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RESOLUTION

KRISTI CHLEBOWSKI
DANE COUNTY
REGISTER OF DEEDS

DOCUMENT #
4984663

05/06/2013 2:31 PM
Trans. Fee:
Exempt #:
Rec. Fee: 30.00
Pages: 8

Use black ink

At the (City) / Village / Town) of Madison
Circle one

official meeting held on April 30, 2013, the following resolution was adopted concerning land in Dane County described as: See Attached.

(Give the legal description of the affected property or, if attached, say "see attached.")

Vacation/Discontinuance of South Side Way.
(SEE ATTACHED)

File #: 29482
Resolution #: RES-13-00309

A copy of the resolution is attached.

Recording area

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

PARCEL IDENTIFICATION NUMBER*
(*Not required for road right of ways)

Maribeth Witzel-Behl

Signature of City/Village/Town official

May 2, 2013

Date

Maribeth Witzel-Behl
Name printed

City Clerk of Madison
Title

STATE OF WISCONSIN, County of DANE

Subscribed and sworn to before me on May 2, 2013 by the above named person(s).

Signature of notary or other person authorized to administer an oath

[Signature]

This document was drafted by:
(print or type name below)
Eric A. Christianson

(as per s. 706.06, 706.07)

Print or type name: Eric A Christianson

Title Municipal Clerk 2

Date commission expires: 6-29-14

Names of persons signing in any capacity must be typed or printed below their signature.
DCROD 3/1/2002



City of Madison

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

Certified Copy

Resolution: RES-13-00309

File Number: 29482

Enactment Number: RES-13-00309

Vacation/Discontinuance of South Side Way (formerly Raywood Road) from the existing southern right-of-way line of Moorland Road / Raywood Road to the south terminus of said South Side Way (formerly Raywood Road) as dedicated by Certified Survey Maps 668, 1635 and 1698, being located in part of the Northeast one-quarter (1/4) of the Northeast one-quarter (1/4), and the Northwest one-quarter (1/4) of the Northeast one-quarter (1/4), and the Northwest one-quarter (1/4) of the Northeast one-quarter (1/4) of Section 31, Town 7 North, Range 10 East, City of Madison (formerly Town of Blooming Grove), Dane County, Wisconsin. (14th AD)

And authorizing the Mayor and City Clerk to execute Release of Right-of-Way Reservation documents administered by Office of Real Estate Services staff, reference Real Estate Project #10058, for various portions of reserved right-of-way for South Side Way per CSM 1635 at the Raywood Road intersection, right-of-way reservation for South Side Way continuation south to E. Clayton Road and Larsen Road and an un-named E-W right-of-way reservation connection to USH 14 / McCoy Road.

WHEREAS, South Side Way (formerly known and dedicated as Raywood Road) was dedicated to the public per recorded Certified Survey Maps 668, 1635 and 1698, Dane County Registry; and,

WHEREAS, this portion of South Side Way public right-of-way was never improved with the construction of a public street by the city of Madison; and,

WHEREAS, the City of Madison, as authorized by RES-13-00127, has entered into a Right-of-Way Vacation and Park Dedication Agreement with Highland Manor Associates, Limited Partnership (HMA), the owners of the Highland Manor mobile home community, which consists of the land set forth in CSM 668, regarding the conversion of the South Side Way public right-of-way at this location into public parkland and the construction of a severe weather shelter facility / parks recreation shared structure in this new parkland; and,

WHEREAS, the City of Madison has applied for and received approval for federal and state grant funds to construct the shelter facility within the South Side Way right-of-way running through the Highland Manor mobile home community; and,

WHEREAS, for the safe room project to move forward, it has been supported by City Parks, Planning, Attorney and Engineering Offices, and the Common Council through RES-13-00127, that the City vacate/discontinue the South Side Way unimproved public right-of-way, and accept rededication of the portion of South Side Way set forth in CSM 668 running through Highland Manor as parkland; and,

WHEREAS, there are currently three (3) abutting private property owners to South Side Way (Madison Metropolitan Sewerage District, HMA and The Farm Tavern Inc.) whom all support the proposed vacation of South Side Way; and,

WHEREAS, copies of Certified Survey Maps 668, 1635 and 1698, which depict the various portions of South Side Way (formerly Raywood Road) that are proposed to be vacated, are attached hereto

and made part of this street vacation resolution; and,

WHEREAS, the Office of Real Estate Services has established Real Estate Project No. 10058 to administer the necessary right-of-way reservations; and,

WHEREAS, the Office of Real Estate Services has established Real Estate Project No. 10059 to administer the necessary quit claim of vacated South Side Way associated with the Highland Manor property; and,

