

Unimproved rights of way vacation-Village at Autumn Lake Replat

KRISTI CHLEBOWSKI
DANE COUNTY
REGISTER OF DEEDS

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 23rd day of March, 2021. A copy of the resolution is attached.

DOCUMENT #
5703379
03/10/2021 12:49 PM
Trans Fee:
Exempt #:
Rec. Fee: 30.00
Pages: 7

Discontinuing and vacating multiple public unimproved street and alley rights-of-way within the plat of Village at Autumn Lake Replat Resolution 21-00123
ID#: 63433

Recording Area

Name and Return Address

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

Parcel Identification Number (PIN)

March 5, 2021
Date

Maribeth Witzel-Behl
Signature of Clerk

Maribeth Witzel-Behl City Clerk
*Name printed

Date

n/a
Signature of Grantor

*Name printed

STATE OF WISCONSIN, County of Dane

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

Eric Christianson

Subscribed and sworn to before me on March 5, 2021 by the above named person(s).

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

Print or type name: Eric Christianson

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

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

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

Certified Copy

Resolution: RES-21-00123

File Number: 63433

Enactment Number: RES-21-00123

Discontinuing and vacating multiple public unimproved street and alley rights-of-way within the plat of Village at Autumn Lake Replat to allow the replatting of a portion the development, being located in the Northeast 1/4 of the Southwest 1/4 of Section 26, Township 8 North, Range 10 East, City of Madison, Dane County, Wisconsin. (17th AD)

WHEREAS, the plat of Village at Autumn Lake Replat was conditionally approved by the City of Madison Common Council by Enactment Number RES-15-00467, File I.D. Number 37002, as adopted on the 19th of May, 2015 and the said Enactment provided for the acceptance of the lands dedicated for public street rights-of-way; and

WHEREAS, the plat of Village at Autumn Lake Replat was subsequently recorded upon the satisfaction of the conditions of approval on the 3rd of December, 2015 in Volume 60-045A of Plats on pages 230 - 249, as Document Number 5201276, Dane County Register of Deeds; and

WHEREAS, an application was made with the Department of Planning & Community & Economic Development for a preliminary and final plat of Village at Autumn Lake Replat No. 5 to replat a portion of the plat of Village at Autumn Lake Replat reconfiguring the lots, alleys and streets to integrate additional housing affordability and diversity within the neighborhood through the creation of new single family lot types and attached housing options; and

WHEREAS, the said plat of was conditionally approved by the City of Madison Common Council by Enactment Number RES-20-00779, File I.D. Number 62131, as adopted on the 17th of November, 2020; and

WHEREAS, the conditionally approved Village at Autumn Lake Replat No. 5 will alter and change some areas that have been previously dedicated to the public for public street and alley rights-of-way, and the replat may not be recorded until those areas previously dedicated to the public have been properly vacated and discontinued under s. 66.1003 Wisconsin Statutes; and

WHEREAS, portions of the unimproved public rights-of-way of Kayak Lane, Sanctuary Drive and an unnamed Public Alley lying between Autumn Lake Pkwy and Waterfall Way, all dedicated by the plat of Village at Autumn Lake Replat, are to be vacated and discontinued allowing for the replatting of the lands. D'Onofrio Kottke and Associates Inc. and City of Madison Engineering Division, have prepared the necessary public right-of-way vacation and discontinuance map (Exhibit A) and legal description (Exhibit B) delineating all of these areas to be discontinued, all Exhibits are attached hereto and made part of this resolution; and

WHEREAS, the current developer and owner have not constructed, nor has the City of Madison accepted any new public utilities or street improvements in conjunction with the Village at Autumn Lake Replat within any of the public rights-of-way to be vacated and discontinued; and

WHEREAS, this vacation and discontinuance will not result in a landlocked parcel of property due to the current contiguous common ownership of the Lots of the plat of Village at Autumn Lake Replat adjacent to this proposed vacation and discontinuance; and

WHEREAS, the City Engineering Division recommends approval of these public right-of-way vacations and discontinuances subject to conditions as noted herein.

