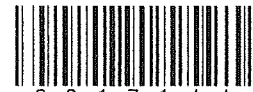


RESOLUTION



8 8 1 7 1 4 4
Tx:8637252

KRISTI CHLEBOWSKI
DANE COUNTY
REGISTER OF DEEDS

DOCUMENT #
5131186

02/25/2015 09:02 AM
Trans. Fee:
Exempt #:
Rec. Fee: 30.00
Pages: 7

Use black ink

At the (City / Village / Town) of Madison

Circle one

official meeting held on January 6, 2015, 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 of a portion of the Winnebago Street Public right-of-way being a stub extending northeasterly from the Roundabout located at the intersection of Winnebago Street and South Sixth Street to the current northeasterly terminus. (SEE ATTACHED)

File #: 36129
Resolution #: RES-15-00001

A copy of the resolution is attached.

Recording area

Madison City Clerk
Room 103
210 MARTIN LUTHER KING JR.
MADISON, WI 53703

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

Maribeth Witzel-Behl

February 19, 2015

Signature of City/Village/Town official

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 19, 2015 by the above named person(s).

Signature of notary or other person authorized to administer an oath

Eric A. Christianson

(as per s. 706.06, 706.07)

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

Names of persons signing in any capacity must be typed or printed below their signature.
DCR0D*3/1/2002

Print or type name: Eric Christianson

Title Municipal Clerk 2

Date commission expires: 06-29-18



City of Madison

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

Certified Copy

Resolution: RES-15-00001

File Number: 36129

Enactment Number: RES-15-00001

Discontinuing and vacating of a portion of the Winnebago Street public right-of-way being a stub extending northeasterly from the roundabout located at the intersection of Winnebago Street and South Sixth Street to the current northeasterly terminus, being located in the Northeast 1/4 of the Southeast 1/4 of Section 6, Town 7 North, Range 10 East, City of Madison, Dane County, Wisconsin. (6th AD)

WHEREAS, on January 17, 2006, File ID Number 00220, the Common Council conditionally approved a rezoning request to Planned Unit Development Plan-General Development Plan (PUD-GDP) for a future residential and commercial development, hereinafter referred to as the Union Corners Project; and

WHEREAS, in conjunction with the Union Corners Project, Winnebago Street was relocated and dedicated to the public by Certified Survey Map Number 11774, which was recorded May 26, 2006, in Volume 72 of Certified Survey Maps, Pages 134-139, as Document No. 4196068, Dane County Registry; and

WHEREAS, on March 20, 2007, ORD-07-00034, File ID Number 04682, the Common Council conditionally approved a rezoning request to Amend the Union Corners PUD-GDP and also rezone to Planned Unit Development - Specific Implementation Plan (PUD-SIP) for residential and commercial development of the Union Corners Project; and

WHEREAS, the original Union Corners Project was never constructed or completed by the developer as conditionally approved by the Union Corners PUD-GDP and PUD-SIP; and

WHEREAS, the City of Madison acquired the Union Corners properties with Land Banking Funds on December 3, 2010 as recorded by Special Warranty Deed recorded as Document Number 4721138, Dane County Registry; and

WHEREAS, on May 20, 2014, per ORD-14-103, File ID Number 33596, the Common Council conditionally approved a rezoning request by Gorman & Company, Inc. to amend the Union Corners Planned Unit Development to Planned Development District-General Development Plan (PD-GDP) to include various medical offices, retail, mixed-use and residential buildings; and

WHEREAS, on July 16, 2013 per RES-13-00541, File ID Number 29351, the Common Council authorized the execution of a Purchase and Sale Agreement to be executed between the City of Madison and Gorman & Company, Inc. for the future purchase and redevelopment of the Union Corners properties by Gorman & Company, Inc.; and

WHEREAS, on October 7, 2014, ORD-14-00154, File ID Number 35008, the Common Council conditionally approved a rezoning request to change the zoning generally addressed as 2504 Winnebago Street from Planned Development District- General Development Plan (PD-GDP) to Planned Development District - Specific Implementation Plan (PD-SIP) for a future medical clinic at

the Union Corners Project; and

WHEREAS, on October 21, 2014 per RES-14-00762, File ID Number 35737, the Common Council authorized the execution of a First Amendment to the Purchase and Sale Agreement to be executed between the City of Madison and Gorman & Company, Inc. for the future purchase and redevelopment of the Union Corners properties by Gorman & Company, Inc.; and

