

**AFFIDAVIT OF CORRECTION**



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Tx:8412265

**KRISTI CHLEBOWSKI  
DANE COUNTY  
REGISTER OF DEEDS**

**DOCUMENT #  
4941842  
12/12/2012 2:58 PM  
Trans. Fee:  
Exempt #:  
Rec. Fee: 30.00  
Pages: 19**

**Use black ink**

THIS FORM IS NOT INTENDED TO CORRECT SCRIVENER'S ERRORS AND IS NOT A CONVEYANCE OF REAL PROPERTY

**AFFIANT**, hereby swears or affirms that a certain **City of Madison Ordinance No. 12-00890, I.D. No. 28060** was recorded on December 4, 2012 as **Document Number 4938539**, Dane County Registry, State of Wisconsin, contained the following error:

The cover letter description was incorrect.

**The description was listed as**

"Vacation/Discontinuance of a portion of Evan Acres Road and a portion of Savannah Road."

And should have read

"Vacation/Discontinuance of a portion of South Few Street."

Recording area

Return to: **City Clerk  
210 Martin Luther King, Jr. Blvd., Rm 103  
Madison, WI 53703**

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

A complete original or copy of the original must be attached to this Affidavit .

*Maribeth Witzel-Behl*

\_\_\_\_\_  
Signature of City/Village/Town official      December 10, 2012  
Date

\_\_\_\_\_  
Name printed      Maribeth Witzel-Behl

\_\_\_\_\_  
Title      City Clerk of Madison

STATE OF WISCONSIN, County of DANE

Subscribed and sworn to before me on December 10, 2012 by the above named person(s).

Signature of notary or other person authorized to administer an oath

*Eric Christianson*  
\_\_\_\_\_

(as per s. 706.06, 706.07)

This document was drafted by:  
(print or type name below)  
Eric A. Christianson

Print or type name: Eric A Christianson

Title Municipal Clerk 2      Date commission expires: 6-29-14

Names of persons signing in any capacity must be typed or printed below their signature.  
DCROD 3/1/2002

19

# FILE COPY



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## RESOLUTION

KRISTI CHLEBOWSKI  
DANE COUNTY  
REGISTER OF DEEDS

DOCUMENT #

4938539

12/04/2012 2:58 PM

Trans. Fee:

Exempt #:

Rec. Fee: 30.00

Pages: 18

Use black ink

At the (City) Village / Town) of Madison

Circle one

official meeting held on November 27, 2012, 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.")

Vacation/Discontinuance of a portion of Evan Acres Road and a portion of Savannah Road.  
(SEE ATTACHED)

File #: 28060

Resolution #: RES-12-00890

A copy of the resolution is attached.

Recording area

Name and return address:

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

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

*Maribeth Witzel-Behl*

December 3, 2012

Signature of City/Village/Town official

Date

Maribeth Witzel-Behl

Name printed

City Clerk of Madison

Title

STATE OF WISCONSIN, County of DANE

Subscribed and sworn to before me on December 3, 2012 by the above named person(s).

Signature of notary or other person authorized to administer an oath

*Eric Christianson*

This document was drafted by:  
(print or type name below)  
Eric A. Christianson

(as per s. 706.06, 706.07)

Print or type name: Eric A Christianson

Title Municipal Clerk 2

Date commission expires: 6-29-14

Names of persons signing in any capacity must be typed or printed below their signature.  
DCROD 3/1/2002

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# City of Madison

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

## Certified Copy

Resolution: RES-12-00890

**File Number: 28060**

**Enactment Number: RES-12-00890**

Vacation/Discontinuance of a portion of South Few Street as originally platted by the Madison Original Plat (adjacent to Block 179), adjacent to the property at 714 S. Few St., which is located in part of the Southwest one-quarter (1/4) of Section 7, Town 7 North, Range 10 East, City of Madison, Dane County, Wisconsin. (6th AD)

**WHEREAS**, in the last year the City discovered that the property at 714 S. Few St., located at the Lake Monona end of the street, has a boathouse encroaching into right-of-way; and

**WHEREAS**, after research of the City's records by the City Attorneys Office, it has concluded that the boat house was built prior to 1944, and therefore the City Attorney believes the property owner has been able to establish adverse possession claims of this portion of the right-of-way and supports vacation of the same; and

**WHEREAS**, further investigation by the City revealed that the property also has what now amounts to a private yard also encroaching into the right-of-way; and

**WHEREAS**, based upon City Attorneys Office review of the private yard encroachment, unlike with the boat house, the property owner has not established adverse possession claims for the yard encroachment portion; and

**WHEREAS**, given the fact specific nature of the yard encroachment, the long term use of the private yard, and what appears to be a complete lack of utility of this piece of right-of-way for the City, the City Attorneys Office supports vacation of this yard encroachment portion as well; and

**WHEREAS**, the City Engineer supports the vacation of both the boat house and yard encroachment portions; and

**WHEREAS**, the Thom R. Grenlie Survey Plat Map, Map No. 2802-L dated August 2, 2012 is attached hereto and made part of this resolution which depicts the "Subject Area A to be Vacated"; and

**WHEREAS**, although the adoption and recording of this street vacation is sufficient for the adjacent property owner to secure the statutory reversion interests, the property owner has paid the required \$500 administrative fee for the Office of Real Estate Services to prepare and record a quit claim deed of the same to better memorialize this process in the public record; and

**WHEREAS**, the City of Madison Office of Real Estate Services received payment of the required \$500 fee and has established Real Estate Project No. 10012 to administer the quit claim deed to the adjacent property owner upon adoption of this resolution.

