

**TOWN OF NEW GLARUS
PLAN COMMISSION MEETING
THURSDAY, AUGUST 17, 2023, 6:00 PM
AGENDA**

Join by Zoom: <https://us06web.zoom.us/j/83190672810?pwd=V0d4V3JhUkI3M014ZU1mMWtyQzE3Zz09>

Meeting ID: 831 9067 2810

Passcode: 377600

Dial by your location: 312 626 6799

New Glarus Town Hall
26 5th Avenue
New Glarus, WI 53574

DATE: Thursday, August 17, 2023
TIME: 6:00 PM

NOTICE IS HEREBY GIVEN that Town of New Glarus Plan Commission, County of Green, may act on the following matters if any required public hearing has been held:

1. Call to Order/Confirm Proper Proof of Posting
2. Approve Minutes from July 20, 2023
3. Continue to Discuss Concept Plan for 3-Lot Cluster Development and Re-Plat of Lot 1 of Certified Survey Map 2449 off of Kempfer Lane for Land Owned by Alice Bertelrud
4. Discussion of Driveway Permits
5. Inquiries Received by Town Staff
 - a) Development potential for property owned by Larry Disch at date of ordinance with 72.710 contiguous acres and two existing houses
 - b) Two parcels, one with a divided interest (Zentner/Yguado) with indirect access to Primrose Center Road
 - c) Development potential for two parcels along STH 39 owned by the Ann R Endrulat Living Trust
 - d) Possible neighbor exchange between Lot 1 and Lot 2 of Certified Survey Map 3452
6. Update on Possible Transfer of Proposed Trail Along CTH NN to STH 39 Between Town Land and Durst Road
7. Continue to Discuss Town Process for Development Potential Questions
8. Review Staff Draft Affidavit to Notify Owners of Parcel 23024 0203.0100 and Parcel 23024 0203.1200 that the Land was Subdivided from Parent Parcel into Two Parcels Post-Ordinance Without Deed Restricting Either from Future Residential Development
9. Adjourn

Pursuant to applicable law, notice is hereby given that a quorum or a majority of the New Glarus Town Board Members may attend this meeting. Information presented at this meeting may help form the rationale behind future actions that may be taken by the Town of New Glarus Board. Persons requiring additional services to participate in a public meeting may contact the Town Clerk for assistance: 608-527-2390.

Posted: 08/14/2023

New Glarus Town Hall
New Glarus Maintenance
New Glarus Post Office
<https://townofnewglarus.com/>

Chris Narveson, Chair
Town of New Glarus Plan Commission
Tim Schleeper, Plan Administration
John Wright, Clerk-Treasurer

TOWN OF NEW GLARUS
PLAN COMMISSION MEETING
THURSDAY, JULY 20, 2023
MINUTES

Members Attending: Chris Narveson: Chair; John Ott, John Freitag, Craig Galhouse, Mark Pernitz, and Robert Elkins (arrived at 6:04 PM)

Absent: Reg Reis

Also Attending: John Wright: Clerk-Treasurer; Tim Schleeper: planner, Vierbicher Associates; James Baker (departed at 7:48 PM): surveyor; Corey Pope: developer for Hustad Valley Road property; Bob Talarczyk (departed at 7:48 PM): surveyor; Randall Shotliff (departed at 6:28 PM); developer for State Highway 39 property; Alice Bertelrud (departed at 7:48 PM): developer for County Highway NN property; Rex Ewald (departed at 7:48 PM): legal counsel for Alice Bertelrud; Tracey Schwalbe, Mary Anne Oemichen, and Jeffrey Wells: Town residents (departed at 7:15 PM)

1. **Call to Order and Proof of Posting:** Chair Narveson called the meeting to order at 6:00 PM. Clerk-Treasurer Wright attested to proper proof of posting.
2. **Approve Minutes:** Motion to approve the meeting minutes from June 15, 2023, as presented, was made by Commissioner Ott; seconded by Commissioner Freitag. Motion carried 5-0.
3. **Discuss and Possibly Recommend Corey Pope Certified Survey Map for a 3-Lot Cluster Division Along Hustad Valley Road for Town Board Approval Following a Public Hearing** – Applicant Pope provided a brief update that the three proposed cluster envelopes have had acceptable results of recent percolation tests and that probable driveway locations should adhere to the maximum slopes allowed by Chapter 36 standards. Town contract planner Tim Schleeper provided his review of the draft CSM dated July 20, 2023. Due to areas where the slope exceeds 20%, Schleeper recommends a note be added to the third page of the draft Certified Survey Map (CSM) to note the obligations during and after construction to apply erosion control measures. Due to the irregularity of cluster envelopes, Schleeper recommended a note be added to the third page of the draft CSM to require a site plan before issuance of a driveway permit and building permit.
A motion to recommend the draft Certified Survey Map be considered for approval by the Town Board, following a duly noticed public hearing, provided that the surveyor add notes recommended by the Town contract planner was made by Commissioner Galhouse; seconded by Commissioner Pernitz. Motion carried 6-0.
4. **Discuss and Possibly Recommend Green County Highway Department 1-Lot Certified Survey Map Division of Land Along State Highway 39 for Town Board Approval Following a Public Hearing** – Surveyor Bob Talarczyk provided a brief recap of prior discussions regarding concept plans for the development of Randall Shotliff's property that include the sale of 11.880 acres to the Green County Highway Department for development as a public works facility. For the balance of the parent parcel, that does not need to be deed restricted as open space, Shotliff is continuing to consider residential or possibly a commercial use. Chair Narveson reported on his conversation with staff from the Wisconsin Department of Transportation (WisDOT) and the relocation of access to State Highway 39 further to the west. The draft Certified Survey Map (CSM) includes a 66' wide private road easement that aligns with Ashley Lane in the event a connection with that road to the southwest is ever desired. Lot 1 of the proposed CSM also provides an easement so that the owners of the Bug Tussel wireless tower have access from STH 39. Contract planner for the Town, Tim Schleeper, noted that a permitted use in deed restricted open space includes municipal use; municipal use should be added to the note 5 on page 3 of the CSM to be considered for approval by the Board following a duly noticed public hearing. Chair Narveson stated that the corporation counsel for Green County has reviewed the draft document. He further noted that the WisDOT will require a turn lane on STH 39 for eastbound traffic.

TOWN OF NEW GLARUS

A motion to recommend the draft Certified Survey Map be considered for approval by the Town Board, following a duly noticed public hearing, provided that the surveyor add notes recommended by the Town contract planner was made by Commissioner Pernitz; seconded by Commissioner Freitag. Motion carried 6-0.

5. **Discuss Concept Plan for 3-Lot Cluster Development and Re-Plat of Lot 1 of Certified Survey Map 2449 off of Kempfer Lane for Land Owned by Alice Bertelrud** – Surveyor Talarczyk presented a proposed division of the property into three cluster envelopes. One envelope would contain the existing residence. There followed a discussion of how best to improve Kempfer Lane. Attorney Ewald suggested that his client, Alice Bertelrud, would petition for the partial discontinuance of Kempfer Lane to the north of the residence if the Town would apply the cost savings to improve the retained portion to the north by constructing a cul-de-sac bulb and replacing the gravel with an asphaltic paved road to Town standards. Contractor Richard Alme had prepared an estimate for Bertelrud for paving. Chair Narveson is willing to provide the gravel necessary to improve the shortened portion of Kempfer Lane for the length proposed in the concept plan and double chip seal the section from County Highway NN to the north boundary of the Bertelrud property in 2024. Schleeper stated that the location of the proposed cul-de-sac bulb may need to be shifted due to the topography of the current proposed location.

There followed a discussion for possibly adding a fourth lot to contain all four future cluster envelopes to the north of the three currently proposed or to define all seven lots from the outset. A developer's agreement to define the terms and conditions for phased development, with timelines, would be desirable. If the developer does not want to incur the expense of paving their portion of Kempfer Lane, the Town could add a special assessment charge to future lot owner tax bills for a multi-year term to pay the Town back for the expense to improve the road to a higher standard than the current gravel one.
6. **Discussion of Driveway Permits** – Without objection, this topic will be deferred to the August agenda.
7. **Discussion of Mark Roffers Response to Detached Cluster Lot for Arn Land Future Development** – Those in attendance reviewed the correspondence from Village contract planner Mark Roffers, dated June 20, 2023. This body will await a proposal presented by the new owner before discussing this property and its development any further.
8. **Inquiries Regarding Development Potential of Property**
 - a. Ryan O'Flanagan for 218.10 acres of land off of Legler Valley Road (William Conrad Jr. at date of ordinance) – Clerk-Treasurer Wright stated that the property has a pre-ordinance parcel at the entry point from Legler Valley Road that is 2.0 acres in size. The balance of the property is estimated to be 218.10 acres. This would allow for 6 lots at normal density or up to 16 cluster lots with 2.0-acre envelopes. Current access must pass over the Legler School Branch and the prevailing slopes might prevent Town driveway standards without conducting an engineering study.
 - b. Larry and Linda Disch for 72.710 acres of land off of Durst Road with two existing houses – This property is within the Village's extraterritorial zoning jurisdiction and is estimated to contain 72.710 acres, not counting CSM 2267. There are two existing homes, which for calculation purposes, consumes the normal density potential of the entire parcel. However, if clustered, a total of five cluster lots would be possible, with two already having been developed.
 - c. Steve and Kristine Sherven for 15.40 acres of land off of County Highway U, parcel 23024 0020.1000 – This parcel existed at date of ordinance and was not contiguous to any others under same ownership at date of ordinance. It has access to County Highway U, so has one building site available under the current standards of Chapter 110.

