

**RESOLUTION 2024-056  
VILLAGE OF CALEDONIA**

**A RESOLUTION APPROVING FIRST AMENDMENT TO AMENDED  
DEVELOPMENT AGREEMENT BETWEEN THE VILLAGE OF CALEDONIA,  
CORNERSTONE DEVELOPMENT OF S.E. WISCONSIN, LLC AND THE GLEN AT  
WATERS EDGE, LLC FOR THE GLEN AT WATERS EDGE**

The Village Board for the Village of Caledonia, Racine County, WI do resolve as follows:

**WHEREAS**, the Village of Caledonia created Tax Incremental District No. 5 (“TID 5”) as a “rehabilitation – conservation” district; and

**WHEREAS**, Village and Cornerstone Development of S.E. Wisconsin entered into an Amended Development Agreement for a development within TID 5 dated as of June 13, 2023 for the development of property for a residential subdivision with certain financial participation by the Village and with an assignment of certain rights to its affiliated entity The Glen at Waters Edge, LLC (the “Amended Development Agreement”). The parties desire to amend the Amended Development Agreement addressing the timeline for certain improvements and obligations;

**BE IT RESOLVED THAT**, the First Amendment to the Amended Development Agreement as set forth in **Exhibit A** attached hereto is authorized and approved, and the Village President and Village Clerk are authorized to execute said First Amendment to the Amended Development Agreement and the Village Administrator and authorized Village Staff are authorized to take such actions as are consistent with and as provided for in the Development Agreement;

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this 23 day of April 2024.

**VILLAGE OF CALEDONIA**

By: Thomas R Weatherston  
Thomas Weatherston  
Village President

Attest: Jennifer Olsen  
Jennifer Olsen  
Village Clerk

**FIRST AMENDMENT TO AMENDED  
DEVELOPMENT AGREEMENT  
BETWEEN THE VILLAGE OF CALEDONIA,  
CORNERSTONE DEVELOPMENT OF S.E. WISCONSIN, LLC AND THE GLEN AT  
WATERS EDGE, LLC FOR  
THE GLEN AT WATERS EDGE**

THIS FIRST AMENDMENT TO the Amended Development Agreement (this "First Amendment") is made and entered into as of April 19, 2024, by and between Cornerstone Development of S.E. Wisconsin, LLC and The Glen at Waters Edge, LLC (collectively, the "Developer") and Village of Caledonia ("Village").

**RECITALS**

A. Village and Developer entered into an Amended Development Agreement dated as of June 13, 2023, a memorandum of which was recorded in the Office of the Racine County Register of Deeds on June 20, 2023 as Document No. 2656532 pursuant to which development of the property for a 30 single family home subdivision was planned, with certain financial participation by the Village and with an assignment of certain rights to its affiliated entity The Glen at Waters Edge, LLC (the "Development Agreement").

B. The parties desire to amend certain provisions of the Development Agreement as more particularly described below.

**AGREEMENT**

In consideration of the Recitals and the mutual promises set forth below, the parties hereby agree as follows:

1. Recitals. The foregoing Recitals are hereby incorporated herein by this reference.
2. Capitalized Terms. Capitalized terms not otherwise defined in this First Amendment shall have the meanings ascribed to them in the Development Agreement.
3. Building Permit and Commence Construction. Article IV, Paragraph E is revised to read as follows:

Except for the second lift of asphalt, Developer shall complete the construction of and installation of all Public Improvements in accordance with the approved Village Project Plans and Specifications, and will dedicate the same to the Village in accordance with the Village inspection and acceptance procedures by June 1, 2024. In addition Developer shall apply for 2 building permits in May of 2024 and commence construction of these buildings in the Project by not later than 3 weeks after receiving each respective permit, and substantially complete construction of the Project in accordance with all zoning approvals and the Project Plans, on or before the Completion Date. Copies of the Village-approved Project Plans will be retained at the offices of the Village. If landscaping cannot be completed due to seasonality, certificates of occupancy shall be issued, with landscaping to

be finished during the following growing season. The Village Building Inspector shall not issue a certificate of occupancy for a building if the building does not conform to the building plans, subject to any changes to the building plans that may have been approved by the Village. Representative architecture for buildings in the Project is included in Exhibit C, attached hereto.

