

**Amendment to  
Public Works Development Agreement  
The Glen at Standing Stone**

**Parcel ID Numbers:** WAKC 1350 264  
WAKC 1350 999 009

After recording return to:  
City of Waukesha  
Dept of Public Works  
201 Delafield St  
Waukesha WI 53188

The Public Works Development Agreement between the City of Waukesha and The Glen at Standing Stone, LLC, dated July 26, 2021 and recorded by the Register of Deeds for Waukesha County on December 3, 2021 as Document Number 4636865, referred to herein as the Agreement, is hereby amended. All of the terms and conditions of the Agreement remain unamended and in effect, except as specifically amended herein. This document is referred to herein as the Amendment.

The real property affected by this instrument is described on the attached Exhibit A.

1. **Street Construction Deadlines.** Section 8.c. of the Agreement is deleted in its entirety and replaced with the following:

- c. Construction of Standing Stone Drive shall be completed by June 15, 2023. Construction of Tenny Avenue shall be completed by August 1, 2023. Road A shall be completed by August 1, 2025. All street construction shall include all curb, gutter, and sidewalk. Construction of the intersection of Tenny Avenue and Les Paul Parkway shall be completed no later than November 15, 2022.

2. **Temporary Emergency Vehicle Access Lane.** The following is added as a term of the Agreement:

The Developer acknowledges that until there is access to the Development from Les Paul Parkway, there is inadequate access for emergency vehicles and that construction of residential units cannot take place until there is adequate emergency vehicle access. The City is willing to allow construction of a certain number of residential dwelling units in the Development before the connection of Tenny Avenue to Les Paul Parkway is completed, provided that Developer shall first install a temporary emergency vehicle access lane to the Development from Big Bend Road, as shown on the attached Exhibit B and according to the following specifications:

- a. The lane shall have a drivable width of 20 feet, with 2-foot shoulders.
  - b. Developer shall utilize the existing apron at Big Bend Road.
  - c. All organic material shall be removed from the lane before base course materials are placed.
  - d. Eight inches of base course shall be placed and compacted according to WisDOT standard. Base course may include asphalt millings, provided the base course meets WisDot gradation for 1¼-inch specification.
  - e. Final course of pavement shall be a minimum 2 inches of 3LT 5828 S HMA or equivalent over the 8-inch base course, compacted according to WisDOT standard.
  - f. Shoulders shall be constructed of base course material.
  - g. The grade of the lane shall not exceed 2.0%.
  - h. Developer shall keep the entire width of the lane free from snow and other obstacles and maintain the lane in a drivable condition at all times.


- i. The lane shall not be open to use by the public, and Developer shall install signs at both ends of the lane indicating the lane is private property, no trespassing, active construction area, and Emergency Vehicles Only.
- j. Developer and City shall inspect the storm sewer that crosses the lane for damage after any use of the lane by emergency vehicles. If damage is found, Developer will repair the storm sewer to its original condition.
- k. The lane shall be removed after access to the Les Paul Parkway has been established and the City gives developer written notice that the lane shall be removed. After removal of the lane, any disturbed portions of the terrace on Big Bend Road shall be restored with 4 inches of topsoil and sod. Removal shall take place within 30 days of notice from the City, and no additional building permits will be issued until removal of the lane and restoration of the terrace is completed.
- l. All base course and HMA pavement, including the shoulders and all millings, shall be removed, except as needed for installation of sidewalk between Big Bend Road and Standing Stone Drive.

**3. Staged Issuance of Certificates of Occupancy and Building Permits.** The following is added as a term of the Agreement:

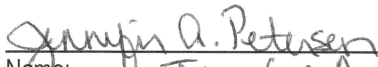
After completion of the temporary emergency vehicle access lane required by section 2 of this Amendment, 20 residential units and the Club House will become eligible for issuance of certificates of occupancy, upon their completion and satisfaction of all other requirements for occupancy. Also after completion of the lane, the City will issue building permits for up to 8 additional residential units that may be constructed but not occupied until after the connection of Tenny Avenue to the Les Paul Parkway has been established. The additional 8 units may be allocated among single-family, duplex, or fourplex buildings at Developer's option. After connection with the Les Paul Parkway is completed, there will be no additional restrictions on the granting of either building permits or certificates of occupancy provided all requirements for their issuance are met.

Effective as of August 26, 2022.

**Developer: The Glen at Standing Stone, LLC**

  
 \_\_\_\_\_  
 John J. Wahlen, Managing Member  
 State of Wisconsin }  
 Waukesha County } ss.

John J. Wahlen, known to me to be the Managing Member of The Glen at Standing Stone, LLC, personally came before me the 15<sup>th</sup> day of September, 2022, signed this Amendment in my presence, and acknowledged the same.

  
 \_\_\_\_\_  
 Name: Jennifer A. Petersen  
 Notary Public, Waukesha County, Wisconsin  
 My commission (is permanent) (expires 10-18-25)



**City of Waukesha**

\_\_\_\_\_  
By Shawn N. Reilly, Mayor

\_\_\_\_\_  
Attest: Gina L. Kozlik, City Clerk-Treasurer

State of Wisconsin }  
                              } ss.  
Waukesha County     }

Shawn N. Reilly and Gina L. Kozlik, known to me to be the Mayor and City Clerk, respectively, of the City of Waukesha, personally came before me the \_\_\_\_ day of \_\_\_\_\_, 2022, signed this Amendment in my presence, and acknowledged the same.

