

**AFFIDAVIT OF MAILING**

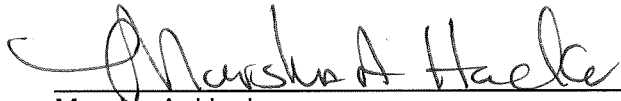
STATE OF WISCONSIN     )  
  ) ss.  
COUNTY OF DANE         )

Marsha A. Hacker, being first duly sworn on oath, deposes and says that:

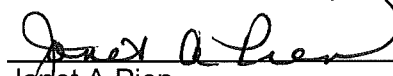
Legistar No. 32889

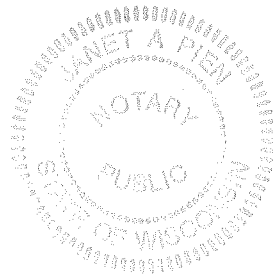
1. She is an Program Assistant I with the Office of the City Engineer, City of Madison, Dane County, Wisconsin, and did on the 6th day of March, at approximately 10:00 AM placed in envelopes addressed to each interested owner of respective addresses as indicated by attached assessment list, a true and correct copy of the notice of assessments for the project titled Approving Plans, Specifications, And Schedule of Assessments for West Johnson Street and North Henry Street Streetscape Assessment District – 2014.

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.

  
\_\_\_\_\_  
Marsha A. Hacker

Subscribed and sworn to before me  
this 6 day of March, 2014

  
\_\_\_\_\_  
Janet A Pien  
Notary Public, State of Wisconsin  
My Commission expires: December 29, 2017





# City of Madison

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

## Master

**File Number: 32889**

<b>File ID:</b> 32889	<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> 01/22/2014
<b>File Name:</b> Approving Plans, Specifications, And Schedule Of Assessments For West Johnson Street and North Henry Street Streetscape Assessment District - 2014.		<b>Final Action:</b> 03/04/2014

**Title:** Approving Plans, Specifications, And Schedule Of Assessments For West Johnson Street and North Henry Street Streetscape Assessment District - 2014.

**Notes:** Jim Wolfe

**Code Sections:**

**CC Agenda Date:** 03/04/2014

**Indexes:**

**Agenda Number:** 13.

**Sponsors:** BOARD OF PUBLIC WORKS

**Effective Date:** 03/05/2014

**Attachments:** bpw mailing affidavit,  
Johnson&Henry\_BPWDisplay.pdf,  
JohnsonHenry\_BPWnotes.pdf,  
53W1198\_Johnson&Henry\_Assess.pdf, West  
Johnson St and North Henry St Streetscape  
Assessment District 2014.pdf

**Enactment Number:** RES-14-00164

**Author:** Rob Phillips, City Engineer

**Hearing Date:**

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

**Published Date:**

### Approval History

Version	Date	Approver	Action
1	02/20/2014	Craig Franklin	Approve

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	01/22/2014	Refer	BOARD OF PUBLIC WORKS	02/25/2014		
<b>Action Text:</b> This Resolution was Refer to the BOARD OF PUBLIC WORKS due back on 2/25/2014							
<b>Notes:</b>							

1 BOARD OF PUBLIC WORKS 02/19/2014 RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24 & 2.25 - PUBLIC HEARING Pass

Action Text: Jim Wolfe, City Engineering, presented plans and specifications.

S Ketelboeter was registered to speak.

A motion was made by Fix, seconded by Branson, to RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24 & 2.25 - PUBLIC HEARING. The motion passed by voice vote/other.

Notes:

1 COMMON COUNCIL 03/04/2014 Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25 Pass

Action Text: A motion was made by Schmidt, seconded by Resnick, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

Notes:

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**Text of Legislative File 32889**

**Title**

Approving Plans, Specifications, And Schedule Of Assessments For West Johnson Street and North Henry Street Streetscape Assessment District - 2014.

**Body**

The Board of Public Works and the City Engineer having made reports of all proceedings in relation to the improvement of Approving Plans, Specifications, And Schedule Of Assessments For West Johnson Street and North Henry Street Streetscape Assessment District - 2014 pursuant to a resolution of the Common Council, RES-14-00027, ID No. 32548, adopted 1/7/2014, which resolution was adopted thereto, and the provisions of the Madison General Ordinances and the Wisconsin Statutes in such case made and provided, and the Common Council being fully advised.

