

RESOLUTION

RES-09-00683

This is to certify that the foregoing resolution was adopted by the Common Council of the City of Madison, Wisconsin at a meeting held on the 4 day of August 2009

DOCUMENT #  
4594405

09/11/2009 3:44 PM

Trans. Fee:  
Exempt #:

Rec. Fee: 31.00  
Pages: 11

Record this document with the Register of Deeds

Name and return address:  
Office of the City Clerk  
Room 103 - City-County Bldg.

Tax parcel no. NA

T. Adam Galgher  
Signature of Clerk

City Clerk of MADISON

Ray Fisher Maribeth Witzel-Beck  
Print Name of Clerk

Date 9/11/09

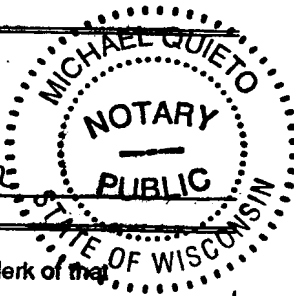
The above named person came before me this 11 day of September, 18 2009

Signature: [Signature]

Notary Public, State of Wisconsin

Name printed Michael Quieto

My commission expires: 3-18-2012



NOTE: the signature of a notary public is optional when an official municipal document is signed by the clerk of that municipality.

drafted by T. Adam Galgher  
T. Adam Galgher 11/31



# City of Madison

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

## Certified Copy

Resolution: RES-09-00683

File Number: 15089

Enactment Number: RES-09-00683

Vacation/Discontinuance of a portion of Wright Street from Mitchell Street north to previously vacated Miller Street, being located in part of the Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  and part of the Northeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 29, Town 08 North, Range 10 East, City of Madison, Dane County, Wisconsin, and authorizing the Mayor and City Clerk to accept a public easement from Dane County necessary to allow continued City of Madison access and any other incidental easement rights necessary to maintain the existing Lift Station No. 22 located at 2722 Wright Street as it remains in full operation. (17th AD)

**WHEREAS**, Dane County Regional Airport ("DCRA"), as sole adjacent property owner with reversionary interest, requests the City of Madison vacate the dead end portion of Wright Street from Mitchell Street to the north terminus to facilitate their proposed hangar expansion project; and

**WHEREAS**, "DCRA", as sole abutting property owner of 3499 Miller Street, retains sole legal reversionary interest of the Wright Street vacation area; and

**WHEREAS**, the City of Madison previously vacated a portion of Miller Street west of Wright Street as recorded November 29, 1994 as Document No. 2647548; and

**WHEREAS**, the City of Madison conditionally vacated the remaining portion of Miller Street and Hoffman Street from Miller Street south to Mitchell Street for a period of fifty years as recorded September 15, 2004 as Document No. 3967963; and

**WHEREAS**, although the City of Madison previously vacated all remaining portions of Miller Street, the address for City Parcel Identification Number 251/0810-291-0099-8 remains 3499 Miller Street due to the conditional fifty (50) year term and potential reversion to public right-of-way as defined in the previous vacation; and

**WHEREAS**, "DCRA" has proposed a hangar expansion project titled "South Ramp Hangar" to facilitate the increased "DCRA" needs and also erect some perimeter fencing and gates to increase security around the perimeter of the proposed hangar project located just north of Mitchell Street as identified on conceptual drawing Exhibit 7 prepared by Mead & Hunt for DCRA, which is made part of this resolution; and

**WHEREAS**, in order to accommodate such plans, "DCRA" has requested that the City of Madison vacate the dead end portion of Wright Street from Mitchell Street to the existing north terminus defined by the previous City of Madison vacation of Miller Street; and

**WHEREAS**, "DCRA" agrees to facilitate through Airport Operations the necessary 24 hours a day, seven days a week access to all existing public sanitary, water main and other public owned and maintained infrastructure within the Airport's secured perimeter; and

**WHEREAS**, most specifically, as a condition of approval for this proposed vacation, "DCRA" shall grant to the City of Madison, by separate recorded easement conveyance document, a secondary access easement to the City of Madison. This city access across DCRA lands will be an alternate

location allowing for continued city access to existing City of Madison Lift Station No. 22. The Lift Station is located within a public easement on "DCRA" lands adjacent to the west line of Wright Street near the north terminus of the proposed vacated area; and

