

REPORT OF: City Traffic Engineer

Presented **March 21, 2006**

For Approving Plans and Specifications and
Assessing Improvement Cost for The Installation
of Street Lights in

Referred

Nelson's Addition to Rustic Acres

Reported Back

Adopt

Rules Suspended

Re-Referred

Filed in the Office of the City Traffic Engineer
February 1, 2006

Placed on File

I.D. NUMBER

Filed in the City Clerks Office:

Date Council Action Required: **March 21, 2006**

TO THE MAYOR AND COMMON COUNCIL:

The Common Council having ordained that the full cost, including inspection and supervision, of the initial installation of street lights shall be assessed to the abutting properties and that assessment for street lights shall be in accordance with Section 66.0701 of the Wisconsin Statutes and Section 10.39 of the Madison General Ordinances, has directed that when the City Traffic Engineer proposes the installation of street lights assessed to the abutting properties, he shall prepare a report listing the street lights to be installed, their location and schedule of assessments.

Now, therefore, in compliance with said instruction, the City Traffic Engineer reports as follows:

1. That street lights are proposed to be installed and assessed to abutting properties listed on Exhibits A and B attached hereto, said listing including the locations of street lights to be installed, and a schedule of assessments.
2. That pursuant to such listing, the entire cost of the work improvement will be **\$ 12,479.63**
3. After having carefully viewed and examined the entire territory and the said several parcels of land or real estate affected by said improvement, and having first viewed, examined and considered severally and separately each parcel of real estate in said territory, the City Traffic Engineer has found and determined and do hereby so find and determine that the City of Madison should pay the sum of **\$ -0-** as the cost properly chargeable to the City and covered by said improvement.

NOTE: Special assessment notices and
 hearings have been waived.
 (See attached signed waivers)

DATED: February 1, 2006

David C. Dryer, P.E.
City Traffic Engineer

REGARDING THE CRITERIA OF REASONABLENESS AND BENEFIT

This report was prepared and submitted to satisfy the requirements that the City is required to show that the assessments will benefit the properties assessed in the Nelson's Addition to Rustic Acres Assessment District as per a recent Wisconsin State Supreme Court Decision (*Berkvam vs. The City of Glendale*, 79 Wis, 2d 279.255 NW 251 (1979)).

Criteria of Reasonableness

It is the opinion of this office that the assessments are, in fact, reasonable. The assessments have been calculated in accordance with the Madison General Ordinances Section 4.09 for assessing costs for street improvements. The cost of the improvements have been assessed to the various parcels based on lot size and zoning.

The Properties Against which the Assessments are proposed are Benefited as follows:

This improvement consists of the installation of street lights, which will promote and enhance the general welfare and safety of people and property in this neighborhood.

DECLARATION OF CONDITIONS AND COVENANTS
FOR THE DEVELOPMENT/PLAT OF
Nelson's Addition to Rustic Acres
City of Madison, Dane County, Wisconsin

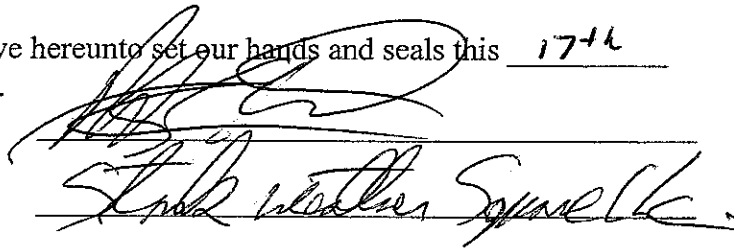
000442

WHEREAS, STARKWEATHER SQUARE, LLC,
owner of the Development/Plat known as NELSON'S ADDITION TO RUSTIC ACRES, recorded
in Volume _____ of Plats on page(s) _____, in the Dane County Register of Deeds
Office, will be benefited through the installation by the City of Madison of street trees and street lighting
within the public right-of-way for all lots included in said plat.

NOW THEREFORE, the undersigned owner, hereby declares and provides that all lots in said plat
in the City of Madison are subject to conditions and covenants as follows:

1. That the owner concurs with the City of Madison's policy to promote and enhance the beauty and
general welfare of the City through the planting and maintenance of street trees or shrubs and
installation and maintenance of street lights, within the public right-of-way, adjacent to the
owner's property.
2. That the owner acknowledges that it is the City of Madison's policy to assess the full cost,
including inspection and supervision, of the initial installation of street trees and street lights.
3. That the owner, his/her heirs, successors and assigns, waives notice and hearing to the assessment
for street trees and street lights in accordance with Section 66.0703(7)(b), Wisconsin Statutes;
Section 66.0701, Wisconsin Statutes; Paragraph (11), Section 10.10; and Paragraph (10), Section
10.39, Madison General Ordinances.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 17th
day of JUNE, 20 05.

