

Dane County Rezone & Conditional Use Permit

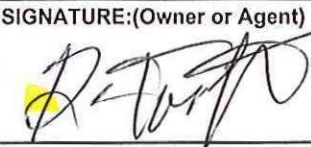
Application Date	Petition Number
02/13/2018	DCPREZ-2018-11269
Public Hearing Date	C.U.P. Number
04/24/2018	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME DAVE TOOTHMAN	PHONE (with Area Code) (608) 695-1899	AGENT NAME □	PHONE (with Area Code)
BILLING ADDRESS (Number & Street) 4365 OLD STONE RD		ADDRESS (Number & Street) □	
(City, State, Zip) OREGON, WI 53575		(City, State, Zip)	
E-MAIL ADDRESS		E-MAIL ADDRESS	

ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF REZONE/CUP		ADDRESS OR LOCATION OF REZONE/CUP		ADDRESS OR LOCATION OF REZONE/CUP	
4365 OLD STONE ROAD					
TOWNSHIP RUTLAND	SECTION 20	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0510-204-9160-2					

REASON FOR REZONE	CUP DESCRIPTION
SALVAGE RECYCLING CENTER COMING INTO COMPLIANCE.	

FROM DISTRICT:	TO DISTRICT:	ACRES	DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
RH-2 Rural Homes District	A-2 (4) Agriculture District	5.58		

C.S.M REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	PLAT REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	DEED RESTRICTION REQUIRED? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	INSPECTOR'S INITIALS PMK2	SIGNATURE:(Owner or Agent) 
Applicant Initials _____	Applicant Initials _____	Applicant Initials _____		PRINT NAME: DAVIS TOOTHMAN

COMMENTS: SALVAGE RECYCLING CENTER COMING INTO COMPLIANCE.

DATE: 2-13-18

Dane County Conditional Use Permit Application



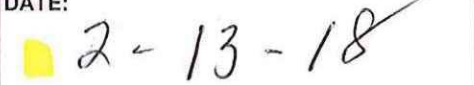
Application Date	C.U.P Number
02/13/2018	DCPCUP-2018-02415
Public Hearing Date	
04/24/2018	

OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME DAVE TOOTHMAN	Phone with Area Code (608) 695-1899	AGENT NAME <input type="checkbox"/>	Phone with Area Code
BILLING ADDRESS (Number, Street) 4365 OLD STONE RD		ADDRESS (Number, Street) <input type="checkbox"/>	
(City, State, Zip) OREGON, WI 53575		(City, State, Zip)	
E-MAIL ADDRESS		E-MAIL ADDRESS	

ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP	
4365 OLD STONE ROAD					
TOWNSHIP RUTLAND	SECTION 20	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0510-204-9160-2		---		---	

CUP DESCRIPTION
SALVAGE RECYCLING CENTER COMING INTO COMPLIANCE.

DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
10.126(3)(g)	5.58

DEED RESTRICTION REQUIRED? <input type="checkbox"/> Yes <input type="checkbox"/> No Applicant Initials _____	Inspectors Initials PMK2	SIGNATURE:(Owner or Agent) 
		PRINT NAME: 
		DATE: 

COMMENTS: SALVAGE RECYCLING CENTER COMING INTO COMPLIANCE.



DANE COUNTY PLANNING & DEVELOPMENT

Zoning Division
Room 116, City-County Building
210 Martin Luther King Jr. Blvd.
Madison, Wisconsin 53703-3342
Phone: (608) 266-4266
Fax: (608) 267-1540

Zoning Change Application

Items that must be submitted with your application:

- Written Legal Description of the proposed Zoning Boundaries
Legal description of the land that is proposed to be changed. The description may be a lot in a plat, Certified Survey Map, or an exact metes and bounds description. A separate legal description is required for each zoning district proposed. The description shall include the area in acres or square feet.
Scaled Drawing of the location of the proposed Zoning Boundaries
The drawing shall include the existing and proposed zoning boundaries of the property. All existing buildings shall be shown on the drawing. The drawing shall include the area in acres or square feet.

