

PLAT OF SURVEY

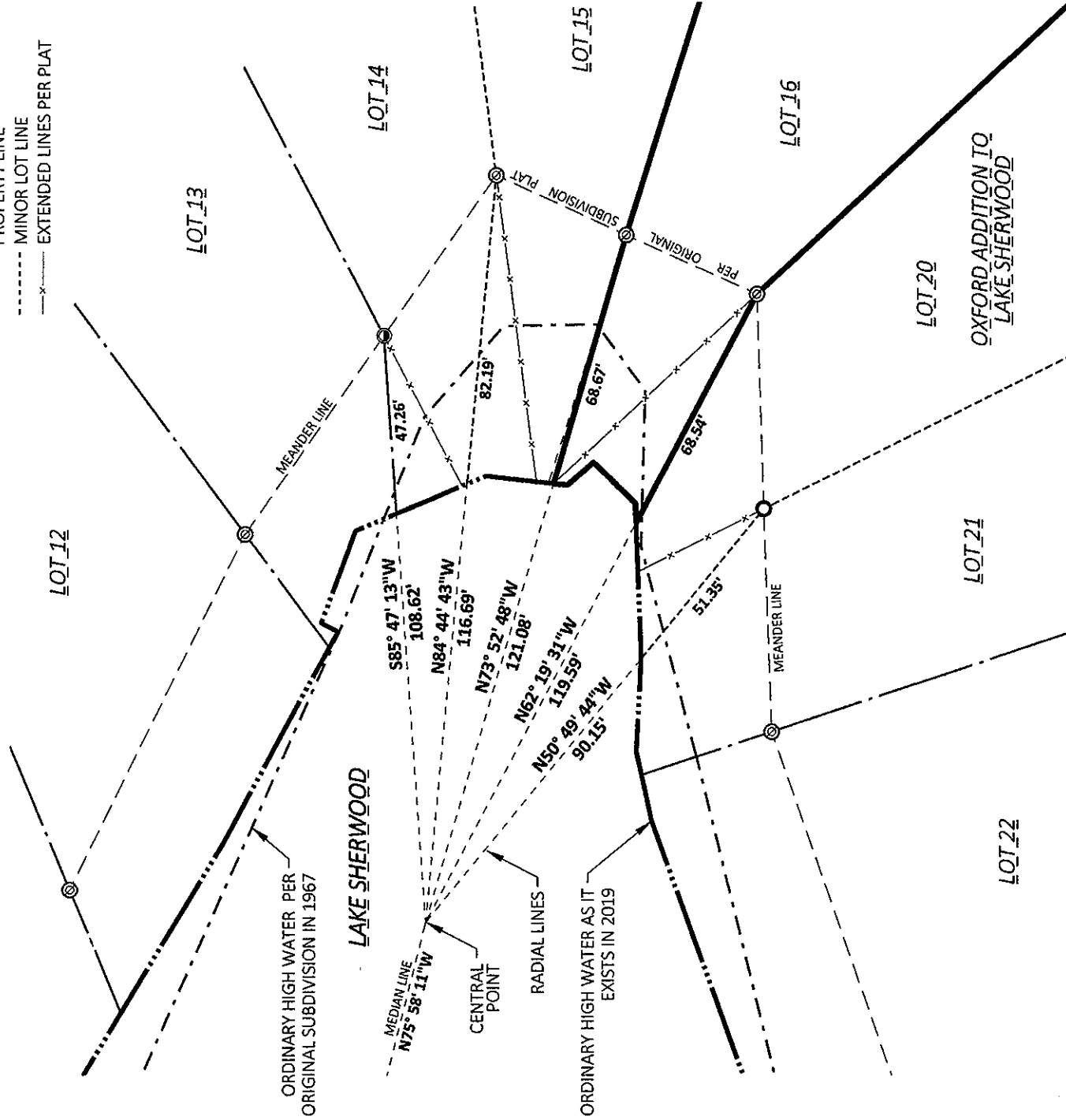
BEING ALL OF LOTS 16, 17 & 19 OF THE OXFORD ADDITION TO LAKE SHERWOOD, BEING PART OF THE SW1/4 OF SECTION 16, TOWNSHIP 20 NORTH, RANGE 6 EAST, TOWN OF ROME, ADAMS COUNTY, WISCONSIN.



