

**DECLARATION OF
INGRESS/EGRESS EASEMENT**

RE: Outlot 21, Revised and Consolidated Plat Lodi Wis.; also ½ vacated Woodlawn Ave. between Bunker Street and Pleasant Street, City of Lodi, Columbia County, Wisconsin (hereinafter “the Property”).

Declaration made this ____ day of _____, 20____, by the Lodi School District (hereinafter “District”).

WHEREAS, District is the owner of the Property identified above; and

WHEREAS, as set forth on the attached Exhibit A, there is identified a 20 foot wide Ingress/Egress Easement which is also identified by the Easement Line Table on the attached Exhibit A; and

WHEREAS, the City of Lodi (hereinafter “Lodi”) has requested from District a Permanent Easement for Ingress and Egress for reasonable pedestrian and vehicular travel over this Easement in order to access Lodi’s municipal water reservoir, under the terms provided in this Declaration.

NOW, THEREFORE, it is hereby declared by District as follows:

1. District hereby grants and conveys to Lodi a Permanent Easement for the purpose of reasonable ingress and egress for pedestrian and vehicular travel over the land which is described on Exhibit A as a 20 foot wide Ingress/Egress Easement as set forth on Exhibit A (“the Easement Area”).
2. District shall not obstruct Lodi’s free and unobstructed use of the Easement Area in accordance with this Declaration. Any obstructions or impediments within the Easement Area may be removed, without notice, by Lodi and the cost of removal shall be borne by the owner causing or responsible for such obstruction.

Drafted by and Return To:

Paul A. Johnson
Boardman & Clark LLP
PO Box 256
Lodi, WI 53555

11-246-323

Parcel Identification Number(s)

3. Except as provided herein, District reserves and retains the full right to use the Easement Area; provided any such use shall not unreasonably interfere with or impede the ingress and egress rights through the Easement Area for the purposes set forth in this Declaration.
4. All costs of maintaining the Easement Area shall be borne by Lodi. Lodi, at its sole expense, may reasonably lay gravel or otherwise reasonably improve the Easement Area for purposes set forth in this Declaration.
5. Lodi, at the sole expense of Lodi, shall be responsible for any damage caused by it, its guests, licensees or invitees, whether intentionally, through negligence or otherwise to the Easement Area. Lodi shall be responsible, at the sole expense of Lodi, for promptly making any needed repairs, restoring the Easement Area to the condition it was in prior to such damage. Lodi shall release, hold harmless, indemnify and defend the owner of the Property for any loss, damage or injury to persons or property arising from the use of the easement.
6. All claims, disputes, and other matters or questions arising out of or related to this Declaration or breach thereof shall be decided in a court of competent jurisdiction located in Columbia County, Wisconsin. In the event it is already determined that the terms or conditions of this Declaration governing the Easement Area have been violated or breached, in addition to any other rights or remedies to which the non-defaulting party in litigation may be entitled, the defaulting party in litigation shall be obligated to pay all of the non-defaulting party's costs and expenses associated with enforcement of this Declaration whether incurred prior to or after the commencement of any lawsuit, including reasonable attorney fees.
7. The benefits and burdens of this Easement created herein shall run with the land and be binding upon District and Lodi, and inure to the benefit of the parties hereto and their respective heirs, successors and assigns.
8. The provisions of this Declaration may not be cancelled, terminated, released, amended or waived unless approved in a written agreement of the parties hereto and recorded in the Columbia County Register of Deeds office.
9. This agreement shall be governed by and interpreted in accordance with the laws of the State of Wisconsin.

LODI SCHOOL DISTRICT

By: _____

President, Lodi School Board

By: _____

Secretary, Lodi School Board

AUTHENTICATION

Signatures of _____ and
_____, in the capacities indicated,
authenticated on this ___ day of _____, 2019.

Paul A. Johnson
SBN: 1021492
TITLE: MEMBER, STATE BAR OF WISCONSIN
(If not, _____,
authorized by Wis. Stat. §706.06)
F:\DOCS\WD\39075\1\A3304366.DOCX

As prepared by:
GAGROTHMAN & ASSOCIATES S.C.
 LAND SURVEYORS
 625 EAST SLIFER STREET, P.O. BOX 373 PORTAGE, WI. 53601
 PHONE: PORTAGE (608) 742-7789 SAUK (608) 644-6877
 FAX: (608) 742-0434 E-MAIL: surveying@grothman.com
 (RED LOGO REPRESENTS THE ORIGINAL MAP)

