

September 30, 2008
Updated November 12, 2008

To: James and Betty Robinson
Larry and Judi Rydberg

Re: Easement Road on Lots 2 & 3 of Certified Survey Map No. 965, V. 4, Page 965

Dear Folks,

As per your request, I have researched the records in regards to the existing easement road located along your northerly property line.

Your parcels, being Lots 2 and 3 of Certified Survey Map No. 965 were originally created by deed to James and Nadine Robinson in Volume 293, page 217, dated January 25, 1968. In that deed there is a reference to "a 30' wide easement for ingress and egress for owners of parcel lying North of these premises." This is shown on your survey.

The property on the North side of yours was created prior to your land, and eventually was owned by Rodney and Carol VanAlstine, who divided the land, which is now Certified Survey Map, Volume 3, page 872. Their survey calls for a 66.0 easement road, which would be over your property? I can not find any record of how Certified Survey Volume 3, page 872 received the 66' easement on your land?

When Mr. VanAlstine purchased the property, he was given an easement over the private road granted in Volume 150, page 296. (No width given) I have enclosed a copy of Volume 150, page 296, 297 which reference to "provide ingress and egress in an easterly direction..." (No width given).

I did meet with your neighbor on the North side, Mr. Jack Sonnentag, owner of Lot 1, Certified Survey, Volume 3 Page 872, when I was doing your survey. He mentioned that he had a 66' easement over your property, as show on his survey. I did not say anything about the easement to him.

Offices in Illinois, Iowa, Minnesota, and Wisconsin

1835 NORTH STEVENS STREET • RHINELANDER, WI 54501-2163
715.362.3244 • 1.800.844.7854 • FAX: 715.362.4116
www.msa-ps.com

It is my findings that the easement road should only be 30 feet in width; HOWEVER, I am not an attorney, or a title company.

I would say you have a couple options:


- 1.) Leave the easement at 66' as shown on Certified Survey Map 872. (OR)
- 2.) Contact an attorney (or) title company to further investigate and verify my findings. If others agree that it is only 30' wide, then contact the neighbors and tell them their survey map is in error and you want to correct the easement width, with a new document.

There may be other legal issues that I am not aware of, in regards to this easement, so an attorney that works with real estate issues would best help you in this area.

If you do not want to do anything at this time, I can attach this letter to your survey map and file this with the County Surveyors Office. Please understand that filing this will not clear up the question of the width. It will point out to others that there is "a question in title" in regards to the true width of the easement. I will await your reply before filing your survey map with the County Surveyor.

If you have any questions in regards to your survey or the easement, do not hesitate to call.

Sincerely,


Eugene Uttech,
Project Manager.

Copies of descriptions included:

- Volume 150, Page 296 and 297 (this created the original parcel North of yours)
- Volume 424, Page 721 (Deed to Rodney VanAlstine, now CSM Volume 3, page 872)
- Volume 293, Page 217 and 218 (this created your original parcel, now CSM No. 965)