

REPORT OF: City Traffic Engineer

Presented **March 20, 2007**

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

Referred

Hawks Creek

Reported Back

Adopt

Rules Suspended

Re-Referred

Filed in the Office of the City Traffic Engineer
Feb 27, 2007

Placed on File

I.D. NUMBER

Filed in the City Clerks Office:

Date Council Action Required: **March 20, 2007**

TO THE MAYOR AND COMMON COUNCIL:

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

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

1. That street lights are proposed to be installed and assessed to abutting properties listed on Exhibits A and B attached hereto, said listing including the locations of street lights to be installed, and a schedule of assessments.
2. That pursuant to such listing, the entire cost of the work improvement will be **\$ 9844.80**
3. After having carefully viewed and examined the entire territory and the said several parcels of land or real estate affected by said improvement, and having first viewed, examined and considered severally and separately each parcel of real estate in said territory, the City Traffic Engineer has found and determined and do hereby so find and determine that the City of Madison should pay the sum of **\$ -0-** as the cost properly chargeable to the City and covered by said improvement.

DATED: February 27, 2007

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

David C. Dryer, P.E.
City Traffic Engineer

REGARDING THE CRITERIA OF REASONABLENESS AND BENEFIT

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

Criteria of Reasonableness

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

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

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

**DECLARATION OF CONDITIONS AND COVENANTS
FOR THE DEVELOPMENT/PLAT OF**

Hawks Creek

City of Madison, Dane County, Wisconsin

WHEREAS, Rick Mcky
owner of the Development/Plat known as
Hawks Creek, will
be benefited through the installation by the City of Madison of traffic
signals within the public right-of-way in and adjacent to said
Development/Plat.

NOW THEREFORE, the undersigned owner, hereby declares and provides
that said Development/Plat in the City of Madison is subject to conditions
and covenants as follows:

1. That the owner concurs with the City of Madison's policy to promote and enhance the beauty and general welfare of the City through the planting and maintenance of street trees or shrubs and installation and maintenance of street lights, within the public right-of-way, adjacent to the owner's property.
2. That the owner acknowledges that it is the City of Madison's policy to assess the full cost, including inspection and supervision, of the initial installation of street trees and street lights.
3. That the owner, his/her heirs, successors and assigns, waives notice and hearing to the assessment for street trees and street lights in accordance with Section 66.073(7)(b), Wisconsin Statutes; Section 66.0701, Wisconsin Statutes; Paragraph (11), Section 10.10; and Paragraph (10), Section 10.39, Madison General Ordinances.

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

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 10th
day of August, 2006. (Use Black Ink Only)

Rick Mcky

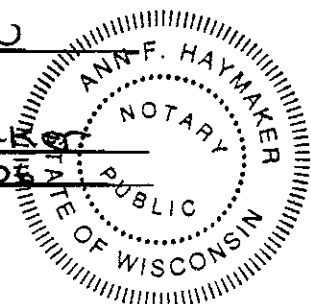
State of Wisconsin)
County of Dane)ss

Personally came before me this 10th day of August, 2006.

