



Department of Revenue
Office of the City Clerk

City-County Building, Room 103
210 Martin Luther King, Jr. Boulevard
Madison, Wisconsin 53703-3342
PH: 608 266 4601
TDD: 608 266 6573
FAX: 608 266 4666

October 13, 2006

Annexations and Railroads
Division of Government Records
Office of the Secretary of State
P. O. Box 7848
Madison, WI 53707-7848

Dear Mr. LaFollette:

ENACTMENT NO. ORD-06-00103
ID NO. 03849
Midtown Holdings Annexation

I, Maribeth Witzel-Behl, City Clerk of the City of Madison, County of Dane, State of Wisconsin, pursuant to Sections 66.0217(7)2., 66.0217(9)(a), and 66.0235, Wisconsin Statutes, DO HEREBY CERTIFY adoption of annexation Enactment No. ORD-06-00103, ID No. 03849 on July 18, 2006; thereby accepting the petition filed in our office on April 27, 2006, and thereby detaching territory from the Town of Verona and annexing same to the City of Madison.

This letter shall serve as notice that the Common Council failed to reject the Petition for Annexation, accepted the Petition for Direct Annexation and adopted the above noted ordinance. A certified copy of Enactment No. ORD-06-00103, which contains an accurate metes and bounds description of the territory so affected is attached. The Petition for Direct Annexation filed in this matter identifies the population in the annexed territory to be zero (0).

Sincerely,

Maribeth Witzel-Behl
Maribeth Witzel-Behl
City Clerk

MWB:tlp

*Letters sent on: 10-16-06
Recorded w/ ROD: 10-16-06*

Secretary of State

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cc:

Dane County Register of Deeds
Clerk, Town of **Verona**
TDS Telecom
Verona School District
MG&E (gas)
Alliant Energy (electric)
Bill Roberts, Planning & Development Unit
Al Schumacher, City Streets Department - West
City Assessor
Eric Pederson, City Engineering (4)
John Leach, Traffic Engineering
Gregg Knudtson, Fire Department
Brad Murphy, Planning Unit
Dane County Clerk
Dane County Regional Planning Commission
Dane County Planning & Development
Dane County Tax Lister, Cheryl Zellmer
Dane County Public Safety Communications
Dane County EMS
Madison Area Metropolitan Planning Organization
Madison Metropolitan Sewer District
Charter Communications
Sharon Milleville
City Clerk file (scan & attach)



City of Madison
Certified Copy
Ordinance: ORD-06-00103

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

File Number: 03849

Enactment Number: ORD-06-00103

Creating Section 15.01(556) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to the 1st Aldermanic District the Midtown Holdings Annexation and assigning a temporary zoning classification of A Agriculture District, and amending Section 15.02(107) of the Madison General Ordinances to add the attached property to Ward 107.

DRAFTER'S ANALYSIS: This ordinance annexes land in the Town of Verona.

An ordinance to create Subsection (556) of Section 15.01 of the General Ordinances of the City of Madison entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards".

WHEREAS, a petition with scale map attached was filed with the City Clerk of Madison on April 27, 2006, and mailed to the Clerk of the Town of Verona and the Municipal Boundary Review Section, Department of Commerce, State of Wisconsin, on April 28, 2006, and has been presented to the City Common Council requesting annexation of the below-described territory to the City of Madison from the Town of Verona; said petition having been signed by the owners of all the real property within the territory. There are no electors residing within the territory, which lies contiguous to the City of Madison; and

WHEREAS, the City of Madison Comprehensive Plan recommends NPA-LDR (Neighborhood Planning Area - Possible Low Density Residential) uses; and

WHEREAS, pursuant to Sec 28.04(7), Madison General Ordinances, the annexed territory is declared to be in the A Agriculture District and the annexation and temporary zoning were considered by the Plan Commission at its meeting of June 19, 2006, and adoption of the said annexation and zoning were recommended; and

WHEREAS, pursuant to Wis. Stats. sec. 66.0217(14)(a)1., the City of Madison agrees to pay annually to the Town of Verona, for five (5) years, an amount equal to the amount of property taxes that the town levied on the annexed territory, as shown by the tax roll under Wis. Stats. sec. 70.65, in the year in which the annexation is final; and

