



**NOTICE OF LIS PENDENS  
Public Way Vacation and  
Discontinuance**

**KRISTI CHLEBOWSKI  
DANE COUNTY  
REGISTER OF DEEDS**

State of Wisconsin, County of Dane

**DOCUMENT #  
5559081**  
01/29/2020 08:34 AM  
Trans Fee:  
Exempt #:  
Rec. Fee: 30.00  
Pages: 10

In the matter of a resolution of the Common Council of the City of Madison Vacating and Discontinuing the following:

The public right-of-way of Ballast Drive, located south of Tradesman Drive and Kipp Street, in the City of Madison, Dane County, Wisconsin.

TO WHOM IT MAY CONCERN, notice is hereby given that there was filed a petition with the City of Madison City Engineer, a petition attached as **Exhibit C**, requesting the vacation and discontinuance of the public right-of-way as described on the attached **Exhibit A** hereto and as shown on the attached **Exhibit B** hereto in accordance with Subsection 66.1003(2), Wisconsin Statutes, by the City of Madison, Wisconsin.

Return To:  
Axley Brynerson, LLP  
P.O. Box 1767  
Madison, WI 53701-1767  
Attn: D. Clarke Sugar

None-Public Right-of-Way  
Tax Parcel Number (PIN)

This is NOT Homestead Property

*[SIGNATURE AND ACKNOWLEDGMENT ON NEXT PAGE FOLLOWING]*

Dated this 22<sup>nd</sup> day of January, 2020

MARSH ROAD DEVELOPMENT CORPORATION,  
a Wisconsin corporation

By: Thomas DeBeck by Janice Ryan POA  
Name: Thomas DeBeck  
Title: Owner

QRS COMPANY LLC,  
a Wisconsin limited liability company

By: Thomas DeBeck by Janice Ryan POA  
Name: Thomas DeBeck  
Title: Owner

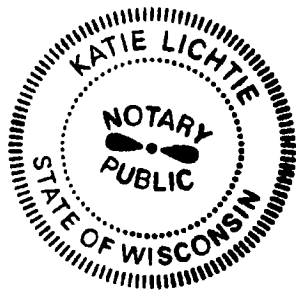
**ACKNOWLEDGMENT:**

STATE OF WISCONSIN    )  
  ) ss.  
COUNTY OF DANE        )

Personally came before me this 22 day of January, 2020, the above-named Thomas G. DeBeck to me known to be the person who executed the foregoing instrument on behalf of Marsh Road Development Corporation and QRS Company LLC and acknowledged the same.

Dated this 22 day of January, 2020.

Katie Lichte  
Print Name: Katie Lichte  
Notary Public, State of Wisconsin  
My Commission: 01-06-23



This document was drafted by  
Attorney D. Clarke Sugar  
Axley Brynelson, LLP  
P.O. Box 1767  
Madison, WI 53701-1767

**EXHIBIT A**

**LEGAL DESCRIPTION OF BALLAST DRIVE**

Vacation and discontinuance of all of Ballast Drive lying within the plat of TRADESMEN COMMERCE PARK, as recorded in Volume 59-050A of Plats, on pages 244-245, as Document Number 4416563, Dane County Registry, located in part of the NW¼ of the SW¼ of Section 26, T7N, R10E, in the City of Madison, Dane County, Wisconsin, more fully described as follows:

Beginning at the Southeast corner of Lot 7, of said TRADESMEN COMMERCE PARK; thence South 01 degree 45 minutes 00 seconds East, 66.00 feet; thence South 88 degrees 15 minutes 00 seconds West, 352.97 feet to a point of curvature; thence along the arc of a curve to the right through a central angle of 91 degrees 11 minutes 38 seconds, an arc distance of 291.27 feet, a radius of 183.00 feet and a chord bearing North 46 degrees 09 minutes 11 seconds West, 261.48 feet; thence North 00 degrees 33 minutes 22 seconds West, 162.19 feet to a point of curvature; thence along the arc of a curve to the left through a central angle of 89 degrees 59 minutes 42 seconds, an arc distance of 23.56 feet, a radius of 15.00 feet and a chord bearing North 45 degrees 33 minutes 13 seconds West, 21.21 feet; thence North 89 degrees 26 minutes 56 seconds East, 96.00 feet to a point of curvature; thence along the arc of a curve to the left through a central angle of 90 degrees 00 minutes 18 seconds, an arc distance of 23.56 feet, a radius of 15.00 feet and a chord bearing South 44 degrees 26 minutes 47 seconds West, 21.21 feet; thence South 00 degrees 33 minutes 22 seconds East, 162.18 feet to a point of curvature; thence along the arc of a curve to the left through a central angle of 91 degrees 11 minutes 38 seconds, an arc distance of 186.22 feet, a radius of 117.00 feet and a chord bearing South 46 degrees 09 minutes 11 seconds East, 167.18 feet; thence North 88 degrees 15 minutes 00 seconds East, 352.97 feet to the point of beginning.

