

RESOLUTION



9 1 0 9 9 2 4
Tx:8831288

KRISTI CHLEBOWSKI
DANE COUNTY
REGISTER OF DEEDS

DOCUMENT #
5304795

02/08/2017 9:37 AM
Trans. Fee:
Exempt #:
Rec. Fee: 30.00
Pages: 15

Recording area

Name and return address:

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)

Use black ink

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

Circle one

official meeting held on January 17, 2017, 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.")

Discontinuing and vacating portions of Merchant Street and
Graaskamp Way within the plat of The Center for Industry &
Commerce.
(SEE ATTACHED)

File #: 45286
Resolution #: RES-17-00047

A copy of the resolution is attached.

Maribeth Witzel-Behl

Signature of City/Village/Town official

February 8, 2017
Date

Maribeth Witzel-Behl
Name printed

City Clerk of Madison
Title

STATE OF WISCONSIN, County of DANE

Subscribed and sworn to before me on February 8, 2017 by the above named person(s).

Signature of notary or other person authorized
to administer an oath

[Signature]

(as per s. 706.06, 706.07)

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

Print or type name: Eric Christianson

Title Certified Municipal Clerk Date commission expires: 06-29-18

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-17-00047

File Number: 45286

Enactment Number: RES-17-00047

Discontinuing and vacating portions of Merchant Street and Graaskamp Way within the plat of The Center For Industry & Commerce to permit the partial re-division of the subdivision, being located in the Northwest 1/4 of Section 16, Township 8 North, Range 10 East, City of Madison, Dane County, Wisconsin. (17th AD)

WHEREAS, the plat of The Center For Industry & Commerce was conditionally approved by the City of Madison Common by Resolution No. 60240, File I.D. Number 33441, as adopted on the 18th of February, 2003 and the said Resolution provided for the acceptance of the lands dedicated for public street right-of-ways; and

WHEREAS, the plat of The Center For Industry & Commerce was subsequently recorded upon the satisfaction of the conditions of approval on the 8th of May, 2003 in Volume 58-024B of Plats on pages 129 - 134, as Document Number 3708481, Dane County Register of Deeds; and

WHEREAS, the Common Council adopted Resolution RES-13-00460, File I.D. Number 30382 on June 18, 2013 which authorized the execution of an "Agreement to Terminate the 'Agreement to Purchase and Undertake Development of the Northeast Industrial Property'" ("Purchase and Development Agreement") which was executed between the City of Madison ("City") and The Center for Industry & Commerce, LLC ("LLC") for the development of a mixed-use industrial park. Under the terms of the termination, the LLC deeded back to the City, at no cost, 14 lots containing approximately 24.21 acres of land, in exchange for a mutual termination of the Purchase and Development Agreement and being relieved of any remaining obligations, thus providing the City of Madison ownership and control of the remaining lands not yet purchased by a third party for development and sale; and

WHEREAS, the Common Council adopted Resolution RES-16-00714, File I.D. Number 44296, on September, 20, 2016 authorizing the execution of a Purchase and Sale Agreement between the City of Madison and St. John Properties Acquisitions, LLC for the purchase and option to purchase several lots, portions of lots and also portions of Merchant Street and Graaskamp Way proposed to be discontinued and vacated. Resolution RES-16-00714 provided that a separate resolution will be drafted and submitted by the City of Madison Engineer to vacate and discontinue portions of the public street right-of-ways currently known as Graaskamp Way and Merchant Street; and

WHEREAS, the Common Council adopted Resolution RES-16-00702, File I.D. Number 44236, on September, 20, 2016 amending RES-16-00567 authorizing the execution of a Purchase and Sale Agreement between the City of Madison and Greywolf Partners, Inc. for the purchase of Lots 32, 33 and 34 lying adjacent to a portion of Graaskamp Way proposed to be vacated and discontinued. Resolution RES-16-00702 states that the City and Greywolf Partners, Inc. agreed that the portion of Graaskamp Way south of John Wall Drive adjacent to the said Lots shall not be built and that the City of Madison is responsible for the discontinuance and vacation of that portion of Graaskamp Way as well as replatting of the discontinued right of way; and

WHEREAS, per the Purchase and Sale Agreement, St. John Properties Acquisitions, LLC is required

and is in the process of submitting an application with the Department of Planning & Community & Economic Development for the review and approval a Certified Survey Map re-dividing a portion of The Center for Industry & Commerce; and

WHEREAS, the proposed Certified Survey Map will dedicate and reconfigure public street right-of-ways and combine lots for development and future development. This Certified Survey Map may not be recorded until the proposed existing portions of the public for street right-of-ways have been properly vacated and discontinued under s. 66.1003 Wisconsin Statutes; and