WHEREAS, investigation by the City of Madison discloses that as of this date the above representations are true, and the determination of the Department of Commerce, Municipal Boundary Review Section, State of Wisconsin, that the below described annexation has been reviewed and found to be in the public interest, having been reviewed, the Common Council now accepts the petition as sufficient and determines that the said annexation proceeding meets the requirements of the Wisconsin Statutes;

NOW, THEREFORE, the Common Council of the City of Madison do ordain as follows:

1 Subsection (556) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(556) - There is hereby attached to the 1st Aldermanic District, the City of Madison, Dane County, Wisconsin, the following described property:

"Part of the NE ¼ of the NW ¼, Section 4, T6N, R8E, Township of Verona, Dane County, Wisconsin, described as follows:

Commencing at the Northwest corner of said Section 4; thence N89°15'49"E along the North line of the NW ¼ of said Section 4, 1328.36 feet; thence S00°46'25"W, 40.01 feet to the point of beginning of this description; thence N89°15'49"E parallel with and 7.00 feet Southerly of the Southerly right-of-way line of Mid Town Road, 791.19 feet to a point on the West line of Lot 1, Certified Survey Map No. 1964, recorded in Volume 8 of Certified Surveys, Pages 96, 97, and 98, Document No. 1464093; thence S00°44'35"W, 460.00 feet to the Southwest corner of said

Certified Survey Map No. 1964; thence N89°15'49"E along the South line of said Certified Survey Map No. 1964, 467.00 feet to the Westerly right-of-way line of Woods Road; thence S00°44'35"W along said right-of-way line, 464.04 feet to the Westerly extension of the Southerly line of Lot 2, Certified Survey Map No. 9278; thence continuing S00°44'35"W (recorded as S00°22'11"W City Annexation Description) along said Westerly right-of-way line, 238.89 feet to the Northerly line of Certified Survey Map No. 9278; thence N88°13'18"W along said Northerly line, 1258.57 feet to the East line of a parcel described in a certain Quit Claim Deed as Document No. 4002902; thence N00°46'25"E along said East line, 1107.70 feet to the point of beginning of this description. This parcel contains 1,213,555 square feet (27.859 acres)."

2 Subsection (107) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is amended to read as follows:

"(107) Ward 107. Commencing at the Northwest corner of the Northeast quarter of Section 4, T6N, R8E, Township of Verona, Dane County, Wisconsin; also known as North-South ¼-line of said Section 4; thence S00° 18'48"W, along the North-South ¼-line of said Section 4, 33.00 feet to the Point of Beginning; thence S89°16'00"W, 9.25 feet along the South right-of-way line of Midtown Road to the West right-of-way of Woods Road; thence S00°44'57"W, along said West right-of-way line and the East line of Certified Survey Lot No. 1964, 460.00 feet to the Southeast corner of said Lot 1964; thence S89°15'49"W, along the South lot line of said Certified Survey Map No. 1964, 467.00 feet to the Southwest corner of said Certified Survey Map No. 1964; thence N00°44'35"E, along the West lot line of said Lot 1964, 460 feet; thence S89°15'49"W parallel with and 7.00 feet southerly of the southerly right-of-way line of Mid-Town Road, 791.19 feet; thence S00°46'25"W, 1107.70 feet along the East line of a parcel described in a certain Quit Claim Deed as Document No. 4002902; thence S88°13'18"E 1258.57 along the northerly line of Certified Survey Map No. 2680 to the West right-of-way line of Woods Road; thence S00°44'57"W, along said West right-of-way line, 3510.07 4673 feet more or less to the Northwest corner of the South ½ of the Southwest ¼ of the Southeast ¼ of Section 4, T6N, R8E; thence S88°14'53"E, 1337.56 feet; thence S00°13'34"W, 685 feet more or less to a point on the South right-of-way line of County Trunk Highway "PD"; thence Easterly, along said South right-of-way line, 4015 feet more or less to the point of intersection with the East right-of-way line of County trunk Highway "M"; thence N00°11'23"E, along a line that is 60.00 feet East of, measured at right angles to, and parallel with the West line of the Southeast ¼ and the Northeast of Section 3, T6N, R8E, 3225 feet more or less to the Southwest corner of the Stone Crest Estates plat; thence N01°18'50"E, along the West line of said Stone Crest Estates plat, 112.13 feet; thence N89°41'10"W, along said West plat line, 10.00 feet; thence N01°18'50"E, along said West plat line, 966.00 feet; thence S88°41'10"E, along said West plat line, 25.00 feet; thence N01°18'50"E, along said West plat line, 600.00 feet; thence N88°41'10"W, along said West plat line, 30.00 feet; thence N01°18'50"E, along said West plat line, 476.74 feet to the Northwest corner of the Stone Crest Estates plat; thence Westerly and Northerly, along said Easterly right-of-way line, 124 feet more or less; thence S88°02'46"W, 88.68 feet; thence N45°03'57"W, 3.53 feet to a point on the West right-of-way line of County Trunk Highway "M" and also a point on the East line of the Northwest ¼ of Section 3; thence continuing N45°03'57"W, along said West right-of-way line of County Trunk Highway "M", 88.54 feet to a point on the South right-of-way line of Midtown Road; thence S88°52'52"W, along said South right-of-way line, 2587.76 feet to the East line of said Section 4; thence S89°21'35"W along a line parallel with and 33 feet South of, measured at right angles to, the North line of the NE 1/4 of said Section 4, 2595.90 feet more or less, to the point of beginning. Polling place at Elver Park New Shelter, 1250 McKenna Boulevard."

3. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application.

EDITOR'S NOTE: Pursuant to sec 66.0217(8), Wis. Stats., this annexation ordinance must be enacted by a two-thirds vote of the elected members of the Common Council or at least 14 votes.

Adopted on roll call at a regular meeting of the Common Council of the City of Madison, Wisconsin, held on July 18, 2006.

Annexation vote:

Ayes: 19

Noes: 0

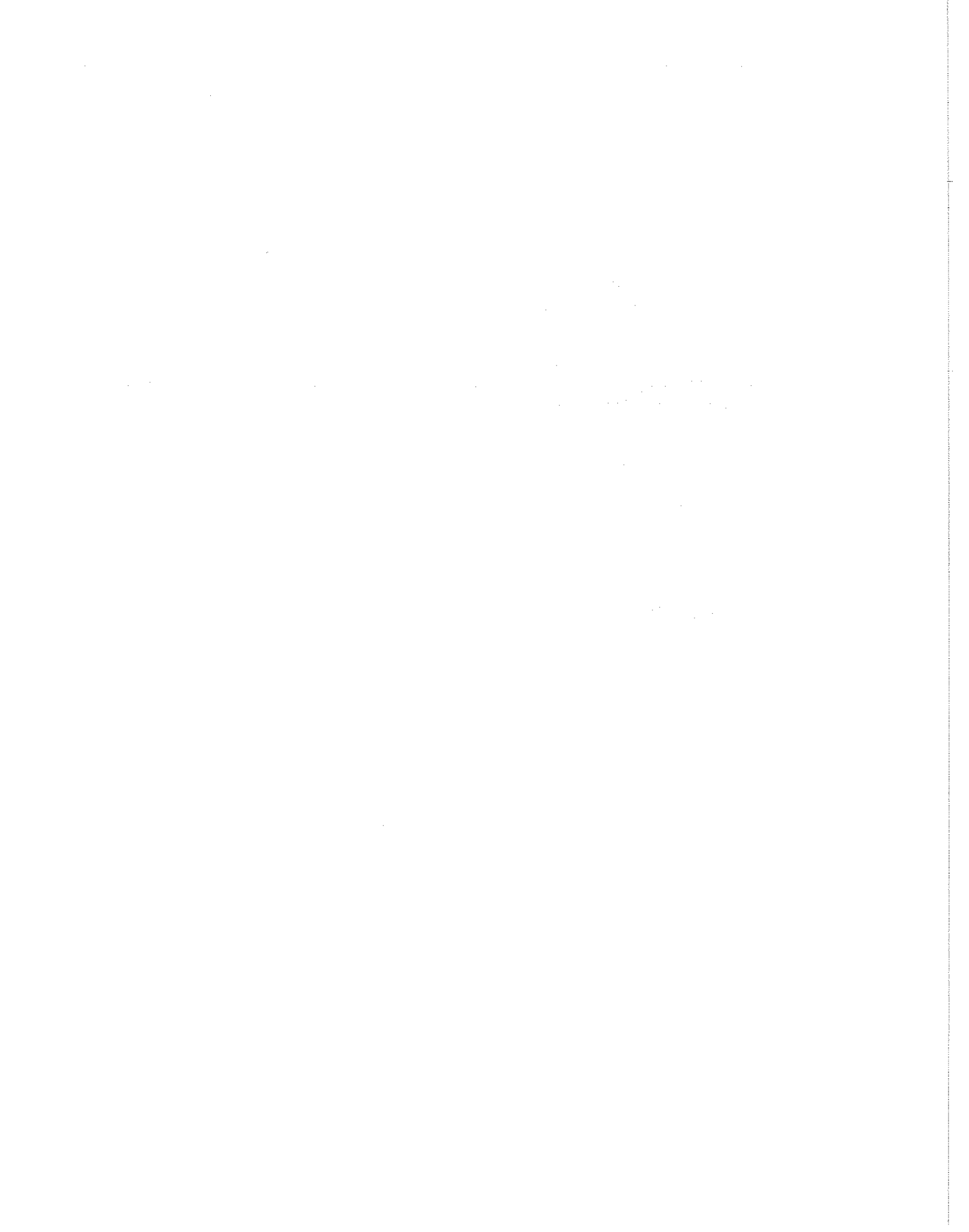
Excused: 1

I, Maribeth Witzel-Behl, certify that this is a true copy of Ordinance No. ORD-06-00103, passed by the COMMON COUNCIL on 7/18/2006.

Maribeth Witzel-Behl
Maribeth Witzel-Behl, City Clerk

10-13-2006
Date Certified


