

RESOLUTION NO. 02-05-07-01

**A Resolution Amending a Previously Approved
and Previously Amended Precise Implementation Plan
for the Project Known as Mill Street Plaza Development.**

WHEREAS, Fairwyn Development Corporation ("Fairwyn") did previously seek and obtain a zoning amendment for the property described more specifically in Addendum "A", attached hereto and incorporated herein by reference as if set forth at length herein (the "Subject Property"); and

WHEREAS, the Fairwyn did previously petition and obtain Village approval for a Precise Implementation Plan ("PIP") for the Subject Property and did also petition for and receive from the Village approval of one or more subsequent amendment(s) to said PIP; and

WHEREAS, Fairwyn has now petitioned the Village for a further amendment to the PIP, as previously amended, to address the location of the retail building proposed to be located on the Subject Property pursuant to the layout plan attached hereto as Addendum "B" and incorporated herein by reference; and

WHEREAS, the Plan Commission has approved said proposed further amendment to the PIP for the Subject Property; and

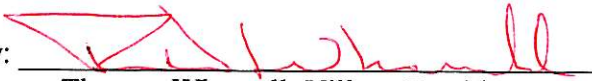
WHEREAS, the Village Board has been asked to consider the proposed amendment to the PIP as submitted by Fairwyn and as approved by the Plan Commission.


NOW, THEREFORE, BE IT RESOLVED by the Village Board for the Village of Fontana-on-Geneva Lake, as follows:

1. The recitals set forth above are incorporated herein by reference as if set forth at length herein.
2. That the previously approved PIP for the Subject Property, and the previous amendments thereto, is hereby further amended to fix the location of the retail or commercial building to be located in the commercial use area as depicted more specifically in the site plan attached hereto as Addendum "B" and incorporated herein by reference as prepared by Mr. Gary P. Welch and bearing a last revision date of January 19, 2007.
3. That non-substantive deviations from the details set forth in the PIP, as amended, for the Subject Property, herein defined, and as previously approved, may be reviewed and approved by the Village of Fontana, acting through the Village Administrator, without the need for additional review of said non-substantive changes by the Village Plan Commission or the Village Board.

PASSED AND ADOPTED by the Village Board of the Village of Fontana-on-Geneva Lake, Walworth County, Wisconsin on the 5th day of February, 2007.

BOARD OF TRUSTEES OF THE
VILLAGE OF FONTANA-ON-GENEVA LAKE

By: 
Thomas Whowell, Village President

Attest: 
Dennis Martin, Village Clerk

ADDENDUM "A"

Parcel 1:

Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 and 30 in Block 11, Original Plat of the Village of Fontana, Walworth county, Wisconsin

Also that portion of the vacated alley lying immediately East of Lot 2, being the West ½ of said alley, and all of the vacated alley lying South of the North line of Lot 3 extended East and the North line of Lot 4 extended West, in said Block 11 of the Village of Fontana, Walworth County, Wisconsin.

Parcel 2:

Lot 1 in Block 3 of the Assessor's Plat No. 1, C.L. Douglass Addition to the Village of Fontana, Walworth County, Wisconsin.

Parcel 3:

Part of Lot 1 in Block 2, Assessor's Plat No. 1, C.L. Douglass Addition to the Village of Fontana and part of Outlot 2 of the Assessor's Plat No. 1, C.L. Douglass Addition to the Village of Fontana, Walworth County, Wisconsin described as follows: Beginning at a found iron pipe at the Southeast corner of Lot 1, Block 2, Assessor's Plat No. 1, C.L. Douglass Addition to the Village of Fontana;

Thence South 01E 17' 25" East a distance of 30.00 feet to a set iron pipe; thence South 89E 02' 00" West a distance of 159.62 feet to a set iron pipe; thence North 03E 35' 51" West a distance of 130.32 feet to a found iron pipe; thence North 89E 06' 51" East a distance of 165.16 feet to a found iron pipe; thence South 01E 07' 31" East a distance of 99.95 feet to a found iron pipe; which is the point of beginning.

Elkhorn, WI 53121
262.723.0110 (phone)
262.723.0269 (fax)

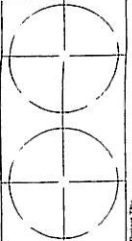
ADDENDUM "B"

RECEIVED

JAN 3 2007

VILLAGE OF FONTANA

FOR GARY P. WELSH, P.E. THIS DESIGN AND DRAWING IS THE PROPERTY OF GARY P. WELSH, P.E. AND IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. ANY USE OR REPRODUCTION WITHOUT THE EXPRESSED WRITTEN PERMISSION OF GARY P. WELSH, P.E. IS STRICTLY PROHIBITED AND SUBJECT TO LITIGATION. DO NOT SCALE THIS DRAWING. FOR DIMENSIONAL INFORMATION NOT SHOWN, CONTACT THE OFFICE OF GARY P. WELSH, P.E.



