

**Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition # 12142**

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 Rutland

Location: Section 24

Zoning District Boundary Changes

FP-35 to RR-1

A parcel of land being that portion of the SE 1/4 of the SE 1/4 of Section 24, T5N, R10E, Town of Rutland, Dane County, Wisconsin, more particularly described as follows:

Commencing at the Southeast Corner of said Section 24, thence N 00°09'21" W, along the east line of said SE 1/4 of the SE 1/4 of said Section 24, said line also being the centerline of Danks Road, 1093.93 feet to the point of beginning of this description; thence N 89°49'24" W, 334.12 feet; thence N 00°09'21" W, 217.00 feet to a point on the north line of said SE 1/4 of the SE 1/4 of Section 24; thence S 89°49'24" E, along aforementioned north line, 334.12 feet to a point being the northeast corner of said SE 1/4 of the SE 1/4 of Section 24; thence S 00°09'21" E, along said East line of said SE 1/4 of the SE 1/4 of Section 24, and centerline of Danks Road, 217.00 feet to the point of beginning.

This description contains an area of 72,503 Square Feet or 1.66 Acres Gross, excepting therefrom the easterly 33 feet for Danks road right-of-way, 65,342 Square feet or 1.50 acres Net.

RR-2 and FP-35 to FP-35

A parcel of land being a portion of Lot 1, Certified Survey Map No. 9579, as recorded in Volume 55 of Dane County C.S.M.'s, pages 49-50, as Document No. 3185700, and other lands all in the SE 1/4 of the SE 1/4 of Section 24, T5N, R10E, Town of Rutland, Dane County, Wisconsin, more particularly described as follows:

Commencing at the Southeast Corner of said Section 24, thence N 00°09'21" W, along the east line of said SE 1/4 of the SE 1/4 of Section 24, and centerline of Danks Road, 313.00 feet to the northeast corner of said Lot 1, C.S.M. 9579 and the point of beginning of this description; thence N 89°48'45" W, along the northerly platted boundary line of said Lot 1, 311.35 feet; thence S 00°09'21" E, 313.00 feet to a point on the southerly platted boundary line of said Lot 1 and south line of the SE 1/4 of the SE 1/4 of Section 24; thence N 89°48'45" W, along the south line of the SE 1/4 of the SE 1/4 of Section 24, 1025.14 feet; thence N 00°01'43" E, along the west line of the SE 1/4 of the SE 1/4 of Section 24, 1310.66 feet; thence S 89°49'24" E, along the north line of the SE 1/4 of the

SE 1/4 of Section 24, 998.15 feet; thence S 00°09'21" E, 217.00 feet; thence S 89°49'24" E, 334.12 feet to a point on the east line of said SE 1/4 of the SE 1/4 of Section 24 and centerline of Danks Road; thence S 00°09'21" E, along aforementioned east line and Centerline, 780.93 feet to the point of beginning.

This description contains an area of 1,579,120 Square Feet or 36.25 Acres, excepting therefrom the easterly 33 feet for Danks Road Right-of-way, 1,553,349 Square Feet or 35.66 acres Net.

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 proposed Lot 2 (current tax parcel 0510-244-9501-0) stating the following:

Further residential/nonfarm development is prohibited on the remaining FP-35 zoned land. The housing density rights for the original Oscar Tofte 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.**