Mayor's Signature



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: Maribeth Witzel-Behl Date: 10-13-06 (USE BLACK INK ONLY)
Name of grantor(s) or grantor's(s) agent printed: Maribeth Witzel-Behl (USE BLACK INK ONLY)

CITY OF MADISON

Proposed Annexation

Annexation Name: Midtown Holdings Annexation

Location: Mid Town and Woods Roads

Petitioner: Thomas I Frydenlund -
Midwest Holdings, LLC

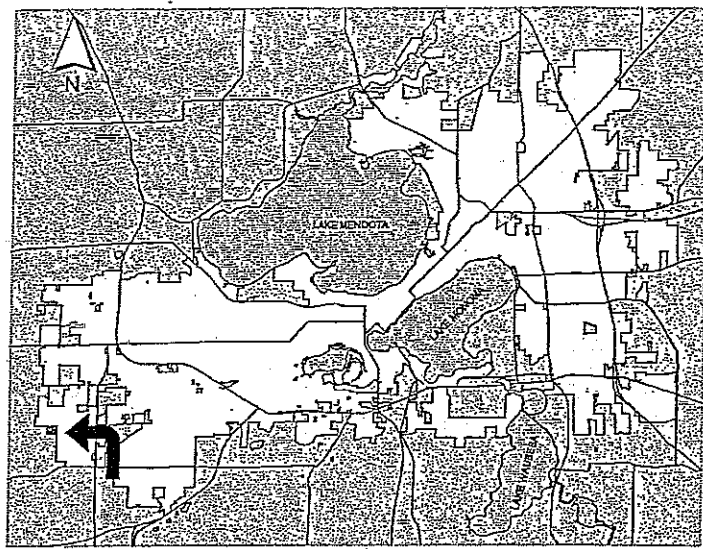
Existing Use: Vacant Lands

Proposed Use: Future Residential

Public Hearing Dates:

Plan Commission 19 June 2006

Common Council 18 July 2006



For Questions contact: Bill Roberts at: 266-5974 or broberts@cityofmadison.com or City Planning at 266-4635

