

FLOODING EASEMENT

WHEREAS, the undersigned Dane County is the owner of certain land located near Brewery Creek, a waterway, where the same flows through part of the SE 1/4 Section 35, Township 8, Range 7, County of Dane;

WHEREAS, the State of Wisconsin, Department of Natural Resources, has determined that the regional flood elevation at the grantor's property will be 913.98 feet and that the backwater resulting from the construction of a pedestrian bridge will constitute an increase in the regional flood elevation of approximately 0.02 feet at that same location, which is 0.02 feet in excess of the acceptable maximum permitted in the absence of appropriate legal arrangements under Chapter NR 116 of the Wisconsin Administrative Code; and

WHEREAS, the Department of Natural Resources has indicated that if affected landowners will grant to the Village of Cross Plains flooding easements, that the plans for the placement of the a pedestrian bridge would be approved.

NOW, THEREFORE, in consideration of \$ 1 (one) dollars and one other valuable consideration, the undersigned landowner (s) does (do) hereby grant to the Village of Cross Plains flooding rights to permit surface water from Brewery Creek to go upon the land herein described should the same become necessary to accommodate any backwater resulting from the construction of a pedestrian bridge on the waterway herein referred to. This flowage easement is granted as a covenant running with the land and shall be binding upon the grantor's heirs, successors and assigns. Said increase in backwater shall be included on the official floodplain maps for the Village of Cross Plains as part of the regional floodplain when the existing floodplain zoning ordinance is amended or, if no ordinance exists, or if the stream in question is not mapped, when mapping is prepared for the stream.

Dated this _____ day of _____, 2026

Grantor _____
Scott McDonell, County Clerk

Grantor _____

ACKNOWLEDGEMENTS

State of Wisconsin _____) ss.
County of _____)

Personally came before me this _____ day of _____, 2026, the above-named to me known to be the person (s) who executed the foregoing instrument and acknowledge the same.

Notary Public, State of Wisconsin
My commission (is) (expires) _____