

**AFFIDAVIT OF CORRECTION OF ANNEXATION DESCRIPTION**

STATE OF WISCONSIN )  
 ) ss.  
 COUNTY OF DANE )

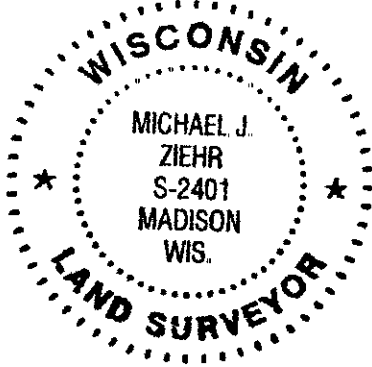
AFFIANT, Michael J. Ziehr, R.L.S., a registered land surveyor with Calkins Engineering, LLC, located at 5010 Voges Road, Madison, WI 53718, being first duly sworn, states as follows:

1. The annexation description attached hereto as Exhibit A, and the annexation scale map attached hereto as Exhibit B, represent the accurate legal description and scale map for the annexation originally described in the Schweiss unanimous petition for direct annexation of certain lands to the City of Madison, Dane County, Wisconsin, from the Town of Burke, Dane County, Wisconsin, which original petition was filed with the City Clerk of the City of Madison on June 7, 2006. Exhibits A and B were prepared by me on behalf of the petitioners on or about June 15, 2006. A copy of the original unanimous petition for direct annexation, with the original legal description and scale map attached thereto, is attached hereto as Exhibit C.

2. The original legal description and scale map, which were prepared by me on or about October 7, 2005, and which were attached to the original unanimous petition for direct annexation for the Schweiss annexation to the City of Madison, from the Town of Burke, contained minor technical errors which were not corrected by me until after the original annexation petition was filed with the City Clerk of the City of Madison and with the Clerk of the Town of Burke in June 2006. These minor technical errors were not material to the annexation description and scale map, and these minor technical errors did not mislead or prejudice any person who signed, or otherwise used, the original unanimous annexation petition.

Dated this 6<sup>TH</sup> day of July, 2006.

Michael J. Ziehr  
 Michael J. Ziehr, R.L.S.



06 JUL -7 PM 2:47

RECEIVED CITY CLERK'S OFFICE

Subscribed and sworn to before me this  
6<sup>th</sup> day of July, 2006.

Theresa J. McKenzie.  
Theresa J. McKenzie  
Notary Public, State of Wisconsin  
My Commission expires: 12/2/07

This instrument drafted by Michael J, Lawton

ANNEXATION DESCRIPTION

Part of the East half (1/2) of the Southwest Quarter of Section 35, Township 8 North, Range 10 East, Town of Burke, Dane County, Wisconsin, more fully described as follows:

