

**Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition 10872**

Dane County Board of Supervisors does ordain as follows:

The Zoning Districts Maps as referenced under Dane County Code of Ordinance Section 10.03 shall be amended as follows:

Town Map: Town of Rutland

Location: Section 34

Zoning District Boundary Changes

A-1EX to A-4

LOT 1: A PART OF THE SW1/4 OF THE SE1/4 OF SECTION 27, T5N, R10E, TOWN OF RUTLAND, DANE COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE E1/4 CORNER OF SAID SECTION 27; THENCE S01deg.58'24"W 1264.18 FEET; THENCE S86deg.09'W 1237.42 FEET; THENCE S01deg.19'33"E 545.31 FEET TO THE POINT OF BEGINNING; THENCE WEST 1291.91 FEET THENCE S02deg.07'07"E 254.98 FEET TO THE C/L OF OLD STAGE ROAD; THENCE SOUTHEASTERLY ALONG SAID C/L 1400 FEET; THENCE NORTH 850 FEET; THENCE N01deg.19'33"W 45.74 FEET TO THE POINT OF BEGINNING. CONTAINS 17 ACRES.

A-1EX to A-4

LOT 3: A PART OF THE NE1/4 OF THE NE1/4 OF SECTION 34 AND A PART OF THE SE1/4 OF THE SE1/4 OF SECTION 27, ALL IN T5N, R10E, TOWN OF RUTLAND, DANE COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SE CORNER OF SAID SECTION 27; THENCE N01deg.58'24"W 162.28 FEET; THENCE S88deg.07'W 893.75 FEET; THENCE NORTH 100 FEET; WEST 300 FEET; THENCE SOUTH 400 FEET TO THE C/L OF OLD STAGE ROAD; THENCE SOUTHEASTERLY ALONG SAID C/L 1300 FEET; THENCE NORTH 490 FEET TO THE POINT OF BEGINNING. CONTAINS 14 ACRES AND SUBJECT TO OLD STAGE ROAD AS SHOWN HEREON.

A-1EX to RH-2

LOT 2: A PART OF THE SE1/4 OF THE SE1/4 OF SECTION 27, T5N, R10E, TOWN OF RUTLAND, DANE COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SE CORNER OF SAID SECTION 27; THENCE N01deg.58'24"W 162.28 FEET; THENCE S88deg.07'W 893.75 FEET; THENCE NORTH 100 FEET TO THE POINT OF BEGINNING; THENCE NORTH 483.49 FEET; THENCE WEST 360 FEET; THENCE SOUTH 850 FEET TO THE C/L OF OLD STAGE ROAD; THENCE SOUTHEASTERLY ALONG SAID C/L 70 FEET; THENCE NORTH 400 FEET; THENCE EAST 300 FEET TO THE POINT OF BEGINNING. CONTAINS 4.9 ACRES AND SUBJECT TO OLD STAGE ROAD AS SHOWN HEREON.

CONDITIONAL ZONING

Conditional zoning is hereby imposed pursuant to Section 10.255(3)(a)2.(b) of the Dane County Code of Ordinances. The rezoned area shall be subject to the following conditions.

DEED RESTRICTION REQUIRED

This amendment will be effective if within 90 days of its adoption by Dane County the owner or owners of the land record the following restriction(s) on said land:

1. A deed restriction shall be recorded on the A-4 lots to prohibit non-farm development.

Said restriction(s) shall run in favor of Dane County and the pertinent Town Board(s) as well as the owners of land within 300 feet of the site. Failure to record the restriction(s) will cause the rezone to be null and void. A copy of the recorded document shall be submitted to Dane County Zoning.

DEED NOTICE REQUIRED

This amendment will be effective if within 90 days of its adoption by Dane County the owner or owners of the land record the following restriction(s) on said land:

1. A deed notice shall be recorded on the RH-2 zoned lot identifying that a non-conforming mineral extraction site is located just south of Old Stage Road.

Said restriction(s) shall run in favor of Dane County and the pertinent Town Board(s) as well as the owners of land within 300 feet of the site. **Failure to record the restriction(s) will cause the rezone to be null and void. A copy of the recorded document shall be submitted to Dane County Zoning**

CERTIFIED SURVEY REQUIRED

The above listed description/s is/are intended to describe land for which a certified survey map will be prepared for approval and recorded. Within 90 days of rezoning approval by Dane County, a *final* certified survey map that describes the land to be rezoned shall be prepared in accordance with all applicable provisions of Chapter 236 Wisconsin Statutes and Chapter 75 Dane County Code of Ordinances, and submitted to the Dane County Zoning Division. Upon submission of the final certified survey map, the Zoning and Land Regulation Committee, or its authorized representative, shall, within 30 days, approve, approve conditionally, or reject the certified survey map. **Failure to submit the final certified survey within the 90 day period and/or failure to record the survey with the Dane County Register of Deeds will cause the rezone to be null and void. Two copies of the recorded survey shall be submitted to Dane County Zoning.**