

TAX INCREMENTAL FINANCE DISTRICT #23

City of Madison

CAPITOL SQUARE REVITALIZATION

| **SUBSTITUTE Amended Project Plan**

**Prepared by:
Department of Planning and Development
Community and Economic Development Unit**

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(NOTE: Amended Sections are Underlined)

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TAX INCREMENTAL FINANCE DISTRICT NO. 23

PROJECT PLAN

INTENT AND PURPOSE

The City of Madison has established the revitalization of the Central Business District and the adjoining neighborhoods as a top priority. To that end, the City intends to utilize its various implementation tools, such as tax exempt rental housing bonds, lease revenue bonds, tax incremental financing (TIF), Community Development Authority (CDA) loans and grants, and other State or Federal tools that may be appropriate and available.

The intent and purpose of this amendment to the TID #23 Project Plan is to increase the amount of total TID expenditures in the TID Project Plan. This increase in TID expenditures will provide for certain infrastructure projects to be completed, while also addressing an increase total project costs incurred to date.

The City of Madison is proposing to create Tax Incremental Finance (TIF) District No. 23 to (1) finance public works and improvements, (2) provide incentives to the private sector which will result in the elimination of blighted conditions, and (3) stimulate planned economic, commercial, housing, office, cultural and mixed-use development. In recent years, the area has been plagued by poor public perception, loss of retail businesses and a deteriorating building stock. This stagnation and lack of growth is a major concern to the City of Madison.

The key to realizing the development potential of downtown Madison and reversing this present trend will be to appropriately use the financial mechanisms such as TIF to stimulate desired improvements. Public and private projects jointly financed by TIF and private lenders will create increased economic vitality in the area, thereby helping to correct blighting conditions while increasing the City's tax base.

It is a goal of the City to maintain the Central Business District as a healthy, vibrant area and a center of community activities. Due to the competitive disadvantage of development in the downtown area versus the periphery, the City must use its tools to encourage commercial, housing, office and mixed-use development in the Central Business District area. This strategy is a major goal of the City's Objectives and Policies and the Downtown 2000 Master Plan and also conforms to the basic statutory purpose of TIF as established by the State.

As more office workers and visitors come into new downtown development to work and recreate, and more residential development increases, retailing and entertainment can also be revived. The City of Madison has the opportunity to assist in the implementation of major projects which will affect the economic health and vitality of the central city area and the City in general for decades to come.

The strengthening and stabilization of the Isthmus area residential neighborhoods by encouraging a diverse population of all income levels is a long-term planning goal of the City of

Madison. Additional locations for Central Area residential development should be provided while reducing the pressure on established isthmus neighborhoods by redeveloping suitable under-utilized or vacant commercial and industrial lands for residential and mixed-uses at relatively high density.

Consistency with the City of Madison Comprehensive Plan

Volume II, Chapter 2 of the Comprehensive Plan, entitled “Objectives and Polices for Established Neighborhoods on pages 2-16 through 2-43, stipulates goals and objectives that are consistent with the activities planned for the amendment to the TID #23 Project Plan, 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.

Also in Volume II, Chapter 2, pages 2-66:

Objective 73: Continue to recognize Madison’s downtown / campus area as a unique and important City and regional center that merits special planning and design attention.

Objective 82: Create a high-quality physical and design environmental downtown that is inspiring, creative, diverse and complimentary of historic and natural resources.

Consistency With TIF Policy

The amendment to the TID #23 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 Amended Project Plan conforms to the following TIF Policy objectives:

Goal 2: Support Neighborhood Revitalization, Including Downtown

TIF Objectives:

- (3) **Higher Standards of Building Design, Materials.** The City encourages projects that include additional housing, commercial or industrial performance standards that incorporate materials, fixtures, designs and appliances which provide health-related benefits and energy conservation and enhance quality of life including accessibility; such standards may include: energy conservation equipment and appliances, designs and fixtures that provide for fully accessible dwelling units, and equipment that provides a high level of air quality.
- (4) **Urban In-fill.** Urban in-fill projects that either increase or decrease density consistent with the City comprehensive plan.

Strategies to Support Neighborhood Revitalization:

- (1) Improve the public infrastructure.
- (2) Upon demonstrating the “but for”, provide TIF assistance to private development projects that:
 - (a) Provide a variety of housing choices, through renovation and rehabilitation of existing buildings and higher-density new construction in selected areas to increase the number and diversity of downtown residents.
 - (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. TIF Loan policies in Section 4, paragraphs (1) through (8), (10) through (13) and (16) and the job creation guaranty in Goal 2: (3), (4) and (5) shall apply.
- (e) Provide transportation linkages and other urban amenities.
- (f) Increase the supply and variety of high-quality, home ownership opportunities.
- (g) Increase (or decrease, when appropriate), residential densities at selected locations as identified in the adopted City of Madison comprehensive plan.
- (h) Encourage the development of higher concentrations and mixes of commercial, retail, business and professional office uses, with parking and Transportation Demand Management (TDM), within mixed-use projects.

PROPOSED PUBLIC WORKS IMPROVEMENTS

A survey of the existing conditions of streets, water and sewer distribution systems in the entire district disclosed the need for repair or replacement of streets and sidewalks.

The kind, number and location of proposed public works or improvements are listed below and illustrated elsewhere in this plan. These public improvements include street renovation, curb and gutter replacement, sidewalk replacement and wayfinding systems.

Street Renovation

Certain streets within the proposed area are recommended for renovation. The proposed street improvements include resurfacing, replacing curb and gutter, new sidewalks, landscaping and street lighting.

a. North Butler Street

The intersection of North Butler and Mifflin Streets will be resurfaced. Butler Street between East Mifflin and North Hamilton will be resurfaced.

Estimated Cost.....\$70,000

b. North Webster Street

North Webster Street from Hamilton Street to East Washington Avenue will be resurfaced. Some curb and gutter replacement will be required.

Estimated Cost.....\$40,000

c. North Pinckney Street

Seal cracks or replace broken pavement.

Estimated Cost.....\$5,000

d. Wisconsin Avenue

Resurface Wisconsin Avenue between Mifflin and Dayton Streets.

Estimated Cost.....\$30,000

e. Mifflin Street

Resurface Mifflin Street between Butler and Carroll Streets, replace curb and gutter, and repair joints as required.

Estimated Cost.....\$50,000

f. Dayton Street

Seal cracks and repair Dayton Street from Wisconsin Avenue toward Pinckney Street.

Estimated Cost.....\$5,000

g. Outer Ring

The outer ring surrounding the Capitol Square from North Webster Street to North Hamilton Street and from North Hamilton Street to West Dayton Street will be improved by landscaping, lighting and other amenities to soften the visual appearance of the streetscape.

Estimated Cost.....\$100,000

Wayfinding System

City residents and visitors have difficulty finding their way to and through the downtown due to the geography of the isthmus. Wayfinding components in this district will be a part of a much larger effort to alleviate the unwillingness of many people to come downtown.

