

Resolution

Document Number

Document Title

This is to certify that the foregoing resolution was adopted by the Common Council of the City of Madison, Wisconsin at a meeting held on the 26th day of February, 2019. A copy of the resolution is attached.

Graaskamp Way Street Vacation
Resolution 19-00120
ID#: 54183

KRISTI CHLEBOWSKI
DANE COUNTY
REGISTER OF DEEDS

DOCUMENT #
5474516
03/12/2019 01:38 PM
Trans Fee:
Exempt #:
Rec. Fee: 30.00
Pages: 10

Recording Area

Name and Return Address

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

Parcel Identification Number (PIN)

March 11, 2019
Date

Date

Signature of Clerk

n/a
Signature of Grantor

Jim Verbick, Deputy City Clerk
*Name printed

*Name printed

STATE OF WISCONSIN, County of Dane

This document was drafted by:
(print or type name below)

Subscribed and sworn to before me on March 11, 2019 by the above named person(s).

Eric Christianson

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

*Names of persons signing in any capacity must be typed or printed below their signature.

Print or type name: Eric Christianson

Title: Certified Municipal Clerk Date commission expires: 3/27/2022

This information must be completed by submitter: document title, name & return address, and PIN (if required). Other information such as the granting clauses, legal description, etc., may be placed on this first page of the document or may be placed on additional pages of the document. Note: Use of this cover page adds one page to your document and \$2.00 to the recording fee. Wisconsin Statutes, 59.43(2m). USE BLACK INK. WRDA 5/1999

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City of Madison

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

Master

File Number: 54183

File ID: 54183

File Type: Resolution

Status: Passed

Version: 1

Reference:

Controlling Body: Engineering Division

File Created Date : 12/20/2018

File Name: Discontinuing and vacating a portion of Graaskamp Way within the plat of The Center For Industry & Commerce, being located in the Northwest 1/4 of Section 16, Township 8 North, Range 10 East, City of Madison, Dane County, Wisconsin.

Final Action: 02/26/2019

Title:

Discontinuing and vacating a portion of Graaskamp Way within the plat of The Center For Industry & Commerce, being located in the Northwest 1/4 of Section 16, Township 8 North, Range 10 East, City of Madison, Dane County, Wisconsin. (17th AD)

Notes: Jeff Q.

CC Agenda Date:

Agenda Number: 3.

Sponsors: Samba Baldeh

Effective Date: 03/01/2019

Attachments: EXHIBIT A.pdf, Exhibit B.pdf, Exhibit C.pdf, Exhibit D.pdf, NoticeOfLisPendens CIC B000571.pdf, Vicinity Map Grasskamp Vacation.pdf

Enactment Number: RES-19-00120

Author: Rob Phillips, City Engineer

Hearing Date: 02/26/2019

Entered by: mhacker@cityofmadison.com

Published Date:

Approval History

Version	Date	Approver	Action
1		Travis J. Martin	Approve

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Engineering Division	12/20/2018	Referred for Introduction				
	Action Text: This Resolution was Referred for Introduction						
	Notes: Board of Public Works (1/23/19), Plan Commission (1/14/19), Common Council Public Hearing (2/26/19)						

1	COMMON COUNCIL	01/08/2019	Refer	BOARD OF PUBLIC WORKS	01/23/2019	Pass
	Action Text:	A motion was made by Baldeh, seconded by Carter, to Refer to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.				
	Notes:	Additional referral to Plan Commission.				
1	BOARD OF PUBLIC WORKS	01/08/2019	Referred	PLAN COMMISSION	01/14/2019	
	Action Text:	This Resolution was Referred to the PLAN COMMISSION				
	Notes:					
1	PLAN COMMISSION	01/14/2019	Return to Lead with the Recommendation for Approval	BOARD OF PUBLIC WORKS	01/23/2019	Pass
	Action Text:	A motion was made by Cantrell, seconded by Berger, to Return to Lead with the Recommendation for Approval to the BOARD OF PUBLIC WORKS. The motion passed by voice vote/other.				
	Notes:					
1	BOARD OF PUBLIC WORKS	01/23/2019	RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING			Pass
	Action Text:	Rob Phillips, City Engineer, presented details. A motion was made by Clausius, seconded by Ald. Tierney, to RECOMMEND TO COUNCIL TO ADOPT - PUBLIC HEARING. The motion passed by voice vote/other.				
1	COMMON COUNCIL	02/26/2019	Adopt and Close the Public Hearing			Pass
	Action Text:	A motion was made by Baldeh, seconded by Carter, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.				
	Notes:					