NOW THEREFORE BE IT RESOLVED, that the City Of Madison hereby authorizes the Mayor and City Clerk to execute right-of-way reservation release documents prepared by the Office of Real Estate Services and record said release documents with the Dane County Register of Deeds (Reference ORES Project No. 10058); and,

BE IT FURTHER RESOLVED, that the City Of Madison declares that it is in the public's interest to discontinue and vacate South Side Way (formerly known as Raywood Road) from Moorland Road / Raywood Road to the south terminus, in accordance with WI ss 66.1003(4) and said right-of-way is hereby conditionally vacated; and,

BE IT FURTHER RESOLVED, the recorded Certified Survey Map 668, 1635 and 1698 exhibits attached hereto and made part of this resolution, which depict the proposed vacation area, upon adoption of this resolution shall be recorded by the City Clerk with a certified copy of the resolution with the Dane County Register of Deeds; and,

BE IT FURTHER RESOLVED, under Section 66.1005(2), Wisconsin Statutes, any existing recorded public easements or incidental rights within the vacated street areas are perpetuated as part of this vacation, together with permanent access, construction and maintenance easements retained over the entire vacated street areas for perpetual public infrastructure rights relative, but not limited to, existing public storm sewer and drainage, sanitary sewer, water main and any potential future need for re-establishment of public street; and,

BE IT FURTHER RESOLVED, under Section 66.1005(1), Wisconsin Statutes, reversionary rights of vacated South Side Way public right-of-way will attach entirely to the adjacent properties, owned by Madison Metropolitan Sewerage District, HMA and The Farm Tavern Inc.; and,

BE IT FURTHER RESOLVED, following Common Council adoption and the City Clerk recording of the street vacation resolution and exhibits with the Dane County Register of Deeds, the reversionary interests of vacated South Side Way to the adjacent HMA owned property will be dedicated back to the City (Reference ORES Project No. 10059) by a new Certified Survey Map to be later approved and recorded with the Register of Deeds to facilitate the proposed project; and,

BE IT FURTHER RESOLVED, the new Certified Survey Map will create any new public easements or rights required as well as memorialize public easements retained by this street vacation for existing public infrastructure in place at the time of vacation that will not be abandoned and/or relocated; and,

BE IT FURTHER RESOLVED, following adoption of this resolution and the City Clerk recording said resolution with the Dane County Register of Deeds, title of the vacated street right-of-ways is effectively conveyed to the other two abutting properties (Madison Metropolitan Sewerage District and The Farm Tavern Inc.), and the City of Madison Assessor's Office will attach and include these vacated lands with the appropriate adjacent properties; and,

BE IT FINALLY RESOLVED, that upon Common Council adoption of this vacation resolution, all supplemental map exhibits made part of this street vacation resolution shall be attached by the City Clerk to a certified copy of the final resolution and recorded with the Dane County Register of Deeds.

I, Maribeth Witzel-Behl, certify that this is a true copy of Street Vacation No. 29482, adopted by the Common Council on April 30, 2013.

Maribeth Witzel-Behl

5-2-2013

Date Certified

Proposed South Side Way Vacation

Engineering Project No. 53W1585

Parcel "A" Area to be Vacated (Dedicated by CSM 668):

Reverts to Highland Manor Associates

1501 & 1515 Moorland Rd

0710-312-0097-7 & 0710-312-0096-9

Vacated area: 198,270.86 square feet, 4.552 acres

South Side Way (originally Raywood Road) right-of-way originally dedicated by Certified Survey Map No. 668, located in the NE1/4 of the NW1/4 of Section 31, T07N R10E, City of Madison, Dane County, Wisconsin, more particularly described as follows:

Commencing at the north Quarter-Corner of said Section 31, thence S00°50'07"W, 33.01 feet along the north-south Quarter Line of said Section 31 to the southerly right-of-way line of Moorland Road and the **point of beginning**; thence S00°50'07"W (S00°26'22"W), 149.51 feet along said Quarter Line to the northeast corner of Lot 2, Certified Survey Map No. 668; thence along the northwesterly line of said Lot 2, 280.27 feet on a curve to the right, radius 510.00 feet, central angle 31°29'12" (31°29'52"), long chord S44°40'00"W (S44°15'24"W), 276.75 (276.85) feet; thence along said northwesterly line, S60°22'39"W (S60°00'20"W), 874.04 (873.92) feet; thence along said northwesterly line, 380.33 feet on a curve to the left, radius 740.00 feet, central angle 29°26'53" (29°27'32"), long chord S45°42'56"W (S45°16'34"W), 376.16 (376.30) feet; thence along said northwesterly line, S30°55'43"W (S30°32'48"W), 130.50 (130.61) feet to the northwest corner of said Lot 2; thence N01°11'60"E (N00°48'01"E), 235.42 (235.48) feet along the west line of CSM 668 to the southwest corner of Lot 1, CSM 668; thence along the southeasterly line of said Lot 1, 368.10 feet on a curve to the right, radius 860.00 feet, central angle 24°31'26" (24°32'02"), long chord N48°10'39"E (N47°44'22"E), 365.29 (365.44) feet; thence along said southeasterly line, N60°22'39"E (N60°00'20"E), 873.92 feet; thence along said southeasterly line, 276.88 feet on a curve to the left, radius 390.00 feet, central angle 40°40'36" (40°37'40"), long chord N40°02'20"E (N39°41'30"E), 271.10 (270.79) feet; thence along the easterly line of said Lot 1, 48.15 feet on a curve to the left, radius 25.00 feet, central angle 110°20'45" (109°42'54"), long chord N35°24'43"W (N35°28'47"W), 41.04 (41.38) feet to the southerly right-of-way line of Moorland Road; thence along said southerly right-of-way line N89°26'58"E, 105.43 feet to the **point of beginning**.

Parcel "B" Area to be Vacated (Dedicated by CSM 1635):

Reverts to The Farm Tavern Inc.

1701 Moorland Rd

0710-311-0089-6

Vacated area: 4,619.64 square feet, 0.106 acres

South Side Way (originally Raywood Road) right-of-way originally dedicated by Certified Survey Map No. 1635, located in the NW1/4 of the NE1/4 of Section 31, T07N R10E, City of Madison, Dane County, Wisconsin, more particularly described as follows:

Commencing at the north Quarter-Corner of said Section 31, thence $S00^{\circ}50'07''W$, 33.01 feet along the north-south Quarter Line of said Section 31 to the southerly right-of-way line of Moorland Road and the **point of beginning**; thence $S00^{\circ}50'07''W$ ($S00^{\circ}26'22''W$), 149.51 feet along said Quarter Line to the westerly corner of Lot 1, Certified Survey Map No. 1635, also being the northeast corner of Lot 2, Certified Survey Map No. 668; thence along the northwesterly line of said Lot 1, 139.27 feet on a curve to the left, radius 510.00 feet, central angle $15^{\circ}38'46''$ ($15^{\circ}38'50''$), long chord $N21^{\circ}04'49''E$ ($N20^{\circ}41'05''E$), 138.84 (138.85) feet; thence along the said northwesterly line, 33.72 feet on a curve to the right, radius 25.00 feet, central angle $77^{\circ}17'09''$ ($77^{\circ}17'41''$), long chord $N51^{\circ}54'15''E$ ($N51^{\circ}30'30.5''E$), 31.22 (31.23) feet to the southerly right-of-way line of Moorland Road; thence along said southerly right-of-way line $N89^{\circ}26'53''W$, 72.33 feet to the **point of beginning**.

Parcel "C" Area to be Vacated (Dedicated by CSM 1698):

Reverts to Madison Metro Sewerage

1201 Moorland Rd

0710-312-0099-3

Vacated area: 27,678.66 square feet, 0.635 acres

South Side Way (originally Raywood Road) right-of-way originally dedicated by Certified Survey Map No. 1698, located in the NW1/4 of the NW1/4 of Section 31, T07N R10E, City of Madison, Dane County, Wisconsin, more particularly described as follows:

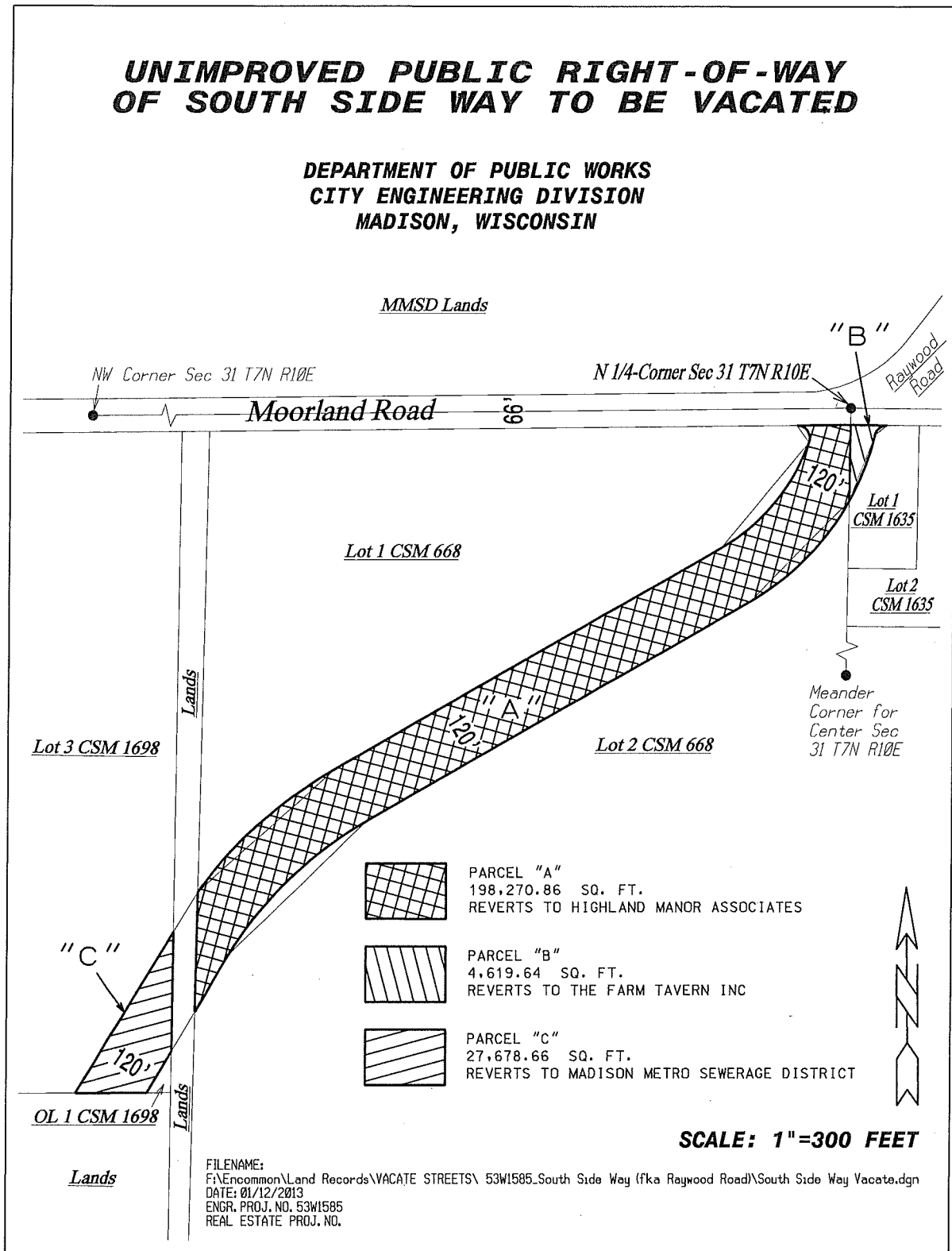
Commencing at the north Quarter-Corner of said Section 31, thence $S00^{\circ}50'07''W$, 33.01 feet along the north-south Quarter Line of said Section 31 to the southerly right-of-way line of Moorland Road; thence along said southerly right-of-way line, $S89^{\circ}26'58''W$, 1323.28 feet to the northeast corner of Lot 3, Certified Survey Map No. 1698; thence along the east line of said Lot 3, $S00^{\circ}43'06''W$ ($S00^{\circ}19'23''W$), 983.35 (978.23) feet to the **point of beginning**; thence along the southeasterly line of said Lot 3, $S31^{\circ}15'08''W$ ($S30^{\circ}32'48''W$), 369.81 (373.96) feet, to the south line of CSM 1698; thence along the said south line, $N89^{\circ}44'29''E$ ($N89^{\circ}20'40''E$), 140.30 (140.29) feet, to the northwesterly line of OL 1, CSM 1698; thence along said northwesterly line, $N30^{\circ}43'07''E$ ($N30^{\circ}32'48''E$), 95.19 (95.3) feet, to the east line of CSM 1698; thence along said east line, $N00^{\circ}43'06''E$ ($N00^{\circ}19'23''E$), 233.69 (238.38) feet, to the **point of beginning**.

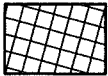

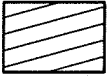
() recorded as

Bearing Basis: WCCS Dane Zone 83 (2007) feet

UNIMPROVED PUBLIC RIGHT-OF-WAY OF SOUTH SIDE WAY TO BE VACATED

**DEPARTMENT OF PUBLIC WORKS
CITY ENGINEERING DIVISION
MADISON, WISCONSIN**



-  PARCEL "A"
198,270.86 SQ. FT.
REVERTS TO HIGHLAND MANOR ASSOCIATES
-  PARCEL "B"
4,619.64 SQ. FT.
REVERTS TO THE FARM TAVERN INC
-  PARCEL "C"
27,678.66 SQ. FT.
REVERTS TO MADISON METRO SEWERAGE DISTRICT

SCALE: 1"=300 FEET

FILENAME:
F:\Enccommon\Land Records\VACATE STREETS\ 53W1585_South Side Way (fka Raywood Road)\South Side Way Vacate.dgn
DATE: 01/12/2013
ENGR. PROJ. NO. 53W1585
REAL ESTATE PROJ. NO.