**NOW THEREFORE BE IT RESOLVED**, that the City Attorneys Office's findings and conclusions regarding the vacation of this piece of the S. Few St. right-of-way, as set forth in the attached Memorandum dated October 22, 2012, are adopted by the Common Council and incorporated herein by reference; and,

**NOW THEREFORE BE IT RESOLVED**, that the City Of Madison hereby conditionally discontinues and vacates the portion of South Few Street as originally platted in Madison Original Plat, adjacent to 714 S. Few St. being located in part of the Southwest one-quarter (1/4) of Section 7, Town 7 North, Range 10 East, City of Madison, Dane County, Wisconsin, under WI Ss 66.1003(2); and

**NOW THEREFORE BE IT RESOLVED**, the Thom R. Grenlie Survey Plat Map, Map No. 2802-L dated August 2, 2012 is attached hereto and made part of this resolution which depicts the "Subject Area A to be Vacated" and upon adoption of this resolution, the Grenlie Map shall be recorded by the City Clerk with a certified copy of the resolution with the Dane County register of Deeds; and

**NOW THEREFORE BE IT FURTHER RESOLVED**, under Section 80.32(4), Wisconsin Statutes, any existing recorded public easements or incidental rights within the vacated street areas are perpetuated as part of this vacation, together with permanent access, construction and maintenance easements retained over the entire vacated street areas for perpetual public infrastructure rights relative, but not limited to, existing public storm sewer and drainage, sanitary sewer, water main and any potential future need for re-establishment of public street; and

**NOW THEREFORE BE IT FURTHER RESOLVED**, under Section 66.1005(1), Wisconsin Statutes, reversionary rights of the vacated portion of South Few Street public right-of-way will attach entirely to the adjacent Richard E. Goodkin owned property at 714 S. Few Street (251/0710-073-0704-6); and

**NOW THEREFORE BE IT FURTHER RESOLVED**, following adoption of this resolution and the City Clerk recording said resolution with the Dane County Register of Deeds, effectively conveying title of the vacated street right-of-ways to abutting properties, the City of Madison Assessor's Office will include the vacated lands with the adjacent property; and

**NOW THEREFORE BE IT FURTHER RESOLVED**, that all supplemental exhibits attached to Legistar and made part of this resolution shall be attached by the City Clerk to the final resolution that is to be recorded with the Dane County Register of Deeds.

**NOW THEREFORE BE IT FINALLY RESOLVED**, that upon the City Clerk recording the final resolution with the Dane County Register of Deeds, the City Office of Real Estate Services (RE 10012) shall prepare and record with the Register of Deeds a quit claim deed of the vacated area to the abutting property owner, Richard E. Goodkin at 714 S. Few Street.

I, Maribeth Witzel-Behl, certify that this is a true copy of Resolution No.12-00890, passed by the Common Council on November 27, 2012.

Maribeth Witzel-Behl

12-3-2012

Date Certified

CITY OF MADISON  
**CITY ATTORNEY'S OFFICE**  
Room 401, CCB  
266-4511

**MEMORANDUM**

TO: Common Council; Board of Public Works

FROM: Doran Viste, Assistant City Attorney

DATE: October 22, 2012

RE: 714 S. Few Street: Vacation of a portion of the S. Few St. right-of-way

This memo addresses the resolution seeking to vacate a portion of the S. Few St. right-of-way adjacent to the property located at 714 S. Few St. where the street dead ends into the Lake Monona shoreline (Legistar File ID # 28060). After reviewing the City's records, the property owner's records, and discussing the matter internally with the City Engineer and the area Alder (Marsha Rummel), it is the City Attorney's Office's recommendation that this resolution be adopted for the reasons set forth in this memo.

***History of the Parcel***

Few St. was platted in 1839 as part of the Original Plat of Madison. The 66 foot wide platted street runs northwest/southeast from Lake Mendota to Lake Monona.<sup>1</sup> The S. Few St. right-of-way was opened as a public highway no later than the 1910s, and has remained opened as a public highway ever since. As constructed, S. Few St. from Rutledge Street to Lake Monona is 28 feet wide from curb to curb, centered within the 66 foot right-of-way, with a 5 foot wide sidewalk immediately adjacent to the curb on the southwestern side. It is believed that the current right-of-way configuration has been in place for well over 70 years.

In 1853 the properties along the Lake Monona shore line area at S. Few Street were replated by Farwell's Replat. Pursuant to the Replat, Lots 9 and 10 of Block 179 of the Original Plat now lay immediately adjacent to the southwestern side of S. Few St. at the Lake Monona terminus.<sup>2</sup> More specifically, the property that currently has the address of 714 S. Few St.<sup>3</sup> (the "Parcel") is a parcel 33 feet wide that runs immediately adjacent to the S. Few St. right-of-way at the road's terminus at Lake Monona.<sup>4</sup> The Parcel, and those around it, were developed sometime in the 1910s.<sup>5</sup> A survey of the Parcel (see Attachment 1, the "Grenlie Survey") shows that the northeast side of the house only lies

<sup>1</sup> Since it was platted, some segments of Few Street have been vacated by the City.

<sup>2</sup> Farwell's Replat did not change the location, boundary or layout of Block 179, except as to relocating the shoreline of Lake Monona so that it ran through this block.

<sup>3</sup> This parcel formerly had the address of 1150 Florence Ct. The parcel was readdressed to 714 S. Few St. in the 1960s.