Banners, overhead signs, roadside signs, pedestrian maps and parking identification signs.

Estimated Cost.....\$60,000

Concourse Improvements

Granite planters, bus shelter improvements, landscape irrigation systems, tree plantings, lighting improvements and public art.

Estimated Cost.....\$200,000

Pedestrian Linkages

A concept for the Development of Pedestrian Movement was developed in 1979 and supplemented by a report of the Adhoc Committee on Downtown Pedestrian Linkage in 1988. These reports envisioned a climate controlled handicapped accessible pedestrian movement system linking activity centers with major parking structures as an integral part of the overall Central City of Madison Revitalization Program.

Estimated Public Cost.....\$900,000

REVITALIZATION ACTIVITIES

In addition to the traditional public improvements, such as streets and utilities, this TIF District includes a variety of other improvements aimed at improving the total area. In accordance with Section 66.1333 and 66.1105 of the State Statutes, the City and the Community Development Authority plan to undertake 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. Lands acquired by the City and CDA may be leased or sold at market rate or reduced costs to assist in creating financial feasibility to eligible projects.

Site Improvement Loans or Grants

It is intended that when need for public financial assistance in private development projects is demonstrated, loan or grant funds be made available to persons interested in developing commercial, residential, office or mixed-use project uses. The loan or grant funds may be used to reduce the acquisition cost for sites or site improvements. The purpose of the funds is to assist in creating financially feasible housing projects. Site improvements could include the razing of buildings, the preparation of sites for construction, environmental clean-up, the landscaping of sites, architectural and engineering work relating to the preparation of development plans for properties, and similar types of related activities.

Rehabilitation Loans and Grants

To improve the overall area, it is intended that below-market rate loans and grants may be made available to tenants or owners of housing, commercial, office, cultural and mixed-use properties. Owners will be assisted in making architectural modifications to building to enhance existing businesses in the remodeling of vacant properties to accommodate new businesses and/or residential development.

Architectural modifications to buildings are anticipated to allow for potential façade replacement or renovation. Façade improvements could vary from minor architectural changes to the entire replacement of a façade. Standards for façade renovation or replacement should generally conform with the Urban Design Commission’s Guidelines established for the State Street Mall-Capitol Concourse Area. These guidelines contain a set of design guidelines relating to new building construction and the remodeling of existing structures. Funds for this purpose could be made available by either grant or loan.

DETAILED ESTIMATE OF PROJECT COSTS

The following are the eligible project costs as provided for under Section 66.1105(2)(f), Wisconsin Statutes:

<u>A. Street Renovation</u>	<u>Gross Costs</u>	<u>Assessable Costs</u>	<u>Net Costs</u>
North Butler Street	\$70,000	-	\$70,000
North Webster Street	40,000	-	40,000
North Pinckney Street	5,000	-	5,000
Wisconsin Avenue	30,000	-	30,000
Mifflin Street	50,000	-	50,000
Dayton Street	5,000	-	5,000
Outer Ring	100,000	-	100,000
<u>B. Other Public Improvements</u>			
Wayfinding System	60,000	-	60,000
Concourse Improvements	200,000	-	200,000
Pedestrian Linkages	900,000	-	900,000
<u>C. Revitalization Activities Including Grants to the CDA</u>	4,000,000	-	4,000,000

D. Other Costs

This category of Project Costs includes estimates for administrative, professional, organization and legal costs. Components of the “other costs” include, in general, costs of salaries and employee benefits for employees engaged in the planning, engineering, implementing and administering activities in connection with the Tax Incremental District, the cost of supplies and materials, contract and consultant services, and those costs of City departments such as the Comptroller’s Office, City Attorney, City Engineer, Planning and Development, and the Office of the Mayor.

Organizational, Administrative, Professional \$400,000

Summary of Project Costs

The Capital Costs include the estimated costs of planning, engineering, and the construction or reconstruction of public works and improvements. In addition, the cost estimates include the cost of any Community Development Authority revitalization activity and related costs.

The estimated total cost is:

Streets.....	300,000
Wayfinding System.....	60,000
Concourse Improvements.....	200,000
Pedestrian Linkages.....	900,000
Community Development Grants/Loans.....	4,000,000
Other Costs (Administrative).....	400,000
Interest During Construction.....	<u>612,000</u>
<i>(NOTE: “Interest During Construction” is considered “Financing”)</i>	
Total Capital/Other Project Costs.....	\$6,472,000

The estimated costs are based upon the most current data available as of February 10, 1994 and may be adjusted within the total amount shown without modification of the Tax Incremental Plan.

E. 2009 Amendment Infrastructure Costs

The 2010 Capitol Budget proposes to make improvements to the Capital Square and the surrounding streets that are “spokes” off of the Capital Square.

TOTAL Estimated Public Cost.....\$2,001,000

a. Capital Square Improvements

Capital Square Improvements include built-in benches, granite curbing, replacement planters, tree replacement and related square improvement projects

Estimated Cost.....\$1,185,000

b. Rotary Plaza

Rotary Plaza improvements near the new Madison Children’s Museum.

Estimated Cost.....\$157,000

c. 100 Block “Spoke” Streets

Improvements to 100 Block “Spoke” Streets including King St., S. Hamilton, N. Hamilton, E. Mifflin, E. Washington, W. Washington Ave., Martin Luther King, Jr., Blvd, and Wisconsin Ave.

Estimated Cost.....\$170,000

d. Survey, Design, and Inspection (15%)

Survey, design, and inspection of proposed improvements.

Estimated Cost.....\$239,000

~~e. Other Capital Costs (TBD).....\$5,769,000~~

NON-PROJECT COSTS

Non-project costs are the costs of completing activities that are to be paid with Federal or State grants or revenue sources other than tax increments. No non-project costs are anticipated in this district.

SUMMARY OF PROJECT COSTS, ESTIMATE OF TIMING AND PROJECT COSTS AND FINANCING COSTS

The following table summarizes project costs shown above by year of expenditure and provides an estimate of financing costs to be incurred. The estimated project costs may be adjusted within the amounts shown without modification of the project plan.

