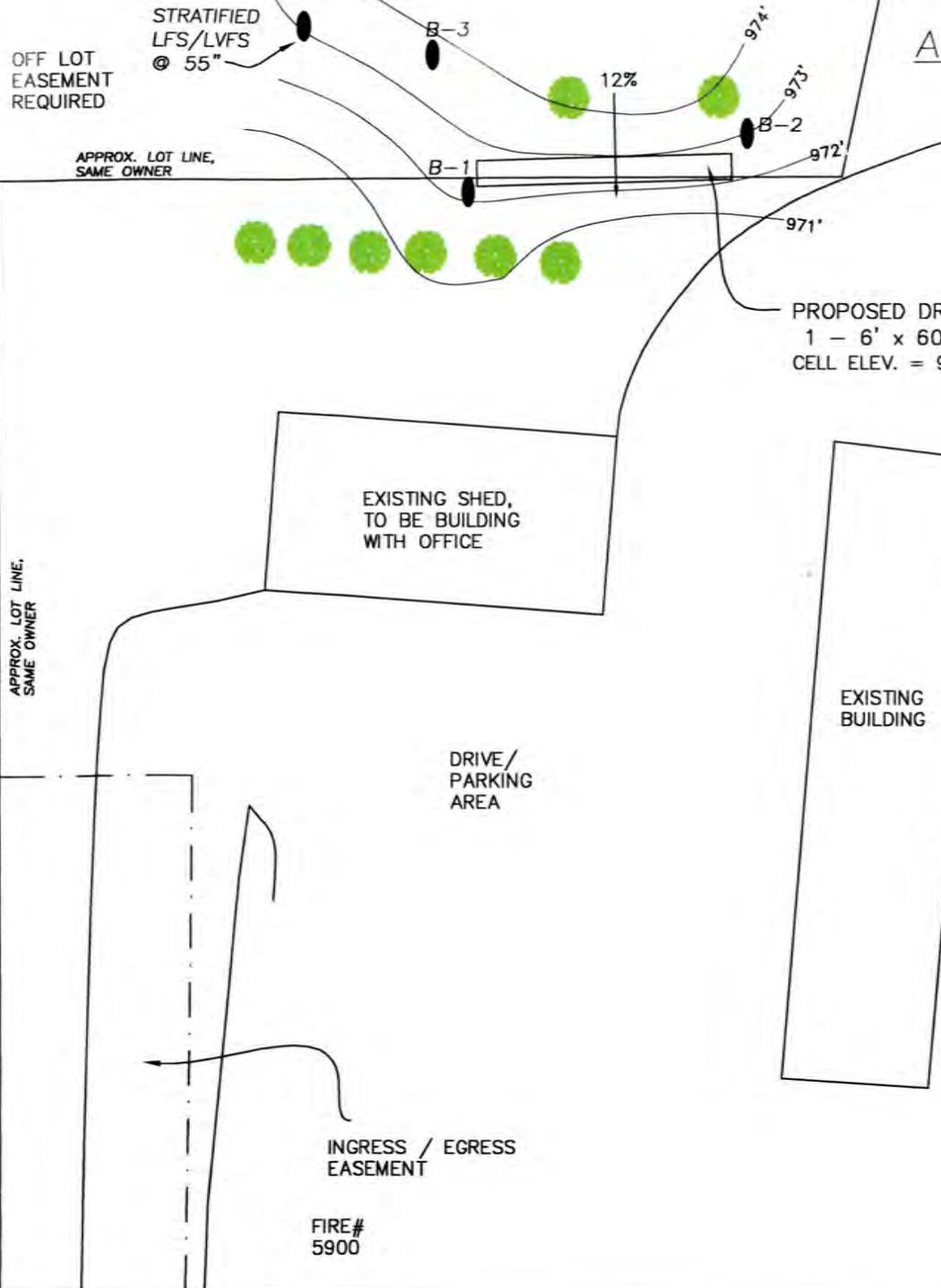
\*Effluent #1 = BOD<sub>5</sub> > 30 ≤ 220 mg/L and TSS > 30 ≤ 150 mg/L

\*Effluent #2 = BOD<sub>5</sub> ≤ 30 mg/L and TSS ≤ 30 mg/L

# AMBLE LAND LLC

PAGE 3 OF 3

LOT 1,  
CSM 15446  
4.88 ACRES



Scale: 1"=40'



C T H " D " R / W

- \* Elevations are for Soil Test Use Only
- \* This is Not a Survey
- \* Property Lines Per Owner or County GIS Website
- \* Property Lines Need to be Identified Prior to Installation

**JOINT DRIVEWAY EASEMENT AGREEMENT**

Return to:  
Nicole S. Schram  
Palmsheim Dettmann, S.C.  
1424 N. High Point Road, Suite 202  
Middleton, WI 53562

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Parcel Numbers

## JOINT DRIVEWAY EASEMENT AGREEMENT

THIS JOINT DRIVEWAY EASEMENT AGREEMENT (the *Agreement*) is created by Philip L. Peterson and Carol L. Peterson (together, *Parcel A Owner*).

### RECITALS:

A. Parcel A Owner is the owner of certain real property located in Dane County, Wisconsin, as indicated on the Site Plan attached as Exhibit A. Parcel A is being divided into Lot 1 and Lot 2.

B. Lot 1, located within Parcel A, is described as "Lot 1 of CSM \_\_\_\_\_", recorded in Dane County, Wisconsin, and referred to in this Agreement as *Lot 1*. Lot 2, located within Parcel A, is described as "Lot 2 of CSM \_\_\_\_\_", recorded in Dane County, Wisconsin, and referred to in this Agreement as *Lot 2*.

C. A shared driveway (the *Driveway*) will be created within an easement area of approximately 120' x 40' located in the southwest corner of Lot 1. The easement area is more particularly described on the attached Exhibit B and referred to on the exhibit and in this Agreement as the *Easement Property*.

D. Lot 1 Owner is willing to create an easement over the Easement Property to enable Lot 2 Owner to use the Driveway and Easement Property, under the terms of this Agreement.

### AGREEMENT

For good and valuable consideration, the receipt and sufficiency of which are acknowledged, the parties agree as follows:

**1. Grant.** Lot 1 Owner grants a nonexclusive easement and right-of-way to Lot 2 Owner and Lot 2 Owner's successors and assigns as the owner of Lot 2 to use the Driveway and the Easement Property as a joint driveway for ingress and egress to County Highway D from Lot 2.

**2. Permitted Users.** The easement granted in Section 1, above, may be used by the Lot 2 Owner and its tenants, employees, customers, and invitees in common with Lot 1 Owner and its tenants, employees, customers, and invitees.

**3. Initial Construction Costs.** Lot 1 Owner shall construct the Driveway at its sole expense. Lot 2 owner shall construct any driveway connecting to the Driveway at its sole expense.

