Tx:9396080

Vacating and Discontinuing a portion of a public alley located in part of Block 55 of Original Plat of Madison

**Document Number** 

**Document Title** 

This is to certify that the foregoing resolution was adopted by the Common Council of the City of Madison, Wisconsin at a meeting held on the 19th day of April, 2022. A copy of the resolution is attached.

Vacating and Discontinuing a portion of a public alley located in part of Block 55 of Original Plat of Madison located in the Northwest 1/4 of the Northeast 1/4 of Section 23, Town 7 North, Range 9 East, City of Madison, Dane County, Wisconsin.

File# 70371

KRISTI CHLEBOWSKI DANE COUNTY REGISTER OF DEEDS

DOCUMENT #
5829115
04/26/2022 11:11 AM
Trans Fee:
Exempt #:
Rec. Fee: 30.00
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Name and Return Address

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

Parcel Identification Number (PIN)

| April 25, 2022  |  |
|---|--|
| Harry I   | Date n/a   |
| Signature of Clerk  | Signature of Grantor   |
| Thomas Lund for Maribeth Witzel-Behl, O                                 | City Clerk THOMAS LUND   |
| Name printed  | *Name printed  |
|   | NOON   |
|   | STATE OF WISCONSIN, County of Dane   |
| This document was drafted by: (print or type name below)                | Subscribed and sworn to before me on April 25, 2022 by the above named before (s). |
| Eric Christianson   | Signature of notary or other person authorized to administer an oath               |
|   | (as per s. 706.06, 706.07)   |
| Names of persons signing in any capacity must be typed or printed below | Print or type name: Eric Christianson  |
| their signature.  | Title: Certified Municipal Clerk Date commission expires: 3/27/2026                |

clauses, legal description, etc., may be placed on this first page of the document or may be placed on additional pages of the document. Note: Use of this cover page adds one page to your document and \$2.00 to the recording fee. Wisconsin Statutes, 59.43(2m). USE BLACK INK. WRDA 5/1999



# **City of Madison**

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

# **Certified Copy**

Resolution: RES-22-00275

File Number: 70371 Enactment Number: RES-22-00275

Vacating and Discontinuing a portion of a public alley located in part of Block 55 of Original Plat of Madison located in the Northwest 1/4 of the Northeast 1/4 of Section 23, Town 7 North, Range 9 East, City of Madison, Dane County, Wisconsin. (4th AD)

WHEREAS, a public alley (hereinafter Public Way) was conveyed to the City of Madison as an unnamed "alley way" within Block 55 of the Original Plat of Madison connecting to W. Johnson Street approximately 190 feet southwesterly of State Street. The said conveyance was recorded March 18, 1927, as Document Number 472131, Dane County Registry; and

WHEREAS, an application for a Development was submitted to the City of Madison Planning Department to rezone properties located at 341 State Street, 317-321 West Gorham Street and 322 West Johnson Street to PD(GDP) Planned Development (General Development Plan). The said Rezoning and Specific Implementation Plan were conditionally approved by the Common Council by Enactment Number ORD-21-00082, File I.D. Number 67120, as adopted on the 7th of December, 2021; and

WHEREAS, an application was submitted to the City of Madison Planning Department for a Certified Survey Map combining parcels creating a single Lot over the same lands as those in the above rezoning application. Said Certified Survey Map was conditionally approved by the Common Council by Enactment Number RES-21-00814, File I.D. Number 66600, as adopted on the 7th of December, 2021; and

**WHEREAS**, a condition of the above rezoning ordinance ORD-21-00082 is that the it "shall take effect when the Common Council approves a Resolution vacating city right-of-way contained within the area to be rezoned"; and

WHEREAS, the proposed Certified Survey Map may not be approved for recording until that portion the existing Public Way within Lot 1 of the proposed Certified Survey Map has been properly vacated and discontinued under s. 66.1003 Wisconsin Statutes and included within Lot 1 of the proposed Certified Survey Map; and

WHEREAS, a condition of approval for the Certified Survey Map requires the owner to grant a permanent limited easement to the City of Madison for a public turn around adjacent to public alley to remain. The proposed Easement Area as noted on Exhibit C attached hereto and made part of this resolution; and

WHEREAS, a condition of approval for the Certified Survey Map for the partial vacation an discontinuance of the Public Way shall be conditioned upon any required access easements benefitting the adjacent owners (of the remaining Public Way) and the City of Madison being finalized and agreed upon with the adjacent owners and the City of Madison. Any required easements shall be recorded subsequent to the CSM and prior to the final site plan sign off; and

WHEREAS, on March 3, 2022, a written petition and a copy of the required Lis Pendens per Document No. 5816165 were submitted to the City of Madison Engineer to partially vacate and

Public Way 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.

Thomplus for

I, Thomas Lund for City Clerk Maribeth Witzel-Behl, certify that this is a true copy of Resolution 22-00275, file id 70371, adopted by the Madison Common Council on April 19, 2022.

Date Certified

discontinue a portion of the Public Way. The written petition for vacation and discontinuance includes the signatures of all owners of lands abutting the Public Way to be vacated and discontinued, and also all of the owners of the lands abutting the remainder of the Public Way that is not being vacated and discontinued. The petition and Lis Pendens are attached hereto and made part of this resolution; and

**WHEREAS**, the portion of the Public Way to be vacated and discontinued is as shown and mapped on Exhibit B and legally described on Exhibit A, 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; and

**WHEREAS**, the City Engineering Division recommends approval of this partial vacation and discontinuance of the said Public Way, subject to conditions as noted herein.

**NOW THEREFORE BE IT RESOLVED,** that the City Of Madison hereby conditionally vacates and discontinues a portion a Public Way as shown on attached Exhibit B and described in attached Exhibit A, under Wisconsin ss. 66.1003(2), upon completion of the following conditions to the satisfaction of the City Engineer:

- The Owner of the lands within the conditionally approved Certified Survey Map shall enter into any Developer Agreement(s) required by the City of Madison in conjunction with the approval of the proposed development. This shall include the Owner to enter into a Maintenance agreement with the City of Madison for the portion of the Public Way (alley) that will not be discontinued. Responsibilities shall include sweeping, cleaning, and snow and ice removal.
- The Owner of the lands within the conditionally approved Certified Survey Map shall satisfy the Certified Survey Map and Rezoning conditions of approval to the level of satisfaction of the City Engineer.
- The Owner of the lands within the conditionally approved Certified Survey Map shall provide confirmation that the required access easement(s) benefitting the adjacent owners abutting the Public Way (alley) to remain have been approved by those adjacent owners and will be recorded after the Certified Survey Map.
- The required public access easement over the conditionally approved Certified Survey Map benefitting the City of Madison shall be approved by the City Engineer and granted on the face of the final recorded Certified Survey Map.

