

APPLICATION/PERMIT FOR CONNECTION TO STATE TRUNK HIGHWAY

Wisconsin Department of Transportation (WisDOT)
DT1504 9/2009 s. 86.07(2) Wis. Stats. & Ch. Trans 231 Wis. Adm. Code

- This form is an application for permission for a STH Connection. If approved, the permit does **not** create a **right of access** or **access easement** for the property.
- If the property has any legal restrictions that prohibit access to a state trunk highway (STH), WisDOT cannot approve a STH connection permit for the property.
- Please type or print neatly in ink.** Fill out the required information on **both sides** of this form per the instructions. One form is required per connection. For more information, visit: <http://wisconsindot.gov/Pages/doing-bus/real-estate/permits/default.aspx>
- Please provide a copy of the property deed with all applications.**

Document Identification Number: **32-100216487-2016**

Wisconsin DOT
SW Region - La Crosse office
3550 Mormon Coulee Rd
La Crosse, WI 54601

APPLICANT INFORMATION	1. Applicant Name and Mailing Address – Street/PO Box, City, State, ZIP Code <i>Rose Marie Stelzig by agent Gary Less 1131 Main St Onalaska, WI 54650</i>	2. Property Owner Name / Address (If not applicant) <i>Rose Marie Stelzig</i>
	3. If Not Property Owner, Reason for Application <i>future sale</i>	

CONNECTION LOCATION INFORMATION	4. Highway Number(s) <i>State 35</i>	5. County <i>Lacrosse</i>	6. <input checked="" type="checkbox"/> City <input type="checkbox"/> Village <input type="checkbox"/> Town of: <i>Lacrosse</i>	7. Side of the Highway <input type="checkbox"/> North <input type="checkbox"/> South <input type="checkbox"/> East <input checked="" type="checkbox"/> West
	8. Located within the SE Quarter, of the NW Quarter, Section 27 , Town 15 North, Range 7W			9. Fire or Street Number (If applicable) <i>6104 State Hwy 35</i>
	10. Name of Nearest Side Road from Location <i>Sunnyside Dr</i>		Distance and Direction from Side Road <i>500 to 100 ft N.</i> <small>(Feet or Miles) (N, S, E, W)</small>	11. How far is the location from the nearest non-side road connection on the same highway? <i>77 Ft. n/a</i> <small>(Feet or Miles)</small>

Log Mile or Reference Point (Filled in by WisDOT): **Log Mile 5.34**

CONNECTION TYPE INFORMATION	12. Proposed Activity (Check one) <input checked="" type="checkbox"/> Construct New <input type="checkbox"/> Alter Existing <input type="checkbox"/> Remove Existing <input type="checkbox"/> Permit Existing	13. Proposed Use (Check one – See instructions for category description) <input checked="" type="checkbox"/> Urban – Commercial/Industrial <input type="checkbox"/> Rural – Agricultural <input type="checkbox"/> Urban – Residential <input type="checkbox"/> Public Road <input type="checkbox"/> Rural – Commercial/Industrial <input type="checkbox"/> Trail or Trail Crossing <input checked="" type="checkbox"/> Rural – Residential Is this a change of the existing use (If applicable)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	16. Proposed Trips Per Day (Check one) <input type="checkbox"/> Seasonal <input type="checkbox"/> 101-1000 <input checked="" type="checkbox"/> 1-50 <input type="checkbox"/> Over 1000 <input type="checkbox"/> 51-100 Peak hour traffic count: _____
	14. Proposed Width: <i>20 ft</i>		15. Proposed Surface: <i>Solid</i>

QUESTIONS 17-27 on BACK PAGE

All connections have restrictions, which include the information preprinted and filled-in on this application along with any conditions, covenants, supplemental provisions, superimposed notes, and detail drawings added by WisDOT. The applicant shall be responsible for complying with these restrictions along with the construction and maintenance of the connection. It is further understood that WisDOT's approval is subject to applicant's full compliance with relevant state statutes and administrative rules, plus any laws, codes, rules, regulations, ordinances and permit requirements of other jurisdictional agencies. The alteration of this form by the applicant is prohibited. Under s. 86.073 Wisconsin Statutes, WisDOT's permit denial or revocation may be appealed.

The applicant affirms that all information provided on and submitted with this form is correct and complete. Providing incorrect or incomplete information may result in permit denial or revocation as well as criminal prosecution under s. 946.32 Wisconsin Statutes.

