



## Legislation Details (With Text)

<b>File #:</b>	10455	<b>Version:</b>	1	<b>Name:</b>	7496 TID #38 Creation Resolution
<b>Type:</b>	Resolution	<b>Status:</b>	Passed		
<b>File created:</b>	5/13/2008	<b>In control:</b>	BOARD OF ESTIMATES (ended 4/2017)		
<b>On agenda:</b>	6/17/2008	<b>Final action:</b>	6/17/2008		
<b>Enactment date:</b>	6/19/2008	<b>Enactment #:</b>	RES-08-00633		
<b>Title:</b>	Creating Tax Incremental Finance (TIF) District #38 (Badger-Ann-Park) City of Madison and approving a Project Plan and Boundary for said TIF District.				
<b>Sponsors:</b>	Tim Bruer				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. 7496 TID #38 Blight Study.pdf, 2. TID #38 Project Plan FINAL.pdf, 3. 7496 TID #38 JRB Staff Report.pdf				

Date	Ver.	Action By	Action	Result
6/17/2008	1	COMMON COUNCIL	Adopt	Pass
6/9/2008	1	BOARD OF ESTIMATES (ended 4/2017)	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
6/2/2008	1	PLAN COMMISSION	Return to Lead with the Recommendation for Approval	Pass
5/20/2008	1	BOARD OF ESTIMATES (ended 4/2017)	Refer	
5/20/2008	1	COMMON COUNCIL	Refer	
5/13/2008	1	Community and Economic Development Unit	Referred for Introduction	

### Fiscal Note

The proposed project plan for TID #38 (Badger-Ann-Park) allows for total capital project costs of \$11,561,000 which can be incurred any time during the first 22 years of the district's life. Of that amount, \$11,033,000 would be funded with anticipated future TIF increment. Authorization to proceed with the individual projects contained in the plan will require separate Council authorization in future capital budgets. See the Detailed Estimate of Timing and Project Costs and Economic Feasibility sections of the proposed Project Plan for additional information.

### Title

Creating Tax Incremental Finance (TIF) District #38 (Badger-Ann-Park) City of Madison and approving a Project Plan and Boundary for said TIF District.

### Body

WHEREAS Chapter 105 of the Laws of 1975 of the State of Wisconsin created the Tax Increment Law, Section 66.1105, Wisconsin Statutes; and

WHEREAS said Law sets forth certain steps which must be followed to create a Tax Incremental Finance District and approve a Project Plan; and

WHEREAS Tax Incremental Finance District #38 is described below; and

WHEREAS a Notice of Public Hearing by the Plan Commission to afford interested parties an opportunity to express their views on the creation of the District and the Project Plan for Tax Incremental Finance District #38

was published in the Wisconsin State Journal on May 16 and May 23, 2008 as required by said Law; and

WHEREAS prior to publication of the Notice of Public Hearing a copy of the Notice was sent by first-class mail to each of the chief executive officers or administrators of all local governmental entities having the power to levy taxes on property within the proposed Tax Incremental Finance District #38; and

WHEREAS the Plan Commission of the City of Madison held a public hearing on June 2, 2008, at which interested parties were afforded an opportunity to express their views on the proposed Project Plan for Tax Incremental Finance District #38; and

WHEREAS the Plan Commission has made the following findings as indicated in the attached report:

1. No less than 50%, by area, of the real property within such Tax Incremental District is blighted within the meaning of 66.1101(2), Wisconsin Statutes.
2. The improvement of such area is likely to significantly enhance the value of a substantial portion of the other real property in such District.
3. The project costs as described in the Project Plan relate directly to promoting blight elimination in the area consistent with the purpose for which the Tax Incremental District is created.
4. The aggregate value of equalized taxable property of the District, plus all existing districts, does not exceed 12% of the total value of equalized taxable property within the City.
5. Tax Incremental Finance District #38 (Badger-Ann-Park) is hereby declared a blighted area district.