WHEREAS, portions of Merchant Street and Graaskamp Way are proposed to be vacated and discontinued to permit the development proposed by St. John Properties Acquisitions, LLC, City of Madison Engineering staff has prepared the necessary public right-of-way vacation and discontinuance maps (Exhibit A) and legal descriptions (Exhibit B) delineating all of these areas to be vacated and discontinued which are attached hereto and made part of this resolution; and

WHEREAS, the existing lots adjacent to the portions of the roads to be discontinued and vacated have not been developed; and

WHEREAS, the City Of Madison currently has public storm water, sanitary sewer and water main facilities within the southern portions of the public right-of-ways to be vacated and discontinued as labeled and shown as Public Street and Utility Easements to be retained by the City of Madison on attached Exhibit A and described on attached Exhibit C, both of which are attached hereto and made part of this resolution.; and

WHEREAS, this vacation and discontinuance will not result in a landlocked parcel of property due to the current contiguous common ownership by the City of Madison of Lots within the plat of The Center for Industry & Commerce; and

WHEREAS, the City Engineering Division recommends approval of these public right-of-way vacations and discontinuances subject to conditions as noted herein.

NOW THEREFORE BE IT RESOLVED, that since the public interest requires it, the City Of Madison hereby conditionally vacates and discontinues the public right-of-ways as shown on attached maps and legal descriptions, under Wisconsin ss. 66.1003(4), upon completion of the following condition:

- St. John Properties Acquisitions, LLC shall obtain conditional Land Division and Land Use approvals for the proposed development that are consistent with, as determined by the City Engineer, the portions of Merchant Street and Graaskamp Way to be vacated and discontinued.

BE IT FURTHER RESOLVED, that under Section 66.1005(2), the City Of Madison hereby retains a Public Street and Utility Easement within a portion the public right-of-ways being vacated and discontinued as shown on attached Exhibit A and described on attached Exhibit C. The easement areas shall remain in force until terminated by the City of Madison by a separate instrument recorded at the Dane County Register of Deeds; and

BE IT FURTHER RESOLVED, under Section 66.1005(1), Wisconsin Statutes, reversionary rights of the public right-of-ways herein vacated and discontinued shall attach to the adjacent properties, all currently being owned by the City of Madison; and

BE IT FINALLY RESOLVED, upon Common Council adoption of this resolution and completion all street vacation and discontinuance conditions identified above to the satisfaction of the City Engineer, the City Engineer will then authorize the City Clerk to validate and make effective this street vacation and discontinuance by recording it with all supplemental map exhibits with the Dane County Register of Deeds, authorizing all City agencies to administer the appropriate workflows to complete and finalize all land record database updates.

I, City Clerk Maribeth Witzel-Behl, certify that this is a true copy of Resolution No. 17-00047, adopted by the Madison Common Council on January 17, 2017.

Maribeth Witzel-Behl

2-7-2017

Date Certified



City of Madison

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

Master

File Number: 45286

File ID: 45286	File Type: Resolution	Status: Passed
Version: 1	Reference:	Controlling Body: BOARD OF PARK COMMISSIONERS
		File Created Date : 11/29/2016
		Final Action: 01/17/2017

File Name: Discontinuing & vacating portions of Merchant St & Graaskamp Way within the plat of The Center For Industry & Commerce to permit the partial re-division of the subdivision, being located in the NW 1/4 of Sec 16, T 8 N, R 10 E, City of Madison, Dane County

Title: Discontinuing and vacating portions of Merchant Street and Graaskamp Way within the plat of The Center For Industry & Commerce to permit the partial re-division of the subdivision, being located in the Northwest 1/4 of Section 16, Township 8 North, Range 10 East, City of Madison, Dane County, Wisconsin. (17th AD)

Notes: Jeff Q.

CC Agenda Date: 01/17/2017

Agenda Number: 3.

Sponsors: Samba Baldeh

Effective Date: 01/20/2017

Attachments: Vicinity Map CIC discontinuances.pdf, EXHIBIT A CIC Discontinuances St Johns Version 3.pdf, EXHIBIT B Vacate Merchant Graaskamp 2016.pdf, EXHIBIT C CIC Esmts retained.pdf

Enactment Number: RES-17-00047

Author: Rob Phillips, City Engineer

Hearing Date:

Entered by: mhacker@cityofmadison.com

Published Date:

Approval History

Version	Date	Approver	Action
1	12/01/2016	Laura Larsen	Approve

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	11/29/2016	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						