WHEREAS, per the conditionally approved PD-GDP and PD-SIP rezoning applications by Gorman & Company, Inc., a portion of the Winnebago Street public right-of-way is proposed to be vacated and discontinued and incorporated into the proposed development project; and

WHEREAS, a condition of approval for the PD-GDP and PD-SIP rezoning applications requires the application, approval and recording of a Certified Survey Map; and

WHEREAS, the Amended Sale and Purchase Agreement requires the City of Madison to secure the approval of the said Certified Survey Map prior to closing that includes the lands within the proposed right-of-way to be vacated and discontinued; and

WHEREAS, JSD Professional Services, Inc., has prepared the necessary Winnebago Street vacation and discontinuance map and legal description exhibits which are attached hereto and made part of this resolution; and

WHEREAS, the City Of Madison currently has existing public street, public sanitary sewer, public storm sewer and public street light-conduit facilities within the portion of Winnebago Street to be vacated and discontinued; and

WHEREAS, the City of Madison will not require the perpetuation for public use the existing public street, public storm sewer or public sanitary sewer improvements within the portion of Winnebago Street to be vacated and discontinued; and

WHEREAS, the City of Madison will require the temporary perpetuation for public use the public street light-conduit facilities located within the portion of Winnebago Street to be vacated and discontinued until such time they are relocated; and

WHEREAS, the City Engineering Division recommends approval of this street vacation and discontinuance subject to conditions of approval listed later in this resolution.

NOW THEREFORE BE IT RESOLVED, that since the public interest requires it, the City Of Madison hereby conditionally vacates and discontinues a portion of the public way of Winnebago Street as shown on attached map and legal description, under Wisconsin ss. 66.1003(4), upon completion of the following condition:

All conditions of approval for the Certified Survey Map required by the Amended Sale and Purchase Agreement have been satisfied and approved and signed off by all applicable City of Madison Agencies.

BE IT FURTHER RESOLVED, that under Section 66.1005(2), the City Of Madison retains 10 foot wide temporary public easements centered upon and over the existing public street light-conduit facilities located within the portion of Winnebago Street to be vacated and discontinued. These

easements shall terminate without notice upon the abandonment and/or relocation of the street light-conduit facilities outside of the vacated and discontinued right of way.

BE IT FURTHER RESOLVED, that under Section 66.1005(2)(a)(1), the City Of Madison discontinues easements and rights in conjunction with the public storm sewer, public sanitary sewer and public street improvements within the portion of Winnebago Street to be vacated and discontinued. This resulting in the ownership, maintenance, removal and/or replacement of the abandoned public storm sewer, public sanitary sewer and public street improvements being vested in the owner(s) of the vacated and discontinued lands; and

BE IT FURTHER RESOLVED, under Section 66.1005(2), Wisconsin Statutes, other than those easements and rights retained and/or released above, any other existing easements and rights that exist within the vacated street areas shall continue as part of this vacation/discontinuance; and

BE IT FURTHER RESOLVED, under Section 66.1005(1), Wisconsin Statutes, reversionary rights of the portion of Winnebago Street herein vacated and discontinued shall attach entirely to the adjacent properties, being owned by the City of Madison; and

BE IT FINALLY RESOLVED, upon Common Council adoption of this resolution and completion all street vacation condition identified above to the satisfaction of the City Engineer, the City Engineer will then authorize the City Clerk to validate this street vacation/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 Ordinance No. 15-00001, adopted by the Madison Common Council on January 6, 2015.

