



## Legislation Text

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**File #:** 31076, **Version:** 1

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### **Fiscal Note**

See Economic Feasibility Section of the Project Plan.

### **Title**

Approving the Creation of and the Project Plan and Boundary for Tax Incremental District (TID) #44 (Royster Clark), City of Madison.

### **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 District and approve a Project Plan and Boundary; and

WHEREAS Tax Incremental District (TID) #44 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 TID Project Plan and Boundary for TID #44 was published in the Wisconsin State Journal on August 9 and August 16, 2013 as required by said Law; and

WHEREAS a Notice of Public Hearing by the Plan Commission was mailed to all property owners within the proposed TID #44 Boundary on July 26, 2013 in conformance to TIF 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 TID #44 Boundary; and

WHEREAS the Plan Commission of the City of Madison held a public hearing on August 26, 2013, at which interested parties were afforded an opportunity to express their views on the proposed creation of the Project Plan and Boundary for TID #44; 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 the TID is blighted within the meaning of 66.1105 (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 the TID.
3. The project costs as described in the amended Project Plan relate directly to eliminating blight in the area consistent with the purpose for which the TID is being created.
4. The aggregate value of equalized taxable property of the TID, plus all existing TIDs, does not exceed 12% of the total value of equalized taxable property within the City.
5. Tax Incremental District #44 (Royster Clark) is hereby declared a blighted area district.

WHEREAS the Plan Commission has determined that the TID meets the basic requirements of City TIF Policy for tax incremental district proposals adopted by the Common Council on April 17, 2001 and amended on March 31, 2009 (insofar as they are applicable to the creation of a district boundary 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 TID 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 the TID is blighted within the meaning of Section 66.1105(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 the TID.
3. The project costs as described in the amended Project Plan relate directly to eliminating blight in the area consistent with the purpose for which the TID is being created.
4. The aggregate value of equalized taxable property of the TID, plus all existing TIDs, does not exceed 12% of the total value of equalized taxable property within the City.
5. TID #44 (Royster Clark) is hereby declared a blighted area district.

BE IT FURTHER RESOLVED that TID #44 (Royster Clark), City of Madison, is hereby created as of January 1, 2013, and that the boundaries for said TID are as below-described and as described in the Project Plan and that the boundaries of said TID include only whole units of property assessed for general property tax purposes.

BE IT STILL FURTHER RESOLVED that the attached Project Plan for TID #44 (Royster Clark), City of Madison, is hereby adopted as the Project Plan for said District and such plan is feasible and in conformity with the Comprehensive Plan for the City of Madison and will add to the sound growth of the City.

#### LEGAL DESCRIPTION

All platted and unplatted lands located in part of the West  $\frac{1}{2}$  of Section 10 and parts of the NE  $\frac{1}{4}$ , NW  $\frac{1}{4}$ , SW  $\frac{1}{4}$  & SE  $\frac{1}{4}$  of Section 9, all in Township 7 North, Range 10 East, City of Madison, Dane County, Wisconsin, more particularly described as follows:

**Beginning** at the intersection of the Northeasterly right-of-way of Atwood Avenue, as presently located, with the Northwest Lot line of Lot 22, Blooming Grove Assessor's Plat No. 7, thence northeasterly, along the said Northwest Lot line, 223 feet, more or less, to the Southerly right-of-way of Busse Street, being the cul-de-sac thereof; thence easterly and northerly, along the curves of said Southerly right-of-way cul-de-sac, 198 feet, more or less, to the Northwest corner of Lot 20, Blooming Grove Assessor's Plat No. 7; thence easterly, along the North lines of said Lot 20, Lot 12, Blooming Grove Assessor's Plat No. 7, and its easterly prolongation, 331 feet, more or less, to the Northeasterly right-of-way of Johns Street; thence southeasterly, along the said Northeasterly right-of-way, 387 feet, more or less, to a line that is parallel to and 10 feet north of, as measured at right angles to, the North line of Lot 28, Blooming Grove Assessor's Plat No. 7, also being 76.7 feet distant from the Southwest corner, as measured along the Northeasterly right-of-way of Johns Street, of said Lot 28; thence easterly, along the said parallel line, 90.43 feet; thence N 19° 17' E, 57.15 feet; thence easterly, parallel to the North line of Lot 28, Blooming Grove Assessor's Plat No. 7, 104.6 feet, to the Westerly right-of-way of Clover Lane; thence southeasterly, 60 feet, more or less, to the Northwest corner of Lot 2, CSM 55; thence easterly, along the North line of said Lot 2, 99.30 feet, to the Northeast corner of said Lot 2, also being the Southeast corner of Lot 1, said CSM 55; thence northerly, along the East line of said Lot 1, 76 feet, to the Northeast corner of said Lot 1; thence westerly, along the North line of said Lot 1, 30 feet, more or less, to the Westerly right-of-way of Royster Avenue; thence northerly, along the said Westerly right-of-way, 1120 feet, more or less, to a point of curve; thence

