

Vacating and discontinuing multiple unimproved public street right-of-ways within the plat of Acacia Ridge Replat No. 2.

KRISTI CHLEBOWSKI
DANE COUNTY
REGISTER OF DEEDS

Document Number

Document Title

DOCUMENT #

5929012

10/13/2023 01:23 PM

Trans Fee:

Exempt #:

Rec. Fee: 30.00

Pages: 11

This is to certify that the foregoing resolution was adopted by the Common Council of the City of Madison, Wisconsin at a meeting held on the 5th day of September, 2023. A copy of the resolution is attached.

Vacating and discontinuing multiple unimproved public street right-of-ways within the plat of Acacia Ridge Replat No. 2 to allow the replatting of a portion the development. Being located in the Southeast 1/4 of the Southeast 1/4 of Section 28, Township 7 North, Range 8 East, City of Madison, Dane County, Wisconsin.

File# 78658, Resolution 23-00544

Recording Area

Name and Return Address

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

Parcel Identification Number (PIN)

October 13, 2023

Date

Date

Signature of Clerk

n/a

Signature of Grantor

Jim Verbleck for Maribeth Witzel-Behl, City Clerk

*Name printed

*Name printed

STATE OF WISCONSIN, County of Dane

This document was drafted by:
(print or type name below)

Eric Christianson

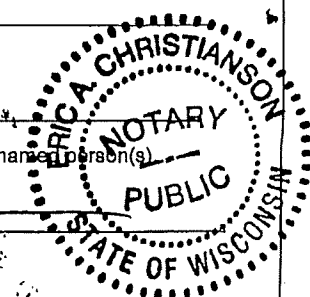
Subscribed and sworn to before me on October 13, 2023 by the above named person(s)

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

Print or type name: Eric Christianson

Title: Certified Municipal Clerk Date commission expires: 3/27/2026

*Names of persons signing in any capacity must be typed or printed below their signature.



This information must be completed by submitter: document title, name & return address, and PIN (if required). Other information such as the granting clauses, legal description, etc., may be placed on this first page of the document or may be placed on additional pages of the document. Note: Use of this cover page adds one page to your document and \$2.00 to the recording fee. Wisconsin Statutes, 59.43(2m). USE BLACK INK. WRDA 5/1999

11

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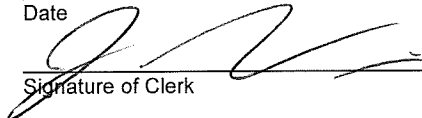
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Date

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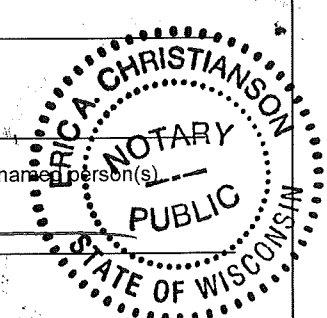


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City of Madison

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

Certified Copy

Resolution: RES-23-00544

File Number: 78658

Enactment Number: RES-23-00544

Vacating and discontinuing multiple unimproved public street right-of-ways within the plat of Acacia Ridge Replat No. 2 to allow the replatting of a portion the development. Being located in the Southeast 1/4 of the Southeast 1/4 of Section 28, Township 7 North, Range 8 East, City of Madison, Dane County, Wisconsin. (District 1)

WHEREAS, the plat of Acacia Ridge Replat No. 2 was conditionally approved by the City of Madison Common Council by Enactment Number RES-22-00058, File I.D. Number 68206, as adopted on the 18th of January, 2022 and the said Enactment provided for the acceptance of the lands dedicated for public street right-of-ways; and

WHEREAS, the plat of Acacia Ridge Replat No. 2 was subsequently recorded upon the satisfaction of the conditions of approval on the 23rd of January, 2023 in Volume 61-081A of Plats, on pages 479-480, as Document Number 5883303, Dane County Register of Deeds; and

WHEREAS, an application was made with the Department of Planning & Community & Economic Development for a preliminary and final plat of Acacia Ridge Replat No. 4 to replat a portion of the plat of Acacia Ridge Replat No. 2. The replat reconfiguring the lots, outlots and streets within the southeasterly portion of the plat; and