4. Miscellaneous. Except as specifically amended in this First Amendment, the terms of the Development Agreement remain unmodified and in full force and effect. This First Amendment may be executed in several counterparts, each of which shall be deemed to be an original but all of which together shall constitute one and the same instrument. This First Amendment may be executed via e-mail or facsimile transmission and all PDF (or similar electronic format) or facsimile signatures shall be deemed originals for all purposes. The parties shall record a Memorandum of First Amendment with the Racine County Register of Deeds in substantial conformance with the prior form of Memorandum of Development Agreement already recorded. This Memorandum of First Amendment supplements, but does not replace, the prior recorded Memorandum of Development Agreement.

IN WITNESS WHEREOF, the parties have executed this amendment as of the date first set forth above.

**VILLAGE OF CALEDONIA**

BY Thomas R Weatherston  
Thomas Weatherston, Village President

Attest: Jennifer Olsen  
Jennifer Olsen, Village Clerk

**CORNERSTONE DEVELOPMENT OF S.E.  
WISCONSIN, LLC**

By: \_\_\_\_\_  
John J. Wahlen, Managing Member

**THE GLEN AT WATERS EDGE, LLC**

By: \_\_\_\_\_  
John J. Wahlen, Sole Member

## EXHIBIT A

The Glen at Waters Edge, being a subdivision of a part of the Southwest ¼ and Southeast ¼ of the Southwest ¼ of Section 16 and the Northeast ¼ of the Northwest ¼ of Section 21, all in Town 4 North, Range 23 East, in the Village of Caledonia Racine County Wisconsin with Lots 1 through 30, and four outlots.

### Parcel IDs

104042316021010  
104042316021020  
104042316021030  
104042316021040  
104042316021050  
104042316021060  
104042316021070  
104042316021080  
104042316021090  
104042316021100  
104042316021110  
104042316021120  
104042316021130  
104042316021140  
104042316021150

104042316021160  
104042316021170  
104042316021180  
104042316021190  
104042316021200  
104042316021210  
104042316021220  
104042316021230  
104042316021240  
104042316021250  
104042316021260  
104042316021270  
104042316021280  
104042316021290  
104042316021300  
104042316021001

EXHIBIT C  
REPRESENTATIVE ARCHITECTURE



EXHIBIT C





4100 N. Calhoun Road  
Suite 300  
Brookfield, WI 53005  
Phone: 262-781-7422  
Fax: 262-781-7423

**EASEMENT LEGEND:**

(A) 20' WIDE PUBLIC STRIP (DEDICATED TO THE PUBLIC)

(B) 10' WIDE PUBLIC STRIP (DEDICATED TO THE PUBLIC)

(C) 5' WIDE PUBLIC STRIP (DEDICATED TO THE PUBLIC)

(D) 3' WIDE LANDSCAPE EASEMENT

**UNPAVED LANE LEGEND:**

(1) 10' WIDE UNPAVED LANE (DEDICATED TO THE PUBLIC)

(2) 8' WIDE UNPAVED LANE (DEDICATED TO THE PUBLIC)

(3) 6' WIDE UNPAVED LANE (DEDICATED TO THE PUBLIC)

