

We made an offer to purchase 609 Scenic Road, on or about September 29, 2014. The offer to purchase was not accepted until October 19, 2014, after back and forth with counteroffers.

5. On or around October 3, 2014, my husband, Thomas Zoulek and I, met with Village Attorney, John Macy, Village Engineer, Ron Dalton, and Village Administrator, Jim Healy. We wanted to discuss our preliminary ideas of how to develop the property. We discussed bringing in clean fill, the possibility of putting homes on the virgin land surrounding the filled quarry, and using the filled area as pasture for horses. They asked for time frames and number of trucks to which we gave them an estimate and informed them that until we had an engineer draft the final grading plans it would be difficult to give any hard estimates. We advised them we were interested in working collaboratively with the Village on these details. My husband made it very clear he was not interested in the project if the Village was going to object to the development because he has extensive experience with municipalities and wanted to maintain a positive relationship. Tom even said, "if the Village is going to give us a hard time please let me know right away because I will walk away from this project right now."

6. About two weeks after our meeting with the Village we followed up with a phone call to Jim Healy to inquire about the position of the Village. Mr. Healy informed us he did not have an answer and no objections as far as he knew.

7. On or about September 26, 2014, my husband, Thomas Zoulek, and I made an offer to purchase two parcels of real estate commonly known as 609 Scenic Road, Richfield, Wisconsin. Together the two parcels are approximately 40 acres, of which approximately 29 acres had been quarried from the early 1960s to the mid-1970s, leaving a large pit with steep slopes. These 29 acres are undesirable for any type of development. A counteroffer was accepted by us on October 19, 2014.

8. At the time that we made the offer to purchase, the property was zoned by the Village of Richfield for M-5, mineral extraction and restoration. The 20 Year Comprehensive Plan for the Village of Richfield had the property designated as quarry redevelopment.

9. The mission of the Scenic Pit, LLC is to restore the property by accepting clean fill listed in NR 500.08(2)(a).

10. On or about October 27, 2014, after we had an accepted offer on the property the Village sent a letter to Mr. Richard Holz with a copy to Thomas Zoulek, informing them of two main points. First, that we intended to open a landfill at the property and that the Village was interested in meeting with Mr. Holz to discuss the terms of the Conditional Use Permit granted in 1963 which required the reclamation of the quarry to the point where the slopes needed to be 3:1. This was our first indication that we had opposition from the Village.

11. On October 29, 2014, Tom responded to Mr. Healy informing him that he was upset by the letter in that it breached the confidentiality they had agreed upon with the Village and that Mr. Healy had misrepresented the uses permitted in the M-5 zoning district.

12. In early November Tom and I met with Jim Healy, John Macy, and our counsel, Dave Turciano, to discuss the letter and the position of the Village. The Village stated they were opposed to our plan and they refused to acknowledge the fact that our plan followed the comprehensive plan. Since we were already invested and had an accepted offer and a pending SBA, veteran advantage loan, we explained we were no longer interested in abandoning our plans as we felt we had exhausted that offer in October when the Village had no objections.

13. On or about February 1, 2015, we received a copy of an appraisal of 609 Scenic Road, a true and correct copy of which is attached hereto as Exhibit A.

14. On February 19, 2015, the Village of Richfield voted to amend the 20 Year Comprehensive Plan as it related to 609 Scenic Road, from "quarry redevelopment" to "single family residential." Tom and I, being members of the Scenic Pit, LLC, prepared a presentation about our project and asked that the Village Board table the agenda item until we had time to answer questions from residents in the community. The Board unanimously approved the change in the comprehensive plan.

15. On March 5, 2015, we attended the Plan Commission Meeting with our Attorney, Bruce McIlroy. We requested, from the Village of Richfield and Washington County, all local approvals that Scenic needed to apply for to operate a solid waste facility under Chapter 289. The Plan Commission voted to change to zoning of the property from extractive district to single-family residential at that meeting.

16. On or about March 19, 2015, the Village Board voted to rezone the property to single family residential. During public comments at this Village Board meeting the Village President allowed me to be heckled and did not allow me to answer the questions and concerns of the community.

17. After the property was rezoned from M-5 to Rs-1, single family residential, we learned that the Wisconsin Supreme Court had ruled that a solid waste facility that accepts only clean fill was exempt from local approvals.

18. We applied for an erosion control and storm water permit with the DNR. Maureen McBroom, from the DNR granted the permit.

19. We were notified that the DNR attorney, Cheryl Heilman, believed that we needed a driveway permit and a storm water and erosion control permit from the Village, although no local approvals applied per 289.43(8). With our attorney's advice that it would be

more cost effective to obtain the permits rather than go to litigation we obliged and applied for the permits. To date we have not received any permits from the Village and have been denied the driveway permit twice.

20. On or about May 7, 2015, I received copies of numerous emails from Mr. Healy in response to my several open records requests. I have included true and correct copies of 20 of the emails that I receive from Mr. Healy as group Exhibit B to this affidavit.

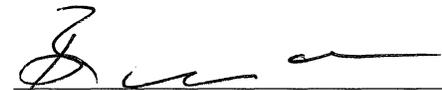
21. I believe the Village of Richfield is acting unreasonable and discriminatory in regards to our site vs other sites in the area. Payne and Dolan restored the Jacklin Pit on Hubertus Road in the Village of Richfield and even received more lots for residential development than our zoning allowed. The Jacklin Pit was zoned M5 before development and they accepted fill. Our Village President is a Controller for Zenith Tech, a sister company of Payne and Dolan, and recuses himself for all matters involving Payne and Dolan projects.

22. The Village of Richfield is demonstrating discriminatory behavior because Moraine Development, a quarry located in the Village of Richfield, is zoned M5 and operates a clean fill solid waste facility as part of their restoration plan.

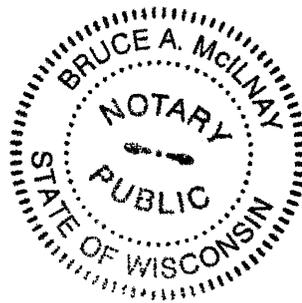


Danah Zoulek

Subscribed and sworn to before me
this 2nd day of June 2015



Notary Public, State of Wisconsin





APPRAISAL OF REAL PROPERTY

LOCATED AT:

609 Scenic Rd
Ne Se V161 P553+V1016 P55+DOC 1036546 Exc PT Sold Sec 27-9-19 38.27 A
Colgate, WI 53017-9316

FOR:

First Bank Financial Centre
155 W. Wisconsin Avenue
Oconomowoc, WI 53066

AS OF:

01/30/2015

BY:

Andrew MacDonald

Ex A

SUMMARY OF SALIENT FEATURES

SUBJECT INFORMATION	Subject Address	609 Scenic Rd
	Legal Description	Ne Se V161 P553+V1016 P55+DOC 1036546 Exc PT Sold Sec 27-9-19 38.27 Ac
	City	Colgate
	County	Washington
	State	WI
	Zip Code	53017-9316
	Census Tract	4601.02
	Map Reference	33340
SALES PRICE	Sale Price	\$ 445,000
	Date of Sale	03/06/2015
CLIENT	Borrower	Thomas & Danah Zoulek
	Lender/Client	First Bank Financial Centre
DESCRIPTION OF IMPROVEMENTS	Size (Square Feet)	1,554
	Price per Square Foot	\$ 286.36
	Location	Village of Richfield
	Age	1899
	Condition	Average
	Total Rooms	7
	Bedrooms	4
	Baths	2
APPRAISER	Appraiser	Andrew MacDonald
	Date of Appraised Value	01/30/2015
VALUE	Opinion of Value	\$ 390,000

Borrower	Thomas & Danah Zoulek	File No.	AM9589
Property Address	609 Scenic Rd		
City	Colgate	County	Washington
Lender/Client	First Bank Financial Centre	State	WI
		Zip Code	53017-9316

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A.M. Appraisals
N1442 2nd Street Rd
Watertown, WI 53098

02/19/2015

First Bank Financial Centre
155 W. Wisconsin Avenue
Oconomowoc, WI 53066

Re: Property: 609 Scenic Rd
Colgate, WI 53017-9316
Borrower: Thomas & Danah Zoulek
File No.: AM9589

Effective Date: 01/30/2015

In accordance with your request, we have appraised the above referenced property. The report of that appraisal is attached.

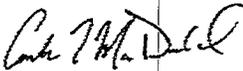
The purpose of the appraisal is to develop an opinion of market value for the property described in this appraisal report, as improved, in unencumbered fee simple title of ownership.

This report is based on a physical analysis of the site and improvements, a locational analysis of the neighborhood and city, and an economic analysis of the market for properties such as the subject. The appraisal was developed and the report was prepared in accordance with the Uniform Standards of Professional Appraisal Practice.

The opinion of value reported above is as of the stated effective date and is contingent upon the certification and limiting conditions attached.

It has been a pleasure to assist you. Please do not hesitate to contact me or any of my staff if we can be of additional service to you.

Sincerely,



Andrew MacDonald
License or Certification #: 1740-9
State: WI Expires: 12/14/2015
amappraisals@sbcglobal.net

UNIFORM COMMERCIAL/INDUSTRIAL SUMMARY APPRAISAL REPORT - SMALL PROPERTY

Client 1st Bank Financial Centre File Number AM9589
 Property Use Office Commercial Industrial 2-Family/Single Fam.
 Property Address 609 Scenic Rd Map Reference 33340
 City Colgate County Washington State WI Zip Code 53017-9316
 Building Name None Census Tract 4601.02
 Owner/Occupant Richard Holt & Yvonne Holt APN V10 1161
 Typical Buyer Owner/User Investor
 Property Rights Appraised Fee Simple Leased Fee Leasehold Other
 Purpose of Appraisal This appraisal is to be used for the use of a mortgage loan only.

Intended Use of Report First Bank Financial Centre. Use by any other parties or for any other purpose is strictly prohibited. The appraiser accepts no responsibility for unauthorized use of this report.

Scope of Work This report is a full summary report, with the appraiser to determine the scope of work necessary to produce a credible assignment result. This included identifying the property, an interior and exterior inspection, reliable data collection for comparables and subject property, application of the approaches to value, reconciliation, and report value.

Complete Appraisal Limited Appraisal due to the following departures from Standard 1 Only the direct sales comparison approach is used on this report. Appraiser has determined a credible opinion of value can be determined without the income and or cost approaches to value.

Summary Appraisal Report

THREE YEAR OWNERSHIP HISTORY

Owner	Recording Reference	Date	Price Paid	Terms of Sale
Most Recent <u>Lester Holt</u>	<u>Trustee's Deed</u>	<u>02/10/2004</u>	<u>\$ Unknown</u>	<u>Transfer from Family to Family</u>
Previous			\$	
Previous			\$	
Previous			\$	
Current Contract <input checked="" type="checkbox"/> Option <input type="checkbox"/>			\$	
Buyer <u>Thomas & Danah Zoulek</u>		Listing Price	\$ <u>499,000</u>	<u>Arm's Length</u>
Seller <u>Richard & Yvonne Holt</u>		Contract Price	\$ <u>445,000</u>	<u>Arm's Length</u>
		Closing Date	<u>03/07/2015</u>	<u>Arm's Length</u>

Analysis/Comments: Offer to purchase was drafted on 09-29-14. Purchase price \$445,000. Earnest Money \$5,000.00. Contingency are financing, document review, and appraisal. Items Included: All appliances, Antique stove, and window treatments.

NEIGHBORHOOD DESCRIPTION

Boundaries: Bounded by Town of Polk to the north, County of Waukesha to the south, Village of Germantown to the east, and Town of Erin to the west. Located in the Village of Richfield.

Neighborhood Built Up <u>0</u> %	Office <u>1</u> %	Multifamily <u>5</u> %	Location <input type="checkbox"/> Rural <input checked="" type="checkbox"/> Suburb <input type="checkbox"/> Urban
Land Use: Single Family <u>50</u> %	Retail <u>5</u> %	Vacant <u>34</u> %	Development Trend <input type="checkbox"/> Up <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Down
Industrial <u>5</u> %	Undersupply	Balanced	Value Trend <input type="checkbox"/> Up <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Down
Single Family <input type="checkbox"/>	Over-supply	Vacancy	Vacancy Trend <input type="checkbox"/> Up <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Down
Multifamily <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Rental Demand <input type="checkbox"/> Up <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Down
Office <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Change in Land Use: <input checked="" type="checkbox"/> Unlikely <input type="checkbox"/> Likely <input type="checkbox"/> Taking Place
Retail <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	From <u>N/A</u> To <u>N/A</u>
Industrial <input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Rental Rate Range (Exclude Extremes) for Subject Property Type: From \$ <u>5</u> /SF/Year To \$ <u>25</u> /SF/Year
Distance-CBD <u>5-10</u> Miles			Age Range (Exclude Extremes) for Subject Property Type: From <u>5</u> To <u>150</u>
Distance-Freeway <u>4</u> Miles			
Distance-Public Transportation <u>None</u> Miles			

Neighboring Property Use: Most area surrounding the subject is single family with some areas of agricultural, and a few other parcels designated similar to the subject (M-5). See attached zoning map.

Analysis/Comments: Total housing units: 4,338. Owner-occupied housing units: 3,972. Renter-occupied units: 198. Vacant housing units: 168.

Richfield is located in southeast Wisconsin which is part of Washington County. The Village has 35.91 square miles of land area, and 0.55 square miles of water area. As of 2010, the total population is 11,300.

Richfield median house value is \$310,100 in 2008-2012. On average, the public school district that covers Richfield is much better than the state average in quality.

The Village of Richfield features overall average proximity to schools, employment, and shopping centers all within 1 to 10 miles. There are no apparent adverse factors that would affect the marketability.

SITE DESCRIPTION

Legal Description Ne Se V161 R553+V1016 P55+DOC 1036546 Exc PT Sold Sec 27-9-19 38.27 Ac See Addenda

Environmental Problems Known or Suspected Yes No

Site Size 38.27 Acres Usable Land Area _____ Excess Land Area _____

Site Dimensions 259.5' x 1086.04' x 1,265.04' x 1,377.34' Apx.

Street Frontage 1086.04'

SITE DESCRIPTION (continued)

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Soil Conditions: Appears adequate in and around home and outbuildings apx. 9.8 acres / 28.4 old stone pit classified undeveloped land.

Easements: No adverse disclosed, visible or noted

Encroachments: None noted or apparent

Current Zoning: M-5 Mineral Extractive District Legally Conforming Yes No

Zoning Change: Likely Not Likely To _____

Uses Allowed Under Current Zoning: Grandfathered use, Single Family / With an active mining.

Analysis/Comments: The lot size, and shape of the subject site is large, located in a low density type area. The necessary on site improvements include well, septic, and electric. The essential off site improvements including public streets. No apparent adverse easements, encroachments, special assessments, adverse conditions or other problems were noted by realtor, and owner at time of inspection.

ASSESSMENT AND TAXES

Assessment Year	2014	APN	V10 1161	Tax Rate		Year	2014	Taxes	\$ 44,265
Total	\$ 337,900	Total		\$13.10/Thsnd		Estimated Taxes	2015	\$ 4,429.38	
Land	\$ 241,200	County				Tax Assessment		\$ 205.03 /SF	
Building(s)	\$ 96,700	City				Year Of Next Reassessment	Unknw		
Other	\$ 0	Other							

Special Assessments: None known of, or disclosed.

Reassessment Issues: 2014 Records indicated a ratio of 1.022. Re-assessment has taken place 2014. Tax assessment per sq ft is calculated using total floor area of the 2-family home (1,648 sf). Site assessment per sf \$337,900/1648 = \$205.03 per sf.

Analysis/Comments: 2014 Assessed value has dropped from prior year by more than \$156,400. The value from the quarry has been reduced and is now taxed as undeveloped. Undeveloped area does have some small trees, and rocky areas. This is considered recreational use which typically has a lower value when comparing it to agricultural, and or forest use. (See Wiredata Tax information attached to report).

IMPROVEMENTS DESCRIPTION

Property Type	<u>Single Family/Inactive Quarry</u>			Construction Type	<u>Frame</u>	# Buildings	<u>1</u>	# Stories	<u>2</u>
Building	Floor	Gross SF	*Net SF	Use Type	Net SF	Use %			
Main	1	942	942	Office					
Upper	2	816	816	Retail					
				Warehouse					
				Manufacturing					
				Distribution					
				Research/Development					
Total		1,758	1,758	Outbuildings/Garage	2,792	100%			
*Usable Area	<input type="checkbox"/>	Rentable Area	<input checked="" type="checkbox"/>						
Year Built	1899			Parking	Yes	No	Industrial Only		
Building Efficiency Ratio	100 %			On Site	<input checked="" type="checkbox"/>	<input type="checkbox"/>	# Overhead Doors		
Effective Age	25			Adequacy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Floor Height		
Total Economic Life	60			Covered	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Ceiling Height		
Remaining Economic Life	35			Parking Garage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Column Spacing		
Floor Area Ratio	4594 %			Paved	<input type="checkbox"/>	<input checked="" type="checkbox"/>	FT x FT		
Ground Coverage Ratio				Number of Spaces	5-10		Railroad Spur		
				Spaces/1000 SFBA			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		

Analysis/Comments: Overall average quality building with few updates, and reasonable maintenance. Pitched roof with composition singles covering that shows to be in good condition at 5 years old. Exterior is primarily wood and vinyl siding, with older double hung windows, and storms. Exterior includes average landscaping, gravel driveway for approximately 5-10 Cars, 2 outbuildings, and a 1 car garage. Building was construction in the late 1800's with some addition to original home around the 50'/60's. Average finish quality inside with updates and remodeling throughout the years. This is a 2 family home that has one upper, and one lower unit that are both owner occupied at time of inspection. Utilities are separated with 2 furnaces (Oil FWA/Gas FWA), one central air unit, one wood stove, gas hot water heaters, well and septic system. Overall mechanical components are adequate and operational. Ingress and egress to the property from Scenic Drive is adequate.

