

**AFFIDAVIT OF MAILING**

STATE OF WISCONSIN     )  
  ) ss.  
COUNTY OF DANE         )

          JOHANNA JOHNSON, being first duly sworn on oath, deposes and says that:

1.       She is an ADMINISTRATIVE CLERK II with the Office of the City Engineer, City of Madison, Dane County, Wisconsin, and did on the 19th day of APRIL 2013 placed in envelopes addressed to each interested owner of respective addresses as indicated by attached assessment list, a true and correct copy of the notice of assessments for the project titled **PROPERTY OWNERS WITHIN THE W. WILSON STREET UNDERGROUND UTILITY DISTRICT** attached hereto.

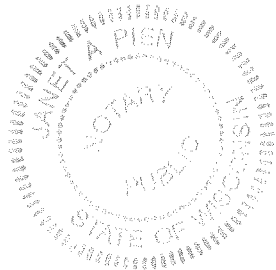
2.       She did and delivered the envelopes to the Mail Room of the Dane County Printing and Services Division, 210 Martin Luther King, Jr. Blvd., in the city of Madison, Dane County Wisconsin, for postage and depositing in the United States Mail.

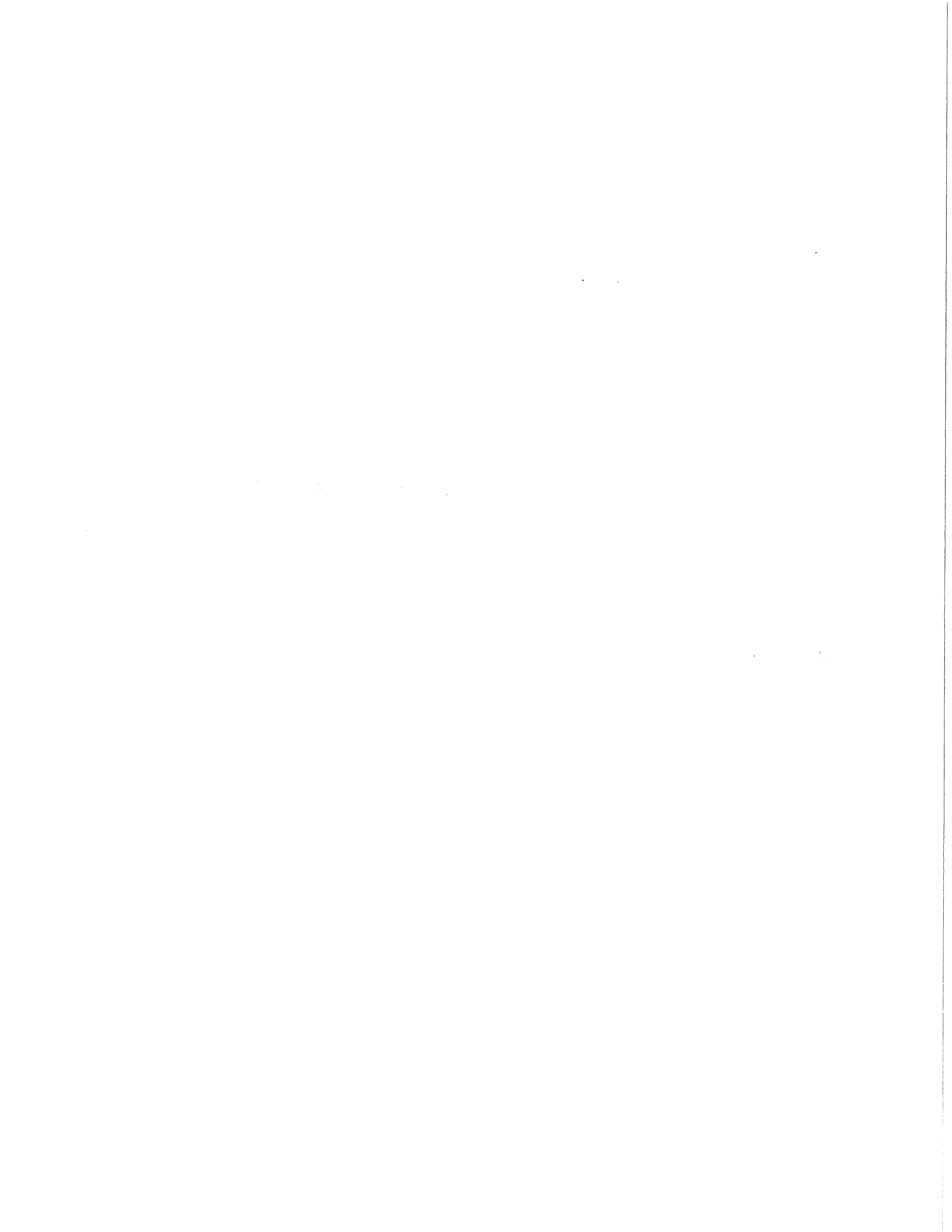
  
\_\_\_\_\_  
Johanna Johnson

Subscribed and sworn to before me  
this 19th day of APRIL 2013

  
\_\_\_\_\_

Janet A. Pien  
Notary Public, State of Wisconsin  
My Commission expires: 2/28/14







Department of Public Works  
**City Engineering Division**

Robert F. Phillips, P.E.  
City Engineer

608 266 4751

**Assistant City Engineer**  
Michael R. Dalley, P.E.

**Principal Engineers**  
Christina M. Bachmann, P.E.  
John S. Fahrney, P.E.  
Gregory T. Fries, P.E.  
Christopher J. Petykowski, P.E.

**Facilities & Sustainability**  
Jeanne E. Hoffman, Manager  
James C. Whitney, A.I.A.

**Operations Supervisor**  
Kathleen M. Cryan

**GIS Manager**  
David A. Davis, R.L.S.

**Financial Officer**  
Steven B. Danner-Rivers

**Hydrogeologist**  
Brynn Bemis

Parcel Number: 0709-234-0410-0  
Situs Address: 616 W. Wilson  
FINDORFF DEVELOPMENT CO  
INC  
PO BOX 1647  
MADISON, WI 53701

April 18, 2013

**To: Property Owners within the W. Wilson Street Underground Utility District**

The City of Madison Common Council recently established the W. Wilson Street Underground Utility District. A copy of the resolution and applicable Madison General Ordinance is attached for your reference.

It has been determined that your property requires modification to the electrical service in order to accept underground service. The existing power poles will be removed this year in conjunction with the roadway reconstruction project.