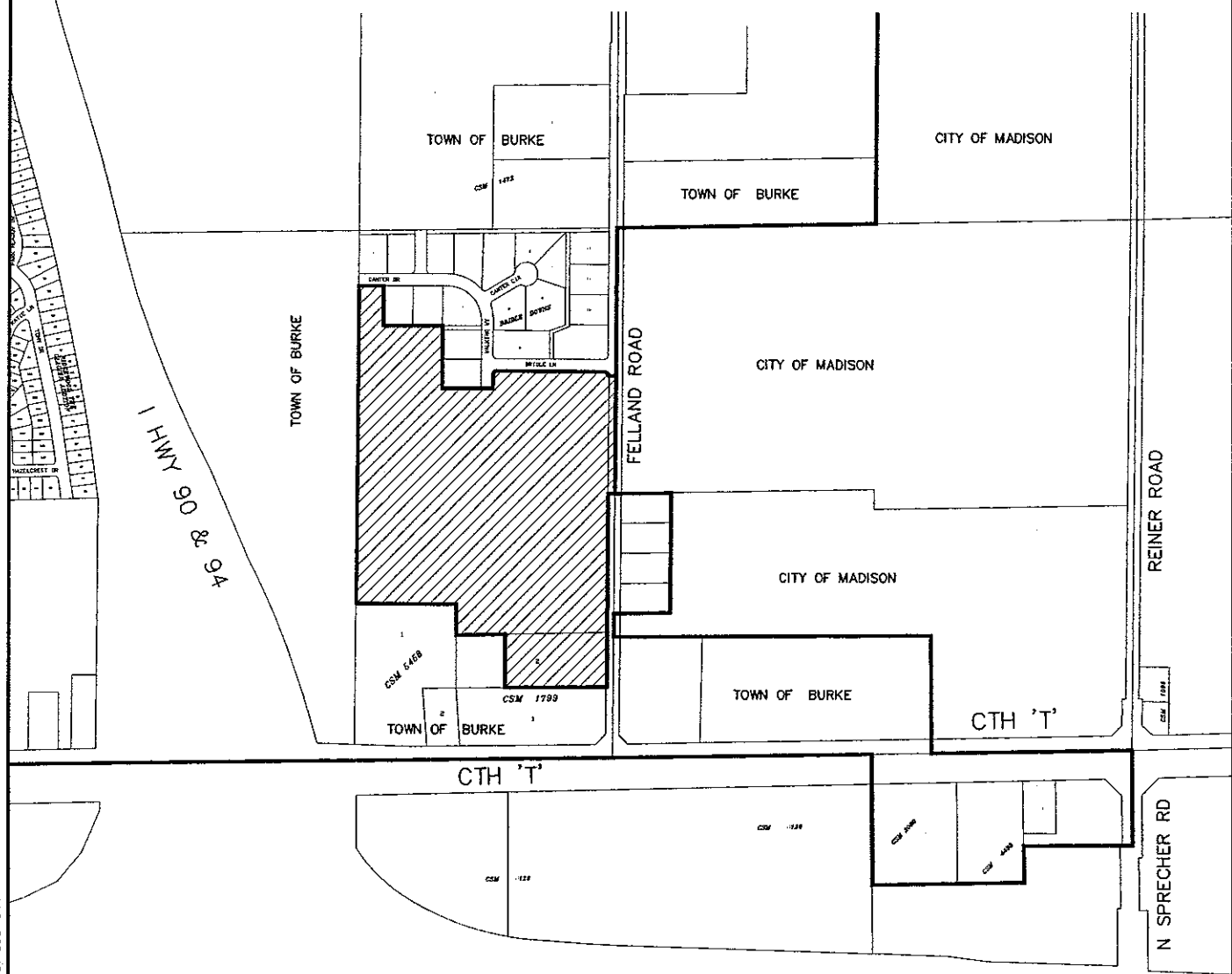
Beginning at the Northeast corner of the Southeast Quarter of the Southwest Quarter of said Section 35; thence South 89 degrees 36 minutes 27 seconds West, along the North line of the Southeast Quarter of the Southwest Quarter of said Section 35, 33.00 feet to the Westerly right-of-way line of Felland Road; thence South 00 degrees 26 minutes 14 seconds West, along said Westerly right-of-way line, 714.24 feet to the Easterly extension of the North line of Lot 2, Certified Survey Map (C.S.M.) number 1799; thence North 89 degrees 33 minutes 46 seconds West, along said Easterly extension of the North line of Lot 2, C.S.M. number 1799, 7.00 feet to the Northeast corner of said Lot 2 of C.S.M. number 1799; thence South 00 degrees 26 minutes 14 seconds West, along the East line of said Lot 2, C.S.M. number 1799, 272.70 feet to the Southeast corner of said Lot 2; thence North 89 degrees 33 minutes 46 seconds West, along the South line of said Lot 2, 508.06 feet to the Southeast corner of lands described in Volume 704 of Records, Page 268, Document Number 1478868; thence North 03 degrees 47 minutes 50 seconds West, along the Easterly line of said lands, 14.04 feet; thence North 00 degrees 26 minutes 14 seconds East, along the Easterly line of said lands, 258.70 feet to the North line of said Lot 2, C.S.M. number 1799; thence North 89 degrees 33 minutes 46 seconds West, along said North line, 250.00 feet to the Northwest corner of said Lot 2 and the East line of C.S.M. number 1799; thence North 00 degrees 26 minutes 14 seconds East, along said East line of C.S.M. number 5458, 156.28 feet to the Northeast corner of said C.S.M. number 5458; thence South 89 degrees 46 minutes 18 seconds West, along the North line of said C.S.M. number 5458, 512.70 feet to the West line of the East half (1/2) of the Southwest Quarter