Containing 50,844 sq. ft. or 1.1672 acres, more or less.

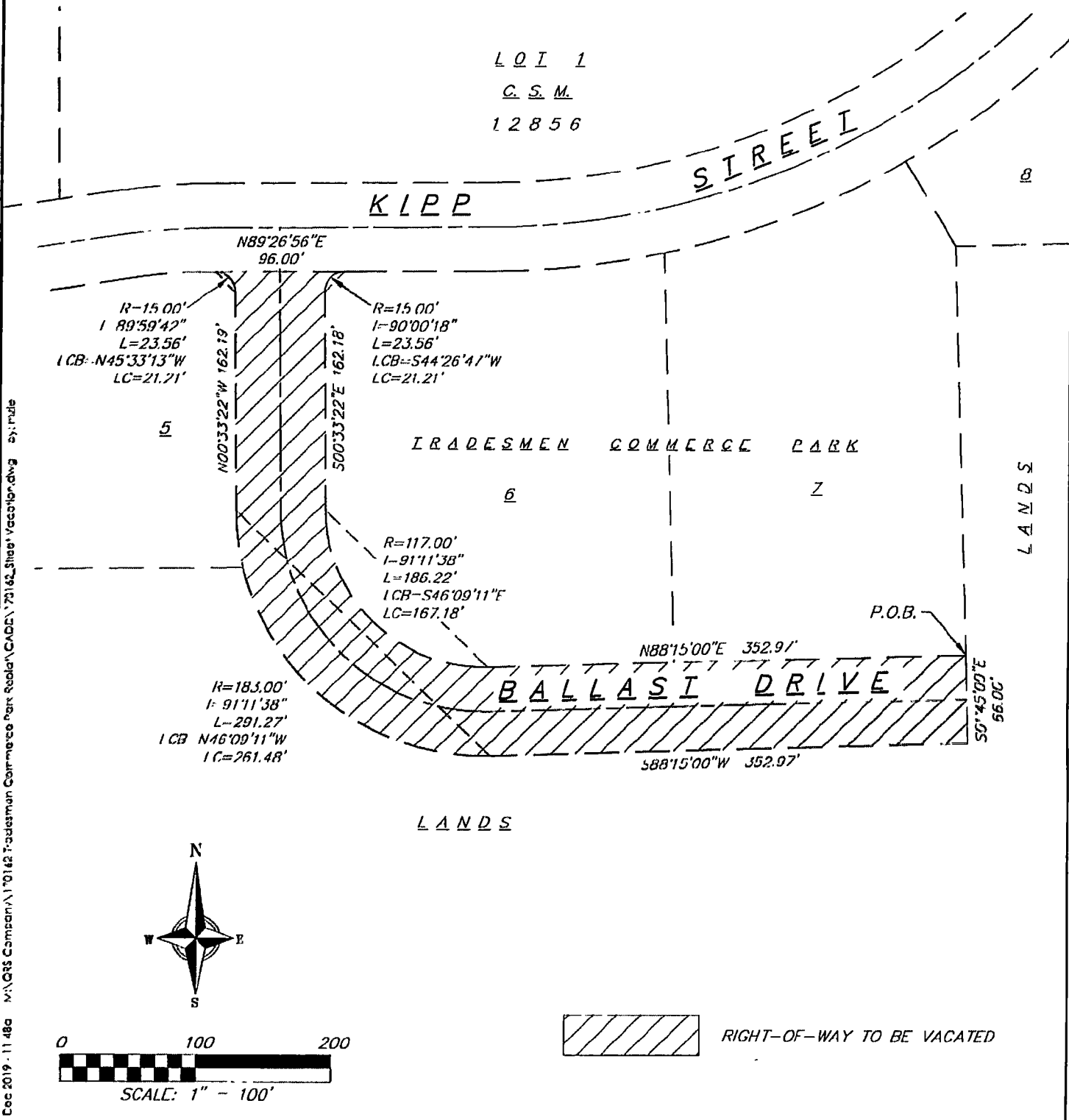
**EXHIBIT B**

**MAP OF BALLAST DRIVE**

**[See attached]**

CITY OF MADISON  
PUBLIC ROAD RIGHT-OF-WAY VACATION

LOI 1  
C. S. M.  
12856



M:\GIS Company\170162 Tradesman Commerce Park Road\CAD\170162\_Sheet\_Vacation.dwg sy: rude

**vierbicher**  
planners | engineers | advisors  
Phone: (800) 261-3898

EXHIBIT B

SCALE	1"=100'	SHEET 1 OF 1
CHECKED	MMAR	
DRAFTER	M7IF	
DATE	12/09/2019	
JOB NO	170162	

**EXHIBIT C**

**PETITION TO DISCONTINUE AND VACATE**

**[See attached]**

**PETITION TO DISCONTINUE AND  
VACATE A PORTION OF RIGHT-OF-WAY  
RE: BALLAST DRIVE**

This Petition is made pursuant to Wis. Stat. sec. 66.1003, to vacate and discontinue areas dedicated to the public as a public way. The undersigned Petitioners petition and state the following:

1. Pursuant to development of real property in Tradesmen Commerce Park, in the City of Madison, Wisconsin, the landowners abutting Ballast Drive have determined that this public way is not needed for public right of way purposes, and that the public interest requires that the City's interest in that piece of property be vacated and discontinued. The area to be vacated and discontinued (the "**Discontinued Property**") is identified in the attached **Exhibit A** (Legal Description) and **Exhibit B** (Map).

