

**Glen Geurts**

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**From:** Greg Curtis <GCurtis@herrlingclark.com>  
**Sent:** Tuesday, March 22, 2016 11:22 AM  
**To:** glen.geurts@hvmsd.org  
**Cc:** Bush, Ed; Vivian Huth  
**Subject:** Kampo  
**Attachments:** proposed Termination of TLE (Heart of the Valley) (05433799x9CC42).pdf

Dear Glen,

Thank you for taking my telephone call. Please find attached a proposed Termination of Temporary Limited Easement, which would be signed by Fred T. Kampo and by Heart of the Valley Metropolitan Sewerage District. I am also enclosing a copy of the recorded Temporary Limited Easement. As I told you, this is a Title Exception and we are attempting to sell the property to Appleton Coated LLC and they need this Temporary Limited Easement removed before they will close.

It is my understanding that the work was completed approximately ten (10) years ago.

Please review this and let me know if this is acceptable to you or if you have any questions or concerns. I greatly appreciate your time.

Sincerely,

Greg P. Curtis, Attorney  
HERRLING CLARK LAW FIRM LTD.  
800 North Lynndale Drive, Appleton, WI 54914  
Phone: 920/882-3225 (Appleton), 920/468-7366 (Green Bay),  
920/982-9652 (New London), 920/385-0616 (Oshkosh)  
800/559-7366 (Toll Free), Facsimile: 920/739-6352

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800 N. Lynndale Dr.  
Appleton, WI 54914  
920.739.7366  
Fax: 920.739.6352

Green Bay  
920.468.7366

New London  
920.982.9652

Oshkosh  
920.385.0616

March 24, 2016

Mr. Glen Geurts  
Heart of the Valley  
Metropolitan Sewerage District  
801 Thilmany Road  
Kaukauna, WI 54130

Re: Kampo Building Systems, Inc. to Appleton Coated LLC

Dear Glen,

It is my understanding there will be a hearing held on April 12, 2016 at 6:00 p.m. for approval of the Termination of the Temporary Limited Easement dated the 15<sup>th</sup> day of September, 2004 by Fred T. Kampo on behalf of Kampo Building Systems, Inc. (my client).

I would simply like to point out the following:

It was a Temporary Limited Easement which was to "terminate upon completion of the construction project for which this instrument is given". In talking with you, it is my understanding this had to do with some construction and maintenance of some items that were completed in 2006, which would make this over a decade old.

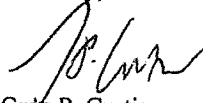
From a pure legal standpoint, once the construction was done, this Easement had evaporated and become null and void.

The Title Company, because we are in the process of selling this property is saying they would prefer Heart of the Valley Metropolitan Sewerage District sign the Termination to make clear that the construction for this Temporary Limited Easement was given, has been completed.

I believe this is very straight forward since the work has been completed and per the terms of the Temporary Limited Easement which my client gave voluntary to the Heart of the Valley Metropolitan Sewerage District is clearly now over.

I appreciate all your efforts in getting this completed. If you should have any questions, please feel free to contact me.

Sincerely,



Greg P. Curtis  
Direct Dial (920) 882-3225  
[gcurtis@herrlingclark.com](mailto:gcurtis@herrlingclark.com)

GPC/csd  
Enclosure

Tyler J. CLARINGBOLE  
John D. CLAYPOOL  
Greg P. CURTIS  
Richard T. ELROD  
Paula A. HAMER  
Charles J. HARTZHEIM  
Kelly S. KELLY  
Kristen S. KNUTSON  
Charles D. KOEHLER  
Kevin LONERGAN  
Robert B. LOOMIS  
Andrew J. ROSSMEISSL  
Michael S. SIDDALL  
OF COUNSEL  
Don R. HERRLING  
Roger W. CLARK

Document Number

**TERMINATION OF TEMPORARY  
LIMITED EASEMENT**  
Title of Document

Recording Area

Name and Return Address  
Attorney Greg P. Curtis  
Herrling Clark Law Firm Ltd.  
800 N. Lynndale Drive  
Appleton, WI 54914

230017600  
Parcel Identification Number (PIN)

**TERMINATION OF TEMPORARY LIMITED EASEMENT**

WHEREAS there is a Temporary Limited Easement which affects the property described in **Exhibit "A"**; and

WHEREAS the Temporary Limited Easement was recorded on September 22, 2004 in the Office of the Register of Deeds for Outagamie County as Document No. 1632239 and is attached hereto as **Exhibit "1"**; and

WHEREAS Combined Locks Warehousing, Inc., a Wisconsin corporation's interest was assigned to Kampo Building Systems, Inc., a Wisconsin corporation; and

WHEREAS Kampo Building Systems, Inc., a Wisconsin corporation was dissolved and any and all interest in said Kampo Building Systems, Inc. was transferred to FTK Property IV, LLC, a Wisconsin limited liability company; and

NOW THEREFORE, as the successor owner hereby warrants and represents that the Temporary Limited Easement attached hereto as **Exhibit "1"** "shall terminate upon completion of the construction project for which the instrument is given", specifically for the benefit of Heart of the Valley Metropolitan Sewage District, as said construction has been completed for over a decade and therefore, shall be terminated.

