

PETITION FOR AMENDING

THE CITY OF WAUKESHA'S ZONING ORDINANCE

We, the undersigned, being owners of all or part of the area involved, humbly petition the Common Council of the City of Waukesha to rezone the following described property from  
M-3 to I-1.

**Legal Description:** See attached Certified Survey Map No 11200.

The reason(s) for the Rezoning Petition are:

The Waukesha Water Utility will be constructing a new Operations Center at this location. The purchase of this land from the previous applicant was completed on January 10, 2025. The rezoning from the current M-3 to I-1 will fit the land use type in a more appropriate manner, and not require a conditional use permit.

In addition, due to the large stormwater drainage easement on the property, the setback reduction from 40 feet until M-3 to the 25 feet required under I-1 zoning will allow for more complete use of the site for the water utility.

Signature of Owner(s)



Owner's Name (please print)

DANIEL S. DUCHNIAK

Address of Owner

115 Delafield Street  
WAUKESHA, WI 53188

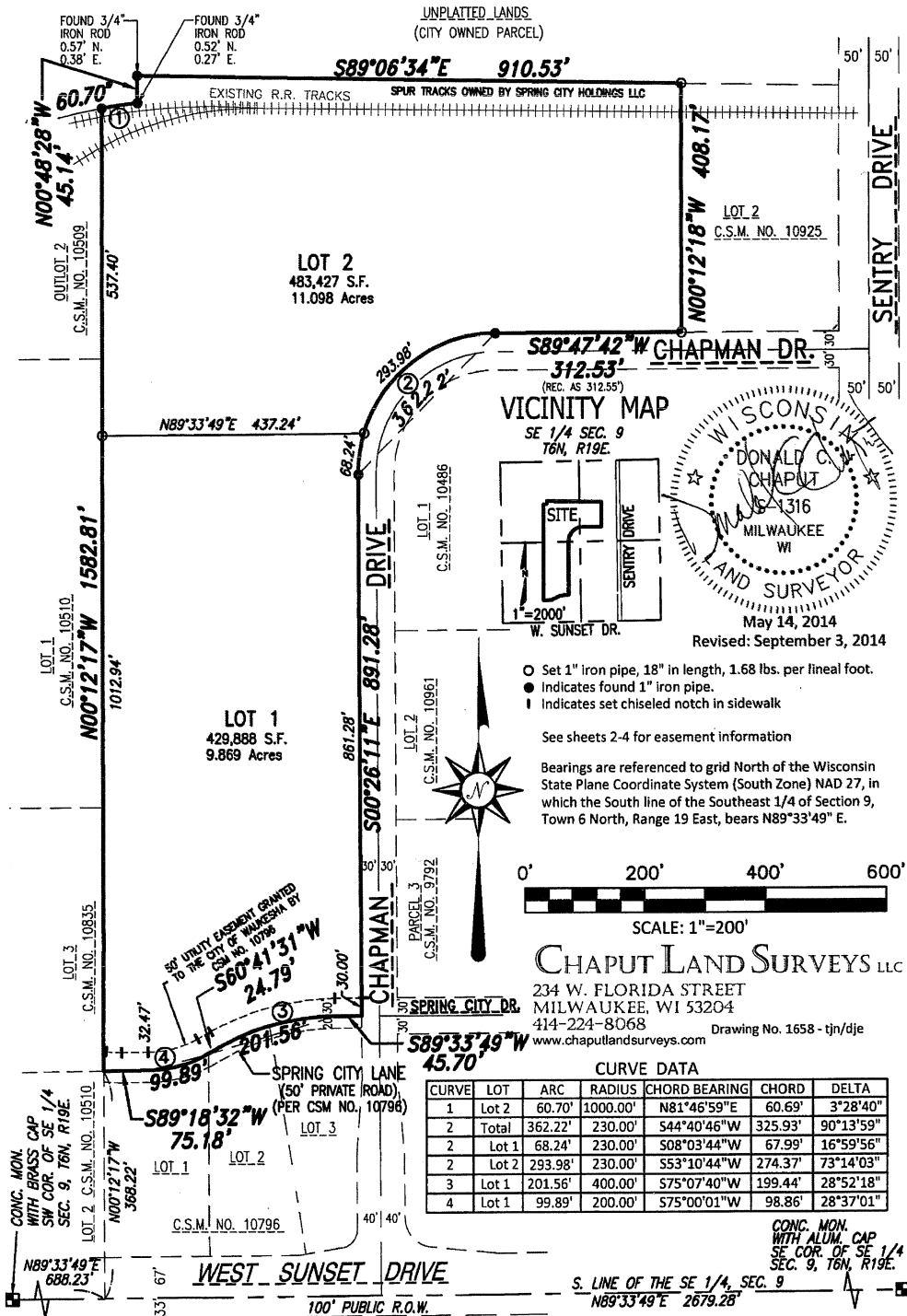
Phone No. of Owner

262-521-5272

E-mail Address of Owner