<sup>4</sup> The Parcel's actual legal description is the Northeast 33 feet of the southeast 42 feet of Lot 9 and the northeast 33 feet of Lot 10, of Block 179 of the Original Plat of Madison.

<sup>5</sup> Assessor's Office records show that the house at 714 S. Few St. was built in 1916.

about 2-2.5 feet from the southwest side of the S. Few St. right-of-way. Indeed, as constructed, almost the entire side yard of the Parcel, along with the driveway apron, lies in the right-of-way.

In 1926, the Parcel's owner applied for a building permit and certificate of occupancy for a boathouse. While it is unknown when this boathouse was actually constructed, a review of the Sanborn maps, historical insurance maps showing buildings in the City, reveals that at least by August 1942 a boathouse had been built on the shore of Lake Monona at the end of, and within, S. Few St. adjacent to the Parcel. This boathouse still stands today. Although it has been refurbished by its current owner, its approximate 360 ft<sup>2</sup> footprint (depicted on the Grenlie Survey as Area A1 and referred to hereafter as the "Boathouse Area") has existed in the same condition for well over 70 years. In looking at the Grenlie Survey, it appears that efforts were made to fit the boathouse's footprint within the enclosed area formed if the S. Few St. sidewalk is extended from its terminus at the drive apron for the Parcel to the lake shore, as if the assumption at the time of construction was that the Parcel's property line extended to the sidewalk.

In addition to the boathouse, at some unknown point, the Parcel's property owners constructed a concrete retaining wall immediately adjacent to the southeast driveway apron for the Parcel. This wall runs 12 feet from the house to the sidewalk. Moreover, at some point the Parcel's property owners installed a fence running from the boathouse to the driveway retaining wall, effectively cutting off an approximate 240 ft<sup>2</sup> portion of the S. Few St. right-of-way (depicted on the Grenlie Survey as Area A2 and shown in the photographs attached hereto as Attachment 2, and referred to hereafter as the "Yard Area"). There is every indication that for many years the Parcel's property owners have used the Yard Area as an extension of their own property, again apparently under the mistaken assumption that the sidewalk marked the Parcel's boundary. To date, no efforts have been made by the City, or any other party except for the Parcel's owners, to utilize the Yard Area portion of the S. Few St. right-of-way.

In reviewing the records of the City Assessor, it appears that at least no later than 1961 the Assessor included the boathouse improvement in a determination of the Parcel's value.<sup>6</sup> Hence, records show that the Parcel's property owners have paid property taxes on the boathouse for over 50 years.

During the 2011 reconstruction of S. Few St., the City discovered that the boathouse and fence at the Parcel were both in the S. Few St. right-of-way and issued the Parcel's owner a notice of encroachments. In response to this notice, the Property owner appealed the order to remove the encroachments by making an adverse possession claim over the Boathouse and Yard Areas (see Legistar File ID # 25493). Following this claim, City staff have thoroughly reviewed the City's and the Parcel's owner's records regarding the Parcel and the S. Few St. right-of-way. There are no records of the City ever taking any action to permit or cause the Parcel's property owners to remove the

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<sup>6</sup> While the boathouse improvement was accounted for by the Assessors as an improvement on the Parcel, neither the additional 12 feet of shoreline, nor the Boathouse and Yard Areas were included in determining the Parcel's size or assessed value.

boathouse or the fence, and no efforts have ever been made by the City to utilize the Boathouse or Yard Areas of the right-of-way. Indeed, the Parcel's current owner has indicated that there was an occasion when a City vehicle accidentally knocked over the encroaching decorative fence and the City paid him to replace the broken fence, actions which certainly do not indicate a belief that the fence was an unlawful encroachment.

### ***Adverse Possession Claims***

As noted above, the Parcel's owner has made claims that he has established adverse possession over the Boathouse and Yard Areas. Adverse possession is an ancient legal doctrine in which a property owner may lose title to property if another possesses the property for a statutory period and the possession is exclusive, uninterrupted, continuous, and hostile, with open and notorious actual occupancy of the disputed property. Prior to 1931, adverse possession against governmental entities in Wisconsin was not permitted. However, in 1931 the laws were changed to allow adverse possession against governmental entities if the person possessing the property could establish 40 years of uninterrupted adverse possession. The laws regarding adverse possession against governmental entities have changed over the intervening years, but because the courts have found that changes in the adverse possession laws are prospective in their application, if a land owner can show that they and their predecessors in title have adversely possessed City right-of-way for at least 40 consecutive years, and this possession started no later than March 28, 1944, then they will have met the statutory requirements and will have established title to that portion of the City's right-of-way.

With this framework in mind, it is clear that the Parcel's owner, through his predecessors in title, has established adverse possession over the Boathouse Area. The boathouse has been present in this portion of the right-of-way since at least 1942, and the City has made no efforts, at any point in time, to have the boathouse removed. In fact, the City has even taxed the Parcel's owners for the value of the improvement. Given the nature of the boathouse (a permanent building), its mere uninterrupted presence from 1942 to today meets all the elements of adverse possession. As a result, it is the City Attorney's Office's opinion that the City has already lost title to the Boathouse Area of the S. Few St. right-of-way, although the Parcel's owner still needs to perfect his title.

However, unlike the Boathouse Area, it is not clear whether the Parcel's owner has established adverse possession over the Yard Area. Specifically, it is not known when the Yard Area was first fenced in (i.e., if the fence existed before 1944), or how long the private use of this area has occurred. It is believed that over the last 70 years the Parcel's owners have used this area as a yard as it otherwise has no utility to the City—but it is not clear that such use meets the elements of adverse possession, notably that the use was exclusive, hostile, open and notorious. While the Parcel's owner may be able to make a case for adverse possession over this portion of the right-of-way, the matter is not so clear such that the City should concede this point. Rather, it is the City Attorney's Office's position that because the Parcel's owner cannot make a definitive showing that the adverse possession of the Yard Area commenced prior to 1944 that

the City should not concede title to this portion of the right-of-way because of the Parcel's owner's adverse possession claim and that any such claim should be made in court.