WHEREAS the Plan Commission has determined that this District meets the basic requirements of City TIF Policy for tax incremental district proposals adopted by the Common Council on April 17, 2001 (insofar as they are applicable to the creation of a district and a project plan), conforms to the Comprehensive Plan for the City of Madison and is consistent with the review criteria adopted at the same time, specifically, that the District supports economic development activities intended to stabilize and diversify the City's economic base.

NOW THEREFORE BE IT RESOLVED that the Common Council of the City of Madison finds that:

1. No less than 50%, by area, of the real property within such Tax Incremental District is blighted within the meaning of Section 66.1101(2), Wisconsin Statutes.
2. The improvement of such area is likely to significantly enhance the value of a substantial portion of the other real property in such District.
3. The project costs as described in the Project Plan relate directly to promoting blight elimination in the area consistent with the purpose for which the Tax Incremental District is created.
4. The aggregate value of equalized taxable property of the District, plus all existing districts, does not exceed 12% of the total value of equalized taxable property within the City.
5. Tax Incremental Finance District #38 (Badger-Ann-Park) is hereby declared a blighted area district.

BE IT FURTHER RESOLVED that Tax Incremental Finance District #38 (Badger-Ann-Park), City of Madison, is hereby created as of January 1, 2008, and that the boundaries for said District are as below-described and as described in the Project Plan and that the boundaries of said District include only whole units of property assessed for general property tax purposes.

BE IT STILL FURTHER RESOLVED that the attached Project Plan for Tax Incremental Finance District #38

(Badger-Ann-Park), City of Madison, is hereby adopted as the Project Plan for said District and such plan is feasible and in conformity with the Master Plan and the Economic Development Plan for the City of Madison and will add to the sound growth of the City.

BE IT STILL FURTHER RESOLVED that the Mayor and City Clerk of the City of Madison are hereby authorized to execute any and all documents as approved by the City Attorney to further the objectives of the approved Project Plan.

**LEGAL DESCRIPTION**  
**TIF District No. 38 (Badger-Ann-Park)**

A parcel of land located in the Southwest Quarter (SW  $\frac{1}{4}$ ) and the Southeast Quarter (SE  $\frac{1}{4}$ ) of Section Twenty-six (26), and in the Northeast Quarter (NE  $\frac{1}{4}$ ), the Northwest Quarter (NW  $\frac{1}{4}$ ), the Southwest Quarter (SW  $\frac{1}{4}$ ), and the Southeast Quarter (SE  $\frac{1}{4}$ ) of Section Thirty-five (35), Township Seven North (T7N), Range Nine East (R9E) of the Fourth Principal Meridian (4PM), located in the City of Madison, Dane County, Wisconsin, more fully described to wit:

Commencing at the Southwest corner of said Section Thirty-five (35); thence along the West line of the Southwest Quarter (SW  $\frac{1}{4}$ ) of said Section Thirty-five (35), northerly to the southerly right of way Ann Street; thence along said southerly right of way, easterly to the southerly elongation of the westerly line of Lot Five (5) of Hrubesky Commercial Plat, said point also being the **point of beginning**; thence along said southerly elongation and said westerly line of Lot Five (5), northerly to the northwesterly corner of said Lot Five (5); thence along the northerly line of said Lot Five (5), and along the northerly lines of Lots Six (6), Seven (7), and Eight (8) of said Hrubesky Commercial Plat, easterly to the northeasterly corner of said Lot Eight (8) (said point also being the southeasterly corner of Lot Eleven (11) of Block Two (2), Haase Gardens; thence along the easterly line of said Lot Eleven (11), and along the easterly lines of Lots Twelve (12) and Two (2) of said Block Two (2), Haase Gardens, northerly to the southwest corner of Lot Six (6) of Town of Madison Assessor's Plat No. 5; thence along the southerly line of said Town of Madison Assessor's Plat No. 5, and along the northerly line of Lot Three (3) of Certified Survey Map No. 8914, easterly to the northeasterly corner of said Lot Three (3); thence along the easterly line of said Lot Three (3), southerly to the northwesterly corner of Lot Four (4), said Certified Survey Map No. 8914; thence along the northerly line of said Lot Four (4), easterly to an interior thereof (said point also being the southeasterly corner of lands conveyed by Doc. No. 3104994 (recorded on 4-21-1999); thence along the easterly line of said lands, northerly, 109 feet, more or less, to an interior corner thereof; thence along a southerly line of said lands, easterly 35.8 feet, more or less, to a southeasterly corner thereof; thence along the easterly line of said lands, northerly, 270.2 feet, more or less, to the southwesterly corner of Certified Survey Map No. 106; thence along the westerly line of said Certified Survey Map No. 106, and along the northerly elongation thereof, northerly, 299.00 feet, more or less, to the North line of the Southwest  $\frac{1}{4}$  of said Section 35, said point being 1800.07 feet East of the West  $\frac{1}{4}$  corner thereof; thence along said North line, westerly to the southerly elongation of the easterly line of Lot Seven (7) of Burr Oaks; thence along said southerly elongation and said easterly line, northerly to the northeasterly corner of said Lot Seven (7); thence along the northerly line of said Lot Seven (7), westerly to the southwesterly corner of Lot Fifty-seven (57) of First Addition to Burr Oaks; thence along the westerly line of said Lot Fifty-seven (57), northerly to the northwesterly corner thereof (said point also being on the southerly right of way of Magnolia Lane); thence across said Magnolia Lane, northerly to the southwesterly corner of Lot Seventy-four (74) of said First Addition to Burr Oaks; thence along the westerly line of said Lot Seventy-four (74), northerly to the southeasterly corner of Lot Seventy-six (76) of said First Addition to Burr Oaks (said point also being the westerly corner of said Lot Seventy-four (74)); thence continuing along said westerly line of Lot Seventy-four (74), northerly to the northwesterly corner thereof (said point also being the southwesterly corner of Lot One-hundred and Fifty-seven (157) of Second Addition to Burr Oaks); thence along the westerly line of said Lot One-hundred and Fifty-seven (157), northerly to an interior corner thereof (said point also being the easterly corner of Lot Seventy-seven (77) of said First Addition to Burr Oaks; thence along the southwesterly line of said Lot