WHEREAS, the said plat of Acacia Ridge Replat No. 4 was conditionally approved by the City of Madison Common Council by Enactment Number RES-23-00425, File I.D. Number 76589, as adopted on the 6th of June, 2023; and

WHEREAS, the conditionally approved Acacia Ridge Replat No. 4 will alter areas dedicated to the public for public street right-of-way, and the replat may not be recorded until those areas dedicated to the public for street right-of-ways by Acacia Ridge have been properly vacated and discontinued under s. 66.1003 Wisconsin Statutes; and

WHEREAS, the unimproved public right-of-way of Turning Oak Lane and an un-named alley lying between Lone Oak Lane and White Sky Pass, all dedicated by the plat of Acacia Ridge Replat No. 2, are to be vacated and discontinued. D'Onofrio Kottke and Associates Inc. and City of Madison Engineering Division, have prepared the necessary public right-of-way vacation and discontinuance maps (Exhibit A) and legal descriptions (Exhibit B) delineating all of these areas to be discontinued, the Exhibits are attached hereto and made part of this resolution; and

WHEREAS, the current developer and owner have not constructed, nor has the City of Madison accepted any new public utilities or street improvements in conjunction with Acacia Ridge within any of the public right-of-ways to be vacated and discontinued; and

WHEREAS, this vacation and discontinuance will not result in a landlocked parcel of property due to the current contiguous common ownership of the Lots of the plat of Acacia Ridge Replat No. 2 adjacent to these proposed areas of vacation and discontinuance; and

WHEREAS, the City Engineering Division recommends approval of these public right-of-way

vacations and discontinuances subject to conditions as noted herein.

NOW THEREFORE BE IT RESOLVED, that since the public interest requires it, the City Of Madison hereby conditionally vacates and discontinues the public right-of-ways as shown on attached Exhibit A and described on attached Exhibit B, under Wisconsin ss. 66.1003(4), upon completion of the following conditions:

- The Developer of Acacia Ridge Replat No. 4 shall enter into any agreement(s) required by the City of Madison in conjunction with the approval of the proposed development of Acacia Ridge Replat No. 4.
- The conditions of approval for the preliminary and final plat for the Acacia Ridge Replat No. 4 shall be addressed to the satisfaction of the City of Madison Engineer.

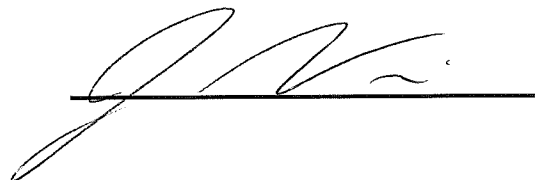
BE IT FURTHER RESOLVED, that, under Wisconsin ss. 66.1005(2)(a)(1) the City of Madison releases any easements and rights it may have within the public right-of-ways being vacated and discontinued; and

BE IT FURTHER RESOLVED, under Section 66.1005(2), Wisconsin Statutes any other existing easements and rights that exist within the vacated and discontinued public right-of-ways and unpaved public alleys shall continue unless as otherwise provided by statute; and

BE IT FURTHER RESOLVED, under Section 66.1005(1), Wisconsin Statutes, reversionary rights of the public right-of-ways herein vacated and discontinued shall attach to the adjacent properties; and

BE IT FINALLY RESOLVED, upon Common Council adoption of this resolution and completion all street vacation and discontinuance conditions identified above to the satisfaction of the City Engineer, the City Engineer will then authorize the City Clerk to validate and make effective this street vacation and discontinuance by recording it with all supplemental map exhibits with the Dane County Register of Deeds, authorizing all City agencies to administer the appropriate workflows to complete and finalize all land record database updates.

I, Deputy City Clerk Jim Verbick, certify that this is a true copy of Resolution 23-00544, file 78658, adopted by the Madison Common Council on September 5, 2023.