### ***Vacation of Right-of-Way***

While the City Attorney's Office does not believe that the Parcel's owner has made a preliminary showing of adverse possession of the Yard Area, the City Attorney's Office supports the request of the Parcel's owner, the City Engineer, and the area Alder to vacate this portion of the right-of-way. Given how this Parcel and this portion of right-of-way was developed almost 100 years ago and over the intervening years, the Yard Area is an unusable piece of the S. Few St. right-of-way, at least to anyone other than the Parcel's owner. Because we have already lost title to the Boathouse Area<sup>7</sup>, the Yard Area now sits cut-off on three sides between the Parcel's driveway apron retaining wall, the Parcel, and the Boathouse Area. Hence, this area now essentially amounts to a detached portion of right-of-way with no utility to the City, even if we have the fence removed. Indeed, the City cannot build a sidewalk or road over this area (as it would go nowhere), any public improvements to the Yard Area would essentially be in what appear to be the Parcel's backyard, the detached nature of the Area could present public safety concerns if opened up to the public, and given the location near the shoreline there are no public utilities nearby which could benefit from placing facilities in this area. Hence, as a result in the unique manner in which the Parcel, the right-of-way, and the Yard Area have developed over time, this Area has no actual or potential use to the City as right-of-way. The City Engineer and the area Alder concur with this conclusion and therefore support the vacation of this area. Indeed, vacation will benefit the City (and the Parcel's owner) by not only clearing up title to this land, but by placing this Area on the tax rolls as part of the Parcel.

Assuming that the council decides that vacating the Yard Area of the right-of-way is appropriate, then it only makes sense to proceed with a full vacation of both the Yard and Boathouse Areas. Because the City has already lost title to the Boathouse Area, the vacation of this portion of the right-of-way will help the Parcel's owner establish a clear recorded title over this land and save the City time and resources that would otherwise be spent "defending" a civil suit for which we would have no grounds of defense.

### ***Conclusion***

Given the analysis above, and for the reasons stated herein, it is the City Attorney's Office's opinion that the resolution to vacate the Yard and Boathouse Areas of the S. Few St. right-of-way adjacent to 714 S. Few St. should be adopted by the Common Council in recognition of the Parcel's owner's adverse possession claim, along with the unique historical record relating to this land and the lack of utility for the City in the Yard Area. It should further be noted that this Office does not feel that this decision, to

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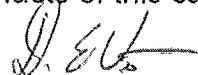
<sup>7</sup> While we have lost title to the Boathouse Area through adverse possession, the Parcel's owner has yet to perfect that title.



October 22, 2012

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vacate a portion of the right-of-way in response to an adverse possession claim made following the issuance of a notice of encroachment, would set a bad precedent for the City in protecting its right-of-ways in the future because it is unlikely that the unique facts of this case will rise again.



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Doran Viste

ATTACHMENT 1: GRENLIE SURVEY OF 714 S. FEW ST.

**LEGAL DESCRIPTIONS:**

AREA "A", BATHHOUSE + ENCLOSED LAWN, PART OF SOUTH FEW STREET, AS PLATTED IN THE ORIGINAL PLAT OF THE CITY OF MADISON, LYING ADJACENT TO LOT 10, BLOCK 179, OF SAID PLAT, AND DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST NORTHERLY CORNER OF THE SAID LOT 10; THENCE S44°54'53"E ALONG THE SOUTHWESTERLY R/W LINE OF FEW STREET 21.59 FEET TO THE POINT OF BEGINNING; THENCE N45°00'E 12.23 FEET LAKE MONONA; THENCE S45°00'W 12.23 FEET ALONG THE M.L.L. OF LAKE MONONA; THENCE S45°00'W 12.23 FEET TO THE POINT OF BEGINNING. TOGETHER WITH LOTS 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

**AREA "A1",**

BATHHOUSE ONLY, PART OF SOUTH FEW STREET, AS PLATTED IN THE ORIGINAL PLAT OF THE CITY OF MADISON, LYING ADJACENT TO LOT 10, BLOCK 179, OF SAID PLAT, AND DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST NORTHERLY CORNER OF LOT 10, THENCE S44°54'53"E 51.59 FEET TO THE POINT OF BEGINNING; THENCE N45°00'E 12.23 FEET LAKE MONONA; THENCE S45°00'W 12.23 FEET ALONG THE M.L.L. OF LAKE MONONA; THENCE S45°00'W 12.23 FEET TO THE POINT OF BEGINNING. TOGETHER WITH LOTS BETWEEN THE M.L.L. AND THE HIGH WATER MARK OF LAKE MONONA. CONTAINS APPROX. 360 SQ. FT.

**AREA "A2",**

ENCLOSED LAWN ONLY, PART OF SOUTH FEW STREET, AS PLATTED IN THE ORIGINAL PLAT OF THE CITY OF MADISON, LYING ADJACENT TO LOT 10, BLOCK 179, OF SAID PLAT, AND DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST NORTHERLY CORNER OF THE SAID LOT 10; THENCE S44°54'53"E 31.59 FEET TO THE POINT OF BEGINNING; THENCE N45°00'E 12.23 FEET; THENCE S44°54'53"E 20.00 FEET TO THE POINT OF BEGINNING. CONTAINS 240 SQ. FT.



