

# R E S O L U T I O N

DATE: August 21, 2012

To The Board of Supervisors of Winnebago County, Wisconsin:

## AMENDATORY ORDINANCE 2

WHEREAS, it is desirable to amend the Zoning Ordinance and the Zoning Map of the TOWN OF VINLAND in accordance with the petition of IVAN WERNER and

WHEREAS, said request is in compliance with the adopted Winnebago County Land Use Plan.

NOW, THEREFORE, the County Board of Supervisors of Winnebago County do ordain that the Zoning Ordinance and the Zoning Map of the TOWN OF VINLAND, be and the same, are amended to provide that the attached described property be changed from the classification of A-2 of said ordinance, which it now and heretofore had, to the zoned district of M-2.

AND BE IT FURTHER RESOLVED, by the Winnebago County Board of Supervisors, that the enclosed Ordinance is hereby [ADOPTED] OR [DENIED].

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County Board Supervisor  
(Town of VINLAND)

PARCEL NO: 026-0552 & 026-0553

### COUNTY DISCLAIMER:

County Board approval does not include any responsibility for County liability for the legality or effectiveness of the Town Zoning Amendment or the Town Zoning Ordinance.

APPROVED BY WINNEBAGO COUNTY EXECUTIVE THIS \_\_\_\_ DAY OF \_\_\_\_\_,  
2012.

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Mark Harris

County Board Supervisory district **30**

**TOWN OF VINLAND**  
**6085 COUNTY ROAD T**  
**OSHKOSH, WI. 54904**  
**PHONE: (920) 235-6953 \*\* FAX: (920) 235-6994**



**ZONING SUBMITTAL FORM**

Name of Property Owner: IVAN & PAULINE WERNER

Address of Owner: 5197 I-AH-MAYTAH ROAD, OSHKOSH, WI. 54901

Name of Applicant: N & M TRANSFER COMPANY, INC. (MR. DAVE WILLIAMS)

Address of Applicant: 630 MUTTART ROAD, NEENAH, WI. 54956

Legal Description of Area to be Rezoned: APPROXIMATELY 20 ACRES (see enclosed CSM)

Tax Parcel Number (if Existing Parcel): 026-0552

**Section 17**

**Town 19 N.**

**Range 17 E.**

Existing Zoning: A-2 Name of District: GENERAL FARMING DISTRICT.

Proposed Zoning: M-2 Name of District: HEAVY INDUSTRIAL DISTRICT.

Town Board Action: **Approved: XX** **Denied:**

Findings:

1. Does the Town have an adopted land use plan? Yes
2. Does the request agree with the plan? Yes
3. Other findings (List). Approved by Town Board vote 3-0

I, Marilyn Fahrenkrug, Clerk of the Town of Vinland, hereby certify that a public hearing was conducted on JULY 9, 2012 and that all required notices were posted and/or mailed as required by local ordinance.

Signed: Marilyn Fahrenkrug Dated: 7-17-12  
Clerk: Marilyn Fahrenkrug

**TOWN OF VINLAND**  
**6085 COUNTY ROAD T**  
**OSHKOSH, WI. 54904**  
**PHONE: (920) 235-6953 \*\* FAX: (920) 235-6994**

**CERTIFIED SURVEY MAP REVIEW**

**Petitioner: N & M Transfer Company, Inc. (Mr. Dave Williams)**

**Address: 630 Muttart Road, Neenah, WI. 54956**

**Property Owners: Ivan & Pauline Werner, 5197 I-Ah-Maytah Road, Oshkosh, WI. 54901**

**FOR THE PROPOSED CSM TO CREATE: LOT #1--1,352,020 SQ. FT. (31.0381 ACRES).**

**TAX PARCELS INVOLVED: (Town of Neenah) #010-0152-04 (Town of Vinland) 026-0552 and 026-0553**

**PART OF THE SE 1/4 OF THE SW 1/4 OF SECTION 8, T. 19N, R. 17E., TOWN OF NEENAH AND PART OF THE NE 1/4 OF THE NW 1/4 AND PART OF THE NW 1/4 OF THE NW 1/4 OF SECTION 17, T. 19N., R. 16E., TOWN OF VINLAND, WINNEBAGO COUNTY, WISCONSIN.**

**Approved: XX**

**Disapproved**

I, Marilyn Fahrenkrug, Clerk of the Town of Vinland, certify that the foregoing is a true and accurate copy of the decision of the Town Board of the Town of Vinland, Winnebago County, WI.