**BE IT FURTHER RESOLVED**, that under ss. 66.1005(2)(a)(1), the City Of Madison discontinues and releases any easements and rights within the portion of the Public Way being vacated and discontinued; and

**BE IT FURTHER RESOLVED**, under Section 66.1005(2), Wisconsin Statutes, other than those easements and rights cited above, any other existing easements and rights that exist within the vacated and discontinued Public Way shall continue unless as otherwise provided by statute; and

**BE IT FURTHER RESOLVED,** under Section 66.1005(1), Wisconsin Statutes, reversionary rights of the Public Way herein vacated and discontinued shall attach to the adjacent properties as provided by Statute; and

BE IT FINALLY RESOLVED, upon Common Council adoption of this resolution and completion all



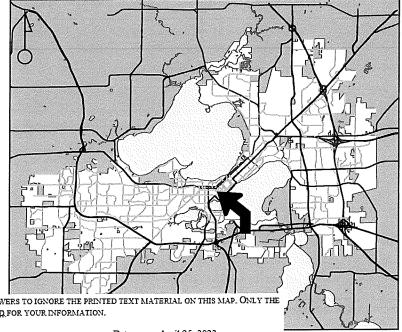
# City of Madison

# **Routine Business**

File ID 70371

## Title

Vacating and Discontinuing a portion of a public alley located in part of Block 55 of Original Plat of Madison located in the Northwest 1/4 of the Northeast 1/4 of Section 23, Town 7 North, Range 9 East, City of Madison, Dane County, Wisconsin. (4th AD)



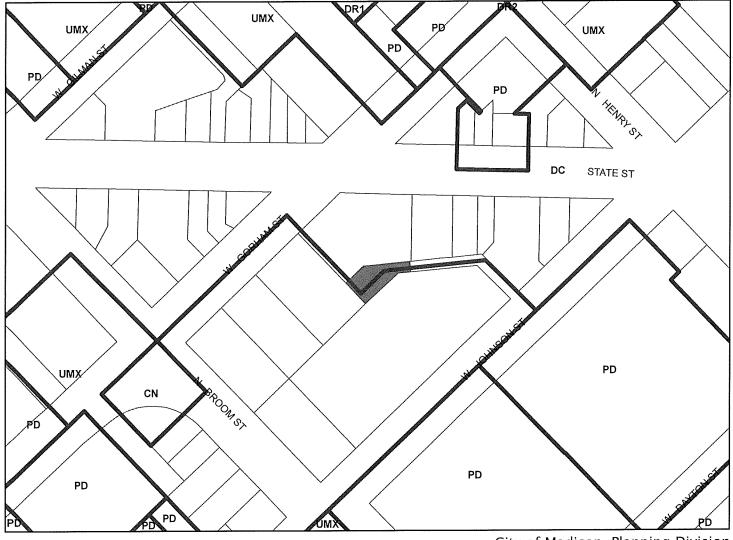
NOTE: PLEASE BE ADVISED THAT THE DOCUMENT GRANTOR(S) HEREBY DIRECT VIEWERS TO IGNORE THE PRINTED TEXT MATERIAL ON THIS MAP. ONLY THE SPATIAL RELATIONSHIPS OF THE ILLUSTRATIONS ON THE MAP ARE BEING PRESENTED FOR YOUR INFORMATION.

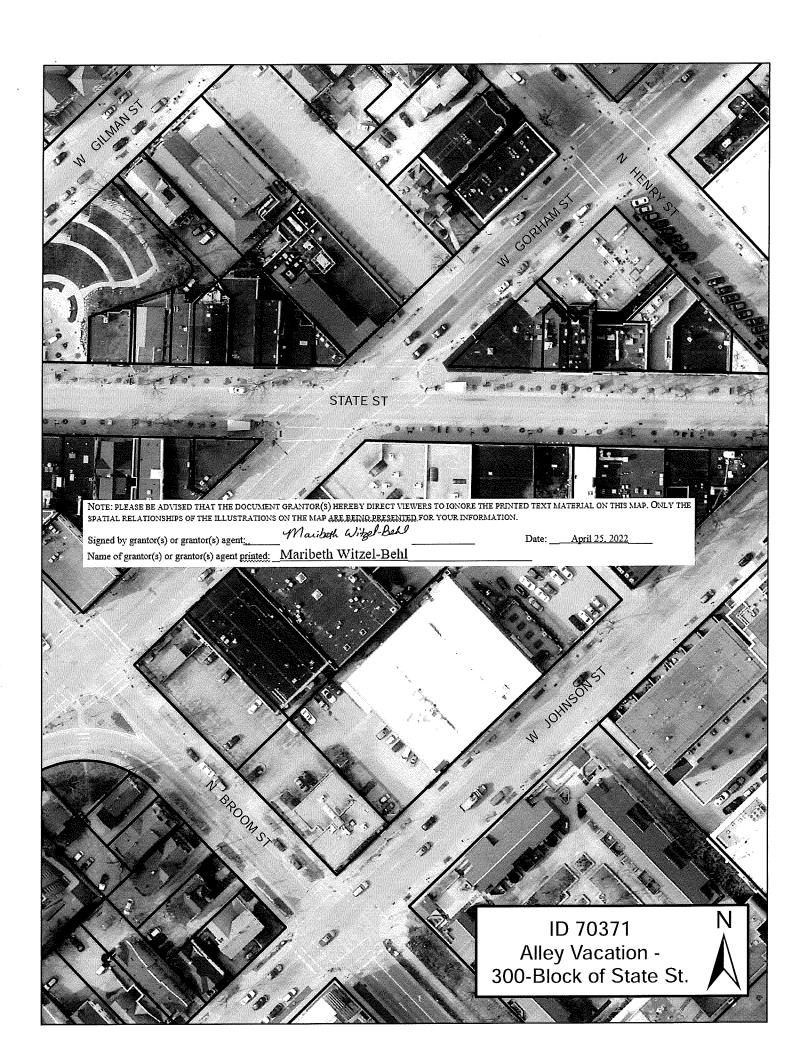
Signed by grantor(s) or grantor(s) agent;

Maribeth Witzel-Behl

Date: \_\_\_\_April 25, 2022\_

Name of grantor(s) or grantor(s) agent printed: Maribeth Witzel-Behl





# PETITION TO DISCONTINUE A PUBLIC WAY

RE: PUBLIC WAY LOCATED IN BLOCK 55, ORIGINAL PLAT OF MADISON

This Petition to Discontinue a Public Way ("Petition") is made pursuant to Wis. Stat. § 66.1003(2). The undersigned state as following:

- The undersigned are the owners of all the frontage of the lots and lands abutting the public way located in Block 55, Original Plat of Madison (the "Public Way").
- The undersigned petition the City of Madison to discontinue the portion of the Public 2. Way (the "Discontinued Portion") described in the attached Exhibit A (Legal Description) and shown on the attached Exhibit B (Map).
- The discontinuance of the Discontinued Portion of the Public Way will not deprive a landowner or public school of all access to a highway.
- The discontinuance of the Discontinued Portion of the Public Way is necessary for the 4. redevelopment of 341 State Street, 315-321 W. Gorham Street, and 322 W. Johnson Street, Madison, Wisconsin.