**THOM R. GRENLIE**  
**REGISTERED LAND SURVEYOR**  
 400 S. NINE THOUSAND RD., VERONA, WIS. 53593 (608) 945-8882

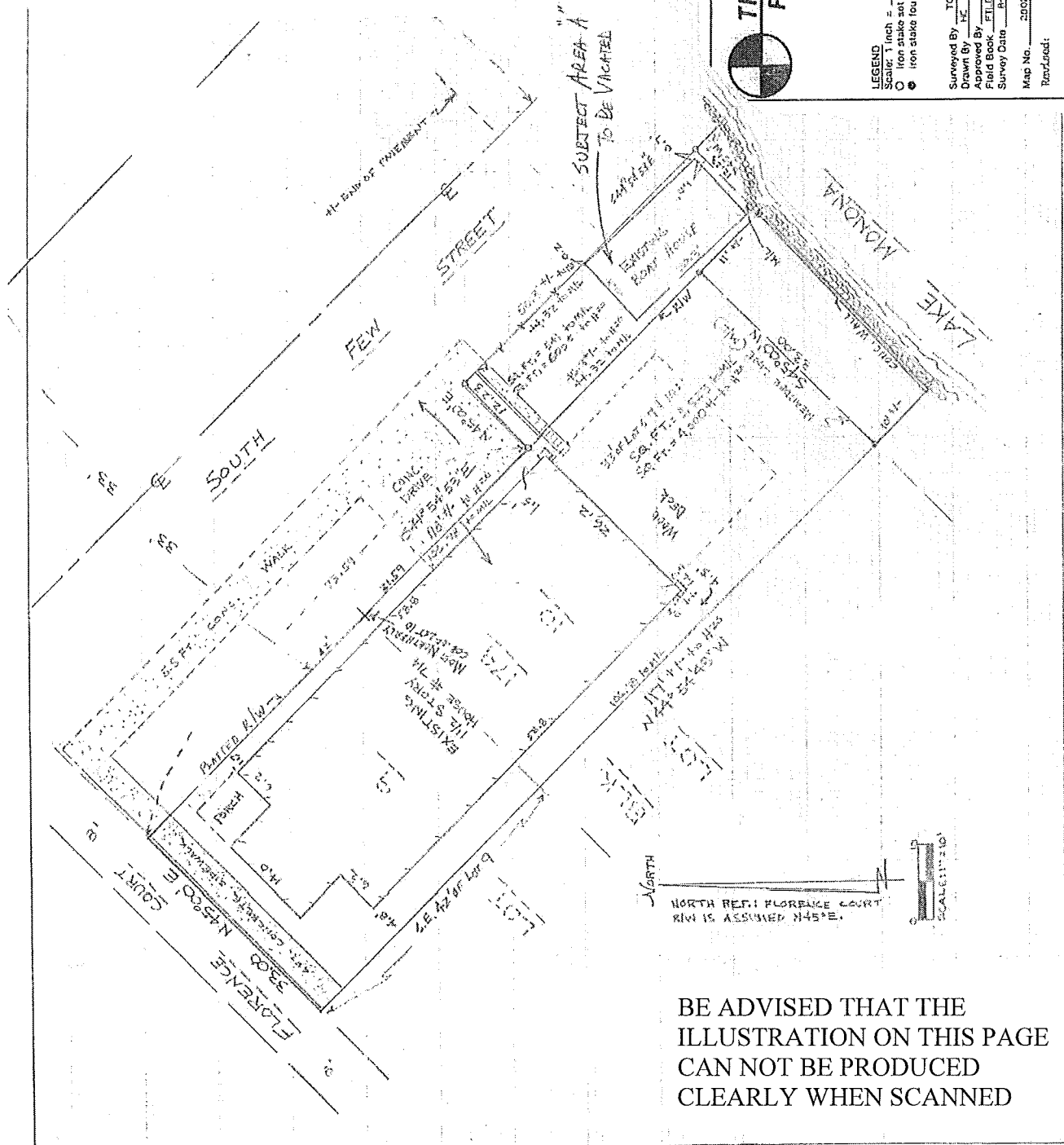
**SURVEY PLAT MAP**

SURVEYED FOR: RICHARD GOODWIN 256-1843  
 714 S. FEW ST., MADISON, WI 53703  
 DESCRIPTION: LOCATION: THE NE 3/4 OF LOT 10, BLOCK 179, OF THE 2d 2d 2d DEED IN BLOCK 179, ORIGINAL PLAT OF CITY OF MADISON, DANE COUNTY, WISCONSIN.  
 SURVEYOR'S CERTIFICATE  
 I hereby certify that I have surveyed and mapped the lands described herein and that the map is a correct representation in accordance with the information provided.