NOTE: PLEASE BE ADVISED THAT THE DOCUMENT GRANTOR(S) HEREBY DIRECT VIEWERS TO IGNORE THE PRINTED TEXT MATERIAL 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: 5-2-2013
Name of grantor(s) or grantor(s) agent printed: Maribeth Witzel-Behl

NOTICE OF PUBLIC HEARING

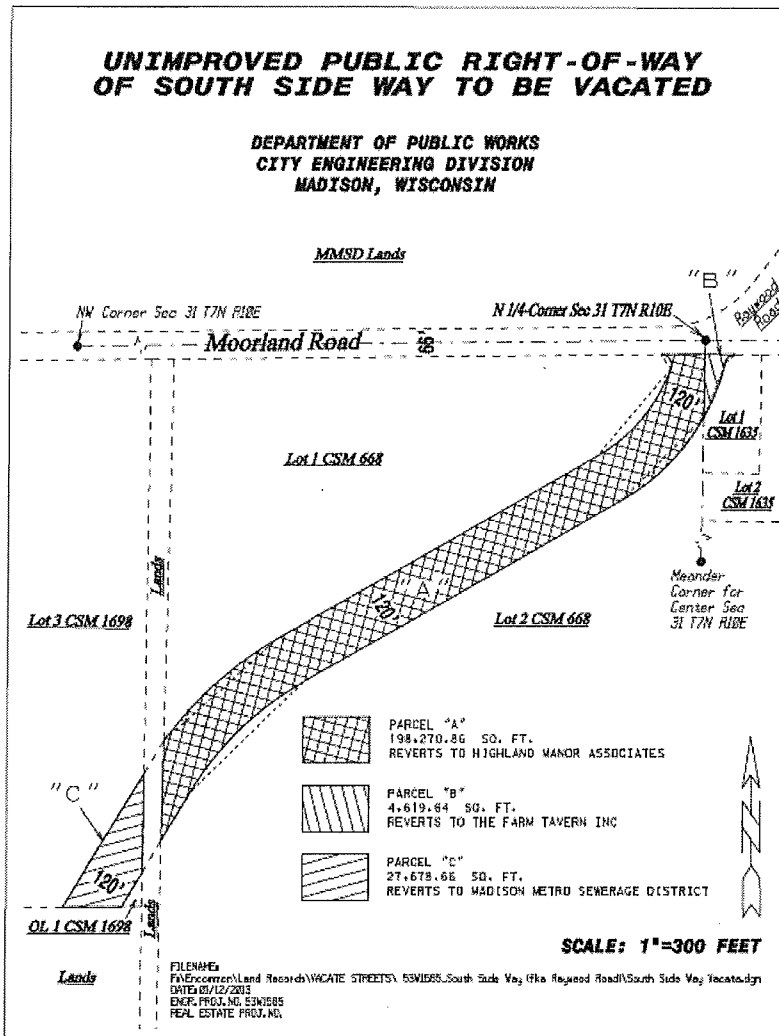
Vacation/Discontinuance of South Side Way (formerly Raywood Road) from the existing southern right-of-way line of Moorland Road / Raywood Road to the south terminus of said South Side Way

The City of Madison is proposing to vacate a portion of unimproved South Side Way from South Towne Dr/Raywood Rd/Moorland Road to the south terminus. A public hearing on the matter will be held at 6:45pm CDT, **Tuesday April 30, 2013** in the Common Council Chambers Room 201 City-County Building 210 Martin Luther King, Jr. Boulevard, Madison, Wisconsin, 53701-2983.

Copies of the proposed South Side Way street vacation resolution ID No. 29482 may be obtained from the Engineering Division Mapping Section located in the Larry D. Nelson Engineering Operations Facility, 1600 Emil St, Madison, Wisconsin and also available by searching "29482" on the following Legislative Information Center website:

<http://madison.legistar.com/Legislation.aspx>

Questions regarding the street vacation should be directed to Eric Pederson, Engineering Division Land Records Coordinator at (608) 266-4056 or epederson@cityofmadison.com.



Publication dates: April 12, 19 and 26, 2013

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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: 5/2/2013