



## VILLAGE BOARD AGENDA

Monday, January 5, 2026 at 5:00pm  
Rick J. Hermus Council Chambers  
515 W. Kimberly Ave.  
Kimberly, WI 54136

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1. Call to Order
2. Roll Call
3. Moment of Silent Reflection, Pledge of Allegiance
4. President's Remarks
5. Approval of December 22, 2025 Meeting Minutes
6. Unfinished Business for Consideration or Action
  - a. None
7. New Business for Consideration or Action
  - a. Certificate for Payment #1 to Great Lakes TV Seal, Inc. in the amount of \$64,558.68 for the 2025 Sanitary Sewer Cleaning & Televising work
  - b. Investment of Village Funds- TIF Money Market Account
  - c. WE Energies Underground Distribution Easement at 426 W. Kimberly Ave.
8. Public Participation
9. Adjournment

### Village Board Virtual Meeting Information

January 5, 2026 at 5:00pm

Please join my meeting from your computer, tablet or smartphone.

<https://meet.goto.com/970339957>

You can also dial in using your phone.

Access Code: 970-339-957

United States (Toll Free): [1 877 309 2073](tel:18773092073)

United States: [+1 \(646\) 749-3129](tel:+16467493129)

Any person wishing to attend the meeting who because of their disability is unable to attend, is requested to contact the ADA Coordinator at 920-788-7500 at least 48 hours prior to the meeting so that reasonable accommodation may be made.

**VILLAGE OF KIMBERLY  
BOARD MEETING MINUTES  
12/22/2025**

A meeting of the Kimberly Village Board was called to order on Monday, December 22, 2025 at 5:00pm in the Rick J. Hermus Council Chambers, 515 W. Kimberly Ave by President Kuen.

Board Present: President Chuck Kuen, Trustees Tom Gaffney, Dave Hietpas, Mike Hruzek, Norb Karner, Lee Hammen, and Marcia Trentlage  
Board Excused: None  
Staff Present: Clerk-Treasurer Jennifer Weyenberg, Administrator/Director of Public Works Danielle Block, and Community Development Director Sam Schroeder  
Others Present: Judy Hebbe of the Times Villager

**President's Remarks**

None

**Introduction of Outagamie County Sheriff Department Deputies Ludwig and Svitak**

Deputies Brandon Ludwig and Joseph "Kole" Svitak introduced themselves and are looking forward to getting to know the community.

**Approval of Minutes from the 12-15-2025 Meeting**

Trustee Trentlage moved, Trustee Hammen seconded the motion to approve. Motion carried by unanimous vote of the board.

**Unfinished Business**

None

**New Business**

**Appoint Gidget Peerenboom as Agent, Peerenbooms Bar LLC**

Trustee Karner moved, Trustee Hammen seconded the motion to approve. This request is because they are changing their legal status from a sole proprietorship to an LLC, which requires an agent. Motion carried by unanimous vote of the board.

**Site & Architectural Review Amendment – Rebman Plumbing located at 700 W Kimberly Avenue**

Trustee Hammen moved, Trustee Gaffney seconded the motion to approve the amended site & architectural review as currently being constructed. Motion carried by unanimous vote of the board.

**Preliminary Plat Review- The Blues (Replat of the Condominium Plat- The Blues at the Trails)**

President Kuen moved, Trustee Hietpas seconded the motion to table the Preliminary Plat Review until the January 19<sup>th</sup> Village Board meeting. Motion carried by unanimous vote of the board.

**2026 Comprehensive Plan- Consultant Selection Recommendation**

Trustee Hammen moved, Trustee Trentlage seconded the motion to approve the 2026 Comprehensive Plan with Ayres Associates as the selected consultant with a total cost of \$49,595.00. The funding sources are identified as: \$25,000 from Data Processing Trust Fund, \$10,000 from Sanitary Sewer Utility, \$10,000 from Storm Water Utility and \$5,000 from TIF \$6 Project Fund. Motion carried by a roll call vote of the board, 7-0.

**Public Participation**

None

**Closed Session**

Trustee Karner moved, Trustee Hammen seconded the motion to enter closed session pursuant to State Statute 19.85(1)(e) to conduct specific public business in which competitive or bargaining reasons required a closed session related to police service. Motion carried by unanimous vote of the board at 5:14pm.