**Dated this 9<sup>th</sup> day of July 2012**

  
Clerk: Marilyn Fahrenkrug

**TOWN OF VINLAND**  
**6085 COUNTY ROAD T**  
**OSHKOSH, WI. 54904**  
**PHONE: (920) 235-6953 \*\* FAX: (920) 235-6994**

**ZONING CHANGE PERMIT**

By Resolution of the Town Board, Town of Vinland, Winnebago County, WI. Regarding:

**Petition of: N & M Transfer Company, Inc. (Mr. Dave Williams)**

**Address: 630 Muttart Road, Neenah, WI. 54956**

**Property Owner: Ivan & Pauline Werner**

For the proposed zoning amendment change affecting the Town of Vinland Zoning Ordinance and Official Map of the Town of Vinland, Winnebago County, WI.

**TAX PARCEL INVOLVED: 026- 0552 (approximately 20 acres)**

**PETITIONER IS REQUESTING A ZONING CHANGE FOR APPROXIMATELY 20 ACRES OF PARCEL 026-0552 FROM A-2 TO M-2 TO ALLOW FOR FUTURE CONSTRUCTION OF A TRUCKING TERMINAL. (A NEW CSM, CREATING LOT #1, 31.0381 ACRES HAS BEEN PROPOSED AND APPROVED BY THE TOWN BOARD TO COMBINE THIS AREA WITH OTHER M-2 ZONED PROPERTY).**

Be it Resolved, by the Town Board, Town of Vinland, Winnebago County, WI. That the above indicated proposed amendment to the Town of Vinland Zoning Ordinance, be and the same, is hereby:

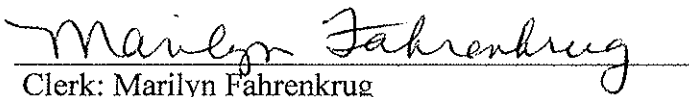
**Approved: XX**

**Disapproved: \_\_\_**

**With the following conditions set forth: THIS REQUEST CONFORMS TO THE COMPREHENSIVE LAND USE PLAN ADOPTED BY THE TOWN BOARD OF THE TOWN OF VINLAND, WINNEBAGO COUNTY, WI.**

I, Marilyn Fahrenkrug, Clerk of the Town of Vinland, certify that the foregoing is a true and accurate copy of a resolution adopted by the Town Board of the Town of Vinland, Winnebago County, WI.

**Dated this 9th day of July, 2012**

  
Clerk: Marilyn Fahrenkrug

**TOWN OF VINLAND**  
**6085 COUNTY ROAD T**  
**OSHKOSH, WI. 54904**  
PHONE: (920) 235-6953 \*\* FAX: (920) 235-6994

**NOTICE OF PUBLIC HEARING**

The Town of Vinland, Winnebago County, WI. Plan Commission & Town Board will hold the following Public Hearings at the Vinland Town Hall.

**DATES/TIMES:** JUNE 4, 2012 @ 6:30 PM.--PLAN COMMISSION  
JUNE 11, 2012 @ 7:00 PM.-- TOWN BOARD

**SUBJECT:** ZONING CHANGE APPLICATION

**DESCRIPTION OF SUBJECT SITE:** APPROXIMATELY 20 ACRES OF  
AGRE CULTURAL ZONED PROPERTY.

**PROPERTY OWNER:** IVAN A. & PAULINE M. WERNER, 5197 I-AH-MAYTAH ROAD,  
OSHKOSH, WI. 54901

**APPLICANT:** N & M TRANSFER CO. INC., 630 MUTTART ROAD, NEENAH, WI.  
54956 (CONTRACTOR: BADGERLAND BUILDINGS, INC., BLACK CREEK, WI.)

