

AFFIDAVIT OF MAILING

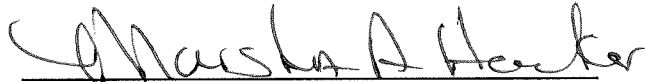
STATE OF WISCONSIN)
) ss.
COUNTY OF DANE)

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

Legistar No. 23739


1. She is an Program Assistant I with the Office of the City Engineer, City of Madison, Dane County, Wisconsin, and did on the 6th day of October, 2011, at approximately 1:00 PM 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 Manufacturers Drive Assessment District – 2011 and that Resolution No. RES-11-00628, ID No. 22971 adopted by the Common Council on July 19, 2011 be hereby rescinded.

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.

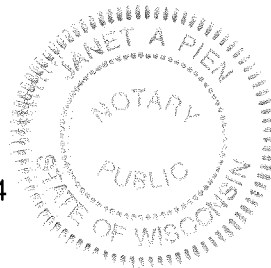


Marsha A. Hacker

Subscribed and sworn to before me
this 6 day of October, 2011



Janet A Pien
Notary Public, State of Wisconsin
My Commission expires: February 23, 2014





City of Madison

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

Master

File Number: 23739

File ID: 23739

File Type: Resolution

Status: Passed

Version: 1

Reference:

Controlling Body: BOARD OF PUBLIC WORKS

Lead Referral: BOARD OF PUBLIC WORKS

Cost:

File Created Date : 08/29/2011

File Name: Approving Plans, Specifications, and Schedule of Assessments for Manufacturers Drive Assessment District-2011 and that Resolution No. RES-11-00628, ID No. 22971 adopted by the Common Council on July 19, 2011 be hereby rescinded.

Final Action: 10/04/2011

Title: Approving Plans, Specifications, and Schedule of Assessments for Manufacturers Drive Assessment District-2011 and that Resolution No. RES-11-00628, ID No. 22971 adopted by the Common Council on July 19, 2011 be hereby rescinded. (17th AD)

Notes: LeAnne Hannan

Code Sections:

CC Agenda Date: 10/04/2011

Indexes:

Agenda Number: 10.

Sponsors: BOARD OF PUBLIC WORKS

Effective Date: 10/05/2011

Attachments: 53W1291 ManufacturersREV2.xls, bpw affd - manuf.pdf, cc mailing affidavit.pdf

Enactment Number: RES-11-00851

Author: Rob Phillips, City Engineer

Hearing Date: 10/04/2011

Entered by: mhacker@cityofmadison.com

Published Date:

Approval History

Version	Date	Approver	Action
1	09/22/2011	Craig Franklin	Approve

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	BOARD OF PUBLIC WORKS	09/21/2011	RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING				Pass

Action Text: Mark Moder, City Engineering, presented plans and specifications. There was no one from the Public registered to speak.

A motion was made by Ald. Skidmore, seconded by Dailey, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by voice vote/other.

Notes:

1 COMMON COUNCIL 10/04/2011 Adopt and Close the Public Hearing Pass

Action Text: A motion was made by Ald. Cnare, seconded by Ald. Bidar-Sielaff, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.

Notes:

Text of Legislative File 23739

Title

Approving Plans, Specifications, and Schedule of Assessments for Manufacturers Drive Assessment District-2011 and that Resolution No. RES-11-00628, ID No. 22971 adopted by the Common Council on July 19, 2011 be hereby rescinded. (17th AD)

Body

The Board of Public Works and the City Engineer having made reports of all proceedings in relation to the improvement of Manufacturers Drive Assessment District-2011, pursuant to a resolution of the Common Council, Resolution No. RES-11-00609, ID No. 22900, adopted 7/08/11, 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 pursuant to the Agreement to Purchase and Undertake Development of the Interstate Commerce Park entered into by the City on Nov. 1, 2004, the City agreed to allow for the deferral of special assessments in the Manufacturers Drive Assessment District-2011 for a period of 10-years, and that this deferral period was not provided for by the Council in Resolution No. RES-11-628, ID No. 22971, adopted by the Common Council on July 19, 2011, as required under Madison General Ordinance Sec. 4.081. Accordingly, RES-11-628 is hereby rescinded.
2. That the City at large is justly chargeable with and shall pay the sum of \$0.00 of the entire cost of said improvement.
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 two point five (2.5%) 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-ways.

