



## VILLAGE PLAN COMMISSION AGENDA

Tuesday, January 20, 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. Approval of December 16, 2025, Meeting Minutes**
- 5. Public Hearing**
  - a. Planned Unit Development Amendment – The Blues at the Trail
- 6. Unfinished Business for Consideration or Action**
  - a. None
- 7. New Business for Consideration or Action**
  - a. Site & Architectural Review Amendment – Elipticon located at 424 S Washington Street
  - b. Planned Unit Development Amendment – The Blues at the Trail
  - c. Final Plat Review – The Blues at the Trail (Replat of the Condominium Plat – The Blues at the Trails)
  - d. Certified Survey Map – Lot Reconfiguration – The Roots
- 8. Adjournment**

### Plan Commission

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

<https://meet.goto.com/894788813>

You can also dial in using your phone.

Access Code: 894-788-813

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United States: [+1 \(571\) 317-3116](tel:+15713173116)

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 accommodations may be made.

**VILLAGE OF KIMBERLY  
PLAN COMMISSION MINUTES  
12/16/2025**

A meeting of the Village Kimberly Plan Commission was called to order on Tuesday, December 16, 2025, at 5:00pm in the Rick J. Hermus Council Chambers, 515 W. Kimberly Ave, by President Kuen.

Commissioners Present: President Chuck Kuen and Commissioners: Michael Robach, Norb Karner, Todd Schneider, and Nancy Bourassa  
Commissioners Excused: Commissioners Jeremy Freund and Dave Vander Velden  
Staff Present: Deputy Clerk Erica Ziegert, Administrator/Director of Public Works Danielle Block & Community Development Director Sam Schroeder

**Approval of Minutes from the 11-18-2025 Meeting**

Commissioner Karner moved, Commissioner Schneider seconded the motion to approve. Motion carried by unanimous vote.

**Public Hearing**

None

**Unfinished Business**

None

**New Business**

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

Commissioner Karner moved, Commissioner Robach seconded the motion to approve the building currently being constructed with no changes to the approved grading and drainage, the overall site plan, the landscaping, or any other conditions as originally approved and with added condition that the overhangs above the front entrances would be added. Motion carried by unanimous vote.

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

Commissioner Schneider moved, Commissioner Karner seconded the motion to approve the Preliminary Plat for the Blues at the Trail with the following conditions: 1. The public trail easement north of Tanha Lane is removed. 2. The north line of Lots 33 and 40 are moved further south to allow for additional buffering between said Lots and future development within Lot 41. 3. All Lots shall be serviced by laterals connected to public utility mains at the developer's costs. 4. Any duplicate service utility laterals shall be properly abandoned at the developer's costs. 5. Additional investigation shall be completed prior to a final plat submittal to consider necessary pedestrian accommodations. Motion carried by unanimous vote.

Doug Wells, resident at 351 Satori Trl, spoke with concerns regarding screening and landscaping between his home and businesses in the area. He also had concerns about the type of structures being built next to him and adjacent to him. He stated that he bought into the property they live in now because what was being proposed at the time was a higher end development.

**Adjournment**

Commissioner Karner moved, Commissioner Bourassa seconded the motion to adjourn. Motion carried by unanimous vote at 5:25pm.

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Erica Ziegert  
Deputy Clerk  
Dated 12/17/2025



## VILLAGE OF KIMBERLY

515 W. Kimberly Avenue

Kimberly, WI 54136

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### THE VILLAGE OF KIMBERLY NOTICE OF PUBLIC HEARING

TAKE NOTICE that the Village Board of the Village of Kimberly, Wisconsin (the "Board") will hold a public hearing on a proposed amendment to the previously approved Planned Unit Development (PUD) for The Blues at the Trail Subdivision. The Board will be considering the amendment following a public hearing on Monday, January 26, 2026, at 5:00pm or shortly thereafter. An informal hearing will be considered as well at the Village Plan Commission meeting on Tuesday, January 20, 2026, at 5:00pm or shortly thereafter. Both hearings will take place at the Kimberly Municipal Complex, 515 W Kimberly Avenue, Kimberly, Wisconsin in the Council Chambers. Persons interested in this matter will be given an opportunity to comment and ask questions about the proposed determination.

THE VILLAGE OF KIMBERLY, WISCONSIN

Published: January 7 and 14, 2026



**Village of Kimberly**  
**Request for**  
**Plan Commission Recommendation**

**ITEM DESCRIPTION:** Site & Architectural Review Amendment – Elipticon located at 4254 S Washington Street

**REPORT PREPARED BY:** Sam Schroeder, Community Development Director

**REPORT DATE:** January 20, 2026

**EXPLANATION:** In 2022, the Village of Kimberly reviewed and approved a site and architectural review for the proposed Elipticon Wood Product facility to take over portions of the former US Auto Force facility located at 424 S Washington Street. At that time, the development was presented as a single shift operation with the intention to increase hours of operation in the future. Current operations run a single shift from 4:30am to 4:30pm Monday through Friday. The intention is for a first shift to maintain four 10-hour days from 4:30am to 2:30pm with a second shift being added five days a week from 2:00pm to 10:00pm Monday through Thursday and with a Friday shift of 9:00am to 5:00pm.

Based upon the minutes, attached herein, there was discussion related to the dust collector and the concern of noise butting against residential properties. Ultimately, the Village approved the proposal with the understanding that the business would maintain compliance with ordinance requirements as it relates to the decibel limits. Furthermore, at that time it noted a sound barrier could be installed to reduce sound levels if needed.

Section 525-82 of the Zoning code notes: *"No operation or activity shall transmit any noise exceeding 85 dBA from 7:00 a.m. to 10:00 p.m. and 75 dBA from 10:00 p.m. to 7:00 a.m. beyond the property line. The following noises are exempt from the regulations:*

- A. Noises not directly under the control of the property owner.*
- B. Noises from temporary construction or maintenance activities during daylight hours.*
- C. Noises from emergency, safety or warning devices."*

To the best of staff knowledge, there have been little to no complaints as it relates to this business and operation as of recent.

Attached to this staff report includes:

- 1. Site Map
- 2. Plan Commission Minutes June 21, 2022

**RECOMMENDED ACTION:** Staff would recommend approval of the Site and Architectural Amendment for Elipticon located at 424 S Washington Street as it relates to the extension of hours, contingent upon the business maintaining compliance with ordinance requirements related to maximum decibel limits.

# Outagamie County GIS Map



1/9/2026, 10:30:55 AM

1:2,257

Tax Parcel Information  Plat Boundary Line

Boundary Lines

## Plat Boundary

## Highway Labels

## Streets

— LOCAL

Web AppBuilder for ArcGIS



**VILLAGE OF KIMBERLY**  
**Plan Commission**  
**Minutes**  
**Tuesday, June 21, 2022**

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Village Trustee Mike Hruzek called the meeting to order at 6:00 p.m. Commissioners present were Dean Schiesl, Todd Schneider, Jeremy Freund, Norb Karner, and Dave Vander Velden. Chairman Chuck Kuen was absent and excused. Also in attendance was Joe Hanson and Dan Ajnjo on behalf of Elipticon Wood Products Inc. and Bob Huss on behalf of US Venture.

**Item 2. Minutes.** Motion by Vander Velden, second by Schiesl, to approve the minutes of the May 17, 2022 meeting. Approved unanimously.

**Item 3. Site Review – Elipticon Wood Products Inc., 99,290 SF Tenant, 424 S. Washington St.**  
Chairman Trustee Hruzek introduced this item. Director Dannhoff provided background, explaining Mr. Hanson contacted him a couple months about relocating their business to this location. In the weeks leading to this Plan Commission meeting, Director Dannhoff proceeded working with Mr. Hanson and his team in preparing information for this meeting. Dannhoff explained the use is permitted in the zoning district and turned the discussion over to the Commissioners and applicants.

Discussion ensued on the dust collector proposed for the south side of the building. It was explained the collector is located on this side to maintain a shorter distance between the collector and the machinery producing the dust in the building. It was asked if the collector could be placed on the north side of the building, where it was explained placing the collector on the north side would increase the distance to the machinery creating the dust, which would require a larger motor and fan in the collector, which would increase the sound decibel level.

Discussion also identified the direction of the exhaust outlet has impact on sound levels and the outlet would face toward the semi-trailers shown on one of the site plans, not toward the abutting residences. It was also relayed if needed, a sound type barrier could be installed to reduce sound levels.

Some discussion was also held regarding the use of coatings and any odor where it was relayed ventilation will be provided.

Motion by Vander Velden to recommend approval contingent on the business maintaining compliance with ordinance requirements related to maximum decibel limits. Second by Karner. Approved unanimously.

**Item 4. Existing Business.** None.

**Item 5. New Business.** Director Dannhoff inquired of the Commissioners' availability to move the July meeting from Tuesday, July 19 to Wednesday, July 20 to meet the time requirements between publishing a notice for a Conditional Use Permit public hearing and the day of the public hearing. The Commissioners advised they could accommodate this request.

**Item 6. Adjournment.** Motion by Karner, second by Schneider. Passed unanimously.  
Meeting adjourned 6:21 pm.

Respectfully Submitted,

Allyn Dannhoff  
Director of Operations



## Village of Kimberly Request for Plan Commission Recommendation

**ITEM DESCRIPTION:** Planned Unit Development Amendment – The Blues at the Trail Subdivision

**REPORT PREPARED BY:** Sam Schroeder, Community Development Director

**REPORT DATE:** January 20, 2026

**EXPLANATION:** In 2023, the Village approved the rezoning and a Planned Unit Development (PUD) for the proposed Blues Condominium Subdivision located north of the new Festival Foods and east of Wilson Street. The purpose of a PUD is to encourage and promote improved environmental design in the Village of Kimberly by allowing for greater freedom, imagination and flexibility in the development of land while ensuring substantial compliance with the basic intent of the zoning ordinance and the general plan for community development.

While some of the units have been constructed and sold, the overall development has not progressed as fast as anticipated. With that, the development group is looking to dissolve the condominium plat and associated declaration and move the development closer to a traditional single family development on the infill lots and still allow for multifamily developments along the river (Lots 18 and 41) and possibly a commercial or residential space at the trailhead along Papermill Run (Lot 17) just north of Pine and Wilson Street. This proposal would reduce the total number of single family infill lots, however, the developer believes this will open the door to a much more attractive and expedited development.

In a standard zoning classification for residential development, housing is restricted to certain thresholds as it relates to the lot size and setbacks. As an example, standard setbacks include a minimum front setback of 25 feet, side of 6 feet with an aggregate of both of 14 feet, a rear of 25 feet, a minimum lot width of 60 feet, minimum lot area 6,500 square feet, and a maximum height of 25 to 35 feet depending on which specific classification the development lands in.

Since this development has already been platted and the infrastructure already installed, the PUD is not only adjusting to the platting of traditional lots but also requesting adjustments as it relates some of the lot configurations and buildable area.

In a typical lot, this development is proposing the following base restrictions: 25 foot front setback, 15 foot street side setback (corner lot), 5 foot side setback, a 20 foot rear yard, a 55 foot lot width and a height of two stories. Additional exceptions would include the following:

- Front setback reduced to 20 feet for the cul-de-sac lots: Lots 31, 32, 33, 38, 39, 40, and 42
- Rear setback reduced to 15 feet due to configuration: Lot 32
- No rear setback due to lot shape and configuration: Lots 38 and 42 (front setback and two side setbacks)
- Reduced front setback to 24 feet due to existing construction: Lots 19, 20, and 21
- Reduced street side setback of 14.5 feet due to existing construction: Lot 26
- Three story height restriction due to existing construction: Lots 19, 20, and 21

Attached to this staff report includes:

1. PUD Certificate Draft
2. PUD Narrative
3. Final Plat (see next agenda item)
4. 2023 Village Board Memorandum and Packet

**RECOMMENDED ACTION:** Staff recommends approval of the planned unit development amendment for The Blues at the Trail Subdivision with the following conditions of approval:

1. Any changes not made to the original Planned Unit Development shall remain the same or revert to the underlying zoning classification.
2. Site Plan and Architectural Review and Approvals shall be required for all non-single family developments.
3. The Condominium Plat is legally terminated per Wisconsin State Statutes and a Final Plat is approved and recorded in its place.
4. The restrictions and covenants as listed in the Planned Unit Development Narrative, the Final Plat and the Covenants are incorporated herein.
5. Minor modifications to the Planned Unit Development shall be permitted upon review by the Village staff.



**Village of Kimberly**  
426 W. Kimberly Avenue  
Kimberly, WI 54136

### **PLANNED UNIT DEVELOPMENT**

On January 26, 2026, the Village of Kimberly Board granted Conditional Approval following the review by the Village Plan Commission on January 20, 2026, for an Amendment to a R-5 Residential Planned Unit Development (PUD) as originally approved on February 27, 2023, known as the Blues at the Trails. Said PUD shall support the development of the Blues at the Trail Plat to encourage and promote improved environmental design in the Village of Kimberly by allowing for greater freedom, imagination and flexibility in the development of land while ensuring substantial compliance with the basic intent of the zoning ordinance and the general plan for community development as further described in the attached Village Board staff report subject to the following conditions:

1. Any changes not made to the original Planned Unit Development shall remain the same or revert to the underlying zoning classification.
2. Site and Architectural Plan Approval shall be required for all non-single family developments. Said review shall review the site, drainage, grades, architectural design, building layout, landscaping, lighting, and utilities.
3. The Condominium Plat is legally terminated per Wisconsin State Statutes and a Final Plat is approved and recorded in its place.
4. The restrictions and covenants as listed in the Planned Unit Development Narrative, the Final Plat and the Covenants are incorporated herein.
5. Minor modifications to the Planned Unit Development shall be permitted upon review by the Village staff.

#### **NOTE:**

A new or revised PUD approval may be required should the nature of the Planned Unit Development be modified or changed. Compliance with all conditions noted above and within must be maintained for this certificate to be valid.