Text of Legislative File 54183

Fiscal Note

This vacation and discontinuance of approximately 27,241 sq. ft. or 0.62 acres of the remaining portion of Graaskamp Way within the plat of The Center For Industry & Commerce. No Appropriation Required.

Title

Discontinuing and vacating a portion of Graaskamp Way within the plat of The Center For Industry & Commerce, being located in the Northwest 1/4 of Section 16, Township 8 North, Range 10 East, City of Madison, Dane County, Wisconsin. (17th AD)

Body

WHEREAS, the plat of The Center For Industry & Commerce was conditionally approved by the City of Madison Common by Resolution No. 60240, File I.D. Number 33441, as adopted on the 18th of February, 2003 and the said Resolution provided for the acceptance of the lands dedicated for public street right-of-ways, including Graaskamp Way; and

WHEREAS, the plat of The Center For Industry & Commerce was subsequently recorded upon the satisfaction of the conditions of approval on the 8th of May, 2003 in Volume 58-024B of Plats on pages 129 - 134, as Document Number 3708481, Dane County Register of Deeds; and

WHEREAS, the Common Council adopted Resolution RES-13-00460, File I.D. Number 30382 on June 18, 2013 which authorized the execution of an "Agreement to Terminate the 'Agreement to Purchase and Undertake Development of the Northeast Industrial Property' " ("Purchase and Development Agreement") which was executed between the City of Madison ("City") and The

Center for Industry & Commerce, LLC ("LLC") for the development of a mixed-use industrial park. Under the terms of the termination, in exchange for a mutual termination of the Purchase and Development Agreement by the City and LLC, the LLC was relieved of any remaining obligations under the Purchase and Development Agreement, thus providing the City of Madison full control of the remaining lands not yet purchased by a third party for development and sale; and

WHEREAS, the Common Council adopted Resolution RES-17-00047, File I.D. Number 45286, on January 17, 2018, discontinuing and vacating that part of Graaskamp Way lying southerly of John Wall Way to accommodate a new land division and proposed development plans. That discontinuance and vacation left a portion of Graaskamp Way lying between John Wall Way and Hoepker Road remaining as public right-of-way; and

WHEREAS, Ronald Regan Drive and Manufacturers Drive provide the necessary vehicular access to Hoepker Road to serve the demands of The Center for Industry and Commerce exclusive of the Graaskamp Way connection; and

WHEREAS, the existing lots adjacent to the remaining right-of-way of Graaskamp Way are undeveloped and will be reconfigured and/or combined to create larger parcels for disposal by the City of Madison for subsequent development. The lands adjacent to the remaining portion of Graaskamp Way do not require the public road connection of Graaskamp Way to Hoepker Road and would benefit from the discontinuance and vacation of Graaskamp Way, permitting larger and more flexible parcels to accommodate future development proposals; and

WHEREAS, City of Madison Engineering staff has prepared the necessary public right-of-way vacation and discontinuance legal description (Exhibit A) and map (Exhibit B) delineating all of the area to be vacated and discontinued which are attached hereto and made part of this resolution; and

WHEREAS, to permit future lot reconfiguration and development, there are existing Public Utility Easements lying adjacent to the Graaskamp Way public right-of-way that are to be released as shown and labeled on attached Exhibit C, attached hereto and made part of this resolution; and

WHEREAS, to permit future lot reconfiguration and development, there are existing Vehicular Access Restrictions to be released and new Vehicular Access Restrictions to be created as shown and labeled on attached Exhibit D, attached hereto and made part of this resolution; and

WHEREAS, this vacation and discontinuance will not result in a landlocked parcel of property due to the current contiguous common ownership by the City of Madison of Lots adjacent to Graaskamp Way; and

WHEREAS, the City Engineering Division has consulted with other City Agencies and recommends approval of this public right-of-way discontinuance and vacation.

