

Project Plan for
TAX INCREMENTAL FINANCE DISTRICT #40
(NORTHSIDE)
City of Madison

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TAX INCREMENTAL FINANCE DISTRICT # 40 (NORTHSIDE)

INTENT AND PURPOSE

The City of Madison (the "City") has established that the health of the Madison area economy is vital. The City intends to continue to expand, stabilize and diversify its economic base. The City also recognizes that the area encompassing the Packers Avenue/Northport Drive commercial corridor is an entry to Madison from communities to the north and persons arriving at Madison via the Dane County Regional Airport. To that end, the City may utilize its various implementation tools, such as the City and Community Development Authority's (CDA) development revenue bonds, tax incremental financing (TIF), and other State or federal tools that may be available.

In particular, the City of Madison is proposing to create Tax Incremental District (TID) #40--(Northside Madison) as a blighted area TID, for the purposes of:

- 1) Elimination of blighting conditions
- 2) Financing public works improvements
- 3) Stimulating commercial redevelopment and the retention or creation of jobs
- 4) Retention, expansion and attraction of business
- 5) Establishing Packers Avenue and Northport Drive as vibrant commercial corridor in the City of Madison

PROPOSED CHANGES IN ORDINANCES, CODES OR PLANS

The project elements proposed in this Project Plan conform to the objectives and conceptual recommendations contained in the Objectives and Policies, A Part of The Master Plan For The City of Madison (the "Master Plan") as approved by the City Plan Commission. No changes in the Official Map, Building Codes or other City Ordinances appear to be necessary to implement the Project Plan. Zoning changes may be necessary as commercial or residential projects are proposed for the area, although none are proposed at this time. The Plan Commission reviews such proposals.

This TID is presently zoned, M1, M2, C, C1, C2, C3, R1, R4, R3, and PUDSIP.

Consistency With the City of Madison Comprehensive Plan

Volume II, Chapter 2 of the Comprehensive Plan, entitled "Objectives and Policies for Established Neighborhoods on pages 2-16 through 2-43, stipulates goals and objectives that are consistent with the activities planned for the proposed TID #40, including but not limited to the following:

Objective 22: Seek to reduce the demand for vacant development land on the periphery of the City by encouraging urban infill, redevelopment and higher development densities in areas recommended in City plans as appropriate locations for more intense development

Objective 28: Create mixed-use neighborhoods that provide a variety of land uses and are designed around a series of interconnected neighborhood activity centers.

Objective 35: Maintain and enhance economically viable business centers as a source of local employment, a focal point for neighborhood activities and a centralized convenience shopping and service center for area residents.

Objective 43: Provide and upgrade as necessary essential neighborhood infrastructure and services including streets, utilities, transit service, sidewalks, parks, schools, police and fire, ambulance service and code enforcement.

Objective 46: Create safe neighborhoods through good planning, design, community programs, services and intervention when appropriate to respond to identified problems.

Also in Volume II, Chapter 2, pages 2-48, 2-51 and 2-53:

Objective 54: Primary entry routes into the City and to important destinations within the City should provide a welcoming and attractive gateway to the community.

Objective 59: Identify sites within the City and its planned urban expansion areas that are appropriate locations for mixed-use employment and commercial activity centers.

Objective 61: Develop and implement strategies to strengthen and diversify the local economy, expand the local tax base, cultivate an entrepreneurial culture, and stimulate job creation, while preserving and enhancing the high quality of life currently enjoyed by City residents and businesses.

Objective 65: Transform, over time, existing conventional suburban-style commercial developments into more compact, mixed use, pedestrian, bicycle and transit-oriented destinations that have a greater variety of activities including retail, office, entertainment, civic, open space and residential uses.

Volume II, Chapter 5, Page 5-11 of the Comprehensive Plan, entitled "Economic Development, The Plan: Goals, Objectives, Policies and Implementation Recommendations" stipulate goals and objectives that are consistent with the activities planned for the proposed TID #40, including but not limited to the following:

Objective 9: Redevelop appropriate underutilized, obsolete, abandoned or contaminated sites for commercial and industrial uses.

Objective 10: Enhance neighborhood commerce and retail capacity, especially in older neighborhoods.

Consistency With TIF Policy

The Project Plan is also consistent with City of Madison Tax Incremental Finance Objectives and Policies (the "TIF Policy") adopted by the City's Common Council on April 17, 2001 and amended on March 31, 2009. The Project Plan conforms to the following TIF Policy objectives:

SECTION 1: TIF GOALS, OBJECTIVES AND STRATEGIES

Goal 2: Support Neighborhood Revitalization, Including Downtown

TIF Objectives:

(1) **High-Need TIDs.** Improved conditions in blighted area TIDs in "high need" areas that demonstrate a **significant and substantial** combination of the following examples of physical deterioration:

- (a) Deteriorating or obsolete building stock
- (b) Stagnation or decline in property values
- (c) High density or overcrowding
- (d) Existence of conditions which endanger life or property by fire or other causes
- (e) Any combination of factors that are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety or welfare.
- (f) Land upon which buildings or structures have been demolished and which because of obsolete platting, diversity of ownership, deterioration of structures or of site improvements, or otherwise substantially impairs or arrests the sound growth of the community.

Strategies to Support Neighborhood Revitalization:

(1) Improve the public infrastructure.

(2) Upon demonstrating the "but for", provide TIF assistance to private development projects that:

- (b) Stimulate the rehabilitation or removal of deteriorated or dilapidated buildings and the creation of mixed-use in-fill redevelopment.

- (c) Provide the full range of basic neighborhood goods and services
- (d) When feasible, provide assistance to businesses that create a significant number of living wage jobs.
- (e) Provide transportation linkages and other urban amenities.

PROPOSED PROJECT COSTS

The following represent total estimated costs. By TIF Law, TIF may only pay for the non-assessable portion of these costs. More detail is provided in the section entitled "Detailed Estimate of Timing and Project Costs" that estimates the amount of cost paid with TIF.

Water Main Repair

Water Main Repair **\$0**

Sanitary Sewer Repair

Sanitary Sewer Repair **\$0**

Storm Sewer Repair

Storm Sewer Repair **\$550,000**

Street Repair, Rehabilitation

Street Repair includes resurfacing, reconstruction or other such repairs.

Subtotal Streets **\$3,641,000**

Bike Paths, Pedestrian Accommodations, Traffic Calming

This includes the Sherman Flyer, Huxley cut-off bike trails and district wide intersection crossing improvements and traffic calming.

Subtotal Bike Paths, Pedestrian Accommodations and Traffic Calming **\$550,000**

Streetscapes

This includes Sherman Ave and Packers / Northport streetscapes.

Subtotal Streetscape **\$450,000**

10% Affordable Housing Set Aside - TIF Assistance Loans

Section (2)(f) 1i of TIF Law, enables the City to provide TIF loans to pay for capital costs (land and building) that effectuate the implementation of the project plan. TIF Policy requires that at least 10% of the estimated district-wide increment shall be reserved to assist in the development of affordable or workforce housing. Such loans shall comply with TIF Law and established TIF Policy.

Estimated Cost: **\$600,000**

Community Development Authority Revitalization Activities

In accordance with Section 66.1333 of the State Statutes (Redevelopment Law), the CDA may undertake a variety of revitalization activities in the TIF District.

Land Acquisition

In order to construct the public improvements and for the revitalization and development of private property, the acquisition of property and relocation of occupants may be necessary in this TIF District. The acquisitions could vary from rights-of-way and air space to entire parcels. An estimate is provided here for place-holding purposes only:

Estimated Cost: **\$0**

Organizational, Administrative and Professional Costs

TID Administration: This category of project costs includes estimates for administrative, professional, organizational and legal costs. Project costs may include salaries, including benefits, of City employees engaged in the planning,

engineering, implementing and administering activities in connection with TID #40, supplies and materials, contract and consultant services, and those costs of City departments such as the Comptroller's Office, City Attorney, City Engineer, Parks Division, Planning & Development and the Office of the Mayor.

Estimated Cost:	\$300,000
TOTAL COST	\$6,091,000

Financing Costs

The total TIF-eligible cost authorized in the Detailed Estimate of Project Cost and Timing represents the total TIF Capital Budget for which TIF funds may be used. Finance costs represent the estimated amount of interest incurred if the City were to borrow funds to pay for the entire TIF-eligible costs. Staff estimates that in the event the City of Madison borrows funds to pay for the capital costs authorized herein that tax increments estimated to be generated by the district over its life may be sufficient to repay a **\$5,564,000** of the \$6,091,000 of estimated total costs, TIF-eligible indebtedness and an estimated \$1,534,000 financing cost.