IMPROVEMENTS DESCRIPTION

(continued)

Building Description		Improvement Rating			
		Gd	Av	Fr	N/A
Foundation	Stone/Concrete/Block				
Frame	Stud/Framed				
Floor/Cover	Vinyl/Carpet				
Ceiling	Drywall/Plaster/Tile				
Exterior Walls	Wood/Vinyl Siding				
Interior Partitions	Wood stud walls / Plaster / Drywall / Paneling				
Roof Cover	Comp Shingles / 3 dementional				
Plumbing	Typical				
Heating	Oil FWA / Gas FWA / 2-Units				
Air Conditioning	1-Unit				
Electrical	2-100 amp electrical panels				
Elevators	None				
Parking	Good				
Insulation	Assume adequate				
Sprinkler	None				
Roof Support	Pitched /Trusses				
Landscaping	Average				
Outbuildings	Older/Average to Fair Condition				
Appeal/Appearance		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floor Plan/Design		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Construction Quality		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Exterior Condition		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Interior Condition		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Roof Cover		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Plumbing		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Heating		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Air Conditioning		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Electrical		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Elevators		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parking Area		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Insulation		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sprinkler		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Landscaping		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Outbuildings		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Site Improvements: Owner indicates that well is newer at 6 years old. Attic, and walls has been recently insulated and some spray foam used in the basement sills. Home has an enclosed porch area, enclosed stairwell to second level, stoop, and concrete patio area.

Personal Property or Other Non-Really Interests Included in Valuation: No Yes Personal property is not part of this valuation.

Analysis/Comments: Overall the building is in average condition and repair.

HIGHEST AND BEST USE

HIGHEST AND BEST USE AS IF VACANT

Legally Permissible Uses: The reasonable probable and legal use of the vacant land or improved property, which is physically possible, appropriately supported, financially feasible, and that results in the highest value. As the property stands the current use is residential (2-Family) which is legal nonconforming per Richfield.

Physically Possible Uses: Nearly anything legally permissible within the confines of the site.

Financially Feasible Uses: Residential / Rock quarry.

Maximally Productive Use: Residential / Rock quarry.

Analysis/Comments: While Village zoning allows for flexibility the large site could be re-zoned and split.

HIGHEST AND BEST USE AS IMPROVED

Legally Permissible Uses: See attached Zoning code for M-5

Physically Possible Uses: Present use.

Financially Feasible Uses: Present use.

Maximally Productive Use: Present use.

Analysis/Comments: It is my opinion that one/two family use is its highest and best use. It is unknown if this in-active rock quarry could or would be financial fezable due to its current condition, and or amount of stone that is left for future use. A study would need to be developed to determine a good conclusion. At this time no information exist. The 2014 assessment shows that 28.42 acres of land taxed is now classified as undeveloped.

VALUATION METHODS SELECTED

Cost Approach Income Approach Direct Sales Comparison Approach

Reasons for Excluding an Approach:

Cost Approach: Is not applicable or necessary and omitted in this analysis due to the age of improvements.

Income Approach: Is applicable but not necessary and omitted in this analysis.

Sales Comparison Approach: Is necessary and developed in this analysis.

MARKET VALUE ESTIMATE OF NON-REALTY ITEMS

Market Value of Personal Property ----- \$ 0
 Market value of Other Non-Realty Interests ----- \$ 0
 Total Market Value of Non-Realty Interests ----- \$ 0

Analysis/Comments: None

COMPARABLE SITE ANALYSIS

Data Sheets Att <input type="checkbox"/>	Subject	Comparable #1	Comparable #2	Comparable #3
Location/Address	<u>609 Scenic Rd</u>			
Proximity to Subject	<u>N/A</u>			
Map Reference	<u>33340</u>			
Deed Reference	<u>N/A</u>			
Date of Sale	<u>03/06/2015</u>			
Exposure Time	<u>611</u>			
Data Source	<u>Inspection</u>			
Site Size SF <input type="checkbox"/> Acres <input checked="" type="checkbox"/>	<u>38.27</u>			
Frontage	<u>1086.04'</u>			
Zoning	<u>M-5</u>			
Utilities	<u>Well/Septic</u>			
Site Improvements	<u>Driveway/Landscaping</u>			

Unit of Comparison	Subject	Comparable #1	Comparable #2	Comparable #3
Unit of Comparison	<u>Acres</u>			
Sales Price		\$	\$	\$
Price Per Unit		\$	\$	\$
Property Rights Conveyed				
Adjustment				
Financing				
Adjustment				
Conditions of Sale				
Adjustment				
Market Conditions				
Adjustment				
Other Adjustments:				
Location				
Topography				
Shape/Utility				
Utilities				
Site Improvements				
Total Adjustments				
Indicated Value Per Unit		\$	\$	\$

Analysis/Comments:

Total Site Units: Acres ----- 38.27
 Unit Value ----- \$ -----
 Estimated Site Value ----- \$ -----

EXCESS LAND

Excess Land Area Units: -----
 Unit Value ----- \$ -----
 Estimated Excess Land Value ----- \$ -----

INCOME APPROACH/RENTAL COMPARABLE BUILDING ANALYSIS

(continued)

Location	_____	_____	_____	_____
Quality	_____	_____	_____	_____
Condition	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Total Adjustments	_____	_____	_____	_____
Indicated Market Rent	\$ _____	\$ _____	\$ _____	\$ _____

*Lease Types: Gross Lease (G), Net Lease (N), Triple Net Lease (TN), Modified Gross (MG), Expense Passthroughs (P), Sales Overage Rents (O), Common Area Maintenance (C), Renewal Options (R)

Analysis/Comments: _____

SUMMARY OF SUBJECT LEASES

Tenant Name	Rented Area (SF)	Beginning Date	Term	Lease Types	Current Rent	Effective Rent/SF	Estimated Market Rent/SF
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____

Analysis/Comments: _____

INCOME AND EXPENSE HISTORY AND FORECAST

Income:	Actual	Comments and Calculations	Stabilized
From _____ to _____	_____	_____	\$ _____
Gross Potential Income	\$ _____	_____	\$ _____
Vacancy and Collection	_____	_____	\$ _____
Loss _____ %	(\$ _____)	_____	(\$ _____)
Other Income	\$ _____	_____	\$ _____
Effective Gross Income	\$ _____	_____	\$ _____
Expenses:			
Property Taxes	\$ _____	_____	\$ _____
Insurance	\$ _____	_____	\$ _____
Property Management	\$ _____	_____	\$ _____
Utilities	\$ _____	_____	\$ _____
Janitorial	\$ _____	_____	\$ _____
Maintenance	\$ _____	_____	\$ _____
Reserves	\$ _____	_____	\$ _____
Total Expenses	\$ _____	_____	\$ _____
Net Operating Income (NOI)	\$ _____	Expense/SF \$ _____ Expense Ratio _____ %	\$ _____

Analysis/Comments: _____

DIRECT CAPITALIZATION

Overall Rate Range _____ to _____	Equity Dividend Rate Range _____ to _____
Overall Rate (RO) _____ = _____	Mortgage _____ x _____ = _____
	Equity _____ x _____ = _____
	Overall Rate (RO) _____ = _____
\$ _____ NOI / _____ (RO) = \$ _____ Estimated Value	\$ _____ NOI / _____ (RO) = \$ _____ Estimated Value

Analysis/Comments: _____

YIELD CAPITALIZATION

Cash Flow Analysis in Attenda	Yes <input type="checkbox"/> No <input type="checkbox"/>	Market Rate Scenario	Contract Rent Scenario
Forecast Holding Period	_____	\$ _____	\$ _____
Beginning NOI	_____	_____	_____
NOI Pattern	_____	_____	_____
Reversion Assumption	_____	_____	_____
Yield Rate	_____	\$ _____	\$ _____
Value Estimate	_____	_____	_____

Analysis/Comments: _____

ADJUSTMENT FOR INTEREST APPRAISED

Value Estimate - Market Rent Scenario	_____	\$ _____
Value Estimate - Contract Rent Scenario	_____	\$ _____
Difference (Adjustment for Interest Appraised)	_____	\$ _____

Analysis/Comments: _____

Value Indicated by Direct Capitalization/Yield Analysis (excluding excess land)	_____	\$ _____
Plus: Estimated Excess Land Value	_____	\$ _____
Value Indication - Income Approach	_____	\$ _____
Rounded	_____	\$ _____

DIRECT SALES COMPARISON APPROACH/COMPARABLE BUILDING ANALYSIS

Comp Sheets	Att <input type="checkbox"/>	Subject	Comparable # 1	Comparable # 2	Comparable # 3
Address		609 Scenic Rd	W148N12340Pleasant D	738 N. Lake View Road	4835 Monches Rd
Proximity to Subject		N/A	6.83 miles E	0.48 miles E	2.53 miles W
Map Reference		33340	Germantown, WI53022	Hubertus, WI 53033	Colgate, WI 53017
Data Source		Inspection	MLS#1373694	MLS#130959	MLS#1359649
Gross Building Area		1,648	1,979	2,134	1,858
Net Building Area		1,648	1,979	2,134	1,858
Sites Size: SF <input type="checkbox"/> Acres <input checked="" type="checkbox"/>		38.27	9.47	11.26	1.86
Land-to-Building Ratio		0.0231	0.004 to 1	0.004 to 1	0.001 to 1
Year Built		1899	1900	1900	1877
Construction Type		Frame/Siding	Frame/Siding	Frame Siding	Frame/Brick/Siding
Construction Quality		Average	Average	Average	Average
Condition		Average	Good/Remodeled	Average	Average
Parking		Good	Good	Good	Good
Other		Outbuildings	Outbuildings	None	Outbuilding
Building Type		2-Family/Duplex	Single Family	Single Family	Single Family

	Subject	Comparable # 1	Comparable # 2	Comparable # 3
Sale Price	\$ 445,000	\$ 415,000	\$ 254,000	\$ 287,000
Date of Sale	03/06/2015	08/26/2014	09/09/2013	07/30/2014
Exposure Time	611	DOM: 53	DOM: 15	DOM: 106
Property Rights Conveyed	Fee Simple	Fee simple	Fee simple	Fee simple
Adjustment				
Financing	Unknown	Conventional	Conventional	Unknown
Adjustment				
Conditions of Sale	Arms Length	Arms Length	Arms Length	Arms Length
Adjustment				
Excess Land	9.85 ac/28.42AcUndv	9.47 ac / -----	2.91 Ac / -----	1.86ac / -----
Adjustment		66,342	127,350	137,115
Non-Realty Interests	None	None	None	None
Adjustment				
CE/Terms Adjusted Price	\$ 445,000	\$ 481,342	\$ 381,350	\$ 424,115
Other Adjustments:				
Market Conditions	Typical	Typical	Typical	Typical
Adjustment				
Location	Richfield	Richfield	Richfield	Richfield
Adjustment				
Quality	Average	Average	Average	Average
Adjustment				
Condition	Average	Good/Remodel 8%	Average	Good/Remodel 8%
Adjustment		-33,200		-22,960
GLA/Outbuildings	1,648 SF/Yes	1,944 SF/Yes	2,134 SF/None	1,858 SF/Yes
Adjustment		-11,840	560	-8,400
Total Other Adjustments		-45,040	560	-31,360
Indicated Value				
Per Property	\$ 445,000	\$ 436,302	\$ 381,910	\$ 392,755

UNIFORM COMMERCIAL/INDUSTRIAL SUMMARY APPRAISAL REPORT-SMALL PROPERTY

DIRECT SALES COMPARISON APPROACH/COMPARABLE BUILDING ANALYSIS

Comp Sheets	Att <input type="checkbox"/>	Subject	Comparable # 4	Comparable # 5	Comparable # 6
Address		609 Scenic Rd	5503 Shannon Road	3414 Pioneer Rd	4266 Fond du Lac Dr
Proximity to Subject		N/A	5.40 miles NW	4.73 miles N	6.29 miles N
Map Reference		33340	Hartford, WI 53027	Richfield, WI 53076	Slinger, WI 53086
Data Source		Inspection	MLS#1357535	MLS#1310018	MLS#1351472
Gross Building Area		1,648	1,568	1,560	2,556
Net Building Area		1,648	1,568	1,560	2,556
Site Size: SF <input type="checkbox"/> Acres <input checked="" type="checkbox"/>		38.27	8.47	5.01	2
Land-to-Building Ratio		0.0231	0.0051	0.003	0
Year Built		1899	1880	1890	1880
Construction Type		Frame/Siding	Frame Siding	Frame/Siding	Frame/Siding
Construction Quality		Average	Average	Average	Average
Condition		Average	Average	Average	Average
Parking		Good	Good	Good	Good
Other <u>Other</u>		Outbuildings	Outbuilding	Outbuilding	None
Building Type		2-Family/Duplex	Single Family	Single Family	2-Family/Duplex
Sale Price		\$ 445,000	\$ 315,000	\$ 252,500	\$ 210,000
Date of Sale		03/06/2015	11/14/2014	07/15/2013	05/23/2014
Exposure Time		611	DOM: 133	DOM: 6	DOM: 80
Property Rights Conveyed		Fee Simple	Fee simple	Fee simple	Fee simple
Adjustment					
Financing		Unknown	Conventional	Conventional	Conventional
Adjustment					
Conditions of Sale		Arms Length	Arms Length	Arms Length	Arms Length
Adjustment					
Excess Land		9.85 ac/28.42AcUndv	8.47 ac/	5.01 ac/	2 ac/
Adjustment			75,642	107,820	135,813
Non-Realty Interests		None	None	None	
Adjustment					
CE/Terms Adjusted Price		\$ 445,000	\$ 390,642	\$ 360,320	\$ 345,813
Other Adjustments:					
Market Conditions		Typical	Typical	Typical	Typical
Adjustment					
Location		Richfield	Erin	Richfield	Polk
Adjustment					
Quality		Average	Average	Average	Average
Adjustment					
Condition		Average	Average	Average	Average
Adjustment					
GLA/Outbuildings		1,648 SF/Yes	1,568 SF/Yes	1560 SF/Yes	2,556 SF/None
Adjustment			3,200	3,520	-16,320
Total Other Adjustments			3,200	3,520	-16,320
Indicated Value					
Per <u>Property</u>		\$ 445,000	\$ 393,842	\$ 363,840	\$ 329,493

FEE SIMPLE OR LEASED FEE OPERATING DATA AND RATIOS

	Comparable # 4	Comparable # 5	Comparable # 6
Fee Simple or Leased Fee			
Gross Potential Income	\$ _____	\$ _____	\$ _____
Vacancy and Collection Loss%	_____	_____	_____
Effective Gross Income	\$ _____	\$ _____	\$ _____
Operating Expenses	\$ _____	\$ _____	\$ _____
Expenses/SF Gross Building Area	\$ _____	\$ _____	\$ _____
Expense Ratio	_____	_____	_____
Net Operating Income	\$ _____	\$ _____	\$ _____
EGIM	_____	_____	_____
Overall Rate	_____	_____	_____
Equity Dividend Rate	_____	_____	_____

Comments: All comparables are considered the best available at the present time. Choosing single family homes is necessary due to the lack of other 2-family sales in the area, which then would be the next best comparison for this type property. A typical buyer would not buy this rental property for a 2 family home investment, since return would be none. Comparable six is the only two family/duplex in this report. The subject style for the area would typical be use as single family due to the large lot size, and outbuildings.

Most comparables sales used are from similar marketing areas, are most recent, and proximate. Sales research indicates homes in this area have good appeal. All value affecting dissimilarities are adjusted according to market reaction with a limited amount of similar listings, and sales data in the neighborhood. A search of the market revealed some sales with the appraiser using other styles of homes, older sales, and an extended search up to 10 miles.

Comp sales have an adjusted range of value from \$325,000 to \$434,000. Adjustments were made to comparable sales/listings for major factors that differed from the subject in order to derive indicated values. Guided by experience and referencing widely accepted market adjustments amongst the appraiser community and lending institutions, my adjustments properly reflect the local market and cost reaction to differences. No personal property has been included.

Mid range of value(\$390,000) is used in this report with 3 comparables falling on or close to this value.