Trustee Hammen moved, Trustee Karner seconded the motion to reconvene into open session. Motion carried by unanimous vote of the board at 5:36pm.

**Action on Closed Session matters**

**Memorandum of Understanding Between the Village of Little Chute and the Village of Kimberly, Outagamie County, Wisconsin, for Cost-Sharing of Enhanced County Law Enforcement Services**

Trustee Hietpas moved, Trustee Karner seconded the motion to approve a Memorandum of Understanding between the Village of Little Chute and the Village of Kimberly, Outagamie County, WI, for cost-sharing of enhanced county law enforcement services contingent upon counsel for both Villages reviewing and approving modified language within section 4.a.iii related to budget adjustment. Motion carried by unanimous vote of the board.

**Adjournment**

Trustee Hammen moved, Trustee Gaffney seconded the motion to adjourn. Motion carried by unanimous vote of the board at 5:37pm.

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Jennifer Weyenberg  
Village Clerk-Treasurer

Dated 12/23/25  
Drafted by: ELZ  
Approved by Village Board: \_\_\_\_\_



December 29, 2025

Village of Kimberly  
Attn: Jennifer Weyenberg, Clerk-Treasurer  
Email: [jweyenberger@vokimberlywi.gov](mailto:jweyenberger@vokimberlywi.gov)

Re: Village of Kimberly  
2025 Sanitary Sewer Cleaning & Televising  
Area 4 / Area 5  
Certificate for Payment #1  
McM. No. K0001-09-25-00151

Dear Jennifer:

Enclosed herewith is Certificate for Payment #1 for the above referenced project. This Certificate is issued to Great Lakes TV Seal, Inc. in the amount of \$64,558.68 for partial payment for work performed through December 20, 2025.

Please process the enclosed, and forward payment to Great Lakes TV Seal, Inc. Should you have any questions, please contact our office at your convenience.

Respectfully,

McMahon Associates, Inc.

A handwritten signature in black ink that reads "Brad Werner". The signature is fluid and cursive.

Brad D. Werner, P.E.  
Vice President / Sr Municipal Engineer

BDW:car

cc: Great Lakes TV Seal, Inc.

Enclosure: Certificate for Payment #1

# McMAHON

ENGINEERS ARCHITECTS

McMAHON ASSOCIATES, INC.

1445 McMAHON DRIVE PO BOX 1025  
NEENAH, WI 54956 NEENAH, WI 54957-1025

TELEPHONE: 920.751.4200  
FAX: 920.751.4284

## CERTIFICATE FOR PAYMENT

VILLAGE OF KIMBERLY  
515 W. Kimberly Avenue  
Kimberly, WI 54136

Contract No. K0001-09-25-00151  
Project File No. K0001-09-25-00151  
Certificate No. One (1)  
Issue Date: December 29, 2025  
Project: 2025 Sanitary Sewer Cleaning & Televising | Area 4 / Area 5

This Is To Certify That, In Accordance With The Contract Documents Dated: March 6, 2025

GREAT LAKES TV SEAL, INC.  
3600 Kewaunee Road  
Green Bay, WI 54311

Is Entitled To Partial Payment For Work Performed Through: December 20, 2025

- Contractor's Application for Payment Attached
- Itemized Cost Breakdown Attached

Original Contract	<u>\$56,489.34</u>	Completed To Date	<u>\$65,058.68</u>
Net Change Orders	<u>\$0.00</u>	Retainage	<u>\$500.00</u>
Current Contract Amount	<u>\$56,489.34</u>	Subtotal	<u>\$64,558.68</u>
		Previously Certified	<u>\$0.00</u>

**Amount Due This Payment: \$64,558.68**

Please process and forward payment to Great Lakes TV Seal, Inc.

