

CITY OF MADISON, WISCONSIN

**REPORT OF:** City Traffic Engineer

**Presented**    **March 21, 2006**

For Approving Plans and Specifications and  
Assessing Improvement Cost for The Installation  
of Street Lights in

**Owl Creek**

Filed in the Office of the City Traffic Engineer  
**February 1, 2006**

**Referred**

**Reported Back**

**Adopt**

**Rules Suspended**

**Re-Referred**

**Placed on File**

**I.D. NUMBER**

Filed in the City Clerks Office:

**Date Council Action Required:**    **March 21, 2006**

**TO THE MAYOR AND COMMON COUNCIL:**

The Common Council having ordained that the full cost, including inspection and supervision, of the initial installation of street lights shall be assessed to the abutting properties and that assessment for street lights shall be in accordance with Section 66.0701 of the Wisconsin Statutes and Section 10.39 of the Madison General Ordinances, has directed that when the City Traffic Engineer proposes the installation of street lights assessed to the abutting properties, he shall prepare a report listing the street lights to be installed, their location and schedule of assessments.

Now, therefore, in compliance with said instruction, the City Traffic Engineer reports as follows:

1. That street lights are proposed to be installed and assessed to abutting properties listed on Exhibits A and B attached hereto, said listing including the locations of street lights to be installed, and a schedule of assessments.
2. That pursuant to such listing, the entire cost of the work improvement will be **\$ 39,578.70**
3. After having carefully viewed and examined the entire territory and the said several parcels of land or real estate affected by said improvement, and having first viewed, examined and considered severally and separately each parcel of real estate in said territory, the City Traffic Engineer has found and determined and do hereby so find and determine that the City of Madison should pay the sum of **\$ -0-** as the cost properly chargeable to the City and covered by said improvement.

DATED: February 1, 2006

NOTE: Special assessment notices and hearings have been waived.  
(See attached signed waivers)

**David C. Dyer, P.E.**  
City Traffic Engineer

## REGARDING THE CRITERIA OF REASONABLENESS AND BENEFIT

This report was prepared and submitted to satisfy the requirements that the City is required to show that the assessments will benefit the properties assessed in the **Owl Creek** Assessment District as per a recent Wisconsin State Supreme Court Decision (*Berkvam vs. The City of Glendale, 79 Wis, 2d 279.255 NW 251 (1979)*).

### Criteria of Reasonableness

It is the opinion of this office that the assessments are, in fact, reasonable. The assessments have been calculated in accordance with the Madison General Ordinances Section 4.09 for assessing costs for street improvements. The cost of the improvements have been assessed to the various parcels based on lot size and zoning.

### The Properties Against which the Assessments are proposed are Benefited as follows:

This improvement consists of the installation of street lights, which will promote and enhance the general welfare and safety of people and property in this neighborhood.

**DECLARATION OF CONDITIONS AND COVENANTS  
FOR THE DEVELOPMENT/PLAT OF  
Owl Creek Subdivision**

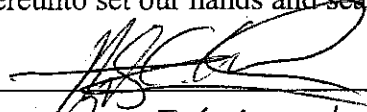
City of Madison, Dane County, Wisconsin

WHEREAS, Douglas Nelson,  
owner of the Development/Plat known as Owl's Creek, recorded  
in Volume \_\_\_\_\_ of Plats on page(s) \_\_\_\_\_, in the Dane County Register of Deeds  
Office, will be benefited through the installation by the City of Madison of street trees and street lighting  
within the public right-of-way for all lots included in said plat.

NOW THEREFORE, the undersigned owner, hereby declares and provides that all lots in said plat  
in the City of Madison are subject to conditions and covenants as follows:

1. That the owner concurs with the City of Madison's policy to promote and enhance the beauty and  
general welfare of the City through the planting and maintenance of street trees or shrubs and  
installation and maintenance of street lights, within the public right-of-way, adjacent to the  
owner's property.
2. That the owner acknowledges that it is the City of Madison's policy to assess the full cost,  
including inspection and supervision, of the initial installation of street trees and street lights.
3. That the owner, his/her heirs, successors and assigns, waives notice and hearing to the assessment  
for street trees and street lights in accordance with Section 66.0703(7)(b), Wisconsin Statutes;  
Section 66.0701, Wisconsin Statutes; Paragraph (11), Section 10.10; and Paragraph (10), Section  
10.39, Madison General Ordinances.