Owner's Name: DAVID TOOTHMAN
Agent's Name:
Address: 4365 STONE Rd
Address:
Phone: Oregon WI 53575
Phone:
608 695 1899
Email:
Email:

Town: BUTLAND Parcel numbers affected: 0510-204-9160-2
Section: 01 20 Property address or location: 4365 Old Stone Rd Oregon WI 53575
Zoning District change: (To / From / # of acres) R-2(4) from RH-2; 5.58 acres w/cup

Soil classifications of area (percentages) Class I soils: % Class II soils: % Other: %
See Attached

Narrative: (reason for change, intended land use, size of farm, time schedule)
Separation of buildings from farmland
Creation of a residential lot
Compliance for existing structures and/or land uses
Other:
Been operating salvage recycling center since 1972

I authorize that I am the owner or have permission to act on behalf of the owner of the property.
Submitted By: [Signature] Date: 2-13-18



DANE COUNTY
PLANNING & DEVELOPMENT

Zoning Division
Room 116, City-County Building
210 Martin Luther King Jr. Blvd.
Madison, Wisconsin 53703-3342
Phone: (608) 266-4266
Fax: (608) 267-1540

Conditional Use Application

Application Fee: \$486 Mineral Extraction: \$1136

Items required to be submitted with application:

- o Written Legal Description of Conditional Use Permit boundaries
- o Scaled drawing of the property showing existing/proposed buildings, setback requirements, driveway, parking area, outside storage areas, location/type of exterior lighting, any natural features, and proposed signs.
- o Scaled map showing neighboring area land uses and zoning districts
- o Written operations plan describing the items listed below (additional items needed for mineral extraction sites)
- o Written statement on how the proposal meets the 6 standards of a Conditional Use

Owner DAVIS TOOTHMAN Agent _____
 Address 4365 Stone Rd. Oregon WI 53575 Address _____
 Phone 608-695-1899 Phone _____
 Email _____ Email _____

Parcel numbers affected: 0510 204-9160-2 Town: Rutland Section: 20
 Property Address: 4365 Old Stone Rd.

Existing/ Proposed Zoning District: RH-2 / A-2(4) w/cup

- o Type of Activity proposed: Salvage Recycling Center
- o Hours of Operation Varies. Varies.
- o Number of employees 1 man 2 days wk; 1 man 1 day wk - hauler
- o Anticipated customers None
- o Outside storage Salvageable merchandise
- o Outdoor activities Movement of salvageable merchandise
- o Outdoor lighting None
- o Outside loudspeakers None
- o Proposed signs None
- o Trash removal Dumpster picked up ~~weekly~~ every other week.
- o Six Standards of CUP (see back)

The statements provided are true and provide an accurate depiction of the proposed land use. I authorize that I am the owner or have permission to act on behalf of the owner of the property.
 Submitted By: [Signature] Date: 2-13-18

Six Standards of a Conditional Use Permit

Provide an explanation on how the proposed land use will meet all six standards.

1. The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.

Contained on property.

2. The uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use.

Been in business since 1977
without complaints, or very few.

3. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

Dog Kennel to east not bothered. Son
lives to west.

4. That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made.

Yes.

5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

Yes

6. That the conditional use shall conform to all applicable regulations of the district in which it is located.

 2-13-18



Dane County Planning & Development

Division of Zoning

January 5, 2018

Dave and Darlene Toothman
4365 Old Stone Road
Oregon, WI 53575

RE: Violation occurring at 4365 Old Stone Road, Oregon, WI 53575, in the Town of Rutland
Parcel No. 052/0510-204-9160-2.

Dear Dave and Darlene,

On December 13, 2017, the Dane County Zoning Department received a written complaint for your property at 4365 Old Stone Road, in the Town of Rutland. The complaint was made regarding outdoor storage of inoperable and/or unlicensed vehicles and miscellaneous junk on your residential property at 4365 Old Stone Road. A site inspection was conducted on December 15, 2017. It was observed that there were numerous vehicles unlicensed, and some appearing inoperable, and a considerable amount of miscellaneous junk items that were being stored outdoors on your residential property. In speaking to you onsite during my visit, you admitted to operating a salvage yard business from this property.

Based on my observations, I find that your property is in violation of the Dane County Code of Ordinance (DCCO).

Section 10.01(28) of the DCCO states that junk is garbage, waste, refuse, trash, any used motor vehicle upon which no current license plate is displayed, any inoperable motor vehicle, any used tire or used motor vehicle part, and any scrap material such as metal, paper, rags, cans or bottles.

Section 10.16(1)(a) of the Dane County Zoning Ordinance states that any use not listed as a permitted use in a district is prohibited in that district and except as otherwise expressly provided, any use listed as a permitted use in any other district shall be construed as a prohibited use in any other district.

Section 10.18(9) of the DCCO states a motor vehicle that is inoperable or unlicensed is considered as salvage or junk and can only be stored in a licensed salvage-recycling center.

Section 10.20 SALVAGE RECYCLING CENTERS. (1) Use. For purposes of this ordinance, any premises used for the storage, gathering, recycling or sale of junk, as defined in this chapter, is a salvage recycling center. A salvage recycling center need not have a commercial purpose.

Section 10.20(1)(a) of the DCCO states that junk, as defined under this chapter, may be stored on any premises on which a permitted business enterprise is actually conducted, provided, that all such junk is actually used in the conduct of such permitted business enterprise, and that all such junk is at all times stored in an enclosed building on the premises, thereby securing it from public view.

