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WILLINK  
&  
HOWARD  
LLC  
*Attorneys at Law*

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MADISON, WI 53701-2236

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apascaly@stroudlaw.com

August 25, 2014

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

Clerk, Town of Burke  
5365 Reiner Road  
Madison, WI 53718

Re: 5422 Portage Road – Petition for Attachment by Unanimous Consent

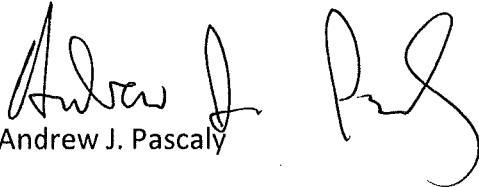
Dear Sir or Madam:

On behalf of Duaine R. Boehm, please accept the Petition for Attachment by Unanimous Consent with regard to the property located at 5422 Portage Road, Town of Burke, more particularly described on Exhibit A to the Petition. Please do not hesitate to contact me if you have any questions or concerns.

Very truly yours,

STROUD, WILLINK & HOWARD, LLC

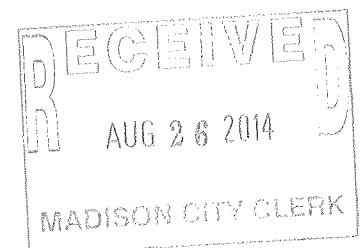
By:

  
Andrew J. Pascaly

AJP/gh

Enclosure

cc: Duaine R. Boehm



**PETITION FOR ATTACHMENT  
BY UNANIMOUS CONSENT**  
(Section 66.0307, Wis. Stats.)

TO:

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

Clerk, Town of Burke  
5365 Reiner Rd.  
Madison, WI 53718

The undersigned, "**Owner**", constituting all of the Owners of the Real Property located within the territory described below, do hereby unanimously petition the Common Council of the City of Madison, a municipal corporation located in Dane County, Wisconsin, to attach the territory described below from the Town of Burke, located in Dane County, Wisconsin, to the City of Madison. There is one dwelling and one elector residing in the aforesaid territory as of the date hereof.

The territory proposed for attachment from the Town of Burke to the City of Madison is more particularly described on Exhibit A, and is shown on the scale map attached as Exhibit B (collectively the "**Territory**"). The tax parcel number of the Territory is 014/0810-222-9201-0; 014/0810-222-9400-3; 014/0810-211-9870-8. An adjacent strip of land, tax parcel number 251/0810-211-0099-6, also owned by, the Owner has previously been attached to the City of Madison.

The Owner has entered into a purchase agreement for the sale of the Territory to 5422 Portage Road, LLC ("**WALL**") that is anticipated to close no later than January 8, 2014. WALL intends to develop multifamily apartments on the Territory. Accordingly, the undersigned requests that this attachment be approved and take effect in the manner provided for by law ONLY IF Owner closes on the sale of the Territory to WALL. If the preceding condition fails to be met by January 10, 2014 then this petition shall be null and void. The Owner shall immediately notify the City of Madison upon the closing of the sale of the Territory to WALL.

This Petition for Attachment is being signed by all of the Owners of all of the Real Property in area within the territory described in Exhibit A; and is filed pursuant to Section 66.0307, Wis. Stats.

**OWNER:      DUAINE R. BOEHM**

By:   
Duaine R. Boehm

Date: 8/25/14

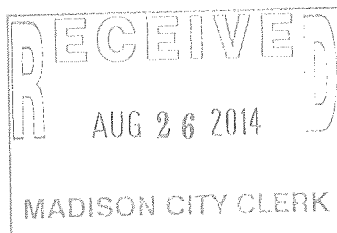


EXHIBIT A

Attachment Description – 5422 Portage Road

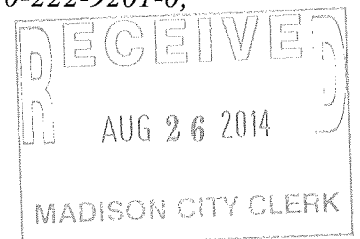
Part of the SW 1/4 - NW 1/4 of Section 22 and part of the SE 1/4 - NE 1/4 of Section 21, all in Township 08 North, Range 10 East, Town of Burke, Dane County, Wisconsin, more fully described as follows:

Beginning at the West 1/4 corner of said Section 22, said point also being the East 1/4 corner of said Section 21; thence S89°47'35"W along the East-West 1/4 line of said Section 21, 141.22 feet, (previously recorded as S89°23'07"W, 141.28 feet) to a point in the East right-of-way line of Portage Road, said point also being a point of non-tangential curvature; thence 578.22 feet along the easterly right of way line of Portage Road and the arc of a curve to the left, through a central angle of 37°13'27" (previously recorded as 37°12'56"), a radius of 890.00 feet, and a chord bearing N19°46'29"E, 568.10 feet (previously recorded as N19°21'54"E, 567.98 feet); thence N01°10'01"E along said easterly right of way line of Portage Road, 9.81 feet to the Southwest corner of Lot 2, Certified Survey Map Number 12909, as recorded in Volume 82 of Certified Survey Maps, on Pages 85-86, as Document Number 4658523, Dane County Registry; thence S88°49'36"E along the South line of said Lot 2, 1049.02 feet to the Southeast corner of said Lot 2 and the westerly right of way line of Interstate Highway I-90 and I-94 (previously recorded as S89°13'E & S88°49'30"E, 1048.95 feet); thence S26°18'35"E along said westerly right of way line of Interstate Highway I-90 and I-94, 85.18 feet (previously recorded as S26°33'E, 81.45 feet); thence S23°29'15"E along said westerly right of way line of Interstate Highway I-90 and I-94, 455.07 feet (previously recorded as S23°57'E) to a northeasterly corner of Village Green Woods as recorded in Volume 49 of Plats, on Pages 18-20, as Document Number 1581940, said point also lying on the East-West 1/4 line of said Section 22; thence S88°45'12"W along the northerly line of said Village Green Woods and the said East-West 1/4 line of Section 22, 1319.42 feet (previously recorded as S88°21'W, 1319.85 feet and 1319.28 feet) to the point of beginning. Bearings in this description are based upon the Wisconsin County Coordinate System, Dane County.

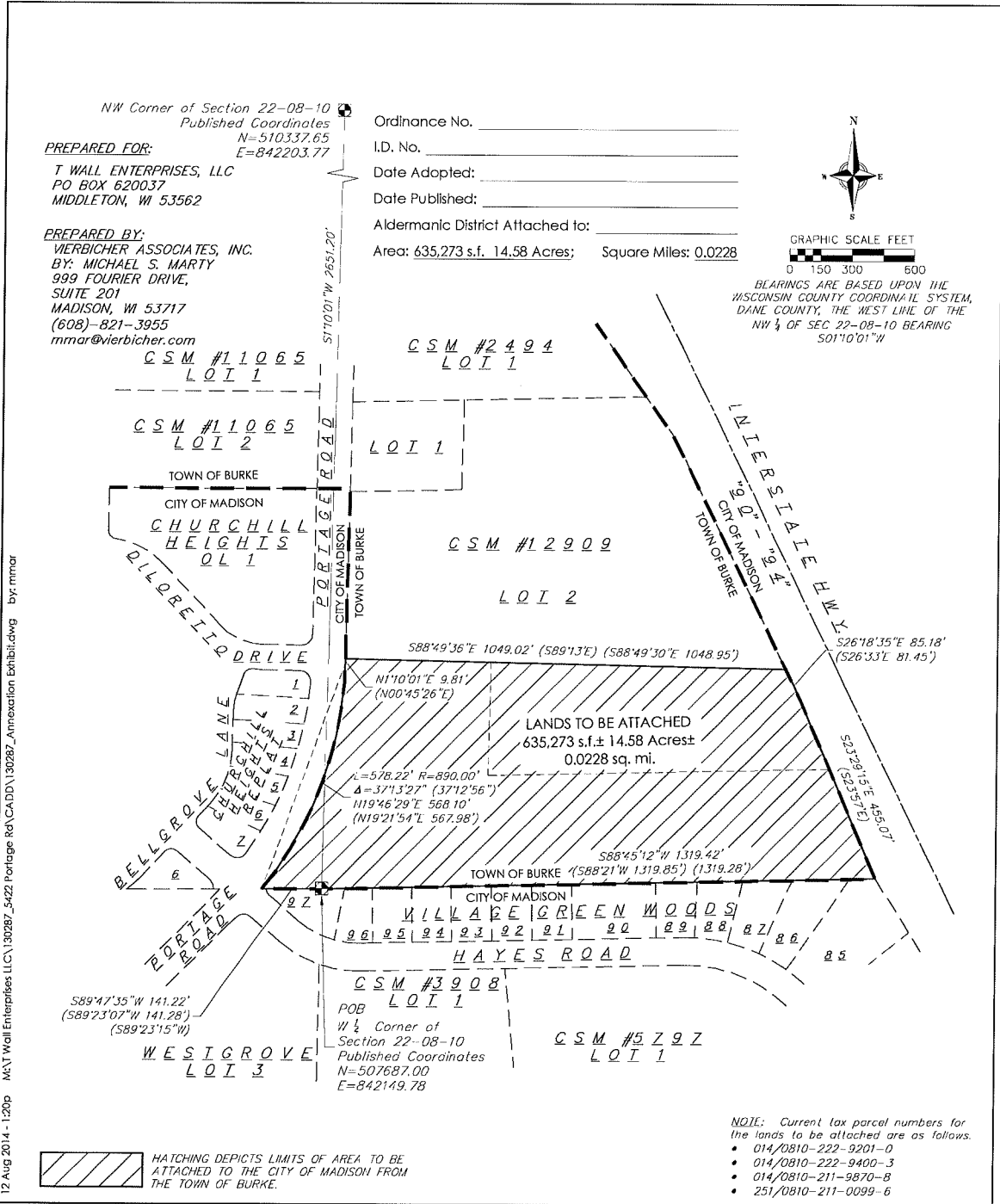
Excepting therefrom: The Westerly 7 feet that part of the Southeast 1/4 of the Northeast 1/4 of Section 21, Town 8 North, Range 10 East, City of Madison, Dane County, Wisconsin, lying Southeasterly of Portage Road and the Westerly 7 feet of parcel commencing at the West 1/4 corner of Section 22, Town 8 North, Range 10 East, thence East 1319.8 feet then West 811.05 feet, thence North 266.9 feet, thence West 390 feet, thence South 545 feet to the point of beginning, excluding right of way. All of which was previously attached to the City of Madison. (Tax Parcel No. 251/0810-211-0099-6)