| 321 W. GORHAM STREET<br>315 & 317 W. GORHAM STREET<br>322 W. JOHNSON STREET                            | 311, 313, 115 STATE STREET AND 320 W. JOHNSON STREET                           |
|--|--|
| 341 STATE STREET  CORE MADISON GORHAM, LLC   | MITROPOULOS FAMILY REVOCABLE<br>TRUST, DATED SEPTEMBER 16, 1998, AS<br>AMENDED |
| By: Chad Materi<br>Name: Chad Materi<br>Title: Executive Managing Director, Chief Operation<br>officer | By: Demetrios Mitropoulos, Trustee  By: Irene Mitropoulos, Trustee             |
| 329 STATE STREET   | 319 STATE STREET   |
| GSV PROPERTIES, LLC  | 319 STATE STREET LLC   |
| By:  | By:  |
| Name:  | Name:  |
| Title:   | Title:   |
| 317 STATE STREET   |  |
| MARK MACKESEY TRUST  |  |
| D  |  |

Mark T. Mackesey, Trustee

## PETITION TO DISCONTINUE A PUBLIC WAY

RE: PUBLIC WAY LOCATED IN BLOCK 55, ORIGINAL PLAT OF MADISON

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| 321 W. GORHAM STREET<br>315 & 317 W. GORHAM STREET<br>322 W. JOHNSON STREET | 311, 313, 115 STATE STREET AND 320 W.<br>JOHNSON STREET             |
|---|---|
| 341 STATE STREET  | MITROPOULOS FAMILY REVOCABLE<br>TRUST, DATED SEPTEMBER 16, 1998, AS |
| CORE MADISON GORHAM, LLC  | AMENDED   |
| By:Name:  | By:   |
| Name:   | Demetrios Mitropoulos, Trustee                                      |
| Title:  | Dev   |
|   | By: Irene Mitropoulos, Trustee                                      |
| 329 STATE STREET  | 319 STATE STREET  |
| GSV PROPERTIES, LLC   | 319 STATE STREET LLC  |
| By:   | By:   |
| By:Name:  | Name:   |
| Title:  | Title:  |
|   |   |

317 STATE STREET

MARK MACKESEY TRUST

By: Mul Mask Mark T. Mackesey, Trustee

# PETITION TO DISCONTINUE A PUBLIC WAY RE: PUBLIC WAY LOCATED IN BLOCK 55, ORIGINAL PLAT OF MADISON

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- 4. The discontinuance of the Discontinued Portion of the Public Way is necessary for the redevelopment of 341 State Street, 315-321 W. Gorham Street, and 322 W. Johnson Street, Madison, Wisconsin.

| 321 W. GORHAM STREET 315 & 317 W. GORHAM STREET 322 W. JOHNSON STREET 341 STATE STREET CORE MADISON GORHAM, LLC | 311, 313, 115 STATE STREET AND 320 W. JOHNSON STREET  MITROPOULOS FAMILY REVOCABLE TRUST, DATED SEPTEMBER 16, 1998, AS AMENDED |
|---|--|
| By: Name: Title:  | By: Demetrios Mitropoulos, Trustee  By: Irene Mitropoulos, Trustee   |
| 329 STATE STREET  GSV PROPERTIES, LLC  By: Name:  | 319 STATE STREET  319 STATE STREET LLC  By Name Name Title: Member   |
| Title: 317 STATE STREET  MARK MACKESEY TRUST  By: Mark T. Mackesey, Trustee                                     |  |

# PETITION TO DISCONTINUE A PUBLIC WAY RE: PUBLIC WAY LOCATED IN BLOCK 55, ORIGINAL PLAT OF MADISON

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| 321 W. GORHAM STREET 315 & 317 W. GORHAM STREET 322 W. JOHNSON STREET 341 STATE STREET  CORE MADISON GORHAM, LLC  By: Name: Title: | 311, 313, 115 STATE STREET AND 320 W. JOHNSON STREET  MITROPOULOS FAMILY REVOCABLE TRUST, DATED SEPTEMBER 16, 1998, AS AMENDED  By: Demetrios Mitropoulos, Trustee  By: Irene Mitropoulos, Trustee |
|--|--|
| 329 STATE STREET   | 319 STATE STREET   |
| GSV PROPERTIES, LLC  | 319 STATE STREET LLC   |
| By:<br>Name:<br>Title:   | By:<br>Name:<br>Title:   |
| 317 STATE STREET   |  |
| MARK MACKESEY TRUST  |  |
| By:<br>Mark T. Mackesey, Trustee   |  |

# PETITION TO DISCONTINUE A PUBLIC WAY RE: PUBLIC WAY LOCATED IN BLOCK 55, ORIGINAL PLAT OF MADISON

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311, 313, 115 STATE STREET AND 320 W. 321 W. GORHAM STREET 315 & 317 W. GO<sub>RHAM</sub> STREET JOHNSON STREET 322 W. JOHNSON STREET MITROPOULOS FAMILY REVOCABLE 341 STATE STREET TRUST, DATED SEPTEMBER 16, 1998, AS **AMENDED** CORE MADISON GORHAM, LLC Demetrios Mitropoulos, Trustee Irene Mitropoulos, Trustee 319 STATE STREET 329 STATE STREET 319 STATE STREET LLC By:\_ Name :\_ Title: 317 STATE STREET MARK MACKESEY TRUST

Mark T. Mackesey, Trustee

### EXHIBIT A

# PETITION TO PARTIALLY DISCONTINUE AND VACATE A PUBLIC WAY

# RE: PUBLIC WAY LOCATED IN BLOCK 55, ORIGINAL PLAT OF MADISON

## Metes and Bounds Description

Part of a Public Alley as granted to the City of Madison per Document Number 472131, located in parts of Lots 4, 5, 10 and 11, Block 55, Original Plat of Madison, as recorded in Volume A of Plats, on page 3, Dane County Registry, located in the Northwest Quarter of the Northeast Quarter of Section 23, Township 07 North, Range 09 East, City of Madison, Dane County, Wisconsin, more fully described as follows;

Commencing at the North Quarter corner of said Section 23;

thence South 00 degrees 00 minutes 55 seconds West along the west line of said Northeast Quarter, 47.38 feet;

thence South 89 degrees 59 minutes 05 seconds East, 672.07 feet to the southeast right of way of W. Gorham Street, also to the south right of way of State Street;

thence South 46 degrees 12 minutes 11 seconds West along said southeast right of way, 80.01 feet;

thence South 43 degrees 55 minutes 36 seconds East, 90.10 feet to the west corner of a Public Alley, also to the Point of Beginning;

thence North 46 degrees 05 minutes 38 seconds East along the westerly line of said Public Alley, 28.58 feet;

thence North 84 degrees 32 minutes 50 seconds East, along the northerly line of said Public Alley, 70.66 feet:

thence South 01 degree 38 minutes 47 seconds West, 16.14 feet to the south line of said Public Alley;

thence South 84 degrees 13 minutes 01 second West, along the southerly line of said Public Alley, 21.54 feet;

thence South 46 degrees 11 minutes 30 seconds West, along a southeasterly line of said Public Alley, 55.44 feet;