The timing in which certain project costs are incurred will be subject to the anticipated long-term development expectations are described as follows:

Actual Project Costs Incurred 1994 - 2009	Total Cost	Assessable Cost	TIF Cost
Street Renovation	639,000	-	639,000
Wayfinding System	19,000	-	19,000
Concourse Improvements	983,000	-	983,000
Revitalization Grants	6,152,000	-	6,152,000
Admin / Org Costs	326,000	-	326,000
Pedestrian Linkages	-	-	-
Total Capital Expenditures 1994 – 2009	8,120,000	-	8,120,000
Total Interest 1994-2009	3,654,000	-	3,654,000
Total Actual Cost 1994 – 2009	11,775,000	-	11,775,000

2009 Amendment Project Costs	Total Costs	Assessable Costs	TIF Costs
Capitol Square Improvements	1,185,000	-	1,185,000
Rotary Plaza	157,000	-	157,000
East Washington Irrigation System	250,000	-	250,000
100 Block “Spoke” streets (King, N. & S. Hamilton, E. Mifflin, E. Washington, W. Washington, MLK, Jr. Blvd, Wisconsin Ave.)	170,000	-	170,000
Survey, Design, Inspection	239,000	-	239,000
SUBTOTAL 2010 Capital Costs	2,001,000	-	2,001,000
Other Capital Costs (TBD)	5,769,000	-	5,769,000
Total New Capital Costs	7,770,000 <u>2,001,000</u>	-	7,770,000 <u>2,001,000</u>
Total Capital Costs	15,890,000 <u>13,776,000</u>	-	15,890,000 <u>13,776,000</u>
New Financing Costs		-	2,717,000 <u>1,131,350</u>

METHOD OF FINANCING

The project costs, including financing, are the estimated amount of tax increment revenues to be requested under the provisions of Section 66.1105 Wisconsin Statutes, Tax Increment Law.

The method of financing the project cost will be through the sale of promissory notes or any other method of financing approved by the Madison Common Council. The total project expenditures will be recovered through the tax increment.

ECONOMIC FEASIBILITY STUDY

Under the Wisconsin Tax Increment law, the property taxes paid each year on the increase in equalized value of the Tax Increment District may be used to reimburse the City for eligible project costs incurred within the District. The increase in value is determined by taking the District's current value and deducting the value in the District that existed when the District was created. All taxes levied upon this incremental (or increased) value by the City, School District, County, and vocational School District are allocated to the City of Madison for direct payment of project costs and the payment of debt service used to finance project costs.

~~All project expenditures must be made within seven years of the date of creation of the District, and tax increments may be received until project costs are recovered, but for no longer than sixteen years after the last expenditure is made. In the case of this district, all project costs must be made by mid 2001.~~

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, 2016. Tax increments may be received until project costs are recovered, at which time the TID must close.

The cost of public improvements and other costs including financing associated with the District was estimated at \$9,662,000. **The estimated total new TIF costs in this Project Plan Amendment are an additional \$9,833,000\$4,114,000 or a total of original District and amended District of \$13,776,000. (See Expectations for Development, Postscript 2009)**

Project expenditures will be contingent upon development that actually occurs. Considering the majority of the project costs are financed with long-term debt, borrowing would be undertaken only when sufficient development actually occurs to mainstay each borrowing segment and the expenditure of funds.

As previously indicated, each segment of the project (i.e. each individual cost component) will necessitate subsequent approval by the Common Council individually or in a Redevelopment Agreement. 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 District. The City will not proceed with any public financial contribution or with public improvements until such time as there is sufficient justification or cause to expect that

adequate development required to produce the necessary property values will occur. The absolute City investment in this District may, therefore, be less than the amount shown in the Project Plan. In any event, the amount spent within the ~~7-year~~ period 5 years prior to the district closing project costs will not exceed anticipated revenues.

PROMOTION OF ORDERLY LAND DEVELOPMENT

Historically, the North side of the Capitol Square has been part of the downtown retail core. In recent years, the area has been in a state of transition and decline. This Project Plan identifies a series of development opportunities which, if implemented, would reestablish this area as a retail, office, residential and entertainment center. Conveniently located parking to serve new development is also a goal of the plan. It is assumed that integrated parking will be essential to the financing of any new major building complex.

EXPECTATIONS FOR DEVELOPMENT

Under this project plan, 200 housing units are presumed to be constructed within the next 5 years. The anticipated added assessed value is derived by ascertaining the value of a project after its completion and occupancy minus the existing value of land and improvements thereon. An analysis of a current downtown housing development provides data which supports the conclusion that the new housing units will provide added value of approximately \$13,500,000. This added value will generate a tax increment, with a present value of \$4,138,000 over the life of the district.

Retail, commercial and office development is also anticipated in the TIF district. Given the availability of vacant buildings and underutilized land in the district, it is conceivable an additional 400,000-500,000 square feet of commercial/retail space and office space may evolve in the span of a 23-year development strategy. These expectations principally include the reuse of the former Manchester Store for Homes on West Mifflin, the former Woolworth site on West Mifflin, the site of the vacant buildings at 14-14 East Mifflin Street between Manchester Place and the AT&T Center on East Mifflin, the former Blied building on East Washington Avenue and other areas which may be underutilized or partially vacant. The added value is estimated at \$40,950,000 which would generate an estimated tax increment with a present value of \$8,945,000 over the 23 year period. This assumes development will be evenly spread over 23 years.

The total added value of both housing and commercial/retail and office development is estimated at \$45,088,000 which would provide an estimated \$13,083,000 in tax increment funds.

Recent experience with downtown housing and office development projects indicates an infusion of public money may be necessary in order to make these projects economically feasible in the downtown area. One can assume that a portion of the tax increment generated by the increased value increment may need to be applied directly to the developments to create financially feasible projects.

Postscript - 2009: As of January 1, 2009 the District has incurred \$11, 775,000 of actual capital and interest costs. This amount exceeds the \$9,662,000 total cost adopted in the original District Project Plan by \$2,113,000.

However, value growth realized as of 2009 exceeds of the original Project Plan’s projections and is expected to generate \$15,603,000 of tax increment until the District’s statutory expiration in 2021, or a present value of \$9,883,000. The amended Project Plan is expected to recover the \$2,113,000 of excess cost, \$2,001,000 of new public infrastructure improvements and ~~provide support a cushion of~~ \$5,769,000 of additional cost. However, said additional cost is not allocated in this Project Plan amendment, thus requiring a subsequent Project Plan amendment and Common Council and TIF Joint Review Board approvals. ~~tax increment available for yet unidentified capital projects.~~ At minimum the District should recover both the excess cost and new infrastructure cost in approximately three years at which time the District must close.

TID #23 has additional increment that can be used to pay for project costs for several reasons. These include:

- **Increased Value** – The original project plan anticipated \$45 million in new value to occur over 23 years. To date, \$64 million in new value has occurred with twelve years remaining in the District’s 27 year life-span. The District may remain open 27 years instead of 23 years due to a change in State law.
- **Accelerated Development Timing** – The \$64 million in new value was realized much faster than the original project plan anticipated. This faster increase in value generated more incremental revenue than was projected in the original project plan.
- **Longer District Life-Span** – Since a 2004 change in the State of Wisconsin’s TIF law, blighted TIF Districts may remain open 27 years, instead of the original 23 years giving the District more years of increment than anticipated.

The TID #23 Amendment will utilize the Half Mile Rule. The 2004 change in TIF Law enables existing TIDs to incur expenditures within ½ mile of the boundary limit without a boundary amendment.