**4. Maintenance Costs.** Until any building is constructed on Lot 2, Lot 1 Owner shall bear all expense of maintaining, repairing, and removing snow and debris from the Driveway. Following issuance of an occupancy permit for any building constructed on Lot 2 (or, if no occupancy permit is issued, then following occupancy of any such building), Lot 2 Owner and Lot 1 Owner shall bear all maintenance expenses equally. Unless Lot 2 Owner and Lot 1 Owner agree otherwise, all maintenance, repair, and snow removal shall be performed by Lot 1 Owner, and Lot 2 Owner agrees to promptly pay its share of the expenses of maintenance, repair, and snow removal incurred by Lot 1 Owner within 30 days of billing for the expenses. If Lot 2 Owner does not promptly pay its share, Lot 1 Owner may pay the full cost and then have an immediate right to reimbursement from Lot 2 Owner, together with interest at the rate of 8% per year on the unpaid amount and all reasonable attorney fees and other collection costs incurred by Lot 1 Owner. Repairs and maintenance shall be performed at such times and in such a manner as are mutually

agreeable to the parties. If the parties are unable to agree within 10 days of a written request by one or the other on the need for the repair or maintenance, then the matter shall be referred, upon either party's request, to arbitration.

**5. Indemnity.** Lot 2 Owner shall indemnify and defend Lot 1 Owner and its officers, agents, and employees from all liability, suits, actions, claims, costs, damages, and expenses of every kind and description, including court costs and legal fees, for claims of any character, including liability and expenses in connection with the loss of life, personal injury, or damage to property, brought because of any injuries or damages received or sustained by any person, persons, or property on account of or arising out of the use of Lot 1 by Lot 2 Owner or its agents, contractors, subcontractors, invitees, or employees.

**6. Insurance.** Lot 2 Owner shall maintain in effect at all times during the term of this Agreement a policy of commercial general liability insurance naming Lot 1 Owner and any other party designated by Lot 1 Owner as the insured, to insure against injury to property, person, or loss of life arising out of Lot 2 Owner's use, occupancy, or maintenance of the Easement Property or the Driveway with limits of coverage that are at levels customarily maintained by businesses in the community in which the Easement Property is located. For each year in which this easement is in effect, Lot 2 Owner shall provide Lot 1 Owner and the other parties designated by Lot 1 Owner with a copy of the insurance policy endorsement or wording showing that Lot 1 Owner and the other parties have been added as additional insureds. The policy shall contain a supplemental endorsement covering contractual liability voluntarily assumed by the insured under this Agreement. Insurance required of Lot 2 Owner under this Agreement shall be written by companies duly qualified to do business in the State of Wisconsin and shall be satisfactory in all respects to Lot 1 Owner and the holder of any mortgage against Lot 1. Lot 2 Owner shall deliver to Lot 1 Owner copies of the policies or certificates evidencing the existence and amounts of the insurance with loss payable clauses satisfactory to Lot 1 Owner. No such policy shall be cancelable or subject to reduction of coverage or modification except after 30 days' prior written notice to Lot 1 Owner. At least 30 days before the expiration of Lot 2 Owner's policies, Lot 2 Owner shall furnish Lot 1 Owner with a renewal or "binder" of the policies, or Lot 1 Owner may order such insurance and charge the cost to Lot 2 Owner. Lot 2 Owner shall not do or permit anything to be done that will invalidate the insurance policies furnished by Lot 2 Owner. Lot 1 Owner may from time to time require that the policy limits of any or all such insurance be increased to reflect the effects of inflation and changes in normal commercial insurance practice.

**7. Equal Rights of Use.** Lot 2 Owner and Lot 1 Owner shall have equal rights of ingress and egress over the Driveway and shall take no action to prevent the other party's enjoyment of such rights.

**8. Covenants Run with Land.** All of the terms and conditions in this Agreement, including the benefits and burdens, shall run with the land and shall be binding upon, inure to the benefit of, and be enforceable by Lot 2 Owner and Lot 1 Owner and their respective successors and assigns. The easement granted under Section 1 of this Agreement is an easement appurtenant to Lot 2 and may not be transferred separately from, or severed from, title to Lot 2. Furthermore, the benefits of the easements granted under this Agreement shall not be extended to any properties other than Lot 2 without the consent of Lot 1 Owner. The specific parties named as Lot 2 Owner and Lot 1 Owner in this Agreement, and each of their respective successors and assigns as fee simple owners of Lot 2 and Lot 1, respectively, or any portion of Lot 2 or Lot 1, shall cease to have further liability under this Agreement with respect to facts or circumstances first arising after the party has transferred its fee simple interest in Lot 2 or Lot 1, respectively, except, however, for obligations that accrued during the party's period of ownership of title.

**9. Non-Use.** Non-use or limited use of the easement rights granted in this Agreement shall not prevent Lot 2 Owner from later use of the easement rights to the fullest extent authorized in this Agreement.

**10. Governing Law.** This Agreement shall be construed and enforced in accordance with the internal laws of the State of Wisconsin.

**11. Entire Agreement.** This Agreement sets forth the entire understanding of the parties and may not be changed except by a written document executed and acknowledged by all parties to this Agreement and duly recorded in the office of the Register of Deeds of Dane County, Wisconsin.

**12. Notices.** All notices to either party to this Agreement shall be delivered in person or sent by certified mail, postage prepaid, return receipt requested, to the other party at that party's last known address. If the other party's address is not known to the party desiring to send a notice, the party sending the notice may use the address to which the other party's property tax bills are sent. Either party may change its address for notice by providing written notice to the other party.

**13. Invalidity.** If any term or condition of this Agreement, or the application of this Agreement to any person or circumstance, shall be deemed invalid or unenforceable, the remainder of this Agreement, or the application of the term or condition to persons or circumstances other than those to which it is held invalid or unenforceable, shall not be affected thereby, and each term and condition shall be valid and enforceable to the fullest extent permitted by law.

**14. Waiver.** No delay or omission by any party in exercising any right or power arising out of any default under any of the terms or conditions of this Agreement shall be construed to be a waiver of the right or power. A waiver by a party of any of the obligations of the other party shall not be construed to be a waiver of any breach of any other terms or conditions of this Agreement.

**15. Enforcement.** Enforcement of this Agreement may be by proceedings at law or in equity against any person or persons violating or attempting or threatening to violate any term or condition in this Agreement, either to restrain or prevent the violation or to obtain any other relief. If a suit is brought to enforce this Agreement, the prevailing party shall be entitled to recover its costs, including reasonable attorney fees, from the non-prevailing party.

**16. No Public Dedication.** Nothing in this Agreement shall be deemed to be a gift or dedication of any portion of the easement granted under this Agreement to the general public or for any public purpose whatsoever. Lot 2 Owner and Lot 1 Owner agree to cooperate with each other and to take such measures as may be necessary to prevent the dedication to the public of the Driveway, whether by express grant, implication, or prescription, including, without limitation, the posting of "Private Drive" or "No Trespassing" signs. Such measures shall not, however, unreasonably interfere with the easement rights granted under this Agreement.

[Signature Page Follows]

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**PARCEL A OWNER:**

\_\_\_\_\_  
Philip L. Peterson

\_\_\_\_\_  
Carol L. Peterson

**ACKNOWLEDGMENT**

STATE OF WISCONSIN     )  
  )  
COUNTY OF \_\_\_\_\_)

This instrument was acknowledged before me on \_\_\_\_\_ by Philip L. Peterson and Carol L. Peterson.

