

**VILLAGE OF WINDSOR  
VILLAGE BOARD RESOLUTION 2019-103**

**APPROVAL OF A CERTIFIED SURVEY MAP FOR PROPERTY  
LOCATED AT 4302 GRAY ROAD, VILLAGE OF WINDSOR**

**WHEREAS**, Rosemary Lockman (the “Petitioner”) has requested approval of: (1) a Certified Survey Map to divide property at 4302 Gray Road (the “Subject Property”), and; (2) a Rezone of Lot 2 of the Subject Property; and

**WHEREAS**, the Plan Commission recommended approval of the Certified Survey Map and Rezone in Plan Commission Resolution 2019-15; and

**WHEREAS**, the Village Director of Planning / Zoning Administrator has reviewed the Petitioner’s request and prepared a Staff Report dated September 27, 2019 (the “Staff Report”) recommending approval, subject to certain conditions specified in the Staff Report; and

**WHEREAS**, following review of information presented at the Plan Commission meeting, the Public Hearing, and the Staff Report, the Village Board approves to the Certified Survey Map, subject to the conditions specified in the Staff Report and as set forth herein.

**NOW, THEREFORE, BE IT RESOLVED** by the Village Board of the Village of Windsor as follows:

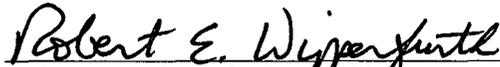
The Village of Windsor Board **Approves** the Certified Survey Map request for Rosemary Lockman located at 4302 Gray Road, Village of Windsor, subject to the following conditions:

1. The Petitioner shall address the technical comments set forth in the Village Staff Comments section of the Staff Report to the satisfaction of the Director of Planning/Zoning Administrator.
2. The Petitioner shall satisfy all conditions of approval by the Village of Windsor and any other approving authorities and shall thereafter promptly record the Certified Survey Map with the Dane County Register of Deed’s Office.
3. The Petitioner shall record an access easement agreement for the shared driveway located on Lots 1 and 2 of the proposed Certified Survey Map or remove the portion of the driveway (within 5 feet on each side of the Lot line) that provides joint access between Lots 1 & 2.
4. The Petitioner shall submit cash payment to the Village of Windsor for Fees in Lieu of Land in the amount in the amount of \$1,532.58 pursuant to Sec. 38-636(b) of the Village of Windsor Code of Ordinances for Lot 1.
5. The Petitioner shall submit cash payment to the Village of Windsor for Fees for Initial Improvement of Parkland in the amount in the amount of \$1,203.26 pursuant to Sec. 38-638(e) of the Village of Windsor Code of Ordinances for Lot 1.
6. The Village of Windsor shall waive requirements for payment of Fees in Lieu of Parkland and Fees for Initial Improvement of Parkland for Lot 2. The Certified Survey Map splits the existing residential lot from the parent farmland and does not create a new developable lot for Lot 2.

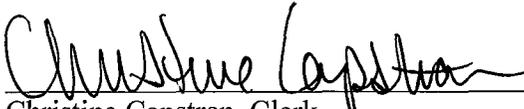
7. The Petitioner shall promptly reimburse the Village of Windsor for all costs and expenses incurred by Windsor in connection with the review and approval of the Certified Survey Map request, including, but not limited to, the cost of professional services incurred by the Village of Windsor for the review and preparation of required documents, attendance at meetings or other related professional services.
8. The Village of Windsor Board's approval of the Certified Survey Map and Rezone request expires one hundred-eighty (180) days from the date of adoption of this Resolution. Time is of the essence. If the Petitioner encounters an unforeseen development delay, as determined by the Zoning Administrator, the Zoning Administrator is authorized to extend the one hundred-eighty (180) day expiration, one time, up to an additional one hundred-twenty (120) days. If the Petitioner has not complied with all of the conditions prior to expiration, then a new application and new fees must be submitted and a complete review will be necessary.

The above and foregoing resolution was duly adopted at a regular meeting of the Village Board of the Village of Windsor, Dane County, Wisconsin, on the 3<sup>rd</sup> day of October, 2019, by a vote of 5 in favor and 0 opposed.

**VILLAGE OF WINDSOR**

  
Robert E. Wipperfurth, President

*Attested by:*

  
Christine Capstran, Clerk

**INCORPORATED BY REFERENCE:**

Staff Report  
Petitioner Application  
Plan Commission Resolution 2019-15  
Ordinance 2019-25

# Windsor

Growing Forward

To: Village of Windsor Board  
Cc: Robert Wipperfurth, Tina Butteris, Christine Capstran, William Cole, Jerry Groth  
From: Amy Anderson Schweppe, Jamie Rybarczyk  
Rpt Date: September 27, 2019  
Mtg Date: October 03, 2019  
Submtl Date: July 30, 2019  
Aprvl Date: October 28, 2019  
Re: Karow Ponderosa - Certified Survey Map and Rezone

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## **BACKGROUND:**

Petitioner: Rosemary Lockman (Personal Representative)  
Property Owner: Karow Ponderosa LLC  
Location / Address: 4302 Gray Road, DeForest, WI 53532  
Taxkey Number: 196/0910-204-9002-0  
Area: 38 Acres  
Existing Zoning: A-3, Agriculture District  
Proposed Zoning: A-3, Agriculture District & A-2(1), Agriculture District  
Future Land Use: Transitional Single Family Residential

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## **REQUEST:**

The Petitioner requests approval of a Certified Survey Map and Rezone in order to separate the existing homestead from the agriculture land and buildings.

