

# MICHAEL BEST

& FRIEDRICH LLP

Michael Best & Friedrich LLP  
Attorneys at Law

100 East Wisconsin Avenue  
Suite 3300  
Milwaukee, WI 53202-4108  
Phone 414.271.6560  
Fax 414.277.0656

Nancy Leary Haggerty

Direct 414.225.4961

Email [nlhaggerty@michaelbest.com](mailto:nlhaggerty@michaelbest.com)

April 5, 2016

## HAND DELIVERY AND EMAIL

Scott Dunnum  
City Surveyor  
City of La Crosse  
400 La Crosse Street  
La Crosse, WI 54601

Re: Formal Submission of Condominium Plat for Belle Square Condominium

Dear Scott:

I am sending this letter as the formal submission of the Condominium Plat for Belle Square Condominium, on Lot C, in the City of La Crosse. The property is owned by Weber Holdings, LLC ("Weber"), with an address of 328 Front Street South, La Crosse, WI 54601, who is also the subdivider. The surveyor is Jim Osborne of ISG Group, 201 Main Street, Suite 710, La Crosse, WI.

As we have discussed, this submission is a little unusual for two reasons. First, because this is a Plat of a Commercial Condominium, it does not follow the checklist directly. Secondly, this Plat is being recorded in order to allow the sale of commercial condominium units, for a building which is currently under construction, and the plans and specifications for which have been all submitted to, and approved by the City, as part of the construction project commenced in 2015, and therefore are on file with the City. Therefore, items 3 through 9 of your submittal checklist, are already on file with the City, and have recently been approved by the City.

The ALTA survey for the block, item 2 on your submittal checklist, was also submitted to the City as part of the construction plans, and an electronic copy was also resent to you by Jim Osborne, the surveyor, on March 17.

The Belle Square Condominium is being created on the south part of "Lot C" the block bounded by 3<sup>rd</sup> Street, State Street, 4<sup>th</sup> Street and Vine Street, as part of the mixed-use development of that block, solely in order to allow a few occupants of that building to purchase their own space, principally, Associated Bank who is under contract to purchase the "Bank Unit," a dental office under contract to purchase the "Dental Unit," and eventually, the County, who required as a condition of its sale of Lot C to Weber, that it be able to purchase a block of parking spaces to replace spaces lost in the sale of

CITY OF LA CROSSE, WI

General Billing - 135427 - 2016

002725-0030 Amber W. 04/08/2016 09:32AM

165610 - WEBER HOLDINGS

Payment Amount:

700.00

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Lot C. Associated Bank also sold its building in a three-party arrangement to make way for County offices to move.

The condominium is created to be expandable to the whole block, if necessary, although the current intention is that it remain in its current configuration, except as necessary for the County parking spaces. As shown on Sheet 1 of the plat, and as further detailed in the County's Project Plan for Lot C, another building is being constructed along the 3<sup>rd</sup> Street side of the block, as offices, and a larger, taller office building is contemplated along the north side of the block, on the Vine Street side. Sheet 1 of the plat shows them in the potential Expansion Land of the condominium. The developer has an application pending for a Street Privilege Permit, for the small area of the balconies on the upper floors, which extend into the air space above 4<sup>th</sup> Street. A copy of that application is enclosed.

The condominium being created, contains the following commercial units:

-the Bank Unit, (Unit 1) including Associated's ground floor lobby, drive-through and customer parking, and second floor offices;

-a Café Unit (Unit 2) on the ground floor facing State Street, with the possibility of a sidewalk café in front (subject to appropriate City permits), which is why there is a Limited Common Element shown on the sidewalk;

-the Dental Unit (Unit 3) to house a dentist's office;

-an Office Unit (Unit 4);

-the Apartment Unit (Unit 5) being an entire apartment building, including a ground floor lobby, certain dedicated stairwells, mechanical rooms and a bike storage room in the basement; and

-the Parking Unit (Unit 6) which includes driveways, entrances, surface parking on the main level, and a parking garage on the lower level, all for the users on the block.

Specifically regarding Section 113 of your Ordinances, all of the items required in the Plat are either disclosed on the Plat or in the approved Construction Plans on file with the City, except for the following:

113.69(b)(13) Current zoning is C-3 Commercial Business District.

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113.69 (f) A copy of the Condominium Declaration is enclosed, which will be recorded with the La Crosse County Register of Deed's Office with the Plat.

113.69(h) The condominium building is currently under construction and the first unit, the Bank Unit, is scheduled to be completed on June 1 of this year.

Jim Osborne will deliver the 12 original versions directly to you. Weber Holdings will deliver the \$700 check to you for the Reviewing Fees.

We look forward to completing this with you.