NOW THEREFORE BE IT RESOLVED, that since the public interest requires it, the City Of Madison hereby vacates and discontinues the public right-of-way of Graaskamp Way as described on attached Exhibit A and as mapped on attached Exhibit B, in accordance with Wisconsin ss. 66.1003(4); and

BE IT FURTHER RESOLVED, that under Section 66.1005(2)(a)(1), the City Of Madison the City Of Madison hereby retains a Permanent Limited Easement for grading and sloping within a

portion the public right-of-way being vacated and discontinued as shown on attached Exhibit B and described on attached Exhibit A and releases all other easements and rights it may have within the public right-of-way being vacated and discontinued; and

BE IT FURTHER RESOLVED, that under Section 66.1005(2), Wisconsin Statutes, other than those easements and rights retained and released above, any other existing easements and rights that may exist within the vacated and discontinued public right-of-way shall continue, unless as otherwise provided by statute; and

BE IT FURTHER RESOLVED, under Section 66.1005(1), Wisconsin Statutes, reversionary rights of the public right-of-ways herein vacated and discontinued shall attach to the adjacent properties, all currently being owned by the City of Madison; and

BE IT FURTHER RESOLVED, the Mayor and City Clerk of the City of Madison are hereby authorized to sign the necessary Public Utility Easement Release and Vehicular Access Restriction documents to be prepared by the City of Madison Office of Real Estate Services for the areas identified on attached Exhibit C and Exhibit D; and

BE IT FINALLY RESOLVED, upon Common Council adoption of this resolution, the City Engineer will then authorize the City Clerk to validate and make effective this street vacation and discontinuance by recording it with all supplemental map exhibits with the Dane County Register of Deeds, authorizing all City agencies to administer the appropriate workflows to complete and finalize all land record database updates.

EXHIBIT "A"

Public Right of Way Vacation/Discontinuance

Engineering Project No. B000571

Portion of Graaskamp Way to be Vacated and Discontinued:

That portion of Graaskamp Way, a street dedicated by the plat of The Center For Industry & Commerce, recorded in Volume 58-024B of Plats, pages 129 - 134, as Document No. 3708481, Dane County Register of Deeds, being located in part of the NE ¼ of the NW ¼ of Section 16, Township 8 North, Range 10 East, in the City of Madison, Dane County, Wisconsin, more particularly described as follows:

