Our intention is to have in-person meetings going forward. For the time being, we will hold the City Committee Meetings, Plan Commission, Council and most others at the Community Room at 933 Michigan Avenue. This in-person location will meet the legal requirement for our open meetings.

We will have a virtual option available, but the technology for the hybrid style meeting may not be reliable all of the time.

CITY OF STEVENS POINT
SPECIAL COUNCIL MEETING

Community Room
933 Michigan Avenue, Stevens Point, WI

October 14, 2024
6:00 PM

OR

Zoom Teleconferencing

Meeting ID: 842 8851 3265 | Passcode: 334022
By Computer: Zoom Link
By Phone: +1-312-626-6799 (US Chicago)

AGENDA

1. Roll Call.

Consideration and Possible Action on the Following:

2. Acquisition of 337 square foot parcel from Nicholas and Abigail Flies for purpose of connecting Evelyn Court to Maple Bluff Road.

3. Adjournment.

RMC – Revised Municipal Code

Persons who wish to address the Common Council may make a statement as long as it pertains to a **specific** agenda item. Persons who wish to speak on an agenda item will be limited to a five (5) minute presentation. Any person who wishes to address the Common Council on a matter which is not on the agenda will be given a maximum of three (3) minutes and the time strictly enforced under the item, "Persons who wish to address the mayor and council on non-agenda items." Individuals should not expect to engage in discussion with members of the City Council and City staff.

Any person who has special needs while attending this meeting or needing agenda materials for this meeting should contact the City Clerk as soon as possible to ensure a reasonable accommodation can be made. The City Clerk can be reached by telephone at (715) 346-1569 or by mail at 1515 Strongs Avenue, Stevens Point, WI 54481.

Copies of ordinances, resolutions, reports and minutes of the committee meetings are on file at the office of the City Clerk for inspection during the regular business hours from 7:30 A.M. to 4:00 P.M.

AGREEMENT FOR NEGOTIATED PURCHASE OF REAL ESTATE PURSUANT TO WISCONSIN STATUTES § 32.05(2a)

THIS AGREEMENT ("Agreement") is made and entered into this _____ day of _____, 20___, by and between the City of Stevens Point ("City"), a Wisconsin municipal corporation with primary offices located at 1515 Strongs Avenue, Stevens Point, Wisconsin 54481, and Abigail and Nicholas Flies ("Owners"), a married couple residing at 215 Maple Bluff Road S, Stevens Point, WI 54482, for the City's acquisition of a portion of Owners' property located at 215 Maple Bluff Road S, Stevens Point, WI 54482 and identified as Outlot 1 on the Certified Survey Map titled "CSM: 011911" attached to this Agreement and recorded with the Portage County Register of Deeds on July 23, 2024 as Document No. 906677 (the "Property") via a negotiated purchase under Wisconsin Statutes § 32.05(2a).

WITNESSETH:

WHEREAS, the City wishes to acquire the Property for the purpose of constructing a roadway connecting Evelyn Court to Maple Bluff Road and any associated municipal utilities located within such area; and

WHEREAS, Owners wish to sell the Property to the City as agreed to herein; and

WHEREAS, the City previously provided to the Owners the pamphlet entitled "The Rights of Landowners Under Wisconsin Eminent Domain Law"; and

WHEREAS, the City and the Owners subsequently engaged in negotiations for the City's acquisition of the Property;

NOW THEREFORE, in consideration of the representations and mutual promises herein contained, the City and Owners agree as follows:

SECTION I – CITY'S PURCHASE OF PROPERTY

A. The City will pay the Owners the sum of thirteen thousand dollars ($13,000.00) as consideration for acquisition of the Property.

B. Such purchase price shall include all personal property located at the Property and any and all timber located upon the property.

C. The City shall pay for all closing costs related to the sale.

D. The Owners shall execute and deliver to the City the Quitclaim Deed attached to this Agreement.

Section II – WAIVERS, REPRESENTATIONS, AND RELEASES BY OWNERS

A. In consideration of the compensation to be paid by City to Owners under Section IA. of this Agreement, which represents an amount in excess of the fair market value of the Property, the Owners agree to waive certain rights and procedures as follows. Owners waive the requirement that the City provide Owners a full narrative appraisal of the Property under Wis. Stats. § 32.05(2)(a). Owners waive their right to the creation of their own full narrative appraisal of the Property at the City's cost under Wis. Stats. § 32.05(2)(b). The Owners waive the requirement that a Relocation Order be prepared pursuant to 32.05(1). The Owners waive their right to contest the right of condemnation under Wis. Stats. § 32.05(5). The Owners waive their right to contest the amount of compensation under Wis. Stats. § 32.05(2a).