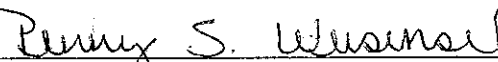
IN WITNESS WHEREOF, we have hereunto set our hands and seals this 29<sup>TH</sup>  
day of SEPTEMBER, 2005.

  
\_\_\_\_\_  
Douglas Nelson  
President H.G. A.C.

State of Wisconsin)  
County of Dane )ss

Personally came before me this 29<sup>TH</sup> day of SEPTEMBER, 2005.

The above named DOUGLAS NELSON  
to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

  
\_\_\_\_\_  
Notary Public, Dane County, Wisconsin  
My Commission Expires 3/11/07

Return to: City Traffic Engineering Division  
Suite 100, Madison Municipal Building  
215 Martin Luther King Jr. Blvd,  
PO Box 2986, Madison, WI 53701-2986

# EXHIBIT A

## Owl Creek Phase 1 & 2

### SCHEDULE OF ASSESSMENTS

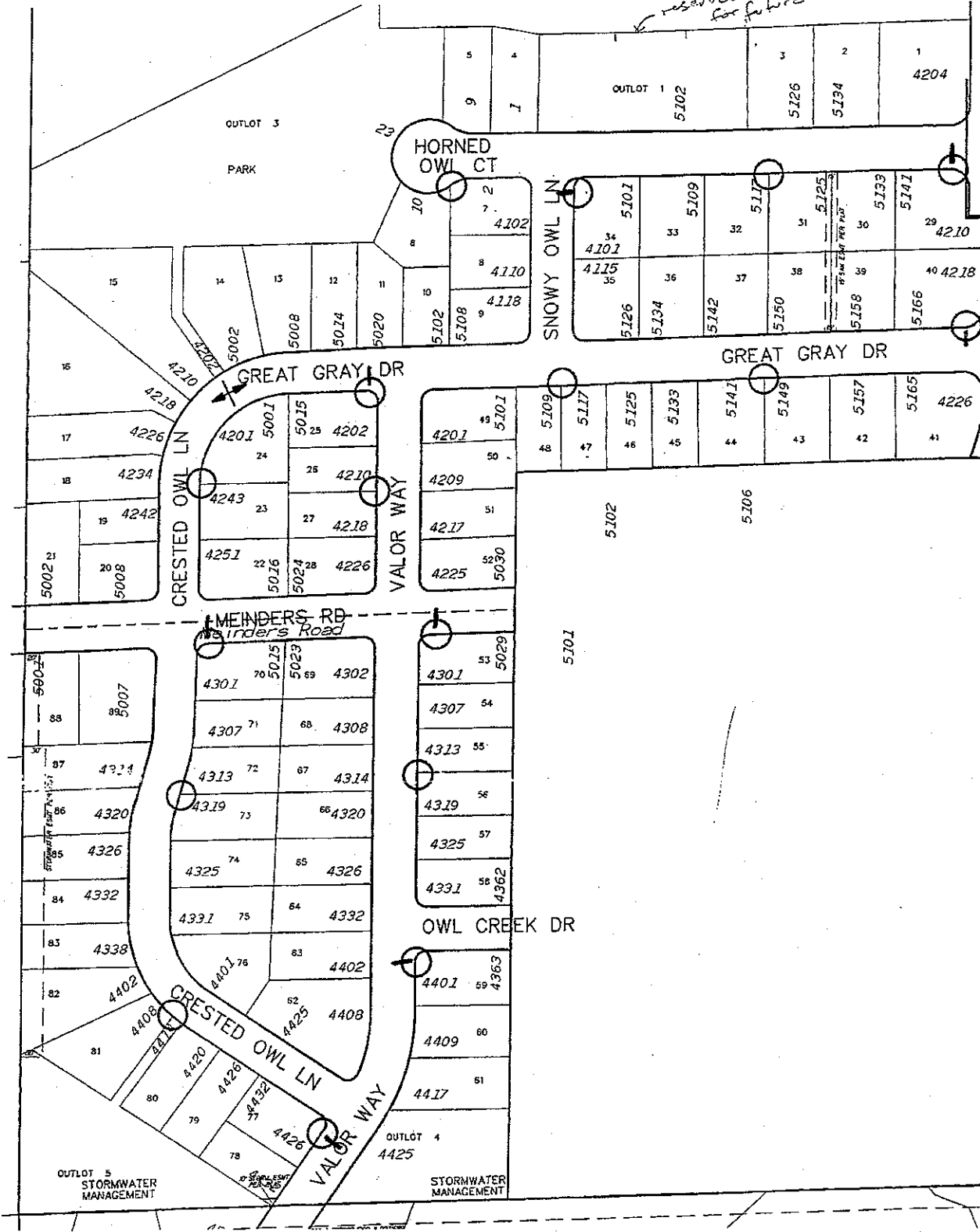
<u>Parcel Number</u>	<u>Owners/Names</u>	<u>Owner Address</u>	<u>City State Zip</u>	<u>Lot</u>	<u>Unit Parcel</u>	<u>Factor</u>	<u>Factored Parcels</u>	<u>Cost per Unit Parcel</u>	<u>Assessment</u>
0710-274-1101-7	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 1.	1	1	1	421.05	421.05
0710-274-1102-5	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 2.	1	1	1	421.05	421.05
0710-274-1103-3	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 3.	1	1	1	421.05	421.05
0710-274-1104-1	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	OUTLOT 1.	3	1	3	421.05	1,263.15
0710-274-1106-7	CAPITOL LAND HOMES LLC	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 4.	1	1	1	421.05	421.05
0710-274-1107-5	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 5.	1	1	1	421.05	421.05
0710-274-1108-3	CITY OF MADISON PARKS OWL CREEK PARK	215 MLK JR BLVD STE 120	MADISON, WI 53703-3332	OUTLOT 3.	2	1	2	421.05	842.10
0710-274-1109-1	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 6.	1	1	1	421.05	421.05
0710-274-1110-8	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 7.	1	1	1	421.05	421.05
0710-274-1111-6	CAPITOL LAND HOMES LLC	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 8.	1	1	1	421.05	421.05
0710-274-1112-4	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 9.	1	1	1	421.05	421.05
0710-274-1113-2	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 10.	1	1	1	421.05	421.05
0710-274-1114-0	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 11.	1	1	1	421.05	421.05
0710-274-1115-8	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 12.	1	1	1	421.05	421.05
0710-274-1116-6	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 13.	1	1	1	421.05	421.05
0710-274-1117-4	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 14.	1	1	1	421.05	421.05
0710-274-1118-2	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 15.	1	1	1	421.05	421.05
0710-274-1119-0	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 16.	1	1	1	421.05	421.05