In light of these events, the following figures represent the available TIF until 2021:

Original Plan Estimated Expenditures	9,662,000
Actual Expenditures (1994 - 2009)	11,775,000
Excess Cost Incurred	(2,113,000)
Total Estimate of Increments (2009 - 2021)	15,603,000
Net Present Value of Increments (2009 – 2021)	9,883,000
Amended Project Plan Expenditures (2009 – 2021)	
Excess Costs (1994 – 2009)	2,113,000
2010 Capital Square Costs	2,001,000
Total New Cost	9,883,0004,114,000
Total Expenditures (Original and Amendment)	19,545,00013,776,000
Total New Financing Costs	<u>2,717,000</u> <u>1,131,350</u>

METHODS FOR THE RELOCATION OF DISPLACED PERSONS

Where the relocation of individuals and business operations would take place as a result of the City of Madison’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.

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 City’s Master Plan, as approved by the City Plan Commission. No zoning changes may be needed to accomplish the objectives of the Project Plan. No changes in the Official Map, Building Codes or other City Ordinances appear to be necessary to implement the Project Plan.

LEGAL DESCRIPTION FOR TIF 23

A parcel of land situated in the SW ¼ of Section 13 and the SE ¼ of Section 14, both in T7N, R9E, and comprised of portions of Blocks 83, 90, 100, 109 and 110 and all of Block 101, Original Plat, City of Madison, Dane County, Wisconsin, together with portions of adjacent public street rights-of-way; said parcel being more particularly described as follows:

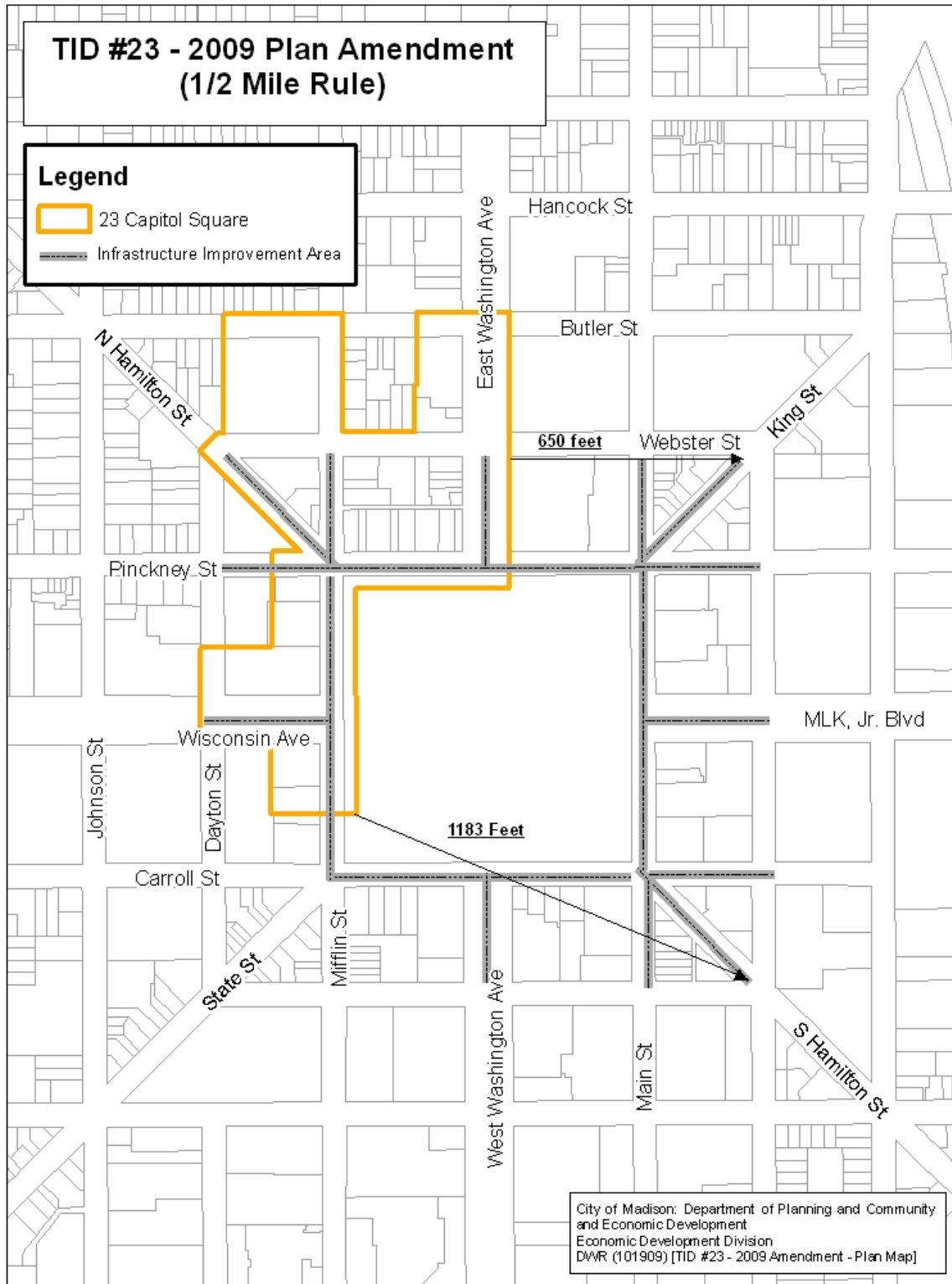
Beginning at a point on the northwesterly right-of-way line of West Mifflin Street which point is also the most Southerly corner of Lot 8, Block 83; thence northwesterly along the southwesterly line of said Lot 8 and its northwesterly prolongation to a point on the southwesterly line of Lot 3, Block 83, which is 4 feet northwesterly of the most westerly corner of said Lot 8; thence northeasterly 4 feet distant northwesterly of and parallel to the northwesterly lines of Lot 8 and