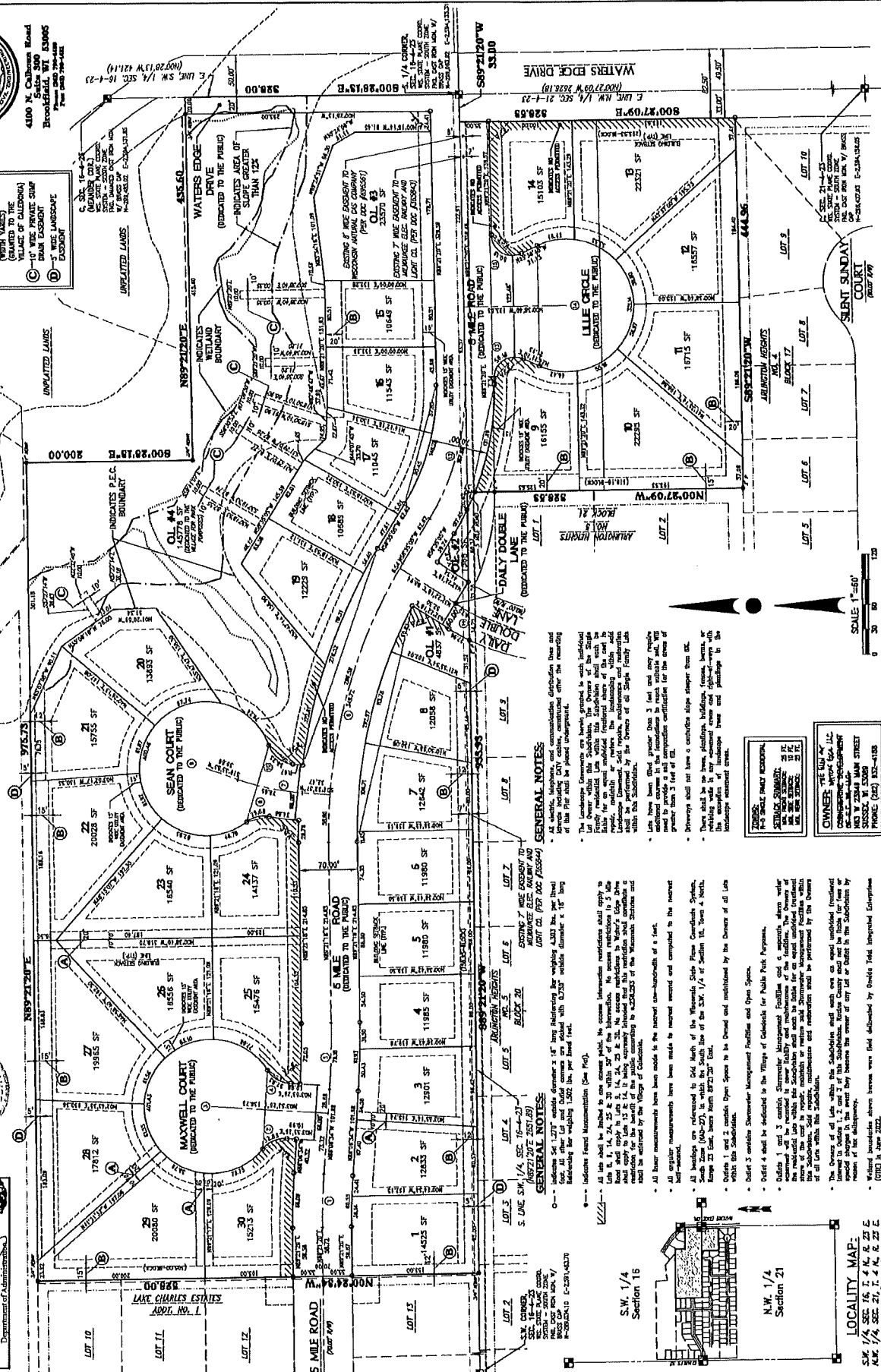
(4) 4' WIDE UNPAVED LANE (DEDICATED TO THE PUBLIC)

# THE GLEN AT WATERS EDGE

BEING A SUBDIVISION OF A PART OF THE SOUTHWEST 1/4 AND SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 16 AND THE NORTHEAST 1/2 OF THE SECTION 17, TOWNSHIP 4 NORTH, RANGE 23 EAST, IN THE VILLAGE OF CALEDONIA, RACINE COUNTY, WISCONSIN.



These are the plans in this subdivision  
No. 25 19-10  
S.W. 1/4, SEC. 16, T. 4 N., R. 23 E.  
S.E. 1/4, SEC. 17, T. 4 N., R. 23 E.  
Shall be provided by 4/23/21. WLS:SKC  
Certified November 19, 2022  
David J. Kohn  
Professional Engineer  
Department of Administration



**GENERAL NOTES:**

1. All electric, telephone, and communication distribution lines and services including utility poles, constructed after the recording of this Plan shall be placed underground.