Certified By:  
**McMAHON ASSOCIATES, INC.**  
**Neenah, Wisconsin**

  
\_\_\_\_\_  
Brad D. Werner, P.E.  
Vice President / Sr Municipal Engineer

**CERTIFICATE FOR PAYMENT**

VILLAGE OF KIMBERLY  
 2025 Sanitary Sewer Cleaning & Televising | Area 4 / Area 5  
 McM. No. K0001-09-25-00151

Engineer: McMAHON ASSOCIATES, INC.  
 1445 McMahan Drive  
 PO Box 1025  
 Neenah, WI 54956 / 54957-1025

GREAT LAKES TV SEAL, INC.  
 3600 Kewaunee Road  
 Green Bay, WI 54311

**AREA 4 & AREA 5**

Item	Description	Qty	Unit
1.	8 Inch Sanitary Clean and Televis	33,568	L.F.
2.	10 Inch Sanitary Clean and Televis	5,366	L.F.
3.	12 Inch Clean and Televis	1,659	L.F.
4.	15 Inch Sanitary Clean and Televis	9,797	L.F.
5.	Sanitary Manhole Inspection/Report	194	Ea.
Extra	Watco Application Fee		L.S.

**SUB-TOTAL (Bid Items 1. through 5., Inclusive)**

BID QUANTITIES		CERT-PAYMENT 01		COMPLETED TO DATE	
Unit Price	Total	Qty	Total	Qty	Total
\$0.93	\$31,218.24	33,651.40	\$31,295.80	33,651.40	\$31,295.80
\$0.93	\$4,990.38	5,360.50	\$4,985.27	5,360.50	\$4,985.27
\$0.93	\$1,542.87	1,667.40	\$1,550.68	1,667.40	\$1,550.68
\$0.93	\$9,111.21	6,867.40	\$6,386.68	6,867.40	\$6,386.68
\$24.00	\$4,656.00	186.00	\$4,464.00	186.00	\$4,464.00
\$1,250.00	\$0.00	1.00	\$1,250.00	1.00	\$1,250.00
<b>\$51,518.70</b>		<b>\$49,932.43</b>		<b>\$49,932.43</b>	

**NORTH ROGER STREET & CURTAIN STREET BACKYARD**

Item	Description	Qty	Unit
6.	8 Inch Sanitary Clean and Televis	2248	L.F.

BID QUANTITIES		CERT-PAYMENT 01		COMPLETED TO DATE	
Unit Price	Total	Qty	Total	Qty	Total
\$0.93	\$2,090.64	2,276.20	\$2,116.87	2,276.20	\$2,116.87

**SCHINDLER DRIVE & FULCER STREET (Roger Street to Schindler Drive)**

Item	Description	Qty	Unit
7.	Lateral Televising	30	Ea.

**TOTAL (Bid Items 1. through 7., Inclusive)**

BID QUANTITIES		CERT-PAYMENT 01		COMPLETED TO DATE	
Unit Price	Total	Qty	Total	Qty	Total
\$96.00	\$2,880.00	30.00	\$2,880.00	30.00	\$2,880.00
<b>\$56,489.34</b>		<b>\$54,929.30</b>		<b>\$54,929.30</b>	

**EXTRA | STOM SEWER TELEVISING ON HIGHVIEW, KENNEDY, DOERFLER & VAN ELZEN**

Item	Description	Qty	Unit
E1	Televise Main Line Storm Sewer		Ft.
E2	Inspection of Catch Basin Leads and Sections 50' In Length or Less		Ft.

**SUB-TOTAL**

BID QUANTITIES		CERT-PAYMENT 01		COMPLETED TO DATE	
Unit Price	Total	Qty	Total	Qty	Total
\$0.47	\$0.00	4,401.40	\$2,068.66	4,401.40	\$2,068.66
\$3.25	\$0.00	590.20	\$1,918.15	590.20	\$1,918.15
<b>\$0.00</b>		<b>\$3,986.81</b>		<b>\$3,986.81</b>	

**EXTRA | TELEVISE MAIN & LATERALS IN WALNUT/PINE ALLEY**

Item	Description	Qty	Unit
E3	Lateral Televising		Ea.
E4	Televising Main for Distance From Lateral to Manhole		Ea.