Lot 6, Block 83, to the point of intersection of said line with the southwesterly right-of-way line of Wisconsin Avenue; thence northwesterly along the southwesterly right-of-way line of Wisconsin Avenue and its northwesterly prolongation to the point of intersection with the northwesterly right-of-way of West Dayton Street, which point is also the most easterly corner of Block 81; thence northeasterly along the northeasterly prolongation of the northwesterly right-of-way line of West Dayton Street and the southwesterly prolongation of the northwesterly right-of-way line of East Dayton Street and the northwesterly right-of-way line of said street to the point of intersection of said right-of-way line with the northwesterly prolongation of the northeasterly line of Lot 1 and Lot 2, Block 90; thence southeasterly along said prolongation and said lines of Lot 1 and Lot 2, Block 90, to the most easterly corner of said Lot 2, which point is also the most westerly corner of Lot 5, Block 90; thence northeasterly along the northwesterly lines of Lots 5, 6, and 7, Block 90 and the northeasterly prolongation of said line to the point of intersection with the northeasterly right-of-way line of North Pinckney Street which point is on the southwesterly line of Lot 1, Block 99; thence southeasterly along the southwesterly line of said Lot 1, which line is also the northeasterly right-of-way line of North Pinckney Street, to the most southerly corner of said Lot 1; thence northerly along the easterly line of Lots 1, 2, and 3, Block 99, which line is also the westerly right-of-way line of North Hamilton Street, and continuing northerly on the northerly prolongation of the westerly right-of-way line of North Hamilton Street to the point of intersection of said prolongation with the northwesterly right-of-way line of East Dayton Street; thence easterly across North Hamilton Street on a line which intersects with the point of intersection of the easterly right-of-way line of North Hamilton Street and the northeasterly right-of-way line of North Webster Street; thence southeasterly along the northeasterly right-of-way line of North Webster Street, which line is also the southeasterly line of Lot 13, Block 110, to the most southerly corner of said Lot 13; thence northeasterly along the southeasterly lines of Lot 13 and Lot 4, Block 110, and the northeasterly prolongation of said line to the point of intersection with the northeasterly right-of-way line of North Butler Street; thence southeasterly along the northeasterly right-of-way line of North Butler Street and its southeasterly prolongation to the point of intersection with the southeasterly right-of-way line of East Mifflin Street, which is also the most westerly corner of Block 112; thence southeasterly along the southeasterly right-of-way line of East Mifflin Street to the point of intersection with the northeasterly right-of-way line of North Webster Street, which point is also the most westerly corner of Block 109; thence southeasterly along the northeasterly right-of-way line of North Webster Street to the point of intersection with the southeasterly line of Lot 9, Block 109, which point is also the most southerly corner of said Lot 9; thence northeasterly along the southeasterly line of Lot 9, Block 109, to the most easterly corner of said Lot 9; thence southeasterly on a line which is at right angle to the southeasterly line of said Lot 9 a distance of 6 feet; thence northeasterly on a line which is 6 feet distant southeasterly of and parallel to the southeasterly line of Lot 4, Block 109, and the northeasterly prolongation of said line to its point of intersection with the northeasterly right-of-way line of North Butler Street; thence southeasterly on the northeasterly right-of-way line of North Butler Street and the southeasterly prolongation of said line to its point of intersection with the southeasterly right-of-way line of East Washington Avenue which point is also the most westerly corner of Block 112; thence southwesterly along the southeasterly right-of-way line of East Washington Avenue and its northeasterly and southwesterly prolongations to the point of intersection with the southwesterly right-of-way line of South Pinckney Street; thence northwesterly along the southwesterly right-of-way line of South Pinckney Street and North Pinckney Street to the point of intersection with the southeasterly right-of-way line of East

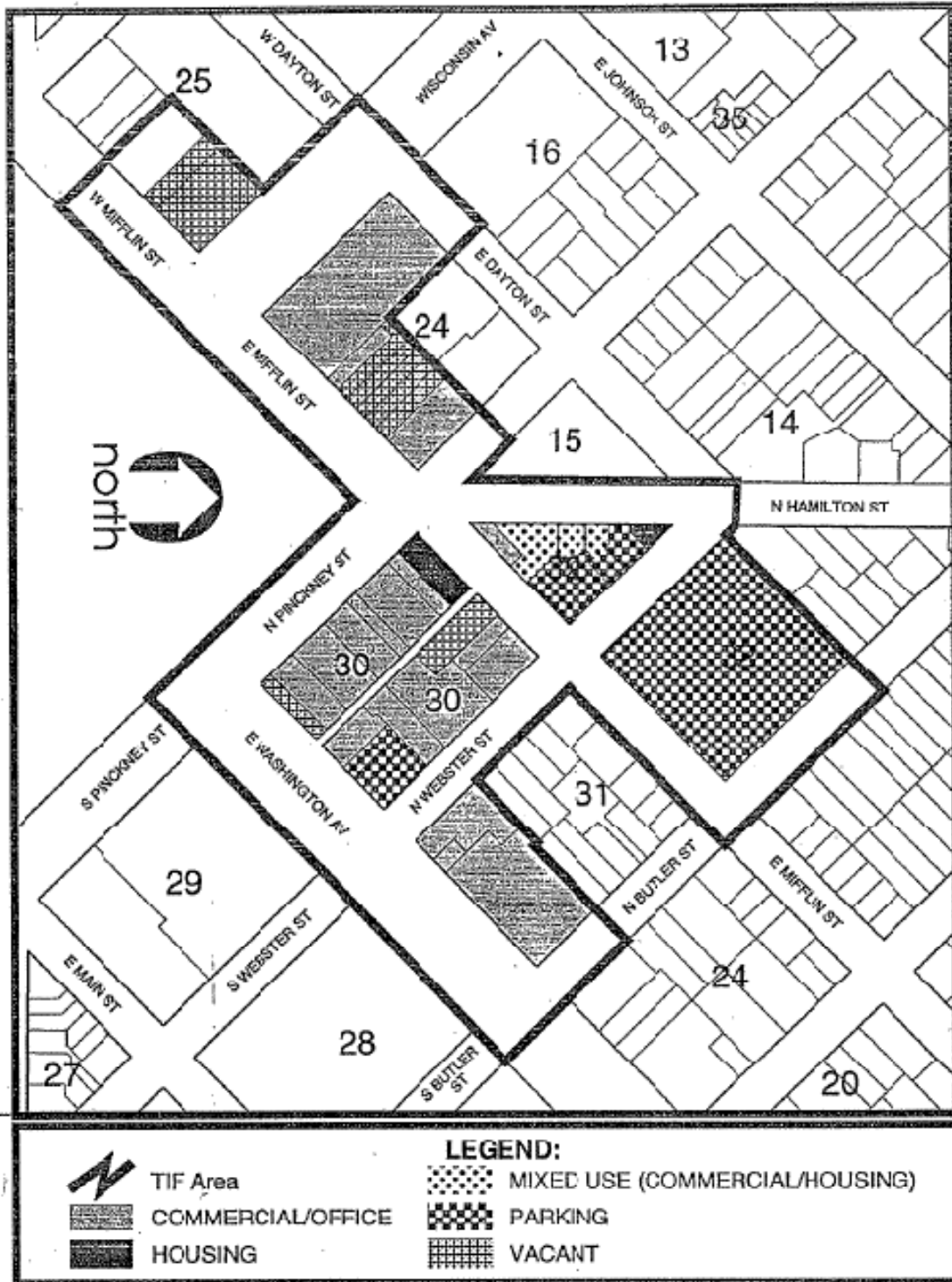
Mifflin Street, which point is also the most northerly corner of the Capitol Square; thence southwesterly along the southeasterly right-of-way line of East Mifflin Street and West Mifflin Street to a point on said right-of-way line which is the point of intersection of the southeasterly prolongation of the southwesterly line of Lot 8, Block 83, with the southeasterly right-of-way line of West Mifflin Street; thence northwesterly along said southeasterly prolongation of the southwesterly line of said Lot 8 across West Mifflin Street to the Point of Beginning.