\_\_\_\_\_  
Notary Public, State of Wisconsin  
My commission expires: \_\_\_\_\_

This document was drafted by:  
Nicole S. Schram  
Palmerheim Dettmann, SC  
1424 N. High Point Road, Suite 202  
Middleton, WI 53562

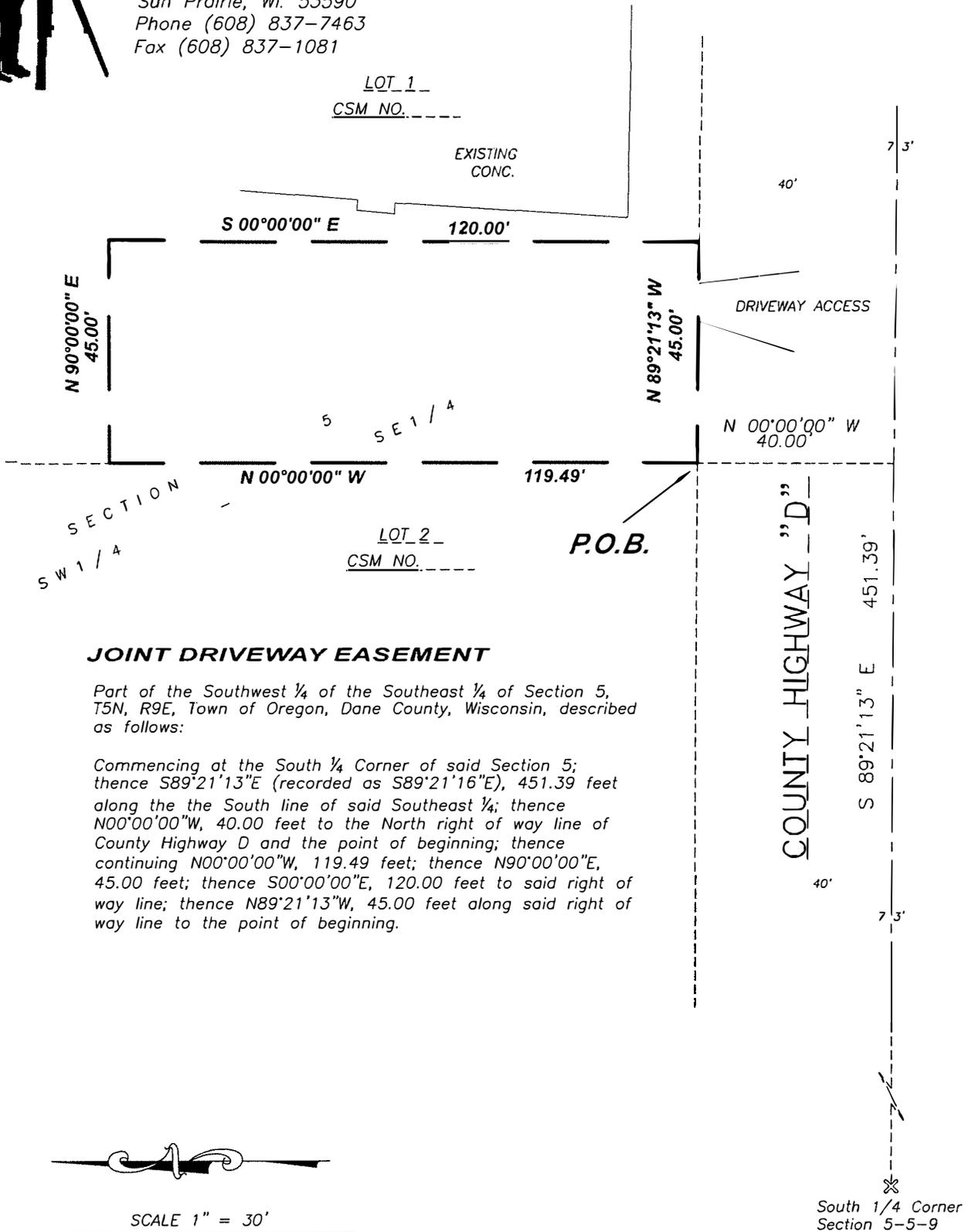




**BIRRENKOTT  
SURVEYING, INC.**

P.O. Box 237  
1677 N. Bristol Street  
Sun Prairie, WI. 53590  
Phone (608) 837-7463  
Fax (608) 837-1081

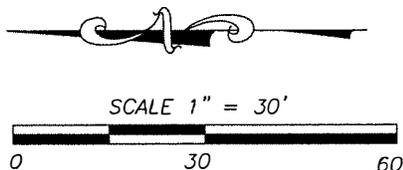
**EXHIBIT B**



**JOINT DRIVEWAY EASEMENT**

Part of the Southwest 1/4 of the Southeast 1/4 of Section 5, T5N, R9E, Town of Oregon, Dane County, Wisconsin, described as follows:

Commencing at the South 1/4 Corner of said Section 5; thence S89°21'13"E (recorded as S89°21'16"E), 451.39 feet along the the South line of said Southeast 1/4; thence N00°00'00"W, 40.00 feet to the North right of way line of County Highway D and the point of beginning; thence continuing N00°00'00"W, 119.49 feet; thence N90°00'00"E, 45.00 feet; thence S00°00'00"E, 120.00 feet to said right of way line; thence N89°21'13"W, 45.00 feet along said right of way line to the point of beginning.





State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott McCallum, Governor  
Darrell Bazzell, Secretary  
Ruthe E. Badger, Regional Director

2514 Morse Street  
Janesville, Wisconsin 53545  
Telephone 608-743-4820  
FAX 608-743-4801  
TTY 608-743-4808

October 21, 2002

INF-SC-2002-13-3238LR

Phil Peterson  
1275 Lathers Road  
Oregon, WI 53575

Subject: Navigability - Tributary to Lake Harriet

Dear Mr. Peterson:

The Department has determined that the waterway on your property known as the only tributary to Lake Harriet does not meet the definition of a navigable waterway per ch. 30. Wisconsin Statutes. Therefore, you are not required to apply for permits under this statute before beginning your project. However, if your project proposal impacts wetlands - you may be required to apply for permits from the Army Corps of Engineers and water quality certification from the Department.

The tributary to Lake Harriet, located in the NW $\frac{1}{4}$ , NE $\frac{1}{4}$ , Section 8, T.5N, R.9E, Town of Oregon, has defined banks but no bed that is characteristic of navigable waterways. Based on drift lines and the eroding banks, it is evident that the tributary conveys large volumes of rapidly flowing water. During our site inspection we also observed minnows on the upstream side of the culvert where the tributary crosses CTH D. The minnows indicate there is sufficient flow and retention time to enable fish to migrate from Lake Harriet.

Though the Department will not be regulating your proposal to modify the drainage way - we encourage you to include the preservation of the aquatic and wildlife habitat into the project design.

If you have any questions regarding this determination, contact me at (608)743-4820.