**SUB-TOTAL**

BID QUANTITIES		CERT-PAYMENT 01		COMPLETED TO DATE	
Unit Price	Total	Qty	Total	Qty	Total
\$96.00	\$0.00	56.00	\$5,376.00	56.00	\$5,376.00
\$0.47	\$0.00	1,631.00	\$766.57	1,631.00	\$766.57
<b>\$0.00</b>		<b>\$6,142.57</b>		<b>\$6,142.57</b>	

**TOTAL**

<b>\$56,489.34</b>		<b>\$65,058.68</b>		<b>\$65,058.68</b>	
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Completed to Date:	\$65,058.68	\$65,058.68
Retainage:	\$500.00	\$500.00
Subtotal:	\$64,558.68	\$64,558.68
Previous Application:	\$0.00	\$0.00
<b>Amount Due This Application:</b>		<b>\$64,558.68</b>



McMahon Associates, Inc.  
 1445 McMahon Drive P.O. Box 1025  
 Neenah, WI 54956 Neenah, WI 54957-1025  
 Telephone: (920)751-4200  
 FAX: (920)751-4284

## APPLICATION FOR PAYMENT

(Owner)  
 Village of Kimberly  
 515 W Kimberly Ave  
 Kimberly, WI 54316

PROJECT: 2025 Sanitary Sewer Inspection (Area 4 and 5)  
 CONTRACTOR Great Lakes TV Seal, Inc  
 Contract No. K0001-09-25-00151  
 Project No. \_\_\_\_\_  
 Application No. ONE  
 Application Date 12/20/25  
 Period From 5/12/25 To 12/20/25

Application Is Made For Payment In Connection With The Above Contract.

The following documents are attached:

- Schedule Of Values
- Schedule Of Unit Prices
- Inventory Of Stored Materials

The Present Status Of The Account For This Contract Is As Follows:

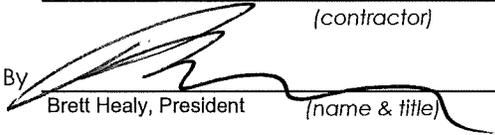
Original Contract	<u>\$ 56,489.34</u>	Completed To Date	<u>\$ 65,058.68</u>
Net Change Orders	<u>\$</u>	Retainage <u>0</u> %	<u>\$</u>
Current Contract Amount	<u>\$ 67,868.34</u>	Subtotal	<u>\$ 65,058.68</u>
		Previous Applications	<u>\$ 0</u>

**Amount Due This Application: \$65,058.68**

The undersigned Contractor hereby swears, under penalty of perjury, that (1 All previous progress payments received from the Owner, on account of work performed under the Contract referred to above, have been applied by the undersigned to discharge in full all obligations of the undersigned incurred in connection with work covered by prior Applications For Payment under said Contract, being Applications For Payment numbered 1 through \_\_\_\_\_ inclusive; and 2) All materials and equipment incorporated in said project or otherwise listed in or covered by this Application For Payment are free and clear of all liens, claims, security interests and encumbrances.

Dated December 22, 20 25

Great Lakes TV Seal, Inc

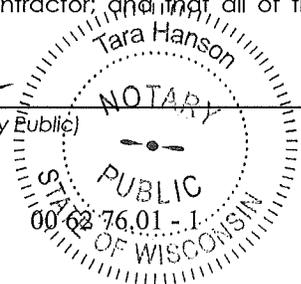
(contractor)  
 By   
 Brett Healy, President (name & title)

COUNTY OF \_\_\_\_\_ } ss  
 STATE OF \_\_\_\_\_ }  
 Before me on this 22nd day of December 20 25 personally appeared \_\_\_\_\_  
Brett Healy known to me, who being duly sworn, did depose and say that he/she is the \_\_\_\_\_  
President of the Contractor above mentioned; that he/she  
 (title)

executed the above Application For Payment and statement on behalf of said Contractor; and that all of the statements contained therein are true, correct and complete.

My Commission Expires: 02/25/2027

  
 (Notary Public)



