

Place SFM
SETTLEMENT AGREEMENT AS TO 5270 GRANDWOOD ~~TERRACE~~

AND
Place SFM
5260 GRANDWOOD ~~TERRACE~~ EAST, LA CROSSE, WI 54601

WHEREAS, Mr. and Mrs. Matty, (hereinafter referred to as Matty) as the owners and residents of 5260 Grandwood Place East, have filed a claim with the City of La Crosse, Board of Zoning Appeals (BOZA) alleging violations of Municipal Ordinance §115-399; §40-4(b) (9); and §103-366 against Mastercraft and Mr. and Mrs. Hartogh with respect to the construction of a home at 5270 Grandwood Place East;

WHEREAS, a "stop work" order was issued by the City of La Crosse inspection department against Mastercraft and Hartogh related to the height of the retaining wall and related issues;

WHEREAS, BOZA has held a hearing on this matter, but withheld its determination to allow the parties to reach a settlement of the disputes between them;

THEREFORE, the parties hereby agree as follows to resolve the settlement of the disputes between them as follows:

1. In order to prevent the runoff of water from the property owned by Hartogh which is being constructed by Mastercraft onto the Matty property, the parties agree to the correction measures, as created by ISG and attached hereto as Appendices "A" and "B" which are incorporated herein by this reference as if set forth in full;
2. It is agreed the cost for all the remediation activities set forth on the attached Appendices shall be paid for by Hartogh and Mastercraft;
3. The Matty's agree that a limited construction easement is granted to Mastercraft and its subcontractors to complete the work as set for in the attached Appendices, upon providing proof of insurance to the Mattys;
4. All ongoing maintenance for the work set forth in the attached Appendices and the retaining wall shall be the responsibility in perpetuity of Mastercraft and Hartogh;
5. The parties agree that this agreement may be recorded against the property located at 5260 Grandwood Place East and 5270 Grandwood Place East, in the City of La Crosse, County of La Crosse, State of Wisconsin;
6. The parties mutually agree that the appeal with respect to the property located at 5270 Grandwood ~~Terrace~~ East will be settled upon completion of the work as set forth herein and upon signing of this settlement agreement;

7. This agreement is binding upon the heirs, successors and assigns of Matty and Hartogh and the successor property owners of 5260 and 5270 Grandwood Place East.
8. This agreement may only be amended by a signed agreement between the owners of the premises.

Agreed to by the parties at the dates set forth by the parties opposite their names.



Stephen Matty

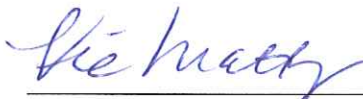
Date: 11-15-16



Dennis Hartogh

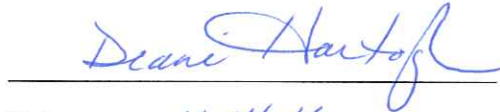
Date: 11-14-16

Vie Matty




Date: 11-15-16

Diane Hartogh



Date: 11-14-16

MasterCraft Homes, Inc.


MARK A. ETRHEIM

Date: 11-14-16

Date: _____

Revision No. 01

Date: November 11, 2016

Project: Matty Property Stormwater Review
La Crosse, Wisconsin

Project No.: 16-19762

Architect/Engineer: I+S Group, Inc.
201 Main Street
Suite 1020
La Crosse, WI 54601

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The following items shall be appended to and become a part of the plans and specifications for the above referenced project and shall supersede any conflicting provisions of these documents.

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Refer to Plan Sheets:

1. Refer to revised Plan Sheet C2-11 – Swale Plan & Profile
 - A. Revised profile of swale per contractor meeting on 11-10-2016.
 - B. Revised profile of perforated underdrain per contractor meeting on 11-10-2016.
 - C. Added location of existing shrubs to be protected or removed and replanted as needed.

Attachments:

1. Revised Plan Sheet C2-11

End of Revision No. 01

