



June 27, 2024

Town of Hortonia Plan Commission and Town Board
c/o Matt Parmentier
Dempsey Law
2079 Lawrence Drive
DePere, WI 54115

**Re: New London Quarry Expansion
Zoning Change and Conditional Use Permit Request**

Dear Plan Commission and Town Board Members,

I hope this letter finds you well. I am writing on behalf of MCC, Inc. (MCC) and Black Creek Limestone Company to formally request a zoning change and a conditional use permit for the planned expansion of the New London Quarry, located in the Town of Hortonia, Outagamie County, Wisconsin.

MCC, a family-owned and locally operated aggregate, ready-mix concrete, and asphalt supply business, has been serving the communities of Northeast Wisconsin for nearly a century. Limestone provides the raw materials for the construction and maintenance of shelters, transportation, and other infrastructure essential for safe, vibrant, and sustainable communities. Additionally, limestone plays a significant role in preventing erosion and mitigating potential impacts on water quality.


In 1998, MCC obtained a land contract for property containing limestone reserves located east of the existing New London Quarry. The land contract and subsequent purchase, along with the property's registration as a mineral source and its incorporation into the Town of Hortonia Future Land Use Plan, were made to ensure an available supply of construction aggregates for the future. Several years have passed since these measures were taken, and the reserves are now needed to support the growing New London and Fox Valley area. To facilitate the next steps in the planning process, I've attached:

1. An application for conditional use permit for mineral extraction on the four (4) parcels zoned A-1 earmarked for mineral extraction.
2. An application for a zoning change on four (4) parcels zoned Residential on Givens Road to A-2 to create a setback corridor for the extraction.

3. A summary detailing relevant parcel information (ID, location, acres, current and proposed zoning, owner, lot width and area, and purchase).
4. Two checks in the amount of \$300 to cover each application.
5. An operation, environmental control, and reclamation plan for the New London Quarry expansion that includes MCC's plans to relocate the recently constructed berm along Givens Road to conform to Town of Hortonia requirements.

Please review the enclosed documents, and if you have any questions, don't hesitate to contact Michelle Sasman at MCC at (920) 213-4585 or me at (715) 450-3669.

Sincerely,



Susan Courter, P.G.

Registered Professional Geologist Wisconsin #334-013

Enclosures: Town of Hortonia Application for a Zoning Change
Town of Hortonia Application for a Conditional Use Permit
Parcel Summary
Two checks made out to the Town of Hortonia in the amount of \$300
MCC, Inc. and Black Creek Limestone Company Operation, Environmental Control and Reclamation Plan

cc: Michelle Sasman, MCC, Inc.
Mitch Olson, Axley Brynelson
Scott Konkle, East Central Wisconsin Regional Planning Commission



Office of the Town Clerk
PO Box 301 • W9702 Givens Rd.
Hortonville, WI 54944-0301
clerk@townofhortonia.org
www.townofhortonia.org
920.216.0932

APPLICATION for ZONING CHANGE

Contact Information:

Property Owner: Black Creek Limestone Co. and MCC, Inc.

Address: 2600 N. Roemer Road, Appleton Wisconsin 54911

Phone: (920) 749-3360 Email: michelle.sasman@murphyinc.org

Applicant (if different from Property Owner): MCC, Inc.

Address: N/A

Phone: N/A Email: N/A

Property Description (complete for all applicable parcels): **See attached**

Address: W10664 Givens Road Current Zoning: Residential

Tax Parcel No.: 120049701 Lot Area: _____ Lot Width: _____

Address: W10620 Givens Road Current Zoning: Residential

Tax Parcel No.: 120049704 Lot Area: _____ Lot Width: _____

Address: W10672 Givens Road Current Zoning: Residential

Tax Parcel No.: 120049600 Lot Area: _____ Lot Width: _____

Address: W10606 Givens Road Current Zoning: Residential

Tax Parcel No.: 120049702 Lot Area: _____ Lot Width: _____

(If additional parcels, please attach as separate sheet)

Current Use of Property: Residential

Proposed Use of Property: **Setback corridor and buffer for planned nonmetallic mineral extraction**

Proposed Zoning:

- | | |
|--|---------------------------------------|
| <input type="checkbox"/> A-1 District | <input type="checkbox"/> TR District |
| <input checked="" type="checkbox"/> A-2 District | <input type="checkbox"/> MH District |
| <input type="checkbox"/> RE District | <input type="checkbox"/> C-1 District |
| <input type="checkbox"/> R-1 District | <input type="checkbox"/> I-1 District |

Comprehensive Plan:

The Town of Hortonia Comprehensive Plan Future Land Use Map classifies the parcel(s) in question as: **Residential**

Application Checklist:

The purpose of the Application Checklist is to ensure a complete submittal has been prepared and to expedite the review process. Please complete the checklist in full by using one of the following symbol codes.

- Included with Application Not Included with Application

Zoning Change Application Submittal Requirements

Code	
✓	Plot Plan drawn to a scale of one inch equals 100 feet showing the area proposed to be rezoned, its location, its dimensions, the location and classification of adjacent Zoning Districts, and the location and existing use of all properties within 200 feet of the area proposed to be rezoned. Described below (*) and attached
✓	Owners Names and Addresses of all properties lying within 200 ft. of the area proposed to be rezoned. Described below (*) and attached

Additional Information:

Additional plans and data may be required when determined by the Zoning Administrator, Plan Commission, or Town Board to be necessary in order to complete a thorough and efficient review. Certain submission requirements may be waived when determined to be superfluous. Additional information, if applicable, shall be included as an attachment to the Application.

*The Operation, Environmental Control and Reclamation Plan for the New London Quarry Expansion presents the Town of Hortonia Future Land Use Map in Appendix A and scaled plan drawings to fit on 11x17" size paper in Appendix B. Plan maps show the area proposed to be rezoned and adjacent areas (Figure 2 - Zoning and Parcel Boundaries and Figure 6 - Property Owners Within 1,500 feet). Landowners within 200 feet, 500 feet, and 1,500 feet of the planned quarry expansion, including location, name and address, are additionally included in Appendix H. Existing land use is described on p. 2.

Completeness of Application:

An incomplete Application or Application Packet lacking all required information will not be accepted.

Signature and Certification:

I certify the information presented on this Application and the drawings, plans, and other materials included therein are, to the best of my knowledge, complete and in accordance with the Zoning Ordinance.

Owner Signature: *Todd Vandehei - Black Creek Limestone* Date: *06/26/24*
Successor MCE, Inc. 612604

Application Fee:

The Application Fee for a Zoning Change is \$300.00. The Application shall not be accepted until the Application Fee has been paid.

Review and Administration Fee:

The Applicant shall pay a fee equal to the actual cost to the Town for all legal, engineering and planning work incurred by the Town in connection with proposed developments, permits and other matters pertaining to zoning review. Engineering work shall include the preparation of construction plans and standard specification. The Town Engineer may permit the Applicant to furnish all, some or part of the required construction plans and specifications, in which case no engineering fees shall be levied for such plans and specification. Planning work may include concept plan and review, conditional use review, and other work as directed by the Plan Commission.



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PO Box 301 • W9702 Givens Rd.
Hortonville, WI 54944-0301
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920.216.0932

APPLICATION for CONDITIONAL USE PERMIT

Contact Information:

Property Owner: Black Creek Limestone Co. and MCC, Inc.

Address: 2600 N. Roemer Road, Appleton, Wisconsin 54911

Phone: (920) 749-3360 Email: michelle.sasman@murphy.org

Applicant (if different from Property Owner): MCC, Inc.

Address: N/A

Phone: N/A Email: N/A

Property Description (complete for all applicable parcels): **see attached**

Address: _____ Tax Parcel No.: _____

Current Zoning: A-1 and R Lot Area: _____ Lot Width: _____

(If additional parcels, please attach as separate sheet)

Current Use of Property: Agriculture and vacant rural residential housing

Conditional Use:

Use Requested:

Specify the requested Conditional Use, as provided for in the A-1 zoning district of the Town of Hortonia Zoning Ordinance:

Nonmetallic Mineral Extraction

The Conditional Use is requested so that the property may be used in the following specific manner or for the following specific purposes:

The Conditional Use is requested facilitate a planned expansion of the existing, New London Quarry for the purpose of supplying aggregates to local communities into the future.

Additional Comments (if any):

**Refer to MCC, Inc. and Black Creek Limestone Company Operation,
Environmental Control and Nonmetallic Mining Reclamation Plan for
the New London Quarry Expansion**

Conditions Imposed:

As per Chapter 60.62(4e), Wis. Stats., the conditions imposed on a Conditional Use Permit shall be:

- a. Related to the purpose of this Chapter.
- b. Based upon substantial evidence. For the purposes of this Section, substantial evidence shall include facts and information, other than merely personal preference or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a Conditional Use Permit and that reasonable persons would accept in support of a conclusion.
- c. Reasonable and, to the extent practicable, measurable.

Application Checklist:

The purpose of the Application Checklist is to ensure a complete submittal has been prepared and to expedite the review process. Please complete the checklist in full by using one of the following symbol codes.

✓ Included with Application - Appears Inapplicable

Code	Conditional Use Permit Application Submittal Requirements
✓	One copy of the deed Appendix J
✓	Boundaries and dimensions of the property Figure 7, Appendix B
✓	All existing structures see table, attached (Parcel 120049701)
✓	All existing building setbacks Figure 7, Appendix B
✓	Zoning district of abutting properties Figure 2, Appendix B
✓	Location of the well(s) and sanitary system(s) and their distance to lot lines and buildings List of available wells provided in Appendix D

✓	All navigable waters, watercourses, wetlands, and drainage ditches and the highwater elevation within 100 feet of land	Figures 1 and 4, Appendix B
✓	Existing or proposed location of access to public road	Existing entrance on US Highway 45
✓	Names of landowners within 500 feet of property	provided in Appendix H
✓	Any additional information	

See MCC, Inc. and Black Creek Limestone Operation, Environmental Control and Reclamation Plan for the New London Quarry Expansion for additional information. This application is made in a spirit of cooperation with the Town of Hortonia; whether a permit is or is not granted, the application for and operation under a potential permit shall not be deemed a waiver of legal nonconforming use status on said parcels.

Additional Information:

Additional plans and data may be required when determined by the Zoning Administrator, Plan Commission, or Town Board to be necessary in order to complete a thorough and efficient review. Certain submission requirements may be waived when determined to be superfluous. Additional information, if applicable, shall be included as an attachment to the Application.

Completeness of Application:

An incomplete Application or Application Packet lacking all required information will not be accepted.

Signature and Certification:

I certify the information presented on this Application and the drawings, plans, and other materials included therein are, to the best of my knowledge, complete and in accordance with the Zoning Ordinance.

Owner Signature:  MCC Inc. Date: 6-26-21
Todd Vande Hai - Black Creek Lime Stone 06/26/21

Application Fee:

The Application Fee for a Conditional Use Permit is \$300.00. The Application shall not be accepted until the Application Fee has been paid.

Review and Administration Fee:

The Applicant shall pay a fee equal to the actual cost to the Town for all legal, engineering and planning work incurred by the Town in connection with proposed developments, permits and other matters pertaining to zoning review. Engineering work shall include the preparation of construction plans and standard specification. The Town Engineer may permit the Applicant to furnish all, some or part of the required construction plans and specifications, in which case no engineering fees shall be levied for such plans and specification. Planning work may include concept plan and review, conditional use review, and other work as directed by the Plan Commission.

Parcel ID	Current Zoning	Zoning Change Request	CUP Request (A-1 and A-2)	Acres	Owner	Location	Purchase	Warranty Deed*	Est. Lot Width**	Est. Lot Area**
120049500	A-1 Ag	-	x	18.95	MCC	NE ¼, SE ¼ Section 30	1998 (land contract)	1673579	613	825,462
120049400	A-1 Ag	-	x	40.00	MCC	NE ¼, SE ¼ Section 30	1998 (land contract)		1273	1,742,400
120049800	A-1 Ag	-	x	38.40	MCC	SE ¼, SE ¼ Section 30	1998 (land contract)		1285	1,672,704
120049700	A-1 Ag	-	x	16.92	MCC	SW ¼, SE, ¼ Section 30	1998 (land contract)		630	737,035.2
120049600	Residential	A-2 Ag	x	2.93	MCC	SW ¼, SE ¼, Section 30 W10672 Givens Road	1999	1313217	478	127,360.8
120049702	Residential	A-2 Ag	x	4.81	MCC	SW ¼, SE ¼, Section 30 W10606 Givens Road	2000	1380220	151 260	209,523.6
120049701***	Residential	A-2 Ag	x	3.25	BCL	SW ¼, SE ¼, Section 30 W10664 Givens Road	2022	2275759	325.48	141,570
120049704	Residential	A-2 Ag	x	3.62	BCL	SW ¼, SE ¼, Section 30 W10620 Givens Road	2006	1718097	520	157,687.2

* Warranty Deed Documents in Appendix J, MCC, Inc. and Black Creek Limestone Company Operation, Environmental Control and Reclamation Plan for the New London Quarry Expansion

** Lot area and width estimated based upon Outagamie County online GIS tool (June 24, 2024); lot width recorded in feet and lot area square feet

*** Parcel 120049701 includes three structures: a barn, a shed and an unoccupied house to be torn down.

MCC, Inc.
and
BLACK CREEK LIMESTONE COMPANY:

OPERATION, ENVIRONMENTAL CONTROL
and
NONMETALLIC MINING RECLAMATION PLAN

for the
NEW LONDON QUARRY
EXPANSION

SECTION 30
TOWN OF HORTONIA
OUTAGAMIE COUNTY, WISCONSIN

June 27, 2024



SITE AND CONTACT INFORMATION

Site Location: Section 30, T22N, R15E
Town of Hortonia, Outagamie County, Wisconsin

Zoning District: A-1 Agriculture and Residential

Parcel ID's:

A-1 Agricultural:

- 120049500 (18.95 acres)
- 120049400 (40.00 acres)
- 120049800 (38.40 acres)
- 120049700 (16.92 acres)

Residential:

- 120049600 (2.93 acres)
- 120049702 (4.81 acres)
- 120049704 (3.62 acres)
- 120049701 (3.25 acres)

Property Size: 128.88 Acres

Operator: MCC, Inc. (MCC)
2600 N. Roemer Road
Appleton, Wisconsin 54911

Phone: (920) 749-3360

Fax: (920) 749-3384

Michelle Sasman michelle.sasman@murphyinc.org

Property Owners: Black Creek Limestone Company (BCL) and MCC
2600 N. Roemer Road
Appleton, Wisconsin 54911

Consultant: Courter Resource Group, LLC
17054 State Highway 178
Jim Falls, Wisconsin 54748
(715) 450-3669

Susan Courter, P.G. susan@courterresource.com

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Introduction and Purpose

Aggregates are essential to quality of life and are not uniformly available in all areas. An aggregate resource was secured by MCC, Inc. (MCC) adjacent to and east of their existing New London Quarry in the Town of Hortonia in west central Outagamie County. The resource holds substantial economic and strategic importance because of its composition, durability, and proximity to key transportation corridors. It was registered in 2007 to safeguard it for future use. The resources are now needed to meet the local demand for aggregate products.

The following plan documents existing site conditions and provides the details of the planned expansion of the New London Quarry in alignment with Chapter 17 of the Town of Hortonia Zoning Ordinance (Zoning Regulations, October 28, 2020), NR 135 of the Wisconsin Administrative Code, and other applicable local, regional, and state requirements. Its aim is to facilitate extraction and supply Northeastern Wisconsin communities with aggregates into the future.

The plan complements an application for a conditional use permit. The application is made in a spirit of cooperation with the Town of Hortonia; whether a permit is or is not granted, the application for and operation under a potential permit shall not be deemed a waiver of legal nonconforming use status on said parcels.

Background

Operations at the New London Quarry date back to 1938 as per local and state archives and aerial imagery. The quarry was purchased by Black Creek Limestone Company (BCL), a real estate arm of MCC, in 1964. Since its initial purchase in 1964, MCC has operated continuously with legal, nonconforming use status and has progressively expanded its stone reserves by acquiring additional land to the east. In 2007, these stone reserves were duly registered under NR 135.56 and officially incorporated into the town of Hortonia's comprehensive plan to guide future land use decisions (refer to **Town of Hortonia Future Land Use Plan, January 28, 2020, Appendix A**).

Existing Site Conditions

This section contains a review of the site's physical location, and includes information on topography, soils, geology, surface and ground water, and existing biological resources.

Location, Zoning and Land Use

The planned expansion involves extending the existing New London Quarry, located between US Highway 45 and Ledge Hill Road in the Town of Hortonia, Outagamie County, Wisconsin (refer to **Figure 1 – USGS Topographic & Site Location, Appendix B**).

The expansion consists of eight (8) parcels in Section 30 (T2N, R15E) owned by either MCC or BCL. Of these eight (8) parcels, four (4) are zoned A-1 Agriculture, covering a total of 114.27 acres, and four (4) are zoned Residential, covering a total of 14.61 acres, refer to Table I, below (refer to **Warranty Deeds, Appendix J**).

Table I - Planned Expansion Parcel Information

Parcel ID	Acres	Owner	Location	Zoning	Purchase
120049500	18.95	MCC	NE ¼, SE ¼ Section 30	A-1 Ag	1998 (land contract)
120049400	40.00	MCC	NE ¼, SE ¼ Section 30	A-1 Ag	1998 (land contract)
120049800	38.40	MCC	SE ¼, SE ¼ Section 30	A-1 Ag	1998 (land contract)
120049700	16.92	MCC	SW ¼, SE, ¼ Section 30	A-1 Ag	1998 (land contract)
120049701	3.25	BCL	SW ¼, SE ¼, Section 30 W10664 Givens Road	Residential	2022
120049704	3.62	BCL	SW ¼, SE ¼, Section 30 W10620 Givens Road	Residential	2006
120049600	2.93	MCC	SW ¼, SE ¼, Section 30 W10672 Givens Road	Residential	1999
120049702	4.81	MCC	SW ¼, SE ¼, Section 30 W10606 Givens Road	Residential	2000

The four (4) parcels in the planned expansion zoned A-1 Agriculture are currently used for agricultural production and were registered as an economically viable nonmetallic mineral deposit under NR 135.56 and NR 135.57 in 2007. Nonmetallic mining is permitted in A-1 zones through the issuance of a conditional use permit.

The four (4) parcels zoned Residential were acquired with the intention of rezoning them to A-2 to create a setback corridor for the planned expansion. Some of these parcels contain vacant rural residential or agricultural structures slated for removal. One of the residential parcels, purchased in 2022 (ID 120049701), included a structure used as a storage unit. All residential parcels are included in a rezoning request application to conform to local requirements.

Land uses surrounding the planned expansion consist of the existing New London Quarry and US Highway 45 transportation corridor (west); agriculture and rural residential housing (north, east and south), and a rural subdivision to the south (refer to **Figure 3 – 2023 Aerial Imagery and Figure 4 – Existing Conditions, Appendix B**).