NOW THEREFORE BE IT RESOLVED, that since the public interest requires it, the City Of Madison hereby conditionally vacates and discontinues the public rights-of-way as shown on attached maps and legal descriptions, under Wisconsin ss. 66.1003(4), upon completion of the following condition:

- The Developer of Village at Autumn Lake Replat No. 5 shall enter into any agreement(s) required by the City of Madison in conjunction with the approval of the proposed development of Village at Autumn Lake Replat No. 5.
- The conditions of approval for the preliminary and final plat for the Village at Autumn Lake Replat No. 5 shall be addressed to the satisfaction of the City of Madison Engineer.

BE IT FURTHER RESOLVED, that under Section 66.1005(2)(a)(1), the City Of Madison releases all easements and rights it may have within the public right-of-ways being vacated and discontinued; and

BE IT FURTHER RESOLVED, under Section 66.1005(2), Wisconsin Statutes, other than those easements and rights retained and released above, any other existing easements and rights that exist within the vacated and discontinued public rights-of-way and unpaved public alleys 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 rights-of-way herein vacated and discontinued shall attach to the adjacent properties; and

BE IT FINALLY RESOLVED, upon Common Council adoption of this resolution and completion all street vacation and discontinuance conditions identified above to the satisfaction of the City Engineer, 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.

I, City Clerk Maribeth Witzel-Behl, certify that this is a true copy of Resolution No. 21-00123, file id 63433, adopted by the Madison Common Council on 2/23/2021.