Sincerely,

**MICHAEL BEST & FRIEDRICH LLP**

  
Nancy Leary Haggerty

Enclosures:

Condominium Plat  
ALTA Survey  
Condominium Declaration  
Plat Submittal Checklist

cc: Nick Weber  
Jason Thompson  
Jim Osborne  
City Clerk

025649-0013\18824891.1



OFFICE OF  
**CITY ENGINEER**  
 CITY HALL  
 400 LA CROSSE ST  
 LA CROSSE WI 54601-3396  
 (608) 789-7505

**(PRELIMINARY AND FINAL) PLAT SUBMITTAL CHECK LIST**

*To be completed by Engineering before filing with the City Clerk*

(Note: More than one checklist item may be on a sheet of paper)

- 1.  Preliminary Plat (Face Plat)
- 2.  Survey Plat (Existing Conditions) *Sent by Jim Osborne to Scott Dunning 3/17/2016*
- 3. \_\_\_\_\_ Site Plan (Tree, Lighting, Parks)
- 4. \_\_\_\_\_ Grading Plan (Proposed Grades)
- 5. \_\_\_\_\_ Erosion Control Plan
  - a. Silt fence
  - b. Mats
  - c. Tracking Pads
  - d. 30 % Slopes (If Necessary)
  - e. Rip-Rap
  - f. Grades (Proposed/Existing)
- 6. \_\_\_\_\_ Hydrology (Pre/Post), Soils, and Calculations *book*
  - a. Storm water Narrative
- 7. \_\_\_\_\_ Utility Plan
  - a. Sanitary
  - b. Water
  - c. Storm
- 8. \_\_\_\_\_ Plan and Profile
  - a. Street
  - b. Utility
- 9. \_\_\_\_\_ Structure Details
  - a. Erosion Protection
  - b. Street
  - c. Utilities (If Necessary)
- 10.  Covenants and Restrictions *Condominium Declaration*

*All included in formal plans submitted to City for construction of buildings*

*Eng - Scott D*

To be completed by City Clerk at time of filing:

- 11. \_\_\_\_\_ Twelve (12) sets; five (5) of those full sets (i.e. site plan, grading plan, erosion control, etc.)
- 12.  Public Site Fee (Due at Final Plat Submittal - \$100/lot in lieu of public lands dedication)  
*(Applies to all residential projects, including condos; does not apply to commercial plats or commercial condos.)*
- 13.  Reviewing Fees
  - Preliminary \$500.00
  - Final \$200.00
  - Reapplication \$100.00*(if filing prelim and final simultaneously \$700.00 is due at filing.)*

**BEFORE FILING WITH THE CITY**, you must have both Town and County approvals. The Plan Commission may not consider any subdivision or land division which did not have prior approval by the approving authorities for both the Town(s) and La Crosse County.

Town Board Approved: \_\_\_\_\_ Date \_\_\_\_\_ La Crosse County Approved: \_\_\_\_\_ Date \_\_\_\_\_

*NA*

On State Highway?  
 Yes     No

**REVOCABLE OCCUPANCY/  
 STREET PRIVILEGE PERMIT APPLICATION**  
 City of La Crosse Legal Department - Phone: (608)789-7511  
 http://www.cityoflacrosse.org

Permit Number:  
 # \_\_\_\_\_

**APPLICANT**  
 Name: Nick Weber    Company Name: Weber Holdings LLC  
 Address: 102 Jay Street Suite 400    City: La Crosse    State: WI    Zip: 54601  
 Phone #: (608) 782-5041    Cell #: ( )    Fax #: ( )  
 Email: nick@weber-holdings.com

**PROPERTY OWNER** \*If different from applicant  
 Name: \_\_\_\_\_    Company Name: \_\_\_\_\_  
 Address: \_\_\_\_\_    City: \_\_\_\_\_    State: \_\_\_\_\_    Zip: \_\_\_\_\_  
 Phone #: ( )    Cell #: ( )    Fax #: ( )  
 Email: \_\_\_\_\_

**ENCROACHMENT TYPE (Check one):**

<input checked="" type="checkbox"/> AWNING/ON-PREMISE SIGN/OVERHEAD HEATER/CANOPY	<input type="checkbox"/> OUTDOOR DINING AREA
<input type="checkbox"/> FIRE ESCAPE/ RESCUE PLATFORM/BALCONY	<input type="checkbox"/> AESTHETIC APPURTENANCE
<input type="checkbox"/> VENDING MACHINE/NEWSBOX	<input type="checkbox"/> GROUNDWATER MONITORING WELL
<input checked="" type="checkbox"/> UNDERGROUND WIRES AND INFRASTRUCTURES	<input type="checkbox"/> BOATHOUSE/HOUSEBOAT
<input type="checkbox"/> AUTOMATIC IRRIGATION SYSTEM/SIDEWALK ENCROACHMENT	<input type="checkbox"/> OFF-PREMISE SIGN
<input type="checkbox"/> OTHER: _____	