Project Title
MILL STREET COMMERCIAL
FAIRWAY LTD.
FONTANA WISCONSIN

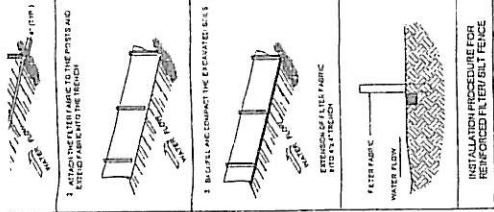
| Item | Date | Description |
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| 1 | 7/16/07 | Foundation Recertification |
| 2 | 7/16/07 | Foundation Recertification |
| 3 | 7/16/07 | Foundation Recertification |
| 4 | 7/16/07 | Foundation Recertification |
| 5 | 7/16/07 | Foundation Recertification |
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| 6 | 7/16/07 | Foundation Recertification |

Site Plan
C-1



PROPOSED GRADES

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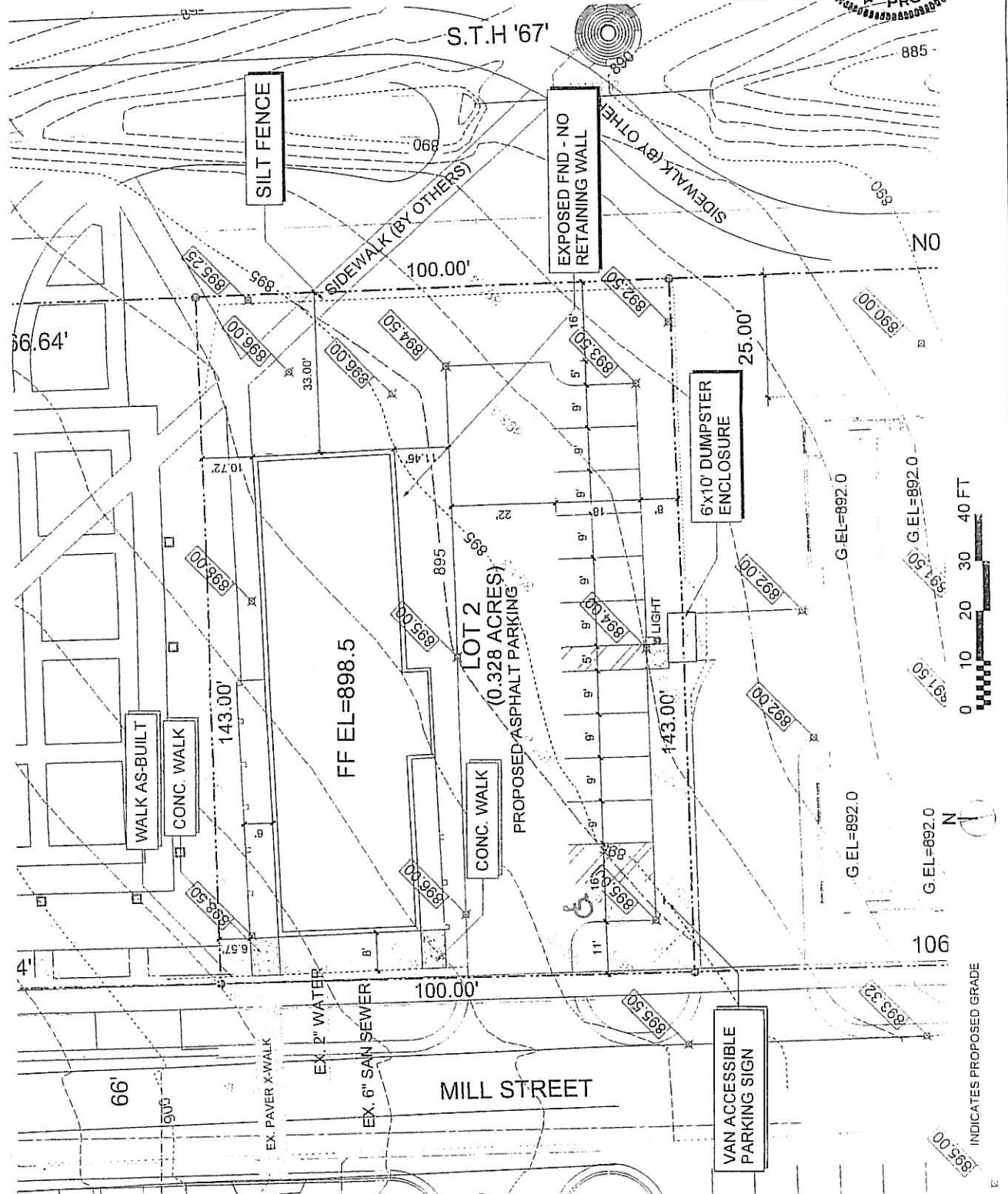
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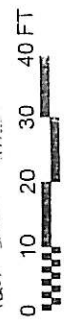
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FOUNDATION RECERTIFICATION:
FOUNDATION SURVEYED 7/16/07
ACTUAL LOCATION AS INDICATED

GARY P. WELSH, P.E.
01/19/2007

WISCONSIN PROFESSIONAL ENGINEER
GARY P. WELSH
E-15325
ELKHORN, WI



INDICATES PROPOSED GRADE