Section 10.20(1)(b) of the DCCO states that junk, as defined in this chapter, may be stored on any premises used chiefly for residential purposes, provided that it is stored solely for eventual use on the premises, and that all such junk is at all times stored in an enclosed building thereby securing it from public view.

This letter serves as notice that your property is in violation of the DCCO. Your parcel is zoned RH-2 Rural Homes District. This is a rural residential zoning category that does not allow for any commercial uses and limited business uses. A salvage recycling center is permitted in the A-2 Agriculture District with an approved conditional use allowance. All unlicensed and/or inoperable vehicles and all miscellaneous junk must be removed from the residential property. If this is not completed by January 31, 2018, citations will be issued against the property owner each day in violation.

Your cooperation is appreciated in this matter.

Sincerely,

Patrick M. Klinkner
Dane County Zoning Inspector
608-266-9082

cc: Dawn George, Town of Rutland Clerk
Bob Salov, Dane County Supervisor, District 37
Roger Lane, Dane County Zoning Administrator

collocators shall be subject to conditions established for the conditional use permit for the tower.

(10) Conditional use permits issued hereunder shall identify the primary type or types of transmission equipment which is to be placed on the subject communication tower. Any communication tower on which the transmission equipment so identified is no longer placed or used for a continuous period of 12 months shall, upon notification by the committee, be removed by the holder of the conditional use permit issued under this section. If the tower is not removed within 60 days of such notification, the county may remove the tower at the expense of the holder of the conditional use permit.

(11) The committee may require that an applicant for a conditional use permit under this section provide information regarding the applicant's then current plans for future placement or construction of communication towers in Dane County in addition to the tower which is the subject of the application.

[History: cr., OA 57, 1996-97, pub. 09/02/97.]

10.195 STANDARDS FOR KEEPING DOMESTIC FOWL IN SINGLE FAMILY RESIDENTIAL YARDS.

(1) *Purpose.* The purpose and intent of this section is to provide a listing of standards that shall apply to the keeping of domestic fowl in the yards of single family residences. The standards are designed to ensure that the keeping of fowl is done in a responsible manner that protects the public health, safety, and welfare and avoids conflicts with neighboring uses.

(2) *Use.* The keeping of 6 domestic fowl in the yards of single family residences located in any zoning district shall be a permitted use, if such use complies with the following:

- (a) Domestic fowl shall not be slaughtered.
- (b) Domestic fowl must have access to a covered enclosure.
- (c) Domestic fowl shall not be allowed to roam free and must be kept in a covered enclosure or fenced enclosure at all times.

(d) Covered and fenced enclosures must be clean, dry and odor-free, and kept in a manner that will not disturb the use or enjoyment of adjacent lots.

(3) *Permits for covered enclosures.* Notwithstanding the exemption set forth in section 10.04(1)(b)9.a., zoning permits shall be required prior to the erection, placement or construction of covered enclosures.

(4) *Location of covered and fenced enclosures.*

1. Covered and fenced enclosures shall be within the rear or side yard.

2. Covered and fenced enclosures shall not be closer than 25 feet to any residential structure on an adjacent lot.

3. Covered and fenced enclosures shall not be located closer than 75 feet from the ordinary high water mark of any lake, river, or stream.

(5) *Violations.* Any violation of these standards shall be subject to the penalties set forth in section 10.25(5).

(6) *Effective date.* This section shall become effective as of January 1, 2013.

[History: cr., OA 11, 2012-13, pub. 10/31/12.]

10.196 STANDARDS AND PROCEDURES FOR WIND ENERGY SYSTEMS.

(1) This section provides the standards and procedures for issuance of conditional use permits for wind energy systems, as defined in s. 66.0403(1)(m), Wis. Stats. The purpose of this section is to ensure any proposed wind energy system complies with applicable provisions of PSC 128, Wisconsin Administrative Code as amended, and this section.

(2) No restriction shall be placed, either directly or in effect, on the installation or use of a wind energy system, unless the restriction satisfies one of the following conditions:

- (a) Serves to preserve or protect the public health or safety.
- (b) Does not significantly increase the cost of the system or significantly decrease its efficiency.
- (c) Allows for an alternative system of comparable cost and efficiency.

(3) *Use.* Wind energy systems are a conditional use in any district. The County will apply Wis. Stats. s. 66.0401 and PSC Ch. 128 Wisconsin Administrative Code as amended, in the evaluation of such requests.

(4) *Procedures.* To the extent not inconsistent with state law, the procedures for consideration of conditional uses set forth in s. 10.255(2) shall be followed.

[History: cr., OA 42, 2012-13, pub. 05/14/13.]

