

II

R. O. No. 8 - 22 - 23. By CITY PLAN COMMISSION. May 2, 2022.

Your commission to whom was referred R. O. No. 146-21-22 by City Clerk Gen. Ord. No. 43-21-22 by Alderperson Dekker granting Old World Creamery, LLC, its successors and assigns, the privilege of encroaching upon described portions of St. Clair Avenue right of way in the City of Sheboygan for the purpose of creating a concrete approach; recommends filing the R. O. and adopting the Ordinance.

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CITY PLAN COMMISSION

42

Gen. Ord. No. 43 - 21 - 22. By Alderperson Dekker. April 18, 2022.

AN ORDINANCE granting Old World Creamery, LLC, its successors and assigns, the privilege of encroaching upon described portions of St. Clair Avenue right of way in the City of Sheboygan for the purpose of creating a concrete approach.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. Subject to the terms and conditions contained herein, Old World Creamery, LLC, its successors and assigns, is hereby granted the privilege of encroaching upon part of Block 84 of the original plat, part of the NE 1/4 of Section 22, T15N, R23E, City of Sheboygan, Sheboygan County, Wisconsin; and further described as follows:

BEGINNING AT THE NE CORNER OF BLOCK 84 OF THE ORIGINAL PLAT;  
THENCE THE FOLLOWING BEARINGS AND DISTANCES:  
N89°34'51"W 77.96 FEET ALONG THE NORTH LINE OF BLOCK 84;  
THENCE N00°25'09"E 1.50 FEET; THENCE N83°57'16"E 81.21 FEET;  
THENCE S00°32'20"W 10.64 FEET; THENCE N89°34'51"W 2.71 FEET  
TO THE POINT OF BEGINNING AND CONTAINING 490 SF (0.011 ACRES)  
OF LAND.

for the purpose of creating a concrete approach in accordance with the sketch attached hereto and made a part hereof.

Section 2. The privilege as granted above is granted only on the condition that by the acceptance of the privilege, the said Old World Creamery, LLC, its successors and assigns:

a. Shall become primarily responsible and liable for all and any damage to persons or property caused by and arising from the grant and exercise of such privilege.

b. Shall remove the encroachment allowed herein within ten (10) days after notice so to remove given by the State of Wisconsin or the City of Sheboygan; in the event of the failure so to remove, the said Old World Creamery, LLC, its successors and assigns: shall pay the costs of removal by the State of Wisconsin or the City of Sheboygan, waiving all claim or claims for damages resulting from such removal, whether the removal is done by the said Old World Creamery, LLC, its successors and assigns, or by the State of Wisconsin or by the City of Sheboygan.

c. Shall pay such compensation to the City of Sheboygan for the grant of this privilege as may be determined by a board consisting of the Mayor, the Director of Public Works and the City Attorney; the compensation shall be paid into the General Fund.

*City Plan*

d. Shall make such construction and/or alterations and maintain the same subject to the approval of the City Building Inspector and Director of Public Works, and shall waive the right to contest in any manner the validity of this ordinance or the amount of compensation charged.

Section 3. The provisions of §66.045(1)(2) of the Wisconsin Statutes are incorporated herein by reference to all intents and purposes as if set out fully.

Section 4. The City Clerk is authorized and directed to record a certified copy of this ordinance in the office of the Register of Deeds for Sheboygan County, Wisconsin, the costs thereof to be charged to the General Fund.

Section 5. This ordinance shall take effect and be in full force from and after its passage and publication and upon payment of the consideration to be determined hereunder, provided, however, that in the event of failure to exercise the privilege herein granted and the payment of such consideration within six (6) months from the effective date hereof, then and in that event such privilege shall be rendered null and void.

  
\_\_\_\_\_

I HEREBY CERTIFY that the foregoing Ordinance was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Dated \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_, City Clerk

Approved \_\_\_\_\_ 20\_\_\_\_. \_\_\_\_\_, Mayor





BEARINGS AND DISTANCES SHOWN ARE  
REFERENCED TO THE NORTH LINE OF BLOCK 84,  
WHICH BEARS S89°34'51"E AND BASED ON THE  
SHEBOYGAN COUNTY COORDINATE SYSTEM.