	Notes:	Board of Public Works, Plan Commission				
1	COMMON COUNCIL	12/06/2016	Referred	BOARD OF PUBLIC WORKS	12/14/2016	Pass
	Action Text:	A motion was made by Verveer, seconded by Rummel, to Referred to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.				
	Notes:					
1	BOARD OF PUBLIC WORKS	12/06/2016	Referred	PLAN COMMISSION	12/12/2016	
	Action Text:	This Resolution was Referred to the PLAN COMMISSION				
	Notes:					
1	PLAN COMMISSION	12/12/2016	Return to Lead with the Recommendation for Approval	BOARD OF PUBLIC WORKS	12/14/2016	Pass
	Action Text:	A motion was made by Rewey, seconded by Zellers, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.				
	Notes:	On a motion by Rewey, seconded by Ald. Zellers, the Plan Commission recommended approval of this item. The motion passed by voice vote / other.				
1	BOARD OF PUBLIC WORKS	12/14/2016	RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING		01/17/2017	Pass
	Action Text:	Rob Phillips, City Engineering Division, presented project details. Motion made by Branson, second by Haack to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING (Public Hearing is scheduled for January 17, 2017 Common Council Meeting). Ald. Skidmore disclosed he had been involved with design work on this project and said he recused himself from the vote. Motion passed on the following roll-call: Ayes: 5 Harold P. Dahl; David J. Branson; Jaclyn D. Lawton; Claudia Haack and Kenneth G. Johnson Recused: 1 Paul E. Skidmore Excused: 2 Larry Palm and Sara Z. Walling				
1	COMMON COUNCIL	01/17/2017	Adopt and Close the Public Hearing			Pass
	Action Text:	A motion was made by Rummel, seconded by DeMarb, to Adopt and Close the Public Hearing. The motion passed by voice vote/other with Ald. Skidmore abstaining.				
	Notes:					

Text of Legislative File 45286

Fiscal Note

No City funding required. This resolution authorizes the vacation and discontinuance of approximately 222,170 sq. ft. or 5.10 acres of portions of Merchant Street and Graaskamp Way within the plat of The Center For Industry & Commerce and does not require expenditure of City funds.

Title

Discontinuing and vacating portions of Merchant Street and Graaskamp Way within the plat of The Center For Industry & Commerce to permit the partial re-division of the subdivision, being located in the Northwest 1/4 of Section 16, Township 8 North, Range 10 East, City of Madison, Dane County, Wisconsin. (17th AD)

Body

WHEREAS, the plat of The Center For Industry & Commerce was conditionally approved by the City of Madison Common by Resolution No. 60240, File I.D. Number 33441, as adopted on the 18th of February, 2003 and the said Resolution provided for the acceptance of the lands dedicated for public street right-of-ways; and

WHEREAS, the plat of The Center For Industry & Commerce was subsequently recorded upon the satisfaction of the conditions of approval on the 8th of May, 2003 in Volume 58-024B of Plats on pages 129 - 134, as Document Number 3708481, Dane County Register of Deeds; and

WHEREAS, the Common Council adopted Resolution RES-13-00460, File I.D. Number 30382 on June 18, 2013 which authorized the execution of an "Agreement to Terminate the 'Agreement to Purchase and Undertake Development of the Northeast Industrial Property'" ("Purchase and Development Agreement") which was executed between the City of Madison ("City") and The Center for Industry & Commerce, LLC ("LLC") for the development of a mixed-use industrial park. Under the terms of the termination, the LLC deeded back to the City, at no cost, 14 lots containing approximately 24.21 acres of land, in exchange for a mutual termination of the Purchase and Development Agreement and being relieved of any remaining obligations, thus providing the City of Madison ownership and control of the remaining lands not yet purchased by a third party for development and sale; and

WHEREAS, the Common Council adopted Resolution RES-16-00714, File I.D. Number 44296, on September, 20, 2016 authorizing the execution of a Purchase and Sale Agreement between the City of Madison and St. John Properties Acquisitions, LLC for the purchase and option to purchase several lots, portions of lots and also portions of Merchant Street and Graaskamp Way proposed to be discontinued and vacated. Resolution RES-16-00714 provided that a separate resolution will be drafted and submitted by the City of Madison Engineer to vacate and discontinue portions of the public street right-of-ways currently known as Graaskamp Way and Merchant Street; and

WHEREAS, the Common Council adopted Resolution RES-16-00702, File I.D. Number 44236, on September, 20, 2016 amending RES-16-00567 authorizing the execution of a Purchase and Sale Agreement between the City of Madison and Greywolf Partners, Inc. for the purchase of Lots 32, 33 and 34 lying adjacent to a portion of Graaskamp Way proposed to be vacated and discontinued. Resolution RES-16-00702 states that the City and Greywolf Partners, Inc. agreed that the portion of Graaskamp Way south of John Wall Drive adjacent to the said Lots shall not be built and that the City of Madison is responsible for the discontinuance and vacation of that portion of Graaskamp Way as well as replatting of the discontinued right of way ; and

