

**REPORT OF:** City Traffic Engineer

**Presented** May 17, 2005

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

**Liberty Place Phase 3**

Filed in the Office of the City Traffic Engineer  
**January 21, 2005**

**Referred**

**Reported Back**

**Adopt**

**Rules Suspended**

**Re-Referred**

**Placed on File**

**I.D. NUMBER**

Filed in the City Clerks Office:

**Date Council Action Required:** May 17, 2005

**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 **\$ 16,685.00**
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: January 21, 2005

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

**David C. Dryer, 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 **Liberty Place Phase 3** 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  
Liberty Place  
City of Madison, Dane County, Wisconsin

000336

WHEREAS, LP DEVELOPMENT, LLC  
owner of the Development/Plat known as LIBERTY PLACE, 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 15<sup>TH</sup>  
day of MAY, 2003.

BY: MIDLAND HOLDINGS, INC., MANAGING MEMBER

[Signature]  
DONALD A. ESPOSITO, JR.

State of Wisconsin)  
County of Dane )ss

Personally came before me this 15<sup>TH</sup> day of MAY, 2003.  
The above named DONALD A. ESPOSITO, JR.  
to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

[Signature]  
Notary Public, Dane County, Wisconsin  
My Commission Expires 6/4/04

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

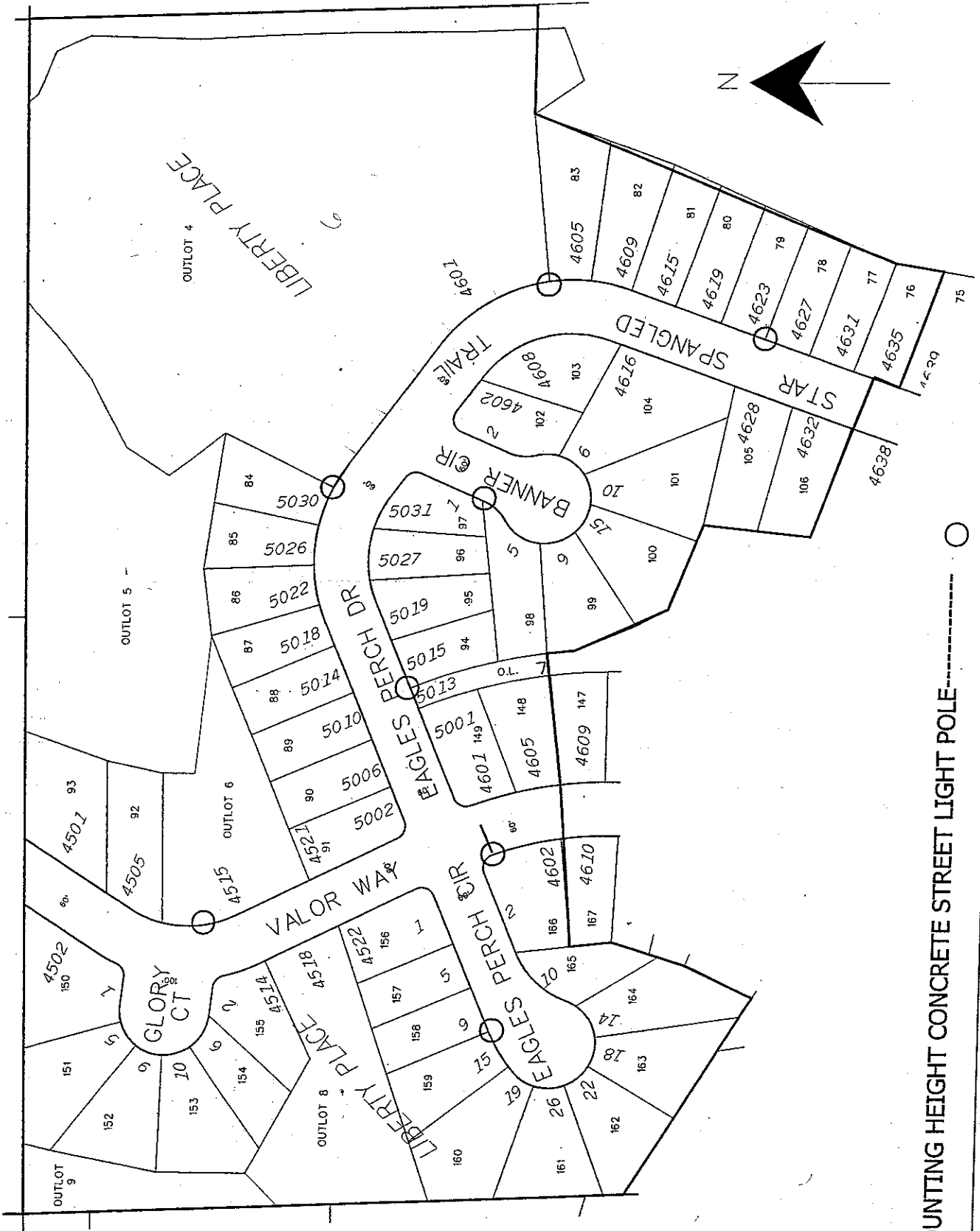
*Drafted By Karin Deane*

**EXHIBIT A  
LIBERTY PLACE PHASE 3  
SCHEDULE OF ASSESSMENTS**

<u>Parcel Number</u>	<u>OwnersNames</u>	<u>Owner Address</u>	<u>City State Zip</u>	<u>Lot No.</u>	<u>Unit Parcel</u>	<u>Factor</u>	<u>Factored Parcels</u>	<u>Cost per Unit Parcel</u>	<u>Assessment</u>
0710-341-0333-4	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 76.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0334-2	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 77.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0335-0	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 78.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0336-8	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 79.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0337-6	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 80.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0338-4	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 81.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0339-2	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 82.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0340-9	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 83.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0341-7	CITY OF MADISON -PARKS-	215 MLK JR BLVD STE 120	MADISON, WI 53701-2987	OUTLOT 4.	3	1	3	\$ 355.00	\$ 1,065.00
0710-341-0342-5	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 84.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0343-3	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 85.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0344-1	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 86.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0345-9	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 87.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0346-7	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 88.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0347-5	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 89.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0348-3	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 90.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0349-1	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 91.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0351-6	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 92.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0352-4	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 93.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0401-9	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 94.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0402-7	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 95.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0403-5	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 96.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0404-3	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 97.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0405-1	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 98.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0406-9	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 99.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0407-7	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 100.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0408-5	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 101.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0409-3	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 102.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0410-0	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 103.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0411-8	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 104.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0412-6	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 105.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0413-4	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 106.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0455-6	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 148.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0456-4	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 149.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0508-3	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 156.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0509-1	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 157.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0510-8	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 158.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0511-6	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 159.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0512-4	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 160.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0513-2	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 161.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0514-0	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 162.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0515-8	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 163.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0516-6	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 164.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0517-4	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 165.	1	1	1	\$ 355.00	\$ 355.00
0710-341-0518-2	LIBERTY PLACE LAND LLC	6801 SOUTH TOWNE DR	MADISON, WI 53713-0000	LOT 166.	1	1	1	\$ 355.00	\$ 355.00
									<b>\$16,685.00</b>

EXHIBIT "B"

LIBERTY PLACE PHASE 3



25' MOUNTING HEIGHT CONCRETE STREET LIGHT POLE ----- ○