

# CARLSON BLACK

CARLSON BLACK O'CALLAGHAN & BATTENBERG LLP

Dan O'Callaghan  
222 W. Washington Ave., Ste. 705  
Madison, WI 53703-2745  
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September 25, 2019

City of Madison  
City Clerk's Office  
10 Martin Luther King Jr Blvd, Room 103  
Madison, WI 53703

Town of Madison  
Town Clerk's Office  
2120 Fish Hatchery Rd.  
Madison, WI 53713

RE: Petition for Direct Attachment by 30 Nob Hill, LLC

Dear Sir or Madam:

Enclosed for filing is a Petition for Direct Attachment submitted on behalf of our client 30 Nob Hill, LLC.

Please do not hesitate to contact me with any questions or concerns.

Very truly yours,

**CARLSON BLACK O'CALLAGHAN & BATTENBERG LLP**



Daniel O'Callaghan  
Partner

Enclosure

cc: Mark Binkowski



30 NOB HILL LLC, a Wisconsin limited liability company  
Petitioner

PETITION FOR DIRECT ATTACHMENT PURSUANT TO A COOPERATIVE PLAN ENTERED  
INTO PURSUANT TO § 66.0307 OF THE WISCONSIN STATUTES

30 Nob Hill LLC, a Wisconsin limited liability company (“Petitioner”), having a mailing address of 10 East Doty Street, Suite 300, Madison, Wisconsin 53703, hereby petitions the City of Madison for attachment as follows:

1. Petitioner is the owner of that certain real property having a street address of 30 Nob Hill Road and Parcel Identification Number 032/0709-361-8405-7 located in the Town of Madison, County of Dane, State of Wisconsin (Petitioner’s “Town Parcel”), as legally described on the attached Exhibit A and depicted on the scale map attached hereto as Exhibit B, showing the boundaries of the Town Parcel and the relationship of such parcel to the City of Madison.

2. Petitioner’s Town Parcel is adjacent to another parcel of real estate owned by Petitioner, having a street address of 30 Nob Hill Road and Parcel Identification Number 251/0709-361-0092-7, located in the City of Madison, County of Dane, State of Wisconsin (the Petitioner’s “City Parcel”).

3. The Town of Madison and the City of Madison are entering into an Early Attachment and Revenue Sharing Agreement for the 30 Nob Hill Road Property authorizing the early attachment of Petitioner’s Town Parcel to the City of Madison in order to facilitate Petitioner’s intended redevelopment of the Town Parcel and City Parcel.

4. Petitioner hereby petitions and requests that Petitioner’s Town Parcel, consisting of approximately 40,729 square feet (0.001461 square miles), or approximately 0.935 acres, be attached to the City of Madison.

5. The current population of the Petitioner’s Town Parcel is zero. There currently exists one building located on the Petitioner’s Town Parcel: a single-story metal warehouse comprising 4,872 square feet.

6. Petitioner requests that the Petitioner’s Town Parcel be attached with permanent zoning in the Suburban Employment (SE) district, which is the same zoning designation that currently exists for Petitioner’s City Parcel.

Dated this 25<sup>th</sup> day of September, 2019.