UNIFORM COMMERCIAL/INDUSTRIAL SUMMARY APPRAISAL REPORT-SMALL PROPERTY

DIRECT SALES COMPARISON APPROACH/COMPARABLE BUILDING ANALYSIS

Comp Sheets	At <input type="checkbox"/>	Subject	Comparable # 7	Comparable # 8	Comparable # 9
Address		609 Scenic Rd	1563 Scenic Road	1370 Scenic Drive	
Proximity to Subject		N/A	2.18 miles N	0.88 miles N	
Map Reference		33340	Richfield, WI 53076	Richfield, WI 53076	
Data Source		Inspection	MLS#1404970	MLS#1396977	
Gross Building Area		1,648	2,036	2,031	
Net Building Area		1,648	2,036	2,031	
Site Size: SF <input type="checkbox"/> Acres <input checked="" type="checkbox"/>		38.27	4	5.81	
Land-to-Building Ratio		0.0231	0.001	0.002	
Year Built		1899	1900	1974	
Construction Type		Frame/Siding	Frame/Siding	Frame Siding	
Construction Quality		Average	Average	Average	
Condition		Average	Average	Good	
Parking		Good	Good	Average	
Other <u>Other</u>		Outbuildings	Outbuildings	Outbuilding	
Building Type		2-Family/Duplex	Single Family	Single Family	
Sale Price	\$	445,000	235,000	398,900	\$
Date of Sale		03/06/2015	Listing	Current Listing	
Exposure Time		611	2	77	
Property Rights Conveyed		Fee Simple	Fee Simple	Fee Simple	
Adjustment					
Financing		Unknown	Asking Price \$235,000	Asking Price \$398,900	
Adjustment			-11,750	-19,945	
Conditions of Sale		Arms Length	Arms Length	Arms Length	
Adjustment					
Excess Land		9.85 ac/28.42AcUndv	4 ac /---	5.81 acres	
Adjustment			117,213	100,380	
Non-Ready Interests		None	None	None	
Adjustment					
CF/Terms Adjusted Price	\$	445,000	340,463	479,335	\$
Other Adjustments:					
Market Conditions		Typical	Typical	Typical	
Adjustment					
Location		Richfield	Richfield	Richfield	
Adjustment					
Quality		Average	Average	Average	
Adjustment					
Condition		Average	Average	Good	
Adjustment				-30,316	
GLA/Outbuildings		1,648 SF/Yes	2,036/Outbuildings	2,031/Extra Garage	
Adjustment			-15,520	-15,320	
Total Other Adjustments			-15,520	-45,636	
Indicated Value					
Per <u>Property</u>	\$	445,000	324,943	433,699	\$

FEE SIMPLE OR LEASED FEE OPERATING DATA AND RATIOS

	Comparable # 7	Comparable # 8	Comparable # 9
Fee Simple or Leased Fee			
Gross Potential Income	\$	\$	\$
Vacancy and Collection Loss%			
Effective Gross Income	\$	\$	\$
Operating Expenses	\$	\$	\$
Expenses/SF Gross Building Area	\$	\$	\$
Expense Ratio			
Net Operating Income	\$	\$	\$
ESIM			
Overall Rate			
Equity Dividend Rate			

Comments: All adjusted sale prices fall short of purchase price as this indicates that the buyers are paying too much for this property. After this result I have considered all of the factors associated with the subject property, and agree with results. In my opinion many factors could be considered.

- 1) Subject has been on and off the market since 2007. Asking price started at the \$999,900 range.
- 2.) Duplex properties have become harder to finance due to the higher banking standards. This means that less number of buyers exist for these type properties. Not a normal income property for the area.
- 3.) Subject property has improvements that are older construction.
- 4.) The rock quarry is currently not functioning. Since property has been marketed no real interest from any mining company exist. This might indicate that this mine is not worth what owners are asking.
- 5.) In my opinion the mining site is not that appealing. A low rocky bowl type area with trees.
- 6.) The lost use of 28 acres at this time do not function as a working mine, agricultural use, and or woods. This year the assessor has classified this area as undeveloped. A normal buyer would not pay top dollar for this acreage. Typically undeveloped areas are used as recreational. Land that is classified as agricultural/woods/residential brings more value as indicated in land sales provided and past experiences.

DIRECT SALES COMPARISON APPROACH/COMPARABLE BUILDING ANALYSIS

(continued)

Analysis/Comments: _____

FEE SIMPLE OR LEASED FEE OPERATING DATA AND RATIOS

	Comparable # 1	Comparable # 2	Comparable # 3
Fee Simple or Leased Fee			
Gross Potential Income	\$ _____	\$ _____	\$ _____
Vacancy and Collection Loss%	_____	_____	_____
Effective Gross Income	\$ _____	\$ _____	\$ _____
Operating Expenses	\$ _____	\$ _____	\$ _____
Expenses/SF Gross Building Area	\$ _____	\$ _____	\$ _____
Expense Ratio	_____	_____	_____
Net Operating Income	\$ _____	\$ _____	\$ _____
EGIM	_____	_____	_____
Overall Rate	_____	_____	_____
Equity Dividend Rate	_____	_____	_____

Analysis/Comments: _____

Building Units _____
 Value Per Unit _____ \$ _____ /Unit
 Value Estimate _____ \$ _____

Effective Gross Income _____ \$ _____
 Effective Gross Income Multiplier (EGIM) _____ x _____
 Value Estimate _____ \$ _____

Analysis/Comments: _____

Value Indicated by Direct Sales Comparison Approach (excluding excess land) _____ \$ **390,000**
 Plus: Estimated Excess Land Value _____ \$ **0**
 Plus: Adjustment for Interest Appraised _____ \$ **0**
 Value Indication - Direct Sales Comparison Approach _____ \$ **390,000**
 Rounded _____ \$ **390,000**

RECONCILIATION AND FINAL VALUE ESTIMATES

Cost Approach Indication _____ \$ **0**
 Income Approach Indication _____ \$ **0**
 Direct Sales Comparison Approach Indication _____ \$ **390,000**

Reconciliation: The Sales Approach was used and is a direct indication of value due to the activity and motives of buyers, sellers, and investors in the real market place.
The Income Approach to value was used in this analysis.
The Cost Approach was not used. This approach is deemed less reliable and could be considered not appropriate and or considered.
 After analyzing the approaches to value, the market approach generally is the most widely use of the three approaches to value.

Estimated Exposure Time: Value assumes typical marketing period for this type property estimated at 6-24 months.

Extraordinary Assumptions and Limiting Conditions: The appraisal report cannot be relied upon to disclose all conditions and or defect in the property, as only a visual inspection was performed with the assumption of all mechanicals and building structure in working order at time of appraisal. Therefore any hidden deficiencies may not be reported upon. Unknown defects could result in a value different than this appraisal would indicate.

Estimated Market Value "As Is" _____ \$ **390,000**
 Effective Date of Valuation _____ **01/30/2015**
 Market Value of Personal Property Included in Appraisal _____ \$ **0**
 Market Value of Other Non-Realty Interests Included in Appraisal _____ \$ **0**

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RECONCILIATION AND FINAL VALUE ESTIMATES

(continued)

Appraiser # 1
 Signature: Andrew MacDonald Date: 02/19/2015 Property Inspected: Yes No
 Name: Andrew MacDonald
 Certification No.: 1740-9 State: WI Exp. Date: 12/14/2015

Appraiser # 2
 Signature: _____ Date: _____ Property Inspected: Yes No
 Name: _____
 Certification No.: _____ State: _____ Exp. Date: _____

CONTENTS OF ADDENDA

Legal Description	<input checked="" type="checkbox"/>	Land Lease	<input type="checkbox"/>	Support for Non-Realty Interest Valuation	<input type="checkbox"/>
Subject Photographs	<input checked="" type="checkbox"/>	Segregated Cost Sheet	<input type="checkbox"/>	Support for Adjustment for Interest Appraised	<input type="checkbox"/>
Area Map	<input checked="" type="checkbox"/>	Soils Survey Map	<input type="checkbox"/>	Copy of Easement	<input type="checkbox"/>
Neighborhood Map	<input checked="" type="checkbox"/>	Subject Leases	<input type="checkbox"/>	Appraiser Qualifications	<input type="checkbox"/>
Zoning Map	<input checked="" type="checkbox"/>	Rental Comparable Data Sheets	<input type="checkbox"/>		<input type="checkbox"/>
Flood Zone Map	<input checked="" type="checkbox"/>	Rent Location Map	<input type="checkbox"/>		<input type="checkbox"/>
Topographic Map	<input type="checkbox"/>	DCF Analysis	<input type="checkbox"/>		<input type="checkbox"/>
Site Sketch	<input checked="" type="checkbox"/>	Improved Property Sales Data Sheets	<input type="checkbox"/>		<input type="checkbox"/>
Site Plan	<input type="checkbox"/>	Building Sales Location Map	<input type="checkbox"/>		<input type="checkbox"/>
Building Plans	<input type="checkbox"/>	Copy of Deed	<input type="checkbox"/>		<input type="checkbox"/>
Tax Assessment Card	<input checked="" type="checkbox"/>	Contract of Sale	<input type="checkbox"/>		<input type="checkbox"/>
Land Sales Data Sheets	<input type="checkbox"/>	Construction Cost Contract	<input type="checkbox"/>		<input type="checkbox"/>
Land Sales Map	<input type="checkbox"/>	Support for Personal Property Valuation	<input type="checkbox"/>		<input type="checkbox"/>

DEFINITION OF MARKET VALUE

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and acting in what they consider their best interests; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

ASSUMPTIONS AND LIMITING CONDITIONS

- As agreed upon with the client prior to the preparation of this appraisal, unless otherwise indicated, this is a Limited Appraisal because it invokes the Departure Provision of the Uniform Standards of Professional Appraisal Practice. As such, information pertinent to the valuation has not been considered and/or the full valuation process has not been applied. Depending on the type and degree of limitations, the reliability of the value conclusion provided herein may be reduced.
- Unless otherwise indicated, this is a Summary Appraisal Report which is intended to comply with the reporting requirements set forth under Standard Rule 2-2(b) of the Uniform Standards of Professional Appraisal Practice for a Summary Appraisal Report. As such, it might not include full discussions of the data, reasoning and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation concerning the data, reasoning and analyses is retained in the appraiser's file. The information contained in this report is specific to the needs of the client and for the intended use stated in this report. The appraiser is not responsible for unauthorized use of this report.
- No responsibility is assumed for legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated in this report.
- The property is appraised free and clear of any or all liens and encumbrances unless otherwise stated in this report.
- Responsible ownership and competent property management are assumed unless otherwise stated in this report.
- The information furnished by others is believed to be reliable. However, no warranty is given for its accuracy.
- All engineering is assumed to be correct. Any plot plans and illustrative material in this report are included only to assist the reader in visualizing the property.
- It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.
- It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless otherwise stated in this report.
- It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a nonconformity has been stated, defined, and considered in this appraisal report.
- It is assumed that all required licenses, certificates of occupancy or other legislative or administrative authority from any local, state, or national governmental or private entity or organization have been or can be obtained or renewed for any use on which the value estimates contained in this report are based.
- Any sketch in this report may show approximate dimensions and is included to assist the reader in visualizing the property. Maps and exhibits found in this report are provided for reader reference purposes only. No guarantee as to accuracy is expressed or implied unless otherwise stated in this report. No survey has been made for the purpose of this report.
- It is assumed that the utilization of the land and improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespass unless otherwise stated in this report.

(Continued)

ASSUMPTIONS AND LIMITING CONDITIONS

- 14. The appraiser is not qualified to detect hazardous waste and/or toxic materials. Any comment by the appraiser that might suggest the possibility of the presence of such substances should not be taken as confirmation of the presence of hazardous waste and/or toxic materials. Such determination would require investigation by a qualified expert in the field of environmental assessment. The presence of substances such as asbestos, urea-formaldehyde foam insulation or other potentially hazardous materials may affect the value of the property. The appraiser's value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value unless otherwise stated in this report. No responsibility is assumed for any environmental conditions, or for any expertise or engineering knowledge required to discover them. The appraiser's descriptions and resulting comments are the result of the routine observations made during the appraisal process.
- 15. Unless otherwise stated in this report, the subject property is appraised without a specific compliance survey having been conducted to determine if the property is or is not in conformance with the requirements of the Americans with Disabilities Act. The presence of architectural and communications barriers that are structural in nature that would restrict access by disabled individuals may adversely affect the property's value, marketability, or utility.
- 16. Any proposed improvements are assumed to be completed in a in accordance with the submitted plans and specifications.
- 17. The distribution, if any, of the total valuation in this report between land and improvements applies only under the stated program of utilization. The separate allocations for land and buildings must not be used in conjunction with any other appraisal and are invalid if so used.
- 18. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed, and in any event, only with proper written qualification and only in its entirety.
- 19. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser, or the firm with which the appraiser is connected), shall be disseminated to the public through advertising, public relations, news sales, or other media without prior written consent and approval of the appraiser.

Adverse Environmental Conditions: Unless otherwise stated in this report, the existence of hazardous substances including without limitation: asbestos, radon gas, polychlorinated biphenyls, petroleum leakage, electromagnetic radiation fields or other hazardous chemicals or conditions, were not called to the appraiser's attention, nor did the appraiser become aware of any such adverse conditions or influences during the property inspection. The appraiser has no knowledge of the existence of such materials or conditions on or near the subject property unless otherwise specifically stated in the appraisal report. However, the appraiser is not an environmental hazard expert and is not qualified to test for such conditions. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them. It may be necessary to retain an expert in the field of environmental hazard evaluation if the presence of environmental hazards are suspected. The value estimate contained in this report is predicated on the assumption that there are no hidden environmental hazards or conditions which would adversely affect the subject property's marketability or value.

CERTIFICATION

I certify that, to the best of my knowledge and belief:

- 1. The statements of fact contained in this report are true and correct.
- 2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial unbiased professional analyses, opinions, and conclusions.
- 3. I have no present or prospective interest in the property that is the subject of this report and I have no personal interest or bias with respect to the parties involved.
- 4. I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- 5. My engagement in this assignment was no contingent upon developing or reporting predetermined results.
- 6. My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- 7. This appraisal was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.
- 8. My analyses, opinions, and conclusions were developed, and this report has been prepared in conformity with the edition of the Uniform Standards of Professional Appraisal Practice current as of the date of the appraisal.
- 9. Unless otherwise indicated, I have made a personal inspection of the property that is the subject of this report.
- 10. No one provided significant professional assistance to the person signing this report, unless otherwise indicated.

Appraiser's Signature

Date 02/19/2015

State Certification #

1740-9

Borrower	Thomas & Danah Zoulek				
Property Address	609 Scenic Rd				
City	Colgate	County	Washington	State	WI Zip Code 53017-9316
Lender/Client	First Bank Financial Centre				

Legal Matters: Good, marketable title to the subject property is assumed, and no responsibility is assumed for legal ownership of the property, Subsoil or structures which would render it more or less valuable than otherwise comparable property.

Information and Data: Information, estimates and opinions furnished to the appraiser and contained in this report were obtained from sources considered reliable and believed to be true and accurate. However, no responsibility for accuracy of such items furnished to the appraiser is assumed.

Distribution of Value: The distribution of the total valuation of this appraisal between land and improvements applies only under the existing program of utilization. These separate valuations for land building must not be used in conjunction with any other appraisal and are invalid, if so used. If the subject property has not been appraised in its entirety, any allocations to portions hereof, or as an inference of value for other property, is invalid.

Other Use of this Report: Neither all nor any part of this report shall be disseminated to the general public by the use of advertising media, news or other media for public communication without the prior written consent of the signatories of this report. Further, this report may no be used or relied upon by anyone, other than the intended client, First Bank Financial Centre and/or his/her assigns, without the written consent of the signatories.

Net/Gross Adjustment: Sales data was researched through MLS, Assessors Data, and Wiredata. The adjustments were considered appropriate and reflect current market activity and or cost.

Sales Date of the Comparables Sales: All of the comparables sales utilized in this analysis closed within the past 24 months. eight comparables were used all located in the same or similar marketing areas.

Room Count: Areas are incorporated into the GLA. Adjustment of GLA negates the need for individual adjustments.

Gross Living Area: The basis for adjustments is market driven. Size adjustment of \$40.00 per square foot extracted by pairing comparable sales.

Location: All comparables are located in the same or similar market like the subject.

Extra Acres: Sales show difference in value with adjustments made (see land sales info). Residential/Agricultural/Woods estimated at \$9,300 per acre, and Undeveloped land at \$2,210.

Outbuildings: \$20,000 is estimate and taken from cost and depreciation valuation method.

Condition: estimated at 8%.

Vacant Land Sales:

Comparable #1: County Road C, Town of Polk / Tax #T9 057400A & T9 057400B/ SDS#45329 / Sold Date: 06/2014 / Sold Price: \$197,000 / 20.11 Acres. (Price per acre \$9,796).

Comparable #2: Hubertus Rd / Town of Richfield / Tax #V10 077100D / Sold Date: 11/2014 / Sold Price: \$130,000 / 14.00 Acres (Price per acre \$9,286)

Comparable #3: Town Line Rd / Town of Polk / Tax #T9 002500Z / Sold Date: 01/2015 / Sold Price \$275,900 / 36 Acres (Price per acre \$7,664)

Comparable #4: Pleasant Hill Road / Town of Richfield / Tax# V10 0035+ / Sold Date: 05/2014 / Sold Price \$880,500 / 119 Acres (Price per acre \$7,399)

Comparable #5: Pioneer Road / Town of Richfield / Tax# V10 0071+ / Sold Date: 12/2013 / Sold Price \$350,000 / 48 Acres (Price per acre \$7,292).