0710-274-1120-7	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 17.	1	1	1	421.05	421.05
0710-274-1121-5	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 18.	1	1	1	421.05	421.05
0710-274-1122-3	NELSON GROUP OF MADISON LLC	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 19.	1	1	1	421.05	421.05
0710-274-1123-1	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 20.	1	1	1	421.05	421.05
0710-274-1124-9	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 21.	1	1	1	421.05	421.05
0710-274-1201-5	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 22.	1	1	1	421.05	421.05
0710-274-1202-3	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 23.	1	1	1	421.05	421.05
0710-274-1203-1	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 24.	1	1	1	421.05	421.05
0710-274-1204-9	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 25.	1	1	1	421.05	421.05
0710-274-1205-7	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 26.	1	1	1	421.05	421.05
0710-274-1206-5	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 27.	1	1	1	421.05	421.05
0710-274-1207-3	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 28.	1	1	1	421.05	421.05
0710-274-1301-3	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 29.	1	1	1	421.05	421.05
0710-274-1302-1	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 30.	1	1	1	421.05	421.05
0710-274-1303-9	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 31.	1	1	1	421.05	421.05
0710-274-1304-7	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 32.	1	1	1	421.05	421.05
0710-274-1305-5	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 33.	1	1	1	421.05	421.05
0710-274-1306-3	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 34.	1	1	1	421.05	421.05
0710-274-1307-1	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 35.	1	1	1	421.05	421.05
0710-274-1308-9	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 36.	1	1	1	421.05	421.05
0710-274-1309-7	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 37.	1	1	1	421.05	421.05
0710-274-1310-4	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 38.	1	1	1	421.05	421.05
0710-274-1311-2	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 39.	1	1	1	421.05	421.05
0710-274-1312-0	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 40.	1	1	1	421.05	421.05
0710-274-1401-1	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 41.	1	1	1	421.05	421.05
0710-274-1402-9	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 42.	1	1	1	421.05	421.05
0710-274-1403-7	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 43.	1	1	1	421.05	421.05
0710-274-1404-5	NELSON GROUP DEVELOPMENT CORP	2134 ATWOOD AVE	MADISON, WI 53704-0000	LOT 44.	1	1	1	421.05	421.05



EXHIBIT "B"

OWL CREEK PHASE 1 & 2

N



25' MOUNTING HEIGHT CONCRETE STREET LIGHT POLE