Sincerely,

Mike Halsted  
Water Management Specialist  
Lower Rock River Basin

Cc: Dane County Zoning  
Dane County LCD  
Dane County RPC  
Army Corps of Engineers  
Town of Oregon  
Dane County NRCS  
Dane County Conservation Warden

mih/peterson.doc

# **STORMWATER MANAGEMENT REPORT**

## **5900 CTH D DRIVEWAY IMPROVEMENT TOWN OF OREGON, DANE COUNTY, WISCONSIN**

October 14, 2020  
Revised November 5, 2020



**PREPARED FOR:**

Amble Land, LLC  
2215 S. Fish Hatchery Road  
Fitchburg, WI 53575

**PREPARED BY:**

**Burse Surveying and Engineering, Inc.**  
2801 International Lane, Suite 101  
Madison, WI 53704  
(608) 250-9263

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1. Exhibit 1 Site Location Map
2. Exhibit 2 Predevelopment Area Map
3. Exhibit 3 Post Development Area Map
4. Exhibit 4 Permit Area Map

### APPENDICES

- A. Soil Analysis Report
- B. HydroCAD Report
- C. WinSLAMM Report Summary
- D. USLE Map & Calculations
- E. Stormwater Management Maintenance Agreement
- F. Construction Plans
- G. Dane County Erosion Control and Stormwater Management Permit Applications
- H. Cost Estimate

## **PROJECT NARRATIVE:**

### *Introduction*

Amble Land, LLC is the owner of a lot in the Town of Oregon that is partially developed with a commercial use. The property address is 5900 County Highway D and is currently occupied by a landscaping business. The project is to improve an existing driveway to a Type C WisDOT intersection. The driveway is currently being utilized by Lot 1 and 2 of CSM 15446, though is located on Lot 1 with an access easement granted to Lot 2. Exhibit 1 further depicts the project location.

The driveway improvement will add 11,586 SF of impervious to the property. The driveway construction will be completed in two phases. The first phase will extend the driveway to the first shed North of County Highway D. The second phase will have the driveway extend around the back of the shed connecting to an existing pavement area. The total project will disturb 21,401 SF of existing grassland and cropland.

The project is subject to the erosion control and stormwater management performance standards in accordance with Dane County Ordinances. Per the ordinance the site is required to meet runoff rate control, total suspended solids reduction, and infiltration volume goals. The purpose of this report is to provide framework to meet the stormwater management and erosion control standards set forth by Dane County Ordinances.

### *Stormwater Standards*

New impervious surfaces shall meet the applicable Dane County stormwater standards. For runoff rate control the site shall maintain pre-development peak runoffs for the one, two, ten year, & 100-year 24-hour storm event using NRCS MSE4 storm distribution. For new development, design practices shall retain soil particles greater than 5 microns on the site, alternatively referred to as an 80% total suspended solids reduction. For nonresidential developments, design practices shall infiltrate sufficient runoff volume so that post-development infiltration volume shall be at least 90% of the predevelopment infiltration volume based upon the average annual rainfall.

### *Soil Evaluation*

Soils were evaluated by CGC, Inc on September 29, 2020. Two locations were evaluated for stormwater infiltration on the western side of the existing driveway. Appendix A is the soils report and map for the site from CGC's findings. Generally, the soils have a layer of silt loam topsoil that is 4 to 8 inches thick. Below the topsoil the soils generally are silty clay to 78 -96 inches deep. Below 96 inches the soil is gravel in texture with a Hydraulic App Rate of 3.6 inches per hour. Groundwater wasn't encountered during the soil analysis. Based on the soil analysis it is recommended that site be designed for infiltration standards with undercutting of the clay soils and potentially deep-till some of the granular soils below the bottom of the basin.

*Modeling summary*

The site was modeled for run-off rate controls using HydroCAD software. The HydroCAD version utilized in the analysis was 10.10. NRCS MSE4 graphs were used for the storm distribution file with 2.49-inch depth, 2.84-inch depth, 4.09-inch depth, and 6.66-inch rainfall depths for a one year, two-year, ten-year, and 100-year storm events respectively. To control the flows a bio retention basin with an outlet structure was sized along the western side of the driveway. Flows from the existing pavement to the east are collected via an existing catch basin that is routed around the basin and is already being controlled with a control structure. The basin with the proposed outlet structure will reduce the new development post peak flows to pre development rates. The summary of the peak flows for the proposed driveway are listed in Table 1. The table also lists post developed flows with no controls.

TABLE 1

Storm Event	Predevelopment (CFS)	Post Development (CFS)	Post Development No Controls (CFS)
1-Year, 24hr	0.73	0.31	0.96
2-Year, 24hr	0.96	0.59	1.24
10-Year, 24hr	1.95	1.42	2.34
100-Year, 24hr	4.38	4.32	4.92

Table 2 lists the drainage basin areas, time of concentration and curve numbers (CN) used in the computations. The HydroCAD report outputs are in Appendix B.

TABLE 2

	Basin (Acres)	Time of Concentration (MIN)	CN
Predeveloped	0.72 Acres	1.7	66
Postdeveloped	0.68 Acres To Bio Retention	2.0	72
Postdevelopeped	0.04 Acres Undetained	0.5	74

To evaluate the site for infiltration and total suspended solids removal performance, a model was created in WinSLAMM. Areas used for the detained post developed conditions are 0.095 Acres of existing paved parking, 0.207 Acres of new proposed pavement, 0.371 Acres of landscaping, and 0.007 Acre Bio-Retention area. The undetained areas used in the computations are 0.014 Acres of new driveway pavement

and 0.026 Acres of landscaping to represent the southern tip of the driveway that won't be collected by the basin. The Bio-Retention facility utilized to treat the new developed areas is a 323 sf facility. The Facility has a perforated underdrain system on top of a double washed sand storage layer covered with engineered soil. The Basin needs to be over excavated to be free of clay and silty material to obtain the desired hydraulic conductivity rate. The outlet structure consists of an 18-inch RCP standpipe with 2-foot wide broad crested weir for overflows.

With the calculated developed areas and stormwater facility WinSLAMM reports that the site will remove 85.6 % of the total suspended solids in the post developed condition. This exceeds the 80% requirement from the Dane County Ordinances. Additionally, the post developed site has an annual calculated infiltration depth of 27.5 inches compared to the predeveloped annual infiltration depth of 27.1 inches. From the increase in infiltration depth the proposed facility can be concluded to meet the infiltration standard. The WinSLAMM report outputs are in Appendix C.

### *Erosion Control*

The site was evaluated for erosion control using a uniform soil loss equation developed by Dane County. The equation utilizes variables such as construction schedule, soil type, disturbance lengths and slopes, and erosion control practices to predict soil loss during construction. With a construction schedule of an early disturbance on October 30, 2020 and a seeding & mulch covering on May 1, 2021 it was calculated that the site would generate 3.0 tons per acre of soil loss. Silt fence, track out pads, riprap, seeding, and construction schedule are the primary best management practices to minimize soil loss. The proposed soil loss amount is below the allowed amount of 7.5 tons per acre as required by Dane County Standards. The erosion control plan and USLE calculations are in Appendix D.

### *Maintenance*

The maintenance of the stormwater and erosion control practices during construction shall be the responsibility of the contractor. The long-term maintenance responsibility will be the responsibility of the property owner. A long-term maintenance agreement draft and provisions are included in Appendix E. Upon approval of the plan and draft agreement, an executed agreement shall be returned to Dane County Land Conservation for recording.

