

RESOLUTION

DANE COUNTY REGISTER OF DEEDS

DOCUMENT # 4164435

02/23/2006 10:56AM

Trans. Fee: Exempt #:

Rec. Fee: 33.00 Pages: 12

000692

Recording area

Name and return address:

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

Use black ink

At the (City / Village / Town) of Madison
official meeting held on November 29, 2005, the following

resolution was adopted concerning land in Dane County described as:
See Attached. (Give the legal description of the affected property or, if attached, say "see attached.")

Vacate/Discontinue Moulton Court, declare portions of Eastwood Drive and South First Street as surplus right-of-way.

File #: 01969
Resolution #: RES-05-00915

A copy of the resolution is attached.

PARCEL IDENTIFICATION NUMBER*
(*Not required for road right of ways)

Signature of Sharon Christensen
Signature of City/Village/Town official

February 17, 2006
Date

Sharon Christensen
Name printed

Deputy City Clerk of Madison
Title

STATE OF WISCONSIN, County of DANE

Subscribed and sworn to before me on February 17, 2006 by the above named person(s)

Signature of notary or other person authorized to administer an oath
(as per s. 706.06, 706.07)
Signature of Tammy Peters

Print or type name: Tammy Peters

Title Admin Clerk II Date commission expires: 6-7-09

This document was drafted by:
(print or type name below)
Tammy L. Peters

Names of persons signing in any capacity must be typed or printed below their signature.
DCROD 3/1/2002

12/33



City of Madison Certified Copy

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

Resolution: RES-05-00915

000693

File Number: 01969

Enactment Number: RES-05-00915

SUBSTITUTE - To Vacate/Discontinue Moulton Court, declare portions of Eastwood Drive and South First Street as surplus right-of-way and authorize the Mayor and City Clerk to execute all necessary documents associated with both actions. (6th AD)

WHEREAS, Kennedy Point LLC owns four (4) properties at 1833 Winnebago Street and 313, 314 and 317 Moulton Court all having existing residential dwellings within the R3 zoning district, and;

WHEREAS, Kennedy Point LLC is proposing a 43 dwelling unit condominium redevelopment project, "Kennedy Point Condominiums", located on these properties; and

WHEREAS, Kennedy Point LLC has petitioned the City of Madison to vacate/discontinue platted Moulton Court, which would by statute revert to abutting properties at no cost; and

WHEREAS, Kennedy Point LLC is the sole owner of all properties abutting the proposed Moulton Court vacation/discontinuance, with the exception of the property at 1901 Winnebago Street, currently owned by Robert F. & Carol A. Reneau; and

WHEREAS, Kennedy Point LLC is currently negotiating the purchase of the Reneau property at 1901 Winnebago Street and states to the City of Madison that they do not object to the proposed vacation/discontinuance of Moulton Court; and

WHEREAS, Kennedy Point LLC also requests the City of Madison declare portions of previously purchased lands for Eastwood Drive and South First Street as surplus right-of-way and sell to Kennedy Point LLC; and

WHEREAS, Kennedy Point LLC wishes to expand and improve the proposed development site with the addition of the reversion of vacated/discontinued lands and purchase of any declared surplus lands; and

WHEREAS, the City of Madison Engineering Division has coordinated the surplus right-of-way request with the current and future reconstruction needs of all adjacent public streets and supports the surplus disposal as defined and described in legal description and map Exhibits "A", "B" and "C"; and

WHEREAS, refer to City of Madison Engineering Division Project No. 53B2046 and Real Estate Project No. 8122. **NOW THEREFORE BE IT RESOLVED**, Pursuant to Sec. 66.1003(2), Wisconsin Statutes, the City of Madison Common Council, having been requested by all abutting property owners, declares it is in the public interest to vacate/discontinue Moulton Street as described and mapped on attached Exhibits "D"; and

NOW THEREFORE BE IT FURTHER RESOLVED, Under Section 80.32(4), Wisconsin Statutes, any existing public or private easement or incidental rights within the vacated rights-of-way are perpetuated, unless specifically released as part of this vacation.

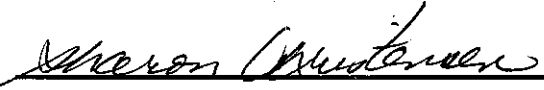
NOW THEREFORE BE IT RESOLVED, surplus right-of-way disposal areas are identified and described in legal description and map Exhibits "A", "B" and "C".

