

**From:** [Serck, Jason](#)  
**To:** [Hagen, Cherie L - DNR](#)  
**Cc:** [LaValley, Steven A - DNR](#)  
**Subject:** Re: Fred Paine Property  
**Date:** Tuesday, June 21, 2022 11:22:56 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

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Thanks Cherie.....I have not seen a recent letter but I can reach out to Fred to see if he has received one lately. Stay tuned.

Jason Serck  
City of Superior  
Economic Development, Planning & Port Director

On Jun 21, 2022, at 11:10 AM, Hagen, Cherie L - DNR  
<[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)> wrote:

Morning Jason – Connected with Steve to learn a little more about the Fred Paine property and some history. Sounds like you and Fred have recently received some letters from DNR attorney's regarding the easement. Can you please share the letters with Steve and I as neither of us have been copied on these letters? Just trying to figure out who's all involved. Thanks so much!

**We are committed to service excellence.**

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Cherie Hagen

Lake Superior Supervisor – Office of Great Waters, Environmental Management Division  
Wisconsin Department of Natural Resources  
Cell Phone: 715-416-4426  
[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)



[dnr.wi.gov](http://dnr.wi.gov)





**From:** [Serck, Jason](#)  
**To:** [Hagen, Cherie L - DNR](#); [Van Sickle, Jenny](#)  
**Cc:** [Flamang, Nicole M - DNR](#); [LaValley, Steven A - DNR](#); [Becken, Stephanie](#)  
**Subject:** RE: City of Superior Conservation Easement - Paine Property  
**Date:** Tuesday, August 30, 2022 3:34:09 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image006.png](#)

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Thanks Cherie...we will get the info to you...

## Jason Serck

Economic Development, Planning & Port Director  
City of Superior  
1316 North 14<sup>th</sup> Street  
Superior, WI 54880  
715.395.7335  
[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)  
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**From:** Hagen, Cherie L - DNR [<mailto:Cherie.Hagen@wisconsin.gov>]  
**Sent:** Tuesday, August 30, 2022 3:28 PM  
**To:** Van Sickle, Jenny; Serck, Jason  
**Cc:** Flamang, Nicole M - DNR; LaValley, Steven A - DNR  
**Subject:** City of Superior Conservation Easement - Paine Property

Hello Jenny and Jason – I was able to connect via email and voicemail with Nicole Flamang from Real Estate to provide more direction on next steps. If the City could please gather the information below that would be wonderful and also a brief summary of the concerns or request you have. Also copied Steve LaValley who has some historical knowledge of property. Since many of us don't have the history it will be helpful to review this information in advance so we have a bit of background before we meet to discuss. Thanks so much!

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**From:** Van Sickle, Jenny <VanSicklej@ci.superior.wi.us>

**Sent:** Tuesday, August 30, 2022 9:20 AM

**To:** Serck, Jason <serckj@ci.superior.wi.us>

**Cc:** Johnson, Mark <johnsonmark@ci.superior.wi.us>; Becken, Stephanie <beckens@ci.superior.wi.us>; Hagen, Cherie L - DNR <Cherie.Hagen@wisconsin.gov>

**Subject:** Fwd: DNR

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Morning Jason ☀

Should we think about a meeting of the minds...end of Sept?

Jenny Van Sickle  
907-738-2891  
Superior City Council

Sent from my iPhone

Begin forwarded message:

**From:** Thomas Paine <[thomaspaine90@gmail.com](mailto:thomaspaine90@gmail.com)>

**Date:** August 30, 2022 at 6:43:41 AM CDT

**To:** "Van Sickle, Jenny" <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>

**Cc:** Dad <[painefred@gmail.com](mailto:painefred@gmail.com)>

**Subject: Re: DNR**

Hi Jenny,

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Regards,

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**To:** [Johnson, Mark](#); [Van Sickle, Jenny](#)  
**Cc:** [Becken, Stephanie](#); [Hagen, Cherie L - DNR](#)  
**Subject:** RE: DNR  
**Date:** Tuesday, August 30, 2022 9:24:44 AM

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Good morning...hope to have this solved before then but will keep you in the loop....thanks.

### Jason Serck

Economic Development, Planning & Port Director  
City of Superior  
1316 North 14<sup>th</sup> Street  
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**Cc:** Becken, Stephanie; Hagen Dnr  
**Subject:** Re: DNR

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Thanks  
Mark

Mark Johnson  
Superior City Council  
9th District  
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## Jason Serck

Economic Development, Planning & Port Director  
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**Date:** Tuesday, August 30, 2022 9:26:07 AM

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Cherie....sorry....let me know when we can discuss again....thanks.....715.395.7217....as I mentioned, I do not have a letter form the DNR that I remember....wouldyou be able to send that on by chance?

## Jason Serck

Economic Development, Planning & Port Director  
City of Superior  
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**From:** "Van Sickle, Jenny"  
<[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>  
**Date:** August 21, 2022 at 10:53:29 AM  
CDT  
**Subject:** miigwech

Cherie:

First, I just wanted to say how much I appreciated getting to meet you on Friday and to see such strong support from DNR folks at the land transfer event.

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Any chance you might have a few minutes in the next couple weeks?

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Sent from my iPhone

**From:** [Serck, Jason](#)  
**To:** [Hagen, Cherie L - DNR](#)  
**Cc:** [Flamang, Nicole M - DNR](#); [LaValley, Steven A - DNR](#); [Johnson, Mark](#); [Van Sickle, Jenny](#); [Becken, Stephanie](#)  
**Subject:** RE: City of Superior Conservation Easement - Paine Property  
**Date:** Tuesday, September 6, 2022 5:25:43 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image006.png](#)  
[Belknap Shores Limited Dev Easement.pdf](#)

---

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Section 16; Township Forty-Nine (49) North; Range Fourteen(14) West

Please let me know if you have any questions. Thanks!

## Jason Serck

Economic Development, Planning & Port Director

City of Superior

1316 North 14<sup>th</sup> Street

Superior, WI 54880

715.395.7335

[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)

[www.ci.superior.wi.us](http://www.ci.superior.wi.us)

---

**From:** Hagen, Cherie L - DNR [mailto:[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)]

**Sent:** Tuesday, August 30, 2022 3:28 PM

**To:** Van Sickle, Jenny; Serck, Jason

**Cc:** Flamang, Nicole M - DNR; LaValley, Steven A - DNR

**Subject:** City of Superior Conservation Easement - Paine Property

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Steve LaValley who has some historical knowledge of property. Since many of us don't have the history it will be helpful to review this information in advance so we have a bit of background before we meet to discuss. Thanks so much!

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Lake Superior Supervisor – Office of Great Waters, Environmental Management Division

Wisconsin Department of Natural Resources

Cell Phone: 715-416-4426

[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)



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**Sent:** Tuesday, August 30, 2022 9:20 AM

**To:** Serck, Jason <serckj@ci.superior.wi.us>

**Cc:** Johnson, Mark <johnsonmark@ci.superior.wi.us>; Becken, Stephanie <beckens@ci.superior.wi.us>; Hagen, Cherie L - DNR <Cherie.Hagen@wisconsin.gov>

**Subject:** Fwd: DNR

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Morning Jason ☀️

Should we think about a meeting of the minds...end of Sept?

Jenny Van Sickle  
907-738-2891  
Superior City Council

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**Subject:** RE: City of Superior Conservation Easement - Paine Property  
**Date:** Tuesday, September 6, 2022 5:25:42 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image006.png](#)  
[Belknap Shores Limited Dev Easement.pdf](#)  
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**Subject:** RE: City of Superior Conservation Easement - Paine Property  
**Date:** Monday, September 19, 2022 2:52:17 PM

---

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Cherie...good afternoon.

I sat down with the land owners Fred Paine, Sr and Fred Paine Jr to discuss a potential area of the easement that they would be willing to work with the DNR on for a revised future sanctuary site. Attached is a very conceptual idea the landowners had.

The original easement for the most part, is the area that is outlined in blue in the attached map. The area that the Paine's would like to have the DNR consider for the new easement is outlined in white on the map. It is approximately 3.1 acres.

Again, this is very conceptual. Please let me know if you have any questions. Thanks for your time!

Jason Serck  
Economic Development, Planning & Port Director  
City of Superior  
1316 North 14th Street  
Superior, WI 54880  
715.395.7335  
[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)  
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-----Original Message-----

From: Hagen, Cherie L - DNR [<mailto:Cherie.Hagen@wisconsin.gov>]  
Sent: Wednesday, September 7, 2022 6:15 AM  
To: Serck, Jason  
Cc: Flamang, Nicole M - DNR; LaValley, Steven A - DNR; Johnson, Mark; Van Sickle, Jenny; Becken, Stephanie  
Subject: Re: City of Superior Conservation Easement - Paine Property

Thank you for sharing Jason, we'll review. It would also be helpful if you could also please summarize the request from the City and landowner. Based on our conversation I think the property may not be in compliance with the easement and there is an interest in rectifying, but clarification would be great. Thanks so much!

Get Outlook for iOS<[https://secure-web.cisco.com/1fpyo11OQ5fglG\\_fyfQ44dF-zChpce\\_m-dCHA35xIN\\_Ybb4Qci-S7KoaJQ-PjToYZeqXQ8oel-7CstcBI3QzTte5w1e9FZG8IdbzF-86-iU9827NIM-kyO6ZZjvlgIsf0zT\\_ktCcNpFAAzhdpKKuYMUtYTLZ0kvyLBmVuLtd\\_Yn04b30JcGM7ceFefMYuMM8BFhEDZE5TnD21Blu-S\\_FJB1TW\\_zT7Pxc89Q71JMi3GDgwLZelgK8OfOt-L2Avo57gGOa8YMwCX9GKx-oSmrdGsChErEx82c1TMRaVDvKNM7n25gtAswdWpV-RDY35nPL/https%3A%2F%2Faka.ms%2Fo0ukef-](https://secure-web.cisco.com/1fpyo11OQ5fglG_fyfQ44dF-zChpce_m-dCHA35xIN_Ybb4Qci-S7KoaJQ-PjToYZeqXQ8oel-7CstcBI3QzTte5w1e9FZG8IdbzF-86-iU9827NIM-kyO6ZZjvlgIsf0zT_ktCcNpFAAzhdpKKuYMUtYTLZ0kvyLBmVuLtd_Yn04b30JcGM7ceFefMYuMM8BFhEDZE5TnD21Blu-S_FJB1TW_zT7Pxc89Q71JMi3GDgwLZelgK8OfOt-L2Avo57gGOa8YMwCX9GKx-oSmrdGsChErEx82c1TMRaVDvKNM7n25gtAswdWpV-RDY35nPL/https%3A%2F%2Faka.ms%2Fo0ukef-)>  
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[cid:image003.png@01D8C212.ACE26E30] <[https://secure-web.cisco.com/1Pu5e5gi9QjIbrVFt6E3IL7XW7\\_qugXd11aPN527BpRqpeLofE8IGgfRWGy-Q45q3bA2MCYs2EGIkCCnOOH\\_3B8XTgJlkZDRqITcGfHCYwbWdBz-DOobaw5LEjp-YRSBE\\_ID\\_0Vpu7b2kIgdYWhgEWfbiq53mMbyXrY5t0EP4QO5RfkGP088trmBG4iPyCndSLvGBxnqogEmxFQvIY-VgSowem2WFda-tBzeq\\_C9361\\_T9AevEgSCXhbLBRoCjXyogEzMi7whlM7WJdYiyfYzQKlyYtbefa9aWAndkNs1k4\\_jmfy\\_GaGhBX2gwOyamMP/https%3A%2F%2Ftwitter.com%2FWDNR](https://secure-web.cisco.com/1Pu5e5gi9QjIbrVFt6E3IL7XW7_qugXd11aPN527BpRqpeLofE8IGgfRWGy-Q45q3bA2MCYs2EGIkCCnOOH_3B8XTgJlkZDRqITcGfHCYwbWdBz-DOobaw5LEjp-YRSBE_ID_0Vpu7b2kIgdYWhgEWfbiq53mMbyXrY5t0EP4QO5RfkGP088trmBG4iPyCndSLvGBxnqogEmxFQvIY-VgSowem2WFda-tBzeq_C9361_T9AevEgSCXhbLBRoCjXyogEzMi7whlM7WJdYiyfYzQKlyYtbefa9aWAndkNs1k4_jmfy_GaGhBX2gwOyamMP/https%3A%2F%2Ftwitter.com%2FWDNR)>  
[cid:image004.png@01D8C212.ACE26E30] <<http://www.youtube.com/user/WIDNRTV>> [cid:image006.png@01D8C212.ACE26E30]  
<<https://public.govdelivery.com/accounts/WIDNR/subscriber/new>>

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Subject: Re: DNR

Hi Jenny,

The registrar of Deeds at the courthouse will have all the paperwork with the purchase of the property. Years ago I went in and had to use their computers to look the documents up. I am out of town for a few weeks so I am not able to assist. We have letters at the office in Superior from the DNR but they are more recent and not helpful. I don't believe we were ever given notice of the bird sanctuary being moved to our land.

There is not a sunken ship in front of the house, that is a barge used as a dock.

As far as the land trade vs sale I will have to get clarification from my dad, my only thought is maybe the registrar has something in writing based on the sale of the land he purchased from the city.

Thanks for your continued help with this.

Thomas Paine

On Fri, Aug 26, 2022 at 5:22 PM Van Sickle, Jenny <VanSicklej@ci.superior.wi.us<<mailto:VanSicklej@ci.superior.wi.us>>> wrote:

So I had a meeting with Cherie Hagan w/ the DNR about the 'conservation easement'

This is going to be a tough untangle, but we can handle it.

First things first: we need to collect as much documentation on the property as possible. Any letters, deeds, emails notices etc from the city or DNR (especially to identify names and departments of folks that are in the loop and can help.)

Cherie Hagan is going to reach out to our local DNR guy Steve Lavelle in hopes that he has some historical context of this easement. As well as DNRs real estate branch to start sorting out the options

Reduce the footprint of the easement,

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As best I understand it, fred sold or traded the property near barkers island?

Fred purchased the lot he's on now, or received it in trade?

Also, is there some kind of sunken ship on the shoreline over there?

Thank for helping me get to the bottom of this— we'll get there

Jenny Van Sickle

907-738-2891

Superior City Council

Sent from my iPhone

On Aug 22, 2022, at 10:12 PM, Thomas Paine <thomaspaine90@gmail.com<<mailto:thomaspaine90@gmail.com>>> wrote:

Jenny thank you for coming! Sorry we missed you at the party.

I'll make sure my dad sees this, if you need anything from us let us know we will be all hands on deck!

Regards,

Thomas Paine

218-428-1863

Sent from my iPhone

On Aug 22, 2022, at 9:03 PM, Van Sickle, Jenny <VanSicklej@ci.superior.wi.us<<mailto:VanSicklej@ci.superior.wi.us>>> wrote:

Hi, Fred

Good to see you on Friday. What a beautiful couple & wedding!

Just keeping you in the loop, email below

<image0.jpeg>

Begin forwarded message:

From: "Van Sickle, Jenny" <VanSicklej@ci.superior.wi.us<<mailto:VanSicklej@ci.superior.wi.us>>>  
Date: August 21, 2022 at 10:53:29 AM CDT  
Subject: miigwech

Cherie:

First, I just wanted to say how much I appreciated getting to meet you on Friday and to see such strong support from DNR folks at the land transfer event. I was also hoping to quick check in with you regarding a more local issue one of our residents is trying to clear up in Billings Park and this bird sanctuary.

Any chance you might have a few minutes in the next couple weeks?

Thank you!

Sent from my iPhone

**From:** [Serck, Jason](#)  
**To:** [Hagen, Cherie L - DNR](#)  
**Cc:** [Flamang, Nicole M - DNR](#); [LaValley, Steven A - DNR](#); [Johnson, Mark](#); [Van Sickle, Jenny](#); [Becken, Stephanie](#)  
**Subject:** RE: City of Superior Conservation Easement - Paine Property  
**Date:** Monday, September 19, 2022 2:52:22 PM  
**Attachments:** [Paine Conceptual Easement Site.jpg](#)

---

CAUTION: This email originated from outside the organization.  
Do not click links or open attachments unless you recognize the sender and know the content is safe.

Cherie...good afternoon.

I sat down with the land owners Fred Paine, Sr and Fred Paine Jr to discuss a potential area of the easement that they would be willing to work with the DNR on for a revised future sanctuary site. Attached is a very conceptual idea the landowners had.

The original easement for the most part, is the area that is outlined in blue in the attached map. The area that the Paine's would like to have the DNR consider for the new easement is outlined in white on the map. It is approximately 3.1 acres.

Again, this is very conceptual. Please let me know if you have any questions. Thanks for your time!

Jason Serck  
Economic Development, Planning & Port Director  
City of Superior  
1316 North 14th Street  
Superior, WI 54880  
715.395.7335  
[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)  
[www.ci.superior.wi.us](http://www.ci.superior.wi.us)

-----Original Message-----

From: Hagen, Cherie L - DNR [<mailto:Cherie.Hagen@wisconsin.gov>]  
Sent: Wednesday, September 7, 2022 6:15 AM  
To: Serck, Jason  
Cc: Flamang, Nicole M - DNR; LaValley, Steven A - DNR; Johnson, Mark; Van Sickle, Jenny; Becken, Stephanie  
Subject: Re: City of Superior Conservation Easement - Paine Property

Thank you for sharing Jason, we'll review. It would also be helpful if you could also please summarize the request from the City and landowner. Based on our conversation I think the property may not be in compliance with the easement and there is an interest in rectifying, but clarification would be great. Thanks so much!

Get Outlook for iOS<[https://secure-web.cisco.com/1YxZGj1paxU4JwdD\\_WkeX1Nkk84hZNp\\_VWw4\\_IM2ZKuWDpO21GWHS7kynCtSzZdOmMWyvsvDtcMTvOMZE2U4kUyJQrqm0rq4yjub-eq3Pxdd4AMyzov2kExUM2Aki-4iM7o\\_IQqb0e6Te8iP1B1JQF-t4KEPZGCV8fzoWxtJQwSLHFAKyfD93vcmFyJ0tMsit15xivzoL\\_1\\_v\\_4TQN3yW\\_h0IdpeCh3d2aXJCeAB5WaOZoSv0DcQ5qSLSrns5AFw5STKA90UFEWle3e9OAuHmxflr3KKTyYs\\_t6f0K-AS1p6Sz9QQWEMUo7seahxKSPz9/https%3A%2F%2Faka.ms%2Fo0ukef](https://secure-web.cisco.com/1YxZGj1paxU4JwdD_WkeX1Nkk84hZNp_VWw4_IM2ZKuWDpO21GWHS7kynCtSzZdOmMWyvsvDtcMTvOMZE2U4kUyJQrqm0rq4yjub-eq3Pxdd4AMyzov2kExUM2Aki-4iM7o_IQqb0e6Te8iP1B1JQF-t4KEPZGCV8fzoWxtJQwSLHFAKyfD93vcmFyJ0tMsit15xivzoL_1_v_4TQN3yW_h0IdpeCh3d2aXJCeAB5WaOZoSv0DcQ5qSLSrns5AFw5STKA90UFEWle3e9OAuHmxflr3KKTyYs_t6f0K-AS1p6Sz9QQWEMUo7seahxKSPz9/https%3A%2F%2Faka.ms%2Fo0ukef)>  
From: Serck, Jason <[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>  
Sent: Tuesday, September 6, 2022 5:24:30 PM  
To: Hagen, Cherie L - DNR <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
Cc: Flamang, Nicole M - DNR <[nicole.flamang@wisconsin.gov](mailto:nicole.flamang@wisconsin.gov)>; LaValley, Steven A - DNR <[Steven.LaValley@wisconsin.gov](mailto:Steven.LaValley@wisconsin.gov)>; Johnson, Mark <[johnsonmark@ci.superior.wi.us](mailto:johnsonmark@ci.superior.wi.us)>; Van Sickle, Jenny <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>; Becken, Stephanie <[beckens@ci.superior.wi.us](mailto:beckens@ci.superior.wi.us)>  
Subject: RE: City of Superior Conservation Easement - Paine Property

CAUTION: This email originated from outside the organization.  
Do not click links or open attachments unless you recognize the sender and know the content is safe.