One-hundred and Fifty-seven (157), and along the northwesterly elongation thereof, northwesterly to the northwesterly right of way of Hackberry Lane; thence along said northwesterly right of way, northeasterly to a point of curvature; thence along the northwesterly and westerly right of way of said Hackberry Lane along the arc of a curve to the left, northeasterly and northerly to the southerly right of way of Sequoia Trail; thence across said Sequoia Trail, in a perpendicular direction to the northerly right of way thereof, northerly to said northerly right of way; thence along said northerly right of way of Sequoia Trail, easterly to the westerly right of way of Cypress Way; thence along said westerly right of way, northerly to the northeasterly corner of said Second Addition to Burr Oaks; thence along the northerly line of said First Addition to Burr Oaks, and along the southerly line of Block Five (5), Oak Ridge, easterly to the southwest corner of Lot Ten (10) of said Block Five (5); thence along the westerly line of said Lot Ten (10), and along the northerly elongation thereof, northerly to the platted centerline of Ridgewood Street (n.k.a. Ridgewood Way); thence along said centerline, easterly to the southerly elongation of the easterly line of Lot Seven (7) of Block Two (2) of said Oak Ridge; thence along said southerly elongation, and along said easterly line of Lot Seven (7), and along the easterly line of Lot Thirty (30) of said Block Two (2), and the northerly elongation of said Lot Thirty (30), northerly to the platted centerline of Dane Street (originally platted as Fitch Street); thence along said centerline, westerly to the southerly elongation of the westerly line of Lot Ten (10) of Block One (1) of said Oak Ridge; thence along said southerly elongation, and along said westerly line of said Lot Ten (10), northerly to the northwesterly corner thereof; thence along the northerly line of said Lot Ten (10), and along the northerly line of Lot Nine (9) of said Block One (1), easterly to the northeasterly corner of said Lot Nine (9) (said point also being the southwest corner of Lot Twenty-one (21) of said Block One (1)); thence along the westerly line of said Lot Twenty-one (21), northerly to the northwesterly corner thereof (said point being on the southerly right of way of Burr Oak Lane); thence across said Burr Oak Lane, northerly to the southeasterly corner of Lot Ten (10) of Block Seven (7) of First Addition to Oak Ridge Subdivision; thence along the line common to said Lot Ten (10) and Lot Nine (9) of said Block Seven (7), northerly to the northeasterly corner of said Lot Ten (10) (said point also being the southeasterly corner of Lot Twenty-one (21) of said Block Seven (7)); thence along the southerly line of said Lot Twenty-one (21), and along the southerly lines of Lots Twenty (20), Nineteen (19), Eighteen (18), and Seventeen (17), westerly to the southwest corner of said Lot Seventeen (17); thence along the westerly line thereof, northerly to a point on said westerly line (said point also being the northeasterly corner of the south 40 feet of Lot Sixteen (16), said Block Seven (7)); thence along the northerly line of said south 40 feet of Lot Sixteen (16), westerly to the easterly right of way of Taylor Street; thence along said easterly right of way and along the northerly elongation thereof, northerly to the platted centerline of North Avenue; thence along said centerline, westerly to a point on the original southeasterly railroad right of way of the Union Pacific Railroad (said railroad right of way formerly owned by the Chicago & North Western Transportation Company) and the southeasterly line of lands conveyed in Doc. No. 2711179 (Vol. 31068, pg. 20) (said point being 50 feet southeasterly of, as measured at right angles to, the centerline of said railroad); thence along said southeasterly line, and said original southeasterly railroad right of way, southwest to the southerly most corner of said lands conveyed in Doc. No. 2711179; thence along the southwest line of said lands, northwesterly to the westerly most corner thereof (said point being 12 feet southeasterly of, as measured at right angles to, said centerline of the Union Pacific Railroad); thence along the northwesterly line of said lands, northeasterly to the northwesterly elongation of lands conveyed in Doc. No. 807787 (Vol. 554, pg. 341); thence along said northwesterly elongation, southeasterly, 38 feet, more or less, to the southeasterly line of said lands conveyed in Doc. No. 2711179; thence along said southeasterly line, southwest to the northerly corner of Lot One (1), Certified Survey Map No. 6568; thence along the northeasterly line of said Lot 1, southeasterly, 71.50 feet, more or less, to the westerly most corner of Lot Two (2), Certified Survey Map No. 10244; thence along a northwesterly line of said Lot Two (2), northeasterly, 30 feet, more or less, to an interior corner thereof; thence along a southwest line of said Lot Two (2), northwesterly, 20 feet, more or less, to a westerly corner thereof; thence along a northwesterly line of said Lot Two (2), northeasterly, 40 feet, more or less, to the northerly corner thereof (said point also being on the southwest line of lands conveyed in Doc. No. 3996921 (recorded on 12/02/2004)); thence along said southwest line, northwesterly to the westerly corner of said lands (said point being 20 feet southeasterly of, as

