

CITY OF MADISON, WISCONSIN

REPORT OF: City Traffic Engineer

For Approving Plans and Specifications and Assessing Improvement Cost for The Installation of Street Lights in Heather Glenn Replat

Filed in the Office of the City Traffic Engineer September 27, 2005

Filed in the City Clerks Office:

Presented	Feb 21, 2006 <del>November 15, 2005</del>
Referred	
Reported Back	
Adopt	
Rules Suspended	
Re-Referred	
Placed on File	
LD. NUMBER	

Date Council Action Required: November 15, 2005

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 **\$ 19,303.50**
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.

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

DATED: January 21, 2005

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 Heather Glenn 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  
Heather Glen  
City of Madison, Dane County, Wisconsin**


WHEREAS, MB Real Estate I, LLC, owner of the Development/Plat known as Heather Glen, 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 11<sup>th</sup> day of January, 2005.

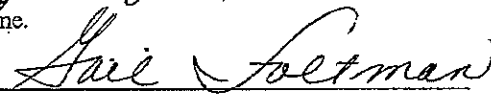
**MB REAL ESTATE I, LLC**  
By: Veridian Development, LLC, Its Sole Member

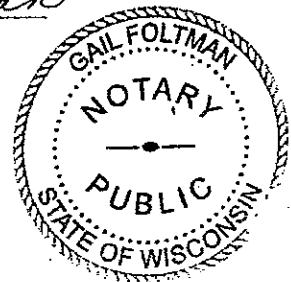
  
\_\_\_\_\_  
Donald A. Esposito, Jr. Assistant Secretary

State of Wisconsin)  
County of Dane )ss

Personally came before me this 11<sup>th</sup> day of January, 2005.

The above named Donald A. Esposito, Jr. Assistant Secretary of MB Real Estate I, LLC to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

  
\_\_\_\_\_  
Notary Public, Dane County, Wisconsin  
My Commission Expires February 25, 2007



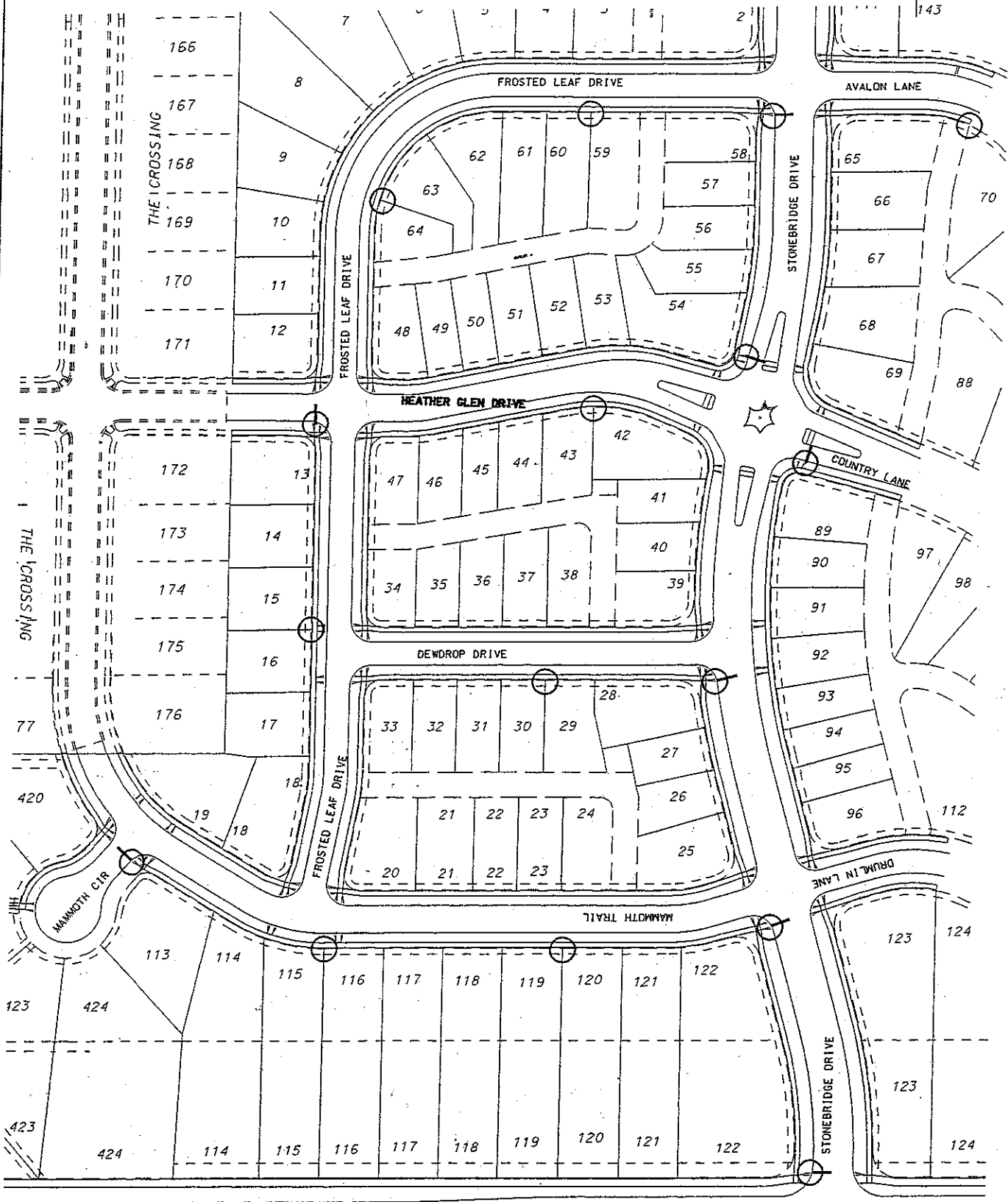
Return to: City Traffic Engineering Division  
Suite 100, Madison Municipal Building  
215 Martin Luther King Jr. Blvd,  
PO Box 2986, Madison, WI 53701-2986