Topography

The site is located in an upland area in west central Outagamie County. Existing surface topography across the planned expansion slopes gently to the northeast, between elevations of 950 and 890 feet mean sea level (MSL) (**Figure I – USGS Topographic & Site Location, Appendix B**).

Distribution, Thickness and Types of Soil

The thickness of glacial material overlying the dolomite in this area is relatively uniform and ranges from 1.5 to 5 feet in places. The primary soil type is silt loam and loamy fine sand present in the Rosseau, Channahon, Shawano, Kolberg and Hortonville Series (refer to **Figure 5 - Soil Types, Appendix B**). Found on glacial till plains, these soil types are gently sloping and well drained. The A-horizon of these soils is generally 0 to 7 inches.

Geology and Description of Mineral Resources

The predominant mineral resource on the property is Ordovician-Aged dolomite, a carbonate rock belonging to the same family as limestone. The dolomite is an approximate thickness between 50 and 80 feet based upon borings conducted at the site. Dolomite is one of the most marketable construction products used in the State of Wisconsin. Its uses span from building and road aggregate to lakeshore erosion control. The upper 10 feet of the dolomite has properties consistent for use as agricultural lime.

Cambrian-Aged sandstone underlies the dolomite formation. Based upon local well construction reports, the sandstone is estimated to be more than 250 feet thick in places. Sandstone is an important resource for granular fill, bedding, and some industrial applications (refer to **MCC Service Area, Products and Example Projects, Appendix C**). MCC is a key supplier of bedding sand and agricultural lime in the region.

Surface Water and Ground Water

Existing surface water features are shown in **Figure I – USGS Topographic and Site Location, Appendix B**. Surface water not captured by infiltration or utilized by plants follows topography to the north-northeast or into the existing quarry. Ground water also follows topography, moving from upland recharge areas to lowland discharge areas. According to *Geology and Ground Water Resources of Outagamie County, Wisconsin* groundwater flow is to the northeast at an approximate elevation of 782 feet MSL. Precipitation has a pronounced effect on the water table in this area; water table elevation may fluctuate in response to dry conditions or rainfall events.

Ground water for local agriculture, industry, businesses, and homes are serviced by private water supply wells. A search was conducted to identify well construction reports surrounding the property. A representation of available well construction reports are summarized in the appendix (refer to **Local Well Construction Reports Summary, Appendix D**). Property owners are additionally presented in **Figure 6 – Property Owners Within 1,500 feet, Appendix B**. Local water supply wells are installed into water bearing sections of the dolomite or sandstone bedrock.

Plant and Wildlife

The majority of the site is agricultural with trees and shrubs located along the fence lines. Land not currently undergoing extraction is used for natural habitat (conservancy) and row crops such as corn or soybeans rotated with alfalfa on a regular basis. The north and southeast portions of the property are wooded with a variety of deciduous and coniferous trees (refer to **Figure 3 – 2023 Aerial Imagery, Appendix B**).

The property and neighboring areas provide support for a variety of transient wildlife species, such as bank swallows, geese, ducks, and sand hill cranes due to the availability of food and nearby locations of water. Year-round wildlife species in the vicinity of the site include hawks, fox, skunk, turkey, white-tailed deer, rabbits, raccoons, and field mice.

Proposed Operations

The following plan of operation is developed to efficiently utilize the site’s natural and agricultural resources, protect human health and the environment, and minimize long-term operational costs. Details for the New London Quarry planned expansion are identified in the appendix (refer to **Figure 7 – Operation Plan, Appendix B**).

Access and Setbacks

The property will be accessed from the existing New London Quarry using the entrance on Highway 45. The following setbacks are incorporated into the plan of operation to comply with Chapter 17: Zoning Regulations, Town of Hortonia Ordinance (October 28, 2020):

- 100-foot exterior boundary setback from unimproved properties.
- 150-foot exterior boundary setback from Givens and Ledge Hill Roads. No setback is proposed adjacent to the existing New London Quarry.
- 500-foot building setback from occupied residences, excluding unoccupied structures on the properties owned by BCL and MCC along Givens Road.

Site Development and Erosion Control

The site will be developed incrementally to minimize disturbed areas and preserve farmland. Operations will begin from the existing quarry and expand progressively to the east. Agricultural production will occupy areas not actively undergoing extraction.

The general sequence of operation includes clearing and stripping overburden, berm construction and seeding, and drilling and blasting. Stripped material, including topsoil and overburden, will be separated and stored for future reclamation in berms along the perimeter of the property (outside of any setback). Besides providing topsoil and overburden storage, the berms will provide an aesthetic, sound, and wind buffer to neighboring properties.

Berms, in general, will be eight to twelve feet in height, be graded to a 3:1 slope, and be seeded at the time of construction to optimize stabilization and minimize the growth of invasive species, the berm will be seeded. The selected seed cover will be based upon the soil type and temperature at the time of planting. A mulch cover will be spread on the sloped areas to reduce erosion and enhance plant growth. Seeding and mulching will be conducted in alignment with WDOT standards #630 (Seeding on Slopes) and #627 (Mulching).

Erosion controls outlined in the Wisconsin Department of Natural Resources (WDNR) “Construction Site Best Management Practices” handbook will be utilized as needed to prevent sediment loss during the initial construction phase of the project. Such measures include the utilization of straw bales, filter fabric, seeding, mulching and/or the construction of settling or containment structures.

Stone Removal and Processing

The dolomite bedrock will be intermittently “drilled and shot.” This process involves drilling holes into the dolomite rock and loading the holes with explosive material. The explosives are detonated by trained and licensed blasters. The blasts are designed to displace the rock from the solid formation and produce fragmentation that permits efficient crushing and sizing of the rock. All blasting in the State of Wisconsin is performed in accordance with COM 7 of the Mine, Safety and Health Administration Code, published by the Wisconsin Department of Commerce.

Dolomite reserves will be extracted in benches to an approximate elevation of 840 feet and processed (crushed, screened, stockpiled or washed). A list of equipment that could be utilized in stripping, berm construction, seeding, drilling and blasting, and processing is included in **Aggregate Equipment, Appendix E**. In addition, a dewatering pump will be used occasionally to keep the quarry floor dry during rain events as well as to drain wash ponds to facilitate cleaning.

Hours of Operation

Drilling hours will be from 6:00 a.m. to 6:00 p.m., Monday through Friday and 7 a.m. to 12 p.m. on Saturday. Blasting hours will comply with all provisions under the new State Quarry Reform Law. Operation hours will be 6:00 a.m. to 7:00 p.m., Monday through Friday and 6:00 a.m. to 2:00 p.m. on Saturday. If needed, an extended schedule may be requested to facilitate a project, meet a deadline, perform maintenance, or take advantage of fair-weather conditions. (Note these hours do not apply to operations at the existing New London Quarry.)

Human Health and Environmental Protections

A number of different features have been incorporated into this plan to protect human health and the environment as summarized below.

Safety and Aesthetics

The safety aspects of nonmetallic mining are regulated by the Mine, Safety and Health Administration (MSHA). The primary safety features include the installation of berms and a locking gate. Posted notices or signs will additionally be used to increase awareness and improve safety. These include:

1. Notice of the required site-specific safety training for those entering the site.
2. Signs with “No Trespassing” and “Danger Active Quarry” posted on the entrance and perimeter of active operations.

The planned expansion is situated 150 feet away from Givens and Ledge Hill Roads and developed below the current ground level. A gradual berm presents views from the roadside that show natural vegetation rather than the active work area. Existing trees within setback areas along the fence line, where no berms are present, will be preserved, as much as possible.

Noise

Noise can be produced by various pieces of construction equipment. The following noise abatement measures were compiled to address potential noise concerns. They include:

1. Using sound control devices on equipment, such as mufflers.
2. Maintaining equipment on a regular basis.
3. Strategically placing material stockpiles and berms between processing operations and potentially affected dwellings.

Air Quality

MCC utilizes best management practices to minimize dust during stripping, berm construction, drilling and blasting in alignment with WDNR requirements. These include using water spray, dust suppressants, and dust collection as needed to meet all applicable emission limits.

Surface Water and Ground Water Protection

Ground water and surface water protection are an integrated part of MCC's daily operation. Work is conducted in alignment with the site's storm water pollution prevention plan which identifies potential contaminants and provides best management practices for spill prevention.

An attempt has been made to identify all water supply wells within 1,500 feet (refer to **Local Well Construction Reports Summary, Appendix D**). Not all occupied structures have well construction reports filed with the WDNR or Wisconsin Geological and Natural History Survey (WGNHS). Regardless, any water well issue presented to MCC will be researched and addressed with licensed professionals in cooperation with water supply professionals from the WDNR.

Blasting Vibration

Humans are very sensitive to vibration and can detect levels as low as 0.15 mm/second. How people notice and respond to vibration varies greatly from person to person. To protect human health and private property, blasting is conducted by licensed and credentialed blasters to minimize vibration. A typical quarry blast lasts between 50 to 100 milliseconds, which is a fraction of a second. Each blast is recorded by a seismograph. The seismograph monitors vibration levels and ensures compliance with State and Federal limits.

Between January 2019 and May 2024, seismographs recorded vibration associated with blasting at the site an average of .1899 inches/second peak particle velocity (PPV), with no readings above half the regulatory limit of 2.0 PPV. Property owners wishing to be notified in advance of a blast may do so upon request. A current list of property owners within 1,500 feet is included in the appendix (**Property Owners List, Appendix H**).

Reclamation Plan

Reclamation measures for the planned expansion and existing New London Quarry are found below and summarized in the Appendix (refer to **Figure 8 – Reclamation Plan, and Figure 9 – Reclamation Illustrative Cross Section, Appendix B**). An approved reclamation plan for the existing New London Quarry is on file with East Central Regional Planning Commission (ECWRPC).

An updated reclamation plan will be submitted to ECWRPC for consideration upon approval of a conditional use permit for the planned expansion.

Post-Mining Land Use

When the resource is fully depleted, the quarry will be restored for agricultural use (i.e., crop rotation such as corn or alfalfa, or food plots consistent with local wildlife habitat and recreation).

Rock Wall Stability

The dolomite will be extracted to a maximum elevation of 840 feet MSL. High walls will be left in a stable and safe condition. Rock wall stability will be enhanced by minimizing or removing all overhangs and back breaks. The rock face will be scaled to remove any loose material prone to dislodging and falling.

Site Grading and Preparation

Grading and site preparation will involve removing and/or leveling remaining stockpiles across the quarry floor. Topsoil and overburden stored in berms along the perimeter of the operation will be used to cover the base of the quarry where there are not springs or water collection. Clean fill may be utilized as available.

Overburden/Topsoil Placement and Revegetation

Reserved overburden will be spread to a minimum thickness of 4 feet. Reserved topsoil and/or topsoil substitute material will be placed over the overburden to enhance plant growth, a minimum of 4 inches.

These areas will be vegetated in alignment with the Conservation Practice Standards (refer to **NRCS Critical Area Planting and Guidelines for Herbaceous Stand Evaluation, Appendix I**). This standard demonstrates how to re-vegetate and stabilize bare soils, including slope stabilization, topsoil application, seedbed preparation, fertilization, seed selection, mulching and maintenance such as the control of erosion and noxious weeds. The seed mixture that was selected is known as the Wisconsin Department of Transportation (WISDOT) seed mix No. 20; this mixture contains the following:

- Tall Fescue 40%
- Perennial Ryegrass 30%
- Hard Fescue 24%
- Kentucky Bluegrass 6%

This seed mixture is recommended because the germination rate is quick. The application rate at which this mixture will be spread is 145 lbs. per acre. Fertilizer will be applied to enhance growth, where needed. This application will consist of an equal proportion of 15% of Nitrogen, Phosphorus and Potassium.

Mulching such as straw or hay may be used after seed placement to aid in erosion control, water infiltration and seed establishment. Where necessary, additional erosion and sediment controls may be applied as outlined in Wisconsin Department of Natural Resources' "Construction Site Best Management Practice Handbook."

Criteria for Measuring Reclamation Success

Revegetation success will be determined by visual inspection. Reclamation will be considered complete when a plant density of up to 10 seedlings per square foot is established, depending upon the specific crop cover. Plant density determination shall be accomplished by a one square foot frame count technique (refer to **NRCS Critical Area Planting and Guidelines for Herbaceous Stand Evaluation, Appendix I**). Determination of stand density shall be conducted at the end of the first growing season.

In the event that plant densities are not established sufficient to avoid soil erosion, those areas will be reworked and reseeded. When MCC believes a portion of the site has been satisfactorily reclaimed, the regulatory for ECWRPC will be brought in to perform a field verification.

Estimated Reclamation Cost and Financial Assurance

Expected reclamation costs for areas not used for wildlife food plots or rotational crops are estimated at \$5,000 per acre and subject to approval by ECWRPC. Financial assurance will be coordinated with ECWRPC upon approval of the reclamation plan.

Standard of Care

This plan was prepared using generally accepted geologic and hydrogeologic practices and is based upon the information available at the time of preparation. The scope of this plan is limited to the specific locations described herein.

Prepared By:

Susan M. Courter
Registered Professional Geologist #334-013



Reference Sources

Soil Survey of Outagamie County, Wisconsin, United States Department of Agriculture, 1978

Well Construction Reports, 1936-1989, Wisconsin Geologic and Natural History Survey, and 1989-2007, Wisconsin Department of Natural Resources

Bedrock Geologic Map of Wisconsin, by M.G. Mudrey, Jr., B.A. Brown and J.K. Greenberg, Wisconsin Geologic and Natural History Survey, 1982

Geology and Ground Water Resources of Outagamie County, Wisconsin, Wisconsin Geological Survey Water Supply Paper 1421, E.F., LeRoux, 1957

Preliminary Bedrock Geologic Map of Outagamie County, Wisconsin, Wisconsin Geological and Natural History Survey, Bruce A. Brown, 2005

"Arsenic and Northeastern Wisconsin," Water Well Journal, June 2006

"GEMS Database," Wisconsin Department of Natural Resources, January 2020

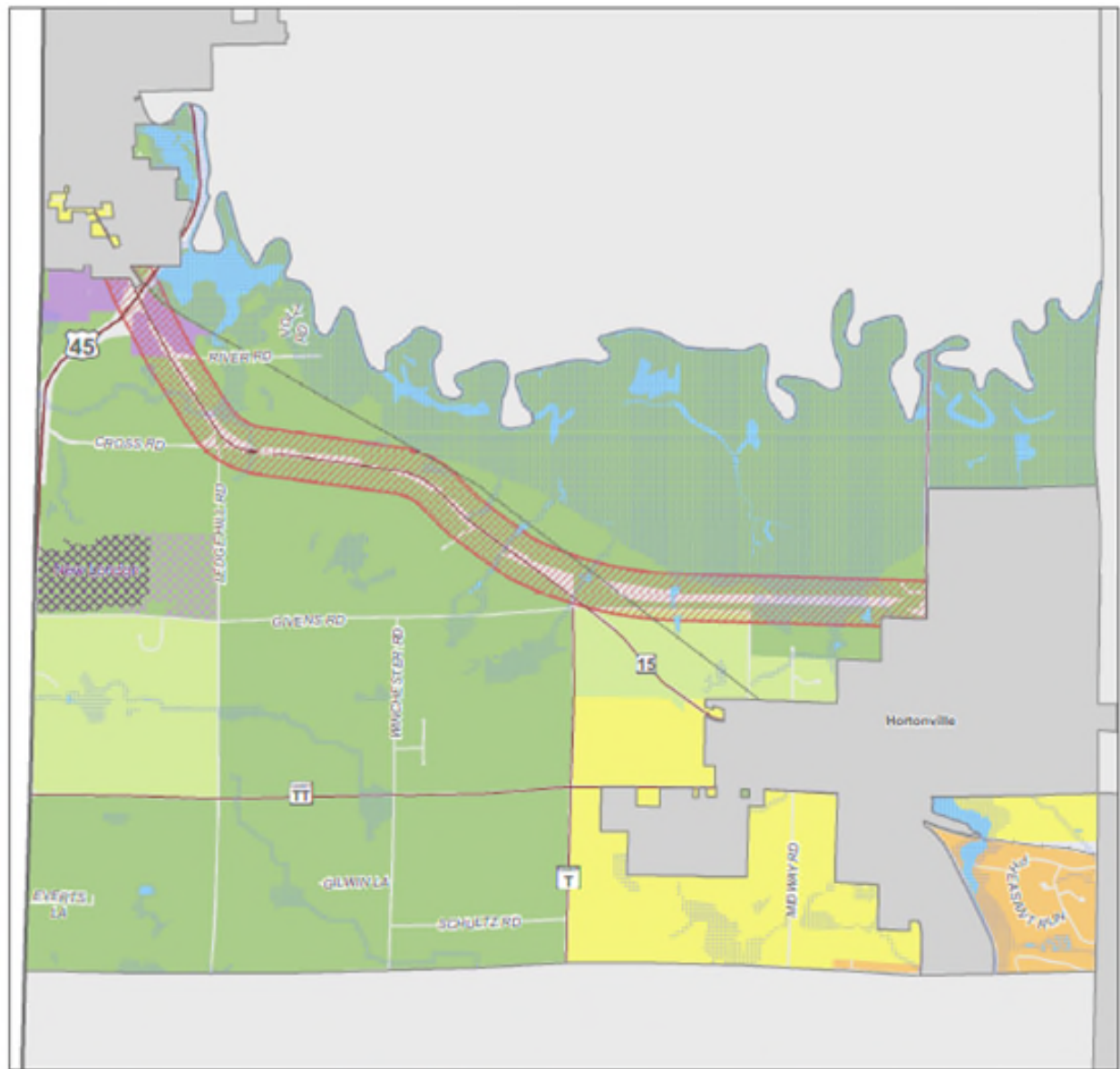
Outagamie County Comprehensive Plan 2040: The Shared Path Forward, January 28, 2020
(www.outagamie.org May 14, 2024)

Natural Resource Conservation Service (NRCS) Code 342 Critical Area Planting and Wisconsin Technical Note – Agronomy – WI – I, Guidelines for Herbaceous Stand Evaluation (May 1991)

APPENDIX A

Town of Hortonia Future Land Use Plan

Map 29: Future Land Use – Town of Hortonia

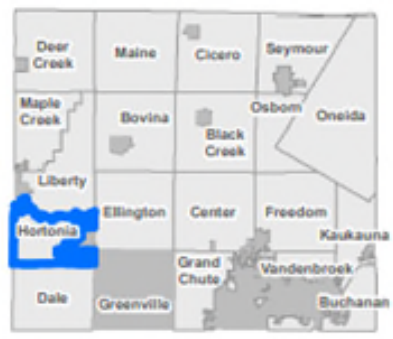


Future Land Use

- Agriculture & Open Land
- Rural Character
- Suburban Transition
- Suburban Residential
- Community Mixed Use
- Commercial / Industrial
- Urban/Incorporated City & Village