Comparable #6: Town Line Rd / Town of Polk / Tax#T9 002500Z / Sold Date: 01/2015 / Sold Price \$275,000 / 36 Acres (Price per acre \$7,639)

Comparable #7: County Road Q / Town of Erin / Tax# T3 069600A / Sold Date 09/2013 Sold Price \$320,900 / 35 Acres (Price per acre \$9,143)

Comparable #8: Sherman Road / Town of Polk / Tax#1350146 / Sold Date 11/13 / Sold Price: \$240,000 / 26 Acres (Price per acre \$9,231)

Estimated Subject price per acre Agricultural/Wooded/Residential: \$9,300 per acre

Undeveloped Vacant Land:

Comparable #1: Scenic Road / Town of Polk / Tax #T9 1014 / Sold Date: 01/2012 / Sold Price: \$22,125 / 10.01 Acres (Price per acre \$2,210)

Estimated Subject price per acre Undeveloped \$2,210 per acre.

Opinion of subject site value: (9.85 acres (Residential/Forest) x \$9,300 = \$91,605) + (28.42 acres (Undeveloped) x \$2,210 = \$62,808) = \$154,400 rounded.

ENVIRONMENTAL ADDENDUM

APPARENT * HAZARDOUS SUBSTANCES AND/OR DETRIMENTAL ENVIRONMENTAL CONDITIONS

File # AM9589

Borrower Thomas & Danah Zoulek
Property Address 609 Scenic Rd
City Colgate County Washington State WI Zip Code 53017-9316
Lender/Client First Bank Financial Centre

* Apparent is defined as that which is visible, obvious, evident or manifest to the appraiser.

This Environmental Addendum is for use with any real estate appraisal. Only the statements which have been marked by the appraiser apply to the Subject property.

This addendum reports the results of the appraiser's routine viewing of and inquiries about the subject property and its surrounding area. It also states what assumptions were made about any observed evidence of any hazardous substances and/or detrimental environmental conditions. The appraiser is not an expert environmental inspector and therefore might be unaware of existing hazardous substances and/or detrimental environmental conditions which may have a negative effect on the safety or value of the property.

DRINKING WATER

- Drinking water is supplied to the subject from a municipal water supply which is considered safe. However, the only way to be absolutely certain that the water meets published standards is to have it tested at all discharge points.
Drinking water is supplied by a well or other non-municipal source. It is recommended that tests be made to be certain that the property is supplied with adequate drinking water.
Lead can get into drinking water from its source, the pipes, at all discharge points, plumbing fixtures and/or appliances. The only way to be certain that water does not contain an unacceptable lead level is to have it tested at all discharge points.
The opinion of value is based on the assumption that there is an adequate supply of safe, lead-free drinking water.

Comments:

SEWER SYSTEM

- Sewage is removed from the property by a municipal sewer system.
Sewage is disposed of by a septic system or other sanitary on-site waste disposal system. The only way to determine that the disposal system is adequate and in good good working condition is to have it inspected by a qualified inspector.
The opinion of value is based on the assumption that the sewage is disposed of by a municipal sewer or an adequate property permitted alternate treatment system in good condition.

Comments:

SOIL CONTAMINANTS

- There are no apparent signs of soil contaminants on or near the subject property (except as stated in Comments, below). It is possible that research, inspection and testing by a qualified environmental inspector would reveal existing and/or potential hazardous substances and/or detrimental environmental conditions on or around the property that would negatively affect its safety and value.
The opinion of value is based on the assumption that the subject property is free of soil contaminants.

Comments:

ASBESTOS

- All or part of the improvements were constructed before 1979 when asbestos was a common building material. The only way to be certain that the property is free of friable and non-friable asbestos is to have it inspected and tested by a qualified asbestos inspector.
The improvements were constructed after 1979. No apparent friable asbestos was observed (except as stated in Comments, below).
The opinion of value is based on the assumption that there is no uncontained friable asbestos or other hazardous asbestos material on the property.

Comments:

PCBs (POLYCHLORINATED BIPHENYLS)

- There were no apparent leaking fluorescent light ballasts, capacitors or transformers anywhere on or nearby the property (except as stated in Comments, below).
There was no apparent visible or documented evidence known to the appraiser of soil or groundwater contamination from PCBs anywhere on the property (except as reported in Comments below).
The opinion of value is based on the assumption that there are no uncontained PCBs on or nearby the property.

Comments:

RADON

- The appraiser is not aware of any radon tests made on the subject property within the past 12 months (except as stated in Comments, below).
The appraiser is not aware of any indication that the local water supplies have been found to have elevated levels of radon or radium.
The appraiser is not aware of any nearby properties (except as stated in Comments, below) that were or currently are used for uranium, thorium or radium extraction or phosphate processing.
The opinion of value is based on the assumption that the Radon level is at or below EPA recommended levels.

Comments:

USTS (UNDERGROUND STORAGE TANKS)

- There is no apparent visible or documented evidence known to the appraiser of any USTs on the property nor any known historical use of the property that would likely have had USTs.
- There are no apparent petroleum storage and/or delivery facilities (including gasoline stations or chemical manufacturing plants) located on adjacent properties (except as reported in Comments below).
- There are apparent signs of USTs existing now or in the past on the subject property. It is recommended that an inspection by a qualified UST inspector be obtained to determine the location of any USTs together with their condition and proper registration if they are active; and if they are inactive, to determine whether they were deactivated in accordance with sound industry practices.
- The opinion of value is based on the assumption that any functioning USTs are not leaking and are properly registered and that any abandoned USTs are free from contamination and were properly drained, filled and sealed.

Comments: Property did have a UST at one time in the past.

NEARBY HAZARDOUS WASTE SITES

- There are no apparent hazardous waste sites on the subject property or nearby the subject property (except as stated in Comments, below). Hazardous Waste Site search by a trained environmental engineer may determine that there is one or more hazardous waste sites on or in the area of the subject property.
- The opinion of value is based on the assumption that there are no hazardous waste sites on or nearby the subject property that negatively affect the value or safety of the property.

Comments:

UREA/FORMALDEHYDE INSULATION (UFFI)

- All or part of the improvements were constructed before 1982 when urea foam insulation was a common building material. The only way to be certain that the property is free of urea formaldehyde is to have it inspected by a qualified urea formaldehyde inspector.
- The improvements were constructed after 1982. No apparent urea formaldehyde materials were observed (except as stated in Comments, below).
- The opinion of value is based on the assumption that there is no significant UFFI insulation or other urea formaldehyde material on the property.

Comments:

LEAD-BASED PAINT

- All or part of the improvements were constructed before 1978 when lead based paint was a common building material. There is no apparent visible or known documented evidence of peeling or flaking Lead Paint on the floors, walls or ceilings (except as stated in Comments, below). The only way to be certain that the property is free of surface or subsurface lead based paint is to have it inspected by a qualified inspector.
- The improvements were constructed after 1978. No apparent Lead Paint was observed (except as stated in Comments, below).
- The opinion of value is based on the assumption that there is no flaking or peeling Lead Paint on the property.

Comments:

AIR POLLUTION

- There are no apparent signs of air pollution at the time of the appraiser's viewing of the subject property, nor were any reported (except as reported in Comments, below). The only way to be certain that the air is free of pollution is to have it tested.
- The opinion of value is based on the assumption that the property is free of air pollution.

Comments:

WETLANDS/FLOOD PLAINS

- The site does not contain any apparent wetlands/flood plains (except as stated in Comments, below). The only way to be certain that the site is free of wetlands/flood plains is to have it inspected by a qualified environmental professional.
- The opinion of value is based on the assumption that there are no Wetlands/Flood Plains on the property (except as stated in Comments, below).

Comments:

MISCELLANEOUS ENVIRONMENTAL HAZARDS

- There are no other apparent hazardous substances and/or detrimental environmental conditions on or in the area of the site except as indicated below:
 - Excess noise
 - Radiation and/or electromagnetic radiation
 - Light pollution
 - Waste heat
 - Acid mine drainage
 - Agricultural pollution
 - Geological hazards
 - Nearby hazardous property
 - Infectious medical wastes
 - Pesticides
 - Other (chemical storage, drums, pipelines, etc.)

- The opinion of value is based on the assumption that, except as reported above, there are no other environmental hazards that would negatively affect the value of the subject property.

When any of the environmental assumptions made in this addendum are not correct, the opinion of value in this appraisal may be affected.

Subject Photograph Addendum [15 Digital Photos/Lg]

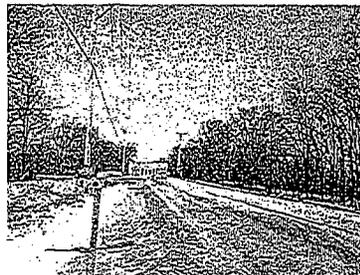
Borrower	Thomas & Danah Zoulek				
Property Address	609 Scenic Rd				
City	Colgate	County	Washington	State	WI
Lender/Client	First Bank Financial Centre				
				Zip Code	53017-9316



Front



Rear View



Street View



Street View



Side View



Barn 46'x32'



Out Building 54'x20'



Inside Barn



1-Car Detached Garage



Old Rock Quarry/Part Wooded



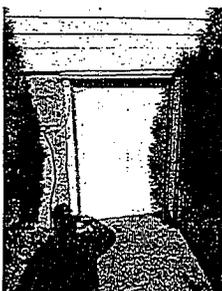
Old Rock Quarry/Part Wooded



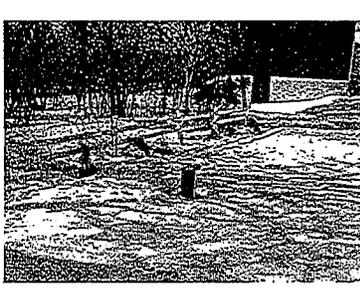
Septic



Side View/Windows



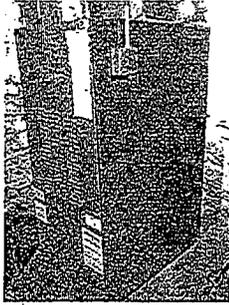
Outside Basement Access



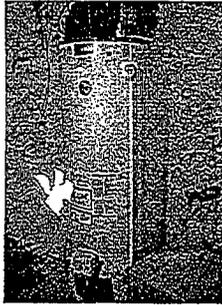
Well

Subject Photograph Addendum [15 Digital Photos/Lgl]

Borrower	Thomas & Danah Zoutek		
Property Address	609 Scenic Rd		
City	Colgate	County	Washington
		State	WI
		Zip Code	53017-9316
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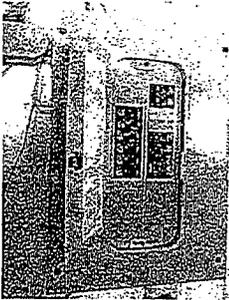
Furnace



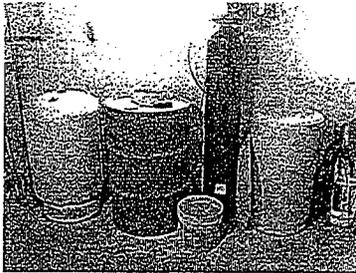
Basement / Hot water heater



Electrical Panel #1



Electrical Panel #2



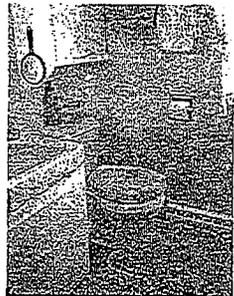
Water Heater/Water Softener



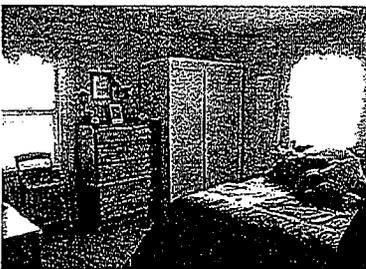
Lower Level Kitchen



Lower Level Living Room



Lower Level Bath



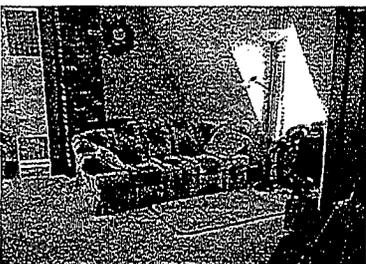
Lower Level Bedroom



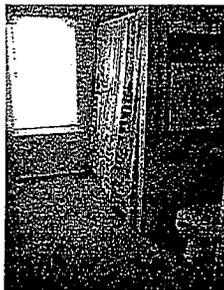
Lower Level Bedroom



Kitchen Upper Level



Living Room / Furnace



Upper Level Bath



Upper Level Bedroom

Comparable Photo Page

Borrower	Thomas & Danah Zoulek				
Property Address	609 Scenic Rd				
City	Colgate	County	Washington	State	WI Zip Code 53017-9316
Lender/Client	First Bank Financial Centre				

Comparable 1

W148N12340Pleasant View Drive



Comparable 2

738 N. Lake View Road



Comparable 3

4835 Monches Rd



Comparable Photo Page

Borrower	Thomas & Danah Zoulek				
Property Address	609 Scenic Rd				
City	Colgate	County	Washington	State	WI Zip Code 53017-9316
Lender/Client	First Bank Financial Centre				



Comparable 4
5503 Shannon Road



Comparable 5
3414 Pioneer Rd



Comparable 6
4266 Fond du Lac Dr

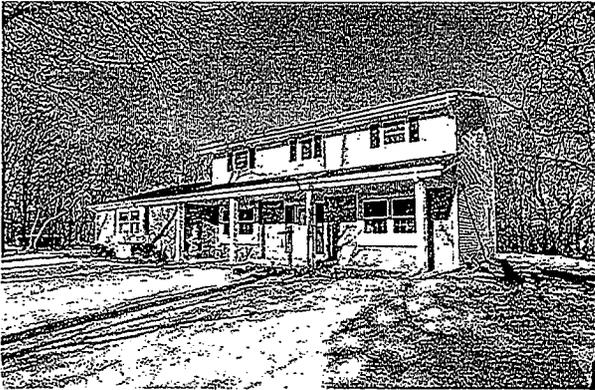
Comparable Photo Page

Borrower	Thomas & Danah Zoufek				
Property Address	609 Scenic Rd				
City	Colgate	County	Washington	State	WI Zip Code 53017-9316
Lender/Client	First Bank Financial Centre				



Comparable 7

1563 Scenic Road



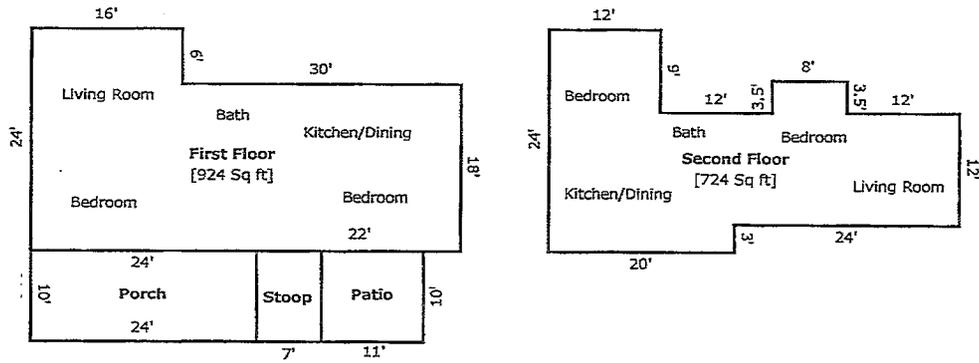
Comparable 8

1370 Scenic Drive

Comparable 9

Building Sketch

Borrower	Thomas & Danah Zoulek		
Property Address	609 Scenic Rd		
City	Colgate	County	Washington
		State	WI
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Lender/Client	First Bank Financial Centre		