PETITIONER:  
30 NOB HILL LLC,  
a Wisconsin limited liability company

By: MBM  
Name: MARK BINKOWSKI



Title: MANAGER



**EXHIBIT A**

**LEGAL DESCRIPTION**

PART OF GOVERNMENT LOT 1, LOCATED IN THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 07 NORTH, RANGE 09 EAST, TOWN OF MADISON, DANE COUNTY, WISCONSIN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 36, AFORESAID; THENCE SOUTH 00 DEGREES 23 MINUTES 38 SECONDS WEST ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 36, AFORESAID, 1,133.33 FEET; THENCE SOUTH 89 DEGREES 36 MINUTES 22 SECONDS EAST, 1,786.16 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF U.S.H. '12' & '18', ALSO BEING THE POINT OF BEGINNING; THENCE NORTH 31 DEGREES 38 MINUTES 18 SECONDS EAST ALONG SAID RIGHT-OF-WAY LINE, 231.95 FEET; THENCE NORTH 58 DEGREES 07 MINUTES 33 SECONDS EAST ALONG SAID RIGHT-OF-WAY LINE, 106.02 FEET; THENCE NORTH 85 DEGREES 52 MINUTES 22 SECONDS EAST ALONG SAID RIGHT-OF-WAY LINE, 7.76 FEET TO THE WEST LINE OF THE EAST HALF OF GOVERNMENT LOT 1, AFORESAID, ALSO BEING THE CURRENT CORPORATE BOUNDARY LINE OF THE CITY OF MADISON; THENCE SOUTH 00 DEGREES 23 MINUTES 26 SECONDS WEST ALONG SAID WEST LINE AND CORPORATE BOUNDARY, 282.42 FEET TO THE CENTERLINE OF NOB HILL ROAD; THENCE SOUTH 88 DEGREES 47 MINUTES 05 SECONDS WEST ALONG SAID CENTERLINE LINE, 216.87 FEET; THENCE NORTH 01 DEGREES 12 MINUTES 55 SECONDS WEST, 33.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 40,729 SQUARE FEET OR 0.935 ACRES.



**EXHIBIT B**

**SCALE MAP**

[Attached]





RECEIVED  
SEP 25 2019  
MADISON CITY CLERK

## U.S.H. '12' & '18'

RIGHT-OF-WAY VARIES  
(N85°18'21"E)  
**N85°52'22"E 7.76'**

WITNESS CORNER FOR THE  
NORTH QUARTER CORNER  
SECTION 36-07-09  
FOUND ALUMINUM MONUMENT  
N=472,662.27  
E=823,818.75

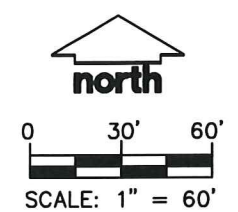
NORTH QUARTER CORNER  
SECTION 36-07-09  
NO MONUMENT  
N=472,193.33  
E=823,813.20

CENTER CORNER  
SECTION 36-07-09  
FOUND ALUMINUM MONUMENT  
N=469,549.11  
E=823,795.02

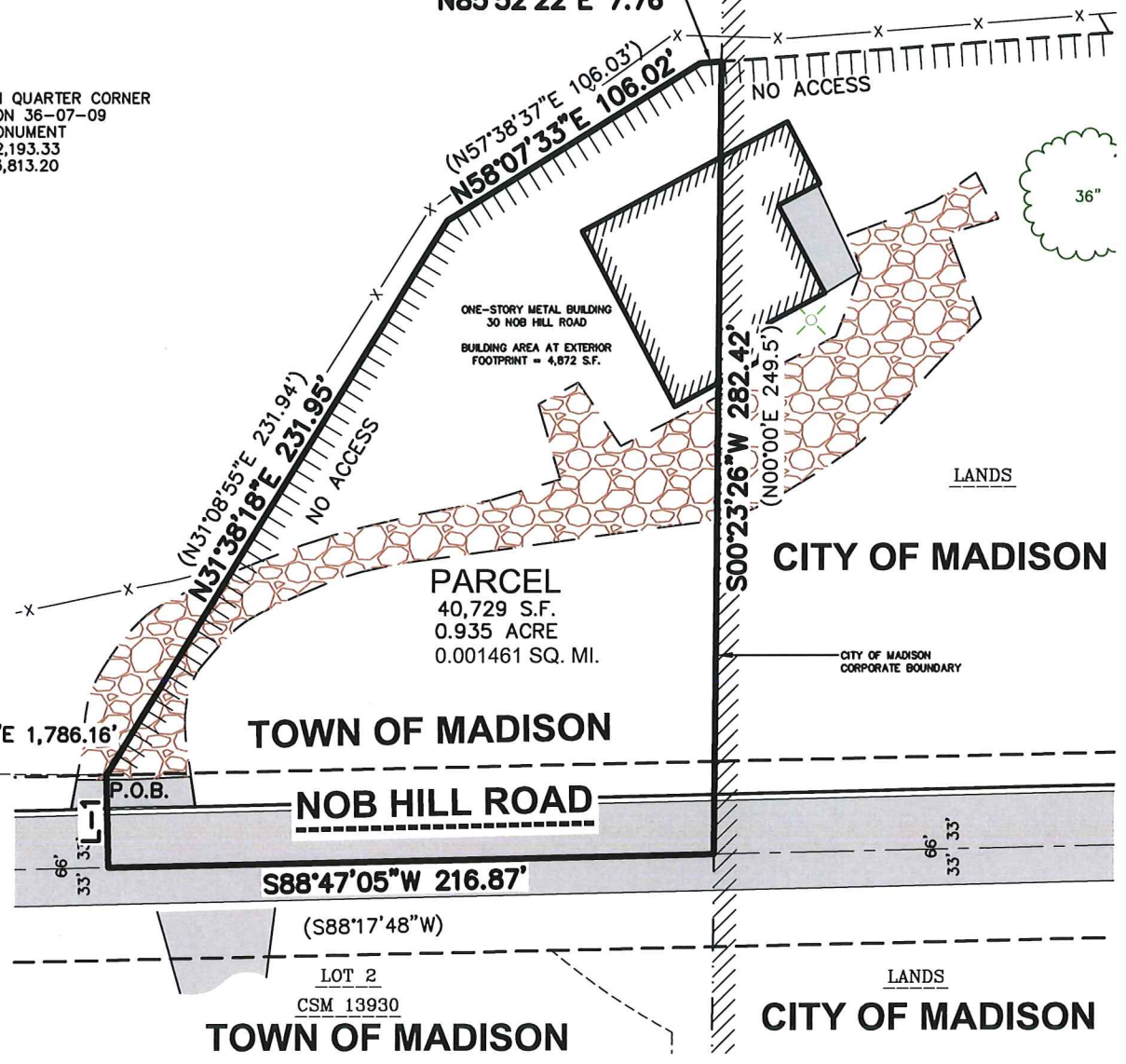
- LEGEND**
- GOVERNMENT CORNER
  - PARCEL BOUNDARY
  - CENTERLINE
  - RIGHT-OF-WAY LINE
  - SECTION LINE
  - PROPERTY LINE