**DESCRIPTION OF ENCROACHMENT/WORK TO BE PERFORMED:**  
Underground wiring and light installation for exterior building lighting  
Canopy overhang located on NW corner, SE corner and along east side of building  
Balconies located on east elevation  
 Desired Start Date: \_\_\_\_\_  
 Est. Completion Date: \_\_\_\_\_

**CONTRACTOR/SIGN CO.:** C.D. Smith Construction, Inc.    **PERSON IN CHARGE:** Cory Henschel  
 Phone #: (920) 924-2900    Cell #: ( )    Fax #: ( )

*8/24/15  
 was told to  
 "Strike"*

For timely review, City Ordinance requires that applications be submitted at least 45 days prior to the need for any encroachment. Notwithstanding approval of the application, a permit is not valid until it is signed, recorded and compliance with all other permit conditions is verified. All necessary permits from other City Departments must also be obtained before the encroachment can be installed/erected.

I authorize the applicant listed above to apply for a Street Privilege Permit through the City of La Crosse.  
 STATE OF WISCONSIN )  
 ) SS  
 COUNTY OF LA CROSSE )  
 Personally came before me this 24<sup>th</sup> day of August, 2015, the above named Nick Weber to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.  
 A signed letter from the property owner or management company may be used in lieu of this signature \*\*  
 Signature of Property Owner must be notarized \*\*  
Budget Inman  
 Notary Public, La Crosse County, WI  
 My commission expires: 06/12/2016

Tax Parcel ID #: 17-20020-70

I certify that I have reviewed the Municipal Code and understand all that is related to this permit request. I further certify that I have the full authority to make the foregoing application; the information in the application and the required submittals are complete and correct; the Work or Use performed shall comply with all the laws of the State of Wisconsin, and all ordinances, rules, regulations, policies, and special conditions of the City of La Crosse. The applicant agrees to perform the work or use covered by an approved permit with diligence and convenience to the public. After approval, applicant shall be responsible for obtaining any final documents and follow all procedures as defined in the City Municipal Code. Approval of this application is subject to the conditions that appear in the actual permit to be signed after approval is obtained.

Signature of Applicant: Nick Weber    Date: 8/24/15

Please return this completed application along with required information and fees noted on checklist to: City of La Crosse, Legal Department, 400 La Crosse Street, 6th Floor, La Crosse WI 54601. With questions please contact the Legal Department at (608)789-7511. You will then be given notice of when your request will be on the Board of Public Works agenda.

Approved By: _____  Approval Date: _____	<b>Required items to be provided by Applicant</b>	<b>Gray Shaded Areas to be Completed by City Staff</b>
	Scale drawing of encroachment <input type="checkbox"/> Legal Description <input type="checkbox"/> Certificate of Insurance <input type="checkbox"/> Initial Application Fee \$ _____ <input type="checkbox"/> Annual Permit Fee \$ _____ <input type="checkbox"/> <b>All items due prior to approval</b>	<input type="checkbox"/> Special Conditions of Approval Attached <b>NON-REFUNDABLE ANNUAL PERMIT FEE</b> \$ _____ Payable to City Treasurer (See fee schedule) Check # _____    Date Received: _____



State Bar of Wisconsin Form 6-2003  
SPECIAL WARRANTY DEED

1652498  
LACROSSE COUNTY  
REGISTER OF DEEDS  
CERVL A. MCBRIDE

RECORDED ON  
02/27/2015 12:34PM  
REC FEE: 30.00  
EXEMPT #: 77.25(2)  
PAGES: 3

Document Number \_\_\_\_\_ Document Name \_\_\_\_\_

**THIS DEED, made between La Crosse County, a municipal body corporate**  
 \_\_\_\_\_ ("Grantor," whether one or more), and  
Weber Holdings, LLC  
 \_\_\_\_\_ ("Grantee," whether one or more).

Grantor for a valuable consideration, conveys to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in La Crosse County, State of Wisconsin ("Property") (if more space is needed, please attach addendum):

Exhibit A - Legal Description, attached hereto and incorporated herein by reference.

Fee & Transfer exempt: Wis. Stat. Sec. 77.25(2)

Recording Area \_\_\_\_\_

Name and Return Address  
 Attorney Mark Hammond  
 102 Jay Street  
 Suite 400  
 La Crosse, WI 54601

17-2007b-070  
 Parcel Identification Number (PID#)  
 This is not \_\_\_\_\_ homestead property  
 (H) (is not)

Grantor warrants that the title to the Property is good, indefeasible, in fee simple and free and clear of encumbrances arising by through, or under Grantor, except:

Those Permitted Exceptions set forth on Exhibit B, attached hereto and incorporated herein, by reference.