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Community Development Director

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Date

## **PLANNED UNIT DEVELOPMENT (PUD) NARRATIVE**

### **BLUE AT THE TRAIL**

### **Village of Kimberly, Outagamie County, Wisconsin**

#### **1. Purpose and Intent**

This Planned Unit Development (PUD) Narrative is intended to function as a mini-private zoning code for the Blue at the Trail development. The PUD provides flexibility in lot layout and housing types while maintaining predictable development standards, compatibility with surrounding neighborhoods, and efficient administrative review by the Village of Kimberly.

Where standards are not modified by this PUD, the underlying Village zoning regulations shall apply.

#### **2. Development Overview**

Blue at the Trail is a mixed-use development consisting of:

- Single-family detached homes
- Zero lot line single-family homes
- Multifamily apartment buildings (reviewed separately)
- Commercial / retail development (reviewed separately)

The layout is generally depicted on the approved preliminary plat prepared by McMahon Associates, Inc.

#### **3. Permitted Uses by Lot**

##### **3.1 Single-Family Detached Homes (Standard Setbacks)**

Lots: 1–12, 22–31, 34–37, 39, and 40.

One single-family detached dwelling per lot.

##### **3.2 Zero Lot Line Single-Family Homes**

Paired Lots: 13–14, 15–16, and 19–21.

One single-family dwelling per lot. Zero side yard is permitted along the shared lot line only.

##### **3.3 Special Setback Lots**

Lots: 19, 20, 21, 24, 31, 32, 33, 38, 39, 40, 42.

Single-family detached dwellings subject to special setback conditions as shown on the approved plat.

##### **3.4 Mixed-Use / Flexible Development Areas**

Lot 17 may be developed with a neighborhood-scale retail or commercial building or a single-family residential use, subject to Village approval. Lots 18 and 41 may be developed

with multifamily apartment buildings or other use. All non-single-family development shall be reviewed through a separate site plan approval process by the village of Kimberly.

## **4. Dimensional Standards**

### **4.1 Building Height**

All single-family homes to be built at maximum of 2 stories apart from lots 19, 20, & 21 (existing 3 story structure). Retail and multi-family units to be reviewed separately.

### **4.2 Base Setbacks – Single-Family Detached**

Applies to Lots 1-12, 22-31, 34-37, 39, and 40, unless otherwise noted:

Front Yard: 25 feet

Interior Side Yard: 5 feet

Rear Yard: 20 feet

Street Side Yard: 15 feet

### **4.3 Zero Lot Line Standards**

Applicable to paired lots 13-14, 15-16, and 19-21. One interior side yard may be reduced to zero (0) feet. The opposite side yard shall comply with the standard side setback.

### **4.4 Special Setback Lots**

Lots 19, 20, 21, 26, 31, 32, 33, 38, 39, 40, 42 are subject to reduced or modified front, rear, and/or street side setbacks as depicted on the approved plat and accepted as part of this PUD approval.

- Lots 31, 32, 33, 38, 39, 40, 42 will have 20ft front setbacks (cul-de-sac lots)
- Lot 32 reduce rear setback to 15ft
- Lots 38 & 42 “no rear setback” only front and 2 sides.
- Lots 19, 20, & 21 have a 24ft front setback.
- Lot 26 has a 14.5ft street side setback

### **4.5 Lot Width**

Lot width on lots 2 through 7 to exceed 52 feet. Zero lot line lots to exceed 29 feet.

Remaining standard lots to exceed 55 feet.

## **5. Review and Administration**

Single-family and zero lot line homes shall be reviewed and approved administratively by Village staff as part of the building permit process.



**Village of Kimberly  
Request for  
Planning Commission Recommendation**

**ITEM DESCRIPTION:** Planned Unit Development, Parcels 250089207 and 250089208, The Blue at the Trails

**REPORT PREPARED BY:** Allyn Dannhoff

**REPORT DATE:** February 15, 2023

**EXPLANATION:** Wilson Place LLC seeks consideration and approval of the starting phase of a Planned Unit Development for these parcels. Wilson Place proposes a 254 dwelling unit, owner occupied condominium development on these two lots consisting of a variety of housing options:

1. 16 Single Family Dwellings.
2. 5 Two Family Dwellings.
3. 8 Three Family Dwellings.
4. 6 Four Family Dwellings.
5. 4-45 Dwelling Unit, Multi-Story Buildings.

Attached to this staff report include:

1. Site Review application.
2. Development narrative.
3. Overall Site Layout plan.
4. Development Concept plan.
5. Building Exterior Concepts and Elevation plans.
6. Floor Plans – Levels 1 through 6 and roof plan.

A Planned Unit Development approval is requested to provide the ability to:

1. Construct multiple principal structures on the same parcel, whereas section 525-10 B. Principal Structures permits one principal structure per parcel.
2. Employ reduced street yard setbacks along the 3 streets within this subdivision (Terra Blue Ct., Satori Trl., and Tanha Trl.) varying from 14.92 feet to 20 feet as depicted on the enclosed site plan, whereas the R4-Residential High Density District requires 25 foot setbacks.
3. Permit the 4-45 dwelling unit, multi-story buildings to exceed the 35-foot maximum building height.
4. Other zoning code provisions the Plan Commission and/or Village Board may consider an alternate zoning standard.

**R5 – Planned Residential District zoning review.** Staff reviewed these plans for compliance with the R5 standards confirming compliance with permitted uses, height and area and density.

**Setbacks.** The setbacks section requires the perimeter of the development to meet the R4 setback requirement. This development proposes a reduced setback of 15 feet along Terra Blue Ct., the south perimeter of the development, where the R4 setback standard requires 25 feet.

Recognizing the yards along Terra Blue Ct. will be the sides of the buildings vs. the front facades of the buildings, and recognizing this reduced setback will have little or no impact on the commercial buildings along the south side of Terra Blue Ct., staff recommends approving the proposed reduced setbacks along Terra Blue Ct.

**Parking.** Section 525-64 G. requires 2 parking stalls per dwelling unit, requiring the 4-story, 6-level, 45 dwelling unit buildings to provide 90 parking stalls. As presented, 80 stalls have been provided (62 covered, 18 uncovered.) While there are a number of studio and 1 bedroom dwelling units, often these are occupied by couples, where each occupant has a vehicle. For this reason, it is recommended to adhere to the 2 stalls per dwelling unit standard.

### **Planned Unit Development.**

There are aspects of this Planned Unit Development that will need to be submitted for review and approval in the future to complete the Planned Unit Development Master Plan. Identified aspects are incorporated into the recommended Conditional Approval in the following section of this report.

The PUD ordinance also requires a reasonable schedule to be provided. This development is subject to a Developer Agreement which has performance benchmarks to be met. Staff would recommend permitting the Developer Agreement benchmarks to serve as the schedule for this development.

**RECOMMENDED ACTION:** Staff recommends Conditional Approval of the Planned Unit Development Site Plan and the 4 story, 6 level, multi-family buildings conditioned on:

1. Securing Kimberly Fire Department approval for emergency response provisions for the 4-story, 6-level, multi-family buildings, including but not limited to: fire hydrant locations, sprinkler system design, and other amenities identified to aid with emergency response efforts.
2. The 4-story, 6-level, multi-family buildings being provided with 2 parking stalls per dwelling unit, as required by 525-64 G.
3. Securing Site Plan Review approvals for the single, two, three, and four-family building plans and elevations and/or approval of architectural design restrictions for each of these categories of buildings.
4. Securing approval of a Landscape Plan and pedestrian path plan.
5. Confirming locations for any on-street parking locations as part of the Planned Unit Development.



# VILLAGE OF KIMBERLY

515 W. Kimberly Avenue

Kimberly, WI 54136

## Planned Unit Development

On (insert date), the Kimberly Village Board granted Conditional Approval for a R5-Residential Planned Unit Development, known as The Blue at the Trails, to be developed on parcels 250089207 and 250089208 as further described in the attached Village Board staff report subject to the following conditions:

1. Securing Kimberly Fire Department approval for emergency response provisions for the 4-story, 6-level, multi-family buildings, including but not limited to: fire hydrant locations, sprinkler system design, and other amenities identified to aid with emergency response efforts.
2. The 4-story, 6-level, multi-family buildings being provided with 2 parking stalls per dwelling unit, as required by 525-64 G.
3. Securing Site Plan Review approvals for the single, two, three, and four-family building plans and elevations and/or approval of architectural design restrictions for each of these categories of buildings.
4. Securing approval of a Landscape Plan and pedestrian path plan.
5. Confirming locations for any on-street parking locations as part of the Planned Unit Development.
6. Incorporating all approved plans and conditions of approval into a final Planned Unit Development document.

### **NOTE:**

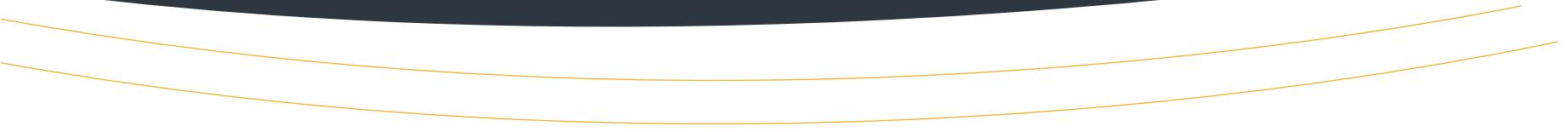
A new or revised Planned Unit Development approval may be required should the nature of the Planned Unit Development be modified or change. Compliance with all conditions noted above must be maintained for this certificate to be valid.

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Village Administrator

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Date



Wilson Place LLC

KIMBERLY PROJECT  
Wilson Street  
Kimberly, WI

Feb 14, 2023

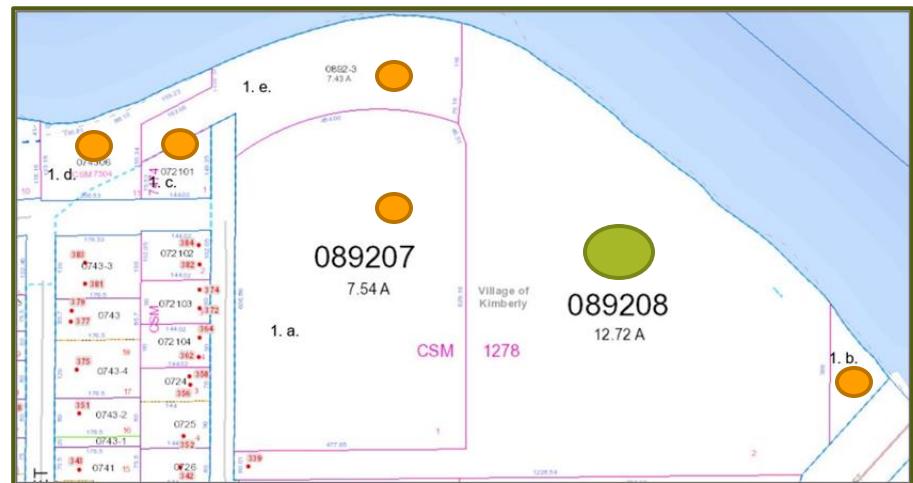
# Blue at the Trail

## Residential Development Project

A GREENSPACE NEIGHBORHOOD DEVELOPMENT

The Blue at the Trail is a planned contemporary neighborhood owner-occupied housing site design offering common green spaces with walking paths leading to an amazing spacious Fox River setting and Fox River trail, along with a blend of housing opportunities

Riverfront condominiums & urban lofts with underground parking, spacious three- and four-story townhomes, and two story attached homes along Wilson Street. A place to live well, a place to know your neighbors.



Nov 2018 SITE ACQUIRED



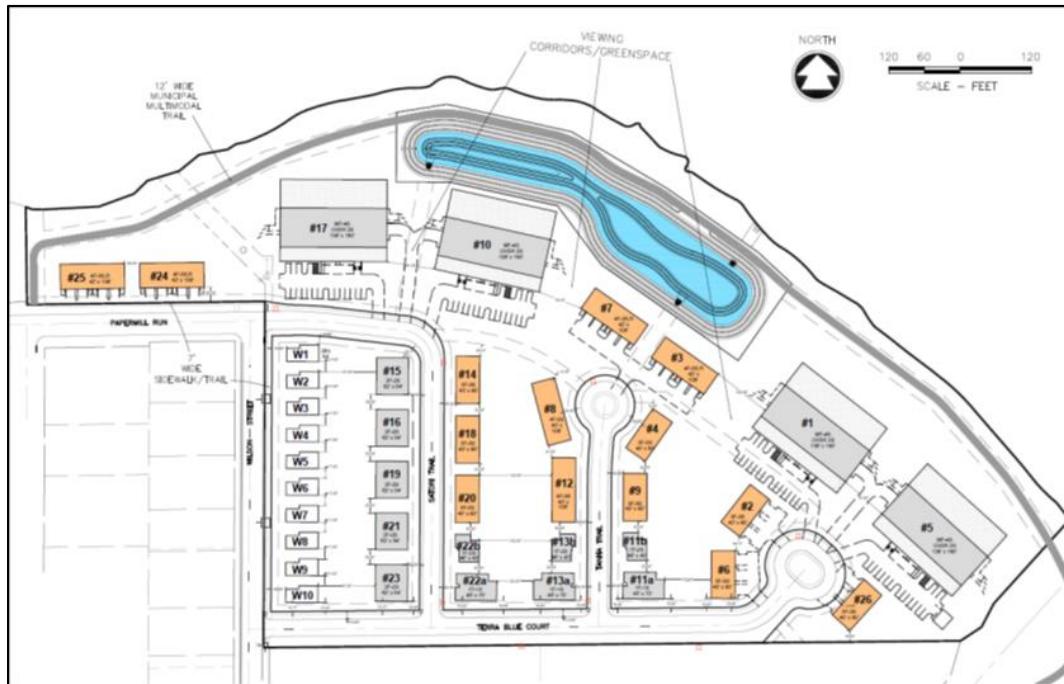
Oct 2022 ADDITIONAL ACQUIRED

#### PREVIOUS EXISTING USE:

- Omya Manufacturing Facility
  - Processed bi-carbonate calcium for use of New Page paper mill
  - Demolition & site clean-up by developer 2019 – 2020
- Village owned 6 +/- acre parking lot
  - Trailer parking of Combined Locks paper mill, lease agreement concluded by developer Nov 2022
  - Pulverized and stockpiled aggregate by developer late 2022
- Railroad
  - Previously serviced Omya site and New Page
  - Easement vacated by direction of developer Fall 2022
  - Tracks removed to east end of N. Washington St bridge
  - Easement provided by developer to Village for public River Trail generally along railroad route & existing sanitary easement
- Entire site: currently infrastructure (water, storm, sanitary) construction: Dec 2022 to present