Beginning on the north right-of-way line of John Wall Drive at the southern most point of a 15' radius curve located at the southwesterly corner of Lot 57 of said The Center For Industry & Commerce; thence northwesterly 23.56 feet along the east right-of-way line of Graaskamp Way and the arc of a curve to the right having a radius of 15.00 feet, a central angle of 90°00'00" and a long chord bearing N 45°55'16" W, 21.21 feet to a point of compound curve; thence northeasterly 78.28 feet along the said east right-of-way and the arc of a curve to the right having a radius of 117.00 feet, a central angle of 38°20'05" and a long chord bearing N 18°14'46.5" E, 76.83 feet to the point of tangency thereof; thence N 37°24'49" E, along the said east right-of-way, 100.02 feet, to a point of curve; thence northeasterly 166.24 feet along the said east right-of-way and the arc of a curve to the left having a radius of 248.47 feet, a central angle of 38°20'05" and a long chord bearing N 18°14'46.5" E, 163.16 feet, to a point of tangency thereof; thence N 00°55'16" W, along said east right-of-way, 4.86 feet, to a point of curve; thence northeasterly 39.27 feet along the said east right-of-way and the arc of a curve to the right having a radius of 25.00 feet, a central angle of 90°00'00" and a long chord bearing N 44°04'44" E, 35.36 feet to south right-of-way line of Hoepker Road; thence S 89°04'44" W, along the said south right-of-way, 130.00 feet, to the northern most point of a 25' radius curve located at the northeasterly corner of Lot 59 of said The Center For Industry & Commerce; thence southeasterly 39.27 feet along the west right-of-way line of Graaskamp Way and the arc of a curve to the right having a radius of 25.00 feet, a central angle of 90°00'00" and a long chord bearing S 45°55'16" E, 35.36 feet to a point of tangency thereof; thence S 00°55'16" E, along said west right-of-way, 45.14 feet, to a point of curve; thence southwesterly 78.64 feet along the said west right-of-way and the arc of a curve to the right having a radius of 117.53 feet, a central angle of 38°20'05" and a long chord bearing S 18°14'46.5" W, 77.18 feet to a point of tangency thereof; thence S 37°24'49" W, along the said west right-of-way, 100.02 feet, to a point of curve; thence southwesterly 122.44 feet along the said west right-of-way and the arc of a curve to the left having a radius of 183.00 feet, a central angle of 38°20'05" and a long chord bearing S 18°14'46.5" W, 120.17 feet to a point of compound curve; thence southwesterly 23.56

feet along the said west right-of-way and the arc of a curve to the right having a radius of 15.00 feet, a central angle of $90^{\circ}00'00''$ and a long chord bearing $S 44^{\circ}04'44'' W$, 21.21 feet to the north right-of-way line of John Wall Drive; thence $N 89^{\circ}04'44'' E$, along the said north right-of-way, 96.00 feet to the **point of beginning**.

Containing 27,241 square feet or 0.6254 acres, more or less.

Reserving the north 15 feet thereof for a permanent limited easement to the public for grading and sloping.

NOTE: PLEASE BE ADVISED THAT THE DOCUMENT GRANTOR(S) HEREBY DIRECT VIEWERS TO IGNORE THE PRINTED TEXT MATERIAL ON THIS MAP. ONLY THE SPATIAL RELATIONSHIPS OF THE ILLUSTRATIONS ON THE MAP ARE BEING PRESENTED FOR YOUR INFORMATION.

Signed by grantor(s) or grantor(s) agent: Maribeth Witzel-Behl Date: March 7, 2019
 Name of grantor(s) or grantor(s) agent printed: Maribeth Witzel-Behl

EXHIBIT "B"

HOEPKER ROAD

DISCONTINUE /
VACATE PART OF
GRAASKAMP WAY

15' Wide
Permanent Limited Easement
for Grading and Sloping
Retained by the City of Madison

S89°04'44"W 130.00'

59

58

Grasskamp Way
to be
Discontinued
27,241 Sq. Ft.

WAY

WIDTH
VARIES

GRAASKAMP

P.O.B.

The Center For Industry & Commerce
60

The Center For Industry & Commerce
57

N89°04'44"E, 96.00'