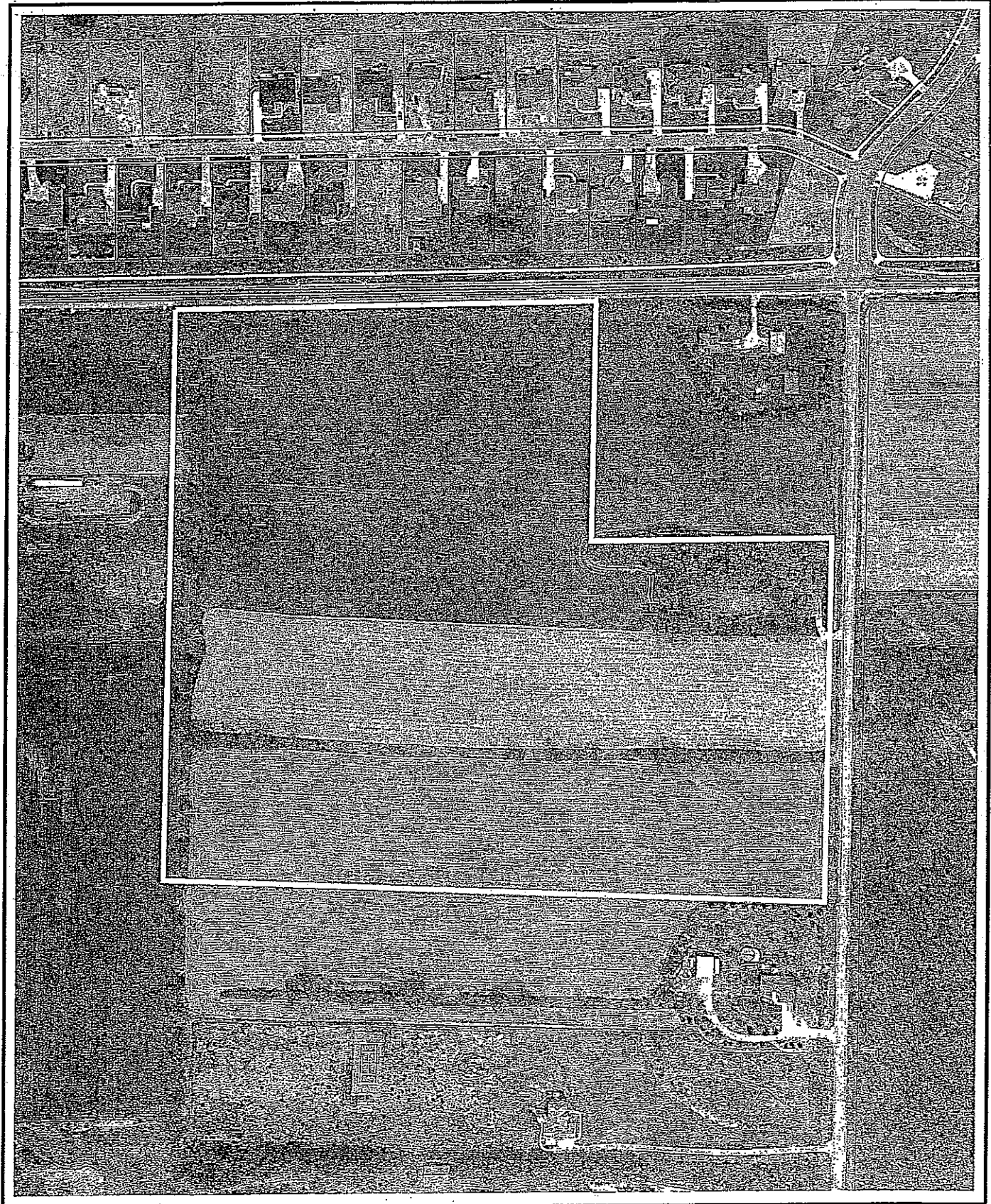


Mid Town and Woods Roads

100 0 100 Feet



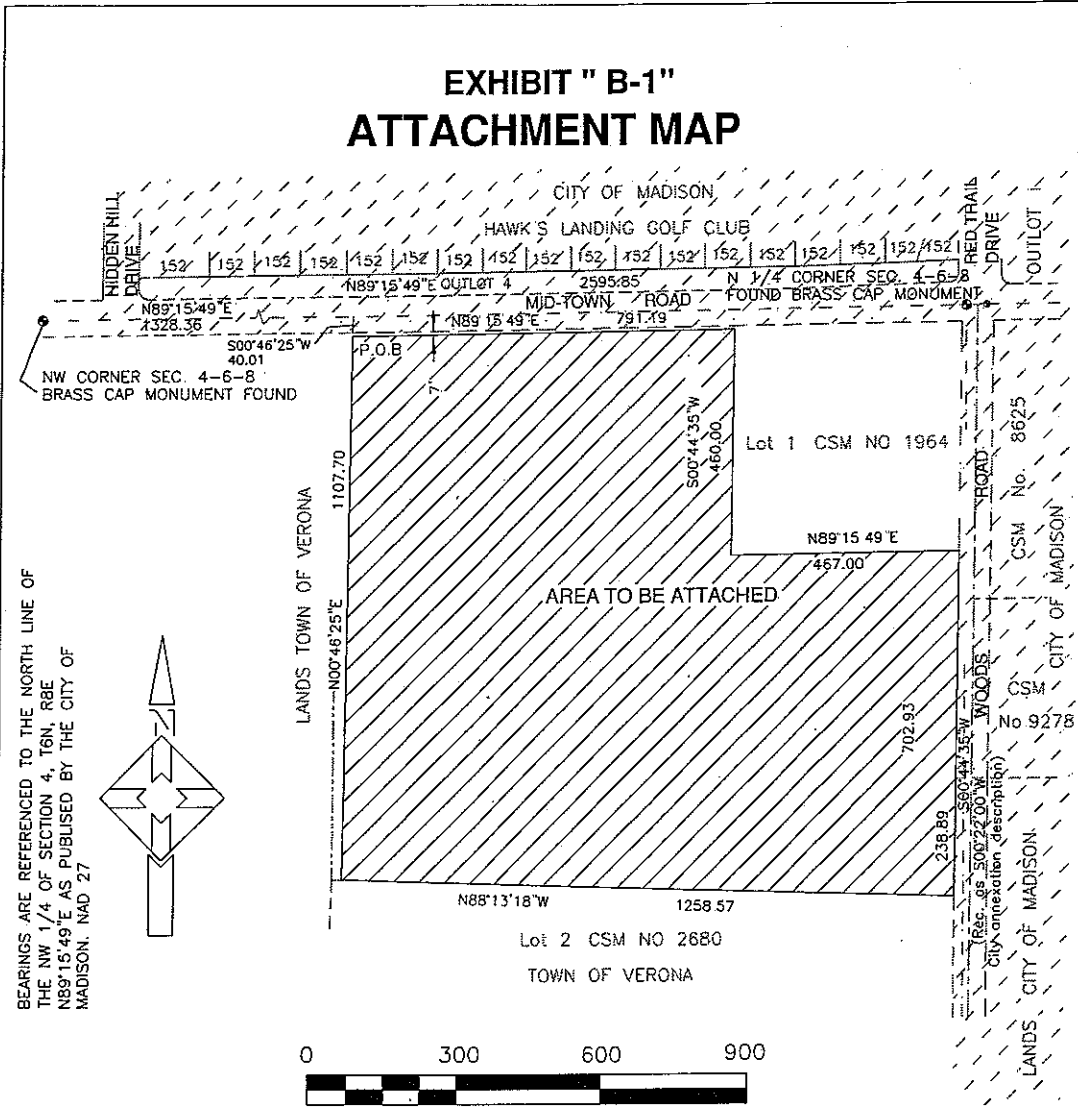
Date of Aerial Photography - April 2003



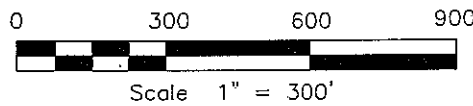
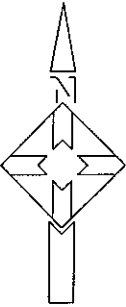
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Signed by grantor(s) or grantor's(s) agent: Maribeth Witzel-Behl Date: 10-13-06 (USE BLACK INK ONLY)
 Name of grantor(s) or grantor's(s) agent printed: Maribeth Witzel-Behl (USE BLACK INK ONLY)

EXHIBIT " B-1" ATTACHMENT MAP



BEARINGS ARE REFERENCED TO THE NORTH LINE OF THE NW 1/4 OF SECTION 4, T6N, R8E N89°15'49"E AS PUBLISHED BY THE CITY OF MADISON, NAD 27



ATTACHMENT TO THE CITY OF MADISON
 ENACTMENT No ORD-06-00103
 CITY ID. No 03849
 DATE ADOPTED 7-18-06
 DATE PUBLISHED 8-2-06
 ALDERMANIC DISTRICT ATTACHED TO 1st
 AREA 0.043 SQ MILES

For:
 Midtown Holdings, LLC
 6401 Offshore Dr., Ste 201
 Madison, WI 53705

SCALE: 1' = 300'
 DATE: 02/19/06
 HELD & ASSOCIATES, INC
 ENGINEERS & SURVEYORS
 Madison, Wisconsin
 Sheet 1 of 2 Sheets
 Job No. 016002.01
 Office Map No 4-11692