Cherie....good afternoon...I am attaching information related to the limited development easement that was enacted in March of 1989. In addition, I am attaching a map of the area in question along with ownership information.

As for a name, I have not run across one but it does reference in the easement the Barker's Island Bird Sanctuary.

Section 16; Township Forty-Nine (49) North; Range Fourteen(14) West

Please let me know if you have any questions. Thanks!

Jason Serck  
Economic Development, Planning & Port Director  
City of Superior  
1316 North 14th Street  
Superior, WI 54880

715.395.7335

serckj@ci.superior.wi.us<<mailto:serckj@ci.superior.wi.us>>

www.ci.superior.wi.us<<http://www.ci.superior.wi.us/>>

From: Hagen, Cherie L - DNR [<mailto:Cherie.Hagen@wisconsin.gov>]  
Sent: Tuesday, August 30, 2022 3:28 PM  
To: Van Sickle, Jenny; Serck, Jason  
Cc: Flamang, Nicole M - DNR; LaValley, Steven A - DNR  
Subject: City of Superior Conservation Easement - Paine Property

Hello Jenny and Jason – I was able to connect via email and voicemail with Nicole Flamang from Real Estate to provide more direction on next steps. If the City could please gather the information below that would be wonderful and also a brief summary of the concerns or request you have. Also copied Steve LaValley who has some historical knowledge of property. Since many of us don't have the history it will be helpful to review this information in advance so we have a bit of background before we meet to discuss. Thanks so much!

\* Provide copy of conservation easement. Most conservation easements are perpetual and run with the lands, each of restrictions and reservations. It's really hard to tell without having a copy of the actual easement to reference. The easement should have shown up on the buyers title search.

\* Section, Township and Range location of this easement. Is there a name of the Lake Superior Wildlife or Fisheries area in question? Originally this easement was linked to the Barker's Island Bird Sanctuary, not sure if the property in question has a name.

\* Confirm current property owner is Thomas Paine. I think property was originally the City's but it was sold to Thomas, but I'm not sure.

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Cherie Hagen

Lake Superior Supervisor – Office of Great Waters, Environmental Management Division Wisconsin Department of Natural Resources Cell Phone: 715-416-4426  
Cherie.Hagen@wisconsin.gov<<mailto:Cherie.Hagen@wisconsin.gov>>

[cid:image001.png@01D8C212.ACE26E30]<<http://dnr.wi.gov/>> dnr.wi.gov [cid:image002.png@01D8C212.ACE26E30]<<http://facebook.com/WIDNR>>  
[cid:image003.png@01D8C212.ACE26E30] <[https://secure-web.cisco.com/1Pu5e5gi9QjIbrVFt6E3IL7XW7\\_qugXd11aPN527BpRqpeLofE8IGgfRWGy-Q45q3bA2MCYs2EGlCCnOOH\\_3B8XTgJlkZDRqITcGfHCYwbWdBz-DOobaw5LEjp-YRSBE\\_1D\\_0Vpu7b2kIgdYWhgEWfbig53mMbyXrY5t0EP4QO5RfkGP088trmBG4iPyCndSLvGBxnqogEmxFQvIY-VgSowem2WFda-tBzeq\\_C9361\\_T9AevEgSCXhblBRoCjXyogEzMf7whlM7WJdYiyfYzQKlyYtbefa9aWAndkNs1k4\\_jmfy\\_GaGhBX2gwOyamMP/https%3A%2F%2Ftwitter.com%2FWDNR](https://secure-web.cisco.com/1Pu5e5gi9QjIbrVFt6E3IL7XW7_qugXd11aPN527BpRqpeLofE8IGgfRWGy-Q45q3bA2MCYs2EGlCCnOOH_3B8XTgJlkZDRqITcGfHCYwbWdBz-DOobaw5LEjp-YRSBE_1D_0Vpu7b2kIgdYWhgEWfbig53mMbyXrY5t0EP4QO5RfkGP088trmBG4iPyCndSLvGBxnqogEmxFQvIY-VgSowem2WFda-tBzeq_C9361_T9AevEgSCXhblBRoCjXyogEzMf7whlM7WJdYiyfYzQKlyYtbefa9aWAndkNs1k4_jmfy_GaGhBX2gwOyamMP/https%3A%2F%2Ftwitter.com%2FWDNR)>  
[cid:image004.png@01D8C212.ACE26E30] <<http://www.youtube.com/user/WIDNRTV>> [cid:image006.png@01D8C212.ACE26E30]  
<<https://public.govdelivery.com/accounts/WIDNR/subscriber/new>>

From: Van Sickle, Jenny <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>

Sent: Tuesday, August 30, 2022 9:20 AM

To: Serck, Jason <[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>

Cc: Johnson, Mark <[johnsonmark@ci.superior.wi.us](mailto:johnsonmark@ci.superior.wi.us)>; Becken, Stephanie <[beckens@ci.superior.wi.us](mailto:beckens@ci.superior.wi.us)>; Hagen, Cherie L - DNR <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>

Subject: Fwd: DNR

CAUTION: This email originated from outside the organization.

Do not click links or open attachments unless you recognize the sender and know the content is safe.

Morning Jason

Should we think about a meeting of the minds...end of Sept?

Jenny Van Sickle

907-738-2891

Superior City Council

Sent from my iPhone

Begin forwarded message:

From: Thomas Paine <[thomaspaine90@gmail.com](mailto:thomaspaine90@gmail.com)><<mailto:thomaspaine90@gmail.com>>>  
Date: August 30, 2022 at 6:43:41 AM CDT  
To: "Van Sickle, Jenny" <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)><<mailto:VanSicklej@ci.superior.wi.us>>>  
Cc: Dad <[painefred@gmail.com](mailto:painefred@gmail.com)><<mailto:painefred@gmail.com>>>  
Subject: Re: DNR

Hi Jenny,

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Thomas Paine

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This is going to be a tough untangle, but we can handle it.

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907-738-2891

Superior City Council

Sent from my iPhone

On Aug 22, 2022, at 10:12 PM, Thomas Paine <thomaspaine90@gmail.com<<mailto:thomaspaine90@gmail.com>>> wrote:

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Regards,

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218-428-1863

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Hi, Fred

Good to see you on Friday. What a beautiful couple & wedding!

Just keeping you in the loop, email below

<image0.jpeg>

Begin forwarded message:

From: "Van Sickle, Jenny" <VanSicklej@ci.superior.wi.us<<mailto:VanSicklej@ci.superior.wi.us>>>  
Date: August 21, 2022 at 10:53:29 AM CDT  
Subject: miigwech

Cherie:

First, I just wanted to say how much I appreciated getting to meet you on Friday and to see such strong support from DNR folks at the land transfer event. I was also hoping to quick check in with you regarding a more local issue one of our residents is trying to clear up in Billings Park and this bird sanctuary.

Any chance you might have a few minutes in the next couple weeks?

Thank you!

Sent from my iPhone

**From:** [Van Sickle, Jenny](#)  
**To:** [Hagen, Cherie L - DNR](#)  
**Cc:** [Serck, Jason](#); [Paine, Jim](#); [Yach, James A - DNR](#); [Antonuk, Connie J - DNR](#)  
**Subject:** Re: Proposed Easement Requested for City of Superior Conservation Easement - Paine Property  
**Date:** Wednesday, November 16, 2022 11:36:50 AM  
**Attachments:** [image001.jpg](#)

---

**CAUTION: This email originated from outside the organization.**  
**Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Thanks Cherie

Any news?

Jenny Van Sickle  
907-738-2891  
Superior City Council

Sent from my iPhone

On Oct 25, 2022, at 2:51 PM, Hagen, Cherie L - DNR <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)> wrote:

Hello Jenny – Your email note came in during our internal discussion that just finished up so apologize I didn't see it before we met today. We had a productive discussion and will be pulling some things together internally based on Mr. Paine's request. James Yach, our Northern Region Secretary Director, will reach out Jason in a few weeks. If there is someone else the City would like James to connect with please let us know. Thanks so much and glad we are taking steps forward.

*Cherie Hagen*  
WI DNR Lake Superior Supervisor  
715-416-4426

---

**From:** Van Sickle, Jenny <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>  
**Sent:** Tuesday, October 25, 2022 2:35 PM  
**To:** Hagen, Cherie L - DNR <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
**Cc:** Serck, Jason <[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>; Paine, Jim <[painej@ci.superior.wi.us](mailto:painej@ci.superior.wi.us)>  
**Subject:** Re: Proposed Easement Requested for City of Superior Conservation Easement - Paine Property

**CAUTION: This email originated from outside the organization.**  
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Hey Cherie! Thanks for the update. This sounds like good progress. Is there any chance the city could or should be a part of this meeting?

Jenny Van Sickle  
907-738-2891  
Superior City Council

Sent from my iPhone

On Oct 21, 2022, at 2:04 PM, Hagen, Cherie L - DNR <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)> wrote:

Happy Friday Jenny – Perfect timing, I just checked in with our Real Estate program on status and we have an internal meeting next week to discuss. We should be reaching out soon after this discussion. Enjoy the beautiful fall weekend!

*Cherie Hagen*  
WI DNR Lake Superior Supervisor  
715-416-4426

---

**From:** Van Sickle, Jenny <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>  
**Sent:** Friday, October 21, 2022 1:36 PM  
**To:** Hagen, Cherie L - DNR <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
**Cc:** Serck, Jason <[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>; Paine, Jim <[painej@ci.superior.wi.us](mailto:painej@ci.superior.wi.us)>  
**Subject:** Re: Proposed Easement Requested for City of Superior Conservation Easement - Paine Property

**CAUTION: This email originated from outside the organization.**  
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Checking in—

Begin forwarded message:

**From:** "Hagen, Cherie L - DNR" <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
**Date:** September 23, 2022 at 3:10:39 PM CDT  
**To:** "Serck, Jason" <[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>, "Wolter, Peter B - DNR" <[Peter.Wolter@wisconsin.gov](mailto:Peter.Wolter@wisconsin.gov)>, "Flamang, Nicole M - DNR" <[nicolem.flamang@wisconsin.gov](mailto:nicolem.flamang@wisconsin.gov)>  
**Cc:** "LaValley, Steven A - DNR" <[Steven.LaValley@wisconsin.gov](mailto:Steven.LaValley@wisconsin.gov)>, "Johnson, Mark" <[johnsonmark@ci.superior.wi.us](mailto:johnsonmark@ci.superior.wi.us)>, "Van Sickle, Jenny" <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>, "Becken, Stephanie" <[beckens@ci.superior.wi.us](mailto:beckens@ci.superior.wi.us)>  
**Subject:** Proposed Easement Requested for City of Superior Conservation Easement - Paine Property

<image001.jpg>

Thanks Jason -- I am also sharing with Peter Wolter and Nicole Flamang from our real estate program for review. Peter has some historical knowledge of this easement. The attached proposal from Fred will be helpful for our internal discussion. Since there is a significant decrease in the easement area, does the City have any ideas for other properties that could be protected with an easement as a result of the loss? I believe an original reason for the selection of this site for an easement was to protect the coastal wetland and nearshore areas that are important fisheries habitat so that is something we will consider when reviewing Fred's request. We will be in touch after we've had a chance to discuss internally. Thanks again Jason and enjoy the fall weekend!

Cherie Hagen  
WI DNR Lake Superior Supervisor  
715-416-4426

-----Original Message-----

From: Serck, Jason <[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>  
Sent: Monday, September 19, 2022 2:51 PM  
To: Hagen, Cherie L - DNR <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
Cc: Flamang, Nicole M - DNR <[nicolem.flamang@wisconsin.gov](mailto:nicolem.flamang@wisconsin.gov)>; LaValley, Steven A - DNR <[Steven.LaValley@wisconsin.gov](mailto:Steven.LaValley@wisconsin.gov)>; Johnson, Mark <[johnsonmark@ci.superior.wi.us](mailto:johnsonmark@ci.superior.wi.us)>; Van Sickle, Jenny <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>; Becken, Stephanie <[beckens@ci.superior.wi.us](mailto:beckens@ci.superior.wi.us)>  
Subject: RE: City of Superior Conservation Easement - Paine Property

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Cherie...good afternoon.

I sat down with the land owners Fred Paine, Sr and Fred Paine Jr to discuss a potential area of the easement that they would be willing to work with the DNR on for a revised future sanctuary site. Attached is a very conceptual idea the landowners had.

The original easement for the most part, is the area that is outlined in blue in the attached map. The area that the Paine's would like to have the DNR consider for the new easement is outlined in white on the map. It is approximately 3.1 acres.

Again, this is very conceptual. Please let me know if you have any questions. Thanks for your time!

Jason Serck  
Economic Development, Planning & Port Director City of Superior  
1316 North 14th Street  
Superior, WI 54880  
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[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)  
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-----Original Message-----

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Sent: Wednesday, September 7, 2022 6:15 AM  
To: Serck, Jason  
Cc: Flamang, Nicole M - DNR; LaValley, Steven A - DNR; Johnson, Mark; Van Sickle, Jenny; Becken, Stephanie  
Subject: Re: City of Superior Conservation Easement - Paine Property

Thank you for sharing Jason, we'll review. It would also be helpful if you could also please summarize the request from the City and landowner. Based on our conversation I think the property may not be in compliance with the easement and there is an interest in rectifying, but clarification would be great. Thanks so much!

Get Outlook for iOS<[https://secure-web.cisco.com/1YxZGj1paxU4JwdD\\_WkeX1Nkk84hZnp\\_VWw4\\_IM2ZKuWDpO21GWH57kynCtSzZdOmMWyvyssvDtcMTvOMZF2U4kUyJQrm0rq4yjub-eg3Pxd4AMyzov2kExUM2Aki-4IM7o\\_QQb0e6Te8IP181IQf-r4KEPZGCV8fzoWxtIQwSLHFAKyfD93vcmFyJ0tMsit15xivz0L\\_I\\_y\\_4TON3yVW\\_h0IdpeCh3d2aXICeAB5WaOZoSy0DcO5qSLsrn5AFw5STKA90UFEFWie3e9OAUHmxflr3KKTyYs\\_t6f0K-AS1p6S9QOQWVEMUo7seahxKSPz9/https%3A%2F%2Faka.ms%2F0ukef](https://secure-web.cisco.com/1YxZGj1paxU4JwdD_WkeX1Nkk84hZnp_VWw4_IM2ZKuWDpO21GWH57kynCtSzZdOmMWyvyssvDtcMTvOMZF2U4kUyJQrm0rq4yjub-eg3Pxd4AMyzov2kExUM2Aki-4IM7o_QQb0e6Te8IP181IQf-r4KEPZGCV8fzoWxtIQwSLHFAKyfD93vcmFyJ0tMsit15xivz0L_I_y_4TON3yVW_h0IdpeCh3d2aXICeAB5WaOZoSy0DcO5qSLsrn5AFw5STKA90UFEFWie3e9OAUHmxflr3KKTyYs_t6f0K-AS1p6S9QOQWVEMUo7seahxKSPz9/https%3A%2F%2Faka.ms%2F0ukef)>

From: Serck, Jason <[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>  
Sent: Tuesday, September 6, 2022 5:24:30 PM  
To: Hagen, Cherie L - DNR <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
Cc: Flamang, Nicole M - DNR <[nicolem.flamang@wisconsin.gov](mailto:nicolem.flamang@wisconsin.gov)>; LaValley, Steven A - DNR <[Steven.LaValley@wisconsin.gov](mailto:Steven.LaValley@wisconsin.gov)>; Johnson, Mark <[johnsonmark@ci.superior.wi.us](mailto:johnsonmark@ci.superior.wi.us)>; Van Sickle, Jenny <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>; Becken, Stephanie <[beckens@ci.superior.wi.us](mailto:beckens@ci.superior.wi.us)>  
Subject: RE: City of Superior Conservation Easement - Paine Property

CAUTION: This email originated from outside the organization.  
Do not click links or open attachments unless you recognize the sender and know the content is safe.

Cherie....good afternoon...I am attaching information related to the limited development easement that was enacted in March of 1989. In addition, I am attaching a map of the area in question along with ownership information.

As for a name, I have not run across one but it does reference in the easement the Barker's Island Bird Sanctuary.

Section 16; Township Forty-Nine (49) North; Range Fourteen(14) West

Please let me know if you have any questions. Thanks!



Jason Serck

Economic Development, Planning & Port Director

City of Superior

1316 North 14th Street

Superior, WI 54880

715.395.7335

[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)<<mailto:serckj@ci.superior.wi.us>>

[www.ci.superior.wi.us](http://www.ci.superior.wi.us)<<http://www.ci.superior.wi.us/>>

From: Hagen, Cherie L - DNR [<mailto:Cherie.Hagen@wisconsin.gov>]  
Sent: Tuesday, August 30, 2022 3:28 PM  
To: Van Sickle, Jenny; Serck, Jason  
Cc: Flamang, Nicole M - DNR; LaValley, Steven A - DNR  
Subject: City of Superior Conservation Easement - Paine Property

Hello Jenny and Jason – I was able to connect via email and voicemail with Nicole Flamang from Real Estate to provide more direction on next steps. If the City could please gather the information below that would be wonderful and also a brief summary of the concerns or request you have. Also copied Steve LaValley who has some historical knowledge of property. Since many of us don't have the history it will be helpful to review this information in advance so we have a bit of background before we meet to discuss. Thanks so much!

\* Provide copy of conservation easement. Most conservation easements are perpetual and run with the lands, each of restrictions and reservations. It's really hard to tell without having a copy of the actual easement to reference. The easement should have shown up on the buyers title search.

\* Section, Township and Range location of this easement. Is there a name of the Lake Superior Wildlife or Fisheries area in question? Originally this easement was linked to the Barker's Island Bird Sanctuary, not sure if the property in question has a name.

\* Confirm current property owner is Thomas Paine. I think property was originally the City's but it was sold to Thomas, but I'm not sure.