DETAILED ESTIMATE OF TIMING AND PROJECT COSTS

The following are the eligible project costs as provided for under Section 66.1105 (2)(f), Wisconsin Statutes and the timing in which certain project costs will be incurred. TIF Law requires that all project plan expenditures be made within a blighted area TID within 22 years of its creation. **However, City of Madison TIF Policy requires that all expenditures be made within 12 years of creation.** Certain project costs will be subject to the anticipated long-term development expectations as described elsewhere in this Plan. **The actual eligible project costs herein (shown below) may vary or may be adjusted without a project plan amendment, so long as the total amount of eligible costs does not exceed the amount adopted in the Project Plan.**

Project Cost	Total Cost	Assessable	TIF Cost	Timing
Water Main	\$0	\$0	\$0	2009-21
Sanitary Sewer	\$0	\$0	\$0	2009-21
Storm Sewer	\$550,000	\$0	\$550,000	2009-21
SUBTOTAL	\$550,000	\$0	\$550,000	2009-21
Street Rehab / Reconstruct				
Tennyson Ln (Eliot to Packers)	\$109,000	\$11,000	\$98,000	2009-21
Packers Ave (612' N of Tennyson to Northport)	\$205,000	\$21,000	\$185,000	2009-21
Darwin Rd (Packers to International)	\$91,000	\$9,000	\$82,000	2009-21
International Ln (American to Packers)	\$293,000	\$29,000	\$264,000	2009-21
American Ln (International to west end)	\$127,000	\$25,000	\$102,000	2009-21
Packers Ave service rd (Packers to south end)	\$60,000	\$6,000	\$54,000	2009-21
Packers Ave service rd (Commercial Ave to north end)	\$131,000	\$13,000	\$118,000	2009-21
Myrtle St (Packers Ave service rd to east end)	\$15,000	\$2,000	\$13,000	2009-21
Pennsylvania Ave (Commercial to Packers)	\$588,000	\$118,000	\$470,000	2009-21
Commercial Ave (Packers to CP Railroad)	\$455,000	\$91,000	\$364,000	2009-21
Roth St (Sherman Ave to east end)	\$152,000	\$15,000	\$137,000	2009-21
Ruskin St (Roth to Stephen)	\$41,000	\$4,000	\$37,000	2009-21
Stephen St (Ruskin to O'Neill)	\$19,000	\$2,000	\$17,000	2009-21
O'Neill Ave (Roth to Stephen)	\$45,000	\$5,000	\$40,000	2009-21
Huxley St (Aberg to Roth)	\$101,000	\$10,000	\$91,000	2009-21
Aberg Ave (Sherman to Huxley to Packers)	\$210,000	\$21,000	\$189,000	2009-21
Londonderry Dr (Dryden to Packers)	\$100,000	\$10,000	\$90,000	2009-21
Dryden Dr (Windom to Londonderry)	\$91,000	\$9,000	\$82,000	2009-21
Sherman Ave (Windom to Northport to Troy)	\$568,000	\$102,000	\$466,000	2009-21
Troy Dr (Northport to Sherman, Northport to Forest)	\$240,000	\$24,000	\$216,000	2009-21
Subtotal Street Rehab / Reconstruct	\$3,641,000	\$527,000	\$3,115,000	
Bike Paths, Pedestrian accommodations, traffic calming				
Sherman Flyer, Huxley cut-off	\$250,000	\$0	\$250,000	2009-21
Intersection crossing improvements (district wide)	\$150,000	\$0	\$150,000	2009-21
Traffic Calming (district wide)	\$150,000	\$0	\$150,000	2009-21
Streetscape	\$450,000	\$0	\$450,000	2009-21
CDA Land Acquisition	\$0	0	\$0	2009-21
10% Affordable Housing TIF Assistance Loans	\$600,000	0	\$600,000	2009-21
Administrative and Professional	\$300,000	\$0	\$300,000	2009-21
TOTAL CAPITAL COSTS (TIF Capital Budget)	\$6,091,000	\$527,000	\$5,564,000	2009-21

NOTE: There is a rounding error of \$1,000 in the "TIF Cost" line.

SUMMARY OF TOTAL PROJECT COSTS AND ECONOMIC FEASIBILITY

The project costs include the estimated costs of planning, engineering, construction or reconstruction of public works and improvements and financing costs. The chart below identifies Non-Project Costs that are to be paid from revenue sources other than tax increments. **The actual eligible project costs may vary or may be adjusted without a project plan amendment, so long as the total amount of eligible costs does not exceed the amount adopted in the Project Plan.**

How Tax Increments Are Generated, Used

Under the Wisconsin TIF Law, the property taxes paid each year on the increase in equalized value of the Tax Incremental District may be used by the City to pay for eligible project costs within the TID. Taking the TID's current value as a result of growth and deducting the value in the District that existed when the District was created determines the increase in value. All taxes levied upon this incremental (or increased) value by the City, Madison Metropolitan School District, Dane County, and the Madison Area Technical College District are allocated to the City for direct payment of project costs and payment of debt service on bonds used to finance project costs.

Per TIF Law, the maximum life of a blighted area TID is 27 years and all project expenditures must be made five (5) years prior to the termination of the TID. Therefore, all project expenditures must be made by December 31, 2029. Tax increments may be received until project costs are recovered, at which time the TID must close.

TIF-Eligible Capital Budget

The cost of public improvements and other project costs is \$6,091,000. It is anticipated that \$527,000 of the project costs will be assessable to property owners. These assessments have been determined in accordance with the City and Board of Public Works standard special assessment policies. The \$5,564,000 balance of the TIF-eligible project costs (i.e. net of assessable costs) represents the authorized TIF Capital Budget for this Project Plan and will require financial support by incremental taxes from the District and other financing sources.

Estimate of Economic Feasibility, TIF Generator(s)

TIF Policy requires a proposed TID have an economic "generator" i.e. at least one private development project that generates increment to finance TID costs. Such generators must have an incremental value at completion of least \$3 million as a prerequisite of creating a new TID. The determination of economic feasibility herein, including such TIF generators, is based on anticipated, near-term development, as well as projected development through 2036. The anticipated development for TID #40 includes:

- 1) An estimated \$3 million of new assessed value generated by Kraft/Oscar Mayer through the installation of a \$10 million energy-efficient boiler system.
- 2) An estimated \$3.2 million of ancillary development including a UW Credit Union branch to be constructed on Northport Drive and potential development to both the Northgate and Sherman Plaza commercial areas.

Total Estimated Incremental Value of TIF Generators: \$6,256,000

As demonstrated in the section entitled Expectations for Development, a conservative estimate of total incremental value resulting from these and other development projects, and economic growth or value appreciation over the life of the TID is estimated to be \$95,452,000. This value is projected to produce incremental revenues sufficient to support the project costs stated above.

Project expenditures will be contingent upon development actually occurring or committed to occur. Since the majority of the project cost is financed with long-term debt, borrowing would be undertaken only when sufficient development actually occurs to support each borrowing segment and the expenditure of such funds.

Based on the current tax rates and conservative financial market assumptions, the anticipated economic growth of tax incremental revenues over the life (i.e. the total amount of tax increments over 27 years) of the TID should total approximately \$16,822,000. The present value of the total incremental revenues that are anticipated to be generated is \$5,564,000

As previously indicated, each segment of the project (i.e., every individual cost element) will require subsequent approval by the Common Council and/or the CDA. The method of financing and the individual debt issues will also require Common Council approval. It is the City's intent to closely monitor all planned and actual development within the TID. The actual City investment in TID #40 may, therefore, be less than the amount shown in the Project Plan.

Finance Cost

Staff estimates that TID increment could support interest payments on capital borrowing. The estimated interest and finance cost of to borrow the entire estimated capital cost is **\$1,534,000.**

PROMOTION OF ORDERLY LAND DEVELOPMENT

The City of Madison Comprehensive Plan outlines land use and design guidelines specific to the Northside of Madison. In particular, the plan notes a preference for "community mixed-use" (CMU), "neighborhood mixed-use" (NMU), and "industrial" (I), as noted in the following excerpt from Volume II, Chapter 2, pages 2-86, 2-88 and 2-97 of the Comprehensive Plan:

Community Mixed-Use (CMU)

- Buildings more than one story in height, with maximum building height compatible with the size of the district, surrounding structures and land uses. Specific height standards may be recommended in an adopted neighborhood or special area plan.
- Pedestrian friendly design amenities, such as decorative paving and lighting along sidewalks and paths, plazas, benches, landscaping. Whenever possible, Community Mixed Use districts should be designed to incorporate some of the Transit Oriented Development standards outlined in the Comprehensive Plan.

