

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

First Addition to Nelson's Addition to Rustic Acres

Reported Back

Adopt

Rules Suspended

Re-Referred

Placed on File

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

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 **\$ 16,640.00**
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.

DATED: February 1, 2006

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

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 **First Addition to 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
First Addition to Nelson's Addition to Rustic Acres
City of Madison, Dane County, Wisconsin

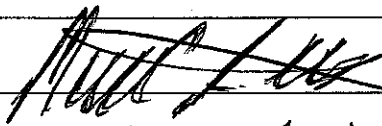
000436

WHEREAS, STARKWEATHER SQUARE, LLC,
owner of the Development/Plat known as FIRST ADD. TO NELSON'S ADD. 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 29th
day of August, 2005.



MARC A. NELSON

State of Wisconsin)

County of Dane)ss

Personally came before me this 29th day of August, 2005.

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

Beth Alexander



Notary Public, Dane County, Wisconsin
My Commission Expires 03/09/08

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

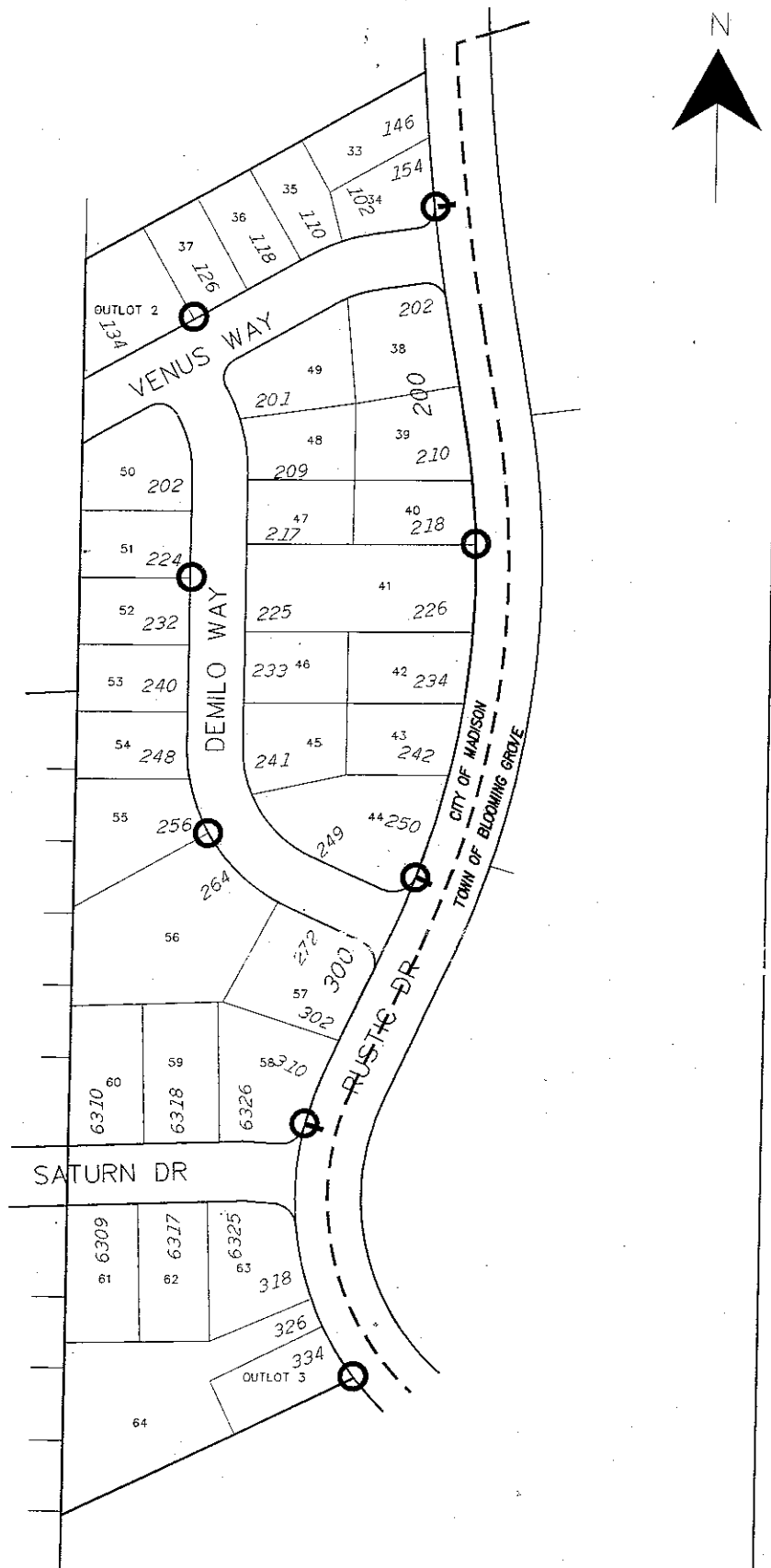
EXHIBIT A

First Addition to Nelson's Addition to Rustic Acres SCHEDULE OF ASSESSMENTS

<u>Parcel Number</u>	<u>Owner's Name</u>	<u>Owner Address</u>	<u>City</u>	<u>State</u>	<u>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>
0710-024-0307-1	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI	WI	53704-0000	LOT 33.	1	1	1	520.00	520.00
0710-024-0308-9	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI	WI	53704-0000	LOT 34	1	1	1	520.00	520.00
0710-024-0309-7	MINDHAM, KEVIN	641 STONEHAVEN DR	SUN PRAIRIE, WI	WI	53590-0000	LOT 35	1	1	1	520.00	520.00
0710-024-0310-4	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI	WI	53704-0000	LOT 36	1	1	1	520.00	520.00
0710-024-0311-2	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI	WI	53704-0000	LOT 37.	1	1	1	520.00	520.00
0710-024-0312-0	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI	WI	53704-0000	LOT 38.	1	1	1	520.00	520.00
0710-024-0313-8	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI	WI	53704-0000	LOT 39.	1	1	1	520.00	520.00
0710-024-0314-6	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI	WI	53704-0000	LOT 40.	1	1	1	520.00	520.00
0710-024-0315-4	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI	WI	53704-0000	LOT 41.	1	1	1	520.00	520.00
0710-024-0316-2	HLW BUILDERS LLC	6230 DOMINION DR	MADISON, WI	WI	53718-0000	LOT 42.	1	1	1	520.00	520.00