## EFFECTS ON ADJOINING PROPERTIES:

- Noise
  - Construction to be per Village ordinances regarding time, etc.
  - Occupancy: typical housing development with non-through residential traffic and outdoor activities
- Compatibility with adjacent properties
  - Residential occupancy in accordance with surrounding residential properties
  - Allowance for area community residents to benefit from public River Trail and Fox River frontage
- Traffic Generation
  - Moderate number of residences proposed, leading to existing Papermill Run intersection and previous Omya driveway entrance to Wilson St.
  - Proposed restoring traffic light controls in front of and with Festival grocery redevelopment to ease possible conditions at Maes / Wilson St. along discontinued truck traffic route of New Page, Omya & Village parking lot
- Overall
  - Noticeable improvement for surrounding area with residential development over manufacturing / parking lot
  - Anticipate positive impression upon adjacent and surrounding residential property values



Site Unit Matrix: Feb 2023

- 36 buildings over 9 Phases, 5 years
  - 4 large condo bldgs. : 45 units each
  - 6 4-unit townhomes
  - 8 3-unit townhomes
  - 5 2-unit townhomes
  - 16 single family homes
- 124 River Front Condo units
- 56 River Front Urban lofts
- 16 River Front Townhomes
- 32 Townhomes, site interior
- 6 Single Family Homes, site interior
- 10 Row Homes or attached, Wilson St

MINIMUM FLOOR AREA:

UNIT	BLDG #	LEVELS	SQ. FEET MIN
Riverfront Townhomes	3, 7, 24, 25	3 up, 1 lower*	2,600'
Single Family 2 Story	11b, 13b, 22b	2	2,200'
Single Family 1 Story	11a, 13a, 22a	1	1,900
Interior 3 / 4 Unit Townhomes	2, 4, 6, 8, 9, 12, 14, 18, 20, 26	3	2,000'
Interior 2 Unit Townhomes	15, 16, 19, 21, 23	2 – 3	2,000'
Wilson Street Homes	W1 – W10	2	1,800'
Riverfront Condo Bldg	- see matrix next page		

\* lower level optional

**RIVERFRONT CONDO BLDG #1:** Unit Matrix (unit Sq Ft tbd with final engineering)

Sept 2023	Floor	Unit	Fl Pln type	river/plaza	Sq Ft	bed	bath	blcny / patio	parking	# units
<b>Bldg 1:</b>										
river condos / lofts	<b>1L</b>	101	A (2st loft)	river corner	1658	1 + loft/bdrm	1.5	patio	1	
		102	B	river	802	1 open	1	patio	1	
		103	C1	river	777	1 open	1	patio	1	
		104	D	river	842	1 open	1	patio	1	
		105	D	river	842	1 open	1	patio	1	
		106	C1	river	777	1 open	1	patio	1	
		107	B	river	802	1 open	1	patio	1	
		108	A (2st loft)	river corner	1658	1 + loft bdrm	1.5	patio	1	
										8
	<b>2L</b>	(101)	-	-	-	-	-	-	-	
		202	C2	river	926	1 open	1	balcony	1	
		203	C1	river	777	1 open	1	balcony	1	
		204	D	river	848	1 open	1	balcony	1	
		205	D	river	848	1 open	1	balcony	1	
		206	C1	river	777	1 open	1	balcony	1	
		207	C2	river	926	1 open	1	balcony	1	
		(108)	-	-	-	-	-	-	-	
										6
	<b>3 Main</b>	301	E	river corner	1300	2	2	patio	1	
		302	J	plaza corner	1043	1	1	patio	1	
		303	F	river	1353	1 + den	2	patio	1	
		304	H	plaza	917	1	1	patio	1	
		305	F	river	1353	1 + den	2	patio	1	
		306	H	plaza	917	1	1	patio	1	
		307	E+	river corner	1378	2	2	patio	1	
		308	G	plaza corner	1107	2	2	patio	1	
										8
	<b>4</b>	401	K	river corner	1365	2	2	balcony inset	1	
		402	L	plaza corner	1078	1 ?	1	balcony inset	1	
		403	F	river	1353	1 + den	2	balcony	1	
		404	N	plaza	1146	2	2	-	1	
		405	F	river	1353	1 + den	2	balcony	1	
		406	M	plaza	1094	2	2	-	1	
		407	K	river corner	1365	2	2	balcony inset	1	
		408	L	plaza corner	1078	1 ?	1	balcony inset	1	
										8
	<b>5</b>	501	K	river corner	1365	2	2	balcony inset	1	
		502	L	plaza corner	1078	1 ?	1	balcony inset	1	
		503	F	river	1353	1 + den	2	balcony	1	
		504	N	plaza	1146	2	2	-	1	
		505	F	river	1353	1 + den	2	balcony	1	

	506	M	plaza	1094	2	2	-	1
	507	K	river corner	1365	2	2	balcony inset	1
	508	L	plaza corner	1078	1 ?	1	balcony inset	1
							8	
<b>6</b>	601	O	rvr/cnr/plaza	1970	3 or 2+den	2.5	2 balconies inset	2
	602	P	plaza	1146	1	1.5	-	1
	603	F	river	1353	1 + den	2	balcony	1
	604	P	plaza	1146	1	1.5	-	1
	605	F	river	1353	1 + den	2	balcony	1
	606	P	plaza	1146	1	1.5	-	1
	607	O	rvr/cnr/plaza	1970	3 or 2+den	2.5	2 balconies inset	2

7

## PRELIMINARY LANDSCAPE / AMENITY CONCEPT PLAN: (Large Copy in Handout)

## BLUE AT THE TRAIL



## *Previous Prelim Concepts*



### GOALS

#### PRELIMINARY ASSUMPTIONS

##### OVERALL

- DRAW RESIDENTS TO THE WATERFRONT & FOX RIVER TRADITIONALLY IN SUBCONSCIOUSLY CITY TO DEVELOP PATHS AND OVERLOOKS
- ENHANCED PEDESTRIAN ACCESS TO THE RIVER CONNECT PAST WITH FUTURE-PAST BLUE BUILDINGS, NOT A LOT OF REFERENCE OTHERWISE
- USE POCKETS OF SPACES AND EXPERIENCES – BLOCK BY BLOCK AMENITIES- MORE NODES VS LARGER GATHERING
- BALANCE BUDGET AND MAINTENANCE
- DURABLE FURNITURE AND MATERIALS
- INTENTIONAL VIEWS TO THE WATER

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##### RESIDENTS

- AFFORDABLE, MODERN AMENITIES
- EASE OF ACCESS TO THE WATERFRONT
- DAILY USE: PLACES TO MEET AND GATHER
- WELL LIT, SAFE
- DOG FRIENDLY?
- INCLUSIVE AMENITIES FOR ALL AGES
- ACTIVE AND PASSIVE AMENITIES

Pets on a leash, space for townhomes? Small dog run? Smaller areas in each block. Emphasize greenspace- more passive. Green, well lit. If lifestyle destination, community, connection. Everything you need is walkable. Not trying to intentionally draw people to

##### VISITORS

- CREATE A UNIQUE PLACE ALONG THE RIVER
- SPACE IS FOR THE RESIDENTS, DIRECTING PEOPLE THROUGH IT
- WELL LIT, SAFE
- PEDESTRIAN FRIENDLY
- EASE OF CIRCULATION & WAYFINDING

Harder to fit in with character here. Sometimes we cannot do. Subtle line between public/private

SMITHGROUP

### COMMUNITY GATHERING

#### PROGRAMMING OPPORTUNITIES

##### LAWN

- Large open lawn vs smaller pockets or rooms
- Organic shapes vs orthogonal
- Flexible vs formal

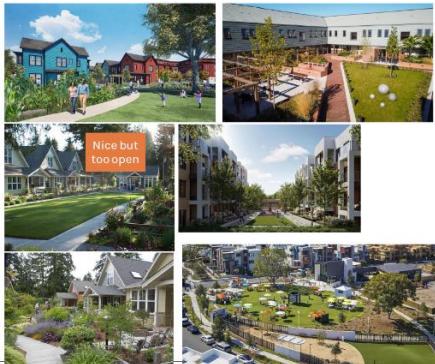
##### PLAZA

- Smaller 5-10 person spaces vs larger 20-25 person space

Likes smaller fire pits/places in each several spaces

Each space should feel different. Likes the angular lawn, with radii, with cross through access

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### PLAY

#### PROGRAMMING OPPORTUNITIES

##### OPEN PLAY SPACE

- Lawn or node to throw a ball or frisbee



Don't like this one

##### INFORMAL PLAY AREA

- Dedicated space with informal play elements, ie, boulders, logs, etc.



##### TOT LOT PLAYGROUND

- Traditional playground with dedicated play equipment

Play area to be landscape and semi-private, buffered. Not giant plastic. Can we spread smaller play throughout?

All serene

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SMITHGROUP

### COMMUNITY GATHERING

#### PROGRAMMING OPPORTUNITIES

##### FIRE PIT

- 5-10 to 15-20 Individuals
- Informal space or
- Refined outdoor room



##### GAZEBO

- 5-10 Individuals
- Shade
- Rain



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SMITHGROUP

### PLANTING / LANDSCAPE

#### PROGRAMMING OPPORTUNITIES

##### COMMUNITY GARDEN

- Traditional raised plots or
- Informal gathering garden
- Informal space or
- Refined outdoor room

Paths to curve with seating/landscape buffers



##### PLANTING

- Traditional open lawn, crisp edges
- Rolling lawn and trees
- Softer native aesthetic

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Kenosha Innovation Neighborhood

SMITHGROUP

### RIVERFRONT

#### PROGRAMMING OPPORTUNITIES

Wall accent w/ blended grasses breaking

- Terraces in common areas to break up grass
- Occasional separation in path
- Naturalized shoreline with selective viewsheds
- Simple overlooks vs a single larger one



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## TIMELINE TO DATE / PROJECTED THRU SEPTEMBER 2023

### SITE ACQUISITION / PROJECT DESIGN

Nov 2018	ACQUIRED INITIAL 12 +/- ACRE SITE
MAR/APRIL 2018	FINALIZATION OF MANUFACTURING EQUIPMENT AUCTION BY SELLER
OCT/NOV 2018 – JAN 2020	DEMOLITION OF STRUCTURES AND SITE CLEAN-UP
SUMMER/FALL 2020	DEVELOPED SITE PLAN AND INITIAL APPROVALS OF VILLAGE
APRIL 2021 – APRIL 2022	PROJECT SCOPE REFINEMENT, OTP ADDITIONAL VILLAGE LANDS, DEVELOPMENT AGREEMENT AND TIF AGREEMENT FINALIZED
Oct 2022	CLOSED ON ADDITIONAL VILLAGE OF KIMBERLY 5 PARCELS 12 +/- ACRES COMBINED
OCT 2022	RECORDED NEW COMBINED CSM OF ENTIRE PARCEL INTO 2 LOTS + ADDITIONAL OUTLOT DEEDED BACK TO VILLAGE FOR STORM POND

### DESIGN PHASE / SITE PREP WORK

JULY 2022 – PRESENT	ARCHITECTURAL DRAWINGS, SITE PLANNING W/HOFFMAN DESIGN CIVIL ENGINEERING, SITE PLANNING W/MCMAHON ENGINEERS
Nov 2022 – PRESENT	6 ACRE PARKING LOT CRUSHED, CLEARED AND STOCKPILED CLEARING OF TREES ALONG FOX RIVER AND BLUFF  <u>DEVELOPERS EXPENSE TO GET PROJECT BUILDING CONST SHOVEL-READY</u>
CURRENT LOAN AMOUNT (TOWARDS LAND ACQUISITION)	
<hr/>	

DEC 2022 – APRIL 2023	INFRASTRUCTURE (WATER, SANITARY, STORM) IMPROVEMENTS
MAY 2023 – SEPT 2023	ROADWAY IMPROVEMENTS, STORMWATER POND CONSTRUCTION
SEPT 2023 +/-	INITIAL BUILDING CONSTRUCTION BEGINS 1 <sup>ST</sup> LARGE RIVERFRONT 45-UNIT CONDO BLDG



## Village of Kimberly Request for Plan Commission Recommendation

**ITEM DESCRIPTION:** Final Plat Review – The Blues at the Trail (Replat of the Condominium Plat – The Blues at the Trails)

**REPORT PREPARED BY:** Sam Schroeder, Community Development Director

**REPORT DATE:** January 20, 2026

**EXPLANATION:** Last month, Village Plan Commission reviewed and approved the preliminary plat for the Blues at the Trail which was a replat of the current condominium plat. Approval was contingent upon the following:

1. The public trail easement north of Tanha Lane is removed.
2. The north line of Lots 33 and 40 are moved further south to allow for additional buffering between said Lots and future development within Lot 41.
3. All Lots shall be serviced by laterals connected to public utility mains at the developers costs.
4. Any duplicate service utility laterals shall be properly abandoned at the developers costs.
5. Additional investigation shall be completed prior to a final plat submittal to consider necessary pedestrian accommodations.

The Board at their December 22, 2025, meeting, did table to the preliminary plat until their schedule meeting January 19, 2026, at which time more information could be provided in terms of the termination of the condominium plat. Since this time, it is our understanding that all parties involved in the current condominium plat have agreed to the termination and replatting as proposed.

Reviewing the final plat, conditions one and two have been met. Conditions three and four will remain as recommendations for conditional approval. As for condition five, upon a thorough review of all options, staff believes the best way to move forward is just to keep the existing proposed public sidewalks and trails without adding any additional internal circulation on Satori Trail or Tahna Lane. This existing layout will still allow for circulation of the exterior of the subdivision similar to other developments within the Village of Kimberly.

