



## Legislation Text

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**File #:** 06211, **Version:** 1

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### **Fiscal Note**

This transfer of 1,291.5 sq. ft. of vacated public street right-of-way to adjoining landowner at 3702 Gregory Street to eliminate existing house encroachment and be added to the tax roll. No expenditure of City funds is required.

### **Title**

Vacating a portion of Ravine Street unimproved public street right-of-way dedicated by the subdivision plat of Briar Hill, and located adjacent to and reversion rights to, Lot 12, Block 7, Briar Hill, being located in part of the Northwest ¼ of the Southwest 1/4 of Section 28, Town 07 North, Range 09 East, City of Madison, Dane County, Wisconsin. (10th AD)

### **Body**

**WHEREAS**, the Plat of "Briar Hill" was recorded June 6, 1916 in Volume 5 of Plats on Page 38A as Document No. 353997, Dane County Registry; and

**WHEREAS**, the Plat of "Briar Hill" dedicated Ravine Street, a sixty (60) feet wide public street, from Gregory Street northwest to the former Illinois Central Railroad Company (now owned by Wisconsin Department of Transportation-Bureau of Rails and Harbors and containing the Southwest Commuter Bike Path); and

**WHEREAS**, Kathleen Wernigg is the owner of the abutting property at 3702 Gregory Street, with legal reversionary interest, of the proposed Ravine Street vacation area; and

**WHEREAS**, Kathleen Wernigg, the owner of said abutting property, petitioned the City of Madison to vacate/discontinue a portion of Ravine Street to accommodate the existing house encroachment as identified on the Street Vacation Plot Plan drawing which is attached and part of this resolution; and

**WHEREAS**, City of Madison Engineering Division has created Project No. 53B0410-Public Street Vacation-Ravine Street; and

**WHEREAS**, the City Of Madison has not improved the proposed vacated Ravine Street public right-of-way area with any public street facilities, nor does the City have plans for future public street improvements within the proposed vacated/discontinued public street lands; and

**WHEREAS**, the City Of Madison Engineering Division has sub-surface public sanitary sewer facilities, public storm sewer facilities and public surface drainage area located in the northeasterly majority portion of the Ravine Street public right-of-way area; and

**WHEREAS**, the abutting Wisconsin Department of Transportation Bureau of Rails and Harbors owned former Illinois Central Railroad Company Corridor contains a historic stone arch culvert located to the northwest of the Ravine Street public right-of-way area which carries significant upstream storm overflow from the Westmoreland Park area; and

**WHEREAS**, the City Of Madison Engineering Division has recently had to make improvements to a similar stone arch culvert at 2810 Gregory Street and anticipates the need to do the same at this location; and

**WHEREAS**, the City Of Madison Engineering Division supports the vacation/discontinuance of only the southwesterly ten (10) feet of Ravine Street public right-of-way adjacent to Lot 12, Block 7, Briar hill, from Gregory Street to the northwest terminus at the southeasterly right-of-way line of the former Illinois Central Railroad Company, now being the Wisconsin Department of Transportation Bureau of Rails and Harbors owned transportation corridor containing the Southwest Commuter Bike Path maintained by the City of Madison per agreement with the Wisconsin Department of Transportation Bureau of Rails and Harbors.

**NOW THEREFORE BE IT RESOLVED**, that the City Of Madison hereby conditionally discontinues and vacates the

southwesterly ten (10) feet of Ravine Street under WI Ss 66.1003(2) as shown on attached map and described as follows:

Being a portion of Ravine Street unimproved public street right-of-way dedicated by the subdivision plat of Briar Hill, and located adjacent to and reversion rights to, Lot 12, Block 7, Briar Hill, being located in part of the Northwest ¼ of the Southwest 1/4 of Section 28, Town 07 North, Range 09 East, City of Madison, Dane County, Wisconsin, more particularly described as follows; **Beginning** at the most northerly corner of Lot 12, Block 7, Briar Hill; thence S 38°32'00" E, along the northeasterly line of said Lot 12, also being the southwesterly right-of-way line of Ravine Street as platted by said Briar Hill, 81.97 feet to a point of curve; thence in a general southerly direction 47.1 feet more or less along the arc of a 36.9 feet radius curve to the right, as platted by said Briar Hill, to the point of intersection with the northwesterly right-of-way line of Gregory Street as platted by said Briar Hill; thence N 39°40'00" E, along the northeasterly prolongation of the northwesterly right-of-way line of said Gregory Street, 36.95 feet to the point of intersection with a line 10.00 feet northeasterly of, measured at right angles to, the southwest right-of-way line of said Ravine Street and the northeasterly line of said Lot 12; thence N 38°32'00" W, along a line 10.00 feet northeasterly of, measured at right angles to, the southwest right-of-way line of said Ravine Street and the northeasterly line of said Lot 12, 111.82 feet to the point of intersection with the southeasterly right-of-way line of the former Illinois Central Railroad Company, now being the Wisconsin Department of Transportation Bureau of Rails and Harbors owned transportation corridor; thence S 39°40'00" W, along said southeasterly right-of-way line, 10.22 feet to the **Point of Beginning**, containing 1,291.5 square feet; and

**NOW THEREFORE BE IT FURTHER RESOLVED**, under Section 80.32(4), Wisconsin Statutes, any existing easements or incidental rights within the vacated portion of Ravine Street are perpetuated as part of this vacation;

**NOW THEREFORE BE IT FURTHER RESOLVED**, under Section 66.1005(1), Wisconsin Statutes, reversionary rights of the portion of vacated Ravine Street public right-of-way will attach entirely to the adjacent platted Lot 12, Block 7, Briar Hill; and

**NOW THEREFORE BE IT FURTHER RESOLVED**, following adoption of this resolution and the City Clerk recording with the Dane County Register of Deeds, effectively conveying title of the vacated Ravine Street, the City of Madison Assessor's Office will include the vacated Ravine Street land with the following City of Madison property:

3702 Gregory Street  
251/0709-283-0411-5

NOTE: Current 2007 land value for 3702 Gregory Street is \$13.50 per square foot, estimating a land value increase of approximately \$17,400 for said property.

**NOW THEREFORE BE IT FURTHER RESOLVED**, that the City Clerk validate this street vacation by recordation with the Dane County Register of Deeds.