BEARINGS BASED ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 16, ASSUMED TO BEAR S89°18'03"W

- LEGEND**
- FOUND 2.00" O.D. IRON PIPE
 - FOUND 0.75" IRON BAR
 - FOUND 1.00" O.D. IRON PIPE
 - - - PROPERTY LINE
 - - - MINOR LOT LINE
 - - - EXTENDED LINES PER PLAT

ALLOCATION OF RIPARIAN RIGHTS



RIPARIAN REPORT

FOR THE RIPARIAN RIGHTS REGARDING THESE MULTIPLE LOTS THAT EXIST IN A COVER IN THE OXFORD ADDITION TO LAKE SHERWOOD, SEVERAL ISSUES CAME UP DURING THE PROCESS OF THE SURVEY. BELOW ARE SEVERAL FACTS REGARDING THESE LOTS AND THE WATER FRONTAGE.

1. ALL LOTS OF THE OXFORD ADDITION TO LAKE SHERWOOD WERE CREATED SIMULTANEOUSLY IN NOVEMBER OF 1967. THUS NO JUNIOR OR SENIOR RIGHTS EXISTS AMONG LOTS.
2. THE SHORELINE AS SHOWN ON THE 1967 OXFORD ADDITION TO LAKE SHERWOOD DOES NOT AGREE WITH THE SHORELINE AS IT EXISTS IN SEPTEMBER OF 2019. THE SHORELINE LENGTH AS SHOWN ON THE ORIGINAL PLAT IS SIGNIFICANTLY LESS THAN THE CURRENT LENGTH OF SHORELINE.

THUS, IT IS MY OPINION, A PROPORTIONMENT METHOD NEEDS TO BE APPLIED TO PROVIDE "EQUAL EQUITY" AMONGST THOSE SEVERAL LOTS WHERE THIS DEFICIENCY EXISTS. IN DEALING WITH RIPARIAN RIGHTS BETWEEN THE MEANDER LINE AS PLATTED AND THE SHORELINES OF WATERWAYS, THERE ARE SEVERAL METHODS OF ESTABLISHING RIPARIAN RIGHTS WITHIN THIS AREA. THE MOST COMMON IS THE METHOD OF EXTENDING THE PROPERTY LINES TO THE SHORELINE OR USING THE PERPENDICULAR METHOD EXTENDING TO THE THREAD OF THE WATER BODY. IN THIS PARTICULAR CASE, THIS IS A SMALL "COVE" AND IS SEPARATE FROM THE MAIN WATER BODY WITH AN "IRREGULAR SHAPE" AND THE ORIGINAL LOTS THAT WERE CREATED ARE PIE SHAPED AND NARROW AS THEY ENCRACH THE WATER. THUS, IF ONE WERE TO USE THE "EXTENDING" METHODOLOGY, IT WOULD RESULT IN THE FOLLOWING FRONTAGES WHICH CREATE OBVIOUS INEQUITY RESULTS AMONG THE LOTS AS SHOWN BELOW.