In conjunction with the amendment to the planned unit development (PUD), there are several areas whereas the plat is proposing reduced setbacks to ensure there is proper buildable area with the removal of the condominium language. Due to the connectivity, the PUD being approved is an added condition.

Lastly, just to ensure compliance is met, staff is recommending an additional condition be added confirming that approvals of the plat is contingent upon the official and legal termination of the condominium plat.

Attached to this staff report includes:

1. Final Plat
2. Draft Covenants

**RECOMMENDED ACTION:** Staff recommends approval of the Preliminary Plat for the Blues at the Trail with the following conditions:

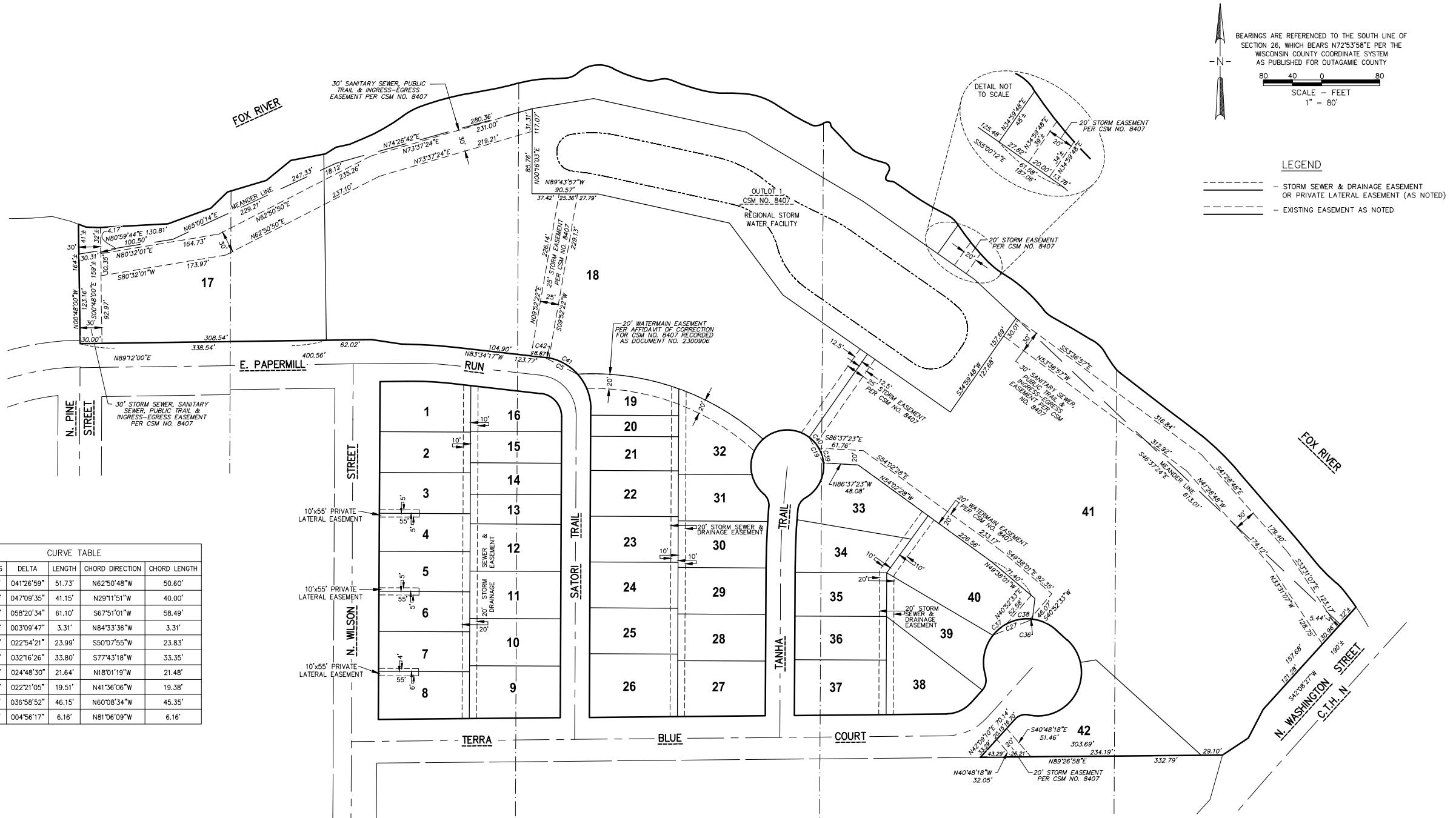
1. All Lots shall be serviced by laterals connected to public utility mains at the developers costs.
2. Any duplicate service utility laterals shall be properly abandoned at the developers costs.
3. Plat approval is conditioned upon the approval of the Planned Unit Development Amendment in conjunction with the flexibility as noted on the plat.
4. Developer shall execute a separate Agreement with the Village ensuring Wisconsin State Statutes are met and the condominium declaration is legally dissolved prior to the recording of a final plat. Failure to execute would cause the Village to rescind and void all approvals.



# BLUE AT THE TRAIL

ALL OF LOTS 1 AND 2 OF CERTIFIED SURVEY MAP NO. 8407 RECORDED AS DOCUMENT NO. 2280011, LOCATED IN PART OF GOVERNMENT LOTS 4, 5, 6, 7, AND 8 OF SECTION 26, TOWNSHIP 21 NORTH, RANGE 18 EAST, VILLAGE OF KIMBERLY, OUTAGAMIE COUNTY, WISCONSIN

DETAIL OF WATERMAIN, STORM SEWER, SANITARY SEWER,  
PUBLIC TRAIL & INGRESS-EGRESS EASEMENT  
PER CSM NO. 8407



There are no objections to this plat with respect to s. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified \_\_\_\_\_

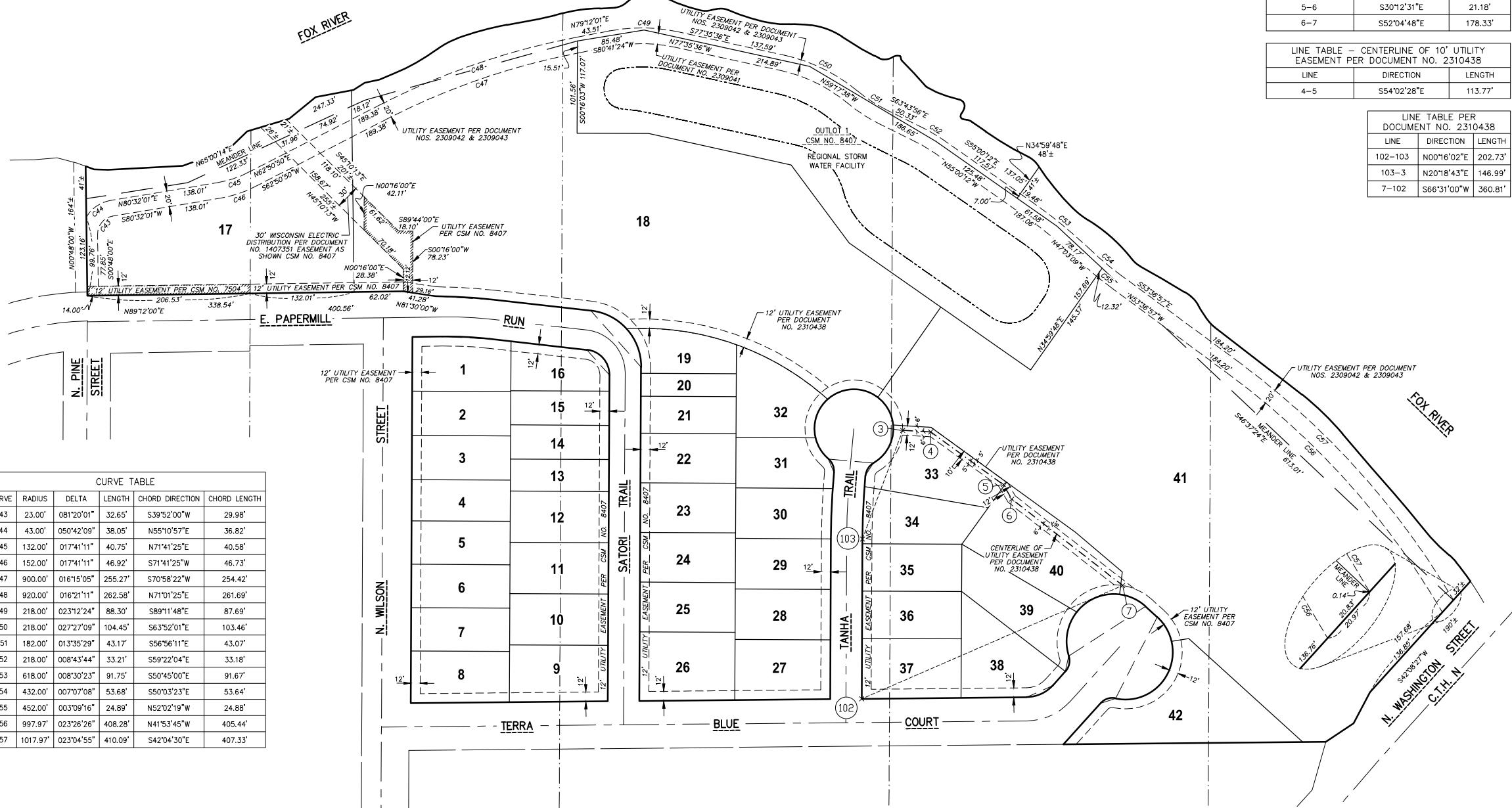


Department of Administration

# BLUE AT THE TRAIL

ALL OF LOTS 1 AND 2 OF CERTIFIED SURVEY MAP NO. 8407 RECORDED AS DOCUMENT NO. 2280011, LOCATED IN PART OF GOVERNMENT LOTS 4, 5, 6, 7, AND 8 OF SECTION 26, TOWNSHIP 21 NORTH, RANGE 18 EAST, VILLAGE OF KIMBERLY, OUTAGAMIE COUNTY, WISCONSIN

DETAIL OF UTILITY EASEMENTS PER CSM NOS. 7504 & 8407;  
DOCUMENT NOS. 1407351, 2310438, 2309042 & 2309043



There are no objections to this plat with respect to s. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified \_\_\_\_\_



Department of Administration

BEARINGS ARE REFERENCED TO THE SOUTH LINE OF SECTION 26, WHICH BEARS N72°53'58"E PER THE WISCONSIN COUNTY COORDINATE SYSTEM AS PUBLISHED FOR OUTAGAMIE COUNTY

80 40 0 80

SCALE - FEET

1" = 80'

## LEGEND

- EXISTING EASEMENT AS NOTED
- CENTERLINE OF UTILITY EASEMENT PER DOCUMENT NO. 2310438

# BLUE AT THE TRAIL

ALL OF LOTS 1 AND 2 OF CERTIFIED SURVEY MAP NO. 8407 RECORDED AS DOCUMENT NO. 2280011, LOCATED IN PART OF GOVERNMENT LOTS 4, 5, 6, 7, AND 8 OF SECTION 26, TOWNSHIP 21 NORTH, RANGE 18 EAST, VILLAGE OF KIMBERLY, OUTAGAMIE COUNTY, WISCONSIN

## SURVEYOR'S CERTIFICATE:

I, Michael J. Kaczmarzyk, Wisconsin Professional Land Surveyor S-2256, certify that I have surveyed, divided and mapped all Lots 1 and 2 of Certified Survey Map No. 8407 recorded as Document No. 2280011, located in part of Government Lots 4, 5, 6, 7, and 8 of Section 26, Township 21 North, Range 18 East, Village of Kimberly, Outagamie County, Wisconsin containing 818.973 square feet (18.816 acres) of land more or less. Including all those lands lying between the Meander Line and the Southerly ordinary high water line of the Fox River and the respective lot lines extended to said Southerly ordinary high water line.

That I have made such survey, land division, and plat under the direction of the owners of said land. That such plat is a correct representation of all exterior boundaries of the land surveyed and the subdivision thereof made. That I have fully complied with the provisions of Chapter 236 of the Wisconsin Statutes and the Subdivision regulations of the Village of Kimberly and Outagamie County in surveying, dividing and mapping the same.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

Michael J. Kaczmarzyk, S-2256  
Wisconsin Professional Land Surveyor

## VILLAGE OF KIMBERLY APPROVAL:

Resolved, that the plat of Blue at the Trail in the Village of Kimberly, is hereby approved and accepted by the Village Board of the Village of Kimberly, Outagamie County, Wisconsin, on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

Charles A. Kuen, Village President Date

STATE OF WISCONSIN \_\_\_\_\_  
\_\_\_\_\_  
COUNTY OF OUTAGAMIE

I, Jennifer Weyenberg, being the duly qualified and acting clerk of the Village of Kimberly, Outagamie County does hereby certify that the Village Board of the Village of Kimberly passed by voice vote on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ authorizing me to issue a certificate of approval of the final plat of Blue at the Trail, upon satisfaction of certain conditions, and I do also hereby certify that all conditions were satisfied and the APPROVAL WAS GRANTED AND EFFECTIVE ON THE \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Dated \_\_\_\_\_  
Village Clerk, Jennifer Weyenberg

## CERTIFICATE OF VILLAGE TREASURER:

I, Jennifer Weyenberg, being the duly qualified and acting Treasurer of the Village of Kimberly, do hereby certify that in accordance with the records in my office, there are no unpaid taxes or unpaid special assessments affecting any of the lands included in Blue at the Trail as of the date listed below.

Village Treasurer, Jennifer Weyenberg Date

## CERTIFICATE OF COUNTY TREASURER:

I, Rochelle Oskey, being the duly elected, qualified and acting County Treasurer of the County of Outagamie, do hereby certify that the records in my office show no unredeemed tax sales and no unpaid taxes or special assessments affecting any of the lands included in Blue at the Trail as of the date listed below.