2. The undersigned are the owners of all the frontage abutting upon the Discontinued Property. The Discontinued Property constitutes all of Ballast Drive and, following the vacation and discontinuance, there will be no remaining portion of Ballast Drive. The undersigned therefore submit this petition in accordance with Section 66.1003(2), Wis. Stats., seeking the City's approval to vacate and discontinue the Discontinued Property.

**PETITIONERS:**

MARSH ROAD DEVELOPMENT  
CORPORATION,  
a Wisconsin corporation

QRS COMPANY LLC,  
a Wisconsin limited liability company

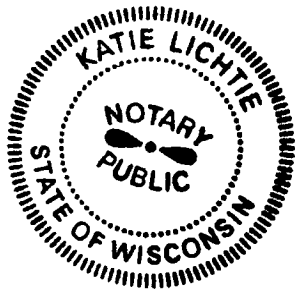
By: Thomas DeBeck by Janice Ryan POA  
Name: Thomas DeBeck  
Title: Owner

By: Thomas DeBeck by Janice Ryan POA  
Name: Thomas DeBeck  
Title: Owner

**ACKNOWLEDGMENT:**

STATE OF WISCONSIN    )  
  )  
COUNTY OF DANE        )

Personally came before me on this 22 day of January, 2020, the above-named Thomas G. DeBeck, to me know to be the person who executed the foregoing instrument on behalf of Marsh Road Development Corporation and QRS Company LLC and acknowledged the same.



Katie Lichtie  
Print Name: Katie Lichtie  
Notary Public, State of Wisconsin  
My Commission expires: 01-06-23