- 2.1. LOT 14 = 19 FEET, LOT 15 = 3 FEET, LOT 16 = 1 FOOT, LOT 20 = 32 FEET
- 2.2. AFTER DETERMINING THAT THIS METHOD WOULD RESULT IN SIGNIFICANT INEQUITY THROUGHOUT THE LOTS IN THE COVER, I BELIEVE IT IS PROPER TO APPLY A DIFFERENT METHOD OF APPORTIONMENT. ALLOCATION OF RIPARIAN RIGHTS REQUIRES A MULTITUDE OF CONSIDERATIONS, THESE INCLUDE DOCKING RIGHTS WITH CONSIDERATION OF DEEP WATER AND LINE OF NAVIGABILITY.
- 2.3. FOR SITUATIONS WHERE THERE IS A COVE SIMILAR TO THIS, YOU CANNOT ALWAYS APPLY THE TRADITIONAL "EXTENDING" METHOD, THE METHOD MOST COMMONLY USED AND SUPPORTED THROUGH CASE LAW AS WELL AS GUIDELINES FOR ALLOCATION OF RIPARIAN RIGHTS IN SEVERAL STUDIES AND PUBLISHED BOOKS WOULD BE USING THE "COVE" OR "PIE" METHOD. TO APPLY THE "COVE" OR "PIE" METHOD PER GUIDELINES, I USED BATHYMETRIC MAPS TO OVERLAY THE LINE OF DEEP WATER AND FURTHER COLLECTED TESTIMONY FROM LAND OWNERS IN THE COVE TO CREATE THE APPROXIMATE DEEP WATER LIMITS OF THE COVE. I THEN CREATED A CENTER OF THESE DEEP WATER LINES WHICH ALSO AGREES WITH THE CENTER OF THE UPLANDS OF EACH SIDE OF THE COVE. THIS CREATED A MEDIAL LINE BETWEEN THE DEEP WATER AND COVER BANKS WHICH WOULD ALSO FIT A LINE OF NAVIGABILITY FOR ADJOINING LOTS. FROM THIS CREATED MEDIAL LINE, I FOUND A CENTER POINT TO RADIATE RIPARIAN LINES TO THE FOUND MONUMENTS EXISTING ON THE PLATTED MEANDER ANGLE POINTS. THIS THEORETICAL POINT WAS MOVED MULTIPLE TIMES UNTIL I FOUND A POINT WHICH GAVE THE LOTS THE CLOSEST TO EQUAL EQUITY SHARE AMONGST CURRENT OWNERS THAT I COULD FIND MATHEMATICALLY USING A RATIO METHOD FROM THE ORIGINAL FRONTAGE VERSUS THE CURRENT FRONTAGE. I THEN ANALYZED THESE NEW RIPARIAN LINES TO THE EXISTING POSSESSION LINES IN THE FIELD AND IT SEEMS TO FIT WELL. THERE ARE NO PERMANENT OR FIXED IMPROVEMENTS ON ANY OF THESE LOTS THAT WOULD CAUSE ENCROACHMENTS, ONLY BRUSH LINES OR MOWED AND MAINTAINED LINES OF OWNERSHIP. IT IS MY BELIEF THAT THIS "COVE" METHOD CREATES THE CLOSEST TO "EQUAL EQUITY" IN SHARING THE DEFICIENCY OF WHAT WAS ORIGINALLY PLATTED TO WHAT EXISTS TODAY.

3.0. IN SUMMARY, IT IS MY OPINION THAT THE COURTS REQUIRE THAT THE ALLOCATION BE EQUITABLE FOR THE EVERYONE AS A WHOLE AND DOES NOT SEPARATE ANY ONE LOT OR ANOTHER. I APPLIED A METHOD THAT I BELIEVE FITS THIS SITUATION AND SHARES EQUITY EQUALLY.

SURVEYOR'S CERTIFICATE

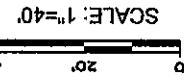
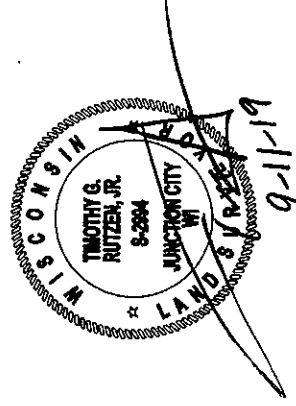
I, TIMOTHY G. RUTZEN, JR., WISCONSIN PROFESSIONAL LAND SURVEYOR S-2994, HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT I HAVE SURVEYED AND MAPPED THIS PLAT, BEING ALL OF LOTS 16, 17 & 19 OF THE OXFORD ADDITION TO LAKE SHERWOOD, BEING PART OF THE SW1/4 OF SECTION 16, TOWNSHIP 20 NORTH, RANGE 6 EAST, TOWN OF ROME, ADAMS COUNTY, WISCONSIN.