Maribeth Witzel-Behl

2-19-2015

Date Certified



City of Madison
215 Martin Luther King, Jr. Boulevard
Madison, WI 53701-2983

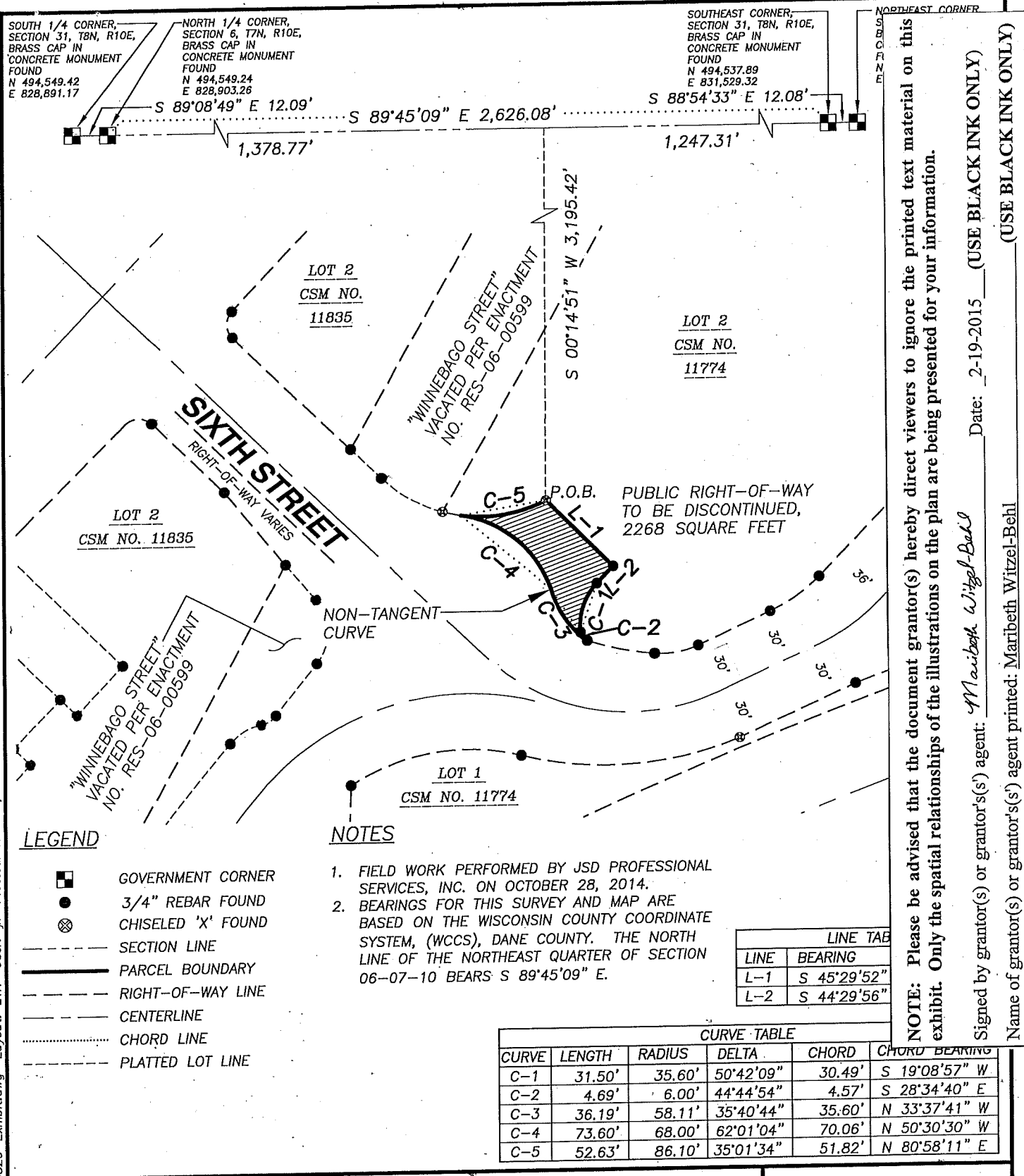
EXHIBIT A
DISCONTINUANCE OF RIGHT-OF-WAY

Part of the Northeast Quarter of the Southeast Quarter of Section 06, Township 07 North, Range 10 East, City of Madison, Dane County, Wisconsin, Described as follows:

Commencing at the North Quarter corner of Section 06, aforesaid; thence South 89 degrees 45 minutes 09 seconds East along the North line of the Northeast Quarter, 1,378.77 feet; thence South 00 degrees 14 minutes 51 seconds West, 3,195.42 feet to the Northerly most corner of right-of-way to be discontinued and the Point of Beginning; thence South 45 degrees 29 minutes 52 seconds East along the Southerly side of Lot 2, Certified Survey Map No. 11774, recorded in Volume 72 of Certified Survey Maps, Pages 134-139, as Document No. 4196068 a distance of 56.41 feet; thence South 44 degrees 29 minutes 56 seconds West, 14.00 feet along the said Southerly side of Lot 2 to a point of curve; thence Southwesterly 31.50 feet along the said Southerly side of Lot 2 and an arc of a curve to the left, having a radius of 35.60 feet, the chord bearing South 19 degrees 08 minutes 57 seconds West, 30.49 feet to a point of compound curve; thence Southeasterly 4.69 feet along the said Southerly side of Lot 2 and an arc of a curve to the left, having a radius of 6.00 feet, the chord bearing South 28 degrees 34 minutes 40 seconds East, 4.57 feet to a point on a curve; thence Northwesterly 36.19 feet along an arc of a curve to the right, having a radius of 58.11 feet, the chord bears North 33 degrees 37 minutes 41 seconds West, 35.60 feet to a point of a non-tangent reverse curve; thence Northwesterly 73.60 feet along an arc of a curve to the left, having a radius of 68.00 feet, the chord bears North 50 degrees 30 minutes 30 seconds West, 70.06 feet to a point on a curve; thence Northeasterly 52.63 feet along the aforesaid Southerly side of Lot 2 and an arc of a curve to the left, having a radius of 86.10 feet, the chord bearing North 80 degrees 58 minutes 11 seconds East, 51.82 feet to the Point of Beginning.

Parcel contains 2,268 square feet or 0.052 acres.

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LEGEND

- GOVERNMENT CORNER
- 3/4" REBAR FOUND
- CHISELED 'X' FOUND
- SECTION LINE
- PARCEL BOUNDARY
- RIGHT-OF-WAY LINE
- CENTERLINE
- CHORD LINE
- PLATTED LOT LINE

NOTES

1. FIELD WORK PERFORMED BY JSD PROFESSIONAL SERVICES, INC. ON OCTOBER 28, 2014.
2. BEARINGS FOR THIS SURVEY AND MAP ARE BASED ON THE WISCONSIN COUNTY COORDINATE SYSTEM, (WCCS), DANE COUNTY. THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 06-07-10 BEARS S 89°45'09" E.

LINE TABLE	
LINE	BEARING
L-1	S 45°29'52"
L-2	S 44°29'56"

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C-1	31.50'	35.60'	50°42'09"	30.49'	S 19°08'57" W
C-2	4.69'	6.00'	44°44'54"	4.57'	S 28°34'40" E
C-3	36.19'	58.11'	35°40'44"	35.60'	N 33°37'41" W
C-4	73.60'	68.00'	62°01'04"	70.06'	N 50°30'30" W
C-5	52.63'	86.10'	35°01'34"	51.82'	N 80°58'11" E

NOTE: Please be advised that the document grantor(s) hereby direct viewers to ignore the printed text material on this exhibit. Only the spatial relationships of the illustrations on the plan are being presented for your information.

Signed by grantor(s) or grantor's(s)' agent: Maribeth Witzel-Behl Date: 2-19-2015 (USE BLACK INK ONLY)
 Name of grantor(s) or grantor's(s)' agent printed: Maribeth Witzel-Behl (USE BLACK INK ONLY)

EXHIBIT

PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 06, TOWNSHIP 07 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN

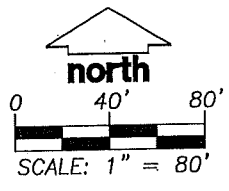
PREPARED BY:

 161 HORIZON DRIVE, SUITE 101
 VERONA, WISCONSIN 53593
 PHONE: (608)848-5060

PREPARED FOR:
 CITY OF MADISON
 215 MARTIN LUTHER
 KING, JR. BOULEVARD
 MADISON, WI
 53701-2983

PROJECT NO: 14-6529
 FILE NO: A-300
 FIELDBOOK/PG: -
 SHEET NO: 1 OF 1

SURVEYED BY: JK
 DRAWN BY: JK
 CHECKED BY: TJB
 APPROVED BY: HPJ



**NOTICE OF PUBLIC HEARING
BEFORE THE CITY OF MADISON COMMON COUNCIL**

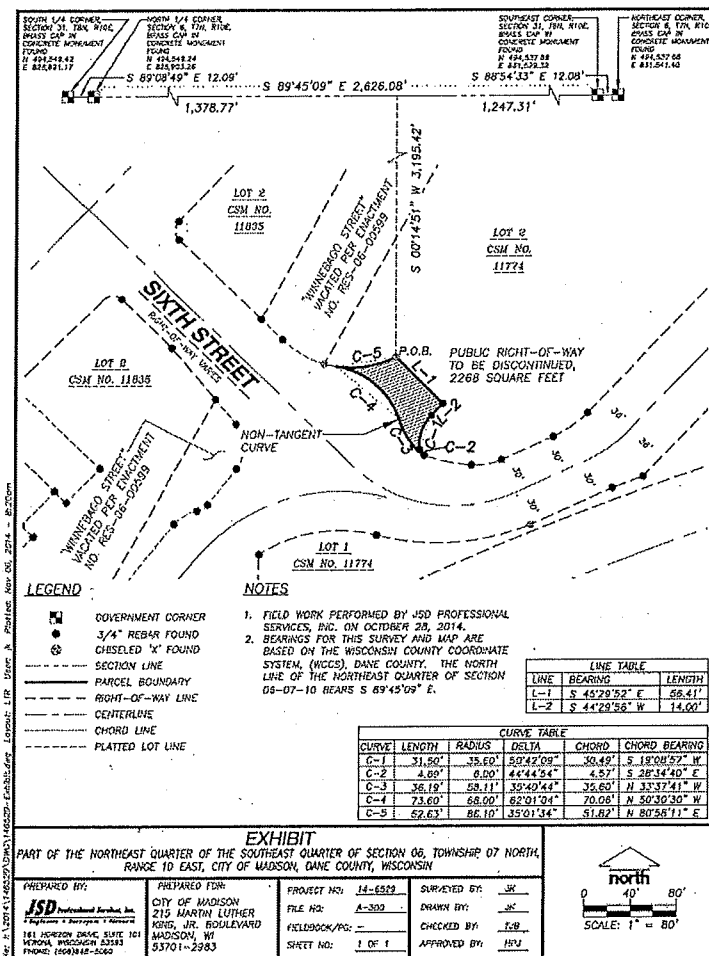
**Vacation/Discontinuance of a portion of Winnebago Street Stub Extending Northeasterly
from the Roundabout at the Intersection of Winnebago Street and South Sixth Street**

The City of Madison is proposing to vacate and discontinue a portion of improved Winnebago Street being a stub extending northeasterly from the roundabout located at the intersection of Winnebago Street and South Sixth Street to the current northeasterly terminus. A public hearing on the matter will be held at 6:30 pm CDT, Tuesday January 6, 2015 in the Common Council Chambers Room 201 City-County Building 210 Martin Luther King, Jr. Boulevard, Madison, Wisconsin, 53701-2983.

Copies of the proposed Winnebago Street vacation resolution ID No. 36129 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 "36129" on the following Legislative Information Center website:

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

Questions regarding the street vacation should be directed to Jeff Quamme, Engineering Division Land Records Coordinator at (608) 266-4097 or jrquamme@cityofmadison.com



NOTE: Please be advised that the document grantor(s) hereby direct viewers to ignore the printed text material on this exhibit. Only the spatial relationships of the illustrations on the plan are being presented for your information.

Signed by grantor(s) or grantor's(s) agent: Maribeth Witzel-Behl Date: 2-19-2015 (USE BLACK INK ONLY)

Name of grantor(s) or grantor's(s) agent printed: Maribeth Witzel-Behl (USE BLACK INK ONLY)