Recommended Land Uses

- Commercial buildings, employment, retail and service uses serving both adjacent neighborhoods and wider community markets. Detailed neighborhood or special area plans may provide specific recommendations on allowed types of non-residential uses.
- Housing types generally similar to Medium Density Residential districts, provided the building scale is appropriate to the district and the adjacent neighborhood.
- Mixed-use buildings.
- Non-commercial residential support uses similar to Medium Density Residential districts.

Recommended Development Intensity

- Generally, buildings should be at least two stories in height. Specific height standards should be established in neighborhood or special area plans and should be compatible with the scale and intensity of the district as a whole and the context of the surrounding neighborhood.
- The maximum development intensity (floor area ratio) for commercial uses should be established in a detailed neighborhood or special area plan.
- No fixed limits on the gross square footage of commercial buildings or establishments, but the types and sizes of commercial uses appropriate in the district may be defined in an adopted neighborhood or special area plan.
- Net residential densities within a Community Mixed-Use district generally should not exceed 60 dwelling units per acre, but a neighborhood or special area plan may recommend small areas within the district for a higher maximum density if the development is compatible with the scale and character of the neighborhood.

Neighborhood Mixed-Use (NMU)

Neighborhood Mixed-Use districts are the recommended locations for clusters of relatively small convenience shopping and service uses that serve as activity centers and gathering places for the surrounding neighborhoods or districts.

Recommended Land Uses

- Neighborhood-serving commercial buildings and uses. While primarily intended to serve the adjacent neighborhoods, neighborhood mixed-use districts may also include specialty businesses serving wider markets, provided the size of establishment and scale of building is consistent with the character of the district and the surrounding neighborhood.
- Housing types similar to Low-Density Residential districts, but with no fixed maximum number of apartment or row house dwelling units in a building, provided the building scale is appropriate. Generally, this will be a relatively small building when the adjacent neighborhood is low density.
- Mixed-use buildings.
- Non-commercial residential support uses similar to Low-Density Residential districts.

Recommended Development Intensity

- Generally, buildings should be between two and four stories in height. Specific height standards should be established in neighborhood or special area plans, and should be compatible with the scale and intensity of the adjacent neighborhood. One-story buildings may be appropriate in limited circumstances but are not encouraged.
- The maximum development intensity (floor area ratio) for commercial uses should be established in a detailed neighborhood or special area plan.
- Gross square footage of commercial buildings (including single tenant and multi-tenant buildings) should not exceed 10,000 square feet, except for neighborhood-serving grocery stores, which should not exceed 25,000 square feet.
- Net residential densities within a neighborhood mixed use district generally should not exceed 40 dwelling units per acre, but a neighborhood or special area plan may recommend small areas within the district for a higher maximum density if the development is compatible with the scale and character of the neighborhood.

Industrial (I)

Industrial districts accommodate typical industrial and manufacturing uses, including some “nuisance” uses not appropriately located in proximity to residential or many types of nonresidential activities due to noise, odor, appearance or traffic impacts, for example. The district is not intended for retail or office uses not related to an industrial use, except for limited retail goods and services provided primarily to employees and users of the district. Compared to the Employment districts, factors that distinguish an Industrial district include a relatively smaller workforce (for a given area), an emphasis on truck or rail traffic, and characteristics such as outdoor work areas and outdoor equipment and materials storage.

Recommended Land Uses

- Light manufacturing (limited off-site impacts).
- Heavy manufacturing (may have negative visual, noise, odor or other impacts).
- Wholesale, storage, and distribution.
- Transportation hubs and truck terminals, railroad yards and facilities.
- Repair and maintenance facilities.
- Large-scale electrical, gas, sewer, water and other utility facilities.
- Active landfills.
- Gravel and other mineral extraction activities.

- Residential uses are not recommended in industrial districts due to the potential negative impacts from allowed industrial activities.

Recommended Development Intensity

No fixed limit on size of establishment. Specific types of industrial uses or standards limiting the size and scale of activities may be recommended in neighborhood or special area plans.

EXPECTATIONS FOR DEVELOPMENT

Fig. A

The expectations for development in TID #40 have been developed from and predicated on the Master Plan, Comprehensive Plan and the Land Use Plan for the City of Madison, as adopted by the Common Council. These adopted plans include a land use schedule that indicates a preference for commercial uses in the area designated as TID #40 (See TID #40 Map - Proposed Land Uses).

Potential Areas for Development

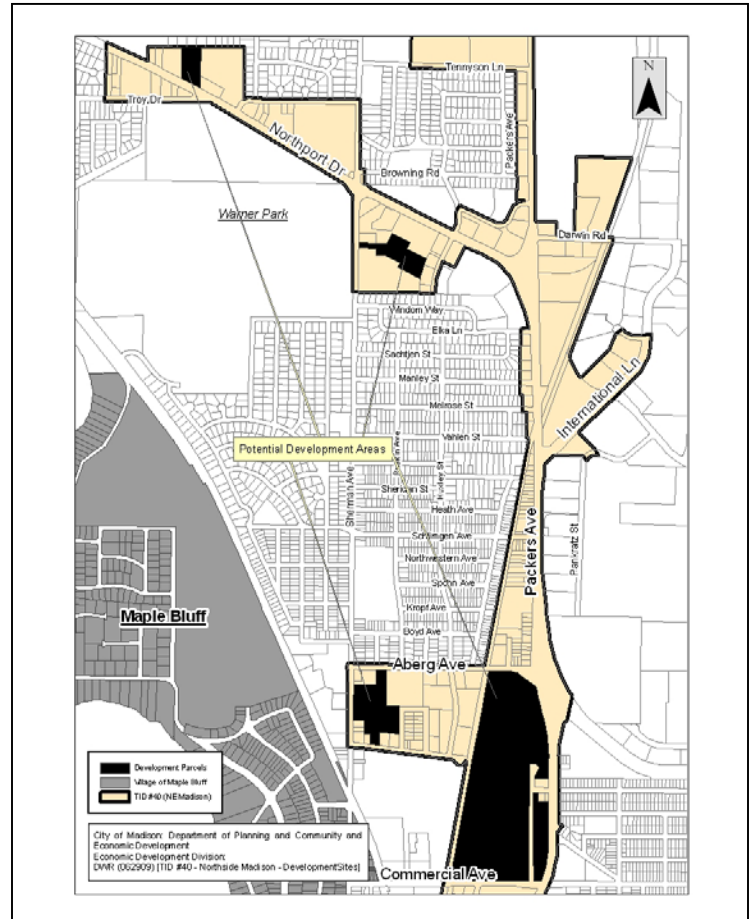
Potential areas for development are identified on the map on Fig A. Excerpts of that plan are provided herein with a map (See Fig. A) indicating the boundaries of the proposed TID super-imposed. Generally commercial redevelopment is foreseen for the Sherman Plaza (Northport Dr and Sherman Ave) and Northgate Plaza (Sherman Ave) areas, as well as the former Brennan’s grocery site on Northport Drive. Industrial development is expected at the Oscar Mayer facility on Commercial Ave and Packers Ave.

Annual Value Increment Estimates

Definition of Value Increment: The increase in value is determined by deducting the value in the TIF district that existed when it was created (i.e. the “base value”) from the TIF district’s increased value as a result of new development. Appreciation of the base value and the new development over the full 27-year life of the TIF district is also included in this estimate.

Timeframe for Development: For the purposes of this project plan’s economic expectations new development projects, the TIF generator projects indicated herein are expected to occur within the first 10 years of the district’s life. It is the City’s practice to anticipate development, repayment of costs and closure of the district within a shorter timeframe than the full 27-year period allowed by TIF Law. On average, a City TIF district is closed within about 12 years. City TIF Policy requires that new TIDs operate with a 12-year expenditure period rather than the 22-year period allowable under TIF Law a policy that encourages improvements to be made sooner so that the maximum potential of tax increments accruing over time may be available to pay for the cost. To the extent that the District meets or exceeds economic expectations, it is then able to repay its project costs and return the value increment to the overlying taxing jurisdictions in a shorter period of time.

Anticipated Development: The actual timing and value of new growth within the District depends upon variables that are unpredictable at this time. However, the estimated \$3 million Kraft/Oscar Mayer boiler renovation may be implemented by 2010. An additional \$3.2 million of subsequent development projects may occur by approximately 2012, however, such development is predicated upon factors that are unpredictable at this time. The total value increment (including appreciation of property value within the district) generated over the 27-year life of the district is estimated at approximately \$95,452,000. This growth is estimated to generate approximately \$16,822,000 of tax increment over the life of the district.



RELOCATION OF DISPLACED PERSONS AND BUSINESSES

Where the relocation of individuals and business operations would take place as a result of the City's acquisition activities occurring within the District, relocation will be carried out in accordance with the relocation requirements set forth in Chapter 32 of the Wisconsin Statutes and the Federal Uniform Relocation Assistance and Real Property Acquisitions Policy Act of 1970 (P.L. 91-646) as applicable.