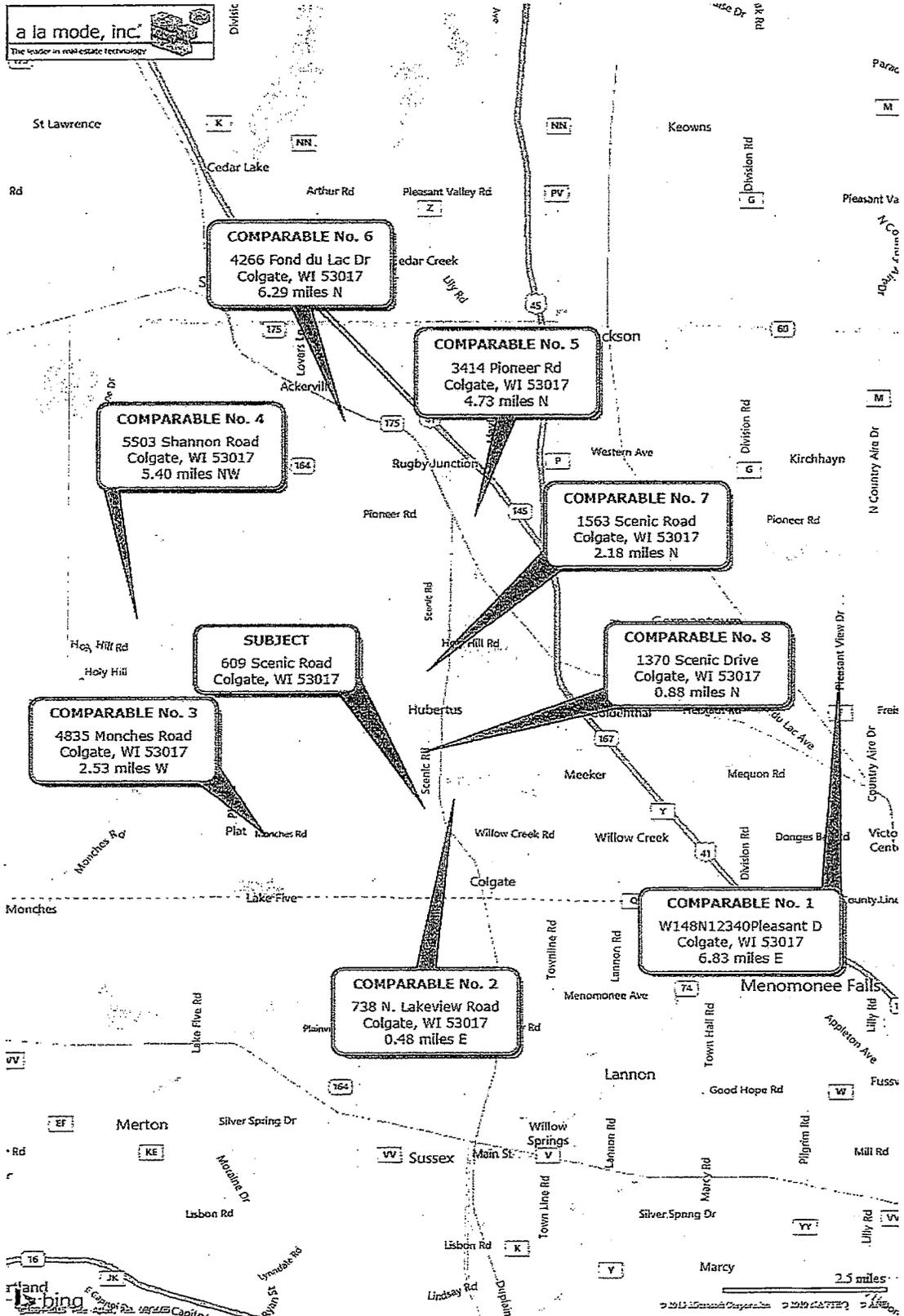
TOTAL Sketch by a la mode, Inc.

Area Calculations Summary

		Calculation Details
Living Area		
First Floor	924 Sq ft	24 × 16 = 384 18 × 30 = 540
Second Floor	724 Sq ft	8 × 3.5 = 28 12 × 9 = 108 15 × 20 = 300 12 × 24 = 288
Total Living Area (Rounded):	1648 Sq ft	
Non-living Area		
Stoop	70 Sq ft	10 × 7 = 70
Patio	110 Sq ft	10 × 11 = 110
Porch	240 Sq ft	24 × 10 = 240

Location Map

Borrower	Thomas & Danah Zoulek						
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City	Colgate	County	Washington	State	WI	Zip Code	53017-9316
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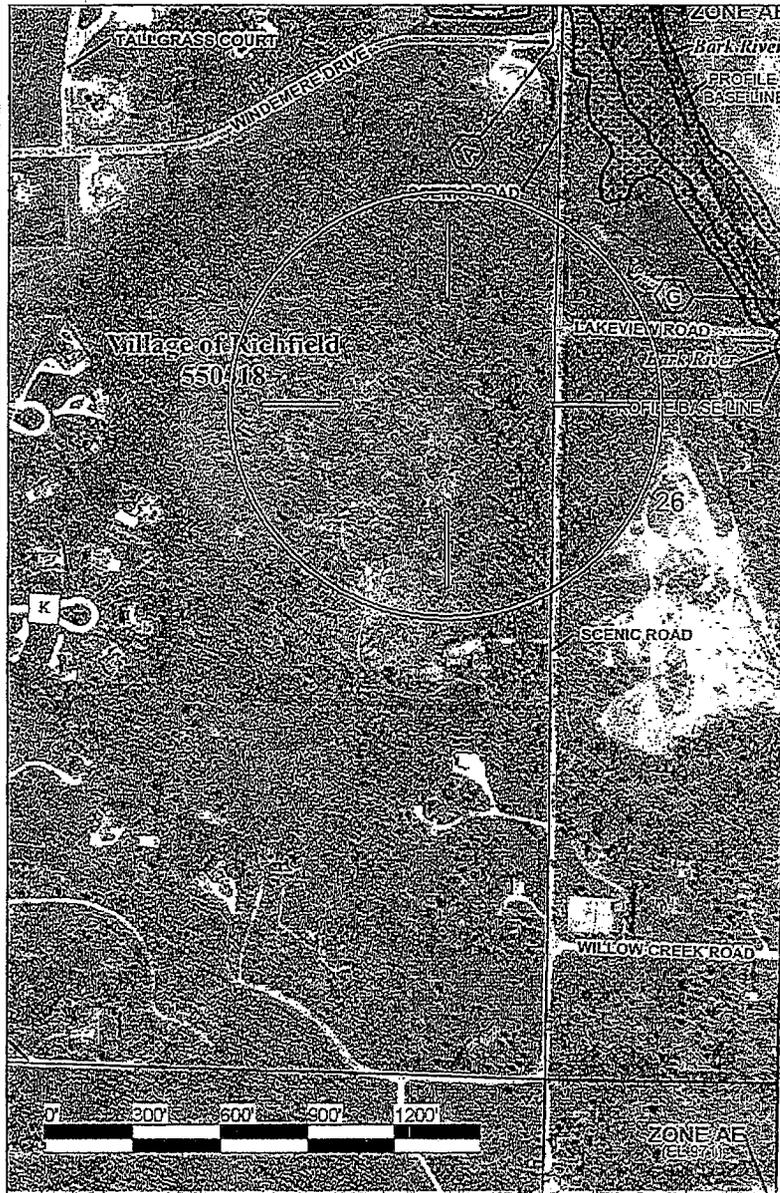


Flood Map

Borrower	Thomas & Danah Zoulek		
Property Address	609 Scenic Rd		
City	Colgate	County	Washington
		State	WI
		Zip Code	53017-9316
Lender/Client	First Bank Financial Centre		

InterFlood 
by a la mode
www.interflood.com • 1-800-252-6633

Prepared for:
 AM Appraisals
 609 Scenic Road
 Colgate, WI 53017



FLOODSCOPE

Flood Hazards Map

Map Number
55131C0353D

Effective Date
November 20, 2013

Powered by FloodSource
 877.77.FLOOD
www.floodsource.com

© 1999-2014 SourceProse and/or FloodSource Corporations. All rights reserved. Patents 6,631,326 and 6,678,615. Other patents pending. For info: info@floodsource.com.

Zoning Addendum

File No. AM9589

Borrower	Thomas & Danah Zoulek						
Property Address	609 Scenic Rd						
City	Colgate	County	Washington	State	WI	Zip Code	53017-9316
Lender/Client	First Bank Financial Centre						

Subject Zoning

M-5 Extractive District.

A. Intent. The M-5 extractive district is intended to provide for the orderly continuation or restoration of quarries or other extractive and related operations in existence on the effective date of the ordinance from which this chapter is derived and to provide for the location in appropriate places of new extractive operations that provide maximum protection to the natural environment. This M-5 district further provides for the restoration of quarries in a manner that will not deteriorate the natural environment.

B. Permitted principal uses. There are no permitted principal uses in the M-5 district.

C. Permitted accessory uses (see section 70.186). There are no permitted accessory uses in the M-5 district.

D. Conditional uses (see section 70.241). Conditional uses in the M-5 district are as follows:

1. Mining or extraction of rock, slate, gravel, sand, topsoil, and other minerals.
2. Processing, refining, and washing of rock, slate, sand, or minerals.
3. Processing or storage of topsoil.
4. Storage of any of the mineral products listed in subsections D(1) and (2) of this section.
5. The onsite processing, conversion or packaging of the materials extracted including manufacturing of cement and bituminous concrete products, lime, and the initial preparation of concrete as a ready-mix.

E. Lot area and width. Lot area and width in the M-5 district are as follows:

1. Lots shall provide sufficient area for the principal structure and its accessory structures, the extractive industrial operation, off-street parking and loading, and yards as required herein.
2. Lots shall be not less than 80 feet in width at the principal street access.

F. Building height and size. Building height and size in the M-5 district are as follows:

1. No structure, building or parts of a building shall exceed 75 feet in height above original land elevation of the parcel.
2. The sum total of the first floor area of all buildings shall not exceed 5% of the total area of the lot or parcel.

G. Setback and yards. Setback and yards in the M-5 district are as follows:

1. The extractive operation shall be set back a minimum of 200 feet from the right-of-way line of all highways, streets or roads, and all exterior property lines.
2. Uses accessory to the extractive operations such as offices, parking and loading areas, and stockpiles of materials shall be set back a minimum of 100 feet from the right-of-way line of all highways or roads and all property lines.

H. Parking and loading space. Parking and loading space in the M-1 district are as follows:

1. There shall be a minimum of one square foot of off-street parking space for each 10 square feet of enclosed storage or operations area and for each 20 square feet of open storage area (see section 70.185).
2. There shall be adequate loading area to accommodate all necessary loading and unloading activities on the premises, and no loading dock or area shall be located closer than 100 feet from the right-of-way of a public access street.

I. Minimum utility service. Minimum utility service in the M-1 district shall be electricity.

J. Special regulations. To encourage a business use environment in the M-1 district that is compatible with the residential character of the Village, building/zoning permits for permitted uses in the M-1 district shall not be issued without prior review by and approval of the Village Plan Commission. Such review and approval shall be concerned with adjacent uses, general layout, building site and operation plans, building materials, ingress, egress, parking, loading and unloading, and drainage, screening and landscape plans.

Assessor Records

Borrower	Thomas & Danah Zoulek				
Property Address	609 Scenic Rd				
City	Colgate	County	Washington	State	WI Zip Code 53017-9316
Lender/Client	First Bank Financial Centre				

Tax key number: V10-1161

Property address: 609 Scenic Rd

Neighborhood / zoning: Rural Scattered / M-5

Traffic / water / sanitary: Light / Well water / Septic

Legal description: NE SE V161 P553+V1016 P55+DOC 1036546 EXC PT SOLD SEC 27-9-19 38.27 AC

Summary of Assessment	
Land	\$224,600
Improvements	\$96,700
Total value	\$321,300

Summary of Last Valid Sale	
Sale date	
Sale price	

Land									
Qty	Tax Classification	Unit of Measure	Width	Depth	Sq Ft	Acres	Waterfront	Description	Assess Value
1	Residential	Acres			217,800	5.000	None	rolling, pt wooded, pt old gravel pit	\$131,400
1	Undeveloped	Acres			1,449,241	33.270	None		\$93,200
Total land:									\$224,600

Residential Building			
Year built:	1899	Basement:	888 SF
Story height:	1.5 story	Rec room:	
Style:	Old style	FBLA:	
Use:	Single family	First floor:	888 SF
Exterior wall:	Alum/vinyl	Second floor:	666 SF
Roof type:	Asphalt shingles	Finished attic:	
Basement type:	Full	Unfinished attic:	
Heat type:	Basic	Unfinished area:	
Fuel type:	Oil	Patio:	
System type:	Warm air	Open porch:	50 SF
Bedrooms:	4	Screen porch:	
Family rooms:		Enclosed porch:	60 SF
Full baths:	2	Wood deck:	
Half baths:		Attached garage:	
Total rooms:	9	Masonry adjust:	
FP stacks:		Other feature 1:	
FP openings:		Other feature 2:	
Metal FPs:	1	Grade factor:	C-
Bsmnt garage:		Condition:	Average
		% complete:	100%

photograph not available

Residential building assessed value: \$90,900 Total square feet: 1,554



Full Report
Property Location: 609 Scenic RD

Owner:
Holt Richard R
Holt Phyllis E
609 Scenic RD
Coushick, WI 53017-6216

Owner Occupied: Yes
Property Address:
609 Scenic RD RA Y T
Richfield, WI 53017-6216

County: Washington
Taxes by: Village Of Richfield
Taxmap # V10 1161

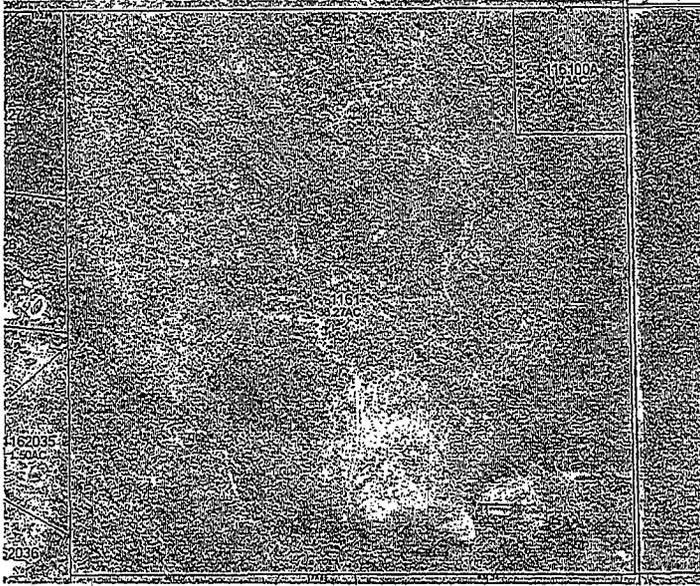
Assessment Year	Property Class	Land Assessment	Improvement Assessment	Total Assessment	Percent Of Change	Acres	Ratio
2014	Residential	\$ 131,400	\$ 96,700	\$ 228,100		5.600	
2014	Undeveloped	\$ 71,900		\$ 71,900		28.420	
2014	Forest Lands	\$ 38,800		\$ 38,800		4.950	
2014	Total of Multiple Classes	\$ 242,100	\$ 96,700	\$ 337,000	-31.64%	38.270	1.022465034
2013	Forest Lands	\$ 258,200		\$ 258,200		32.270	
2013	Residential	\$ 121,400	\$ 96,700	\$ 228,100		5.600	
2013	Total of Multiple Classes	\$ 379,600	\$ 96,700	\$ 476,300	53.844%	38.270	1.054492430
2012	Total of Multiple Classes	\$ 224,600	\$ 96,700	\$ 321,300	0.000%	38.270	1.033575707
2011	Total of Multiple Classes	\$ 224,600	\$ 96,700	\$ 321,300	-7.353%	38.270	0.988133229
2010	Total of Multiple Classes	\$ 232,900	\$ 117,500	\$ 350,400	0.000%	38.270	1.040225906
2009	Total of Multiple Classes	\$ 228,600	\$ 117,500	\$ 346,100	0.000%	38.270	1.020841131
2008	Total of Multiple Classes	\$ 228,600	\$ 117,500	\$ 346,100	0.000%	38.270	0.996203700
2007	Total of Multiple Classes	\$ 228,600	\$ 117,500	\$ 346,100	0.000%	38.270	0.958851446
2006	Total of Multiple Classes	\$ 229,900	\$ 117,500	\$ 347,400	16.688%	38.270	0.919888803

Tax Year	Total Tax	Fire	Police	Library	Other	Special Assessments	Special Charges	Amount
2014	\$104.44							\$4,429.38
2013	\$107.20							\$6,902.28
2012	\$94.83							\$4,710.52
2011	\$91.15							\$4,505.12
2010	\$89.46							\$4,540.35
2009	\$87.67							\$4,502.92
2008	\$86.71							\$4,655.44
2007	\$87.81							\$4,636.25
2006	\$103.65							\$4,721.02

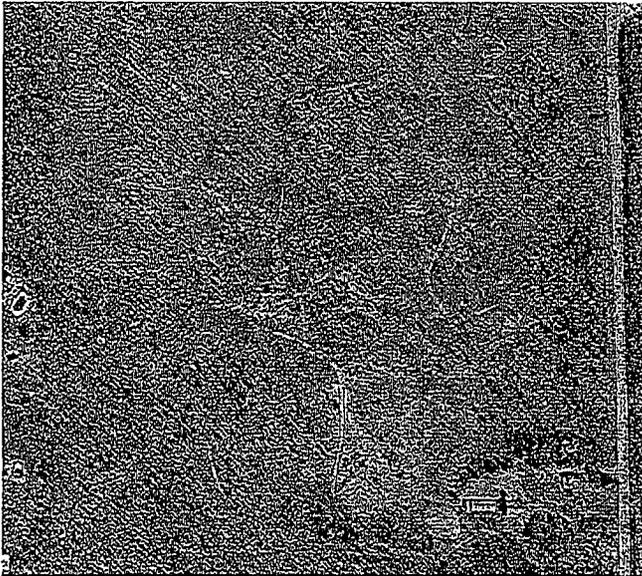
Building Square Feet: _____ Year Built: _____ Township: WN
 Bedrooms: _____ Year Remodeled: _____ Range: 19E
 Full Baths: _____ Effective Year Built: _____ Section: 27
 Half Baths: _____ Air Conditioning: _____ Quarter: _____
 Total Rooms: _____ Fireplace: _____ Pool: _____
 Number of Stories: _____ Number of Units: _____ A/C: _____
 Building Type: _____ Easement: _____
 Exterior Wall: _____ Roof: _____
 Exterior Condition: _____ Garage: _____
 Land Use: _____ School District: 2050 Germantown
 Zoning: _____ Historic Designation: _____

Map Photograph Addendum [2 Digital/Large Photos]

Borrower	Thomas & Danah Zoulek						
Property Address	609 Scenic Rd						
City	Colgate	County	Washington	State	WI	Zip Code	53017-9316
Lender/Client	First Bank Financial Centre						



Plat Map



Aerial Map

Borrower	Thomas & Danah Zoulek		File No.	AM9589
Property Address	609 Scenic Rd			
City	Colgate	County	Washington	State WI Zip Code 53017-9316
Lender/Client	First Bank Financial Centre			

APPRAISAL AND REPORT IDENTIFICATION

This Report is one of the following types:

- Appraisal Report (A written report prepared under Standards Rule 2-2(a), pursuant to the Scope of Work, as disclosed elsewhere in this report.)
- Restricted Appraisal Report (A written report prepared under Standards Rule 2-2(b), pursuant to the Scope of Work, as disclosed elsewhere in this report, restricted to the stated intended use by the specified client or intended user.)