Land Use Overlays

- Town Center / Highway Mixed Use
 - Natural Areas
 - Airport Protection Area
 - Oneida Nation - US Trust & Fee Simple Land
- NR135 Non-Metallic Mining Operations**
- Existing / Active
 - Future Expansion / Reserve



APPENDIX B

Figure 1	USGS Topographic and Site Location
Figure 2	Zoning & Parcel Boundaries
Figure 3	Aerial Photograph
Figure 4	Existing Conditions
Figure 5	Soil Types
Figure 6	Property Owners Within 1,500 feet
Figure 7	Operation Plan
Figure 8	Reclamation Plan
Figure 9	Reclamation Cross Section

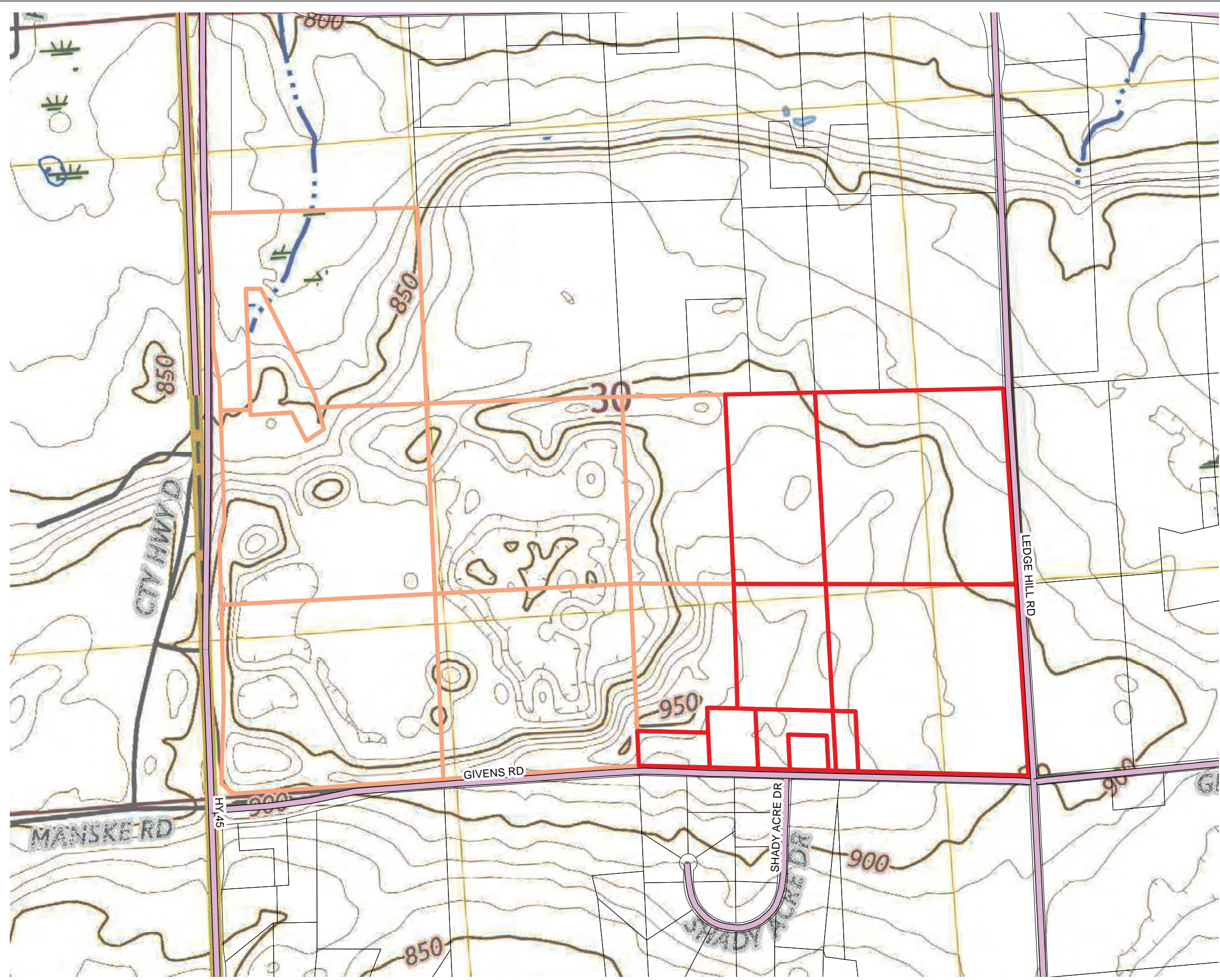




Figure 1
 USGS Topographic
 & Site Location

-  Roads
-  Existing Parcels
-  New Parcels



0 275 550 1,100 1,650 2,200 Feet

Map created: May 17, 2024

2022 Parcel & Roads Data - Outagamie County GIS
 Aerial Imagery - Esri, Maxar, Earthstar Geographics,
 and the GIS User Community
 2023 USGS Topo Map obtained from US Geological Survey,
 2018. The National Map. Date Accessed April 18, 2024

MCC, Inc.
 New London Quarry
 Section 30, Town of Hortonia
 Outagamie County, WI



Figure 2

Zoning & Parcel Boundaries

-  Existing Parcels
-  New Parcels
-  A-1 Agriculture
-  Residential Zoning
-  Roads

N

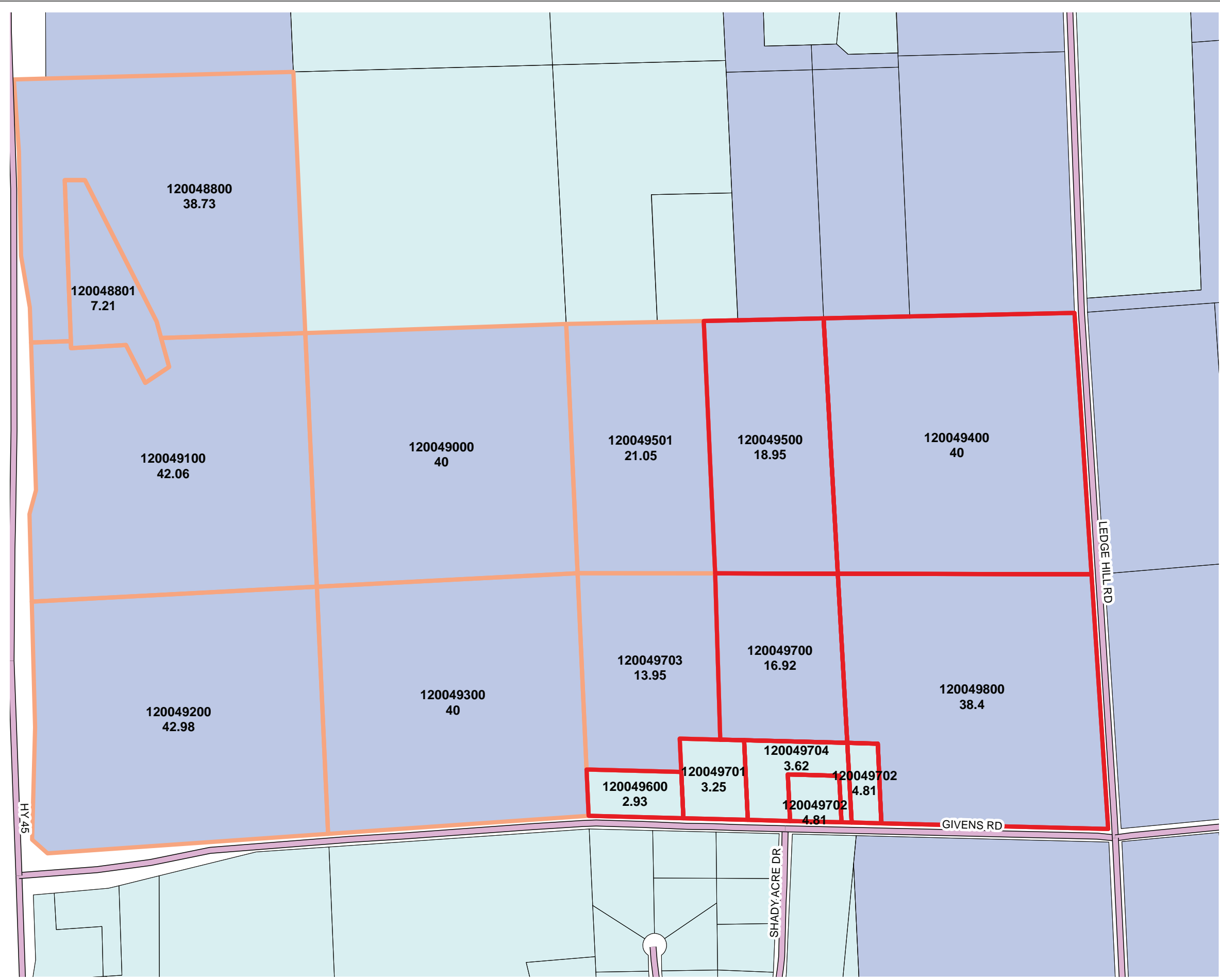


0 205 410 820 1,230 1,640 Feet

Map created: May 17, 2024

2022 Parcel & Roads Data - Outagamie County GIS
Aerial Imagery - Esri, Maxar, Earthstar Geographics,
and the GIS User Community

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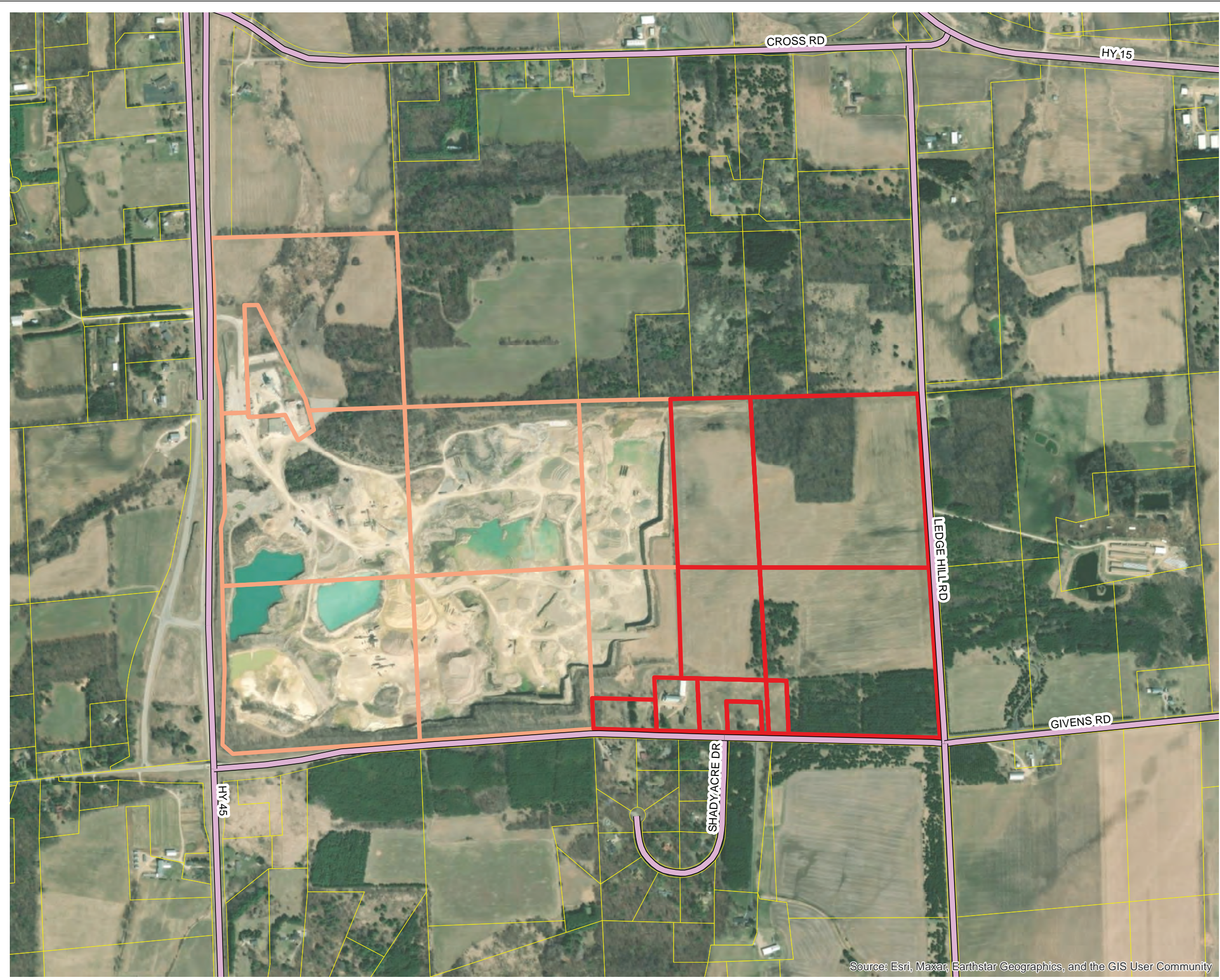
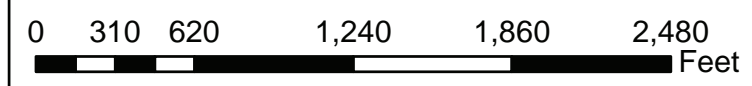


Figure 3

2023 Aerial Imagery

-  Existing Parcels
-  New Parcels
-  Roads



Map created: May 17, 2024

2022 Parcel & Roads Data - Outagamie County GIS
 Aerial Imagery - Esri, Maxar, Earthstar Geographics,
 and the GIS User Community

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 Outagamie County, WI



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Figure 4

Existing Conditions

- Roads
- Existing Parcels
- New Parcels
- Emergent/wet meadow
- Forested, Emergent/wet meadow
- Forested; Forested, Scrub/shrub
- Scrub/shrub, Emergent/wet meadow



0 190 380 760 1,140 1,520 Feet

Map created: May 17, 2024

2022 Parcel & Roads Data - Outagamie County GIS
Wetlands data obtained from WI DNR OpenData
2023 USGS Topographic Map obtained from U.S. Geological Survey, 2023. The National Map. Date Accessed: April 18, 2024

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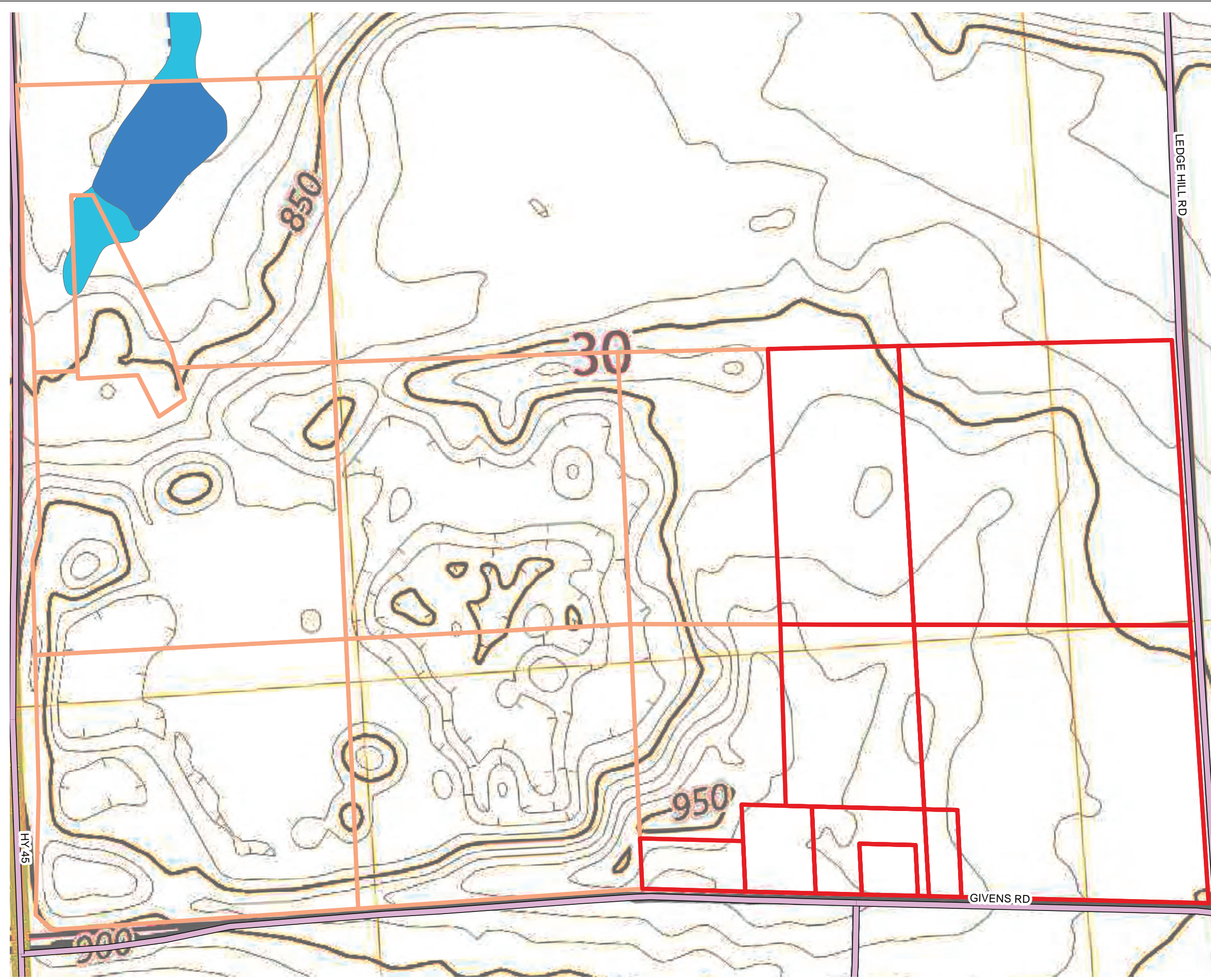
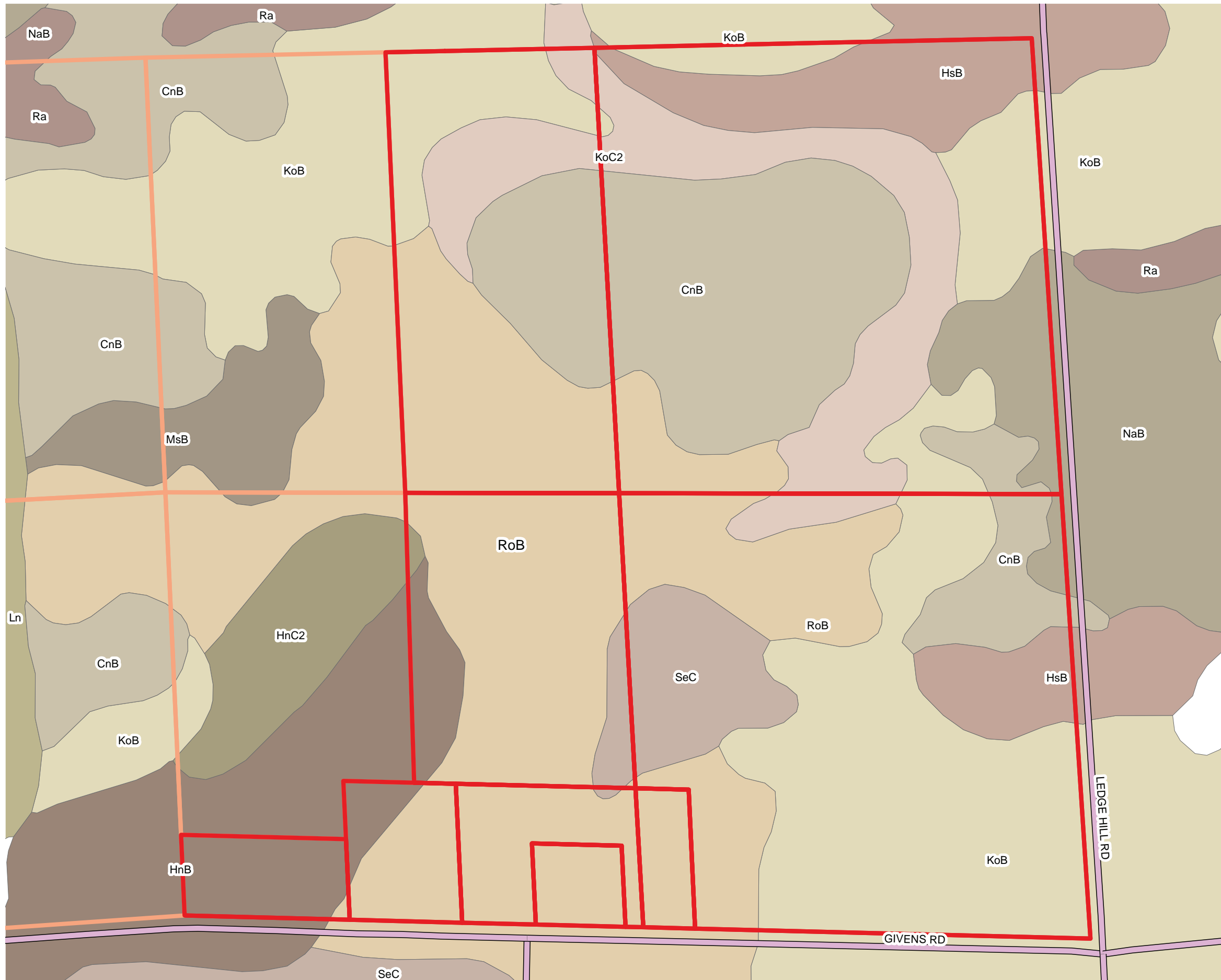