**GREAT LAKES TV SEAL, INC.**

**FOR: VILLAGE OF KIMBERLY / 2025 SANITARY SEWER CLEANING AND INSPECTION: AREA 4 / AREA 5**

**CONTRACT NO: K0001-09-25-0051**

**GLTVS JOB NO: 25223**

**APPLICATION NUMBER: APPLICATION NUMBER ONE**

**APPLICATION DATE: 12/18/25**

**AREA 4 AND AREA 5**

A				B	C	D	E	F
BID ITEM NO.	DESCRIPTION	BID QTY	UNIT PRICE	BID VALUE	ESTIMATED QTY	COMPLETED VALUE	ESTIMATED INCOMPLETE QTY	INCOMPLETE VALUE
					INSTALLED			
1	8" SANITARY CLEAN AND TELEWISE	33568.00 ft	\$0.93 /ft	\$31,218.24	33651.40 ft	\$ 31,295.80	0	
2	10" SANITARY CLEAN AND TELEWISE	5366.00 ft	\$0.93 /ft	\$4,990.00	5360.50 ft	\$ 4,985.27	0	
3	12" SANITARY CLEAN AND TELEWISE	1659.00 ft	\$0.93 /ft	\$1,542.87	1667.40 ft	\$ 1,550.68	0	
4	15" SANITARY CLEAN AND TELEWISE	9797.00 ft	\$0.93 /ft	\$9,111.21	6867.40 ft	\$ 6,386.68	2929.6 ft	\$ 2,724.53
5	SANITARY MANHOLE INSPECTION / REPORT	194.00 ea	\$24.00 /ea	\$4,656.00	186.00 ea	\$ 4,464.00	8 ea	\$192.00
EXTRA	WATCO APPLICATION FEE (SEE ATTACHMENT)		\$1,250.00	\$1,250.00		\$ 1,250.00		
EXTRA	WATCO PERMIT							UNDETERMINED
<b>NORTH ROGER STREET AND CURTAIN STREET BACKYARD</b>								
6	8" SANITARY CLEAN AND TELEWISE	2248.00 ft	\$0.93 /ft	\$2,090.64	2276.20 ft	\$ 2,116.87	0	
<b>SCHINDLER DRIVE AND FULCER STREET (ROGER ST TO SCHINDLER DDR)</b>								
7	LATERAL TELEVISION	30.00 ea	\$96.00 /ea	\$2,880.00	30.00 ea	\$ 2,880.00	0	
<b>STORM SEWER TELEVISION ON HIGHVIEW, KENNEDY, DOERFLER AND VAN ELZEN</b>								
ADD-ON	TELWISE MAIN LINE STORM SEWER	4401.40 ft	\$0.47 /ft	\$2,068.66	4401.40 ft	\$ 2,068.66	0	
ADD-ON	INSPECTION OF CATCH BASIN LEADS AND SECTIONS	590.20 ea	\$3.25 /ft	\$1,918.15	590.20 ft	\$ 1,918.15	0	
	50' IN LENGTH OR LESS							
<b>TELEWISE MAIN AND LATERALS IN WALNUT/PINE ALLEY</b>								
ADD-ON	LATERAL TELEVISION	56.00 ea	\$96.00 /ea	\$5,376.00	56.00 ea	\$ 5,376.00	0	
ADD-ON	TELEWISE MAIN FOR DISTANCE FRO LATERAL TO MH	1631.00 ft	\$0.47 /ea	\$766.57	1631.00 ft	\$ 766.57		
<b>TERRA BLUE CT STORM SEWER TELEVISION</b>								
			INVOICE # 23788					
			\$973 PAID IN FULL					
			<b>TOTAL:</b>	<b>\$67,868.34</b>		<b>\$ 65,058.68</b>	<b>0</b>	<b>\$ 2,916.53</b>

+ REMAINING WATCO



Fox Valley & Lake Superior Rail System, L.L.C.  
 315 W, 3rd St.  
 Pittsburg, KS 66762-4706

NOV 5 2025

Date Received 11/5/25  
 Approved by Brett  
 Purpose for job # 25223  
 Due Date 11/5/25  
 Discount \_\_\_\_\_ Vendor # FOX003  
 Date Entered 11/5/25

GL Account 6200 Amount 1250.00

GREAT LAKES TV-SEAL, INC.  
 3600 Kewaunee Road  
 Green Bay WI 54311  
 Date Paid 11/12/25 Check # 22867

Invoice	
<b>Date</b>	November 4, 2025
<b>Invoice Number</b>	5250000847
<b>Customer</b>	4187925
<b>Payment Terms</b>	Due Upon Receipt
<b>Contract Number</b>	170083
<b>Legacy Number</b>	WRE-2025-641
Include Invoice Number with Payment	

Contract FOXY/170083 ROE - Sewer Cleaning & Televising, Kimberly, WI, MP: 115.24

Due on	Item	Rental Object (RO) Description	Net Amount	Tax	Amount
Nov 4, 2025	11/04/2025-11/04/2025-Application Fee		1,250	0	1,250.00
Invoice amount (gross)					1,250.00

Please remit the amount of USD 1,250.00 to the account listed below. Billing inquiries should be directed to [propertybilling@watco.com](mailto:propertybilling@watco.com). Disputes need to be sent with all supporting documentation within 10 days of the receiving the invoice. Failure to do so will convey acceptance of these charges.