**BE IT RESOLVED:**

1. That the City at large is justly chargeable with and shall pay the sum of \$246,278.31 of the entire cost of said improvement.
2. That for those eligible property owners requesting construction of a rain garden in the public right-of-way adjacent to their property shall execute the necessary waiver of special assessments on forms provided by the City Engineer;
3. That the sum assigned to each separate parcel, as indicated on the attached schedule of assessment, is hereby specially assessed upon each such parcel.
4. That the Common Council determines such special assessments to be reasonable.
5. That the work or improvement be carried out in accordance with the reports as finally approved.
6. That such work or improvement represents an exercise of the police power of the City of Madison.
7. That the plans & specifications and schedule of assessments in the Report of the Board of Public Works and the Report of the City Engineer for the above named improvement be and are hereby approved.
8. That the Board of Public Works be and is hereby authorized to advertise for and receive bids for the said improvements.
9. That the due date by which all such special assessments shall be paid in full is October 31st of the year in which it is billed, or,

10. That such special assessments shall be collected in eight (8) equal installments, with interest thereon at 3.5 percent per annum, except those special assessments paid in full on or before October 31st of that year.

11. That the Mayor and City Clerk are hereby authorized to accept dedication of lands and/or easements from the Developer/Owner for public improvements located outside of existing public fee title or easement right-of-ways.

#### INSTALLMENT ASSESSMENT NOTICE

Notice is hereby given that a contract has been (or is about to be) let for West Johnson Street and North Henry Street Streetscape Assessment District - 2014 and that the amount of the special assessment therefore has been determined as to each parcel of real estate affected thereby and a statement of the same is on file with the City Clerk; it is proposed to collect the same in eight (8) installments, as provided for by Section 66.0715 of the Wisconsin Statutes, with interest thereon at 3.5 percent per annum; that all assessments will be collected in installments as above provided except such assessments on property where the owner of the same has paid the assessment to the City Treasurer on or before the next succeeding November 1st.

#### NOTICE OF APPEAL RIGHTS

"Pursuant to Sec.4.09(14), Madison General Ordinances, as authorized by Sec. 66.0701(2), Wisconsin Statutes, any person against whose land a special assessment has been levied by this resolution has the right to appeal therefrom in the manner prescribed in Sec. 66.0703(12), Wisconsin Statutes, within forty (40) days of the day of the final determination of the Common Council, said date being the date of adoption of this resolution."

#### Fiscal Note

Funds are available in Acct. Nos.:

CS53-58250-810571-00-53W1198-53TIF032 (Street construction): \$240,000

CS53-58545-810571-00-53W1198-53TIF032 (Street Lighting): \$25,000

CS53-58545-810571-00-53W1198 (Street Lighting): \$240,000

Total Cost: \$505,000

Assessments: \$258,721.69

City Cost: \$246,278.31

February 5, 2014

City of Madison Engineering Division - Schedule of Assessments

Project Name: West Johnson Street and North Henry Street Streetscape Assessment District - 2014  
 Project Limits: N. Broom St. to N. Carroll St. & W. Johnson St. to W. Mifflin St.

