

DOCUMENT # 4204088

06/19/2006 02:44PM

Trans. Fee: Exempt #:

Rec. Fee: 17.00 Pages: 4

001097

RESOLUTION

Use black ink

At the (City / Village / Town) of Madison official meeting held on November 18, 2005, the following

resolution was adopted concerning land in Dane County described as: See Attached. (Give the legal description of the affected property or, if attached, say "see attached.")

Vacate/Discontinue Kelab Drive, from Segoe Road to northeasterly terminus. File #: 01801 Resolution #: RES-05-00843

A copy of the resolution is attached.

Recording area

City Clerk 210 Martin Luther King Jr. Blvd. Room 103 Madison, WI 53703

PARCEL IDENTIFICATION NUMBER\* (\*Not required for road right of ways)

Signature of Maribeth Witzel-Behl Date June 19, 2006

Name printed Maribeth Witzel-Behl

Title Interim City Clerk of Madison

STATE OF WISCONSIN, County of DANE

Subscribed and sworn to before me on June 19, 2006 by the above named person(s).

Signature of notary or other person authorized to administer an oath (as per s. 706.06, 706.07) [Signature]

This document was drafted by: (print or type name below) Tammy L. Peters

Print or type name: Tammy Peters

Title Admin Clerk II Date commission expires: 6-7-09

Handwritten mark



# City of Madison Certified Copy

City of Madison  
Madison, WI 53703  
www.cityofmadison.com

Resolution: RES-05-00843

001098

**File Number: 01801**

**Enactment Number: RES-05-00843**

Vacate/discontinue Kelab Drive, formerly known and platted as Hilldale Drive by the Kelab Replat, from Segoe Road to the northeasterly terminus, in the City of Madison, Wisconsin. (11th AD)

**WHEREAS**, Hilldale Drive was platted by Kelab Replat being part of the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 20, Town 07 North, Range 09 East, City of Madison, Dane County, Wisconsin; and

**WHEREAS**, on December 8, 1960, the City of Madison Common Council adopted Ordinance No. 1097, File No. 5055-7 changing the platted name of Hilldale Drive to Kelab Drive; and

**WHEREAS**, Kelab Drive is a public street right-of-way for only approximately 125 feet into the Hilldale Center properties before it changes to a private internal street serving only the Hilldale Center; and

**WHEREAS**, the Kelab Drive right-of-way proposed to be vacated/discontinued does not contain any City of Madison owned public utilities; and

**WHEREAS**, Hilldale Building Company, LLC presented and received Common Council approval of a Planned Unit Development (PUD) at 702 N. Midvale Blvd per Enactment No. ORD-05-00021, File I.D. No. 00432 adopted February 1, 2005 and enacted February 24, 2005; and

**WHEREAS**, Hilldale Building Company, LLC presented a Certified Survey Map in conjunction with the adopted PUD to the Common Council and received approval of said Certified Survey Map per Enactment No.

RES-05-00606, File I.D. No. 01501 adopted July 5, 2005 and enacted July 7, 2005; and

**WHEREAS**, City of Madison Common Council approved plans and specifications for public improvements necessary for the project known as 702 N. Midvale Boulevard PUD (Hilldale Center) and authorized construction to be undertaken by the Developer, Private Contract No. 2029 per Enactment No. RES-05-0388, File I.D. No. 00926 adopted April 19, 2005 and enacted April 25, 2005; and

**WHEREAS**, Kelab Drive has two abutting property owners: Hilldale Land Company, LLC and Hilldale State Bank Building, both requesting the City of Madison to vacate/discontinue said Kelab Drive; and

**WHEREAS**, reversionary rights will occur pursuant to Wisconsin Statutes, with subsequent sale agreements between both abutting parties at their chosen discretion; and

**WHEREAS**, the area to be vacated is shown on an attached PDF map; and

**WHEREAS**, the proposed Certified Survey Map is shown on an attached PDF for reference;

**NOW THEREFORE BE IT RESOLVED**, Pursuant to Sec. 66.1003(3), Wisconsin Statutes, the City of Madison, upon receipt of written petition from both abutting property owners, and subsequent PUD, Certified Survey Map and public improvement approvals, declares it is in the public interest to vacate/discontinue the following:

Hilldale Drive as dedicated on Kelab Replat being part of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 20, T7N R9E, City of Madison, Dane County, Wisconsin, to-wit.