TOWN OF NEW GLARUS

Wright stated that he has received three more inquiries about land development potential since he posted this agenda. Chair Narveson provided a brief update about petitioning the Wisconsin Department of Revenue to transfer the awarded County NN trail grant to the State Highway 39 Town park site to connect it to Durst Road to the east. Supervisor Galhouse reported that the Village of New Glarus recently posted their official map to their website that was adopted in 2011. Copies of the map, that include possible future roads within the Village and within the extraterritorial zoning jurisdiction in the Town, were distributed among the members in attendance.

9. **Continue to Discuss Town Process for Development Potential Questions** – No discussion.
10. **Review Staff Draft Affidavit to Notify Owners of Parcel 23024 0203.0000 that the Land was Subdivided from Parent Parcel into Two Parcels Post-Ordinance Without Further Deed Restricting Either from Future Residential Development** – Wright stated that he has yet to create a draft for the Commission members to review. Without objection, this item will be deferred until the August meeting.
11. **Adjourn**
Motion to adjourn by Commissioner Pernitz; seconded by Commissioner Elkins. Motion carried 6-0 at 8:16 PM.

Approved:

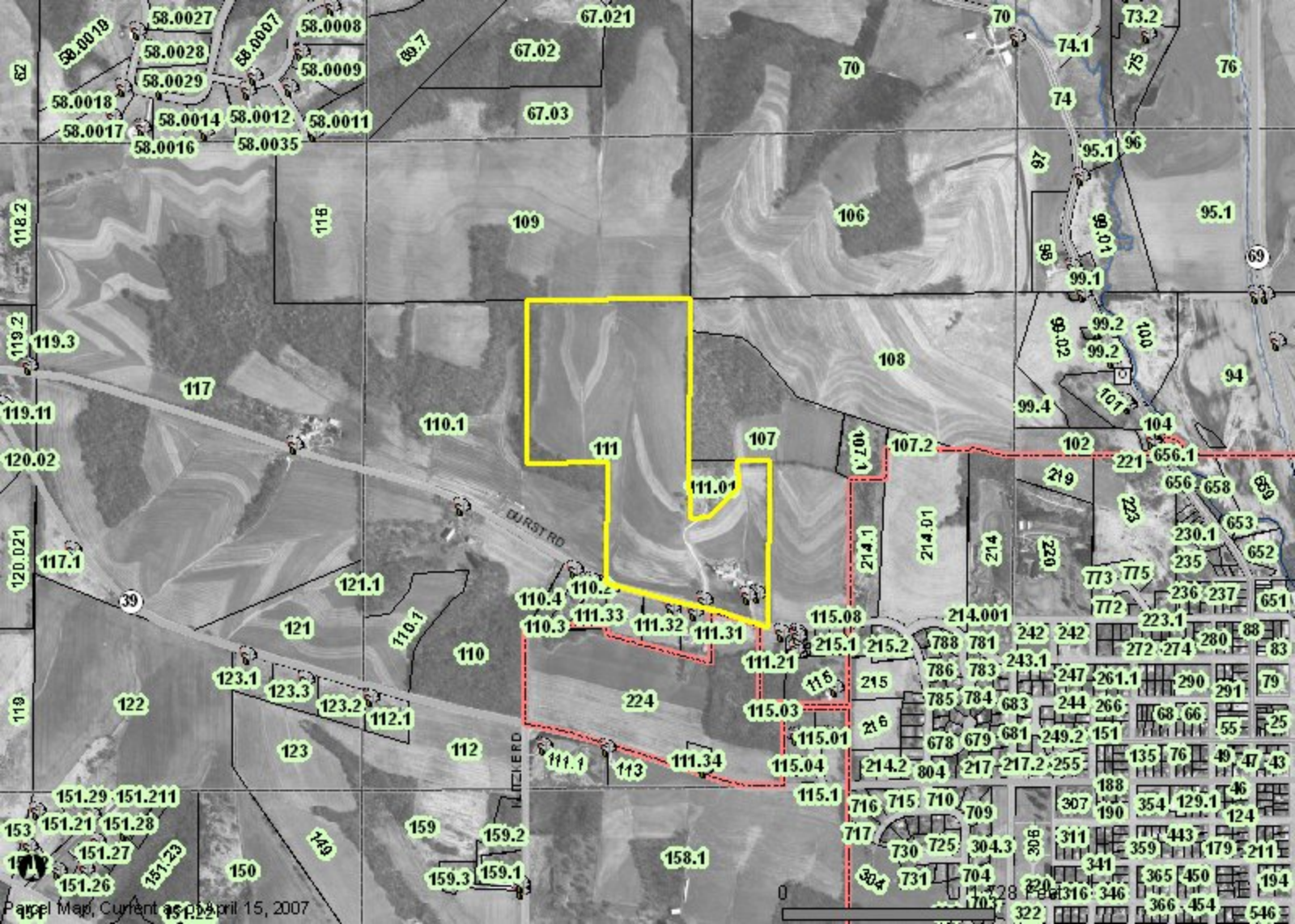
John Wright, Clerk-Treasurer

9/27/2007

Split Computation- Larry Disch
Sect. 15 Town Of New Glarus
Green County, WI

Splits= Exist. Parcel Acreage/35= 2.077
 Round down to 2 potential splits

Split #	Existing Parcel-A.	Split Identity Acres	Sold to	Date	Deficit Acres	CSM or parcel #	Remarks	Deed Restricted? Y/N
	72.7100							
1	35.00	2.00			33.00	892	existing home	Y
2	35.00	2.00			33.00	892	second home	Y
<p>2nd residence may have been a trailer which was removed from site; check with owner</p> <p>66.0 acres deed restricted 0.0 acres sold 2.70 acres for development</p> <p>Excludes 111.0100 that was split 2/11/1997 pre-Ordinance</p>								
		Total			Total			
		4.00			66.00			
<p>revised 100728</p>								



AFFIDAVIT OF ORDINANCE

STATE OF WISCONSIN)
GREEN COUNTY)

VOL. 993 PAGE 259
DOCUMENT # 491659

Recorded
JAN. 09, 2007 AT 08:00AM
CYNTHIA A MEUDT
REGISTER OF DEEDS
GREEN COUNTY, WISCONSIN
Fee Amount: \$13.00



Recording Area

Return to:
Clerk of Town of New Glarus
Post Office Box 0448
New Glarus, WI 53574-0448

Disch, Larry and Linda

Owner Name(s)

23-024-111.0000

Tax Parcel Number(s)

John Wright swears as follows:

- 1. I am the Deputy Clerk of the Town of New Glarus, Green County, Wisconsin.
- 2. All lands located within the Town of New Glarus are subject to land division ordinances, as well as other ordinances enacted by the Town Board of the Town of New Glarus.
- 3. All persons purchasing land within the Town of New Glarus are on notice as to ordinances pertaining to land use of the Town of New Glarus.
- 4. A copy of the pertinent ordinance is on file with the New Glarus Town Clerk.
- 5. Land, described as follows:

SEE ATTACHED

09/20/2006
Dated

John Wright
Drafted by John Wright, Deputy Clerk
Town of New Glarus

Signed and sworn before me this
20th day of September, 2006

Patricia I. Salter
Notary Public, State of Wisconsin

My commission expires: 6/6/2010



LEGAL DESCRIPTION:

The Southeast Quarter of the Northwest Quarter; that part of the East Half of the Northeast Quarter of the Southwest Quarter lying North of the Town Road and that part of the West Half of the Northwest Quarter of the Southeast Quarter lying North of the Town Road, all in Section 15, Township 4 North, Range 7 East, Township of New Glarus, County of Green, State of Wisconsin.

EXCEPT: LOT ONE (1) Of Certified Survey Map No. 2267, recorded in Volume seven of Certified Survey Maps of Green County on page 272, being part of the Northwest Quarter of the Southeast Quarter and the Northeast Quarter of the Southwest Quarter of Section 15; Town 4 North, Range 7 East, Town of New Glarus, Green County, Wisconsin.