**WHEREAS**, DCRA agrees to pay \$500 to the City of Madison to cover administrative costs and recording fees associated with the City of Madison Office of Real Estate Services processing of the public access easement grant from DCRA to the City of Madison Engineering Division for the lift station; and

**WHEREAS**, the alternate access easement area is east of Wright Street as depicted on Mead & Hunt prepared map Exhibit A - Lift Station Access Easement Map and legal description Exhibit B Lift Station Access Easement Legal, both which are made part of this Resolution; and

**WHEREAS**, "DCRA" shall construct the public lift station access road in accordance with plans prepared by "DCRA" and/or Mead & Hunt for the South Ramp Hangar. Site plans shall be submitted and approved by the appropriate City of Madison agencies. The access road design plans shall be reviewed and approved by the City Engineer.

**WHEREAS**, the City Of Madison Engineering Division does have public water main and public sanitary sewer facilities in close proximity of the proposed Wright Street vacation / discontinuance area. These facilities are within existing public easement documents 2872228 and 1416749 respectively. Any other incidental public easement rights for existing facilities within the proposed Wright Street at the time of vacation / discontinuance area are hereby retained within the vacated areas by this resolution under 80.32(4) WI Statutes; and

**WHEREAS**, City of Madison Engineering Division has created Project No. 53W0862-Wright Street Vacation; and

**WHEREAS**, the City of Madison Office of Real Estate Services has created Project No. 9187 to administer the public access easement; and

**NOW THEREFORE BE IT RESOLVED**, that the City Of Madison hereby conditionally discontinues and vacates part of Wright Street from Mitchell Street to the north terminus, being located in part of the Northeast 1/4 of Section 29, Town 08 North, Range 10 East, City of Madison, Dane County, Wisconsin under WI Ss 66.1003(2) in accordance with future City Engineer approved lift station access road construction plans as depicted on Map Exhibit C and Legal Description Exhibit D attached and made part of this Resolution; and

**NOW THEREFORE BE IT FURTHER RESOLVED**, under Section 80.32(4), Wisconsin Statutes, any existing easements or incidental rights within the vacated Wright Street are perpetuated as part of this vacation over the entire vacated Wright Street areas for perpetual public infrastructure rights relative, but not limited to, public storm sewer and drainage, sanitary sewer, water main and potential need for re-establishment of public street; and

**NOW THEREFORE BE IT FURTHER RESOLVED**, the City of Madison will neither permit nor allow any new buildings to be constructed by DCRA within 15 feet of the existing public sanitary sewer or water main facilities; and

**NOW THEREFORE BE IT FURTHER RESOLVED**, the Mayor and City Clerk are hereby authorized to sign all documents and accept a public easement from Dane County to allow continued City of Madison access and any other incidental easement rights necessary to maintain the existing Lift Station No. 22 located at 2722 Wright Street as it remains in full operation.

**NOW THEREFORE BE IT FURTHER RESOLVED**, under Section 66.1005(1), Wisconsin Statutes, reversionary rights of the portion of vacated Shaw and Swanson Street public right-of-ways will attach entirely to the adjacent abutting property at 2502 Swanson Street; and

**NOW THEREFORE BE IT FURTHER RESOLVED**, that the City Clerk validate this street vacation by recordation with the Dane County Register of Deeds, when instructed by the City Engineer to record, following satisfaction of all street vacation conditional requirements; and

**NOW THEREFORE BE IT FURTHER RESOLVED**, all five supplemental exhibits, Exhibits A, B, C and D and Exhibit 7 shall be attached to the final recorded resolution; and

**NOW THEREFORE BE IT FURTHER RESOLVED**, following adoption of this resolution and the City Clerk recording with the Dane County Register of Deeds, effectively conveying title of the vacated Wright Street right-of-way, the City of Madison Assessor's Office will include the vacated lands with the following City of Madison parcel and the respective owner:

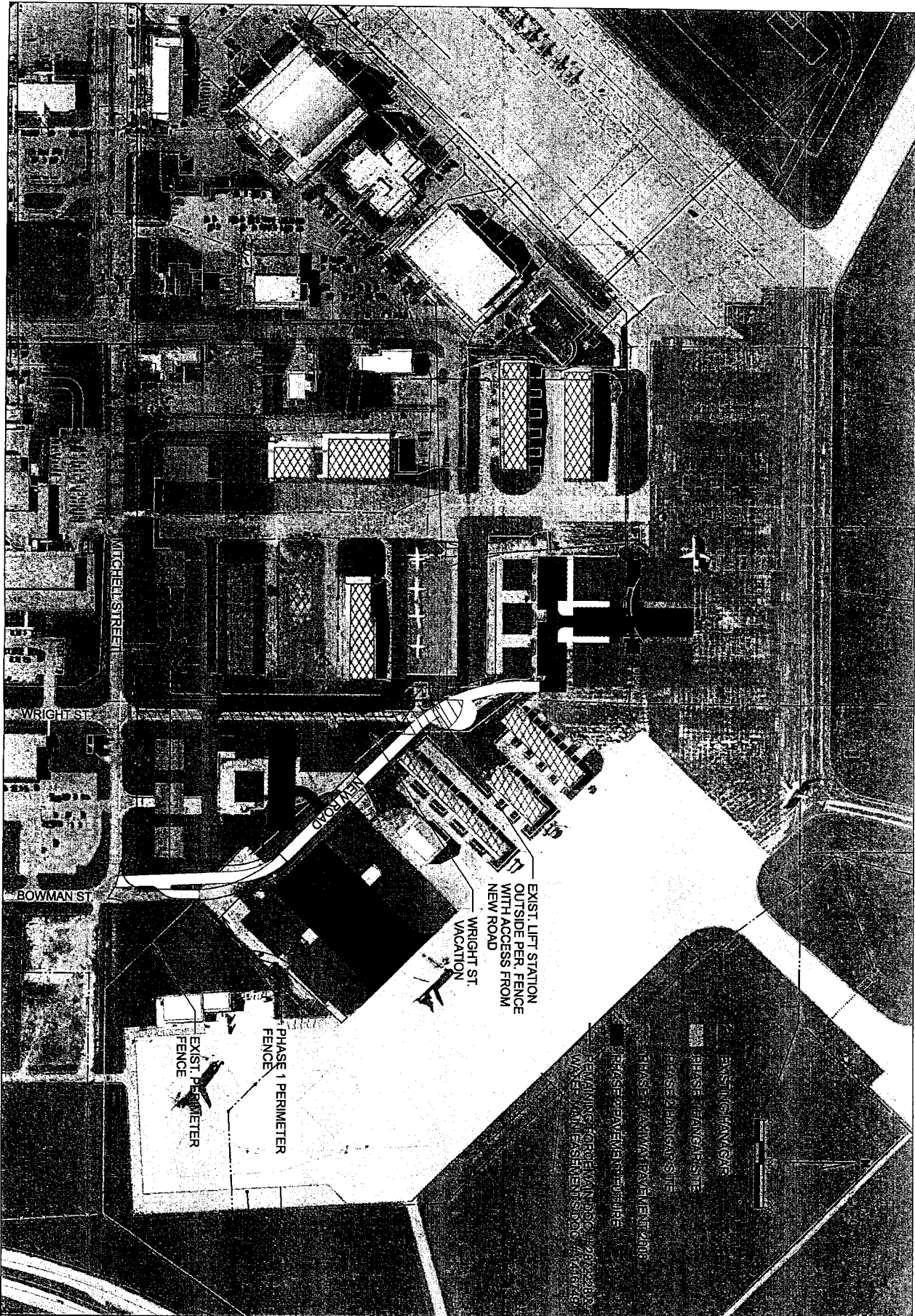
Dane County Regional Airport  
3499 Miller Street  
251/0810-291-0099-8

**NOW THEREFORE BE IT FURTHER RESOLVED**, following adoption of this resolution, the City of Madison Office of Real Estate Services shall administer and record with the Dane County register of Deeds the public lift station access easement.

I, Maribeth Witzel-Behl, certify that this is a true copy of Resolution No. 15089, passed by the COMMON COUNCIL on 8/4/2009.