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Cherie Hagen

Lake Superior Supervisor – Office of Great Waters, Environmental Management Division Wisconsin Department of Natural Resources Cell  
Phone: 715-416-4426 [Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)<<mailto:Cherie.Hagen@wisconsin.gov>>

[cid:image001.png@01D8C212.ACE26E30]<<http://dnr.wi.gov/>> dnr.wi.gov [cid:image002.png@01D8C212.ACE26E30]  
<<http://facebook.com/WIDNR>> [cid:image003.png@01D8C212.ACE26E30] <[https://secure-web.cisco.com/1Pu5e5gi9QjllbrVFt6F3IL7XW7\\_qugXd11aPN527BpRqpeLoff8IGgfRWGy-Q45q3bA2MCys2FGIkCCnOQh\\_3B8XTgJlkZDRqITcGfHCYwbWdBz-DOobaw5LEjp-YRS8E\\_1D\\_0Vpu7b2klgdYWhgEW/fbiq53mMbyXrY5t0EP4QQ5RfKGPO88trmBG4IPyCnd5LvGBxnqogEmxFQvLY-VgSowem2WFda-tBzeq\\_C9361\\_T9AevEgSCXhblBRoCjXvogEzMF7whlM7WjdYivfYzQKlyYtbeFa9aWAndkNs1k4\\_jmfV\\_GaGhBX2gwOyamMP/https%3A%2F%2Ftwitter.com%2FWIDNR](https://secure-web.cisco.com/1Pu5e5gi9QjllbrVFt6F3IL7XW7_qugXd11aPN527BpRqpeLoff8IGgfRWGy-Q45q3bA2MCys2FGIkCCnOQh_3B8XTgJlkZDRqITcGfHCYwbWdBz-DOobaw5LEjp-YRS8E_1D_0Vpu7b2klgdYWhgEW/fbiq53mMbyXrY5t0EP4QQ5RfKGPO88trmBG4IPyCnd5LvGBxnqogEmxFQvLY-VgSowem2WFda-tBzeq_C9361_T9AevEgSCXhblBRoCjXvogEzMF7whlM7WjdYivfYzQKlyYtbeFa9aWAndkNs1k4_jmfV_GaGhBX2gwOyamMP/https%3A%2F%2Ftwitter.com%2FWIDNR)>  
[cid:image004.png@01D8C212.ACE26E30] <<http://www.youtube.com/user/WIDNRTV>> [cid:image006.png@01D8C212.ACE26E30]  
<<https://public.govdelivery.com/accounts/WIDNR/subscriber/new>>

From: Van Sickle, Jenny <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>

Sent: Tuesday, August 30, 2022 9:20 AM

To: Serck, Jason <[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>

Cc: Johnson, Mark <[johnsonmark@ci.superior.wi.us](mailto:johnsonmark@ci.superior.wi.us)>; Becken, Stephanie <[beckens@ci.superior.wi.us](mailto:beckens@ci.superior.wi.us)>; Hagen, Cherie L - DNR

<[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>

Subject: Fwd: DNR

CAUTION: This email originated from outside the organization.

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Morning Jason ☀

Should we think about a meeting of the minds...end of Sept?

Jenny Van Sickle

907-738-2891

Superior City Council

Sent from my iPhone

Begin forwarded message:

From: Thomas Paine <[thomaspaine90@gmail.com](mailto:thomaspaine90@gmail.com)<<mailto:thomaspaine90@gmail.com>>>  
Date: August 30, 2022 at 6:43:41 AM CDT  
To: "Van Sickle, Jenny" <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)<<mailto:VanSicklej@ci.superior.wi.us>>>  
Cc: Dad <[painefred@gmail.com](mailto:painefred@gmail.com)<<mailto:painefred@gmail.com>>>  
Subject: Re: DNR

Hi Jenny,

The registrar of Deeds at the courthouse will have all the paperwork with the purchase of the property. Years ago I went in and had to use their computers to look the documents up. I am out of town for a few weeks so I am not able to assist. We have letters at the office in Superior from the DNR but they are more recent and not helpful. I don't believe we were ever given notice of the bird sanctuary being moved to our land.

There is not a sunken ship in front of the house, that is a barge used as a dock.

As far as the land trade vs sale I will have to get clarification from my dad, my only thought is maybe the registrar has something in writing based on the sale of the land he purchased from the city.

Thanks for your continued help with this.

Thomas Paine

On Fri, Aug 26, 2022 at 5:22 PM Van Sickle, Jenny <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)<<mailto:VanSicklej@ci.superior.wi.us>>> wrote:

So I had a meeting with Cherie Hagan w/ the DNR about the 'conservation easement'

This is going to be a tough untangle, but we can handle it.

First things first: we need to collect as much documentation on the property as possible. Any letters, deeds, emails notices etc from the city or DNR (especially to identify names and departments of folks that are in the loop and can help.)

Cherie Hagan is going to reach out to our local DNR guy Steve Lavelle in hopes that he has some historical context of this easement. As well as DNRs real estate branch to start sorting out the options

Reduce the footprint of the easement,

trade it for a different parcel within the city etc

As best I understand it, fred sold or traded the property near barkers island?

Fred purchased the lot he's on now, or received it in trade?

Also, is there some kind of sunken ship on the shoreline over there?

Thank for helping me get to the bottom of this— we'll get there

Jenny Van Sickle

907-738-2891

Superior City Council

Sent from my iPhone

On Aug 22, 2022, at 10:12 PM, Thomas Paine <[thomaspaine90@gmail.com](mailto:thomaspaine90@gmail.com)<<mailto:thomaspaine90@gmail.com>>> wrote:

Jenny thank you for coming! Sorry we missed you at the party.

I'll make sure my dad sees this, if you need anything from us let us know we will be all hands on deck!

Regards,

Thomas Paine

218-428-1863

Sent from my iPhone

On Aug 22, 2022, at 9:03 PM, Van Sickle, Jenny <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)<<mailto:VanSicklej@ci.superior.wi.us>>> wrote:

Hi, Fred

Good to see you on Friday. What a beautiful couple & wedding!

Just keeping you in the loop, email below

<image0.jpeg>

Begin forwarded message:

From: "Van Sickle, Jenny" <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)<<mailto:VanSicklej@ci.superior.wi.us>>>

Date: August 21, 2022 at 10:53:29 AM CDT

Subject: miigwech

Cherie:

First, I just wanted to say how much I appreciated getting to meet you on Friday and to see such strong support from DNR folks at the land transfer event.

I was also hoping to quick check in with you regarding a more local issue one of our residents is trying to clear up in Billings Park and this bird sanctuary.

Any chance you might have a few minutes in the next couple weeks?

Thank you!

Sent from my iPhone

<image001.jpg>

**From:** [Antonuk, Connie J - DNR](#)  
**To:** [Van Sickle, Jenny](#); [Hagen, Cherie L - DNR](#)  
**Cc:** [Serck, Jason](#); [Paine, Jim](#); [Yach, James A - DNR](#)  
**Subject:** RE: Proposed Easement Requested for City of Superior Conservation Easement - Paine Property  
**Date:** Friday, November 18, 2022 8:46:11 AM

---

Hello Ms. Van Sickle:

My name is Connie Antonuk. I work at the Rhinelander DNR office with DNR's Northern Region Secretary Director James Yach. I just wanted to let you know that we are actively working on a response to your easement proposal. We hope to get that response to you very soon. Once we are prepared to respond, I believe that James Yach will be telephoning Jason Serck to discuss. I am sure James Yach would be willing to include you in the discussion as well. Please let me know if that is the case and I will let James know. Thank you for your inquiry and we are actively keeping this moving.

Connie Antonuk

---

**From:** Van Sickle, Jenny <VanSicklej@ci.superior.wi.us>  
**Sent:** Wednesday, November 16, 2022 11:36 AM  
**To:** Hagen, Cherie L - DNR <Cherie.Hagen@wisconsin.gov>  
**Cc:** Serck, Jason <serckj@ci.superior.wi.us>; Paine, Jim <painej@ci.superior.wi.us>; Yach, James A - DNR <JamesA.Yach@wisconsin.gov>; Antonuk, Connie J - DNR <Connie.Antonuk@wisconsin.gov>  
**Subject:** Re: Proposed Easement Requested for City of Superior Conservation Easement - Paine Property

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Thanks Cherie

Any news?

Jenny Van Sickle  
907-738-2891  
Superior City Council

Sent from my iPhone

On Oct 25, 2022, at 2:51 PM, Hagen, Cherie L - DNR <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)> wrote:

Hello Jenny – You're email note came in during our internal discussion that just finished up so apologize I didn't see it before we met today. We had a productive discussion and will be pulling some things together internally based on Mr. Paine's request. James Yach, our Northern Region Secretary Director, will reach out Jason in a few weeks. If there is someone else the City would like James to connect with please let us know. Thanks so much and glad we are taking steps forward.

*Cherie Hagen*

WI DNR Lake Superior Supervisor  
715-416-4426

---

**From:** Van Sickle, Jenny <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>  
**Sent:** Tuesday, October 25, 2022 2:35 PM  
**To:** Hagen, Cherie L - DNR <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
**Cc:** Serck, Jason <[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>; Paine, Jim <[painej@ci.superior.wi.us](mailto:painej@ci.superior.wi.us)>  
**Subject:** Re: Proposed Easement Requested for City of Superior Conservation Easement - Paine Property

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Hey Cherie! Thanks for the update. This sounds like good progress. Is there any chance the city could or should be a part of this meeting?

Jenny Van Sickle  
907-738-2891  
Superior City Council

Sent from my iPhone

On Oct 21, 2022, at 2:04 PM, Hagen, Cherie L - DNR  
<[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)> wrote:

Happy Friday Jenny – Perfect timing, I just checked in with our Real Estate program on status and we have an internal meeting next week to discuss. We should be reaching out soon after this discussion. Enjoy the beautiful fall weekend!

*Cherie Hagen*

WI DNR Lake Superior Supervisor  
715-416-4426

---

**From:** Van Sickle, Jenny <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>  
**Sent:** Friday, October 21, 2022 1:36 PM  
**To:** Hagen, Cherie L - DNR <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
**Cc:** Serck, Jason <[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>; Paine, Jim  
<[painej@ci.superior.wi.us](mailto:painej@ci.superior.wi.us)>  
**Subject:** Re: Proposed Easement Requested for City of Superior  
Conservation Easement - Paine Property

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Checking in—

Begin forwarded message:

**From:** "Hagen, Cherie L - DNR"  
<[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
**Date:** September 23, 2022 at  
3:10:39 PM CDT  
**To:** "Serck, Jason"  
<[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>,  
"Wolter, Peter B - DNR"  
<[Peter.Wolter@wisconsin.gov](mailto:Peter.Wolter@wisconsin.gov)>,  
"Flamang, Nicole M - DNR"  
<[nicolem.flamang@wisconsin.gov](mailto:nicolem.flamang@wisconsin.gov)>  
>  
**Cc:** "LaValley, Steven A - DNR"  
<[Steven.LaValley@wisconsin.gov](mailto:Steven.LaValley@wisconsin.gov)>  
, "Johnson, Mark"  
<[johnsonmark@ci.superior.wi.us](mailto:johnsonmark@ci.superior.wi.us)>  
, "Van Sickle, Jenny"  
<[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>,  
"Becken, Stephanie"  
<[beckens@ci.superior.wi.us](mailto:beckens@ci.superior.wi.us)>  
**Subject: Proposed Easement**

**Requested for City of Superior  
Conservation Easement - Paine  
Property**

<image001.jpg>

Thanks Jason -- I am also sharing with Peter Wolter and Nicole Flamang from our real estate program for review. Peter has some historical knowledge of this easement. The attached proposal from Fred will be helpful for our internal discussion. Since there is a significant decrease in the easement area, does the City have any ideas for other properties that could be protected with an easement as a result of the loss? I believe an original reason for the selection of this site for an easement was to protect the coastal wetland and nearshore areas that are important fisheries habitat so that is something we will consider when reviewing Fred's request. We will be in touch after we've had a chance to discuss internally. Thanks again Jason and enjoy the fall weekend!

Cherie Hagen  
WI DNR Lake Superior Supervisor  
715-416-4426

-----Original Message-----

From: Serck, Jason

<[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>

Sent: Monday, September 19,  
2022 2:51 PM

To: Hagen, Cherie L - DNR

<[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>

Cc: Flamang, Nicole M - DNR

<[nicolem.flamang@wisconsin.gov](mailto:nicolem.flamang@wisconsin.gov)>

>; LaValley, Steven A - DNR  
<[Steven.LaValley@wisconsin.gov](mailto:Steven.LaValley@wisconsin.gov)>  
; Johnson, Mark  
<[johnsonmark@ci.superior.wi.us](mailto:johnsonmark@ci.superior.wi.us)>  
; Van Sickle, Jenny  
<[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>;  
Becken, Stephanie  
<[beckens@ci.superior.wi.us](mailto:beckens@ci.superior.wi.us)>  
Subject: RE: City of Superior  
Conservation Easement - Paine  
Property

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from outside the organization.  
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the sender and know the content  
is safe.

Cherie...good afternoon.

I sat down with the land owners  
Fred Paine, Sr and Fred Paine Jr to  
discuss a potential area of the  
easement that they would be  
willing to work with the DNR on  
for a revised future sanctuary site.  
Attached is a very conceptual  
idea the landowners had.

The original easement for the  
most part, is the area that is  
outlined in blue in the attached  
map. The area that the Paine's  
would like to have the DNR  
consider for the new easement is  
outlined in white on the map. It is  
approximately 3.1 acres.

Again, this is very conceptual.  
Please let me know if you have  
any questions. Thanks for your  
time!



Jason Serck  
Economic Development, Planning  
& Port Director City of Superior  
1316 North 14th Street  
Superior, WI 54880  
715.395.7335  
[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)  
[www.ci.superior.wi.us](http://www.ci.superior.wi.us)

-----Original Message-----

From: Hagen, Cherie L - DNR  
[<mailto:Cherie.Hagen@wisconsin.gov>]  
Sent: Wednesday, September 7, 2022 6:15 AM  
To: Serck, Jason  
Cc: Flamang, Nicole M - DNR;  
LaValley, Steven A - DNR; Johnson, Mark; Van Sickle, Jenny; Becken, Stephanie  
Subject: Re: City of Superior Conservation Easement - Paine Property

Thank you for sharing Jason, we'll review. It would also be helpful if you could also please summarize the request from the City and landowner. Based on our conversation I think the property may not be in compliance with the easement and there is an interest in rectifying, but clarification would be great. Thanks so much!

Get Outlook for  
iOS<[https://secure-web.cisco.com/1YxZGj1paxU4JwdD\\_WkeX1Nkk84hZNp\\_VWw4\\_IM2ZKuWDpO21GWHS7kynCtSzZdOmMWyvssvDtcMTvOMZE2U4kUyJQ](https://secure-web.cisco.com/1YxZGj1paxU4JwdD_WkeX1Nkk84hZNp_VWw4_IM2ZKuWDpO21GWHS7kynCtSzZdOmMWyvssvDtcMTvOMZE2U4kUyJQ)

[rqm0rq4yjub-  
eq3Pxdd4AMyzov2kExUM2Aki-  
4iM7o\\_IQqb0e6Te8iP1B1JQf-  
t4KEPZGCV8fzoWxtJQwSLHFAKyf  
D93vcmFyJ0tMsit15xivzoL\\_l\\_v\\_4T  
QN3yW\\_h0ldpeCh3d2aXJCeAB5W  
aOZoSv0DcQ5qSLSr5AFw5STKA9  
0UFEWle3e9OAuHmxflr3KKTyYs\\_  
t6f0K-  
AS1p6Sz9QQWEMUo7seahxKSPz9  
/https%3A%2F%2Faka.ms%2Fo0u  
kef>](#)

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From: Serck, Jason  
<[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>  
Sent: Tuesday, September 6, 2022  
5:24:30 PM  
To: Hagen, Cherie L - DNR  
<[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
Cc: Flamang, Nicole M - DNR  
<[nicolem.flamang@wisconsin.gov](mailto:nicolem.flamang@wisconsin.gov)>  
>; LaValley, Steven A - DNR  
<[Steven.LaValley@wisconsin.gov](mailto:Steven.LaValley@wisconsin.gov)>  
; Johnson, Mark  
<[johnsonmark@ci.superior.wi.us](mailto:johnsonmark@ci.superior.wi.us)>  
; Van Sickle, Jenny  
<[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>;  
Becken, Stephanie  
<[beckens@ci.superior.wi.us](mailto:beckens@ci.superior.wi.us)>  
Subject: RE: City of Superior  
Conservation Easement - Paine  
Property

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is safe.

Cherie....good afternoon...I am  
attaching information related to

the limited development easement that was enacted in March of 1989. In addition, I am attaching a map of the area in question along with ownership information.

As for a name, I have not run across one but it does reference in the easement the Barker's Island Bird Sanctuary.

Section 16; Township Forty-Nine (49) North; Range Fourteen(14) West

Please let me know if you have any questions. Thanks!

Jason Serck

Economic Development, Planning  
& Port Director

City of Superior

1316 North 14th Street

Superior, WI 54880

715.395.7335

[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)

[erckj@ci.superior.wi.us](mailto:erckj@ci.superior.wi.us)>

[www.ci.superior.wi.us](http://www.ci.superior.wi.us)<<http://www.ci.superior.wi.us>>

From: Hagen, Cherie L - DNR  
[<mailto:Cherie.Hagen@wisconsin.gov>]  
Sent: Tuesday, August 30, 2022  
3:28 PM  
To: Van Sickle, Jenny; Serck, Jason  
Cc: Flamang, Nicole M - DNR;  
LaValley, Steven A - DNR  
Subject: City of Superior  
Conservation Easement - Paine  
Property

Hello Jenny and Jason – I was able to connect via email and voicemail with Nicole Flamang from Real Estate to provide more direction on next steps. If the City could please gather the information below that would be wonderful and also a brief summary of the concerns or request you have. Also copied Steve LaValley who has some historical knowledge of property. Since many of us don't have the history it will be helpful to review this information in advance so we have a bit of background before we meet to discuss. Thanks so much!

\* Provide copy of conservation easement. Most conservation easements are perpetual and run with the lands, each of restrictions

and reservations. It's really hard to tell without having a copy of the actual easement to reference. The easement should have shown up on the buyers title search.

\* Section, Township and Range location of this easement. Is there a name of the Lake Superior Wildlife or Fisheries area in question? Originally this easement was linked to the Barker's Island Bird Sanctuary, not sure if the property in question has a name.

\* Confirm current property owner is Thomas Paine. I think property was originally the City's but it was sold to Thomas, but I'm not sure.

