Krista Zettle <krista.zettle@lafayettecountywi.org>

Re: deed

1 message

Krista Zettle <krista.zettle@lafayettecountywi.org> Thu, Dec 10, 2020 at 9:35 PM
To: Brad Schobert <bradschobert86@gmail.com>, Gerri Wedig <gerri@lafayettelandtitle.com>, Aaron@austinengineeringllc.com, Cindy Fitzsimons <cindy.vannatta@lafayettecountywi.org>, Larry Ludlum <larry.ludlum@lafayettecountywi.org>, Kriss Marion <kriss.marion@lafayettecountywi.org>
Cc: Jessica Meyer <jessica.meyer@lafayettecountywi.org>, Lisa Black <lisa.black@lafayettecountywi.org>, Deirdre V <deirdrev.apraz@gmail.com>, Sarah J <sarahj.apraz@gmail.com>
Bcc: Lauree Aulik <aulikl@platteville.org>

Hello, everyone.

I've had multiple conversations with multiple people over the Brad Schobert property. Since I am leaving the County next week, I wanted to make sure everyone is on the same page before I leave. I've also included a couple of County Board members in on this email, as I was informed that Mr. Ludlum disagrees with the County's position on this situation, yet has never reached out to gain clarification about it.

Here is the situation:
Brad Schobert recently discovered that our Parcel Viewer had his house NOT covered by his tax parcel. His tax bill, however, has the assessment of his house on it. Both Schobert and Cushmans agree on the boundaries of where Schobert's property is, and have agreed it's been this way for years.

The issue is not with where the house is or where the tax parcel lines are. **The problem is with the recorded legal description on Brad Schobert's deed. That is what we're trying to clean up.** He will still own what he thinks he owns; the property boundaries will still be the same as what everyone agrees to. But we need the recorded documents to reflect what is on the ground. That is what we're trying to accomplish.

Back in the day, I'm guessing an attorney looked at a paper map, had the landowner walk some paces, and they came up with dimensions. However, when they wrote the dimensions down on paper, it did not correctly describe what is on the ground. Our tax parcels and Parcel Mapping application are based on RECORDED DOCUMENTS per 70.09 of State Statutes. What the County is showing is correct, according to the RECORDED documents.

Now, what I'm assuming should have been described back then was land north of Schultz Lane, but it was described as "The North 375 feet of that part of the SW-1/4 NW-1/4 of Section 12 Town 3 North, Range 1 East...." (see attached deed.) Because that description is what is legally of record, that is what the County is reflecting. I've attached a map of Section 12 to show the points that we remonumented. This is the basis of drawing out the qtr-qtrs of the section, including the SW-1/4 NW-1/4, of which is included in this situation.

To clean this up, Austin Engineering did a Certified Survey Map to properly describe the boundaries of the Schobert house (see attached). Also on that CSM, you will see where he depicts the South line of the North 375 feet of the SW-1/4 NW-1/4 (highlighted in red). That matches what the County has reflected in the Parcel Mapping, as well. Because the land that is Schoberts is still legally described on Cushman's deed, there needs to be a deed from Cushman to Schobert to clean up the legal descriptions so the boundaries that everyone agrees to are what will actually be described in the recorded records of Lafayette County.

I've heard that there is push-back against the County and against getting this deed recorded. However, this is not a problem that the County created. We are just reflecting what is of record, and since the records are wrong, the mapping is wrong. To fix the mapping, the records need to be fixed and recording that deed will fix it.

It is unfortunate that mistakes have been made (and trust me, I've found plenty in my years with the County, and most have happened before I was even in school!!!). But we must fix them as we find them, so going forward there are no more problems and the records are unambiguous.

Attached are maps, deeds, and the Certified Survey Map. Hopefully these visual representations will help you understand the situation, and change your mind about proceeding with getting a deed recorded to finish this process.

Thank you,

Krista Zettle

On Wed, Dec 9, 2020 at 8:32 AM Brad Schobert <bradschobert86@gmail.com> wrote:

I have a call into my lawyer to schedule a discussion today. In taking with Krista last night, the current tax bill would not be affected. Is this correct?