LEGAL DESCRIPTION

Beginning at the East 1/4 corner, said Section 1; thence westerly, to the southeasterly corner of Lot 4, Northgate Annex¹, said point being on the westerly right of way of North Sherman Avenue (platted as Sherman Avenue); thence along said westerly right of way, northerly, to the westerly elongation of the northerly right of way of Aberg Avenue; thence along said northerly right of way, easterly, to the southeasterly corner of Lot 1, Block 6, First Addition Clyde A. Gallagher's Sherman Ave. Subdivision², said point also being on the westerly right of way of the SOO Line Railroad Company Rail Road (formerly the Chicago, Minneapolis, St. Paul & Pacific Rail Road); thence along said westerly right of way, northerly, to the southerly most corner of Lot 5, Block 2, Rafferty Plat³; thence along the southwesterly line of said Lot 5, 57.72 [k1]feet, more or less, along the arc of a curve to the left, northwesterly, to the southwesterly corner of said Lot 5, said point also being the southeasterly corner of Lot 6[k2], said Block 2; thence along the westerly line of said Lot 5, and along the westerly line of Lot 4, said Block 2, northerly, to the northwesterly corners of said Lot 4, said point also being on the southerly right of way of Melrose Street (platted as White House Avenue); thence along said southerly right of way, westerly, to the northwesterly corner of Lot 3, said Block 2; thence northerly, to the southwesterly corner of Lot 3, Block 1, said Rafferty Plat; thence along the westerly line of said Lot 3, northerly, to the northwesterly corner thereof, said point also being on the southerly line of Lot 1, Sachtjen Homeland Plat⁴; thence along said southerly line, westerly, to the southwesterly corner of said Lot 1; thence along the westerly line of said Lot 1, and along the westerly line of Lot 2, said Sachtjen Homeland Plat, northerly, to the northwesterly corner of said Lot 2, said point also being on the southerly right of way of Manley Street; thence northerly, to the southwesterly corner of Lot 33, said Sachtjen Homeland Plat; thence along the westerly line of said Lot 33, and along the westerly line of Lot 34, said Sachtjen Homeland Plat, northerly, to the northwesterly corner of said Lot 34, said point also being the southwesterly corner of Lot 35, First Addition to Sachtjen Homeland Plat⁵; thence along the westerly line of said Lot 35, and along the westerly line of Lots 36 through 39, inclusive, said First Addition to Sachtjen Homeland Plat, northerly, to the northwesterly corner of said Lot 39, said point also being on the southerly line of Lot 2, Block 4, Bruns⁶; thence along said southerly line, easterly, to the southwesterly corner of Lot 3, said Block 4; thence along the westerly line of said Lot 3, and along the northerly elongation thereof, northerly, to the northerly right of way of Elka Lane, said point also being on the southerly line of Lot 15, Block 6, 1st Addition to Bruns⁷; thence along said southerly line, easterly, to a southeasterly corner of said Lot 15; thence along the southeasterly line of said Lot 15[k3], 24.59[k4] feet, more or less, along the arc of a curve to the left, northeasterly, to a southeasterly corner of said Lot 15, said point being on the westerly right of way of Packers Avenue; thence along the easterly line of said Lot 15, and along said westerly right of way, 255.59 [k5]feet, more or less, along the arc of a curve to the left, northerly, to a point of tangency; thence along the northeasterly line of said Lot 15, and along the southwesterly right of way of said Packers Avenue, northwesterly, 268.79 feet, more or less, to a point of curvature; thence continuing along said northeasterly line of said Lot 15, and along the northeasterly line of Lot 14, said Block 6, and continuing along said southwesterly right of way, 532.14 [k6]feet, more or less, along the arc of a curve to the left, northwesterly, to a point of tangency; thence continuing along said northeasterly line of Lot 14, and along the southwesterly right of way of Northport Drive (shown on said 1st Addition to Bruns as "Northport Road", a.k.a. State Trunk Highway 113), northwesterly, 314.85 feet, more or less, to the easterly corner of Lot 13, said Block 6; thence along the southeasterly line of said Lot 13, southwesterly, to the southerly corner thereof; thence along the southwesterly line of said Lot 13, northwesterly, to the westerly corner thereof, said point also being on the southeasterly right of way of Dryden Drive; thence along said southeasterly right of way, and along the easterly right of way of said Dryden Drive, southwesterly and southerly, to the southwesterly corner of Lot 12, said Block 6; thence westerly, to the southeasterly corner of Lot 2, Certified Survey Map No. 216⁸; thence along the southerly line of said Lot 2, and along the southerly line of Lot 3, Certified Survey Map No. 10560⁹, and along the westerly elongation of

¹ [Northgate Annex](#), recorded in Vol. 31 of Plats, page 18, as Doc. No. 1154092.

² [First Addition Clyde A. Gallagher's Sherman Ave. Subdivision](#), recorded in Vol. 6 of Plats, page 52, as Doc. No. 497382A.

³ [Rafferty Plat](#), recorded in Vol. 10 of Plats, page 19, as Doc. No. 646040.

⁴ [Sachtjen Homeland Plat](#), recorded in Vol. 13 of Plats, page 42, as Doc. No. 797674.

⁵ [First Addition to Sachtjen Homeland Plat](#), recorded in Vol. 17 of Plats, page 23, as Doc. No. 892154.

⁶ [Bruns](#), recorded in Vol. 24 of Plats, page 5, as Doc. No. 1005975.

⁷ [1st Addition to Bruns](#), recorded in Vol. 28 of Plats, page 2, as Doc No. 1098243.

⁸ [Certified Survey Map No. 216](#), recorded in Vol. 1 of Certified Survey Maps, page 216, as Doc. No. 1148906.

⁹ [Certified Survey Map No. 10560](#), recorded in Vol. 62 of Certified Survey Maps, pages 259 - 264, as Doc. No. 3567250.

said southerly line of Lot 3, westerly, to the westerly right of way of North Sherman Avenue; thence along said westerly right of way, northerly the southwesterly right of way of Northport Drive (a.k.a. State Trunk Highway 113); thence along said southwesterly right of way of Northport Drive, northwesterly to the southerly right of way of Troy Drive; thence along said southerly right of way, westerly, to the westerly line of that parcel of land described in Warranty Deed¹⁰, said point being on said southerly right of way[k7] of Troy Drive; thence northerly, to the intersection of the northerly right of way of said Troy Drive with the westerly line of that parcel of land described in Special Warranty Deed¹¹; thence along said westerly line, northerly, 264 feet, more or less, to the northwesterly corner thereof, said point also being the southwesterly corner of that parcel of land described in Warranty Deed¹²; thence along the westerly line of last said parcel of land, and along the northerly elongation thereof, northerly, to the northeasterly right of way of Northport Drive (a.k.a. State Trunk Highway 113), said point also being on the southwesterly line of Lot 1, Certified Survey Map No. 12189¹³; thence along said northeasterly right of way, and along said southwesterly line, southeasterly, to the southerly most corner of said Lot 1; thence along an easterly line of said Lot 1, northerly, 181.95 feet, more or less, to an interior corner thereof; thence along a southerly line of said Lot 1, and along the southerly line of Block 2, Lake View Heights¹⁴, easterly, to the northwesterly corner of Lot 8, Northport Hanover¹⁵; thence along the westerly line of said Lot 8, and along the westerly line of Lots 1 through 7, inclusive, said Northport Hanover, southerly, to the southwesterly corner of said Lot 1, said point being on the northerly right of way of Troy Drive; thence along said northerly right of way, easterly, to the easterly right of way of North Sherman Avenue; thence along said easterly right of way, southerly, to the northerly right of way of Browning Road; thence along said northerly right of way, easterly, to the northerly elongation of the easterly line of Lot 16, Block 8, Berkeley¹⁶; thence along said northerly elongation, and along said easterly line, southerly, to the northerly right of way of Northport Drive (a.k.a. State Trunk Highway 113); thence along said northerly right of way, easterly, to the westerly right of way of Dryden Drive; thence along said westerly right of way, northerly to the northwesterly elongation of the southwesterly right of way of Londonderry Drive; thence northeasterly to the intersection of the easterly right of way of said Dryden Drive with the northeasterly right of way of said Londonderry Drive, said point also being the southwesterly corner of Lot 1, Block 9, Bruns Second Addition¹⁷; thence along said northeasterly right of way of Londonderry Drive, and along the northerly, northwesterly, and again northerly right of way thereof, southeasterly, easterly, northeasterly, and easterly, to the easterly most corner of Lot 2, said Block 9, said point also being on the southerly line of Lot 2, Certified Survey Map No. 299[k8]¹⁸; thence along said southerly line of said Lot 2, westerly, 100.00 feet, more or less, to the southwesterly corner thereof; thence along the westerly line of said Lot 2, northerly, 145.83 feet, more or less, to the northwesterly corner thereof; thence along the northerly line of said Lot 2, easterly, 12.12 [k9]feet, more or less, to an interior corner of that parcel of land described in Warranty Deed¹⁹, said point also being on the westerly line of vacated portion of Browning Road; thence along the westerly line of said parcel of land, and along said westerly line of vacated portion of Browning Road, and along the westerly line of Lot 1, Certified Survey Map No. 146²⁰, and along the westerly line of Lots 3 and 4, Certified Survey Map No. 267²¹, northerly, to the southerly right of way of Scott Lane; thence northerly, to the southwesterly corner of Lot 2, Certified Survey Map No. 197²²; thence along the westerly line of said Lot 2, and along the westerly line of Lot 1, said Certified Survey Map No. 197, northerly, to the southerly right of way of Tennyson Lane; thence along said southerly right of way, westerly, to the southerly elongation of the westerly line of Lot 1, Certified Survey Map No. 4928²³; thence along said southerly elongation, and along said westerly line of Lot 1, northerly, to the North line of said Northwest 1/4, Section 30; thence along the North line, easterly, to the North 1/4 corner, said Section 30; thence along the North line of said Northeast 1/4, Section 30, easterly, 33.05 feet, more or less, to the easterly right of way of Packers Avenue; thence along said easterly right of way, southerly, to the northerly line of that parcel of land described in Quitclaim Deed²⁴; thence along said northerly line, easterly, 263.97 feet, more or less, to the

