

Summary of Salient Facts

Subject Property Owner

Arthur T. Donaldson Marital Trust and Karen M. Donaldson Revocable Trust (Karen M. Donaldson Estate).

Subject Property Location

The subject property is 17.88 acres of vacant commercial and light industrial zoned land, located on the east and west side of USH 51 in Section 25 of the Town of Rock (T.2N.-R.12E.), Rock County, Wisconsin.

Owner Address

The Karen M. Donaldson Estate
C/O Nowlan Law, LLP
100 S. Main Street
P.O. Box 8100
Janesville, WI 53547

Size and Type of Property Appraised

The subject property is 17.88 acres of vacant commercial and light industrial zoned land, located on the east and west side of USH 51 in Section 25 of the Town of Rock (T.2N.-R.12E.), Rock County, Wisconsin. The subject property is wooded, undeveloped, and in two distinct parcels separated by USH 51. There are approximately 7.90 acres of M1 Light Industrial zoned land on the east side of USH 51, and approximately 9.98 acres B2 Large Scale Commercial land on the west side of USH 51. There are four outdoor advertising signs located on the western parcel and two located on the eastern parcel; all along USH 51. None of the signs produce real property income attributable to the subject parcel.

Legal Description

The NW ¼ of the SW ¼ of Section 25, T. 2 N., R. 12 East, Rock County, Wisconsin, excepting therefrom:

A) A small piece thereof, conveyed to Rock County for highway purposes, by deed bearing date the 9th day of September, 1919;

B) Land conveyed to Rock County, Wisconsin for highway purposes by Highway Deed dated March 29, 1936 and recorded June 24, 1936 in Volume 280 on page 129;

C) Part of the N.W. ¼ of the S.W. ¼ of Section 25, T. 2N., R. 12E., of the 4th P.M., Rock Township, Rock County, Wisconsin, described as follows: Beginning at West ¼ Corner of Section 25 aforesaid, thence South 88°58'10" East 139.76 feet to a point of curve in the West R.O.W. line of U. S. Highway 51; thence Southeasterly along a curve convexed Southwesterly 162.92 feet, having a radius of 2295.36 feet, the chord being South 20°07'36" East 162.88 feet, thence south 67°50'26" West 210.82 feet to a point in West line of Section 25, thence North 00°08'00" West along said West line, 235.00 feet to the place of beginning. Also described as Lot 1 of Certified Survey Map No. 739006 as recorded in Volume 1, Page 206 of Certified Survey Maps of Rock County, Wisconsin;

D) Part of the NW ¼ of SW ¼ of Section 25, T. 2 N., R 12 E. of the 4th P.M., Rock Township, Rock County, Wisconsin, described as follows; Beginning at the SW corner of Lot 1 of Certified Survey Map No. 739006 as recorded in Volume 1, Page 206 of Certified Survey Maps of Rock County, Wisconsin; thence North 67°50'26" East 175.23 feet to a point on the curving West right-of-way line of U.S. Highway 51; thence Southeasterly along a curve convexed Southwesterly 90.14 feet, having a radius of 2295.36 feet, the chord being South 23°17'06" East 90.14 feet; thence South 89°02'45" West 197.90 feet; thence North 0°08' West 20.0 feet to the place of beginning;

E) Lot 1 of Certified Survey Map recorded in Volume 4 of Certified Survey Maps on Pages 108 and 109 as Document No. 819174, and being part of the SW ¼ of Section 25, Town 2 North, Range 12 East of the Fourth Principal Meridian, Rock Township, Rock County, Wisconsin;

F) Part of the SW ¼ of Section 25, T. 2N., R. 12E. of the 4th P.M., Rock Township, Rock County, Wisconsin, described as follows: Beginning at the most northerly corner of Lot One of a Certified Survey