Comments on Standards Rule 2-3

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- Unless otherwise indicated, I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- Unless otherwise indicated, I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- I have no bias with respect to the property that is the subject of this report or the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice that were in effect at the time this report was prepared.
- Unless otherwise indicated, I have made a personal inspection of the property that is the subject of this report.
- Unless otherwise indicated, no one provided significant real property appraisal assistance to the person(s) signing this certification (if there are exceptions, the name of each individual providing significant real property appraisal assistance is stated elsewhere in this report).

Reasonable Exposure Time

(USPAP defines Exposure Time as the estimated length of time that the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal.)

My Opinion of Reasonable Exposure Time for the subject property at the market value stated in this report is: _____

Reasonable exposure time is estimated at 3 to 24 Months.

Comments on Appraisal and Report Identification

Note any USPAP-related issues requiring disclosure and any state mandated requirements:

USPAP SR 2-3 Disclosure: I have not performed a prior appraisal of the subject property within the 3 year period immediately preceding acceptance of this appraisal assignment.

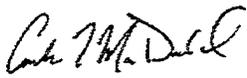
Appraisal Independence Requirements: This report is developed in adherence to the lenders Appraisal Independence Requirements.

Reason for Adjustments: If the physical characteristics of comparable property and the subject property differ in many ways, each of these differences may require comparison and adjustment. Physical differences may include differences in lot size, gross living area, bathrooms, finished basement, condition, and amenities. The value added or lost by the presence or absence of a differing item in a comparable property does not usually equal the cost of installing or removing the item. Buyers are typically unwilling to pay a higher sales price that include the extra cost of adding an amenity. I have reviewed my file and find that adjustments are reasonable for GLA, and finished basement adjustment. They are not low but represent market data and not cost. I have sales data to support findings with ranges of value and averages used. Cost is not typical when units of comparison can be used. Comparable Gross Adjustments that Exceed 15% When researching, only a few sales exist which is normal at this time for homes having large lot size. Some large adjustment in this report have exceed the typical requirement that gross adjustments fall below 15%. Major adjustments in this report are for Lot size, GLA, and finished basement area. It is necessary to use these comparables in the report to produce value which also supports the comparables that have lower gross adjustments. Guidelines set up by the lender can't be always followed when it come to a property like the subject.

Well/Septic: The subject and all comparable properties are serviced by a well, and septic system. Well & Septic system are common in these areas and are not considered to be a detriment to value.

APPRAISER:

SUPERVISORY or CO-APPRAISER (if applicable):

Signature: 
Name: Andrew MacDonald

Signature: _____
Name: _____

State Certification #: 1740-9

State Certification #: _____

or State License #: _____

or State License #: _____

State: WI Expiration Date of Certification or License: 12/14/2015

State: _____ Expiration Date of Certification or License: _____

Date of Signature and Report: 02/19/2015

Date of Signature: _____

Effective Date of Appraisal: 01/30/2015

Date of Inspection: _____

Inspection of Subject: None Interior and Exterior Exterior-Only

Inspection of Subject: None Interior and Exterior Exterior-Only

Date of Inspection (if applicable): 01/30/2015

Date of Inspection (if applicable): _____

From: Jim Healy
Sent: Monday, October 27, 2014 8:12 AM CDT
To: daltonr@crispell-snyder.com; tim.schwecke@civitekconsulting.com;
jmacy@ammr.net
Subject: 609 Scenic Road
Attachments: 2014.10.23 Letter to Holz RE Landfill Operations.docx

Gentlemen,

Enclosed is the reviewed letter which will be placed in the mail today to the property owners at 609 Scenic Road. Your time and effort reviewing this letter was greatly appreciated. Once they make contact to set up a site visit I will advise.

Sincerely,
Jim H.

EX B-1

October 27, 2014

Mr. Richard Holz
609 Scenic Road
Colgate, WI 53017

RE: Questions regarding the property located on Scenic Road, Richfield, WI.

Dear Mr. Holz,

It is my understanding that you own the property located on Scenic Road. Over the last four (4) years or so various individuals have contacted the Village of Richfield about your property on Scenic Drive that is apparently on the market. Most recently, Mr. Thomas Zoulek, Design Manager/Project Manager for Mid-City Plumbing, located in Butler, Wisconsin, contacted us. We met with Mr. Zoulek on Friday, October 3, 2014. In attendance at this meeting were the Village Engineer and the Village Attorney.

Mr. Zoulek expressed an interest in buying the property to use it as a landfill for clean fill and other construction related materials. As you know, this property is currently zoned M-5 (Extractive) and is subject to a conditional use permit. As currently defined in the Village's zoning code, a gravel pit cannot be used as a landfill. We wanted to inform you of this determination so there is no potential for miscommunication.

In addition, we want to open a dialogue with you as the current property owner with regard to the restoration of the gravel pit consistent with the conditional use approval granted in 1963. Several of these conditions of approval address the restoration of the subject property. For example, the slopes of the pit are to be graded to a 3:1 slope, meaning a one foot drop in elevation for every three feet of horizontal run.

In an effort to help better understand the state of the property and the potential grade limitations, we would like to conduct a site visit that may include the Village Engineer, the Village's consultant planner, and me. While there is a great deal of information we are able to pull from our digital archives, having the ability to physically walk the land would aide us in our understanding of the original terms and conditions of the original authorization from 1963.

If this is agreeable to you, please contact me at your earliest convenience in order to set up a site visit for a mutually agreeable time. I can be reached Monday-Friday from 7:30AM-4:00PM at (262)-628-2260 Ext. 115 or via email at Adminstrator@richfieldwi.gov.

Sincerely,

Jim Healy
Village Administrator

Cc:

John Jeffords, Village President

Board of Trustees

Ron Dalton, Village Engineer

Tim Schwecke, Civi Tek Consulting

John Macy, Village Attorney

Thomas Zoulek, Mid-City Plumbing, Project Manager

From: Jim Healy
Sent: Wednesday, October 29, 2014 3:43 PM CDT
To: John P Macy; tim.schwecke@civitekconsulting.com; daltonr@crispell-snyder.com
Subject: RE: 609 Scenic Road
Attachments: voradmin@richfieldwi.gov_20141029_154358.pdf
voradmin@richfieldwi.gov_20141029_154435.pdf

Attorney Macy Tim and Ron,

I have frequent talks with the Washington County Parks and Planning Staff so that should not be an issue to get Scott Schmitt on a teleconference. The individual at the Wisconsin DNR who would be the most knowledgeable is Rob Grosch. His contact information is listed below. Conveniently he is located on Barstow St. in Waukesha. I can also call the County to see if they have anything on file for this property. When I visited their offices prior to our meeting with Mr. Zoulec they did not have anything that could help us in this instance. Attached are all the documents that I am aware of relating to the property.

<http://dnr.wi.gov/staffdir/newsearch/ContactSearchResultsExt.aspx?cno=5339&cSrc=EMPLOYEE>

Sincerely,

Jim Healy
Village Administrator
Planning and Zoning Administrator
(262)-628-2260
Village of Richfield
4128 Hubertus Road
Hubertus, WI 53033
LIKE us on Facebook!
Follow us on Twitter, @RichfieldWis

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From: John P Macy [mailto:jmacy@ammr.net]
Sent: Wednesday, October 29, 2014 2:58 PM
To: Jim Healy; tim.schwecke@civitekconsulting.com; daltonr@crispell-snyder.com
Subject: Re: 609 Scenic Road

Ex B-2

Importance: High

Mr. Administrator

I agree.

Prior to meeting or as part of the meeting, we need to have contact with the appropriate County and State representatives.

If possible it would be nice if they were available to answer questions by teleconference while we are meeting.

John P. Macy

Arenz, Molter, Macy, Riffle & Larson, S.C.

720 N. East Avenue

Waukesha, WI 53186

(262) 548-1340

jmacy@ammr.net

This message originates from the law firm of Arenz, Molter, Macy, Riffle & Larson, S.C. It contains information that may be confidential or privileged and is intended only for the individual or entity named above. It is prohibited for anyone else to disclose, copy, distribute or use the contents of this message. All personal messages express views solely of the sender, which are not attributed to Arenz, Molter, Macy, Riffle & Larson, S. C., and may not be copied or distributed without this disclaimer. If you receive this message in error, please notify us immediately at jmacy@ammr.net or (262) 548-1340.



The democracy will cease to exist when you take away from those who are willing to work and give to those who would not.

From: Joshua Schoemann <administrator@richfieldwi.gov>

Date: Wednesday, October 29, 2014 at 2:39 PM

To: John Macy <jmacy@ammr.net>, Schwecke Tim <tim.schwecke@civitekconsulting.com>, "daltonr@crispell-snyder.com" <daltonr@crispell-snyder.com>

Subject: FW: 609 Scenic Road

Gentlemen,

Please see the below email received today from Mr. Tom Zoulek. It may be a good idea for us to get together to discuss this situation in greater detail.

Sincerely,

Jim Healy
Village Administrator
Planning and Zoning Administrator
(262)-628-2260
Village of Richfield
4128 Hubertus Road
Hubertus, WI 53033
LIKE us on Facebook!
Follow us on Twitter, @RichfieldWis

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From: Tom Zoulek [<mailto:tzoulek@midcityplumbing.com>]
Sent: Wednesday, October 29, 2014 2:21 PM
To: Jim Healy
Cc: barbpedersen@wi.rr.com; Danah Zoulek; John Jeffords
Subject: 609 Scenic Road

Mr. Healy,

As you are aware of I for received a letter today at my business office referring to the parcel at 609 Scenic Road that we my wife and I met with you to discuss on October 3, 2014. At that time we stressed the confidentiality of this project and noted that we had an offer to purchase in on the property.

At that meeting we informed you of our desire to fill the abandoned mine site and restore the property to its original condition and then request rezoning to allow for residential properties.

We left the meeting requesting that you follow up with me if there were any concerns regarding our planned venture.

In the meantime my wife and I have contacted the WI DNR to discuss the restoration of this property and determine if there were any necessary WI DNR permits required. According to the WI DNR the restoration of the property is governed by the County based on the rules and regulations set forth by

the WI DNR.

We then contacted the Washington County Land Use Department and talked with Scott Schmidt, PE. Mr. Schmidt is aware of the property and it aware of its need for restoration. I explained to him the need to import fill and grade the site to allow for building. He informed me that this would be considered a grading project and the only permits needed will be those required for a standard site grading project. (Erosion Control).

With this key information we now stand with an accepted offer to purchase along with a schematic restoration and development plan.

After rereading your letter and reviewing Section 70.205 of the Village of Richfield Zoning Code I find that your letter is as contradictory as the Zoning Code. Noted in your letter is that we cannot fill the site with clean fill, however you are requesting the current owner to comply with the 1963 Conditional Permitted Use permit which requires restoration, hence requiring fill to be imported. Section 70.205 is just as contradictory. The section allows for the removal of materials, requires a minimum restoration requirement but then (according to you) does not allow for fill to be imported to allow for restoration.

Lastly, you currently are allowing a development company to fill a mine, with clean fill, located in the M-5 zoning district. (Kettle Moraine Development) This sets precedent for the 609 site to be filled also.

I believe your Zoning Code is contradictory, you have violated the confidentiality of this project as we discussed at our meeting, you have associated this project with Mid City Plumbing with has nothing to do with this and misstated the intent of the project. The intent, as I have told you multiple times, is to restore the mine and develop it into residential properties. We are not operating a landfill.

At this point I recommend that you discuss this further with the WI DNR, Washington County and your Board of Trustees very quickly. I am closing on this property in the near future and will begin the restoration process. The Village will have to prove how I am to restore a property without filling it and then develop. May I remind you that the Village has this property planned as "Mine Reclamation" in its 20 year strategic plan and according to you the ultimate plan is R-1 zoning. Time is of the essence. I want to avoid a legal battle over this however if necessary we will move to that level of discussion.

A phone call to discuss further would be appreciated.

Thomas A. Zoulek, P.E.

Vice President

Mid City Plumbing & Heating Inc.

12930 W. Custer Avenue, Butler, WI 53007

PH: 262.781.5940 FX: 262.781.4005

CL: 414.349.0623

From: Jim Healy
Sent: Wednesday, October 29, 2014 4:32 PM CDT
To: jmacy@ammr.net; tim.schwecke@civitekconsulting.com; daltonr@crispell-snyder.com
Subject: FW: 609 Scenic Road

Attorney Macy,

It appears Mr. Zoulek re-sent the previous e-mail and indicated there was a 'Read Receipt' or 'Delivery Receipt' attached to it. Do you suggest I reply and said that I am in receipt of his email?

Sincerely,
Jim

From: Tom Zoulek [mailto:tzoulek@midcityplumbing.com]
Sent: Wednesday, October 29, 2014 4:29 PM
To: Jim Healy; John Jeffords
Subject: 609 Scenic Road

SENT INCLUDING DELIVERY AND READ RECIEPTS

Mr. Healy,

As you are aware of I for received a letter today at my business office referring to the parcel at 609 Scenic Road that we my wife and I met with you to discuss on October 3, 2014. At that time we stressed the confidentiality of this project and noted that we had an offer to purchase in on the property.

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We left the meeting requesting that you follow up with me if there were any concerns regarding our planned venture.

In the meantime my wife and I have contacted the WI DNR to discuss the restoration of this property and determine if there were any necessary WI DNR permits required. According to the WI DNR the restoration of the property is governed by the County based on the rules and regulations set forth by the WI DNR.

We then contacted the Washington County Land Use Department and talked with Scott Schmidt, PE. Mr. Schmidt is aware of the property and it aware of its need for restoration. I explained to him the need to import fill and grade the site to allow for building. He informed me that this would be considered a grading project and the only permits needed will be those required for a standard site grading project. (Erosion Control).

With this key information we now stand with an accepted offer to purchase along with a schematic restoration and development plan.

After rereading your letter and reviewing Section 70.205 of the Village of Richfield Zoning Code I find

Ex B-3

that your letter is as contradictory as the Zoning Code. Noted in your letter is that we cannot fill the site with clean fill, however you are requesting the current owner to comply with the 1963 Conditional Permitted Use permit which requires restoration, hence requiring fill to be imported. Section 70.205 is just as contradictory. The section allows for the removal of materials, requires a minimum restoration requirement but then (according to you) does not allow for fill to be imported to allow for restoration.

Lastly, you currently are allowing a development company to fill a mine, with clean fill, located in the M-5 zoning district. (Kettle Moraine Development) This sets precedent for the 609 site to be filled also.

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At this point I recommend that you discuss this further with the WI DNR, Washington County and your Board of Trustees very quickly. I am closing on this property in the near future and will begin the restoration process. The Village will have to prove how I am to restore a property without filling it and then develop. May I remind you that the Village has this property planned as "Mine Reclamation" in its 20 year strategic plan and according to you the ultimate plan is R-1 zoning. Time is of the essence. I want to avoid a legal battle over this however if necessary we will move to that level of discussion.

A phone call to discuss further would be appreciated.

Thomas A. Zoulek, P.E.
414.349.0623

From: Jim Healy
Sent: Monday, November 10, 2014 10:08 PM CST
To: Dalton Ron
Subject: Fwd: Meeting on Monday, 11/10 at 3PM

Ron,

Do you have any availability tomorrow at 10:30AM to do a property walk at 609 Scenic? If not, that's fine. I just wanted an engineers perspective.

Sincerely,

Jim Healy
Village Administrator

Please excuse my brevity, this email is being sent from my iPhone.

Begin forwarded message:

From: Tom Zoulek <tzoulek@midcityplumbing.com>
Date: November 10, 2014 at 7:40:55 PM CST
To: Jim Healy <administrator@richfieldwi.gov>
Subject: Re: Meeting on Monday, 11/10 at 3PM

Jim

We are set to walk the property tomorrow at 10:30 am. They just ask that we park by the barns.