We are committed to service excellence.  
Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Cherie Hagen  
Lake Superior Supervisor – Office of Great Waters, Environmental Management Division Wisconsin Department of Natural Resources  
Cell Phone: 715-416-4426  
[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)  
>

[cid:image001.png@01D8C212.AC]

[E26E30\]<http://dnr.wi.gov/>](http://dnr.wi.gov/)  
dnr.wi.gov  
[cid:image002.png@01D8C212.AC  
E26E30]  
<<http://facebook.com/WIDNR>>  
[cid:image003.png@01D8C212.AC  
E26E30] <[https://secure-web.cisco.com/1Pu5e5gi9QjlbrVFt6E3IL7XW7\\_qugXd11aPN527BpRqpeLofE8IGgfRWGy-Q45q3bA2MCYs2EGlkCCnOOH\\_3B8XTgJlkZDRqiTcGfHCYwbWdBz-DOobaw5LEjp-YRSBE\\_1D\\_OVpu7b2klgdYWhgEWfbiq53mMbyXrY5t0EP4QO5RfkGP088trmBG4iPyCndSLvGBxnqogEmxFQvly-VgSowem2WFda-tBzeq\\_C9361\\_\\_T9AevEgSCXhbLBRoCjXyogEzMf7whIM7WJdYiyfYzQKlyYtbefa9aWAndkNs1k4\\_jmfy\\_GaGhBX2gwOyamMP/https%3A%2F%2Ftwitter.com%2FDNR](https://secure-web.cisco.com/1Pu5e5gi9QjlbrVFt6E3IL7XW7_qugXd11aPN527BpRqpeLofE8IGgfRWGy-Q45q3bA2MCYs2EGlkCCnOOH_3B8XTgJlkZDRqiTcGfHCYwbWdBz-DOobaw5LEjp-YRSBE_1D_OVpu7b2klgdYWhgEWfbiq53mMbyXrY5t0EP4QO5RfkGP088trmBG4iPyCndSLvGBxnqogEmxFQvly-VgSowem2WFda-tBzeq_C9361__T9AevEgSCXhbLBRoCjXyogEzMf7whIM7WJdYiyfYzQKlyYtbefa9aWAndkNs1k4_jmfy_GaGhBX2gwOyamMP/https%3A%2F%2Ftwitter.com%2FDNR)>  
[cid:image004.png@01D8C212.A  
CE26E30]  
<<http://www.youtube.com/user/WIDNRTV>>  
[cid:image006.png@01D8C212.A  
CE26E30]  
<[https://public.govdelivery.com/a  
ccounts/WIDNR/subscriber/new](https://public.govdelivery.com/accounts/WIDNR/subscriber/new)>

From: Van Sickle, Jenny  
<[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>  
Sent: Tuesday, August 30, 2022  
9:20 AM  
To: Serck, Jason  
<[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>  
Cc: Johnson, Mark  
<[johnsonmark@ci.superior.wi.us](mailto:johnsonmark@ci.superior.wi.us)>  
; Becken, Stephanie  
<[beckens@ci.superior.wi.us](mailto:beckens@ci.superior.wi.us)>;

Hagen, Cherie L - DNR  
<[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
Subject: Fwd: DNR

CAUTION: This email originated  
from outside the organization.  
Do not click links or open  
attachments unless you recognize  
the sender and know the content  
is safe.

Morning Jason ☀️

Should we think about a meeting  
of the minds...end of Sept?

Jenny Van Sickle

907-738-2891

Superior City Council

Sent from my iPhone

Begin forwarded message:

From: Thomas Paine  
<[thomaspaine90@gmail.com](mailto:thomaspaine90@gmail.com)<[mailto:thomaspaine90@gmail.com](mailto:mailto:thomaspaine90@gmail.com)>>  
Date: August 30, 2022 at 6:43:41  
AM CDT  
To: "Van Sickle, Jenny"  
<[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)<[mailto:VanSicklej@ci.superior.wi.us](mailto:mailto:VanSicklej@ci.superior.wi.us)>  
>  
Cc: Dad  
<[painefred@gmail.com](mailto:painefred@gmail.com)<

[inefred@gmail.com](mailto:inefred@gmail.com)>>

Subject: Re: DNR

Hi Jenny,

The registrar of Deeds at the courthouse will have all the paperwork with the purchase of the property. Years ago I went in and had to use their computers to look the documents up. I am out of town for a few weeks so I am not able to assist. We have letters at the office in Superior from the DNR but they are more recent and not helpful. I don't believe we were ever given notice of the bird sanctuary being moved to our land.

There is not a sunken ship in front of the house, that is a barge used as a dock.

As far as the land trade vs sale I will have to get clarification from my dad, my only thought is maybe the registrar has something in writing based on the sale of the land he purchased from the city.

Thanks for your continued help with this.

Thomas Paine



On Fri, Aug 26, 2022 at 5:22 PM  
Van Sickle, Jenny  
<[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)<<mailto:VanSicklej@ci.superior.wi.us>>  
> wrote:

So I had a meeting with Cherie  
Hagan w/ the DNR about the  
'conservation easement'

This is going to be a tough  
untangle, but we can handle it.

First things first: we need to  
collect as much documentation  
on the property as possible. Any  
letters, deeds, emails notices etc  
from the city or DNR (especially to  
identify names and departments  
of folks that are in the loop and  
can help.)

Cherie Hagan is going to reach out  
to our local DNR guy Steve Lavelle  
in hopes that he has some  
historical context of this  
easement. As well as DNRs real  
estate branch to start sorting out  
the options

Reduce the footprint of the  
easement,

trade it for a different parcel  
within the city etc

As best I understand it, fred sold  
or traded the property near  
barkers island?

Fred purchased the lot he's on now, or received it in trade?

Also, is there some kind of sunken ship on the shoreline over there?

Thank for helping me get to the bottom of this— we'll get there

Jenny Van Sickle

907-738-2891

Superior City Council

Sent from my iPhone

On Aug 22, 2022, at 10:12 PM,  
Thomas Paine  
<[thomaspaine90@gmail.com](mailto:thomaspaine90@gmail.com)<<mailto:thomaspaine90@gmail.com>>>  
wrote:

Jenny thank you for coming! Sorry we missed you at the party.

I'll make sure my dad sees this, if you need anything from us let us know we will be all hands on deck!

Regards,

Thomas Paine

218-428-1863

Sent from my iPhone

On Aug 22, 2022, at 9:03 PM, Van  
Sickle, Jenny

[<VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)[<mailto:VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)

> wrote:

Hi, Fred

Good to see you on Friday. What  
a beautiful couple & wedding!

Just keeping you in the loop, email  
below

<image0.jpeg>

Begin forwarded message:

From: "Van Sickle, Jenny"  
<[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)<<mailto:VanSicklej@ci.superior.wi.us>>  
>

Date: August 21, 2022 at 10:53:29  
AM CDT

Subject: miigwech

Cherie:

First, I just wanted to say how much I appreciated getting to meet you on Friday and to see such strong support from DNR folks at the land transfer event. I was also hoping to quick check in with you regarding a more local issue one of our residents is trying to clear up in Billings Park and this bird sanctuary.

Any chance you might have a few minutes in the next couple weeks?

Thank you!

Sent from my iPhone  
<image001.jpg>

**From:** [Van Sickle, Jenny](#)  
**To:** [Antonuk, Connie J - DNR](#)  
**Cc:** [Hagen, Cherie L - DNR](#); [Serck, Jason](#); [Paine, Jim](#); [Yach, James A - DNR](#); [Herrick, Mike](#)  
**Subject:** Re: Proposed Easement Requested for City of Superior Conservation Easement - Paine Property  
**Date:** Monday, November 21, 2022 11:26:30 AM

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Thank you, Connie

As always, please let us know how we can be helpful —

Thank you!

Jenny Van Sickle  
907-738-2891  
Superior City Council

Sent from my iPhone

On Nov 18, 2022, at 8:46 AM, Antonuk, Connie J - DNR <[Connie.Antonuk@wisconsin.gov](mailto:Connie.Antonuk@wisconsin.gov)> wrote:

Hello Ms. Van Sickle:

My name is Connie Antonuk. I work at the Rhinelander DNR office with DNR's Northern Region Secretary Director James Yach. I just wanted to let you know that we are actively working on a response to your easement proposal. We hope to get that response to you very soon. Once we are prepared to respond, I believe that James Yach will be telephoning Jason Serck to discuss. I am sure James Yach would be willing to include you in the discussion as well. Please let me know if that is the case and I will let James know. Thank you for your inquiry and we are actively keeping this moving.

Connie Antonuk

---

**From:** Van Sickle, Jenny <[VanSickleJ@ci.superior.wi.us](mailto:VanSickleJ@ci.superior.wi.us)>  
**Sent:** Wednesday, November 16, 2022 11:36 AM  
**To:** Hagen, Cherie L - DNR <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
**Cc:** Serck, Jason <[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>; Paine, Jim <[painej@ci.superior.wi.us](mailto:painej@ci.superior.wi.us)>; Yach, James A - DNR <[JamesA.Yach@wisconsin.gov](mailto:JamesA.Yach@wisconsin.gov)>; Antonuk, Connie J - DNR <[Connie.Antonuk@wisconsin.gov](mailto:Connie.Antonuk@wisconsin.gov)>  
**Subject:** Re: Proposed Easement Requested for City of Superior Conservation Easement - Paine Property

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Thanks Cherie

Any news?

Jenny Van Sickle  
907-738-2891  
Superior City Council

Sent from my iPhone

On Oct 25, 2022, at 2:51 PM, Hagen, Cherie L - DNR <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)> wrote:

Hello Jenny – You're email note came in during our internal discussion that just finished up so apologize I didn't see it before we met today. We had a productive discussion and will be pulling some things together internally based on Mr. Paine's request. James Yach, our Northern Region Secretary Director, will reach out Jason in a few weeks. If there is someone else the City would like James to connect with please let us know. Thanks so much and glad we are taking steps forward.

*Cherie Hagen*  
WI DNR Lake Superior Supervisor  
715-416-4426

---

**From:** Van Sickle, Jenny <[VanSickleJ@ci.superior.wi.us](mailto:VanSickleJ@ci.superior.wi.us)>  
**Sent:** Tuesday, October 25, 2022 2:35 PM  
**To:** Hagen, Cherie L - DNR <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
**Cc:** Serck, Jason <[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>; Paine, Jim <[painej@ci.superior.wi.us](mailto:painej@ci.superior.wi.us)>  
**Subject:** Re: Proposed Easement Requested for City of Superior Conservation Easement - Paine Property

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Hey Cherie! Thanks for the update. This sounds like good progress. Is there any chance the city could or should be a part of this meeting?

Jenny Van Sickle  
907-738-2891  
Superior City Council

Sent from my iPhone

On Oct 21, 2022, at 2:04 PM, Hagen, Cherie L - DNR <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)> wrote:

Happy Friday Jenny – Perfect timing, I just checked in with our Real Estate program on status and we have an internal meeting next week to discuss. We should be reaching out soon after this discussion. Enjoy the beautiful fall weekend!

*Cherie Hagen*

WI DNR Lake Superior Supervisor  
715-416-4426

---

**From:** Van Sickle, Jenny <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>  
**Sent:** Friday, October 21, 2022 1:36 PM  
**To:** Hagen, Cherie L - DNR <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
**Cc:** Serck, Jason <[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>; Paine, Jim <[painej@ci.superior.wi.us](mailto:painej@ci.superior.wi.us)>  
**Subject:** Re: Proposed Easement Requested for City of Superior Conservation Easement - Paine Property

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Checking in—

Begin forwarded message:

**From:** "Hagen, Cherie L - DNR" <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
**Date:** September 23, 2022 at 3:10:39 PM CDT  
**To:** "Serck, Jason" <[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>, "Wolter, Peter B - DNR" <[Peter.Wolter@wisconsin.gov](mailto:Peter.Wolter@wisconsin.gov)>, "Flamang, Nicole M - DNR" <[nicolem.flamang@wisconsin.gov](mailto:nicolem.flamang@wisconsin.gov)>  
**Cc:** "LaValley, Steven A - DNR" <[Steven.LaValley@wisconsin.gov](mailto:Steven.LaValley@wisconsin.gov)>, "Johnson, Mark" <[johnsonmark@ci.superior.wi.us](mailto:johnsonmark@ci.superior.wi.us)>, "Van Sickle, Jenny" <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>, "Becken, Stephanie" <[beckens@ci.superior.wi.us](mailto:beckens@ci.superior.wi.us)>  
**Subject:** Proposed Easement Requested for City of Superior Conservation Easement - Paine Property

<image001.jpg>

Thanks Jason -- I am also sharing with Peter Wolter and Nicole Flamang from our real estate program for review. Peter has some historical knowledge of this easement. The attached proposal from Fred will be helpful for our internal discussion. Since there is a significant decrease in the easement area, does the City have any ideas for other properties that could be protected with an easement as a result of the loss? I believe an original reason for the selection of this site for an easement was to protect the coastal wetland and nearshore areas that are important fisheries habitat so that is something we will consider when reviewing Fred's request. We will be in touch after we've had a chance to discuss internally. Thanks again Jason and enjoy the fall weekend!

Cherie Hagen  
WI DNR Lake Superior Supervisor  
715-416-4426

-----Original Message-----

From: Serck, Jason <[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>  
Sent: Monday, September 19, 2022 2:51 PM  
To: Hagen, Cherie L - DNR <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
Cc: Flamang, Nicole M - DNR <[nicolem.flamang@wisconsin.gov](mailto:nicolem.flamang@wisconsin.gov)>; LaValley, Steven A - DNR <[Steven.LaValley@wisconsin.gov](mailto:Steven.LaValley@wisconsin.gov)>; Johnson, Mark <[johnsonmark@ci.superior.wi.us](mailto:johnsonmark@ci.superior.wi.us)>; Van Sickle, Jenny <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>; Becken, Stephanie <[beckens@ci.superior.wi.us](mailto:beckens@ci.superior.wi.us)>  
Subject: RE: City of Superior Conservation Easement - Paine Property

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Cherie...good afternoon.

I sat down with the land owners Fred Paine, Sr and Fred Paine Jr to discuss a potential area of the easement that they would be willing to work with the DNR on for a revised future sanctuary site. Attached is a very conceptual idea the landowners had.

The original easement for the most part, is the area that is outlined in blue in the attached map. The area that the Paine's would like to have the DNR consider for the new easement is outlined in white on the map. It is approximately 3.1 acres.

Again, this is very conceptual. Please let me know if you have any questions. Thanks for your time!

Jason Serck  
Economic Development, Planning & Port Director City of Superior  
1316 North 14th Street  
Superior, WI 54880  
715.395.7335  
[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)  
[www.ci.superior.wi.us](http://www.ci.superior.wi.us)

-----Original Message-----

From: Hagen, Cherie L - DNR [<mailto:Cherie.Hagen@wisconsin.gov>]  
Sent: Wednesday, September 7, 2022 6:15 AM  
To: Serck, Jason  
Cc: Flamang, Nicole M - DNR; LaValley, Steven A - DNR; Johnson, Mark; Van Sickle, Jenny; Becken, Stephanie  
Subject: Re: City of Superior Conservation Easement - Paine Property

Thank you for sharing Jason, we'll review. It would also be helpful if you could also please summarize the request from the City and landowner. Based on our conversation I think the property may not be in compliance with the easement and there is an interest in rectifying, but clarification would be great. Thanks so much!

Get Outlook for iOS<[https://secure.web.cisco.com/1Yz7Gj1paxU4JwdD\\_WkeX1Nkk84hZlp\\_VWw4\\_IM27KuWDpO21GWH57kynCtSzZdOmMWYssvDtcMTvQMZE2U4kUy/Oraqm0rq4vjub-eg3Pxdd4AMyzov2KExUM2Aki-4IM7o\\_IQab0e6Te8IP1B1JQf-t4KEP7GCV8foWxtlQwSLHFAKyfD93vcmFyJ0tMsit15xivzot\\_L\\_v\\_4TON3yW\\_h0ldpeCh3d2aXlCeAR5WaOZo5vODcO5gSlSrn5AFw5STKA90UFEFWle3e9OAuHmxfLr3KKTvYs\\_t6f0K-](https://secure.web.cisco.com/1Yz7Gj1paxU4JwdD_WkeX1Nkk84hZlp_VWw4_IM27KuWDpO21GWH57kynCtSzZdOmMWYssvDtcMTvQMZE2U4kUy/Oraqm0rq4vjub-eg3Pxdd4AMyzov2KExUM2Aki-4IM7o_IQab0e6Te8IP1B1JQf-t4KEP7GCV8foWxtlQwSLHFAKyfD93vcmFyJ0tMsit15xivzot_L_v_4TON3yW_h0ldpeCh3d2aXlCeAR5WaOZo5vODcO5gSlSrn5AFw5STKA90UFEFWle3e9OAuHmxfLr3KKTvYs_t6f0K-)>

AS1p6Sz9QWEMUo7seahxKSPz9/https%3A%2F%2Faka.ms%2Fo0ukef> \_\_\_\_\_  
From: Serck, Jason <[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>  
Sent: Tuesday, September 6, 2022 5:24:30 PM  
To: Hagen, Cherie L - DNR <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
Cc: Flamang, Nicole M - DNR <[nicolem.flamang@wisconsin.gov](mailto:nicolem.flamang@wisconsin.gov)>; LaValley, Steven A - DNR <[Steven.LaValley@wisconsin.gov](mailto:Steven.LaValley@wisconsin.gov)>;  
Johnson, Mark <[johnsonmark@ci.superior.wi.us](mailto:johnsonmark@ci.superior.wi.us)>; Van Sickle, Jenny <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>; Becken, Stephanie  
<[beckens@ci.superior.wi.us](mailto:beckens@ci.superior.wi.us)>  
Subject: RE: City of Superior Conservation Easement - Paine Property

CAUTION: This email originated from outside the organization.  
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Cherie....good afternoon...I am attaching information related to the limited development easement that was enacted in March of 1989. In addition, I am attaching a map of the area in question along with ownership information.

As for a name, I have not run across one but it does reference in the easement the Barker's Island Bird Sanctuary.

Section 16; Township Forty-Nine (49) North; Range Fourteen(14) West

Please let me know if you have any questions. Thanks!

Jason Serck  
Economic Development, Planning & Port Director  
City of Superior  
1316 North 14th Street  
Superior, WI 54880  
715.395.7335  
[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)<<mailto:serckj@ci.superior.wi.us>>  
[www.ci.superior.wi.us](http://www.ci.superior.wi.us)<<http://www.ci.superior.wi.us>>

From: Hagen, Cherie L - DNR [<mailto:Cherie.Hagen@wisconsin.gov>]  
Sent: Tuesday, August 30, 2022 3:28 PM  
To: Van Sickle, Jenny; Serck, Jason  
Cc: Flamang, Nicole M - DNR; LaValley, Steven A - DNR  
Subject: City of Superior Conservation Easement - Paine Property

Hello Jenny and Jason – I was able to connect via email and voicemail with Nicole Flamang from Real Estate to provide more direction on next steps. If the City could please gather the information below that would be wonderful and also a brief summary of the concerns or request you have. Also copied Steve LaValley who has some historical knowledge of property. Since many of us don't have the history it will be helpful to review this information in advance so we have a bit of background before we meet to discuss. Thanks so much!

\* Provide copy of conservation easement. Most conservation easements are perpetual and run with the lands, each of restrictions and reservations. It's really hard to tell without having a copy of the actual easement to reference. The easement should have shown up on the buyers title search.

\* Section, Township and Range location of this easement. Is there a name of the Lake Superior Wildlife or Fisheries area in question? Originally this easement was linked to the Barker's Island Bird Sanctuary, not sure if the property in question has a name.

\* Confirm current property owner is Thomas Paine. I think property was originally the City's but it was sold to Thomas, but I'm not sure.