2. The Owner shall be responsible for obtaining all necessary permits and approvals from the appropriate governmental agencies for the construction of the improvements shown on this Plan.

3. The Owner shall be responsible for obtaining all necessary permits and approvals from the appropriate governmental agencies for the construction of the improvements shown on this Plan.

4. The Owner shall be responsible for obtaining all necessary permits and approvals from the appropriate governmental agencies for the construction of the improvements shown on this Plan.

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8. The Owner shall be responsible for obtaining all necessary permits and approvals from the appropriate governmental agencies for the construction of the improvements shown on this Plan.

9. The Owner shall be responsible for obtaining all necessary permits and approvals from the appropriate governmental agencies for the construction of the improvements shown on this Plan.

10. The Owner shall be responsible for obtaining all necessary permits and approvals from the appropriate governmental agencies for the construction of the improvements shown on this Plan.

# THE GLEN AT WATERS EDGE

BEING A SUBDIVISION OF A PART OF THE SOUTHWEST 1/4 AND SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 21, ALL IN TOWN 4 NORTH, RANGE 25 EAST, IN THE VILLAGE OF CALEDONIA, RACINE COUNTY, WISCONSIN.

**CURVE TABLE**

NO.	LOTS	RADIUS	CENTRAL ANGLE	ARC	CHORD	CHORD BEARING	TANGENT IN	TANGENT OUT
1	C/L	80.00	42°06'	63.32	63.32	S89°24'37"E	S89°24'37"E	S89°24'37"E
2	C/L	80.00	42°06'	63.32	63.32	S89°24'37"E	S89°24'37"E	S89°24'37"E
3	SOUTH	78.00	42°06'	63.32	63.32	S89°24'37"E	S89°24'37"E	S89°24'37"E
4	2	78.00	42°06'	63.32	63.32	S89°24'37"E	S89°24'37"E	S89°24'37"E
5	3	35.00	42°06'	24.41	24.41	S89°24'37"E	S89°24'37"E	S89°24'37"E
6	4	35.00	42°06'	24.41	24.41	S89°24'37"E	S89°24'37"E	S89°24'37"E
7	5	35.00	42°06'	24.41	24.41	S89°24'37"E	S89°24'37"E	S89°24'37"E
8	6	35.00	42°06'	24.41	24.41	S89°24'37"E	S89°24'37"E	S89°24'37"E
9	7	35.00	42°06'	24.41	24.41	S89°24'37"E	S89°24'37"E	S89°24'37"E
10	8	35.00	42°06'	24.41	24.41	S89°24'37"E	S89°24'37"E	S89°24'37"E
11	9	35.00	42°06'	24.41	24.41	S89°24'37"E	S89°24'37"E	S89°24'37"E
12	10	35.00	42°06'	24.41	24.41	S89°24'37"E	S89°24'37"E	S89°24'37"E
13	11	35.00	42°06'	24.41	24.41	S89°24'37"E	S89°24'37"E	S89°24'37"E
14	12	35.00	42°06'	24.41	24.41	S89°24'37"E	S89°24'37"E	S89°24'37"E
15	13	35.00	42°06'	24.41	24.41	S89°24'37"E	S89°24'37"E	S89°24'37"E
16	14	35.00	42°06'	24.41	24.41	S89°24'37"E	S89°24'37"E	S89°24'37"E
17	15	35.00	42°06'	24.41	24.41	S89°24'37"E	S89°24'37"E	S89°24'37"E