372709

CERTIFIED SURVEY MAP No. 2267

That part of the NW 1/4 of the SE 1/4 and the NE 1/4 of the SW 1/4 of Section 15, Town 4 North, Range 7 East, Town of New Glarus, Green County, Wisconsin, bounded and described as follows:
Commencing at the West 1/4 corner of said Section 15; thence N88°04'02"E along the E-W 1/4 line of said Section 15, 2638.83' to the point of beginning; thence N88°04'02"E, 398.71'; thence S1°55'58"E, 223.18'; thence S43°22'53"W, 347.95'; thence S88°04'02"W, 151.33'; thence N1°55'58"W, 467.86' to the point of beginning; subject to any and all easements of record.

I hereby certify that this survey is in compliance with Chap. 238.34 of the Wis. Statutes, and that I have surveyed, monumented, and mapped the lands described hereon, and that this map is a correct representation thereof in accordance with the information provided.

December 19th, 1996

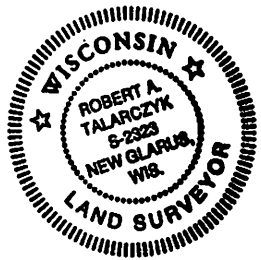
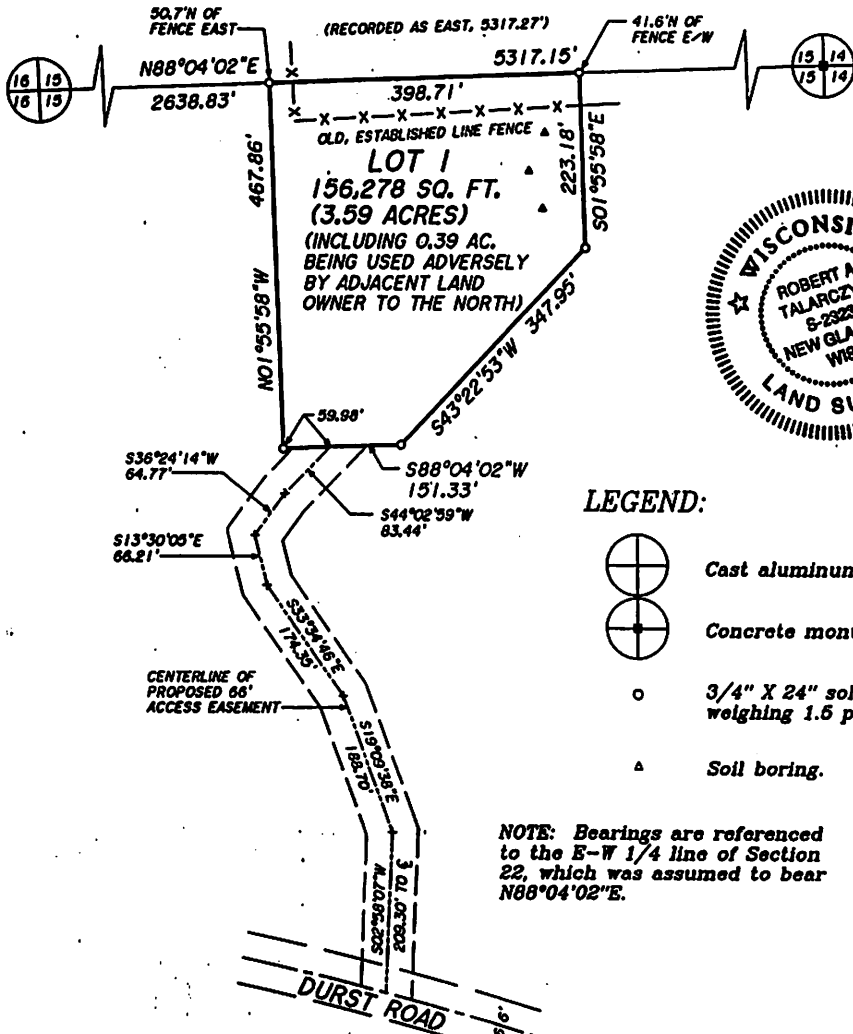
Robert A. Talarczyk
Robert A. Talarczyk

VILLAGE APPROVAL: Approved for recording this 4 day of Feb, 1997 by the Village of New Glarus.

Spivee Atisha
Village Clerk

REGISTER OF DEEDS CERTIFICATE: Received for record this 11th day of Feb, 1997 at 3:00 o'clock P.M., and recorded in Vol. 7 of Certified Survey Maps of Green Co., on Page 272.

Marilyn Neuwenschwander/Sk
Register of Deeds



PREPARED FOR:
Shannon Disch
W6840 Durst Rd.
New Glarus, WI 53574
(608) 527-2383

BOOK 49 PAGE 72
JOB NO. 96285
POINTS 96179
DRWG. 96285
CHECKED *RAT*
DRAWN BY RAT

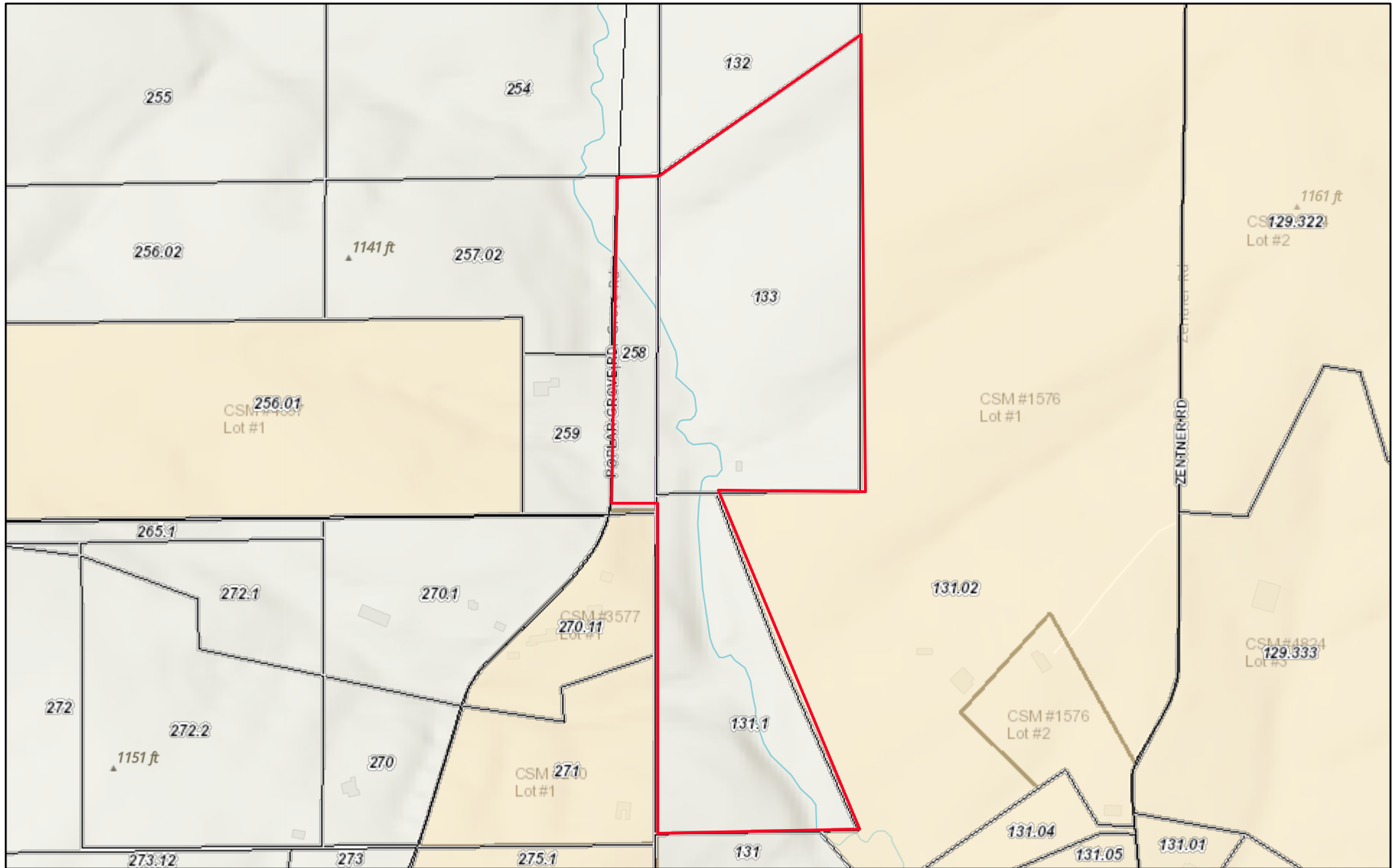
SCALE: 1" = 200'