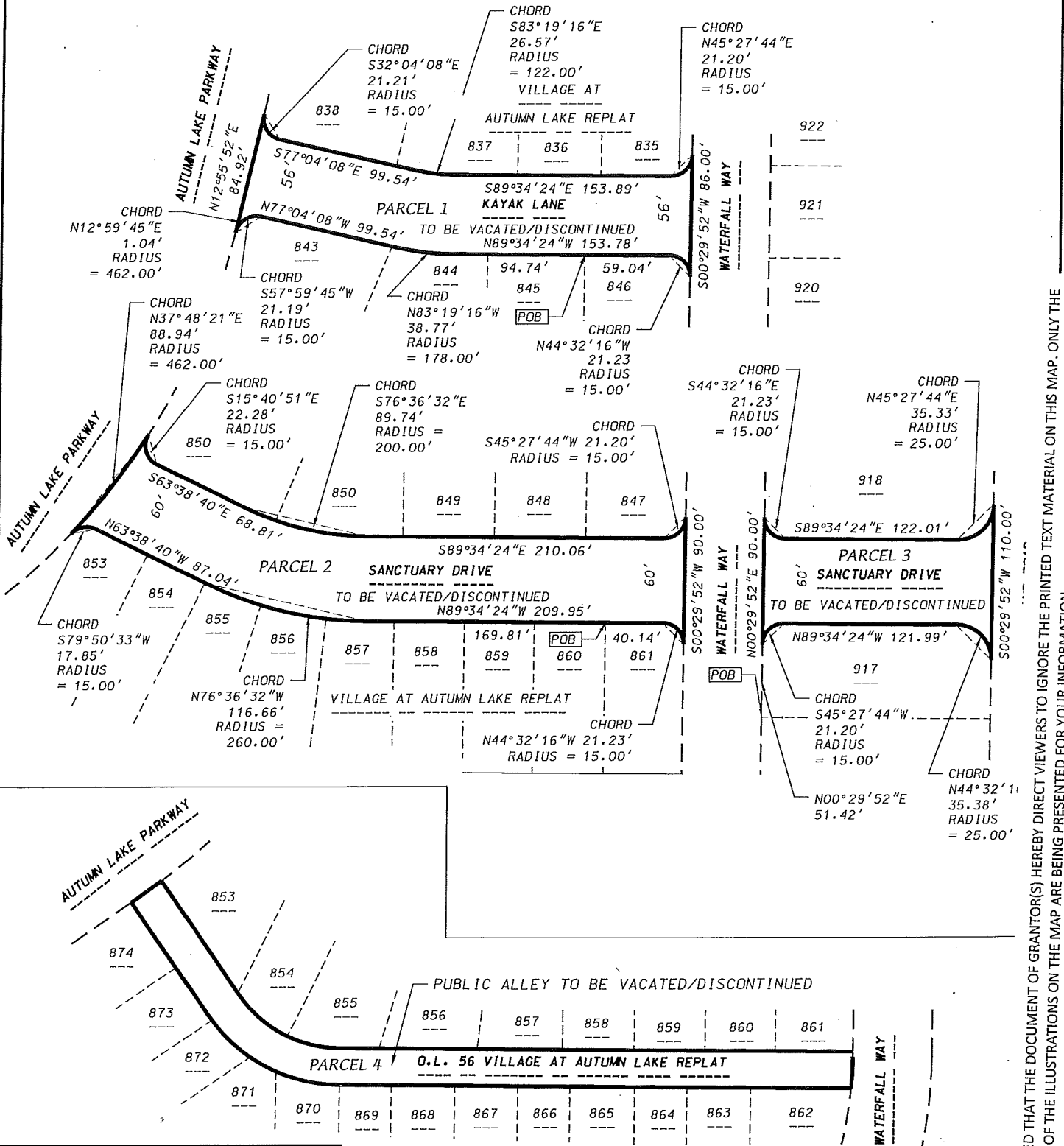
Maribeth Witzel-Behl

3/3/2021

Date Certified

EXHIBIT "A"

PUBLIC RIGHT OF WAYS TO BE VACATED AND DISCONTINUED

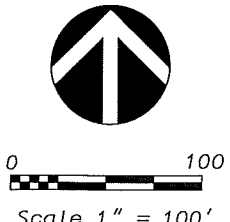


NOTE: PLEASE BE ADVISED THAT THE DOCUMENT OF GRANTOR(S) HEREBY DIRECT VIEWERS TO IGNORE THE PRINTED TEXT MATERIAL ON THIS MAP. ONLY THE SPATIAL RELATIONSHIPS OF THE ILLUSTRATIONS ON THE MAP ARE BEING PRESENTED FOR YOUR INFORMATION.

Signed by grantor(s) or grantor(s) agent: *Maribeth Witzel-Behl*
 Name of grantor(s) or grantor(s) agent printed: Maribeth Witzel-Behl

Date: 3/3/2021

D'ONOFRIO KOTTKE AND ASSOCIATES, INC.
 7530 Westward Way, Madison, WI 53717
 Phone: 608.833.7530 • Fax: 608.833.1089
 YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT



DATE: 12-09-
 F.N.: 20-07-10b

EXHIBIT "B"

LEGAL DESCRIPTIONS

Parcel 1:

Kayak Lane, a dedicated public right-of-way within Village at Autumn Lake Replat, recorded in Volume 60-045A of Plats on pages 230-249 as Document Number 5201276 in the Dane County Register of Deeds Office, located in part of the NE1/4 of the SW1/4 of Section 26, T8N, R10E in the City of Madison, Dane County, Wisconsin to-wit:

Beginning at the Northeast corner of Lot 845, Village at Autumn Lake Replat; thence N89°34'24"W, 94.74 feet to a point of curve; thence Westerly along a curve to the right which has a radius of 178.00 feet and a chord which bears N83°19'16"W, 38.77 feet; thence N77°04'08"W, 99.54 feet to a point of curve; thence Southwesterly along a curve to the left which has a radius of 15.00 feet and a chord which bears S57°59'45"W, 21.19 feet to a point of curve; thence Northerly along a curve to the left which has a radius of 462.00 feet and a chord which bears N12°59'45"E, 1.04 feet; thence N12°55'52"E, 84.92 feet to a point of curve; thence Southeasterly along a curve to the left which has a radius of 15.00 feet and a chord which bears S32°04'08"E, 21.21 feet; thence S77°04'08"E, 99.54 feet to a point of curve; thence Easterly along a curve to the left which has a radius of 122.00 feet and a chord which bears S83°19'16"E, 26.57 feet; thence S89°34'24"E, 153.89 feet to a point of curve; thence Northeasterly along a curve to the left which has a radius of 15.00 feet and a chord which bears N45°27'44"E, 21.20 feet; thence S00°29'52"W, 86.00 feet to a point of curve; thence Northwesterly along a curve to the left which has a radius of 15.00 feet and a chord which bears N44°32'16"W, 21.23 feet; thence N89°34'24"W, 59.04 feet to the point of beginning. Containing 17,894 square feet.