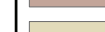
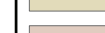






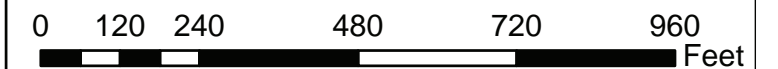


Figure 5
Soil Types



-  Roads
-  Existing Parcels
-  New Parcels
-  CnB- Channahon silt loam
-  HnB- Hortonville fine sandy loam, 2-6% slope
-  HnC2- Hortonville silt loam, 6-12% slope
-  HsB- Hortonville silt loam, bedrock substratum
-  KoB- Kolberg silt loam 1-6% slope
-  KoC2- Kolberg silt loam 6-12% slope
-  Ln- Limestone quarries
-  MsB- Menominee loamy fine sand
-  NaB- Namur silt loam, 1-6% slope
-  Ra- Rock outcrop
-  RoB- Rosseau loamy fine sand
-  SeC- Shawano fine sand, rolling

N



Map created: May 17, 2024







2022 Parcel & Roads Data - Outagamie County GIS
Soils data obtained from U.S. Geological Survey, 2023

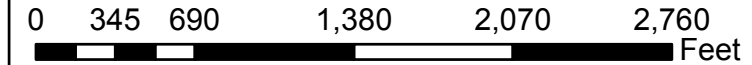
MCC, Inc.
New London Quarry
Section 30, Town of Hortonia
Outagamie County, WI



Figure 6

Property Owners within 1,500 ft

-  Roads
-  1,500 ft Buffer
-  Existing Parcels
-  New Parcels
-  Property Owners within 1,500 ft
-  Parcels outside buffer



Map created: June 4, 2024

2022 Parcel Boundary & Roads Data obtained from
Outagamie County GIS Records
2024 Property owner data obtained from
Outagamie County Parcel Viewer

MCC, Inc.
New London Quarry
Section 30, Town of Hortonia
Outagamie County, WI



1. WILLIAMS, JAMES R
2. WARNKE, CHARLES W
3. BLACK CREEK LIMESTONE CO
4. WALDVOGEL, NATHAN J
5. VEESER, MARK A
6. VANCUYK, ERIC D
7. VANCUYK, ERIC D
8. RUFENACHT, HANS W
9. RILEY, NICOLE J
10. MATHISON, MICHAEL
11. KIEFER REV LIV TRUST
12. JORDAN, CRAIG
13. MANION, TIMOTHY E
14. CLARK, RYAN G
15. BAUER, RANDY J
16. WP FARMS OUTAGAMIE CTY LLC
17. RILEY, NICOLE J

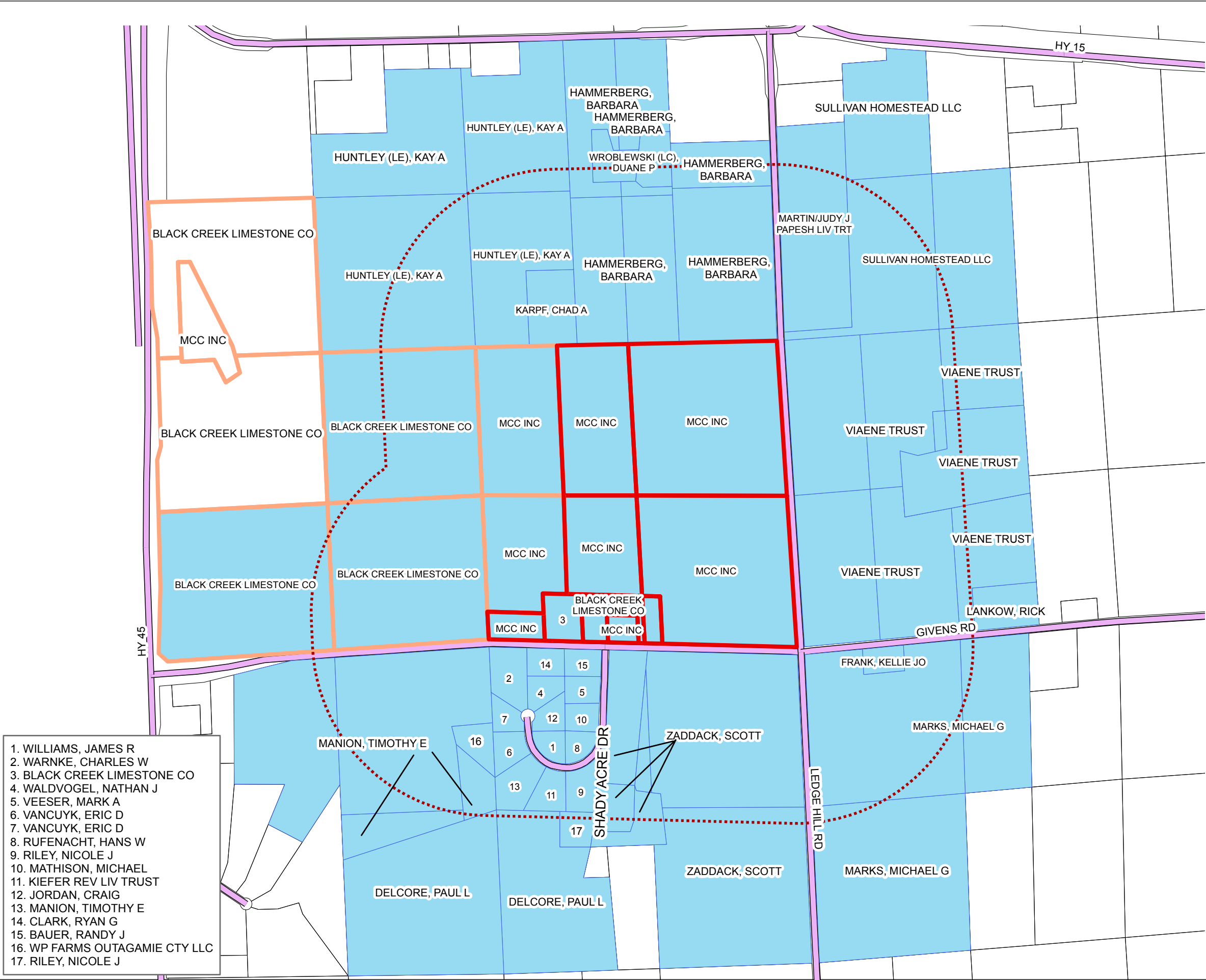
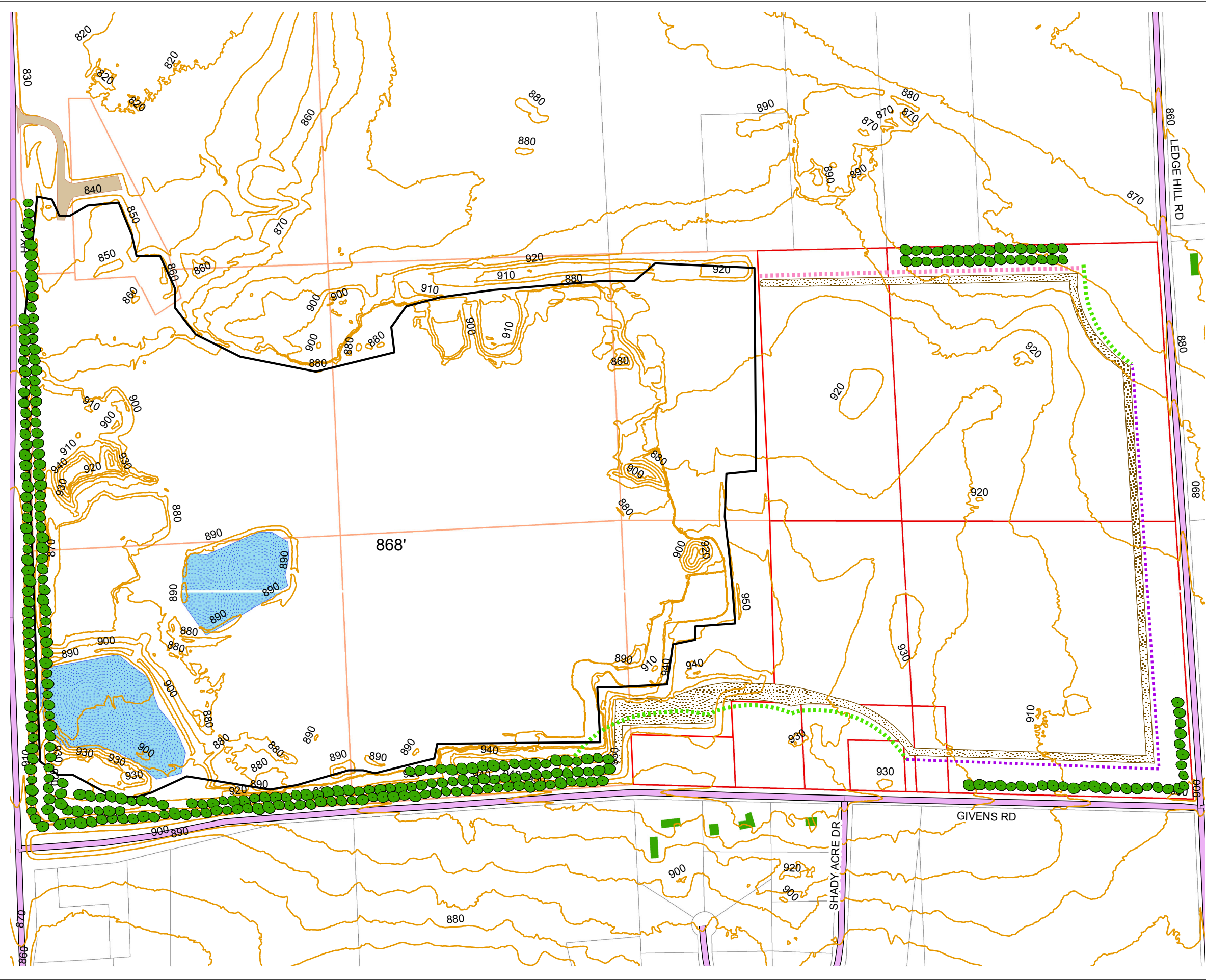
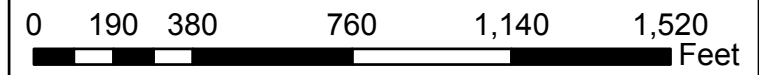


Figure 7

Operation Plan



- 10' Contours
- 100' Setback from Unimproved Property
- 150' Setback from Exterior Boundary
- 500' Setback from Dwelling
- Existing Trees
- Roads
- Hwy 45 Entrance
- Existing Quarry Boundary
- Berm
- Wash Pond
- Human Occupancy Building
- Existing Parcels
- New Parcels









Map created: May 17, 2024

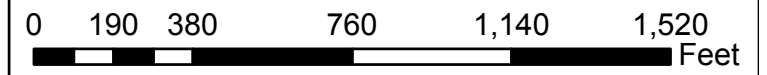
2022 Parcel & Roads Data - Outagamie County GIS
2023 USGS Topo Map obtained from US Geological Survey, 2018. The National Map. Date Accessed April 18, 2024

MCC, Inc.
New London Quarry
Section 30, Town of Hortonia
Outagamie County, WI



Figure 8
Reclamation Plan

-  Existing Trees
-  20' Contours
-  Roads
-  Hwy 45 Entrance
-  Berm
-  Reclamation Area



Map created: May 17, 2024

2022 Parcel & Roads Data - Outagamie County GIS
2023 USGS Topo Map obtained from US Geological Survey, 2018. The National Map. Date Accessed April 18, 2024

MCC, Inc.
New London Quarry
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Outagamie County, WI