JOHN WALL DRIVE

PREVIOUSLY
VACATED
GRAASKAMP
WAY
RES-17-00047
DOC 5304795

CURVE TABLE

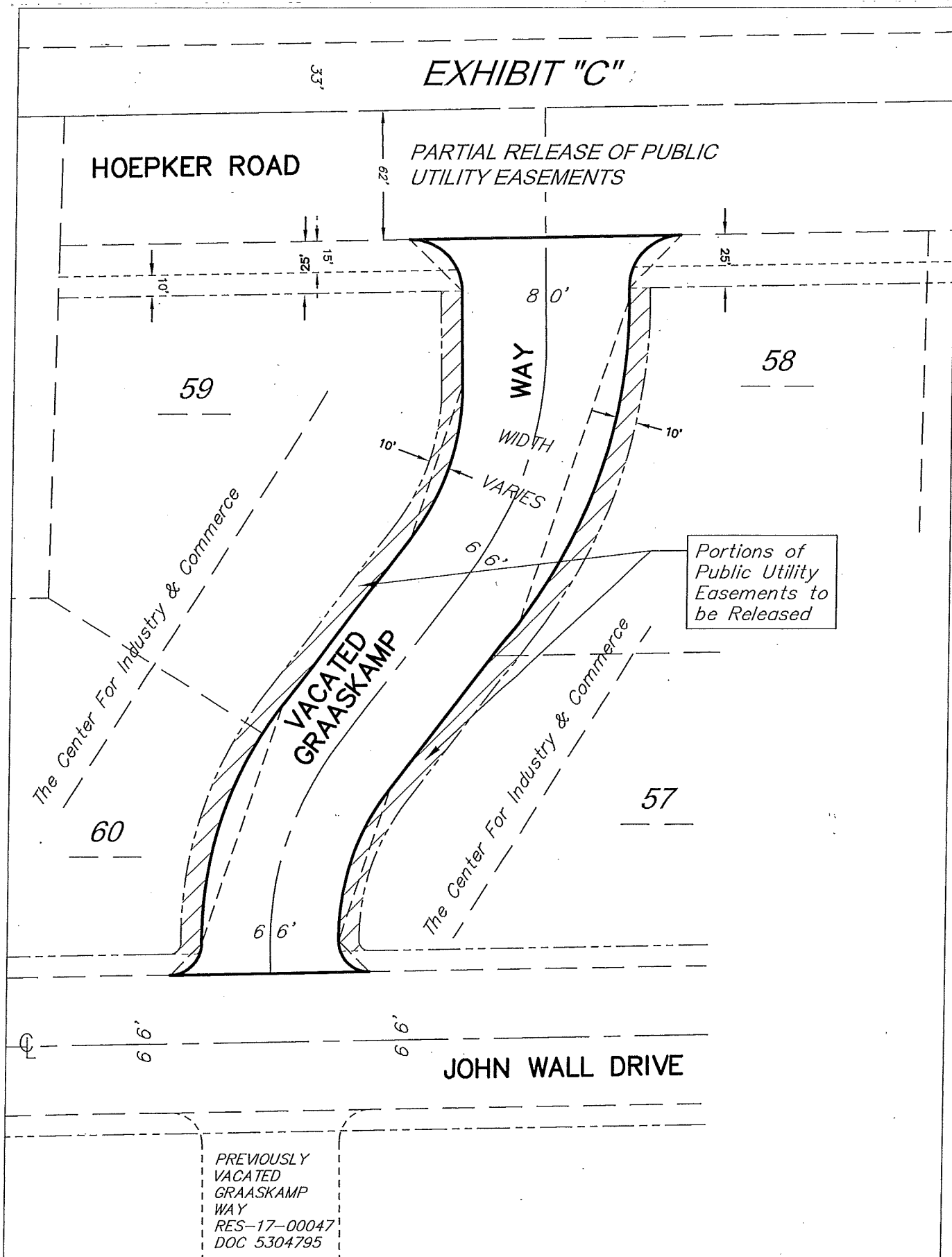
CURVE	RADIUS	ARC LENGTH	CHORD	CHORD BEARING	DELTA
C-1	15.00	23.56	21.21	N45°55'16"W	90°00'00"
C-2	117.00	78.28	76.83	N18°14'46.5"E	38°20'05"
C-3	248.47	166.24	163.16	N18°14'46.5"E	38°20'05"
C-4	25.00	39.27	35.36	N44°04'44"E	90°00'00"
C-5	25.00	39.27	35.36	S45°55'16"E	90°00'00"
C-6	117.53	78.64	77.18	S18°14'46.5"W	38°20'05"
C-7	183.00	122.44	120.17	S18°14'46.5"W	38°20'05"
C-8	15.00	23.56	21.21	S44°04'44"W	90°00'00"

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