See Exhibit A for additional information regarding the Petitioner's request.

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## **OVERVIEW:**

The Certified Survey Map creates two lots. Lot 1 will be 37.66 acres in size, excluding the Gray Road right-of-way, and zoned A-3, Agriculture District. Lot 2 will be 1.00 acre in size, excluding the Gray Road right-of-way, and rezoned from A-3, Agriculture District to A-2(1), Agriculture District. Each lot is part of an estate auction sale scheduled for September 28, 2019.

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## **VILLAGE STAFF COMMENTS:**

The Planning, Zoning and Development Department provides the Village Board with the following **planning, zoning and development** comment(s):

Village of Windsor Code of Ordinances: Chapter 38 Planning and Development & Wisconsin State Statutes: Chapter 236

1. All Sheets
  - a. Seal, sign and date all sheets.
  - b. Add “CERTIFIED SURVEY MAP No. \_\_\_\_\_” and legal description to the top of all sheets.
2. Sheet 1
  - a. It is not clear if the north half of Gray Road is to be dedicated. Label that portion of Gray Road “Dedicated to the Public”.
  - b. Add distances as noted on the CSM.
  - c. Recommend adding dimension lines to better identify where the bearing-distances are to.
  - d. Revise surrounding property labels to “Lands by Others”.
  - e. Recommend labeling the section / ¼ section / ¼-¼ section lines.
3. Sheet 2
  - a. There is an existing “U” shaped driveway that crosses over between Lot 1 and Lot 2 for access to the barn on Lot 1 and residence on Lot 2. A cross-access easement may be necessary over the driveway.
  - b. It is not clear if the north half of Gray Road is to be dedicated. If so, please label that portion of Gray Road “Dedicated to the Public”.
4. Sheet 3
  - a. In surveyor’s certificate, add “and Village of Windsor Code of Ordinances” after Chapter 236.34 of Wisconsin Statutes.
  - b. In the Description, must include a metes and bounds description of the overall property.
  - c. Due to roadway dedication of Gray Road, include a Mortgagee’s Certificate.
  - d. Add Plan Commission Certificate.
  - e. In the Notes, it references a utilities easement but no such easements are labeled on the plat.

Village of Windsor Code of Ordinances: Chapter 52 Zoning Districts

The Rezone request is consistent with the requirements of the A-2(1) Agriculture District and A-3, Agriculture District.

Village of Windsor Comprehensive Plan: 2035

The Certified Survey Map and Rezone request are consistent with the requirements of the Village of Windsor Comprehensive Plan: 2035.

The DeForest Windsor Fire & EMS District provides the Village Board with the following **fire and emergency services** comment(s):

1. The DeForest Windsor Fire & EMS District has no objections to the Certified Survey Map and Rezone request.

**VILLAGE POLICY COMMENTS/CONCERNS:**

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The Village Staff provides the Village Board with the following policy comments/concerns that require further discussion and action:

1. The Petitioner shall submit cash payment to the Village of Windsor for Fees in Lieu of Parkland Dedication (\$1,532.58) and Fees for Initial Improvement of Parkland (\$1,203.26) for the newly created Lot 1 as it is now a residentially developable lot as a result of the Certified Survey Map.
2. The Village of Windsor shall waive the Fees in Lieu of Parkland and Fees for Initial Improvement of Parkland for Lot 2. The Certified Survey Map splits the existing residential lot from the parent farmland and does not create a new developable lot for Lot 2.

**VILLAGE PLAN COMMISSION RECOMMENDATION:**

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On September 12, 2019 the Village Plan Commission recommended to the Village Board Approval of the Certified Survey Map and Rezone request for Rosemary Lockman located at 4302 Gray Road by Plan Commission Resolution 2019-15.

Exhibit B provides the unofficial meeting minutes for the Village Plan Commission regarding the Petitioner’s request.

**VILLAGE STAFF RECOMMENDATION:**

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Depending on confirmation by the Village of Windsor Board of the above described comments, the Village of Windsor Board may take the following action:

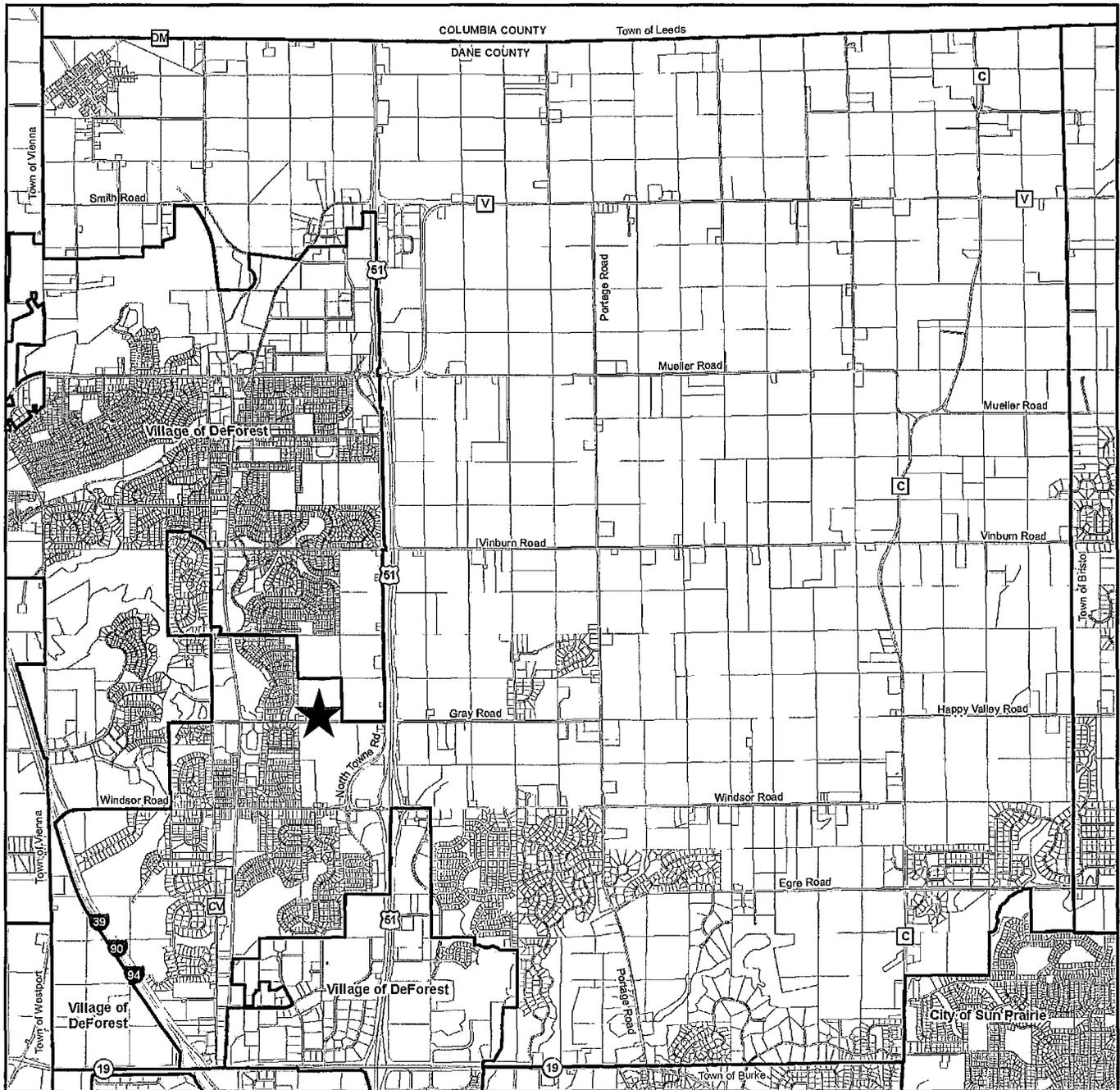
The Village of Windsor Board Approves the Certified Survey Map Request and Rezone for Rosemary Lockman for property located at 4302 Gray Road, Village of Windsor, subject to the following conditions:

1. Rezone
  - a. Lot 1 of the Certified Survey Map shall remain A-3, Agriculture District.
  - b. Lot 2 of the Certified Survey Map shall be rezoned from A-3, Agriculture District to A-2(1), Agriculture District.
  - c. The Rezone request shall have a delayed effective date and shall take effect at such time as the accompanying Certified Survey Map has been recorded in the Dane County Register of Deed’s Office.
2. Certified Survey Map
  - a. The Petitioner shall address the technical comments set forth in the Village Staff Comments section of the Staff Report to the satisfaction of the Director of Planning/Zoning Administrator.