We are committed to service excellence.  
Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Cherie Hagen  
Lake Superior Supervisor – Office of Great Waters, Environmental Management Division Wisconsin Department of Natural Resources  
Cell Phone: 715-416-4426 [Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)<<mailto:Cherie.Hagen@wisconsin.gov>>

[cid:image001.png@01D8C212.ACE26F30]<<http://dnr.wi.gov/>> dnr.wi.gov [cid:image002.png@01D8C212.ACE26F30]  
<<http://facebook.com/WIDNR>> [cid:image003.png@01D8C212.ACE26F30] <[https://secure-](https://secure-web.cisco.com/1Pu5e5gi9QjlbvFt6E3IL7XW7_augXd11aPN527BpRqpeLofE8IGfRWGy-)

[045q3bA2M/CYs2EGlkCCnOQh\\_3B8XTpJlkZDRqITcGfHCYwbWdBz-DOobaw5LEip-YRSRE\\_1D\\_0Vou7b2kldYWhgEWfhq53mMbyXrY5t0EP4OO5RfkGP088trmBG4iPyCndSlvGBxnqogFmxEQvly-VgSowem2WFda-tBzeq\\_C9361\\_\\_T9AevFgSCXhblBRoCjXvogFzMf7whlM7WJdYvfyfzOKlyYtbeFa9aWAndkNs1k4\\_jmfy\\_GaGhBX2gwQyamMP/https%3A%2F%2Ftwitter.com%2FWDNR](mailto:045q3bA2M/CYs2EGlkCCnOQh_3B8XTpJlkZDRqITcGfHCYwbWdBz-DOobaw5LEip-YRSRE_1D_0Vou7b2kldYWhgEWfhq53mMbyXrY5t0EP4OO5RfkGP088trmBG4iPyCndSlvGBxnqogFmxEQvly-VgSowem2WFda-tBzeq_C9361__T9AevFgSCXhblBRoCjXvogFzMf7whlM7WJdYvfyfzOKlyYtbeFa9aWAndkNs1k4_jmfy_GaGhBX2gwQyamMP/https%3A%2F%2Ftwitter.com%2FWDNR)  
[cid:image004.png@01D8C212.ACE26E30] <<http://www.youtube.com/user/WIDNRTV>> [cid:image006.png@01D8C212.ACE26E30]  
<<https://public.govdelivery.com/accounts/WIDNR/subscriber/new>>

From: Van Sickle, Jenny <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>  
Sent: Tuesday, August 30, 2022 9:20 AM  
To: Serck, Jason <[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>  
Cc: Johnson, Mark <[johnsonmark@ci.superior.wi.us](mailto:johnsonmark@ci.superior.wi.us)>; Becken, Stephanie <[beckens@ci.superior.wi.us](mailto:beckens@ci.superior.wi.us)>; Hagen, Cherie L - DNR <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
Subject: Fwd: DNR

CAUTION: This email originated from outside the organization.  
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Morning Jason ☺

Should we think about a meeting of the minds...end of Sept?

Jenny Van Sickle

907-738-2891

Superior City Council

Sent from my iPhone

Begin forwarded message:

From: Thomas Paine <[thomaspaine90@gmail.com](mailto:thomaspaine90@gmail.com)<<mailto:thomaspaine90@gmail.com>>>  
Date: August 30, 2022 at 6:43:41 AM CDT  
To: "Van Sickle, Jenny" <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)<<mailto:VanSicklej@ci.superior.wi.us>>>  
Cc: Dad <[painefred@gmail.com](mailto:painefred@gmail.com)<<mailto:painefred@gmail.com>>>  
Subject: Re: DNR

Hi Jenny,

The registrar of Deeds at the courthouse will have all the paperwork with the purchase of the property. Years ago I went in and had to use their computers to look the documents up. I am out of town for a few weeks so I am not able to assist. We have letters at the office in Superior from the DNR but they are more recent and not helpful. I don't believe we were ever given notice of the bird sanctuary being moved to our land.

There is not a sunken ship in front of the house, that is a barge used as a dock.

As far as the land trade vs sale I will have to get clarification from my dad, my only thought is maybe the registrar has something in writing based on the sale of the land he purchased from the city.

Thanks for your continued help with this.

Thomas Paine

On Fri, Aug 26, 2022 at 5:22 PM Van Sickle, Jenny <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)<<mailto:VanSicklej@ci.superior.wi.us>>> wrote:

So I had a meeting with Cherie Hagan w/ the DNR about the 'conservation easement'

This is going to be a tough untangle, but we can handle it.

First things first: we need to collect as much documentation on the property as possible. Any letters, deeds, emails notices etc from the city or DNR (especially to identify names and departments of folks that are in the loop and can help.)

Cherie Hagan is going to reach out to our local DNR guy Steve Lavelle in hopes that he has some historical context of this easement. As well as DNRs real estate branch to start sorting out the options

Reduce the footprint of the easement,

trade it for a different parcel within the city etc



As best I understand it, Fred sold or traded the property near Bakers Island?

Fred purchased the lot he's on now, or received it in trade?

Also, is there some kind of sunken ship on the shoreline over there?

Thank for helping me get to the bottom of this— we'll get there

Jenny Van Sickle

907-738-2891

Superior City Council

Sent from my iPhone

On Aug 22, 2022, at 10:12 PM, Thomas Paine <[thomaspaine90@gmail.com](mailto:thomaspaine90@gmail.com)<<mailto:thomaspaine90@gmail.com>>> wrote:

Jenny thank you for coming! Sorry we missed you at the party.

I'll make sure my dad sees this, if you need anything from us let us know we will be all hands on deck!

Regards,

Thomas Paine

218-428-1863

Sent from my iPhone

On Aug 22, 2022, at 9:03 PM, Van Sickle, Jenny <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)<<mailto:VanSicklej@ci.superior.wi.us>>> wrote:

Hi, Fred

Good to see you on Friday. What a beautiful couple & wedding!

Just keeping you in the loop, email below

<image0.jpeg>

Begin forwarded message:

From: "Van Sickle, Jenny" <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)<<mailto:VanSicklej@ci.superior.wi.us>>>

Date: August 21, 2022 at 10:53:29 AM CDT

Subject: miigwech

Cherie:

First, I just wanted to say how much I appreciated getting to meet you on Friday and to see such strong support from DNR folks at the land transfer event.

I was also hoping to quick check in with you regarding a more local issue one of our residents is trying to clear up in Billings Park and this bird sanctuary.

Any chance you might have a few minutes in the next couple weeks?

Thank you!

Sent from my iPhone

<image001.jpg>

**From:** [Paine, Jim](#)  
**To:** [Antonuk, Connie J - DNR](#); [Van Sickle, Jenny](#); [Hagen, Cherie L - DNR](#)  
**Cc:** [Serck, Jason](#); [Yach, James A - DNR](#)  
**Subject:** RE: Proposed Easement Requested for City of Superior Conservation Easement - Paine Property  
**Date:** Monday, December 5, 2022 10:33:50 AM

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Good morning everyone,

Just wanted to check and see if the group has made any progress on a response? If we even had a summary of the DNR's response it would help us organize anything we needed to do to fulfill any counter proposals you might have for us. As you can imagine, it's always best for us to get as much work as possible done early in December before the holidays slow everything down.

Thanks for all of your attention to this.

Jim Paine  
Mayor  
City of Superior

---

**From:** Antonuk, Connie J - DNR <Connie.Antonuk@wisconsin.gov>  
**Sent:** Friday, November 18, 2022 8:46 AM  
**To:** Van Sickle, Jenny <VanSicklej@ci.superior.wi.us>; Hagen, Cherie L - DNR <Cherie.Hagen@wisconsin.gov>  
**Cc:** Serck, Jason <serckj@ci.superior.wi.us>; Paine, Jim <painej@ci.superior.wi.us>; Yach, James A - DNR <JamesA.Yach@wisconsin.gov>  
**Subject:** RE: Proposed Easement Requested for City of Superior Conservation Easement - Paine Property

Hello Ms. Van Sickle:

My name is Connie Antonuk. I work at the Rhinelander DNR office with DNR's Northern Region Secretary Director James Yach. I just wanted to let you know that we are actively working on a response to your easement proposal. We hope to get that response to you very soon. Once we are prepared to respond, I believe that James Yach will be telephoning Jason Serck to discuss. I am sure James Yach would be willing to include you in the discussion as well. Please let me know if that is the case and I will let James know. Thank you for your inquiry and we are actively keeping this moving.

Connie Antonuk

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**From:** Van Sickle, Jenny <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>  
**Sent:** Wednesday, November 16, 2022 11:36 AM  
**To:** Hagen, Cherie L - DNR <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
**Cc:** Serck, Jason <[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>; Paine, Jim <[painej@ci.superior.wi.us](mailto:painej@ci.superior.wi.us)>; Yach, James A - DNR <[JamesA.Yach@wisconsin.gov](mailto:JamesA.Yach@wisconsin.gov)>; Antonuk, Connie J - DNR <[Connie.Antonuk@wisconsin.gov](mailto:Connie.Antonuk@wisconsin.gov)>  
**Subject:** Re: Proposed Easement Requested for City of Superior Conservation Easement - Paine Property

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Thanks Cherie

Any news?

Jenny Van Sickle  
907-738-2891  
Superior City Council

Sent from my iPhone

On Oct 25, 2022, at 2:51 PM, Hagen, Cherie L - DNR <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)> wrote:

Hello Jenny – You're email note came in during our internal discussion that just finished up so apologize I didn't see it before we met today. We had a productive discussion and will be pulling some things together internally based on Mr. Paine's request. James Yach, our Northern Region Secretary Director, will reach out Jason in a few weeks. If there is someone else the City would like James to connect with please let us know. Thanks so much and glad we are taking steps forward.

*Cherie Hagen*  
WI DNR Lake Superior Supervisor  
715-416-4426

---

**From:** Van Sickle, Jenny <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>  
**Sent:** Tuesday, October 25, 2022 2:35 PM  
**To:** Hagen, Cherie L - DNR <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
**Cc:** Serck, Jason <[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>; Paine, Jim <[painej@ci.superior.wi.us](mailto:painej@ci.superior.wi.us)>  
**Subject:** Re: Proposed Easement Requested for City of Superior Conservation Easement

- Paine Property

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the content is safe.**

Hey Cherie! Thanks for the update. This sounds like good progress. Is there any chance the city could or should be a part of this meeting?

Jenny Van Sickle  
907-738-2891  
Superior City Council

Sent from my iPhone

On Oct 21, 2022, at 2:04 PM, Hagen, Cherie L - DNR  
<[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)> wrote:

Happy Friday Jenny – Perfect timing, I just checked in with our Real Estate program on status and we have an internal meeting next week to discuss. We should be reaching out soon after this discussion. Enjoy the beautiful fall weekend!

*Cherie Hagen*  
WI DNR Lake Superior Supervisor  
715-416-4426

---

**From:** Van Sickle, Jenny <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>  
**Sent:** Friday, October 21, 2022 1:36 PM  
**To:** Hagen, Cherie L - DNR <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
**Cc:** Serck, Jason <[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>; Paine, Jim <[painej@ci.superior.wi.us](mailto:painej@ci.superior.wi.us)>  
**Subject:** Re: Proposed Easement Requested for City of Superior Conservation Easement - Paine Property

**CAUTION: This email originated from outside the organization.  
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and know the content is safe.**

Checking in—

Begin forwarded message:

**From:** "Hagen, Cherie L - DNR"  
<[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
**Date:** September 23, 2022 at  
3:10:39 PM CDT  
**To:** "Serck, Jason"  
<[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>,  
"Wolter, Peter B - DNR"  
<[Peter.Wolter@wisconsin.gov](mailto:Peter.Wolter@wisconsin.gov)>,  
"Flamang, Nicole M - DNR"  
<[nicolem.flamang@wisconsin.gov](mailto:nicolem.flamang@wisconsin.gov)>  
>  
**Cc:** "LaValley, Steven A - DNR"  
<[Steven.LaValley@wisconsin.gov](mailto:Steven.LaValley@wisconsin.gov)>  
, "Johnson, Mark"  
<[johnsonmark@ci.superior.wi.us](mailto:johnsonmark@ci.superior.wi.us)>  
, "Van Sickle, Jenny"  
<[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>,  
"Becken, Stephanie"  
<[beckens@ci.superior.wi.us](mailto:beckens@ci.superior.wi.us)>  
**Subject: Proposed Easement  
Requested for City of Superior  
Conservation Easement - Paine  
Property**

<image001.jpg>

Thanks Jason -- I am also sharing with Peter Wolter and Nicole Flamang from our real estate program for review. Peter has some historical knowledge of this easement. The attached proposal from Fred will be helpful for our internal discussion. Since there is a significant decrease in the easement area, does the City have any ideas for other properties that could be protected with an

easement as a result of the loss? I believe an original reason for the selection of this site for an easement was to protect the coastal wetland and nearshore areas that are important fisheries habitat so that is something we will consider when reviewing Fred's request. We will be in touch after we've had a chance to discuss internally. Thanks again Jason and enjoy the fall weekend!

Cherie Hagen  
WI DNR Lake Superior Supervisor  
715-416-4426

-----Original Message-----

From: Serck, Jason  
<[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>  
Sent: Monday, September 19, 2022 2:51 PM  
To: Hagen, Cherie L - DNR  
<[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
Cc: Flamang, Nicole M - DNR  
<[nicolem.flamang@wisconsin.gov](mailto:nicolem.flamang@wisconsin.gov)>  
>; LaValley, Steven A - DNR  
<[Steven.LaValley@wisconsin.gov](mailto:Steven.LaValley@wisconsin.gov)>  
; Johnson, Mark  
<[johnsonmark@ci.superior.wi.us](mailto:johnsonmark@ci.superior.wi.us)>  
; Van Sickle, Jenny  
<[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>;  
Becken, Stephanie  
<[beckens@ci.superior.wi.us](mailto:beckens@ci.superior.wi.us)>  
Subject: RE: City of Superior  
Conservation Easement - Paine  
Property

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Cherie...good afternoon.

I sat down with the land owners Fred Paine, Sr and Fred Paine Jr to discuss a potential area of the easement that they would be willing to work with the DNR on for a revised future sanctuary site. Attached is a very conceptual idea the landowners had.

The original easement for the most part, is the area that is outlined in blue in the attached map. The area that the Paine's would like to have the DNR consider for the new easement is outlined in white on the map. It is approximately 3.1 acres.

Again, this is very conceptual. Please let me know if you have any questions. Thanks for your time!

Jason Serck  
Economic Development, Planning  
& Port Director City of Superior  
1316 North 14th Street  
Superior, WI 54880  
715.395.7335  
[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)  
[www.ci.superior.wi.us](http://www.ci.superior.wi.us)

-----Original Message-----

From: Hagen, Cherie L - DNR  
[<mailto:Cherie.Hagen@wisconsin.gov>]

Sent: Wednesday, September 7,  
2022 6:15 AM

To: Serck, Jason

Cc: Flamang, Nicole M - DNR;  
LaValley, Steven A - DNR; Johnson,  
Mark; Van Sickle, Jenny; Becken,  
Stephanie  
Subject: Re: City of Superior  
Conservation Easement - Paine  
Property

Thank you for sharing Jason, we'll  
review. It would also be helpful if  
you could also please summarize  
the request from the City and  
landowner. Based on our  
conversation I think the property  
may not be in compliance with  
the easement and there is an  
interest in rectifying, but  
clarification would be great.  
Thanks so much!

Get Outlook for  
iOS<[https://secure-  
web.cisco.com/1YxZGj1paxU4Jwd  
D\\_WkeX1Nkk84hZNp\\_VWw4\\_IM2  
ZKuWDpO21GWHS7kynCtSzZdOm  
MWYvssvDtcMTvOMZE2U4kUyJQ  
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4iM7o\\_IQqb0e6Te8iP1B1JQf-  
t4KEPZGCV8fzoWxtJQwSLHFAKyf  
D93vcmFyJ0tMsit15xivzoL\\_l\\_v\\_4T  
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aOZoSv0DcQ5qSLSrN5AFw5STKA9  
0UFEWle3e9OAuHmxflr3KKTyYs\\_  
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AS1p6Sz9QQWEMUo7seahxKSPz9  
/https%3A%2F%2Faka.ms%2Fo0u  
kef](https://secure-web.cisco.com/1YxZGj1paxU4JwdD_WkeX1Nkk84hZNp_VWw4_IM2ZKuWDpO21GWHS7kynCtSzZdOmMWYvssvDtcMTvOMZE2U4kUyJQrqm0rq4yjub-eq3Pxdd4AMyzov2kExUM2Aki-4iM7o_IQqb0e6Te8iP1B1JQf-t4KEPZGCV8fzoWxtJQwSLHFAKyfD93vcmFyJ0tMsit15xivzoL_l_v_4TQN3yW_h0ldpeCh3d2aXJCeAB5WaOZoSv0DcQ5qSLSrN5AFw5STKA90UFEWle3e9OAuHmxflr3KKTyYs_t6f0K-AS1p6Sz9QQWEMUo7seahxKSPz9/https%3A%2F%2Faka.ms%2Fo0ukef)>

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From: Serck, Jason  
<[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>  
Sent: Tuesday, September 6, 2022  
5:24:30 PM  
To: Hagen, Cherie L - DNR



<[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
Cc: Flamang, Nicole M - DNR  
<[nicolem.flamang@wisconsin.gov](mailto:nicolem.flamang@wisconsin.gov)>; LaValley, Steven A - DNR  
<[Steven.LaValley@wisconsin.gov](mailto:Steven.LaValley@wisconsin.gov)>  
; Johnson, Mark  
<[johnsonmark@ci.superior.wi.us](mailto:johnsonmark@ci.superior.wi.us)>  
; Van Sickle, Jenny  
<[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>;  
Becken, Stephanie  
<[beckens@ci.superior.wi.us](mailto:beckens@ci.superior.wi.us)>  
Subject: RE: City of Superior  
Conservation Easement - Paine  
Property

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attachments unless you recognize  
the sender and know the content  
is safe.

Cherie....good afternoon...I am  
attaching information related to  
the limited development  
easement that was enacted in  
March of 1989. In addition, I am  
attaching a map of the area in  
question along with ownership  
information.

As for a name, I have not run  
across one but it does reference  
in the easement the Barker's  
Island Bird Sanctuary.

Section 16; Township Forty-Nine  
(49) North; Range Fourteen(14)  
West

Please let me know if you have any questions. Thanks!

Jason Serck

Economic Development, Planning  
& Port Director

City of Superior

1316 North 14th Street

Superior, WI 54880

715.395.7335

[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)<mailto:serckj@ci.superior.wi.us>

[www.ci.superior.wi.us](http://www.ci.superior.wi.us)<http://www.ci.superior.wi.us/>

From: Hagen, Cherie L - DNR  
[<mailto:Cherie.Hagen@wisconsin.gov>]

Sent: Tuesday, August 30, 2022  
3:28 PM

To: Van Sickle, Jenny; Serck, Jason  
Cc: Flamang, Nicole M - DNR;  
LaValley, Steven A - DNR  
Subject: City of Superior  
Conservation Easement - Paine  
Property

Hello Jenny and Jason – I was able to connect via email and voicemail with Nicole Flamang from Real Estate to provide more direction on next steps. If the City could please gather the information below that would be wonderful and also a brief summary of the concerns or request you have. Also copied Steve LaValley who has some historical knowledge of property. Since many of us don't have the history it will be helpful to review this information in advance so we have a bit of background before we meet to discuss. Thanks so much!

- \* Provide copy of conservation easement. Most conservation easements are perpetual and run with the lands, each of restrictions and reservations. It's really hard to tell without having a copy of the actual easement to reference. The easement should have shown up on the buyers title search.

- \* Section, Township and Range location of this easement. Is there a name of the Lake Superior Wildlife or Fisheries area in question? Originally this easement was linked to the Barker's Island Bird Sanctuary, not sure if the property in question has a name.