NOW THEREFORE BE IT RESOLVED, the City of Madison Real Estate Section and City Clerk are hereby authorized to record the documents for the negotiate the sale and deed transfer of any declared surplus right-of-way to the abutting property owner (Real Estate Project No 8122) and this street vacation/discontinuance, with the Dane County Register of Deeds, said recordation to be coordinated with the recordation of the approved zoning documents (SIP) and upon receipt of the contract for subdivision improvements and the payment of \$94,100, the established fair market value of the right of way that was originally purchased by the City of Madison.

The City Clerk shall record this street vacation/discontinuance, upon adoption, with the Dane County Register of Deeds.

The City of Madison Real Estate Section shall record the surplus right-of-way deeds.

I, Sharon Christensen, certify that this is a true copy of Resolution No. RES-05-00915, passed by the COMMON COUNCIL on 11/29/2005.



Sharon Christensen, Deputy City Clerk



Date Certified

Exhibit A Description

Being a part of South First Street, and a part of Lots Ten (10), Eleven (11), Twelve (12), and Thirteen (13), HOPPMAN-PEPPER REPLAT, as recorded in Volume 4 of Plats, on Page 14, as Document Number 283908, Dane County Registry, more fully described as follows:

Commencing at the northerly most corner of Lot Nine (9) of said HOPPMAN-PEPPER REPLAT, said point also lying on the southerly right-of-way line of Winnebago Street; thence South 28 degrees 40 minutes 49 seconds West, along the southerly right-of-way line of said Winnebago Street, 37.70 feet to the point of beginning; thence South 40 degrees 29 minutes 40 seconds East, 105.73 feet; thence South 46 degrees 37 minutes 08 seconds East, 11.45 feet to a point of curvature; thence 35.20 feet along the arc of a curve to the left, through a central angle of 80 degrees 41 minutes 13 seconds, a radius of 25.00 feet, and a chord bearing South 86 degrees 57 minutes 45 seconds East, 32.37 feet to the northerly right-of-way line of Eastwood Drive; thence South 52 degrees 41 minutes 38 seconds West, along said northerly right-of-way line and its westerly extension thereof, 57.66 feet; thence North 37 degrees 17 minutes 55 seconds West, 34.60 feet to a point of curvature; thence 52.00 feet along the arc of a curve to the right, through a central angle of 03 degrees 40 minutes 25 seconds, a radius of 811.00 feet, and a chord bearing North 35 degrees 27 minutes 42 seconds West, 51.99 feet; thence North 33 degrees 37 minutes 26 seconds West, 42.04 feet to the aforementioned southerly right-of-way line of Winnebago Street; thence North 28 degrees 40 minutes 49 seconds East along said southerly right-of-way line, 22.85 feet to the point of beginning. This description contains 3,862 square feet or 0.0887 acres.

CURVE TABLE

NUMBER	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	80°41'13"	25.00	35.20	S 86°57'45" E	32.37
C2	03°40'25"	811.00	52.00	N 35°27'42" W	51.99