\_\_\_\_\_  
Name: \_\_\_\_\_  
Notary Public, Waukesha County, Wisconsin  
My commission (is permanent) (expires \_\_\_\_\_)

This instrument was drafted by City of Waukesha Department of Public Works.

# EXHIBIT "A"

## CITY OF WAUKESHA "STANDING STONE" LANDS

### LEGAL DESCRIPTION:

All of Outlot 1 of Certified Survey Map No. 11932, Lot 1 of Certified Survey Map No. 12192 and that portion of "Tenny Avenue", being located in a part of the Northeast 1/4, Southwest 1/4 and Southeast 1/4 of the Northwest 1/4, the Southwest 1/4 of the Northeast 1/4 and the Northwest 1/4 and Northeast 1/4 of the Southwest 1/4 of Section 14, Town 6 North, Range 19 East, in the City of Waukesha, Waukesha County, Wisconsin, now being more particularly bounded and described as follows:

Commencing at the North 1/4 Corner of said Section 14; Thence South 00°15'16" West and along the East line of the said Northwest 1/4 Section, 1222.40 feet to the place of beginning of lands hereinafter described;

Continuing thence South 00°15'16" West and along the said East line, 106.76 feet to a point on the North line of the said Southwest 1/4 of the said Northeast 1/4 Section; Thence North 88°25'32" East and along the said North line, 673.04 feet to a point; Thence South 00°22'41" West, 1326.26 feet to a point on the South line of the said Northeast 1/4 Section; Thence South 88°10'12" West and along the said South line, 670.28 feet to a point marking the Center of said Section 14; Thence South 00°21'37" West and along the East line of the said Southwest 1/4 Section, 343.15 feet to a point on the North Right-of-Way line of "S.T.H. 59/164" (Les Paul Parkway); Thence South 68°59'25" West and along the said North Right-of-Way line, 1752.50 feet to a point on the East Right-of-Way line of "Big Bend Road"; Thence North 21°00'35" West and along the said East Right-of-Way line, 53.40 feet to a point; Thence Northerly along the Easterly line of Outlot 4 of said Certified Survey Map No. 12192 the following courses; Thence North 28°02'26" East, 419.86 feet to a point; Thence North 35°46'38" West, 103.92 feet to a point; Thence North 29°51'56" West, 73.50 feet to a point; Thence North 09°30'39" West, 95.18 feet to a point; Thence North 01°35'57" East, 72.33 feet to a point; Thence North 24°20'03" East, 75.10 feet to a point; Thence North 08°42'32" East, 85.49 feet to a point; Thence North 10°28'44" West, 22.05 feet to a point; Thence North 32°41'57" West, 141.63 feet to a point; Thence South 87°34'08" West and along the North line of said Outlot 4, 87.42 feet to a point of curvature; Thence Southwesterly 15.61 feet along the said North line of said Outlot 4 and the arc of a curve; whose center lies to the Southeast, whose radius is 20.00 feet; whose central angle is 44°42'49", and whose chord bears South 65°12'43.5" West, 15.21 feet to a point; Thence North 02°13'51" West and along the East line of Outlot 2 of said Certified Survey Map No. 12192, 55.91 feet to a point; Thence North 87°46'09" East and along the said East line of said Outlot 2, 150.00 feet to a point; Thence North 02°13'51" West and along the said East line of said Outlot 2, 435.39 feet to a point on the South line of Unplatted Lands; Thence North 87°34'08" East and along the said South line, 94.37 feet to a point; Thence North 08°09'37" West and along the East line of said Unplatted Lands, 170.76 feet to a point; Thence North 88°27'25" East and along the South line of Outlot 3 of said Certified Survey Map No. 12192, 40.25 feet to a point; Thence North 02°13'51" West and along the East line of said Outlot 3, 120.00 feet to a point; Thence South 88°27'25" West and along the North line of said Outlot 3, 41.67 feet to a point on the East line of Unplatted Lands; Thence North 02°25'52" West and along the said East line, 113.60 feet to a point; Thence North 87°34'08" East and along the South line of Lot 1 of said Certified Survey Map No. 11932, 142.44 feet to a point; Thence North 78°45'15" East and along the said South line, 99.24 feet to a point; Thence South 79°23'43" East and along the said South line, 203.43 feet to a point; Thence North 67°30'36" East and along the said South line, 137.32 feet to a point on the West Right-of-Way line of "Tenny Avenue"; Thence North 21°17'08" West and along the said West Right-of-Way line, 233.58 feet to a point of curvature; Thence Northwesterly 22.57 feet along the arc of a curve, whose center lies to the Northeast, whose radius is 1040.00 feet, whose central angle is 01°14'36", and whose chord bears North 20°39'50" West, 22.57 feet to a point; Thence North 88°27'25" East and along the South line of Lot 1 of Certified Survey Map No. 11263 and its Westerly extension thereof, 826.10 feet to a point; Thence North 50°46'11" East and along the said South line, 291.44 feet to the point of beginning of this description.

Said Parcel contains 3,674,495 Square Feet (or 84.3548 Acres) of land, more or less.

Exhibit B