10.20 SALVAGE RECYCLING CENTERS.

(1) *Use.* For purposes of this ordinance, any premises used for the storage, gathering, recycling or sale of junk, as defined in this chapter, is a salvage recycling center. A salvage recycling center need not have a commercial purpose.

(a) Junk, as defined under this chapter, may be stored on any premises on which a permitted business enterprise is actually conducted, provided, that all such junk is actually used in the conduct of such permitted business enterprise, and that all such junk is at all times stored in an enclosed building on the premises, thereby securing it from public view.

(b) Junk, as defined in this chapter, may be stored on any premises used chiefly for residential purposes, provided that it is stored solely for eventual use on the premises, and that all such junk is at all times stored in an enclosed building thereby securing it from public view.

(2) *Location and boundaries.* No salvage recycling center shall be located within two hundred (200) feet of the boundary of a residential district.

(3) *License.* (a) Before any premises may be used as a privately operated salvage recycling center, it shall be licensed. Application for such license shall be made to the zoning administrator, setting forth the description of the premises, the nature of the business and the materials to be handled, the type of construction of any building to be used in connection with the business, the applicant's name or names, officers, if any, and address of each. The application shall be referred to the zoning committee which shall, within a reasonable time, hold a public hearing, notice of which shall be given by a class 2 notice under chapter 985, Wis. Stats. If, after such public hearing, the zoning committee finds that the premises are in conformity with the provisions of this ordinance, and that the site is suitable for the conduct of such business, the committee shall grant a license, and such license shall expire on July 1 of each year. Licenses may be renewed from year to year on authorization of the committee when inspection discloses that the business is being conducted in accordance with the provisions of this ordinance.

(b) *Revocation of license.* Upon the complaint of any interested person, or on its own motion or after inspection discloses that the provisions of this ordinance are being violated, the zoning committee may hold a public hearing to determine whether a privately operated salvage recycling center license shall be revoked, notice of such hearing to be given to all interested parties. After public hearing, the zoning committee may order the license revoked.

(c) Should any town elect to license salvage recycling centers by adoption of an ordinance pursuant to the provisions of section 59.55(5),

Wis. Stats., and file a copy of such ordinance with the zoning department, then the provisions of paragraphs (a) and (b) above shall not apply, but no such license shall be issued by any town for such purpose unless the area is properly zoned and unless the zoning committee, after public hearing, determines that the site is suitable. When a salvage recycling center is licensed by the town, then the responsibility of controlling such salvage recycling center rests with the town.

[History: am., Sub. 2 to OA 11, 1991-92, pub. 12/18/91; (3)(c) am., OA 43, 1996-97, pub. 06/17/97.]

10.21 NONCONFORMING USES. (1)(a) The lawful use of a building or premises existing at the time of adoption of this ordinance may be continued as a nonconforming use, but if such nonconforming use shall be discontinued for a period of one (1) year, such nonconforming use will be deemed to have terminated and any future use shall be in conformity to the provisions of this ordinance except as otherwise provided by this ordinance.

(b) No building or premises used as a nonconforming use shall be added to or structurally altered so as to increase the facilities for such nonconforming use.

(c) Mineral extraction operations which existed prior to 1969 and were registered with and approved by the Dane County Zoning Administrator shall be considered nonconforming uses.

(d) Mineral extraction sites that were registered as nonconforming sites as provided by this ordinance shall not be considered abandoned or discontinued if the site is inactive for more than one year.

(e) The stockpiling and processing of asphalt and concrete pavements for the purpose of recycling for reuse in asphalt or concrete mixtures or as base course products shall be allowed as part of a nonconforming mineral extraction site.


(2) Any building lawfully erected prior to the adoption of this ordinance which does not conform to the requirements of this ordinance as to setback, side yards or rear yards, may be continued in use, but any future additions or structural alterations shall conform to the provisions of this ordinance.

(3) Any existing nonconforming use may be changed to another nonconforming use of a similar or more restricted classification or to a conforming use; provided, however, that when a use has been changed to a conforming use or a

Parcel Number - 052/0510-204-9160-2

Current

[← Parcel Parents](#)[Summary Report](#)

Parcel Detail		Less —
Municipality Name	TOWN OF RUTLAND	
State Municipality Code	052	
Township & Range	Section	Quarter/Quarter & Quarter
T05NR10E	20	SW of the SE
Plat Name	CSM 07301	
Block/Building		
Lot/Unit	1	
Parcel Description	<p>LOT 1 CSM 7301 CS37/164&165 R25744/40-12/6/93 DESCR.AS SEC 20-5-10 PRT SE1/4SW1/4 & PRT SW1/4SE1/4 & ALL LOT 1 CSM 1204 (5.58 ACRES)</p> <p>This property description is for tax purposes. It may be abbreviated. For the complete legal description please refer to the deed.</p>	
Current Owner	DARLENE A OLSON TOOTHMAN 	
Primary Address	4365 OLD STONE RD	
Billing Address	4365 OLD STONE RD OREGON WI 53575	

Assessment Summary		More +
Assessment Year	2018	
Valuation Classification	G1	
Assessment Acres	5.580	
Land Value	\$118,300.00	
Improved Value	\$123,700.00	
Total Value	\$242,000.00	

Show Valuation Breakout

Show Assessment Contact Information ▼

Zoning Information

For the most current and complete zoning information, contact the Division of Zoning.