\* Confirm current property owner is Thomas Paine. I think property was originally the City's but it was sold to Thomas, but I'm not sure.

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<http://dnr.wi.gov/customersurvey> to evaluate how I did.

Cherie Hagen

Lake Superior Supervisor – Office of Great Waters, Environmental Management Division Wisconsin Department of Natural Resources  
Cell Phone: 715-416-4426

[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)  
<<mailto:Cherie.Hagen@wisconsin.gov>>

[cid:image001.png@01D8C212.AC E26E30]<<http://dnr.wi.gov/>>

dnr.wi.gov

[cid:image002.png@01D8C212.AC E26E30]

<<http://facebook.com/WIDNR>>

[cid:image003.png@01D8C212.AC E26E30] <[https://secure-](https://secure-web.cisco.com/1Pu5e5gi9QjlbrVFt6E3IL7XW7_qugXd11aPN527BpRqpeLofE8IGgfRWGy-Q45q3bA2MCys2EGlkCCnOOH_3B8XTgJlkZDRqiTcGfHCYwbWdBz-DOobaw5LEjp-YRSBE_1D_OVpu7b2klgdYWhgEWfbiq53mMbyXrY5t0EP4QO5RfkGP088trmBG4iPyCndSLvGBxnqogEmxFQvLY-VgSowem2WFda-tBzeq_C9361_T9AevEgSCXhbLBRoCjXyogEzMf7whlM7WJdYiyfYzQKlyYtbefa9aWAndkNs1k4_jmfy_Ga)

[web.cisco.com/1Pu5e5gi9QjlbrVFt6E3IL7XW7\\_qugXd11aPN527BpRqpeLofE8IGgfRWGy-](https://secure-web.cisco.com/1Pu5e5gi9QjlbrVFt6E3IL7XW7_qugXd11aPN527BpRqpeLofE8IGgfRWGy-Q45q3bA2MCys2EGlkCCnOOH_3B8XTgJlkZDRqiTcGfHCYwbWdBz-DOobaw5LEjp-YRSBE_1D_OVpu7b2klgdYWhgEWfbiq53mMbyXrY5t0EP4QO5RfkGP088trmBG4iPyCndSLvGBxnqogEmxFQvLY-VgSowem2WFda-tBzeq_C9361_T9AevEgSCXhbLBRoCjXyogEzMf7whlM7WJdYiyfYzQKlyYtbefa9aWAndkNs1k4_jmfy_Ga)

[Q45q3bA2MCys2EGlkCCnOOH\\_3B8XTgJlkZDRqiTcGfHCYwbWdBz-DOobaw5LEjp-](https://secure-web.cisco.com/1Pu5e5gi9QjlbrVFt6E3IL7XW7_qugXd11aPN527BpRqpeLofE8IGgfRWGy-Q45q3bA2MCys2EGlkCCnOOH_3B8XTgJlkZDRqiTcGfHCYwbWdBz-DOobaw5LEjp-YRSBE_1D_OVpu7b2klgdYWhgEWfbiq53mMbyXrY5t0EP4QO5RfkGP088trmBG4iPyCndSLvGBxnqogEmxFQvLY-VgSowem2WFda-tBzeq_C9361_T9AevEgSCXhbLBRoCjXyogEzMf7whlM7WJdYiyfYzQKlyYtbefa9aWAndkNs1k4_jmfy_Ga)

[YRSBE\\_1D\\_OVpu7b2klgdYWhgEWfbiq53mMbyXrY5t0EP4QO5RfkGP088trmBG4iPyCndSLvGBxnqogEmxFQvLY-VgSowem2WFda-](https://secure-web.cisco.com/1Pu5e5gi9QjlbrVFt6E3IL7XW7_qugXd11aPN527BpRqpeLofE8IGgfRWGy-Q45q3bA2MCys2EGlkCCnOOH_3B8XTgJlkZDRqiTcGfHCYwbWdBz-DOobaw5LEjp-YRSBE_1D_OVpu7b2klgdYWhgEWfbiq53mMbyXrY5t0EP4QO5RfkGP088trmBG4iPyCndSLvGBxnqogEmxFQvLY-VgSowem2WFda-tBzeq_C9361_T9AevEgSCXhbLBRoCjXyogEzMf7whlM7WJdYiyfYzQKlyYtbefa9aWAndkNs1k4_jmfy_Ga)

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[GhBX2gwOyamMP/https%3A%2F%2Ftwitter.com%2FDNR](https%3A%2F%2Ftwitter.com%2FDNR)>  
[cid:image004.png@01D8C212.ACE26E30]  
<<http://www.youtube.com/user/WIDNRTV>>  
[cid:image006.png@01D8C212.ACE26E30]  
<<https://public.govdelivery.com/accounts/WIDNR/subscriber/new>>

From: Van Sickle, Jenny  
<[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>  
Sent: Tuesday, August 30, 2022  
9:20 AM  
To: Serck, Jason  
<[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>  
Cc: Johnson, Mark  
<[johnsonmark@ci.superior.wi.us](mailto:johnsonmark@ci.superior.wi.us)>  
; Becken, Stephanie  
<[beckens@ci.superior.wi.us](mailto:beckens@ci.superior.wi.us)>;  
Hagen, Cherie L - DNR  
<[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
Subject: Fwd: DNR

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the sender and know the content  
is safe.

Morning Jason ☀️

Should we think about a meeting

of the minds...end of Sept?

Jenny Van Sickle

907-738-2891

Superior City Council

Sent from my iPhone

Begin forwarded message:

From: Thomas Paine  
<[thomaspaine90@gmail.com](mailto:thomaspaine90@gmail.com)<<mailto:thomaspaine90@gmail.com>>>  
Date: August 30, 2022 at 6:43:41 AM CDT  
To: "Van Sickle, Jenny"  
<[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)<<mailto:VanSicklej@ci.superior.wi.us>>  
>  
Cc: Dad  
<[painefred@gmail.com](mailto:painefred@gmail.com)<<mailto:painefred@gmail.com>>>  
Subject: Re: DNR

Hi Jenny,

The registrar of Deeds at the courthouse will have all the paperwork with the purchase of the property. Years ago I went in and had to use their computers to look the documents up. I am out of town for a few weeks so I am not able to assist. We have letters at the office in Superior from the DNR but they are more recent and not helpful. I don't believe we were ever given notice of the bird sanctuary being moved to our

land.

There is not a sunken ship in front of the house, that is a barge used as a dock.

As far as the land trade vs sale I will have to get clarification from my dad, my only thought is maybe the registrar has something in writing based on the sale of the land he purchased from the city.

Thanks for your continued help with this.

Thomas Paine

On Fri, Aug 26, 2022 at 5:22 PM  
Van Sickle, Jenny  
<[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)<<mailto:VanSicklej@ci.superior.wi.us>>  
> wrote:

So I had a meeting with Cherie Hagan w/ the DNR about the 'conservation easement'

This is going to be a tough untangle, but we can handle it.

First things first: we need to collect as much documentation

on the property as possible. Any letters, deeds, emails notices etc from the city or DNR (especially to identify names and departments of folks that are in the loop and can help.)

Cherie Hagan is going to reach out to our local DNR guy Steve Lavelle in hopes that he has some historical context of this easement. As well as DNRs real estate branch to start sorting out the options

Reduce the footprint of the easement,

trade it for a different parcel within the city etc

As best I understand it, fred sold or traded the property near barkers island?

Fred purchased the lot he's on now, or received it in trade?

Also, is there some kind of sunken ship on the shoreline over there?

Thank for helping me get to the bottom of this— we'll get there

Jenny Van Sickle

907-738-2891



Superior City Council

Sent from my iPhone

On Aug 22, 2022, at 10:12 PM,  
Thomas Paine  
<[thomaspaine90@gmail.com](mailto:thomaspaine90@gmail.com)<<mailto:thomaspaine90@gmail.com>>>  
wrote:

Jenny thank you for coming! Sorry  
we missed you at the party.

I'll make sure my dad sees this, if  
you need anything from us let us  
know we will be all hands on  
deck!

Regards,

Thomas Paine

218-428-1863

Sent from my iPhone

On Aug 22, 2022, at 9:03 PM, Van  
Sickle, Jenny  
<[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)<<mailto:VanSicklej@ci.superior.wi.us>>  
> wrote:

Hi, Fred

Good to see you on Friday. What a beautiful couple & wedding!

Just keeping you in the loop, email below

<image0.jpeg>

Begin forwarded message:

From: "Van Sickle, Jenny"  
<[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)<<mailto:VanSicklej@ci.superior.wi.us>>  
>

Date: August 21, 2022 at 10:53:29 AM CDT

Subject: miigwech

Cherie:

First, I just wanted to say how much I appreciated getting to meet you on Friday and to see such strong support from DNR folks at the land transfer event. I was also hoping to quick check in with you regarding a more local issue one of our residents is trying

to clear up in Billings Park and this  
bird sanctuary.

Any chance you might have a few  
minutes in the next couple  
weeks?

Thank you!

Sent from my iPhone  
<image001.jpg>

**From:** [Hagen, Cherie L - DNR](#)  
**To:** [Van Sickle, Jenny](#)  
**Cc:** [Serck, Jason](#); [Paine, Jim](#); [Yach, James A - DNR](#); [Antonuk, Connie J - DNR](#)  
**Subject:** RE: Proposed Easement Requested for City of Superior Conservation Easement - Paine Property  
**Date:** Tuesday, October 25, 2022 2:51:00 PM  
**Attachments:** [image001.jpg](#)

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Hello Jenny – Your email note came in during our internal discussion that just finished up so apologize I didn't see it before we met today. We had a productive discussion and will be pulling some things together internally based on Mr. Paine's request. James Yach, our Northern Region Secretary Director, will reach out Jason in a few weeks. If there is someone else the City would like James to connect with please let us know. Thanks so much and glad we are taking steps forward.

*Cherie Hagen*

WI DNR Lake Superior Supervisor  
715-416-4426

---

**From:** Van Sickle, Jenny <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>  
**Sent:** Tuesday, October 25, 2022 2:35 PM  
**To:** Hagen, Cherie L - DNR <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
**Cc:** Serck, Jason <[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>; Paine, Jim <[painej@ci.superior.wi.us](mailto:painej@ci.superior.wi.us)>  
**Subject:** Re: Proposed Easement Requested for City of Superior Conservation Easement - Paine Property

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Hey Cherie! Thanks for the update. This sounds like good progress. Is there any chance the city could or should be a part of this meeting?

Jenny Van Sickle  
907-738-2891  
Superior City Council  
Sent from my iPhone

On Oct 21, 2022, at 2:04 PM, Hagen, Cherie L - DNR <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)> wrote:

Happy Friday Jenny – Perfect timing, I just checked in with our Real Estate program on status and we have an internal meeting next week to discuss. We should be reaching out soon after this discussion. Enjoy the beautiful fall weekend!

*Cherie Hagen*

WI DNR Lake Superior Supervisor  
715-416-4426

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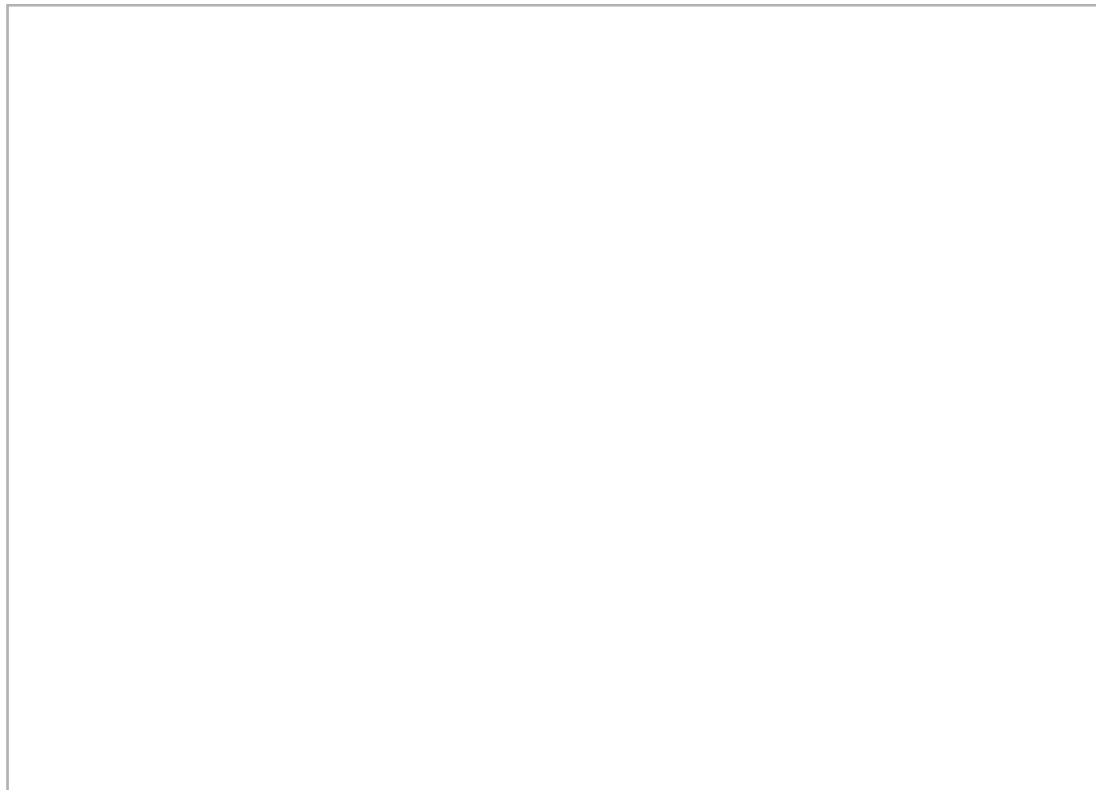
**From:** Van Sickle, Jenny <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>  
**Sent:** Friday, October 21, 2022 1:36 PM  
**To:** Hagen, Cherie L - DNR <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
**Cc:** Serck, Jason <[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>; Paine, Jim <[painej@ci.superior.wi.us](mailto:painej@ci.superior.wi.us)>  
**Subject:** Re: Proposed Easement Requested for City of Superior Conservation Easement - Paine Property

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Checking in—

Begin forwarded message:

**From:** "Hagen, Cherie L - DNR" <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
**Date:** September 23, 2022 at 3:10:39 PM CDT  
**To:** "Serck, Jason" <[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>, "Wolter, Peter B - DNR" <[Peter.Wolter@wisconsin.gov](mailto:Peter.Wolter@wisconsin.gov)>, "Flamang, Nicole M - DNR" <[nicolem.flamang@wisconsin.gov](mailto:nicolem.flamang@wisconsin.gov)>  
**Cc:** "LaValley, Steven A - DNR" <[Steven.LaValley@wisconsin.gov](mailto:Steven.LaValley@wisconsin.gov)>, "Johnson, Mark" <[johnsonmark@ci.superior.wi.us](mailto:johnsonmark@ci.superior.wi.us)>, "Van Sickle, Jenny" <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>, "Becken, Stephanie" <[beckens@ci.superior.wi.us](mailto:beckens@ci.superior.wi.us)>  
**Subject:** Proposed Easement Requested for City of Superior Conservation Easement - Paine Property



Thanks Jason -- I am also sharing with Peter Wolter and Nicole Flamang from our real estate program for review. Peter has some historical knowledge of this easement. The attached proposal from Fred will be helpful for our internal discussion. Since there is a significant decrease in the easement area, does the City have any ideas for other properties that could be protected with an easement as a result of the loss? I believe an original reason for the selection of this site for an easement was to protect the coastal wetland and nearshore areas that are important fisheries habitat so that is something we will consider when reviewing Fred's request. We will be in touch after we've had a chance to discuss internally. Thanks again Jason and enjoy the fall weekend!

Cherie Hagen  
WI DNR Lake Superior Supervisor  
715-416-4426

-----Original Message-----

From: Serck, Jason <[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>

Sent: Monday, September 19, 2022 2:51 PM

To: Hagen, Cherie L - DNR <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>

Cc: Flamang, Nicole M - DNR <[nicolem.flamang@wisconsin.gov](mailto:nicolem.flamang@wisconsin.gov)>; LaValley, Steven A - DNR <[Steven.LaValley@wisconsin.gov](mailto:Steven.LaValley@wisconsin.gov)>; Johnson, Mark <[johansonmark@ci.superior.wi.us](mailto:johansonmark@ci.superior.wi.us)>; Van Sickle, Jenny <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>; Becken, Stephanie <[beckens@ci.superior.wi.us](mailto:beckens@ci.superior.wi.us)>

Subject: RE: City of Superior Conservation Easement - Paine Property

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Cherie...good afternoon.

I sat down with the land owners Fred Paine, Sr and Fred Paine Jr to discuss a potential area of the easement that they would be willing to work with the DNR on for a revised future sanctuary site. Attached is a very conceptual idea the landowners had.

The original easement for the most part, is the area that is outlined in blue in the attached map. The area that the Paine's would like to have the DNR consider for the new easement is outlined in white on the map. It is approximately 3.1 acres.

Again, this is very conceptual. Please let me know if you have any questions. Thanks for your time!

Jason Serck  
Economic Development, Planning & Port Director City of Superior  
1316 North 14th Street  
Superior, WI 54880  
715.395.7335  
[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)  
[www.ci.superior.wi.us](http://www.ci.superior.wi.us)

-----Original Message-----

From: Hagen, Cherie L - DNR [<mailto:Cherie.Hagen@wisconsin.gov>]

Sent: Wednesday, September 7, 2022 6:15 AM

To: Serck, Jason

Cc: Flamang, Nicole M - DNR; LaValley, Steven A - DNR; Johnson, Mark; Van Sickle, Jenny; Becken, Stephanie

Subject: Re: City of Superior Conservation Easement - Paine Property

Thank you for sharing Jason, we'll review. It would also be helpful if you could also please summarize the request from the City and landowner. Based on our conversation I think the property may not be in compliance with the easement and there is an interest in rectifying, but clarification would be great. Thanks so much!

