

Dane County Contract Cover Sheet

Res 380

Revised 01/2024

Dept./Division	LWRD / Admin		
Vendor Name	Dane County Solar, LLC	MUNIS #	27314
Brief Contract Title/Description	This lease amendment for the solar array at EDC excludes a strip of land from the lease to accommodate the new road that is required for the new Public Safety Communication site. All other terms of the lease remain the same.		
Contract Term	through March 23, 2042		
Contract Amount	0		

Contract # Admin will assign	14162C
Type of Contract	
<input type="checkbox"/>	Dane County Contract
<input type="checkbox"/>	Intergovernmental
<input type="checkbox"/>	County Lessee
<input checked="" type="checkbox"/>	County Lessor
<input type="checkbox"/>	Purchase of Property
<input type="checkbox"/>	Property Sale
<input type="checkbox"/>	Grant
<input type="checkbox"/>	Other

Department Contact Information		Vendor Contact Information	
Name	Sharene Smith	Name	Ed Strickland
Phone #	608-224-3761	Phone #	309-645-8986
Email	smith.sharene@countyofdane.com	Email	strickland@sunvest.com
Purchasing Officer	Pete Patten		

Purchasing Authority	<input type="checkbox"/> \$13,000 or under – Best Judgment (1 quote required)	
	<input type="checkbox"/> Between \$13,000 – \$44,000 (\$0 – \$25,000 Public Works) (3 quotes required)	
	<input type="checkbox"/> Over \$44,000 (\$25,000 Public Works) (Formal RFB/RFP required)	RFB/RFP #
	<input type="checkbox"/> Bid Waiver – \$44,000 or under (\$25,000 or under Public Works)	
	<input type="checkbox"/> Bid Waiver – Over \$44,000 (N/A to Public Works)	
	<input checked="" type="checkbox"/> N/A – Grants, Leases, Intergovernmental, Property Purchase/Sale, Other	

MUNIS Req.	Req #	Org:	Obj:	Proj:	\$
	Year	Org:	Obj:	Proj:	\$
		Org:	Obj:	Proj:	\$

Budget Amendment	
<input type="checkbox"/>	A Budget Amendment has been requested via a Funds Transfer or Resolution. Upon addendum approval and budget amendment completion, the department shall update the requisition in MUNIS accordingly.

Resolution Required if contract exceeds \$100,000	<input type="checkbox"/> Contract does not exceed \$100,000	Res #	380
	<input type="checkbox"/> Contract exceeds \$100,000 – resolution required.		Year
	<input type="checkbox"/> A copy of the Resolution is attached to the contract cover sheet.		

CONTRACT MODIFICATIONS – Standard Terms and Conditions		
<input type="checkbox"/> No modifications.	<input type="checkbox"/> Modifications and reviewed by:	<input checked="" type="checkbox"/> Non-standard Contract

APPROVAL	
Dept. Head / Authorized Designee	
Smith, Sharene	Digitally signed by Smith, Sharene Date: 2024.03.26 10:55:16 -05'00'

APPROVAL – Contracts Exceeding \$100,000	
Director of Administration	Corporation Counsel

APPROVAL – Internal Contract Review – Routed Electronically – Approvals Will Be Attached			
DOA:	Date In: 3/26/24	Date Out: _____	<input checked="" type="checkbox"/> Controller, Purchasing, Corp Counsel, Risk Management

Goldade, Michelle

From: Goldade, Michelle
Sent: Tuesday, March 26, 2024 11:24 AM
To: Hicklin, Charles; Patten (Purchasing), Peter; Gault, David; Cotillier, Joshua
Cc: Stavn, Stephanie; Oby, Joe
Subject: Contract #14162C
Attachments: 14162C.pdf

Tracking:	Recipient	Read	Response
	Hicklin, Charles		
	Patten (Purchasing), Peter		Approve: 3/26/2024 1:18 PM
	Gault, David	Read: 3/26/2024 12:57 PM	Approve: 3/26/2024 12:58 PM
	Cotillier, Joshua		Approve: 3/26/2024 1:01 PM
	Stavn, Stephanie		
	Oby, Joe		