  
\_\_\_\_\_  
Maribeth Witzel-Behl

  
\_\_\_\_\_  
Date Certified



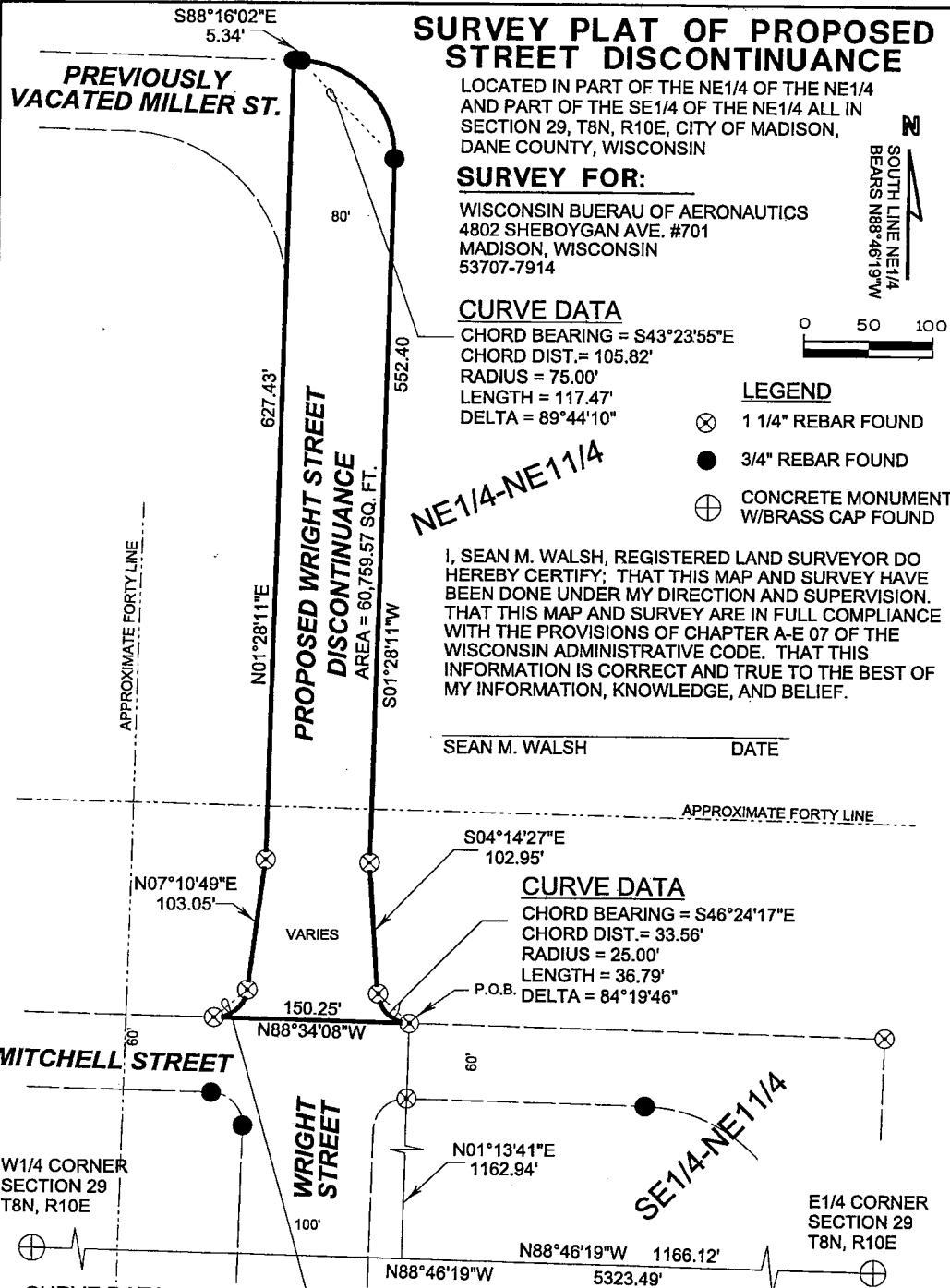
Viewers are advised to ignore the illegible text on this map. It is presented to show spatial relationships only.