X Gary Less, Agent *4-22-16*
(Property Owner or Authorized Representative) (Date)

608-781-8451 *garyless@ghredtors.com*
(Area Code and Telephone #) (E-mail address if available)

FOR OFFICIAL WISDOT USE ONLY – DO NOT WRITE BELOW THIS LINE

- THE FOLLOWING SUPPLEMENTAL PROVISIONS APPLY
- The property was inadvertently landlocked by deed- the deed was corrected to allow for one access point.
 - Two access points exist and must be removed and restored (vegetated) to reflect no point.
 - the new access points must be vegetated, any soil that enters the State right of way needs to be removed.
 - Ditch must match existing ditchline and positively flow.
 - The access is Ag/Residential. For future development, the owner will need to reapply for a change of use of the access point.

<input checked="" type="checkbox"/> Permit APPROVED (THIS PERMIT IS REVOCABLE)	
<input type="checkbox"/> Permit DENIED	
<input type="checkbox"/> Application DISMISSED	
<i>X Wendy Braun</i> <i>12-05-2016</i> (WisDOT Authorized Representative) (Date) <small>(If Computer-filled, Brush Script Font)</small>	
<input type="checkbox"/> Temporary permit. Expiration date: _____	
<input type="checkbox"/> This permit voids / replaces permit # _____	
<input type="checkbox"/> Shared connection	Co-user name: _____ Related permit # _____

17. Yes No Is the property zoned? Provide documentation from the jurisdictional zoning authority.

18. Explain how the land is currently being used: Ag & res.idential

19. Yes No Are you aware of any plan to change the zoning or land use for the property? If yes, explain.

Future development to commercial or residential

20. Yes No Is this connection for property that was part of a land division or assemblage created on or after 2/1/99? If yes, explain.

21. Yes No Do you own other property abutting the highway that is next to the property that this connection will serve? If yes, describe.

No current access

Note 1: Answering "yes" to #20 or 21 may result in a Wis. Administrative Code Trans 233 review by WisDOT. If this is needed, the processing of your application may be delayed.

22. Yes No Does the property abut or border another public road? If yes, provide the road's name.

23. Yes No Are there any existing connections to any road serving the property? If yes, how many? Not legally

24. Yes No Are there any restrictions on the number, use, or location of connections to the property?

25. Yes No Are there any access easements across the property (recorded or unrecorded)?

deed to State D.O.T attached

Note 2: If you answered "yes" to #24 or 25, provide a copy of all documents relevant to the restrictions and/or easements

26. Provide the property tax identification number: 17-50465-740

27. What is the proposed construction completion date for the connection? See Conditions of Issuance #9. 2017

FOR ANY NEW CONNECTION OR CONNECTION TO BE MOVED, APPLICANT SHALL PLACE A FLAG OR MARKER IN THE HIGHWAY DITCH OR FORESLOPE (VISIBLE FROM THE HIGHWAY) AT THE PROPOSED LOCATION.

CONDITIONS OF ISSUANCE

1. WisDOT reserves the right to make such changes, additions, repairs, relocations and removals within statutory limits to the connection or its appurtenances on the right-of-way as may at any time be considered necessary to facilitate relocation, reconstruction, widening, and maintenance of the highway, or to provide proper protection to life and property on or adjacent to the highway, or if alternative access to the property becomes available.

2. Except in cases where the indicated connection may be constructed by forces acting on behalf of WisDOT due to a highway improvement or maintenance project, the permittee shall do all of the following: (a) Furnish all materials, do all work, and pay all costs for the construction and maintenance of the connection and its appurtenances on the right-of-way. Materials used and the type and quality of the work shall be appropriate for the connection type specified in this permit; (b) Do all work without jeopardy to, or interference with, traffic using the highway; (c) Promptly restore to WisDOT's satisfaction and at least pre-existing conditions, highway surfaces, shoulders, ditches, vegetation, drainage appurtenances, guardrail, signs, electric conduits/cables, etc. disturbed by any work; (d) Maintain the connection and its appurtenances within the right-of-way limits, which includes keeping them in a proper state of repair, preventing the blockage or impairment of right-of-way drainage, and preventing aboveground obstacles to occur that could cause serious injury or death to a motorist in an errant vehicle; (e) Not disturb or cause the disturbance of any survey marker without the prior written approval of WisDOT.

