

**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 \_\_\_\_\_, 20\_\_

Grantor \_\_\_\_\_

Grantor \_\_\_\_\_

**ACKNOWLEDGEMENTS**

State of Wisconsin ) ss.  
County of \_\_\_\_\_ )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, 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) \_\_\_\_\_