- b. The Petitioner shall satisfy all conditions of approval by the Village of Windsor and any other approving authorities and shall thereafter promptly record the Certified Survey Map with the Dane County Register of Deed's Office.
  - c. The Petitioner shall record an access easement agreement for the shared driveway located on ~~lots~~ Lots 1 and 2 of the proposed Certified Survey Map or remove the portion of the driveway (within 5 feet on each side of the Lot line) that provides joint access between Lots 1 & 2.
  - d. The Petitioner shall submit cash payment to the Village of Windsor for Fees in Lieu of Land in the amount in the amount of \$1,532.58 pursuant to Sec. 38-636(b) of the Village of Windsor Code of Ordinances for Lot 1.
  - e. The Petitioner shall submit cash payment to the Village of Windsor for Fees for Initial Improvement of Parkland in the amount in the amount of \$1,203.26 pursuant to Sec. 38-638(e) of the Village of Windsor Code of ordinances for Lot 1.
  - f. The Village of Windsor shall waive requirements for payment of Fees in Lieu of Parkland and Fees for Initial Improvement of Parkland for Lot 2. The Certified Survey Map splits the existing residential lot from the parent farmland and does not create a new developable lot for Lot 2.
3. The Petitioner shall promptly reimburse the Village of Windsor for all costs and expenses incurred by Windsor in connection with the review and approval of the Certified Survey Map and Rezone request, including, but not limited to, the cost of professional services incurred by the Village of Windsor for the review and preparation of required documents, attendance at meetings or other related professional services.
  4. The Village of Windsor Board's approval of the Certified Survey Map and Rezone request expires one hundred-eighty (180) days from the date of adoption of this Resolution. Time is of the essence. If the Petitioner encounters an unforeseen development delay, as determined by the Zoning Administrator, the Zoning Administrator is authorized to extend the one hundred-eighty (180) day expiration, one time, up to an additional one hundred-twenty (120) days. If the Petitioner has not complied with all of the conditions prior to expiration, then a new application and new fees must be submitted and a complete review will be necessary

**LOCATION MAP:**

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**EXHIBITS:**

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- A. Petitioner Application
- B. Unofficial Minutes of the September 12, 2019 Plan Commission Meeting



# Windsor

Growing Forward

## Development Review Application

*Acknowledgement of Understanding*

The Petitioner, Property Owner, and Agent have reviewed and understand the Village of Windsor Code of Ordinances as it relates to the Development Review Application, Supplemental Information, and Technical Specifications required for the Development Review Request.

The Petitioner, Property Owner, and Agent understand that an Administrative Fee and Escrow Fee will be charged for review of the Development Review Request by the Village staff and professional consultants, and payment must be submitted with the Development Review Request.

Property Information	
Location / Address:	4302 Gray Road DeForest WI 53532
Taxkey Number:	196/0910-204-9002-0
Area:	

Petitioner	
Name:	Rosemary Lockman (personal Rep)
Address:	W5467 Cty Rd C5
City, State, Zip Code:	Poynette WI 53955
Phone:	608-712-7896
Residence / Business / <input checked="" type="radio"/> Cell	
Email:	LockmanRose@gmail.com
Signature:	

Property Owner	
Name:	Karow Ponderosa LLC
Address:	4302 Gray Rd
City, State, Zip Code:	DeForest WI 53532
Phone:	NONE
Residence / Business / Cell	
Email:	NONE
Signature:	(Managing Member)

Agent	
Name:	Daniel V Birrenkott, RLS
Address:	Po Box 237 1677 N Bristol St
City, State, Zip Code:	Sun Prairie WI 53590
Phone:	608-837-7463
Residence <input checked="" type="radio"/> Business <input type="radio"/> Cell	
Email:	dbirrenkott@birrenkottsurveying.com
Signature:	

## Development Review Application

### *Supplemental Application Information*

The Petitioner must submit one electronic file (PDF format) of the Supplemental Application Information per the below stated requirements. All questions regarding the Supplemental Application Information shall be directed to the Director of Planning/Zoning Administrator at [amy@windsorwi.gov](mailto:amy@windsorwi.gov) or (608) 888-0066.

The Windsor Code of Ordinances is located at [www.windsorwi.gov/ordinances](http://www.windsorwi.gov/ordinances).

Development Review Request	Supplemental Application Information
<input type="checkbox"/> Comprehensive Plan Amendment	<input type="checkbox"/> Refer to Windsor Comprehensive Plan: 2035 <input type="checkbox"/> Refer to Wis. Stats. 66.1001
<input type="checkbox"/> Buildings and Building Regulations	
<input type="checkbox"/> Standard Site Plan Review	<input type="checkbox"/> Refer to Ch 10, Art IX <input type="checkbox"/> Refer to Ch 52, Sec 52-101(3)
<input type="checkbox"/> Limited Site Plan Review	<input type="checkbox"/> Refer to Ch 10, Art IX <input type="checkbox"/> Refer to Ch 52, Sec 52-101(3)
<input checked="" type="checkbox"/> Planning and Development	
<input type="checkbox"/> Concept Plan	<input type="checkbox"/> Refer to Ch 38, Art IV, Div 2, Sec 38-128
<input type="checkbox"/> Preliminary Plat	<input type="checkbox"/> Refer to Ch 38, Art IV, Div 3
<input type="checkbox"/> Final Plat	<input type="checkbox"/> Refer to Ch 38, Art IV, Div 4
<input type="checkbox"/> Replat	<input type="checkbox"/> Refer to Ch 38, Art IV, Div 5
<input checked="" type="checkbox"/> Certified Survey Map	<input type="checkbox"/> Refer to Ch 38, Art IV, Div 6
<input type="checkbox"/> Condominium Plat	<input type="checkbox"/> Refer to Ch 38, Art IV, Div 10
<input checked="" type="checkbox"/> Zoning Districts	
<input checked="" type="checkbox"/> Zoning Map and/or Ordinance Amendment	<input type="checkbox"/> Refer to Ch 52, Art V, Sec. 52-101(4)
<input type="checkbox"/> Conditional Use Permit	<input type="checkbox"/> Refer to Ch 52, Art V, Sec. 52-101(5)
<input type="checkbox"/> Planned Unit Development	<input type="checkbox"/> Refer to Ch 52, Art V, Sec. 52-101(6)
<input type="checkbox"/> Sign	<input type="checkbox"/> Refer to Ch 52, Art V, Sec. 52-101(7)
<input type="checkbox"/> Zoning Variance	<input type="checkbox"/> Refer to Ch 52, Art V, Sec. 52-101(8)