¹⁰ [Warranty Deed](#), recorded on March 2, 2001, as Doc. No. 3292822. Also see [Subdivision of Fractional No. 1 and N.E. 1/4 of N.W. 1/4 of Sec. No 36](#) (Denniston's Subdivision), recorded in Vol. B of Plats, page 29, on November 26, 1860.

¹¹ [Special Warranty Deed](#), recorded on July 24, 2008, as Doc. No. 4453916. Also see [Hanover](#), recorded in Vol. B of Plats, page 37, on February 19, 1856.

¹² [Warranty Deed](#), recorded on May 30, 2000, as Doc. No. 3216443.

¹³ [Certified Survey Map No. 12189](#), recorded in Vol. 75 of Certified Survey Maps, pages 171 - 175, as Doc. No. 4328930.

¹⁴ [Lake View Heights](#), recorded in Vol. 10 of Plats, page 7, as Doc. No. 637707.

¹⁵ [Northport Hanover](#), recorded in Vol. 44 of Plats, page 29, as Doc. No. 1477969.

¹⁶ [Berkeley](#), recorded in Vol. 19 of Plats, page 12, as Doc. No. 918939.

¹⁷ [Bruns Second Addition](#), recorded in Vol. 51 of Plats, page 10, as Doc. No. 1618648.

¹⁸ [Certified Survey Map No. 299](#), recorded in Vol. 2 of Certified Survey Maps, page 31, as Doc. No. 1309650.

¹⁹ [Warranty Deed](#), recorded on December 6, 2006, as Doc. No. 4260173.

²⁰ [Certified Survey Map No. 146](#), recorded in Vol. 1 of Certified Survey Maps, page 146, as Doc. No. 1104761.

²¹ [Certified Survey Map No. 267](#), recorded in Vol. 2 of Certified Survey Maps, page 5, as Doc. No. 1206612.

²² [Certified Survey Map No. 197](#), recorded in Vol. 1 of Certified Survey Maps, page 197, as Doc. No. 1134969.

²³ [Certified Survey Map No. 4928](#), recorded in Vol. 22 of Certified Survey Maps, pages 50 - 51, as Doc. No. 1934981, and corrected by Affidavit of Correction, recorded in Vol. 8779, page 63, as Doc. No. 1963839.

²⁴ [Quitclaim Deed](#), recorded in Vol. 526, page 533, as Doc. No. 778452. Also see Plat of Survey No. [2007-00976](#)

northeasterly corner thereof; thence along the easterly line of said parcel, southerly, 164.96 feet, more or less, to the northerly right of way of Darwin Road; thence along said northerly right of way, easterly, to the southwesterly corner of Lot 1, Certified Survey Map No. 10858²⁵; thence along the westerly line of said Lot 1, and along the westerly line of Lot 2, said Certified Survey Map No. 10858, northerly, to the northwesterly corner of said Lot 2; thence along the northerly line of said Lot 2, easterly, to the northeasterly corner thereof, said point also being on the northwesterly right of way of the former [Chicago Milwaukee St. Paul & Pacific Railroad](#); thence along the southeasterly line of said Lot 2, and along said northwesterly right of way, southwesterly, to the northerly right of way of Darwin Road; thence along said northerly right of way, easterly, to the northeasterly elongation of the southeasterly line of Outlot 1, Certified Survey Map No. 1275²⁶; thence along said northeasterly elongation, and along said southeasterly line of Outlot 1, southwesterly, to the westerly corner of Lot 3, Truax Air Park West²⁷, said point being 175.00 feet, more or less, southwesterly of the southwesterly most corner of Lot 4, said Truax Air Park West[k10]; thence along the southwesterly line of said Lot 3, 307.12 [k11]feet, more or less, along the arc of a curve to the left, southeasterly to the southerly corner of said Lot 3, said point also being the westerly corner of Lot 2, Certified Survey Map No. 928²⁸; thence along the northwesterly line of said Lot 2, and along the northwesterly lines of Lots 1 and 2, said Truax Air Park West, northeasterly and northerly to the northwesterly corner said Lot 2, Truax Air Park West, said point being on the southerly right of way of American Lane; thence northeasterly to the westerly most corner of Lot 6, said Truax Air Park West; said point being on the northeasterly right of way of said American Lane; thence along said northeasterly right of way, and along the northerly and northwesterly right of way of said American Lane, southeasterly, easterly, and northeasterly, to the westerly right of way of International Lane, said point being a southeasterly corner of said Lot 6, and being southerly of the northeasterly corner thereof, 219.80 feet, more or less, as measured along the easterly line thereof; thence in a perpendicular direction to the easterly right of way of said International Lane, easterly, to said easterly right of way; thence along said easterly right of way, and along the southeasterly right of way, of said International Lane, southerly and southwesterly, to the northerly corner of Outlot 8, said Second Addition to Truax Air Park West; thence along the northeasterly line of said Outlot 8, southeasterly to the easterly corner thereof, said point being on the northerly right of way of Pankratz Street; thence southeasterly to a northerly corner of Outlot 9, said Second Addition to Truax Air Park West, said point being that corner noted as "22"[k12] on said plat, said point being on the southerly right of way of said Pankratz Street; thence along said southerly right of way, 219.02 [k13]feet, more or less, along the arc of a curve to the left, westerly, to a point of tangency; thence along the easterly right of way of said Pankratz Street, southerly, 1896.62 feet, more or less, to the southerly right of way of said Pankratz Street; thence along said southerly right of way, westerly, 66.02 feet, more or less, to the southeasterly corner of Lot 43, said Second Addition to Truax Air Park West; thence along the southerly line of said Lot 43, westerly, to the easterly right of way of Packers Avenue; thence along said easterly right of way, and along the easterly right of way of Pennsylvania Avenue, southerly to the westerly corner of Lot 1, Certified Survey Map No. 11946²⁹, said point also being on the northeasterly right of way of North Third Street; thence along said northeasterly right of way, southeasterly, to the northeasterly elongation of the northwesterly line of Block 315, Madison Square Riley Plat³⁰; thence along said northeasterly elongation, and along said northwesterly line of said Block 315, southwesterly to the northerly corner of that parcel of land described in Amendment to Amended Award of Damages³¹; thence along the easterly line of said parcel, southerly, 50.69 feet, more or less, to an interior corner thereof; thence along the northeasterly line of said parcel, southeasterly, 3.33 feet, more or less, to a northeasterly corner thereof; thence along the easterly line of said parcel, southerly, 89.43 feet, more or less, to the southerly most corner thereof, said point also being on the northeasterly right of way of Pennsylvania Avenue; thence southeasterly, to the northerly corner of Lot 7, Block 316, said Madison Square Riley Plat, said point also being on the southeasterly right of way of East Johnson Street; thence along said southeasterly right of way, southwesterly, to the intersection thereof with the former easterly right of way of the Chicago, Minneapolis, St. Paul Rail Road[k14]; thence northwesterly to the intersection of the northwesterly right of way of said East Johnson Street with the westerly right of way of the SOO Line Railway Company Rail Road (formerly the Chicago, Minneapolis, St. Paul Rail Road); thence along said westerly right of way, northerly, to the intersection thereof with the southerly right of way of Roth Street; thence along said southerly right of way, westerly, to the intersection thereof with the easterly right of way of North Sherman Avenue; thence northwesterly, 33 feet, more or less, to the **point of beginning**.