of said Section 35; thence North 00 degrees 24 minutes 55 seconds East, along said West line, 1601.94 feet to the Southwest corner of the plat of BRIDLE DOWNS, according to the recorded plat thereof, said point also being on the South right-of-way line of Canter Drive; thence South 89 degrees 33 minutes 46 seconds East, along the South line of said BRIDLE DOWNS plat, 122.38 feet; thence South 00 degrees 26 minutes 14 seconds West, along said South plat line, 200.00 feet; thence South 89 degrees 33 minutes 46 seconds East, along said South plat line, 300.00 feet; thence South 00 degrees 26 minutes 14 seconds West, along said South plat line, 309.92 feet; thence South 89 degrees 33 minutes 46 seconds East, along said South plat line, 260.00 feet; thence North 00 degrees 26 minutes 14 seconds East, along said South plat line, 70.00 feet to a point of curvature; thence along said South plat line and the arc of a curve to the right through a central angle of 89 degrees 58 minutes 58 seconds, an arc distance of 31.41 feet, a radius of 20.00 feet and a chord bearing North 45 degrees 26 minutes 14 seconds East, 28.28 feet; thence South 89 degrees 33 minutes 46 seconds East, along said South plat line, 550.00 feet to a point of curvature; thence along said South plat line and the arc of a curve to the right through a central angle of 89 degrees 58 minutes 58 seconds, an arc distance of 31.41 feet, a radius of 20.00 feet and a chord bearing South 44 degrees 33 minutes 46 seconds East, 28.28 feet to the Westerly right-of-way line of Felland Road; thence South 89 degrees 33 minutes 46 seconds East, 40.00 feet to the East line of the Southwest Quarter of said Section 35; thence South 00 degrees 26 minutes 14 seconds West, along said East line, 597.64 feet to the point of beginning. This description contains approximately 1,877,618 square feet or 43.1 acres.