Map, as recorded in Volume 4, Pages 108 and 109 (Document No. 819174); thence S. 44°02'20" W. along the northwesterly line of said Lot One, 198.0 feet to the centerline of Happy Hollow Road; thence N. 45°57'40" W. along said centerline, 50.0 feet; thence N. 44°02'20"E. parallel to said Northwesterly line , 203.86 feet to the northwesterly extension of the northeasterly line of said Lot One; thence S. 39°16'28" E. along said line, 50.34 feet to the place of beginning;

G) Part of the NW ¼ of the SW ¼ of Section 25, T.2N., R.12E., of the 4th P.M., Rock Township, Rock County, Wisconsin, described as follows: Commencing at a railroad spike at the West ¼ corner of said Section 25; thence S. 00°08'00" E., 1324.47 feet to a stone monument at the SW corner of the NW ¼ of the SW ¼ of said Section; thence S. 88°50'30" E., 655.09 feet; thence N. 43°41'13" E., 96.08 feet to an iron pin on the Northeasterly line of a Certified Survey Map as recorded in Volume 4, Page 108, also being at the place of beginning for the land to be herein described; thence continuing N. 43°41'13" E., 188.74 feet to an iron pin on the Southwesterly R.O.W. (right-of-way) line of U.S.H. 51; thence S. 42°22'57" E., along said R.O.W. line, 289.75 feet to an iron pipe on the South line of said NW ¼ of said SW ¼ of said Section (as monumented); thence N. 88°48'41" W., along said South line, 266.89 feet to an iron pipe at the most Southerly corner of said Certified Survey Map; thence N. 39°15'26" W., along said Northeasterly line, 93.00 feet to the place of beginning;

H) All land located within the boundaries of Certified Survey Map, recorded in Volume 8 of Certified Survey Maps, pages 155 and 156 as Document No. 897462, being part of the SW ¼ of the NW ¼ and part of the NW ¼ of the SW ¼ of Section 25, Town 2 North, Range 12 East of the 4th Principal Meridian, Rock Township, Rock County, Wisconsin;

I) Lot 1 of a Certified Survey Map recorded in Volume 10 of Certified Survey Maps on Pages 371 and 372 as Document No. 943373, being part of the NW ¼ of the SW ¼ of Section 25, T. 2 N., R. 12 East of the 4th Principal Meridian, Rock Township, Rock County, Wisconsin;

J) Lot 1 of Certified Survey Map recorded in Volume 22 of Certified Survey Maps on Pages 246, 247 and 248 as Document No. 1418810, being a Certified Survey Map of part of the NW ¼ of the SW ¼ of Section 25, T2N, R12E of the 4th PM, Rock Township, Rock County, Wisconsin;

K) Lot 1 of Certified Survey Map recorded in Volume 35 of Certified Survey Maps on Pages 427-430 as Doc. No. 1987709, being part of the NW ¼ of the SW ¼ of Section 25, T.2N., R.12E., of the 4th P.M., Town of Rock, Rock County, Wisconsin;

L) Land described as acquired by the State of Wisconsin in Award of Damages, recorded Sept. 19, 1991 on Card No. 497, Image Nos.: 277-280 as Document No. 1141749; and

M) A portion of the NW ¼ of SW ¼ of Section 25, Town 2 N. Range 12 East, Rock County, Wisconsin, described as follows: That portion of the above described property upon which is situated a two story frame house, starting at the driveway, which is situated to the south of said frame home, and then northerly for a distance of 100 feet; then, easterly for a distance of 150 feet; then southerly for a distance of 100 feet; then westerly for a distance of 150 feet to the point of beginning.

Tax Parcel Number

6-17-222A/034 06200302

Zoning

B2 Large Scale Commercial (western parcel) and M1 Light Industrial (eastern parcel) by the Town of Rock.

Present Use

Vacant

Highest and Best Use

Commercial Development

SUBJECT PROPERTY DESCRIPTION

Subject Property Location Map



Courtesy Rock County GIS

Zoning

The subject property is zoned B2 Large Scale Commercial (western parcel) and M1 Light Industrial (eastern parcel) by the Town of Rock. The following portions of the B2 Large Scale Commercial and M1 Light Industrial zoning ordinance were taken from the Town of Rock website.

