

GL-16-20

OCT 07 2020

10/07/2020

AT 1155 AM



STATE OF WISCONSIN

CIRCUIT COURT

KENOSHA COUNTY

FILED  
10-05-2020  
Clerk of Circuit Court  
Kenosha County  
2020CV000912  
Honorable Chad G  
Kerkman  
Branch 8

60<sup>TH</sup> STREET INVESTMENTS, LLC  
3805 13<sup>th</sup> Place  
Kenosha, WI 53144,

and

VINCENT I. RUFFOLO  
3805 13<sup>th</sup> Place  
Kenosha, WI 53144,

Case No.:

Plaintiffs,

Case Code:

30402

Condemnation Review

-v-

COUNTY OF KENOSHA  
1010 56<sup>th</sup> Street  
Kenosha, WI 53140

Defendant.

**NOTICE OF APPEAL AND APPEAL  
UNDER WIS. STAT. § 32.05(11)**

TO: Kenosha County Clerk of Circuit Courts  
912 56<sup>th</sup> Street  
Kenosha, WI 53140

County of Kenosha  
1010 56<sup>th</sup> Street  
Kenosha, WI 53140

**PLEASE TAKE NOTICE** that the Plaintiffs, 60<sup>TH</sup> STREET INVESTMENTS, LLC a Wisconsin limited liability company, and VINCENT I. RUFFOLO, a Wisconsin resident, by their attorneys, Guttormsen, Terry & Nudo, LLC, by Anthony Nudo, hereby appeal to the Circuit Court of Kenosha County in accordance with Wis. Stat. § 32.05(11), from the amount of compensation received pursuant to an Award of Compensation which was recorded in the office

of the Register of Deeds for Kenosha County, Wisconsin on August 12, 2020 as Document No. 1874847 for the Defendant's acquisition of Plaintiff 60<sup>TH</sup> STREET INVESTMENTS, LLC's real property. Plaintiff 60<sup>TH</sup> STREET INVESTMENTS, LLC's real property, which was acquired by Defendant, is located in Kenosha County, Wisconsin, and is described in said Award of Compensation, which has been attached hereto and is incorporated herein by reference as Exhibit A. Plaintiff VINCENT I. RUFFOLO is a mortgagee of the property subject to this action.

Plaintiffs demand a determination of just compensation by a jury of 12.

Dated: October 5, 2020.

**GUTTORMSEN, TERRY & NUDO, LLC**

Attorneys for Plaintiffs

By: 

Anthony Nudo, Attorney at Law  
State Bar No. 1055242

**DRAFTED BY:**



GUTTORMSEN, TERRY & NUDO, LLC

Anthony Nudo, Attorney at Law

SBN: 1055242

4003 80<sup>th</sup> Street, Suite 101

Kenosha, WI 53142

Telephone: (262) 842-2338

Facsimile: (262) 584-9949

Email: [Anthony@LawMidwest.com](mailto:Anthony@LawMidwest.com)

**AWARD OF DAMAGES by 83.07; Statute No. and 83.08**

Exempt from fee: s. 77.25(2r) Wis. Stats.  
lpa1559 04/2016 (replaces lpa1559 08/2011)

This award of damages is made pursuant to a relocation order of **County of Kenosha** dated **February 3, 2020** and filed in the office of the County Clerk of **Kenosha County**, for the improvement of **County Trunk Highway K**, in **Kenosha County**.

The **County of Kenosha**, has determined it necessary to acquire for the purpose set forth in and in accordance with said relocation order, has ordered the **County of Kenosha** to acquire, in the name of the **County of Kenosha**, a parcel of real estate and/or rights therein as set forth, in and to which the following persons have an interest:

**60<sup>th</sup> Street Investments, LLC**, a Wisconsin Limited Liability Company and **Vincent I. Ruffalo**, a Wisconsin resident

The interest acquired by this award is:

**LEGAL DESCRIPTION IS ATTACHED AND MADE A PART OF THIS DOCUMENT BY REFERENCE.**

Document #: **1874847**

Date: **2020-08-12** Time: **3:11 PM** Pages: **3**

Fee: **\$30.00** County: **KENOSHA** State: **WI**

REGISTER OF DEEDS: **JOELLYN M. STORZ**

Exempt Code: 2r

\*\*\*The above recording information verifies this document has been electronically recorded and returned to the submitter\*\*\*



This space is reserved for recording data

Return to

**Single Source, Inc.**

**Attn: Jim Weisling**

**250 Bishops Way, Suite 102**

**Brookfield, WI 53005**

Parcel Identification Number/Tax Key Number

**80-4-122-051-0110**

Said parcel of real estate and/or interests therein will be occupied by **County of Kenosha** or its agents on **August 11, 2020** (date) having complied with all jurisdictional requirements pursuant to law, makes this award of damages to the above persons having an interest in said parcel of real estate, in the sum of **Five Thousand Nine Hundred and 00/100 dollars (\$5,900.00)**, for the acquisition of said parcel of real estate and/or interests therein as set forth.