EXHIBIT     A

# ANNEXATION TO THE CITY OF MADISON

ORDINANCE No. \_\_\_\_\_  
 FILE No. \_\_\_\_\_  
 DATE ADOPTED \_\_\_\_\_

DATE PUBLISHED \_\_\_\_\_  
 ALD. DISTRICT ATTACHED TO \_\_\_\_\_  
 AREA 43.1 ACRES OR 0.0673 SQ. MI.



SCALE: ONE INCH = EIGHT HUNDRED FEET

**KEY**

———— CITY OF MADISON LIMITS LINE

ANNEXATION AREA AND BOUNDARY



Collins Engineering, LLC 5010 Voices Road Madison, WI 53718 (608) 838-0444

REVISED: 06/15/06  
 REVISED: 10/07/05  
 DATE: 06/22/05  
 \projects\ROA10\base.dwg

**EXHIBIT**

**B**

FN: ROA10

**UNANIMOUS PETITION FOR DIRECT ANNEXATION  
UNDER § 66.0217(2), WIS. STATS.**

To the Mayor and Common Council of the City of Madison, Dane County, Wisconsin:

1. The undersigned hereby petition for direct annexation of the territory described on Exhibit A hereto to the City of Madison, Dane County, Wisconsin, whereby said territory would be detached from the Town of Burke, Dane County, Wisconsin, pursuant to § 66.0217(2), Wis. Stats.
2. Attached hereto as Exhibit B is a scale map which accurately reflects the legal description of the property to be annexed and the boundary of the annexing City and includes a graphic scale on the face of the map.
3. The current population of the territory proposed to be annexed is zero.
4. This petition has been signed by the owners of all of the land in area within the territory proposed to be annexed, and there are no electors residing within the territory proposed to be annexed.