dlduchniak@WAUKESHA-WATER.COM

A division of Lot 1 of Certified Survey Map No. 10925, being part of the Northeast 1/4, Northwest 1/4 and Southwest 1/4 of the Southeast 1/4 of Section 9, Town 6 North, Range 19 East, in the City of Waukesha, Waukesha County, Wisconsin.



THIS INSTRUMENT WAS DRAFTED BY DONALD C. CHAPUT REGISTERED LAND SURVEYOR S-1316

SHEET 1 OF 7 SHEETS

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# CERTIFIED SURVEY MAP NO. 11220

A division of Lot 1 of Certified Survey Map No. 10925, being part of the Northeast 1/4, Northwest 1/4 and Southwest 1/4 of the Southeast 1/4 of Section 9, Town 6 North, Range 19 East, in the City of Waukesha, Waukesha County, Wisconsin.

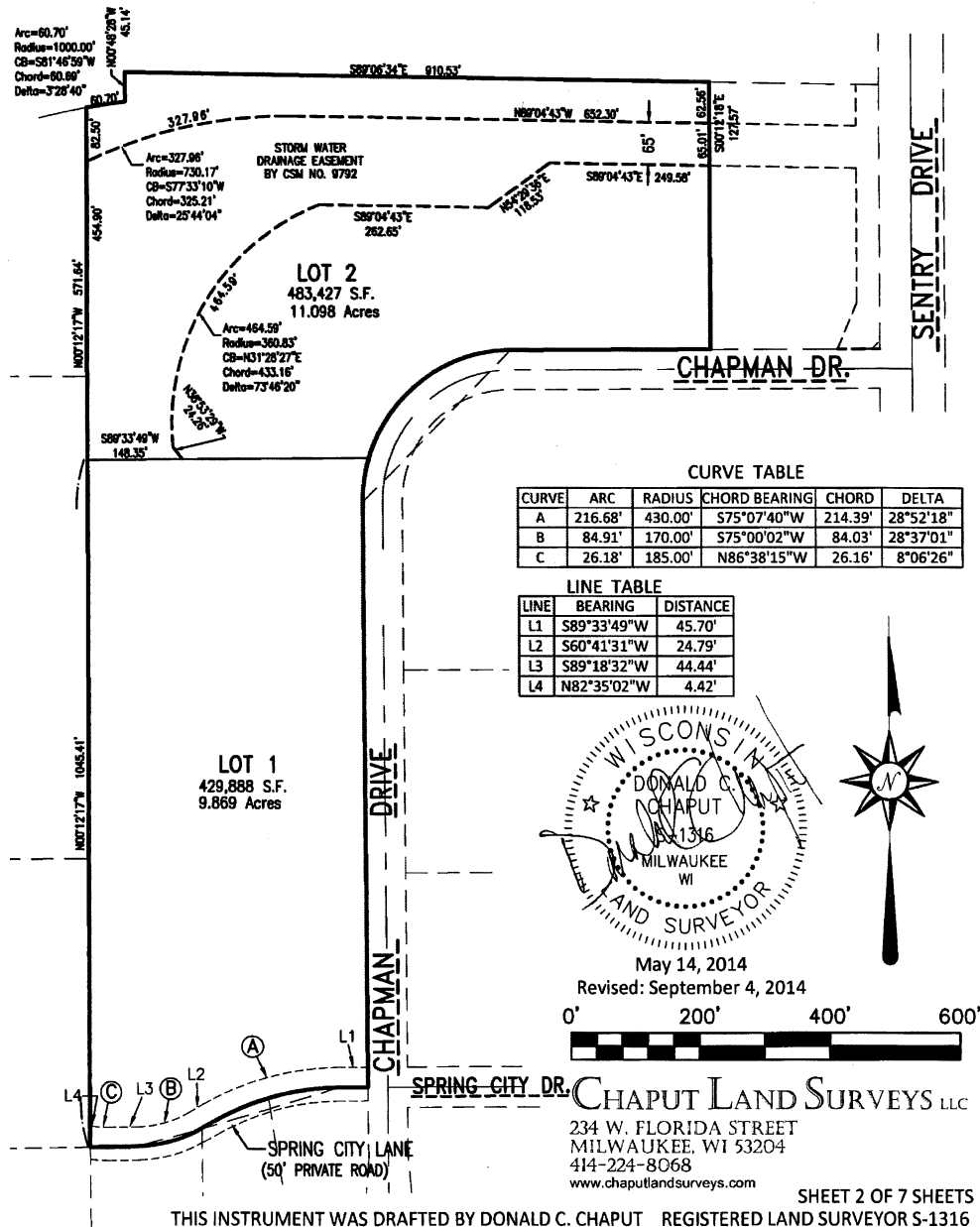
IN THE EVENT THE WATER UTILITY FINDS IT NECESSARY TO DISTURB THE PREMISES IN THE EXERCISE OF ITS DUTIES AND RESPONSIBILITIES (FUTURE REPAIRS, IF NECESSARY), THE UTILITY AGREES TO RESTORE THE PREMISES OF THE GRANTOR, AS NEARLY AS IS REASONABLY POSSIBLE, TO THE CONDITION EXISTING PRIOR TO SUCH DISTURBANCE, HOWEVER, NOT INCLUDING THE REPLACEMENT OF PAVEMENT, TREES, SHRUBBERY AND OTHER ITEMS EXISTING ON OR WITHIN THE DESCRIBED EASEMENT.