²⁵ [Certified Survey Map No. 10858](#), recorded in Vol. 65 of Certified Survey Maps, pages 17 - 20, as Doc. No. 3810871.

²⁶ [Certified Survey Map No. 1275](#), recorded in Vol. 5 of Certified Survey Maps, pages 205 - 206, as Doc. No. 1377842

²⁷ [Truax Air Park West](#), recorded in Vol. 50 of Plats, page 23, as Doc. No. 1599591.

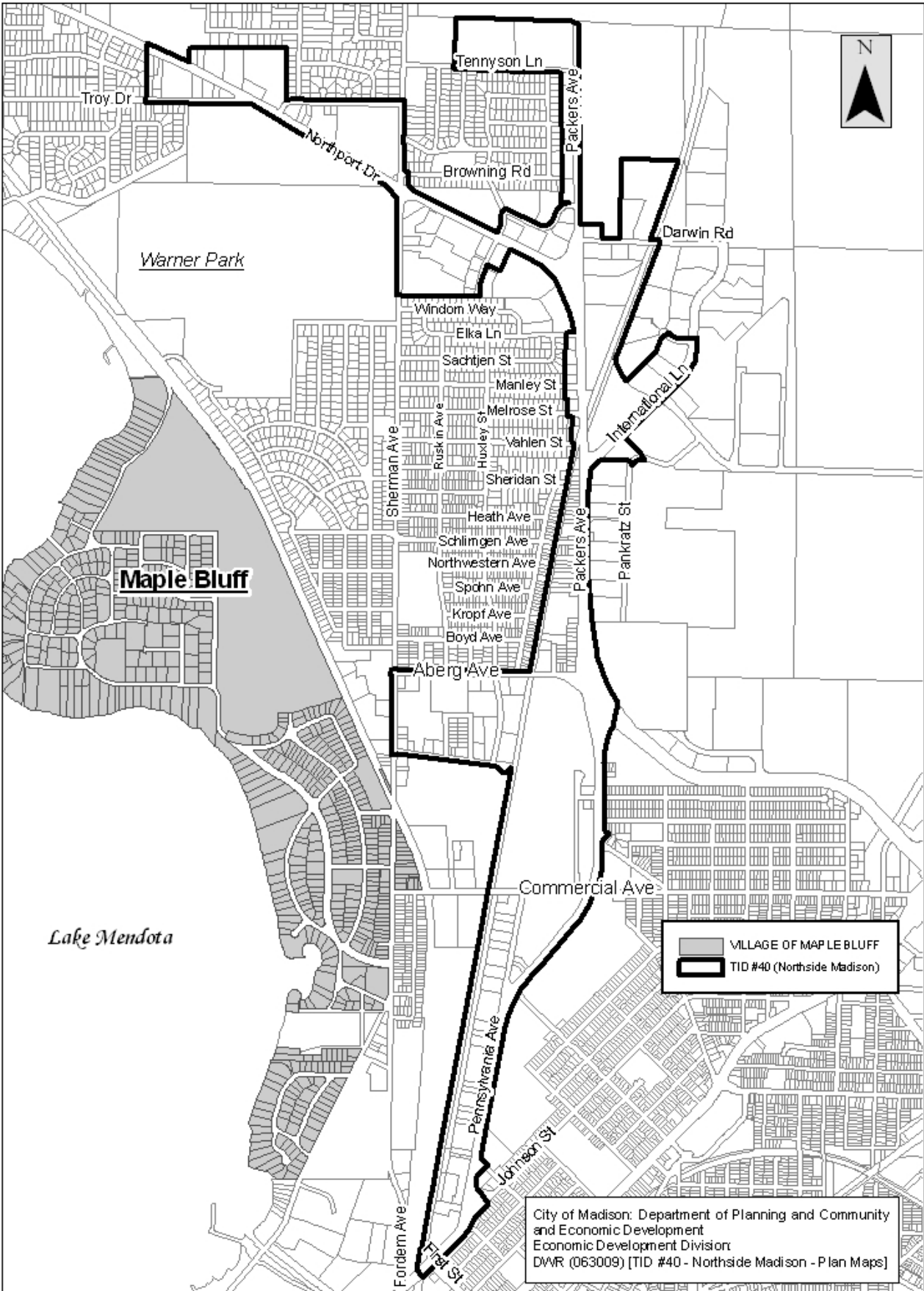
²⁸ [Certified Survey Map No. 928](#), recorded in Vol. 4, pages 166 -167, as Doc. No. 1339389

²⁹ [Certified Survey Map No. 11946](#), recorded in Vol. 73 of Certified Survey Maps, pages 213 - 215, as Doc. No. 4245745.

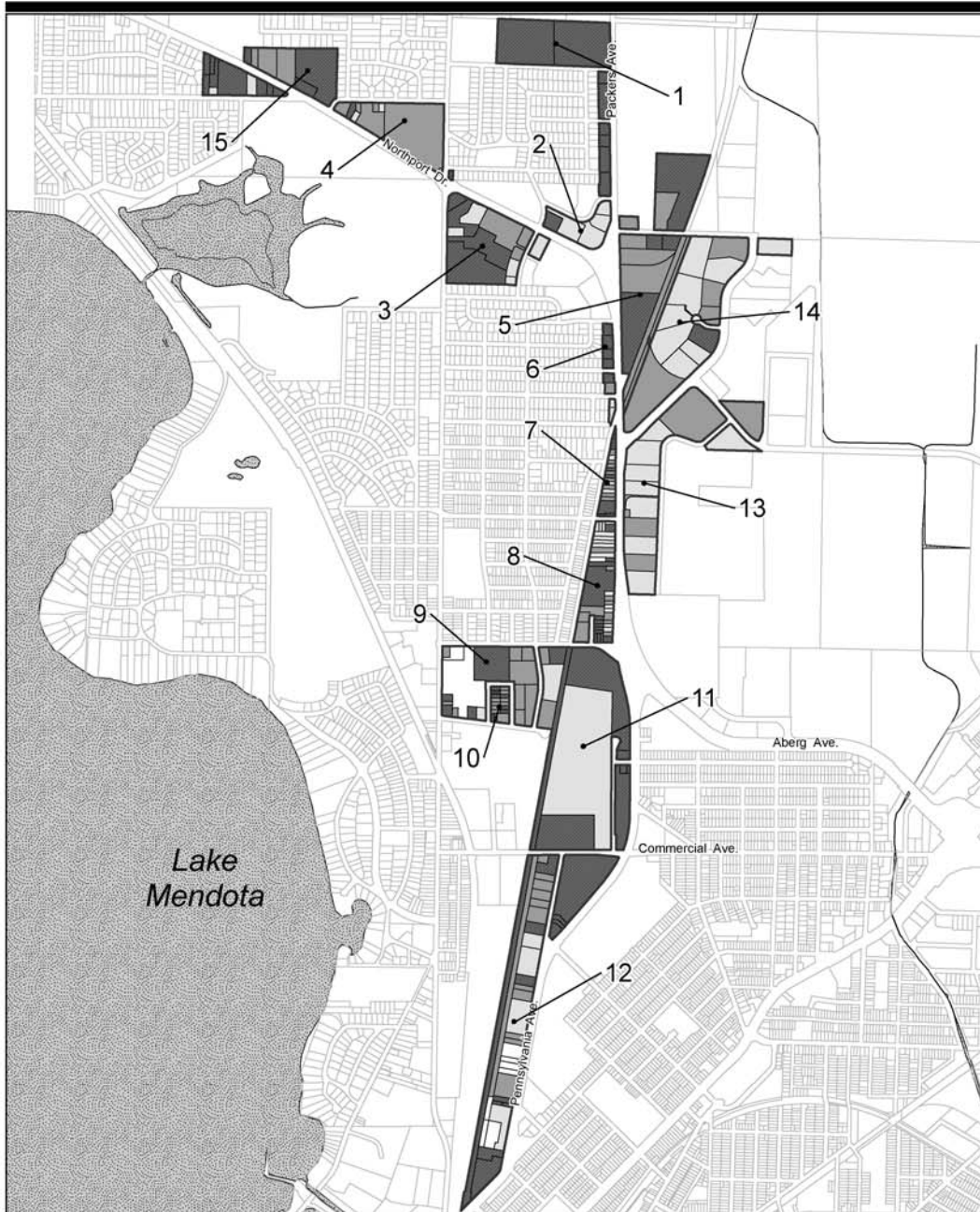
³⁰ [Madison Square Riley Plat](#), recorded in Vol. 3 of Plats, page 9A, as Doc. No. 253138.