B. The Owners represent and warrant that their entry into this Agreement and the City's acquisition of the Property will not result in any circumstances for which compensation is required under Wis. Stats. § 32.19, Wis. Stats. § 32.195, or Wisconsin Administrative Code Ch. Adm 92.

C. The Owners represent and warrant that there are no other property owners to whom offers are being made for property acquisition as relates to the requirement to provide Owners a list of names of such other persons under Wis. Stat. § 32.05(2a).

D. The Owners hereby consent to any entry upon the Property, removal of vegetation upon the property, and other work and activity upon the Property by the City and its contractors which occurred prior to the execution of this agreement and the City's acquisition of the Property. The Owner waives its ability to bring any suit in law or equity against the City, its officers, employees, or its contractors for trespass upon the Property, damage to personal property located on the Property, and timber or other agricultural products located upon the Property.

Section III - SUCCESSORS AND ASSIGNS

City and the Owners each bind themselves, their partners, successors, heirs, assigns, and legal representatives to the other party to this Agreement and to the partners, successors, heirs, assigns and legal representatives of such other party in respect to all covenants of this Agreement. The Owners shall not assign, sublet, lease or transfer its interest in this Agreement without the City's written consent. In no event shall any contractual relationship be created between City and any third party.

Section IV – CHOICE OF LAW

This Agreement shall be governed by the laws of the State of Wisconsin.

IN WITNESS WHEREOF, the parties have duly executed this Agreement, or caused it to be duly executed, as of the _____ day of _____, 2024.

OWNERS:

By: _____ Date:_____
Nicholas Flies

By: _____ Date:_____
Abigai Flies

CITY OF STEVENS POINT:

By: _____ Date: _____
Mike Wiza, Mayor

Attest: _____ Date: _____
Kari Yenter, City Clerk

906677

CYNTHIA A. WISINSKI
REGISTER OF DEEDS
PORTAGE COUNTY
STEVENS POINT, WI
RECORDED ON
07/23/2024 01:36 PM

REC FEE: 30.00
TRANSFER FEE:
PAGES: 3
FEE EXEMPT:

CSM: 011911

PORTAGE COUNTY CERTIFIED SURVEY MAP

CERTIFIED SURVEY MAP FOR ABIGAIL AND NICOLAS FLIES, BEING ALL OF LOT 34 OF SECOND ADDITION TO MAPLE BLUFF SUBDIVISION, BEING A PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 26, TOWNSHIP 24 NORTH, RANGE 8 EAST, TOWN OF HULL, PORTAGE COUNTY, WISCONSIN

CURVE TABLE

CURVE #	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
1	235.39'	66.88'	N24°42'37"W	64.86'
	(233.00')			(66.26')
2	335.17'	335.65'	N28°16'57"E	321.80'
	(335.37')			(321.60')
3	335.17'	247.80'	N35°47'28"E	242.20'
4	335.17'	87.85'	N07°06'07"E	87.60'

SURVEYOR NOTES
1. NO WELL OR SEPTIC OBSERVED AT TIME OF SURVEY.