**EXISTING ZONING:** A-2, GENERAL FARMING DISTRICT.

**PROPOSED ZONING:** M-2, HEAVY INDUSTRIAL DISTRICT

**LOCATION OF PREMISES AFFECTED:** ON THE WEST SIDE OF DIXIE ROAD,  
JUST SOUTH OF THE TOWN OF NEENAH- TOWN OF VINLAND BOUNDRY  
LINE.

**LEGAL DESCRIPTION:** SECTION 17, T.19N.-R.17E. , TOWN OF VINLAND,  
WINNEBAGO COUNTY, WI.

**TAX PARCEL NOS:** 026-0552

**EXPLANATION:** APPLICANT IS APPLYING FOR A ZONING CHANGE( M-2) FOR  
THAT PORTION OF LAND, CURRENTLY ZONED A-2, THAT WILL BE INCLUDED IN  
A NEW CERTIFIED SURVEY MAP (CSM) BEING PROPOSED TO CREATE LOT #1,  
31.0381 ACRES FOR FUTURE CONSTRUCTION OF A NEW TRUCKING TERMINAL.

**ORDINANCE & SECTION AFFECTED:** TITLE 13, TOWN OF VINLAND ZONING CODE,  
ARTICLE C, ZONING DISTRICTS, SECTIONS: 13-1-53, & 13-1-55

All interested persons wishing to be heard are invited to be present.  
Robert M. Weber, Zoning Administrator, Town of Vinland.

DRAFT.

Recd 5/18/2012  
[Signature]

TOWN OF VINLAND  
GENERAL APPLICATION FORM

APPLICATION TYPE:  ZONING CHANGE  
 VARIANCE  
 CONDITIONAL USE PERMIT  
 SWIMMING POOL PERMIT  
 POND PERMIT  
 SIGN PERMIT

SITE PLAN IS REQUIRE

PLEASE PRINT OR TYPE:

PROPERTY OWNER: Ivan Werner and Pauline M. Werner

MAILING ADDRESS: 5197 I-Ah-Maytah Road

CITY Oshkosh STATE WI ZIP CODE 54901

PHONE (920) 231-0533 FAX \_\_\_\_\_ DATE 5/18/2012

SIGNATURE: x Ivan Werner Pauline M. Werner

APPLICANT'S NAME: ~~Ivan Werner and Pauline M. Werner~~ U & M Transfer Co. Inc.

MAILING ADDRESS: ~~5197 I-Ah-Maytah Road~~ 630 Muttant Rd.

CITY Neenah ~~Oshkosh~~ STATE WI ZIP CODE ~~54901~~ 54956

PHONE ~~(920) 231-0533~~ FAX \_\_\_\_\_ DATE 5/18/2012

SIGNATURE: x Ivan Werner Pauline M. Werner

ADDRESS OF AFFECTED PROPERTY: N/A

PART OF

TAX KEY/PARCEL # 0260552 (LARGE) 0260553 (SMALL)

SECTION 17 19T N RANGE 17 E

1. ZONING: EXISTING A-2 OVERLAY \_\_\_\_\_ PROPOSED M-2
2. SEWER: EXISTING \_\_\_\_\_ NEW \_\_\_\_\_ COUNTY PERMIT # PRIVATE (To Be Demolished)
3. EXISTING USE OF PROPERTY: \_\_\_\_\_

Leased Out For Business & CUP for  
U & M Trailer Parking Dates 5-10-1999

Contractor: Bodgeland Building Inc.  
Black Creek, WI

ZONING CHANGE PETITION

1. Describe how adequate public facilities (sewer, water, streets, etc.) to serve the development will be provided: \_\_\_\_\_

N/M USES WELL AND HOLDING TANKS. NO PUBLIC UTILITY IS REQUIRED. N/M JUST ASSISTED TOWN OF VINLAND TO REPAIR ENTIRE ROAD VIA D.O.T. FINANCING.