Parcel 2:

A portion of Sanctuary Drive a dedicated public right-of-way within Village at Autumn Lake Replat, recorded in Volume 60-045A of Plats on pages 230-249 as Document Number 5201276 in the Dane County Register of Deeds Office, located in part of the NE1/4 of the SW1/4 of Section 26, T8N, R10E in the City of Madison, Dane County, Wisconsin to-wit:

Beginning at the Northeast corner of Lot 860, Village at Autumn Lake Replat; thence N89°34'24"W, 169.81 feet to a point of curve; thence Northwesterly along a curve to the right which has a radius of 260.00 feet and a chord which bears N76°36'32"W, 116.66 feet; thence N63°38'40"W, 87.04 feet to a point of curve; thence Westerly along a curve to the left which has a radius of 15.00 feet and a chord which bears S79°50'33"W, 17.85 feet to a point of curve; thence Northeasterly along a curve to the left which has a radius of 462.00 feet and a chord which bears N37°48'21"E, 88.94 feet to a point of curve; thence Southeasterly along a curve to the left which has a radius of 15.00 feet and a chord which bears S15°40'51"E, 22.28 feet; thence S63°38'40"E, 68.81 feet to a point of curve; thence Southeasterly along a curve to the left which has a radius of 200.00 feet and a chord which bears S76°36'32"E, 89.74 feet; thence S89°34'24"E, 210.06 feet to a point of curve; thence Northeasterly along a curve to the left which has a radius of 15.00 feet and a chord which bears N45°27'44"E, 21.20 feet; thence S00°29'52"W, 90.00 feet to a point of curve; thence Northwesterly along a curve to the left which has a radius of 15.00 feet and a chord which bears N44°32'16"W, 21.23 feet; thence N89°34'24"W, 40.14 feet to the point of beginning. Containing 25,408 square feet