Note: All blocks identified in this description, whether within, adjacent to, or contiguous to the parcel described are blocks within the Original Plat of the City of Madison.

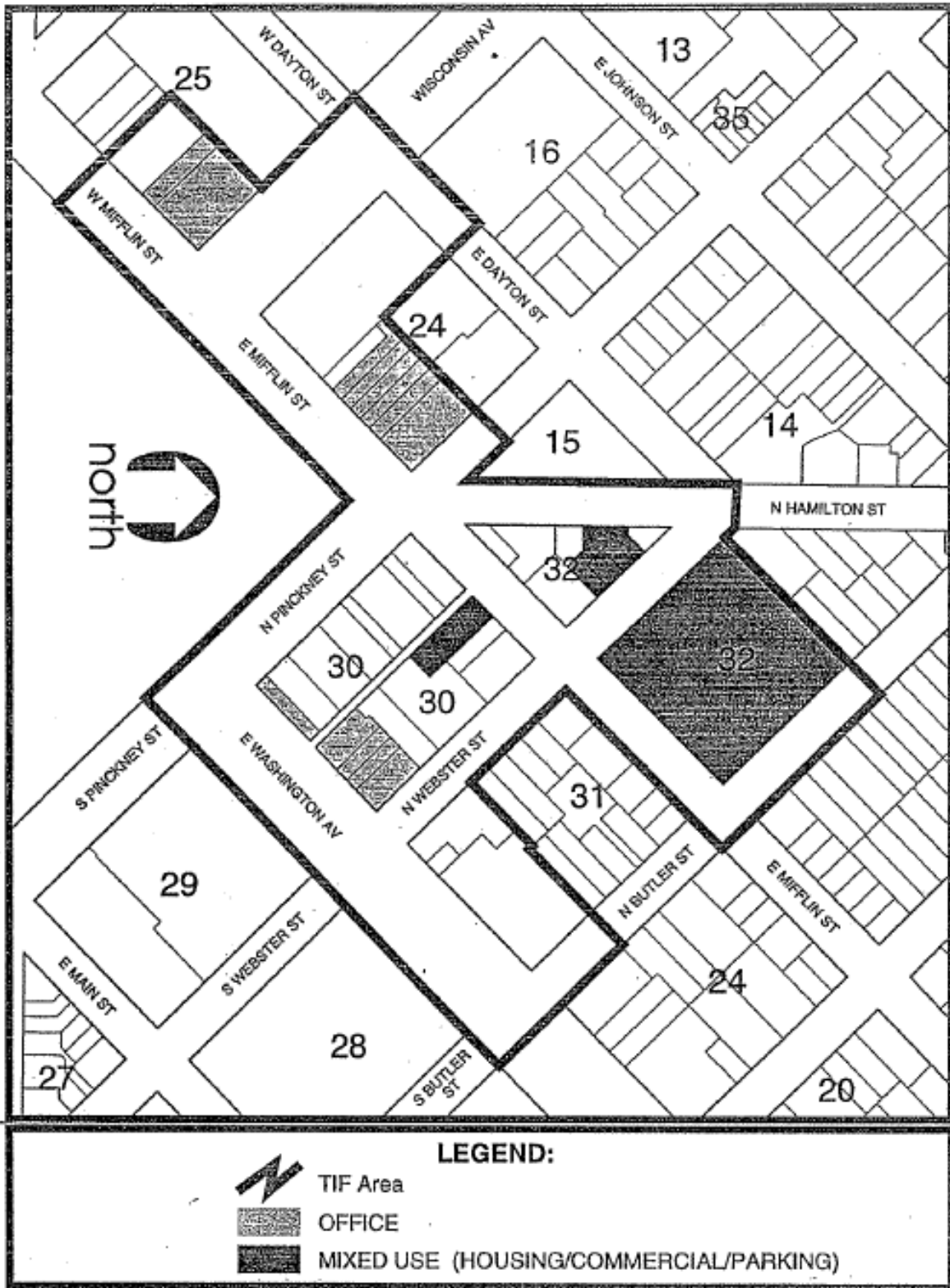
District Boundary and Infrastructure Improvement Areas