*Clement Abongwa*

Acquiring Agency (County of Kenosha)

Clement Abongwa, P.E.

Director/Highway Commissioner

Title

**8-12-20**

Date

Project ID:  
**RD18-004**

This instrument was drafted by:  
**Jim Weisling of Single Source, Inc.**

Parcel No..  
**29**

### LEGAL DESCRIPTION

**Fee Simple** in and to the following tract of land in Kenosha County, State of Wisconsin, described as follows:

That part of the Northeast 1/4 of the Northeast 1/4 of Section 5, Town 1 North, Range 22 East, in the Town of Somers described as follows:

Commencing at the Northeast corner of the Northeast 1/4 of said Section; thence South 03°07'55" East along the East line of said Section 58.00 feet to the point of beginning of lands to be described; thence continuing South 03°07'55" East along said East line 217.71 feet to a point; thence South 86°52'05" West 33.00 feet to a point on the West line of CTH H; thence North 07°44'45" West 196.47 feet to a point; thence North 49°42'24" West 55.55 feet to a point; thence South 89°40'11" West 260.75 feet to a point; thence North 03°07'55" West 46.05 feet to a point on the North line of said Section; thence North 89°40'11" East along said North line 292.00 feet to a point; thence South 00°19'49" East 33.00 feet to a point on the South line of CTH K; thence South 46°43'52" East along said South line 38.49 feet to a point; thence North 86°52'05" East 33.00 feet to the point of beginning.

This parcel contains 0.386 acres of land already in use for highway purposes, and 0.152 acres, more or less, of additional land.

Also,

**Temporary Limited Easement** for the right to construct side slopes, including for such purpose the right to operate the necessary equipment thereon and the right of ingress and egress as long as required for such public purpose, including the right to preserve, protect, remove, or plant thereon any vegetation that the highway authorities may deem necessary or desirable, in and to the following tract of land in Kenosha County, State of Wisconsin, described as follows:

That part of the Northeast 1/4 of the Northeast 1/4 of Section 5, Town 1 North, Range 22 East, in the Town of Somers described as follows:

Commencing at the Northeast corner of the Northeast 1/4 of said Section; thence South 89°40'11" West along the North line of said Section 350.00 feet to a point; thence South 03°07'55" East 33.04 feet to a point on the South line of CTH K; thence continuing South 03°07'55" East 13.02 feet the point of beginning of lands to be described; thence North 89°40'11" East 260.75 feet to a point; thence South 49°42'24" East 7.68 feet to a point; thence South 89°40'11" West 266.33 feet to a point; thence North 03°07'55" West 5.00 feet to the point of beginning.

This parcel contains 0.030 acres, more or less.

**Also,**

**That part of the Northeast 1/4 of the Northeast 1/4 of Section 5, Town 1 North, Range 22 East, in the Town of Somers described as follows:**

**Commencing at the Northeast corner of the Northeast 1/4 of said Section; thence South 03°07'55" East along the East line of said Section 275.71 feet to a point; thence South 86°52'05" West 33.00 feet to a point on the West line of CTH H; thence South 03°07'55" East along said West line 213.49 feet to a point; thence South 86°52'05" West 7.00 feet to a point; thence North 03°07'55" West 213.20 feet to a point; thence North 07°44'45" West 203.97 feet to a point; thence South 49°42'24" East 10.47 feet to a point; thence South 07°44'45" East 196.47 feet to the point of beginning.**

**This parcel contains 0.066 acres, more or less.**

**The above Temporary Limited Easement is to terminate upon the completion of this project or on the day the highway is open to the traveling public, whichever is later.**

FILED  
10-05-2020  
Clerk of Circuit Court  
Kenosha County  
2020CV000912  
Honorable Chad G  
Kerkman  
Branch 8

STATE OF WISCONSIN      CIRCUIT COURT      KENOSHA COUNTY

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60<sup>TH</sup> STREET INVESTMENTS, LLC  
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Defendant.

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**JURY DEMAND**


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**NOW COMES** the above-named Plaintiffs, by their attorneys, GUTTORMSEN, TERRY & NUDO, LLC, by Anthony Nudo, hereby requests a trial by a jury of twelve (12) persons in the above-entitled matter. Tendered herewith is the jury fee in the amount of Seventy-Two Dollars and No/100's (\$72.00).

Dated: October 5, 2020.

**GUTTORMSEN, TERRY & NUDO, LLC**  
Attorneys for Plaintiffs

**DRAFTED BY:**

 GUTTORMSEN, TERRY & NUDO, LLC  
Anthony Nudo, Attorney at Law  
SBN: 1055242  
4003 80<sup>th</sup> Street, Suite 101  
Kenosha, WI 53142  
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Email: [Anthony@LawMidwest.com](mailto:Anthony@LawMidwest.com)

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

Anthony Nudo, Attorney at Law  
State Bar No. 1055242