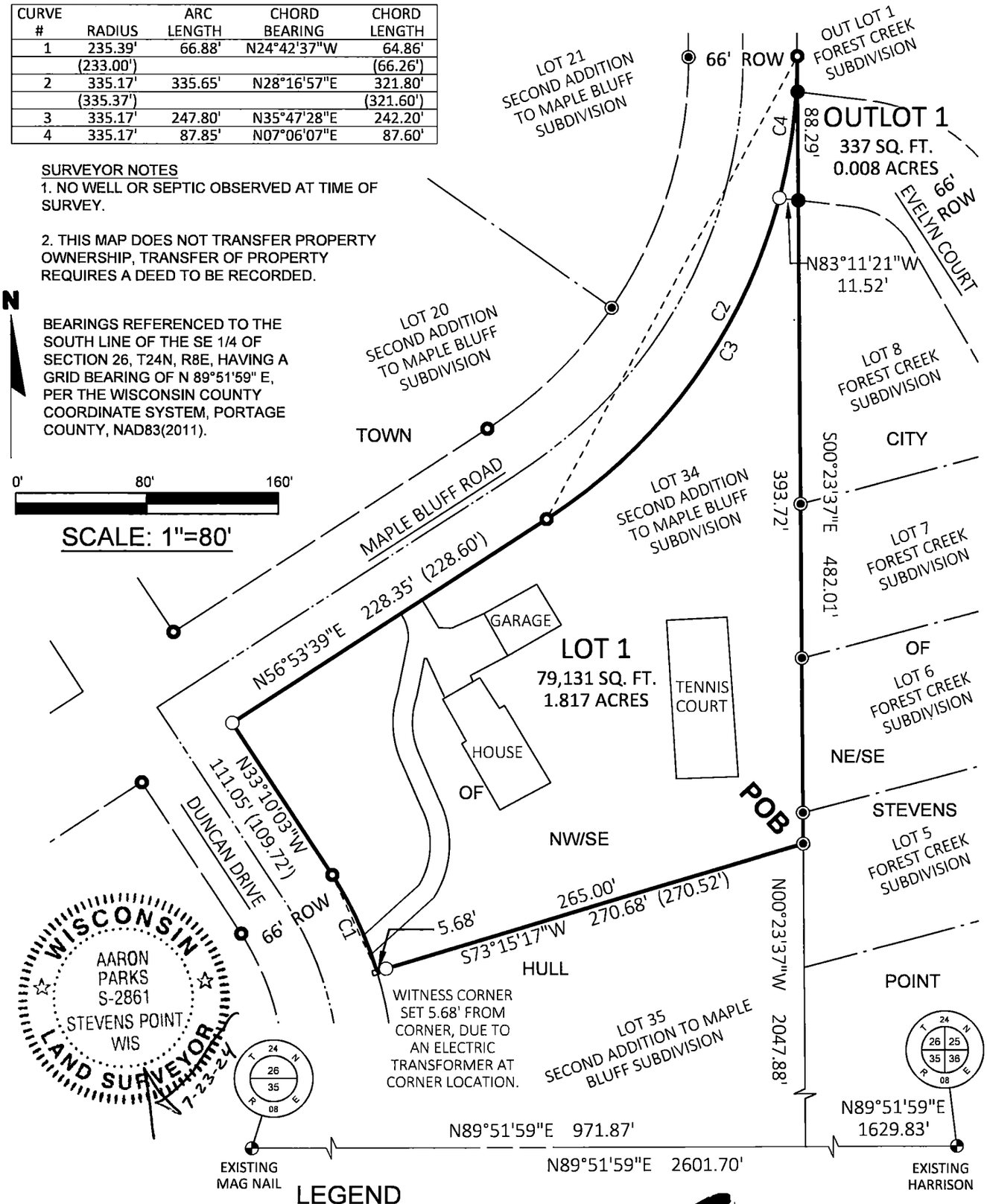
2. THIS MAP DOES NOT TRANSFER PROPERTY OWNERSHIP, TRANSFER OF PROPERTY REQUIRES A DEED TO BE RECORDED.

N

BEARINGS REFERENCED TO THE SOUTH LINE OF THE SE 1/4 OF SECTION 26, T24N, R8E, HAVING A GRID BEARING OF N 89°51'59" E, PER THE WISCONSIN COUNTY COORDINATE SYSTEM, PORTAGE COUNTY, NAD83(2011).