TALARCZYK & ASSOC., INC.
W5105 KUBLY ROAD
P.O. BOX 235
NEW GLARUS, WI 53574
PHONE 608/527-5216
FAX 608/627-5357

372709

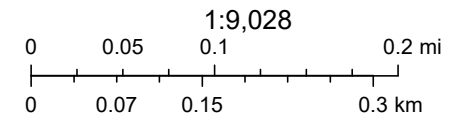
2267

Green County Map



8/14/2023, 2:05:53 PM

- | | | | |
|------------------|---------------------|------------------|----------------------|
| Local Roads | County Hwy | Highways | County Hwy |
| Other Road Class | Town Road | Other Road Class | Parcels |
| State Hwy | Village/City Street | State Hwy | Municipal Boundaries |



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Clerk Treasurer

From: Clerk Treasurer
Sent: Wednesday, July 19, 2023 10:06 AM
To: smzhww@gmail.com
Cc: Timothy Schleeper (tsch@vierbicher.com); Chris Narveson; Tom O
Subject: Three parcel inquiry

Suzanne,

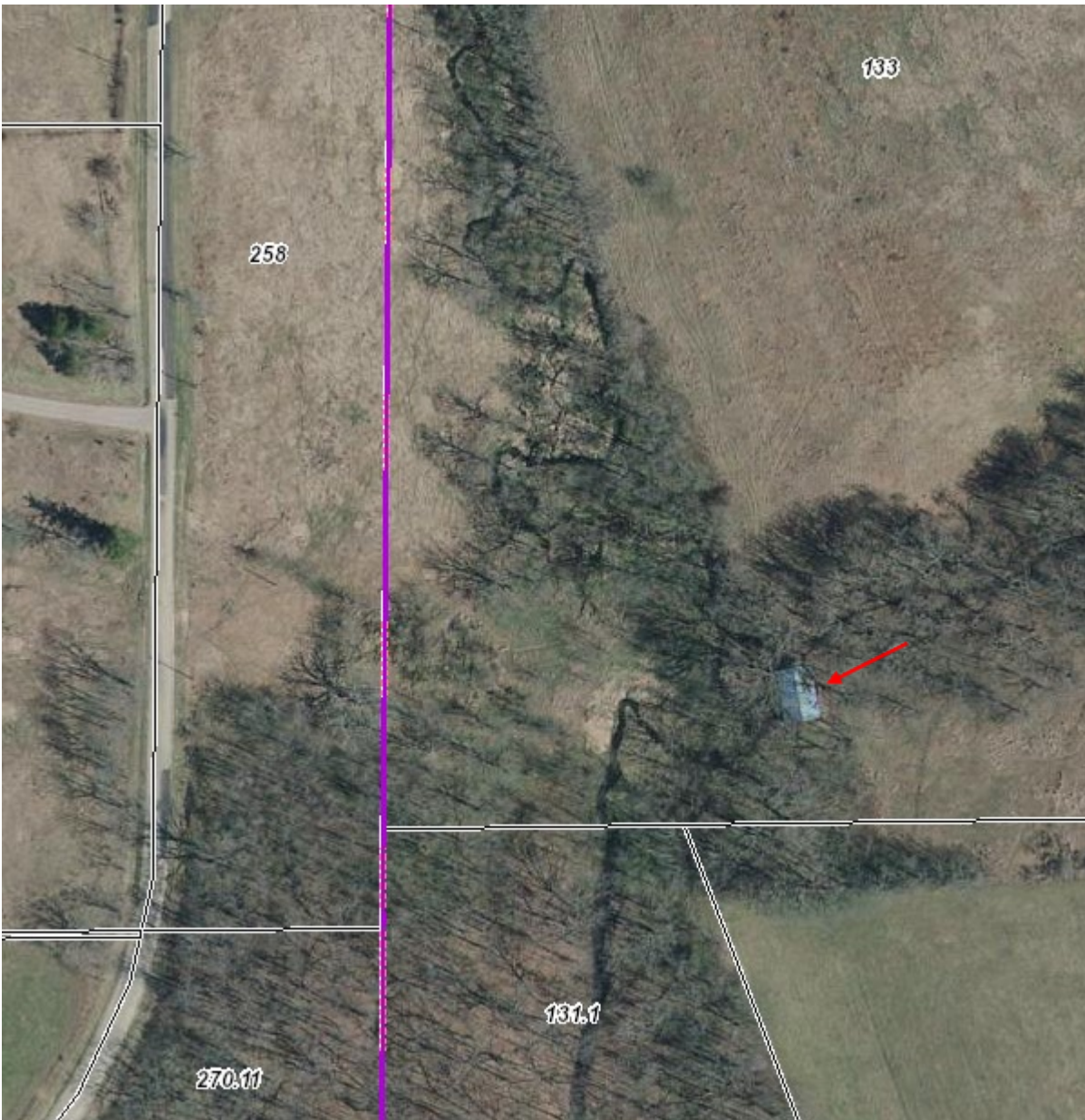
As I mentioned by phone, although your mother is interested in how best to subdivide one parcel (<https://ascent.greencountywi.org/LandRecords/PropertyListing/RealEstateTaxParcel#/Details/12838>) between the two interests, the other two parcels (<https://ascent.greencountywi.org/LandRecords/PropertyListing/RealEstateTaxParcel#/Details/17146> and <https://ascent.greencountywi.org/LandRecords/PropertyListing/RealEstateTaxParcel#/Details/12840>) must be considered due to their contiguity to the parcel in question.

The smallest of the three parcels to the west, with direct access to Primrose Center Road, is in the Town of York. The other two larger parcels are within the Town of New Glarus. Our current land division code requires adding the acreage of contiguous acreage under common ownership within the Town of New Glarus at the date of ordinance adoption (October 13, 1997) together to determine the number of residential or commercial building sites available.

At the date of ordinance, parcel 23024 0133.000 was owned by Carlton Zentner and parcel 23024 131.1000 was owned by Hilda Zentner. Because there were two separate owners at the date of our original ordinance adoption, the acreage of the two is not added together. Instead, each has one potential residential building site since they are large enough to meet Green County Zoning setback standards. The code does not specify whether a commercial building site would be available for either. I cannot answer questions about the development potential for the smallest parcel in the Town of York.

As you have already noted, neither of the parcels in the Town of New Glarus has direct access to a public road and both are bisected by Hefty Creek. I checked the FEMA Flood Insurance Risk Maps and all three parcels are within an area of minimal flood hazard. If access is granted through the parcel in the Town of York, it might be challenging to meet setbacks for a residence as well as restrictions within shoreland zoning. It is conceivable that an easement might be acquired from a property owner to the east to access a potential building site.

As we discussed by phone, it appears as though parcel 23024 0133.0000 has a possible feed stall on the southern end. At one time, this land was considered pasture, in part, so this may be a feed stall. It does not appear on the assessment record and will need to be reviewed and possibly added to the 2024 assessment roll.



It appears as though the parcel that has a shared/joint interest is enrolled in the Managed Forest Land program, a program that requires routine harvesting of wooded land in order to retain a lower rate of taxation. If part of the land is withdrawn to develop a residential lot, then a tax is levied by the Wisconsin Department of Natural Resources for the years the property received the reduced tax rate, relative to the date of enrollment or re-enrollment. A typical enrollment period is 25 years. It looks like that may have been transferred on April 21, 2010 to Carlton Zentner by order 23-006-2000. I have not been able to locate a copy of that in our files to determine the original enrollment date or term.

As you can see, the research has led to some simplification (the three lots were not under common ownership in the Town of New Glarus at date of ordinance adoption) and complications (e.g., the parcel with joint interest is enrolled in MFL, a potential residential building site is available but access is not currently available, etc.).