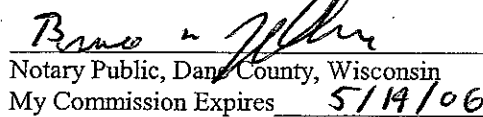


Starkweather Square, LLC

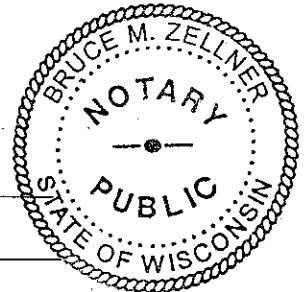
State of Wisconsin)
County of Dane)ss

Personally came before me this 17th day of JUNE, 20 05.

The above named DOUGLAS NELSON
to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.



Notary Public, Dane County, Wisconsin
My Commission Expires 5/19/06



Prepared By:

Return to: City Traffic Engineering Division
Suite 100, Madison Municipal Building
215 Martin Luther King Jr. Blvd,
PO Box 2986, Madison, WI 53701-2986

EXHIBIT A

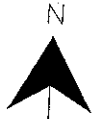
Nelson's Addition to Rustic Acres

SCHEDULE OF ASSESSMENTS

<u>Parcel Number</u>	<u>OwnersNames</u>	<u>Owner Address</u>	<u>City State Zip</u>	<u>Lot</u>	<u>Unit Parcel</u>	<u>Factor</u>	<u>Factored Parcels</u>	<u>Cost per Unit Parcel</u>	<u>Assessment</u>
0710-024-1701-4	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 1.	1	1.5	1.5	351.54	527.31
0710-024-1702-2	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 2.	1	1.5	1.5	351.54	527.31
0710-024-1703-0	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 3.	1	1.5	1.5	351.54	527.31
0710-024-1801-2	TRITON DEVELOPMENT LLC	1301 GREEN VALLEY RD	MT HOREB, WI 53572-0000	LOT 4.	1	1	1	351.54	351.54
0710-024-1802-0	MICHAEL JOSEPH CONSTRUCTION LLC	1018 GAMMON LN # 100	MADISON, WI 53719-0000	LOT 5.	1	1	1	351.54	351.54
0710-024-1803-8	NELSON GROUP OF MADISON LLC	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 6.	1	1	1	351.54	351.54
0710-024-1804-6	MICHAEL JOSEPH CONSTRUCTION LLC	1018 GAMMON LN # 100	MADISON, WI 53719-0000	LOT 7.	1	1	1	351.54	351.54
0710-024-1805-4	TRITON DEVELOPMENT LLC	1301 GREEN VALLEY RD	MT HOREB, WI 53572-0000	LOT 8.	1	1	1	351.54	351.54
0710-024-1806-2	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 9.	1	1	1	351.54	351.54
0710-024-1807-0	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 10.	1	1	1	351.54	351.54
0710-024-1808-8	CAPITOL LAND HOMES LLC	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 11.	1	1	1	351.54	351.54
0710-024-1809-6	CAPITOL LAND HOMES LLC	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 12.	1	1	1	351.54	351.54
0710-024-1810-3	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 13.	1	1	1	351.54	351.54
0710-024-1811-1	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 14.	1	1	1	351.54	351.54
0710-024-1812-9	HLW BUILDERS LLC	6230 DOMINION DR	MADISON, WI 53718-0000	LOT 15.	1	1	1	351.54	351.54
0710-024-1813-7	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 16.	1	1	1	351.54	351.54
0710-024-1901-0	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 17.	1	1	1	351.54	351.54
0710-024-1902-8	NELSON GROUP OF MADISON LLC	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 18.	1	1	1	351.54	351.54
0710-024-1903-6	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 19.	1	1	1	351.54	351.54
0710-024-1904-4	TRITON DEVELOPMENT LLC	1301 GREEN VALLEY RD	MT HOREB, WI 53572-0000	LOT 20.	1	1	1	351.54	351.54
0710-024-1905-2	MICHAEL JOSEPH CONSTRUCTION LLC	1018 GAMMON LN # 100	MADISON, WI 53719-0000	LOT 21.	1	1	1	351.54	351.54
0710-024-1906-0	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 22.	1	1	1	351.54	351.54
0710-024-1907-8	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 23.	1	1	1	351.54	351.54
0710-024-1908-6	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 24.	1	1	1	351.54	351.54
0710-024-1909-4	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 25.	1	1	1	351.54	351.54
0710-024-1910-1	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 26.	1	1	1	351.54	351.54
0710-024-1911-9	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 27.	1	1	1	351.54	351.54
0710-024-1912-7	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 28.	1	1	1	351.54	351.54
0710-024-2001-7	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 29.	1	1	1	351.54	351.54
0710-024-2002-5	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 30.	1	1.5	1.5	351.54	527.31
0710-024-2003-3	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 31.	1	1.5	1.5	351.54	527.31
0710-024-2004-1	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 32.	1	1.5	1.5	351.54	527.31
									12479.63
									35.5

EXHIBIT "B"