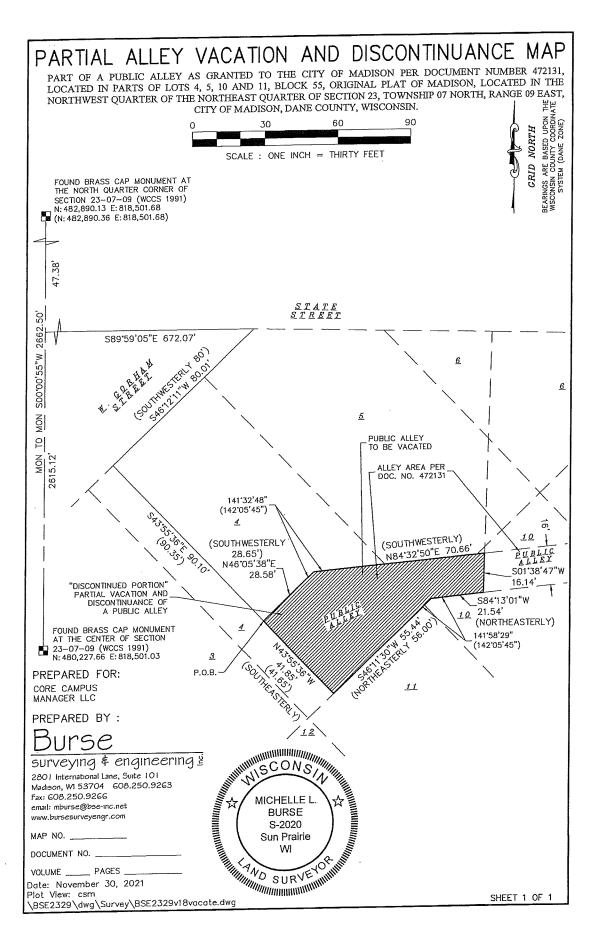
thence North 43 degrees 55 minutes 36 seconds West, along a southwest line said Public Alley, 41.85 feet to the Point of Beginning.

This description contains 2,502 square feet.

Bearings are based upon the Wisconsin County Coordinate System (Dane Zone)

Prepared By: Burse Surveying and Engineering, Inc. 2801 International Lane, Suite 101 Madison WI, 53704

M:\BSE2329\Documents\descripitions\alley vacat.docx



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 Witzel-Bahl

Witzel-Behl Signed by grantor(s) or grantor(s) agent:

Maribeth Name of grantor(s) or grantor(s) agent printed:

## LIS PENDENS

KRISTI CHLEBOWSKI DANE COUNTY REGISTER OF DEEDS

DOCUMENT # 5816165

03/03/2022 10:19 AM

Trans Fee: Exempt #:

Rec. Fee: 30.00

Pages: 12

\*\*The above recording information verifies that this document has been electronically recorded and returned to the submitter.\*\*

Document drafted by and after recording should be returned to:

Robert C. Procter Axley Brynelson, LLP 2 E. Mifflin Street, Suite 200 Madison, Wisconsin 53703 (608) 283-6762

By:

CORE MADISON GORHAM, LLC

Attn: Rob Bak

1643 N. Milwaukee Ave., 5th Floor

Chicago, IL 60647

The parties to this action are:

CORE MADISON GORHAM, LLC 1643 N. MILWAUKEE AVE., 5TH FLOOR CHICAGO, IL 60647

GSV PROPERTIES, LLC 802 ONDOSSAGON WAY MADISON, WI 53719

MARK MACKESEY TRUST 235 E MCKINLEY ST STOUGHTON WI 53589-1626 TAX PARCEL NO. 070923103059; 070923103041 070923103033; 070923103075 070923103140; 070923103091 070923103108

MITROPOULOS FAMILY REVOCABLE TRUST, DATED SEPTEMBER 16, 1998, AS AMENDED 3109 LEYTON LN MADISON WI 53713-3402

319 STATE STREET LLC 319 STATE ST MADISON, WI 53703

### LIS PENDENS

NOTICE IS HEREBY GIVEN that a Petition to Discontinue A Public Way (the "Petition") located in Block 55, Original Plat of Madison is being filed with the City of Madison, Wisconsin. The Petition is made pursuant to Wis. Stat. § 66.1003(2), and is attached as Exhibit 1. The legal description of the portion of the Public

Way being discontinued (the "Discontinued Portion") is set forth on Exhibit A to the Petition and shown on Exhibit B to the Petition. Said action affects the title to the real estate described in <a href="Exhibit 2">Exhibit 2</a> to this Lis Pendens.

AXLEY BRYNELSON, LLP

Dated this March 3, 2022.

Electronically Signed by Robert C. Procter
Robert C. Procter
State Bar No. 1034777
Attorneys for Core Madison Gorham, LLC
2 East Mifflin Street, Suite 200
Madison, WI 53703
Phone: (608) 257-5661

Fax: (608) 257-5444 rprocter@axley.com

# PETITION TO DISCONTINUE A PUBLIC WAY RE: PUBLIC WAY LOCATED IN BLOCK 55, ORIGINAL PLAT OF MADISON

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- 1. The undersigned are the owners of all the frontage of the lots and lands abutting the public way located in Block 55, Original Plat of Madison (the "Public Way").
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- 3. The discontinuance of the Discontinued Portion of the Public Way will not deprive a landowner or public school of all access to a highway.
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311, 313, 115 STATE STREET AND 320 W. 321 W. GORHAM STREET JOHNSON STREET 315 & 317 W. GORHAM STREET 322 W. JOHNSON STREET MITROPOULOS FAMILY REVOCABLE 341 STATE STREET TRUST, DATED SEPTEMBER 16, 1998, AS **AMENDED** CORE MADISON GORHAM, LLC Demetrios Mitropoulos, Trustee Name: Chad Title: Executive Managing Director Chief Operations officer Irene Mitropoulos, Trustee 319 STATE STREET 329 STATE STREET 319 STATE STREET LLC GSV PROPERTIES, LLC By: Name: Name: Title: Title: 317 STATE STREET MARK MACKESEY TRUST

By:

Mark T. Mackesey, Trustee

# PETITION TO DISCONTINUE A PUBLIC WAY

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| 321 W. GORHAM STREET<br>315 & 317 W. GORHAM STREET<br>322 W. JOHNSON STREET | 311, 313, 115 STATE STREET AND 320 W.<br>JOHNSON STREET             |
|---|---|
| 341 STATE STREET  | MITROPOULOS FAMILY REVOCABLE<br>TRUST, DATED SEPTEMBER 16, 1998, AS |
| CORE MADISON GORHAM, LLC  | AMENDED   |
| By:<br>Name:  | By:   |
| Title:  | •   |
|   | By: Irene Mitropoulos, Trustee                                      |
| 329 STATE STREET  | 319 STATE STREET  |
| GSV PROPERTIES, LLC   | 319 STATE STREET LLC  |
| By:   | Ву:   |
| Name:   | Name:   |
| Name:   | Title:  |
| 317 STATE STREET  |   |