County Treasurer, Rochelle Oskey Date

There are no objections to this plat with respect to s. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified \_\_\_\_\_



Department of Administration

## OWNER'S CERTIFICATE OF DEDICATION:

Wilson Place LLC, as owner, does hereby certify that we caused the land described on this Plat to be surveyed, divided, mapped and dedicated as represented on the Plat. We also certify that this plat is required by s. 236.10 or s. 236.12 to be submitted to the following for approval or objection:

Department of Administration  
Outagamie County  
Village of Kimberly

WITNESS the hand and seal of said owner this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_  
In the Presence of:

Adam M. Mueller, Manager of Wilson Place LLC

State of Wisconsin )  
\_\_\_\_\_  
\_\_\_\_\_  
County )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the above  
named person(s) to me known to be the person(s) who executed the foregoing  
instrument and acknowledged the same.

Notary Public,  
\_\_\_\_\_  
\_\_\_\_\_  
County, WI

My Commission Expires: \_\_\_\_\_

## CONSENT OF CORPORATE MORTGAGEE:

Bank First, N.A., a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedication of the land described on this plat, and does hereby consent to the above certificate of Wilson Place LLC, as owner.

IN WITNESS WHEREOF, the said Bank First, N.A. has caused these presents to be signed by Aaron Faulkner, Regional President, at 2747 Manitowoc Road, Green Bay, Wisconsin, and its corporate seal to be hereunto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

In the Presence of:

Bank First, N.A.

Aaron Faulkner, Regional President

State of Wisconsin )  
\_\_\_\_\_  
\_\_\_\_\_  
County )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the above  
named person to me known to be the person who executed the foregoing  
instrument and acknowledged the same.

Notary Public,  
\_\_\_\_\_  
\_\_\_\_\_  
County, WI

My Commission Expires: \_\_\_\_\_

## OWNER'S CERTIFICATE OF DEDICATION:

Douglas E. Woelz and Cheryl A. Woelz, as owners, does hereby certify that we caused the land described on this Plat to be surveyed, divided, mapped and dedicated as represented on the Plat. We also certify that this plat is required by s. 236.10 or s. 236.12 to be submitted to the following for approval or objection:

Department of Administration  
Outagamie County  
Village of Kimberly

WITNESS the hand and seal of said owner this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
In the Presence of:

Douglas E. Woelz

State of Wisconsin )  
\_\_\_\_\_  
\_\_\_\_\_  
County )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the above  
named person(s) to me known to be the person(s) who executed the foregoing  
instrument and acknowledged the same.

Notary Public,  
\_\_\_\_\_  
\_\_\_\_\_  
County, WI

My Commission Expires: \_\_\_\_\_

## OWNER'S CERTIFICATE OF DEDICATION:

Steven A. Schilhabel and Amy J. Schilhabel, as owners, do hereby certify that we caused the land described on this Plat to be surveyed, divided, mapped and dedicated as represented on the Plat. We also certify that this plat is required by s. 236.10 or s. 236.12 to be submitted to the following for approval or objection:

Department of Administration  
Outagamie County  
Village of Kimberly

WITNESS the hand and seal of said owner this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
In the Presence of:

Steven A. Schilhabel

State of Wisconsin )  
\_\_\_\_\_  
\_\_\_\_\_  
County )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the above  
named person(s) to me known to be the person(s) who executed the foregoing  
instrument and acknowledged the same.

Notary Public,  
\_\_\_\_\_  
\_\_\_\_\_  
County, WI

My Commission Expires: \_\_\_\_\_

## CONSENT OF CORPORATE MORTGAGEE:

Community First Credit Union, duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedication of the land described on this plat, and does hereby consent to the above certificate of Steven A. Schilhabel and Amy J. Schilhabel, as owners.

IN WITNESS WHEREOF, the said Community First Credit Union, has caused these presents to be signed by an Authorized Officer, and countersigned by an Authorized Officer, at \_\_\_\_\_ (address), \_\_\_\_\_ (City), Wisconsin, and its corporate seal to be hereunto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

In the Presence of:

Community First Credit Union

Authorized Officer

Print Name and Title

Authorized Officer

Print Name and Title

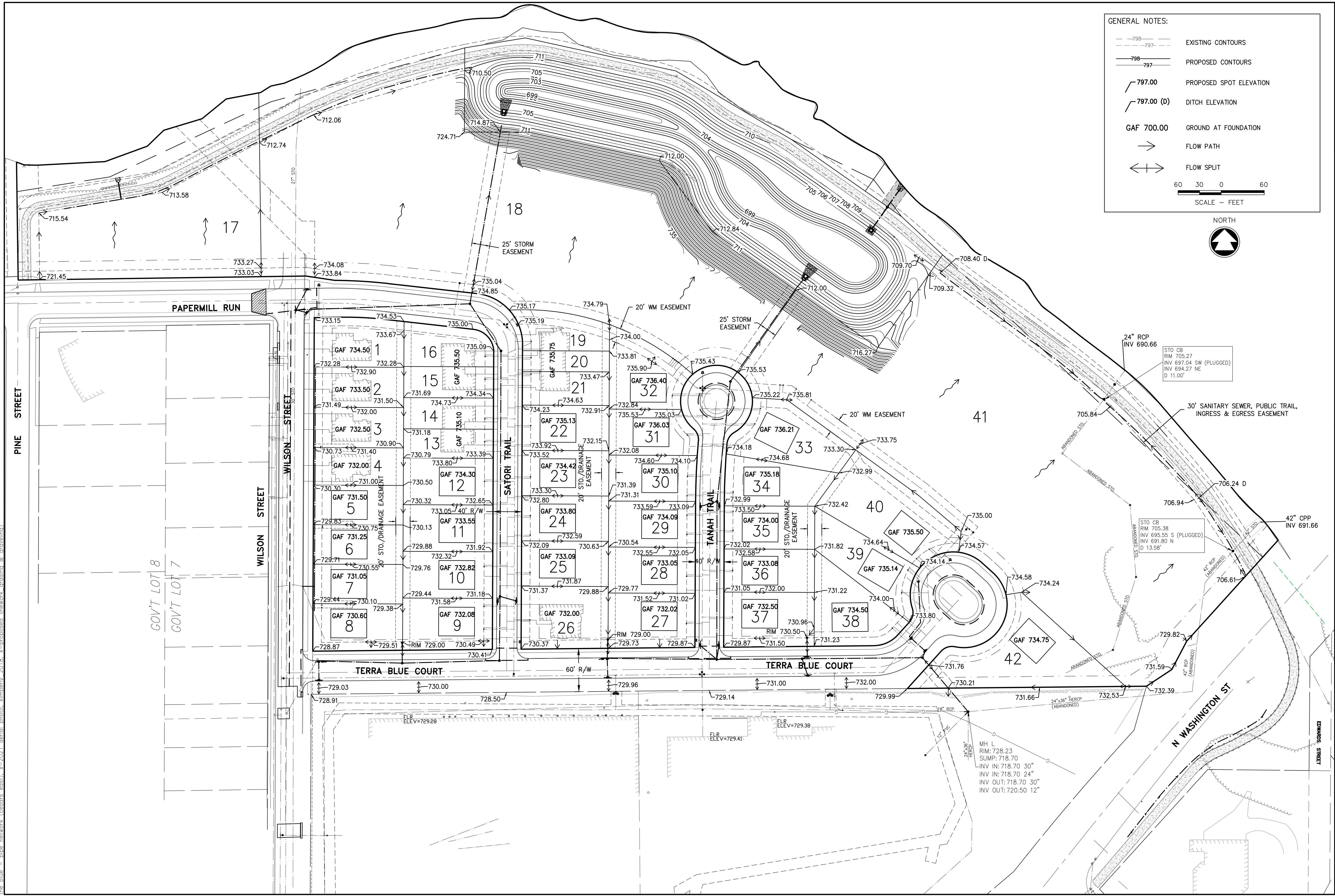
State of Wisconsin )  
\_\_\_\_\_  
\_\_\_\_\_  
County )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the above  
named person(s) to me known to be the person(s) who executed the foregoing  
instrument and acknowledged the same.

Notary Public,  
\_\_\_\_\_  
\_\_\_\_\_  
County, WI

My Commission Expires: \_\_\_\_\_

W:\PROJECTS\W1068\92300401\06 Master Plan\CADD\Civil3D\Plan Sheets\Overall Drainage Plan - The Blue Development.dwg, 00 overall drainage plan, Plot Date: 1/7/2026 2:33 PM, xrefs: (x-exist topo east cedars development, lands east of wilson st comps dew, x-proposed shading, x-all points east cedars development, x-coffman concept plan, x-proposed drainage areas, contours heart of valley, roads\_co\_outagamie\_2019\_11, x-first st topo pts, kimberly cedars control - master survey, 10-21-22 the blue site plan, kimberly 2018, x-proposed linework (cedars east), x-2021 aerial photo, kimberly 2018, x-proposed linework (graveling))



1; as instruments of  
1; All rights including  
1; rights are retained by  
1; in Associates, Inc. The  
1; and/or recipient agrees to  
1; the extent permitted by  
1; indemnity and hold  
1; on Associates, Inc.  
1; for any reuse of or  
1; is made to the original  
1; or data without prior  
1; consent by McMahon  
1; Associates, Inc.

# BLUE AT THE TRAIL: MASTER PLAN

## WILSON PLACE LLC

### OVERALL DRAINAGE PLAN

DESIGNED ZRL	DRAWN ZRL
PROJECT NO.	
1068-09-23-00401	
DATE	
1/7/2026	
SHEET NO.	
00	

DECLARATION OF COVENANTS, CONDITIONS  
AND RESTRICTIONS FOR  
BLUE AT THE TRAIL SUBDIVISION

Village of Kimberly, Outagamie County, Wisconsin

THIS DECLARATION of Conditions, Covenants and Restrictions for Blue at the Trail, Village of Kimberly, Outagamie County, Wisconsin, is made this \_\_\_\_\_ day of \_\_\_\_\_, 2026, by \_\_\_\_\_, a Wisconsin \_\_\_\_\_ ("Developer").

Developer is the owner of the following described real estate in the Village of Kimberly, County of Outagamie, State of Wisconsin, being the real estate now duly platted as:

Blue at the Trail Subdivision, Village of Kimberly,  
Outagamie County, Wisconsin.

and hereby makes the following declaration of covenants, conditions and restrictions to which the lots or tracts constituting such subdivision shall be put, and hereby specifies that such declarations shall constitute covenants, conditions and restrictions that run with the land, as provided by law, and shall be binding on all parties and all persons claiming under them, and shall be for the benefit of, and limitations on, all future owners in such subdivision.

1. Purpose.

The purpose of these covenants, conditions, and restrictions is to ensure that the property is developed and used in a manner consistent with the approved Planned Unit Development ("PUD") for Blue at the Trail; to prevent the occurrence of nuisances; to preserve and enhance the aesthetic appeal of the property; and to maintain the desired character and quality of the community. These provisions are intended to secure for each lot owner the full benefit and enjoyment of their property, subject only to those restrictions on use that are reasonably necessary to afford the same advantages to all other lot owners.

2. Architectural control.

No dwelling, building, or other structure shall be erected, constructed, placed, or altered upon any lot within this subdivision unless and until all required applications, plans, and specifications for the proposed structure have been submitted to and approved through the applicable Village of Kimberly permitting and approval processes. Review and approval shall be administered by the Village in accordance with applicable ordinances and the approved PUD. No architectural review committee or homeowners association is created by these covenants.

3. Land use and building type.

Lots within this subdivision shall be restricted to the uses expressly permitted by the approved PUD Narrative for Blue at the Trail, including: (a) single-family detached dwellings on designated lots; (b) zero lot line single-family dwellings on designated paired

lots; (c) multifamily residential buildings on designated lots or tracts, subject to separate site plan approval; and (d) limited neighborhood-scale commercial/retail development on designated lots, subject to separate site plan approval. Except as permitted by the PUD, no building or structure shall be erected, altered, placed, or permitted to remain on any lot other than a permitted principal use and customary accessory structures, all subject to the PUD and applicable approvals. Single-family residences shall be of conventional construction.

**4. Grade.**

All grading and foundation elevations must comply with any approved surface water drainage and/or stormwater management plans on file with the Village of Kimberly. In the event of any conflict between the limitations stated herein and an approved Village drainage or grading plan, the approved Village plan shall control.

**5. Basement and Footings.**

Slab-on-grade construction is permitted. Basements are not required but are permitted for residential structures within the subdivision. Crawl spaces and slab-on-grade foundations are permitted, subject to compliance with the approved Planned Unit Development, applicable Village of Kimberly building codes, and approved grading and foundation plans.

**6. Garages.**

Every residence shall include a private, attached garage designed to accommodate not fewer than two (2) automobiles. The garage shall have a minimum interior floor area of 528 square feet, unless otherwise approved by the Village as part of the building permit process.

**7. Parking of Vehicles.**

All boats, automobiles, trucks, vans, recreational vehicles (RVs), camper trailers, and utility trailers parked outside on any lot must be parked entirely on a paved surface and shall not be parked on any yard or unpaved area. All such vehicles must be currently licensed and operable at all times while on the property.

Boats, RVs, and camper trailers may only be parked or stored outside on a paved surface between April 15 and November 15 of each year. At all other times, these vehicles must be stored in a garage or otherwise out of public view, except for temporary loading or unloading not to exceed 48 hours.

No fish shanties may be stored outside on any lot for more than two (2) consecutive weeks at a time.

**8. Construction Time and Landscaping.**

All homes must be fully completed within twelve (12) months from the date construction commences. No home may be occupied prior to the completion of all construction and

exterior details, including but not limited to porch posts, siding, and roofing. All exterior details of each dwelling shall be completed within the same twelve (12) month period following commencement of construction.

9. Minimum floor plan size.

- (a) The ground floor of a one-story residence shall contain not less than 1,300 square feet of finished living space.
- (b) The aggregate finished floor area of a one and one-half story, two-story, or two and one-half story residence shall be not less than 1,600 square feet, with the first story containing at least 1,000 square feet of finished living space.

No portion of any level with its floor below grade shall be considered living space for purposes of these minimum requirements.