## Development Review Application

### *Development Review Request*

The Petitioner must submit one electronic file (PDF format) of the Development Review Application and Supplemental Application Information to the Director of Planning/Zoning Administrator at [amy@windsorwi.gov](mailto:amy@windsorwi.gov) no less than thirty (30) days prior to the Village of Windsor meeting. The Village Plan Commission typically meets the second Thursday of every month, the Village Board typically meets the first Thursday of every month, both at 5:00 p.m. at the Village Municipal Building, 4084 Mueller Road, DeForest, WI 53532.

Development Review Request	Application		
	Fee	Escrow (Min)	Escrow (Max)
<input type="checkbox"/> Comprehensive Plan Amendment	\$300	\$1,000	N/A
<input type="checkbox"/> Buildings and Building Regulations			
<input type="checkbox"/> Standard Site Plan Review	\$300	\$2,500	N/A
<input type="checkbox"/> Limited Site Plan Review	\$150	N/A	N/A
<input type="checkbox"/> Planning and Development			
<input type="checkbox"/> Concept Plan	\$150	N/A	N/A
<input type="checkbox"/> Preliminary Plat	\$300	\$1,000/lot	\$10,000/lot
<input type="checkbox"/> Final Plat	\$300	\$1,000/lot	\$10,000/lot
<input type="checkbox"/> Replat	\$300	\$1,000/lot	\$10,000/lot
<input checked="" type="checkbox"/> Certified Survey Map	\$150	\$1,000/lot	\$5,000/lot
<input type="checkbox"/> Condominium Plat	\$300	\$1,000/lot	\$10,000/lot
<input type="checkbox"/> Zoning Districts			
<input checked="" type="checkbox"/> Zoning Map and/or Ordinance Amendment	\$150	\$1,000	N/A
<input type="checkbox"/> Conditional Use Permit	\$150	\$1,000	N/A
<input type="checkbox"/> Planned Unit Development	\$300	\$2,500	N/A
<input type="checkbox"/> Sign	\$100	N/A	N/A
<input type="checkbox"/> Zoning Variance	\$150	\$1,000	N/A
<input type="checkbox"/> Other	\$150	T.B.D.	T.B.D.