4.9 Large Scale Commercial District (B-2)

(1) Purpose and Intent of Large Scale Commercial District (B-2)

The purpose of this district is to provide a means of obtaining the economic goals and objectives of the Town's Smart Growth Comprehensive Plan. This district is intended to provide areas adjacent to major highways for the location of commercial establishments which usually require extensive land area for the open storage and display of merchandise and equipment.

(2) Permitted Uses

The following uses are permitted uses in this district:

- (A) Any use permitted in B-1 District.
- (B) Amusement establishments within enclosed buildings such as bowling alleys, gymnasiums, swimming pools, skating rinks, handball courts, archery lanes, tennis courts and other similar uses.
- (C) Automobile sales, rental and servicing including repair of new or used automobiles but not including body shops.
- (D) Automotive supply stores.
- (E) Bakeries with retail, wholesale and garage facilities.
- (F) Boat storage, sales and repairs.
- (G) Cooperatives, milk depot.
- (H) Commercial laundries and dry cleaning plants.
- (I) Farm machinery and equipment sales, rental, and servicing, including repair of new and used farm equipment and machinery.
- (J) Feed and grain dealers, grain storage facilities, and farm supply stores.
- (K) Gasoline service stations.
- (L) Glass and window shops.
- (M) Lumber yards, building service and supply.
- (N) Golf driving ranges and par 3 courses.
- (O) Machinery, vehicle and equipment sales, rental and servicing, including repairs.
- (P) Painting contractors (office and shops).

(Q) Printers and printing shops.

(R) Plumbing, heating, air conditioning and electrical sales and service.

(S) Recreational vehicle sales, rental and servicing, including repairs but not including body shops.

(T) Truck sales, rental and servicing, including repairs but not including body shops.

(U) Trailer sales.

(V) Restaurants and taverns.

(W) Public utility facilities, except sewage treatment plants, garbage incinerators, and sanitary landfills.

(3) Conditional Uses

A conditional use in this district is to permit the following uses only after public hearing and approval of the Planning and Zoning Committee in accordance with the provisions of Section 5 of this Ordinance.

(A) Animal hospitals, animal clinics or veterinary services provided all kennels are within completely enclosed buildings.

(B) Body shops.

(C) Welding, sheet metal or blacksmith shops.

(D) Drive-in establishments such as restaurants, banks and financial institutions, car washes and theaters.

(E) Storage and warehousing establishments provided that the loading docks are not permitted in the front yard or corner side yard.

(F) Retailing, wholesaling, or warehousing of drugs and chemicals.

(G) Up to two dwelling units above the first floor of any structure in existence as of the date of the adoption of this Ordinance.

(H) Single family residences in existence as of the date of the adoption of this Ordinance but only in conjunction with and accessory to another permitted use for residential quarters for the owner or operator of the permitted use.

(I) Outdoor "Survival Game" operation.

(J) Go-Kart track.

(K) A temporary mobile office to be used by a business concern located in the Town of Rock during the expansion or remodeling of its existing business premises within the Town of Rock. The temporary mobile office shall be located in conjunction with its existing business premises within the Town of Rock and shall be used for only such period as shall be authorized by the Planning and Zoning Committee of the Town of Rock, which period shall not exceed 24 months.

(L) A mobile home to be used as an office and display home by a business concern located in the Town of Rock and engaged primarily in the business of mobile home sales, provided the mobile home shall be located on the existing business premises of the business concern and shall be used only as an office and display home in connection with the sale of mobile homes by such business concern.

(M) Sale and repair of motorcycles, motor scooters, and ATV motor vehicles.

(N) Metal stamping and metal finishing.

(O) Waste recycling and transfer facility.

(P) Indoor pet boarding, grooming of small animals onsite, and/or sale of animal supplies.