The City will reimburse an eligible property owner for fifty percent (50%) of all costs incurred by the property owner to modify the entrance facilities or internal wiring of the building to comply with the requirements, up to \$1058.00. Upon completion of the required electrical modifications submit the enclosed Request for Reimbursement.

If you have any questions regarding this project, please contact the Project Engineer, Christy Bachmann at [cbachmann@cityofmadison.com](mailto:cbachmann@cityofmadison.com) or 266-4095.

Sincerely,

Robert F. Phillips, P.E., City Engineer

Cc: Michael Verveer  
Glen Yoerger, City Engineering  
Harry Sulzer, Building Inspection



# City of Madison

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

## Master

**File Number: 29533**

<b>File ID:</b> 29533	<b>File Type:</b> Resolution	<b>Status:</b> Passed
<b>Version:</b> 1	<b>Reference:</b>	<b>Controlling Body:</b> BOARD OF PUBLIC WORKS
<b>Lead Referral:</b> BOARD OF PUBLIC WORKS	<b>Cost:</b>	<b>File Created Date :</b> 03/20/2013
<b>File Name:</b> Declaring the City of Madison's intention to exercise its police powers establishing the W. Wilson Street Underground Utility District		<b>Final Action:</b> 04/16/2013
<b>Title:</b> Declaring the City of Madison's intention to exercise its police powers establishing the W. Wilson Street Underground Utility District		

**Notes:** Christy B

**Code Sections:**

**CC Agenda Date:** 04/16/2013

**Indexes:**

**Agenda Number:** 103.

**Sponsors:** Michael E. Verveer

**Effective Date:** 04/24/2013

**Attachments:** bpw mailing affidavit.pdf

**Enactment Number:** RES-13-00276

**Author:** Rob Phillips, City Engineer

**Hearing Date:**

**Entered by:** japien@cityofmadison.com

**Published Date:**

### Approval History

Version	Date	Approver	Action
1	04/04/2013	Craig Franklin	Approve

### History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	03/19/2013	Referred for Introduction				
	<b>Action Text:</b> This Resolution was Referred for Introduction						
1	COMMON COUNCIL	03/19/2013	Referred	BOARD OF PUBLIC WORKS		04/03/2013	
	<b>Action Text:</b> This Resolution was Referred to the BOARD OF PUBLIC WORKS						
1	BOARD OF PUBLIC WORKS	04/03/2013	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER				Pass

Action Text: Christy Bachmann, City Engineering, presented the City's intention. There was no one from the Public registered to speak.

