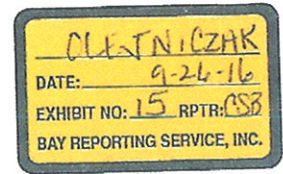


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**From:** Olejniczak, Marty [mailto:Molejniczak@sturgeonbaywi.org]  
**Sent:** Friday, October 31, 2014 3:15 PM  
**To:** Smith, Jim R  
**Cc:** McNeil, Stephen

<http://dcmailarc.co.dcor.wi.us:8080/arch/showmail.jsp?serverid=2&userid=9024703762&muid=AAMkADc5OGJmYTvlThiZWEINGVINS05NGNlWMwZjY4Z...> 1/2

5/15/2016

Archive Mail Information

**Subject:** Lake bed lease  
**Importance:** High

Jim:

I talked to Tom German about the process and timing for getting the lake bed lease from Board of Commissioners of Public Lands now that the title issue is about resolved. He stated he did not see a problem with the lease for the area between the dock wall and parcel for which we just got/getting title (coast guard parcel). But he is concerned about the area between the dock wall and the "co-op parcel" because that also is filled area. If I could have reached through and strangled him, I might have. This stupid public trust doctrine continues to haunt us and I am getting fed up. For Christ sake, let's just rip out the sheet pile and turn the whole area into a swamp. Think they'll give us permits for that????

Anyway, German said he would call you on Monday to discuss. He mentioned that even though there is a chain of title on the co-op parcel, it still doesn't mean much if it is filled lake bed. Does the title policy exclude lands below OHWM? That could be a problem.

But didn't the DNR concurrence include the OHWM line all the way to the northerly corner of the co-op parcel. If that is true, isn't the co-op parcel above the agreed upon line and, therefore, no need for lease? We should talk either before or after German calls you.

Marty Olejniczak  
Community Development Director  
City of Sturgeon Bay  
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