


**AFFIDAVIT OF MAILING**

STATE OF WISCONSIN     )  
  ) ss.  
COUNTY OF DANE         )


Marsha A. Hacker, being first duly sworn on oath, deposes and says that:

Legistar No. 37668

1. She is an Program Assistant I with the Office of the City Engineer, City of Madison, Dane County, Wisconsin, and did on the 3<sup>rd</sup> of April, at approximately 9:45 AM placed in envelopes addressed to each interested owner of respective addresses as indicated by attached assessment list, a true and correct copy of the notice of assessments for the project titled Approving Plans, Specifications, and Schedule of Assessments for Bear Claw Way, Cobalt Street and Wilrich Street Assessment District – 2015.
  
2. She did and delivered the envelopes to the Mail Room of the Dane County Printing and Services Division, 210 Martin Luther King, Jr. Blvd., in the City of Madison, Dane County Wisconsin, for postage and depositing in the United States Mail.

  
\_\_\_\_\_  
Marsha A. Hacker

Subscribed and sworn to before me  
this 3 day of April, 2015

  
\_\_\_\_\_  
Janet A Pien  
Notary Public, State of Wisconsin  
My Commission expires: December 29, 2017





# City of Madison

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

## Master

**File Number: 37668**

<b>File ID:</b> 37668	<b>File Type:</b> Resolution	<b>Status:</b> Passed
<b>Version:</b> 1	<b>Reference:</b>	<b>Controlling Body:</b> BOARD OF PUBLIC WORKS
<b>Lead Referral:</b> BOARD OF PUBLIC WORKS	<b>Cost:</b>	<b>File Created Date :</b> 03/11/2015
<b>File Name:</b> Approving Plans, Specifications, And Schedule Of Assessments For Bear Claw Way, Cobalt Street and Wilrich Street Assessment District - 2015.		<b>Final Action:</b> 03/31/2015

**Title:** Approving Plans, Specifications, And Schedule Of Assessments For Bear Claw Way, Cobalt Street and Wilrich Street Assessment District - 2015.

**Notes:** Lisa C.

**Code Sections:**

**CC Agenda Date:** 03/31/2015

**Indexes:**

**Agenda Number:** 6.

**Sponsors:** BOARD OF PUBLIC WORKS

**Effective Date:** 04/01/2015

**Attachments:** BPW Hearing\_Bear Claw Way, Colalt St and Wilrich St Assessment Dist 2015.pdf, Bear Claw BPW notes .pdf, BearclawDisplay.pdf, 53W1683\_BearClaw\_Wilrich\_Cobalt.pdf, cc mailing affidavit.pdf, Owner letter with breakdown of utilities\_03252015.pdf

**Enactment Number:** RES-15-00268

**Author:** Rob Phillips, City Engineer

**Hearing Date:**

**Entered by:** mhacker@cityofmadison.com

**Published Date:**

### Approval History

Version	Date	Approver	Action
1	03/17/2015	Craig Franklin	Approve

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	03/12/2015	Refer	BOARD OF PUBLIC WORKS	03/18/2015		
<b>Action Text:</b> This Resolution was Refer to the BOARD OF PUBLIC WORKS due back on 3/18/2015							
<b>Notes:</b>							

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1	BOARD OF PUBLIC WORKS	03/18/2015	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24 & 2.25 - PUBLIC HEARING	Pass
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**Action Text:** Lisa Coleman, City Engineering, presented plans and specifications. It was noted that a City Engineering Erosion Control permit would be required.

There was no one from the public registered to speak.

A motion was made by Skidmore, seconded by Branson, to RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24 & 2.25 - PUBLIC HEARING. The motion passed by voice vote/other.

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1	COMMON COUNCIL	03/31/2015	Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25	Pass
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**Action Text:** A motion was made by Schmidt, seconded by DeMarb, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

Notes:

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**Text of Legislative File 37668**

**Fiscal Note**

Cost Estimate: \$2,864,000.  
Assessable cost is \$2,715,000.  
City Cost is \$149,000

Budget authority is available in the following Acct. Nos.:

Street	10604-402-170	\$1,075,000
Street storm	10604-402-174	\$275,000
Storm	10604-84-174	\$241,000
Storm pond	10604-84-174-84400	\$300,000
Sanitary	10604-83-173	\$448,000
Water	10604-86-130	\$495,000
Street Lighting	10604-45-177	\$30,000

**Title**

Approving Plans, Specifications, And Schedule Of Assessments For Bear Claw Way, Cobalt Street and Wilrich Street Assessment District - 2015.

**Body**

The Board of Public Works and the City Engineer having made reports of all proceedings in relation to the improvement of Bear Claw Way, Cobalt Street and Wilrich Street Assessment District - 2015 pursuant to a resolution of the Common Council, RES-14-00211, ID No. 33222, adopted 3/18/2014, which resolution was adopted thereto, and the provisions of the Madison General Ordinances and the Wisconsin Statutes in such case made and provided, and the Common Council being fully advised.