WHEREAS, per the Purchase and Sale Agreement, St. John Properties Acquisitions, LLC is required and is in the process of submitting an application with the Department of Planning & Community & Economic Development for the review and approval a Certified Survey Map re-dividing a portion of The Center for Industry & Commerce; and

WHEREAS, the proposed Certified Survey Map will dedicate and reconfigure public street right-of-ways and combine lots for development and future development. This Certified Survey Map may not be recorded until the proposed existing portions of the public for street right-of-ways have been properly vacated and discontinued under s. 66.1003 Wisconsin Statutes; and

WHEREAS, portions of Merchant Street and Graaskamp Way are proposed to be vacated and discontinued to permit the development proposed by St. John Properties Acquisitions, LLC, City of Madison Engineering staff has prepared the necessary public right-of-way vacation and discontinuance maps (Exhibit A) and legal descriptions (Exhibit B) delineating all of these areas to be vacated and discontinued which are attached hereto and made part of this resolution; and

WHEREAS, the existing lots adjacent to the portions of the roads to be discontinued and vacated have not been developed; and

WHEREAS, the City Of Madison currently has public storm water, sanitary sewer and water main facilities within the southern portions of the public right-of-ways to be vacated and discontinued as labeled and shown as Public Street and Utility Easements to be retained by the City of Madison on attached Exhibit A and described on attached Exhibit C, both of which are attached hereto and made part of this resolution.; and

WHEREAS, this vacation and discontinuance will not result in a landlocked parcel of property due to the current contiguous common ownership by the City of Madison of Lots within the plat of The Center for Industry & Commerce; and

WHEREAS, the City Engineering Division recommends approval of these public right-of-way vacations and discontinuances subject to conditions as noted herein.

NOW THEREFORE BE IT RESOLVED, that since the public interest requires it, the City Of Madison hereby conditionally vacates and discontinues the public right-of-ways as shown on attached maps and legal descriptions, under Wisconsin ss. 66.1003(4), upon completion of the following condition:

- St. John Properties Acquisitions, LLC shall obtain conditional Land Division and Land Use approvals for the proposed development that are consistent with, as determined by the City Engineer, the portions of Merchant Street and Graaskamp Way to be vacated and discontinued.

BE IT FURTHER RESOLVED, that under Section 66.1005(2), the City Of Madison hereby retains a Public Street and Utility Easement within a portion the public right-of-ways being vacated and discontinued as shown on attached Exhibit A and described on attached Exhibit C. The easement areas shall remain in force until terminated by the City of Madison by a separate instrument recorded at the Dane County Register of Deeds; and

BE IT FURTHER RESOLVED, under Section 66.1005(1), Wisconsin Statutes, reversionary rights of the public right-of-ways herein vacated and discontinued shall attach to the adjacent properties, all currently being owned by the City of Madison; and

BE IT FINALLY RESOLVED, upon Common Council adoption of this resolution and completion all street vacation and discontinuance conditions identified above to the satisfaction of the City Engineer, the City Engineer will then authorize the City Clerk to validate and make effective this street vacation and discontinuance by recording it with all supplemental map exhibits with the Dane County Register of Deeds, authorizing all City agencies to administer the appropriate workflows to complete and finalize all land record database updates.

NW CORNER SECTION 16 T8N, R10E

N 89°04'44" E 883.38' HOEPKER ROAD

N 1/4 CORNER SECTION 16 T8N, R10E



DEPARTMENT OF PUBLIC WORKS
CITY ENGINEERING DIVISION
MADISON, WISCONSIN

**EXHIBIT "A" PARTS OF
MERCHANT ST &
GRAASKAMP WAY
TO BE VACATED**

PORTION OF
MERCHANT STREET
TO BE DISCONTINUED
128,999 S.F. - 2.9614 AC

PORTION OF
GRAASKAMP WAY
TO BE DISCONTINUED
93,171 S.F. - 2.1389 AC

U.S.H. "51"



GRAPHIC SCALE
1" = 200'

FILENAME: F:\Common\Land Records\WAGATE STREETS\B0002205 CIC Street Vacations 2016\Drawings\CIC Discontinuance St Johns Version 3.dgn
DATE: 11/29/2016
ENGR: PROJ. NO. B0002205

