

November 3, 2014

Rob Phillips, P.E.
City of Madison Engineer
Room 115 City County Bldg.
210 Martin Luther King Jr. Blvd.
Madison, WI 53703

Petition to Discontinue / Vacate Public Way

Dear Mr. Phillips,

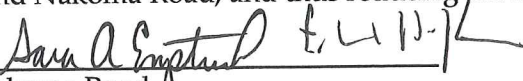
We are requesting the City of Madison discontinue the public way that adjoins the listed properties. The **public way is defined in EXHIBIT A** of this document, with the **area to be discontinued/vacated is generally located between the two private properties located at 3614 Nakoma Road and 3610 Nakoma Road**, there being a sidewalk in the public way that is currently and historical (to neighborhood recollection) has been maintained by private parties and has not been maintained by the City of Madison nor used as a public sidewalk.

Other than the periodic use by the adjacent property owner (primarily 3614 Nakoma), it has not been used as a public sidewalk on a regular basis to the knowledge of 3614 Nakoma owners since 2004 and to the knowledge of 3610 Nakoma ownership since 1970. It is neighbor's understanding that the public way was originally platted for trolley access to Nakoma Road for a home and lot that no longer exists, decades ago redistributed to 3610 and 3614 Spring Trail properties.

3614 Nakoma Road owner (Engstrand/Lightbourn) conducts primary maintenance efforts for the way such as snow removal and landscaping (cutting of hedge, buying/placing weed reducing mulch, and grass cutting) for the way.

The Engstrand/Lightbourn's have paid for significant repair to the original aged (estimated ~80 yrs) concrete stairs in the way during the fall of 2013. However, it is expected that a more extensive, complete replacement will need to be made in the medium term (5 years). Given the age of the concrete walk and steps in the way, and the concrete equipment access difficulty and cost in repairing them, it would be beneficial to clarify the City of Madison's future interest in maintaining the way so that improvements can be planned in an equitable fashion.

In addition due to the rain and snow melt drainage patterns from the surrounding hillside properties, the walkway and stairs as currently designed collect and accumulate ice during freeze thaw cycles, creating a dangerous situation. This use includes the US Postal service (primary user of the stairs to access the Lightbourn mailbox). It has been recommended by an architect (under contract with the Lightbourn's) that the area could be converted into a swale feature, directing the drainage into natural vegetation, instead of directly to the way's aging stairs and Nakoma Road, and thus reducing the buildup of ice.

Signed 
3614 Nakoma Road
ENGSTRAND, SARA A & EDWARD D LIGHTBOURN
PARCEL_NUMBER 251/0709-283-1219-2

phone: 608-231-9976

email: saraengstrand@yahoo.com

Signed ~~Joanna Mandt~~

3610 Nakoma Road
MANDT JT TRUST, M C & J M
PARCEL_NUMBER 251/0709-283-1220-9

phone: 608-231-1675
email: JBMandt@gmail.com

Signed DALEY, SETH H

3614 Spring Trail
DAILEY, SETH H & IRIS KURMAN
PARCEL_NUMBER 251/0709-283-1215-0

Signed Paul G. Ladell

3610 Spring Trail
LADELL, PAUL G
PARCEL_NUMBER 251/0709-283-1216-8



EXHIBIT A

Public Way Description

That portion of a public way lying adjacent to Lot 1, Block 1, plat of Blocks 1 to 11 Nakoma, recorded as Document No. 354655, City of Madison, Dane County, Wisconsin, said area to be discontinued described as follows:

Beginning at the southeast corner of said Lot 1, Block 1; thence S 75°56' W, 125 feet along the northerly side of said Public Way, also being the southerly line of said Lot 1, Block 1 to the southwest corner of said Lot 1, Block 1; thence S 13°04' E, 8 feet along the Easterly line of Lot 18, Block 1, Replat A of Blocks 1, 2, 11 and Other Land Nakoma (hereinafter referred to as Replat) to the northwest corner of Lot 22, Block 1 of said Replat; thence N 75°56' E, 125 feet to the northeast corner of said Lot 22, Block 1 of Replat; thence N 13°04' W, 8 feet, more or less, along the westerly right of way of Nakoma Road to the point of beginning.