10/13/23
Date Certified

Exhibit A

PUBLIC RIGHT OF WAYS TO BE VACATED AND DISCONTINUED



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: October 13, 2023
Name of grantor(s) or grantor(s) agent printed: Maribeth Witzel-Behl

D'ONOFRIO KOTTKE AND ASSOCIATES, INC.
7530 Westward Way, Madison, WI 53717
Phone: 608.833.7530 • Fax: 608.833.1089
YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT



0 500
Scale 1" = 500'

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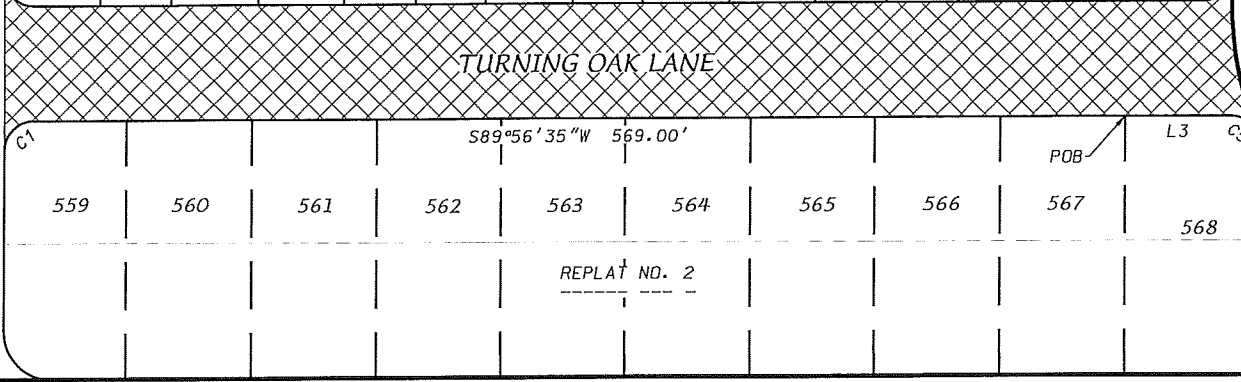
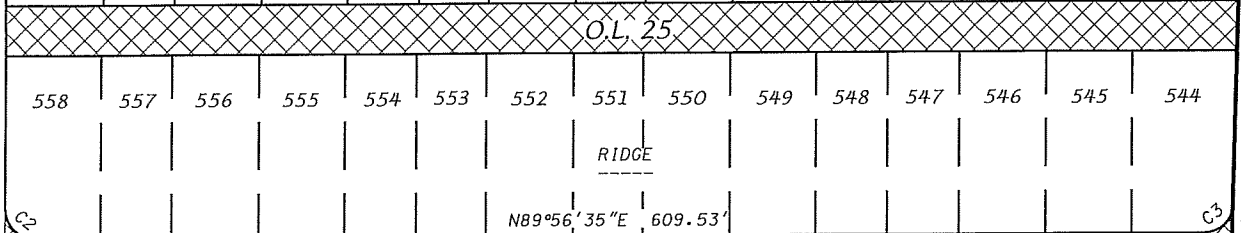
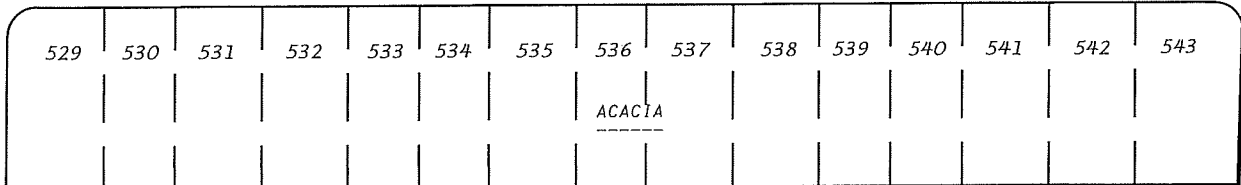
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EXHIBIT A