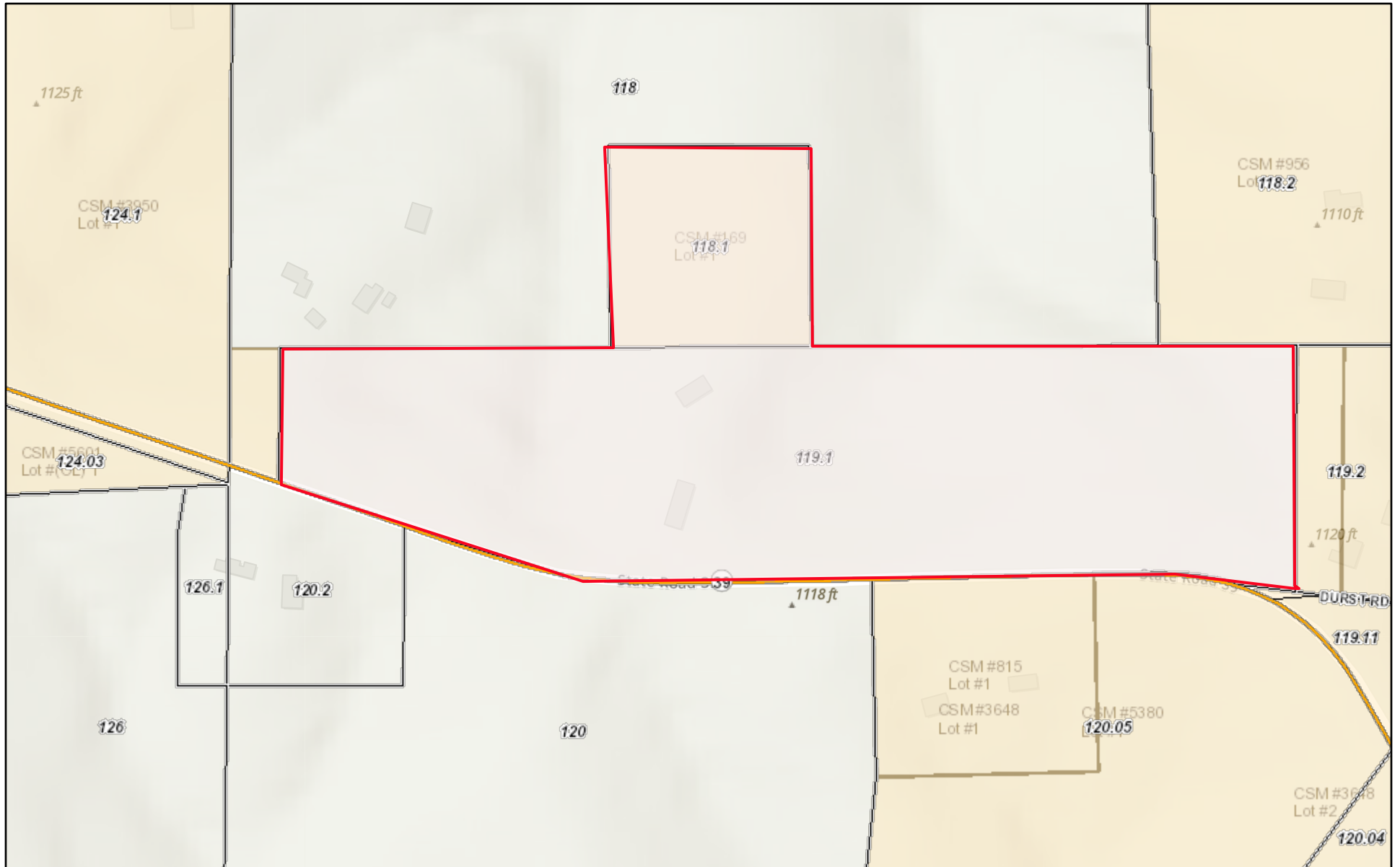
An attorney familiar with land issues should be consulted on how best to balance what I have shared with you before the property is surveyed and divided.

As I mentioned by phone, once a survey has been conducted, the Town of New Glarus Plan Commission would have to review the document before recommending it to the Town Board for approval following a duly noticed public hearing.

Many thanks,
John

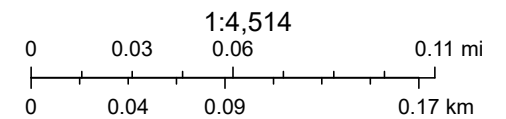
John Wright
Town of New Glarus Clerk-Treasurer
(608) 527-2390

Green County Map



8/14/2023, 1:33:57 PM

- | | | | |
|------------------|---------------------|------------------|----------------------------|
| Local Roads | County Hwy | Highways | County Hwy |
| Other Road Class | Town Road | Other Road Class | Railroads and State Trails |
| State Hwy | Village/City Street | State Hwy | Parcels |



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Clerk Treasurer

From: Clerk Treasurer
Sent: Monday, August 14, 2023 10:55 AM
To: Kristin Vike-Steinich
Cc: Adam Wiegel / Sara Patterson (greenzone@greencountywi.org)
Subject: RE: reconfiguring land on Zentner Rd
Attachments: CSM 3452 for G Torgeson.pdf; Title 4 Zoning Regulations rev 2022.pdf

Kristin,

If I understand the inquiry correctly, you are looking to record a change to the original certified survey map to adjust the two lot lines for Lot 1 and Lot 2 of CSM 3452. If this is the case, the process is commonly referred to as a neighbor exchange.

Green County Zoning and Land Use can advise you on the means for recording such an exchange. When properties receiving or contributing acreage fall below certain minimums, the exchange usually requires a new Certified Survey Map. The two lots in question may be exempt from a new survey.

I believe Section 4-5-2-1 B.3. addresses those minimums (page 45 of the attached code). I have included Green County Zoning Administrator, Adam Wiegel, in the Cc line above. That office can be contacted at (608) 328-9423.

Thanks,
John

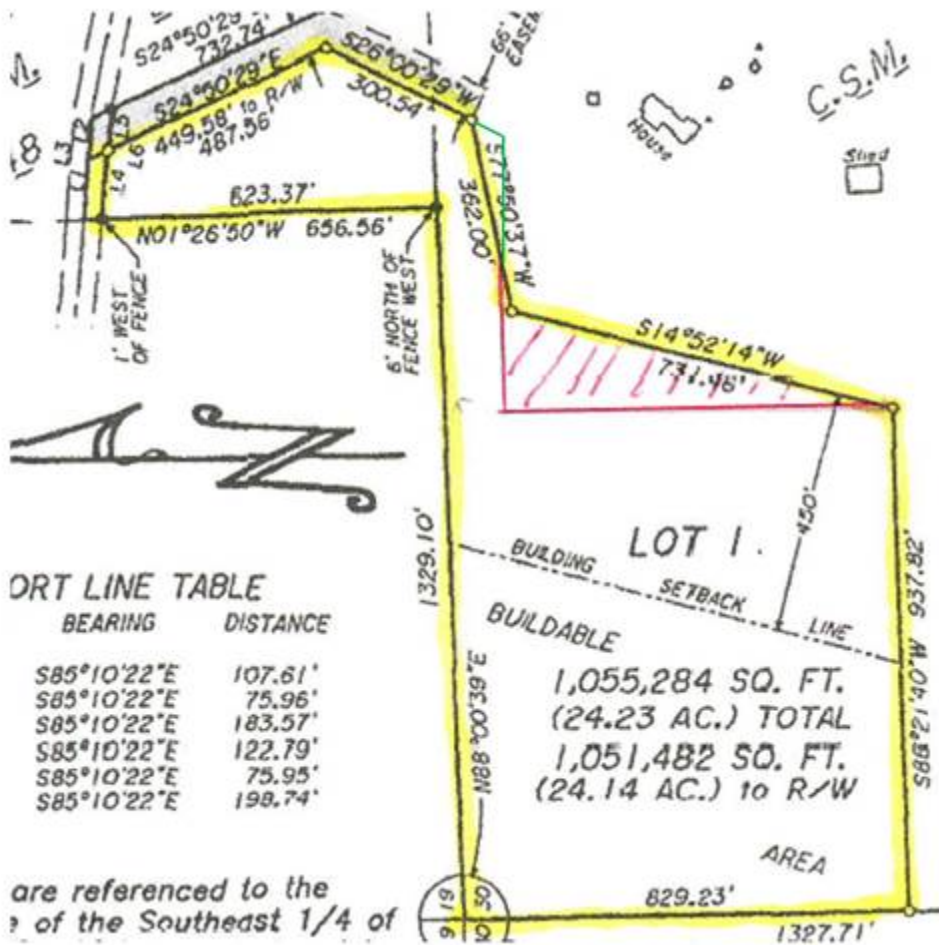
John Wright
Town of New Glarus Clerk-Treasurer
(608) 527-2390

From: Kristin Vike-Steinich <drkristin@vikesteinichchiro.com>
Sent: Friday, August 11, 2023 9:31 AM
To: Clerk Treasurer <clerk@townofnewglaruswi.gov>
Subject: reconfiguring land on Zentner Rd

Hello,

Inquiring about reconfiguring some land with our neighbors. We would like to make it cleaner by following a fence line instead of going through the pasture. Not sure if this is done at a town level or if it needs to go county? The greed would be theirs and the red would become ours.