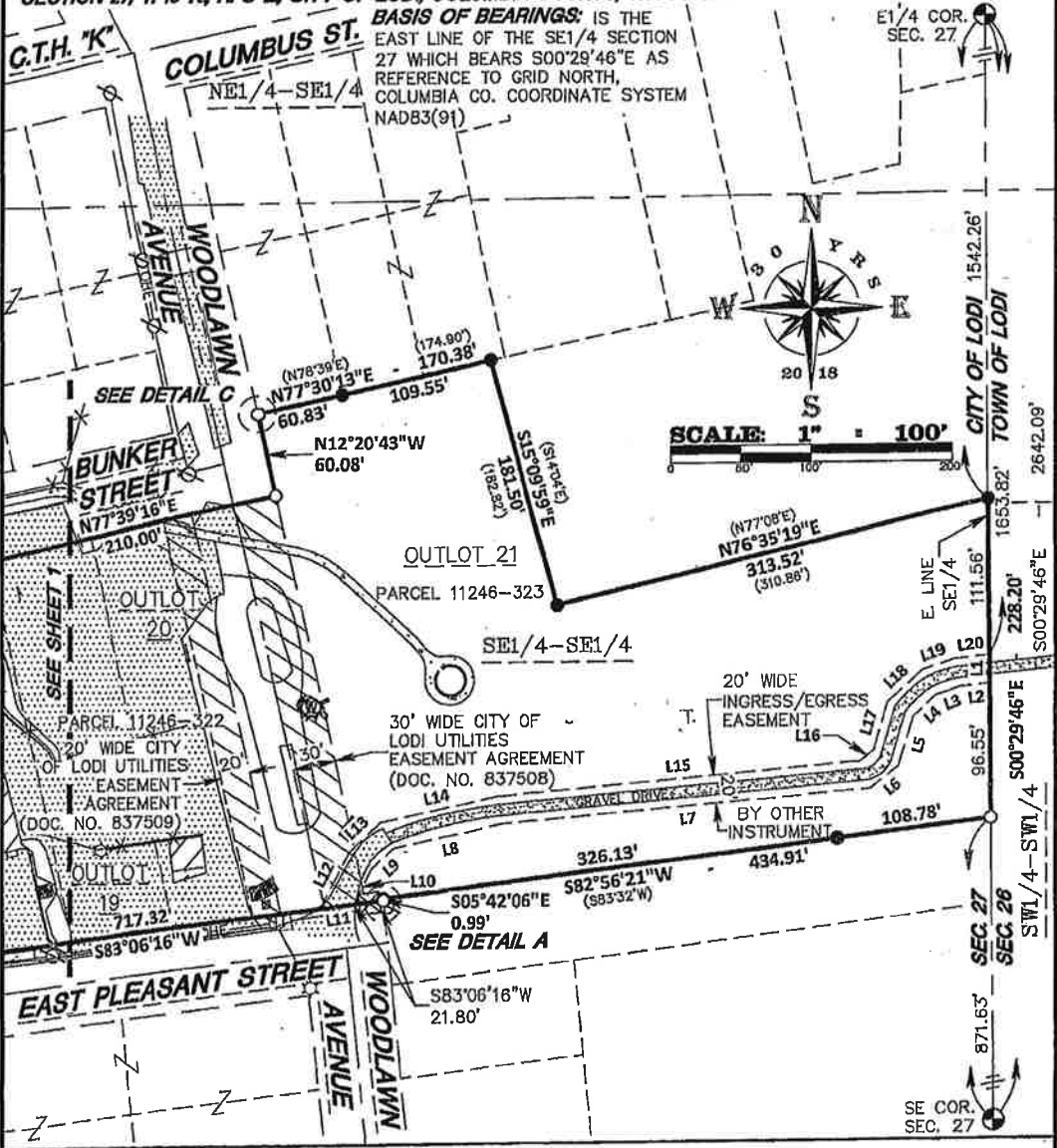
SEAL:


G & A FILE NO. 417-183
 DRAFTED BY: A. MAST
 CHECKED BY: ILG
 PROJ. 417-183
 DWG. 417-183 SHEET 2 OF 9

COLUMBIA COUNTY CERTIFIED SURVEY MAP NO.

GENERAL LOCATION

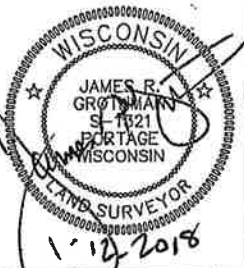
BEING PART OF OUTLOT 18, AND ALL OF OUTLOTS 19, 20, 21 AND 36, REVISED AND CONSOLIDATED PLAT OF LODI, WIS, AND A PART OF VACATED WOODLAWN AVENUE, LOCATED IN THE SE1/4 OF THE SE1/4, SECTION 27, T. 10 N., R. 8 E., CITY OF LODI, COLUMBIA COUNTY, WISCONSIN.