measured at right angles to, said original southeasterly railroad right of way); thence along the northwesterly line of said lands conveyed in Doc. No. 3996921, northeasterly to the northerly corner thereof; thence along the northeasterly line of said lands, southeasterly to the westerly right of way of South Park Street; thence across said South Park Street, in a perpendicular direction to the easterly right of way thereof, easterly to said easterly right of way; thence along said easterly right of way, northerly to the northwesterly corner of lands conveyed in Doc. No. 1603243 (Vol. 1020, pg. 416) (said point being on the southeasterly right of way of said Union Pacific Railroad); thence along the northwesterly line of said lands conveyed in Doc. No. 1603243, northeasterly to the westerly right of way of Beld Street; thence across said Beld Street, in a perpendicular direction to the easterly right of way thereof, easterly to said easterly right of way; thence along said easterly right of way, southerly to the centerline of vacated Center Street; thence along said centerline of vacated Center Street, easterly to the westerly right of way of Taft Street; thence, across said Taft Street, southeasterly to the intersection of the southerly right of way of Center Street and the easterly right of way of said Taft Street; thence along said easterly right of way, southerly to the intersection thereof with the northerly right of way of Buick Street; thence across said Buick Street, southeasterly to the intersection of the centerline of said Buick Street (as platted on Bram's Second Addition) and the northerly elongation of the easterly line of that portion of lands conveyed in Doc. No. 2265627 (Vol. 15994, pg. 2) existing within the City of Madison, as described in the Attachment Ordinance recorded as Doc. No. 4381103 on 12-13-2007; thence along said northerly elongation, and along said easterly line, southerly, 587.5 feet, more or less, to the northeasterly corner of lands conveyed in Doc. No. 3160144 (recorded on 10-01-1999); thence along the easterly line of said lands conveyed in Doc. No. 3160144, southerly, 306.2 feet, more or less, to the intersection thereof with the northerly line of lands conveyed in Doc. No. 3133493 (recorded on 07-12-1999); thence along said northerly line, and along the northerly line of lands conveyed in Doc. No. 3928527 (recorded on 06-15-2004), easterly, 270 feet, more or less, to the northeasterly corner thereof; thence along the easterly line of said lands, southerly, 290.5 feet, more or less, to the South line of the Northeast Quarter (1/4) of said Section 35; thence along said South line, easterly to the westerly right of way of the Union Pacific Railroad (said railroad right of way formerly owned by the Chicago & North Western Transportation Company) (as described in Doc. No. 3276972 (as recorded on 01-03-2001)); thence along said westerly right of way, southerly, 249.6 feet, more or less, to the northwesterly right of way of United States Highways 12 & 18 (a.k.a. West Beltline Highway); thence along said northwesterly right of way, southwesterly, 414.16 feet, more or less, to an interior corner of lands conveyed in Doc. No. 2177415 (Vol. 13672, pg. 74); thence along a northerly line of said lands, westerly, 120.02 feet, more or less, to an interior corner of said lands; thence along a northeasterly line of said lands, northwesterly, 121.59 feet, more or less, to an interior corner of said lands (said point being on the easterly line of lands conveyed in Doc. No. 838121 (Vol. 249 of Miscellaneous, pg. 413); thence along said easterly line, northerly, 177.40 feet, more or less, to a northeasterly corner thereof (said point being on the southerly line of lands conveyed in Doc. No. 1828306 (Vol. 5554, pg. 5)); thence along said southerly line, and along the southerly lines of Lots One (1) and Two (2) of Certified Survey Map No. 121, westerly to the southwesterly corner of said Lot Two (2), as described in Doc. No. 3003098 (recorded on 08-05-1998); thence along the southwesterly line of said Lot Two (2), and along the northwesterly elongation thereof, northwesterly to the centerline of West Badger Road; thence along said centerline, westerly to the northeasterly elongation of the of the northwesterly line of lands conveyed in Doc. No. 2182847 (Vol. 13802, pg. 1) and in Doc. No. 2182844 (Vol. 13801, pg. 93) and in Doc. No. 2182845 (Vol. 13801 pg. 95), said northwesterly line being coterminous with the southeasterly line of Certified Survey Map No. 4778; thence along said northeasterly elongation, southwesterly to the northwesterly corner of said lands (said point also being the easterly corner of said Certified Survey Map No. 4778); thence along said northwesterly line of said lands, and along said southeasterly line of said Certified Survey Map No. 4778, and along the southeasterly line of Certified Survey Map No. 4074, southwesterly, 740.88 feet, more or less, to an interior corner of said lands conveyed in Doc. No. 2182847 and in Doc. No. 2182844 and in Doc. No. 2182845 (said point also being on the southeasterly line of said Certified Survey Map No. 4074); thence along a northwesterly line of said lands, southwesterly, 160.58 feet, more or less, to an interior corner thereof; thence along a northwesterly line of said lands, southwesterly, 167.50 feet, more or less, to a northwesterly corner of said lands (said point being on the easterly right of way of Perry