DEFERRED ASSESSMENT NOTICE

Notice is hereby given that the special assessments for the improvements of the Manufacturers Drive Assessment District-2011 have been determined as to each parcel of real estate affected thereby, and a statement of the same is on file with the Clerk.

In accordance with Madison General Ordinance 4.081, the assessments for Lots 11-13, 28-30 and 32 of Interstate Commerce Park shall be deferred for 10 years with interest. Upon completion of the deferment period, payment shall be made in full. In the event that a particular lot is sold by the Developer to a third party buyer, to include the Developer or a wholly-owned subsidiary of the Developer if it purchases a lot as a third party buyer, the assessment shall be paid in full. In the event that a building permit is issued, the assessment shall be paid in full. Special assessments shall not be collected when a phase of the Property is first conveyed to the Developer or an affiliate of said developer, from the City. The Developer, at their sole discretion, may pre-pay all or any portion of the special assessments.

It is proposed to collect the assessments for Lots 1 & 2 CSM 12546 and Lot 31 Interstate Commerce Park in eight (8) equal installments, as provided for by Section 66.0715 of the Wisconsin Statutes, with interest thereon at 2.5 percent per annum; that all assessments shall 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 Treasure on or before the 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."

Fiscal Note

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

Street Acct. CS53-58250-810501-00-53W1291	\$173,000	- "Interstate Commerce Park"
Street Acct CS53-58270-810501-00-53W1291	\$14,500	- "Interstate Commerce Park"
Storm Acct. ESTM-58270-810501-00-53W1291	\$76,000	- "Interstate Commerce Park"
Sanitary Acct. ES01-58275-810501-00-53W1291	\$112,000	- "Interstate Commerce Park"
Water Acct. EW01-58273-810501-00-53W1290	\$273,500	- "Interstate Commerce Park"

This project is 100% assessable.

Project ID: 53W1291
Project Name: Manufacturers Drive Assessment District-2011
Limits: 800' North of Commerce Park Dr to West End
Frontages listed are for Manufacturers Drive