³¹ [Amendment to Amended Award of Damages](#), recorded in Vol. 14849, page 36, as Doc. No. 2227035.

TID 40 – District Boundary



TID 40 – Existing Conditions (Blight Map)



TID #40 - NE Madison - Blight Map **MAP-2**

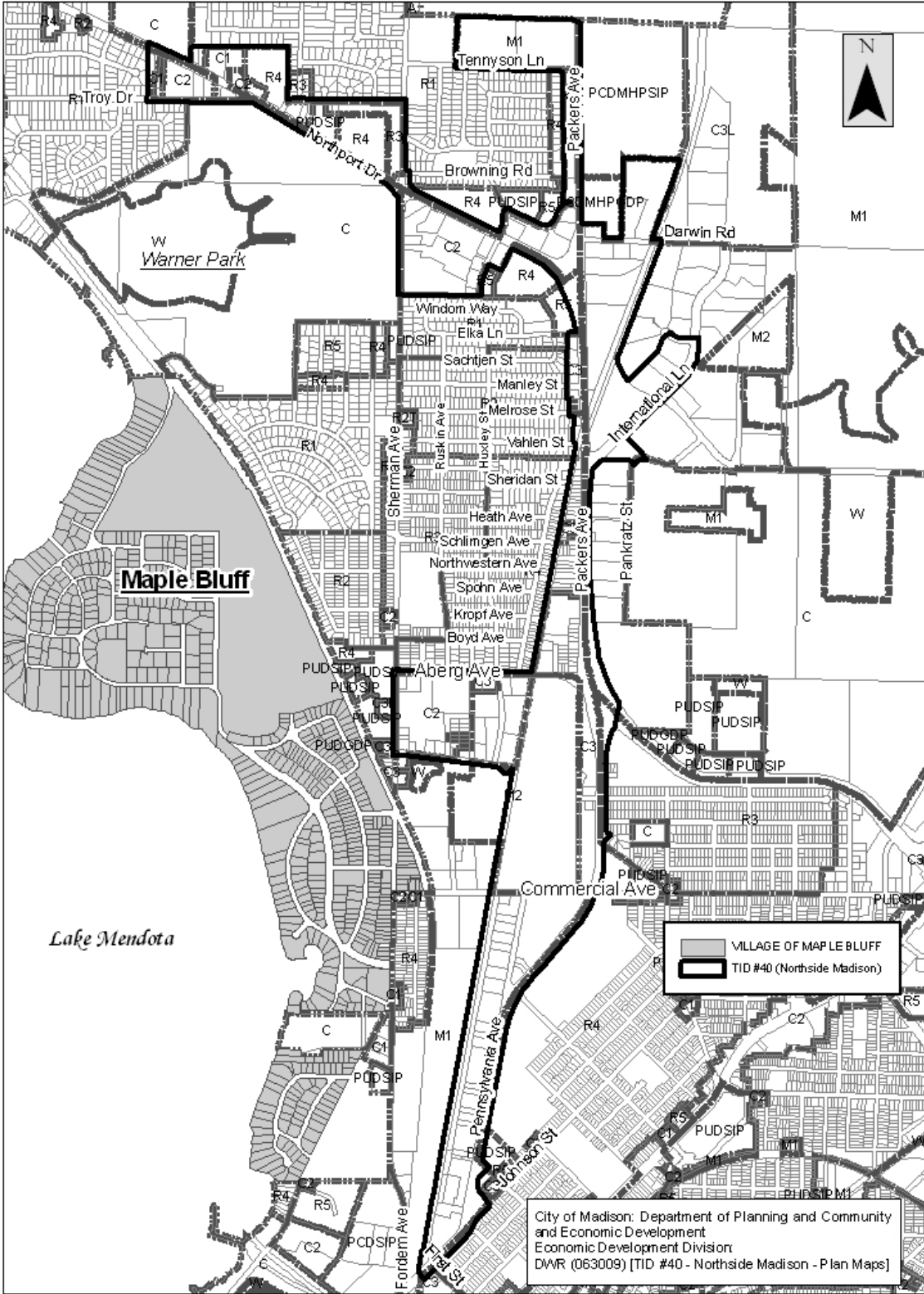
City of Madison *Dane County, Wisconsin*

Legend	
	City of Madison TID #40 Parcels
	Parcels
	Lakes
	Rivers
	Not Evaluated
	Satisfactory
	Deteriorating
	Poor
	Very Poor

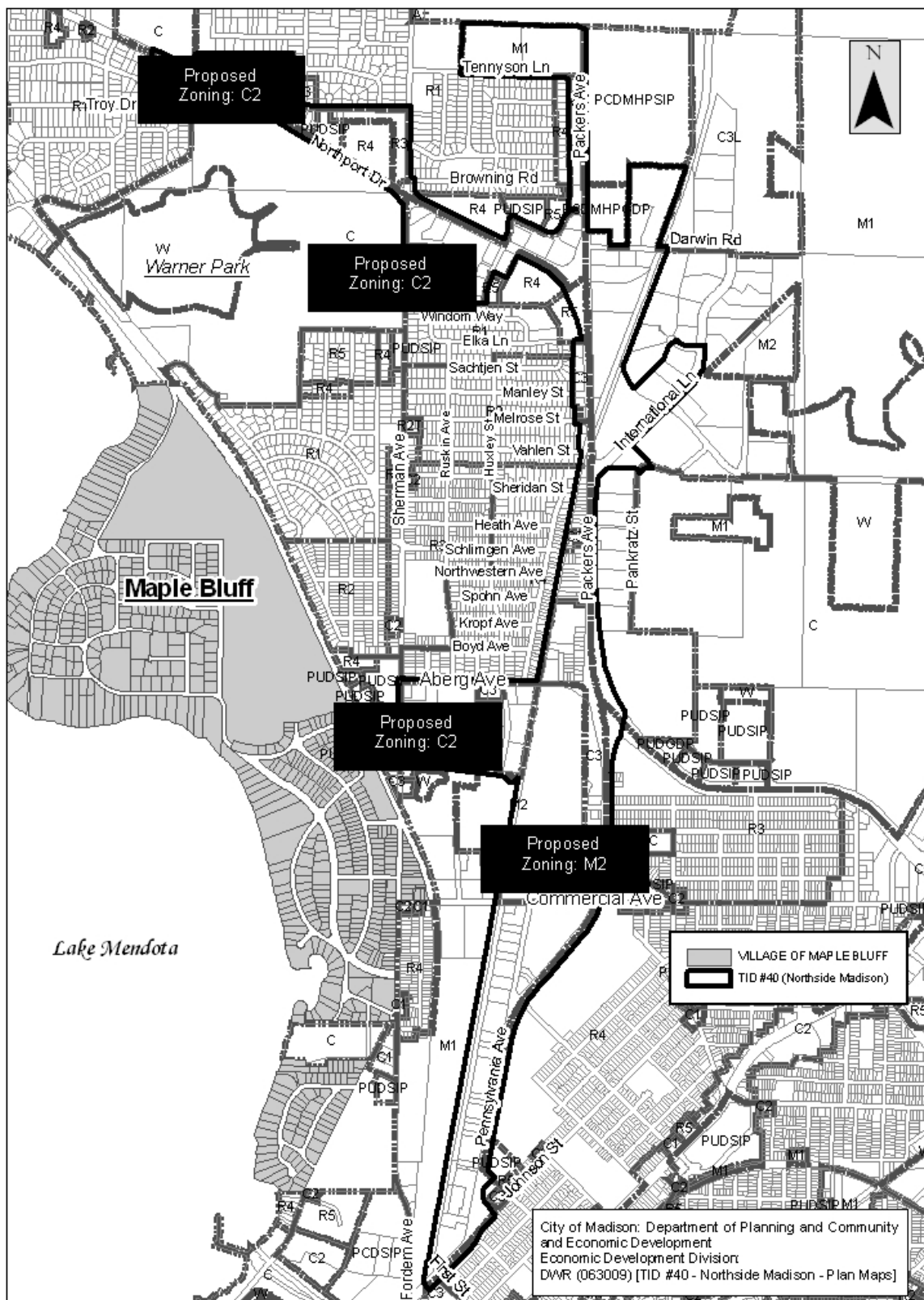
Feet

Sources:
 - Base data provided by Dane Co. LIU
 - TID data provided by City of Madison