(Q) Inbound storage facilities used in the salvage of motor vehicles and other equipment. Any permit issued hereunder shall, in addition to any and all other restrictions and conditions that the Planning and Zoning Committee requires in its sole discretion, require that the property be vacant and contain appropriate and proper screening in order to keep the motor vehicles and equipment from public view. *(Added by Ordinance 2016-02)*

(4) Requirements for Permitted and Conditional Uses

Within the B-2 District the following standards shall apply:

(A) Minimum lot area ----- 40,000 sq. ft.

(B) Maximum building height ----- Two times the setback of the building.

(C) Minimum Front Yard Setback ----- 50 ft.

(D) Minimum Back Yard Setback ----- 50 ft.

(E) Minimum Side Yard:

Principal Buildings ----- 15 ft.

Accessory Buildings ----- 10 ft.

4.14 Light Industrial District (M-1)

(1) Purpose and Intent of Light Industrial District (M-1)

The purpose of the M-1 District is to provide a means of accomplishing the economic goals and industrial objectives in the Town's Smart Growth Comprehensive Plan. The intent in having this district is to provide for industrial areas where adequate transportation facilities, topographic conditions, and utilities are available for light industry.

Permitted and conditional uses in this district shall be limited to those light industrial uses that only discharge domestic waste. Light Industrial uses producing other than domestic waste shall be prohibited in this district.

(2) Permitted Uses

The following uses are permitted in this district:

- (A) Agricultural Uses.
- (B) Public or private offices.
- (C) Building material sales.
- (D) Truck, bus, or railroad terminals, and railroad switching yards.
- (E) Mini-warehouses, warehousing, storage or wholesale of manufactured goods.
- (F) Public utility facilities, except sewage treatment plants, garbage incinerators, and sanitary landfills.
- (G) Police, fire, and postal stations.
- (H) Automotive upholstery and body repair shops.
- (I) Commercial bakeries.
- (J) Greenhouses.
- (K) Dry printing and publishing.
- (L) Distributors of food products.
- (M) Wholesale Distributors.
- (N) Radio, television, and telecommunications transmitting or relay towers and facilities.
- (O) Construction Contractor offices and workshops.

(P) Welding, sheet metal, and blacksmith shops.

(Q) Fabrication or assembly of construction components from non-toxic materials or substances.

(3) Conditional Uses

A conditional use in this district is to permit the following uses only after public hearing and approval of the Planning and Zoning Committee in accordance with the provisions of Section 5 of this Ordinance.

(A) Assembly of goods.

(B) Tank Facilities for Petroleum, Gas, and Chemical products for wholesale or retail sales.

(C) Terminal facilities for flammable gases or liquids.

(D) Sale of live animals.

(E) Contractor storage yards and sale of machinery and equipment.

(F) Packaging of confections, cosmetics, electrical appliances, electronic devices, instruments, pharmaceuticals, jewelry, tobacco, and toiletries.

(G) Animal hospitals, animal clinics, or veterinary services provided all kennels are within completely enclosed buildings.

(H) A temporary mobile office to be used by a business or manufacturing concern located in the Town of Rock during the expansion or remodeling of its existing business or manufacturing premises within the Town of Rock. The temporary mobile office shall be located in conjunction with its existing business or manufacturing premises within the Town of Rock and shall be used for only such period as shall be authorized by the Planning and Zoning Committee of the Town of Rock, which period shall not exceed 24 months.

(4) Requirements

(A) Minimum Lot Area ----- 2 acres

(B) Maximum Building Height ----- 35 ft.

(C) Minimum Front Yard Setback ----- 50 ft.

Corner Lot Side Yard Setback ----- 50 ft.

(75 ft. if parking is permitted in front yard)

(D) Minimum Rear Yard Setback ----- 50 ft.

(E) Minimum Side Yard Setback ----- 20 ft.
(50 ft. when abutting a residential area)

(F) Minimum Lot Width on public road ----- 100 ft.

(G) Minimum Accessory Side Yard Setback ----- 8 ft.

(H) All front yard setbacks are also subject to Section 10.1 of this Ordinance for setbacks on arterial, collector, and local roads.