Thom R. Grenlie  
 S-1051

LEGEND  
 Scale: 1 inch = 10 ft.  
 O Iron stake set  
 ● Iron stake found Tops/Fc/E

Surveyed By: TC DH  
 Drawn By: HC  
 Approved By: FJE  
 Field Book: FJE  
 Survey Date: 8-2-17  
 Map No.: 2002-L  
 Replated:



BE ADVISED THAT THE ILLUSTRATION ON THIS PAGE CAN NOT BE PRODUCED CLEARLY WHEN SCANNED

**ATTACHMENT 2: PHOTOGRAPHS DEPICTING YARD AREA**

GOODKIN, 714 S. FEW STREET  
HOUSE, FENCE, AND BOATHOUSE AS SEEN FROM FEW STREET

TAKEN 2/23/2012

10F4



GOODKIN, 714 S. FEW STREET  
HOUSE, FENCE, AND BOATHOUSE AS SEEN FROM STREET END

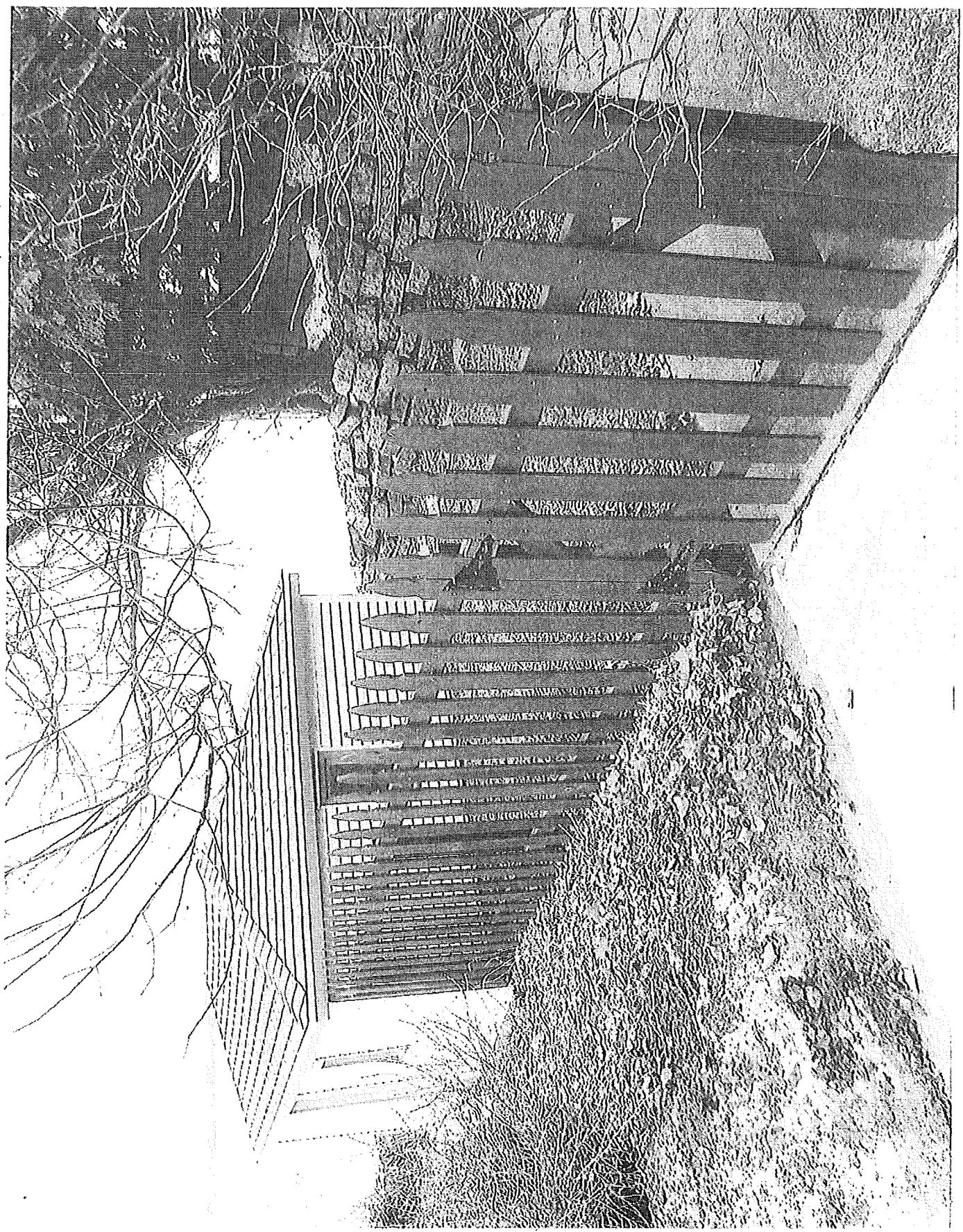
TAKEN 2/23/2012

2 OF 4



THE "BOATHOUSE PARCEL" SEEN FROM FEW STREET  
GOODKIN, 714 S. FEW STREET

TAKEN 4/23/2012



THE "BOATHOUSE PARCEL" (ON CLOSER SIDE OF FENCE) AND THE STREET END  
GOODWIN; 714 S. FEW STREET TAKEN 9/23/2012 4 OF 4

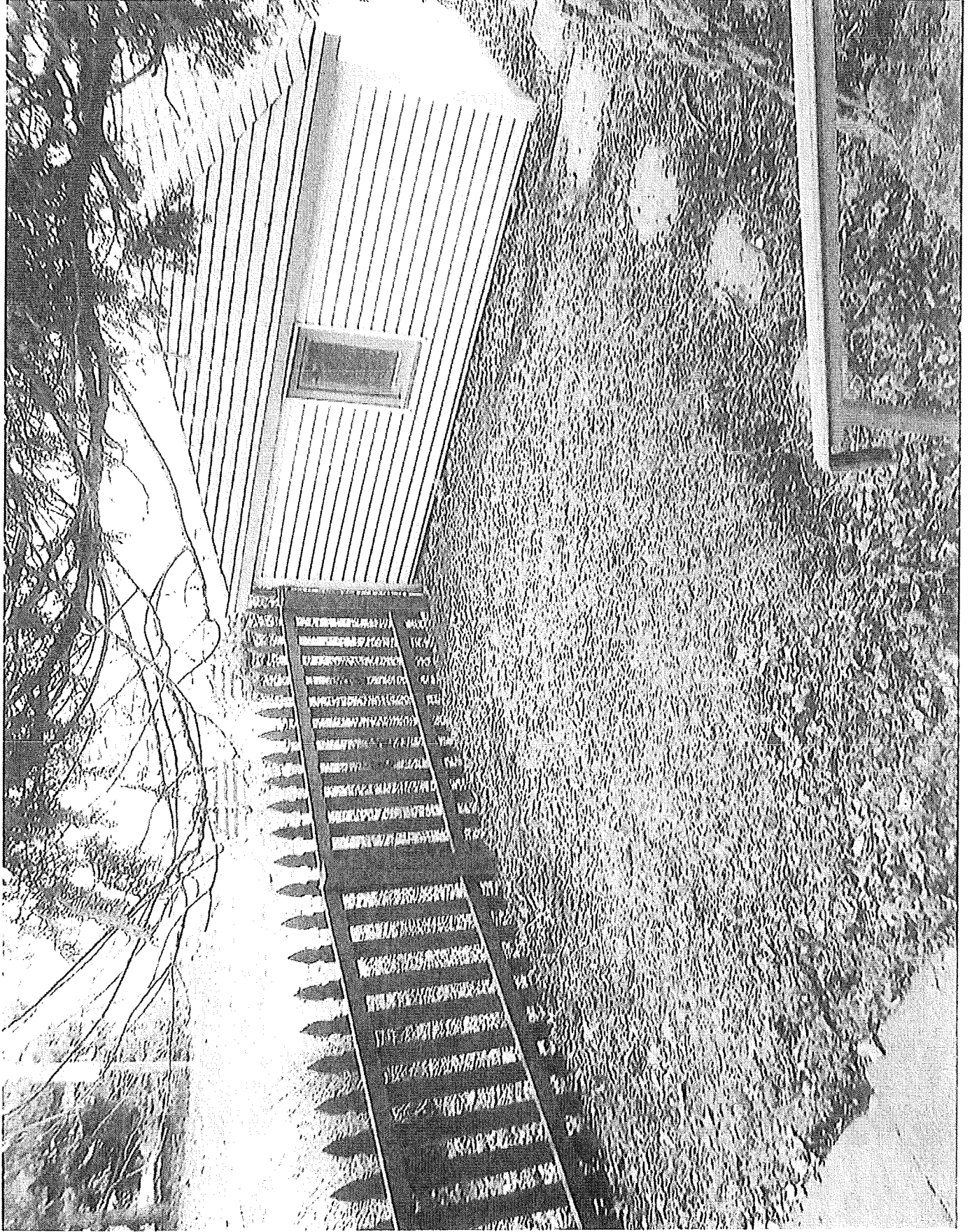




PHOTO 1, STREET-END PARK WITH BENCH. THE AREA IN QUESTION IS BEHIND THE BUSHES ON THE RIGHT SIDE OF THE PICTURE.