northeasterly, 93 feet, more or less, to the Southeast corner of Lot 10, First Addition to Olbrich Park Addition; thence northerly, along the East line of said Lot 10, 151.6 feet, to the Northeast corner of said Lot 10, also being a point on the Southwesterly right-of-way of the Union Pacific Railroad; thence northwesterly, along the said Southwesterly right-of-way, 172 feet, more or less, to the southerly prolongation of the centerline of Ring Street; thence northerly, along the said southerly prolongation, 118 feet, more or less, to a line that is parallel to and 100 feet northeasterly of, as measured at right angles to, the Southwesterly right-of-way of the Union Pacific Railroad; thence southeasterly, along said parallel line, 1761 feet, more or less, to the Easterly right-of-way of Dempsey Road; thence southerly, along the said Easterly right-of-way, 125 feet, more or less, to the Southwesterly right-of-way of the Union Pacific Railroad; thence southeasterly, along said Southwesterly right-of-way, 173 feet, more or less; thence S 19° 17' 50" W, 65.71 feet, to a point on a line that is parallel to and 9.5 southwesterly of, as measured radially to, the centerline of a spur track of a railroad line (I.C.C. #335, Chicago and Northwestern Railway Co.); thence southeasterly, along a curve of said parallel line, 140 feet, more or less, to the North line of Lot 1, CSM 2426; thence easterly, along the said North line, 18.65 feet, to the Northeast corner of said Lot 1, also being a point of intersection of a jog in a West line of Lot 1, CSM 5244; thence southerly, along a West line of Lot 1, CSM 5244, 25 feet, to a point on a line that is parallel to and 50 north of, as measured at right angles to, a South line of said Lot 1; thence easterly, along the said parallel line, 100 feet, to a point on a line that is parallel to and 100 feet east of, as measured at right angles to, a West line of said Lot 1; thence southerly, along the said parallel line, 50 feet, to a South line of said Lot 1; thence easterly, along the said South line, 50 feet, to a point of intersection in said Lot 1; thence S 60° 20' 13" E, 70.46 feet, to the most westerly corner of Lot 4, CSM 5244; thence southeasterly, along the Northeast lines of Lots 1-3, CSM 5244, 320.00 feet, to a point of intersection in the Northeast line of said Lot 3; thence southeasterly, along the Northeast line of said Lot 3, 27.90 feet, to the Westerly right-of-way of Cottage Court; thence northeasterly, along a curve of the said Westerly right-of-way, 64.19 feet, to the Southwesterly right-of-way of the Union Pacific Railroad; thence southeasterly, 977 feet, more or less, to a point of intersection in the West line of Lot 3, Block 1, Madison Industrial Subdivision No. 1; thence northerly, along the West line of said Lot 3, 543 feet, more or less, to the Southwesterly right-of-way of Atlas Avenue; thence southeasterly, easterly, and southeasterly along the said Southwesterly right-of-way, 933 feet, more or less, to the westerly prolongation of the North line of Lot 1, Block 2, Madison Industrial Subdivision No. 1; thence easterly, along the said westerly prolongation and North line, 217 feet, more or less, to the East Plat line of Madison Industrial Subdivision No. 1, also being the West Plat line of First Addition to Meadowood - East; thence northerly, along the said West Plat line, 360 feet, more or less, to a point on a line that is parallel and 12 feet southerly of, as measured by right angles to, the North line of Lot 120, First Addition to Meadowood - East; thence easterly, along the said parallel line, 160 feet, more or less, to the Westerly right-of-way of Vernon Avenue; thence southerly, along the said Westerly right-of-way, 212 feet, more or less, to the westerly prolongation of the North line of Lot 3, East Meadowood Downs; thence easterly, along the said westerly prolongation and North line, 225 feet, more or less, to the Northeast corner of said Lot 3; thence southerly, along the East line of said Lot 3, 112.00 feet, to a point on the North line of Lot 4, East Meadowood Downs; thence easterly, along the said North line and the North line of Lot 5, East Meadowood Downs, 270.05 feet, to the Southwest corner of Lot 6, East Meadowood Downs; thence northerly, along the Westerly line of said Lot 6, 50 feet, more or less, to a line that is parallel to and 50 feet north of, as measured by right angles to, the South line of said Lot 6; thence easterly, along the said parallel line, 165 feet, more or less, to the Westerly right-of-way of Acewood Boulevard; thence easterly, 102 feet, more or less, to the Southwest corner of Lot 1, CSM 312; thence easterly, along the South line of said Lot 1, 301.66 feet, to the Southeast corner of said Lot 1, also being a point of intersection of a jog in the West line Lot 1, CSM 2143; thence northerly, along the said West line, 160.00 feet, to the North line of said Lot 1; thence easterly, along the said North line, 18.34 feet, to a point of intersection in said North line; thence northeasterly, along said North line, 211.26 feet, to a point of intersection in said North line; thence northeasterly, along said North line and the North line of Lot 2, CSM 7617, 80 feet, more or less, to a point of intersection in the North line of said Lot 2; thence northeasterly, along the said North line, 200.75 feet, to a point of intersection in the said North line; thence southeasterly, along the said North line and its southeasterly prolongation, 191 feet, more or less, to the East right-of-way line of Flora Lane; thence southerly, along the said East right-of-way, 442 feet, more or less, a point of curve; thence southeasterly, 136 feet, more or less, to the Northwest corner of Lot 1, CSM 1449, also being a point on the South right-of-way of Cottage Grove Road; thence westerly, southerly, and westerly, along the said South right-of-way, 4283 feet, more or less, to the East right-of-way of Claire Street; thence southerly, along the said East right-of-way, 213 feet, more or less, to the easterly prolongation of the South line of Lot 41, Blooming Grove Assessor's Plat No. 7; thence westerly, along the said easterly prolongation and South line, 194 feet, more or less, to the Southwest corner of said Lot 41; thence northerly, along the West line of said Lot 41, 120.2 feet, to the Southeast corner of Lot 42, Blooming Grove Assessor's Plat No. 7; thence westerly, along the South lines of Lots 42 & 43 Blooming Grove Assessor's Plat No. 7, 120.0 feet, to the Southwest corner of said Lot 43; thence southwesterly, 64 feet, more or less, to the Southeast corner of Lot 38, Blooming Grove Assessor's Plat No. 7; thence westerly, along the South lines of Lots 38, 37 & 36, Blooming Grove Assessor's Plat No. 7, Lot 12, Block 16, Lake Edge Park Replat, Lots 1-3, CSM 857, Lots 8 & 7, Block 16, Lake Edge Park Replat, 713 feet, more or less, to the Southwest corner of said Lot 7, Block 16, also being a

