STATE OF WISCONSIN

CIRCUIT COURT

KENOSHA COUNTY

TIMOTHY PETERS,

Plaintiff,

V.

Case No. 21-CV-43

WISCONSIN DOT,

Defendant.

AFFIDAVIT OF MAILING

STATE OF WISCONSIN

) SS

COUNTY OF RACINE

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Timothy Peters, being first duly sworn upon oath, states that on the day of September, 2021, I caused to be deposited in the Post Office at Racine, Wisconsin, a true copy of the attached Application for Assignment to Condemnation Commission, securely enclosed in an envelope, via certified mail, the postage prepaid thereon, to the following named at the addresses stated, to-wit:

Attorney General State of Wisconsin Department of Justice P.O. Box 7857 Madison, WI 53707-7857 Kenosha County Clerk Ms. Regi Bachochin 1010 56th Street Kenosha, WI 53140

Timothy Peters

Subscribed and sworn to before me this 212 day of September, 2021.

Mark A. Hinkston

Notary Public, State & Williamsin

My Commission expr

SEP 2 9 2021

REGIBACHOCHIN COUNTY CLERK

STATE of WISCONSIN

CIRCUIT COURT

KENOSHA COUNTY

David P. Wilk Circuit Judge Branch 5 21CV443

Timothy Peters

3509 N Britton RD

Union Grove, WI

53182

Application for assignment to Condemnation Commission

RE: Project I.D. 3210-00-05 Plat sheet No. 4.11

Assessor's Parcel number: 80-4-222-272-0445

The acquired parcel was intended for the (Kenosha County) highway Project. However it, (the acquired parcel), was also used to cut a hole in the creek bank (lower the berm), and to run a sloping trench to the low point in the remainder land. This allows additional flood waters direct access to remainder land.

Since this depreciates the remainder land, I want to contest the compensation award as they should have bought the larger parcel in its entirety. I believe the difference between the county's appraisal and the One Source appraisal is the DNR rules. This should put the reminder land under chapter 32.10 anyway as the DNR has taken away the ability to utilize the land. This has been proved by the purchase of the acquired partial according to the One Source appraisal. Their (One Source) conclusion is that the highest and best use is residential development.

Due to the "Acquisition of Land and Improvements for county trunk Highway S Improvement Project", parcel 30, I was sent a copy of "The Rights of Landowners Under Wisconsin Eminent Domain Law", describing the process under sec. 32.05 to contest the award. I believe the copy sent is a direct result of chap 32.26-6.

Kenosha County wrote the check for the compensation award.

Respectfully submitted,

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