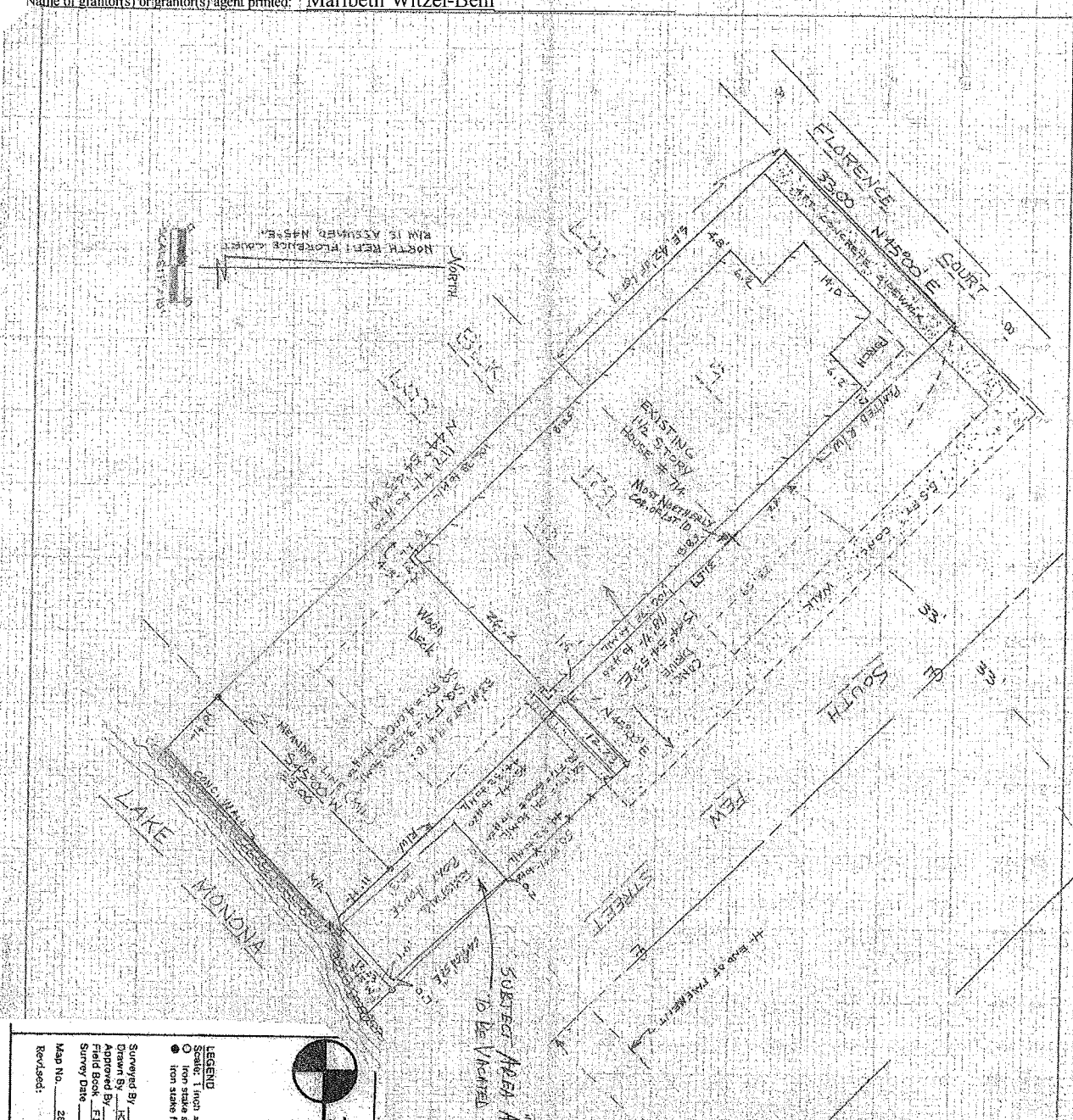


PHOTO 2: TAKEN FROM SOUTH FEW STREET SIDEWALK, ABOUT 5 FEET FROM THE EDGE OF THE AREA IN QUESTION (TO THE RIGHT OF THE FENCE). STRAIGHT AHEAD IS THE PRESENT STREET-END PARK.



NOTE: PLEASE BE ADVISED THAT THE DOCUMENT GRANTOR(S) HEREBY DIRECT VIEWERS TO IGNORE THE PRINTED TEXT MATERIAL ON THIS MAP. ONLY THE SPATIAL RELATIONSHIPS OF THE ILLUSTRATIONS ON THE MAP ARE BEING PRESENTED FOR YOUR INFORMATION.

Signed by grantor(s) or grantor(s) agent: Maribeth Witzel-Behl Date: 12-3-2012  
Name of grantor(s) or grantor(s) agent printed: Maribeth Witzel-Behl



**LEGAL DESCRIPTIONS:**

AREA 'A', 1/2, BATHHOUSE & ENCLOSED LAWN.  
PART OF SOUTH FEW STREET, AS PLATTED IN THE ORIGINAL PLAT OF THE CITY OF MADISON, LYING ADJACENT TO LOT 10, BLOCK 179, OF SAID PLAT, AND DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST NORTHERLY CORNER OF THE SAID LOT 10; THENCE 31.59 FEET TO LAKESIDE AVENUE; THENCE ALONG SAID AVENUE 44.32 FEET TO THE POINT OF BEGINNING; THENCE 12.23 FEET TO THE POINT OF BEGINNING; THENCE 31.59 FEET TO THE POINT OF BEGINNING. CONTAINS APPROXIMATELY 600 SQ. FT.

AREA 'A1', BATHHOUSE ONLY.  
PART OF SOUTH FEW STREET, AS PLATTED IN THE ORIGINAL PLAT OF THE CITY OF MADISON, LYING ADJACENT TO LOT 10, BLOCK 179 OF SAID PLAT, AND DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST NORTHERLY CORNER OF THE SAID LOT 10; THENCE 31.59 FEET TO THE POINT OF BEGINNING; THENCE 12.23 FEET TO THE POINT OF BEGINNING; THENCE 31.59 FEET TO THE POINT OF BEGINNING. CONTAINS APPROX. 360 SQ. FT.

AREA 'B', ENCLOSED LAWN ONLY.  
PART OF SOUTH FEW STREET, AS PLATTED IN THE ORIGINAL PLAT OF THE CITY OF MADISON, LYING ADJACENT TO LOT 10, BLOCK 179 OF SAID PLAT, AND DESCRIBED AS FOLLOWS: COMMENCING AT THE MOST NORTHERLY CORNER OF THE SAID LOT 10; THENCE 31.59 FEET TO THE POINT OF BEGINNING; THENCE 12.23 FEET TO THE POINT OF BEGINNING; THENCE 31.59 FEET TO THE POINT OF BEGINNING. CONTAINS APPROX. 360 SQ. FT.



**THOM R. GRENLIE**  
REGISTERED LAND SURVEYOR  
400 S. Wildcat Ave., Verona, WI 53593 (608) 845-8882

**SURVEY PLAT MAP**

LEGEND  
○ 1/2 inch = 10' ft.  
● iron stake found  
○ Ipee/File

Surveyed By: TG EH  
Approved By: FILE  
Field Book: 8-2-12  
Survey Date: 8-2-12  
Map No.: 2802-L  
Revised: 2012-01013

SURVEYED FOR: RICHARD GOODWIN 256-1843  
715 S. FEW ST., MADISON, WI 53703  
DESCRIPTION/LOCATION: THE NE 3/4 OF LOT 10 & THE NE 3/4 OF THE SE 3/4 OF LOT 9, ALL IN BLOCK 179, ORIGINAL PLAT OF CITY OF MADISON, WISCONSIN COUNTY, WISCONSIN

**SURVEYOR'S CERTIFICATE**  
I hereby certify that I have surveyed and mapped the lands described herein and that the map is a correct representation in accordance with the information provided.  
*Thom R. Grenlie*  
Thom R. Grenlie S. 7051