### *Summary*

In summary, the site stormwater and erosion control will be managed in accordance with this plan. Construction plans have been generated and are included in Appendix F. The Bio-Retention facility shall be inspected annually for maintenance and performance. Dane County stormwater and erosion control permit applications are enclosed in Appendix G. A stormwater management and erosion control cost estimate is in

Appendix H. Owner shall provide a financial surety to Dane County in the amount of the cost estimate.

# Dane County Map



October 6, 2020

## Dane County Mask

-  Dane County Mask
-  Primary Address

-  Preliminary Address
-  Parcel Number
-  Parcels
- Road Names

0 125 250 500 Feet



**NOT FOR CONSTRUCTION**

**PREDEVELOPED NOTES:**

PREDEVELOPED HYDRO CAD SUBCAT 175  
DRAINAGE AREA = 0.72 ACRES OR 31,363 SF  
RCN = 66  
TC = 1.7 MN

- EXISTING GRASSLAND/CROPLAND = 
- EXISTING IMPERVIOUS PAVEMENT = 



**Burse**  
Surveying and Engineering, Inc.  
2808 International Lane, Suite 100  
Madison, WI 53704  
Phone: 608-250-9203  
Fax: 608-250-9206  
email: mburse@BSEINC.net  
www.bursesurveying.com

APPROVAL:	DATE:
PROJECT MGR	
DESIGNER	
CHECKED	
PROJECT MGR	
PROJECT MGR	
PROJECT MGR	

**AMBLE DRIVEWAY**  
5800 COUNTY HIGHWAY D  
OREGON, WI 53575  
**AMBLE LAND, LLC**  
2215 S. FISH HATCHERY RD  
FITCHBURG, WI 53575

PROJECT #: BSE2322-20  
PLOT DATE: 10/6/2020

REVISION DATES:

NO.	DATE	DESCRIPTION

ISSUE DATES: 10/6/2020

**PREDEVELOPED MAP**

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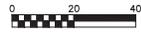
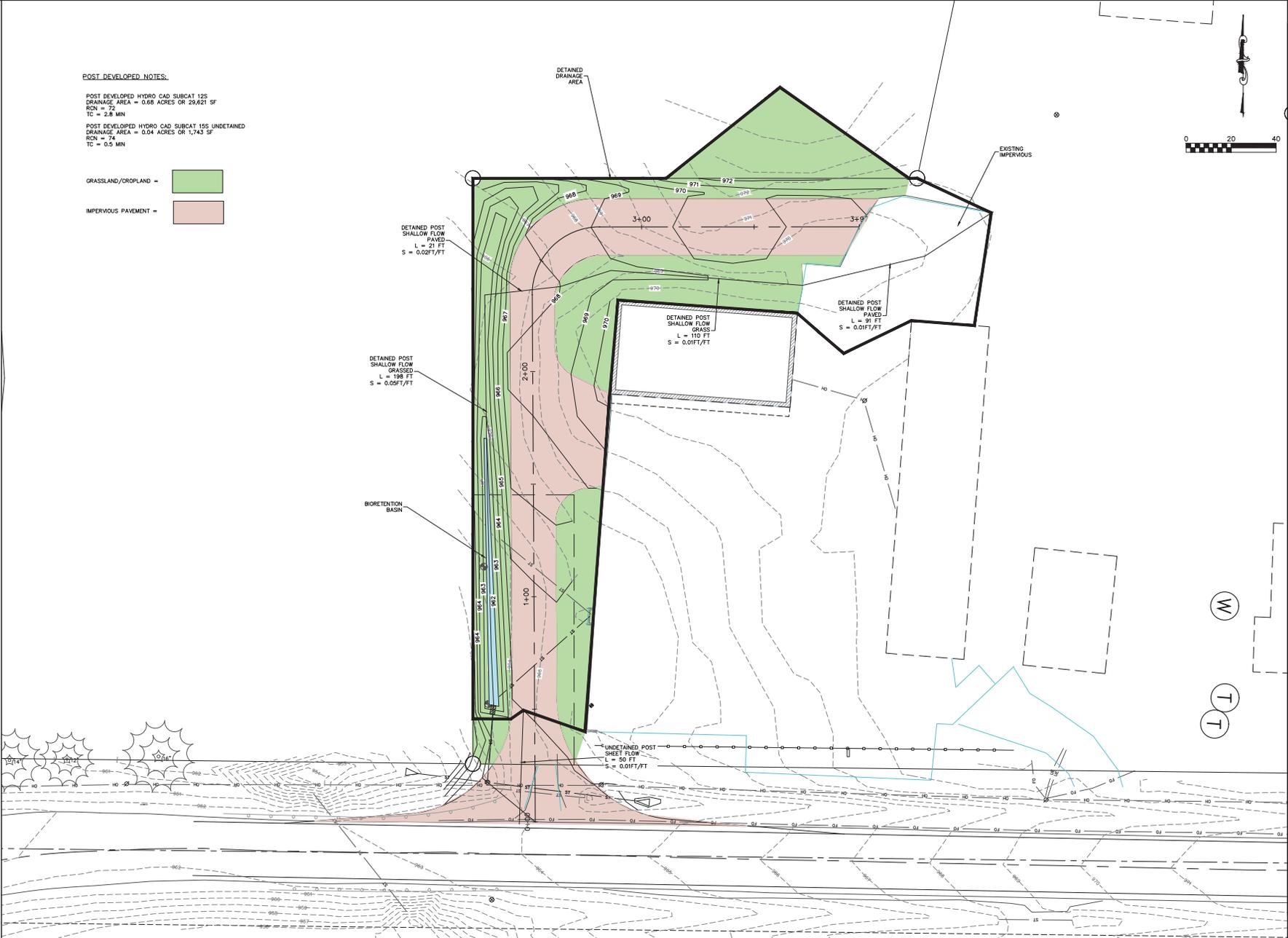
DRAWING NUMBER  
**EXHIBIT 2**

NOT FOR CONSTRUCTION

POST DEVELOPED NOTES.