Parcel No./ Zoning	Owner's Name / Mailing Address	Parcel Location	Frontage or % Interest*	Remove Concrete Sidewalk & Driveway @ \$1.50 per SF			Replace Concrete Sidewalk @ \$3.00 per SF			Replace Concrete Driveway Arpon @ \$4.00 per SF			Remove & Replace Curb and Gutter @ \$15.00 per LF			Assessments for Street Lighting Items			TOTAL ASSM'T
				SF	Cost	%	SF	Cost	%	SF	Cost	%	LF	Cost	%	Factor	Frontage LF	Install Street Lighting (See per ft rates at end of schedule**)	
0709-231-0212-4 UMX	FIRE HOUSE JT VENT. PRTRSHIP % NATHAN F BRAND 2 E MIFFLIN ST STE 901 MADISON WI	301 N Broom St W Johnson St	132.00 66.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	10.00	\$150.00	2.00	66.00	\$3,903.90	\$4,053.90				
0709-144-2701-2 UMX	CITY OF MADISON PARKING STATE STREET CAPITOL RAMP PO BOX 2986 MADISON WI	214 N Carroll St W Johnson St	264.00 198.00	250.00	\$375.00	250.00	\$750.00	230.00	\$920.00	10.00	\$150.00	2.00	396.00	\$23,423.40	\$25,618.40				
0709-144-2216-1 DR2	LUKENS, CAROLE J LAURENCE T MOSTON W14250 SELWOOD DR PRAIRIE DU SAC WI	304 N Carroll St W Johnson St	66.00 66.00	0.00	\$0.00	0.00	\$0.00	90.00	\$360.00	10.00	\$150.00	1.50	49.50	\$2,927.93	\$3,437.93				
0709-231-0701-9 UMX	USA GENERAL SERVICES ADM J DAVID HOOD, ASST REG MNG 230 S DEARBORN STREET CHICAGO IL	120 N Henry St	264.00	150.00	\$225.00	150.00	\$450.00	0.00	\$0.00	10.00	\$150.00	2.00	528.00	\$24,905.76	\$25,730.76				
0709-231-0601-1 DC	MARKETPLACE CONDO ASSN % JOHN B HUTCHINSON 216 N HENRY ST MADISON WI	202 N Henry St Dayton St CONDOS, SEE FOLLOWING	199.98 66.26	75.00	\$0.00	75.00	\$0.00	0.00	\$0.00	10.00	\$0.00	2.00	399.96	\$0.00	\$0.00				
0709-231-0612-8 DC	HAMMER FARM LLC 202 N HENRY ST MADISON WI	202 N Henry St	57.00%	42.75	\$64.13	42.75	\$128.25	0.00	\$0.00	5.70	\$85.50	N/A	227.98	\$10,753.68	\$11,031.56				
0709-231-0613-6 DC	210 NORTH HENRY LLC 216 N HENRY ST MADISON WI	216 N Henry St	43.00%	32.25	\$48.38	32.25	\$96.75	0.00	\$0.00	4.30	\$64.50	N/A	171.98	\$8,112.43	\$8,322.05				
0709-144-2215-3 DR2	110 WEST APARTMENTS LLC % STEPHEN D BROWN 120 W GORHAM ST MADISON WI	110 W Johnson St	66.00	175.00	\$262.50	175.00	\$525.00	0.00	\$0.00	10.00	\$150.00	1.50	99.00	\$5,855.85	\$6,793.35				
0709-144-2214-5 DR2	118 WEST JOHNSON-A LLC ET AL % CHI APT RENTALS PO BOX 512 MADISON WI	116 W Johnson St	66.00	200.00	\$300.00	200.00	\$600.00	0.00	\$0.00	10.00	\$150.00	1.50	99.00	\$5,855.85	\$6,905.85				
0709-144-2220-2 DC	ST RAPHAELS CONGREGATION 404 E MAIN ST MADISON WI	120 W Johnson St	182.01	300.00	\$450.00	300.00	\$900.00	0.00	\$0.00	10.00	\$150.00	1.00	182.01	\$10,765.89	\$12,265.89				
0709-144-2221-0 DC	ST RAPHAELS CONGREGATION 404 E MAIN ST MADISON WI	142 W Johnson St	83.06	50.00	\$75.00	50.00	\$150.00	0.00	\$0.00	10.00	\$150.00	1.50	124.59	\$7,369.50	\$7,744.50				
0709-144-2213-7 DC	HENRY JOHNSON FAMILY LTD PARTNERSHIP 401 N CARROLL ST MADISON WI	146 W Johnson St	33.00	25.00	\$37.50	25.00	\$75.00	0.00	\$0.00	10.00	\$150.00	2.00	66.00	\$3,903.90	\$4,166.40				

February 5, 2014

City of Madison Engineering Division - Schedule of Assessments

Project ID: 53W1198 Project Name: West Johnson Street and North Henry Street Streetscape Assessment District - 2014  
 Project Limits: N. Broom St. to N. Carroll St. & W. Johnson St. to W. Mifflin St.