PUBLIC RIGHT OF WAYS TO BE VACATED AND DISCONTINUED

ACACIA RIDGE REPLAT NO. 2

HONEY HARVEST LANE



VALLEY VIEW ROAD

O.L. 17
LINDEN PARK

LINE TABLE

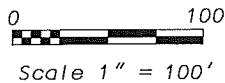
LINE#	DIRECTION	LENGTH
L1	S1°20'36"W	10.02'
L2	S20°29'13"E	6.44'
L3	S89°56'35"W	54.93'

CURVE TABLE

CURVE NO.	ARC LENGTH	CURVE RADIUS	CENTRAL ANGLE	CHORD BEARING	CHORD LENGTH
C1	23.56'	15.00'	90°00'00"	S44°56'35"W	21.21'
C2	23.56'	15.00'	90°00'00"	S45°03'25"E	21.21'
C3	23.20'	15.00'	88°35'59"	N45°38'36"E	20.95'
C4	69.72'	183.00'	21°49'49"	S9°34'18"E	69.30'
C5	18.21'	15.00'	69°34'12"	N55°16'19"W	17.11'

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PUBLIC RIGHT-OF-WAY
 GRANTED BY DOC. NO. 5883303
 TO BE VACATED/DISCONTINUED

EXHIBIT "B"
ACACIA RIDGE REPLAT NO. 2 – STREET VACATION LEGAL DESCRIPTIONS

OL 25

Outlot 25, Acacia Ridge Replat No. 2, recorded in Volume 61-081A of Plats on pages 479-480 as Document Number 5883303, Dane County Register of Deeds Office, located in the SE1/4 of the SE1/4 of Section 28, T7N, R8E, City of Madison, Dane County, Wisconsin.
Containing 16,687 square feet.