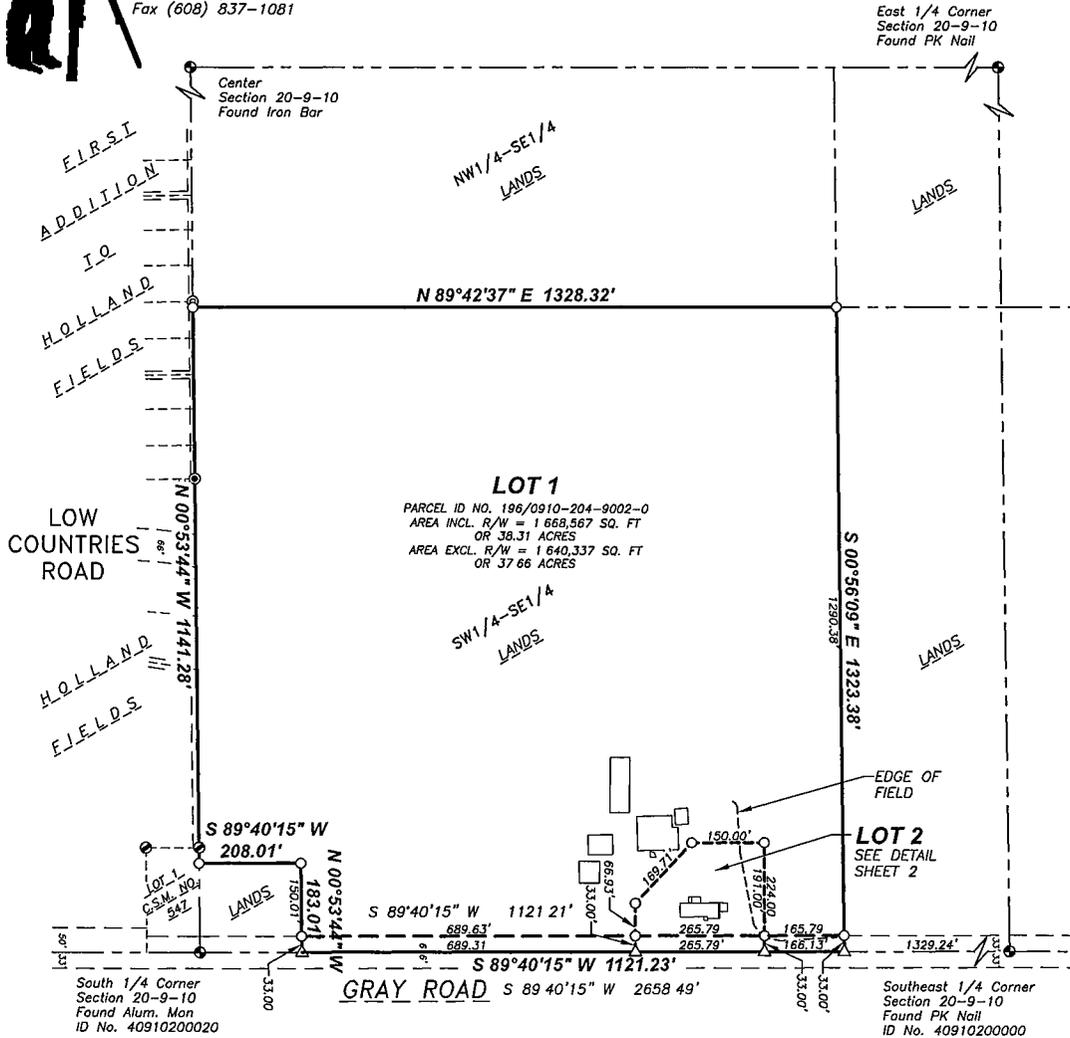


**BIRRENKOTT SURVEYING, INC.**

P.O. Box 237  
 1677 N Bristol Street  
 Sun Prairie, WI. 53590  
 Phone (608) 837-7463  
 Fax (608) 837-1081

**CERTIFIED SURVEY MAP**

Land located in part of the Southwest 1/4 of the Southeast 1/4 of Section 20, T9N, R10E, Village of Windsor, Dane County, Wisconsin



**Legend:**

- ⊙ = Found Iron Pipe
- ⊖ = Found Iron Bar
- ⊗ = Found 1" Iron Bar
- = 1"x24" Iron Pipe set  
min.wt = 1 13#/in.ft
- △ = "PK" Nail set
- ( ) = Recorded as data
- ⊙ = Well
- ⊕ = Septic Vent
- ⊖ = Septic Tank
- ⊗ = Utility Pedestal

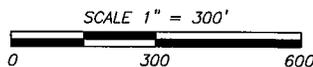
Bearings referenced to the South line of the SW1/4 of the SE1/4, bearing S 89°40'15" W

**Surveyed For:**

Karow's Ponderosa, LLC  
 4302 Gray Road  
 Deforest, WI 53532

SHEET 1 OF 3

Office Map No **190394**  
 190394\_CSM.dwg



CERTIFIED SURVEY MAP NO \_\_\_\_\_

VOLUME \_\_\_\_\_ PAGE \_\_\_\_\_

DOCUMENT NO \_\_\_\_\_



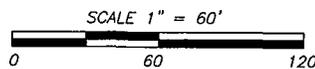
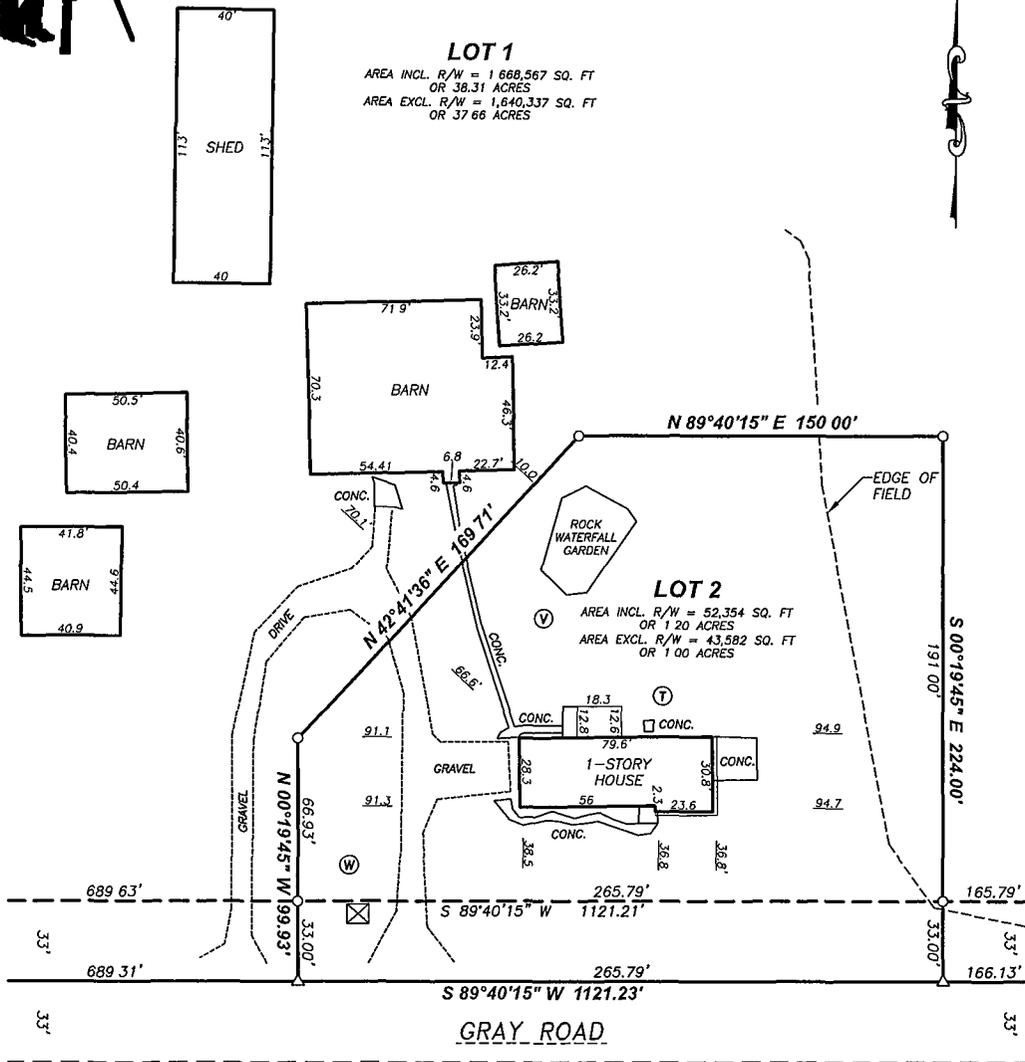
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**CERTIFIED SURVEY MAP**