Our address is N8161, theirs is N8163



Thank you for your time,
Kristin Vike-Steinich



VIKE-STEINICH
CHIROPRACTIC

Kristin M. Vike-Steinich, D.C.
Vike-Steinich Chiropractic
320 W Main St
Mt. Horeb, WI 53572
608-437-2222 office
608-437-7463 fax
drkristin@vikesteinichchiro.com
www.vikesteinichchiro.com

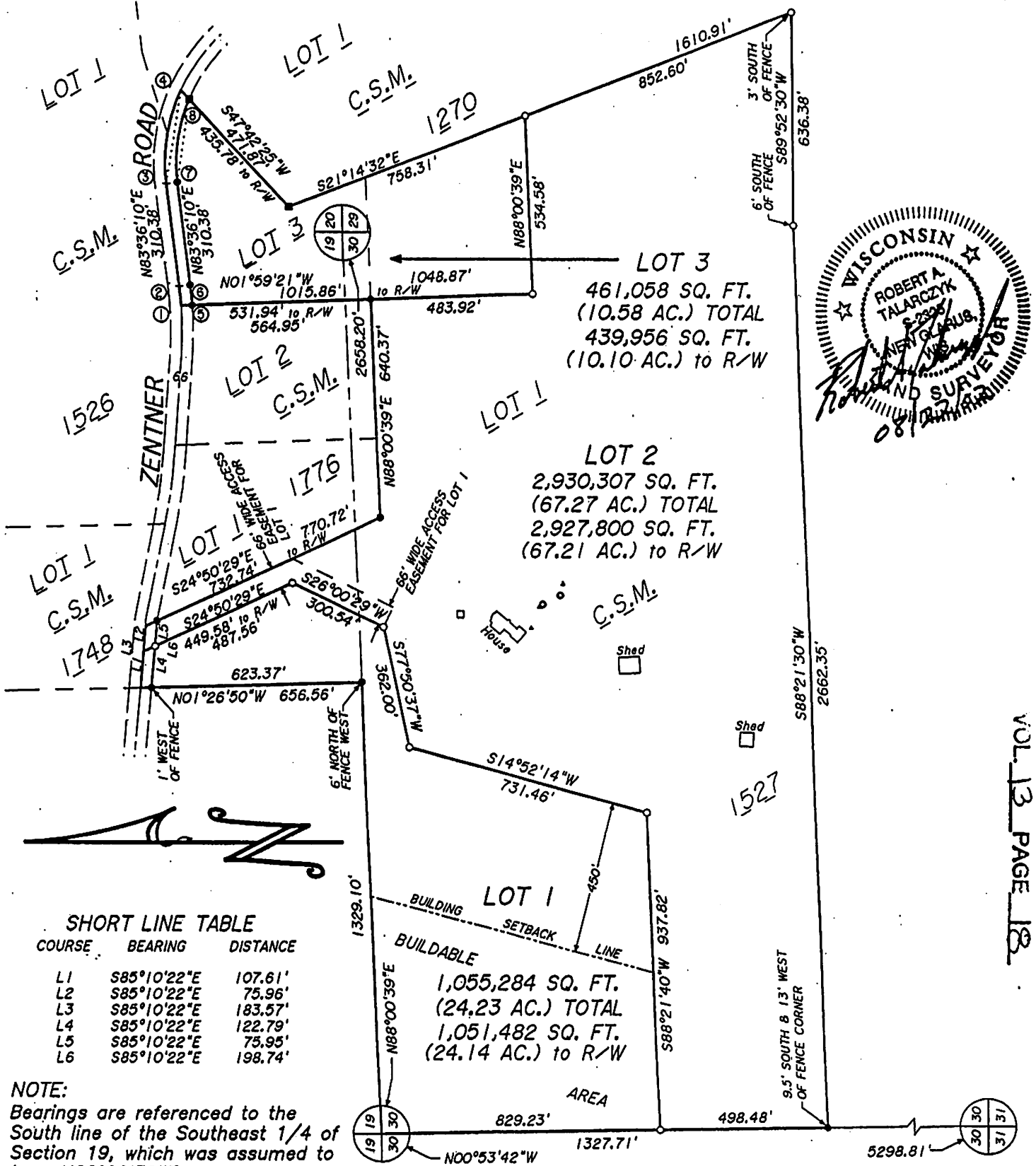
HIPAA Notice: This email communication may contain information that is legally privileged and confidential, intended ONLY for the use of the individual or entity listed above. If you received this email in error, please notify the sender immediately by reply email message and permanently delete the original message. The review, use, dissemination, forwarding, reprinting or copying or other distribution of this message and any attached files is strictly prohibited.

436768

CERTIFIED SURVEY MAP No. 3452

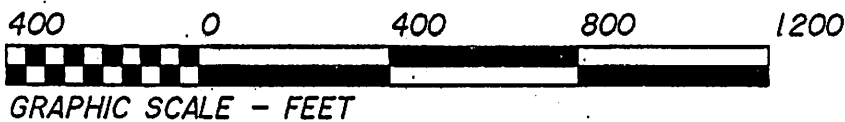
CURVE DATA

CURVE	RADIUS	LENGTH	DELTA	CHORD	CH. BEARING	TAN. BEARING
1-2	1141.00'	56.90'	2°51'26"	56.89'	N85°01'53"E	① N86°27'36"E
3-4	530.00'	286.91'	31°01'00"	283.42'	S80°53'20"E	② S65°22'50"E
5-6	1174.00'	59.43'	2°54'02"	59.43'	N85°03'11"E	③ N86°30'12"E
7-8	497.00'	254.89'	29°23'06"	252.11'	S81°42'17"E	④ S67°00'44"E



SHORT LINE TABLE

COURSE	BEARING	DISTANCE
L1	S85°10'22"E	107.61'
L2	S85°10'22"E	75.96'
L3	S85°10'22"E	183.57'
L4	S85°10'22"E	122.79'
L5	S85°10'22"E	75.95'
L6	S85°10'22"E	198.74'



JOB NO. 02123
POINTS 93056
DRWG. 02123
CHECKED [Signature]
DRAWN BY MST

SCALE: 1" = 400'

SHEET 1 OF 2

TALARCZYK & ASSOC., INC.
W5105 KUBLY ROAD
P.O. BOX 235
NEW GLARUS, WI 53574
PHONE 608/527-5216
FAX 608/527-5357

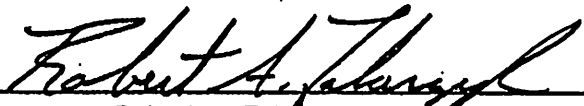
VOL. 13 PAGE 18

CERTIFIED SURVEY MAP No. 3452

Part of Lot 1 of Certified Survey Map 1527 (Volume 5, Pages 20 & 21) and all of Lot 3 of Certified Survey Map 1776 (Volume 5, Pages 369 & 370), being in the Southeast 1/4 of the Southeast 1/4 of Section 19, the Southwest 1/4 of the Southwest 1/4 of Section 20, the Northwest 1/4 of the Northwest 1/4 of Section 29 and the Northeast and Northwest 1/4s of the Northeast 1/4 of Section 30, Town 4 North, Range 7 East, Town of New Glarus, Green County, Wisconsin, bounded and described as follows: Beginning at the South 1/4 corner of said Section 19; thence N88°00'39"E, 1329.10' to the Southwest corner of the Southeast 1/4 of the Southeast 1/4 of Section 19; thence N01°26'50"W along the West line of the Southeast 1/4 of the Southeast 1/4 of Section 19, 656.56' to the centerline of Zentner Road; thence S85°10'22"E along said centerline, 183.57'; thence S24°50'29"E, 770.72'; thence N88°00'39"E, 640.37'; thence N01°59'21"W, 564.95' to the centerline of Zentner Road; thence Northeasterly, 56.90' along said centerline and the arc of a curve to the left whose radius is 1141.00' and whose chord bears N85°01'53"E, 56.89'; thence N83°36'10"E along said centerline, 310.38'; thence Southeasterly, 286.91' along said centerline and the arc of a curve to the right whose radius is 530.00' and whose chord bears S80°53'20"E, 283.42'; thence S47°42'25"W, 471.87'; thence S21°14'32"E, 1610.91' to the South line of the Northwest 1/4 of the Northwest 1/4 of Section 29; thence S89°52'30"W, 636.38' to the Southwest corner of the Northwest 1/4 of the Northwest 1/4 of Section 29; thence S88°21'30"W, 2662.35' to the Southwest corner of the Northwest 1/4 of the Northeast 1/4 of Section 30; thence N00°53'42"W, 1327.71' to the point of beginning; subject to a public road right-of-way as shown and to any and all easements of record.

I hereby certify that this survey is in compliance with the Town of New Glarus Land Division and Subdivision Code and Chap. 236.34 of the Wis. Statutes, and that I have surveyed, monumented, and mapped the lands described hereon, and that this map is a correct representation thereof in accordance with the information provided.

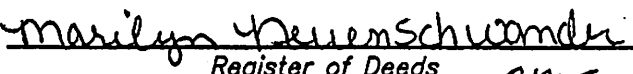
August 22, 2002


Robert A. Talarczyk, P.L.S.

TOWNSHIP APPROVAL: Approved for recording this 14th day of November, 2002 by the Township of New Glarus.


Town Chairman

REGISTER OF DEEDS CERTIFICATE: Received for record this 19 day of November, 2002 at 8:06 o'clock A.M., and recorded in Vol. 13 of Certified Survey Maps of Green Co., on Page 18 & 19.


Register of Deeds *cm*

LEGEND:



Cast aluminum monument found.



1" outside diameter iron pipe found.



3/4" solid round iron reinforcing bar found.



3/4" X 24" solid round iron reinforcing bar set, weighing 1.50 pounds per lineal foot.