MARK MACKESEY TRUST

By: Mackesey, Trustee

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 $311,313,115\,\mathrm{STATE}$  STREET AND  $320\,\mathrm{W}.$ 321 W. GORHAM STREET JOHNSON STREET 315 & 317 W. GORHAM STREET 322 W. JOHNSON STREET MITROPOULOS FAMILY REVOCABLE 341 STATE STREET TRUST, DATED SEPTEMBER 16, 1998, AS AMENDED CORE MADISON GORHAM, LLC By By:\_ Demetrios Mitropoulos, Trustee Name: Title: Irene Mitropoulos, Trustee 319 STATE STREET 329 STATE STREET GSV PROPERTIES, LLC By: Name: Member Title: 317 STATE STREET MARK MACKESEY TRUST Mark T. Mackesey, Trustee

# PETITION TO DISCONTINUE A PUBLIC WAY RE: PUBLIC WAY LOCATED IN BLOCK 55, ORIGINAL PLAT OF MADISON

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- 3. The discontinuance of the Discontinued Portion of the Public Way will not deprive a landowner or public school of all access to a highway.
- The discontinuance of the Discontinued Portion of the Public Way is necessary for the redevelopment of 341 State Street, 315-321 W. Gorham Street, and 322 W. Johnson Street, Madison, Wisconsin.

| 321 W. GORHAM STREET 315 & 317 W. GORHAM STREET | JOHNSON STREET                              |
|---|---|
| 322 W. JOHNSON STREET<br>341 STATE STREET       | MITROPOULOS FAMILY REVOCABLE                |
| CORE MADISON GORHAM, LLC                        | TRUST, DATED SEPTEMBER 16, 1998, AS AMENDED |
| By:Name:Title:                                  | By:   |
| 329 STATE STREET                                | 319 STATE STREET                            |
| GSV PROPERTIES, LLC                             | 319 STATE STREET LLC                        |
| By:<br>Name:<br>Title:                          | By:<br>Name:<br>Title:                      |
| 317 STATE STREET                                |   |
| MARK MACKESEY TRUST                             |   |
| By:<br>Mark T. Mackesey, Trustee                |   |
|   |   |

# PETITION TO DISCONTINUE A PUBLIC WAY RE: PUBLIC WAY LOCATED IN BLOCK 55, ORIGINAL PLAT OF MADISON

This Petition to Discontinue a Public Way ("Petition") is made pursuant to Wis. Stat. § 66.1003(2). The undersigned state as following:

- 1. The undersigned are the owners of all the frontage of the lots and lands abutting the public way located in Block 55, Original Plat of Madison (the "Public Way").
- 2. The undersigned petition the City of Madison to discontinue the portion of the Public Way (the "Discontinued Portion") described in the attached Exhibit A (Legal Description) and shown on the attached Exhibit B (Map).
- 3. The discontinuance of the Discontinued Portion of the Public Way will not deprive a landowner or public school of all access to a highway.
- 4. The discontinuance of the Discontinued Portion of the Public Way is necessary for the redevelopment of 341 State Street, 315-321 W. Gorham Street, and 322 W. Johnson Street, Madison, Wisconsin.

| 321 W. GORHAM STREET<br>315 & 317 W. GO <sub>RHAM</sub> STREET<br>322 W. JOHNSON STREET | 311, 313, 115 STATE STREET AND 320 W.<br>JOHNSON STREET |
|---|---|
| 341 STATE STREET  | MITROPOULOS FAMILY REVOCABLE                            |
| CORE MADISON GORHAM, LLC  | TRUST, DATED SEPTEMBER 16, 1998, AS<br>AMENDED          |
| By:<br>Name:  | By: Demetrios Mitropoulos, Trustee                      |
| Title:  | By: Irene Mitropoulos, Trustee                          |
| 329 STATE STREET  | 319 STATE STREET  |
| GSV PROPERTIES, LLC   | 319 STATE STREET LLC                                    |
| By: CARTON AND MARKET   | By:<br>Name :<br>Title:                                 |
| 317 STATE STREET  |   |
| MARK MACKESEY TRUST   |   |
| By . Mark T Mackesey Trustee  |   |

### EXHIBIT A

# PETITION TO PARTIALLY DISCONTINUE AND VACATE A PUBLIC WAY

### RE: PUBLIC WAY LOCATED IN BLOCK 55, ORIGINAL PLAT OF MADISON

### Metes and Bounds Description

Part of a Public Alley as granted to the City of Madison per Document Number 472131, located in parts of Lots 4, 5, 10 and 11, Block 55, Original Plat of Madison, as recorded in Volume A of Plats, on page 3, Dane County Registry, located in the Northwest Quarter of the Northeast Quarter of Section 23, Township 07 North, Range 09 East, City of Madison, Dane County, Wisconsin, more fully described as follows;

Commencing at the North Quarter corner of said Section 23;

thence South 00 degrees 00 minutes 55 seconds West along the west line of said Northeast Quarter, 47.38 feet:

thence South 89 degrees 59 minutes 05 seconds East, 672.07 feet to the southeast right of way of W. Gorham Street, also to the south right of way of State Street;

thence South 46 degrees 12 minutes 11 seconds West along said southeast right of way, 80.01 feet;

thence South 43 degrees 55 minutes 36 seconds East, 90.10 feet to the west corner of a Public Alley, also to the Point of Beginning;

thence North 46 degrees 05 minutes 38 seconds East along the westerly line of said Public Alley, 28.58 feet:

thence North 84 degrees 32 minutes 50 seconds East, along the northerly line of said Public Alley, 70.66 feet

thence South 01 degree 38 minutes 47 seconds West, 16.14 feet to the south line of said Public Alley;

thence South 84 degrees 13 minutes 01 second West, along the southerly line of said Public Alley, 21.54 feet;

thence South 46 degrees 11 minutes 30 seconds West, along a southeasterly line of said Public Alley, 55.44 feet;

thence North 43 degrees 55 minutes 36 seconds West, along a southwest line said Public Alley, 41.85 feet to the Point of Beginning.

This description contains 2,502 square feet.