**LOT 1**

AREA INCL. R/W = 1 668,567 SQ. FT  
OR 38.31 ACRES  
AREA EXCL. R/W = 1,640,337 SQ. FT  
OR 37.66 ACRES





# CERTIFIED SURVEY MAP DATED July 30, 2019

## Birrenkott Surveying, Inc.

P O Box 237  
1677 N Bristol Street  
Sun Prairie, Wisconsin 53590  
Phone (608) 837-7463  
Fax (608) 837-1081

### Surveyor's Certificate

I, Daniel V Birrenkott, hereby certify that this survey is in full compliance with Chapter 236.34 of Wisconsin Statutes. I also certify that by the direction of the owners listed hereon, I have surveyed and mapped the lands described hereon and that the map is a correct representation of all the exterior boundaries of the land surveyed and the division of that land, in accordance with the information provided.

\_\_\_\_\_  
Daniel V Birrenkott, Professional Land Surveyor No S-1531

### Description:

The Southwest 1/4 of the Southeast 1/4 of Section 20, T9N, R10E, excluding the West 208 feet of the South 183 feet and subject to Conservation Easement Agreement in Doc No 3852439 Village of Windsor, Dane County, Wisconsin. Containing 1,720,921 square feet gross, or 39.51 acres gross, 1,683,920 square feet net, or 38.66 acres net excluding Gray Road right-of-way

### Owners Certificate:

As owner, Karow's Ponderosa, LLC, here hereby certifies that it has caused the lands described on this Certified Survey Map to be surveyed, divided, dedicated, and mapped as represented on this Certified Survey Map. The Certified Survey Map is required to be submitted to the Village of Windsor for approval.

\_\_\_\_\_  
Karow's Ponderosa, LLC  
Rosemary A. Lockman, Personal Representative

### State of Wisconsin)

**Dane County) ss** Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2019, the above-named Personal Representative of owner Karow's Ponderosa, LLC, Rosemary A. Lockman, to me known to be the person who executed the foregoing instrument and acknowledged the same.

\_\_\_\_\_  
Notary Public, Dane County, Wisconsin.

\_\_\_\_\_  
My Commission Expires

\_\_\_\_\_  
Printed name

### Village of Windsor Approval Certificate

This Certified Survey Map and road dedication is hereby acknowledged, accepted and approved for recording by the Village Board of the Village of Windsor, action of \_\_\_\_\_

\_\_\_\_\_  
Christine Capstran, Clerk, Village of Windsor

Notes: Utilities Easement. No poles or buried cables are to be placed on any lot line or corner. The disturbance of a survey stake by anyone is in violation of Section 236.32 of Wisconsin Statutes. Wetlands, if present, have not been delineated. This survey is subject to any and all easements and agreements both recorded and unrecorded. This survey shows no above-ground improvements. No guarantee is made for below-ground structures.