**ACH or EFT payments to:**

BMO Harris Bank  
 ABA# 071000288  
 ACCOUNT# 1430137371  
 ACCT NAME: Watco Companies, L.L.C.

**Check payments to:**

Fox Valley & Lake Superior Rail System, L.L.C.  
 39575 Treasury Center  
 Chicago, IL 60694-9500

NOTICE: Disputes or exceptions to any charges on this invoice need to be sent to the email: [propertybilling@watco.com](mailto:propertybilling@watco.com) with all supporting documentation within 10 days of invoice date. Failure to do so will convey acceptance of these charges.



## Village of Kimberly REQUEST FOR BOARD CONSIDERATION

<b>ITEM DESCRIPTION:</b> Investment of Village Funds – TIF Money Market
<b>REPORT PREPARED BY:</b> Danielle Block, Administrator/DPW Jennifer Weyenberg, Clerk-Treasurer
<b>REPORT DATE:</b> January 5, 2026
<b>ADMINISTRATOR'S REVIEW / COMMENTS:</b>  No additional comments to this report <u>DLB</u>  See additional comments attached _____
<b>EXPLANATION:</b> The Administrator and Clerk-Treasurer request Village Board approval to transfer the investment of Village Tax Incremental Finance (TIF) Money Market Funds, in the amount of \$8,065,002.41 (as of 11/30/2025) or final 2025 year-end balance from Capital Credit Union to American Deposit Management (ADM).  The transfer of funds will yield greater investment potential and allows for segregated accounting of each district. This authorization would approve staff to coordinate with Baird and American Deposit Management to complete the transfer and investment of TIF funds. Through the management of the Municipal Services Bond proceeds, staff has had a positive experience with ADM and would like to continue utilizing the investment option.
<b>RECOMMENDED ACTION:</b> Approve staff to work with Baird and American Deposit Management on the transfer of TIF Money Market Funds from Capital Credit Union to American Deposit Management.

## TIF Financial Statements for November 2025

### Capital Credit Union

FUND	BALANCE as of 10/31/2025		PLUS DEPOSITS Deposits		LESS DISBURSEMENTS Withdrawals		BALANCE as of 11/30/2025		DEPOSIT & DISBURSEMENT DESCRIPTIONS
	PMA INV	CCU MM	PMA INV	CCU MM	PMA INV	CCU MM	PMA INV	CCU MM	
<b>310.1111</b>									
TIF #4 Sinking	N/A	\$21,922.68	N/A	\$44.51	N/A		N/A	\$21,967.19	
<b>\$21,967.19</b>									
<b>310.1185</b>									
TIF #5 Sinking	N/A	\$269,356.77	N/A	\$546.83	N/A		N/A	\$269,903.60	
<b>\$269,903.60</b>									
<b>701.1395</b>									
TIF #5 Project	N/A	\$4,784.25	N/A	\$9.71	N/A		N/A	\$4,793.96	
<b>\$4,793.96</b>									
<b>310.1197</b>									
TIF #6 Sinking	\$ -	\$6,411,393.57	\$0.00	\$13,016.02	\$0.00		\$0.00	\$6,424,409.59	
<b>\$6,424,409.59</b>									
<b>702.1116</b>									
TIF #6 Project	\$ 0.00	\$1,341,200.25	\$0.00	\$2,722.82	\$0.00		\$0.00	\$1,343,923.07	
<b>\$1,343,923.07</b>									
CCU Interest	\$0.00	\$8,048,657.52		\$16,339.89			\$0.00	\$8,064,997.41	\$8,064,997.41
	2.470%	\$ 16,339.89						\$8,065,002.41	



**DISTRIBUTION EASEMENT  
UNDERGROUND**

Document Number

WR NO. **5090478** IO NO. **7786**

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **Village of Kimberly**, hereinafter referred to as "Grantor", owner of land, hereby grants and warrants to **WISCONSIN ELECTRIC POWER COMPANY, a Wisconsin corporation doing business as We Energies**, hereinafter referred to as "Grantee", a permanent easement upon, within, beneath, over and across a part of Grantor's land hereinafter referred to as "easement area".