Bearings are based upon the Wisconsin County Coordinate System (Dane Zone)

Prepared By: Burse Surveying and Engineering, Inc. 2801 International Lane, Suite 101 Madison WI, 53704

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### PARTIAL ALLEY VACATION AND DISCONTINUANCE MAP PART OF A PUBLIC ALLEY AS GRANTED TO THE CITY OF MADISON PER DOCUMENT NUMBER 472131, LOCATED IN PARTS OF LOTS 4, 5, 10 AND 11, BLOCK 55, ORIGINAL PLAT OF MADISON, LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 07 NORTH, RANGE 09 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN. BEARINGS ARE BASED UPON WISCONSIN COUNTY COORDIN SYSTEM (DANE ZONE) 90 60 NORTH SCALE : ONE INCH = THIRTY FEET GRID FOUND BRASS CAP MONUMENT AT THE NORTH QUARTER CORNER OF SECTION 23-07-09 (WCCS 1991) N: 482,890.13 E: 818,501.68 (N: 482,890.36 E: 818,501.68) 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. Maribeth Witzel-Bell Date: April 25, 2022 Signed by grantor(s) or grantor(s) agent; Name of grantor(s) or grantor(s) agent printed: \_Maribeth Witzel-Behl STATE STREET 20, 2662 S89'59'05"E 672.07 Steat 80 ₹ , "M 000 22, 200.000 6 NO W PUBLIC ALLEY TO BE VACATED 의 NON 2615.12 ALLEY AREA PER DOC. NO. 472131 141°32'48" (142°05'45") 6 (SOUTHWESTERLY) 10 (SOUTHWESTERLY N84\*32'50"E 70.66' PUBLIC 28.65') N46'05'38"E S01'38'47"W 28.58 "DISCONTINUED PORTION" PARTIAL VACATION AND DISCONTINUANCE OF A PUBLIC ALLEY 16.14'\_ S84'13'01"W 21.54 10 (NORTHEASTERLY) FOUND BRASS CAP MONUMENT AT THE CENTER OF SECTION 141"58'29" (142'05'45") 23-07-09 (WCCS 1991) N: 480,227.66 E: 818,501.03 <u>3</u> P.O.B. PREPARED FOR: CORE CAMPUS MANAGER LLC PREPARED BY: MICHELLE L. A MICHELLE L. BURSE S-2020 Sun Prairie WI SURVE MILITARIA MILITA surveying & engineering 2801 International Lane, Suite 101 Madison, WI 53704 608.250.9263 Fax: 608.250.9266 email: mburse@bse-mc.net www.bursesurveyengr.com MAP NO. DOCUMENT NO. VOLUME \_\_\_ PAGES Date: November 30, 2021 Plot View: csm SHEET 1 OF 1 \BSE2329\dwg\Survey\BSE2329v18vacate.dwg

### **EXHIBIT 2**

### PROPERTIES ABUTTING PUBLIC WAY TO BE DISCONTINUED

Part of Lots 4-6, 9 and 10, all of Lots 1-3 and 11-13, Block 55, Original Plat of Madison, as recorded in Volume A of Plats, on page 3, Dane County Registry, located in the Northwest Quarter of the Northeast Quarter of Section 23, Township 07 North, Range 09 East, City of Madison, Dane County, Wisconsin, more fully described as follows; Beginning at the southeast right of way of W. Gorham Street, also being the northeast right of way of N. Broom Street, also being the west corner of said Lot 1; thence North 46 degrees 12 minutes 11 seconds East along said southeast right of way, 291.69 feet to the south right of way of State Street; thence South 88 degrees 34 minutes 04 seconds East along said south right of way, 98.34 feet; thence South 01 degree 38 minutes 47 seconds West, 91.31 feet to the north line of a Public Alley; thence South 84 degrees 32 minutes 50 seconds West along said north line, 70.66 feet; thence South 46 degrees 05 minutes 38 seconds West along said north line, 28.58 feet; thence South 43 degrees 55 minutes 36 seconds East along the southwest line of said Public Alley, 41.85 feet to the south corner of said Public Alley; thence North 46 degrees 11 minutes 30 seconds East along the south line of said Public Alley, 55.44 feet; thence North 84 degrees 13 minutes 01 second East along said south line, 113.47 feet to a bend in said south line; thence South 44 degrees 21 minutes 14 seconds East along said south line, 63.60 feet to the northwest right of way of W. Johnson Street; thence South 46 degrees 02 minutes 42 seconds West along said northwest right of way, 291.79 feet to the southwest line of aforementioned Lot 13; thence North 43 degrees 53 minutes 37 seconds West along said southwest line, 134.24 feet to the west corner of said Lot 13, also being the east corner of aforementioned Lot 1; thence South 46 degrees 11 minutes 30 seconds West along the southeast line of said Lot 1, 65.45 feet to the south corner of said Lot 1, also being the aforementioned northeast right of way of N. Broom Street; thence North 43 degrees 46 minutes 54 seconds West along said northeast right of way, 131.99 feet to the point of beginning.

Parcel Number: 070923103108 Parcel Number: 070923103091 Parcel Number: 070923103140 Parcel Number: 070923103075

Parts of Lots Seven (7), Eight (8) and Nine (9), Block Fifty-Five (55), in the City of Madison, described as follows: Commencing on the South line of State Street at a point 100 feet West of the East Corner said Block 55; then West along said South line of State Street 62 feet; thence South at right angles to State Street 64.2 feet to the line dividing Lots 8 and 9; thence Southeast along the line dividing Lots 8 and 9 to a point 69.3 feet from the Northwest line of West Johnson Street; thence at right angles to the line between Lots 8 and 9 Southwest 23 feet to the alley; thence Southeast along the Northeast line of said alley 69.3 feet to the Northwest line of West Johnson Street; thence Northeast along said Northwest line 50 feet; thence North 45 degrees 30 feet West 10.2 feet to the angle in the wall of the building to a point of beginning. Together with a right of way over a strip of land 16 feet wide adjoining above described property on the Southwest as set forth in Volume 310 of Deeds, Page 69.

Parcel Number: 070923103033

Part of Lots Eight (8) and Nine (9), Block Fifty-five (55), in the City of Madison, described as follows:
Beginning on the South line of State Street 186.35 feet West of the East corner of Block 55; thence South at right angles to State Street 80 feet; thence Easterly 6.6 feet; thence Southeasterly at right angles to Johnson Street 2.3 feet to a point 69.3 feet from Johnson Street; thence at right angles 23 feet Northeasterly to the line between Lots 8 and 9; thence Northwest along said lot line to a point 62 feet from State Street; thence at right angles to State Street 62 feet more or less to State Street at a point 24.35 feet East of the point of beginning; thence West along State Street 24.35 feet to the point of beginning.

Parcel Number: 070923103041

Parts of Lots 6, 8, and 9 in Block 55, in the City of Madison, Dane County, Wisconsin, more particularly described as follows:

Beginning at a point on State Street 154.3 feet (also described as 155 feet in numerous conveyances) East from the intersection of the property lines of State and West Gorham Streets; thence Easterly 34 feet on the South property line of State Street; thence Southerly at right angles to State Street 80 feet; thence Westerly to a point 84.23 feet from State Street on a line at right angles to said street passing through point of beginning; thence Northerly on said line to point of beginning; it being intended to convey all of the premises between the East line of the East wall and the West line of the West wall of the building located thereon.