**BE IT RESOLVED:**

1. That the City at large is justly chargeable with and shall pay the sum of \$149,000 of the entire cost of said improvement.
2. That for those eligible property owners requesting construction of a rain garden in the public right-of-way adjacent to their property shall execute the necessary waiver of special

- assessments on forms provided by the City Engineer;
3. That the sum assigned to each separate parcel, as indicated on the attached schedule of assessment, is hereby specially assessed upon each such parcel.
  4. That the Common Council determines such special assessments to be reasonable.
  5. That the work or improvement be carried out in accordance with the reports as finally approved.
  6. That such work or improvement represents an exercise of the police power of the City of Madison.
  7. That the plans & specifications and schedule of assessments in the Report of the Board of Public Works and the Report of the City Engineer for the above named improvement be and are hereby approved.
  8. That the Board of Public Works be and is hereby authorized to advertise for and receive bids for the said improvements.
  9. That the due date by which all such special assessments shall be paid in full is October 31st of the year in which it is billed, or,
  10. That such special assessments shall be collected in eight (8) equal installments, with interest thereon at 3.0 percent per annum, except those special assessments paid in full on or before October 31st of that year.
  11. That the Mayor and City Clerk are hereby authorized to accept dedication of lands and/or easements from the Developer/Owner for public improvements located outside of existing public fee title or easement right-of-ways.

#### INSTALLMENT ASSESSMENT NOTICE

Notice is hereby given that a contract has been (or is about to be) let for Bear Claw Way, Cobalt Street and Wilrich Street Assessment District - 2015 and that the amount of the special assessment therefore has been determined as to each parcel of real estate affected thereby and a statement of the same is on file with the City Clerk; it is proposed to collect the same in eight (8) installments, as provided for by Section 66.0715 of the Wisconsin Statutes, with interest thereon at 3.0 percent per annum; that all assessments will be collected in installments as above provided except such assessments on property where the owner of the same has paid the assessment to the City Treasurer on or before the next succeeding November 1st.

#### NOTICE OF APPEAL RIGHTS

"Pursuant to Sec.4.09(14), Madison General Ordinances, as authorized by Sec. 66.0701(2), Wisconsin Statutes, any person against whose land a special assessment has been levied by this resolution has the right to appeal therefrom in the manner prescribed in Sec. 66.0703(12), Wisconsin Statutes, within forty (40) days of the day of the final determination of the Common Council, said date being the date of adoption of this resolution."

City of Madison Engineering Division - Schedule of Assessments

3/6/15  
 Project ID: 0708-213-0403-0  
 Project Name: Bear Claw Way, Cobalt Street and Wilrich Street Assessment District - 2015  
 Project Limits: Brader Way to Elderberry Road, Bear Claw Way to Little Bear Drive, and Chaska Drive to Bear Claw Way  
 Frontages listed are for: Address street unless noted