Zoning
RH-2 DCPREZ-0000-05753
NOTICE: This parcel contains sensitive environmental features (wetland, floodplain, shoreland). County regulations apply. Contact Dane County Zoning Division at (608) 266-4266 for additional information and permitting.

Zoning District Fact Sheets

Parcel Maps



DCiMap

Google Map

Bing Map

Tax Summary (2017)

More +

E-Statement

E-Bill

E-Receipt

Assessed Land Value	Assessed Improvement Value	Total Assessed Value
\$118,300.00	\$123,700.00	\$242,000.00
Taxes:		\$4,229.67
Lottery Credit(-):		\$136.18
First Dollar Credit(-):		\$77.81
Specials(+):		\$8.67
Amount:		\$4,024.35

District Information

Type	State Code	Description
REGULAR SCHOOL	5621	STOUGHTON SCHOOL DIST
TECHNICAL COLLEGE	0400	MADISON TECH COLLEGE
OTHER DISTRICT	26BR	BROOKLYN FIRE
OTHER DISTRICT	26BR	EMS BROOKLYN

Recorded Documents				
Doc. Type	Date Recorded	Doc. Number	Volume	Page
QCD	01/21/1998	2917521		

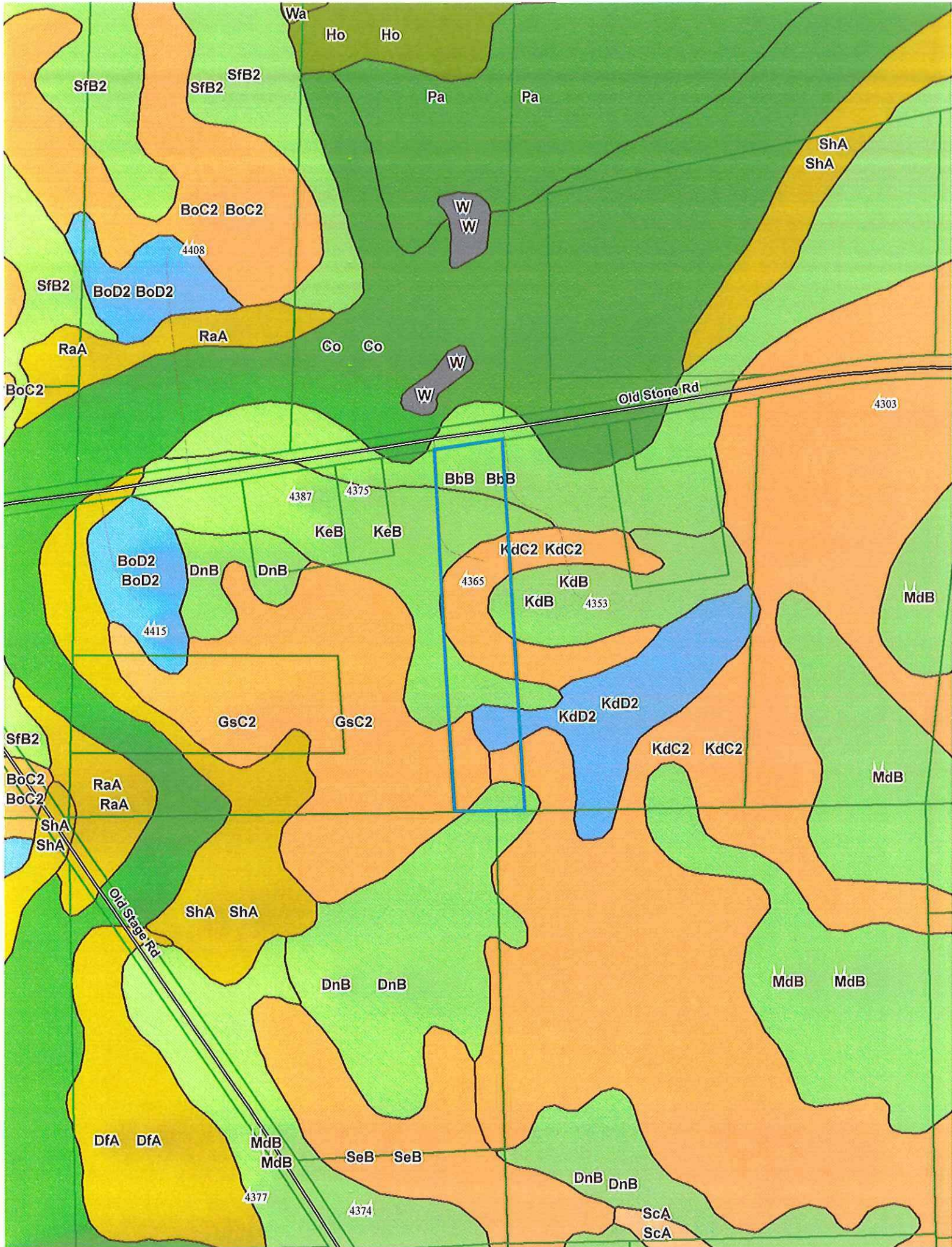
Show More ▼



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210 Martin Luther King Jr. Blvd
City-County Bldg. Room 116
Madison, WI 53703



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4408

4387

4375

4365

4333

4415

Old Stone Rd

Old Stage Rd

