

Town Board

Dean A. Grosskopf, Chair  
Terry Engle  
Kenneth R. Sipsma  
Mark A. Trotter  
John Cuccia



*Town of Westport*

Thomas G. Wilson  
Attorney/Administrator/Clerk-Treasurer

Robert C. Anderson  
Utility, Finance & IS Manager

Jessica J. Frey  
Executive Assistant

Kennedy Administration Building

5387 Mary Lake Road  
Waunakee, WI 53597  
Office: (608)849-4372 \* Fax: (608)849-9657  
[www.townofwestport.org](http://www.townofwestport.org)

June 20, 2017

**BY E-MAIL ONLY**

Daniel Everson  
Dane County Planning & Development  
City-County Building, Room 116  
210 Martin Luther King Jr., Blvd.  
Madison, WI 53709

Re: Town of Westport Resolution No. 17-07  
Buhler CSM and Rezone, (STH 19 at River Road, Southeast Corner)  
Dane County Petition Number DCPREZ-2017-11162

Dear Mr. Everson:

The Town Plan Commission and the Town Board of the Town of Westport have no objections to the attached CSM and Rezone subject to the conditions of the attached Town Resolution No. 17-07.

Thank you for your consideration.

Very truly yours,



Thomas G. Wilson  
Town Attorney/Administrator/Clerk-Treasurer

TGW/jf  
Enclosures  
cc by e-mail only:

Dean A. Grosskopf, Town Board Chair (by e-mail only)  
Kevin Even, Town Engineer  
Noa Prieve, Williamson Surveying and Assoc., Inc.  
Attorney Richard Schmidt

TOWN OF WESTPORT  
RESOLUTION NO. 17-~~27~~

RESOLUTION BY THE TOWN OF WESTPORT  
BOARD OF SUPERVISORS CONDITIONALLY APPROVING  
THE CERTIFIED SURVEY MAP AND ZONING  
FOR THE BUHLER PROPERTY WITHIN THE TOWN OF WESTPORT,  
DANE COUNTY, WISCONSIN  
(STH 19 at River Road, Southeast Corner)

WHEREAS, application to realign three lots by Certified Survey Map ("CSM" -- attached as Exhibit A) and associated rezoning identifying an area of land located in the Town of Westport (the "Town") was submitted by Jerry Buhler ("Petitioner"), to the Town for review and action on May 17, 2017, and the statutory sixty-day review period will expire on or about July 17, 2017; and,

WHEREAS, the CSM and rezoning request, since part of the property was located in the Waunakee Joint Planning Area was referred to the Waunakee/Westport Joint Planning Committee (the "JPC") for its review and its recommendation to the Town Board of Supervisors (the "Town Board"); and,

WHEREAS, the JPC, Town Plan Commission, and the Town Board have reviewed the CSM and rezoning and met with the Petitioners with respect to the proposed CSM and requested rezoning; and,

WHEREAS, the JPC and the Town Plan Commission both determined that the CSM and requested rezoning will only be consistent with the Town of Westport Ordinances, the Village of Waunakee Ordinances, Ch. 236, Wis. Stats., Town of Westport Comprehensive Plan and the Waunakee/Westport Joint Planning Area Comprehensive Plan if certain conditions set forth in their recommendations adopted at meetings on June 12 and June 13, 2017, respectively are met; and,

NOW, THEREFORE, the Town Board of Supervisors of the Town of Westport, based upon the above determinations, hereby approves the Certified Survey Map and recommends approval of the rezoning for the CSM Property as attached hereto at Exhibit A, subject to the following conditions and/or restrictions.