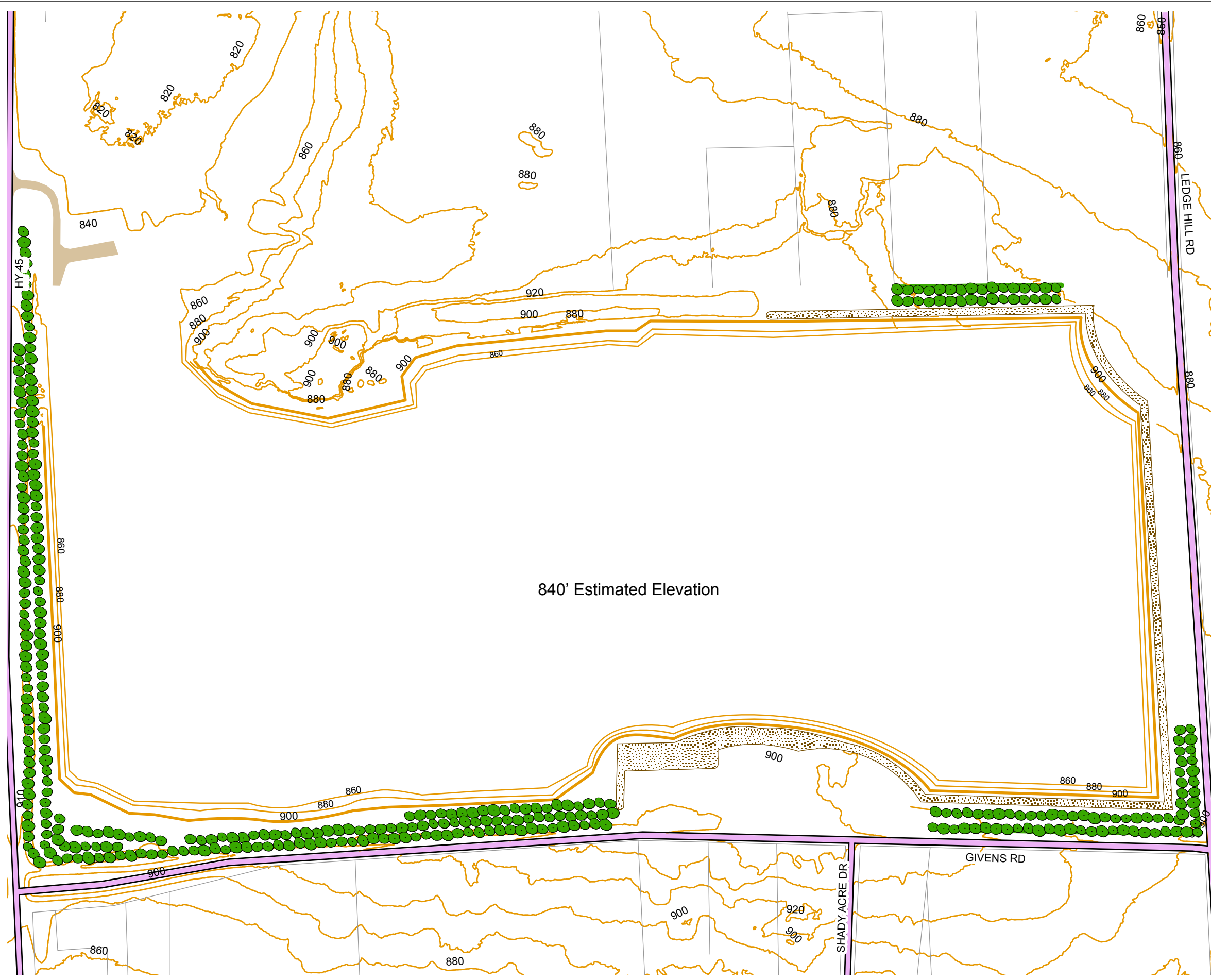
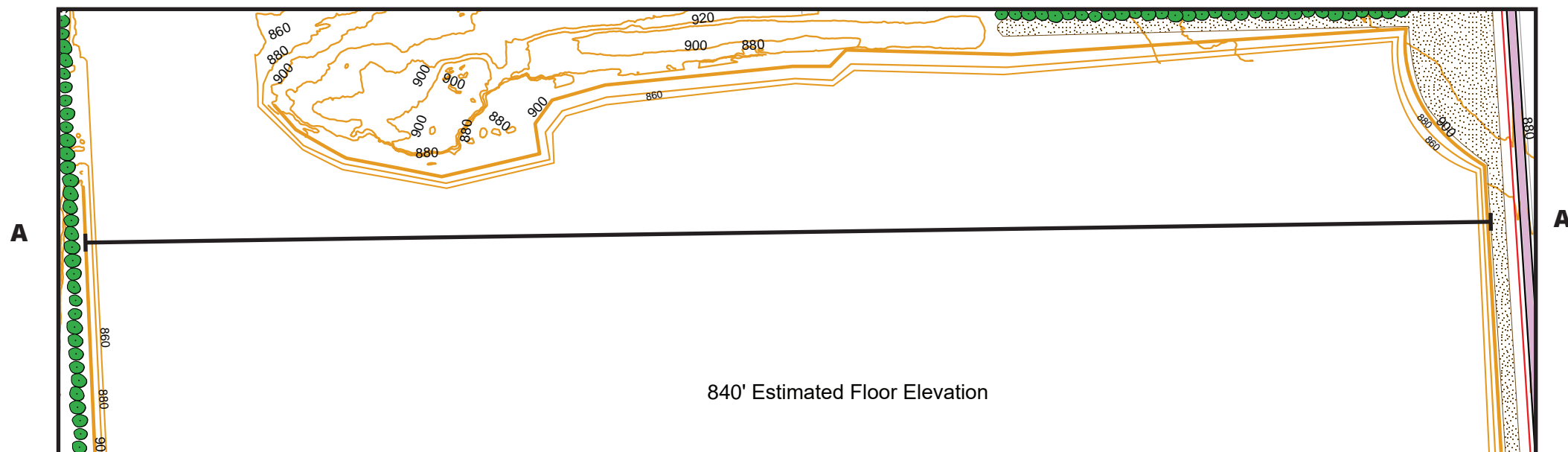
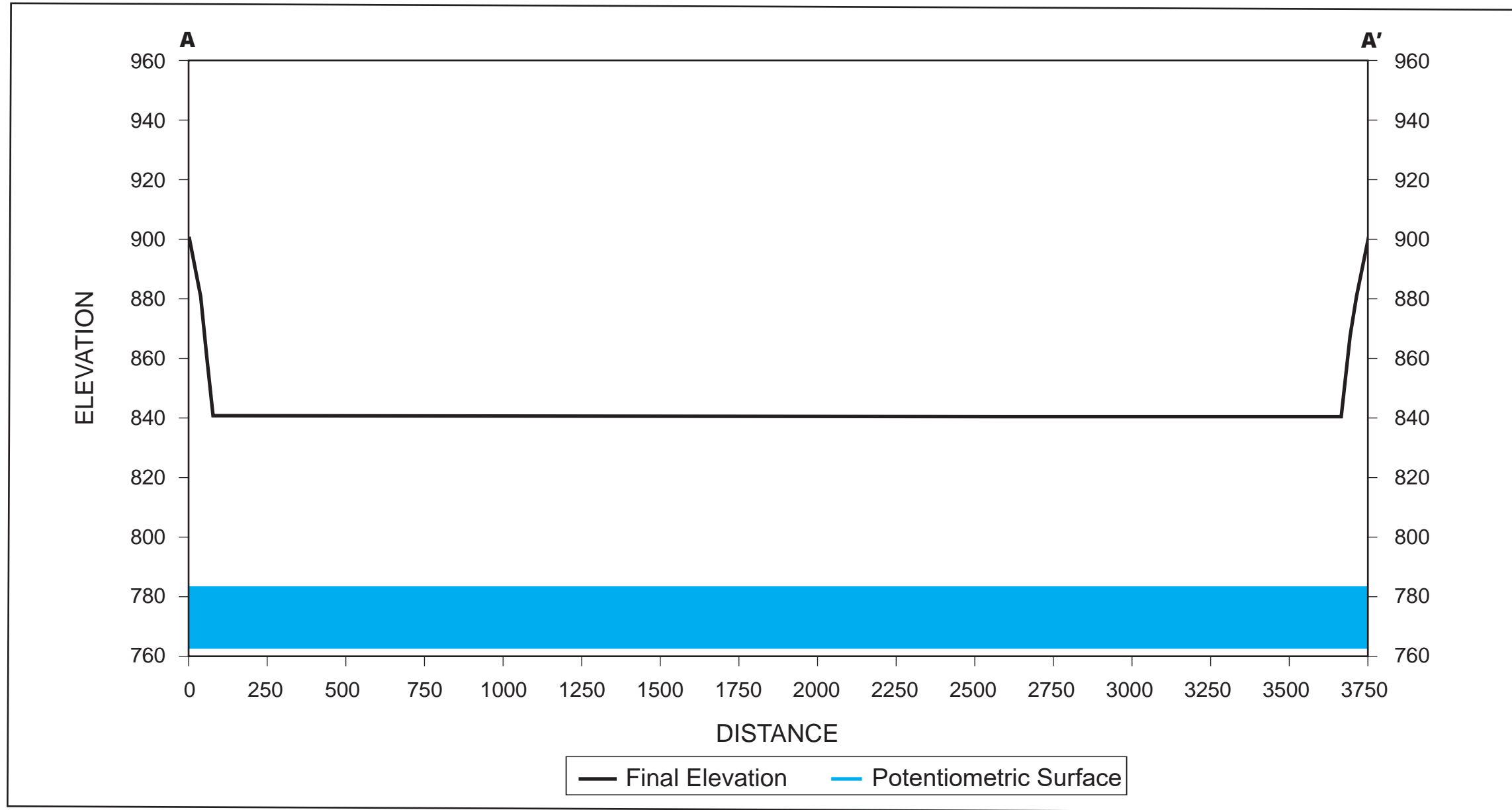


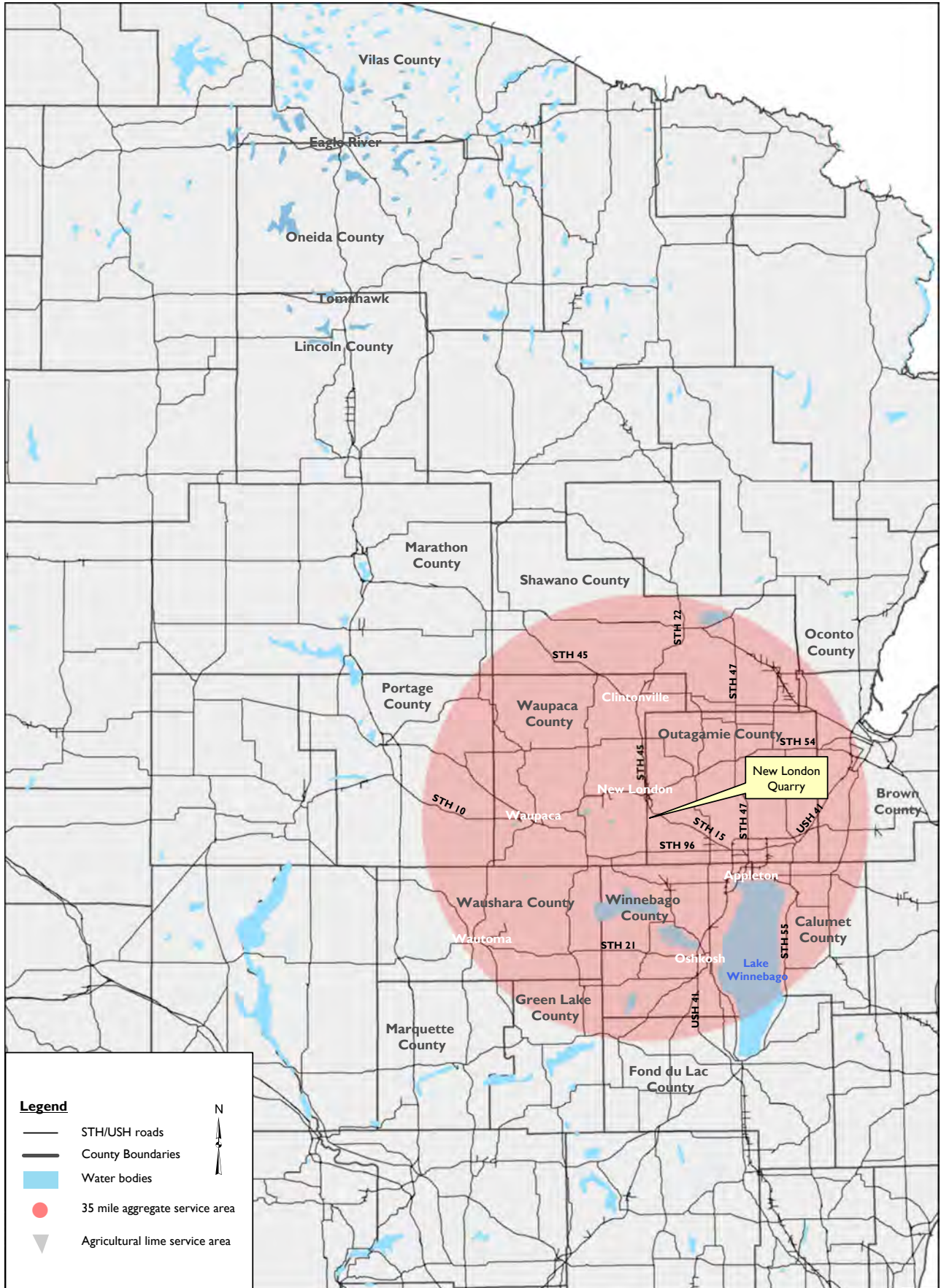
Figure 9
Reclamation Plan Illustrative Cross Section



APPENDIX C

MCC Service Area, Products and Example Projects

MCC, Inc. Service Area



MCC, Inc.
Abbreviated Product List

Blast Run
Rip-rap (8 – 12” and 12-24”)
4-6” Large, Clear Rotten Granite
Breaker Run
Clean breaker Run
Pit Run
Fill Stone
Crushed Pit Run
Select Crushed
Washer Fill
Fill Sand
Clear Stone (various sizes)
3” Clear – Tracking Pad Material
Conveyor Stone $\frac{3}{4}$ ” Clear
 $\frac{3}{4}$ ” Clean Stone
 $\frac{3}{4}$ ” Round Decorative Stone
Crushed Stone (various sizes)
Dense Crusher Run (various sizes)
Chips
Drain Chips
Screenings (various sizes)
 $\frac{3}{4}$ ” Brown Road Stone
5/16” Clean Chips
Washed Natural Sand
Industrial Sand
Torpedo Sand
Mason Sand
 $\frac{1}{2}$ ” Buckshot
Crushed Concrete Stone (various sizes)
Washed Cracked Round Stone ($\frac{3}{4}$ ”)
Sand and Stone, mixed
Manufactured Sand
Recycled Asphalt
Blacktop, Hauled In
Cold Mix
1 $\frac{1}{4}$ ” Recycled Concrete
Broken Concrete, Hauled In

Various products listed can be and are used for concrete and asphalt structures and pavements

MCC New London Quarry – Example Projects List

(2019 to present)

Hortonville Grandview Drive reconstruction - 12,200 ton -- Grandview Drive (by Bethlehem Church & Manley Road), Hortonville

Rawhide – 6,000 ton of recycled asphalt – E7475 Rawhide Road, New London

New London Acres - 5,500 ton – County W (just West of New London High School) & Klatt Road, New London

Hortonville Apartment Complex- 14,200 ton – 121 Givens Road, Hortonville

Hortonville Miller Park - 2,000 ton – 530 W Main St, Hortonville

Titan Industries - 10,000 ton – 735 Industrial Loop Road, New London

Mukwa 2022 HMA Program 2,000 ton – multiple roadways

WisDOT #20 CTH T - 85,000 ton – Givens Road (New London) roundabout & overpass

Wolf River Apartments - 27,000 ton – 305 W Wolf River Ave/Plaza, New London

Red Hills Landfill - 45,000 ton – 1601 County Hwy Z, Kaukauna

New London Subdivision - 4,000 ton

New London water & sewer mains - 7,000 ton – multiple sites/projects

Waupaca County Hwy Dept 2022 & 2023 - 338,000 ton – multiple sites/projects

Outagamie county Hwy Comm - 50,000 ton – multiple sites/projects

Hwy 15 Zignego Concrete aggs & misc - 156,000 ton

Hwy 15 Integrity Grading & Excavating 2022 - 415,000 ton

Hwy 15 Michels - 5,000 ton

- New London - Givens Road roundabout & overpass
- Greenville – Lily of the Valley to All Wheel Ford

Barn Sand and Industrial Sand Sales - 160,000 ton – multiple customers

Anglers Campground - 800 ton -- County Hwy H, Fremont

Appleton Airport - 550 ton -- County Hwy CB, Appleton

Country Vision - 2,100 ton -- Mill Street, Readfield

Shadows on the Wolf - 200 ton 8"-12" Rip Rap -- Bid Eddy's Road and Bamboo Bend, Shawano

Hoewisch Homestead Dairy LLC – 750 ton -- E8411 State Road 96, Fremont

Friendship Valley Dairy – 800 ton -- E8698 Reinke Road, Marion

Wisnefske Excavating LLC – 2,2350 ton -- W8095 Long Lake Drive, Clintonville

Union Threshermans Club – 400 ton -- E6361 Hwy 22, Manawa

Rohan Dairy Farms – 2,600 ton -- N7832 Village Road, Bear Creek

Ricks Excavating Inc – 2,100 ton -- N406 Bellin Road, Fremont

Cash aggregate sales (all local purchases) – 21,60 tons

APPENDIX D

Well Construction Reports Summary

Select Well Construction Reports T22N R15E, Town of Hortonia, Outagamie County

Legal Description	WI Well ID	Property owner* Well type	Install Date	Geologic profile (feet)
NW ¼, NW ¼, Sec. 29	No Well ID	Martin, Judy J LIV TRT (home)	1975	0-6 Clay 6-12 Sand & Gravel Hardpan 12-70 Sand Hardpan 70-75 Clay 75-84 Sand Hardpan 84-88 Sand 88-105 Sand Hardpan W/Clay layers 105-135 Clay W/Sand Layers 135-146 Sand 146-176 Sandstone
NE ½, NW ¼, Sec. 29	No Well ID	Sullivan Homestead LLC (home)	1969	0-2 Clay 2-26 limerock 26-45 limerock 45-80 sandrock & lime 80-150 Sandstone
SW ¼, Sect. 29	No Well ID	Viaene Trust (home)	1967	0-8 clay 8-42 limestone 42-80 sandstone
NE ¼, SW ¼, Sec. 29	OU-1033-D	Viaene Trust (animal waste lagoon/hog farm)	1979	0-3 sand 3-15 clay & stones 15-47 limestone 47-80 sandstone
SW ¼, SW ¼, Sec. 29 W10460 Givens Road	TP839	Viaene Trust (new)	2007	0-27 sand & gravel 27-75 limestone/dolomite 75-80 limestone/dolomite sandstone 80-140 red to pink sandstone
NE ¼, Sec 30	No Well ID	Hammerberg, Barbara (home)	1968	0-2 black dirt & stones 2-20 limestone 20-55 sandstone 55-62 shale 62-70 limestone 70-80 shale 80-120 sandstone
NE ¼, NW ¼, Sec 30	No Well ID	Huntley, Kay (home)	1977	0-1 topsoil 1-17 clay, stone 17-20 quack sand 20-105 clay 105-112 limestone 112-130 sandstone
NE ¼, NW ¼, Sec. 30 W10721 Cross Rd	IE179	Huntley, Kay (new home)	1995	0-1 topsoil 1-103 clay 103-120 limestone 120-140 sandstone
NW ¼, NE ¼, Sec 30 W10681 Cross Rd	TS363	Huntley, Kay (new)	2006	0-1 black, soil-organic 1-33 red, clay 33-96 tan/brown, sand & gravel 96-134 yellow, caving, sandstone 134-200 white, hard/firm, sandstone

NE ¼, SW ¼, Sec. 30 CTY TK D	RX127	Black Creek Limestone (Concrete Plant) 0.4 capacity	2001	0-15 tan/br sand & gravel, limey or dolomite 15-64 tan/brown, hard/firm, hardpan 64-305 hard/firm, sandstone
Sec. 30	No Well ID	MCC	1964	0-5 sand 5-56 limestone 56-98 sandstone 98-100 shale 100-190 sandstone
NE ¼, SW ¼, Sec. 30 HWY 45	WN728	MCC (Wash Plant) 1.8 capacity	2009	0-10 gray limestone/dolomite 10-15 white, limestone/dolomite 15-40 white, sandstone 40-50 tan/brown sandstone, limey or dolomite 50-75 red, limestone/dolomite 75-185 tan/brown sandstone 185-200red, sandstone 200-235 tan/brown, sandstone 235-265 white, sandstone 265-320 tan/brown, sandstone
NW ¼, NE ¼, Sec. 31 Town of Hortonia	DE950	Carl Handschke Builder (414) 740-1632 Subdivision Shady Acre Dr	1990	0-2 black dirt 2-5 sandy clay 5-8 stones and clay 8-26 limestone 26-69 sandstone 69-75 limestone 75-121 sandstone
NE ¼, NW ¼, Sec. 31 Givens Road	DP040	Manion, Timothy (new)	1991	0-2 clay 2-55 limestone 55-82 soft sandstone 82-197 sandstone
NE ¼, Sec. 31	No Well ID	Zaddack, Scott	1977	0-6 sand 6-29 limestone 29-90 sandstone

Source: Well Data from WDNR

*Notes:

- Property owner name at the time of well construction.
- Data as entered on the well construction report.
- May not represent all well construction reports in a given area.
- Locations are not field verified.
- Property owners in Shady Acre Drive/ Bernegger Development/ record of only one well DE950

APPENDIX E

Aggregate Equipment

Aggregate Processing and Construction Equipment

Example aggregate processing and construction equipment includes:

Site Development Equipment

Excavator
Bulldozer
Grader
Scraper
Shoulder machine
Backhoe
Haul truck

Processing and Material Transport Equipment

Crushing units (primary, secondary, tertiary)
Washing units
Screening units
Surge bin
Conveyors/stackers
Front end loader
Crane
Skidsteer
Service truck(s)
Multi-axle dump truck
Haul truck
Scale
Generator
Water Pump

Environmental Control Equipment

Tractor & Seed Spreader
Roller
Water truck
Sweeper

APPENDIX F

Fugitive Dust Control Plan

Fugitive Dust Control Plan

I. Site Roadways / Plant Yard

A. The dust on the site roadways/plant yard shall be controlled by applications of water, calcium chloride or other acceptable and approved fugitive dust control compounds. Applications of dust suppressants shall be done as often as necessary to meet all applicable emission limits.

B. All paved roadways/plant yards shall be swept as needed between applications.

C. Any material spillage on roads shall be cleaned up immediately.

2. Plant

A. The drop distance at each transfer point shall be reduced to the minimum the equipment can achieve. The transfer point from the re-circulating belt to the feed belt shall be equipped with an enclosed chute.

3. Storage Piles

A. Stockpiling of all nonmetallic minerals shall be performed to minimize drop distance and control potential dust problems.

B. Stockpiles shall be watered on an as needed basis in order to meet the opacity limits. Also, equipment to apply water or dust suppressant shall be available at the site, or on call for use at the site, within a given operating day. A record of all watering shall be kept on file and be made available to the Department upon request.

4. Truck Traffic

A. On-site: Vehicles shall be loaded to prevent their contents from dropping, leaking blowing or otherwise escaping. This shall be accomplished by loading so that no part of the load shall come in contact within six (6) inches of the top of any side board, side panel or tail gate, otherwise, the truck shall be tarped.