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

Ann F. Haymaker
Notary Public, Dane County, Wisconsin

Print Name, Ann F. HAYMAKER
My Commission Expires 12-24-06

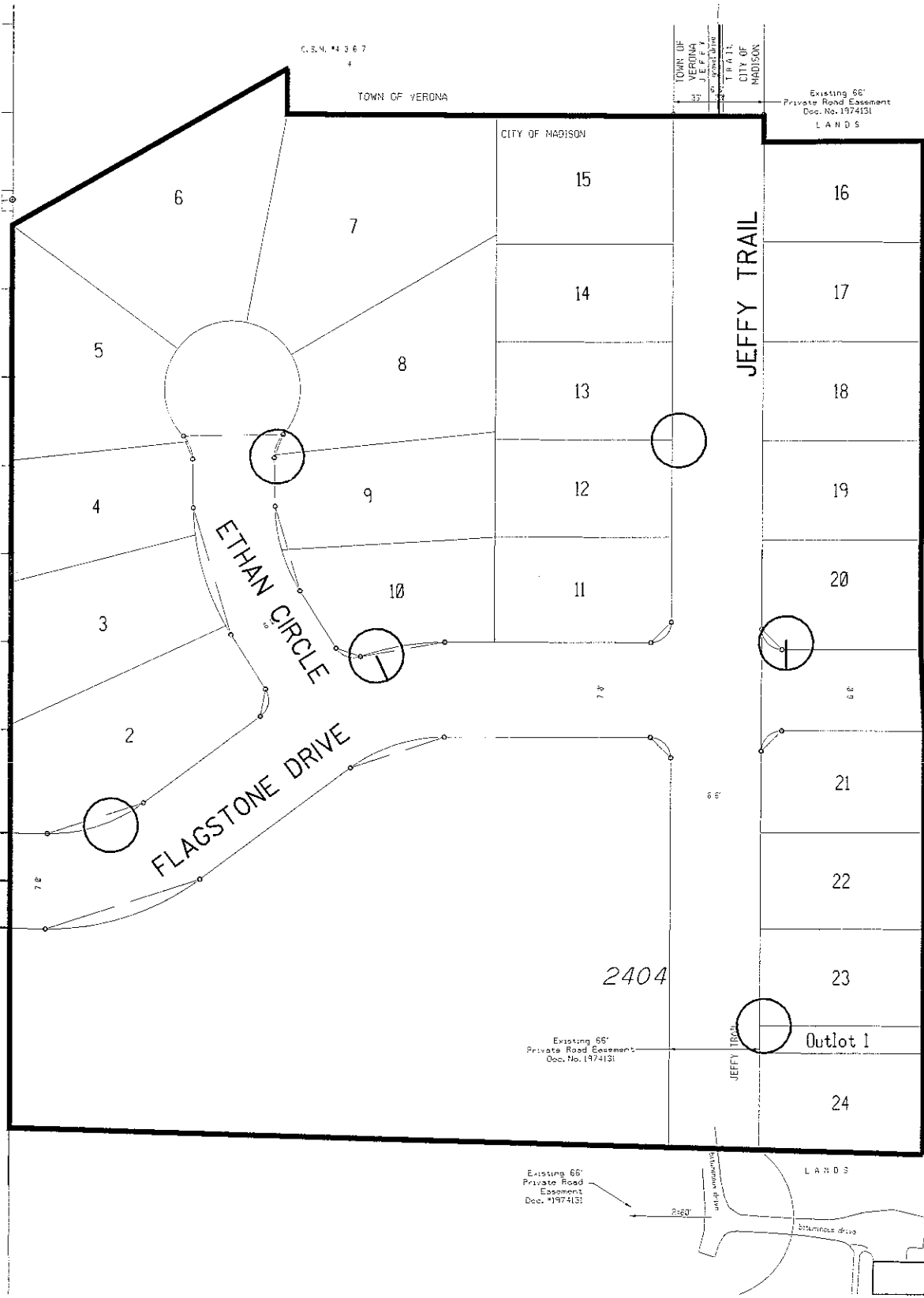


Drafted by: City Traffic Engineering Division
Suite 100, Madison Municipal Building

EXHIBIT A
Hawks Creek
SCHEDULE OF ASSESSMENTS

Parcel Number	Owners Names	Owner Address	City State Zip	Lot	Unit Parcel	Factor	Factored Parcels	Cost per	
								Unit Parcel	Assessment
060803114010	□BADGER MILL CREEK LLC	□702 N HIGH POINT RD	□MADISON WI 53717	1	6	1.5	9	307.65	2768.85
060803107148	□BADGER MILL CREEK LLC	□702 N HIGH POINT RD	□MADISON WI 53717	2	1	1	1	307.65	307.65
060803107156	□BADGER MILL CREEK LLC	□702 N HIGH POINT RD	□MADISON WI 53717	3	1	1	1	307.65	307.65
060803107164	□BAKER HOMES LLC	□2923 MARKET PLACE RD	□MADISON WI 53719	4	1	1	1	307.65	307.65
060803107172	□ASHWORTH HOMES LLC	□702 N HIGHPOINT RD	□MADISON WI 53717	5	1	1	1	307.65	307.65
060803107180	□BADGER MILL CREEK LLC	□702 N HIGH POINT RD	□MADISON WI 53717	6	1	1	1	307.65	307.65
060803107198	□BADGER MILL CREEK LLC	□702 N HIGH POINT RD	□MADISON WI 53717	7	1	1	1	307.65	307.65
060803107205	□BUTTERFIELD, DAVID A & MARY	□6 MARBLE CIR	□MADISON WI 53719	8	1	1	1	307.65	307.65
060803107213	□NORTH, RICK L & MARIE	□1109 REDTAIL DR	□VERONA WI 53593	9	1	1	1	307.65	307.65
060803107221	□STENBROTEN VENTURES LLC	□7210 TIMBERWOOD DR	□MADISON WI 53719	10	1	1	1	307.65	307.65
060803107239	□BADGER MILL CREEK LLC	□702 N HIGH POINT RD	□MADISON WI 53717	11	1	1	1	307.65	307.65
060803107247	□HOLMES CUSTOM CONST INC	□PO BOX 661	□SUN PRAIRIE WI 53590	12	1	1	1	307.65	307.65
060803107255	□NORTH HOLMES	□PO BOX 661	□SUN PRAIRIE WI 53590	13	1	1	1	307.65	307.65
060803107263	□BADGER MILL CREEK LLC	□702 N HIGH POINT RD	□MADISON WI 53717	14	1	1	1	307.65	307.65
060803107271	□MIDWEST HOMES INC	□925 WATSON AVE	□MADISON WI 53713	15	1	1	1	307.65	307.65
060803112014	□BADGER MILL CREEK LLC	□702 N HIGH POINT RD	□MADISON WI 53717	16	1	1	1	307.65	307.65
060803112022	□BADGER MILL CREEK LLC	□702 N HIGH POINT RD	□MADISON WI 53717	17	1	1	1	307.65	307.65
060803112030	□BENCHMARK CUSTOM HOMES LLC	□702 N HIGH POINT RD	□MADISON WI 53717	18	1	1	1	307.65	307.65
060803112048	□BADGER MILL CREEK LLC	□702 N HIGH POINT RD	□MADISON WI 53717	19	1	1	1	307.65	307.65
060803112056	□BADGER MILL CREEK LLC	□702 N HIGH POINT RD	□MADISON WI 53717	20	1	1	1	307.65	307.65
060803113012	□BADGER MILL CREEK LLC	□702 N HIGH POINT RD	□MADISON WI 53717	21	1	1	1	307.65	307.65
060803113020	□MIDWEST HOMES INC	□925 WATSON AVE	□MADISON WI 53713	22	1	1	1	307.65	307.65
060803113038	□BADGER MILL CREEK LLC	□702 N HIGH POINT RD	□MADISON WI 53717	23	1	1	1	307.65	307.65
060803113054	□BADGER MILL CREEK LLC	□702 N HIGH POINT RD	□MADISON WI 53717	24	1	1	1	307.65	307.65

EXHIBIT "B" HAWKS CREEK



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