2. Describe how providing public facilities will not be a burden to local government.

SEE ABOVE (PRIVATE UTILITIES)

3. Describe why the proposed development would be the highest and best use of the property.

BECAUSE N/M IS ALREADY PRIMARY PROPERTY OWNER IN THIS AREA AND THIS PARCEL IS ALREADY LISTED AS M12 ON THE "LAND USE PLAN"

4. Describe how development will not cause unreasonable or adverse effects on rare or irreplaceable natural areas.

BECAUSE RUN OFF AND RETENTION POND'S BEING BUILT FOR NEW DEVELOPMENT WILL SERVE BETTER DRAINAGE THAN EXISTING CONDITION DOES (ESPECIALLY SEVERE WEATHER)

5. Is development compatible with surrounding land uses? \_\_\_\_\_

SURROUNDING AREA ALREADY IS TRUCKING TERMINAL WITH ONE SIDE DIXIE ROAD W/ MINI WAREHOUSES ONE SIDE VS. HWY 41 AND OTHER SIDES EXISTING OR LISTED AS M12 IN LAND USE PLAN.

4. PROPOSED USE OF THE PROPERTY: Industrial Warehouse  
NEW CONSTRUCTION

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5. ATTACH A COPY OF A DETAILED LEGAL DESCRIPTION OF THE PROPERTY. \*By Current Property Owner\*

PLEASE SEND THE ABOVE INFORMATION TO:  
VINLAND TOWN HALL  
6085 COUNTY RD. T  
OSHKOSH, WI. 54904

REMEMBER, ALL APPLICATIONS MUST BE RECEIVED AT LEAST  
FOURTEEN DAYS PRIOR TO MONTHLY TOWN BOARD MEETINGS  
WHICH ARE HELD THE SECOND MONDAY OF EACH MONTH.



## Profile Results

Only GIS layers which physically intersected the parcel you chose for profiling will be include

[View Profile List](#)

<b><a href="#">Parcel Property/Tax Information</a></b>	<a href="#">View Map!</a>	<a href="#">View Map + AirPhoto!</a>	<a href="#">Go Back To M</a>
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DESCRIPTION	ATTRIBUTE	Parcel Ma
Parcel Id.	0260552	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p style="text-align: center; color: red; font-weight: bold; font-size: 1.2em;">Tip!</p> <p style="text-align: center; color: blue; font-weight: bold;">Profile Result:</p> <p>Use the scroll bar --- right side of this page down and view the Parcel Profile Infor Report.</p> </div> <div style="border: 1px solid black; width: 100%; height: 150px; margin-bottom: 10px;"> </div> <p style="color: green; font-weight: bold;">* Assessed values</p> <p style="color: red; font-weight: bold;">* Brief Property Desc. 1 provided for reference purposes c <b>NOT</b> be taken as the full l nor used to convey</p>
Document No.	0578223-	
Linked To TaxRoll On:	05-14-12	
Owner Name 1	WERNER/IVAN A	
Owner Name 2	WERNER/PAULINE M	
Tax Address	5196 I-AH-MAYTAH RD	
City-State-Zip	OSHKOSH WI 549010000	
Property Address	6465 DIXIE RD	
Land Value*	105900	
Improvement Value*	45100	
Total Assessed Value*	151000	
Section-Town-Range	17/ 19/ 17	
Brief Property Desc. 1*	NE NW EXC RR ROW	
Brief Property Desc. 2*	38.50 A.	
Brief Property Desc. 3*		
Brief Property Desc. 4*		
Treasurer/Tax History	<a href="#">View History...</a>	
Deed Acreage	38.50 A.	
School District	3892.NEENAH	