Tom

Sent from my iPhone

On Nov 10, 2014, at 9:39 AM, Jim Healy <administrator@richfieldwi.gov> wrote:

Dear Tom,
No, just the Village Attorney and me. They are all aware of the situation though and that we have a scheduled meeting.
Sincerely,
Jim H.

From: Tom Zoulek [<mailto:tzoulek@midcityplumbing.com>]
Sent: Monday, November 10, 2014 9:38 AM
To: Jim Healy
Subject: RE: Meeting on Monday, 11/10 at 3PM

Ex B-4

Jim,
Will there be any representation from the Village Board at today's meeting? Either the President or any of the Trustees?
Thanks
Tom

From: Jim Healy [<mailto:administrator@richfieldwi.gov>]
Sent: Monday, November 10, 2014 9:36 AM
To: Tom Zoulek
Cc: jmacy@ammr.net
Subject: RE: Meeting on Monday, 11/10 at 3PM

Dear Tom,
Thank you for the update. We will see you today at 3PM.
Sincerely,
Jim H.

From: Tom Zoulek [<mailto:tzoulek@midcityplumbing.com>]
Sent: Monday, November 10, 2014 9:35 AM
To: Jim Healy
Cc: jmacy@ammr.net
Subject: RE: Meeting on Monday, 11/10 at 3PM

Jim,
Due to the time sensitive matter of the acquisition we would like to keep our meeting scheduled for today.
As I am aware that no approvals can be granted without going through the necessary channels we would like to further explain the intent of the project and get a better understanding of the Village's goal for the parcel.
Respectfully,
Tom Zoulek

From: Jim Healy [<mailto:administrator@richfieldwi.gov>]
Sent: Friday, November 07, 2014 6:39 PM
To: Tom Zoulek
Cc: jmacy@ammr.net
Subject: Meeting on Monday, 11/10 at 3PM

Dear Tom,
I just wanted to recap my understanding of the events that will transpire on Monday, November 10, 2014 at 3PM. Your intent is to provide us documents or additional information to consider regarding your proposal for the property at 609 Scenic Road. You understand that our position has not changed. You understand that we will not render any sort of decision at this meeting on Monday, it is information only.
If you would like to provide the documents to us in advance, we will be happy to review them and have a meeting at a date in the very near future. Please advise if you would like to keep our meeting date or if you would like to provide us with this information in advance for our consideration and set up a date as soon as reasonably possible thereafter.
Thank you very much, I hope you have a great weekend.
Sincerely,
Jim Healy

*Village Administrator
Planning and Zoning Administrator
(262)-628-2260*

*Village of Richfield
4128 Hubertus Road
Hubertus, WI 53033*

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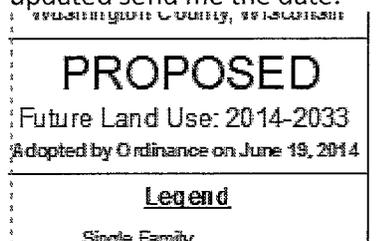
From: Jason Penning
Sent: Wednesday, December 31, 2014 1:14 PM
To: Jim Healy
Cc: Ronald Dalton
Subject: RE: Mapping Work

Hello Jim,

Attached is Map 13 (11x17) from the comprehensive plan update – I updated the Quarry Redevelopment along Scenic to Single Family.

If you want a different type of map let me know.

We have another map – much bigger 3x5 that has the Ord date on it. If that is something you want updated send me the date.



From: Jim Healy [<mailto:administrator@richfieldwi.gov>]
Sent: Monday, December 29, 2014 9:48 AM
To: Jason Penning
Cc: Ronald Dalton
Subject: Mapping Work
Importance: High

Dear Jason,

On the Village's adopted Future Land Use Map we have two areas designated as 'Quarry Redevelopment', one on STH 175 and the other on Scenic Road/Willow Creek Road.

Would it be possible to receive a mapping exhibit that shows the change of the 'Quarry Redevelopment' on Scenic Road/Willow Creek Road from its current state to 'Single Family'?

Sincerely,

Jim Healy
Village Administrator
Planning and Zoning Administrator
(262)-628-2260
Village of Richfield
4128 Hubertus Road
Hubertus, WI 53033
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EX B-5

From: Jim Healy
Sent: Monday, January 05, 2015 9:08 AM CST
To: Jason Penning
CC: Ronald Dalton
Subject: RE: Mapping Work

Jason,

This is wonderful, thank you so much! Hope you and yours had a happy holiday season.
Jim H.

From: Jason Penning [mailto:j.penning@gaiconsultants.com]
Sent: Wednesday, December 31, 2014 2:20 PM
To: Jim Healy
Cc: Ronald Dalton
Subject: RE: Mapping Work

The last pdf was bad (not able to open) so here is a new one.

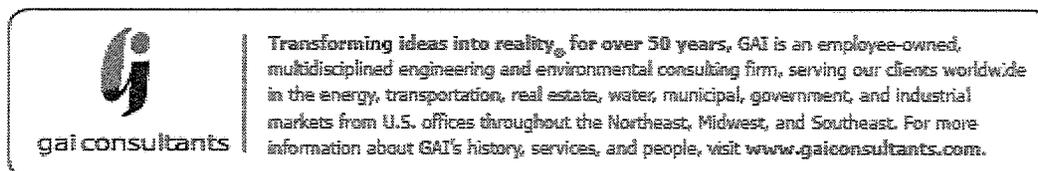
From: Ronald Dalton
Sent: Wednesday, December 31, 2014 1:42 PM
To: Jason Penning
Subject: RE: Mapping Work

Jason

I am not able to open the attachment. Not sure if Jim will have the same problem. Have a Happy New Years Eve!

Ron Dalton,
Senior Engineering Manager

GAI Consultants, Inc.
W175 N11081 Stonewood Drive, Suite 103
Germantown, WI 53022
T 262.250.8000 ext. 103 | C 920.946.3269 | F 262.250.8011 | Twitter | Facebook | LinkedIn



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EX B-6

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From: Jim Healy
Sent: Monday, January 05, 2015 11:37 AM CST
To: jmacy@ammr.net
Subject: Comprehensive Plan Amendment - Notice to surrounding property owners

Dear Attorney Macy,

I am surprised you are in the office today! I just wanted to touch base with you briefly regarding a letter I am sending out to neighboring property owners to comply with the public participation plan adopted by the Village Board. The text of the letter is below. I want to make sure it is 'Letter Perfect' as you would say. Any insight you may be able to offer would be greatly appreciated!

January 5, 2015

RE: Future Land Use Map - Proposed Changes

Dear Property Owner,

I hope this finds you doing well in the New Year! My name is Jim Healy and I am the Village Administrator here in Richfield. I am writing today to inform you that the Village is currently in the process of amending our Comprehensive Plan's Future Land Use Map. Specifically, we are taking steps to help eliminate the possibility that the abandoned quarry on Scenic Road will ever be used again for those same purposes.

Currently, the Comprehensive Plan shows several properties from Scenic Road extending south to Willow Creek Road as 'Quarry Redevelopment' (see reverse side map). After these proposed changes are made, the properties will be shown as 'Single Family'.

While we are not legally required to notify individual property owners regarding these types of land use changes, we are doing so in an effort to better inform the public and give them the opportunity to voice their opinions on our proposed Map amendments. The Village Board and Plan Commission's interest in doing this is two-fold; 1) to protect the quality of life of those individuals who live in the highly residential surrounding area and 2) to protect our groundwater from the possibility of any contaminants being brought in.

Village Staff will be hosting an Open House on Thursday, January 8th from 4:30PM to 6:30PM to discuss these changes with anyone who is interested in stopping by. If you are unable to attend but would like to voice your opinion via email, please feel free to do so at Administrator@richfieldwi.gov. Any emails received prior to Thursday, January 8th at 5PM will be provided to the Plan Commission for their consideration during deliberations later that evening.

Thank you again and if you have any questions, comments, or concerns regarding this matter or anything else related to the Village, please do not hesitate to contact me directly at the number listed below.

Sincerely,

EX B-7

Jim Healy
Village Administrator

CC:

John Jeffords, Village President
Sandy Voss, Village Trustee
Rock Brandner, Village Trustee
Dan Neu, Village Trustee
Bill Collins, Village Trustee

Sincerely,

Jim Healy
Village Administrator
Planning and Zoning Administrator
(262)-628-2260
Village of Richfield
4128 Hubertus Road
Hubertus, WI 53033
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From: Jim Healy
Sent: Thursday, February 05, 2015 4:32 PM CST
To: jmacy@ammr.net
Subject: FW: Daily News E-Edition Article

FYI

Sincerely,

Jim Healy
Village Administrator
Planning and Zoning Administrator
(262)-628-2260
Village of Richfield
4128 Hubertus Road
Hubertus, WI 53033
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From: Jim Healy
Sent: Thursday, February 05, 2015 8:10 AM
To: John Jeffords
Subject: FW: Daily News E-Edition Article

Dear John,

I hope you are enjoying your vacation! Today the Village is on the front page of the paper so I thought I would pass it along. No need to respond, I'll speak with you when you return back home. Enjoy the rest of your stay!

Sincerely,

Jim Healy
Village Administrator
Planning and Zoning Administrator
(262)-628-2260
Village of Richfield

EX B-8

4128 Hubertus Road

Hubertus, WI 53033

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From: Daily News EE [mailto:noreply@newsmemory.com]

Sent: Thursday, February 05, 2015 8:08 AM

To: Jim Healy

Subject: Daily News E-Edition Article

administrator@richfieldwi.gov sent you this article.

West Bend Daily News 02/05/2015, Page A01

Developers: Public misinformed on quarry

Couple wants to build home on land

By JOE VANDELAARSHOT

Daily News

A Richfield couple trying to buy land at the site of a former quarry in the village claims officials are misleading the public about their plan.

Danah and Thomas Zoulek said they want the public to know what their "real plans" are.

Village officials are attempting to have the property's zoning switched from quarry development to single family in Richfield's comprehensive plan so the quarry cannot be reopened. Village Administrator Jim Healy said officials were told the couple were considering dumping fill on the site, which is a concern.

“We have absolutely no intention of reopening the quarry as a quarry,” Danah Zoulek said. “That couldn’t be further from the truth. Our children go to Amy Belle School and we live in Richfield. We’re members of this community and plan to build our future home on this property as we own horses.”

Zoulek claims the village is misrepresenting their intentions and has been since the beginning of the process.

“After our accepted offer to purchase, the village sent a letter to the sellers informing them that we had plans of opening a landfill there. This is absolutely outrageous,” Zoulek said.

Healy said when Zoulek came to his office after a story in the Daily News about the issue she accused him of giving false information.

Please see QUARRY/ A8



Snow covers the hills of the former quarry Wednesday afternoon along Scenic Road in Richfield. A public hearing will be held Feb. 19 to discuss the future of the quarry.

John Enike/Daily News

Article Continued Below

See QUARRY on Page A08

FROM THE FRONT

Quarry: Public meeting set for Feb. 19

“She had the article with her and I asked her to show me what was incorrect and she couldn’t do it.”

Healy said. I just don't think it'll do any good to say anything more now. We'll let everyone talk at the public meeting Feb. 19.

Zoulek said they intend to have fill hauled onto the property, but not for the reason the village was telling residents.

Now the grading is so steep you couldn't do anything out there, Zoulek said. We're going to have enough fill brought in so we can grade it properly so it isn't so steep. We'd like to see it rezoned for country estate.

Village officials said with a country estate designations, the lots must be at least 1 acre. The land is in the area of Scenic Road south to Willow Creek Road near single-family or residential property. Our plans would expedite the restoration and stop others from reopening reopening a mine there, Zoulek said.

Healy said earlier the Zouleks told him the proposal could mean 25-250 more trucks a day on the roads bringing fill to the site.

That would create noise, dust and other problems for the adjacent homes, Healy said.

The Zouleks want to clarify some points for which they feel village officials have provided incorrect information:

Contamination: They would only accept DNR approved materials that are not contaminated.

Groundwater: The Zouleks had concerns and did their homework. Gravel pits that are abandoned and left with crushed materials (as in this pit) and the earth ripped open pose more danger to groundwater than fill materials.

Zoulek said their plan would also eliminate a dangerous area that has the potential of being the scene of accidents, injuries or even deaths.

We've contacted countless experts from the DNR, mine safety experts, MSHA and more. The common theme amongst all of these experts is basically, if someone is restoring an abandoned mine, the thing to say is thank you, Zoulek said.

The hearing is 7:30 p.m. Feb. 19 at Village Hall.

From: Jim Healy
Sent: Friday, February 13, 2015 7:33 AM CST
To: Macy John
Subject: Fwd: VB

John,

Please see the link below.

Sincerely,

Jim Healy
Village Administrator

Please excuse my brevity, this email is being sent from my iPhone.

Begin forwarded message:

From: Jim Healy <administrator@richfieldwi.gov>
Date: February 13, 2015 at 7:19:48 AM CST
To: Jim Healy <administrator@richfieldwi.gov>
Subject: VB

<https://animoto.com/play/CVq01N0AaJSrJiGh0rUmQg>

Sincerely,

Jim Healy
Village Administrator

Please excuse my brevity, this email is being sent from my iPhone.

Ex B-9

From: Jim Healy
Sent: Friday, February 13, 2015 5:17 PM CST
To: Tom Zoulek; Douglas S Cherkauer; Danah Zoulek
CC: jmacy@ammr.net
Subject: RE: Question Regarding Property in Richfield

Dear Tom and Danah,

I hope this email finds you both doing well. In response to your email inquiry below, I've requested that Dr. Cherkauer refrain from responding until he has been briefed by the Village and our other consultant professionals.

Danah, thank you again for your written comments. They have been included in the packet for our Village Board to review ahead of their meeting next week Thursday, February 19th at 7:30PM. If you have any additional questions, comments, or concerns, please do not hesitate to contact me at your earliest convenience. I'll be happy to help in any way that I can.

Sincerely,

Jim Healy
Village Administrator
Planning and Zoning Administrator
(262)-628-2260
Village of Richfield
4128 Hubertus Road
Hubertus, WI 53033
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-----Original Message-----

From: Tom Zoulek [mailto:tzoulek@midcityplumbing.com]
Sent: Friday, February 13, 2015 3:27 PM
To: Douglas S Cherkauer; Danah Zoulek
Cc: Jim Healy
Subject: RE: Question Regarding Property in Richfield

Dr. Cherkauer,

I have attached a question and answer letter that I generated to help better inform people about the pending reclamation. I would appreciate your input and will help answer any questions that you may have.

Respectfully,

Thomas Zoulek, PE

-----Original Message-----

From: Douglas S Cherkauer [mailto:aquadoc@uwm.edu]
Sent: Friday, February 13, 2015 3:20 PM
To: Danah Zoulek
Cc: Tom Zoulek; Richfield Administrator (Jim Healy)
Subject: Re: Question Regarding Property in Richfield

Hello,

Your questions are intriguing and raise a potentially very complex situation. To begin to answer them appropriately, I think I'd need a whole lot more information about what's being proposed - things like the likely sources and composition of the fill, its depth, how it would be deposited, along with more information about the conceived final land use for the filled areas. I think that this matter may be coming before the Village Board at an upcoming meeting. I think it would be more appropriate for me to comment after I've learned more about the proposal and the differences between the possible land use designations.

I'm cc'ing Village Administrator Healy so that he can alert me when the issue comes before the Board.

Doug Cherkauer

From: Danah Zoulek <danahzoulekphotography@gmail.com>
Sent: Wednesday, February 11, 2015 5:53 PM
To: Douglas S Cherkauer
Cc: Tom

Subject: Question Regarding Property in Richfield

Good evening,

The reason for my email is to ask you a few questions regarding a property in the Village of Richfield.

The Village is looking to change the 20 Year Comprehensive Plan for the Village so that abandoned quarries along Scenic Road and Willow Creek are no longer designated "quarry redevelopment". The Village wants to change the vocabulary from "quarry redevelopment" to "single family residential". The reason for the change is that the land is being sold and the developers have plans to redevelop the quarry (per the comprehensive plan) and bring in clean fill to restore the quarry.

I noticed in the minutes that the Village is using your services to continue the Ground Water Monitoring program and I was hoping that you could help us shed some light on the environmental effects of abandoned quarries in residential areas. This abandoned quarry is surrounded by subdivisions and residential homes. After speaking with Tom Portle from the WIDNR, Nonmetallic Mining, and numerous mine/abandoned mine safety experts both at the state and federal level, I am convinced that the Comprehensive Plan should remain "quarry reclamation". State Law requires reclamation of quarries per Chapter 135 but this quarry is not affected by that law because it wasn't in operation after 2001. The quarry has dangerous high walls lined with loose gravel and 30 acres of exposed excavation.

The Village is concerned about the following issues:

- 1) The effects on the ground water when placing clean fill in the quarry
- 2) The environmental effects of bringing in clean fill
- 3) the noise of dump trucks interrupting residents

I know #3 is a huge obstacle for the Village but if we can show them that the long term benefit of quarry reclamation and redevelopment far outweighs the dangers of leaving it "as is" maybe they will be more receptive. Since they already have looked to you for your expertise I am wondering if you are able to offer them some clarity of the pros and cons of filling quarries.