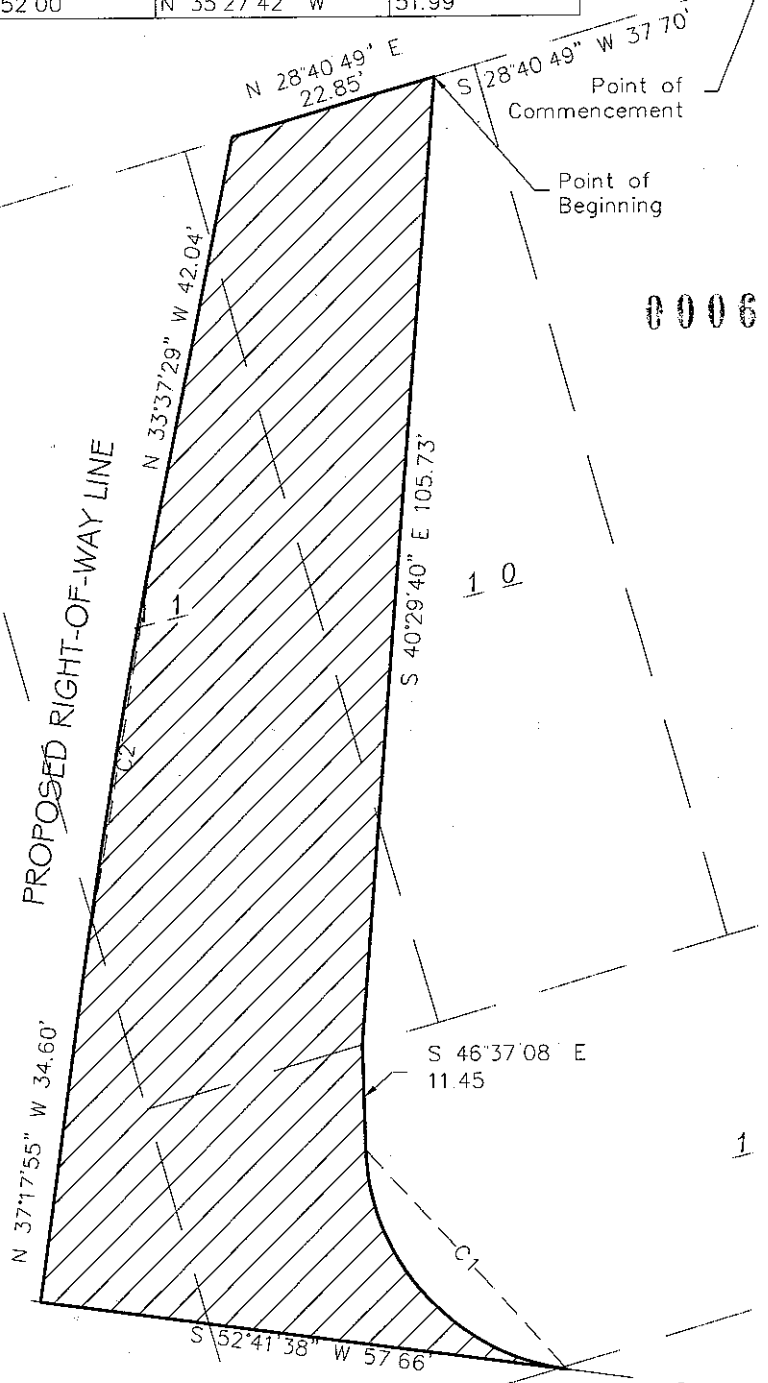
NOTE: Please be advised that the document grantor(s) hereby direct viewers to ignore the printed text material on this exhibit. Only the spatial relationships of the illustrations on the plan are being presented for your information.

Signed by grantor(s) or grantor's(s)' agent: Sharon Christensen Date: 2-14-06 (USE BLACK INK ONLY)
 Name of grantor(s) or grantor's(s)' agent printed: Sharon Christensen (USE BLACK INK ONLY)

S F I R S T S T R E E T

M O U L T O N C O U R T

PROPOSED RIGHT-OF-WAY LINE



000695

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12

13

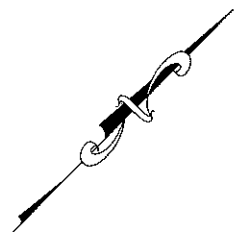


EXHIBIT A



Date: August 12, 2005
 Paper Space Plot View: Surplus A
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Burse surveying &

Exhibit B Description

Being a part of Lot Thirteen (13), HOPPMAN-PEPPER REPLAT, as recorded in Volume 4 of Plats, on Page 14, as Document Number 283908, Dane County Registry, more fully described as follows:

Commencing at the northerly most corner of Lot Nine (9) of said Hoppman-Pepper Replat, said point also lying on the southerly right-of-way line of Moulton Court; thence South 60 degrees 51 minutes 52 seconds East along said southerly right-of-way line, 138.80 feet to the northerly most corner of said Lot Thirteen (13) and the point of beginning; thence continuing South 60 degrees 51 minutes 52 seconds East along said southerly right-of-way line of Moulton Court, 28.29 feet to the northerly right-of-way line of Eastwood Drive; thence South 52 degrees 41 minutes 38 seconds West along said northerly right-of-way line, 68.82 feet to a point of curvature; thence 0.77 feet along the arc of a curve to the right, through a central angle of 01 degree 46 minutes 34 seconds, a radius of 25.00 feet, and a chord bearing South 53 degrees 34 minutes 55 seconds West, 0.77 feet to the westerly most line of aforementioned Lot Thirteen (13); thence North 28 degrees 43 minutes 06 seconds East along said westerly line, 63.79 feet to the point of beginning. This description contains 903 square feet, or 0.0207 acres.