Said attachment description contains 635,273 square feet or 14.58 acres more or less, or 0.0228 square miles.

The current tax parcel numbers for the lands to be attached are: 014/0810-222-9201-0; 014/0810-222-9400-3; 014/0810-211-9870-8



# EXHIBIT B



NW Corner of Section 22-08-10  
Published Coordinates  
N=510337.65  
E=842203.77

**PREPARED FOR:**  
T WALL ENTERPRISES, LLC  
PO BOX 620037  
MIDDLETON, WI 53562

**PREPARED BY:**  
VIERBICHER ASSOCIATES, INC.  
BY: MICHAEL S. MARTY  
999 FOURIER DRIVE,  
SUITE 201  
MADISON, WI 53717  
(608)-821-3955  
mmar@vierbicher.com

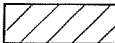
Ordinance No. \_\_\_\_\_  
I.D. No. \_\_\_\_\_  
Date Adopted: \_\_\_\_\_  
Date Published: \_\_\_\_\_  
Aldermanic District Attached to: \_\_\_\_\_  
Area: 635,273 s.f. 14.58 Acres; Square Miles: 0.0228

N  
S  
E  
W

GRAPHIC SCALE FEET  
0 150 300 600

BEARINGS ARE BASED UPON THE WISCONSIN COUNTY COORDINATE SYSTEM, DANE COUNTY, THE WEST LINE OF THE NW ¼ OF SEC 22-08-10 BEARING S01°10'01" W

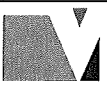
12 Aug 2014 - 1:20p M&T Wall Enterprises LLC \330287\_54022 Portage Rd\CA\DDA\330287\_Annexation Exhibit.dwg by: mmar

 HATCHING DEPICTS LIMITS OF AREA TO BE ATTACHED TO THE CITY OF MADISON FROM THE TOWN OF BURKE.

NOTE: Current tax parcel numbers for the lands to be attached are as follows.

- 014/0810-222-9201-0
- 014/0810-222-9400-3
- 014/0810-211-9870-8
- 251/0810-211-0099-6

**vierbicher**  
planners | engineers | advisors



ATTACHMENT  
MAP

SCALE	1"=300'	SHEET	
CHECKED	MZIE		
DRAFTER	MMAR		
DATE	2014-08-12		1 OF 1
JOB NO.	130287		

REEDSBURG - MADISON - PRAIRIE DU CHIEN  
999 Fourier Drive, Suite 201 Madison, Wisconsin 53717  
Phone: (608) 826-0532 Fax: (608) 826-0530

RECEIVED  
AUG 26 2014  
MADISON CITY CLERK