Heart of the Valley Metropolitan Sewage District also executes this Termination confirming the Temporary Limited Easement attached hereto as **Exhibit "1"** is hereby terminated, as the construction project has been completed for over a decade.

This document shall act as the Termination of the Temporary Limited Easement attached hereto as **Exhibit "1"**.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2016.

FTK Property IV, LLC, Successor Owner

\_\_\_\_\_  
By: Fred T. Kampo, Jr., Sole Member

Subscribed and sworn to me this  
\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_  
My Commission expires: \_\_\_\_\_

Dated this \_\_\_\_ day of \_\_\_\_\_, 2016.

Heart of the Valley Metropolitan Sewage District

\_\_\_\_\_  
By:

Subscribed and sworn to me this  
\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Notary Public, State of Wisconsin  
My Commission expires: \_\_\_\_\_

This Instrument Drafted By:

HERRLING CLARK LAW FIRM LTD.  
Greg P. Curtis, Attorney  
800 North Lynndale Drive  
Appleton, WI 54914  
Phone: (920) 739-7366  
Fax: (920) 739-6352  
E-mail: [gcurtis@herrlingclark.com](mailto:gcurtis@herrlingclark.com)

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## EXHIBIT "A"

A parcel of land in Sublot "B" in Government Lot Three (3), and Sublot "A" in Government Lot Two (2), and all of Lot One (1) in Sublot "B" in Government Lot Three (3), Section Twenty-Four (24), Township Twenty-One (21) North, Range Eighteen (18) East, Village of Combined Locks, Outagamie County, Wisconsin, according to the Recorded Assessor's Plat of said Village, described as follows:

Beginning at the intersection of the east line of Pump Street with the South line of Chicago North Western Railway right-of-way; thence Southeasterly along the East line of Pump Street to the intersection of the North line of County Trunk Highway "Z", thence East along the North line of said highway to a point where a line extended Northeasterly and being parallel 240 feet distant from the right-of-way of said Railway intersects said Highway "Z"; thence Northeasterly parallel to the South line of said Railway right-of-way and 240 feet distant therefrom to its intersection of the East line of Sublot "A", Government Lot 2; thence North along the East line of said lot to the intersection of the South line of said Railway right-of-way; thence Southwesterly along the South line of said Railway right-of-way to the point of beginning.

LESS AND EXCEPTING that portion conveyed December 11, 1980, in Jacket 2548, Image 35, as Document No. 791628 and re-recorded on December 16, 1980 in Jacket 2556, Image 32, as Document No. 791837.

EXHIBIT 1

Document No. **1632239**

This space reserved for recording data

**TEMPORARY LIMITED EASEMENT**

SECTION 319 CH. 88, Wisconsin Stat.

THIS EASEMENT, made by Combined Locks Warehousing, Inc.,  
a Wisconsin corporation, now known as  
Kampo Building Systems, Inc., a Wisconsin corporation,  
and Fred T. Kampo, individually

grantor(s) of Outagamie County, Wisconsin,  
grants a Temporary Limited Easement to the Heart of the Valley Metropolitan  
Sewage District

grantee, for the sum of \_\_\_\_\_  
on the following tract of land in Outagamie County, Wisconsin  
for the purpose of Construction and Grading

**OUTAGAMIE COUNTY  
RECEIVED FOR RECORD**

SEP 22 2004

AT 9 O'CLOCK A.M. P.M.  
JANICE FLENZ  
REGISTER OF DEEDS

Return To: Attorney Timothy D. Fenner  
Axley Brynson, LLP  
Post Office Box 1767  
Madison, WI 53701-1767

*pd  
13<sup>00</sup>*

23-0-0188-00 & 23-0-0178-00  
Parcel Identification No. (PIN)

**Legal Description:**

SEE ATTACHED EXHIBIT A

Dated this 15 day of September, 2004.

\_\_\_\_\_  
(Signature)  
Authorized Signature - Kampo Building Systems, Inc  
(Print Name)  
*Fred T. Kampo*  
(Signature)  
Fred T. Kampo  
(Print Name) *O.O.A.*

\_\_\_\_\_  
(Signature)  
Authorized Signature - Kampo Building Systems, Inc  
(Print Name)  
\_\_\_\_\_  
(Signature)  
\_\_\_\_\_  
(Print Name)

State Of Wisconsin )  
) st.  
Dawn D. Jandrey County )  
On the above date, this instrument was acknowledged before me by  
the above-named person(s) or officers.  
*Dawn D. Jandrey*  
(Signature, Notary Public, State Of Wisconsin)  
Dawn D. Jandrey  
(Print or Type Name, Notary Public, State Of Wisconsin)  
11-11-07  
(Date Commission Expires)

This easement shall terminate upon completion of the construction  
project for which this instrument is given.

(SEAL)  
This Instrument Drafted By: Marty J. Abing  
Mempham Associates, Inc Neenah, WI  
Project No. H0001 930581.12

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