Zone X

RH-1
4408-1
DCPREZ-0000-06190

A-1(EX)
DCPREZ-0000-00000

Not Effective
A-1(EX) DCPREZ-0000-00000

Old Stone Rd

4303

A-2(2)
DCPREZ-2013-10542

A-1(EX)
DCPREZ-43870-00000
RH-1
DCPREZ-0000-09169
Not Effective
RH-1 DCPREZ-0000-8962

4375
Proposed
RH-1
11238

A-2(2)
DCPREZ-0000-09502
CUP
2125

Training of dogs at a dog kennel
Not Effective **DR**
CUP 2009 9502

Not Effective
RH-4 DCPREZ-0000-8962

4365

RH-4
DCPREZ-0000-05753

RH-4
DCPREZ-2015-10393
Not Effective
RH-3 DCPREZ-0000-05821

DR
9169

4415

DR
9169

RH-4
DCPREZ-0000-09169

RH-2
DCPREZ-0000-05753

RH-3
DCPREZ-0000-09169

DR *Not Effective*
9169 **RH-3** DCPREZ-0000-8962

Old Stone Rd

A-1(EX)
DCPREZ-0000-00000

A-1(EX)
DCPREZ-0000-00000

RH-1
DCPREZ-0000-03657

4377

4374

CUP
1242

Native wildlife **A-2(4)** titation facility **RH-3**

RH-4
DCPREZ-0000-08762



Stock No. 26273

Legal Description

Lot 1

V25744P 40

CERTIFIED SURVEY MAP NO. 7301

SURVEYORS CERTIFICATE:

I hereby certify that this survey is in compliance with Chapter 236.34 of the Wisconsin Statutes. I further certify that I have surveyed & mapped the lands described hereon & that the map is a correct representation in accordance with information furnished.