Street); thence across said Perry Street, southwesterly, to the southeasterly corner of lands conveyed in Doc. No. 893099 (Vol. 627, pg. 570) (said point being on the southerly right of way of Ann Street); thence along said southerly right of way, westerly to the **point of beginning**.

Footnotes:

- Hrubesky Commercial Plat, recorded in Volume 19 of Plats on page 39.
- Haase Gardens, recorded in Volume 26 of Plats on page 28, as Document No. 1066754.
- Town of Madison Assessor's Plat No. 5, recorded in Volume 20 of Plats on page 34.
- Certified Survey Map No. 8914, recorded in Volume 49 of Certified Survey Maps on page 290.
- Certified Survey Map No. 106, recorded in Volume 1 of Certified Survey Maps on page 106.
- Burr Oaks, recorded in Volume 20 of Plats on page 45, as Document No. 950150.
- First Addition to Burr Oaks, recorded in Volume 21 of Plats on pages 38-39, as Document No. 965763.
- Second Addition to Burr Oaks, recorded in Volume 22 of Plats on page 26, as Document No. 978165.
- Oak Ridge Subdivision, recorded in Volume 4 of Plats on page 32, as Document No. 290503.
- First Addition to Oak Ridge Subdivision, recorded in Volume 4 of Plats on page 35.
- Second Addition to Oak Ridge, recorded in Volume 10 of plats on Page 15, as Document No. 641623.
- Certified Survey Map No. 6568, recorded in Volume 32 of Certified Survey Maps on page 145.
- Certified Survey Map No. 121, recorded in Volume 1 of Certified Surveys on pages 121-121A as Document No. 1081036.
- Certified Survey Map No. 4778, recorded in Volume 21 of Certified Surveys on pages 120-121, as Document No. 1903990.
- Certified Survey Map No. 4074, recorded in Volume 17 of Certified Surveys on pages 94-96 as Document No. 1774374.

Said Parcel of land includes those lands in Dane County that have the following tax parcel numbers (all with the prefix "251"):

070935210024	070935203011	070935308027
070935107106	070935203045	070935300940
070935300891	070935203037	070935302219
070935107081	070935203194	070935203144
070935302996	070935204027	070935116058
070935101215	070935208011	070935203087
070935107049	070935204019	070935211030
070935204043	070935208029	070935302227
070935204035	070935203186	070935302201
070926411037	070935101190	070935203178
070935107031	070935116024	070935209027
070935107023	070935202344	070926305016
070935107057	070935210016	070935116040
070935107065	070935205249	070935204986

070935107073	070926411079	070935308019
070935107099	070926411102	070935211014
070935300908	070926411110	070935302186
070935203053	070935302235	070935300958
070935203061	070935116016	070935211056
070935205190	070935203201	070935302144
070935203152	070935302243	070935204952
070935202310	070935300924	070935204960
070935202328	070935211048	070935116032
070926411061	070935300974	070935300916
070935202352	070935211064	070935402019
070935202302	070935117014	070935204994
070935202336	070926411011	070935302194
070935205207	070935108013	070935205257
070935205215	070935300883	070935204051
070935205223	070935204978	070935203079
070935205231	070935402043	070935300875
070935202063	070935302136	070926411045
070935202055	070935211022	070935116074
070935202047	070935116082	070935116066
070935202039	070935108112	070935302269
070935202021	070935402035	070935302251
070935202013	070935204944	070926411128
070935203029	070935203160	070935107015

The attached project plan is on file in the City Clerks Office.