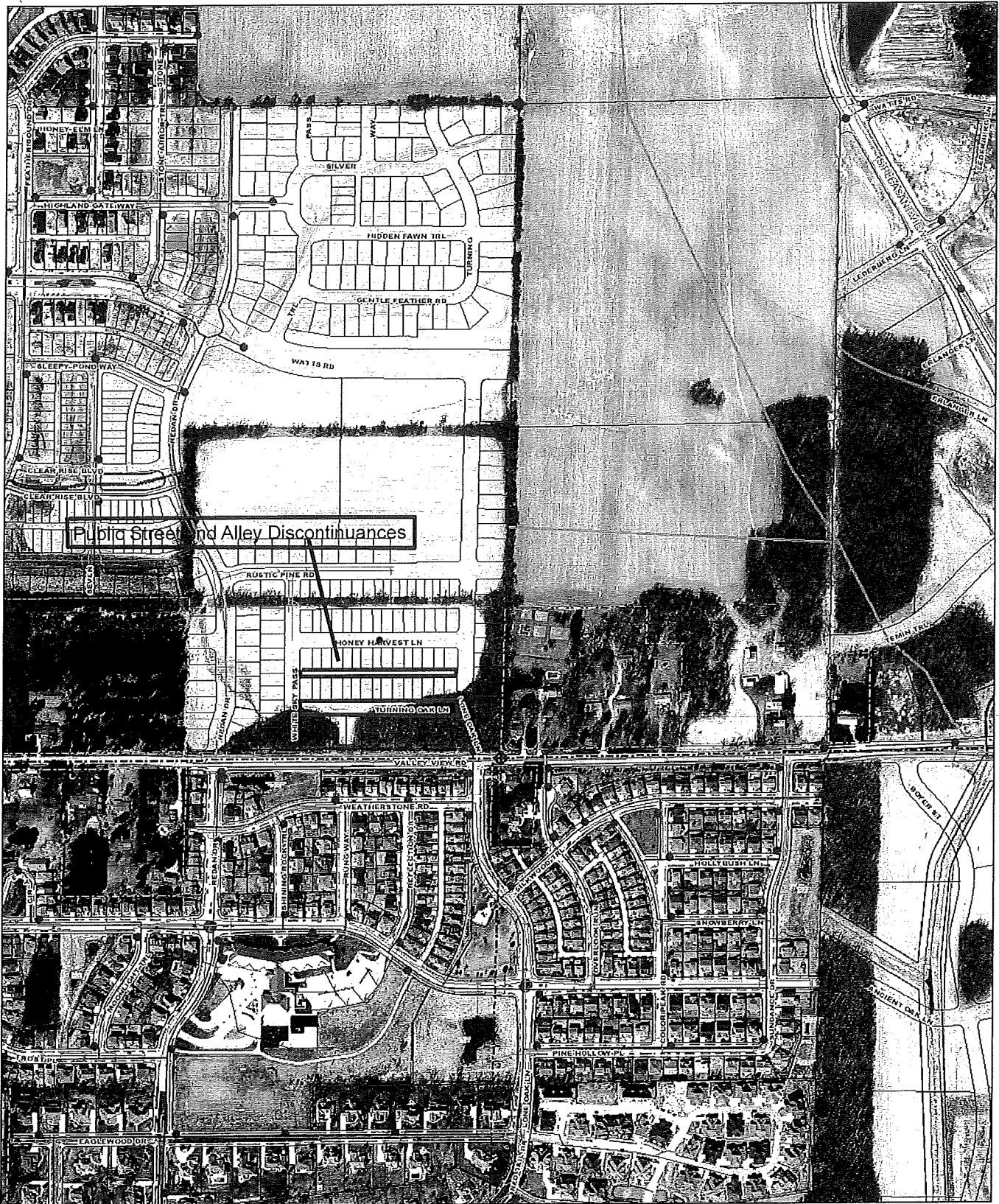
Turning Oak Lane

Turning Oak Lane, a dedicated public right-of-way within Acacia Ridge Replat No. 2, recorded in Volume 61-081A of Plats on pages 479-480 as Document Number 5883303, Dane County Register of Deeds Office, located in the SE1/4 of the SE1/4 of Section 28, T7N, R8E, City of Madison, Dane County, Wisconsin to-wit:

BEGINNING at the Northwest corner of Lot 568, Acacia Ridge Replat No. 2; thence S89°56'35"W, 569.00 feet; thence 23.56 feet along the arc of a curve to the left with a radius of 15.00 feet and chord of S44°56'35"W, 21.21 feet; thence N00°03'25"W, 90.00 feet; thence 23.56 feet along the arc of a curve to the left with a radius of 15.00 feet and chord of S45°03'25"E, 21.21 feet; thence N89°56'35"E, 609.53 feet; thence 23.20 feet along the arc of a curve to the left with a radius of 15.00 feet and chord of N45°38'36"E, 20.95 feet; thence S01°20'36"W, 10.02 feet; thence 69.72 feet along the arc of a curve to the left with a radius of 183.00 feet and chord of S09°34'18"E, 69.30 feet; thence S20°29'13"E, 6.44 feet; thence 18.21 feet along the arc of a curve to the left with a radius of 15.00 feet and chord of N55°16'19"W, 17.11 feet; thence S89°56'35"W, 54.93 feet to the POINT OF BEGINNING.

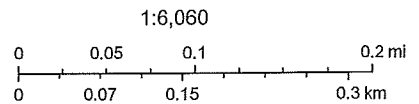
Containing 38,717 square feet.

Vicinity Map of Discontinuances



6/21/2023, 3:13:23 PM

- | | | | |
|--------------------------|------------------|----------------|--------------------------------|
| Street Names 1 | Major Roads | Sanitary Mains | Private Storm Pipe |
| PLSS_SectionLines | Parcels | Accepted | SWU_Parks_MOU_Areas |
| PLSS_QuarterSectionLines | Municipal Limits | As-Designed | Off Street Existing Facilities |



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

Date: October 13, 2023

NOTICE OF LIS PENDENS
Public Way Vacation and
Discontinuance

State of Wisconsin, County of Dane

In the matter of the resolution of the Common Council of the City of Madison Vacating and Discontinuing the following:

The unimproved public right-of-ways of Turning Oak Lane and an un-named alley lying between Lone Oak Lane and White Sky Pass, all dedicated by the plat of Acacia Ridge Replat No. 2, in the City of Madison, Dane County, Wisconsin.