3. The permittee, indicated on the reverse side, represents all parties in interest, and agrees that any connection or approach constructed by or for the permittee is for the purpose of obtaining access to the property (listed in #26) and not for the purpose of parking or servicing vehicles, or for advertising, storage, or merchandising of goods on the right-of-way.

4. The permittee shall not make any changes to the connection, its appurtenances, or adjacent right-of-way, including, without limitation, changes to the location (#4-11), use (#13), width (#14), surface (#15), or increase the number of trips per day (#16) approved by this permit without obtaining prior written approval from WisDOT. WisDOT will evaluate all potential highway impacts that may arise from the proposed change(s) and therefore, does not guarantee approval.

5. The permittee, successors or assigns agree to hold harmless the State of Wisconsin and its duly appointed agents and employees against any action for personal injury or property damage sustained by reason of the exercise of this permit.

6. WisDOT does not assume any responsibility for the removal or clearance of snow, ice or sleet, or the opening of windrows of such material upon any portion of any connection along any state trunk highway even though snow, ice or sleet is deposited or windrowed on said connection by its authorized representative engaged in normal winter maintenance operations.

7. Under Wisconsin Administrative Rule Trans 401, the permittee shall implement proper erosion control and storm water management measures at all times during work operations and upon completion of the connection to protect all restored areas until the replacement vegetation achieves sustained growth.

8. Rock, asphalt, concrete, timber or other embankment retention or marking treatments for the connection are prohibited.

9. If the permitted work has not been started by the construction completion date, this permit is null and void. If the work has been started but is not finished by the construction completion date, no additional work shall be done unless authorized through an approved written time extension or a subsequent permit from WisDOT. Accomplishment of any part of the work shall verify agreement by the permittee to conform to this permit and to be bound by all of its requirements, restrictions, and obligations, all of which shall continue to be in full force and effect. WisDOT does not guarantee the approval of a time extension or subsequent permit since the conditions WisDOT based its permit approval upon may have changed between the permit approval date and time extension request date.

1684375
LACROSSE COUNTY
REGISTER OF DEEDS
CHERYL A. MCBRIDE

RECORDED ON
10/31/2016 08:03AM
REC FEE: \$30.00

EXEMPT #: 77.25 (3)
PAGES: 4

** The above recording information verifies that this document has been electronically recorded and returned to the submitter.**

This space is reserved for recording data

Return to
Wisconsin Department of Transportation
3550 Mormon Coulee Road
La Crosse, WI 54601

Parcel Identification Number/Tax Key Number
17-50465-740

Document Number
AFFIDAVIT OF CORRECTION

(TYPE OR PRINT CLEARLY IN BLACK OR RED INK)

AFFIANT, Gregory S. Messling, hereby swears or affirms that a certain document which was titled as follows:

Warranty Deed, recorded on the 16th day of March, 1981 in volume 658, pages 818-819, as document number 915907 and was recorded in La Crosse County, State of Wisconsin, contained the following error (if more space is needed, please attach addendum):

The last paragraph of the second page after the legal description regarding access was incorrectly written that removed all access rights of the property owner to their land abutting STH 35.

AFFIANT makes this Affidavit for the purpose of correcting the above document as follows (if more space is needed, please attach addendum):

Also all existing, future or potential common law or statutory easements or **rights of access between the right of way of the highway currently designated as S.T.H. 35 and all of the abutting remaining real property of the owner(s), whether acquired by separate conveyance or otherwise, where the following described real estate abuts on said highway, except for one access point subject to Statute 86.07 (2) of the owners property in T15N, R7W, Section 27, in the SE1/4-NW1/4.**

AFFIANT is the (check one):

- Drafter of the document being corrected.
- Owner of the property described in the document being corrected.
- Other (explain: _____).

The original document (in part or whole) is attached to this Affidavit (if original document is not attached, please attach legal description and names of grantors and grantees).

Signed:

Gregory S. Messling

Gregory S. Messling
(Print Name)

10-17-16

State of Wisconsin)

La Crosse County) ss.

On the above date, this instrument was acknowledged before me by the named person(s) or officers.

Tracy L. Pearson
(Signature, Notary Public, State of Wisconsin)

Tracy L. Pearson
(Print or Type Name, Notary Public, State of Wisconsin)

4-27-2020
(Date Commission Expires)