The operation will be managed by a professional engineer who is also a graduate of MSOE with a degree in architectural engineering and is a sewer/water contractor. The land is currently zoned for mining (M5 Mineral Extraction District). There are no plans to mine the property, only to restore.

Thank you for any help you may be able to offer.

Respectfully,

Danah Zoulek
262-720-8570

Thomas Zoulek, P.E.
414-349-0623

From: Jim Healy
Sent: Thursday, February 26, 2015 1:27 PM CST
To: Deputy Clerk; DPW; Front Desk; inspector@richfieldwi.gov; Greg Darga; Intern User
CC: jmacy@ammr.net; tim.schwecke@civitekconsulting.com; Douglas S Cherkauer; daltonr@crispell-snyder.com
Subject: Danah and Tom Zoulek, 609 Scenic Road

Village Staff, President Jeffords, Board of Trustees, and contracted employees,

Just as an FYI, the Village was contacted today by a law firm which claimed to either be representing Danah and Tom Zoulek or will be in the very near future in an action against the Village. From my perspective, I would strongly advise everyone to now treat this situation as though we are in active litigation with Mr. and Mrs. Zoulek.

As a reminder to you all, when the Village is involved in active litigation it would not be appropriate to discuss matters with residents who come into Village Hall, the press, or certainly not the potential developers themselves (the Zouleks). I understand that because Mrs. Zoulek is running for Village Trustee in April that it somewhat complicates the relationship between Village Hall and her. But the distinction between information to discuss with 'Danah the candidate' versus 'Danah the developer' should be abundantly clear at this point. If it is not, please let me know and I will clarify.

Thank you all,

Sincerely,

Jim Healy
Village Administrator
Planning and Zoning Administrator
(262)-628-2260
Village of Richfield
4128 Hubertus Road
Hubertus, WI 53033
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EX B-10

From: Jim Healy
Sent: Thursday, February 26, 2015 3:28 PM CST
To: jmacy@ammr.net
CC: tim.schwecke@civitekconsulting.com; daltonr@crispell-snyder.com
Subject: Douglas Mashman

Attorney Macy,

I just wanted to let you know that today I had a conversation with the farmer who owns the private road from CTH Q to Willow Creek Road. He informed me that Tom and Danah Zoulek have approached him about purchasing the easement, as we suspected they would, for trucking operations.

I advised Mr. Mashman of the action that was taken by the Village Board and the proposed action being considered next week by the Plan Commission after the conclusion of the Public Hearing. To which he responded that he 'has some thinking to do'. Not much more was said after that but I wanted to bring it to your attention.

Sincerely,

Jim Healy
Village Administrator
Planning and Zoning Administrator
(262)-628-2260
Village of Richfield
4128 Hubertus Road
Hubertus, WI 53033
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Ex B-11

From: Jim Healy
Sent: Thursday, March 05, 2015 8:48 AM CST
To: Macy John
Subject: Fwd: Questions for a story

Sincerely,

Jim Healy
Village Administrator

Please excuse my brevity, this email is being sent from my iPhone.

Begin forwarded message:

From: "bluebird@discoverhometown.com" <bluebird@discoverhometown.com>
Date: March 4, 2015 at 10:40:24 PM CST
To: Jim Healy <administrator@richfieldwi.gov>
Subject: Questions for a story
Reply-To: "bluebird@discoverhometown.com" <bluebird@discoverhometown.com>

Dear Administrator Healy,

During the Feb. 23 Germantown School Board meeting, district resident Danah Zoulek explained a proposal that she and her husband had put together for a site that once was a sand and gravel quarry. She was at the School Board to take issue with correspondence from the district that was presented to village officials for the Feb. 19 Village Board meeting.

I've since looked at the village website and I know that zoning request related to this is before the Plan Commission March 5. We're in production for the paper that evening but I want do a story of what has happened so far. I just want to make sure I have my current information right.

Background: is this information right? From village documents and a story in the West Bend Daily News, this is what I have determined up to now:

- 1) That Tom and Danah Zoulek have submitted a proposal for two to six lots at 609 Scenic Road, which is the site of an abandoned sand and gravel quarry;
- 2) That the Zouleks have stated that clean will would be needed to reduce the slope in their development and as part of the restoration of the quarry site;
- 3) That the Village Board approved a motion Feb. 19 changing the Land Use Portion of the village Comprehensive Plan for those parcels from Quarry Development to Single Family;
- 4) That the item is on the March 5 Plan Commission agenda to change the zoning in that area from the M-5 Mineral Extraction District to the Rs-1 Country Estates District and the the Rs-1r Country Estates Remant Parcel District.

EX B-12

If there's anything from above that needs to be clarified or corrected, please let me know. If that is all correct, I do have a few other questions:

1)What were the reasons cited by the Village Board for supporting the change in the Land Use for the site?

2)What is the overall timing between the village's changes in the Land Use portion of the Comprehensive Plan and the Zoulek's request for this specific site? By this I mean: Has the village been reviewing the land use and other portions of its Comprehensive Plan for several years or does it response to specific situations that may arise?

If possible, please email a response by 4 p.m. March 5 or call me after noon at (262) 408-3254.

Thank you for your time and patience.

Thomas J. McKillen,
Express News

From: Jim Healy
Sent: Thursday, March 05, 2015 8:48 AM CST
To: Macy John
Subject: Fwd: WTMJ radio interview request

Sincerely,

Jim Healy
Village Administrator

Please excuse my brevity, this email is being sent from my iPhone.

Begin forwarded message:

From: Michelle Richards <mrichards@jrn.com>
Date: March 5, 2015 at 8:33:27 AM CST
To: Jim Healy <administrator@richfieldwi.gov>
Subject: WTMJ radio interview request

Good morning Jim,

I'm a reporter at WTMJ radio in Milwaukee. I got a call from Danah Zoulek about a business proposal she and her husband submitted to restore an old quarry at 609 Scenic Road. She tells me the village initially supported the project because it fit with the 20 year plan and it was exactly what it wanted, but all of a sudden the board changed its mind and no longer supports it. She says the village is telling the community she wants to put in a landfill and contaminate the water, when that's not the case - she wants to use clean fill, which by definition is not considered a risk. She also says the village came up with a seemingly random number of hundreds of dump trucks that would be driving past houses, which she claims also is not the case. She's also concerned there may be a conflict of interest - someone on the board apparently works for or used to work for Payne and Doyle, a company that restored another quarry nearby.

I'd like to get your side of the story before I go on the air with this. I only work until noon today, which means I'd need a call back by 11:00 at the very latest. I would have called earlier this week, but unfortunately I've been out sick the past few days, so I apologize for the last minute request.

My phone number is [414-967-5310](tel:414-967-5310). Please call as soon as you can.

Thank you!!!

EX B-13

--

Michelle Richards | News Anchor/Reporter

Newsradio 620 WTMJ

720 E Capitol Dr

Milwaukee, Wisconsin 53212

414.967.5310

mrichards@irn.com

WTMJ.com



--

Michelle Richards | News Anchor/Reporter

Newsradio 620 WTMJ

720 E Capitol Dr

Milwaukee, Wisconsin 53212

414.967.5310

mrichards@irn.com

WTMJ.com



From: Jim Healy
Sent: Friday, March 06, 2015 12:29 PM CST
To: com> Tim Schwecke <tim. schwecke@civitekconsulting.
CC: Macy John
Subject: Fwd: 609 Scenic Road Solid Waste Disposal Site Request
Attachments: ATT00001.htm
150305 Ltr to Village of Richfield1.pdf
ATT00002.htm

Tim,

As a TOP priority on Monday we need to talk about the attached letter, timing of tasks, and execution of the same. We have 14 days to respond to them formally about approvals processes and I'd like to conference call with Attorney Macy regarding the same on Tuesday.

Sincerely,

Jim Healy
Village Administrator

Please excuse my brevity, this email is being sent from my iPhone.

Begin forwarded message:

From: "Bruce A. McInay" <bruce@mcbusinesslaw.com>
Date: March 5, 2015 at 2:29:02 PM CST
To: Deputy Clerk <deputyclerk@richfieldwi.gov>, Jim Healy <administrator@richfieldwi.gov>, John Jeffords <villagepresident@richfieldwi.gov>
Cc: "jmacy@ammr.net" <jmacy@ammr.net>, "brenda.jaszewski@co.washington.wi.us" <brenda.jaszewski@co.washington.wi.us>, "scott.schmidt@co.washington.wi.us" <scott.schmidt@co.washington.wi.us>, Thomas Zoulek <tzoulek@midcityplumbing.com>, 'Rob Merkel' <rmerkel@keyengineering.com>
Subject: 609 Scenic Road Solid Waste Disposal Site Request

Dear Clerks:

I am sending this today via certified mail as required by statute. I am sending you a copy via email in case staff deems this relevant to the plan commission's agenda for this evening's meeting.

Thank you for your attention to this matter.

Bruce A. McInay
McInay Button Law LLC
1971 Washington Street
Grafton, WI 53024

Ex B-14

(262) 421-8060

(262) 421-8059

bruce@mcbusinesslaw.com

From: Jim Healy
Sent: Monday, March 16, 2015 11:01 AM CDT
To: jmacy@ammr.net
CC: Stan Riffle
Subject: 2015.3.11+Letter+to+Zoulek hsr revisions and comments
Attachments: 2015.3.11+Letter+to+Zoulek hsr revisions and comments.docx

Gentlemen,

Over the weekend I combed through our Village Code and I believe that I have found every permitting provision applicable. All previous suggestions have been incorporated into this generation of the document. As you know, this is a time sensitive response so your expedient review of the same will be greatly appreciated. Thank you both for your time and effort in this regard. Please contact me with any questions, comments, or concerns.

Sincerely,
JRH

Ex B-15

From: Jim Healy
Sent: Monday, March 23, 2015 4:00 PM CDT
To: jmacy@ammr.net; Stan Riffle
Subject: Zoulek DNR Meeting

Gentlemen,

The DNR has asked them to describe their plans in written form and they will respond with suggestions of how to proceed with permitting. It was again emphasized to me that the DNR will not attempt to subvert our ordinances and will make clear in their written communications that 'other approvals may be necessary', etc. before operations can commence. Cynthia Moore (DNR) told me she will CC: me on their response letter so that we are in the loop on the communication.

The provision the DNR will likely be giving them guidance under is NR 500.08, Exemptions. This will be wholly dependent on the project narrative they receive from Scenic Pit LLC. There was no discussion on how their petition with Wis. Stats. 289 would be impacted.

Sincerely,

Jim Healy
Village Administrator
Planning and Zoning Administrator
(262)-628-2260
Village of Richfield
4128 Hubertus Road
Hubertus, WI 53033
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Ex B-16

From: Jim Healy
Sent: Wednesday, March 25, 2015 2:38 PM CDT
To: jmacy@ammr.net
CC: Stan Riffle
Subject: FW: Scenic Pit issue

Gentlemen,

FYI, here is an email we received from one of our local residents who has contacts within the DNR.

Sincerely,

Jim Healy
Village Administrator
Planning and Zoning Administrator
(262)-628-2260
Village of Richfield
4128 Hubertus Road
Hubertus, WI 53033
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From: KateLynn Schmitt
Sent: Wednesday, March 25, 2015 2:36 PM
To: Jim Healy
Subject: FW: Scenic Pit issue

From: Heidi Woelfel [<mailto:woelfel.heidi@gmail.com>]
Sent: Wednesday, March 25, 2015 2:29 PM
To: KateLynn Schmitt
Subject: Scenic Pit issue

Hi KateLynn,

I spoke with Mr. Jerry DeMers of the WDNR regarding the Scenic Site former gravel pit. Jerry (who is a good friend) told me that he and others at the DNR met with the Zoulek's to discuss the filling of the

Ex B-17

pit. They are no longer proceeding with the citing for a landfill, as I'm sure you have heard. Jerry told me the DNR said that if the Zoulek's provide a scope of work for the filling activities which include the fill sources and the analytical testing as well how they will segregate dirty fill, there isn't much the DNR can do to deter the filling activities. Also, when I spoke with Dana last month, she had mentioned the property owner located south of Willow and north of County Line Q along the CN rail tracks is allowing access on his property for the dump trucks to utilize to get to the former pit. If the Village is still unsure of this project, I would suggest a call to CN regarding the use of the access road since it would allow for dump trucks to foul the main lines (come within 25 feet of the track) which CN takes very seriously. I would very much doubt they would allow travel of numerous dump trucks on this access road that close to the rail line. This would make the only access via Scenic Road which is a big concern of the local citizens. I can continue to stay in touch with Jerry to see what other items are being address by the DNR on the Scenic pit and will keep you posted if you would like.

Thanks,
Heidi

From: Jim Healy
Sent: Tuesday, April 21, 2015 4:00 PM CDT
To: Riffle Stan; Macy John
Subject: Letter to Waste Siting Board
Attachments: image1.JPG
ATT00001.txt

Gentlemen,

Just as an FYI, today a copy of the emailed notification to the Waste Siting Board was placed in the mail.

EX B-18

From: Jim Healy
Sent: Wednesday, April 22, 2015 9:16 AM CDT
To: 'Stan Riffle'; jmac@ammr.net
Subject: FW: Statements of Economic Interest and Village Board Resolution

Gentlemen,

Well, the DOA response to me was not very reassuring but they have received it. I will spend some time today looking over the statutes but I would like to confirm my understanding with either of you to make sure we've got our bases covered. Are one or both of you available to chat sometime today? We've come this far I would hate to drop the ball on the 1 yard line.

Sincerely,

Jim Healy
Village Administrator
Planning and Zoning Administrator
(262)-628-2260
Village of Richfield
4128 Hubertus Road
Hubertus, WI 53033
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“Far and away the best prize that life has to offer is the chance to work hard at work worth doing.” – President Theodore Roosevelt

From: DHA Mail [mailto:DHAMail@wisconsin.gov]
Sent: Wednesday, April 22, 2015 9:03 AM
To: Jim Healy
Subject: RE: Statements of Economic Interest and Village Board Resolution

Received.

From: Jim Healy [mailto:administrator@richfieldwi.gov]

Ex B-19

Sent: Tuesday, April 21, 2015 3:47 PM

To: DHA Mail

Cc: Stan Riffle; KateLynn Schmitt; 'Bruce A. McInay (bruce@mcbusinesslaw.com)'; danah zoulek; 'Tom Zoulek (tzoulek@midcityplumbing.com)'; 'jmacy@ammr.net'

Subject: Statements of Economic Interest and Village Board Resolution

Importance: High

To Whom It May Concern,

My name is Jim Healy and I am the Village Administrator for the Village of Richfield in Washington County. On April 4, 2015, I spoke to a member of the staff for the Waste Siting Board named Brenda and she was kind enough to advise me that sending the above referenced documents via email was acceptable to fulfill requirements of Wis. Stats. 289. Could you please confirm the same or direct me to the appropriate individual who can?

For the ease and convenience of the developer petitioning the Village, I've also CC:d Mr. and Mrs. Tom Zoulek (Scenic Pit, LLC) and their legal counsel. Hardcopy of this letter will also follow to all parties via the USPO.

It would also be greatly appreciated if confirmation of receiving this email could be given by the State for our records. Thank you for your consideration of our requests.

Have a wonderful rest of your day!

Sincerely,

Jim Healy

Village Administrator

Planning and Zoning Administrator

(262)-628-2260

Village of Richfield

4128 Hubertus Road

Hubertus, WI 53033

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From: Heilman, Cheryl W - DNR
Sent: Wednesday, May 20, 2015 9:01 AM CDT
To: McBroom, Maureen A - DNR
CC: Landretti, Jane R - DNR; Denow, Nicole M - DNR; Szabo, Michael G - DNR; Bertolacini, Jim K - DNR
Subject: Stormwater Permit for Scenic Pit Construction Activity

I understand that the Department has issued stormwater permit coverage under the WPDES Construction Site Storm Water Runoff General Permit for proposed fill activity at a former quarry known as the Scenic Pit. You have asked whether an erosion control permit from the Village of Richfield is also required or whether the Village's erosion control permit is preempted under the Supreme Court's decision in DeRosso Landfill Company v. City of Oak Creek, 200 Wis.2d 642 (1996).

The stormwater statute, s. 283.33(3m), Wis. Stats., expressly authorizes a city, village, town or county to enact an ordinance regulating erosion control and stormwater management. The Supreme Court case you cited involving preemption applies to solid waste regulation, not to stormwater regulation. Because the stormwater statute expressly authorizes (and in fact requires) the Village to have an ordinance regulating erosion control and stormwater, local approval should be obtained for the proposed activity in addition to the DNR's WPDES Construction Site Storm Water Runoff GP.

Cheryl

We are committed to service excellence.

Department clients visit our survey at <http://intranet.dnr.state.wi.us/int/legal/> to evaluate how I did.

Cheryl W. Heilman

Environmental Protection Section Chief – Bureau of Legal Services

Wisconsin Department of Natural Resources

Phone: (608) 266-0235

Cheryl.heilman@wisconsin.gov



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ER B-20