1. Finalization of any necessary zoning changes to rezone the parcels as follows: Proposed Lot 1 to Village A-1, Proposed Lot 2 to Dane County A-4, and Proposed Lot 3 to Village CR-5ac;
2. These lots shall be restricted to no further land divisions or creation of building sites and no annexation without Town Board approval, and additionally proposed Lot 2 shall be restricted for no residential use and only agricultural buildings/structures as of if allowed;
3. Partition fences for lands abutting or adjacent to land used for farming or grazing purposes, and a covenant regarding maintenance of such fences pursuant to Section 10-2-63 of the Westport Code of Ordinances approved by the Town Attorney;
4. Dedications, notations or other information which should be added to the face of the CSM;
5. Deed restrictions relating to subsequent development, use or division of land approved by the Town Attorney;
6. A restriction that any residence on the CSM property shall connect to municipal water and sewer utilities should the service ever be extended to the property, at the then owners' expense and without challenge, which restriction shall be shown on the face of the CSM;


7. Maintenance of all current easements and restrictions;
8. All special assessments and fees shall be paid;
9. The Petitioner shall pay all costs and fees incurred by the Town for any and all reviews, approval requests and document preparation by the Town Engineer and Town Attorney relating to the property, and shall enter into an agreement approved by the Town Attorney to pay these costs and fees;
10. The Petitioner shall provide to the Town a recorded copy of the CSM.

The above and foregoing resolution was duly adopted by the Town Board of Supervisors of the Town of Westport, Dane County, Wisconsin, at a regular meeting held on 19<sup>th</sup> day of June, 2017, by a vote of 5 yes and 0 nays, with 0 member(s) absent.

TOWN OF WESTPORT

Approved:

By:   
Dean A. Grosskopf, Town Board Chair

Attest:   
Thomas G. Wilson,  
Town Attorney/Administrator/Clerk-Treasurer

Posted: 6/20/17

Approved: 6/19/17







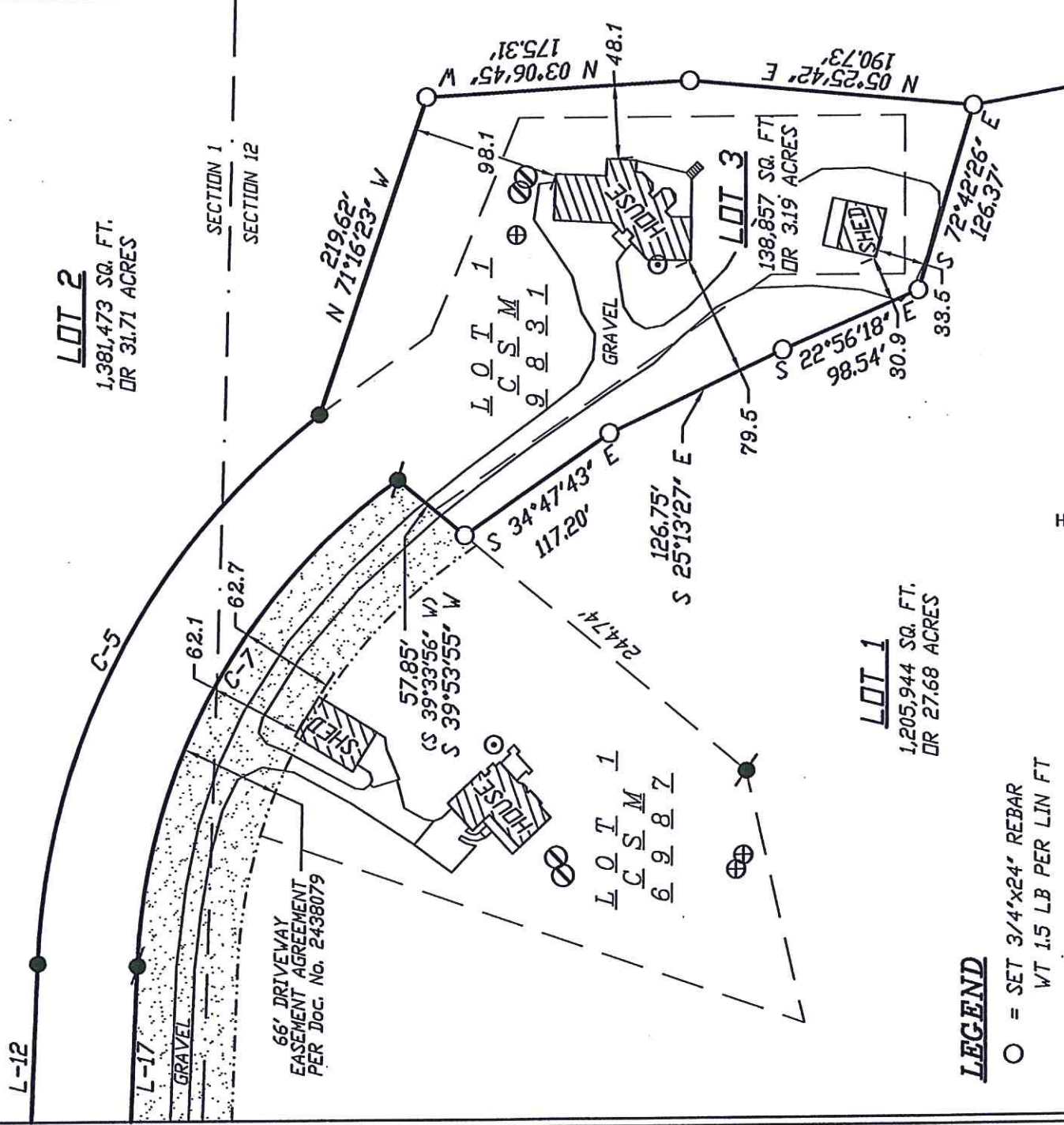


# CERTIFIED SURVEY MAP

## WILLIAMSON SURVEYING AND ASSOCIATES, LLC

NOA T. PRIEVE & CHRIS W. ADAMS, PROFESSIONAL LAND SURVEYORS  
104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597 PHONE: 608-255-5705

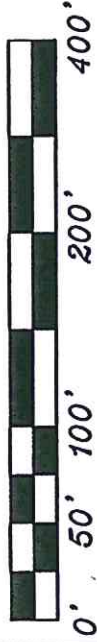
Located in part of the NW 1/4 and NE 1/4 of Section 12, and part of the SW 1/4 and SE 1/4 of Section 1, all in T8N, R9E, Town of Westport, Dane County, Wisconsin. Including all of Lot 1 Certified Survey Map No. 6987 and Lot 1 Certified Survey Map No. 9831.



### LEGEND

- = SET 3/4"x24" REBAR  
WT 1.5 LB PER LIN FT
- = FOUND 3/4" REBAR
- ⊗ = FOUND 1 1/4" PIPE (UNLESS NOTED)
- (##) = RECORDED AS
- ⊕ = SEPTIC VENT
- ⊙ = WELL
- ⊗ = SEPTIC TANK

SCALE 1" = 100'



BEARINGS ARE REFERENCED TO THE NORTH  
LINE OF THE NE 1/4 OF SECTION 12-8-9  
LINE TO BEAR N 88°38'40" W

SURVEYORS SEAL

PRELIMINARY ONLY





# CERTIFIED SURVEY MAP

WILLIAMSON SURVEYING AND ASSOCIATES, LLC

NDA T. PRIEVE & CHRIS V. ADAMS, PROFESSIONAL LAND SURVEYORS

104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597 PHONE: 608-255-5705

Located in part of the NW 1/4 and NE 1/4 of Section 12, and part of the SW 1/4 and SE 1/4 of Section 1, all in T8N, R9E, Town of Westport, Dane County, Wisconsin. Including all of Lot 1 Certified Survey Map No. 6987 and Lot 1 Certified Survey Map No. 9831.

### NOTES:

- 1.) THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT FOR THE SUBJECT TRACT OR ADJOINERS AND IS THEREFORE SUBJECT TO ANY EASEMENTS, AGREEMENTS, RESTRICTIONS AND STATEMENT OF FACTS REVEALED BY EXAMINATION OF SUCH DOCUMENTS.
- 2.) WETLANDS, IF PRESENT, HAVE NOT BEEN DELINEATED OR SHOWN.
- 3.) FLOOD PLAIN, IF PRESENT, HAS NOT BEEN LOCATED OR SHOWN.