POST DEVELOPED HYDRO CAD SUBCAT 125  
DRAINAGE AREA = 0.68 ACRES OR 29,621 SF  
RCN = 72  
TC = 2.6 MN

POST DEVELOPED HYDRO CAD SUBCAT 155 UNDETAINED  
DRAINAGE AREA = 0.04 ACRES OR 1,743 SF  
RCN = 74  
TC = 0.6 MN



APPROVAL:	DATE:
PROJECT:	DATE:
DESIGN:	DATE:
CHECK:	DATE:
IN CHARGE:	DATE:
CLIENT:	DATE:

**AMBLE DRIVEWAY**  
5800 COUNTY HIGHWAY D  
OREGON, WI 53575  
**AMBLE LAND, LLC**  
2215 S. FISH HATCHERY RD  
FITCHBURG, WI 53575

PROJECT # BSE2322-20  
PLOT DATE: 10/6/2020

REVISION DATES:


ISSUE DATES:

10/6/2020

POST DEVELOPED MAP

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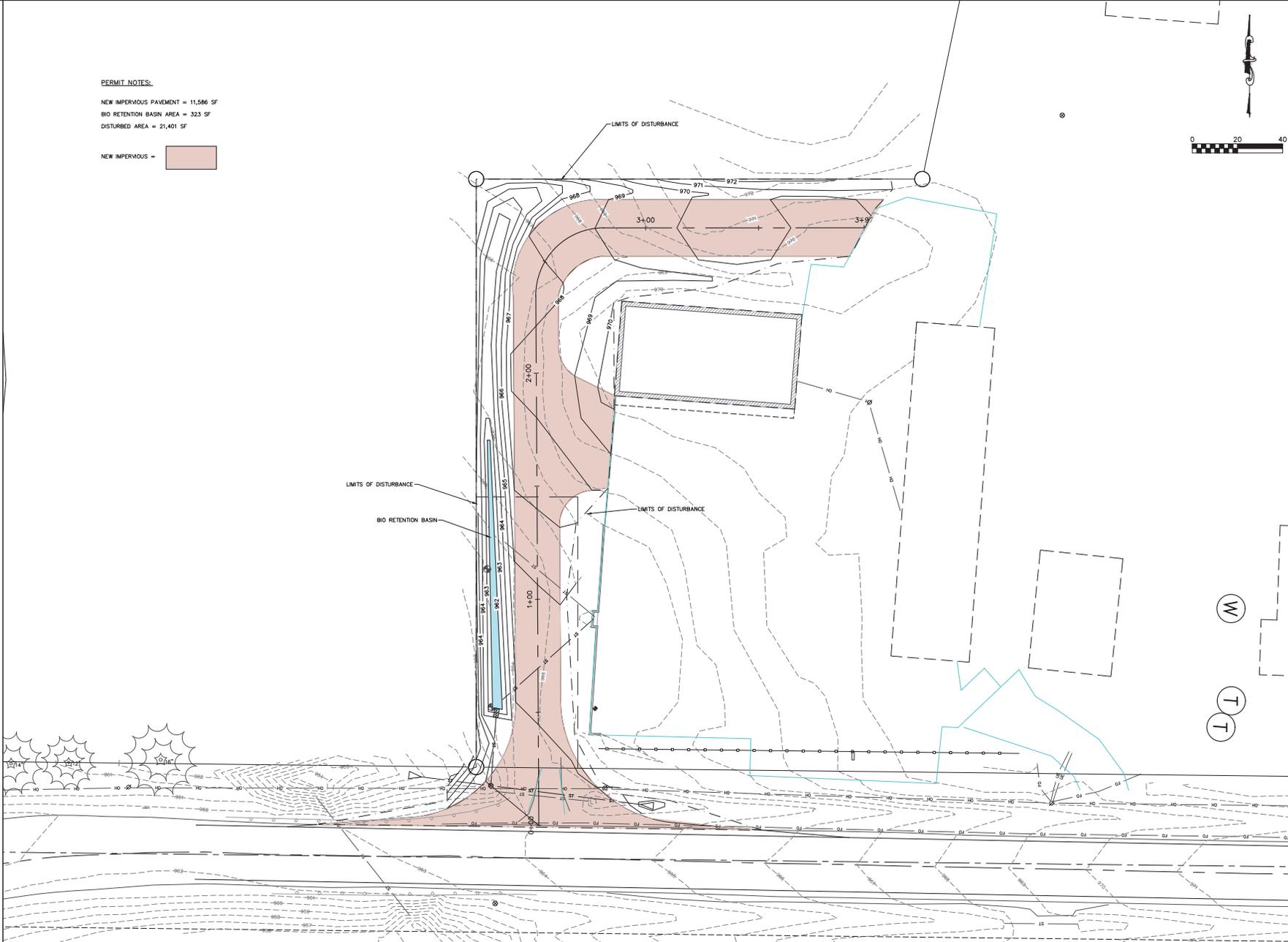
DRAWING NUMBER  
**EXHIBIT 3**

**NOT FOR CONSTRUCTION**

**PERMIT NOTES:**

NEW IMPERVIOUS PAVEMENT = 11,586 SF  
BIO RETENTION BASIN AREA = 323 SF  
DISTURBED AREA = 21,401 SF

NEW IMPERVIOUS = 



**Burse**  
Surveying and Engineering, Inc.  
2804 International Lane, Suite 100  
Madison, WI 53704  
Phone: 608-250-0303  
Fax: 608-250-9266  
email: mburse@BSEINC.net  
www.bursesurveying.com

APPROVAL:	DATE:
PROJECT MGR	
DESIGNER	
CHECKER	
PERMITTING	
PROJECT MGR	
PROJECT MGR	

**AMBLE DRIVEWAY**  
5800 COUNTY HIGHWAY D  
OREGON, WI 53775  
**AMBLE LAND, LLC**  
2215 S. FISH HATCHERY RD  
FITCHBURG, WI 53755

PROJECT # BSE2322-20  
PLOT DATE: 10/6/2020

REVISION DATES:

NO.	DATE	DESCRIPTION

ISSUE DATES: 10/6/2020

NO.	DATE	DESCRIPTION

**PERMIT AREAS**

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DRAWING NUMBER  
**EXHIBIT 4**

9 6 0 9 3 8 1  
T: 9145140

**DEED RESTRICTION**  
11530

**Use black ink & print legibly**

KRISTI CHLEBOWSKI  
DANE COUNTY  
REGISTER OF DEEDS

DOCUMENT #  
5612599  
07/14/2020 11:39 AM  
Trans Fee:  
Exempt #:  
Rec. Fee: 30.00  
Pages: 3

WHEREAS,

PHILIP L. AND CAROL L. PETERSON TRUST

is owner of the following described real estate in the Town of Oregon, Dane County, Wisconsin further described as follows:

Name and return address:  
*Philip L. and Carol L.  
Peterson Trust  
1275 Lathers Rd.  
Oregon, WI 53575*

Parent Parcel Numbers  
0509-054-9000-0

**LEGAL DESCRIPTION:**

Lot 1 of Certified Survey Map No. 15446, located in the Southwest 1/4 of the Southeast 1/4 of Section 5, Town 5 North, Range 9 East, Town of Oregon, Dane County, Wisconsin.

**WHEREAS**, said owners desire to place certain restrictions and notice on the above-described real estate, to bind the owner(s) and those who may acquire title hereafter.

**WHEREAS**, the restrictions provided herein shall be enforceable at law or equity against any party who has or acquires any interest in the land subject to this restriction by the following who are named as Grantees and beneficiaries with enforcement rights:

- The County Government of Dane County, Wisconsin provided that the land is under the jurisdiction of said County at the time the enforcement action is commenced, and;
- The Town Government of the Town of Oregon, Dane County, provided that the land is within the jurisdiction of said Town at the time the enforcement is commenced, and;
- The owner(s) of record of any lands that are located within 300 feet of the subject property.