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

Date: February 8, 2017

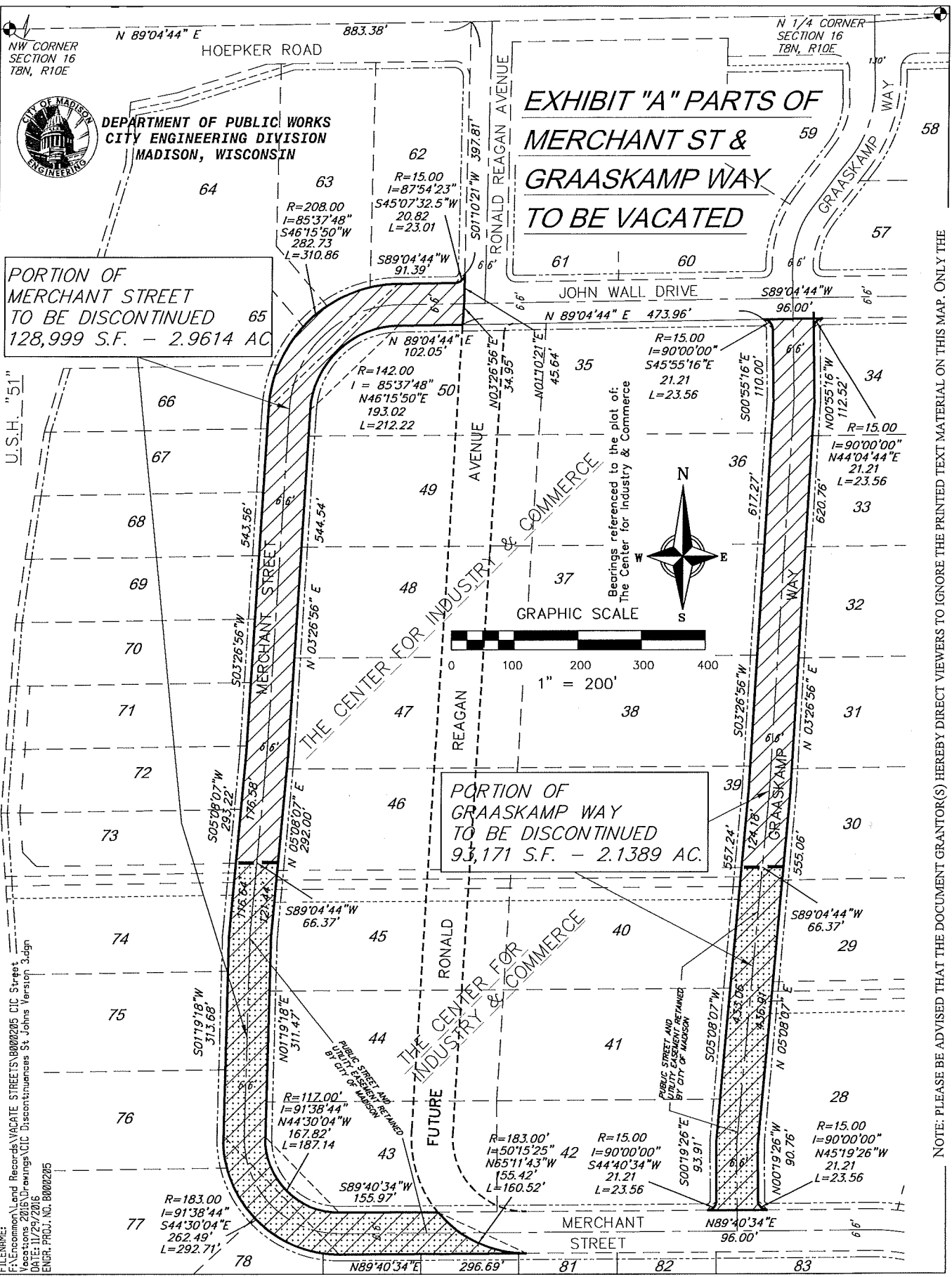


EXHIBIT "B"

Public Right of Way Vacation/Discontinuance

Engineering Project No. B000205

Portion of Merchant Street to be Vacated and Discontinued:

That portion of Merchant Street, a street dedicated by the plat of The Center For Industry & Commerce, recorded in Volume 58-024B of Plats, pages 129 - 134, as Document No. 3708481, Dane County Register of Deeds, being located in part of the NW ¼ and SW ¼ of the NW ¼, all within Section 16, Township 8 North, Range 10 East, in the City of Madison, Dane County, Wisconsin, said area to be discontinued described as follows:

Commencing at the Northwest Corner of said Section 16; thence N 89°04'44" E, 883.38 feet along the north line of the said NW ¼; thence S 01°10'21" W, 397.81 feet along the west right-of-way of Ronald Reagan Avenue, and its northerly extension thereof, to the northern most point of curvature of a 15' radius curve located at the southeastern corner of Lot 62 of said The Center For Industry & Commerce and the point of beginning; thence southwesterly 23.01 feet along the northern right-of-way of said Merchant Street and the arc of a curve to the right having a radius of 15.00 feet, a central angle of 87°54'23" and a long chord bearing S 45°07'32.5" W, 20.82 feet to the point of tangency thereof; thence S 89°04'44" W, 91.39 feet along the said northerly right-of-way of Merchant Street; thence southwesterly 310.86 feet along the northwesterly right-of-way of said Merchant Street and the arc of a curve to the left having a radius of 208.00 feet, a central angle of 85°37'48" and a long chord bearing S 46°15'50" W, 282.73 feet to the point of tangency thereof; thence S 03°26'56" W, 543.56 feet along the westerly right-of-way of said Merchant Street; thence S 05°08'07" W, 293.22 feet along the said westerly right-of-way of said Merchant Street; thence S 01°19'18" W, 313.68 feet along the said westerly right-of-way of said Merchant Street; thence southeasterly 292.71 feet along the southwesterly right-of-way of said Merchant Street and the arc of a curve to the left having a radius of 183.00 feet, a central angle of 91°38'44" and a long chord bearing S 44°30'04" E, 262.49 feet to the point of tangency thereof; thence N 89°40'34" E, 296.69 feet along the southerly right-of-way of said Merchant Street to a future southwesterly right-of-way of Ronald Reagan Avenue; thence northwesterly 160.52 feet along the said future southwesterly right-of-way of Ronald Reagan Avenue and the arc of a curve to the right having a radius of 183.00 feet, a central angle of 50°15'25" and a long chord bearing N 65°11'43" W, 155.42 feet to the northerly right-of-way of Merchant Street; thence S 89°40'34" W, 155.97 feet along the said northerly right-of-way of Merchant Street; thence northwesterly 187.14 feet along the northeasterly right-of-way of said Merchant Street and the arc of a curve to the right having a radius of 117.00 feet, a central angle of 91°38'44" and a long chord bearing N 44°30'04" W, 167.82 feet to the point of tangency thereof; thence N 01°19'18" E, 311.47 feet along the easterly right-of-

way of said Merchant Street; thence N 05°08'07" E, 292.00 feet along the said easterly right-of-way of Merchant Street; thence N 03°26'56" E, 544.54 feet along the said easterly right-of-way; thence northeasterly 212.22 feet along the southeasterly right-of-way of said Merchant Street and the arc of a curve to the right having a radius of 142.00 feet, a central angle of 85°37'48" and a long chord bearing N 46°15'50 E, 193.02 feet to the point of tangency thereof; thence N 89°04'44" E, 102.05 feet along the southerly right-of-way of Merchant Street; thence N 03°26'56" E, 34.95 feet; thence N 01°10'21" E, 45.64 feet along the southerly extension of the said west right-of-way of Ronald Reagan Avenue to the point of beginning;

Containing 128,999 square feet or 2.9614 acres, more or less.

Portion of Graaskamp Way to be Vacated and Discontinued:

That portion of Graaskamp Way, a street dedicated by the plat of The Center For Industry & Commerce, recorded in Volume 58-024B of Plats, pages 129 - 134, as Document No. 3708481, Dane County Register of Deeds, being located in part of the SW ¼, SE ¼ and NE ¼ of the NW ¼, all within Section 16, Township 8 North, Range 10 East, in the City of Madison, Dane County, Wisconsin, said area to be discontinued described as follows:

Commencing at the Northwest Corner of said Section 16; thence N 89°04'44" E, 883.38 feet along the north line of the said NW ¼; thence S 01°10'21" W, 443.45 feet along the west right-of-way of Ronald Reagan Avenue, and its northerly and southerly extensions thereof; thence S 03°26'56" W, 34.95 feet to the intersection with the north line of Lot 50 of said The Center For Industry & Commerce; thence N 89°04'44" E, 473.96 feet along the north lines of Lot 50 and Lot 35 of said The Center For Industry & Commerce to the westerly most point of curvature of a 15' radius curve located at the northeastern corner of said Lot 35 and the point of beginning; thence southeasterly 23.56 feet along the west right-of-way of Graaskamp Way and the arc of a curve to the right having a radius of 15.00 feet, a central angle of 90°00'00" and a long chord bearing S 45°55'16" E, 21.21 feet to the point of tangency thereof; thence S 00°55'16" E, 110.00 feet along the said west right-of-way; thence S 03°26'56" W, 617.27 feet along the said west right-of-way; thence S 05°08'07" W, 557.24 feet along the said west right-of-way; thence S 00°19'26" E, 93.91 feet along the said west right of way to the northerly most point of curvature of a 15' radius curve located at the southeastern corner of Lot 42 of said The Center For Industry & Commerce; thence southwesterly 23.56 feet along the said west right-of-way and the arc of a curve to the right having a radius of 15.00 feet, a central angle of 90°00'00" and a long chord bearing S 44°40'34" W, 21.21 feet to the point of tangency on the north right-of-way line of Merchant Street; thence N 89°40'34" E, 96.00 feet along the said north right-of-way line of Merchant Street to the easterly most point of curvature of a 15' radius curve located at the southwestern corner of Lot 28 of said The Center For Industry & Commerce; thence northwesterly 23.56 feet along the east right-of-way of Graaskamp Way and the arc of a curve to the right having a radius of 15.00 feet, a central

angle of $90^{\circ}00'00''$ and a long chord bearing $N 45^{\circ}19'26'' W$, 21.21 feet to the point of tangency thereof; thence $N 00^{\circ}19'26'' W$, 90.76 feet along the said east right-of-way; thence $N 05^{\circ}08'07'' E$, 555.06 feet along said east right-of-way; thence $N 03^{\circ}26'56'' E$, 620.76 feet along the said east right-of-way; thence $N 00^{\circ}55'16'' W$, 112.52 feet along the said east right-of-way to the southerly most point of curvature of a 15' radius curve located at the northwestern corner of Lot 34 of said The Center For Industry & Commerce; thence northeasterly 23.56 feet along the said east right-of-way and the arc of a curve to the right having a radius of 15.00 feet, a central angle of $90^{\circ}00'00''$ and a long chord bearing $N 44^{\circ}04'44'' E$, 21.21 feet to the point of tangency thereof on the south right-of-way of John Wall Drive; thence $S 89^{\circ}04'44'' W$, 96.00 feet along the said south right-of-way to the point of beginning.

Containing 93,171 square feet or 2.1389 acres, more or less.

EXHIBIT "C"

Public Street & Utility Easement Retained within Public Right of Way Vacation/Discontinuance

Engineering Project No. B000205

Portion of Merchant Street to be Vacated and Discontinued for which a Public Street and Utility Easement will be retained:

That portion of Merchant Street, a street dedicated by the plat of The Center For Industry & Commerce, recorded in Volume 58-024B of Plats, pages 129 - 134, as Document No. 3708481, Dane County Register of Deeds, being located in part of the NW $\frac{1}{4}$ and SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, all within Section 16, Township 8 North, Range 10 East, in the City of Madison, Dane County, Wisconsin, said area to be discontinued described as follows:

Commencing at the Northwest Corner of said Section 16; thence N 89°04'44" E, 883.38 feet along the north line of the said NW $\frac{1}{4}$; thence S 01°10'21" W, 397.81 feet along the west right-of-way of Ronald Reagan Avenue, and its northerly extension thereof, to the northern most point of curvature of a 15' radius curve located at the southeastern corner of Lot 62 of said The Center For Industry & Commerce; thence southwesterly 23.01 feet along the northern right-of-way of said Merchant Street and the arc of a curve to the right having a radius of 15.00 feet, a central angle of 87°54'23" and a long chord bearing S 45°07'32.5" W, 20.82 feet to the point of tangency thereof; thence S 89°04'44" W, 91.39 feet along the said northerly right-of-way of Merchant Street; thence southwesterly 310.86 feet along the northwesterly right-of-way of said Merchant Street and the arc of a curve to the left having a radius of 208.00 feet, a central angle of 85°37'48" and a long chord bearing S 46°15'50" W, 282.73 feet to the point of tangency thereof; thence S 03°26'56" W, 543.56 feet along the westerly right-of-way of said Merchant Street; thence S 05°08'07" W, 176.58 feet along the said westerly right-of-way of said Merchant Street to the point of beginning; thence continuing S 05°08'07" W, 116.64 feet along the said westerly right-of-way of said Merchant Street; thence S 01°19'18" W, 313.68 feet along the said westerly right-of-way of said Merchant Street; thence southeasterly 292.71 feet along the southwesterly right-of-way of said Merchant Street and the arc of a curve to the left having a radius of 183.00 feet, a central angle of 91°38'44" and a long chord bearing S 44°30'04" E, 262.49 feet to the point of tangency thereof; thence N 89°40'34" E, 296.69 feet along the southerly right-of-way of said Merchant Street to a future southwesterly right-of-way of Ronald Reagan Avenue; thence northwesterly 160.52 feet along the said future southwesterly right-of-way of Ronald Reagan Avenue and the arc of a curve to the right having a radius of 183.00 feet, a central angle of 50°15'25" and a long chord bearing N 65°11'43" W, 155.42 feet to the northerly right-of-way of Merchant Street; thence S 89°40'34" W, 155.97 feet along the said northerly right-of-way of