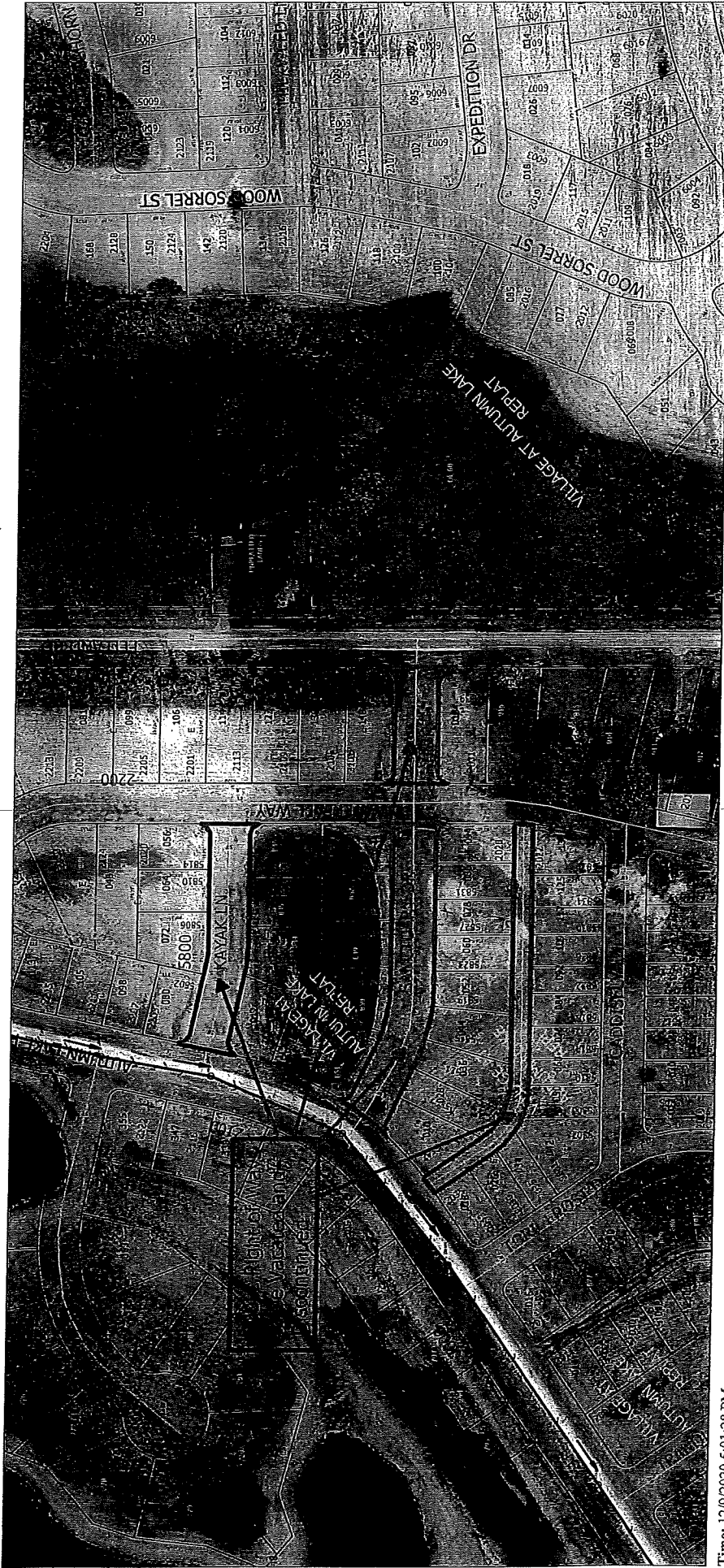
Parcel 3:

A portion of Sanctuary Drive a dedicated public right-of-way within Village at Autumn Lake Replat, recorded in Volume 60-045A of Plats on pages 230-249 as Document Number 5201276 in the Dane County Register of Deeds Office, located in part of the NE1/4 of the SW1/4 of Section 26, T8N, R10E in the City of Madison, Dane County, Wisconsin to-wit:

Commencing at the Southwest corner of Lot 917, Village at Autumn Lake Replat; thence N00°29'52"E, 51.42 feet to the point of beginning; thence N00°29'52"E, 90.00 feet to a point of curve; thence Southeasterly along a curve to the left which has a radius of 15.00 feet and a chord which bears S44°32'16"E, 21.23 feet; thence S89°34'24"E, 122.01 feet to a point of curve; thence Northeasterly along a curve to the left which has a radius of 25.00 feet and a chord which bears N45°27'44"E, 35.33 feet; thence S00°29'52"W, 110.00 feet to a point of curve; thence Northwesterly along a curve to the left which has a radius of 25.00 feet and a chord which bears N44°32'16"W, 35.38 feet; thence N89°34'24"W, 121.99 feet to a point of curve; thence Southwesterly along a curve to the left which has a radius of 15.00 feet and a chord which bears S45°27'44"W, 21.20 feet to the point of beginning. Containing 10,085 square feet.

Parcel 4:

Outlot 56, Village at Autumn Lake Replat, recorded in Volume 60-045A of Plats on pages 230-249 as Document Number 5201276 in the Dane County Register of Deeds Office, located in part of the NE1/4 of the SW1/4 of Section 26, T8N, R10E in the City of Madison, Dane County, Wisconsin. Containing 11,478 square feet.



Time: 12/9/2020 5:01:28 PM

Session: U:\GIT\Viewer_Sessions\Quamme.gis

Note: Vicinity Map Autumn Lake Replat Discontinuances

City of Madison, WI - GIS/Mapping data

Printed By: enjrq

Disclaimer: The City makes no representation about the accuracy of these records and shall not be liable for any damages

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 5, 2021

Name of grantor(s) or grantor(s) agent printed: Maribeth Witzel-Behl