5. Department Inspection

A. The provisions and procedures of this plan are subject to adjustment if following an inspection and written notification, the Department finds the fugitive dust requirements and/or permitted emission limits are not being met.

APPENDIX G

Stormwater Pollution Prevention Plan

STORM WATER POLLUTION PREVENTION PLAN MCC, INC.

Introduction and Purpose

MCC, Inc. produces aggregates at their dolomite quarries and sand pits located in Northeast Wisconsin. Material from each site is excavated, processed and delivered using one or more combinations of stripping, blasting, excavating, crushing, screening, washing and loading equipment.

This storm water pollution prevention plan has been developed to identify potential pollutants associated with these operations to minimize their exposure to sensitive waters of the State through contractor education, and the best management practices (BMPs) described herein.

Responsibility

The official responsible for training and implementation of this storm water pollution prevention plan is:

Michelle Sasman
MCC, Inc.
2600 N. Roemer Road
Appleton, Wisconsin 54911
(920) 749-3360

Contractor Education

It is the responsibility of all contractors to recognize, report and/or respond to potential environmental concerns at the site. All contractors shall review and comply with the attached best management practices to protect surface water and ground water as a condition of their work. Field crews and petroleum delivery drivers shall additionally receive training in pollution prevention best practices, including good housekeeping, proper erosion and sediment control, safe petroleum product handling, and proper equipment maintenance and inspection procedures.

Potential Pollutants and Best Management Practices

There are two general types of potential pollutants at the site. These include: (1) sediment, and (2) petroleum products such as fuels and/or lubricants. The following section describes potential pollutant sources and BMPs for prevention of their release to sensitive waters of the state.

BMPs for Site Preparation

Site preparation activities such as topsoil and/or overburden stripping, berm construction, and/or the establishment of an access drive can release sediments, allowing their capture into storm water. Soils containing a high percentage of silt or clay, and those located near water ways, wetlands or on steep slopes pose the highest risk for erosion and sediment runoff, particularly during periods of high precipitation.

Proper site planning is the best approach to prevention. The following BMP's are effective controls for soil erosion and sediment control under changing site conditions:

- Develop the site incrementally, preserving existing vegetation (where possible) along the perimeter of the excavation.
- Divert surface water away from disturbed areas.
- Prevent tracking from the entrance of the site. This can be done in a number of ways: (1) restricting on-road vehicles to stabilized or paved areas, (2) diverting surface water runoff away from roadway surfaces, (3) constructing a gravel tracking pad, or (4) inspecting and cleaning up material tracked onto adjacent roadways.
- Contain surface water runoff within the excavation so suspended sediments in surface water are captured and filtered as the surface water filters downward to the ground water.
- Construct berms with stable slopes (typically 3:1 or less), away from sensitive wetlands or waterways.
- Stabilize berm areas upon construction with perennial vegetative cover using a WDOT #10 mix or equivalent.
- Evaluate runoff at outfalls, near wetlands and waterways, or areas of steep slopes to evaluate the need for additional erosion controls such as those outlined in the Wisconsin Construction Site Best Management Practices Handbook, and Wisconsin DOT handbook. These controls may include, but are not limited to the temporary erection of silt fence, sediment traps, straw bails or natural or synthetic matting or netting, or the permanent construction of grassed swales, rock dams, and/or sediment retention ponds.

BMPs for Material Processing and Loading

Nonmetallic mineral processing requires the physical reduction, sizing and/or washing of natural earth materials. Portable processing equipment is used to produce various-sized material stockpiles. This equipment is used intermittently at the site to produce the needed construction aggregates. MCC and/or their trained subcontractors may elect to implement any one or more of the following BMPs to minimize risk from sediment to storm water and nearby surface water bodies during processing and loading:

- Maintain internal drainage of the site for the duration of the processing cycle.
- Use conveying equipment to stockpile sand and crushed stone products away from major transportation routes within the site.
- Manage bulk storage piles following the BMPs described in WDNR publication "Storage Pile Best Management Practices" WT-468-96, when placed outside of the internally-drained limits of the excavation.
- Properly size wash ponds to have sufficient storage capacity for wash out purposes, as well as a 10-year storm event.
- Routinely remove fines generated from crushing, screening or conveying operations to a secure area to prevent buildup and off-site tracking.
- Load out within the area of extraction, being careful to avoid over spilling from trucks.
- Site all processing equipment away from surface water bodies; preferably below grade within the area of extraction.*

* Note: When a plant must be placed in an area where additional containment is needed because of the amount of fines being produced; field employees may elect to construct berms or temporary basins for collection and

control of sediment-laden water. Necessity of construction is based on slope of plant site, the area drained, soil type, and proximity to receiving waters, and shall be designed in accordance with WDNR “Construction Site Best Management Practices” handbook to capture a 10-year storm event. Other influences may be considered on a site-specific basis as needed to fulfill the purpose of the plan.

BMPs for Maintenance of Roads, Erosion Controls, and Wash Ponds

Roadways, temporary and permanent erosion control structures, and wash ponds need to be maintained to ensure optimum performance. Routine maintenance is scheduled on an as-needed basis and may include any one or more of the following:

- Routinely inspect topsoil and overburden berms for signs of erosion.
- Clean out sediment from retention and/or wash ponds as-needed and store in a secure area of the site.
- Refresh the tracking pad and/or sweep sediments from paved roadways.
- Remove silt fence, straw bales or other temporary erosion controls when surface soils have been stabilized.

BMPs for Mobile Fueling of Heavy Equipment

Fuel is delivered to nonmetallic processing sites as they are in other, rural areas. Local supply trucks are equipped with spill control and containment equipment. The truck arrives during working hours to fuel necessary equipment and loaders or related storage. Where present, fuels are in operating equipment, in containment, or inside protective areas (i.e., building or storage vessel) onsite. BMPs associated with fueling may include:

- Keeping spill kits up to date
- Assisting tanker drivers as needed to provide safe and effective transfer of fuels.
- Monitoring bulk shipment deliveries at all times to prevent overfilling.
- Providing spill containment and recovery assistance in the event of a spill.

BMPs for Maintenance and Repair of Equipment

Petroleum fluids such as oil lubricants or grease can impact sensitive waters of the State. The following BMPs have been provided as means of prevention.

- Follow manufacturer’s specifications when greasing bearings and wear surfaces.
- Repair leaking seals on mechanical equipment.
- Avoid overfilling gearboxes and crankcases; prevent spills during oil changes.
- Maintain an ample supply of absorbent material for routine maintenance and petroleum spills
- Properly store and secure petroleum products to avoid their contact with storm water.
- Store waste oil in spill proof containers for off-site disposal.
- Discard soiled towels in flame resistant containers (do not burn).
- Fully service and inspect engines and gearboxes in the off-season to eliminate leaking seals, fuel lines and gaskets

Petroleum Spill Response

Operating equipment used at the site is equipped with supplies to respond to a potential petroleum release. Housekeeping supplies, including drip pans, booms, pads, oil dry and/or other absorbent materials are kept with the equipment at all times. Operators have access to these materials and are instructed in their use. Other resources may be mobilized to mitigate the effects of a petroleum release, such as subcontractors, additional equipment or personnel if required.

Storm Water Inspections

Nonmetallic mineral processing operations are inspected at two levels, at the operating level (equipment processing), and ground level. During processing (crushing, screening or washing), equipment is inspected daily to ensure that all equipment is functioning properly, all valves are closed, hoses and lines are secure, and significant petroleum products properly stored and secure. Ground and surface water conditions are inspected for erosion, sediment, fuels, pH, or other deleterious conditions at off-site discharge locations. In addition, water collected in on-site-basins, such as retention or wash ponds, is routinely inspected for evidence of petroleum sheen or odor.

Storm water controls and their effectiveness on the entire site are reviewed on an annual and/or quarterly basis, depending upon site status as internally or externally drained. SWPPP deficiencies are noted and addressed as needed.

APPENDIX H

Property Owners List

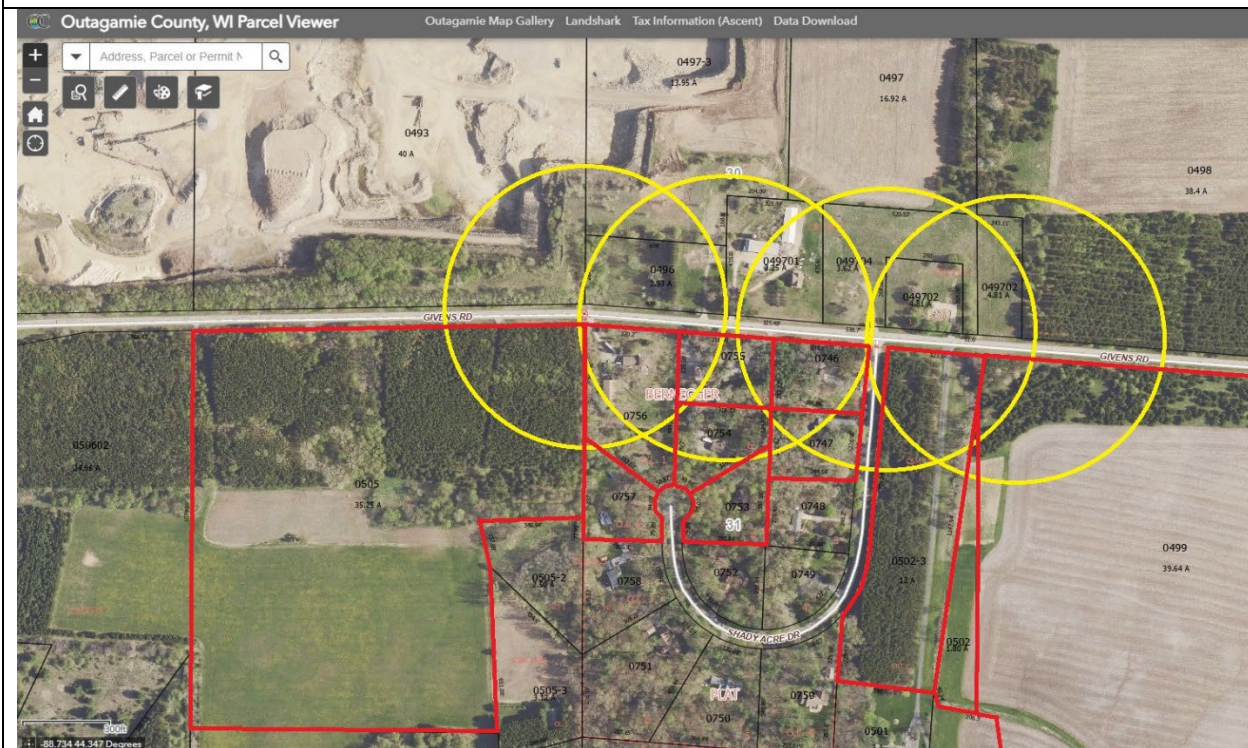
Property Owners Surrounding the Planned New London Quarry Expansion

Name	Mailing Address	200 feet	500 feet	1,500 feet
Marks, Michael G	W10329 Givens Rd. Hortonville, WI 54944			x
Viaene Trust	W10460 Givens Rd. Hortonville, WI 54944			x
Zaddack Scott & Catherine	W10607 Givens Rd. New London, WI 54961	x	x	x
Frank, Kellie	W10457 Givens Rd. Hortonville, WI 54944			x
Warnke, Charles	W10689 Givens Rd. New London, WI 54961	x	x	x
Clark, Ryan & Rasch, Amy	W10655 Givens Rd. New London, WI 54961	x	x	x
Huntley, Kay & Lathrop, Leonard	W10729 Cross Rd. New London, WI 54961			x
Hammerberg, Barbara	W10577 Cross Rd. New London, WI 54961			x
Sullivan Homestead LLC	N2615 Glockenspiel La. Appleton, WI 54913			x
Papesh, Martin & Judy LIV TRUST	N3230 Ledge Hill Rd. New London, WI 54961			x
Wroblewski, Duane & Linda	E9598 Manske Rd. New London, WI 54961			x
Karpe, Chad & Kim	N3213 State Rd 15 Hortonville, WI 54944			x
Lancow, Rick	W10380 Givens Rd. Hortonville, WI 54944			x
Delcore, Paul L	W2333 County Road UU Appleton, WI 54913			x
Manion, Timothy & Melody	N2788 Shady Acre Dr. New London, WI 54961	x	x	x
Riley, Nicole & Hansen, Coalter	N2814 Shady Acre Dr. New London, WI 54961			x
Kiefer Rev LIV Trust, Paul & Nancy	N2802 Shady Acre Dr. New London, WI 54961			x
Vancuyk, Eric	N2776 Shady Acre Dr. New London, WI 54961		x	x
Waldvogel, Nathan & Michelle	N2761 Shady Acre Dr. New London, WI 54961		x	x
Jordon, Craig & Amy	N2767 Shady Acre Dr. New London, WI 54961		x	x
Bauer, Randy	N2893 Shady Acre Dr. New London, WI 54961	x	x	x
Veesser, Mark & Beth	N2879 Shady Acre Dr. New London, WI 54961		x	x
Rufenacht, Hans & Jennifer	N2835 Shady Acre Dr. New London, WI 54961			x
Mathison, Michael & Heidi	N2855 Shady Acre Dr. New London, WI 54961			x
Hughes, Melody	N2788 Shady Acre Dr. New London, WI 54961			x
Williams, James	N2795 Shady Acre Dr. New London, WI 54961			x

- source: www.outagamie.gov as of June 4, 2024; see also Figure 6, Appendix B,



Property owner locations within 200 feet



Property owner locations within 500 feet

Source: Outagamie County online GIS platform (June 24, 2024)

APPENDIX I

NRCS Critical Area Planting and Guidelines for Herbaceous Stand Evaluation

Critical Area Planting

(Acre)
Code 342

Natural Resources Conservation Service
Conservation Practice Standard

I. Definition

Planting vegetation, such as trees, shrubs, vines, grasses, forbs, or legumes on highly erodible or critically eroding areas.

II. Purposes

The purposes of this practice are to revegetate bare soils and stabilize eroding sites.

III. Conditions Where Practice Applies

This practice applies to sites where bare soils and erosion are found in conjunction with agriculture, construction, forestry, mining, and wetland restoration activities and where natural revegetation is unlikely to occur.

This practice does not apply to tree planting mainly for wood products.

IV. Federal, State and Local Laws

Critical area planting practices shall comply with all federal, state and local laws, rules or regulations. The operator is responsible for securing required permits. This standard does not contain the text of the federal, state or local laws.

V. Criteria

- A. **Site Assessment** - A site assessment shall be conducted, documented, and incorporated into the design. The assessment shall be performed to determine physical site characteristics that will influence the appropriate seeding mixture and establishment procedures. The site assessment shall include evaluation of: soil characteristics, aspect, slope, exposure to sunlight, proximity to natural plant communities, proximity to nuisance, noxious and/or invasive species, site history, moisture regime, climatic patterns, soil fertility, and previous herbicide applications.

- B. **Site Preparation** - Site preparation activities shall include:

1. **Slope Stabilization** - Grade to a stable slope when shaping. For slopes steeper than 2H:1V, special practices such as *soil bioengineering*¹ may be required. These practices shall follow approved design procedures located in the NRCS Engineering Field Handbook (EFH), Chapter 18. Eliminate all overfalls. The toe of the slope, or the outlet of the concentrated flow channel, shall be stable before attempting seeding on the slope. In some cases, concentrated flow may need to be diverted during establishment period.
2. **Topsoiling** - A minimum of 4 in. of friable soil material or topsoil shall be added and mixed to exposed rocky, sandy, gravelly, shaley material, or extremely fine textured subsoil.
3. **Seedbed Preparation** - Do not use conventional tillage where desirable vegetation is already present or where the site is environmentally sensitive.

During recommended seeding periods seedbed preparation shall immediately follow construction activities. For seeding outside recommended seeding periods other erosion control methods such as applying mulch or seeding temporary cover, shall be performed. Seedbed preparation methods include:

- a. **Conventional Tillage** - Prepare a tilled, fine, but firm seedbed. The seedbed shall contain enough fine soil particles for uniform shallow coverage of the seed and contact with moisture and nutrients.

When preparing a site for *native species*, it is important to have a firm seedbed. Cultipack or roll before and after seeding if broadcast.

- b. **No-Till** - Control existing vegetation through mowing, burning, or herbicide

¹Words in the standard that are shown in italics are described in X. Definitions. The words are italicized the first time they are used in the text.

application. If desirable species are present, consider spot treatment to control unwanted species.

4. Fertilization

- a. When using introduced species on dry, dry-mesic, and mesic sites, ensure proper pH and fertility. In lieu of soil testing, apply a minimum of 150 lbs. Of 20-10-10, and 2 tons of 80-85 lime or equivalent.
- b. For native species, fertilizer and lime are not recommended.

C. Seeding

1. Seed Selection - Seeding rates are based on pounds or ounces of *Pure Live Seed (PLS)* per acre. Where seed germination and purity can not be assured, a waiver will be required from the State Agronomist.

Use *introduced species* only in places where they will not spread into existing natural areas. For example, a dam is constructed in the middle of a pasture that is composed of bluegrass, quackgrass and smooth brome grass. Since abundant introduced species surround the dam, it could be seeded with either the standard mesic native mixture composed of native species or introduced species mix #6, which is composed of introduced species. Another example is if an embankment is constructed as part of a wetland restoration which is adjacent to an existing natural wetland. Introduced species would grow in this location, but due to the presence of the natural wetland, the embankment shall be seeded with a native species mix.

a. Seed mixtures-**Native Species**

Where available, local *genotype* species are preferred. Refer to Agronomy Technical Note 5 and the following guidelines to develop your seed mixture, considering cost and availability of seed. Example seed mixtures are shown in Table 4.

- (1) For *dry*, *dry-mesic*, and *mesic sites*: For these mixtures select: 4 grasses (a minimum total of 80 oz. (5 lb.)/acre of grass seed, each grass to be seeded at a minimum of 8 oz./acre), plus 5 forbs, including 1 legume. Forbs must be seeded at a minimum of 6 seeds/ft². This guideline should result in a

mixture containing a minimum of 30 seeds/ft².

- (2) For *wet-mesic* and *wet sites*: Seed mixtures may be developed from Agronomy Technical Note 5 using the following guidelines. For seeding at these sites, select 8 species, with a minimum of 3 from forbs and 3 from grass/sedge/rush. Apply a minimum of 16 oz. PLS per acre.

b. Seed Mixtures - **Introduced species**

Plant mixtures that are potentially invasive and harmful to native plant communities shall be evaluated prior to seeding. See Table 5 for standard seeding mixtures for introduced species. See Table 6 for guidelines for custom seeding mixtures for introduced species. When designing a custom mixture, 50% of the mixture must be grass.