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EXHIBIT B

CURVE TABLE

NUMBER	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	01°46'34"	25.00	0.77	S 53°34'55" W	0.77

Date: July 25, 2005
 Paper Space Plot View: Surplus B
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000698

Exhibit C Description

Being a part of Eastwood Drive, and part of Lots Two (2) and Three (3), HOPPMAN-PEPPER REPLAT, as recorded in Volume 4 of Plats, on Page 14, as Document Number 283908, Dane County Registry, more fully described as follows:

Beginning at the westerly most corner of said Lot Three (3), said point also lying on the northerly right-of-way line of Moulton Court; thence North 28 degrees 43 minutes 36 seconds East along the westerly line of said Lot Three (3), 98.84 feet to the northerly most corner of said Lot Three (3); thence South 60 degrees 48 minutes 44 seconds East along the northerly line of said Lot Three (3) and its southeasterly extension thereof, 44.20 feet to the northerly right-of-way line of aforementioned Eastwood Drive; thence South 52 degrees 41 minutes 38 seconds West along said northerly right-of-way line of Eastwood Drive, 107.78 feet to the aforementioned northerly right-of-way line of Moulton Court; thence North 60 degrees 51 minutes 52 seconds West along said northerly right-of-way line of Moulton Court, 0.41 feet to the point of beginning. This description contains 2204 square feet, or 0.0506 acres.

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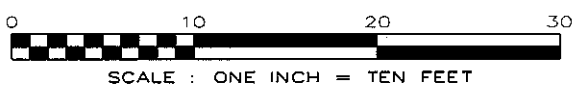
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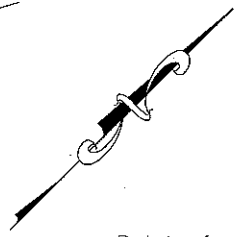
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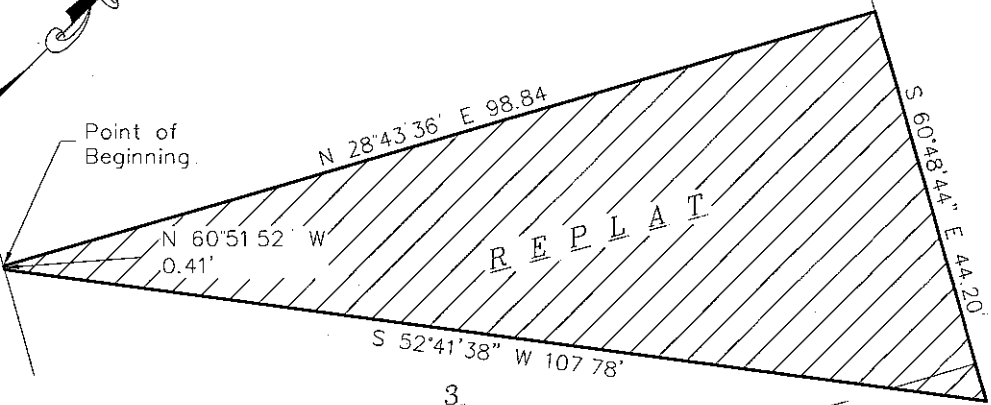
HOPPMAN-PEPPER
EXHIBIT C



4



Point of Beginning



UNPLATTED LANDS
UNPLATTED LANDS

3

2

Date: July 25 2005
Paper Space Plot View: Surplus C
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Exhibit "D" Description

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MOULTON COURT VACATION

All of Moulton Court as bounded on the north by Winnebago Street and on the south by Eastwood Drive, more fully described as follows:

Beginning at the northerly most corner of Lot Nine (9), Hoppman-Pepper Replat, as recorded in Volume 4 of Plats, on Page 14, as Document Number 283908, Dane County Registry, said point also lying on the southerly right-of-way line of Winnebago Street; thence North 28 degrees 40 minutes 49 seconds East along the southerly right-of-way line of said Winnebago Street, 27.00 feet to the northerly right-of-way line of Moulton Court; thence South 60 degrees 51 minutes 52 seconds East along said northerly right-of-way line of Moulton Court, 179.08 feet to the northerly right-of-way line of aforementioned Eastwood Drive; thence South 52 degrees 41 minutes 38 seconds West along said northerly right-of-way line of Eastwood Drive, 29.45 feet to the southerly right-of-way line of Moulton Court; thence North 60 degrees 51 minutes 52 seconds West, along said southerly right-of-way line of Moulton Court, 167.09 feet to the point of beginning. This description contains 4673 square feet, or 0.1073 acres

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Name of grantor(s) or grantor's(s) agent printed: Sharon Christensen (USE BLACK INK ONLY)

EXHIBIT D



Point of Beginning

N 28°40'49" E
27.00'

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S 60°51'52" E
179.908'

S 52°41'38" W
29.45'

000701

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13

Date: July 25, 2005
Paper Space Plot View: Pspace A-D
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