**NOTES**

1. FIELD WORK PERFORMED ON MAY 17, 2018.
2. BEARINGS FOR THIS SURVEY AND MAP ARE BASED ON THE WISCONSIN COUNTY COORDINATE SYSTEM, DANE COUNTY. THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 36-07-09 BEARS S00°23'38"W.



LINE TABLE		
LINE	BEARING	DISTANCE
L-1	N01°12'55"W	33.00'



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**JSD** Professional Services, Inc.  
Engineers • Surveyors • Planners  
MADISON REGIONAL OFFICE  
161 HORIZON DRIVE, SUITE 101  
VERONA, WISCONSIN 53593  
P. 608.848.5060

PROJECT:  
**30 NOB HILL ROAD**

TOWN OF MADISON  
DANE COUNTY, WISCONSIN

SHEET TITLE:  
**SCALE MAP**

JSD PROJECT NUMBER:  
18-8595

DRAWN BY: CHECKED BY:  
JK TJB

DATE:  
SEPT. 24, 2019

SHEET NUMBER:  
1 OF 2



**DESCRIPTION**

PART OF GOVERNMENT LOT 1, LOCATED IN THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 07 NORTH, RANGE 09 EAST, TOWN OF MADISON, DANE COUNTY, WISCONSIN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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SAID PARCEL CONTAINS 40,729 SQUARE FEET OR 0.935 ACRES.

**SURVEYED FOR:**

URBAN LAND INTEREST  
10 EAST DOTY STREET, SUITE 300  
MADISON, WI 53703

File: I:\2018\188595\DWG\188595 Exhibit-2 User: jk Plotted: Sep 24, 2019 - 9:09am

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PROJECT:  
**30 NOB HILL ROAD**  
  
TOWN OF MADISON  
DANE COUNTY, WISCONSIN

SHEET TITLE:  
**SCALE MAP**

JSD PROJECT NUMBER:  
**18-8595**  
DRAWN BY: CHECKED BY:  
JK TJB  
DATE:  
SEPT. 24, 2019

SHEET NUMBER:  
**2 OF 2**