II

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R. O. No. 146 - 21 - 22. By CITY CLERK. April 18, 2022.

Submitting a communication from Steve Knaus requesting an encroachment for a concrete approach on St. Clair right of way (Old World Creamery, LLC).

City Clerk

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CITY CLERK

APR 01 2022



April 1, 2022

## Encroachment Request

Transmission: hand deliver

City Clerk  
Attn: Meredith DeBruin  
City Hall  
828 Center Avenue, Suite 103  
Sheboygan, Wisconsin 53081

Subject: Encroachment Request  
Old World Creamery  
1606 Erie Avenue  
Sheboygan, Wisconsin


Dear City of Sheboygan Common Council:

Old World Creamery LLC is requesting a concrete encroachment acceptance from the City of Sheboygan Common Council. Old World Creamery is expanding with a building addition. The addition requires that the existing truck scale be relocated. To keep the relocated truck scale within the property boundary, the proposed concrete approach to the truck scale has to be wide enough to allow for the turning radius of the semi tractor and trailer. This creates a concrete encroachment within the St. Clair Avenue right of way, that is shown on the attached exhibit.

We appreciate your consideration and acceptance.

Respectfully Submitted:

Old World Creamery, LLC

  
\_\_\_\_\_  
Steve Knaus

Attachment: Concrete Encroachment Exhibit, dated 3/31/22



GRAPHIC SCALE  
0 20  
1 inch = 20 ft.

I, CRAIG A. RUSCH, WISCONSIN  
REGISTERED LAND SURVEYOR NO. S-2274,  
DO HEREBY CERTIFY THAT THIS SURVEY  
IS CORRECT TO THE BEST OF MY  
KNOWLEDGE AND BELIEF.



