

**FILED**  
**08-06-2021**  
**Clerk of Circuit Court**  
**Kenosha County**  
**2021CV000695**  
**Honorable David Wilk**  
**Branch 5**

**STATE OF WISCONSIN      CIRCUIT COURT      KENOSHA COUNTY**

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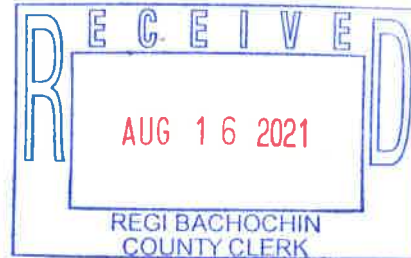
**LIVING LIGHT CHRISTIAN CHURCH, INC.,**  
**A Wisconsin Non-Stock Corporation,**  
**6102 39th Avenue**  
**Kenosha, WI 53142**

**Plaintiff,**

**v.**

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

**Defendant.**



**Case No.:**  
**Code: 30402**  
**Condemnation Review**

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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**

## NOTICE OF APPEAL

PLEASE TAKE NOTICE that the above-named Plaintiff, Living Light Christian Church, Inc., by their attorneys, Eminent Domain Services, LLC, hereby appeals from the amount of compensation stated in the Award of Damages by the County of Kenosha.

## APPEAL OF JUST COMPENSATION AWARD

COMES NOW Plaintiff, Living Light Christian Church, Inc., by their attorneys, Eminent Domain Services, LLC, and pursuant to Wis. Stat. § 32.05(11), hereby appeals from the amount of compensation made in the Award of Damages by County of Kenosha and states and alleges as follows:

1. Plaintiff hereby appeals 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 September 26, 2019, as Document No. 1851108, a copy of which (with dollar amount redacted) is annexed hereto as Exhibit A and incorporated herein by reference.

2. Plaintiff owns real estate in Kenosha County, Wisconsin. Defendant acquired Plaintiff's 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, Plaintiff hereby appeals to the Circuit Court of Kenosha County, Wisconsin, pursuant to Wis. Stat. § 32.05(11).

Plaintiff hereby demands a jury of twelve jurors.

Dated this 6th day of August, 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

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.

Ipa1559 04/2016 (replaces Ipa1559 08/2011)

This award of damages is made pursuant to a relocation order of **County of Kenosha** dated **March 26, 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:

**Living Light Christian Church, Inc., a Wisconsin Non-Stock Corporation**

The interest acquired by this award is:

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

Document #: **1851108**Date: **2019-09-26** Time: **11:03 AM** Pages: **2**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: Steve Boll

250 Bishops Way, Suite 102

Brookfield, WI 53005

Parcel Identification Number/Tax Key Number

82-4-222-291-0102

Said parcel of real estate and/or interests therein will be occupied by **County of Kenosha** or its agents on **9/25/19** (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

*9-25-19*

Project ID:  
3210-00-05

This instrument was drafted by:  
Steve Boll of Single Source, Inc.

Parcel No.:  
12

**Exhibit A**

### LEGAL DESCRIPTION

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

Part of Lot 1 of Certified Survey Map 952 DOC#1348039 DOC#1490667 in and including that part of the Southeast 1/4 of the Northeast 1/4 and the Northeast 1/4 of the Northeast 1/4 of Section 29, Township 2 North, Range 22 East of the Fourth Principal Meridian, lying and being in the Village of Somers, Kenosha County, Wisconsin more particularly described as follows:

Beginning at the Southeast Corner of said Quarter Section; thence South 89°13'54" West along the South line of said 1/4 Section 788.63 feet to a point; thence North 00°28'51" East 160.20 feet to a point; thence South 89°30'00" East 684.60 feet to a point; thence North 40°27'48" East 68.89 feet to a point; thence North 01°26'04" West 1375.45 feet to a point on the South line of Certified Survey Map 2333; thence North 89°33'54" East along said South line and its extension 53.01 feet to a point on the East line of said 1/4 Section; thence South 01°26'04" East along said East line 1571.98 feet to the point of beginning.

This parcel contains 0.151 acres of land already in use for highway purposes, and 2.583 acres, more or less, of additional land.

Also,

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

Part of Lot 1 of Certified Survey Map 952 DOC#1348039 DOC#1490667 in and including that part of the Southeast 1/4 of the Northeast 1/4 and the Northeast 1/4 of the Northeast 1/4 of Section 29, Township 2 North, Range 22 East of the Fourth Principal Meridian, lying and being in the Village of Somers, Kenosha County, Wisconsin more particularly described as follows:

Commencing at the Southeast Corner of said Quarter Section; thence South 89°13'54" West along the South line of said Section 788.63 feet to a point; thence North 00°28'51" East 160.20 feet to the point of beginning of lands to be described; thence North 89°30'00" West 10.00 feet to a point; thence North 00°28'51" East 10.00 feet to a point; thence South 89°30'00" East 683.41 feet to a point; thence North 40°27'48" East 65.27 feet to a point; thence North 01°24'07" West 288.19 feet to a point; thence North 00°07'12" West 178.78 feet to a point; thence North 01°24'07" West 901.00 feet to a point on the South line of Certified Survey Map 2333; thence North 89°33'54" East along said South line 8.50 feet to a point; thence South 01°26'04" East 1375.45 feet to a point; thence South 40°27'48" West 68.89 feet to a point; thence North 89°30'00" West 684.60 feet to the point of beginning.

This parcel contains 0.496 Acres, more or less.