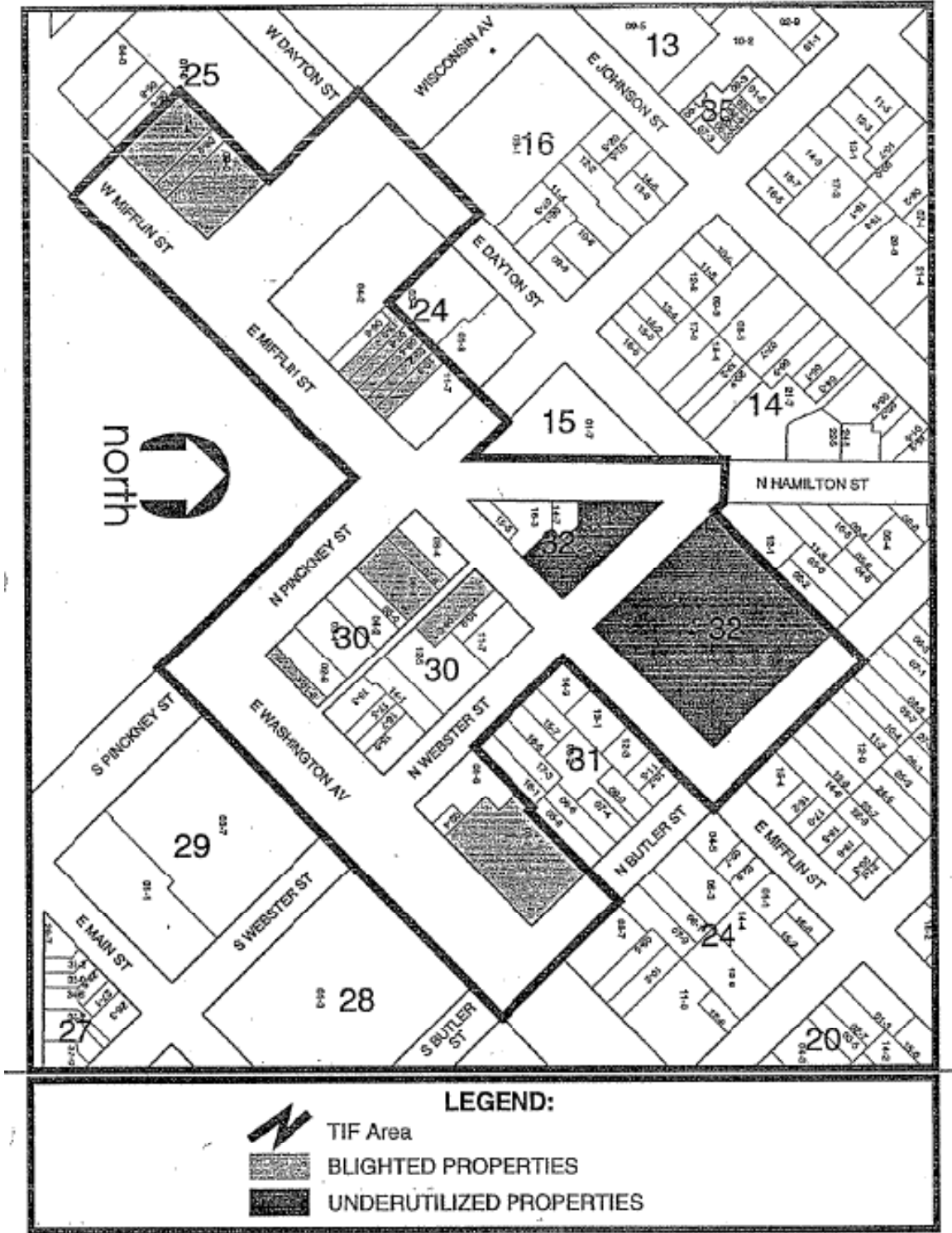
Existing Use



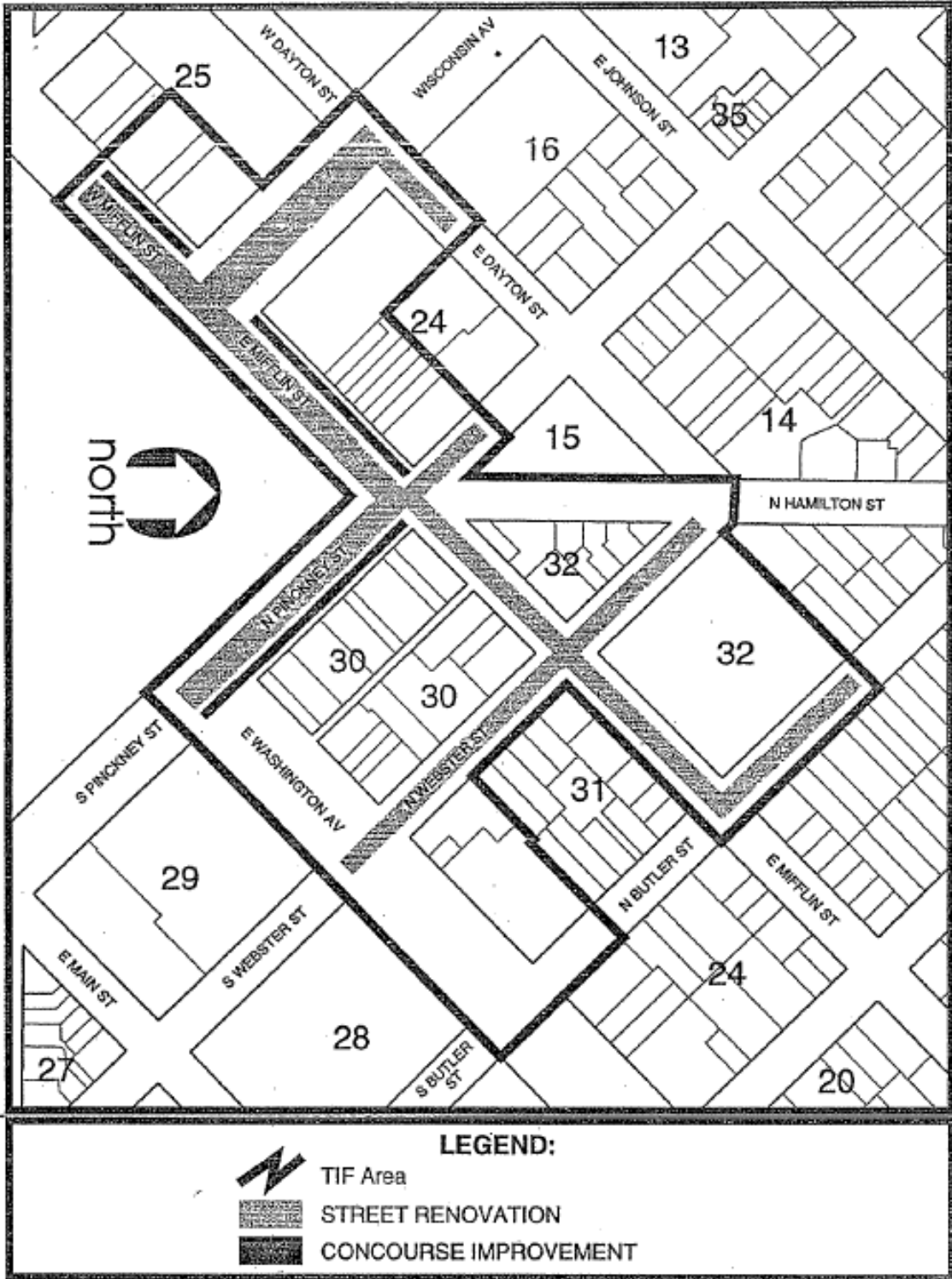
Proposed Use of Vacant Property



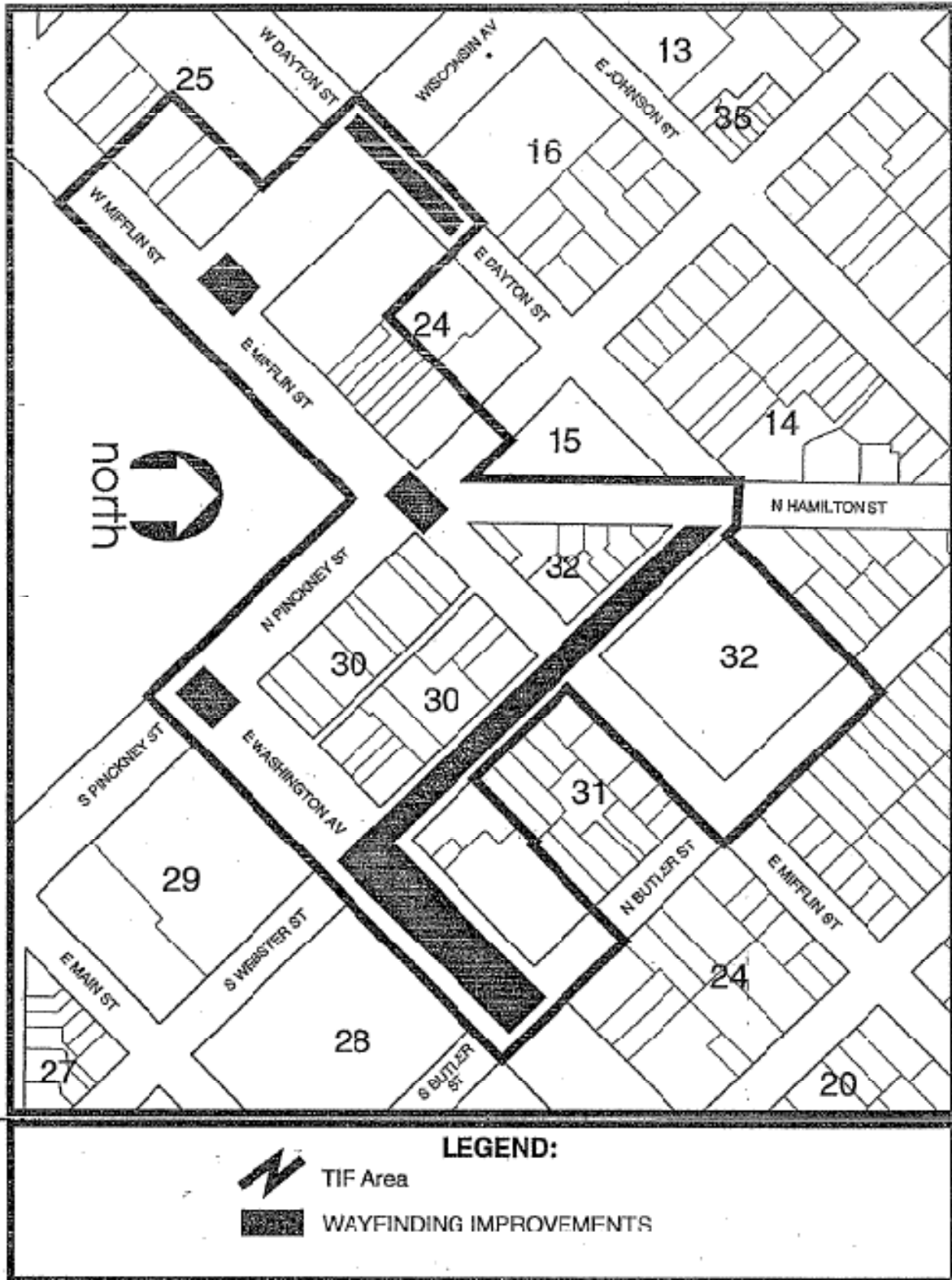
Survey of Conditions



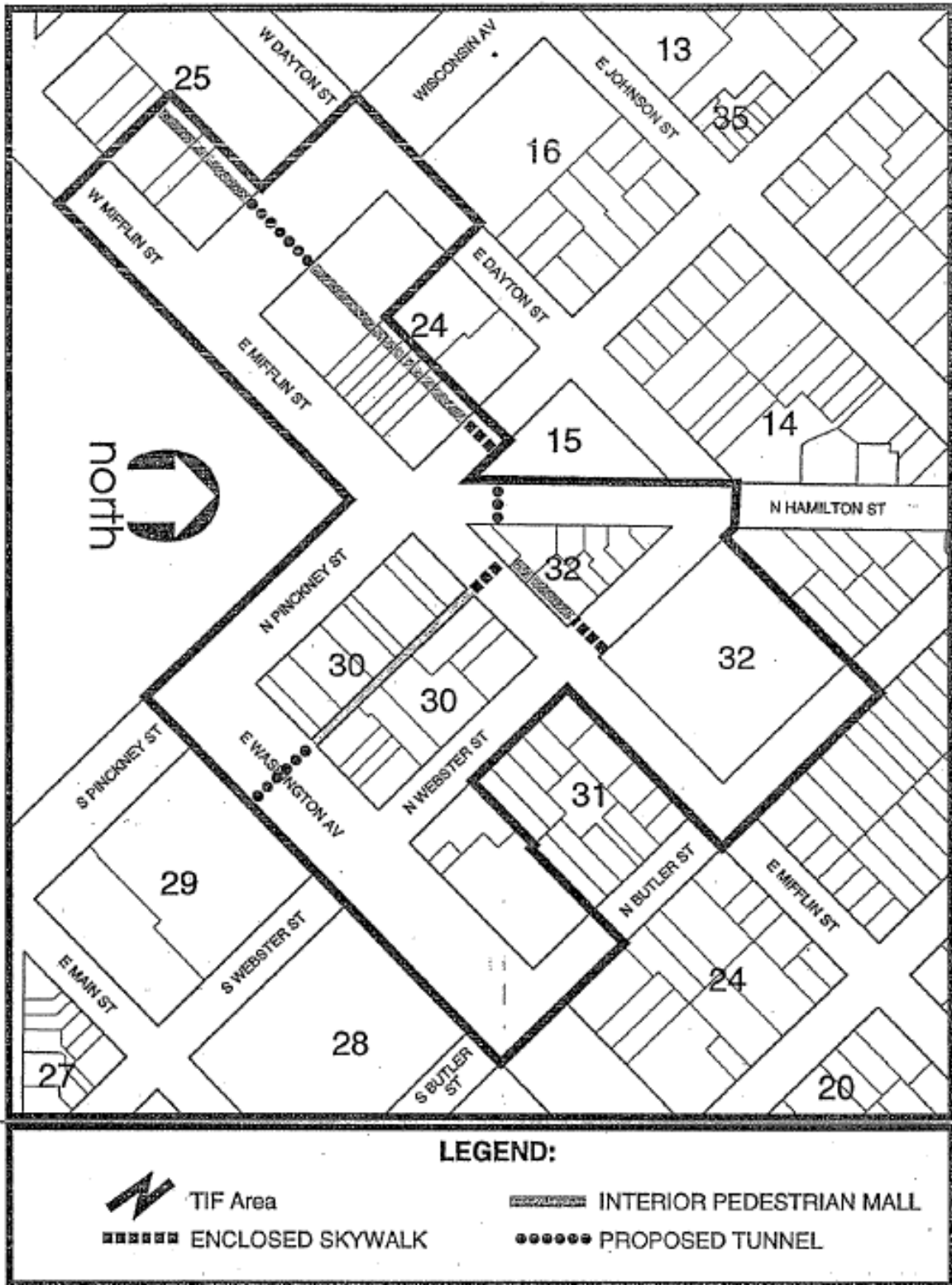
Public Works Improvements



Wayfinding Improvements



Pedestrian Improvement Linkages



City Attorney Opinion

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

October 26, 2009

MEMORANDUM

TO: Mark A. Olinger, Director of Planning, Economic and Community Development
FROM: Anne Zellhoefer, Assistant City Attorney
SUBJECT: **FIRST AMENDMENT TO TIF DISTRICT NO. 23 -- CITY OF MADISON
(CAPITOL SQUARE)**

In my capacity as Assistant City Attorney for the City of Madison, Wisconsin, I have examined the amended Project Plan for Tax Incremental Finance District No. 23, City of Madison, Wisconsin. Based on this examination, I am of the opinion that the Project Plan, as amended, 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