Beginning at the Southeast corner of Lot 12, of said Kelab Replat also the northeast corner of Hilldale Drive; thence along the easterly line of the said Kelab Replat, S40o10'40"E, 70.33 feet; to the southerly line of Hilldale Drive and a point on a curve; thence along said southerly line, southwesterly along a curve to the right which has a radius of 215.00 feet and a chord which bears S36o46'20"W, 97.43 feet; thence S49o52'04"W, 10.00 feet to a point of curve; thence southwesterly along a curve to the left which has a radius of 15.00 feet and a chord which bears S04o51'48"W, 21.21 feet to the easterly line of Segoe Road; thence along said easterly line, N40o07'56"W, 90.00 feet to a point of curve; thence southeasterly along a curve to the left which has a radius of 15.00 feet and a chord which bears S85o07'560"E, 21.21 feet to the northerly line of Hilldale Drive; thence along the said northerly line, N49o52'04"E, 10.00 feet to a point of curve; thence northeasterly along a curve to the left which has a radius of 155.00 feet and a chord which bears N31o00'21"E, 100.22 feet to the point of beginning. This parcel contains 7,584 sq. ft. - 0.17 acres.

This legal description was drafted by:

Arnold and O'Sheridan, Inc.

July 13, 2005

Job # 050193

**NOW THEREFORE BE IT FURTHER RESOLVED**, Under Section 80.32(4), Wisconsin Statutes, any existing public or private easement or incidental rights within the vacated rights-of-way are perpetuated, unless specifically released as part of this vacation.

This street vacation/discontinuance, upon adoption, shall be recorded with the Dane County Register of Deeds by the City Clerk.

I, Maribeth Witzel-Behl, certify that this is a true copy of Resolution No. RES-05-00843, passed by the COMMON COUNCIL on 10/18/2005.

Maribeth Witzel-Behl  
Maribeth Witzel-Behl, Interim City Clerk

6-5-06  
Date Certified

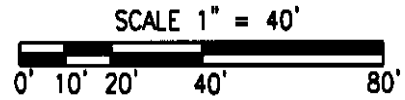
MAP OF DESCRIPTION

001099

LOT 13,  
KELAB  
REPLAT

OUTLOT A, BLOCK 34,  
UNIVERSITY HILL  
FARMS - COMMERCIAL  
RESERVE ADDITION

LOT 12,  
KELAB  
REPLAT



LOT 12,  
KELAB  
REPLAT

SEGOE ROAD

HILLDALE DRIVE  
KELAB DRIVE

LOT II, KELAB  
REPLAT

$S85^{\circ}07'56"E$   
 $21.21'$  R=15.00'  
 $S49^{\circ}52'04"W$   
 $10.00'$   
 $(550^{\circ}26'W)$

$N31^{\circ}00'21"E$   
 $100.22'$   
 $R=155.00'$

$S40^{\circ}10'40"E$  10.33' (S34^{\circ}34"E)  
 $30'$   
 $30'$

$N40^{\circ}07'56"W$  90.00'  
 $(S39^{\circ}34"E)$

$S36^{\circ}46'20"W$   
 $97.43'$   
 $R=215.00'$

$S04^{\circ}51'48"W$   
 $21.21'$  R=15.00'  
 $S49^{\circ}52'04"W$   
 $10.00'$   
 $(550^{\circ}26'W)$

JULY 12, 2005


**ARNOLD AND  
O'SHERIDAN INC**  
 CONSULTING ENGINEERS

NOTE: Please be advised that the document grantor(s) hereby direct viewers to ignore the printed text material on this exhibit. Only the spatial relationships of the illustrations on the plan are being presented for your information.

Signed by grantor(s) or grantor's(s') agent: Maibeth Witzel-Behl Date: 6-19-06 (USE BLACK INK ONLY)  
 Name of grantor(s) or grantor's(s') agent printed: Maibeth Witzel-Behl (USE BLACK INK ONLY)