Notwithstanding the foregoing, this Section shall not apply to any residential structure for which a building permit was issued or construction commenced prior to January 1, 2026. Any such structure shall be deemed conforming for purposes of these covenants.

10. Type of Construction.

No previously used or existing buildings, structures, or residences shall be relocated or moved onto any lot within the subdivision. All residences and other structures constructed on any lot must be new construction, built on site, and shall not consist of or incorporate any building or residence that has been previously occupied or erected at another location.

11. Storage or Utility Building/Outbuilding.

One storage building or outbuilding shall be permitted per lot. Any such building must be designed to be architecturally consistent with the principal residence on the lot, including matching roof design, roof material, and siding material. The exterior appearance, color, and trim of the storage building or outbuilding shall be harmonious with the residence and the overall character of the subdivision.

No storage building or outbuilding may exceed 200 square feet in floor area. In addition, all storage buildings or outbuildings must comply with the size, placement, and other requirements established by the Village of Kimberly or any other applicable governmental authority. Prior to construction or placement of any storage building or outbuilding, the lot owner must obtain all necessary approvals and permits from the Village of Kimberly.

No storage building or outbuilding shall be used for residential occupancy or as a dwelling unit.

12. Compliance with state and municipal codes.

All residences and improvements constructed or maintained on any lot shall comply in all respects with the applicable setback requirements, side yard requirements, building codes, and all other ordinances and regulations of Outagamie County, the Village of Kimberly, and the State of Wisconsin. In the event of any conflict between these covenants and any applicable governmental ordinance or regulation, the more restrictive provision shall control to the extent permitted by law.

**13. Drainage Pattern and Setbacks.**

The landscaping, grading, and development of each individual lot shall strictly comply with any drainage plan approved by the Village of Kimberly and maintained on record at the Village. No alterations to the natural or established drainage patterns, or to the approved setbacks, shall be made without the prior written approval of the Village of Kimberly. All lot owners are responsible for ensuring that any landscaping or improvements do not adversely affect the drainage of their lot or neighboring lots and must maintain compliance with all applicable municipal ordinances and regulations regarding drainage and setbacks.

**14. Trash/Burning/Litter.**

All trash, garbage, and waste materials shall be stored in sanitary containers that are kept out of public view and maintained in a manner that is not aesthetically offensive or unsightly. No burning of any kind, including but not limited to leaves, grass clippings, branches, or other refuse, shall be permitted on any lot. No lot shall be used as a dumping ground for litter, unwanted stones, grass clippings, branches, garbage, or other rubbish. Each lot owner is responsible for ensuring that their property remains free from unsightly debris and that all waste is disposed of in accordance with applicable municipal and county regulations.

**15. Antennas/Satellite Dishes.**

No radio or television antennas shall be installed or maintained on the exterior of any building or on any pole or structure on any lot. Satellite dishes are permitted, provided that they are not installed on the front of any building or on the roof. All satellite dishes must be located at the side or rear of the home and must be screened or otherwise situated so as to be as unobtrusive and hidden from public view as reasonably possible.

**16. Nuisances.**

No noxious, hazardous, or offensive activity shall be conducted or permitted upon any lot, nor shall anything be done or maintained on any lot which may be or may become an annoyance, nuisance, or cause of unreasonable disturbance to the neighborhood or to other lot owners.

**17. Animals.**

Animals are permitted on any lot or within any residence only in accordance with the Village of Kimberly's ordinances and all applicable municipal regulations. No animals may

be bred, raised, or maintained for commercial purposes. Nothing in this section shall be construed to permit the keeping of any animal that constitutes a nuisance or annoyance to the neighborhood or other lot owners.

18. Subdividing.

No lot within the subdivision may be subdivided, partitioned, or otherwise divided except as expressly permitted by the approved PUD Narrative for Blue at the Trail and approved by the Village of Kimberly in accordance with applicable subdivision regulations.

19. Lighting.

All outdoor lighting installed on any lot shall be ornamental in design and appearance, consistent with the architectural character of the residence and the overall aesthetic standards of the subdivision. Flood lighting or other high-intensity lighting may be used only if it is directed and shielded so as not to cause glare, nuisance, or offensive illumination to neighboring properties or public roadways.

20. Temporary Structures.

No structure of a temporary nature, including but not limited to shanties, sheds, tents, trailers, or similar structures, shall be permitted on any lot at any time. No structure other than a fully completed residence shall be occupied for any purpose.

21. Pre-construction maintenance.

Each lot owner shall be responsible for maintaining their lot in a clean, orderly, and attractive condition prior to the commencement of construction. No trash, waste, debris, woodpiles, weeds, or long grass shall be permitted to accumulate or remain on any lot prior to the start of construction activities.

22. Growth and Debris.

The owner of each improved lot shall maintain the lot, together with all lands lying within the road right-of-way between the lot and the traveled portion of any abutting road, in a mowed, clean, and attractive condition. If an owner fails to keep the property free of weeds, underbrush, refuse piles, or other unsightly growth or objects after written notice, the Developer or its agents may enter upon the property to remove such items at the owner's expense, and such entry shall not be deemed a trespass.

23. Walls and Fences.

No chain link fences shall be permitted on any lot. A permit must be obtained from the Village of Kimberly prior to the commencement of construction of any wall or fence, and all walls and fences shall comply with applicable Village requirements.

24. Encroachment.

For purposes of these covenants, eaves, steps, and open porches shall not be considered part of the building footprint for setback purposes; provided, however, that no portion of any building, including eaves, steps, or porches, shall encroach upon or extend over any other lot or violate applicable setback requirements.

25. Signs.

No sign of any kind shall be displayed to public view on any lot, except for: One professional sign advertising the property for sale or during the construction period. Homeowners may display political signs supporting or opposing candidates or referendums on their property during campaign periods, subject to reasonable restrictions. Sign shall comply with any applicable municipal regulations regarding size, placement, and duration.

26. Easements.

Easements for the installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat. Each lot owner shall continuously maintain the easement area of their lot and all improvements thereon, except for improvements for which a public authority or utility company is responsible. No structure or activity prohibited by the easement terms shall be placed within any easement area.

27. Removal of Dirt.

So long as the Developer owns any lot in the subdivision, the Developer reserves the right to direct the disposition of any dirt or soil that is to be removed from any lot in the subdivision during construction or landscaping activities, consistent with any Village-approved grading plans and applicable permits.

28. Clotheslines.

No clothesline or laundry line of any kind shall be installed or maintained in any outdoor area on any lot, except for temporary or fully retractable lines that are not visible from the street or neighboring lots when not in use.

29. Mailboxes

Mailboxes will be cluster mailboxes provided by the developer in a designated easement location within the subdivision. In the event that your individual box has an issue, then it is your responsibility to repair/fix while working with local postal service. In the event that the entire cluster box/mounting Etc. needs replacement or repair then the homeowners that use that box would be responsible for that cost out amongst the number of homeowners that it serves. The developer is not responsible for any repair, replacement of said cluster box once it is initially installed.

30. Severability.

Invalidation of any of the conditions, covenants or restrictions, by judgment or court order, shall in no way affect any of the remaining conditions, covenants and restrictions, which shall remain in full force and effect.

### 31. Amendment.

This Declaration may be modified, clarified, changed, or amended at any time by a written instrument executed by the owners of at least fifty percent (50%) of the lots in the subdivision, in a form suitable for recording in the Outagamie County Register of Deeds Office, and with the prior written approval, in recordable form, of the Village of Kimberly. So long as the Developer owns any lot(s) in the subdivision, any such amendment shall also require the prior written approval, in recordable form, of the Developer. Furthermore, so long as the Developer owns any property in the subdivision, the Developer alone shall have the right to waive, modify, clarify, change, or amend any provision of these covenants, subject to any required Village approval.

### 32. Enforcement.

Enforcement of these covenants, conditions, and restrictions may be pursued by proceedings at law or in equity against any person or entity violating or attempting to violate any provision, either to restrain such violation, to recover damages, or both. Any lot owner, the Developer, the Village of Kimberly, and/or Outagamie County may enforce the provisions of this Declaration by appropriate legal or equitable action.

### 33. Relation to Public Regulations.

Where the provisions of this Declaration impose greater restrictions or higher standards than any applicable statute, ordinance, or rule, the provisions of this Declaration shall control to the extent permitted by law. Where any statute, ordinance, or rule imposes greater restrictions or higher standards than this Declaration, the provisions of such statute, ordinance, or rule shall control.

### 34. Reconstruction.

In the event of any casualty, loss, or damage to improvements located on any lot within the subdivision, the owner of such lot shall, at their sole cost and expense, promptly commence and diligently pursue the repair and replacement of the affected improvements. The owner shall restore the improvements to a condition and quality at least equal to that which existed immediately prior to the casualty, loss, or damage. Restoration must be completed within one hundred eighty (180) calendar days from the date of the casualty, loss, or damage, except for delays caused by force majeure.

### 35. Term.

These conditions, restrictions, and requirements are covenants running with the land and shall be binding upon the grantors and grantees of the property described herein, and their respective heirs, executors, administrators, successors, and assigns, for a period of twenty

(20) years from and after the date hereof. Upon expiration of such initial term, these covenants shall automatically renew and continue in force for successive periods of ten (10) years each, unless an instrument terminating or amending these covenants is executed and recorded in accordance with Section 32 above and all applicable requirements of Wisconsin law.

IN WITNESS WHEREOF, Developer has hereunto set its hand and seal on the day and year first above written.

Developer:

By: \_\_\_\_\_

Name/Title: \_\_\_\_\_

ACKNOWLEDGMENT

State of Wisconsin )

) ss.

County of \_\_\_\_\_ )

Personally came before me on \_\_\_\_\_, 2026, the above named  
\_\_\_\_\_ of \_\_\_\_\_, who executed the foregoing  
instrument and acknowledged the same.

Print name: \_\_\_\_\_

Notary Public, Wisconsin

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

This instrument was drafted by:

\_\_\_\_\_



**Village of Kimberly**  
**Request for**  
**Plan Commission Recommendation**

**ITEM DESCRIPTION:** Certified Survey Map – Lot Reconfiguration – Parcels 250-088702, 250-088703, and 250-088704 (The Roots)

**REPORT PREPARED BY:** Sam Schroeder, Community Development Director

**REPORT DATE:** January 20, 2026

**EXPLANATION:** The Village of Kimberly has entered into an Agreement to purchase back the vacant parcels of lands located along White Cedar Pkwy and E Papermill Run that surround the Roots apartment complex. Due to overlapping site improvements and to ensure that the most amount of land is saved and reserved for future development, the Village and the Property Owner are presenting the attached four lot Certified Survey Map (CSM).

Accompanied with this CSM will be an access and utility easement to include the drive aisle along White Cedar Pkwy and the private drive located west of the apartment infrastructure. Development expectations remain the same in this area, to find a development that complements the Red Cedar Pkwy development to encompass the entire park. This development is expected to have rear access to limit driveways along White Cedar Pkwy. As such, the CSM does designate no access for the full proposed Lot 2 along White Cedar Pkwy and E Maes Ave. Limited access is shown for Lot 3 to White Cedar Pkwy and E Papermill Run and only a restriction to N Pine St for Lot 4.

All of these parcels are zoned B-1, General Business District with an accompanied Planned Unit Development. Reconfiguring these lots does conform to the Zoning Code and Comprehensive Plan.

**RECOMMENDED ACTION:** Staff recommends approval of the proposed four lot Certified Survey Map for Parcels 250-088702, 250-088703, and 250-088704 as presented provided the easement is executed to provide access to Lot 2 and 3 of the proposed Certified Survey Map.

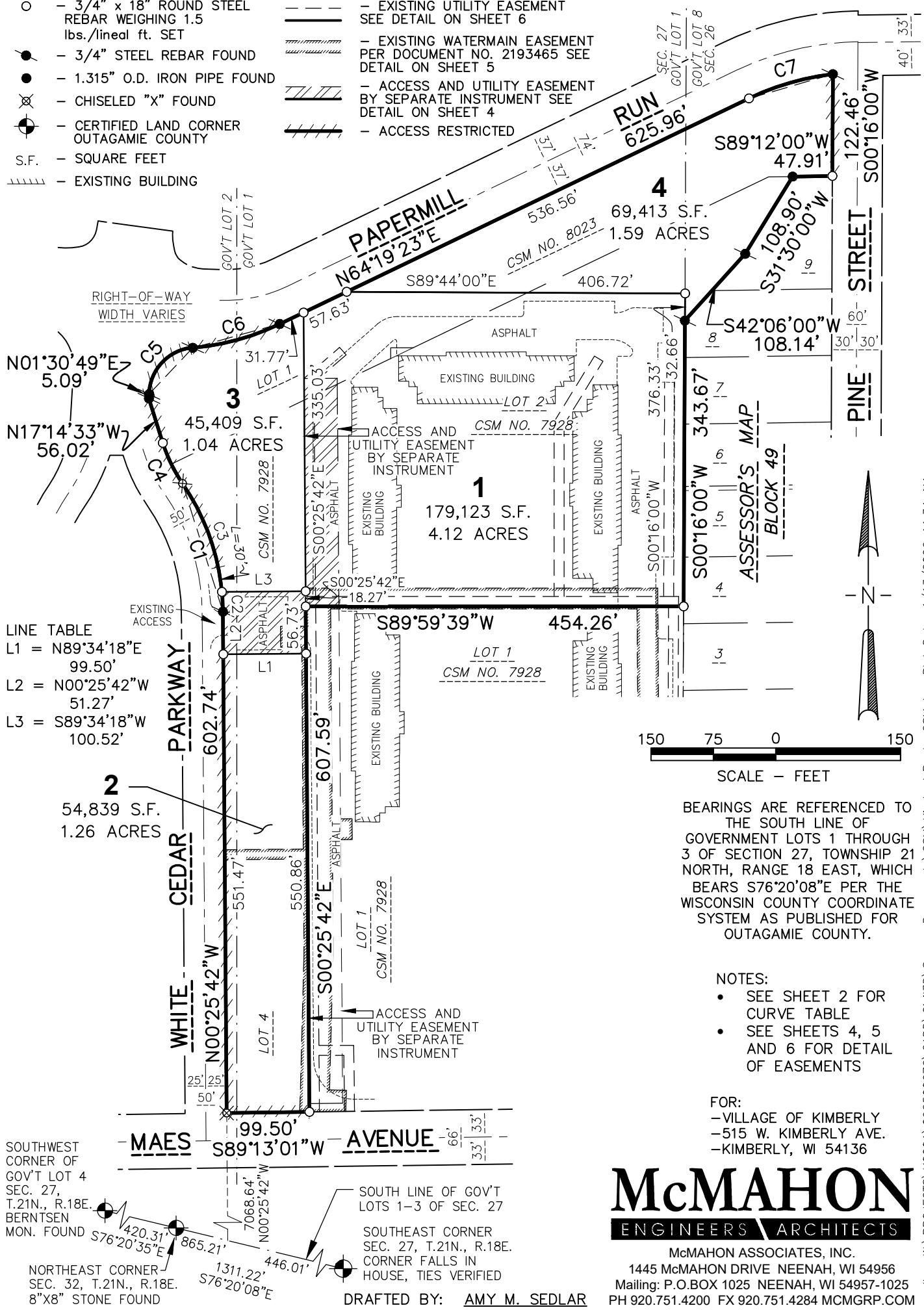


CERTIFIED SURVEY MAP SHEET 1 OF 6

ALL OF LOT 1 OF CERTIFIED SURVEY MAP NO. 8023, RECORDED AS DOCUMENT NO. 2217774 AND ALL OF LOTS 2 AND 4 OF CERTIFIED SURVEY MAP NO. 7928, RECORDED AS DOCUMENT NO. 2200895; ALL BEING PART GOVERNMENT LOT 8 OF SECTION 26 AND PART OF GOVERNMENT LOTS 1 AND 2 OF SECTION 27, ALL IN TOWNSHIP 21 NORTH, RANGE 18 EAST, VILLAGE OF KIMBERLY, OUTAGAMIE COUNTY, WISCONSIN