Thanks,

On Wed, Dec 9, 2020 at 8:30 AM Gerri Wedig <gerri@lafayettelandtitle.com> wrote:

Brad:

The tax office is wanting to get your situation cleared up. They are wondering which attorney you are working with. Could you please advise.

Thank you and Have Great Day!

Gerri L. Wedig

Lafayette Land Title Services

700 Main Street, Darlington, WI 53530

gerri@lafayettelandtitle.com

Phone: 608-776-3000, Extension #576

Fax: 608-776-3399

Website: www.lafayettelandtitle.com

From: Brad Schobert [mailto:bradschobert86@gmail.com]
Sent: Wednesday, November 25, 2020 5:11 PM
To: Gerri Wedig <gerri@lafayettelandtitle.com>
Subject: Re: deed

Thank you!

Happy Thanksgiving,

Brad

On Wed, Nov 25, 2020 at 4:59 PM Gerri Wedig <gerri@lafayettelandtitle.com> wrote:

So sorry, almost forgot to send your deed.

Have a great Thanksgiving.

Thank you and Have Great Day!

Gerri L. Wedig

Lafayette Land Title Services

700 Main Street, Darlington, WI 53530

gerri@lafayettelandtitle.com

Phone: 608-776-3000, Extension #576

Fax: 608-776-3399

Website: www.lafayettelandtitle.com

Together with our affiliates, we serve the following counties:
Adams | Calumet | Columbia | Dane | Dodge | Fond Du Lac | Green | Kenosha | Lafayette | Marquette | Outagamie | Racine | Rock | Sauk | Walworth | Waushara | Winnebago

WARNING REGARDING FRAUDULENT FUNDING INSTRUCTIONS
Email hacking and fraud are on the rise to fraudulently misdirect funds. Please call our closing department immediately using contact information found from an independent source, such as the internet to verify any funding instructions received. We are not responsible for any wires sent by you to an incorrect bank account.

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Brad Schobert
608 347 6215

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Brad Schobert
608 347 6215

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4 attachments

Schobert Deed.pdf
50K

CSM831.pdf
163K

SECTION 12.pdf
2322K

DEED VS. GROUND IMAGES.pdf
3072K

Legend

Tax Parcels

ORIGINAL TAX PARCEL

1 inch = 135 feet

Lafayette County Land Information
626 Main St
Darlington, WI 53530

2015 WROC Imagery
Map features are a representation only and do not replace a survey or other legally recorded documents
Map Created: November 2020

Legend

Tax Parcels

CSM 831

1 inch = 135 feet

Lafayette County Land Information
626 Main St
Darlington, WI 53530

2015 WROC Imagery
Map features are a representation only and do not replace a survey or other legally recorded documents
Map Created: November 2020

Legend

- Tax Parcels

TAX PARCELS AFTER SPLIT

1 inch = 135 feet

Lafayette County

Lafayette County Land Information
626 Main St
Darlington, WI 53530

2015 WROC Imagery
Map features are a representation only and do not replace a survey or other legally recorded documents
Map Created: November 2020

8116160
Tx:4028100

Document Number: 363521
LAFAYETTE COUNTY, WI
JOSEPH G. BOLL
REGISTER OF DEEDS

10/28/2020 10:23 AM
PAGES: 2

CERTIFIED SURVEY MAP NO. 831

LOCATED IN THE SW 1/4 OF THE NW 1/4 OF SECTION 12, T3N R1E, TOWN OF BELMONT, LAFAYETTE COUNTY, WISCONSIN

Prepared for: BRAD SCHOBERT

Austin Engineering LLC
austinengineeringllc.com
4211 HWY 81 E, LANCASTER, WI 53813
PHONE: 608-723-6363 FAX: 608-723-6702

