

**Dane County Board of Supervisors
Amending Chapter 10 of the Dane County Code of Ordinances
Zoning Map Amendment Petition # 12211**

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 Black Earth

Location: Section 28

Zoning District Boundary Changes

FP-35 to RM-16 (lot 2)

Part of the SE 1/4 of the SE 1/4, Section 20, part of the SW 1/4 of the SW 1/4, Section 21, part of the NW 1/4 of the NW 1/4, Section 28, and part of the NE 1/4 of the NE 1/4, Section 29, located in T08N, R06E, Town of Black Earth, Dane County, Wisconsin more fully described as follows:

Commencing at the W 1/4 corner of said Section 21; THENCE South 00 degrees 23 minutes 25 seconds West for a distance of 1662.52 feet to the point of beginning; THENCE South 04 degrees 15 minutes 18 seconds East for a distance of 589.81 feet; THENCE South 56 degrees 31 minutes 28 seconds East for a distance of 1010.21 feet; THENCE South 00 degrees 27 minutes 48 seconds West for a distance of 1126.15 feet to the North Right-of-way John Wilkinson Road; THENCE South 89 degrees 44 minutes 17 seconds West for a distance of 100.00 feet along said Right-of-way; THENCE North 00 degrees 27 minutes 48 seconds East for a distance of 852.00 feet; THENCE South 83 degrees 13 minutes 25 seconds West for a distance of 498.44 feet THENCE North 50 degrees 33 minutes 56 seconds West for a distance of 704.63 feet; THENCE North 64 degrees 10 minutes 18 seconds West for a distance of 713.17 feet; THENCE North 01 degrees 28 minutes 34 seconds East for a distance of 710.10 feet; THENCE North 89 degrees 18 minutes 21 seconds East for a distance of 878.70 feet to the point of beginning.

FP-35 to RM-8 (lot 3)

Part of the NW 1/4 of the NW 1/4, Section 28, T08N, R06E, Town of Black Earth, Dane County, Wisconsin more fully described as follows:

Commencing at the W 1/4 corner of said Section 28; THENCE North 00 degrees 37 minutes 21 seconds East for a distance of 1249.66 feet to the North Right-of-way of John Wilkinson Road ; THENCE North 58 degrees 00 minutes 02 seconds East for a distance of 109.56 feet along said Right-of-way; THENCE along a curve to the right having a radius of 233.00 feet and an arc length of 9.01 feet, being subtended by a chord of North 59 degrees 06 minutes 28 seconds East for a distance of 9.00 feet along said Right-of-way to the point of beginning; THENCE North 00 degrees 37 minutes 20 seconds East for a distance of 378.59 feet; THENCE North 60 degrees 26 minutes 13 seconds East for a distance of 237.15 feet; THENCE North 00 degrees

00 minutes 50 seconds West for a distance of 327.78 feet; THENCE North 83 degrees 13 minutes 25 seconds East for a distance of 498.44 feet; THENCE South 00 degrees 27 minutes 48 seconds West for a distance of 852.00 feet to the North Right-of-way of said John Wilkinson Road; THENCE South 89 degrees 44 minutes 23 seconds West for a distance of 405.69 feet along said Right-of-way; THENCE North 89 degrees 12 minutes 22 seconds West for a distance of 173.82 feet along said Right-of-way; THENCE along a curve to the left having a radius of 233.00 feet and an arc length of 124.27 feet, being subtended by a chord of South 75 degrees 29 minutes 40 seconds West for a distance of 122.81 feet 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 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 document(s) on said land:

1. A deed notice shall be recorded on CSM Lot 3 that indicates it was created by a transfer of development rights.
2. A deed notice shall be recorded on the Frey property (Lot 1 CSM 02954, tax parcel 080629499305) stating the following:
 - a. Further residential/nonfarm development is prohibited. The housing density rights for the original Marvin Johnson farm have been exhausted per the Town Comprehensive Plan density policies.

Failure to record the notice(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.**