Parcel Number: 070923103059

A parcel of land situated in Block 55, in the City of Madison, Dane County, Wisconsin, described as follows: Commencing at a point on South property line of State Street 98 feet East from the intersection of the South property line of State Street and the East property line of West Gorham Street; thence Easterly 56 feet on the South property line of State Street; thence Southerly at right angles to State Street 84.25 feet to alleyway; thence Westerly along North line of alley 56.48 feet to a point 91.25 feet from State Street on a line of right angles to State Street passing through the point of beginning thence Northerly on said line to point of beginning. The alleyway herein referred to being alley deeded to City of Madison by deed dated December 22, 1925.

### **EXHIBIT A**

# PETITION TO PARTIALLY DISCONTINUE AND VACATE A PUBLIC WAY

RE: PUBLIC WAY LOCATED IN BLOCK 55, ORIGINAL PLAT OF MADISON

### Metes and Bounds Description

Part of a Public Alley as granted to the City of Madison per Document Number 472131, located in parts of Lots 4, 5, 10 and 11, Block 55, Original Plat of Madison, as recorded in Volume A of Plats, on page 3, Dane County Registry, located in the Northwest Quarter of the Northeast Quarter of Section 23, Township 07 North, Range 09 East, City of Madison, Dane County, Wisconsin, more fully described as follows;

Commencing at the North Quarter corner of said Section 23;

thence South 00 degrees 00 minutes 55 seconds West along the west line of said Northeast Quarter, 47.38 feet;

thence South 89 degrees 59 minutes 05 seconds East, 672.07 feet to the southeast right of way of W. Gorham Street, also to the south right of way of State Street;

thence South 46 degrees 12 minutes 11 seconds West along said southeast right of way, 80.01 feet;

thence South 43 degrees 55 minutes 36 seconds East, 90.10 feet to the west corner of a Public Alley, also to the Point of Beginning;

thence North 46 degrees 05 minutes 38 seconds East along the westerly line of said Public Alley, 28.58 feet;

thence North 84 degrees 32 minutes 50 seconds East, along the northerly line of said Public Alley, 70.66 feet;

thence South 01 degree 38 minutes 47 seconds West, 16.14 feet to the south line of said Public Alley;

thence South 84 degrees 13 minutes 01 second West, along the southerly line of said Public Alley, 21.54 feet;

thence South 46 degrees 11 minutes 30 seconds West, along a southeasterly line of said Public Alley, 55.44 feet;

thence North 43 degrees 55 minutes 36 seconds West, along a southwest line said Public Alley, 41.85 feet to the Point of Beginning.

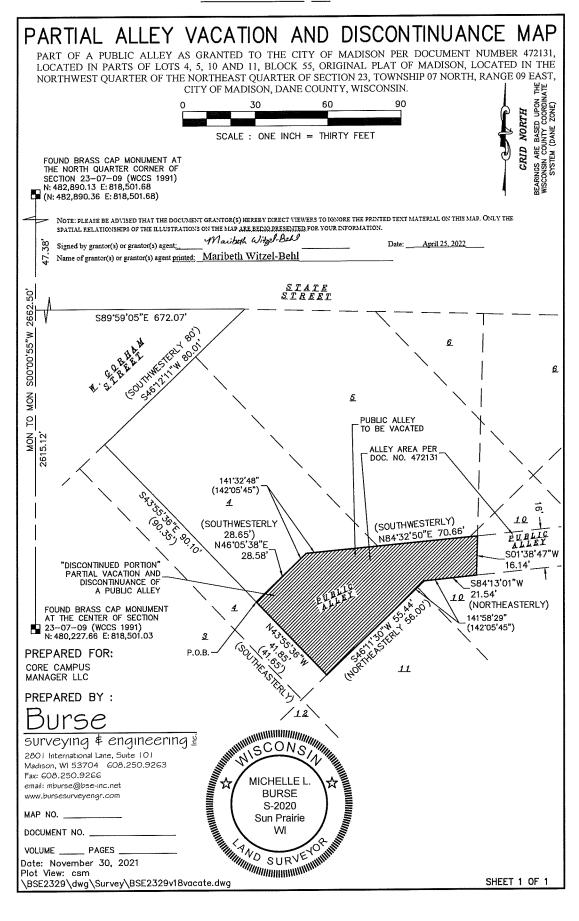
This description contains 2,502 square feet.

Bearings are based upon the Wisconsin County Coordinate System (Dane Zone)

Prepared By: Burse Surveying and Engineering, Inc. 2801 International Lane, Suite 101 Madison WI, 53704

