

**Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition # 12272**

Dane County Board of Supervisors does ordain as follows:

The Zoning Districts Maps as referenced under Dane County Code of Ordinance Section 10.200(4) shall be amended as follows:

Town Map: Town of Perry

Location: Section 18

Zoning District Boundary Changes

FP-35 to FP-1 (5.51 acres)

That part of the Southwest 1/4 of the Northwest 1/4 of Section 17 and the Southeast 1/4 of the Northeast 1/4 of Section 18, Town 5 North, Range 6 East, Town of Perry, Dane County, Wisconsin, bounded and described as follows: Beginning at the East 1/4 corner of said Section 18; thence N40°30'1 0"W, 525.93'; thence N50°38'1 0"E, 317.84'; thence N40°30'1 0"W, 478.83' to the Southeasterly right of way line of CTH A; thence N50°38'1 0"E along said right of way line, 277.50'; thence S00°40'32"E, 37.09'; thence N85°55'12"E, 66.25'; thence S22°43'28"E, 78.70'; thence S89°40'26"E, 91.09'; thence S00°14'14"E, 1036.1 0' to the point of beginning.

SFR-1 to FP-1 (0.03 acres)

That part of the Southwest 1/4 of the Northwest 1/4 of Section 17 and the Southeast 1/4 of the Northeast 1/4 of Section 18, Town 5 North, Range 6 East, Town of Perry, Dane County, Wisconsin, bounded and described as follows: Commencing at the East 1/4 corner of said Section 18; thence N00°14'14"W, 1036.1 0' to the point of beginning; thence N00°14'14"W, 39.77'; thence S56°00'00"W, 70.52; thence S89°40'26"E, 58.63' to the point of beginning.

SFR-1 to HAM-R (0. 70 acres)

That part of the Southwest 1/4 of the Northwest 1/4 of Section 17 and the Southeast 1/4 of the Northeast 1/4 of Section 18, Town 5 North, Range 6 East, Town of Perry, Dane County, Wisconsin, bounded and described as follows: Commencing at the East 1/4 corner of said Section 18; thence N00°14'14"W, 1075.87' to the point of beginning; thence N00°14'14"W, 119. 75'; thence N00°46'57"E, 113.35' to the Southeasterly right of way line of CTH A; thence Southwesterly, 160.12' along said right of way line and the arc of a curve to the left whose radius is 2267.08' and whose chord bears S52°39'34"W, 160.09'; thence S00°40'32"E, 56.63'; thence N85°55'12"E, 66.25'; thence S22°43'28"E, 78. 70'; thence S89°40'26"E, 32.46'; thence N56°00'00E, 70.52' to the point of beginning.

FP-35 to RR-2 (3.00 acres)

That part of the Southwest 1/4 of the Northwest 1/4 of Section 17 and the Southeast 1/4 of the Northeast 1/4 of Section 18, Town 5 North, Range 6 East, Town of Perry, Dane

County, Wisconsin, bounded and described as follows: Commencing at the East 1/4 corner of said Section 18; thence N40°30'1 0"W, 525.93' to the point of beginning; thence N40°30'1 0"W, 334.59'; thence N49°36' 49"E, 150.21 ' ; thence N40°25'23"W, 141.55' to the Southeasterly right of way line of CTH A; thence N50°38'1 0"E along said right of way line, 167.40'; thence S40°30'1 0"E, 478.83'; thence S50°38'1 0"W, 317.84' to the point of beginning.

CONDITIONAL ZONING

Conditional zoning is hereby imposed pursuant to Section 10.101(8)(d) 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 tax parcels 050617380010, 050617385009, 050617395010 stating the following:
 - a. Further residential/nonfarm development is prohibited on the remaining FP-35 zoned land. The housing density rights for the original John E. Willborn farm have been exhausted per the Town Comprehensive Plan density policies.

Said restriction(s) shall run in favor of Dane County and the pertinent Town Board(s). 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.**