**EXHIBIT A  
HEATHER GLEN REPLAT  
SCHEDULE OF ASSESSMENTS**

Parcel Number	OwnersNames	Owner Address	City State Zip	Lot	Unit Parcel	Factor	Factored Parcels	Cost Per	
								Unit Parcel	Assessment
0608-114-1524-4	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 1.	1	1	1	\$ 227.10	\$ 227.10
0608-114-1525-2	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 2.	1	1	1	\$ 227.10	\$ 227.10
0608-114-1527-8	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 3.	1	1	1	\$ 227.10	\$ 227.10
0608-114-1528-6	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 4.	1	1	1	\$ 227.10	\$ 227.10
0608-114-1529-4	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 5.	1	1	1	\$ 227.10	\$ 227.10
0608-114-1530-1	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 6.	1	1	1	\$ 227.10	\$ 227.10
0608-114-1531-9	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 7.	1	1	1	\$ 227.10	\$ 227.10
0608-114-1532-7	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 8.	1	1	1	\$ 227.10	\$ 227.10
0608-114-1533-5	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 9.	1	1	1	\$ 227.10	\$ 227.10
0608-114-1534-3	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 10.	1	1	1	\$ 227.10	\$ 227.10
0608-114-1535-1	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 11.	1	1	1	\$ 227.10	\$ 227.10
0608-114-1536-9	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 12.	1	1	1	\$ 227.10	\$ 227.10
0608-114-1309-0	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 13.	1	1	1	\$ 227.10	\$ 227.10
0608-114-1310-7	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 14.	1	1	1	\$ 227.10	\$ 227.10
0608-114-1311-5	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 15.	1	1	1	\$ 227.10	\$ 227.10
0608-114-1312-3	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 16.	1	1	1	\$ 227.10	\$ 227.10
0608-114-1313-1	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 17.	1	1	1	\$ 227.10	\$ 227.10
0608-114-1314-9	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 18.	1	1	1	\$ 227.10	\$ 227.10
0608-114-1315-7	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 19.	1	1	1	\$ 227.10	\$ 227.10
0608-114-2901-3	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 20.	1	1	1	\$ 227.10	\$ 227.10
0608-114-2902-1	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 21.	1	1	1	\$ 227.10	\$ 227.10
0608-114-2903-9	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 22.	1	1	1	\$ 227.10	\$ 227.10
0608-114-2904-7	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 23.	1	1	1	\$ 227.10	\$ 227.10
0608-114-2905-5	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 24.	1	1	1	\$ 227.10	\$ 227.10
0608-114-3001-0	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 25.	1	1	1	\$ 227.10	\$ 227.10
0608-114-3002-8	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 26.	1	1	1	\$ 227.10	\$ 227.10
0608-114-3003-6	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 27.	1	1	1	\$ 227.10	\$ 227.10
0608-114-3004-4	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 28.	1	1	1	\$ 227.10	\$ 227.10
0608-114-3005-2	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 29.	1	1	1	\$ 227.10	\$ 227.10
0608-114-3006-0	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 30.	1	1	1	\$ 227.10	\$ 227.10
0608-114-3007-8	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 31.	1	1	1	\$ 227.10	\$ 227.10
0608-114-3008-6	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 32.	1	1	1	\$ 227.10	\$ 227.10
0608-114-3009-4	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 33.	1	1	1	\$ 227.10	\$ 227.10
0608-114-2801-5	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 34.	1	1	1	\$ 227.10	\$ 227.10
0608-114-2802-3	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 35.	1	1	1	\$ 227.10	\$ 227.10
0608-114-2803-1	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 36.	1	1	1	\$ 227.10	\$ 227.10
0608-114-2804-9	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 37.	1	1	1	\$ 227.10	\$ 227.10
0608-114-2805-7	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 38.	1	1	1	\$ 227.10	\$ 227.10
0608-114-3101-8	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 39.	1	1	1	\$ 227.10	\$ 227.10
0608-114-3102-6	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 40.	1	1	1	\$ 227.10	\$ 227.10
0608-114-3103-4	MB REAL ESTATE I LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 41.	1	1	1	\$ 227.10	\$ 227.10



# EXHIBIT "B" HEATHER GLEN REPLAT



25' MOUNTING HEIGHT CONCRETE STREET LIGHT POLE ———— ○