Merchant Street; thence northwesterly 187.14 feet along the northeasterly right-of-way of said Merchant Street and the arc of a curve to the right having a radius of 117.00 feet, a central angle of $91^{\circ}38'44''$ and a long chord bearing $N 44^{\circ}30'04'' W$, 167.82 feet to the point of tangency thereof; thence $N 01^{\circ}19'18'' E$, 311.47 feet along the easterly right-of-way of said Merchant Street; thence $N 05^{\circ}08'07'' E$, 121.44 feet along the said easterly right-of-way of Merchant Street; thence $S 89^{\circ}04'44'' W$, 66.37 feet to the westerly right-of-way of said Merchant Street and the point of beginning.

Containing 57,447 square feet or 1.3188 acres, more or less.

Portion of Graaskamp Way to be Vacated and Discontinued for which a Public Street and Utility Easement will be retained:

That portion of Graaskamp Way, a street dedicated by the plat of The Center For Industry & Commerce, recorded in Volume 58-024B of Plats, pages 129 - 134, as Document No. 3708481, Dane County Register of Deeds, being located in part of the SW $\frac{1}{4}$, SE $\frac{1}{4}$ and NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, all within Section 16, Township 8 North, Range 10 East, in the City of Madison, Dane County, Wisconsin, said area to be discontinued described as follows:

Commencing at the Northwest Corner of said Section 16; thence $N 89^{\circ}04'44'' E$, 883.38 feet along the north line of the said NW $\frac{1}{4}$; thence $S 01^{\circ}10'21'' W$, 443.45 feet along the west right-of-way of Ronald Reagan Avenue, and its northerly and southerly extensions thereof; thence $S 03^{\circ}26'56'' W$, 34.95 feet to the intersection with the north line of Lot 50 of said The Center For Industry & Commerce; thence $N 89^{\circ}04'44'' E$, 473.96 feet along the north lines of Lot 50 and Lot 35 of said The Center For Industry & Commerce to the westerly most point of curvature of a 15' radius curve located at the northeastern corner of said Lot 35; thence southeasterly 23.56 feet along the west right-of-way of Graaskamp Way and the arc of a curve to the right having a radius of 15.00 feet, a central angle of $90^{\circ}00'00''$ and a long chord bearing $S 45^{\circ}55'16'' E$, 21.21 feet to the point of tangency thereof; thence $S 00^{\circ}55'16'' E$, 110.00 feet along the said west right-of-way; thence $S 03^{\circ}26'56'' W$, 617.27 feet along the said west right-of-way; thence $S 05^{\circ}08'07'' W$, 124.18 feet along the said west right-of-way to the point of beginning; thence continuing $S 05^{\circ}08'07'' W$, 433.06 feet along the said west right-of-way; thence $S 00^{\circ}19'26'' E$, 93.91 feet along the said west right of way to the northerly most point of curvature of a 15' radius curve located at the southeastern corner of Lot 42 of said The Center For Industry & Commerce; thence southwesterly 23.56 feet along the said west right-of-way and the arc of a curve to the right having a radius of 15.00 feet, a central angle of $90^{\circ}00'00''$ and a long chord bearing $S 44^{\circ}40'34'' W$, 21.21 feet to the point of tangency on the north right-of-way line of Merchant Street; thence $N 89^{\circ}40'34'' E$, 96.00 feet along the said north right-of-way line of Merchant Street to the easterly most point of curvature of a 15' radius curve located at the southwestern corner of Lot 28 of said The Center For Industry & Commerce; thence northwesterly 23.56 feet along the east right-of-way of

Graaskamp Way and the arc of a curve to the right having a radius of 15.00 feet, a central angle of $90^{\circ}00'00''$ and a long chord bearing $N 45^{\circ}19'26'' W$, 21.21 feet to the point of tangency thereof; thence $N 00^{\circ}19'26'' W$, 90.76 feet along the said east right-of-way; thence $N 05^{\circ}08'07'' E$, 436.91 feet along said east right-of-way; thence $S 89^{\circ}04'44'' W$, 66.37 feet to the westerly right-of-way of said Graaskamp Way and the point of beginning.

Containing 35,890 square feet or 0.8239 acres, more or less.