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# **EXHIBIT B**

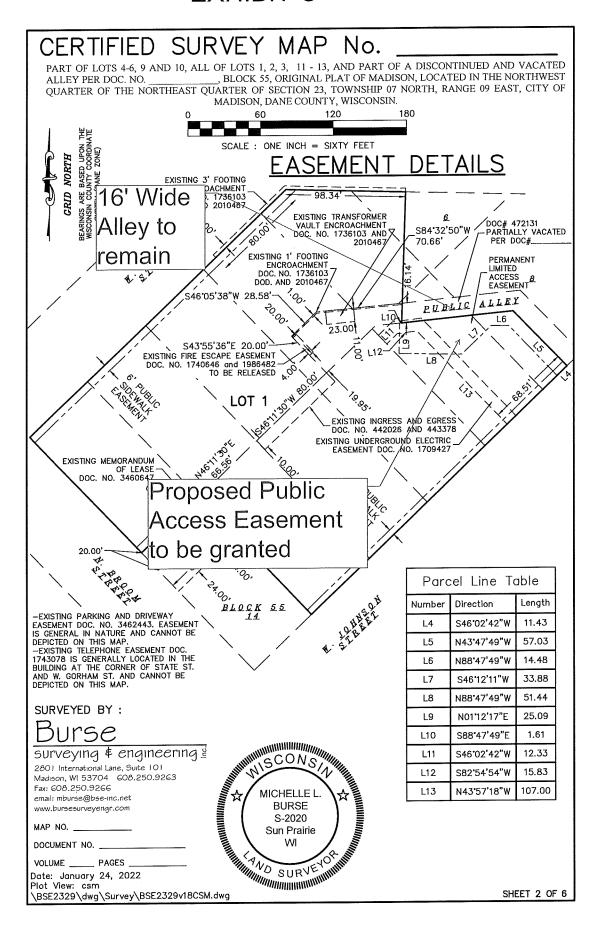


Signed by grantor(s) or grantor(s) agent; Maxibeth Witzel Doll

Date: April 25, 2022

Name of grantor(s) or grantor(s) agent printed: Maribeth Witzel-Behl

# **EXHIBIT C**



# Public Comment Registrants Report

| Board of Public Works On 04/06/2022 4:30 pm  | 30 pm   |  | Representing Organization   | ıtion       |                   | Lobbying |
|--|---|--|---|-------------|-------------------|----------|
| Agenda Name<br>Item<br>Registered  | Support   | Speaking   | Y/N Name(s)   | Paid Duties | Outies            | Rep      |
| AGENDA ITEM: 13 Vacating and Discontinuing a portion of a public alley located in part of Block 55 of Original Plat of Madison located in the Northwest 1/4 of the Northeast 1/4 Section 23, Town 7 North, Range 9 East, City of Madison, Dane County, Wisconsin. (4th AD) | a portion of a publ<br>n the Northwest 1.<br>Madison, Dane Co | of a public alley located in part<br>orthwest 1/4 of the Northeast 1/4 of<br>n, Dane County, Wisconsin. (4th |   |             |                   |          |
| 13 <b>BRIAN MUNSON</b> 04/05/22 District: 13 01:31 PM 120 East Lakeside Street Madison WI 53715  | Support   | I do not want to speak,<br>but I am available to<br>answer questions.  | Yes Core Spaces LLC.<br>1643 N Milwaukee Avenue<br>5th Floor<br>Chicago, IL 60647 | Yes         | o<br>Z            |          |
|  | Support: 1 Oppo<br>Counts distinct registry<br>votes          | Support: 1 Opposed: 0 Neither: 0 Counts distinct registrants and removes duplicate votes                     |   |             |                   |          |
|  | Total Registrants: 1  | ıts: 1   |   |             | 1 1<br>1 1<br>1 1 |          |

# Meeting Watch List (28)

| *************************************** |                       |                     |
|---|-----------------------|---------------------|
|   | Name                  | Registration Time   |
| ļ.,                                     | 1. Jim Schumacher     | 03/31/2022 10:52 AM |
| 2. 7                                    | Tom Voss              | 04/01/2022 09:31 PM |
| 3. 1                                    | Linda                 | 04/02/2022 12:31 PM |
| 4. 1                                    | LYNN CHRISTENSEN      | 04/03/2022 03:09 PM |
| .5.                                     | Julie Huiras Mascitti | 04/03/2022 04:22 PM |
| 6.                                      | Candy Schrank         | 04/05/2022 04:55 PM |
| 7. §                                    | Sandra L. Larson      | 04/06/2022 11:33 AM |
| 89                                      | peggy scallon         | 04/06/2022 11:49 AM |
| 9. /                                    | Angela Young          | 04/06/2022 12:08 PM |
| 10. 1                                   | 10. Kim McBride       | 04/06/2022 12:22 PM |
| 1.                                      | Danny Afable          | 04/06/2022 04:30 PM |
| 12.                                     | Tim Pearson           | 04/06/2022 04:31 PM |
| 13.                                     | RRW                   | 04/06/2022 04:31 PM |
| 14.                                     | 14. Judith Koshar     | 04/06/2022 04:42 PM |

# Public Comment Registrants Report

# Meeting Watch List (28)

|                         | The state of the s |
|-------------------------|--|
| Name                    | Registration Time  |
| 15. Kristen Slack       | 04/06/2022 04:49 PM  |
| 16. Catherine Martin    | 04/06/2022 04:51 PM  |
| 17. Leslie Herje        | 04/06/2022 05:10 PM  |
| 18. Linda               | 04/06/2022 05:17 PM  |
| 19. William Waterman    | 04/06/2022 05:21 PM  |
| 20. Matt Sykes          | 04/06/2022 05:23 PM  |
| 21. Miranda Van Straten | 04/06/2022 05:40 PM  |
| 22. Pat Carney          | 04/06/2022 05:41 PM  |
| 23. Pat Carney          | 04/06/2022 05:46 PM  |
| 24. Pat Carney          | 04/06/2022 05:48 PM  |
| 25. Susan Doane         | 04/06/2022 05:52 PM  |
| 26. Anna Strand         | 04/06/2022 05:52 PM  |
| 27. Rudy Koshar         | 04/06/2022 05:54 PM  |
| 28. Steve Tiffany       | 04/06/2022 06:12 PM  |
|                         |  |

# Public Comment Registrants Report

| Common C   | Common Council On 04/19/22 6:30 PM  |  |  | Representing Organization   | L            | Lobbying |
|--|---|--|--|---|--------------|----------|
| Agenda Item<br>Registered                                | Name  | Support  | Speaking   | Y/N Name(s)   | Paid Duties  | Rep      |
|  |   | Support: 1 Opport Counts distinct regist votes                         | Support: 1 Opposed: 0 Neither: 1 Counts distinct registrants and removes duplicate votes     |   |              |          |
| AGENDA ITE<br>Pollinator Hea                             | AGENDA ITEM: 29 Reaffirming the City of Madison's Commitment to Supporting<br>Pollinator Health and Authorizing the City of Madison to Take the Mayors Monar<br>Pledge.   | ison's Commitm<br>ladison to Take t                                    | itment to Supporting<br>ke the Mayors Monarch  |   |              |          |
| 29<br>04/19/22<br>02:44 PM                               | BETH SLUYS District: 18 514 Nova Way Madison WI WI 53704  | Support  | No, I do not want to<br>speak.   | No  |              |          |
|  |   | Support: 1 Opp<br>Counts distinct regist<br>votes                      | Support: 1 Opposed: 0 Neither: 0 Counts distinct registrants and removes duplicate votes     |   |              |          |
| AGENDA ITE<br>of Block 55 o<br>of Section 23<br>(4th AD) | AGENDA ITEM: 30 Vacating and Discontinuing a portion of a public alley located in part of Block 55 of Original Plat of Madison located in the Northwest 1/4 of the Northeast 1/4 of Section 23, Town 7 North, Range 9 East, City of Madison, Dane County, Wisconsin. (4th AD) | g a portion of a portion of a portion the Northwes<br>y of Madison, Da | a public alley located in part<br>west 1/4 of the Northeast 1/4<br>, Dane County, Wisconsin. |   |              |          |
| 30<br>04/19/22<br>09:55 AM                               | ROBERT PROCTER District: 4 2 East Mifflin Street #200 Madison WI 53701  | Support  | I do not want to speak,<br>but I am available to<br>answer questions.                        | Yes Core Madison Gorham, LLC<br>Attn: Rob Bak<br>1643 N. Milwaukee Ave, 5th Floor<br>Chicago, IL 60647<br>robb@corespaces.com | o<br>V<br>es |          |
| 30<br>04/19/22<br>11:48 AM                               | BRENT PFLEDERER District: Unknown 1643 N Milwaukee Ave 5th floor Chicago IL 60647   | Support  | I do not want to speak,<br>but I am available to<br>answer questions.                        | No  |              |          |
| 30<br>04/19/22<br>06:38 PM                               | ROB BAK District: Unknown 1643 N Milwaukee Ave 5th Floor Chicago IL 60647   | Support  | I do not want to speak,<br>but I am available to<br>answer questions.                        | Yes Core Spaces   | Yes          | o<br>Z   |
|  |   | Support: 3 Opp<br>Counts distinct regis<br>votes                       | Opposed: 0 Neither: 0 registrants and removes duplicate                                      |   |              |          |