### CURVE TABLE:

C-#	RADIUS	CHORD BEARING	ARC	DELTA
C-1	25546.26	N 34°53'18" E 776.45	776.48	01°44'29"
C-2	25586.26	(N 33°33'48" E 47.92') N 33°54'26" E 48.09	48.09	(00°06'26") 00°06'28"
C-3	2568.82	N 29°57'22" E 349.19	349.46	07°47'40"
C-4	25586.26	N 34°46'32" E 823.56	823.60	01°50'39"
C-5	475.23	(N 63°24'45" W 404.31') N 63°03'34" W 404.36	(417.62') 417.67	(50°20'59") 50°21'24"
C-6	2608.82	N 29°57'22" E 354.63	354.90	07°47'40"
C-7	409.23	(S 62°24'35" E 361.07') S 62°05'50" E 361.09	(373.94') 373.97	(52°21'20") 52°21'31"

### LINE TABLE:

L-#	BEARING	DIST.
L-1	S 09°57'12" E	287.49'
L-2	(S 88°35'04" E) S 88°13'35" E	47.28'
L-3	(N 33°30'18" E) N 33°51'12" E	107.85'
L-4	(N 88°35'04" W) N 88°15'35" W	(46.23') 47.23'
L-5	N 26°03'32" E	59.36'
L-6	S 63°56'28" E	33.00'
L-7	N 32°48'20" E	151.06'
L-8	N 65°07'32" E	246.78'
L-9	S 78°40'26" E	514.61'
L-10	S 33°26'19" E	260.29'
L-11	S 09°57'12" E	218.54'
L-12	(N 88°35'14" W) N 88°15'35" W	(468.90') 469.05'
L-13	N 33°51'12" E	474.79'
L-14	N 26°03'32" E	118.53'
L-15	N 32°48'20" E	91.47'
L-16	(N 33°30'18" E) N 33°51'12" E	(30.01') 29.90'
L-17	(S 88°35'13" E) (S 88°35'04" E)	(510.35') (510.30')
L-18	S 88°15'04" E (S 33°32'42" W) S 33°51'12" W	510.48' (77.94') 77.95'

SURVEYORS SEAL





# CERTIFIED SURVEY MAP

WILLIAMSON SURVEYING AND ASSOCIATES, LLC

NOA T. PRIEVE & CHRIS W. ADAMS, PROFESSIONAL LAND SURVEYORS

104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597 PHONE: 608-255-5705

Located in part of the NW 1/4 and NE 1/4 of Section 12, and part of the SW 1/4 and SE 1/4 of Section 1, all in T8N, R9E, Town of Westport, Dane County, Wisconsin. Including all of Lot 1 Certified Survey Map No. 6987 and Lot 1 Certified Survey Map No. 9831.

## SURVEYOR'S CERTIFICATE

I, Noa T. Prieve, Professional Land Surveyor hereby certify that this survey is correct to the best of the professional surveyor's knowledge and belief and is in full compliance with the provisions of Chapter A-E 7 and Chapter 236.34 Wisconsin Statutes, the subdivision regulations of Dane County, and by the direction of the owners listed below, I have surveyed, divided, and mapped a correct representation of the exterior boundaries of the land surveyed and the division of that land, being part of the Northwest 1/4 and Northeast 1/4 of Section 12, and part of the Southwest 1/4 and Southeast 1/4 of Section 1, all in T8N, R9E, Town of Westport, Dane County, Wisconsin. Including all of Lot 1 Certified Survey Map No. 6987, recorded in the Dane County Register of Deeds Office in Volume 35 of Certified Survey Maps, Page 92 and 93, as Document No. 2429941, and all of Lot 1 Certified Survey Map No. 9831, recorded in the Dane County Register of Deeds Office in Volume 57 of Certified Survey Maps, Page 58, 59, 60, and 61, as Document No. 9831, more particularly described as follows:

Commencing at the Northeast corner of said Section 12; thence N 88°38'40" W along the North line of the Northwest 1/4, 116.39 feet to meander corner of the Northwest corner; thence continue N 88°38'40" W, 37.97 feet to the point of beginning.