A motion was made by Hinke, seconded by Fix, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by voice vote/other.

1 COMMON COUNCIL 04/16/2013 Adopt Pass

Action Text: A motion was made by Schmidt, seconded by Resnick, to Adopt. The motion passed by voice vote/other.

**Text of Legislative File 29533**

**Fiscal Note**

Estimated City of Madison Cost: \$2,116.  
Funds available in: CS53-58250-810355-00-53W1445

**Title**

Declaring the City of Madison's intention to exercise its police powers establishing the W. Wilson Street Underground Utility District

**Body**

BE IT HEREBY RESOLVED:

1. That the Common Council of the City of Madison hereby establishes an underground utility district known as the W. Wilson Street Underground Utility District pursuant to Subsection 19.16(6) of the Madison General Ordinances. The limits of the district are Bedford Street to west end.
2. That the Common Council intends to place overhead utility services underground in this District.
3. That the purpose of the undergrounding project that will occur in the District is to remove overhead lines and replace them with underground systems and services. As a part of the undergrounding project, private services need to be upgraded to accommodate the new underground service connection. Two (2) properties in the District are currently served overhead and are not ready to receive underground service.
4. That the properties in the District that will be affected by the undergrounding project are set forth on Exhibit A to this resolution.
5. The properties listed on Exhibit A are currently served by utilities with above ground wires and the property owners are hereby ordered to modify the property's electrical services to accept underground service within 24 months of the date of adoption of this resolution or as provided in subsection 19.16(6)(c) and 19.16(6)(d). Each Property eligible for reimbursement under Subsection 19.16(6)(e)1 shall be reimbursed by the City Engineer the 2013 reimbursement rate, an amount not to exceed \$ 1,058.

Exhibit A: Affected Properties in District  
W. Wilson Street Underground Utility District

<u>Parcel Number</u>	<u>Address</u>
0709-234-0410-0	616 W. Wilson
0709-234-0406-9	632 W. Wilson

- (5) Throughout the City of Madison, when the total estimated electrical demand exceeds fifty (50) kw in any new building or any building which is being remodeled, and when the cost of remodeling is estimated, or exceeds fifty percent (50%) of the Assessor's full market value of said building, the owner shall provide vault space or space for pad-mounted transformers in accordance with applicable provisions of the Wisconsin Electrical Code and all applicable service rules of the electric utility providing service for such building.
- (6) Underground Utility Districts.
- (a) Declaration of Policy. Pursuant to the adopted Policy for Funding the Undergrounding of Overhead Utility Lines (RES-11-00256), or said policy as it is amended from time-to-time, the City may pursue the undergrounding of utility services in designated districts in combination with other capital improvement projects. While some properties in a district may already be served underground or have the facilities needed to accept underground service, some buildings in a district that are being served overhead will not be ready for underground service without a modification of the entrance facilities or internal wiring of the building. The purpose of this Subsection is to establish a mechanism that will give property owners sufficient time to ensure that their property can accept underground service, and provide these property owners with a portion of the funding for the necessary service modifications. The establishment of Underground Utility Districts under this Subsection represents an exercise of the police power of the City of Madison.
- (b) Establishment of Underground Utility District.
1. To establish an Underground Utility District, the Common Council shall adopt a resolution declaring the boundaries of the District and its intention to place overhead utility services underground in the District. This resolution shall describe the undergrounding project, the limits of the proposed District, a list of all the properties affected by the undergrounding project, and the estimated number of affected properties that are served overhead and are not ready to receive underground service.
  2. Before adopting this resolution, a notice shall be published in the official newspaper stating that the Board of Public Works will hold a public hearing on the creation of the Underground Utility District. Such notice shall be published as a Class I notice, under Wis. Stat. ch. 985, and mailed to every interested person whose post office address is known or can be ascertained with reasonable diligence, along with a summary of the requirements of property owners in Underground Utility Districts under this Subsection. The hearing shall commence not less than ten (10) days and not more than forty (40) days after such publication and mailing.
  3. The Board of Public Works shall hold a public hearing on the resolution and at the conclusion of the public hearing shall make a recommendation to the Common Council to take an action on the resolution.
  4. Upon adoption of the resolution by the Common Council, the Underground Utility District shall be deemed established. A copy of the resolution adopted by the Common Council shall be mailed to every interested person whose post office box is known or can be ascertained with reasonable diligence, along with a summary of the requirements of property owners in Underground Utility Districts under this Subsection.