Transformer



Septic manhole



Septic vent



Well

436768



PREPARED FOR:
Gerry Torgeson
N8161 Zentner Rd.
New Glarus, WI 53574
(608) 527-5915

JOB NO. 02123
POINTS 93056
DRWG. 02123
CHECKED [Signature]
DRAWN BY MST

SHEET 2 OF 2

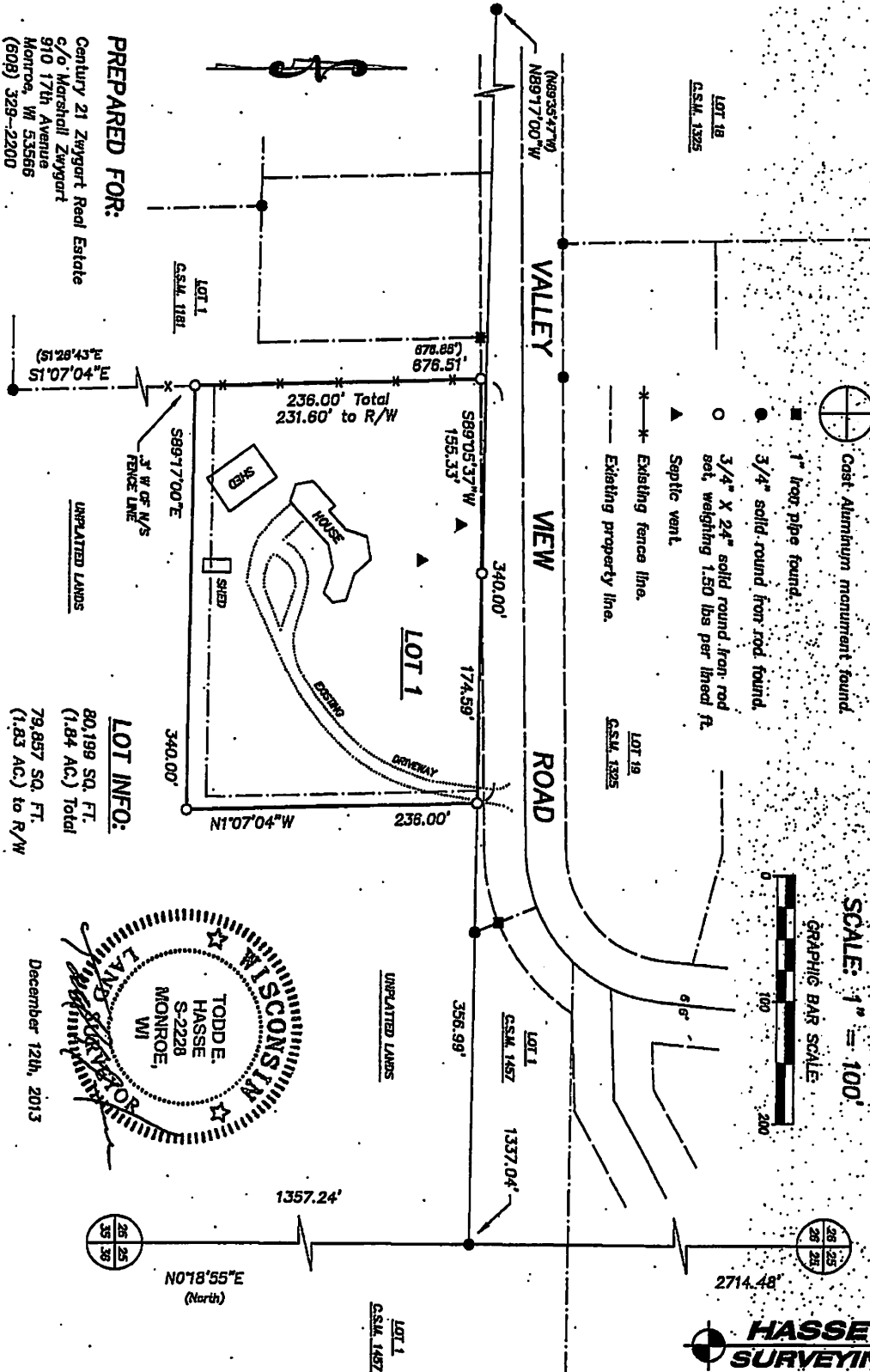
TALARCYK & ASSOC., INC.
W5105 KUBLY ROAD
P.O. BOX 235
NEW GLARUS, WI 53574
PHONE 608/527-5218
FAX 608/527-5357

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556446

CERTIFIED SURVEY MAP No. 4767

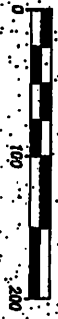
PREPARED FOR:
Century 21 Zwygart Real Estate
c/o Marshall Zwygart
910 17th Avenue
Monroe, WI 53566
(608) 329-2200



LEGEND:

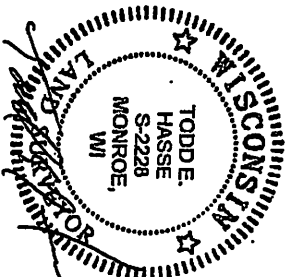
- ⊕ Cost Aluminum monument found
- ⊠ 1" iron pipe found
- 3/4" solid round iron rod found
- 3/4" X 24" solid round iron rod set, weighing 1.50 lbs per lineal ft.
- ▲ Septic vent
- Existing fence line
- Existing property line

SCALE: 1" = 100'



VOL. 21 PAGE 37

LOT INFO:
80,199 SQ. FT.
(1.84 AC.) Total
79,957 SQ. FT.
(1.83 AC.) to R/W



December 12th, 2013

HASSE SURVEYING

W5320 ILIFF ROAD
MONROE, WI 53566
(608) 325-5321 PHONE
(608) 329-5321 FAX


CERTIFIED SURVEY MAP No. 4767

That part of the SE 1/4 of the SE 1/4 of Section 26, Township 4 North, Range 7 East, Town of New Glarus, Green County, Wisconsin, bounded and described as follows:

Commencing at the SE corner of Section 26; thence N0°18'55"E along the East line of the SE 1/4 of Section 26, 1357.24'; thence N89°17'00"W along the North line of the SE 1/4 of the SE 1/4 of Section 26, 356.99' to the point of beginning; thence N89°17'00"W along said North line, 340.00'; thence S1°07'04"E, 238.00'; thence S89°17'00"E, 340.00'; thence N1°07'04"W, 238.00' to the point of beginning; subject to a public road right-of-way as shown and to any and all easements of record.

I, Todd E. Hasse, Registered Land Surveyor, S-2228, hereby certify that I have made this Certified Survey Map under the direction of Marshall Zwygart and that this Survey is in compliance with Chapter 236.34 of the Wisconsin Statutes and that I have surveyed, monumented and mapped the lands described hereon and that this map is a correct representation thereof in accordance with the information provided.

December 12th, 2013


Todd E. Hasse R.L.S. - 2228

REGISTER OF DEEDS CERTIFICATE: Received for record this 13 day of December, 2013 at 12:10 o'clock P.M.

and recorded in Volume 21 of Certified Survey Maps of Green County on Page 37+38

By: 
Cynthia A. Meudt Register of Deeds

NOTES:

1. Bearings and distances shown in parenthesis, indicates recorded as data.
2. The existing boundary & section line work for this Certified Survey Map are based off of previous work as performed by Surveyor Richard Talarzyk, as shown on several surveys performed by him in this area.
3. Bearings are referenced to the East line of the SE 1/4 of Section 26, which bears N0°18'55"E, according to the Green County Coordinate System, as defined by the Wisconsin Department of Transportation and determined by GPS observation, 2007 Adjustment.
4. Per Section 110-6 B (3) of the Town of New Glarus Land Division and Subdivision Ordinances, this Certified Survey Map does not require the approval of the Town of New Glarus, as this Certified Survey Map was prepared for the exchange of land between adjoining land owners.
5. Per Section 4-5-2-1 B (3) of the Green County Zoning, Sanitation & Subdivision Ordinances, this Certified Survey Map does not require the approval of the Green County Zoning Department, as this Certified Survey Map was prepared for the exchange of land between adjoining land owners.

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556446



STATE BAR OF WISCONSIN FORM 3 - 1982
QUIT CLAIM DEED

DOCUMENT # 410523

DOCUMENT NO.

Recorded
NOV. 22, 2000 AT 08:00AM

MARILYN NEUENSCHANDER
REGISTER OF DEEDS
GREEN COUNTY, WISCONSIN
Fee Amount: \$12.00
Fee Exempt 77.25-(6M)

ROBERT G. AULIK and MARY L. AULIK, individually
and as husband and wife,
quit-claims to ROBERT G. AULIK and MARY L. AULIK, husband
and wife, as survivorship marital property,

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the following described real estate in Green County,
State of Wisconsin:

THIS SPACE RESERVED FOR RECORDING DATA

NAME AND RETURN ADDRESS

KNOKE & INGEBRITSEN

See Exhibit A attached hereto and incorporated
herein as though fully set forth.