Parcel No./ Zoning	Owner's Name / Mailing Address	Parcel Location	Frontage or % Interest*	Remove Concrete			Replace Concrete			Replace Concrete			Replace Concrete			Remove & Replace Curb and Gutter @ \$15.00 per LF			Assessments for Street Lighting Items			TOTAL ASSMT
				SF	Cost	\$1.50 per SF	SF	Cost	\$3.00 per SF	SF	Cost	\$4.00 per SF	LF	Cost	Factor	Factored Frontage LF	Install Street Lighting (See per ft rates at end of schedule)**					
0709-144-2212-9 DC	HENRY JOHNSON FAMILY LTD PARTNERSHIP 401 N CARROLL ST MADISON WI	148 W Johnson St	33.00	50.00	\$75.00	50.00	\$150.00	0.00	\$0.00	10.00	\$150.00	2.00	66.00	\$3,903.90	\$4,278.90							
0709-144-2211-1 DC	HENRY JOHNSON FAMILY LTD PARTNERSHIP 401 N CARROLL ST MADISON WI	152 W Johnson St N Henry St	66.00 90.00	25.00	\$37.50	25.00	\$75.00	0.00	\$0.00	10.00	\$150.00	2.00	66.00	\$3,903.90	\$4,166.40							
0709-231-0602-9 DC	FRIEDMAN JT REV TR 380 SEAVIEW CT APT 1601 MARCO ISLAND FL	301 W Johnson St N Henry St	50.00 66.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	10.00	\$150.00	2.00	66.00	\$3,903.90	\$9,333.94							
0709-231-0614-4 PD	BLOCK 54 LAND CONDO ASSN C/O HOVDE REALTY INC 122 W WASHINGTON AVE #01 MADISON WI	309 W Johnson St ***	282.60	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	0.00	0.00	\$0.00	\$0.00							
0709-231-0314-0 UMX	322 W JOHNSON CORP MOHS, BRAND, & MCCAUGHEY 2 E MIFFLIN ST STE 901 MADISON WI	322 W Johnson St	290.00	75.00	\$112.50	75.00	\$225.00	85.00	\$340.00	10.00	\$150.00	2.00	580.00	\$34,307.00	\$35,134.50							
0709-231-0607-9 PD	CAPITOL CENTRE PARTNERS LLC 333 N MICHIGAN AVE #1700 CHICAGO, IL	333 W Johnson St	254.37	75.00	\$112.50	75.00	\$225.00	0.00	\$0.00	10.00	\$150.00	1.50	351.56	\$20,794.48	\$21,281.98							
0709-231-0207-7 DC, HIS-L	BLOCK 65 CONDOMINIUM ASSN THOMAS CARTO 201 STATE ST MADISON WI	201 State St N Henry St CONDOS, SEE FOLLOWING	375.57 554.30	200.00	\$300.00	200.00	\$600.00	25.00	\$100.00	10.00	\$150.00	0.00	0.00	\$0.00	\$1,150.00							
0709-231-7602-2 DC, HIS-L	OVERTURE DEVELOPMENT CORP 201 STATE ST MADISON WI	201 State St	85.50%	171.00	\$256.50	171.00	\$513.00	21.38	\$85.50	8.55	\$128.25	N/A	0.00	\$0.00	\$983.25							
0709-231-7601-4 DC, HIS-L	MADISON MUSEUM OF CONTEMPORARY ART INC 227 STATE ST MADISON WI	227 State St	14.50%	29.00	\$43.50	29.00	\$87.00	3.63	\$14.50	1.45	\$21.75	N/A	0.00	\$0.00	\$166.75							
0709-144-2702-0 DC, HIS-L	THEATRE BUILDING LLC 148 E WILSON ST # 200 MADISON WI	216 State St W Johnson St	35.00 132.00	300.00	\$450.00	300.00	\$900.00	0.00	\$0.00	10.00	\$150.00	2.00	264.00	\$15,615.60	\$17,115.60							
0709-144-2703-8 DC	PB-II INC C/O OPTIZ MANAGEMENT INC 502 N EAU CLAIRE AVE MADISON WI	220 State St W Johnson St	35.21 27.14	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	10.00	\$150.00	2.00	54.28	\$3,210.66	\$3,360.66							

City of Madison Engineering Division - Schedule of Assessments

February 5, 2014

Project ID: 53W1198 Project Name: West Johnson Street and North Henry Street Streetscape Assessment District - 2014  
 Project Limits: N. Broom St. to N. Carroll St. & W. Johnson St. to W. Mifflin St.

