

DOCUMENT NO.

AWARD OF DAMAGES  
BY STATE OF WISCONSIN

Section 84.09(2)

This award of damages is made pursuant to a relocation order of the State of Wisconsin Department of Transportation, dated January 11, 1979, and filed in the office of the County Clerk of Buffalo County, for the improvement of State Trunk Highway 35 & 54, in Buffalo County.

The State of Wisconsin has determined it necessary to acquire, for the purpose set forth in and in accordance with said relocation order, a parcel of real estate and/or rights therein as hereinafter set forth, in and to which the following persons have an interest: Willard Heuer, Mabel L. Heuer, Delbert Heuer, Dorothy M. Heuer, Mark Johnson

The interest acquired by this award is

In accordance with the description pages attached hereto and incorporated herein by reference.

Said parcel of real estate and/or interests therein will be occupied by the State of Wisconsin or its agents on September 30, 1979.

The State of Wisconsin, having complied with all jurisdictional requirements pursuant to law, hereby makes this award of damages to the above persons having an interest in said parcel of real estate, in the sum of One Hundred and No/100

Dollars (\$100.00), for the acquisition of said parcel of real estate and/or interests therein as hereinbefore set forth.

RECEIVED FOR RECORD

28 DAY OF September  
A.D., 1979, AT 3:00  
O'CLOCK P. M. AND RECORDED 'N VOL  
149 OF Record PAGE 469

Gene E. Pearson  
Register of Deeds

COUNTY

Project I.D. 7151-01-22;  
GR 048(2)

State of Wisconsin / Department of Transportation

[Signature] SEP 20 1979  
Administrator Date  
The instrument was drawn for the State of Wisconsin,  
Department of Transportation  
Parcel No. 30

St. of Wis.  
High Dept.  
Lak

4.00 pd.

Scenic rights in perpetuity, as hereinafter prescribed, in and to the following describe tracts of real estate in Buffalo County, State of Wisconsin, to wit:

Tract I

All that land of the owner in the N $\frac{1}{4}$ -SW $\frac{1}{4}$ -SE $\frac{1}{4}$ , Section 32, T 19 N, R 10 W, Buffalo County.

Tract II

All that land of the owner in the S $\frac{1}{4}$ -SW $\frac{1}{4}$ -SE $\frac{1}{4}$ , Section 32, T 19 n, R 10 W, and in Government Lot 2, Section 5, T 18 N, R 10 W, lying north of the following described reference line:

Commencing at a point S 0 $^{\circ}$ -41'-57" W 2137.45 feet from the W $\frac{1}{4}$  corner of said Section 32; thence S 83 $^{\circ}$ -23'-46" E 306.06 feet to a point; thence S 82 $^{\circ}$ -07'-41" E 1338.80 feet to the point of a curve concave to the southwest and having a radius of 5729.58 feet; thence southeasterly along the arc of said curve right 898.27 feet to the point of beginning; thence S 73 $^{\circ}$ -08'-43" E 1384.89 feet to the point of a curve concave to the northeast and having a radius of 2864.79 feet; thence southeasterly, along the arc of said curve 132.02 feet.

Said parcels contain 37.73 acres, more or less.

The specific rights and interests hereby acquired are as follows:

1. The right for the State of Wisconsin, its agent and contractors, to enter upon the easement area.
  - (a) To inspect for violations of the provisions of this easement and to remove or eliminate advertising displays, signs and billboards, stored or accumulated junked automobiles, farm implements, or parts thereof, and other salvaged materials or debris, and to perform such scenic restoration as may be deemed necessary or desirable.
  - (b) To plant and/or selectively cut or prune trees and brush to improve the scenic view and to implement disease prevention measures.

The Owner's rights to engage in specified activities are acquired as follows:

1. The right to erect, display, place or maintain upon or within the scenic area any signs, billboards, outdoor advertising structures or advertisements of any kind, except that the four existing signs as permitted by Section 84.30, Wisconsin Statutes, may remain and be maintained. These signs advertise the sale of products produced on the premises. Any existing signs, other than the on-premise signs as described above, shall be terminated and removed on or before January 1, 1980.
2. The right to dump or maintain a dump of ashes, trash, rubbish, sawdust, garbage offal, storage of vehicle bodies or parts, storage of junked farm implements, or parts, and any other unsightly or offensive material.
3. The right to park trailer houses, mobile homes, or any portable living quarters.
4. The right to cut or remove any trees or shrubs, except marketable timber, and then only in compliance with local forest cropping practices; however, at no time will the scenic area be denuded of trees. It is not the intent to restrict the owner's management of the apple orchard.
5. The right to quarry, remove or store any surface or subsurface minerals or materials.
6. The right to utilize the land for any use other than the following permitted uses:

Tract I - Agricultural and forestry, including accessory buildings.

Tract II-Agricultural and single family residential if in compliance with local zoning regulations.

THE RIGHTS HEREBY ACQUIRED DO NOT GRANT THE PUBLIC THE RIGHT TO ENTER THE ABOVE DESCRIBED AREA FOR ANY PURPOSE.

THE RIGHTS HEREBY ACQUIRED DO NOT GRANT THE STATE OF WISCONSIN, OR ITS AGENTS, THE RIGHT TO ENTER THE ABOVE DESCRIBED AREA EXCEPT FOR THE PURPOSE OF INSPECTION AND ENFORCEMENT OF SAID RIGHTS, OR AS SPECIFICALLY SET FORTH HEREIN.

Also, all existing, future or potential common law or statutory easements or rights of access between the right of way of the highway, currently designated as S.T.H. 35 and all of the abutting remaining real property of the owner(s), whether acquired by separate conveyance or otherwise, where the following described real estate abuts on the said highway:

That land of the owner in the SW $\frac{1}{4}$ -SE $\frac{1}{4}$ , Section 32, T 19 N, R 10 W and Government Lot 2, Section 5, T 18 N, R 10 W, lying north of the above described reference line except the right of access to the town road.

PROJECT 7151-01-22, GR 048(2)  
Plat Date: 10-20-78  
Written by: RRS  
Checked by: PJV

Parcel 30