

FLOODING EASEMENT

WHEREAS, the undersigned _____
is (are) the owner (s) of certain land located near _____,
a waterway, where the same flows through part of the _____ Section (s) _____,
Township _____, Range _____, County of _____; and

WHEREAS, the State of Wisconsin, Department of Natural Resources, has determined that the regional flood elevation at the grantor's property will be _____ feet and that the backwater resulting from the proposed construction of _____ will constitute an increase in the regional flood elevation of approximately _____ feet at that same location, which is _____ feet in excess of the acceptable maximum permitted in the absence of appropriate legal arrangements under Chapter NR 116 of the Wisconsin Administrative Code; and

WHEREAS, the Department of Natural Resources has indicated that if affected landowners will grant to _____ flooding easements, that the plans for the placement of the proposed _____ would be approved.

NOW, THEREFORE, in consideration of \$ _____ (_____) dollars and other valuable consideration, the undersigned landowner (s) does (do) hereby grant to _____ flooding rights to permit surface water from _____ to go upon the land herein described should the same become necessary to accommodate any backwater resulting from the construction of _____ on the waterway herein referred to. This flowage easement is granted as a covenant running with the land and shall be binding upon the grantor's heirs, successors and assigns. Said increase in backwater shall be included on the official floodplain maps for _____ as part of the regional floodplain when the existing floodplain zoning ordinance is amended or, if no ordinance exists, or if the stream in question is not mapped, when mapping is prepared for the stream.

Dated this _____ day of _____, 200__

Grantor _____

Grantor _____

ACKNOWLEDGEMENTS

State of Wisconsin) ss.
County of _____)

Personally came before me this _____ day of _____, 200__, the above-named to me known to be the person (s) who executed the foregoing instrument and acknowledge the same.

Notary Public, State of Wisconsin
My commission (is) (expires) _____