AND MORE FULLY DESCRIBED AS FOLLOWS:
 COMMENCING AT THE SOUTHWEST CORNER OF SECTION 16 OF TOWNSHIP 23 NORTH, RANGE 6 EAST;
 THENCE N57°12'09"E, A DISTANCE OF 1194.65 FEET TO THE SOUTHWEST CORNER OF LOT 19 OF THE OXFORD ADDITION TO LAKE SHERWOOD; ALSO BEING THE POINT OF BEGINNING.
 THENCE N37°47'15"E ALONG THE WESTERLY LINE OF LOT 19, A DISTANCE OF 122.96 FEET TO THE SOUTHEAST CORNER OF LOT 16;
 THENCE N43°04'26"W ALONG THE SOUTHERLY LINE OF LOT 16, A DISTANCE OF 175.31 FEET TO THE SOUTHERLY MEANDER CORNER OF LOT 16;
 THENCE N24°20'08"E ALONG THE MEANDER LINE OF LOT 16, A DISTANCE OF 38.07 FEET TO THE NORTHERLY MEANDER CORNER OF LOT 16;
 THENCE S72°46'51"E ALONG THE NORTHERLY LINE OF LOT 16, A DISTANCE OF 185.25 FEET TO THE NORTHERLY ANGLE POINT OF LOT 16;
 THENCE N69°10'43"E ALONG THE NORTHERLY LINE OF LOT 16, A DISTANCE OF 64.04 FEET TO THE SOUTHERLY RIGHT OF WAY OF EAST QUEENS WAY;
 THENCE S19°21'21"E ALONG THE SOUTHERLY LINE EAST QUEENS WAY, A DISTANCE OF 124.75 FEET TO THE NORTHEAST CORNER OF LOT 17;
 THENCE S41°16'10"W ALONG THE EASTERLY LINE OF LOT 17 AND 19, A DISTANCE OF 191.09 FEET TO THE NORTHERLY RIGHT OF WAY OF QUARTERSTAFF COURT;
 THENCE N74°49'25"W ALONG THE NORTHERLY RIGHT OF WAY OF QUARTERSTAFF COURT, A DISTANCE OF 127.88 FEET TO THE SOUTHWEST CORNER OF LOT 19; ALSO BEING THE POINT OF BEGINNING.

ABOVE SAID PARCEL TO INCLUDE ALL LANDS LYING BETWEEN THE DESCRIBED MEANDER LINE AND ORDINARY HIGH WATER.
 THAT SAID PARCEL CONTAINS 48,478 SQ. FT. OR 1.11 ACRES MORE OR LESS.
 THAT I HAVE MADE SUCH SURVEY AND PLAT AT THE DIRECTION OF MONICA RYNES.
 THAT SAID PARCEL IS SUBJECT TO ANY RESTRICTIONS, RIGHT-OF-WAYS, EASEMENTS AND RESERVATIONS OF RECORD.
 THAT SAID MAP IS A TRUE AND CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED.
 THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF A-E-7 MINIMUM STANDARDS FOR PROPERTY SURVEYS OF THE WISCONSIN ADMINISTRATIVE CODE IN SURVEYING AND MAPPING TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATED THIS 11th DAY OF Sept., 2019

TIMOTHY G. RUTZEN JR.
 WI PROFESSIONAL LAND SURVEYOR S-2994



SCALE: 1"=40'

SHEET 2 OF 2

PLAT OF SURVEY

SURVEY FOR:
 MONICA RYNES
 1081 EAST QUEENS WAY
 NEKOSHA, WI 54457

PROJECT: RYNES PCS
 FIELD SURVEY: 9/6/19
 DRAWN BY: TGR
 DATE: 9/29/19



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