Parcel No./ Zoning	Owner's Name / Mailing Address	Parcel Location	Frontage or % Interest*	Street Reconstruction Items				Assessments for Street Lighting Items			TOTAL ASSM'T				
				Remove Concrete Sidewalk & Driveway @ \$1.50 per SF	Replace Concrete Sidewalk @ \$3.00 per SF	Replace Concrete Driveway Arpon @ \$4.00 per SF	Remove & Replace Curb and Gutter @ \$15.00 per LF	Lot Data**	Install Street Lighting (See per ft rates at end of schedule)**						
										SF		Cost	SF	Cost	LF
0709-144-2709-6 DC	PIB-II INC C/O OPTIZ MANAGEMENT INC 502 N EAU CLAIRE AVE MADISON WI	222 State St W Johnson St	47.80 50.84	30.00	\$45.00	30.00	\$90.00	35.00	\$140.00	10.00	\$150.00	2.00	101.68	\$6,014.37	\$6,439.37
0709-144-2708-8 DC	CHRIST REV TR, ANASTASIA 2615 STEVENS ST MADISON WI	226 State St W Johnson St	21.50 9.50	60.00	\$90.00	60.00	\$180.00	0.00	\$0.00	10.00	\$150.00	2.00	19.00	\$1,123.85	\$1,543.85
0709-144-2706-2 DC	GARVER, JOHN & FANNY 6223 MINERAL POINT RD 25B MADISON WI	228 State St W Johnson St	44.15 46.50	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00	10.00	\$150.00	2.00	93.00	\$5,500.95	\$5,650.95
0709-144-2707-0 DC	GARGANO PROPERTIES-232 STATE STREET LLC 502 N EAU CLAIRE AVE MADISON WI	232 State St W Johnson St	60.30 77.30	50.00	\$75.00	50.00	\$150.00	0.00	\$0.00	10.00	\$150.00	2.00	154.60	\$9,144.59	\$9,519.59
0709-231-0301-7 DC	301-305 STATE ST LLC 7014 WILDBERRY DR MADISON WI	301 State St W Johnson St	60.00 84.85	25.00	\$37.50	25.00	\$75.00	0.00	\$0.00	10.00	\$150.00	2.00	169.70	\$10,037.76	\$10,300.26
0709-231-0302-5 DC	FLX, DANIEL J & KAREN 307 STATE ST MADISON WI	307 State St W Johnson St	40.00 47.00	50.00	\$75.00	50.00	\$150.00	0.00	\$0.00	10.00	\$150.00	2.00	94.00	\$5,560.10	\$5,935.10
0709-231-0303-3 DC	MITROPOULOS FAMILY LTD PRITSHIP 3109 LEYTON LN MADISON WI	311 State St W Johnson St	62.00 50.00	50.00	\$75.00	50.00	\$150.00	0.00	\$0.00	10.00	\$150.00	2.00	100.00	\$5,915.00	\$6,290.00
TOTALS				2215.00	\$3,322.50	2215.00	\$6,645.00	465.00	\$1,860.00	250.00	\$3,750.00	--	4,305.88	\$241,994.19	\$238,721.69

\*The "% Interest" is the percentage of interest in the common elements each condominium owner has as described in the condominium agreement.

\*\*For street lighting, corner lot factors are used for 301 N Broom, 304 N Carroll, 152 W Johnson, and 301 W Johnson. Per factored frontage foot rates for lighting are \$59.15 for Johnson and \$47.17 for Henry

\*\*\*As part of the approval of the development, the property owner is under contract with the City to construct all right-of-way improvements along their frontage at their cost. Right-of-way improvements will be completed near the end of the construction of the development in 2015.