Get Outlook for iOS<<https://secure->

[web.cisco.com/1YxZGi1paxU4JwdD\\_WkeX1Ntk84hZnp\\_VVw4\\_IM27KuWDpO21GWH57kynCtSzZdOmMWyvvDtcMTyOMZE2U4kUyJOrqmOrq4yjub-eq3Pxd4AMyov2kExUM72Aki-4iM7o\\_IQqb0e6Te8IP1B1IQf-t4KEPZGCV8fzoWxtlQwSLHFAKyfD93ycmFvJOtMst15xivyol\\_I\\_v\\_4TON3yW\\_h0ldpeCh3d2aXlCeAB5WaO7o5v0DcO5oSlSrn5AFw5STKA90UFEWle3e9OAUHmxflr3KKTyYs\\_t6fDK-AS1p65z9QQWFEMUo7seahxKSPz9/https%3A%2F%2Faka.ms%2FoDukef](http://web.cisco.com/1YxZGi1paxU4JwdD_WkeX1Ntk84hZnp_VVw4_IM27KuWDpO21GWH57kynCtSzZdOmMWyvvDtcMTyOMZE2U4kUyJOrqmOrq4yjub-eq3Pxd4AMyov2kExUM72Aki-4iM7o_IQqb0e6Te8IP1B1IQf-t4KEPZGCV8fzoWxtlQwSLHFAKyfD93ycmFvJOtMst15xivyol_I_v_4TON3yW_h0ldpeCh3d2aXlCeAB5WaO7o5v0DcO5oSlSrn5AFw5STKA90UFEWle3e9OAUHmxflr3KKTyYs_t6fDK-AS1p65z9QQWFEMUo7seahxKSPz9/https%3A%2F%2Faka.ms%2FoDukef)

From: Serck, Jason <[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>

Sent: Tuesday, September 6, 2022 5:24:30 PM

To: Hagen, Cherie L - DNR <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>

Cc: Flamang, Nicole M - DNR <[nicolem.flamang@wisconsin.gov](mailto:nicolem.flamang@wisconsin.gov)>; LaValley, Steven A - DNR <[Steven.LaValley@wisconsin.gov](mailto:Steven.LaValley@wisconsin.gov)>; Johnson, Mark <[johnsonmark@ci.superior.wi.us](mailto:johnsonmark@ci.superior.wi.us)>; Van Sickle, Jenny <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>; Becken, Stephanie <[beckens@ci.superior.wi.us](mailto:beckens@ci.superior.wi.us)>

Subject: RE: City of Superior Conservation Easement - Paine Property

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Cherie....good afternoon...I am attaching information related to the limited development easement that was enacted in March of 1989. In addition, I am attaching a map of the area in question along with ownership information.

As for a name, I have not run across one but it does reference in the easement the Barker's Island Bird Sanctuary.

Section 16; Township Forty-Nine (49) North; Range Fourteen(14) West

Please let me know if you have any questions. Thanks!

Jason Serck

Economic Development, Planning & Port Director

City of Superior

1316 North 14th Street

Superior, WI 54880

715.395.7335

[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)<<mailto:serckj@ci.superior.wi.us>>

[www.ci.superior.wi.us](http://www.ci.superior.wi.us)<<http://www.ci.superior.wi.us>>

From: Hagen, Cherie L - DNR [<mailto:Cherie.Hagen@wisconsin.gov>]

Sent: Tuesday, August 30, 2022 3:28 PM

To: Van Sickle, Jenny; Serck, Jason

Cc: Flamang, Nicole M - DNR; LaValley, Steven A - DNR

Subject: City of Superior Conservation Easement - Paine Property

Hello Jenny and Jason – I was able to connect via email and voicemail with Nicole Flamang from Real Estate to provide more direction on next steps. If the City could please gather the information below that would be wonderful and also a brief summary of the concerns or request you have. Also copied Steve LaValley who has some historical knowledge of property. Since many of us don't have the history it will be helpful to review this information in advance so we have a bit of background before we meet to discuss. Thanks so much!

\* Provide copy of conservation easement. Most conservation easements are perpetual and run with the lands, each of restrictions and reservations. It's really hard to tell without having a copy of the actual easement to reference. The easement should have shown up on the buyers title search.

\* Section, Township and Range location of this easement. Is there a name of the Lake Superior Wildlife or Fisheries area in question? Originally this easement was linked to the Barker's Island Bird Sanctuary, not sure if the property in question has a name.

\* Confirm current property owner is Thomas Paine. I think property was originally the City's but it was sold to Thomas, but I'm not sure.

We are committed to service excellence.  
Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Cherie Hagen

Lake Superior Supervisor – Office of Great Waters, Environmental Management Division Wisconsin Department of Natural Resources Cell Phone: 715-416-4426

[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)<<mailto:Cherie.Hagen@wisconsin.gov>>

[cid:image001.png@01D8C212.ACE26E30]<<http://dnr.wi.gov/>> dnr.wi.gov [cid:image002.png@01D8C212.ACE26E30]<<http://facebook.com/Wi/DNR>>  
[cid:image003.png@01D8C212.ACE26E30]<[https://secure-web.cisco.com/1Pu5eSgI9QjIbrVfT6E3lI7XW7\\_qugXd11aPN527BpRqpeIof8iGgfrWGY-Q45q3bA2MCYs2EGlkCcnOOh\\_3B8XTgIkZDRqITcGfHCYwbWdBz-DOobaw5LEjg-YR5RE\\_1D\\_0Vpu7b2klgdYVhgeFWfbid53mMbyXrY5t0EP4QO58fkGP088trmBG4IPyCndSlvGBxnqogEmxFQvly-VgSowem2WFda-tBzeq\\_C9361\\_T9AevFeSCxbI8RoCXyogEzMf7whIM7WJdYiyfYzQKlytbfafa9aWAndkNs1k4\\_jmfy\\_GaGhRX2gwQyamMP/https%3A%2F%2Ftwitter.com%2FWDNR](https://secure-web.cisco.com/1Pu5eSgI9QjIbrVfT6E3lI7XW7_qugXd11aPN527BpRqpeIof8iGgfrWGY-Q45q3bA2MCYs2EGlkCcnOOh_3B8XTgIkZDRqITcGfHCYwbWdBz-DOobaw5LEjg-YR5RE_1D_0Vpu7b2klgdYVhgeFWfbid53mMbyXrY5t0EP4QO58fkGP088trmBG4IPyCndSlvGBxnqogEmxFQvly-VgSowem2WFda-tBzeq_C9361_T9AevFeSCxbI8RoCXyogEzMf7whIM7WJdYiyfYzQKlytbfafa9aWAndkNs1k4_jmfy_GaGhRX2gwQyamMP/https%3A%2F%2Ftwitter.com%2FWDNR)>  
[cid:image004.png@01D8C212.ACE26E30]<<http://www.youtube.com/user/WIDNRTV>> [cid:image006.png@01D8C212.ACE26E30]

<https://public.govdelivery.com/accounts/WIDNR/subscriber/new>

From: Van Sickle, Jenny <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>  
Sent: Tuesday, August 30, 2022 9:20 AM  
To: Serck, Jason <[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>  
Cc: Johnson, Mark <[johnsonmark@ci.superior.wi.us](mailto:johnsonmark@ci.superior.wi.us)>; Becken, Stephanie <[beckens@ci.superior.wi.us](mailto:beckens@ci.superior.wi.us)>; Hagen, Cherie L - DNR <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
Subject: Fwd: DNR

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Do not click links or open attachments unless you recognize the sender and know the content is safe.

Morning Jason 🌀

Should we think about a meeting of the minds...end of Sept?

Jenny Van Sickle

907-738-2891

Superior City Council

Sent from my iPhone

Begin forwarded message:

From: Thomas Paine <[thomaspaine90@gmail.com](mailto:thomaspaine90@gmail.com)<<mailto:thomaspaine90@gmail.com>>>  
Date: August 30, 2022 at 6:43:41 AM CDT  
To: "Van Sickle, Jenny" <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)<<mailto:VanSicklej@ci.superior.wi.us>>>  
Cc: Dad <[painefred@gmail.com](mailto:painefred@gmail.com)<<mailto:painefred@gmail.com>>>  
Subject: Re: DNR

Hi Jenny,

The registrar of Deeds at the courthouse will have all the paperwork with the purchase of the property. Years ago I went in and had to use their computers to look the documents up. I am out of town for a few weeks so I am not able to assist. We have letters at the office in Superior from the DNR but they are more recent and not helpful. I don't believe we were ever given notice of the bird sanctuary being moved to our land.

There is not a sunken ship in front of the house, that is a barge used as a dock.

As far as the land trade vs sale I will have to get clarification from my dad, my only thought is maybe the registrar has something in writing based on the sale of the land he purchased from the city.

Thanks for your continued help with this.

Thomas Paine

On Fri, Aug 26, 2022 at 5:22 PM Van Sickle, Jenny <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)<<mailto:VanSicklej@ci.superior.wi.us>>> wrote:

So I had a meeting with Cherie Hagan w/ the DNR about the 'conservation easement'

This is going to be a tough untangle, but we can handle it.

First things first: we need to collect as much documentation on the property as possible. Any letters, deeds, emails notices etc from the city or DNR (especially to identify names and departments of folks that are in the loop and can help.)

Cherie Hagan is going to reach out to our local DNR guy Steve Lavelle in hopes that he has some historical context of this easement. As well as DNRs real estate branch to start sorting out the options

Reduce the footprint of the easement,

trade it for a different parcel within the city etc

As best I understand it, fred sold or traded the property near barkers island?

Fred purchased the lot he's on now, or received it in trade?

Also, is there some kind of sunken ship on the shoreline over there?

Thank for helping me get to the bottom of this— we'll get there

Jenny Van Sickle

907-738-2891

Superior City Council

Sent from my iPhone

On Aug 22, 2022, at 10:12 PM, Thomas Paine <[thomaspaine90@gmail.com](mailto:thomaspaine90@gmail.com)<<mailto:thomaspaine90@gmail.com>>> wrote:

Jenny thank you for coming! Sorry we missed you at the party.

I'll make sure my dad sees this, if you need anything from us let us know we will be all hands on deck!

Regards,

Thomas Paine

218-428-1863

Sent from my iPhone

On Aug 22, 2022, at 9:03 PM, Van Sickle, Jenny <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)<<mailto:VanSicklej@ci.superior.wi.us>>> wrote:

Hi, Fred

Good to see you on Friday. What a beautiful couple & wedding!

Just keeping you in the loop, email below

<image0.jpeg>

Begin forwarded message:

From: "Van Sickle, Jenny" <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)<<mailto:VanSicklej@ci.superior.wi.us>>>

Date: August 21, 2022 at 10:53:29 AM CDT

Subject: miigwech

Cherie:

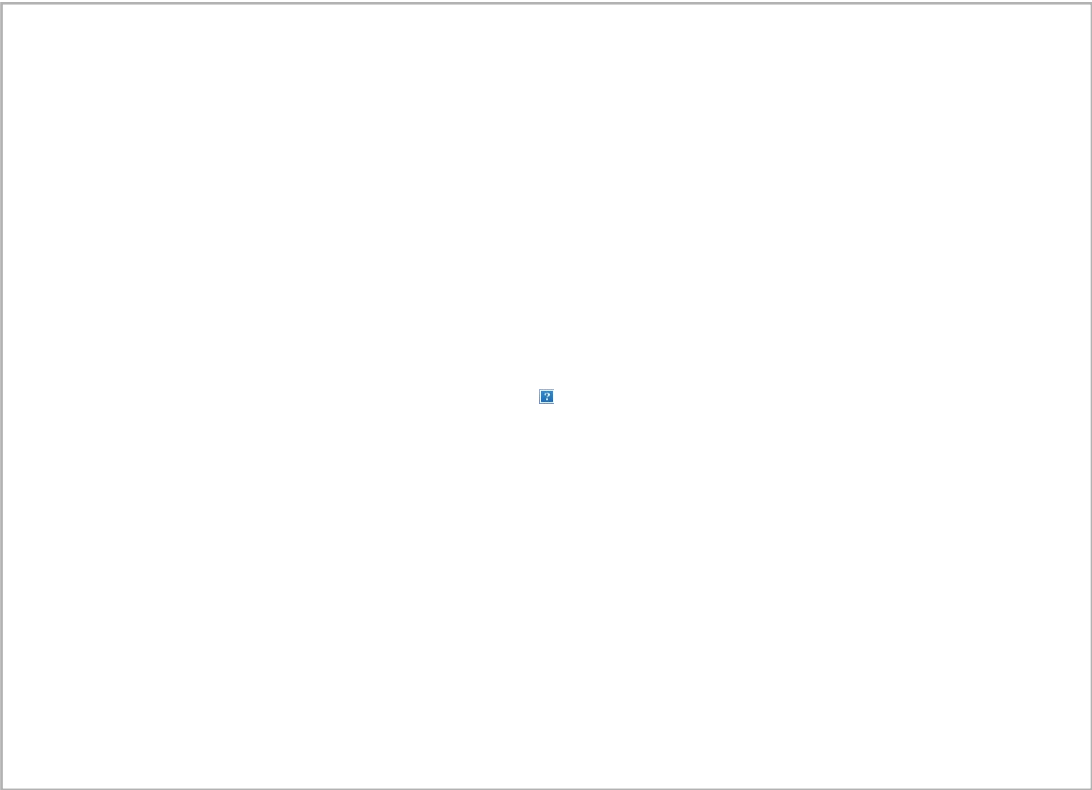
First, I just wanted to say how much I appreciated getting to meet you on Friday and to see such strong support from DNR folks at the land transfer event. I was also hoping to quick check in with you regarding a more local issue one of our residents is trying to clear up in Billings Park and this bird sanctuary.

Any chance you might have a few minutes in the next couple weeks?

Thank you!

Sent from my iPhone





**From:** [Yach, James A - DNR](#)  
**To:** [Paine, Jim](#); [Antonuk, Connie J - DNR](#); [Van Sickle, Jenny](#); [Hagen, Cherie L - DNR](#)  
**Cc:** [Serck, Jason](#)  
**Subject:** RE: Proposed Easement Requested for City of Superior Conservation Easement - Paine Property  
**Date:** Monday, December 5, 2022 11:37:44 AM  
**Attachments:** [image001.gif](#)  
[image002.gif](#)  
[image003.gif](#)  
[image004.gif](#)  
[image005.gif](#)  
[image006.gif](#)

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Mayor Paine,

The WDNR is planning to respond to the City of Superior the Paine families this week. One of the Department's attorneys is drafting the letter and is planning to send it to the attention of the City Attorney. Please let us know if you'd like it to go to your (Mayor's office) instead.

Thank you for reaching out to the WDNR and please let us know if you have any questions or concerns.

**We are committed to service excellence.**

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

James Yach

Secretary's Director- Northern Wisconsin  
Wisconsin Department of Natural Resources  
107 Sutliff Ave. Rhineland, WI 54501  
Cell Phone: 608-218-0711  
[jamesa.yach@wisconsin.gov](mailto:jamesa.yach@wisconsin.gov)



[dnr.wi.gov](http://dnr.wi.gov)



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**From:** Paine, Jim <[painej@ci.superior.wi.us](mailto:painej@ci.superior.wi.us)>  
**Sent:** Monday, December 5, 2022 10:34 AM  
**To:** Antonuk, Connie J - DNR <[Connie.Antonuk@wisconsin.gov](mailto:Connie.Antonuk@wisconsin.gov)>; Van Sickle, Jenny <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>; Hagen, Cherie L - DNR <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
**Cc:** Serck, Jason <[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>; Yach, James A - DNR <[JamesA.Yach@wisconsin.gov](mailto:JamesA.Yach@wisconsin.gov)>  
**Subject:** RE: Proposed Easement Requested for City of Superior Conservation Easement - Paine Property

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safe.

Good morning everyone,

Just wanted to check and see if the group has made any progress on a response? If we even had a summary of the DNR's response it would help us organize anything we needed to do to fulfill any counter proposals you might have for us. As you can imagine, it's always best for us to get as much work as possible done early in December before the holidays slow everything down.

Thanks for all of your attention to this.

Jim Paine  
Mayor  
City of Superior

---

**From:** Antonuk, Connie J - DNR <[Connie.Antonuk@wisconsin.gov](mailto:Connie.Antonuk@wisconsin.gov)>  
**Sent:** Friday, November 18, 2022 8:46 AM  
**To:** Van Sickle, Jenny <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>; Hagen, Cherie L - DNR <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
**Cc:** Serck, Jason <[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>; Paine, Jim <[painej@ci.superior.wi.us](mailto:painej@ci.superior.wi.us)>; Yach, James A - DNR <[JamesA.Yach@wisconsin.gov](mailto:JamesA.Yach@wisconsin.gov)>  
**Subject:** RE: Proposed Easement Requested for City of Superior Conservation Easement - Paine Property

Hello Ms. Van Sickle:

My name is Connie Antonuk. I work at the Rhinelander DNR office with DNR's Northern Region Secretary Director James Yach. I just wanted to let you know that we are actively working on a response to your easement proposal. We hope to get that response to you very soon. Once we are prepared to respond, I believe that James Yach will be telephoning Jason Serck to discuss. I am sure James Yach would be willing to include you in the discussion as well. Please let me know if that is the case and I will let James know. Thank you for your inquiry and we are actively keeping this moving.

Connie Antonuk

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**From:** Van Sickle, Jenny <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>  
**Sent:** Wednesday, November 16, 2022 11:36 AM  
**To:** Hagen, Cherie L - DNR <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
**Cc:** Serck, Jason <[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>; Paine, Jim <[painej@ci.superior.wi.us](mailto:painej@ci.superior.wi.us)>; Yach, James A - DNR <[JamesA.Yach@wisconsin.gov](mailto:JamesA.Yach@wisconsin.gov)>; Antonuk, Connie J - DNR <[Connie.Antonuk@wisconsin.gov](mailto:Connie.Antonuk@wisconsin.gov)>  
**Subject:** Re: Proposed Easement Requested for City of Superior Conservation Easement - Paine Property

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Thanks Cherie

Any news?

Jenny Van Sickle  
907-738-2891  
Superior City Council

Sent from my iPhone

On Oct 25, 2022, at 2:51 PM, Hagen, Cherie L - DNR <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)> wrote:

Hello Jenny – You're email note came in during our internal discussion that just finished up so apologize I didn't see it before we met today. We had a productive discussion and will be pulling some things together internally based on Mr. Paine's request. James Yach, our Northern Region Secretary Director, will reach out Jason in a few weeks. If there is someone else the City would like James to connect with please let us know. Thanks so much and glad we are taking steps forward.

*Cherie Hagen*  
WI DNR Lake Superior Supervisor  
715-416-4426

---

**From:** Van Sickle, Jenny <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>  
**Sent:** Tuesday, October 25, 2022 2:35 PM  
**To:** Hagen, Cherie L - DNR <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
**Cc:** Serck, Jason <[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>; Paine, Jim <[painej@ci.superior.wi.us](mailto:painej@ci.superior.wi.us)>  
**Subject:** Re: Proposed Easement Requested for City of Superior Conservation Easement - Paine Property

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Hey Cherie! Thanks for the update. This sounds like good progress. Is there any chance the city could or should be a part of this meeting?

Jenny Van Sickle  
907-738-2891  
Superior City Council

Sent from my iPhone

On Oct 21, 2022, at 2:04 PM, Hagen, Cherie L - DNR  
<[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)> wrote:

Happy Friday Jenny – Perfect timing, I just checked in with our Real Estate program on status and we have an internal meeting next week to discuss. We should be reaching out soon after this discussion. Enjoy the beautiful fall weekend!

