

**MEMORANDUM OF UNDERSTANDING BETWEEN  
THE TOWN OF BLOOMING GROVE AND CITY OF MADISON**

Notwithstanding Section 27.E. of the Final Town of Blooming Grove and City of Madison Cooperative Plan under Section 66.0307, Wisconsin Statutes, the purpose of this Memorandum of Understanding is to provide evidence of the parties' drafting intent as to what is meant by that certain language of Section 11.B.(1) of the Plan, which reads as follows:

“Any development in the Town shall be subject to approval by the City in accordance with City Development Requirements. In the Protected Areas, the full range of urban services may not be required, in the sole discretion of the City. In areas outside of the Protected Areas, the full range of urban services, including City water and sewer service, and attachment to the City may not be required, in the sole discretion of the City. The Town shall not grant any development approvals inconsistent with this paragraph.”

The City desires to maintain a consistent, yet reasonable, application of its Development Requirements to any development in the Town. The forgoing language provides the flexibility for the City to approve development in the Town when it is reasonably consistent with the City's ability to implement plans and extend services in the future to properties covered by the Cooperative Plan. However, the parties are unable to mutually agree to a list of express conditions or specifications that would enable such development to be conditionally approved.

Factors that enter into consideration of whether or not to approve any proposed development in the Town include, but are not limited to, the following:

1. Whether the proposed development is reasonably consistent with adopted City plans for the area and compatible with other adjacent land uses and maintains the general land use pattern of the subject area.
2. Whether the proposed development will adversely affect the City's ability to provide public services or install public improvements, including future development of an interconnected urban street system, and the proximity of City municipal water and sewer utility services, near term plans to extend such services and the cost of extension. If such utility services are available nearby and the cost to extend them is reasonable, the City may require connection as a condition of approval, and where reasonable, may require immediate attachment or attachment within a period of years prior to a scheduled Phased or Final Attachment.
3. Whether the proposed development represents infill development of lands surrounded by existing land uses that render the land impractical for any but the proposed or similar uses.
4. The remaining period of time before the proposed development will become attached to the City as part of a scheduled Phased Attachment or the Final Attachment.

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Dated this \_\_\_\_\_ day of May, 2006.

FOR THE TOWN OF BLOOMING GROVE:

\_\_\_\_\_  
Dwight Johnson, Chair

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Christopher B. Hughes  
Town Attorney

FOR THE CITY OF MADISON:

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David J. Cieslewicz, Mayor

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James M. Voss  
Assistant City Attorney