Parcel No./	Owner's Name /	Parcel Location	Frontage	Street, Sidewalk @		Sanitary Sewer*	Storm Sewer	Water*	TOTAL ASSMNT
				\$200.00 per LF	\$21.00 per LF				
0810-093-0414-8 M1	CITY OF MADISON EDD PO BOX 2983 MADISON WI	7227 Manufacturers Dr Lot 28 ICP [1]	119.92	119.92	\$2,518.32	\$21,682.66	\$11,537.58	\$21,191.18	\$80,913.74
0810-093-0418-0 M1	CITY OF MADISON EDD PO BOX 2983 MADISON WI	3853 Anderson Rd Lot 32 ICP [1]	0.00	0.00	\$0.00	\$35,013.80	\$20,573.39	\$37,787.34	\$93,374.53
0810-093-0417-2 M1	WEILAND FAMILY PARTNERSHIP LLP 5809 JULIA ST MADISON WI	3821 Anderson Rd Lot 31 ICP [2]	0.00	0.00	\$0.00	\$0.00	\$15,434.32	\$0.00	\$15,434.32
0810-093-0412-2 M1	GB REAL ESTATE HOLDINGS, LLC 901 BRISTERS HILL RD WAUSAU, WI 54401-9074	7173 Manufacturers Dr Lot 2 CSM 12546 [3]	160.88	160.88	\$3,378.48	\$50,375.47	\$24,330.90	\$44,686.80	\$154,949.65
0810-093-0415-6 M1	CITY OF MADISON EDD PO BOX 2983 MADISON WI	7243 Manufacturers Dr Lot 29 ICP [1]	140.00	140.00	\$2,940.00	\$16,324.11	\$8,630.15	\$15,851.09	\$71,745.35
0810-093-0416-4 M1	CITY OF MADISON EDD PO BOX 2983 MADISON WI	7269 Manufacturers Dr Lot 30 ICP [1]	160.00	160.00	\$3,360.00	\$17,378.95	\$9,524.92	\$17,494.52	\$79,758.39
0810-093-0306-7 M1	CITY OF MADISON EDD PO BOX 2983 MADISON WI	7202 Manufacturers Dr Lot 12 ICP [1]	140.00	140.00	\$2,940.00	\$13,610.08	\$6,492.42	\$11,924.70	\$62,967.20
0810-093-0305-9 M1	CITY OF MADISON EDD PO BOX 2983 MADISON WI	7268 Manufacturers Dr Lot 11 ICP [1]	160.00	160.00	\$3,360.00	\$15,459.49	\$7,419.94	\$13,628.28	\$71,867.71
0810-093-0307-5 M1	CITY OF MADISON EDD PO BOX 2983 MADISON WI	7150 Manufacturers Dr Lot 13 ICP [1]	429.18	279.48	\$5,869.08	\$11,102.49	\$8,513.32	\$15,636.49	\$97,017.38
0810-093-0409-9 M1	COVERS PROPERTIES LLC 8245 KRUCHTEN RD LODI WI	7101 Manufacturers Dr Lot 1 CSM 12546 [2]	454.74	70.74	\$1,485.54	\$2,223.61	\$0.00	\$0.00	\$17,857.15
			1764.72	1231.02	\$246,204.00	\$183,170.66	\$112,456.94	\$178,202.40	\$745,865.42

* SEE SECOND PAGE FOR DETAILS OF STORM SEWER, SANITARY SEWER, SEWER INTERCEPTOR, AND WATER ASSESSMENTS

[1] ASSESSMENTS TO BE DEFERRED FOR TEN YEARS WITH INTEREST

[2] ASSESSMENTS TO BE COLLECTED IN EIGHT INSTALLMENTS WITH 2.5% INTEREST PER ANNUM

[3] OWNERSHIP INFORMATION HAS BEEN UPDATED TO REFLECT THE SALE OF THE PROPERTY SINCE THE TIME THE ORIGINAL ASSESSMENTS WERE APPROVED. THE ASSESSMENTS SHOWN REFLECT THE ORIGINAL ASSESSED AMOUNT AS APPROVED BY THE COMMON COUNCIL ON 7/19/2011. ASSESSMENTS HAVE BEEN PAID IN FULL TO THE CITY AS A CONDITION OF CLOSING AND NO ADDITIONAL ASSESSMENTS ARE BEING LEVIED.