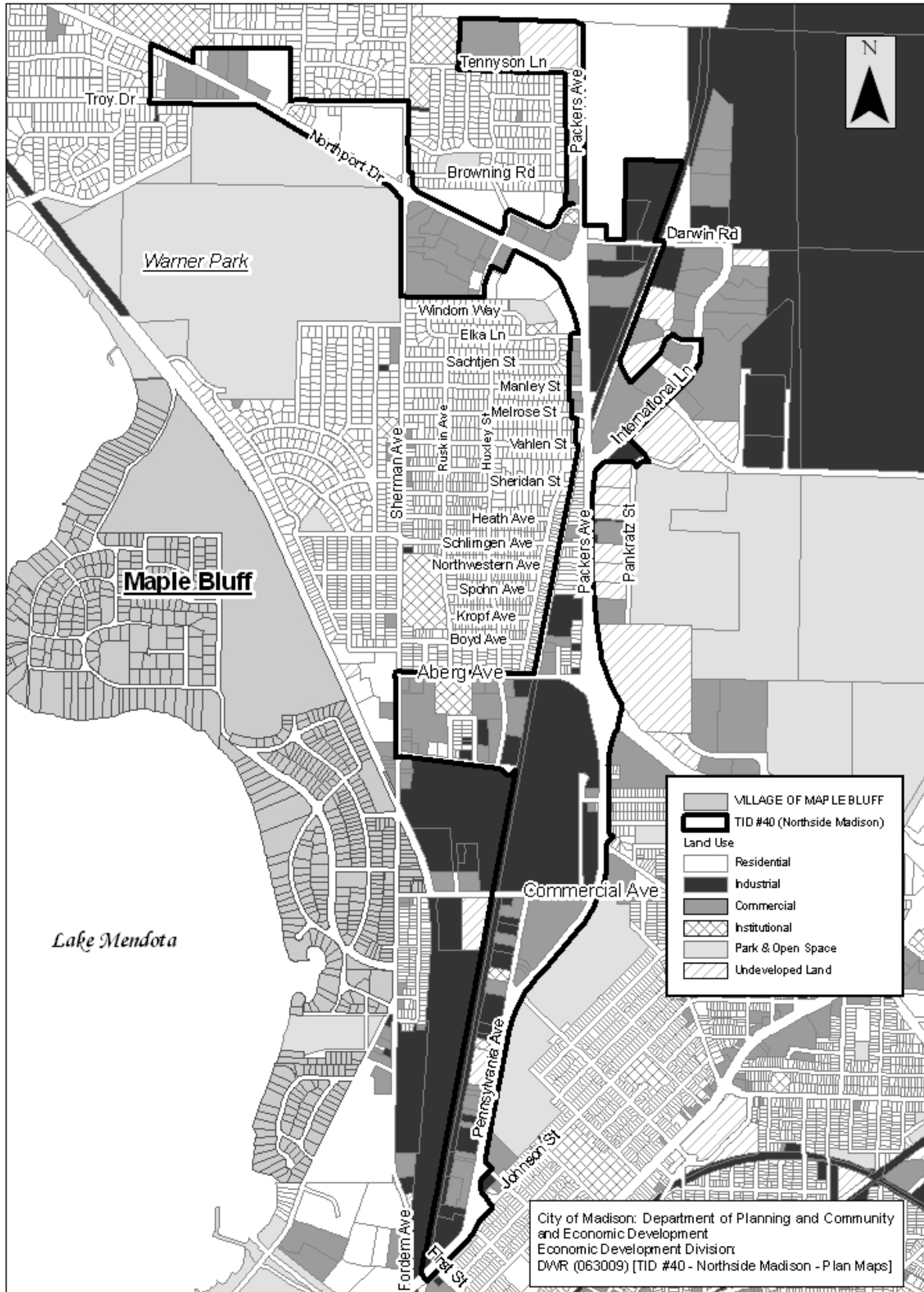
TID 40 – Existing Zoning



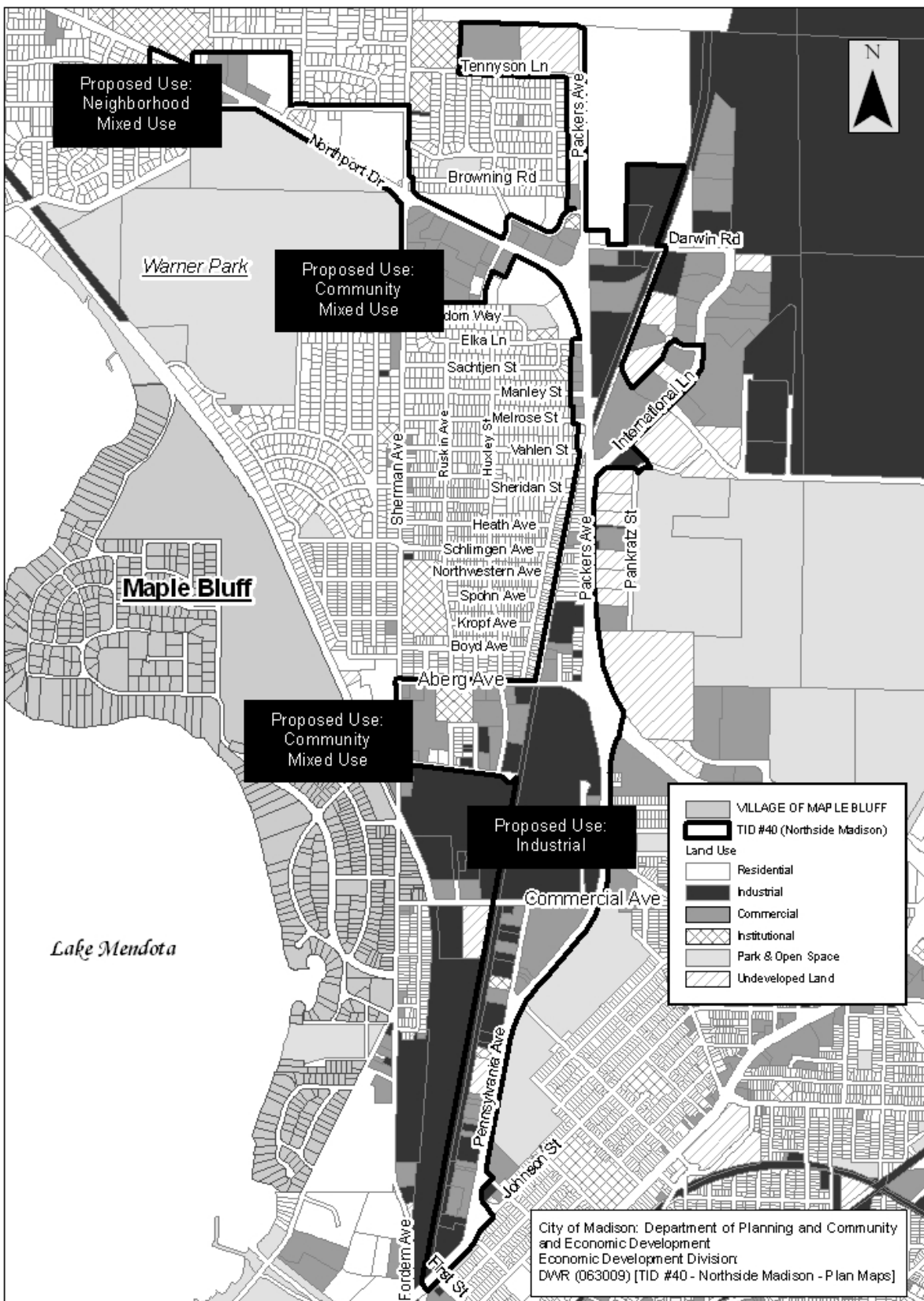
TID #40 – Proposed Zoning



TID #40 – Existing Land Use



TID 40 – Proposed Land Use



CITY OF MADISON
CITY ATTORNEY'S OFFICE
Room 401, CCB
266-4511

July 7, 2009

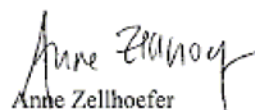
MEMORANDUM

TO: Mark A. Olinger, Director of Planning, Economic and Community Development
FROM: Anne Zellhoefer, Assistant City Attorney
SUBJECT: **TIF DISTRICT NO. 40 -- CITY OF MADISON
(NORTHSIDE)**

In my capacity as Assistant City Attorney for the City of Madison, Wisconsin, I have examined the Project Plan for the Tax Incremental Finance District No. 40, City of Madison, Wisconsin. Based on this examination, I am of the opinion that the Project Plan is complete and complies with the provisions of Sec. 66.1105(4)(f), Wis. Stats.

I render no opinion with respect to the accuracy or validity of any statement and/or finding contained in said Project Plan, but refer you to the appropriate reports of City staff in support of the Plan.

Respectfully submitted,


Anne Zellhoefer
Assistant City Attorney

AZ:sob

cc: Joe Gromacki