**Parcel to be purchased by N&M in Town of Vinland:**

Part of the Northwest 1/4 of the Northwest 1/4 and part of the Northeast 1/4 of the Northwest 1/4, of Section 17, Township 19 North, Range 17 East, Town of Vinland, Winnebago County, Wisconsin, containing 853,887 Square Feet (19.6025 Acres) of land described as follows:

Commencing at the North 1/4 Corner of said Section 17; thence along the North line of the Northwest 1/4 of said Section 17, S89°09'03"W, 451.41 feet to the West Right of Way line of Dixie Road and the point of beginning; thence along said West line, S20°48'46"W, 1418.37 feet; thence S89°03'59"W, 660.78 feet to the East Right of Way line of Fox Valley & Western Railroad; thence along said East line, N21°12'33"E, 1423.36 feet to the said North line of the Northwest 1/4; thence N89°09'03"E, 649.80 feet to the point of beginning, subject to all easements, and restrictions of record

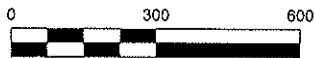
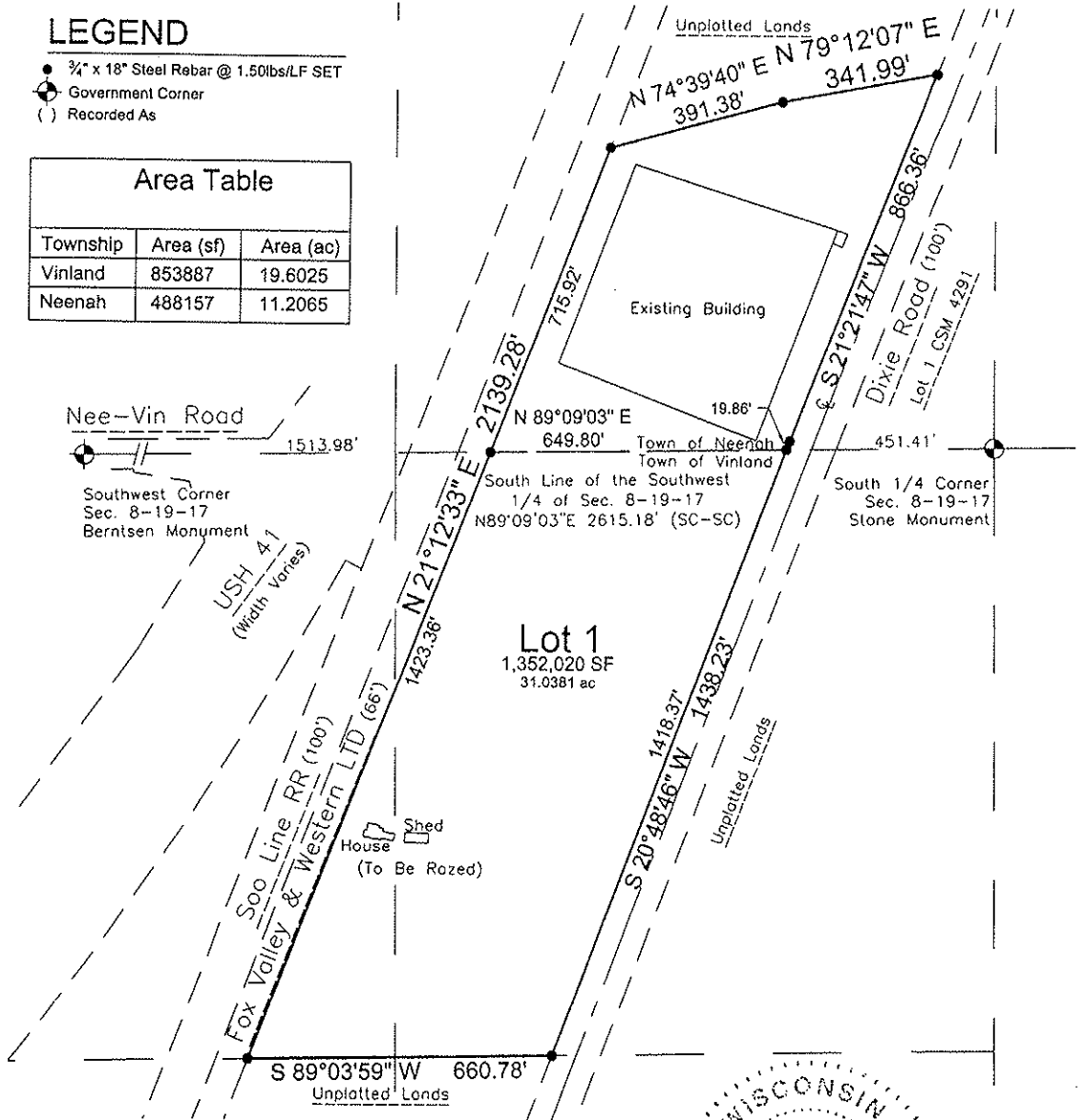
# Certified Survey Map No. \_\_\_\_\_