GRADE CHANGES WITHIN THE PERMANENT WATER MAIN EASEMENTS WHICH EXCEED 12" (ONE FOOT) SHALL NOT BE MADE WITHOUT PRIOR WRITTEN APPROVAL OF THE WAUKESHA WATER UTILITY.

A 10' SLOPE EASEMENT FOR SIDEWALK PURPOSES, GRANTED TO THE CITY OF WAUKESHA, SHALL EXIST ALONG THE STREET FRONTAGE OF ALL LOTS. SAID EASEMENT IS TO REMAIN IN EFFECT UNTIL SIDEWALKS HAVE BEEN INSTALLED.

NO BUILDING OR FENCE SHALL BE CONSTRUCTED IN SANITARY SEWER, DRAINAGE AND WATER MAIN EASEMENTS. NO TREES OR BUSHES WHICH WOULD GROW TO MORE THAN 4' IN HEIGHT SHALL BE PLANTED WITHIN SAID EASEMENT WITHOUT APPROVAL OF THE CITY OF WAUKESHA ENGINEERING DEPARTMENT AND THE WAUKESHA WATER UTILITY.

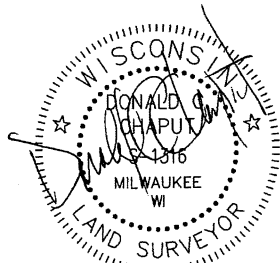
CITY OF WAUKESHA HEREBY RELEASES THE PART OF THE STORMWATER DRAINAGE EASEMENT OVER LOT 1 OF THIS CERTIFIED SURVEY MAP AS GRANTED IN CERTIFIED SURVEY MAP NO. 9792.