Owners of All Lands Within the Territory Proposed to be Annexed:

Name of Owner: L. Norman Schweiss  
Address of Owner: P.O. Box 987  
Sun Prairie, WI 53590  
Date of Signing: November 15, 2005


Signature:

  
L. Norman Schweiss

---

Name of Owner: Darlene Schweiss  
Address of Owner: PO Box 987  
Sun Prairie, WI 53590  
Date of Signing: November 15, 2005

Signature:

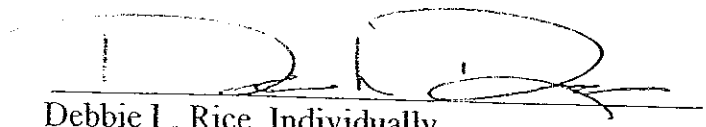
  
Darlene Schweiss

---

EXHIBIT C

Name of Owner: Debbie L. Rice  
Address of Owner: 1307 North 13<sup>th</sup> Street  
Wausau, WI 54403  
Date of Signing: November 14, 2005

Signature:

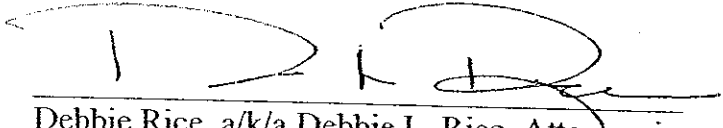
  
Debbie L. Rice, Individually

---

Name of Owner: Michelle M. McCarthy,  
a/k/a Michele McCarthy Kaiser  
Address of Owner: 1307 North 13<sup>th</sup> Street  
Wausau, WI 54403  
Date of Signing: November 16, 2005

Michelle M. McCarthy,  
a/k/a Michele McCarthy Kaiser

Signature: By:

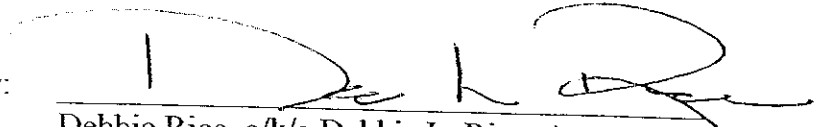
  
Debbie Rice, a/k/a Debbie L. Rice, Attorney-in-Fact (copy of power of attorney attached hereto)

---

Name of Owner: Jerome H. Eckel,  
a/k/a Jerome Eckel  
Address of Owner: 1307 North 13<sup>th</sup> Street  
Wausau, WI 54403  
Date of Signing: November 16, 2005

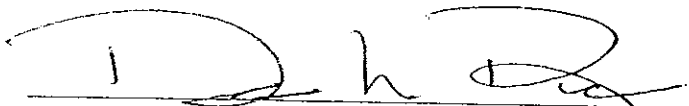
Jerome H Eckel, a/k/a Jerome Eckel

Signature: By:

  
Debbie Rice, a/k/a Debbie L. Rice, Attorney-in-Fact (copy of power of attorney attached hereto)

Name of Owner: Molly Borreson  
Address of Owner: 1307 North 13<sup>th</sup> Street  
Wausau, WI 54403  
Date of Signing: November 16, 2005

Molly Borreson

Signature: By:   
Debbie Rice, a/k/a Debbie L. Rice, Attorney-in-  
Fact (copy of power of attorney attached hereto)

---

Name of Owner: Elaine M. Olson, Personal Representative of the  
Estate of John M. Eckel, Deceased  
Address of Owner: 50 Whitcomb Circle, #14  
Madison, WI 53711  
Date of Signing: December 12, 2005

Signature: Elaine M. Olson  
Elaine M. Olson, Personal Representative of the  
Estate of John M. Eckel, Deceased



ANNEXATION DESCRIPTION

Part of the East half (1/2) of the Southwest Quarter of Section 35, Township 8 North, Range 10 East, Town of Burke, Dane County, Wisconsin, more fully described as follows:

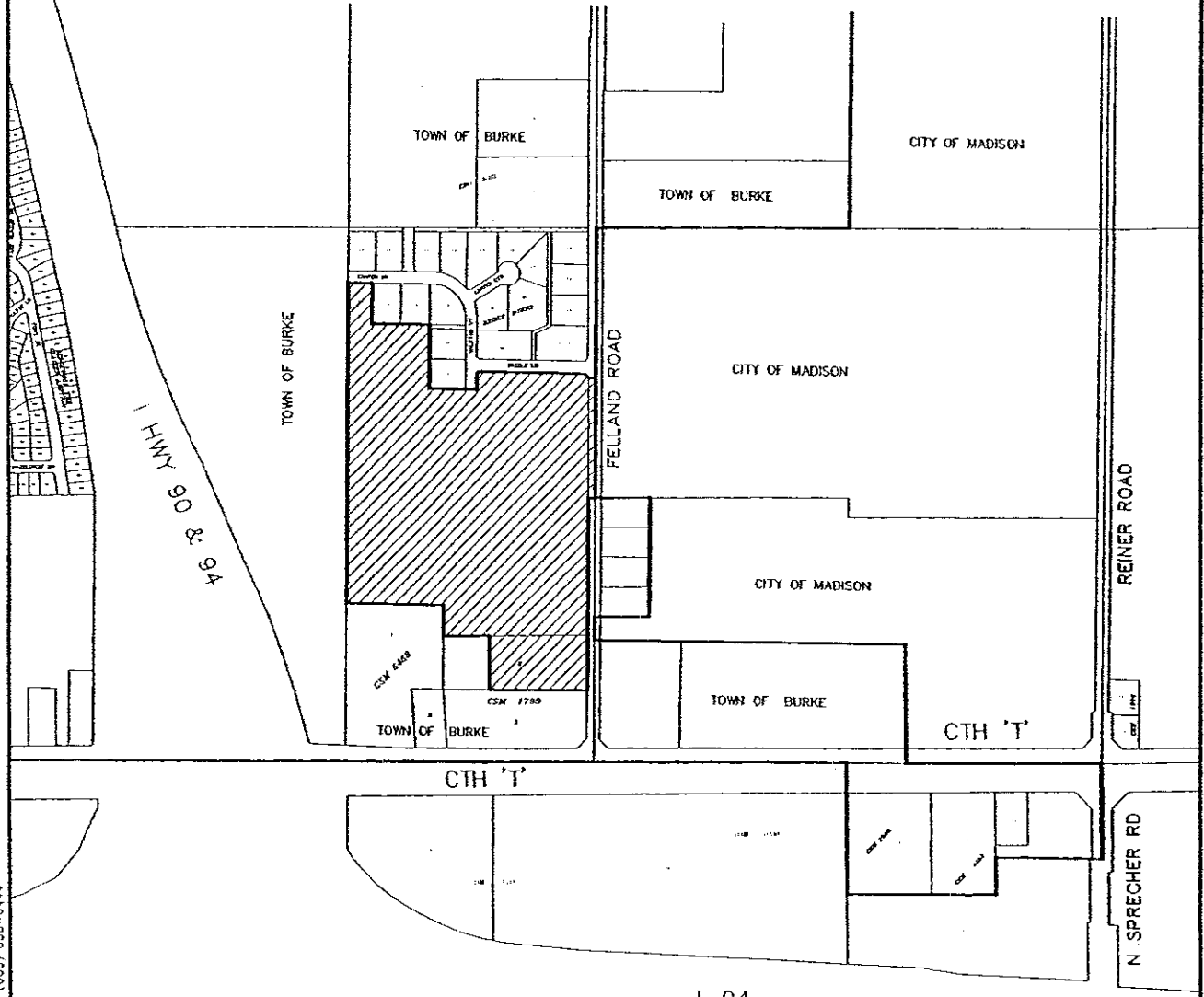
Beginning at the Northeast corner of the Southeast Quarter of the Southwest Quarter of said Section 35; thence South 89 degrees 36 minutes 27 seconds West, along the North line of the Southeast Quarter of the Southwest Quarter of said Section 35, 33.00 feet to the Westerly right-of-way line of Felland Road; thence South 00 degrees 26 minutes 14 seconds West, along said Westerly right-of-way line, 714.24 feet, to the Easterly extension of the North line of Certified Survey Map (C.S.M.) number 1799; thence North 89 degrees 33 minutes 46 seconds West, along said Easterly extension of the North line of C.S.M. number 1799, 7.00 feet to the Northeast corner of Lot 2 of said C.S.M. number 1799; thence South 00 degrees 26 minutes 14 seconds West, along the East line of said Lot 2, C.S.M. number 1799, 272.70 feet to the Southeast corner of said Lot 2; thence North 89 degrees 33 minutes 56 seconds West, along the South line of said Lot 2, 488.06 feet; thence North 03 degrees 47 minutes 50 seconds West, 14.06 feet; thence North 00 degrees 26 minutes 14 seconds East, 258.70 feet to the North line of said Lot 2, C.S.M. number 1799; thence North 89 degrees 33 minutes 46 seconds West, along said North line, 250.00 feet to the Northwest corner of said Lot 2 and the East line of C.S.M. number 1799; thence North 00 degrees 26 minutes 14 seconds East, along said East line of C.S.M. number 5458, 156.28 feet to the Northeast corner of said C.S.M. number 5458; thence South 89 degrees 46 minutes 18 seconds West, along the North line of said C.S.M. number 5458, 532.70 feet to the West line of the East half (1/2) of the Southwest Quarter of said Section 35; thence North 00 degrees 24 minutes 55 seconds East, along said West line, 1602.19 feet to the Southwest corner of the plat of BRIDLE DOWNS, according to the recorded plat thereof, said point also being on the South right-of-way line of Canter Drive; thence South 89 degrees 33 minutes 46 seconds East, along the South line of said BRIDLE DOWNS plat, 122.38 feet; thence South 00 degrees 26 minutes 14 seconds West, along said South plat line, 200.00 feet; thence South 89 degrees 33 minutes 46 seconds East, along said South plat line, 300.00 feet; thence South 00 degrees 26 minutes 14 seconds West, along said South plat line, 309.92 feet; thence South 89 degrees 33 minutes 46 seconds East, along said South plat line, 260.00 feet; thence North 00 degrees 26 minutes 14 seconds East, along said South plat line, 70.00 feet to a point of curvature; thence along said South plat line and the arc of a curve to the right through a central angle of 89 degrees 58 minutes 58 seconds, an arc distance of 31.41 feet, a radius of 20.00 feet and a chord bearing North 45 degrees 26 minutes 14 seconds East, 28.28 feet; thence South 89 degrees 33 minutes 46 seconds East, along said South plat line, 550.00 feet to a point of curvature; thence along said South plat line and the arc of a curve to the right through a central angle of 89 degrees 58 minutes 58 seconds, an arc distance of 31.41 feet, a radius of 20.00 feet and a chord bearing South 44 degrees 33 minutes 46 seconds East, 28.28 feet to the Westerly right-of-way line of Felland Road; thence South 89 degrees 33 minutes 46 seconds East, 40.00 feet to the East line of the Southwest Quarter of said Section 35; thence South 00 degrees 26 minutes 14 seconds West, along said East line, 597.64 feet to the point of beginning. This description contains approximately 1,869,173 square feet or 42.9 acres.