23-24-203.0000
PARCEL IDENTIFICATION NUMBER

CODE
W-1
EXCLUSION

This is homestead property.
(is) (is not)

Dated this 17th day of November, A.D., 192000

Robert G. Aulik (SEAL)
* Robert G. Aulik

(SEAL)

Mary L. Aulik (SEAL)
* Mary L. Aulik

(SEAL)

AUTHENTICATION

ACKNOWLEDGMENT

Signature(s) Robert G. Aulik and Mary L. Aulik

authenticated this 17th day of November, 192000
* Gregory E. Knoke
TITLE: MEMBER STATE BAR OF WISCONSIN
(#nat. State Bar No. 01013426
~~authorized by 8706.06, Wis. Stats.~~)

State of Wisconsin, }
County, } ss.
Personally came before me this _____ day of
_____, 19____, the above named

THIS INSTRUMENT WAS DRAFTED BY
ATTY. GREGORY E. KNOKE
Monroe, WI 53566
(Signatures may be authenticated or acknowledged. Both are not
necessary.)

to me known to be the person _____ who executed the foregoing
instrument and acknowledge the same.

Notary Public, _____ County, Wis.
My commission is permanent. (If not, state expiration date:
_____, 19____.)

* Names of persons signing in any capacity should be typed or printed below their signatures.

Exhibit A

Grantor: Robert G. Aulik and Mary L. Aulik, individually and as husband and wife

Grantee: Robert G. Aulik and Mary L. Aulik, husband and wife as survivorship marital property

PARCEL 1

A parcel of land situated in the Township of New Glarus, County of Green and State of Wisconsin described as follows to-wit:

Commencing at the Northeast (NE) corner of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of Section 26, Town 4 North, Range 7 East;
Thence West along 1/8 line of distance of 363 feet to point of beginning;
Thence South 0° 10' East a distance of 660 feet to iron stake;
Thence West 330 feet to iron stake;
Thence North 0° 10' West a distance of 660 feet to point in center of road and 1/8 line;
Thence East along center of road and 1/8 line a distance of 330 feet to point of beginning containing an area of 5 acres more or less and being a part of the North half (N 1/2) of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of Section 26, Town 4 North, Range 7 East.

PARCEL 2

A parcel of land situated in the Township of New Glarus, County of Green and State of Wisconsin described as follows to-wit:

Commencing at the Northeast (NE) corner of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of Section Twenty-six (26), Town 4 North, Range 7 East;
Thence West along 1/8 line a distance of 363 feet;
Thence South 0° 10' East a distance of 660 feet to iron stake;
Thence East 363 feet to Section line;
Thence North along Section line 660 feet to the point of beginning, containing an area of five and five-tenths (5.5) acres, more or less.

PARCEL 3

A parcel of land situated in the Township of New Glarus, County of Green and State of Wisconsin described as follows to-wit:

The South Half (S ½) of the Southeast Quarter (SE ¼) of the Southeast Quarter (SE ¼) of Section 26, Town 4 North, Range 7 East. Subject to easements and highway conveyances and easements of record.

TAX PARCEL NO.: 23-24-203.0000

NOTICE

WHEREAS, the Town of New Glarus

in Green County, Wisconsin, hereby gives notice that the following parcels of real property contain no further land divisions for development according to current Town Land Division and Subdivision Ordinance. The land is described as follows:

Recording area

Name and return address:

PARCEL IDENTIFICATION NUMBER(S)

This Notice provides information regarding the status of the described property for land divisions for non-farm development under Town policies in effect as of the filing date of this document, and does not restrict the use of the property for any permitted uses. Please be advised that petition to and action by this municipality is necessary to allow any further land divisions for non-farm redevelopment of the land parcel(s) here described.

Signature of Town official

Date

Name printed

Title

STATE OF WISCONSIN, County of Green

This document was drafted by:
(print or type name below)

Subscribed and sworn to before me on _____ by the above named person(s).

Signature of notary or other person
authorized to administer an oath _____
(as per s. 706.06, 706.07)

Print or type name: _____

Title _____ Date commission expires: _____

*Names of persons signing in any capacity must be typed or printed below their signature.

Clerk Treasurer

From: Robert Sommers <rsommers@greencountywi.org>
Sent: Thursday, August 17, 2023 11:22 AM
To: Clerk Treasurer
Subject: Re: I need some historic guidance, please
Attachments: Green7291937_4-285_1937_7x9.jpg

Well, if I recall, MFL orders usually list parcel number and quarter quarter and include a map, but they maybe don't list actual legals.

The legals for PARCEL 1 and PARCEL 2 probably have a history preceding the year 2000 QCD. That's a guess. Now whether they had been under separate owners or not (at one point), don't know, but probably. The 3 parcels appear to be close to 30.5 acres, consistent with the roll. One is called 5, one is called 5.5, and one is called the S2 SE4 SE4, commonly considered 20.

PARCELS 1-3 are former 23024 0203.0000, one tax parcel. It would seem from what I understand, you might consider this at minimum 2 lots today, because we have evidence of PARCEL 3 being conveyed separately and prior to the ordinance. But that's outside my territory of course.

In 1937, the roads don't seem to cross through here:



The Green County Treasurer's Office assumes no responsibility for any improper or incorrect use of information received from this office. The accuracy of the information and resources provided by this office are not warranted nor guaranteed, nor intended to substitute for professional legal advice. All warranties of any kind, expressed or implied, including but not limited to implied warranties for a particular purpose, are disclaimed. Assessing the accuracy and reliability of the information provided is the responsibility of the user.

On Thu, Aug 17, 2023 at 10:37 AM Clerk Treasurer <clerk@townofnewglaruswi.gov> wrote:

Rob,

Sorry to be such a pest, but the highway may have passed through this location before it was realigned to the west (it bisected the woods when it did). Could it be that parcels were created as a consequence of the State or County vacating/abandoning/discontinuing a road ROW? I promise to not email again in the next 5 minutes.

John

John Wright

Town of New Glarus Clerk-Treasurer

(608) 527-2390

From: Robert Sommers <rsommers@greencountywi.org>

Sent: Thursday, August 17, 2023 10:25 AM

To: Clerk Treasurer <clerk@townofnewglaruswi.gov>

Subject: Re: I need some historic guidance, please

Hi John,

This might be a little more challenging than imagined. Really would take a little title search.

I do see a history that predates the ordinance for which "PARCEL 3" was conveyed.

1967 V209-P600 221995

1967 V209-P601 221996

1971 V248-P206 236005

1999 V623-P386 399576

2000 V652-P302 410523

But I don't have anything indexed or readily accessible regarding "PARCEL 1" and "PARCEL 2".

I searched the Register of Deeds system for "AULIK ROBERT", "AULIK JANET", and "AULIK MARY". I also looked at the tax rolls 1984, 1995, 1996, and 1997. Unfortunately no volume-page was listed.

Rob

The Green County Treasurer's Office assumes no responsibility for any improper or incorrect use of information received from this office. The accuracy of the information and resources provided by this office are not warranted nor guaranteed, nor intended to substitute for professional legal advice. All warranties of any kind, expressed or implied, including but not limited to implied warranties for a particular purpose, are disclaimed. Assessing the accuracy and reliability of the information provided is the responsibility of the user.

On Wed, Aug 16, 2023 at 1:55 PM Clerk Treasurer <clerk@townofnewglaruswi.gov> wrote:

Rob,

We received a building permit application earlier this year for a parcel with a CSM number I knew post-dated our Land Division and Subdivision ordinance adopted on October 13, 1997.

After I researched this a bit further, I contacted Todd Hasse who created the neighbor exchange by means of the attached CSM 4767. The original parcel, 23024 203.000 contained 30.500 acres according to our 1997 assessment roll. The legal description at that time was E 30.5A SE4 SE4 30.5.

In 2000, Robert and Mary Aulik recorded the attached QCD to place the property into a survivorship trust.

That document describes three parcels, not lots, not tax parcels, each with a metes and bounds description.

My question, then, is whether there were a total of three separate parcels at our date of ordinance in 1997 which were considered as one parcel with a simplified legal description since it was under common ownership and mostly enrolled in Managed Forest Law. If so, it is not consistent with how other properties were treated at this time and complicates how our land division code applies or does not apply.

Many thanks in advance for whatever you may be able to discover.

If these parcel descriptions were wishful thinking, I will need to file an affidavit to make the current owner of <https://ascent.greencountywi.org/LandRecords/PropertyListing/RealEstateTaxParcel#/Details/27718> aware that the property has no remaining residential development potential which was conveyed to the current owner of <https://ascent.greencountywi.org/LandRecords/PropertyListing/RealEstateTaxParcel#/Details/27719>.

John

John Wright

Town of New Glarus Clerk-Treasurer

(608) 527-2390