2. Concentrated Flow Channels - For dry, dry-mesic, and mesic sites seed introduced species. For wet-mesic sites, consider using native species. For wet sites use native species.
3. Inoculation - Legume seed shall be inoculated in accordance with the manufacturer's recommendations. When seeding with a hydroseeder, the amount of inoculant shall be increased 5 times the recommended rate. Inoculant shall not be mixed with liquid fertilizer.
4. Methods - Seed grasses and legumes no more than ¼ in. deep. Distribute seed uniformly. Mixtures with low seeding rates require special care in sowing to achieve proper seed distribution. Seed may be broadcast or drilled, as appropriate for the site. If drilled, proper calibration is essential.
5. Seeding Dates - Tables 1 and 2 show typical dates for normal seasons. Specific seasonal conditions may require adjustments to the seeding dates. Date of seeding is a critical factor in determining whether a seeding will succeed or fail. The specific date that provides the best chance for success will vary from year to year with prevailing moisture and temperature conditions. Planting at either end of the allowable range is riskier than the middle of the range. See Figure 1 for planting zones.

Figure 1

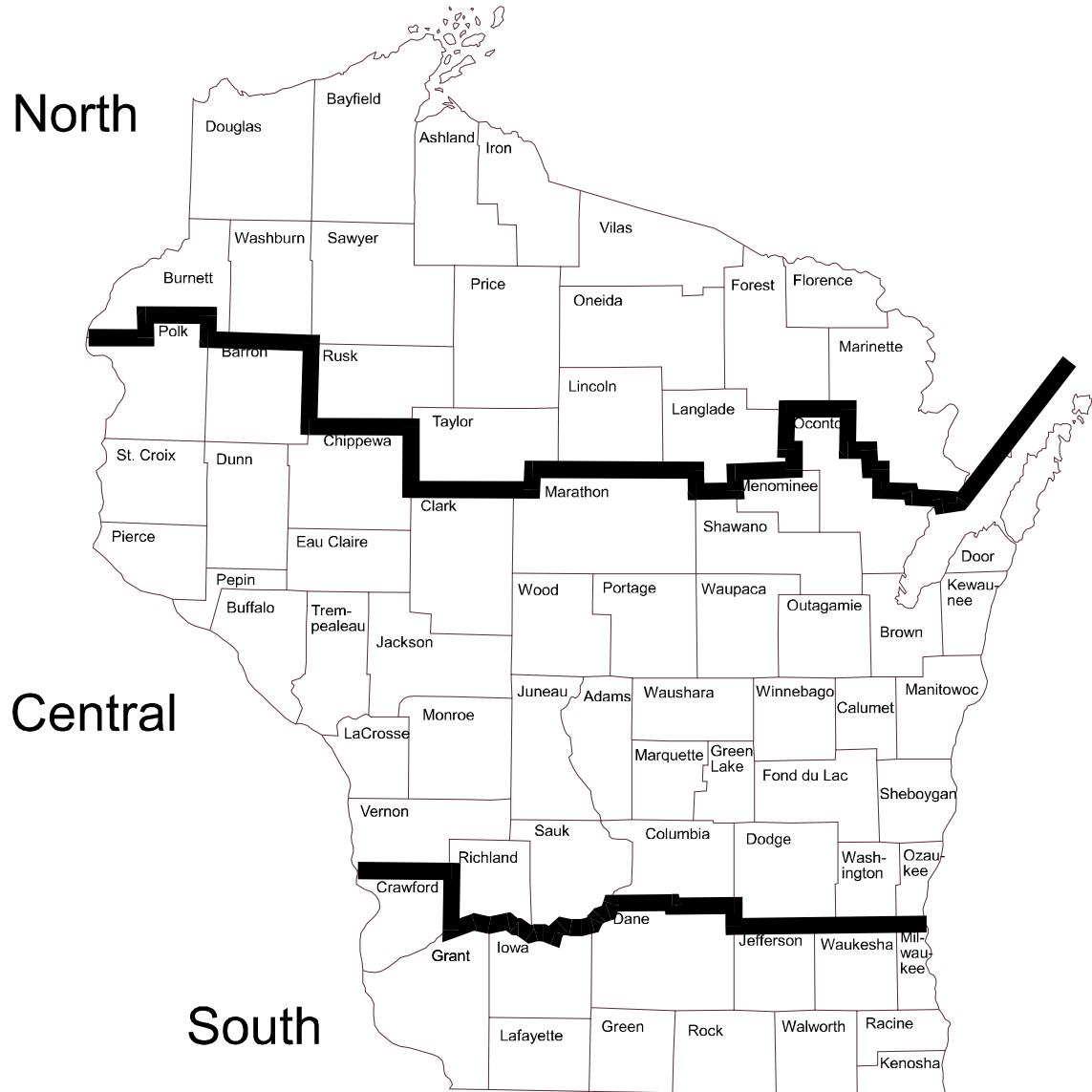


Table 1 - Seeding Date/Ranges for Native Mixtures

	Spring Seeding	Fall Dormant Seeding
Northern Zone	Thaw - 7/15	10/8 - Snow Cover
Central Zone	Thaw - 6/30	10/15 - Snow Cover
Southern Zone	Thaw - 6/30	11/1 - Snow Cover

Table 2 - Seeding Date Ranges for Introduced Grasses and Legumes

	Spring	Late Summer
North	5/1 - 6/15	7/15 - 8/10
Central	4/15 - 6/1	8/1 - 8/21
South	4/1 - 5/15	8/7 - 8/29

- a. Dormant Seeding - Dormant seeding for introduced specie plantings occur when construction is completed and seedbeds are prepared between the end of the late summer seeding period and November 1. Seeding will be done after November 1. These seeding dates are risky. A split application of seed may also be made, using half in November and the balance in the early spring.
- b. Frost Seeding - Frost seeding is only available for introduced specie plantings. Frost seeding is sowing the seed on the soil surface that has been made friable by freezing and thawing. The soil surface is usually "honeycombed" with small cracks. These seeding are made beginning in late February and March in the south through mid April in the north. Seeding is on seedbeds which were prepared in the fall and were limed, fertilized, and mulched according to needs, and where a fall seeding of an annual crop may have been established for temporary protection. No

further seedbed preparation is required. Frost seeding shall not be made on areas covered with ice or snow. Do not frost seed into winter wheat or winter rye.

- 6. Companion Crop - Where erosion is a concern, a companion crop or mulching will be used.
 - a. For Introduced Mixtures - Oats, barley, winter wheat, rye, or spring wheat shall be seeded at the rate of 1½ bushels/acre in the spring or fall. Annual rye grass may be used in lieu of small grain at the rate of 3 lb/acre. With the exception of annual ryegrass, the companion crop shall be mowed before heading. Mow 8 - 10 in. high to avoid harm to the permanent seeding.
 - b. For Native Mixtures - Where planting a companion crop, use a mixture which contains: Canada Wild Rye (*Elymus canadensis*), seeded at 1-2 lbs. PLS/acre or Side-oats Grama (*Boutelouea curtpendula*), seeded at 1-2 lbs. PLS/acre, or Oats (*Avena sativa*) seeded at ½ bushel/acre (spring only).
- 7. Temporary Cover Crop - Areas needing protection during periods when permanent seedings are not made shall be seeded to annual species for temporary protection. See Table 3 for seeding rates. The residue from this crop may either be incorporated into the soil during seedbed preparation at the next permanent seeding period or left on the soil surface and the planting made as a no-till seeding or frost seeding. Do not seed temporary covers after October 15 in the southern and central zones and October 1 in the northern zone.

Table 3 - Temporary Cover Crop

Species	Rate/Acre
Oats	3 bushels
Corn (drilled)	3 bushels
Sudangrass	35 pounds
Cereal Rye ¹	2 bushels
Winter Wheat ¹	2 bushels
Annual Ryegrass	25 pounds
¹ Rye and winter wheat will be destroyed by seedbed preparation at next permanent seeding period.	

8. Mulching - Construction that exposes sand, gravel, or rocky material shall be mulched after seeding. Steep areas that are topsoiled shall be mulched. After the seeding period has passed, mulch shall be applied for protection on all disturbed areas subject to erosion. If companion or temporary cover crops are being used, mulching may not be necessary unless site conditions dictate the use. Mulch shall be applied following criteria outlined in NRCS Field Office Technical Guide (FOTG) Section IV, Standard 484, Mulching.
9. Protection - Protect all critical area plantings from animals and traffic (vehicle or foot) during the establishment period. In some cases, silt fences and/or erosion control matting/netting may be needed to protect the seeding.

VI. Considerations

- A. Consider seeding at a lower rate and making 2 passes to ensure adequate coverage. Check seed boxes regularly to ensure even distribution.
- B. Heavy traffic and/or compacted soil areas may need special site preparation prior to seeding.
- C. Sprigs, root stocks, crowns, cones, culms, and sod may be considered where appropriate.
- D. Woody shrubs or trees may be used only after initial stabilization. Plant in accordance with the purpose of the planting. See NRCS FOTG Section IV, Standard 612 - Tree Planting, Standard 562 - Recreation Area Improvement, Standard 580 - Streambank and Shoreland Protection, and the DNR Interim Best Management Practice Shoreline Habitat Restoration for Developed Areas. Also see NRCS Engineering Field Handbook, Chapter 16, Streambank and Shoreline Protection and Chapter 18, Soil Bioengineering for Upland Slope Protection and Erosion Reduction.
- E. Consider using carriers such as vermiculite, sawdust, and soybean meal to increase volume and weight for uniform distribution.
- F. Consider limited or no use of herbicides one year prior to seeding. If herbicides must be used, be sure there is no potential for carryover.

VII. Plans and Specifications

Specifications for establishment and operation of this practice shall be prepared for each field or treatment unit according to the Criteria, Consideration, and Operation and Maintenance sections described in this standard. Specifications shall be recorded using approved specification sheets, job sheets, narrative statements in the conservation plan, or other acceptable documentation.

VIII. Operation and Maintenance

- A. Noxious weeds and other undesirable species must be controlled at all sites. During the first year, mow native plantings at 30-day intervals or when weeds are 18"-24" high. Mowing height should range from 6"-12". Spot spraying or hand pulling may be needed for some noxious species such as Thistles and Purple loosestrife.
- B. Sites may require periodic maintenance consisting of mowing, burning, or herbicide treatment.
- C. Sites should be inspected periodically to ensure objectives are being met.

IX. References

- Curtis, J. T. 1959. *The Vegetation of Wisconsin: an ordination of plant communities*. University of Wisconsin Press, Madison, Wisconsin, 657pp.
- Henderson, R. A. 1995. *Plant Species Composition of Wisconsin Prairies: an Aid to Selecting Species for Plantings and Restorations Based Upon University of Wisconsin-Madison Plant Ecology Laboratory Data*. Wisconsin Department of Natural Resources Technical Bulletin No. 188.
- Ladd, D. and Oberle, F. 1995. *Tallgrass Prairie Wildflowers, A Field Guide*. The Nature Conservancy.
- Nichols, S. and Entine, L. 1976. *Prairie Primer*. University of Wisconsin - Extension, publication G2736, 44pp.
- Packard, S. and Mutel, C. 1997. *The Tallgrass Restoration Handbook for Prairies, Savannas and Woodlands*. Society for Ecological Restoration, 463pp.

Rock, H. W. 1971. *Prairie Propagation Handbook*. Boerner Botanical Gardens, 60pp.

United States Department of Agriculture - Natural Resources Conservation Service. Engineering Field Handbook, Chapters 16 and 18.

United States Department of Agriculture - Natural Resources Conservation Service-Wisconsin, Agronomy Technical Note 5.

United States Department of Agriculture - Natural Resources Conservation Service. Wisconsin Field Office Technical Guide, Section IV, Standards 612, 562, and 484.

X. Definitions

Soil Bioengineering (V.B.1) Practice of combining mechanical, biological and ecological concepts to arrest and prevent shallow slope failures and erosion.

Dry Prairies (V.C.1.a.(1)) Dry Prairies occur mostly on somewhat excessively drained and excessively drained soils. This would include soils such as; Sparta, Impact and Plainfield.

Dry-Mesic Prairies (V.C.1.a.(1)) Dry-Mesic prairies are transitional prairies between Dry Prairie and Mesic Prairie. They occur on some somewhat excessively drained and some well drained soils. Examples of Dry-Mesic soils would include Billett, Dickinson and Rassett.

Genotype (V.C.1.a) A group of individual plants which share a specified genetic makeup. For example, all big bluestem plants that are genetically adapted to grow and mature in the climatic conditions found in the driftless region could be considered a genotype.

Introduced Species (V.C.1.) Plant species that historically would not have been found in North America until they were brought here by travelers from other parts of the world. This would include smooth brome grass and alfalfa. Some of these species may have a wide distribution such as Kentucky bluegrass.

Mesic Prairie (V.C.1.a.(1)) Mesic Prairies will be found on most moderately well and well drained soils which have moderate to very high Available Water Capacity. Mesic Prairies also occur on some somewhat poorly drained soils with low or very low available water capacity or perched water tables. Mesic prairies would be expected on soils such as; Markham, Varna, Parr, Plano, Dresden, Warsaw, Tama, and Downs.

Native Species (V.B.3.a.) Plants species that historically would have been found growing in North America such as Big bluestem or Green needle-grass.

Pure Live Seed (PLS) (V.C.1.) A relative value representing the quality of the seed of a given specie. PLS is calculated by multiplying the percent germination times the percent purity.

Wet-Mesic Prairie (V.C.1.a.(2)) Wet-Mesic prairies are transitional between Wet Prairie and Mesic Prairie. Most Wet-Mesic Prairies occur on somewhat poorly drained soils. Wet-Mesic Prairies would occur on soils such as Beecher, Elliott, Lamartine, Locke, Elburn, Kane, Matherton, Muscatine, Curran and Rawley.

Wet Prairie (V.C.1.a.(2)) Wet prairies occur on soils with poor and very poor drainage. They can also be found on some frequently flooded sites. Wet prairies can be found on soils such as; Ashkum, Barry, Brookston, Ossian, Pella, Sebewa, Garwin and Ettrick.

Table 4 - Example Seeding Mixtures for Native Species ¹

Site Type	Common Name	Genus and species	Plant Type	Seeding Rate in oz/acre PLS
Dry	Little bluestem	Schizachyrium scoparium	Grass	32
	Big bluestem	Andropogon gerardii	Grass	24
	Side-oats grama	Bouteloua curtipendula	Grass	16
	Switchgrass	Panicum virgatum	Grass	8
	Sand dropseed	Sporobolus cryptandrus	Grass	4
	Rough blazing star	Liatris aspera	Forb	1
	Evening primrose	Oenothera biennis	Forb	1
	Prairie cinquefoil	Potentilla arguta	Forb	1
	Black-eyed Susan	Rudbeckia hirta	Forb	1
	Purple prairie clover	Dalea purpurea	Legume	2
Dry	Side-oats grama	Bouteloua curtipendula	Grass	24
	Little bluestem	Schizachyrium scoparium	Grass	24
	Switchgrass	Panicum virgatum	Grass	16
	Sand dropseed	Sporobolus cryptandrus	Grass	16
	Rough blazing star	Liatris aspera	Forb	1
	Spotted bee balm	Monarda punctata	Forb	1
	Black-eyed Susan	Rudbeckia hirta	Forb	0.25
	Hoary vervain	Verbena stricta	Forb	0.25
Purple prairie clover	Dalea purpurea	Legume	3	
Dry-Mesic	Side-oats grama	Bouteloua curtipendula	Grass	20
	Little bluestem	Schizachyrium scoparium	Grass	20
	Big bluestem	Andropogon gerardii	Grass	16
	Indian grass	Sorghastrum nutans	Grass	16
	Switchgrass	Panicum virgatum	Grass	8
	Sand dropseed	Sporobolus cryptandrus	Grass	4
	Rough blazing star	Liatris aspera	Forb	2
	Yellow cone flower	Ratibida pinnata	Forb	1.5
	Evening primrose	Oenothera biennis	Forb	1
	Butterfly milkweed	Asclepias tuberosa	Forb	1
	Black-eyed Susan	Rudbeckia hirta	Forb	0.5
	Illinois tick trefoil	Desmodium illinoense	Legume	10
Dry-Mesic	Big bluestem	Andropogon gerardii	Grass	24
	Little bluestem	Schizachyrium scoparium	Grass	24
	Indian grass	Sorghastrum nutans	Grass	24
	Switchgrass	Panicum virgatum	Grass	8
	Heath aster	Aster ericoides	Forb	0.5
	Bergamot	Monarda fistulosa	Forb	0.5
	Black-eyed Susan	Rudbeckia hirta	Forb	0.25
	Pale spiked lobelia	Lobelia spicata	Forb	0.1
	Round-headed bush-clover	Lespedeza capitata	Legume	5

¹ Consult Agronomy Technical Note 5 and Section IV.C.1.a.(1) for guidelines for species substitution.