EXHIBIT     A

# ANNEXATION TO THE CITY OF MADISON

ORDINANCE No. \_\_\_\_\_  
 FILE No. \_\_\_\_\_  
 DATE ADOPTED \_\_\_\_\_

DATE PUBLISHED \_\_\_\_\_  
 ALD. DISTRICT ATTACHED TO \_\_\_\_\_  
 AREA 42.9 ACRES OR 0.0670 SQ. MI.



I-94



SCALE: ONE INCH = EIGHT HUNDRED FEET

**KEY**

———— CITY OF MADISON LIMITS LINE

ANNEXATION AREA AND BOUNDARY



Collins Engineering, LLC 5010 Vogels Road Madison, WI 53718 (608) 838-0444

REVISED: 10/07/05  
 DATE: 06/22/05  
 \projects\ROA10\base.dwg

EXHIBIT **B**

FN: ROA10

# POWER OF ATTORNEY TO DEBBIE RICE

**Basis of Power of Attorney:**

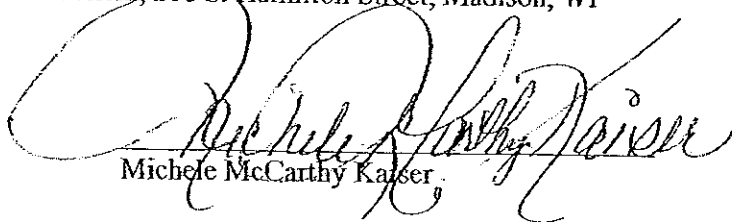
Jerome Eckel, Debbie Rice, Michele McCarthy Kaiser, and Molly Borreson (Eckel parties) are the joint owners of an undivided one-half interest in a 41 acre parcel in the Town of Burke, Dane County, Wisconsin, Parcel Nos. 014081035381608 and 014081035395004. L. Norman Schweiss and Darlene Schweiss (Schweiss parties) are the owners of the other undivided one-half interest in this parcel. All parties have accepted an Offer to Purchase this parcel by D & R Development Corp. It is probable that the purchaser will require signatures on numerous documents prior to the final closing of this transaction in order to comply with the terms of the Offer to Purchase. The Eckel parties have designated Debbie Rice to sign all documents on their behalf in regard to this transaction.

**Power of Attorney:**

1. NOW, THEREFORE, I, Michele McCarthy Kaiser, do hereby give Debbie Rice a Power of Attorney to sign on my behalf all documents required to conclude the real estate sale of a 41-acre parcel in the Town of Burke, Dane County, Wisconsin, Parcel Nos. 014081035381608 and 014081035395004 to D & R Development Corp.

2. This Power of Attorney does NOT include the power to sign the final warranty deed and final closing statement.

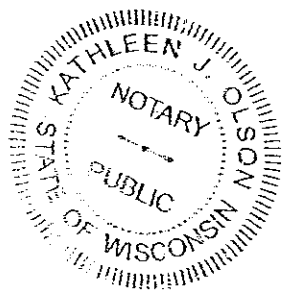
3. This Power of Attorney may be revoked 30 days after giving written notice to all of the Eckel parties and to Attorney Larry A. Haukom, 216 S. Hamilton Street, Madison, WI 53703.



Michele McCarthy Kaiser

STATE OF WISCONSIN    )  
  : S.S.  
COUNTY OF Marathon )

I affirm that Michele McCarthy Kaiser signed this Power of Attorney before me on the 15<sup>th</sup> day of June, 2005.



Kathleen J. Olson  
Notary Public, State of Wisconsin  
My Commission expires: 11-13-05

# POWER OF ATTORNEY TO DEBBIE RICE

## Basis of Power of Attorney:

Jerome Eckel, Debbie Rice, Michele McCarthy Kaiser, and Molly Borreson (Eckel parties) are the joint owners of an undivided one-half interest in a 41 acre parcel in the Town of Burke, Dane County, Wisconsin, Parcel Nos. 014081035381608 and 014081035395004. L. Norman Schweiss and Darlene Schweiss (Schweiss parties) are the owners of the other undivided one-half interest in this parcel. All parties have accepted an Offer to Purchase this parcel by D & R Development Corp. It is probable that the purchaser will require signatures on numerous documents prior to the final closing of this transaction in order to comply with the terms of the Offer to Purchase. The Eckel parties have designated Debbie Rice to sign all documents on their behalf in regard to this transaction.

## Power of Attorney:

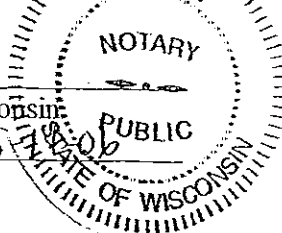
1. NOW, THEREFORE, I, Molly Borreson, do hereby give Debbie Rice a Power of Attorney to sign on my behalf all documents required to conclude the real estate sale of a 41-acre parcel in the Town of Burke, Dane County, Wisconsin, Parcel Nos. 014081035381608 and 014081035395004 to D & R Development Corp.
2. This Power of Attorney does NOT include the power to sign the final warranty deed and final closing statement.
3. This Power of Attorney may be revoked 30 days after giving written notice to all of the Eckel parties and to Attorney Larry A. Haukom, 216 S. Hamilton Street, Madison, WI 53703.