**Surveyed for:**  
Karow's Ponderosa, LLC  
4302 Gray Road  
Deforest, WI 53532

Surveyed BER  
Drawn BSS  
Checked DVB  
Approved DVB  
Field book \_\_\_\_\_  
Tape/File J \2019\Carlson  
Sheet 3 of 3  
Office Map No 190394\_CSM

### Register of Deeds Certificate:

Received for recording this \_\_\_\_\_ day of \_\_\_\_\_, 2019

at \_\_\_\_\_ o'clock \_\_\_\_\_ m and recorded in Volume \_\_\_\_\_ of Certified Survey

Maps of Dane County on Pages \_\_\_\_\_

\_\_\_\_\_  
Kristi Chlebowski, Register of Deeds

Document No \_\_\_\_\_

Certified Survey Map No \_\_\_\_\_, Volume \_\_\_\_\_, Page \_\_\_\_\_



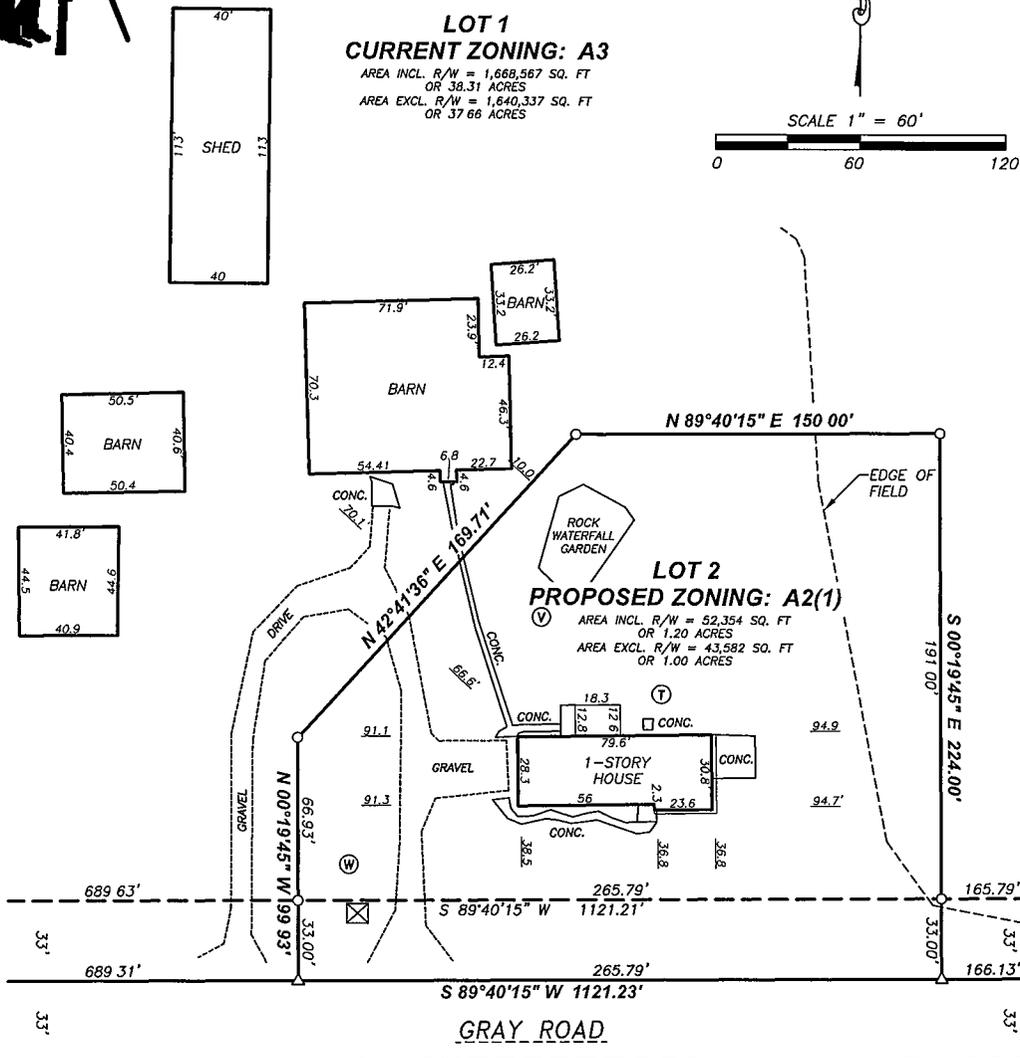
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**ZONING MAP**



SCALE 1" = 60'  
0 60 120



**Zoning Description Lot 2:**

A PARCEL OF LAND LOCATED IN THE SW1/4 OF THE SE1/4 OF SECTION 20, T9N, R10E, VILLAGE OF DEFOREST, DANE COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS COMMENCING AT THE S 1/4 CORNER OF SAID SECTION 20, THENCE ALONG THE SOUTH LINE OF SAID SW1/4 OF THE SE1/4, ALSO BEING THE CENTER LINE OF GRAY ROAD, N 89°40'15" W, 1121.23 FEET TO THE POINT OF BEGINNING; THENCE N 00°19'45" W, 99.93 FEET, THENCE N 89°40'15" E, 150.00 FEET, THENCE S 00°19'45" E, 224.00 TO THE SAID SOUTH LINE OF THE SW1/4 OF THE SE1/4, ALSO BEING THE CENTER LINE OF SAID GRAY ROAD, THENCE ALONG SAID SOUTH LINE AND CENTER LINE, S 89°40'15" W, 1121.23 FEET TO THE POINT OF BEGINNING, CONTAINS 52,354 GROSS SQ FT OR 1.201 GROSS ACRES, 43,582 SQ FT OR 1.000 ACRES EXCLUDING THE RIGHT-OF-WAY OF GRAY ROAD