**THEREFORE**, the following restrictions are hereby imposed:

1. Outdoor lighting shall be limited to no more than 6 lights, with lights directed downward, as shown on the submitted site plan.
2. Burning of debris shall be prohibited on the property.
3. Signs on the property shall be limited to one freestanding sign that will be unlit and in accordance with Dane County Sign Ordinances.
4. Hours of operation shall be limited to 6:30am -7:00pm Monday to Friday; 8:00am – 12:00pm (noon) Saturday. Winter hours will be dependent on weather.
5. Business employees shall be limited to no more than 13 employees, including 10 operational employees and an additional 3 on-site office staff.
6. Permanent fuel storage shall be prohibited on the property. Two mobile fuel transfer tanks shall be permitted. Mobile tanks must meet all spill containment standards required by the Division of Environmental Health.
7. Loudspeakers shall be prohibited on the property.
8. Employee parking shall be located on the west side of the shop as depicted on the submitted site plan.
9. On-site equipment and vehicles shall be equipped with squawker/white sound reversing alarms to reduce potential noise-nuisance.
10. No retail sales or other on-site transactions with final customers permitted.
11. Vegetative screening, to meet all requirements of s. 10.101(12) shall be maintained along the eastern and western boundaries of the LC parcel.
12. No tri-axel, quad-axel equipment shall be permitted in the operation of the LC use.
13. Operator will comply with all weight restrictions on town roads imposed by the Town of Oregon.

The restrictions set forth herein may be amended or terminated in the following manner:

1. The owner(s) of the subject property may submit a written petition calling for the amendment or termination of the restrictions. Such petition must be submitted to the Dane County Clerk who shall refer the petition to the Dane County Zoning and Land Regulation Committee (or successor committee), which shall then schedule and hold a public hearing on the petition.
2. The petition shall then be referred to the Town Government of the Town in which the subject property is located. The Zoning and Land Regulation Committee shall issue a written report on the petition to the County Board of Supervisors. The County Board shall, by majority vote, approve or reject the petition. Amendment or termination of the restrictions shall also require the approval of the Town Board.
3. Upon approval of the petition calling for an amendment or termination of the restrictions, the owner(s) of the subject property shall draft the amendatory covenant instrument. The owner(s) shall then execute and record the amendatory covenant with the Dane County Register of Deeds.
4. A rezoning of the subject property to a different zoning district shall also act to terminate the restrictions set forth herein.

7-09-20

Date

*Philip L. Peterson*

Signature of Grantor (owner)

PHILIP L. PETERSON

\*Name printed

7-09-20

Date

*Carol L. Peterson*

Signature of Grantor (owner)

CAROL L. PETERSON

\*Name printed

STATE OF WISCONSIN, County of Dane

Subscribed and sworn to before me on July 9, 2020 by the above named person(s).

Signature of notary or other person authorized to administer an oath (as per s. 706.06, 706.07)

*Amy C. Harrison*

Print or type name:

Amy C. Harrison

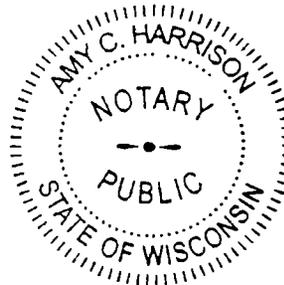
Title Notary Public

Date commission expires. 8-28-2020

This document was drafted by:

Dane County  
Planning and Development Department

ROGER LANE





# BIRRENKOTT SURVEYING, INC.

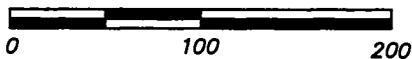
P.O. Box 237  
1677 N. Bristol Street  
Sun Prairie, WI. 53590  
Phone (608) 837-7463  
Fax (608) 837-1081

## CERTIFIED SURVEY MAP

Part of the Southwest 1/4 of the Southeast 1/4 of  
Section 5, T5N, R9E, Town of Oregon, Dane  
County, Wisconsin

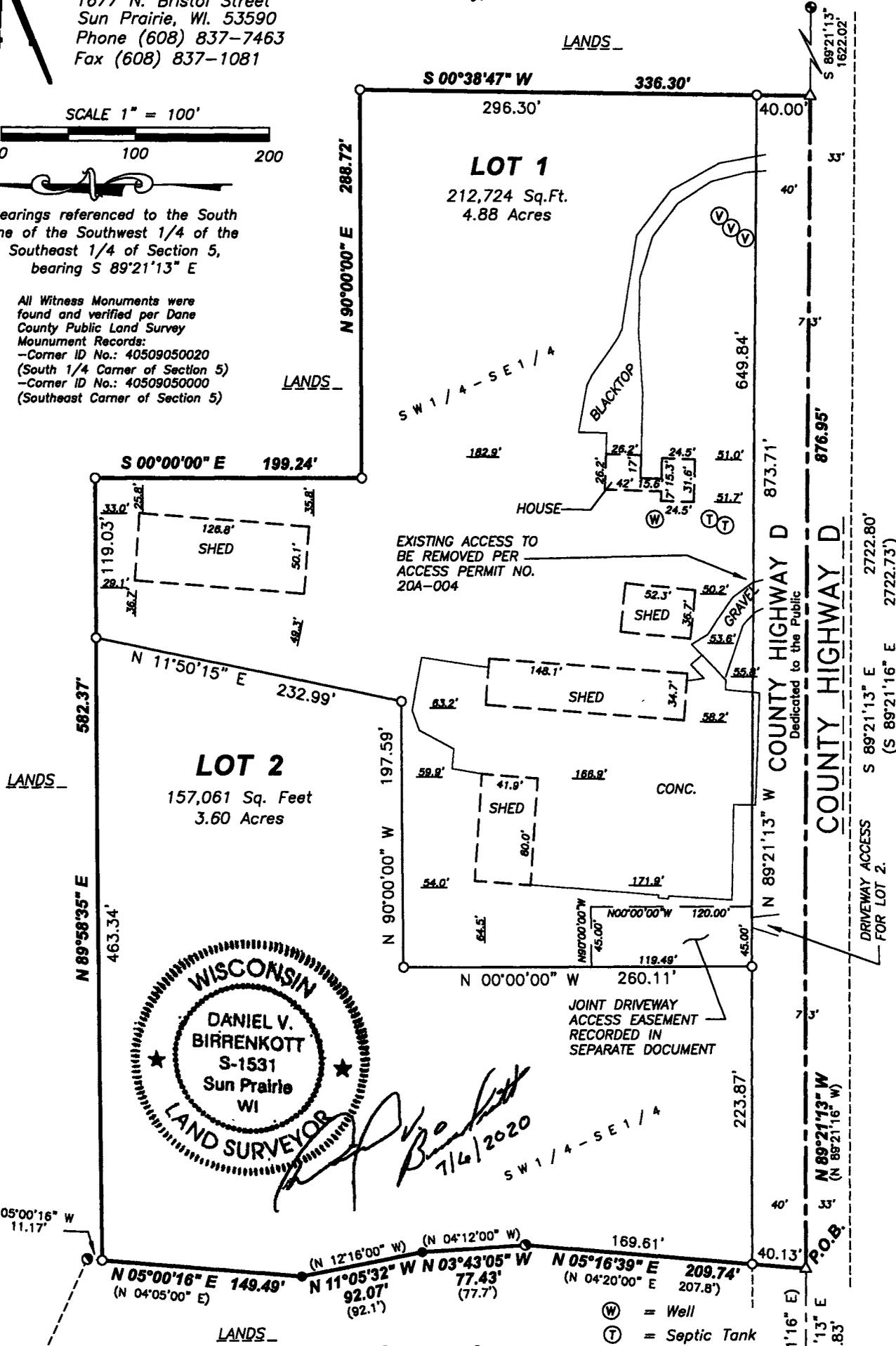
Southeast Corner  
Section 5-5-9  
Found Alum Mon.