## LEGEND

- - 3/4" x 18" ROUND STEEL REBAR WEIGHING 1.5 lbs./lineal ft. SET  - EXISTING UTILITY EASEMENT SEE DETAIL ON SHEET 6
- - 3/4" STEEL REBAR FOUND  - EXISTING WATERMAIN EASEMENT PER DOCUMENT NO. 2193465 SEE DETAIL ON SHEET 5
- - 1.315" O.D. IRON PIPE FOUND  - ACCESS AND UTILITY EASEMENT BY SEPARATE INSTRUMENT SEE DETAIL ON SHEET 4
- ☒ - CHISELED "X" FOUND  - ACCESS RESTRICTED
- - CERTIFIED LAND CORNER OUTAGAMIE COUNTY 
- S.F. - SQUARE FEET
-  - EXISTING BUILDING



BEARINGS ARE REFERENCED TO  
THE SOUTH LINE OF  
GOVERNMENT LOTS 1 THROUGH  
3 OF SECTION 27, TOWNSHIP 21  
NORTH, RANGE 18 EAST, WHICH  
BEARS S76°20'08"E PER THE  
WISCONSIN COUNTY COORDINATE  
SYSTEM AS PUBLISHED FOR  
OUTAGAMIE COUNTY.

## NOTES:

- SEE SHEET 2 FOR CURVE TABLE
- SEE SHEETS 4, 5 AND 6 FOR DETAIL OF EASFMNTS

FOR:

—VILLAGE OF KIMBERLY  
—515 W. KIMBERLY AVE.  
—KIMBERLY, WI 54136

# McMAHON

ENGINEERS \ ARCHITECTS

---

McMAHON ASSOCIATES, INC.  
1445 McMAHON DRIVE NEENAH, WI 54956  
Mailing: P.O.BOX 1025 NEENAH, WI 54957-1025  
PH 920.751.4200 FX 920.751.4284 MCMGRP.COM

## CERTIFIED SURVEY MAP

SHEET 2 OF 6

ALL OF LOT 1 OF CERTIFIED SURVEY MAP NO. 8023, RECORDED AS DOCUMENT NO. 2217774 AND ALL OF LOTS 2 AND 4 OF CERTIFIED SURVEY MAP NO. 7928, RECORDED AS DOCUMENT NO. 2200895; ALL BEING PART GOVERNMENT LOT 8 OF SECTION 26 AND PART OF GOVERNMENT LOTS 1 AND 2 OF SECTION 27, ALL IN TOWNSHIP 21 NORTH, RANGE 18 EAST, VILLAGE OF KIMBERLY, OUTAGAMIE COUNTY, WISCONSIN

### SURVEYOR'S CERTIFICATE:

I, Douglas E. Woelz, Wisconsin Professional Land Surveyor S-2327, certify that I have surveyed, divided and mapped all of Lot 1 of Certified Survey Map No. 8023, recorded as Document No. 2217774 and all of Lots 2 and 4 of Certified Survey Map No. 7928, recorded as Document No. 2200895; all being part Government Lot 8 of Section 26 and part of Government Lots 1 and 2 of Section 27, all in Township 21 North, Range 18 East, Village of Kimberly, Outagamie County, Wisconsin, containing 348,784 square feet (8.01 acres) of land.

That I have made this survey by the direction of the Owners of said Land.

I further certify that this map is a correct representation of all exterior boundary lines of the land surveyed and the division of that land, and that I have complied with Section 236.34 of the Wisconsin Statues and the Village of Kimberly Subdivision Ordinances in surveying, dividing and mapping the same.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

-----  
Douglas E. Woelz, S-2327  
Wisconsin Professional Land Surveyor

### NOTE

-A current title policy was not provided by the Owner at the time this survey was prepared; therefore, easements and restrictions of record may affect this property that are not shown.

-Lots 1, 2, 3 and 4 of this CSM are subject to covenants, easements and restrictions of Reciprocal Easement Agreement recorded as Document No. 2231138

-This CSM is all of Tax Parcels 250088702, 250088703 and 250088704

-The property owners of record is Kimberly Riverfront LLC

-This property is contained wholly within lands described in Document Nos. 2129152 and 2211699

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH	TANGENT IN	TANGENT OUT
C1	275.00'	034°10'25"	164.02'	N17°30'54"W	161.60'	N34°36'07"W	N00°25'42"W
C2	275.00'	004°57'00"	23.76'	N02°54'12"W	23.75'		
C3	275.00'	029°13'25"	140.26'	N19°59'24"W	138.75'		
C4	179.50'	017°21'34"	54.38'	N25°55'20"W	54.18'	N17°14'33"W	N34°36'07"W
C5	57.50'	083°35'32"	83.89'	N43°18'35"E	76.65'	N85°06'21"E	N01°30'49"E
C6	300.00'	020°46'58"	108.82'	N74°42'52"E	108.22'	N64°19'23"E	N85°06'21"E
C7	316.50'	019°05'46"	105.49'	N73°52'16"E	105.00'	N83°25'09"E	N64°19'23"E

# CERTIFIED SURVEY MAP

SHEET 3 OF 6

ALL OF LOT 1 OF CERTIFIED SURVEY MAP NO. 8023, RECORDED AS DOCUMENT NO. 2217774 AND ALL OF LOTS 2 AND 4 OF CERTIFIED SURVEY MAP NO. 7928, RECORDED AS DOCUMENT NO. 2200895; ALL BEING PART GOVERNMENT LOT 8 OF SECTION 26 AND PART OF GOVERNMENT LOTS 1 AND 2 OF SECTION 27, ALL IN TOWNSHIP 21 NORTH, RANGE 18 EAST, VILLAGE OF KIMBERLY, OUTAGAMIE COUNTY, WISCONSIN

## VILLAGE OF KIMBERLY BOARD APPROVAL:

This Certified Survey Map in the Village of Kimberly, is hereby approved as surveyed and mapped by the Village Board of the Village of Kimberly, Outagamie County, Wisconsin.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Village President, Charles A. Kuen

Village Clerk, Jennifer Weyenberg

CERTIFICATE OF VILLAGE TREASURER

I, being the duly qualified and acting Treasurer of the Village of Kimberly, do hereby certify that in accordance with the records in my office, there are no unpaid taxes or unpaid special assessments on any of the lands included in this Certified Survey Map.

Village Treasurer  
Jennifer Weyenberg

CERTIFICATE OF COUNTY TREASURER

I, being the duly elected, qualified and acting County Treasurer, do hereby certify that the records in my office show no unredeemed tax sales and no unpaid taxes or special assessments on any of the lands included in this Certified Survey Map.

County Treasurer Date

Print Name

## OWNER'S CERTIFICATE

OWNER'S CERTIFICATE  
Kimberly Riverfront, LLC, a Wisconsin limited liability company, as Owners, we hereby certify that we caused the land described on this Certified Survey Map to be surveyed, divided, mapped and dedicated as represented on this Certified Survey Map. We also certify that this Certified Survey Map is required by S.236.10 or S.236.12 of the Wisconsin Statutes to be submitted to the following for approval or objection: Village of Kimberly

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Jeffrey P. Noeldner, member

State of Wisconsin) )SS  
\_\_\_\_ County)

Personally came before me this \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_\_, the above named  
person to me known to be the person who  
executed the foregoing instrument and acknowledged  
the same.

Notary Public

\_\_\_\_\_ County, WI

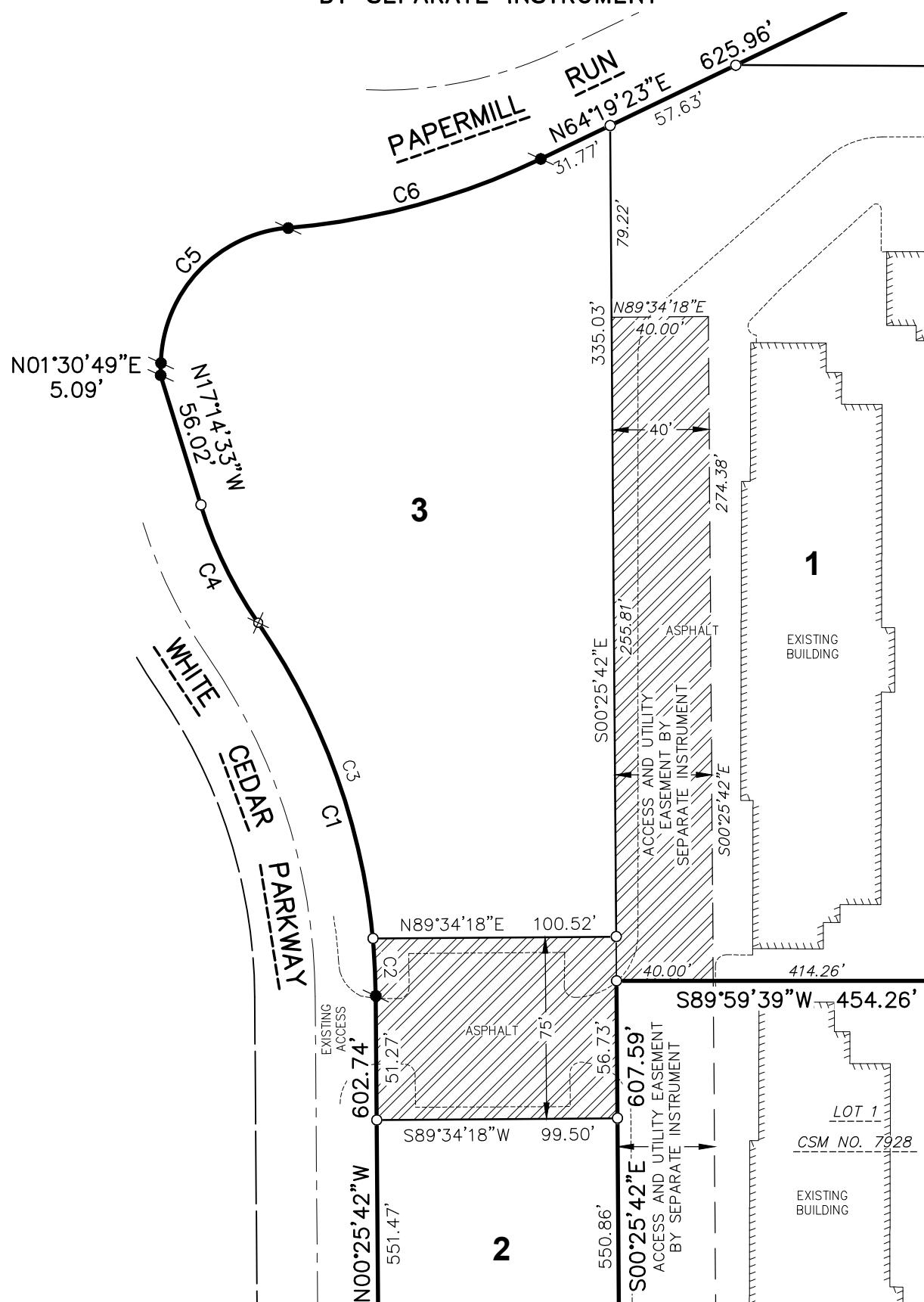
My Commission Expires: \_\_\_\_\_

CERTIFIED SURVEY MAP

SHEET 4 OF 6

ALL OF LOT 1 OF CERTIFIED SURVEY MAP NO. 8023, RECORDED AS DOCUMENT NO. 2217774 AND ALL OF LOTS 2 AND 4 OF CERTIFIED SURVEY MAP NO. 7928, RECORDED AS DOCUMENT NO. 2200895; ALL BEING PART GOVERNMENT LOT 8 OF SECTION 26 AND PART OF GOVERNMENT LOTS 1 AND 2 OF SECTION 27, ALL IN TOWNSHIP 21 NORTH, RANGE 18 EAST, VILLAGE OF KIMBERLY, OUTAGAMIE COUNTY, WISCONSIN

DETAIL OF ACCESS AND UTILITY EASEMENT  
BY SEPARATE INSTRUMENT

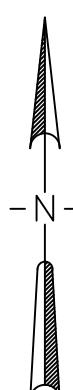


LEGEND

- - 3/4" x 18" ROUND STEEL REBAR WEIGHING 1.5 lbs./lineal ft. SET
- - 3/4" STEEL REBAR FOUND
- ☒ - CHISELED "X" FOUND
- - EXISTING BUILDING
- // - ACCESS AND UTILITY EASEMENT BY SEPARATE INSTRUMENT

BEARINGS ARE REFERENCED TO THE SOUTH LINE OF GOVERNMENT LOTS 1 THROUGH 3 OF SECTION 27, TOWNSHIP 21 NORTH, RANGE 18 EAST, WHICH BEARS S76°20'08"E PER THE WISCONSIN COUNTY COORDINATE SYSTEM AS PUBLISHED FOR OUTAGAMIE COUNTY.