NELSON'S ADDITION TO RUSTIC ACRES



1
M E R R I T
LANES

M E R R I T
LANES

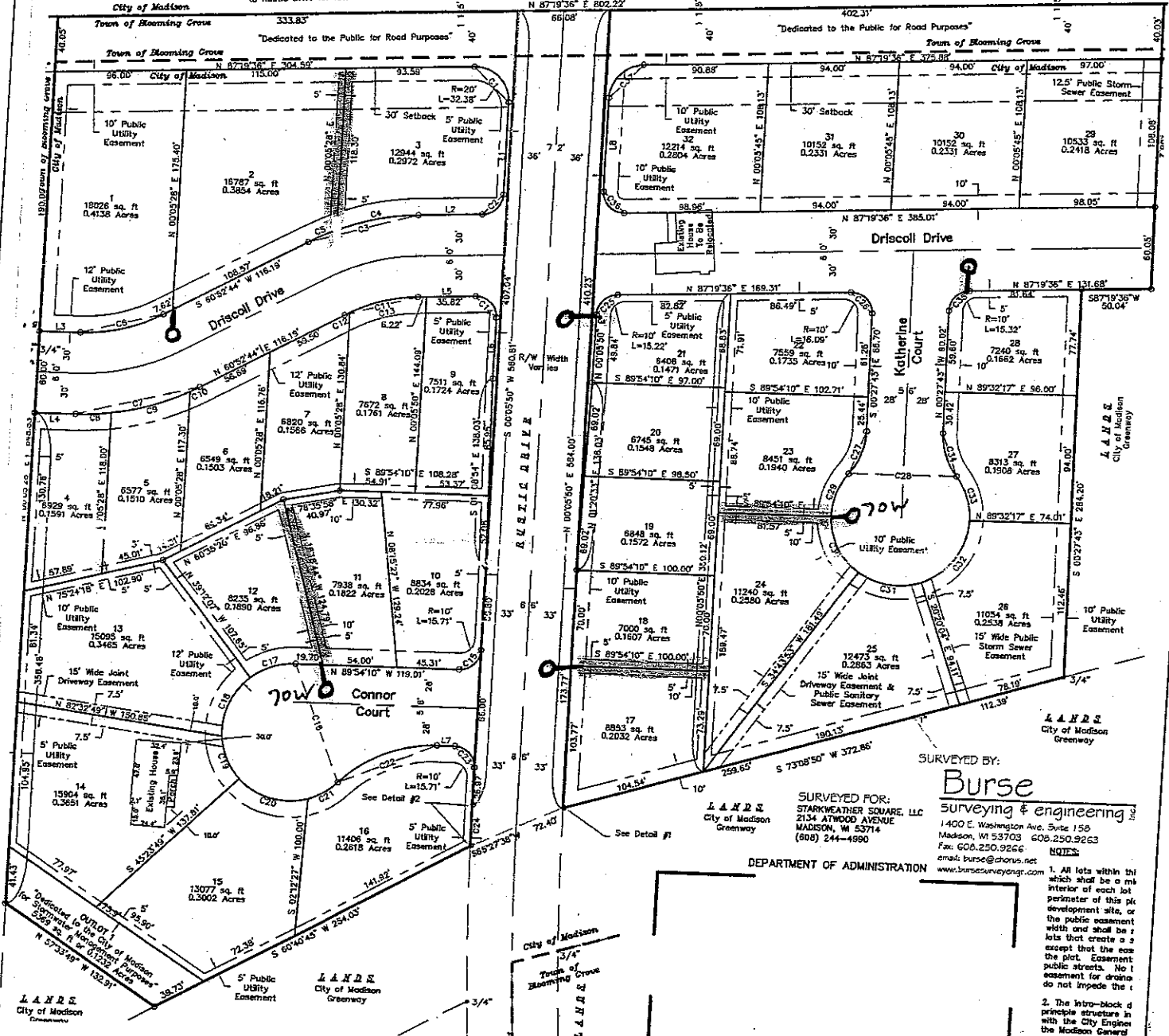
MILWAUKEE ST.

MILWAUKEE STREET

NOTES:

- A. There shall be no direct vehicular access to Milwaukee Street for Lots 1-3 and 29-32.
- B. There shall be no direct vehicular access to Rustic Drive for lots 3 and 32.

N 87°19'36" E 2638.11' mon. to mon.
N 87°19'46" E (N87°19'32" E) 2638.32'
N 87°19'36" E 802.22'



SURVEYED BY:
Burse
surveying & engineering, Inc.
1400 E. Washington Ave. Suite 150
MADISON, WI 53703 608.250.9263
Fax: 608.250.9266
email: burse@chorus.net
www.burse-surveying.com

SURVEYED FOR:
STARKWEATHER SQUARE, LLC
2134 ATWOOD AVENUE
MADISON, WI 53714
(608) 244-4990

DEPARTMENT OF ADMINISTRATION

- NOTES:
1. All lots within the which shall be a m interior of each lot perimeter of this plat development site, or the public easement width and shall be a lots that create a s except that the eas the plat. Easement public streets. No t easement for drain do not impede the t.
 2. The intro-block d principle structure in with the City Engineer the Madison General
 3. Minimum walkout

25' MOUNTING HEIGHT CONCRETE STREET LIGHT POLE