Molly Borreson  
Molly Borreson

STATE OF WISCONSIN )  
  : S.S.  
COUNTY OF Columbia )

I affirm that Molly Borreson signed this Power of Attorney before me on the 22nd  
day of June, 2005.

Pat Hoff  
Notary Public, State of Wisconsin  
My Commission expires: 5/18/06



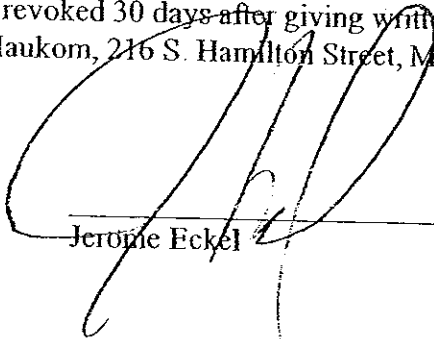
# POWER OF ATTORNEY TO DEBBIE RICE

## Basis of Power of Attorney:

Jerome Eckel, Debbie Rice, Michele McCarthy Kaiser, and Molly Borreson (Eckel parties) are the joint owners of an undivided one-half interest in a 41 acre parcel in the Town of Burke, Dane County, Wisconsin, Parcel Nos. 014081035381608 and 014081035395004. L. Norman Schweiss and Darlene Schweiss (Schweiss parties) are the owners of the other undivided one-half interest in this parcel. All parties have accepted an Offer to Purchase this parcel by D & R Development Corp. It is probable that the purchaser will require signatures on numerous documents prior to the final closing of this transaction in order to comply with the terms of the Offer to Purchase. The Eckel parties have designated Debbie Rice to sign all documents on their behalf in regard to this transaction.

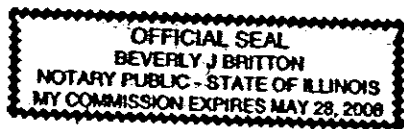
## Power of Attorney:


1. NOW, THEREFORE, I, Jerome Eckel, do hereby give Debbie Rice a Power of Attorney to sign on my behalf all documents required to conclude the real estate sale of a 41-acre parcel in the Town of Burke, Dane County, Wisconsin, Parcel Nos. 014081035381608 and 014081035395004 to D & R Development Corp.
2. This Power of Attorney does NOT include the power to sign the final warranty deed and final closing statement.
3. This Power of Attorney may be revoked 30 days after giving written notice to all of the Eckel parties and to Attorney Larry A. Haukom, 216 S. Hamilton Street, Madison, WI 53703.

  
\_\_\_\_\_  
Jerome Eckel

STATE OF ILLINOIS     )  
                                  : S.S.  
COUNTY OF Winnebago )

I affirm that Jerome Eckel signed this Power of Attorney before me on the 3  
day of November, 2005.



  
\_\_\_\_\_  
Notary Public, State of Wisconsin Flings  
My Commission expires: 5-28-08

COPY

For Official Use

STATE OF WISCONSIN, CIRCUIT COURT, DANE

COUNTY

IN THE MATTER OF THE ESTATE OF

Domiciliary Letters  
(Informal Administration)

John M. Eckel

Case No. 03-PR-1231

To: Elaine M. Olson  
50 Whitcomb Circle, Apt. 14  
Madison, WI 53711

The decedent, whose date of birth was Nov. 30, 1929 and date of death was May 7, 2003

died domiciled in Dane County, State of Wisconsin

You are granted domiciliary letters with general powers and duties of a personal representative.

Seal

LETTERS ISSUED BY

Marjorie H. Schuett  
Probate Registrar

Marjorie H. Schuett  
Name Printed or Typed

1/27/05  
Date

Name of Attorney/Personal Representative	Charles W. Giesen
Address	Giesen Law Offices, S.C., 14 S. Broom Street P.O. Box 909, Madison, WI 53701-0909
Telephone Number	(608) 255-8200