60 30 0 60  
SCALE - FEET

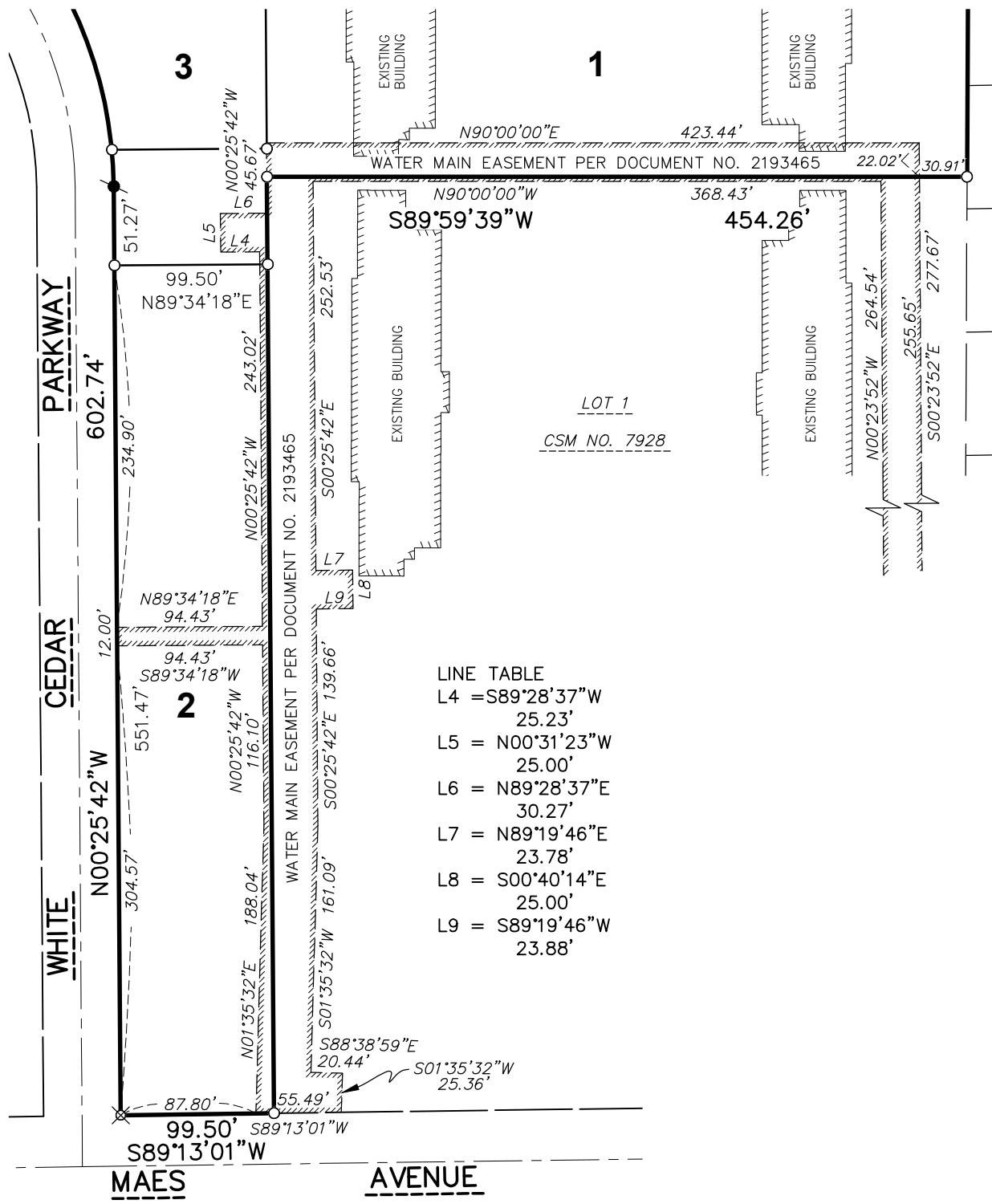


# CERTIFIED SURVEY MAP

SHEET 5 OF 6

ALL OF LOT 1 OF CERTIFIED SURVEY MAP NO. 8023, RECORDED AS DOCUMENT NO. 2217774 AND ALL OF LOTS 2 AND 4 OF CERTIFIED SURVEY MAP NO. 7928, RECORDED AS DOCUMENT NO. 2200895; ALL BEING PART GOVERNMENT LOT 8 OF SECTION 26 AND PART OF GOVERNMENT LOTS 1 AND 2 OF SECTION 27, ALL IN TOWNSHIP 21 NORTH, RANGE 18 EAST, VILLAGE OF KIMBERLY, OUTAGAMIE COUNTY, WISCONSIN

## DETAIL OF WATER MAIN EASEMENT PER DOCUMENT NO. 2193465

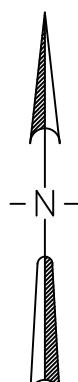


### LEGEND

- - 3/4" x 18" ROUND STEEL REBAR WEIGHING 1.5 lbs./lineal ft. SET
- - 3/4" STEEL REBAR FOUND
- ☒ - CHISELED "X" FOUND
- |||| - EXISTING BUILDING
- ||||| - EXISTING WATERMAIN EASEMENT PER DOCUMENT NO. 2193465

BEARINGS ARE REFERENCED TO THE SOUTH LINE  
OF GOVERNMENT LOTS 1 THROUGH 3 OF  
SECTION 27, TOWNSHIP 21 NORTH, RANGE 18  
EAST, WHICH BEARS S76°20'08"E PER THE  
WISCONSIN COUNTY COORDINATE SYSTEM AS  
PUBLISHED FOR OUTAGAMIE COUNTY.

100 50 0 100  
SCALE - FEET

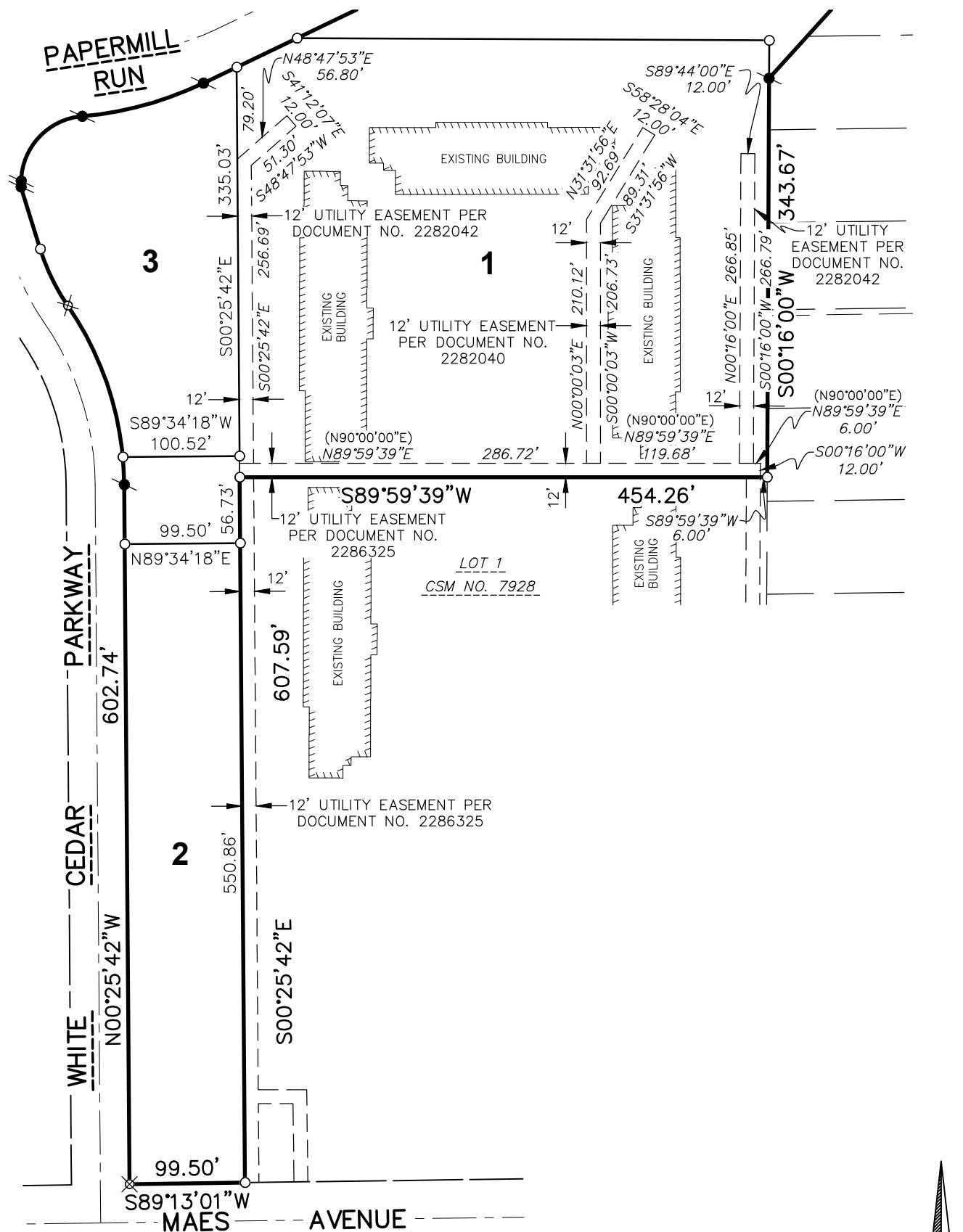


## CERTIFIED SURVEY MAP

SHEET 6 OF 6

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DETAIL OF UTILITY EASEMENTS PER  
DOCUMENT NOS. 2286325, 2282040 AND 2282042

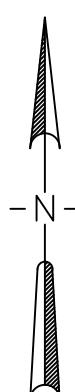


## LEGEND

SECOND

- - 3/4" x 18" ROUND STEEL  
REBAR WEIGHING 1.5  
lbs./lineal ft. SET
- - 3/4" STEEL REBAR FOUND
- ✗ - CHISELED "X" FOUND
- ~~~~~ - EXISTING BUILDING
- — — - EXISTING 12' UTILITY EASEMENT
- ( ) - RECORDED BEARING

BEARINGS ARE REFERENCED TO THE SOUTH LINE  
OF GOVERNMENT LOTS 1 THROUGH 3 OF  
SECTION 27, TOWNSHIP 21 NORTH, RANGE 18  
EAST, WHICH BEARS S76°20'08"E PER THE  
WISCONSIN COUNTY COORDINATE SYSTEM AS  
PUBLISHED FOR OUTAGAMIE COUNTY.



A scale bar for 120 feet. It consists of a horizontal line with tick marks at 0, 60, and 120. The segment from 0 to 60 is shaded black, representing 60 feet. The segment from 60 to 120 is unshaded, representing an additional 60 feet. Below the line, the text "SCALE - FEET" is centered.

## *EXHIBIT A*

## ACCESS AND UTILITY EASEMENT

PART OF LOT 1 OF CERTIFIED SURVEY MAP NO. 8023  
RECORDED AS DOCUMENT NO. 2217774; AND PART OF  
LOTS 1, 2 AND 4 OF CERTIFIED SURVEY MAP NO.  
7928 RECORDED AS DOCUMENT NO. 2200895; ALL  
LOCATED IN GOVERNMENT LOTS 1 AND 2 OF SECTION  
27, TOWNSHIP 21 NORTH, RANGE 18 EAST, VILLAGE OF  
KIMBERLY, OUTAGAMIE COUNTY, WISCONSIN CONTAINING  
42,332 SQUARE FEET (0.97 ACRES) OF LAND, BEING  
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southwest corner of said Lot 1 of Certified Survey Map No. 7928; Thence N00°25'42"W, 10.00 feet along the West line of said Lot 1 to the Point of Beginning; Thence continuing N00°25'42"W, 540.86 feet along said West line; Thence S89°34'18"W, 99.50 feet to the East right-of-way line of White Cedar Parkway; Thence N00°25'42"W, 51.27 feet along said East right-of-way line to the start of a 275.00 foot radius curve to the left; Thence 23.76 feet along said East right-of-way line being the arc of said curve having a 23.75 foot chord which bears N02°54'12"W; Thence N89°34'18"E, 100.52 feet to the West line of Lot 2 of said Certified Survey Map No. 7928; Thence N00°25'42"W, 255.81 feet along said West line and it's Northerly extension; Thence N89°34'18"E, 40.00 feet; Thence S00°25'42"E, 871.42 feet; Thence S89°13'01"W, 40.00 feet to the Point of Beginning.

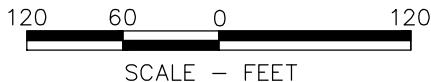
## CURVE DATA

C1  
RADIUS = 275.00'  
DELTA = 004°57'00"  
LENGTH = 23.76'  
CHORD = N02°54'12" W  
23.75'

## LINE DATA

L1 = S89°34'18" W, 99.50'  
 L2 = N00°25'42" W, 51.27'  
 L3 = N89°34'18" E, 40.00'  
 L4 = S89°13'01" W, 40.00'

BEARINGS ARE REFERENCED TO MATCH  
CERTIFIED SURVEY MAP NO. 7928



Project No. K0001 09-25-00676.00

Drawn By AMS Date Jan. 2026

# McMAHON

ENGINEERS \ ARCHITECTS

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Mailing: P.O.BOX 1025 NEENAH, WI 54957-1025  
Tel: (920) 751-4200 Fax: (920) 751-4284