**CERTIFIED SURVEY MAP NO. 11220**

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**THIS SHEET INTENTIONALLY LEFT BLANK**



May 14, 2014  
Revised: September 3, 2014

**CHAPUT LAND SURVEYS LLC**  
234 W. FLORIDA STREET  
MILWAUKEE, WI 53204  
414-224-8068  
www.chaputlandsurveys.com

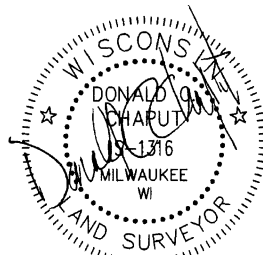
Drawing No. 1658 - tjn/dje  
SHEET 3 OF 7 SHEETS

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SHEET 4 OF 7 SHEETS

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## CERTIFIED SURVEY MAP NO. 11220

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### SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN}  
:SS  
MILWAUKEE COUNTY}

I, DONALD C. CHAPUT, Registered Land Surveyor, do hereby certify:

THAT I have surveyed, divided and mapped a division of Lot 1 of Certified Survey Map No. 10925, being part of the Northeast 1/4, Northwest 1/4 and Southwest 1/4 of the Southeast 1/4 of Section 9, Town 6 North, Range 19 East, in the City of Waukesha, Waukesha County, Wisconsin, which is bounded and described as follows:

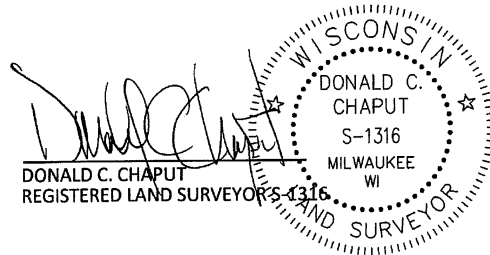
COMMENCING at the Southwest corner of said Southeast 1/4 Section; thence North 89°33'49" East along the South line of said Southeast 1/4 Section 688.23 feet to a point; thence North 00°12'17" West 368.22 feet to the Southwest corner of Lot 4 in Certified Survey Map No. 10925 and the point of beginning of lands to be described; thence continuing North 00°12'17" West a distance of 1582.81 feet to a point; thence Northeasterly 60.70 feet along the arc of a curve whose center lies to the South, whose radius is 1000.00 feet and whose chord bears North 81°46'59" East 60.69 feet to a point; thence North 00°48'28" West 45.14 feet to a point; thence South 89°06'34" East 910.53 feet to a point; thence South 00°12'18" East 408.17 feet to a point; thence South 89°47'42" West 312.53 feet to a point; thence Southwesterly 362.22 feet along the arc of a curve, whose center lies to the Southeast, whose radius is 230.00 feet, and whose chord bears South 44°40'46" West 325.93 feet to a point; thence South 00°26'11" East along said West line 891.28 feet to a point; thence South 89°33'49" West 45.70 feet to a point; thence Southwesterly 201.56 feet on an arc of a curve, whose center lies to the Southeast, whose radius is 400.00 feet and whose chord bears South 75°07'40" West 199.44 feet to a point; thence South 60°41'31" West 24.79 feet to a point; thence Southwesterly 99.89 feet on an arc of a curve, whose center lies to the Northwest, whose radius is 200.00 feet and whose chord bears South 75°00'01" West 98.86 feet to a point; thence South 89°18'32" West 75.18 feet to the point of beginning. Containing 913,316 square feet and/or 20.9669 acres.

THAT I have made the survey, land division and map by the direction of Spring City Holdings, LLC, owner.

THAT the map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

THAT I have fully complied with the provisions of Chapter 236 of the Wisconsin Statutes and the Land Division and Ordinances of the City of Waukesha in surveying, dividing and mapping the same.

BAW August 25, 2014  
DATE: May 14, 2014



# CERTIFIED SURVEY MAP NO. 11220

A division of Lot 1 of Certified Survey Map No. 10925, being part of the Northeast 1/4, Northwest 1/4 and Southwest 1/4 of the Southeast 1/4 of Section 9, Town 6 North, Range 19 East, in the City of Waukesha, Waukesha County, Wisconsin.

## OWNER'S CERTIFICATE

SPRING CITY HOLDINGS, LLC, a Wisconsin limited liability company, duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, hereby certifies that said limited liability company caused the land described on this Certified Survey Map to be surveyed, divided and mapped as represented on this map in accordance with the requirements of the City of Waukesha.