Part of the Southeast 1/4 of the Southwest 1/4 of Section 8, Township 19 North, Range 17 East, Town of Neenah and part of the Northeast 1/4 of the Northwest 1/4 and part of the Northwest 1/4 of the Northwest 1/4 of Section 17, Township 19 North, Range 17 East, Town of Vinland, Winnebago County, Wisconsin.

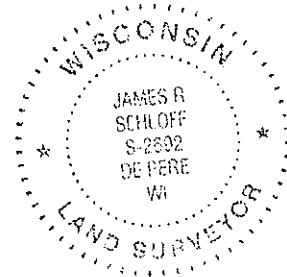
## LEGEND

- 3/4" x 18" Steel Rebar @ 1.50lbs/LF SET
- ⊕ Government Corner
- ( ) Recorded As

Area Table		
Township	Area (sf)	Area (ac)
Vinland	853887	19.6025
Neenah	488157	11.2065



Bearings are referenced to the South line of the Southwest 1/4 of Section 8-19-17. Assumed to bear N89°09'03"E based on the Winnebago County Coordinate System



*James R. Schloff* 16 MAY 2012  
 James R. Schloff Registered Land Surveyor No. S-2692 Date

**Davel Engineering & Environmental, Inc.**  
 Civil Engineers and Land Surveyors  
 1811 Racine Street  
 Menasha, Wisconsin  
 Ph. 920-991-1866, Fax 920-930-8595

Survey for:  
 N&M Transfer Co, Inc. File: 3901CSM.dwg  
 630 Muttart Road Date: 05/16/2012  
 Neenah, WI 54956 Drafted By: jim  
 Sheet: 1 of 3

Certified Survey Map No. \_\_\_\_\_

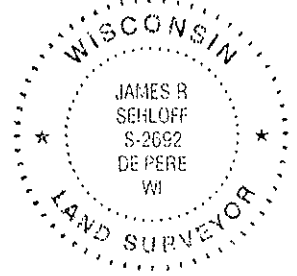
Surveyor's Certificate

I, James R. Sehloff, registered land surveyor, hereby certify: That in full compliance with the provisions of Chapter 236 of the Wisconsin Statutes and the subdivision regulations of the Town of Neenah, Town of Vinland and Winnebago County, and under the direction of N&M Transfer Company, Inc, the property owners of said land, I have surveyed, combined and mapped this Certified Survey Map; that such map correctly represents all exterior boundaries and the combination of the land surveyed; and that this land is located in part of the Southeast 1/4 of the Southwest 1/4 of Section 8, Township 19 North, Range 17 East, Town of Neenah and part of the Northeast 1/4 of the Northwest 1/4 and part of the Northwest 1/4 of the Northwest 1/4 of Section 17, Township 19 North, Range 17 East, Town of Vinland, Winnebago County, Wisconsin, containing 1,342,044 Square Feet (30.8091 Acres) of land described as follows:

Commencing at the South 1/4 Corner of said Section 8; thence along the South line of the Southwest 1/4 of said Section 8, S89°09'03"W, 451.41 feet to the West Right of Way line of Dixie Road and the point of beginning; thence along said West line, S20°48'46"W, 1418.37 feet; thence S89°03'59"W, 660.78 feet to the East Right of Way line of Fox Valley & Western Railroad; thence along said East line, N21°12'33"E, 2139.28 feet; thence N74°39'40"E, 391.38 feet; thence N79°12'07"E, 341.99 feet to the West Right of Way line of Dixie Road, thence along said West line, S21°21'47"W, 886.36 feet; thence along said West line, S20°48'46"W, 19.86 feet to the point of beginning, subject to all easements, and restrictions of record.

Given under my hand this 16 day of MAY, 2012.

James R. Sehloff  
James R. Sehloff, Wisconsin Registered Land Surveyor No. S-2692



Corporate Owner's Certificate of Dedication

N&M Transfer Company Inc., a corporation duly organized and existing under and by virtue of the Laws of the State of Wisconsin, as the property owners, do hereby certify that we caused the land above described to be surveyed, combined, mapped and dedicated all as shown and represented on this map.

IN WITNESS WHEREOF, the said N&M Transfer Company, Inc., has caused these presents to be

signed by its authorized representatives, located at \_\_\_\_\_, Wisconsin, and its corporate seal to be hereunto affixed

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

In the Presence of: N&M Transfer Company, Inc.

By \_\_\_\_\_ By \_\_\_\_\_  
print name \_\_\_\_\_ print name \_\_\_\_\_  
Title \_\_\_\_\_ Title \_\_\_\_\_

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

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

the above named, officers of said corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of said corporation, by its authority.

\_\_\_\_\_  
Notary Public, Wisconsin My commission expires: \_\_\_\_\_.

Certified Survey Map No. \_\_\_\_\_

Town of Neenah Board Approval Certificate

Resolved, that this certified survey map in the Town of Neenah, Winnebago County, N&M Transfer Company, Inc, the property owner, is hereby approved by the Town Board of the Town of Neenah.

\_\_\_\_\_  
Chairman Date

I hereby certify that the foregoing is a copy of a resolution adopted by the Town Board of the Town of Neenah.

\_\_\_\_\_  
Clerk Date

Town of Vinland Board Approval Certificate

Resolved, that this certified survey map in the Town of Vinland, Winnebago County, N&M Transfer Company, the property owners, are hereby approved by the Town Board of the Town of Vinland.

\_\_\_\_\_  
Chairman Date

I hereby certify that the foregoing is a copy of a resolution adopted by the Town Board of the Town of Vinland.

\_\_\_\_\_  
Clerk Date

Treasurers' Certificate

We, being the duly elected, qualified and acting Treasurers' of the Town of Neenah, Town of Vinland and Winnebago County, do hereby certify that in accordance with the records in our office, there are no unredeemed tax sales and unpaid taxes, or special assessments on and of the land included in this certified survey map.

\_\_\_\_\_  
Town of Neenah Treasurer Date

\_\_\_\_\_  
Town of Vinland Treasurer Date

\_\_\_\_\_  
County Treasurer Date

County Planning Agency Approval Certificate

Resolved, that this certified survey map in the Town of Neenah, Town of Vinland, Winnebago County, N&M Transfer Company, Inc, Ivan A. and Pauline M. Werner, the property owners, are hereby approved by Winnebago County.

\_\_\_\_\_  
Planning and Zoning Chairperson Date

This Certified Survey Map is contained wholly within the property described in the following recorded instruments:

the property owners of record:	Recording Information:	Parcel Number(s):
N&M Transfer Company, Inc	Doc. No. _____	Part 0260552 and 0260553
N&M Transfer Company, Inc	Doc. No. 704999	All of 010015204

*James R. Sehloff*  
James R. Sehloff Registered Land Surveyor No. S-2692 Date 16 MAY 2012