- (c) Requirement to Modify Service. Every property owner in an Underground Utility District must modify the property's electrical services to accept underground service within twenty-four (24) months of the establishment of the District, unless the property owner is granted a modification deadline extension by the City Engineer under Subdivision (d), in which case the property owner has until the deadline established by the City Engineer to modify the property's electrical service. Any person who fails to modify the property's electrical service to accept underground service within this time period shall be subject to a forfeiture of not less than twenty-five (\$25) dollars and no more than one-hundred dollars (\$100). Each day a violation continues shall be considered a separate offense.
- (d) Modification Deadline Extension. A property owner may apply to the City Engineer for an extension of the time in which to modify electrical service as required under Subdivision (c). This application must be made within the twenty-four (24) month period and no extension will be granted if the application is made after this period. The City Engineer may grant an extension of time for compliance with the requirements of this Subsection if either of the following conditions are met:
1. The property owner meets the criteria for eligibility for loans for payment of special assessments or special charges as set forth in Subdivisions 4.082(2)(a)-(c) and (e), MGO.
  2. The cost of service modification is greater than three (3) times the maximum amount that the City will reimburse the property owner under Subdivision (e).
- (e) Reimbursement for Undergrounding Service Modifications.
1. Reimbursement. The City will reimburse an eligible property owner for fifty percent (50%) of all costs incurred by the property owner to modify the entrance facilities or internal wiring of the building to comply with the requirements of this Subsection, up to one-thousand dollars (\$1,000) adjusted annually on January 1 in accordance with the Construction Cost Index as published by the Engineering New Record or a similar index if the Engineering New Record index does not exist. The City Engineer shall maintain the annual maximum reimbursement amount.
  2. Eligibility. All properties in the Underground Utility District that, upon creation of the District, are served by overhead electrical service and are not ready to accept underground service without a modification of the entrance facilities or internal wiring of the building are eligible for reimbursement of the service modification costs under Paragraph 1, provided the modifications are made and completed, and an approved inspection is made, within twenty-four (24) months of the creation of the District, unless the City Engineer grants an extension under Subdivision (d), in which case the property owner has until the end of the extension period to make and complete the service modifications to be eligible for reimbursement under Paragraph 1.
  3. Application Requirements. An application for reimbursement under Paragraph 1 must include, as documentation of replacement and cost, a payment receipt from a licensed electrician for modifying the entrance facilities or internal wiring of the building to comply with the requirements of this Subsection, as well as documentation of an approved inspection by a City Electrical Inspector. Disputes regarding eligibility for a reimbursement may be appealed to the Board of Public Works.

(Sec. 19.16 Cr. by Ord. 5405, 3-5-76; Am. by ORD-11-00081, Pub. 6-16-11, Eff. 11-1-11)

# Request for Reimbursement for Undergrounding Service Modifications

## PROPERTY INFORMATION

Owner Name	
Eligible Property Address	
City, State	Madison, WI
Zip Code	
Owner Phone Number	

## OWNER MAILING ADDRESS

<input type="checkbox"/> Check here if same as above	
Mailing Address	
City, State	
Zip Code	

## ADDITIONAL REQUIRED INFORMATION

1. Attach the receipt of payment from a licensed electrician

2. Amount of requested reimbursement

\$
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(50% of the total cost is eligible for reimbursement up to a maximum of \$1058.00)

## SIGNATURES

Owner Signature		City Electrical Inspector Signature	
Printed Name		Printed Name	
Date		Date of Inspection	

Return completed form with required documentation to:

City of Madison Engineering Division  
 Attn: Christy Bachmann  
 Room 115  
 210 Martin Luther King Jr. Blvd.  
 Madison, WI 53703



ParcelNumber	SitusAddress	Name1st	Name2nd	Address	City/State/Zip
Parcel Number: 0709-234-0410-0	Situs Address: 616 W. Wilson	FINDORFF DEVELOP INC		PO BOX 1647	MADISON, WI 53701
Parcel Number: 0709-234-0406-9	Situs Address: 632 W. Wilson	LUETKE, ARTHUR F	% FAIRCREST MANAGEMENT	1865 NORTHPORT DR	MADISON, WI 53704