0' 80' 160'

SCALE: 1"=80'



WISCONSIN
AARON PARKS S-2861
STEVENS POINT, WIS
LAND SURVEYOR
7-23-24

LEGEND

- EXISTING GOVERNMENT MONUMENT AS NOTED
- EXISTING 1 1/4" OD IRON PIPE
- EXISTING 2 1/4" OD IRON PIPE
- EXISTING 1 1/4" REBAR
- SET 1 1/4" O.D. x 18" IRON PIPE WEIGHING 1.68 LBS/FT
- (100') RECORDED AS DISTANCE FROM OTHER INSTRUMENTS

PREPARED BY:
AARON PARKS, PLS #2861
GREMMER & ASSOCIATES, INC.
120 WILSHIRE BLVD. NORTH
STEVENS POINT, WI 54481

GREMMER & ASSOCIATES, INC.
CONSULTING ENGINEERS
Stevens Point • Fond du Lac

PARCEL ID: 020-68-34

SHEET 1 OF 3 SHEETS

PORTAGE COUNTY CERTIFIED SURVEY MAP

ALL OF LOT 34 OF SECOND ADDITION TO MAPLE BLUFF SUBDIVISION, BEING A PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 26, TOWNSHIP 24 NORTH, RANGE 8 EAST, TOWN OF HULL, PORTAGE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, AARON PARKS, PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT AT THE DIRECTION OF ABIGAIL AND NICOLAS FLIES, I HAVE SURVEYED, DIVIDED AND MAPPED THE FOLLOWING DESCRIBED PARCEL OF LAND:

ALL OF LOT 34 OF SECOND ADDITION TO MAPLE BLUFF SUBDIVISION, BEING A PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 26, TOWNSHIP 24 NORTH, RANGE 8 EAST, TOWN OF HULL, PORTAGE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 26, TOWNSHIP 24 NORTH, RANGE 8 EAST;

THENCE N 89°51'59" E, 971.87' ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 26;

THENCE N 00°23'37" W, 2047.88' TO THE SOUTHEAST CORNER OF LOT 34 OF SECOND ADDITION TO MAPLE BLUFF SUBDIVISION, ALSO BEING THE POINT OF BEGINNING OF THIS DESCRIPTION;

THENCE S 73°15'17" W, 270.68' ALONG THE SOUTH LINE OF SAID LOT 34, TO THE EASTERLY RIGHT OF WAY OF DUNCAN DRIVE;

THENCE ALONG THE EASTERLY RIGHT OF WAY OF DUNCAN DRIVE, NORTHWESTERLY 66.88' ALONG THE ARC OF A 235.39' RADIUS CURVE, CENTER WHICH LIES WESTERLY, CHORD WHICH BEARS N 24°42'37" W, A DISTANCE OF 64.86';

THENCE N 33°10'03" W, 111.05', ALONG THE SAID EASTERLY RIGHT OF WAY OF DUNCAN DRIVE, TO THE SOUTHERLY RIGHT OF WAY OF MAPLE BLUFF ROAD;

THENCE N 56°53'39" E, 228.35' ALONG THE SAID SOUTHERLY RIGHT OF WAY;

THENCE ALONG THE SOUTHERLY AND EASTERLY RIGHT OF WAY OF SAID MAPLE BLUFF ROAD, NORTHEASTERLY 335.65' ALONG THE ARC OF A 335.17' RADIUS CURVE, CENTER WHICH LIES NORTHWESTERLY, CHORD WHICH BEARS N 28°16'57" E, A DISTANCE OF 321.80' TO THE NORTHEAST CORNER OF LOT 34, ALSO THE WEST LINE OF FOREST CREEK SUBDIVISION;

THENCE S 00°23'37" E, 482.01' ALONG THE SAID WEST LINE OF FOREST CREEK SUBDIVISION, TO THE SOUTHEAST CORNER OF LOT 34, ALSO THE POINT OF BEGINNING, THERE TERMINATING.

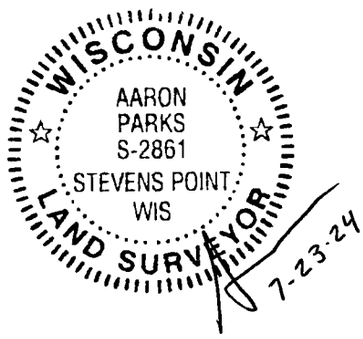
SAID PARCEL CONTAINS 1.825 ACRES. PARCEL SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS IN USE OR OF RECORD.

THAT THIS CERTIFIED SURVEY MAP IS A CORRECT REPRESENTATION OF THE EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE DIVISION THEREOF MADE.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN STATUTES AND THE LAND DIVISION AND SUBDIVISION ORDINANCE OF THE TOWN OF HULL AND PORTAGE COUNTY, IN SURVEYING, DIVIDING AND MAPPING THE SAME.