**EXHIBIT A**

**LEGAL DESCRIPTION OF DISCONTINUED PROPERTY**

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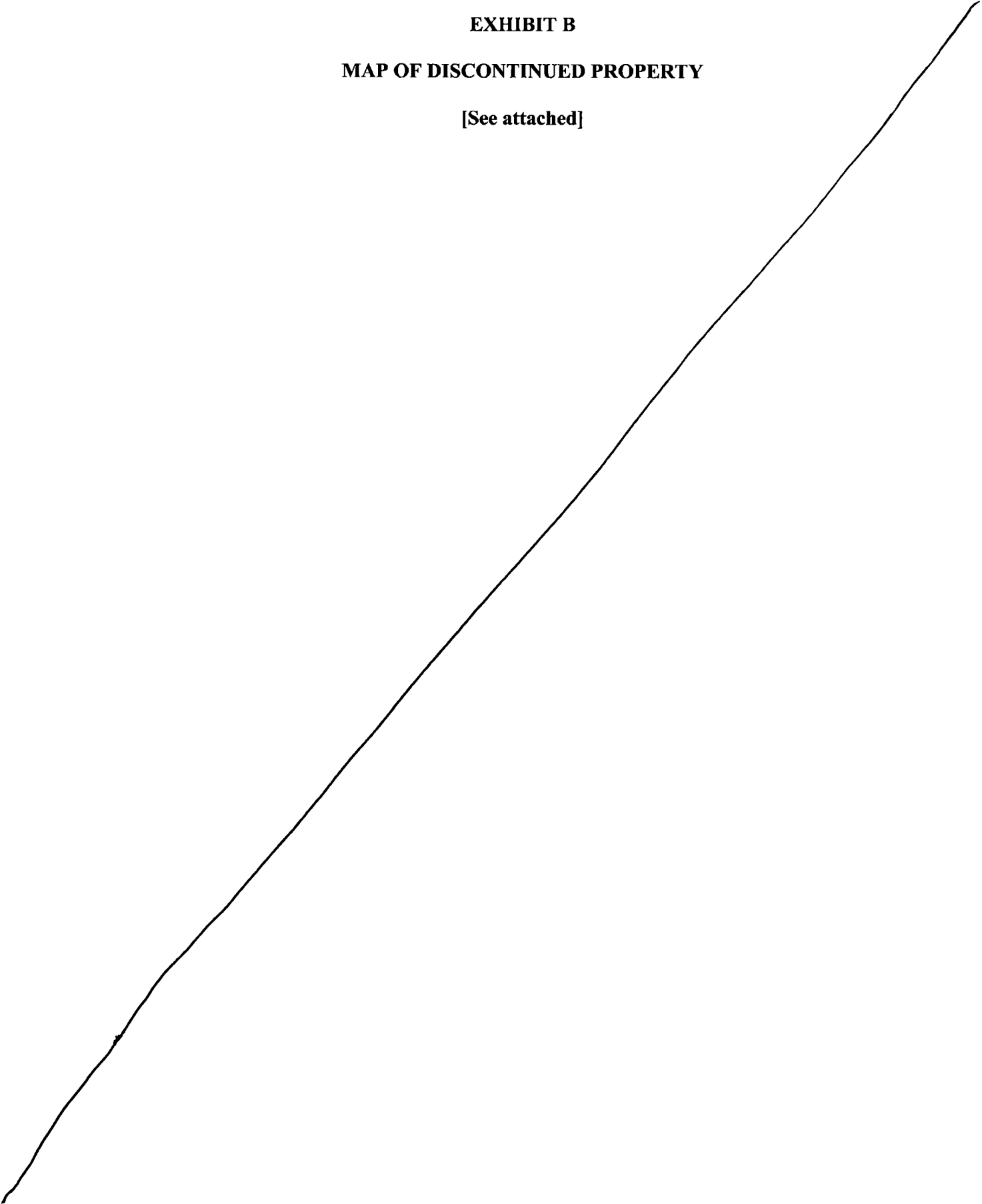
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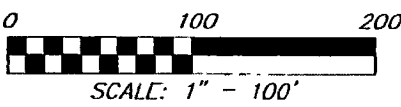
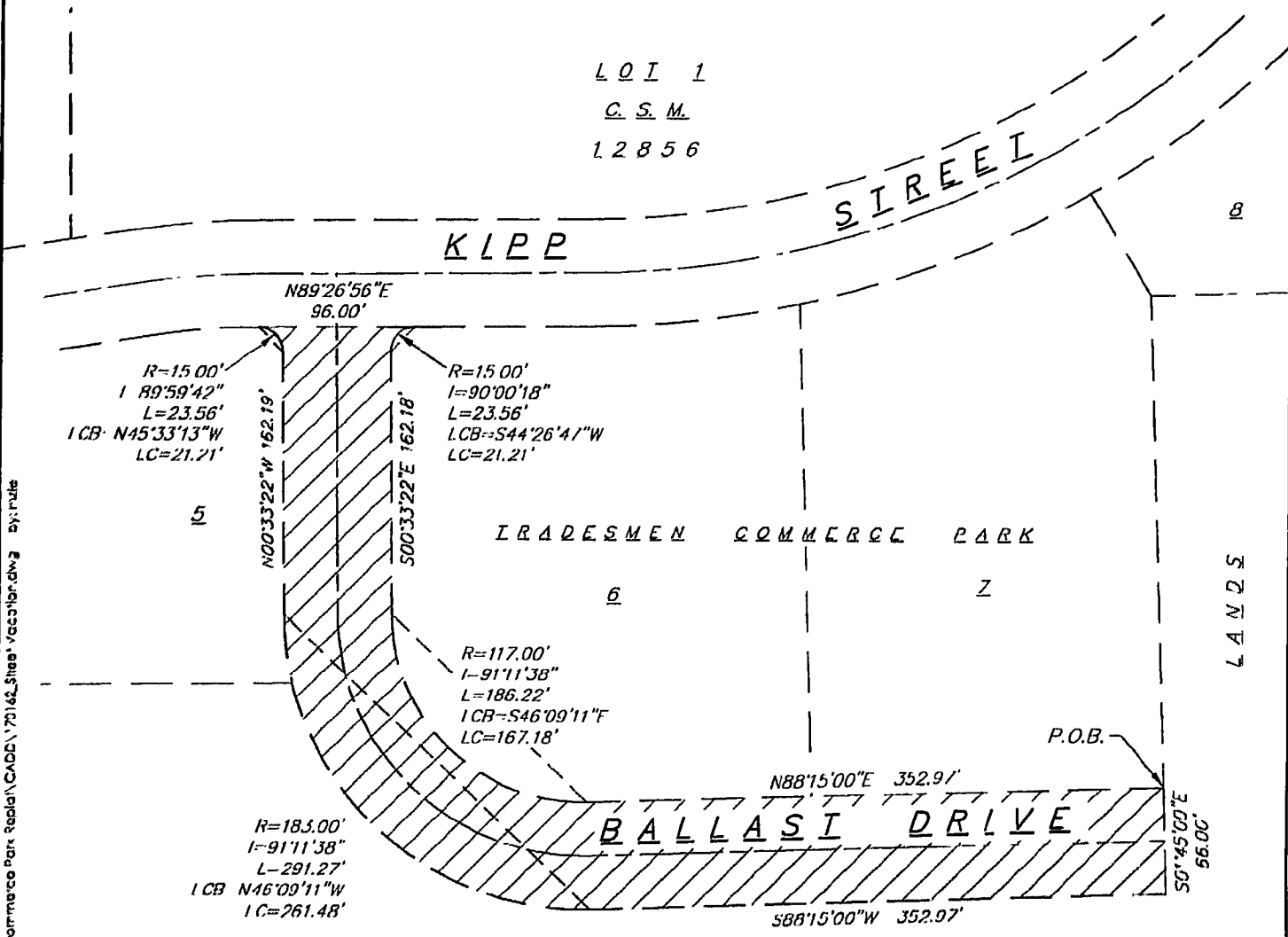
**EXHIBIT B**  
**MAP OF DISCONTINUED PROPERTY**

**[See attached]**



# CITY OF MADISON PUBLIC ROAD RIGHT-OF-WAY VACATION

LOI 1  
C. S. M.  
12856



RIGHT-OF-WAY TO BE VACATED

M:\GIS Company\170162 Tradesman Commerce Park\spid\CADD\170162\_Site\_Vacation.dwg by: rube  
 11 Dec 2019 11:48a

**vierbicher**  
 planners | engineers | advisors

Phone: (800) 261-3898

## EXHIBIT B

SCALE	1"=100'	SHEET  1 OF 1
CHECKED	MMAR	
DRAFTER	M7IF	
DATE	12/09/2019	
JOB NO.	170162	