Authorized by: *T. A. Callahan*

A/E PROJECT NO. SHEET NO. DATE SHEET NO.		DATE REVISED DESIGNED: GAS DRAWN: T.J.R. CHECKED: DNE		DANE COUNTY REGIONAL AIRPORT <b>MEAD &amp; HUNT</b>		NO. DATE REVISION INITIAL	
DANE COUNTY REGIONAL AIRPORT - TRIJAX FIELD <b>EXHIBIT 7          SOUTH RAMP HANGAR          LAYOUT 5</b>							

PLOT DATE : 2.15.2009

FILE NAME : X:\23099-36\08014\tech\dwg\ings\wright-vac plat\wright-plat.dwg



### SURVEY PLAT OF PROPOSED STREET DISCONTINUANCE

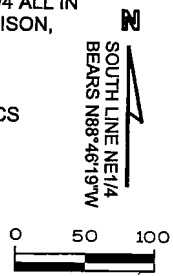
LOCATED IN PART OF THE NE1/4 OF THE NE1/4 AND PART OF THE SE1/4 OF THE NE1/4 ALL IN SECTION 29, T8N, R10E, CITY OF MADISON, DANE COUNTY, WISCONSIN

#### SURVEY FOR:

WISCONSIN BUERAU OF AERONAUTICS  
4802 SHEBOYGAN AVE. #701  
MADISON, WISCONSIN  
53707-7914

#### CURVE DATA

CHORD BEARING = S43°23'55"E  
CHORD DIST. = 105.82'  
RADIUS = 75.00'  
LENGTH = 117.47'  
DELTA = 89°44'10"



#### LEGEND

- ⊗ 1 1/4" REBAR FOUND
- 3/4" REBAR FOUND
- ⊕ CONCRETE MONUMENT W/BRASS CAP FOUND

I, SEAN M. WALSH, REGISTERED LAND SURVEYOR DO HEREBY CERTIFY; THAT THIS MAP AND SURVEY HAVE BEEN DONE UNDER MY DIRECTION AND SUPERVISION. THAT THIS MAP AND SURVEY ARE IN FULL COMPLIANCE WITH THE PROVISIONS OF CHAPTER A-E 07 OF THE WISCONSIN ADMINISTRATIVE CODE. THAT THIS INFORMATION IS CORRECT AND TRUE TO THE BEST OF MY INFORMATION, KNOWLEDGE, AND BELIEF.

SEAN M. WALSH \_\_\_\_\_ DATE \_\_\_\_\_

#### CURVE DATA

CHORD BEARING = S46°24'17"E  
CHORD DIST. = 33.56'  
RADIUS = 25.00'  
LENGTH = 36.79'  
DELTA = 84°19'46"

#### CURVE DATA

CHD BRG = N49°18'21"E  
CHORD DIST. = 33.54'  
RADIUS = 25.00'  
LENGTH = 36.76'  
DELTA = 84°15'08"



Mead & Hunt, Inc.  
6501 Watts Road, Suite 101  
Madison, Wisconsin 53719-2700  
Phone: (608) 273-6380  
Fax: (608) 273-6391

Dwg. No. 10655  
Sheet 1 of 2  
Job No. 23099-36-08014

## EXHIBIT B

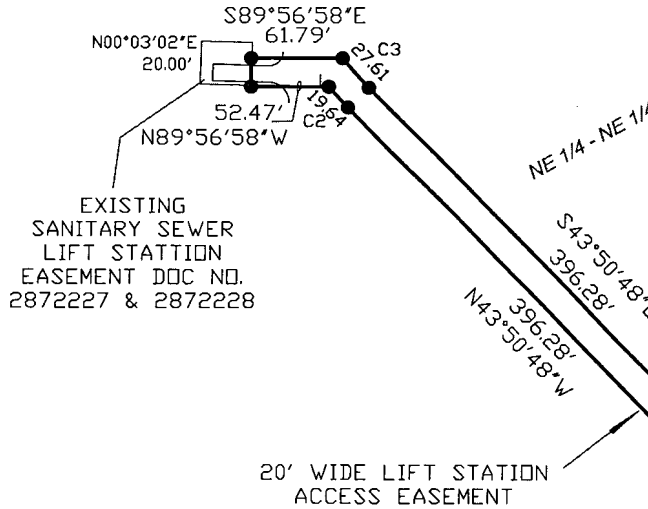
### LIFT STATION ACCESS EASEMENT

All that part of the Southeast quarter of the Northeast quarter and part of the Northeast quarter of the Northeast quarter of Section 29, Township 8 North, Range 10 East, City of Madison, Dane County, Wisconsin, bounded and described as follows:

Commencing at the East quarter corner of Section 29;  
Thence North  $88^{\circ}46'19''$  West, along the East/West quarter line of said Section, 816.01 feet;  
Thence North  $01^{\circ}13'41''$  East, 1161.88 feet to a point on the Northerly right-of-way line of Mitchell Street and the point of beginning of the lands hereinafter described;  
Thence North  $88^{\circ}41'47''$  West, 20.02 feet along said right-of-way line;  
Thence North  $01^{\circ}07'27''$  West, 150.92 feet to the PC of a 296.49 foot radius curve the center of which lies to the Southwest;  
Thence Northwesterly, 223.19 feet along the arc of said curve having a central angle of  $43^{\circ}07'56''$  and a chord bearing North  $22^{\circ}41'26''$  West, 217.96 feet to the PT of said curve;  
Thence North  $43^{\circ}50'48''$  West, 396.28 feet to the PC of a 360.00 foot radius curve the center of which lies to the Northeast;  
Thence Northwesterly, 19.64 feet along the arc of said curve having a central angle of  $03^{\circ}07'31''$  and a chord bearing North  $42^{\circ}17'02''$  West, 19.63 feet;  
Thence North  $89^{\circ}56'58''$  West, 52.47 feet;  
Thence North  $00^{\circ}03'02''$  East, 20.00 feet;  
Thence South  $89^{\circ}56'58''$  East, 61.79 feet to a point on the arc of a 340.00 foot radius curve the center of which lies to the Northeast;  
Thence Southeasterly, 27.61 feet along the arc of said curve having a central angle of  $04^{\circ}39'07''$  and a chord bearing South  $41^{\circ}31'14''$  East, 27.60 feet to the PT of said curve;  
Thence South  $43^{\circ}50'48''$  East, 396.28 feet to the PC of a 316.49 foot radius curve the center of which lies to the Southwest;  
Thence Southeasterly, 238.25 feet along the arc of said curve having a central angle of  $43^{\circ}07'56''$  and a chord bearing South  $22^{\circ}41'26''$  East, 232.66 feet;  
Thence South  $01^{\circ}07'27''$  East, 151.77 feet to the point of beginning.

EXHIBIT A  
**MAP OF ACCESS EASEMENT**

LOCATED IN PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 29, TOWN 8 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN.



CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	CHORD
C1	223.19'	296.49'	43°07'56"	N22°41'26"W 217.96'
C2	19.64'	360.00'	03°07'31"	N42°17'02"W 19.63'
C3	27.61'	340.00'	04°39'07"	S41°31'14"E 27.60'
C4	238.25'	316.49'	43°07'56"	S22°41'26"E 232.66'

I, Sean M. Walsh, Registered Wisconsin Land Surveyor do hereby certify:  
 That this survey and map have been made under my direction and supervision.  
 That this survey is in full compliance with the provisions of Chapter A-E 7 of the Wisconsin Administrative code.  
 That the information contained hereon is correct and true to the best of my information, knowledge and belief.



Mead & Hunt, Inc.  
 6501 Watts Road, Suite 201  
 Madison, Wisconsin 53719-2700  
 Phone: 608-273-6380  
 Fax: 608-273-6391

Dwg. No. \_\_\_\_\_  
 Sheet 1 of 2  
 Job No. 23099-36-09004



## WRIGHT STREET DISCONTINUANCE DESCRIPTION

Proposed discontinuance of a part of Wright Street located in part of the Northeast quarter of the Northeast quarter and part of the Southeast quarter of the Northeast quarter all in Section 29, Town 8 North, Range 10 East, City of Madison, Dane County, Wisconsin, bounded and described as follows:

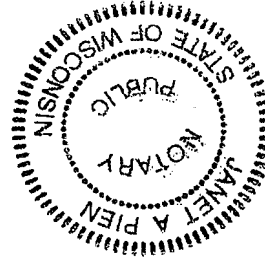
Commencing at the East quarter corner of Section 29;  
Thence North  $88^{\circ}46'19''$  West, along the South line of the Southeast quarter of the Northeast quarter of said Section 29, 1,166.12 feet;  
Thence North  $01^{\circ}13'41''$  East, 1162.94 feet to a point on the North right-of-way line of Mitchell Street and the point of beginning of the lands hereinafter described;  
Thence North  $88^{\circ}34'08''$  West, along said North line, 150.25 feet to a point on the arc of a curve having a radius of 25.00 feet, the center of which lies to the Northwest;  
Thence Northeasterly, 36.76 feet along the arc of said curve having a central angle of  $84^{\circ}15'08''$  and a chord bearing North  $49^{\circ}18'21''$  East, 33.54 feet;  
Thence North  $07^{\circ}10'49''$  East, 103.05 feet;  
Thence North  $01^{\circ}28'11''$  East, 627.43 feet;  
Thence South  $88^{\circ}16'02''$  East, 5.34 feet to a point on the arc of a 75.00 foot radius curve, the center of which lies to the Southwest;  
Thence Southeasterly, 117.47 feet along the arc of said curve having a central angle of  $89^{\circ}44'10''$  and a chord bearing South  $43^{\circ}23'55''$  East, 105.82 feet;  
Thence South  $01^{\circ}28'11''$  West, 552.40 feet;  
Thence South  $04^{\circ}14'27''$  East, 102.95 feet to a point on the arc of a 25.00 foot radius curve, the center of which lies to the Northeast;  
Thence Southeasterly, 36.79 feet along the arc of said curve having a central angle of  $84^{\circ}19'46''$  and a chord bearing South  $46^{\circ}24'17''$  East, 33.56 feet to the point of beginning.  
Said discontinuance containing 60,759.57 square feet of land.

MAILING AFFIDAVIT

VACATION/DISSCONTINUANCE OF A PORTION OF WRIGHT STREE FROM MITCHELL STREET TO VACATED MILLER STREET

I, Kathleen Rideout, being duly sworn on oath, acting on behalf of the City Clerk, deposes and says that she did on the 24th day of JULY, 2009 place in envelopes, addressed to each interested owner of respective addresses indicated below, Assessment Notices and delivered the envelopes to the Mail Room of the Dane County Printing and Services Division for postage and depositing in the United States Mail.

Kathleen M Rideout  
SIGNATURE



Subscribed and sworn to me this 3rd day of AUGUST, 2009

JANET A PIEN Janet Pien  
Notary Public, State of Wisconsin

My Commission Expires: 6/6/2010

Please take notice that in the Council Chambers of the City-County Building, 210 Martin Luther King Jr. Boulevard, on the 4th day of August, 2009, at 6:30 pm, the Common Council of the City of Madison will hold a Public Hearing on a resolution entitled:

Vacation/Discontinuance of a portion of Wright Street from Mitchell Street north to previously vacated Miller Street, being located in part of the Southeast ¼ of the Northeast ¼ and part of the Northeast ¼ of the Northeast ¼ of Section 29, Town 08 North, Range 10 East, City of Madison, Dane County, Wisconsin, and authorizing the Mayor and City Clerk to accept a public easement from Dane County necessary to allow continued City of Madison access and any other incidental easement rights necessary to maintain the existing Lift Station No. 22 located at 2722 Wright Street as it remains in full operation. (17th AD)

Dated this 24th day of July 2009.

CITY OF MADISON

BY: Maribeth Witzel-Behl  
Maribeth Witzel-Behl

PUB: WSJ JULY 24, 2009

Mailed to:  
Dane County Regional Airport  
Rodney Knight, Airport Counsel  
4000 International Lane  
Madison WI 53714

***PUBLIC HEARING***

Please take notice that in the Council Chambers of the City-County Building, 210 Martin Luther King Jr. Boulevard, on the **4th day of August, 2009, at 6:30 pm**, the Common Council of the City of Madison will hold a Public Hearing on a resolution entitled:

Vacation/Discontinuance of a portion of Wright Street from Mitchell Street north to previously vacated Miller Street, being located in part of the Southeast ¼ of the Northeast ¼ and part of the Northeast ¼ of the Northeast ¼ of Section 29, Town 08 North, Range 10 East, City of Madison, Dane County, Wisconsin, and authorizing the Mayor and City Clerk to accept a public easement from Dane County necessary to allow continued City of Madison access and any other incidental easement rights necessary to maintain the existing Lift Station No. 22 located at 2722 Wright Street as it remains in full operation. (17th AD)

Dated this 24th day of July, 2009.

CITY OF MADISON

BY: *Maribeth Witzel-Behl*  
Maribeth Witzel-Behl

PUB: WSJ JULY 24, 2009