Please review the contract and indicate using the vote button above if you approve or disapprove of this contract

Contract #14162C

Department: Land & Water Resources

Vendor: Dane County Solar LLC

Contract Description: Amendment to Lease to exclude strip of land to accommodate the extension of Luds Lane (Res 380)

Contract Term: through March 23, 2042

Contract Amount: \$--

Thanks much,
Michelle

Michelle Goldade

Administrative Manager

Dane County Department of Administration

Room 425, City-County Building

210 Martin Luther King, Jr. Boulevard

Madison, WI 53703

PH: 608/266-4941

Fax: 608/266-4425

TDD: Call WI Relay 711

Please note: I am currently working a modified schedule. I work in office Mondays and Wednesdays and work remotely Tuesday, Thursdays and Fridays.

Goldade, Michelle

From: Krohn, Margaret
Sent: Wednesday, March 27, 2024 8:36 AM
To: Goldade, Michelle
Subject: Approve: Contract #14162C

1
2
3 **2023 RES-380**

4 **AUTHORIZING AN AMENDMENT TO LEASE WITH DANE COUNTY SOLAR, LLC**
5 **FOR THE YAHARA SOLAR PROJECT**

6 Dane County is planning to construct a new Public Safety and Communications Center
7 east of the Medical Examiner's Office and Highway Buildings off Luds Lane in the City of
8 Madison. Part of the project requires the extension of Luds Lane east to Femrite Drive
9 for emergency access. This road extension will encroach on the new Yahara Solar
10 Project boundary which is under a lease with Dane County Solar, LLC. In order to
11 proceed with the construction project, an Amendment to Lease is needed to exclude a
12 507.33' x 7.65' wide strip of land from the lease.

13
14 The proposed Amendment to Lease with Dane County Solar, LLC will amend the legal
15 description to exclude this strip of land in order to accommodate this extension of Luds
16 Lane. All other terms, conditions and provisions of the Lease will remain in full force
17 and effect.

18
19 **NOW, THEREFORE, BE IT RESOLVED** that Dane County enter into an Amendment to
20 Lease with Dane County Solar LLC under the terms summarized above; and

21
22 **BE IT FURTHER RESOLVED** that the Dane County Executive is hereby authorized to
23 execute the Amendment to Lease with Dane County Solar, LLC on behalf of Dane
24 County.

Document Number

Document Title

AMENDMENT TO AMENDED AND RESTATED LAND LEASE FOR SOLAR ARRAY

THIS AMENDMENT TO AMENDED AND RESTATED LAND LEASE FOR SOLAR ARRAY (the "Amendment"), made and entered into as of the ____ day of _____, 2024 by and between Dane County, a quasi-municipal corporation (the "County") and Dane County Solar, LLC, a Delaware limited liability company ("DCS LLC").

RECITALS

WHEREAS, the County and Wisconsin Power and Light Company ("WPL") entered into that certain Land Lease for Solar Array dated November 5, 2020 and then entered into an Amended and Restated Land Lease for Solar Array dated March 23, 2022, a memorandum of which was recorded in the official records of Dane County, Wisconsin on April 7, 2022 as Document No. 5824774 (as amended and restated, the "Lease"), whereby the County agreed to lease to WPL certain real property to facilitate the construction and operation of a photovoltaic array on and across said real property in Dane County which is more particularly described on Exhibit A ("Premises");

Recording Area

Return: Dane County LWRD
 Attn: S. Smith
 5201 Fen Oak Dr., #208
 Madison, WI 53718

Parcel Identification Number (PIN):
 251/0711-302-0099-3; 251/0711-301-0101-8;
 251/0711-301-0099-5