Parcel No./ Zoning	Owner's Name / Mailing Address	See Footnote	Parcel Location	Gross Parcel Assessable Area SF	Sanitary Sewer Assessments					Storm Sewer Assessments		Water Main Assmts Water Main and Lateral Assmt/1000 SF (2) \$194.03	TOTAL ASSM'T	
					Sanitary Sewer Parcel Assessable Area SF	Sanitary Sewer Frontage LF	Frontage Assmt @ \$48.21 per LF	Project Area Assmt per 1000 SF	Lateral Assessment Manufacturers Drive \$110.72 per L.F. Lateral Length	MMSD Fees/ 1000sf NE Int.- Waunakee/Def \$62.89 per 1000 SF	Project Area Assmt per 1000 SF			Water Main Assmt/1000 SF (2)
0810-093-0414-B Lot 28 ICP	City of Madison EDD P.O. Box 2983 Madison, WI 53701	(5),(6)	7227 Manufacturers Drive	109,216.00	109,216.00	0.00	\$0.00	\$14,803.14	0	\$0.00	\$6,879.52	\$11,537.58	\$21,191.18	\$54,411.41
0810-093-0418-0 Lot 32 ICP	City of Madison EDD P.O. Box 2983 Madison, WI 53701	(2),(5) (6)	3853 Anderson Road	194,750.00	194,750.00	0.00	\$0.00	\$26,395.42	0	\$0.00	\$8,617.38 PARTIAL AREA CREDIT APPLIED BY MMSD 2011 Rate	\$20,573.39	\$37,787.34	\$93,374.53
0810-093-0417-2 Lot 31 ICP	Weiland family Partnership LLP 5609 Julia St. Madison, WI 53701	(2),(3),(5) (6)	3821 Anderson Road	146,103.00	0.00	0.00	\$0.00	\$0.00	0	\$0.00	\$0.00	\$15,434.32	\$0.00	\$15,434.32
0810-093-0412-2 Lot 2 CSM 12546	GB Real Estate Holdings, LLC 901 Briers Hill Rd Wausau, WI 54401-9074	(5),(6)	7173 Manufacturers Drive	230,319.00	230,319.00	0.00	\$0.00	\$31,217.44	42	\$4,650.24	\$14,507.79	\$24,330.90	\$44,688.80	\$119,395.17
0810-093-0415-6	City of Madison EDD P.O. Box 2983 Madison, WI 53701	(4),(6)	7243 Manufacturers Drive	81,694.00	0.00	140.00	\$6,749.40	\$0.00	40	\$4,428.80	\$5,145.81	\$8,630.15	\$15,851.09	\$40,805.35
0810-093-0416-4	City of Madison EDD P.O. Box 2983 Madison, WI 53701	(4),(6)	7289 Manufacturers Drive	90,164.00	0.00	160.00	\$7,713.60	\$0.00	36	\$3,985.92	\$5,679.43	\$9,524.92	\$17,494.52	\$44,388.40
0810-093-0306-7	City of Madison EDD P.O. Box 2983 Madison, WI 53701	(4),(6)	7202 Manufacturers Drive	61,458.00	0.00	140.00	\$6,749.40	\$0.00	27	\$2,989.44	\$3,871.24	\$6,482.42	\$11,924.70	\$32,022.20
0810-093-0305-9	City of Madison EDD P.O. Box 2983 Madison, WI 53701	(4),(6)	7268 Manufacturers Drive	70,238.00	0.00	160.00	\$7,713.60	\$0.00	30	\$3,321.60	\$4,424.29	\$7,419.94	\$13,626.28	\$36,507.71
0810-093-0307-5	City of Madison EDD P.O. Box 2983 Madison, WI 53701	(4),(6)	7150 Manufacturers Drive	80,588.00	0.00	125.00	\$6,026.25	\$0.00	0	\$0.00	\$5,076.24	\$8,513.32	\$15,636.49	\$35,252.29
0810-093-0409-9 M1	Covers Properties LLC 8245 Knutchen Rd Lodi, WI		7101 Manufacturers Drive								\$2,223.61			\$2,223.61
				1,064,530.00	534,285.00	725.00	\$34,952.25	\$72,416.99	175.00	\$19,376.00	\$56,425.40	\$112,456.95	\$176,202.39	\$473,829.98

(2) Water main extended to Anderson Road to provide hydrant for Fire Department since Anderson Road is the only public road with access to Lots 31 and 32 (3821 Anderson & 3853 Anderson)

(3) Sanitary sewer and water services for Lot 31 (3821 Anderson) are provided by Deforest and Token Creek Sanitary Sewer District and are not assessed for those improvements.

(4) Sanitary sewer improvements on Manufacturers Dr. are assessed by frontage only for the City sanitary work on Manufacturers Drive West of 7227 and include no the project costs related to the City Sanitary Sewer in the Easement north to 3653 Anderson (Lot 32 ICP)

(5) Sanitary sewer improvements on Manufacturers Dr. and in the sanitary easement to provide sanitary service to 3853 Anderson are assessed by Area Assessment only.

(6) Storm Sewer Assessments based upon Gross Area (platted lot area)