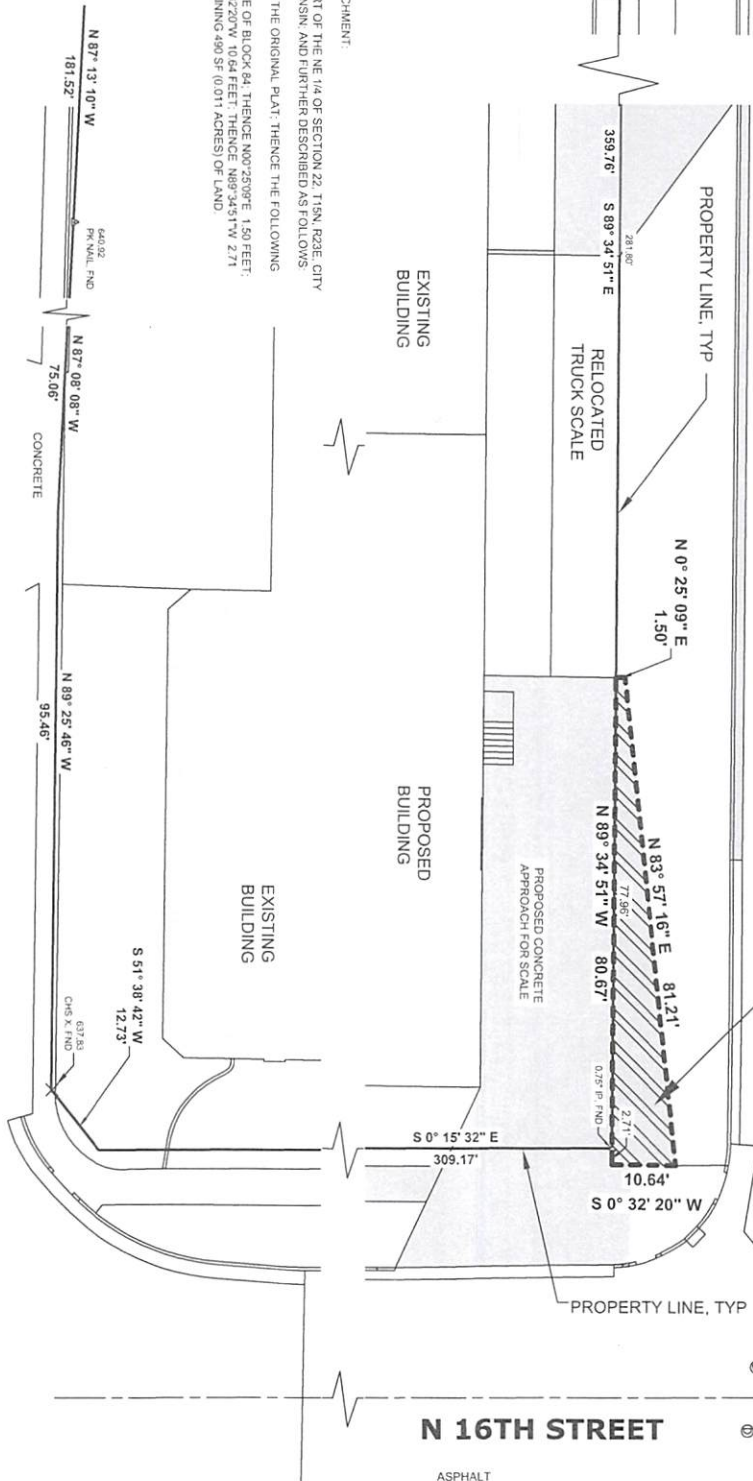
LEGAL DESCRIPTION FOR CONCRETE ENCROACHMENT:  
PART OF BLOCK 84 OF THE ORIGINAL PLAT PART OF THE NE 1/4 OF SECTION 22, T15N, R23E, CITY  
OF SHEBOYGAN, SHEBOYGAN COUNTY, WISCONSIN, AND FURTHER DESCRIBED AS FOLLOWS:  
BEGINNING AT THE NE CORNER OF BLOCK 84 OF THE ORIGINAL PLAT; THENCE THE FOLLOWING  
BEARINGS AND DISTANCES:  
N89°34'51"W 77.96 FEET ALONG THE NORTH LINE OF BLOCK 84; THENCE N00°25'09"E 1.50 FEET;  
THENCE N83°57'16"E 81.21 FEET; THENCE S00°32'20"W 10.64 FEET; THENCE N89°34'51"W 2.71  
FEET TO THE POINT OF BEGINNING AND CONTAINING 490 SF (0.011 ACRES) OF LAND.

BEARINGS AND DISTANCES SHOWN ARE  
REFERENCED TO THE NORTH LINE OF BLOCK 84,  
WHICH BEARS S89°34'51"E AND BASED ON THE  
SHEBOYGAN COUNTY COORDINATE SYSTEM.

PARCEL NUMBER: 99291205260  
PARCEL OWNER: OLD WORLD CREAMERY LLC  
PARCEL ADDRESS: 1606 ERIE AVENUE

## CONCRETE ENCROACHMENT EXHIBIT

OLD WORLD CREAMERY  
ALL OF BLOCK 84 OF THE ORIGINAL PLAT AND THE VACATED EAST-  
WEST ALLEY WITHIN SAID BLOCK 84, EXCEPT THAT PART DEEDED  
FOR RIGHT OF WAY IN VOLUME 1440, PAGES 143 TO 144, DOCUMENT  
NO. 1448324, PART OF THE NE 1/4 OF SECTION 22, T15N, R23E, CITY  
OF SHEBOYGAN, SHEBOYGAN COUNTY, WISCONSIN.



2022 Building Additions  
Old World Creamery  
1606 Erie Avenue  
Sheboygan, Wisconsin

**Wagner**  
EXCAVATING, INC.  
3437 PAINE AVENUE SHEBOYGAN, WI 53081  
(920) 458-9092

No.	Revision	Date
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