(I) To help prevent ground water contamination, no building shall have floor drains.

(J) Parking and loading requirements:

(i) All light industrial establishments shall provide one 200 square foot parking space per two employees.

(ii) Every structure or building containing at least 5,000 square feet of gross floor area shall provide off-street loading space measuring not less than 10 feet by 40 feet and having a height clear of all obstructions, of 14 feet, according to the following schedule:

<u>GROSS FLOOR AREA</u>	<u>NUMBER OF LOADINGS SPACES</u>
5,000 sq. ft. to 24,000 sq. ft.	1
24,000 sq. ft. to 60,000 sq. ft.	2
60,000 sq. ft. to 96,000 sq. ft.	3
96,000 sq. ft. to 144,000 sq. ft.	4
144,000 sq. ft. to 192,000 sq. ft.	5
192,000 sq. ft. to 240,000 sq. ft.	6
240,000 sq. ft. to 294,000 sq. ft.	7
294,000 sq. ft. to 348,000 sq. ft.	8
For each additional 54,000 sq. ft.	1 additional space

The Planning & Zoning Committee may permit the required loading spaces to remain undeveloped until the committee decides that they are needed.

(K) Screening: All storage except of motor vehicles in operable condition shall be within completely enclosed buildings or effectively screened from non-industrial use or districts either:

(i) By a solid wall or fence not less than six (6) feet nor more than eight (8) feet in height; or

(ii) By a densely planted hedge or shrubbery at least six (6) feet in height which effectively causes a visual barrier; or

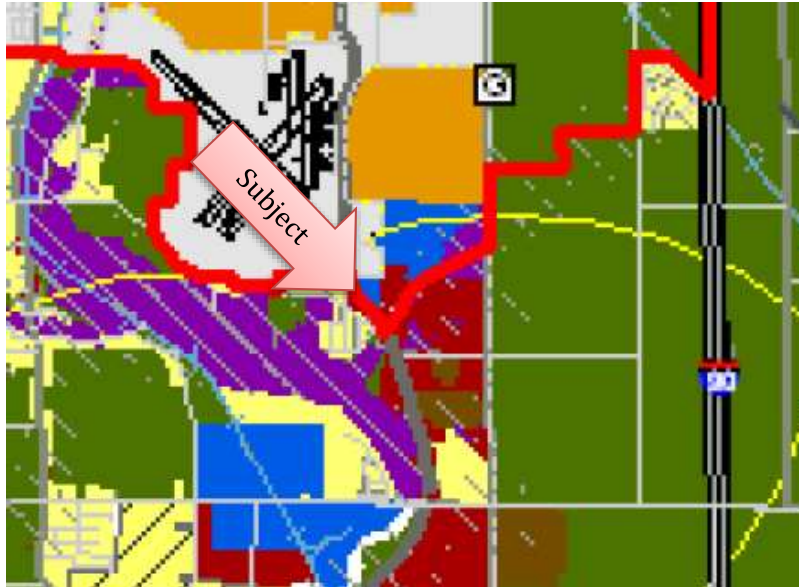
(iii) By a permanent evergreen planting, the individual trees to be of such a number and kind and so arranged that they will effectively cause a visual barrier at least six (6) feet in height.

(5) Prohibited Uses

No structure or improvement may be built, or land used in this district unless it is a Permitted Use or Conditional Use in this district.

Future Land Use

The subject property is partially within the planning limits of the City of Janesville, and Town of Rock (Rock County) land use plan. A review of the City of Janesville land use plan, indicates the subject property is in an area of industrial and agricultural use. The Town of Rock (Rock County) land use plan, indicates the subject property is identified for commercial, industrial and mixed use.



From Rock County, WI website

Summary

The subject property is zoned B2 Large Scale Commercial and M1 light industrial by the Town of Rock. The Town of Rock (Rock County) land use plan identifies the property for future mixed-use, commercial and industrial uses. The current zoning of the property is consistent with the current comprehensive future land use plans.

ROCK

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Karen Donaldson Estate