SCALE 1" = 100'



Bearings referenced to the South  
line of the Southwest 1/4 of the  
Southeast 1/4 of Section 5,  
bearing S 89°21'13" E

All Witness Monuments were  
found and verified per Dane  
County Public Land Survey  
Monument Records:  
-Corner ID No.: 40509050020  
(South 1/4 Corner of Section 5)  
-Corner ID No.: 40509050000  
(Southeast Corner of Section 5)



*Daniel V. Birrenkott*  
7/6/2020

### Legend:

- = Section Corner
- = 3/4"x24" Iron Bar set  
min.wt.=1.50#/ln.ft.
- = Found 3/4" Iron Bar
- = Found 3/4" Pinch Top Pipe
- ⊙ = Well
- ⊕ = Septic Tank
- △ = Set Mag Nail
- ⊙ = Septic Vent

South 1/4 Corner  
Section 5-5-9  
Found Survey Nail

Office Map No. 180187CSM

SHEET 1 OF 2  
CERTIFIED SURVEY MAP NO. 15446  
VOLUME 111 PAGE 78  
DOCUMENT NO. 5612598

## **12256 Legal Description**

### **LC to GC**

Lot 1 Certified Survey Map No. 15446, recorded in Dane County Certified Survey Maps Volume 111, Pages 78-79, document No. 5612598, Town of Oregon, Dane County, Wisconsin.



# CERTIFIED SURVEY MAP DATED: July 6, 2020

**Birrenkott  
Surveying, Inc.**

P.O. Box 237  
1677 N. Bristol Street  
Sun Prairie, Wisconsin 53590  
Phone (608) 837-7463  
Fax (608) 837-1081

**Surveyor's Certificate:**

I, Daniel V. Birrenkott, hereby certify that this survey is in full compliance with Chapter 236.34 of Wisconsin Statutes. I also certify that by the direction of the owners listed hereon, I have surveyed and mapped the lands described hereon and that the map is a correct representation of all the exterior boundaries of the land surveyed and the division of that land, in accordance with the information provided.

*[Signature]* 7/6/2020  
Daniel V. Birrenkott, Professional Land Surveyor No. S-1531

**Description:**

Part of the Southwest 1/4 of the Southeast 1/4 of Section 5, T5N, R9E, Town of Oregon, Dane County, Wisconsin, described as follows: Commencing at the South 1/4 of said Section 5; thence S89°21'13"E, 223.83 feet (recorded as S89°21'16"E) along the South line of said Southeast 1/4 to the point of beginning; thence N05°16'39"E, 209.74 feet (recorded as N04°20'00"E, 207.8 feet); thence N03°43'05"W, 77.43 feet (recorded as N04°12'00"W, 77.7 feet); thence N11°05'32"W, 92.07 feet (recorded as N12°16'00"W, 92.1 feet); thence N05°00'16"E (recorded as N04°05'00"E), 149.49 feet; thence N89°58'35"E, 582.37 feet; thence S00°00'00"E, 199.24 feet; thence N90°00'00"E, 288.72 feet; thence S00°38'47"W, 336.30 feet to the South line of said Southeast 1/4; thence N89°21'13"W (recorded as N89°21'16"W), 876.95 feet along said South line to the point of beginning; Containing 404,798 square feet or 9.29 acres gross (369,785 square feet, 8.48 acres net)

*NOT INCLUDING ROAD DEDICATION*

**Owners Certificate:**

The Philip L. and Carol L. Peterson Trust, as owner, hereby certifies that it has caused the lands described on this Certified Survey Map to be surveyed, divided, and mapped as represented on this Certified Survey Map. It also certifies that this Certified Survey Map is required by S.75.17 (1)(a), Dane County Code of Ordinances to be submitted to the Dane County Zoning and Land Regulation Committee for approval. \* dedicated

**Philip L. and Carol L. Peterson Trust**

*[Signature]*  
Philip L. Peterson, Trustee

*[Signature]*  
Carol L. Peterson, Trustee

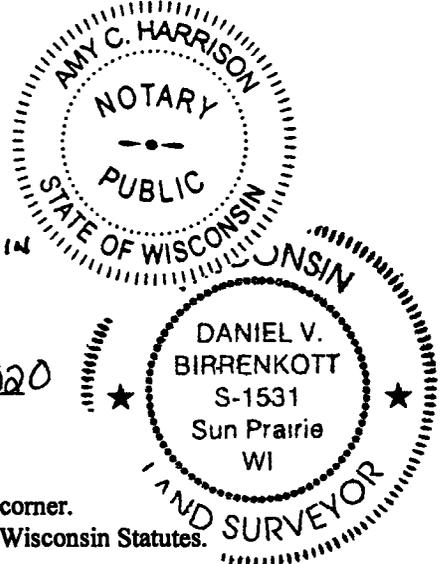
**State of Wisconsin)**

Dane County) ss Personally came before me this 9th day of July, 2020, the above-named Philip L. Peterson and Carol L. Peterson, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

*[Signature]*  
Notary Public, Dane County, Wisconsin.

8-28-2020  
My Commission Expires

*[Signature]*  
Printed name



**Town of Oregon Certificate**

*INCLUDING THE ROAD DEDICATION HEREIN*

This Certified Survey Map is hereby acknowledged, accepted and approved for recording by the Town Board of the Town of Oregon.

*[Signature]*  
Jennifer Hanson, Clerk, Town of Oregon

Dated July 9th, 2020

**Notes:**

- Utilities Easement: No poles or buried cables are to be placed on any lot line or corner.
- The disturbance of a survey stake by anyone is in violation of Section 236.32 of Wisconsin Statutes.
- Wetlands, if present, have not been delineated, as part of this survey.
- This survey is subject to any and all easements and agreements both recorded and unrecorded.
- This survey shows above-ground improvements only. No guarantee is made for below-ground structures.

Approved for recording per Dane County Zoning and Land Regulation Committee

action of JULY 10, 2020 by Daniel Everson  
Daniel Everson, Authorized Representative #10393

**Surveyed For:**  
Philip L. and Carol L. Peterson Trust  
1275 Lathers Road  
Oregon, WI 53575

**Register of Deeds Certificate:**

Received for recording this 14th day of July, 2020

at 11:39 o'clock A m and recorded in Volume 111 of Certified Survey

Surveyed: TAS  
Drawn: BTS  
Checked: CAC/MAP  
Approved: DVB  
Field book: 369/40  
Tape/File: J:\2018\Carlson\180187

Maps of Dane County on Pages 78-79. Kristi Chlebowski by:  
Kristi Chlebowski, Deputy  
Kristi Chlebowski, Register of Deeds

Document No. 5612597

Received 7-13-20 1:15pm