0710-024-0317-0	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI	WI	53704-0000	LOT 43.	1	1	1	520.00	520.00
0710-024-1512-5	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI	WI	53704-0000	LOT 44.	1	1	1	520.00	520.00
0710-024-1513-3	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI	WI	53704-0000	LOT 45.	1	1	1	520.00	520.00
0710-024-1514-1	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI	WI	53704-0000	LOT 46.	1	1	1	520.00	520.00
0710-024-1515-9	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI	WI	53704-0000	LOT 47.	1	1	1	520.00	520.00
0710-024-1814-5	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI	WI	53704-0000	LOT 48.	1	1	1	520.00	520.00
0710-024-1815-3	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI	WI	53704-0000	LOT 49.	1	1	1	520.00	520.00
0710-024-1816-1	ARMSTRONG, BRIAN P	800 MACK LANE	DEFOREST, WI	WI	53532-0000	LOT 50.	1	1	1	520.00	520.00
0710-024-1817-9	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI	WI	53704-0000	LOT 51.	1	1	1	520.00	520.00
0710-024-1818-7	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI	WI	53704-0000	LOT 52.	1	1	1	520.00	520.00
0710-024-2101-5	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI	WI	53704-0000	LOT 53.	1	1	1	520.00	520.00
0710-024-2102-3	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI	WI	53704-0000	LOT 54.	1	1	1	520.00	520.00
0710-024-2103-1	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI	WI	53704-0000	LOT 55.	1	1	1	520.00	520.00
0710-024-2104-9	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI	WI	53704-0000	LOT 56.	1	1	1	520.00	520.00
0710-024-2105-7	CAPITOL LAND HOMES LLC	2134 ATWOOD AVE	MADISON, WI	WI	53704-0000	LOT 57.	1	1	1	520.00	520.00
0710-024-2106-5	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI	WI	53704-0000	LOT 58.	1	1	1	520.00	520.00
0710-024-2107-3	CLASSIC CUSTOM HOMES OF WAUNAKEE INC	800 S DIVISION ST # A	WAUNAKEE, WI	WI	53597-0000	LOT 59.	1	1	1	520.00	520.00
0710-024-2108-1	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI	WI	53704-0000	LOT 60.	1	1	1	520.00	520.00
0710-024-2109-9	CAPITOL LAND HOMES LLC	2134 ATWOOD AVE	MADISON, WI	WI	53704-0000	LOT 61.	1	1	1	520.00	520.00
0710-024-2110-6	CAPITOL LAND HOMES LLC	2134 ATWOOD AVE	MADISON, WI	WI	53704-0000	LOT 62.	1	1	1	520.00	520.00
0710-024-2111-4	CAPITOL LAND HOMES LLC	2134 ATWOOD AVE	MADISON, WI	WI	53704-0000	LOT 63.	1	1	1	520.00	520.00
0710-024-2112-2	STARKWEATHER SQUARE LLC	2134 ATWOOD AVE	MADISON, WI	WI	53704-0000	LOT 64.	1	1	1	520.00	520.00
									32		16,640.00

EXHIBIT "B"

FIRST ADDITION TO NELSON'S ADDITION TO RUSTIC ACRES



25' MOUNTING HEIGHT CONCRETE STREET LIGHT POLE ○