JOB NO: 20S140
H:\CRD\20S140
H:\PLAT\T3NR1E\12\20S140-SCHOBERT

FIELDBOOK: TDSR
DRAWN BY: AJ AUSTIN
CREW: OWEN AUSTIN

004.0183.2000	004.0183.2000	The residential site of Brad Schobert is assessed to tax parcel 004.0183.2000. However, the actual legal
004.0183.2200	004.0183.2200	description does not cover where the house is on the ground. To fix this, Cushman's are going to deed
	004.0183.4000	Lot 1 CSM 831 to Brad Schobert for where the house actually is. There is no change for tax parcel
		004.0183.2000 except to remove the improvement value and adjust the acres from 0.86 Acres to 0.47
		Acres - due to better survey of the area. Then, tax parcel 004.0183.2200 will get split into Lot 1 of
		CSM 831 (we created a new tax parcel) and the remnant piece (we reused 004.0193.2200).
		004.0183.2200 (Was: 5.57 Acres) Now: 4.36 Acres - Remnant
		004.0183.4000 (NEW PARCEL) Now: 1.21 Acres - Lot 1 CSM 831 - IMPROVEMENT VALUE ON THIS PCL
		004.0183.2000 (Was: 0.86 Acres) Now: 0.47 Acre - take improvement value off & adjust acres.

LAFAYETTE COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE:

I, Aaron J. Austin, Professional Wisconsin Land Surveyor, do hereby certify:
That I have surveyed, divided and mapped this Certified Survey Map located in the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of Section Twelve (12), Township Three (3) North, Range One (1) East of the 4th P.M., Town of Belmont, Lafayette County, Wisconsin, containing 1.21 acres, more or less, and being described as follows:

Commencing at the West Quarter (W 1/4) corner of said Section 12;
thence North 88° 49' 11" East 1322.95 feet along the South line of the Northwest Quarter (NW 1/4) of said Section to the Southeast corner thereof;
thence North 00° 18' 20" West 651.76 feet along the East line of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) to the point of beginning;
thence continuing North 00° 18' 20" West 291.43 feet along said East line;
thence South 88° 58' 44" West 134.77 feet along the South line of the North 375 feet of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of said Section;
thence South 16° 08' 08" West 311.22 feet along the centerline of Mound Avenue Road;
thence North 87° 26' 43" East 223.02 feet along the centerline of Schultz Lane to the point of beginning.

That this parcel is subject to any and all easements of record and/or usage.
That I have made such survey, land division and map by the direction of Brad Schobert.
That such map is a correct representation of all the exterior boundaries of the land surveyed and the division made thereof and field work was completed on 9-11-2020.
That I have fully complied with Chapter A-E 7 of the Wisconsin Administrative Code and the provisions of Section 236.34 of the Wisconsin Statutes, in surveying, dividing and mapping the same.

WISCONSIN AARON J. AUSTIN S-2922 LANCASTER WI LAND SURVEYOR

Dated this 12th day of September, 2020.

Aaron J Austin

Aaron J. Austin, S-2922

OWNER'S CERTIFICATE:

As owner, I hereby certify that I caused the land described herein to be surveyed, divided, mapped and dedicated as represented on this Certified Survey Map.
Dated this 28 day of October, 2020.

Cushman's Greenhouse Inc.
Authorized Signature: Steven L Cushman

VILLAGE OF BELMONT APPROVAL CERTIFICATE:

Resolved, that this Certified Survey Map in the Village of Belmont Extraterritorial Rights, the owner(s) listed hereon, is hereby approved by the Village of Belmont this 21st day of October, 2020.

Brad Bockhop, President

REGISTER OF DEEDS CERTIFICATE:

Received for record this 28th day of October, 2020 at 10:23 o'clock, A.m. and recorded in Volume 7 of Certified Survey Maps on Page(s) 831.

Cathy Paulson, Deputy

Joseph Boll, Register of Deeds

LEGEND

- *Section Corner—as designated*
- *3/4" rebar found*
- *3/4" x 18" rebar set with cap — wt=1.50 #/l.f.*
- *No monument set*
- *Existing utility pole*
- *Existing septic vent*
- *Existing septic tank*
- *( ) Recorded as*
- *[ ] Property described in Document Number, Lafayette County Registry*
- *Boundary of Survey*
- *Section line*
- *Centerline*
- *Right of Way*
- *Previously surveyed line*
- *Existing Improvement*
- *Existing Structure*
- *Existing fence*

Austin Engineering LLC
austinengineeringllc.com
4211 HWY 81 E, LANCASTER, WI 53813
PHONE: 608-723-6363 FAX: 608-723-6702

Prepared for: BRAD SCHOBERT

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