

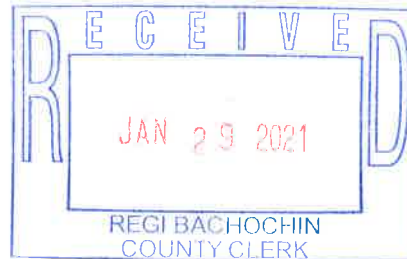
**STATE OF WISCONSIN****CIRCUIT COURT****KENOSHA**

Deborah K. Kahana et al vs. County of Kenosha

**Electronic Filing  
Notice**

Case No. 2021CV000058

Class Code: Condemnation Review

**FILED****01-21-2021****Clerk of Circuit Court****Kenosha County****2021CV000058****Honorable Chad G  
Kerkman****Branch 8**COUNTY OF KENOSHA  
1010 56TH ST.  
KENOSHA WI 53140

Case number 2021CV000058 was electronically filed with/converted by the Kenosha County Circuit Court office. The electronic filing system is designed to allow for fast, reliable exchange of documents in court cases.

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If you are not represented by an attorney and would like to register an electronic party, you will need to enter the following code on the eFiling website while opting in as an electronic party.

**Pro Se opt-in code: 1ab4e5**

Unless you register as an electronic party, you will be served with traditional paper documents by other parties and by the court. You must file and serve traditional paper documents.

Registration is available to attorneys, self-represented individuals, and filing agents who are authorized under Wis. Stat. 799.06(2). A user must register as an individual, not as a law firm, agency, corporation, or other group. Non-attorney individuals representing the interests of a business, such as garnishees, must file by traditional means or through an attorney or filing agent. More information about who may participate in electronic filing is found on the court website.

If you have questions regarding this notice, please contact the Clerk of Circuit Court at 262-653-2664.

Kenosha County Circuit Court  
Date: January 22, 2021

**FILED**  
**01-21-2021**  
**Clerk of Circuit Court**  
**Kenosha County**  
**2021CV000058**  
**Honorable Chad G**  
**Kerkman**  
**Branch 8**

STATE OF WISCONSIN      CIRCUIT COURT      KENOSHA COUNTY

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DEBORAH K. KAHANA and  
JOHN P. PARMENTIER,  
10610 Burlington Road  
Kenosha, WI 53144-7448

Plaintiffs,

v.

COUNTY OF KENOSHA,  
1010 56th St.  
Kenosha, WI 53140

Case No.:  
Code: 30402  
Condemnation Review

Defendant.

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**NOTICE OF APPEAL AND APPEAL OF AWARD**

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To:      County of Kenosha  
         1010 56th St.  
         Kenosha, WI 53140

Rebecca Matoska-Mentink, Clerk of Courts  
Kenosha County Courthouse  
912 56th Street  
Kenosha, WI 53140

Regi Bachochin, County Clerk  
1010 56th St.  
Kenosha, WI 53140

Wells Fargo Bank, N.A.  
101 North Phillips Avenue  
Sioux Falls, SD 57104

## NOTICE OF APPEAL

PLEASE TAKE NOTICE that the above-named Plaintiffs, Deborah K. Kahana and John P. Parmentier, by their attorneys, Eminent Domain Services, LLC, hereby appeal from the amount of compensation stated in the Award of Damages by the County of Kenosha.

## APPEAL OF JUST COMPENSATION AWARD

COMES NOW Plaintiffs, Deborah K. Kahana and John P. Parmentier, by their attorneys, Eminent Domain Services, LLC, and pursuant to Wis. Stat. § 32.05(11), hereby appeal from the amount of compensation made in the Award of Damages by County of Kenosha and state and allege as follows:

1. Plaintiffs hereby appeal to the Circuit Court of Kenosha County in accordance with Wisconsin Statutes section 32.05(11) from the amount of compensation stated in the Award of Damages ("Award"), which was recorded with the Kenosha County Register of Deeds on December 3, 2019, as Document No. 1856214, a copy of which (with dollar amount redacted) is annexed hereto as Exhibit A and incorporated herein by reference.

2. Plaintiffs own real estate in Kenosha County, Wisconsin. Defendant acquired Plaintiffs' real estate through condemnation proceedings pursuant to Wis. Stat. § 32.05 as described in the attached Exhibit A which is incorporated herein by reference.

3. This appeal is timely made pursuant to Wis. Stat. § 32.05(11) within two years of the date on which the Award was recorded with the Kenosha County Register of Deeds.

WHEREFORE, Plaintiffs hereby appeal to the Circuit Court of Kenosha County, Wisconsin, pursuant to Wis. Stat. § 32.05(11).

Plaintiffs hereby demand a jury of twelve jurors.

Dated this 21st day of January, 2021.