surveyed for: Orrin Otteson
4387 Old Stone Road
Oregon, WI. 53575

J.R. Karns
JOHN R. KARNs RLS-1295
N 7994 KELLY ROAD
BROOKLYN, WI. 53521
(608) 862-3811

JULY 14, 1993

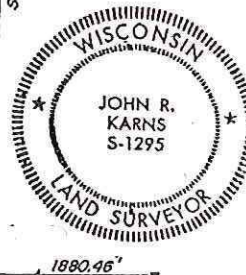
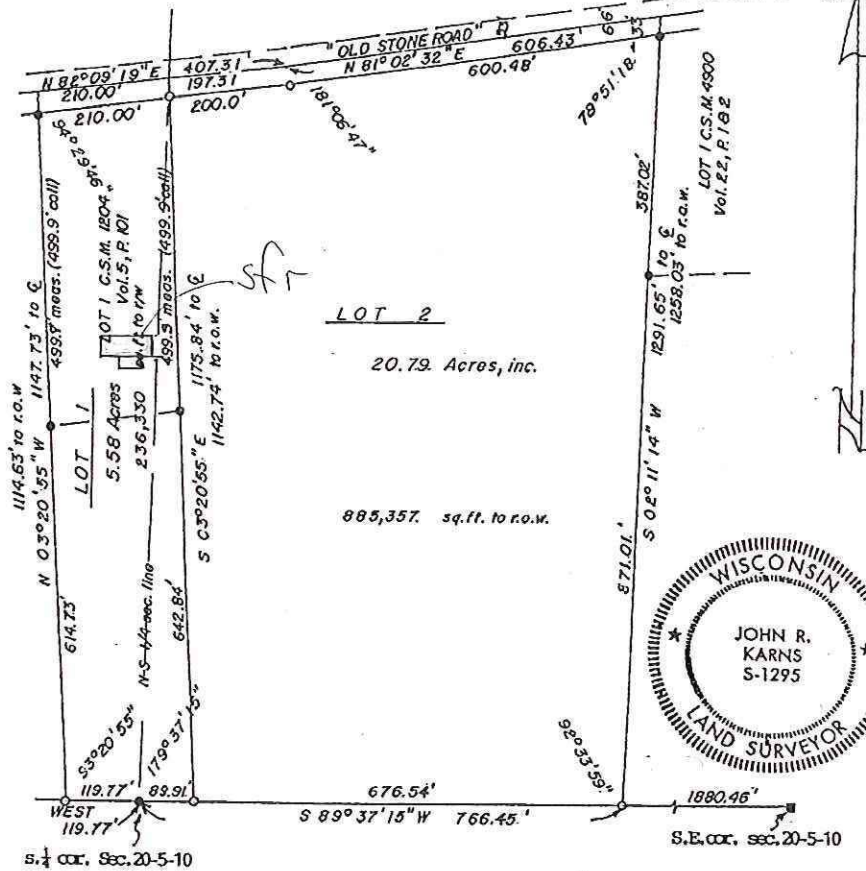
NORTH REFERENCED TO THE SOUTH LINE OF THE S.W. 1/4 OF SECTION 20, T5N-R10E, TOWN OF RUTLAND, WHICH IS ASSUMED TO BEAR N 90°00'00"E

"refer to building site information contained in contained in the Dane County Soil Survey."

LEGEND: scale 1"=200'

- = iron found
- = 3/4" x 24" rebar set, mn.wt. 1.5# per ln.ft.
- = Dane County Section Corner, F.B.#113, P.52

Solid & Dashed lines refer to former bdy of C.S.M. Number 1204



1200

C. S. M. NO. 7301, VOL. 37, PAGE 164-165

DOC. NO. 2550625



Stock No. 26273

V25744P 41

CERTIFIED SURVEY MAP NO. 7301

DESCRIPTION

LOT 1 of Certified Survey Map Number 1204, as recorded in Volume 5, Page 101 of Certified Survey Maps of Dane County, and a part of the S.E. 1/4 of the S.W. 1/4, and a part of the S.W. 1/4 of the S.E. 1/4, all in Section 20, T.5 N.-R.10 E., Town of Rutland, Dane County, Wisconsin; more fully described as follows: commencing at the S. 1/4 corner said Section 20 and the point of beginning of this description; thence N 90°00'00"W, 119.77 feet; thence N 03°20'55"W, 1147.73 feet to the centerline of "OLD STONE ROAD"; thence N 82°09'19"E along said centerline, 407.31 feet; thence continuing along said centerline N 81°02'32"E, 606.43 feet; thence S 02°11'14"W, 1291.65 feet to the south line of the S.E. 1/4 of said Section 20; thence S 89°37'15"W along said line, 766.45 feet to the point of beginning. Containing 26.4 acres and subject to "OLD STONE ROAD" over the northerly 33 feet thereof, and easements and dedications of record.

OWNERS CERTIFICATE:

As owners, we hereby certify that we have caused the lands described hereon to be surveyed, divided and mapped as represented hereon. We also certify 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 Natural Resources Committee for approval.

Orrin Otteson
Orrin Otteson owner

Darlene Olson
Darlene Olson owner

NOTARY PUBLIC, DANE COUNTY, WISCONSIN:

Personally came before me this 21 day of August, 1993, Orrin Otteson and Darlene Olson, to me well known to be the persons who executed the foregoing instrument and acknowledged the same.

Ann L. Amherst
NOTARY PUBLIC

My commission expires 12/12/93.

TOWN OF RUTLAND APPROVAL:

THIS CERTIFIED SURVEY HAS BEEN APPROVED BY THE PLANNING COMMISSION, TOWN OF RUTLAND, ON October 4, 1993.

Robert W. Hummer
CHAIRMAN, PLANNING COMMISSION.

THIS CERTIFIED SURVEY, INCLUDING ANY DEDICATIONS SHOWN THEREON, HAS BEEN DULY APPROVED BY THE TOWN BOARD, OF THE TOWN OF RUTLAND, DANE COUNTY, WISCONSIN, ON October 5, 1993

Dawn George
CLERK, TOWN OF RUTLAND.