*Cherie Hagen*  
WI DNR Lake Superior Supervisor  
715-416-4426

---

**From:** Van Sickle, Jenny <[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>  
**Sent:** Friday, October 21, 2022 1:36 PM  
**To:** Hagen, Cherie L - DNR <[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
**Cc:** Serck, Jason <[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>; Paine, Jim <[painej@ci.superior.wi.us](mailto:painej@ci.superior.wi.us)>  
**Subject:** Re: Proposed Easement Requested for City of Superior Conservation Easement - Paine Property

**CAUTION: This email originated from outside the organization.  
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and know the content is safe.**

Checking in—

Begin forwarded message:

**From:** "Hagen, Cherie L - DNR"  
<[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>

**Date:** September 23, 2022 at  
3:10:39 PM CDT

**To:** "Serck, Jason"

<[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>,

"Wolter, Peter B - DNR"

<[Peter.Wolter@wisconsin.gov](mailto:Peter.Wolter@wisconsin.gov)>,

"Flamang, Nicole M - DNR"

<[nicolem.flamang@wisconsin.gov](mailto:nicolem.flamang@wisconsin.gov)

>

**Cc:** "LaValley, Steven A - DNR"

<[Steven.LaValley@wisconsin.gov](mailto:Steven.LaValley@wisconsin.gov)>

, "Johnson, Mark"

<[johnsonmark@ci.superior.wi.us](mailto:johnsonmark@ci.superior.wi.us)>

, "Van Sickle, Jenny"

<[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>,

"Becken, Stephanie"

<[beckens@ci.superior.wi.us](mailto:beckens@ci.superior.wi.us)>

**Subject: Proposed Easement  
Requested for City of Superior  
Conservation Easement - Paine  
Property**

<image001.jpg>

Thanks Jason -- I am also sharing with Peter Wolter and Nicole Flamang from our real estate program for review. Peter has some historical knowledge of this easement. The attached proposal from Fred will be helpful for our internal discussion. Since there is a significant decrease in the easement area, does the City have any ideas for other properties that could be protected with an easement as a result of the loss? I believe an original reason for the selection of this site for an easement was to protect the coastal wetland and nearshore areas that are important fisheries habitat so that is something we will consider when reviewing

Fred's request. We will be in touch after we've had a chance to discuss internally. Thanks again Jason and enjoy the fall weekend!

Cherie Hagen  
WI DNR Lake Superior Supervisor  
715-416-4426

-----Original Message-----

From: Serck, Jason

<[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>

Sent: Monday, September 19, 2022 2:51 PM

To: Hagen, Cherie L - DNR

<[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>

Cc: Flamang, Nicole M - DNR

<[nicolem.flamang@wisconsin.gov](mailto:nicolem.flamang@wisconsin.gov)

>; LaValley, Steven A - DNR

<[Steven.LaValley@wisconsin.gov](mailto:Steven.LaValley@wisconsin.gov)>

; Johnson, Mark

<[johnsonmark@ci.superior.wi.us](mailto:johnsonmark@ci.superior.wi.us)>

; Van Sickle, Jenny

<[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>;

Becken, Stephanie

<[beckens@ci.superior.wi.us](mailto:beckens@ci.superior.wi.us)>

Subject: RE: City of Superior  
Conservation Easement - Paine  
Property

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Cherie...good afternoon.

I sat down with the land owners Fred Paine, Sr and Fred Paine Jr to discuss a potential area of the easement that they would be willing to work with the DNR on

for a revised future sanctuary site.  
Attached is a very conceptual  
idea the landowners had.

The original easement for the  
most part, is the area that is  
outlined in blue in the attached  
map. The area that the Paine's  
would like to have the DNR  
consider for the new easement is  
outlined in white on the map. It is  
approximately 3.1 acres.

Again, this is very conceptual.  
Please let me know if you have  
any questions. Thanks for your  
time!

Jason Serck  
Economic Development, Planning  
& Port Director City of Superior  
1316 North 14th Street  
Superior, WI 54880  
715.395.7335  
[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)  
[www.ci.superior.wi.us](http://www.ci.superior.wi.us)

-----Original Message-----

From: Hagen, Cherie L - DNR  
[<mailto:Cherie.Hagen@wisconsin.gov>]

Sent: Wednesday, September 7,  
2022 6:15 AM

To: Serck, Jason

Cc: Flamang, Nicole M - DNR;  
LaValley, Steven A - DNR; Johnson,  
Mark; Van Sickle, Jenny; Becken,  
Stephanie

Subject: Re: City of Superior  
Conservation Easement - Paine  
Property



Thank you for sharing Jason, we'll review. It would also be helpful if you could also please summarize the request from the City and landowner. Based on our conversation I think the property may not be in compliance with the easement and there is an interest in rectifying, but clarification would be great. Thanks so much!

Get Outlook for  
iOS<[https://secure-web.cisco.com/1YxZGj1paxU4JwdD\\_WkeX1Nkk84hZNp\\_VWw4\\_IM2ZKuWDpO21GWHS7kynCtSzZdOmMWyvssvDtcMTvOMZE2U4kUyJQrqm0rq4yjub-eq3Pxdd4AMyzov2kExUM2Aki-4iM7o\\_IQqb0e6Te8iP1B1JQf-t4KEPZGCV8fzoWxtJQwSLHFAKyfD93vcmFyJ0tMsit15xivzoL\\_l\\_v\\_4TQN3yW\\_h0ldpeCh3d2aXJCeAB5WaOZoSv0DcQ5qSLSr5AFw5STKA90UFEWle3e9OAuHmxflr3KKTyYs\\_t6f0K-AS1p6Sz9QQWEMUo7seahxKSPz9/https%3A%2F%2Faka.ms%2Fo0ukef](https://secure-web.cisco.com/1YxZGj1paxU4JwdD_WkeX1Nkk84hZNp_VWw4_IM2ZKuWDpO21GWHS7kynCtSzZdOmMWyvssvDtcMTvOMZE2U4kUyJQrqm0rq4yjub-eq3Pxdd4AMyzov2kExUM2Aki-4iM7o_IQqb0e6Te8iP1B1JQf-t4KEPZGCV8fzoWxtJQwSLHFAKyfD93vcmFyJ0tMsit15xivzoL_l_v_4TQN3yW_h0ldpeCh3d2aXJCeAB5WaOZoSv0DcQ5qSLSr5AFw5STKA90UFEWle3e9OAuHmxflr3KKTyYs_t6f0K-AS1p6Sz9QQWEMUo7seahxKSPz9/https%3A%2F%2Faka.ms%2Fo0ukef)>

---

From: Serck, Jason  
<[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>  
Sent: Tuesday, September 6, 2022  
5:24:30 PM  
To: Hagen, Cherie L - DNR  
<[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
Cc: Flamang, Nicole M - DNR  
<[nicolem.flamang@wisconsin.gov](mailto:nicolem.flamang@wisconsin.gov)>  
>; LaValley, Steven A - DNR  
<[Steven.LaValley@wisconsin.gov](mailto:Steven.LaValley@wisconsin.gov)>  
; Johnson, Mark  
<[johnsonmark@ci.superior.wi.us](mailto:johnsonmark@ci.superior.wi.us)>  
; Van Sickle, Jenny

<[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>;

Becken, Stephanie

<[beckens@ci.superior.wi.us](mailto:beckens@ci.superior.wi.us)>

Subject: RE: City of Superior  
Conservation Easement - Paine  
Property

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is safe.

Cherie....good afternoon...I am  
attaching information related to  
the limited development  
easement that was enacted in  
March of 1989. In addition, I am  
attaching a map of the area in  
question along with ownership  
information.

As for a name, I have not run  
across one but it does reference  
in the easement the Barker's  
Island Bird Sanctuary.

Section 16; Township Forty-Nine  
(49) North; Range Fourteen(14)  
West

Please let me know if you have  
any questions. Thanks!

Jason Serck

Economic Development, Planning  
& Port Director

City of Superior

1316 North 14th Street

Superior, WI 54880

715.395.7335

[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)<<mailto:serckj@ci.superior.wi.us>>

[www.ci.superior.wi.us](http://www.ci.superior.wi.us)<<http://www.ci.superior.wi.us>>

From: Hagen, Cherie L - DNR  
[<mailto:Cherie.Hagen@wisconsin.gov>]

Sent: Tuesday, August 30, 2022  
3:28 PM

To: Van Sickle, Jenny; Serck, Jason

Cc: Flamang, Nicole M - DNR;

LaValley, Steven A - DNR

Subject: City of Superior

Conservation Easement - Paine  
Property

Hello Jenny and Jason – I was able to connect via email and voicemail with Nicole Flamang from Real Estate to provide more direction on next steps. If the City could please gather the information below that would be wonderful

and also a brief summary of the concerns or request you have. Also copied Steve LaValley who has some historical knowledge of property. Since many of us don't have the history it will be helpful to review this information in advance so we have a bit of background before we meet to discuss. Thanks so much!

- \* Provide copy of conservation easement. Most conservation easements are perpetual and run with the lands, each of restrictions and reservations. It's really hard to tell without having a copy of the actual easement to reference. The easement should have shown up on the buyers title search.

- \* Section, Township and Range location of this easement. Is there a name of the Lake Superior Wildlife or Fisheries area in question? Originally this easement was linked to the Barker's Island Bird Sanctuary, not sure if the property in question has a name.

- \* Confirm current property owner is Thomas Paine. I think property was originally the City's but it was sold to Thomas, but I'm not sure.

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to evaluate how I did.

Cherie Hagen

Lake Superior Supervisor – Office  
of Great Waters, Environmental  
Management Division Wisconsin  
Department of Natural Resources  
Cell Phone: 715-416-4426

[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)<  
<mailto:Cherie.Hagen@wisconsin.gov>  
>

[[cid:image001.png@01D8C212.AC  
E26E30](#)]<<http://dnr.wi.gov/>>

dnr.wi.gov

[[cid:image002.png@01D8C212.AC  
E26E30](#)]

<<http://facebook.com/WIDNR>>

[[cid:image003.png@01D8C212.AC  
E26E30](#)] <[https://secure-  
web.cisco.com/1Pu5e5gi9QjlbrVFt  
6E3IL7XW7\\_qugXd11aPN527BpRq  
peLofE8IGgfRWGy-  
Q45q3bA2MCys2EGlkCCnOOH\\_3B  
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DOobaw5LEjp-  
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%2Ftwitter.com%2FDNR](https://secure-<br/>web.cisco.com/1Pu5e5gi9QjlbrVFt<br/>6E3IL7XW7_qugXd11aPN527BpRq<br/>peLofE8IGgfRWGy-<br/>Q45q3bA2MCys2EGlkCCnOOH_3B<br/>8XTgJlkZDRqiTcGfHCYwbWdBz-<br/>DOobaw5LEjp-<br/>YRSBE_1D_0Vpu7b2klgdYWhgEW<br/>fbiq53mMbyXrY5t0EP4QO5RfkGP<br/>088trmBG4iPyCndSLvGBxnqogEm<br/>xFQvLY-VgSowem2WFda-<br/>tBzeq_C9361__T9AevEgSCXhbLBR<br/>oCjXyogEzMf7whlM7WJdYiyfYzQK<br/>lyYtbefa9aWAndkNs1k4_jmfy_Ga<br/>GhBX2gwOyamMP/https%3A%2F<br/>%2Ftwitter.com%2FDNR)>

<[https://secure-  
web.cisco.com/1Pu5e5gi9QjlbrVFt  
6E3IL7XW7\\_qugXd11aPN527BpRq  
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8XTgJlkZDRqiTcGfHCYwbWdBz-  
DOobaw5LEjp-  
YRSBE\\_1D\\_0Vpu7b2klgdYWhgEW  
fbiq53mMbyXrY5t0EP4QO5RfkGP  
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xFQvLY-VgSowem2WFda-  
tBzeq\\_C9361\\_\\_T9AevEgSCXhbLBR  
oCjXyogEzMf7whlM7WJdYiyfYzQK  
lyYtbefa9aWAndkNs1k4\\_jmfy\\_Ga  
GhBX2gwOyamMP/https%3A%2F  
%2Ftwitter.com%2FDNR](https://secure-<br/>web.cisco.com/1Pu5e5gi9QjlbrVFt<br/>6E3IL7XW7_qugXd11aPN527BpRq<br/>peLofE8IGgfRWGy-<br/>Q45q3bA2MCys2EGlkCCnOOH_3B<br/>8XTgJlkZDRqiTcGfHCYwbWdBz-<br/>DOobaw5LEjp-<br/>YRSBE_1D_0Vpu7b2klgdYWhgEW<br/>fbiq53mMbyXrY5t0EP4QO5RfkGP<br/>088trmBG4iPyCndSLvGBxnqogEm<br/>xFQvLY-VgSowem2WFda-<br/>tBzeq_C9361__T9AevEgSCXhbLBR<br/>oCjXyogEzMf7whlM7WJdYiyfYzQK<br/>lyYtbefa9aWAndkNs1k4_jmfy_Ga<br/>GhBX2gwOyamMP/https%3A%2F<br/>%2Ftwitter.com%2FDNR)>

[[cid:image004.png@01D8C212.A  
CE26E30](#)]

<[http://www.youtube.com/user/  
WIDNRTV](http://www.youtube.com/user/<br/>WIDNRTV)>

[[cid:image006.png@01D8C212.A  
CE26E30](#)]

<https://public.govdelivery.com/accounts/WIDNR/subscriber/new>

From: Van Sickle, Jenny  
<[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)>  
Sent: Tuesday, August 30, 2022  
9:20 AM  
To: Serck, Jason  
<[serckj@ci.superior.wi.us](mailto:serckj@ci.superior.wi.us)>  
Cc: Johnson, Mark  
<[johnsonmark@ci.superior.wi.us](mailto:johnsonmark@ci.superior.wi.us)>  
; Becken, Stephanie  
<[beckens@ci.superior.wi.us](mailto:beckens@ci.superior.wi.us)>;  
Hagen, Cherie L - DNR  
<[Cherie.Hagen@wisconsin.gov](mailto:Cherie.Hagen@wisconsin.gov)>  
Subject: Fwd: DNR

CAUTION: This email originated  
from outside the organization.  
Do not click links or open  
attachments unless you recognize  
the sender and know the content  
is safe.

Morning Jason ☀️

Should we think about a meeting  
of the minds...end of Sept?

Jenny Van Sickle

907-738-2891

Superior City Council

Sent from my iPhone

Begin forwarded message:

From: Thomas Paine  
<[thomaspaine90@gmail.com](mailto:thomaspaine90@gmail.com)<<mailto:thomaspaine90@gmail.com>>>  
Date: August 30, 2022 at 6:43:41 AM CDT  
To: "Van Sickle, Jenny"  
<[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)<<mailto:VanSicklej@ci.superior.wi.us>>  
>  
Cc: Dad  
<[painefred@gmail.com](mailto:painefred@gmail.com)<<mailto:painefred@gmail.com>>>  
Subject: Re: DNR

Hi Jenny,

The registrar of Deeds at the courthouse will have all the paperwork with the purchase of the property. Years ago I went in and had to use their computers to look the documents up. I am out of town for a few weeks so I am not able to assist. We have letters at the office in Superior from the DNR but they are more recent and not helpful. I don't believe we were ever given notice of the bird sanctuary being moved to our land.

There is not a sunken ship in front of the house, that is a barge used as a dock.

As far as the land trade vs sale I

will have to get clarification from my dad, my only thought is maybe the registrar has something in writing based on the sale of the land he purchased from the city.

Thanks for your continued help with this.

Thomas Paine

On Fri, Aug 26, 2022 at 5:22 PM  
Van Sickle, Jenny  
<[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)<<mailto:VanSicklej@ci.superior.wi.us>>  
> wrote:

So I had a meeting with Cherie Hagan w/ the DNR about the 'conservation easement'

This is going to be a tough untangle, but we can handle it.

First things first: we need to collect as much documentation on the property as possible. Any letters, deeds, emails notices etc from the city or DNR (especially to identify names and departments of folks that are in the loop and can help.)



Cherie Hagan is going to reach out to our local DNR guy Steve Lavelle in hopes that he has some historical context of this easement. As well as DNRs real estate branch to start sorting out the options

Reduce the footprint of the easement,

trade it for a different parcel within the city etc

As best I understand it, fred sold or traded the property near barkers island?

Fred purchased the lot he's on now, or received it in trade?

Also, is there some kind of sunken ship on the shoreline over there?

Thank for helping me get to the bottom of this— we'll get there

Jenny Van Sickle

907-738-2891

Superior City Council

Sent from my iPhone

On Aug 22, 2022, at 10:12 PM,  
Thomas Paine  
<[thomaspaine90@gmail.com](mailto:thomaspaine90@gmail.com)<<mailto:thomaspaine90@gmail.com>>>  
wrote:

Jenny thank you for coming! Sorry  
we missed you at the party.

I'll make sure my dad sees this, if  
you need anything from us let us  
know we will be all hands on  
deck!

Regards,

Thomas Paine

218-428-1863

Sent from my iPhone

On Aug 22, 2022, at 9:03 PM, Van  
Sickle, Jenny  
<[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)<<mailto:VanSicklej@ci.superior.wi.us>>  
> wrote:

Hi, Fred

Good to see you on Friday. What  
a beautiful couple & wedding!

Just keeping you in the loop, email  
below

<image0.jpeg>

Begin forwarded message:

From: "Van Sickle, Jenny"  
<[VanSicklej@ci.superior.wi.us](mailto:VanSicklej@ci.superior.wi.us)<<mailto:VanSicklej@ci.superior.wi.us>>  
>  
Date: August 21, 2022 at 10:53:29  
AM CDT  
Subject: miigwech

Cherie:

First, I just wanted to say how  
much I appreciated getting to  
meet you on Friday and to see  
such strong support from DNR  
folks at the land transfer event.  
I was also hoping to quick check in  
with you regarding a more local  
issue one of our residents is trying  
to clear up in Billings Park and this  
bird sanctuary.

Any chance you might have a few  
minutes in the next couple  
weeks?

Thank you!

Sent from my iPhone  
<image001.jpg>

**From:** [Lindsey, Adam L - DNR](#)  
**To:** [prellf@ci.superior.wi.us](#); [VanSicklej@ci.superior.wi.us](#)  
**Cc:** [Painej@ci.superior.wi.us](#); [Serckj@city.superior.wi.us](#); [Yach, James A - DNR](#); [Antonuk, Connie J - DNR](#); [Hagen, Cherie L - DNR](#); [Cunningham, Paul - DNR](#); [Piszczeck, Paul P - DNR](#); [LaValley, Steven A - DNR](#); [Croonborg-Murphy, Jennifer M - DNR](#); [Kowalkowski, Michael J - DNR](#); [Lemke, James W - DNR](#); [Wolter, Peter B - DNR](#); [Flamang, Nicole M - DNR](#); [Johnson, Aubrey F - DNR](#); [Milligan, Diane L - DNR](#)  
**Subject:** DNR Letter re. Resolution of Easement Violations by Reducing Easement Area  
**Date:** Monday, December 5, 2022 3:23:51 PM  
**Attachments:** [DNR Letter re. Resolution of Easement Violations by Reducing Easement Area.pdf](#)  
[image001.gif](#)  
[image002.gif](#)  
[image003.gif](#)  
[image004.gif](#)  
[image005.gif](#)  
[image006.gif](#)  
[Easement.pdf](#)  
[Easement Release Map.pdf](#)

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Attorney Prell and Councilor Van Sickle:

Please find attached a letter, with reference documents, from the Department of Natural Resources proposing a resolution to an easement issue with the Paine family. Questions or concerns can be directed to Secretary's Director James Yach. Paper copies will be sent via U.S. Mail to Frederick L. & Nancy Paine and Frederick A. & Dawn Paine.

Have a great afternoon,

**We are committed to service excellence.**

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

**Adam Lindsey**

Paralegal – Bureau of Legal Services

Wisconsin Department of Natural Resources

P.O. Box 7921, Madison, WI 53707

Phone: (608) 261-0767

[adam.lindsey@wisconsin.gov](mailto:adam.lindsey@wisconsin.gov)



[dnr.wi.gov](http://dnr.wi.gov)