Parcel No./ Zoning	Owner's Name/ Mailing Address	Situation Address	Frontage (Assessor's Of) (L.F.)	Lot Size (Assessor's Of) (S.F.)	Sidewalk		Street Items		New Pavement			Street Lighting			Sanitary Sewer	Storm Sewer	Water	Total Assessment
					\$5.50 per S.F.	Cost	\$17.00 per L.F.	Cost	\$9.50 per S.F.	Cost	Franchise /Zoning	Franchise	Assessmt \$5.00 per L.F.	Total				
0708-213-0403-0 PD	BCTO LOT 6 LLC 120 W GORHAM ST MADISON WI	128 Bear Claw Way	365.40 L.F.	75,244 S.F.	2924	\$16,082.00	\$67.00	\$6,239.00	6260	\$59,470.00	365.40	1.0	365.40	\$1,827.00	\$30,744.21	\$13,312.42	\$58,232.78	\$185,998.42
0708-213-0404-8 PD	BCTO LOT 7 LLC 120 W GORHAM ST MADISON WI	180 Bear Claw Way	266.76 Bear Claw 389.10 Wilrich	91,400 S.F.	5700	\$31,350.00	720.00	\$12,240.00	13041	\$123,889.50	133.38 389.10	1.0 1.0	133.38 389.10	\$666.90 \$1,945.50	\$32,075.82	\$16,170.80	\$79,040.60	\$297,379.11
0708-213-0701-8 SR-V2	CITY OF MADISON ENGINEER STORMWATER UTILITY 533 210 MLK JR BLVD RM 115 MADISON WI	235 Bear Claw Way	373.39 L.F.	46,775 S.F.	2960	\$16,280.00	364	\$6,188.00	6094	\$57,893.00	0.00	0.0	0.00	0.00	\$0.00	\$0.00	\$0.00	\$80,361.00
0708-213-0702-6 SR-V2	ZIEGLER AT ELDERBERRY II LLC 660 W RIGVIEW DR APPLETON WI	303 Bear Claw Way	544.45 L.F.	194,273 S.F.	2136	\$11,748.00	682	\$11,594.00	13913	\$132,173.50	544.45	1.5	816.68	\$4,083.38	\$63,157.32	\$34,371.44	\$97,396.26	\$354,523.89 (1)
0708-213-0801-6 SR-V2, TR-U1	ZIEGLER AT ELDERBERRY LLC 660 W RIDGEVIEW DR APPLETON WI	304 Bear Claw Way	596.90 L.F.	570,830 S.F.	1842	\$10,131.00	658	\$11,186.00	13647	\$129,646.50	596.90	1.5	895.35	\$4,476.75	\$180,385.89	\$100,993.17	\$83,413.91	\$520,333.23 (1)
0708-213-0401-4 PD	BLACKHAWK CHURCH TOWN CENTER ASSN 9620 BRADER WAY MIDDLETON WI	9502 Brader Way	147.50 Bear Claw 119.55 Brader	20,052 S.F.	1143	\$6,286.50	142.00	\$2,414.00	2560	\$24,320.00	73.75	1.0	73.75	\$368.75	\$0.00	\$0.00	\$637.32	\$34,026.57
0708-214-1014-2 PD	WOODSTONE PARTNERS LLC 2923 MARKETPLACE DR #204 FITZBURG WI	9437 Cobalt St	105.24 Bear Claw 77.78 Cobalt	9,155 S.F.	1475	\$8,112.50	218.00	\$3,706.00	3810	\$36,195.00	105.24	1.0	105.24	\$526.20	\$0.00	\$0.00	\$8,264.51	\$56,804.21
0708-214-0710-7 PD	WOODSTONE PARTNERS LLC 2923 MARKETPLACE DR #204 FITZBURG WI	218 Little Bear Dr	85.39 Bear Claw 89.2 Cobalt 76.15 Little Bear	8,608 S.F.	1369	\$7,529.50	198.00	\$3,366.00	3530	\$33,535.00	85.39	1.0	85.39	\$426.95	\$0.00	\$0.00	\$1,470.00	\$46,327.45
0708-214-0709-0 PD	HEFFRON HOMES INC 2000 PRAIRIE ST # 220 PRAIRIE DU SAC WI	222 Little Bear Dr	10.74 Bear Claw 47.25 Little Bear	8,057 S.F.	88	\$484.00	11	\$187.00	187	\$1,776.50	0.00	0.0	0.00	0.00	\$0.00	\$0.00	\$0.00	\$2,447.50
0708-213-0601-0 SR-V2	ZIEGLER AT ELDERBERRY LLC 660 W RIGVIEW DR APPLETON WI	9603 Paragon St	716.53 Wilrich 720.59 Bear Claw 561.28 Paragon 490.62 Chaska	386,616 S.F.	12245	\$67,347.50	1575	\$26,775.00	28182	\$267,729.00	716.33 720.59	1.5 1.5	1074.50 1080.89	\$5,372.48 \$5,404.43	\$123,771.37	\$68,401.41	\$191,879.56	\$756,680.74 (1)
0708-213-0501-2 A	ZIEGLER AT ELDERBERRY II LLC 660 W RIGVIEW DR APPLETON WI	9703 Paragon St	511.41 Wilrich 466.61 Paragon 490.58 Chaska	262,790 S.F.	337	\$1,853.50	54	\$918.00	1497	\$14,221.50	0.00	0.0	0.00	0.00	\$0.00	\$0.00	\$1,999.96	\$18,592.96 (1)
0708-214-1013-4 PD	WOODSTONE PARTNERS LLC 2923 MARKETPLACE DR #204 FITZBURG WI	9440 Wilrich St	127.71 Bear Claw 74.78 Wilrich	10,560 S.F.	2250	\$12,375.00	281	\$4,777.00	5839	\$55,470.50	127.71	1.0	127.71	\$638.55	\$0.00	\$0.00	\$12,450.40	\$85,711.45
0708-213-0405-6 PD	BLACKHAWK EVANGELICAL FREE CHURCH INC 9620 BRADER WAY VERONA WI	9601 Wilrich St	396.91 L.F.	80,919 S.F.	3308	\$18,194.00	397	\$6,749.00	6351	\$60,334.50	396.91	1.5	595.37	\$2,976.83	\$28,753.34	\$14,316.46	\$67,153.01	\$198,477.14
0708-213-0406-4 PD	BRADER WAY LLC 40 OAK CREEK TRL MADISON WI	9701 Wilrich St	459.01 L.F.	150,925 S.F.	0	\$0.00	0	\$0.00	0	\$0.00	0.00	0.0	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$77,802.96

Totals 2201.05 601635 31777 \$207,773.50 5667 \$96,339.00 104911 \$996,654.50 5742.74 \$28,713.70 \$509,988.75 \$274,267.86 \$601,729.31 \$2,715,466.62

(1) To be paid in one lump sum following project (i.e., assessment not to be distributed over 8 years).