RETURN TO: City of Madison, Engineering
Division
210 Martin Luther King Jr. Blvd.
Room 115
Madison, WI 53703

Tax Parcel No.: None – Public Right-of-Ways

The vacation and discontinuances being located within the plat of Acacia Ridge Replat No. 2, recorded in Volume 61-081A of Plats on pages 479-480, as Document Number 5883303, Dane County Register of Deeds, located in part of the SE ¼ of the SE ¼, Section 28, Township 7 North, Range 8 East, in the City of Madison.

TO WHOM IT MAY CONCERN, notice is hereby given that a resolution will be introduced to the Common Council of the City of Madison July 11th, 2023 and a public hearing scheduled at the Common Council Meeting of September 5th, 2023, for the purpose of vacating and discontinuing the public ways as shown on the attached Exhibit A and described on the attached Exhibit B in accordance with Subsections 66.1003(4), Wisconsin Statutes, by the City of Madison, Wisconsin.

Dated this _____ day of _____, 2023.

CITY OF MADISON

By: _____
James Wolfe, City Engineer

State of Wisconsin)
)ss.
County of Dane)

Personally came before me this ____ day of _____, 2023, the above named James Wolfe, City Engineer, of the City of Madison, and acting in said capacity and known by me to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin

Print or Type Name
My Commission: _____

Drafted by the City of Madison, Engineering Division - Engineering Project No. B000851

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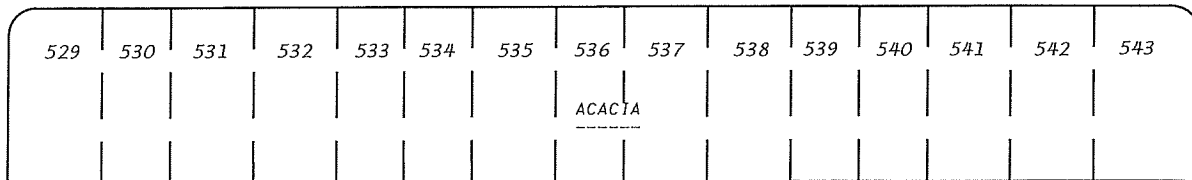
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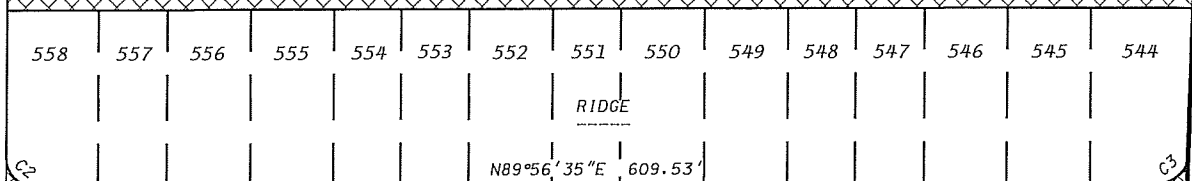
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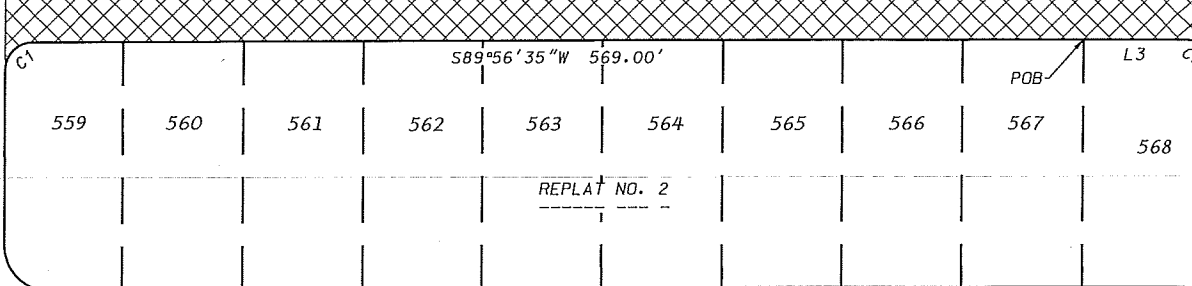


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0 100



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