Table 4 (continued)

Site Type	Common Name	Genus and species	Plant Type	Seeding Rate in oz/acre PLS
Mesic	Indian grass	<i>Sorghastrum nutans</i>	Grass	24
	Big bluestem	<i>Andropogon gerardii</i>	Grass	16
	Canada wild rye	<i>Elymus canadensis</i>	Grass	16
	Little bluestem	<i>Schizachyrium scoparium</i>	Grass	16
	Switchgrass	<i>Panicum virgatum</i>	Grass	8
	Ox-eye Sunflower	<i>Heliopsis helianthoides</i>	Forb	2
	Prairie blazing star	<i>Liatris pycnostachya</i>	Forb	2
	Yellow cone flower	<i>Ratibida pinnata</i>	Forb	1.5
	Cupplant	<i>Silphium perfoliatum</i>	Forb	1
	Golden Alexander	<i>Zizia aurea</i>	Forb	1
	Prairie cinquefoil	<i>Potentilla arguta</i>	Forb	0.5
	Black-eyed Susan	<i>Rudbeckia hirta</i>	Forb	0.5
	Evening primrose	<i>Oenothera biennis</i>	Forb	0.25
	Purple prairie clover	<i>Dalea purpurea</i>	Legume	1.5
	Canada milk vetch	<i>Astragalus canadensis</i>	Legume	1
	Mesic	Big bluestem	<i>Andropogon gerardii</i>	Grass
Indian grass		<i>Sorghastrum nutans</i>	Grass	24
Switchgrass		<i>Panicum virgatum</i>	Grass	16
Little bluestem		<i>Schizachyrium scoparium</i>	Grass	16
New England aster		<i>Aster novae-angliae</i>	Forb	1
Bergamot		<i>Monarda fistulosa</i>	Forb	1
Yellow cone flower		<i>Ratibida pinnata</i>	Forb	1
Black-eyed Susan		<i>Rudbeckia hirta</i>	Forb	0.5
Purple prairie clover	<i>Dalea purpurea</i>	Legume	2.5	
Wet-Mesic	Indian grass	<i>Sorghastrum nutans</i>	Grass	26
	Big bluestem	<i>Andropogon gerardii</i>	Grass	26
	Canada wild rye	<i>Elymus canadensis</i>	Grass	18
	Switchgrass	<i>Panicum vergatum</i>	Grass	8
	Fowl mannagrass	<i>Glyceria striata</i>	Grass	1
	Prairie cordgrass	<i>Spartina pectinata</i>	Grass	1
	Cupplant	<i>Silphium perfoliatum</i>	Forb	2
	Yellow cone flower	<i>Ratibida pinnata</i>	Forb	1.5
	Golden Alexander	<i>Zizia aurea</i>	Forb	1
	Bergamot	<i>Monarda fistulosa</i>	Forb	1
	Boneset	<i>Eupatorium perfoliatum</i>	Forb	0.5
	Black-eyed Susan	<i>Rudbeckia hirta</i>	Forb	0.6
	Common Ironweed	<i>Vernonia fasciculata</i>	Forb	0.5
	Sawtooth sunflower	<i>Helianthus grosseserratus</i>	Forb	0.1
Canada milk vetch	<i>Astragalus canadensis</i>	Legume	3	
Wet-Mesic	Big Bluestem	<i>Andropogon gerardii</i>	Grass	16
	Switchgrass	<i>Panicum virgatum</i>	Grass	8
	Little Bluestem	<i>Schizachyrium scoparium</i>	Grass	18
	Prairie Dropseed	<i>Sporobolus heterolepis</i>	Grass	20
	Canada Wild Rye	<i>Elymus canadensis</i>	Grass	18
	Yellow Coneflower	<i>Ratibida pinnata</i>	Forb	1.5
	Blue Vervain	<i>Verbena hastata</i>	Forb	1
	Prairie Blazing Star	<i>Liatris pycnostachya</i>	Forb	3
	Virginia Mt. Mint	<i>Pycnanthemum virginianum</i>	Forb	1
	Prairie Dock	<i>Silphium terebinthinaceum</i>	Forb	2
	New England Aster	<i>Aster novae-anglia</i>	Forb	1
	Bergamot	<i>Monarda fistulosus</i>	Forb	1
	Black-eyed Susan	<i>Rudbeckia hirta</i>	Forb	0.5
	Showy Tick Trefoil	<i>Desmodium canadense</i>	Legume	1
	White Wild Indigo	<i>Baptisia lactea</i>	Legume	2

Table 4 (continued)

Site Type	Common Name	Genus and species	Plant Type	Seeding Rate in oz/acre PLS
Wet	Rice Cutgrass	<i>Leersia oryzoides</i>	Grass	2
	Prairie Cordgrass	<i>Spartina pectinata</i>	Grass	2
	Fowl Mannagrass	<i>Glyceria striata</i>	Grass	2
	Wool Grass	<i>Scirpus cyperinus</i>	Sedge	1
	Fox Sedge	<i>Carex vulpinoidea</i>	Sedge	2
	Great Blue Lobelia	<i>Lobelia siphilitica</i>	Forb	0.5
	Joe-Pye Weed	<i>Eupatorium maculatum</i>	Forb	2
	Blue Vervain	<i>Verbena hastata</i>	Forb	2
	Sneezeweed	<i>Helenium autumnale</i>	Forb	1
	Marsh Milkweed	<i>Asclepias incarnata</i>	Forb	2
	Spotted Touch-me-not	<i>Impatiens capensis</i>	Annual	2
Wet	Canada Bluejoint	<i>Calamagrostis canadensis</i>	Grass	1.5
	Giant Mannagrass	<i>Glyceria grandis</i>	Grass	3
	Virginia Wild Rye	<i>Elymus virginicus</i>	Grass	16
	Awl-fruited Sedge	<i>Carex stipata</i>	Sedge	2
	Common Rush	<i>Juncus effusus</i>	Rush	1
	Great St. Johns Wort	<i>Hypericum pyramidatum</i>	Forb	0.5
	Nodding Beggarstick	<i>Bidens coronata</i>	Forb	1
	Blue Vervain	<i>Verbena hastata</i>	Forb	2
	Culver's Root	<i>Veronicastrum virginicum</i>	Forb	0.25
	Virginia Mt. Mint	<i>Pycnanthemum tenuifolium</i>	Forb	1
	Boneset	<i>Eupatorium perfoliatum</i>	Forb	2

Table 5 - Example Seeding Mixtures for Introduced Species

Mix #	Common Name	Genus & Species	Seeding Rate in lb./ac PLS
1 - Dry-Mesic and Mesic Sites	Smooth Bromegrass	Bromus inermis	10
	Creeping Red Fescue	Festuca rubra	3
	Alfalfa	Medicago sativa	3
	Red Clover	Trifolium pratense	3
2 - Dry-Mesic and Mesic Sites	Smooth Bromegrass	Bromus inermis	15
	Alfalfa	Medicago sativa	3
3 - Mesic Sites	Smooth Bromegrass	Bromus inermis	5
	Creeping Red Fescue	Festuca rubra	2
	Kentucky bluegrass	Poa pratensis	2
	Birdsfoot trefoil	Lotus corniculatus	2
4 - Mesic Sites	Smooth Bromegrass	Bromus inermis	15
	Creeping Red Fescue	Festuca rubra	2
5 - Mesic Sites	Kentucky Bluegrass	Poa pratensis	4
	Creeping Red Fescue	Festuca rubra	3
6 - Mesic Sites	Smooth Bromegrass	Bromus inermis	14
	Timothy	Phleum pratense	1
	Red Clover	Trifolium pratense	2
	OR Alsike Clover	Trifolium hybridum	1
	OR Birdsfoot trefoil	Lotus corniculatus	2
7 - Wet Mesic Sites	Redtop	Agrostis alba	1
	Timothy	Phleum pratense	2
	Red Clover	Trifolium pratense	5
8 - Wet Sites	Redtop	Agrostis alba	2
	Alsike Clover	Trifolium hybridum	2

Table 6 - Custom Seeding Mixture for Introduced Species ¹

Genus and species	Name	Plant Type	Moisture Regime	Single Species Seeding Rate (lb/ac PLS)	Deep rooted species
<i>Bromus inermis</i>	Smooth brome	Grass	DM, M, WM	20	yes
<i>Agrostis alba</i>	Redtop	Grass		4	----
<i>Festuca rubra</i>	Creeping red fescue	Grass		5	----
<i>Festuca rubra ssp falax</i>	Chewings red fescue	Grass		5	----
<i>Festuca arundinacea</i>	Tall fescue	Grass		10	yes
<i>Phleum pratense</i>	Timothy	Grass		8	----
<i>Poa pratensis</i>	Kentucky bluegrass	Grass	M, WM	8	----
<i>Lotus corniculatus</i>	Birdsfoot trefoil	Legume	M, WM	6	----
<i>Medicago sativa</i>	Alfalfa	Legume	D, DM, M	12	yes
<i>Trifolium hybridum</i>	Alsike clover	Legume		3	----
<i>Trifolium pratense</i>	Red clover	Legume	DM, M, WM	10	----
<i>Trifolium repens</i>	Ladino clover	Legume	M, WM	3	----

¹ It is required that at least 50% of the custom mixture is composed of grass.

Example: A seed mixture of 50% red clover, 25% brome, and 25% red fescue is desired. What would be the seeding rate of each specie in the mixture in pounds of Pure Live Seed (PLS)?

To solve this problem, take the pure stand seeding rate in PLS pounds per acre for each specie, multiply this value times the percent of that specie desired in the mixture and the answers will be the seeding rates of each specie in pounds of PLS per acre.

Specie	Pure Stand Seeding Rate (pounds/acre)	Percent in Mix	Seeding Rate Pounds PLS/acre for Mixture
Red Clover	10	50%	5
Brome	20	25%	5
Red Fescue	5	25%	1.25

Total pounds PLS/acre = 11.25

APPENDIX J

Warranty Deeds

9, 10, 11, 12

1673579

State Bar of Wisconsin Form 2-2003
WARRANTY DEED

Recorded
AUG. 01, 2005 AT 01:20PM
OUTAGAMIE COUNTY
JANICE FLENZ
REGISTER OF DEEDS
Fee Amount: \$13.00
Transfer Fee: \$1884.00



Document Number

Document Name

THIS DEED, made between Paul G. Bernegger

("Grantor," whether one or more), and MCC, Inc.

("Grantee," whether one or more).

Grantor for a valuable consideration, conveys and warrants to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in Outagamie County, State of Wisconsin ("Property") (if more space is needed, please attach addendum):

See Addendum "A" attached.

Recording Area

Name and Return Address FA-1180201

Grantee
PO Box 1137
Appleton, WI 54912

1300
2

120 049400; 120 049500; 120 049700
and 120 049800

Parcel Identification Number (PIN)

This is not homestead property.

~~(is)~~ (is not)

Exceptions to warranties:

Easements, zoning ordinances and other restrictions of record.

Dated July 29, 2005

Paul G. Bernegger (SEAL) _____ (SEAL)
* Paul G. Bernegger *

* _____ (SEAL) _____ (SEAL)
* _____ *

AUTHENTICATION

Signature(s) _____

authenticated on _____

ACKNOWLEDGMENT

STATE OF WISCONSIN)
) ss.

OUTAGAMIE COUNTY)

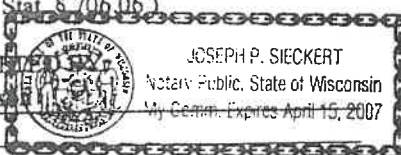
Personally came before me on July 29, 2005,
the above-named Paul G. Bernegger

to me known to be the person(s) who executed the foregoing
instrument and acknowledged the same.

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not, _____
authorized by Wis. Stat. § 706.06.)

THIS INSTRUMENT DRAFTED BY
Attorney Robert E. Sorenson
Hortonville, WI 54944



Joseph P. Sieckert
Notary Public, State of WISCONSIN
My commission (is permanent) (expires: _____)

(Signatures may be authenticated or acknowledged. Both are not necessary.)

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATION TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.

WARRANTY DEED

©2003 STATE BAR OF WISCONSIN

FORM NO. 2-2003

*Type name below signatures.

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Addendum "A"

Attachment to Warranty Deed, Paul G. Bernegger to MCC, Inc.

A parcel of land being all of the Northeast 1/4 of the Southeast 1/4, part of the Southeast 1/4 of the Southeast 1/4, part of the Southwest 1/4 of the Southeast 1/4 and part of the Northwest 1/4 of the Southeast 1/4, all in Section Thirty (30), Township Twenty-two (22) North, Range Fifteen (15) East, Town of Hortonia, Outagamie County, Wisconsin, bounded and described as follows: Beginning at the Southeast corner of said Section 30; thence N85°23'55"W, 1178.74 feet along the South line of the Southeast 1/4 of Section 30 to the East line of Lot 2 of Certified Survey Map Number 3726; thence N00°32'06"E, 435.60 feet along said East line to the North line of said Lot 2; thence N85°23'55"W, 795.01 feet along said North line and the North line of Lots 1 and 2 of Certified Survey Map Number 4123; thence N00°53'28"E, 2115.67 feet to the North line of the Southeast 1/4 of Section 30; thence S88°06'10"E, 1904.57 feet along said North line to the East 1/4 corner of said Section 30; thence S00°34'57"E, 2646.42 feet along the East line of the Southeast 1/4 of Section 30 to the point of beginning.

13

1313217

DOCUMENT NO.

STATE BAR OF WISCONSIN FORM 1 - 1982
WARRANTY DEED

OUTAGAMIE COUNTY
RECEIVED FOR RECORD

FEB 12 1999

AT 8:30 O'CLOCK A.M. P.M.
GRACE HERB
REGISTER OF DEEDS

This Deed, made between Donald L. Hanson and Kathryn A. Hanson

_____, Grantor,
and M.C.C., Inc., a Wisconsin Corporation

_____, Grantee,
Witnesseth, That the said Grantor, for a valuable consideration
\$1.00 and other good and valuable consideration

conveys to Grantee the following described real estate in Outagamie
Country, State of Wisconsin:

The East 350 feet of lands described in Jacket 5610, Image 30; being in the Southwest 1/4 of the Southeast 1/4 of Section 30, Township 22 North, Range 15 East, Town of Horton, Outagamie County, Wisconsin.

This deed conveys all rights and duties of grantor under the joint well agreement dated February 20, 1985 and recorded in the office of the Register of Deeds on March 11, 1985, in Jacket 5260, Image 45, as Document No. 859982.

THIS SPACE RESERVED FOR RECORDING DATA
NAME AND RETURN ADDRESS
Attorney Thomas A. Wilson
442 N. Westhill Blvd.
Appleton, WI 54912-1155
10.00

12-0-0496-00-3
PARCEL IDENTIFICATION NUMBER

TRANSFER
\$ 345.⁰⁰
FEE

This is homestead property.
(is) ~~004460~~

Together with all and singular the hereditaments and appurtenances thereunto belonging;
And grantors

warrants that the title is good, indefeasible in fee simple and free and clear of encumbrances except easements and restrictions of record

and will warrant and defend the same.

Dated this 8th day of February, 1999

(SEAL)

Donald L. Hanson (SEAL)
Donald L. Hanson

(SEAL)

Kathryn A. Hanson (SEAL)
Kathryn A. Hanson

AUTHENTICATION

Signature(s) Donald L. Hanson and Kathryn A, Hanson

authenticated this 8th day of February, 1999

Earl J. Luaders

TITLE: MEMBER STATE BAR OF WISCONSIN
(If not, _____
authorized by §706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY
Attorney Earl J. Luaders

(Signatures may be authenticated or acknowledged. Both are not necessary.)

ACKNOWLEDGMENT

State of Wisconsin, }
County, } ss.

Personally came before me this _____ day of _____, 19____, the above named

to me known to be the person _____ who executed the foregoing instrument and acknowledge the same.

Notary Public, _____ County, Wis.
My commission is permanent. (If not, state expiration date: _____, 19____.)

15

State Bar of Wisconsin Form 1-2003
WARRANTY DEED

1718097

Document Number

Document Name

Recorded
JULY 17, 2006 AT 02:20PM
OUTAGAMIE COUNTY
JANICE FLENZ
REGISTER OF DEEDS

Fee Amount: \$11.00
Transfer Fee: \$437.70



THIS DEED, made between Eric R. Malouf and Harmony Malouf, husband and wife

("Grantor," whether one or more), and Black Creek Lime Stone Company, a Wisconsin Corporation

("Grantee," whether one or more).

Grantor for a valuable consideration, conveys to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in Outagamie County, State of Wisconsin ("Property") (if more space is needed, please attach addendum):

Lot One (1) of Certified Survey Map No. 4123, as filed in the office of the Register of Deeds for Outagamie County, Wisconsin, in Volume 22 of Certified Survey Maps on page 4123, as Document No. 1423131, being in the Town of Hortonia, Outagamie County, Wisconsin.

Recording Area

Name and Return Address
Attorney Patrick D. Furman
Furman Law Office
47 Park Place, Suite 250
Appleton, WI 54914-8216

120 049704

Parcel Identification Number (PIN)

This is homestead property.
(is) (is not)

Grantor warrants that the title to the Property is good, indefeasible, in fee simple and free and clear of encumbrances except: **Municipal and zoning ordinances and agreements entered under them, recorded easements for the distribution of utility and municipal services, recorded building and use restrictions and covenants, and general taxes levied in the year of closing.**

Dated July 14, 2006

(SEAL)

(SEAL)

* Eric R. Malouf

*

(SEAL)

(SEAL)

* Harmony Malouf

*

AUTHENTICATION

ACKNOWLEDGMENT

Signature(s)

STATE OF WISCONSIN)

) ss.

authenticated on

OUTAGAMIE COUNTY)

Personally came before me on July 14, 2006,
the above-named Eric R. Malouf and Harmony Malouf

TITLE: MEMBER STATE BAR OF WISCONSIN
(If not, _____
authorized by Wis. Stat. § 706.06)

to be known to be the person(s) who executed the foregoing
instrument and acknowledged the same.

* Heidi Baumgartner
Notary Public, State of WISCONSIN

My commission (is permanent) (expires: 3-18-07)

THIS INSTRUMENT DRAFTED BY:
Attorney Patrick D. Furman
47 Park Place, Suite 250, Appleton, WI 54914-8216

(Signatures may be authenticated or acknowledged. Both are not necessary.)

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATION TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.

WARRANTY DEED

STATE BAR OF WISCONSIN

FORM NO. 1-2003

*Type name below signatures.

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17

STATE BAR OF WISCONSIN FORM 1 - 1998
WARRANTY DEED

1380220

Document Number

This Deed, made between Radtke Real Estate, Inc.,
a Wisconsin Close Corporation

Grantor,
and MCC, Inc., a Wisconsin Corporation

Grantee.
Grantor, for a valuable consideration, conveys to Grantee the following
described real estate in Outagamie County, State of Wisconsin
(the "Property"):

The West 160 feet of the South 435.60 feet
of the Southeast 1/4 of the Southeast 1/4 of
Section 30, Township 22 North, Range 15
East, Town of Hortonia, Outagamie County,
Wisconsin.

All that part of the Southeast 1/4, Section
30, Township 22 North, Range 15 East, Town
of Hortonia, Outagamie County, Wisconsin,
more fully described as follows:

Commencing at the South 1/4 corner of said
Section 30; thence East, along the Section
line 1016.77 feet to the point of beginning;
thence N04°11'35"W, 268.08 feet; thence East
260.00 feet; thence S04°11'35"E, 268.08 feet to a point on the South
line of said Section 30; thence West along the South line of said
Section, 260.00 feet to the point of beginning; reserving the South
33 feet for town roadway use.

The above parcels of land in part of Lots 1 and 2 of Certified Survey
Map No. 3726.

Together with all appurtenant rights, title and interests.

Grantor warrants that the title to the Property is good, indefeasible in fee simple and free and clear of encumbrances except
easements, covenants and restrictions of record, public highways
and zoning regulations

Dated this 7th day of September, 2000

(SEAL)

* _____
(SEAL)

* _____

TRANSFER
\$ 357.00
FEE

WHZ
ATTACHED

RADTKE REAL ESTATE, INC.
by: Betty A. Curran (SEAL)

* Betty A. Curran, Designated Director

Orland W. Radtke (SEAL)

* Orland W. Radtke, Designated Director

AUTHENTICATION

Signature(s) _____

authenticated this _____ day of _____

TITLE: MEMBER STATE BAR OF WISCONSIN
(If not, _____
authorized by §706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY

Sigurd W. Krostue

(Signatures may be authenticated or acknowledged. Both are not
necessary)

* Names of persons signing in any capacity must be typed or printed below their signature.

WARRANTY DEED

STATE BAR OF WISCONSIN
FORM No. 1 - 1998

Wisconsin Legal Blank Co., Inc.
Milwaukee, Wis.

OUTAGAMIE COUNTY
RECEIVED FOR RECORD

SEP 20 2000

AT 10 O'CLOCK A.M. P.M.
JANICE FLENZ
REGISTER OF DEEDS

Recording Area

Name and Return Address

Radtke Real Estate, Inc.
P. O. Box 178
New London, WI 54961

pd
12.00

12-0-0497-02-3 and
12-0-0498-01-3

Parcel Identification Number (PIN)

This is not homestead property.
(is) (is not)

5037036