SPRING CITY HOLDINGS, LLC, as owner, does further certify that this map is required by S.236.20 or 236.12 to be submitted to the following for approval of objection: City of Waukesha.

IN WITNESS WHEREOF, SPRING CITY HOLDINGS, LLC, has caused these presents to be signed by the hand of JOHN B. KUHN, President, on this 26<sup>th</sup> day of August, 2014

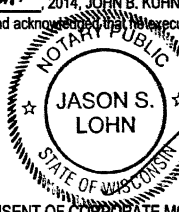
In the presence of:

SPRING CITY HOLDINGS, LLC  
By: JBK Properties, Inc., President Managing Member  
[Signature]  
JOHN B. KUHN, President

(Witness)

STATE OF WISCONSIN)  
MILWAUKEE :SS  
WAUKESHA COUNTY)

Personally came before me this 26<sup>th</sup> day of August, 2014, JOHN B. KUHN, President of SPRING CITY HOLDINGS, LLC, to me known as the person who executed the foregoing instrument and acknowledged that he executed the foregoing instrument as such officer as the deed of said limited liability company, by its authority.



[Signature], Notary Public  
State of Wisconsin Jason S. Lohn  
My commission expires 2/14/16  
My commission is permanent.

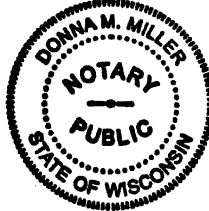
## CONSENT OF CORPORATE MORTGAGE

PARK BANK, a Wisconsin banking association, mortgagee of the above described land, does hereby consent to the surveying, dividing and mapping the land described on this map and does hereby consent to the above certificate of SPRING CITY HOLDINGS, LLC, OWNER.

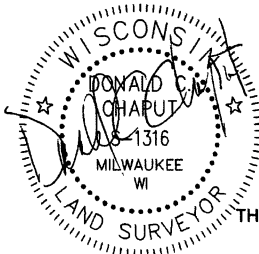
By [Signature] Its  
Name: Donald A. Morell  
Title: First Vice President

STATE OF WISCONSIN)  
WAUKESHA :SS  
COUNTY)

Personally came before me this 27 day of August, 2014, Donald A. Morell of PARK BANK, to me known as the person who executed the foregoing instrument and acknowledged that he executed the foregoing instrument as such officer as the deed of said corporation, by its authority.



[Signature], Notary Public  
State of Wisconsin  
My commission expires 10 20 14  
My commission is permanent.



May 14, 2014

THIS INSTRUMENT WAS DRAFTED BY DONALD C. CHAPUT  
REGISTERED LAND SURVEYOR S-1316

SHEET 6 OF 7 SHEETS

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PLANNING COMMISSION CERTIFICATE OF APPROVAL

APPROVED by the Planning Commission of the City of Waukesha on this 11<sup>th</sup> day of June, 2014.

Shawn N. Reilly  
CHAIRPERSON

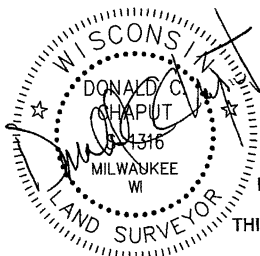
Genet Andrews  
SECRETARY

COMMON COUNCIL CERTIFICATE OF APPROVAL

APPROVED by the Common Council of the City of Waukesha in accordance with the Resolution adopted on, this 17<sup>th</sup> day of June, 2014

Frank Kyzek  
CITY CLERK

Shawn N. Reilly  
MAYOR



May 14, 2014

THIS INSTRUMENT WAS DRAFTED BY DONALD C. CHAPUT  
REGISTERED LAND SURVEYOR S-1316

4099029  
REGISTER OF DEEDS  
WAUKESHA COUNTY, WI  
RECORDED ON  
September 09, 2014 12:43 PM  
James R. Behrend  
Register of Deeds  
7 PGS  
TOTAL FEE: \$30.00  
TRANS FEE: \$0.00  
Book 110 Page 219-225

SHEET 7 OF 7 SHEETS

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