point on the East right-of-way of Maher Avenue; thence westerly, 60 feet, more or less, to the Southeast corner of Lot 8, Block 15, Lake Edge Park Replat; thence westerly, along the South lines of Lot 8-5, Block 15, Lake Edge Park Replat, 306 feet, more or less, to the Southwest corner of said Lot 5, Block 15, also being a point on the East right-of-way of Drexel Avenue; thence westerly, 60 feet, more or less, to the Southeast corner of Lot 3, Block 8, Lake Edge Park Replat; thence westerly, along the South line of said Lot 3, also being the North line of Lot 1, said Block 8, 62.75 feet, more or less, to the West line of the East 62.75 feet of said Lot 1; thence southerly, along the said West line of the East 62.75 feet, 131 feet, more or less, to the North right-of-way of Davidson Street; thence westerly, along the said North right-of-way, 336 feet, more or less, to the Southwest corner of Lot 1, CSM 2013; thence northerly, along the West line of said Lot 1, 111 feet, more or less, to the intersection with the South line of Warranty Deed recorded in Dane County Register of Deeds as Doc No. 4171952; thence westerly, along the said Warranty Deed South line and its westerly prolongation, 555 feet, more or less, to the intersection with a line parallel to and 130 feet easterly of, as measured along the North right-of-way of Davidson Street, the Northeasterly right-of-way of Monona Drive as platted in Blooming Grove Assessor's Plat No. 7; thence southeasterly, along said parallel line, 124 feet, more or less, to the North right-of-way of Davidson Street; thence westerly, along the said North right-of-way, 118 feet, more or less, to the Northeasterly right-of-way of Monona Drive as presently located; thence northwesterly, along the said Northeasterly right-of-way which turns into the Northeasterly right-of-way of Atwood Avenue north of Cottage Grove Road, 675 feet, more or less, to the **Point of Beginning**.