DANE COUNTY APPROVAL:

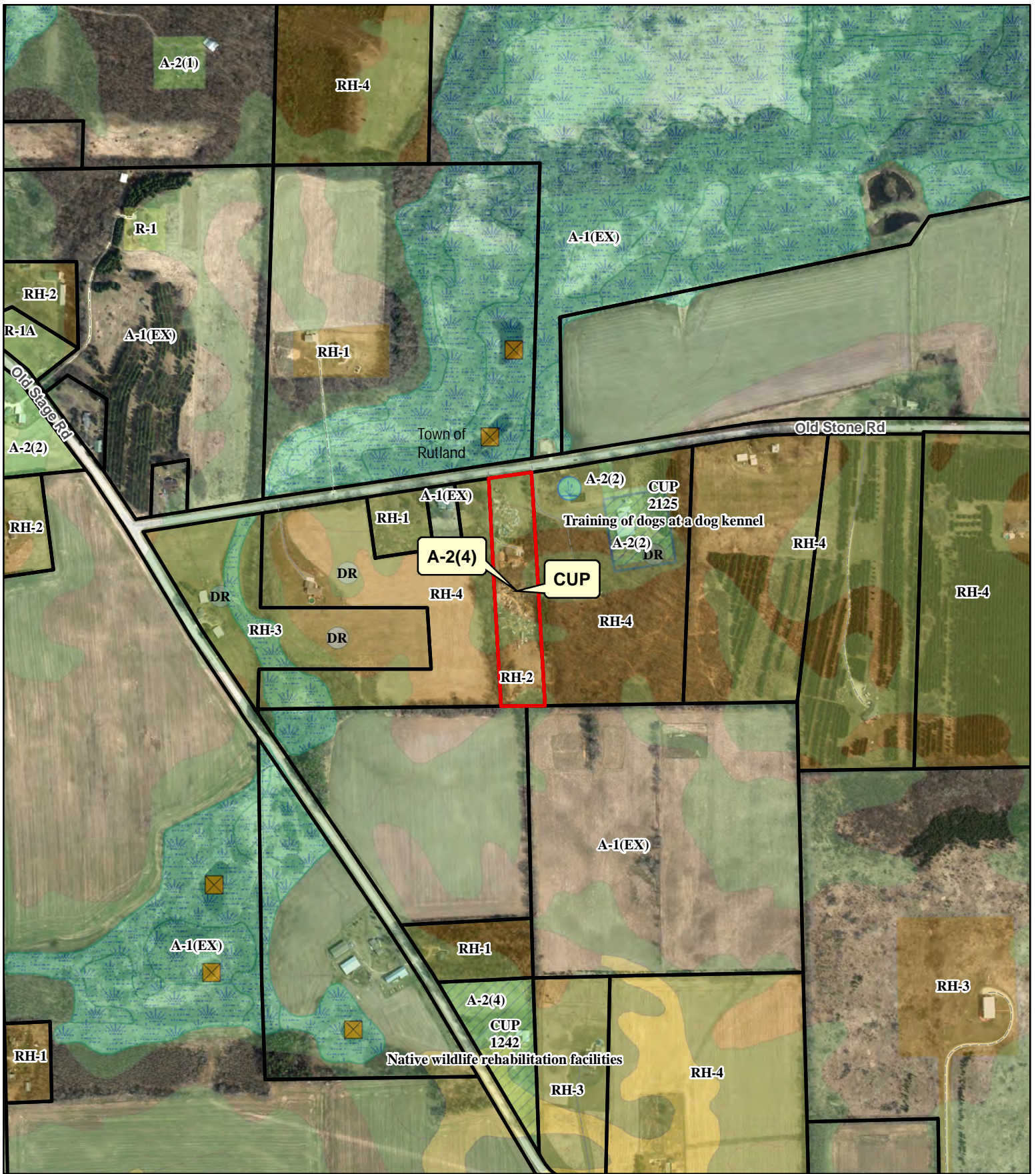
APPROVED FOR RECORDING PER DANE COUNTY ZONING AND NATURAL RESOURCES COMMITTEE ACTION OF December 6, 1993. Norbert Scribner #5408
Norbert Scribner, auth. rep.

REGISTER OF DEEDS CERTIFICATE:

RECEIVED FOR RECORD THIS 6 DAY OF December, 1993, AT 10:42 O'CLOCK, A.M., AND RECORDED IN VOLUME 37 OF CERTIFIED SURVEY MAPS OF DANE COUNTY ON PAGES 164 & 165.

Janet Light Karin LeSubert
Register of Deeds deputy clerk

DOCUMENT NO. 2550625
CERTIFIED SURVEY MAP NO. 7301
VOLUME 37, PAGE 164 & 165



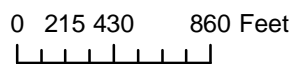
Legend

Significant Soils Floodplain

Class Wetland

Class 1

Class 2



Petition 11269 /CUP 2415
DAVE TOOTHMAN