DATED THIS 23TH DAY OF JULY, 2024.

AARON PARKS, PLS #2861



SHEET 2 OF 3 SHEETS

PORTAGE COUNTY CERTIFIED SURVEY MAP

ALL OF LOT 34 OF SECOND ADDITION TO MAPLE BLUFF SUBDIVISION, BEING A PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 26, TOWNSHIP 24 NORTH, RANGE 8 EAST, TOWN OF HULL, PORTAGE COUNTY, WISCONSIN.

TOWN OF HULL APPROVAL

THE FOREGOING CERTIFIED SURVEY MAP HAS BEEN SUBMITTED TO THE TOWN OF HULL FOR REVIEW AND APPROVAL AS TO THE CONFORMITY WITH TOWN ORDINANCES, ON THIS 23rd DAY OF July, 2024.

DAVID WILZ, TOWN CHAIRPERSON

ATTESTED BY:

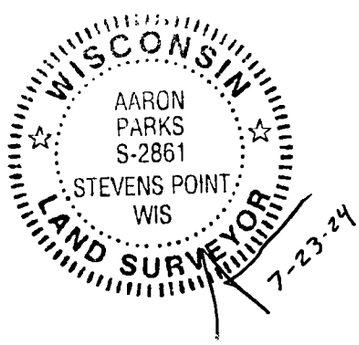
DESIREE REDDITT, TOWN CLERK

CITY OF STEVENS POINT COMMUNITY DEVELOPMENT APPROVAL

THIS IS TO CERTIFY THAT THIS CERTIFIED SURVEY MAP AND ACCOMPANYING INFORMATION IS APPROVED PURSUANT TO THE BUILDING AND SAFETY ORDINANCES OF STEVENS POINT BASED ON EXTRATERRITORIAL REVIEW:

APPROVED ON THIS 23rd DAY OF July, 2024.

CITY OF STEVENS POINT COMMUNITY DEVELOPMENT OFFICE



SHEET 3 OF 3 SHEETS

DOCUMENT NO.

QUIT-CLAIM DEED

THIS INDENTURE, made by **Nicholas Flies and Abigail Flies**, husband and wife as survivorship marital property, Grantor, hereby Quit-Claim to the **CITY OF STEVENS POINT**, a Wisconsin Municipal Corporation, Grantee, the following tract of land in Portage County, State of Wisconsin:

Part of Tax Parcel No. 020-68-34:
Outlot 1 of Portage County Certified Survey Map Number 011911, located in the Northwest Quarter of the Southeast Quarter of Section 26, Township 24 North, Range 8 East, Town of Hull, Portage County, Wisconsin.

NAME AND RETURN ADDRESS
Kari A. Yenter, Clerk
City of Stevens Point
1515 Strongs Avenue
Stevens Point, WI 54481

_ Part of 020-68-34____
PARCEL IDENTIFICATION NUMBER

Subject to restrictions, covenants and easements of record.

This real estate transaction is exempt from fee pursuant to Wis. Stats. 77.25(2r).

This (is or is not) homestead property.

Dated this _____ day of July, 2024.

_____(SEAL)
Nicholas Flies

_____(SEAL)
Abigail Flies

AUTHENTICATION

Signature(s)_____
_____
authenticated this _____ day of January, 2024.

_____
ANDREW LOGAN BEVERIDGE
Member, State Bar of Wisconsin

THIS INSTRUMENT WAS DRAFTED BY
Andrew Logan Beveridge, City Attorney
1515 Strongs Avenue
Stevens Point, WI 54481
(715) 346-1556

ACKNOWLEDGMENT

State of Wisconsin)
)ss
County of Portage)

Personally came before me this _____ day of July, 2024, the above named **Nicholas Flies and Abigail Flies** to me known to be the persons who executed the foregoing instrument and acknowledge the same.

_____
BECKY KALATA
Notary Public, Portage County, Wisconsin
My commission Expires ____1/10/2026_____.

Legal Description

Outlot 1 of Portage County Certified Survey Map Number 011911, located in the Northwest Quarter of the Southeast Quarter of Section 26, Township 24 North, Range 8 East, Town of Hull, Portage County, Wisconsin.