**CURVE TABLE**

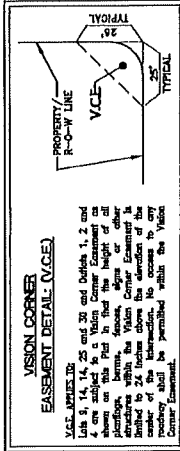
NO.	LOTS	RADIUS	CENTRAL ANGLE	ARC	CHORD	CHORD BEARING	TANGENT IN	TANGENT OUT
1	C/L	80.00	42°06'	63.32	63.32	S89°24'37"E	S89°24'37"E	S89°24'37"E
2	C/L	80.00	42°06'	63.32	63.32	S89°24'37"E	S89°24'37"E	S89°24'37"E
3	SOUTH	78.00	42°06'	63.32	63.32	S89°24'37"E	S89°24'37"E	S89°24'37"E
4	2	78.00	42°06'	63.32	63.32	S89°24'37"E	S89°24'37"E	S89°24'37"E
5	3	35.00	42°06'	24.41	24.41	S89°24'37"E	S89°24'37"E	S89°24'37"E
6	4	35.00	42°06'	24.41	24.41	S89°24'37"E	S89°24'37"E	S89°24'37"E
7	5	35.00	42°06'	24.41	24.41	S89°24'37"E	S89°24'37"E	S89°24'37"E
8	6	35.00	42°06'	24.41	24.41	S89°24'37"E	S89°24'37"E	S89°24'37"E
9	7	35.00	42°06'	24.41	24.41	S89°24'37"E	S89°24'37"E	S89°24'37"E
10	8	35.00	42°06'	24.41	24.41	S89°24'37"E	S89°24'37"E	S89°24'37"E
11	9	35.00	42°06'	24.41	24.41	S89°24'37"E	S89°24'37"E	S89°24'37"E
12	10	35.00	42°06'	24.41	24.41	S89°24'37"E	S89°24'37"E	S89°24'37"E
13	11	35.00	42°06'	24.41	24.41	S89°24'37"E	S89°24'37"E	S89°24'37"E
14	12	35.00	42°06'	24.41	24.41	S89°24'37"E	S89°24'37"E	S89°24'37"E
15	13	35.00	42°06'	24.41	24.41	S89°24'37"E	S89°24'37"E	S89°24'37"E
16	14	35.00	42°06'	24.41	24.41	S89°24'37"E	S89°24'37"E	S89°24'37"E
17	15	35.00	42°06'	24.41	24.41	S89°24'37"E	S89°24'37"E	S89°24'37"E

**PRESERVATION RESTRICTIONS:**

- These areas identified as Wetland and Primary Environmental Corridor (PEC) as shown on Order 4 of this Plan shall be subject to the following restrictions:
- Grading, filling, and excavation shall be prohibited in said Preservation Area, except as may be required for the construction of a structure and foundation is subject to approval by the City of Racine and the Department of Natural Resources.
- Construction of structures within said Preservation Area shall be prohibited.
- Removal or destruction of any vegetation, cover, logs, trees, shrubs, wildflowers, sedges, grasses, and the like shall be prohibited in said Preservation Area, except as may be required for the construction of a structure and foundation is subject to approval by the City of Racine and the Department of Natural Resources.
- Introduction of plant material not indigenous to the existing environment of the Preservation Area shall be prohibited in the Preservation Area.
- Grading by domesticated animals (e.g., horses, pigs, sheep and cows) shall be prohibited within said Preservation Area.
- No dumping of solid or liquid waste or debris of motorized vehicles will be allowed within any Deded or Open Space Area. Vegetative debris is also "solid waste".

**BASEMENT RESTRICTION FOR GROUNDWATER NOTICE**

Although all lots in the Subdivision have been reviewed and approved for development with single and multi-family residential use in accordance with Section 235 Wisconsin Statutes, some lots contain soil conditions that may require special foundation design. It is recommended that a licensed professional engineer design a basement and foundation that will be suitable to withstand the water problems associated with saturated soil conditions on basement walls or floors or that other means of water control be provided. It is recommended that each owner obtain a special investigation prior to construction and its specific representation is made hereto.



**TRIO**  
 4100 K. Callahan Road  
 Suite 300  
 Brookfield, WI 53005  
 Phone: 262-799-4444

These are subject to the following restrictions:  
 1. 206.15, 206.16, 206.20 and 206.21 (1) and (2), Wis. Stat. as provided by a local, Wis. Stat.  
 Certified November 13, 2023  
*Ramona Popel*  
 Department of Administration



ISSUED THIS 28TH DAY OF SEPTEMBER, 2023  
 DATED THIS 14TH DAY OF AUGUST, 2023