Dated February 26, 2015

[Signature] (SEAL.)  
 \* Tara Johnson, La Crosse County Chair

[Signature] (SEAL.)  
 \* Ginny Dankmeyer, La Crosse County Clerk

[Signature] (SEAL.)  
 \* Nicholas Wilber

[Signature] (SEAL.)

**AUTHENTICATION**  
 Signature(s) Tara Johnson and Ginny Dankmeyer  
 authenticated on February 26, 2015.  
[Signature]  
 \* Megan DeVore  
 TITLE: MEMBER STATE BAR OF WISCONSIN  
 (If not, \_\_\_\_\_  
 authorized by Wis. Stat. § 706.06)

**ACKNOWLEDGMENT**  
 STATE OF WISCONSIN )  
La Crosse COUNTY ) ss.  
 Personally came before me on 08/24/2015  
 the above-named Nicholas Wilber  
 to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.  
[Signature]  
 \* Bridget Truntoni  
 Notary Public, State of Wisconsin  
 My Commission (is permanent) (expires: 06/12/2016)

THIS INSTRUMENT DRAFTED BY:  
Megan DeVore, La Crosse City Dep Corp Counsel  
 400 N 4th Street, La Crosse, WI 54601

(Signatures may be authenticated or acknowledged. Both are not necessary.)  
 NOTE: THIS IS A STANDARD FORM. ANY MODIFICATIONS TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.  
 SPECIAL WARRANTY DEED © 2003 STATE BAR OF WISCONSIN FORM NO. 6-2003  
 \* Type name below signatures

**Exhibit A**

**LEGAL DESCRIPTION**

**Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 in Block 25 of the Original Plat of the Town of La Crosse, now City of La Crosse, La Crosse County, Wisconsin; and**

**Part of Government Lot 4 in Section 31, Township 16 North, Range 7 West, La Crosse County, Wisconsin, being the vacated alley in Block 25 of the Original Plat of the Town of La Crosse, now City of La Crosse, described as follows: Commencing at the Northeasterly corner of Lot 1 in said Block 25, being the point of beginning of this description; thence Southerly along the Easterly lines of Lots 1, 2, 3, 4 and 5 in said Block 25, a distance of 300 feet more or less to the Southeasterly corner of said Lot 5; thence Easterly, along the Southerly line of said Block 25, a distance of 20 feet more or less, to the Southwesterly corner of Lot 6 in said Block 25; thence Northerly, along the Westerly lines of Lots 6, 7, 8, 9 and 10 in said Block 25, a distance of 300 feet, more or less, to the Northwesterly corner of said Lot 10; thence Westerly, along the Northerly line of said Block 25, a distance of 20 feet more less to the point of beginning.**

**APN: 17-20020-070**



**EXHIBIT B**

**PERMITTED EXCEPTIONS**

1. Municipal and zoning ordinances and classifications.
2. The lien of the general real estate taxes for the year 2015 and thereafter.
3. Easements and rights incidental thereto in connection with the continued use and right of entrance, maintenance, construction and repair of municipal or utility facilities as may exist underground or overground in or on that portion of the subject premises which were formerly a part of the alley now vacated (discontinued) pursuant to Wis. Stat. §66.1005(2)(a).
4. Building setback lines, utility poles and manholes, catch basin, underground electric, cable television, water main, fiber optic and telephone lines as shown on ALTA/ACSM Land Title Survey by I+S Group dated February 20, 2015.





RIVECEN-03 TKAKUSKA

## CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
8/24/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Robertson Ryan - La Crosse 802 State Street La Crosse, WI 54601	CONTACT NAME:	
	PHONE (A/C, No., Ext.): (808) 784-4864	FAX (A/C, No.): (808) 784-4774
	E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A: The Cincinnati Insurance Company	10677
INSURED  Weber Holdings LLC 102 Jay Street La Crosse, WI 54601	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSUR LTR	TYPE OF INSURANCE	ADDITIONAL INSURED	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Hired/Non-Owned Auto  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROTECT <input type="checkbox"/> LOC OTHER:		EPP 0201792	07/14/2015	07/14/2016	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 3,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$		EUP 0038162	07/14/2015	07/14/2016	EACH OCCURRENCE \$ 3,000,000 AGGREGATE \$ 3,000,000
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in WI) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N/A				PER STATUTE <input type="checkbox"/> OTHER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
 RE: Street Privilege Permit, 315 State Street, La Crosse, WI 54601. The City of La Crosse is listed as an Additional Insured.

CERTIFICATE HOLDER  City of La Crosse 400 La Crosse Street La Crosse, WI 54601	CANCELLATION  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE  <i>Tim Karkel</i>
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