EMINENT DOMAIN SERVICES, LLC

Electronically signed by Erik S. Olsen

Electronically signed by Andrew D. Weininger

Erik S. Olsen

State Bar No.: 1056276

Andrew D. Weininger

State Bar No.: 1084096

Attorneys for Plaintiffs

131 W. Wilson St., Ste. 800  
Madison, WI 53703-3270  
Telephone: (608) 535-6109  
Facsimile: (608) 338-0889

**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 June 11, 2019 and filed in the office of the County Clerk of Kenosha County, for the improvement of County Trunk Highway S, 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:

Deborah K. Kahana and John P. Parmentier and Wells Fargo Bank, N.A.

The interest acquired by this award is:

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

Document #: **1856214**

Date: **2019-12-03** Time: **02:53 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: Marc McSorley

250 Bishops Way, Suite 102

Brookfield, WI 53005

Parcel Identification Number/Tax Key Number

82-4-222-301-0040

Said parcel of real estate and/or interests therein will be occupied by County of Kenosha or its agents on 11/11/19 (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 [REDACTED] 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

Date

12/2/2019

Project ID:  
RD16-003(A)

This instrument was drafted by:  
Marc McSorley of Single Source, Inc.

Parcel No.:  
9



**LEGAL DESCRIPTION**

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

Part of the Northeast 1/4 of the Northeast 1/4 of section 30, Town 2 North, Range 22 East of the Fourth Principal Meridian, Lying and being in the Village of Somers, Kenosha County, Wisconsin, and being more particularly described as:

Commencing at the Northeast Corner of said Quarter Section; thence South 88°20'46" West along the North line of said 1/4 Section 1143.65 feet to a point; thence South 01°39'52" East 81.51 feet to the point of beginning of lands to be described; thence South 68°19'27" East 308.75 feet to a point; thence South 22°33'33" West 41.00 feet to a point; thence Southeasterly 304.84 feet along the arc of a curve whose center lies to the Southwest, whose radius is 2617.00 feet and whose chord bears South 64°06'14" East 304.66 feet to a point; thence South 26°07'27" West 87.56 feet to a point on the centerline of CTH S; thence Northwesterly 303.38 feet along said centerline and the arc of a curve whose center lies to the Southwest, whose radius is 2531.31 feet and whose chord bears North 64°23'43" West 303.19 feet to a point; thence North 67°49'44" West along said center line 247.54 feet to a point; thence North 01°39'52" West 139.19 feet to the point of beginning.

This parcel contains 1.440 Acres, more or less.

Also,

**Temporary Limited Easement** in and to the following tract of land in Kenosha County, State of Wisconsin, described as follows:

Part of the Northeast 1/4 of the Northeast 1/4 of section 30, Town 2 North, Range 22 East of the Fourth Principal Meridian, Lying and being in the Village of Somers, Kenosha County, Wisconsin, and being more particularly described as:

Commencing at the Northeast Corner of said Quarter Section; thence South 88°20'46" West along the North line of said 1/4 Section 1143.65 feet to a point; thence South 01°39'52" East 70.62 feet to the point of beginning of lands to be described; thence South 68°19'27" East 193.93 feet to a point; thence North 22°33'33" East 11.84 feet to a point; thence South 67°26'27" East 85.00 feet to a point; thence South 22°33'33" West 20.53 feet to a point; thence North 68°19'27" West 274.47 feet to a point; thence North 01°39'52" West 10.89 feet to the point of beginning.

This parcel contains 0.085 Acres, more or less.

Also,

**Temporary Limited Easement** in and to the following tract of land in Kenosha County, State of Wisconsin, described as follows:

Part of the Northeast 1/4 of the Northeast 1/4 of section 30, Town 2 North, Range 22 East of the Fourth Principal Meridian, Lying and being in the Village of Somers, Kenosha County, Wisconsin, and being more particularly described as:

Project I.D. RD16-00-3 (A)

10/22/18

Parcel 9

Commencing at the Northeast Corner of said Quarter Section; thence South 88°20'46" West along the North line of said 1/4 Section 1143.65 feet to a point; thence South 01°39'52" East 81.51

feet to a point; thence South 68°19'27" East 308.75 feet to a point; thence South 22°33'33" West 22.99 feet to the point of beginning of lands to be described; thence South 64°58'00" East 283.11 feet to a point; thence South 62°13'11" East 22.73 feet to a point; thence South 26°07'27" West 21.49 feet to a point; thence Northwesterly 304.84 feet along the arc of a curve whose center lies to the Southwest, whose radius is 2617.00 feet and whose chord bears North 64°06'14" West 304.66 feet to a point; thence North 22°33'33" East 18.01 feet to the point of beginning.

This parcel contains 0.121 Acres, more or less.