WHEREAS, the Lease was subsequently assigned from WPL to Dane Solar Holdings, LLC to DCS LLC pursuant to that certain Assignment and Assumption Agreement dated April 22, 2022, then assigned from Dane Solar Holdings, LLC to Dane Solar Capital, LLC pursuant to that certain Assignment and Assumption Agreement dated April 22, 2022, and subsequently assigned from Dane Solar Capital, LLC to DCS LLC pursuant to that certain Assignment and Assumption Agreement dated April 22, 2022, as evidenced by that certain a Notice of Assignment which was recorded in the official records of Dane County, Wisconsin on August 17, 2022 as Document No. 5856232 (the "Assignment");

WHEREAS, the County and DCS LLC wish to amend the Lease in order to accommodate the extension of Luds Lane adjacent to the real property;

THEREFORE, in consideration of the above conditions and the mutual covenants set forth hereafter and in the Lease, the receipt and sufficiency of which is hereby acknowledged by each party for itself, the County and DCS LLC agree to amend the legal description of the Lease in order to exclude a strip of land for said road extension which is more particularly described as follows and depicted on the attached Exhibit B ("Excepted Parcel"):

Part of Southeast Quarter of the Northwest Quarter of Section 30, Township 07 North, Range 11 East, City of Madison, Dane County, Wisconsin, more particularly described as follows:

Commencing at the West Quarter Corner of Section 30, aforesaid; thence North 00 degrees 24 minutes 00 seconds East along the West line of the Northwest Quarter, aforesaid, a distance of 757.50 feet; thence South 89 degrees 36 minutes 00 seconds East a distance of 1250.52 feet to the point of beginning; thence North 87 degrees 20

minutes 16 seconds East, 507.33 feet; thence South 00 degrees 00 minutes 00 seconds East, 7.65 feet; thence South 87 degrees 20 minutes 15 seconds West, 507.13 feet; thence North 01 degrees 30 minutes 19 seconds West, 7.65 feet to the Point of Beginning.

It is expressly understood and agreed that this Amendment has been executed, acknowledged, delivered and recorded for the purpose of giving notice to third parties and this Amendment is subject to all terms, conditions, provisions and obligations contained in the Lease and the subsequent Assignment.

This Amendment may be executed in counterparts, each of which shall be an original and all of which counterparts taken together shall constitute one and the same agreement.

[signatures on following pages]

IN WITNESS WHEREOF, Dane County has executed this Amendment as of the day and year first above written.

Dane County,
A quasi-municipal corporation

By: Joseph T. Parisi, County Executive

State of Wisconsin)
) ss.
County of Dane)

Personally came before me this _____ day of _____, 2024, the above named Joseph T. Parisi to me known to be the County Executive of Dane County and the individual who executed the foregoing instrument and acknowledged the same.

*
Notary Public, State of Wisconsin
My Commission (expires)(is) _____.

Exhibit A
Premises Legal Description
(Amended and Restated Land Lease)

A parcel of land located in the Southwest 1/4 of the Southwest 1/4, and the Southeast 1/4 of the Southwest 1/4, in Section 19, and the Northwest 1/4 of the Northwest 1/4, the Northeast 1/4 of the Northwest 1/4, the Southeast 1/4 of the Northwest 1/4, the Northwest 1/4 of the Northeast 1/4, and the Southwest 1/4 of the Northeast 1/4, in Section 30, all in Township 7 North, Range 11 East, Town of Cottage Grove, Dane County, Wisconsin, more particularly described as follows:

Commencing at the North 1/4 corner of said Section 30; thence along the north line of said Northwest 1/4 of Section 30, South 86°22'43" West, 571.88 feet to the southwest right of way line of Femrite Drive and the point of beginning; thence along said right of way line, South 51°31'34" East, 36.56 feet; thence continuing along said right of way line, South 51°39'01" East, 636.75 feet; thence continuing along said right of way line, South 51°42'51" East, 555.03 feet; thence South 00°00'00" East, 900.07 feet; thence North 90°00'00" West, 558.05 feet; thence South 44°57'39" West, 20.01 feet; thence South 00°00'00" East, 284.49 feet; thence South 87°20'16" West, 507.12 feet to the east line of Parcel 1 of Transportation Project Plat No: 3080-01-25-4.02; thence along said east line, North 00°30'31" West, 7.64 feet to the north line of said parcel; thence along said north line, South 87°20'12" West, 133.19 feet to the east line of CSM No. 11164; thence along said east line and extension thereof and the east line of CSM. No. 7090 and extension thereof, North 00°48'32" East, 644.73 feet to the northeast corner of said CSM No. 7090; thence along the north line of said CSM No. 7090, South 86°34'30" West, 794.02 feet; thence North 00°24'02" East, 1320.63 feet to the north line of said Northwest 1/4 of Section 30; thence along said north line, North 86°22'43" East, 5.69 feet to the east line of Hope Cottage Grove Cemetery; thence along said east line, North 01°08'01" East, 122.92 feet; thence North 45°21'57" East, 186.55 feet; thence North 77°01'07" East, 62.86 feet; thence North 33°25'06" West, 33.63 feet; thence North 45°21'57" East, 140.33 feet, thence North 86°18'56" East, 299.67 feet to said southwest right of way line of Femrite Drive; thence along said right of way line, South 51°31'34" East, 562.00 feet to the point of beginning. Said parcel contains 71.96 acres, more or less.

ALSO

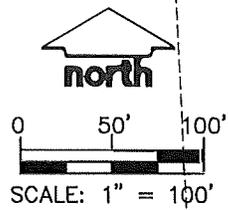
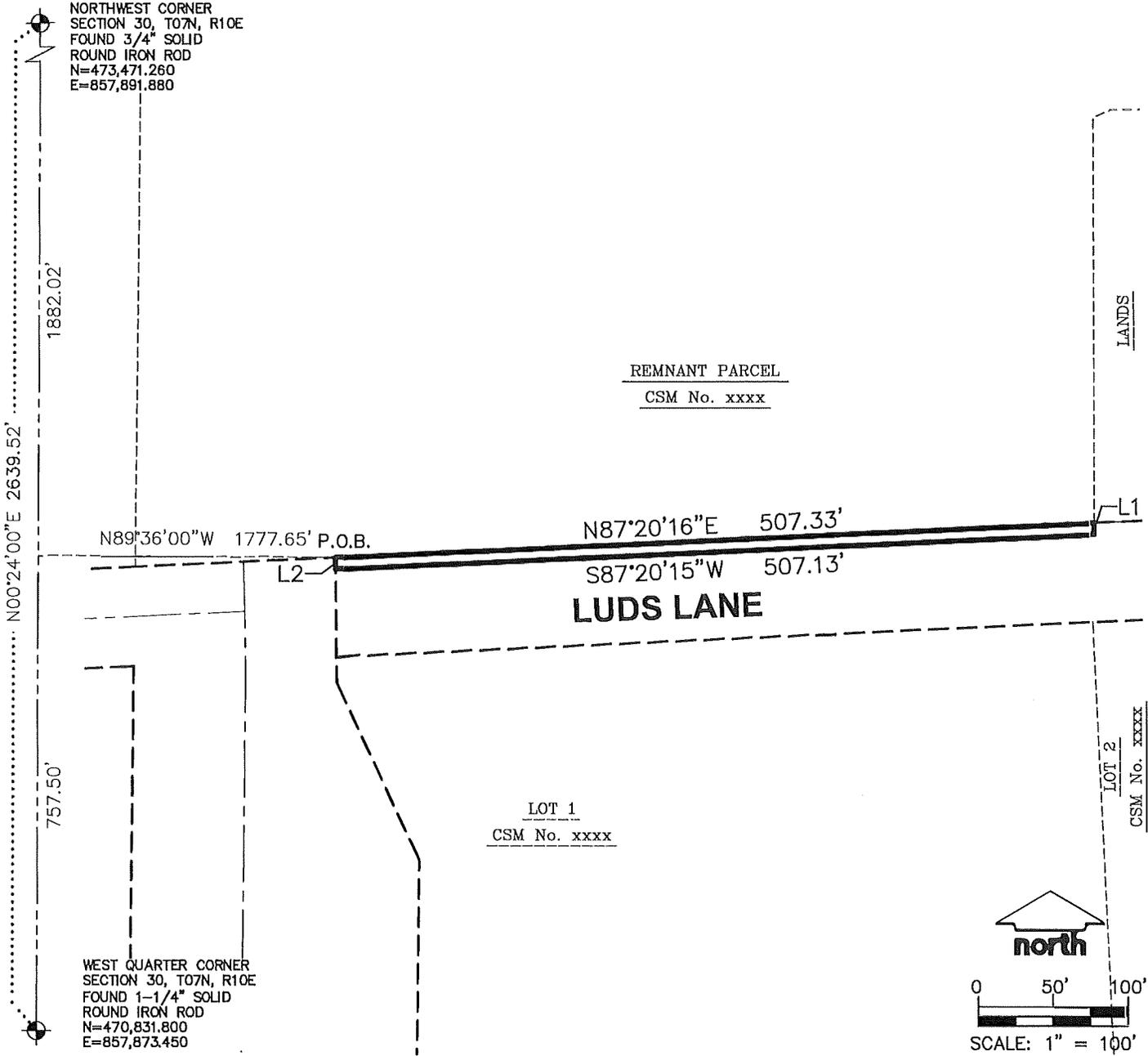
A parcel of land being part of C.S.M. No. 12140, located in the Northwest 1/4 of the Northeast 1/4, Section 30, Township 7 North, Range 11 East, Town of Cottage Grove, Dane County, Wisconsin, more particularly described as follows:

Commencing at the North 1/4 corner of said Section 30; thence along the west line of said Northwest 1/4 of the Northeast 1/4, South 00°15'50" West, 43.29 feet; thence North 89°59'09" East, 36.27 feet to the Point of Beginning; thence continuing North 89°59'09" East, 1289.51 feet; thence South 00°00'00" East, 447.46 feet; thence North 90°00'00" West, 117.01 feet; thence South 45°00'00" West, 19.99 feet; thence South 00°00'00" East, 388.31 feet; thence South 89°59'03" West, 574.41 feet to the northeast right of way line of Femrite Drive; thence along said northeast right of way line, North 51°42'51" West, 743.85 feet; thence North 00°00'50" West, 388.86 feet to the point of beginning. Said parcel contains 20.86 acres, more or less.

Exhibit B
Depiction of Excepted Parcel
(attached)

NORTHWEST CORNER
SECTION 30, T07N, R10E
FOUND 3/4" SOLID
ROUND IRON ROD
N=473,471.260
E=857,891.880

WEST QUARTER CORNER
SECTION 30, T07N, R10E
FOUND 1-1/4" SOLID
ROUND IRON ROD
N=470,831.800
E=857,873.450



LEGEND

- GOVERNMENT CORNER
- SECTION LINE
- RIGHT-OF-WAY LINE
- PLATTED LOT LINE
- EASEMENT LINE
- PROPOSED EASEMENT

NOTES

1. FIELD WORK PERFORMED ON FEBRUARY 07-09, AND SEPTEMBER 1, 21, 23 AND 29, AND DECEMBER 06, 2023.
2. BEARINGS FOR THIS SURVEY AND MAP ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, DANE COUNTY. THE WEST LINE OF NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 07 NORTH, RANGE 10 EAST, RECORDED AS N00°24'00"E.

EASEMENT LINE TABLE		
LINE	BEARING	DISTANCE
L1	S00°00'00"E	7.65'
L2	N01°30'19"W	7.65'

JSD
MADISON REGIONAL OFFICE
181 HORIZON DRIVE, SUITE 101
VERONA, WISCONSIN 53593
P. 608-948-5060

PROJECT:
**DANE COUNTY
PUBLIC SAFETY
COMMUNICATIONS**
MADISON, WI 53558

SHEET TITLE:
**SOLAR LEASE
AREA**

PROJECT NUMBER:
22-11600
DRAWN BY: BCK CHECKED BY: BCK
DATE:
02-14-2024

SHEET NUMBER:
1