As prepared by:

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DRAFTED BY: A. MAST

CHECKED BY: TLG

PROJ. 417-183

DWG. 417-183 SHEET 7 OF 9

COLUMBIA COUNTY CERTIFIED SURVEY MAP NO. _____

GENERAL LOCATION

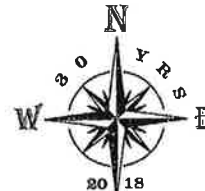
Volume _____, Page _____

BEING PART OF OUTLOT 18, AND ALL OF OUTLOTS 19, 20, 21 AND 38, REVISED AND CONSOLIDATED PLAT OF LODI, WIS, AND A PART OF VACATED WOODLAWN AVENUE, LOCATED IN THE SE1/4 OF THE SE1/4, SECTION 27, T. 10 N., R. 8 E., CITY OF LODI, COLUMBIA COUNTY, WISCONSIN.

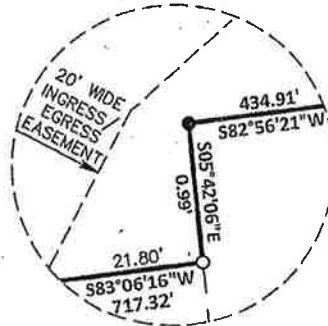
LEGEND

- 3 1/2" ALUM. MON. FND.
- 3/4" X 24" IRON ROD SET (WT. = 1.5 LBS. / L.F.)
- ▲ RAILROAD SPIKE SET
- 3/4" IRON ROD FND.
- DRILL HOLE FND.
- ☆ LIGHT POST
- ⊙ POWER POLE
- ⚑ FLAG POLE
- ☒ TELEPHONE PEDESTAL
- ☒ ELECTRIC BOX
- ⚡ FIRE HYDRANT
- ⚓ WATER BOX
- ⚙ STORM SEWER DRAIN
- ⚙ SQUARE STORM DRAIN
- ⊙ MANHOLE ORIGIN UNKNOWN
- O— OVERHEAD UTILITY LINE
- X— CHAINLINK FENCE
- () PREVIOUS SURVEY OR RECORD INFO.

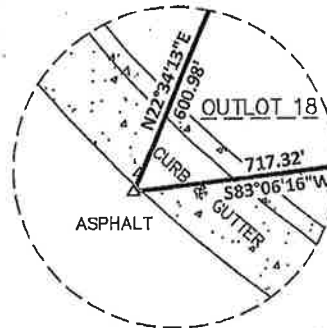
BASIS OF BEARINGS: IS THE EAST LINE OF THE SE1/4 SECTION 27 WHICH BEARS S00°29'46"E AS REFERENCE TO GRID NORTH, COLUMBIA CO. COORDINATE SYSTEM NAD83(91)



DETAIL NOT TO SCALE



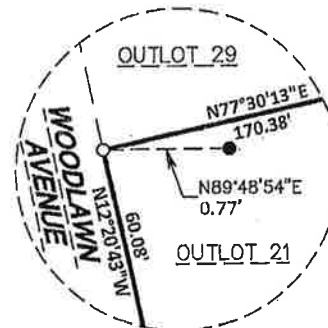
DETAIL A



DETAIL B

Line No.	Bearing	Distance
L1	S00°29'46"E	20.09
L2	S83°59'44"W	20.51
L3	S70°33'34"W	17.48
L4	S47°22'46"W	23.04
L5	S15°53'39"W	38.37
L6	S51°34'35"W	25.14
L7	S84°57'56"W	262.98
L8	S77°55'15"W	79.48
L9	S47°54'12"W	21.42
L10	S27°33'05"W	28.61

Line No.	Bearing	Distance
L11	S83°06'16"W	24.25
L12	N27°33'05"E	45.92
L13	N47°54'12"E	30.38
L14	N77°55'15"E	86.07
L15	N84°57'56"E	258.21
L16	N51°34'35"E	12.71
L17	N15°53'39"E	35.57
L18	N47°22'46"E	32.78
L19	N70°33'34"E	23.94
L20	N83°59'44"E	24.80



DETAIL C

OWNER/CLIENT:

LODI SCHOOL DISTRICT
 115 SCHOOL STREET
 LODI, WI 53555