The easement area is described as a strip of land **Eight (8) Feet in Width** being a part of Grantor's land described as part of **Government Lot (6)**, Village of Kimberly, Outagamie County, Wisconsin, according to the recorded **Assessor Map** of said Village, recorded on **July 7, 1924**; and being a part of the **Northwest 1/4 of Section Twenty-seven (27), Township Twenty-one (21) North, Range Eighteen (18) East**, Outagamie County, Wisconsin.

The location of the easement area with respect to Grantor's land is as shown on the attached drawing, marked Exhibit "A", and made a part of this document.

RETURN TO:  
We Energies  
PROPERTY RIGHTS & INFORMATION GROUP  
231 W. MICHIGAN STREET, ROOM P277  
PO BOX 2046  
MILWAUKEE, WI 53201-2046

250094200  
(Parcel Identification Number)

- 1. Purpose:** The purpose of this easement is to construct, install, operate, maintain, repair, replace and extend underground utility facilities, conduit and cables, electric pad-mounted transformers, manhole, electric pad-mounted switch-fuse units, electric pad-mounted vacuum fault interrupter, concrete slabs, power pedestals, riser equipment, terminals and markers, together with all necessary and appurtenant equipment under and above ground as deemed necessary by Grantee, all to transmit electric energy, signals, television and telecommunication services, including the customary growth and replacement thereof. Trees, bushes, branches and roots may be trimmed or removed so as not to interfere with Grantee's use of the easement area.
- 2. Access:** Grantee or its agents shall have the right to enter and use Grantor's land with full right of ingress and egress over and across the easement area and adjacent lands of Grantor for the purpose of exercising its rights in the easement area.
- 3. Buildings or Other Structures:** Grantor agrees that no structures will be erected in the easement area or in such close proximity to Grantee's facilities as to create a violation of all applicable State of Wisconsin electric codes or any amendments thereto.
- 4. Elevation:** Grantor agrees that the elevation of the ground surface existing as of the date of the initial installation of Grantee's facilities within the easement area will not be altered by more than 4 inches without the written consent of Grantee.
- 5. Restoration:** Grantee agrees to restore or cause to have restored Grantor's land, as nearly as is reasonably possible, to the condition existing prior to such entry by Grantee or its agents. This restoration, however, does not apply to any trees, bushes, branches or roots which may interfere with Grantee's use of the easement area.
- 6. Exercise of Rights:** It is agreed that the complete exercise of the rights herein conveyed may be gradual and not fully exercised until some time in the future, and that none of the rights herein granted shall be lost by non-use.
- 7. Binding on Future Parties:** This grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.
- 8. Easement Review:** Grantor acknowledges receipt of materials which describe Grantor's rights and options in the easement negotiation process and furthermore acknowledges that Grantor has had at least 5 days to review this easement document *or* voluntarily waives the five day review period.

**Grantor:**

**Village of Kimberly**

By \_\_\_\_\_

(Print name and title): \_\_\_\_\_

By \_\_\_\_\_

(Print name and title): \_\_\_\_\_

Personally came before me in \_\_\_\_\_ County, Wisconsin on \_\_\_\_\_, \_\_\_\_\_,  
the above named \_\_\_\_\_, the \_\_\_\_\_  
and \_\_\_\_\_, the \_\_\_\_\_  
of the Village of Kimberly, for the municipal corporation, by its authority, and pursuant to Resolution File  
No. \_\_\_\_\_ adopted by its \_\_\_\_\_ on \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public Signature, State of Wisconsin

\_\_\_\_\_  
Notary Public Name (Typed or Printed)

(NOTARY STAMP/SEAL)

My commission expires \_\_\_\_\_

**SPECIAL WIRE KEY:**  
 C - CATV  
 C1 - TELEPHONE  
 C2 - TELEPHONE

Temporary Exhibit A