Thence S 09°57'12" E, 287.49 feet; thence S 05°51'25" W, 628.22 feet; thence S 75°17'19" W, 1209.23 feet; thence N 00°01'00" W, 580.60 feet; thence N 88°40'42" W, 794.58 feet to the centerline of River Road; thence along said centerline on an arc of a curve concaved Northwesterly having a radius of 25,546.26 feet and a long chord bearing of N 34°53'18" E, 776.45 feet; thence S 88°13'35" E, 47.28 feet; thence along an arc of a curve concaved Northwesterly having a radius of 25,586.26 feet and a long chord bearing of N 33°54'26" E, 48.09 feet; thence N 33°51'12" E, 107.85 feet; thence N 88°15'35" W, 47.23 feet to the centerline of River Road; thence along said centerline for the next 3 course N 33°51'12" E, 499.90 feet; thence along an arc of a curve concaved Northwesterly having a radius of 2,568.82 feet and a long chord bearing of N 29°57'22" E, 349.19 feet; thence N 26°03'32" E, 59.36 feet to the South right of way line of State Trunk Highway '19'; thence along said South right of way for the next 4 courses S 63°56'28" E, 33.00 feet; thence N 32°48'20" E, 151.06 feet; thence N 65°07'32" E, 246.78 feet; thence S 78°40'26" E, 514.61 feet; thence S 04°58'48" W, 606.14 feet; thence S 33°26'19" E, 260.29 feet; thence S 09°57'12" E, 218.54 feet to the point of beginning. This parcel contains 2,793,477 sq. ft. or 64.13 acres and is subject to a 40 foot public road dedication along the Westerly side thereof.

Williamson Surveying and Associates, LLC  
by Noa T. Prieve & Chris W. Adams

Date \_\_\_\_\_

SURVEYORS SEAL

Noa T. Prieve S-2499  
Professional Land Surveyor





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### OWNERS' CERTIFICATE:

AS owner, I hereby certify that I caused the land described on this certified survey map to be surveyed, divided, dedicated and mapped as represented on the certified survey map. I also certify that this certified survey map is required by sec. 75.17(1)(a), Dane County Code of Ordinances, to be submitted to the Dane County Zoning and Land Regulation Committee for approval.

WITNESS the hand seal of said owners this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

STATE OF WISCONSIN)  
DANE COUNTY)

\_\_\_\_\_  
Jerry G. Buhler

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ the above named Jerry G. Buhler to me known to be the person who executed the foregoing instrument and acknowledge the same.

\_\_\_\_\_  
\_\_\_\_\_, County, Wisconsin.

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_

\_\_\_\_\_  
Print Name

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WITNESS the hand seal of said owners this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

STATE OF WISCONSIN)  
DANE COUNTY)

\_\_\_\_\_  
Buhler Family Irrelevant Family Trust  
Edward F. Buhler

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ the above named Edward F. Buhler to me known to be the person who executed the foregoing instrument and acknowledge the same.

\_\_\_\_\_  
\_\_\_\_\_, County, Wisconsin.

My commission expires \_\_\_\_\_

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Print Name

SURVEYORS SEAL





# CERTIFIED SURVEY MAP

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WITNESS the hand seal of said owners this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Dan T. Healy

\_\_\_\_\_  
Jacqueline A. Healy

STATE OF WISCONSIN)  
DANE COUNTY)

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ the above named Dan T. Healy and Jacqueline A. Healy to me known to be the person who executed the foregoing instrument and acknowledge the same.

\_\_\_\_\_  
County, Wisconsin.

My commission expires \_\_\_\_\_

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Print Name

SURVEYORS SEAL



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## TOWN BOARD RESOLUTION

Resolved that this certified survey map and road right of way dedication is hereby acknowledged and approved by the Town of Westport on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_

Thomas G. Wilson  
Town Clerk

## NOTE:

REFER TO BUILDING SITE INFORMATION CONTAINED IN THE DANE COUNTY SOIL SURVEY.

## DANE COUNTY APPROVAL:

Approved for recording per Dane County Zoning and Land Regulation Committee action on \_\_\_\_\_.

\_\_\_\_\_ Daniel Everson  
Assistant Zoning Administrator

## REGISTER OF DEEDS:

Received for recording this \_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_ o'clock \_\_\_\_M. and recorded in Volume \_\_\_\_\_ of Dane County Certified Surveys on pages \_\_\_\_\_ through \_\_\_\_\_.

\_\_\_\_\_ Kristli Chlebowski  
Register of Deeds

SURVEYORS SEAL

DOCUMENT NO. \_\_\_\_\_

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

Sheet 7 of 7

17W-60