

15116

**THE DANE COUNTY SUSTAINABLE BUSINESS
PARK DECLARATION OF COVENANTS,
CONDITIONS, AND RESTRICTIONS**

This Declaration of Covenants, Conditions, and Restrictions is made effective on the signature date, by County of Dane, as the Declarant, with approval from the City of Madison.

WITNESSETH:

WHEREAS, the County has operated a solid waste landfill located at 7102 U.S. Hwy 12 & 18 in the City of Madison, Dane County, Wisconsin since 1985, but its current capacity is only projected to last until approximately 2030; and,

WHEREAS, the County has preliminary plans to develop a landfill, compost site, and Sustainable Business Park (hereinafter collectively referred to as the "Sustainability Campus") with the intent to divert waste and create local circular economies; and,

WHEREAS, the City and County desire to cooperate in the development of the Sustainability Campus, including the future landfill, to allow for continued waste management options for the City and County and advance the region towards a circular economy; and,

WHEREAS, the City has sold real property further defined in Exhibit A, to the County on terms set forth in a Purchase and Sale Agreement entered into on June 1, 2022; and,

WHEREAS, the City and the County previously executed a Development Agreement on June 1, 2022 that sets mutual understandings and expectations for the development of the landfill, compost site, and Sustainable Business Park; and,

WHEREAS, the Development Agreement stipulates that the County will file with the Dane County Register of Deeds, a declaration of restrictive covenants, approved by the City, that establishes the purpose of the development, a project review board and process, allowable uses, and standards for development of the Sustainable Business Park; and,

WHEREAS, the Development Agreement requires that the declaration include a list of the types of property uses that will be allowable within the Sustainable Business Park to ensure the use is consistent with the underlying goals of the City and the County regarding the Sustainability Campus; and,

WHEREAS, the Development Agreement requires the declaration state that the County is solely responsible for the administration and enforcement of the Covenants, and that the City shall be provided with a mechanism to enforce the allowable property uses established by the Declaration.

KRISTI CHLEBOWSKI
DANE COUNTY
REGISTER OF DEEDS

DOCUMENT #
5926406
09/28/2023 02:05 PM
Trans Fee:
Exempt #:
Rec. Fee: 30.00
Pages: 37

RETURN TO: *Dane County Waste+Renew.*
1919 Alliant Energy Center Way
Madison, WI 53713 Attn: Traci

Tax Parcel No.: See Exhibit A

0710-254-0097-1

NOW, THEREFORE, the Declarant hereby declares that the real estate described in Exhibit A is and shall be held, improved, developed, transferred, sold, conveyed, dedicated, leased, subleased, and otherwise utilized and occupied subject to and in compliance with the terms and provisions of this Declaration.

I. DEFINITIONS

The following definitions shall apply within this Declaration:

Applicant: A person, entity, business owner, or representative of a business owner (such as a developer or architect) who formally submits plans and specifications for a Project to the Project Review Board for approval.

Business Professional: All economic development, finance, or accounting professionals licensed or certified to practice in the State of Wisconsin, or an individual in the allied professions, such as business administration, or the like.

Circular Economy: A system that is based on the principles of designing out waste and pollution, keeping products and materials in use, and renewing and restoring natural systems.

City: The City of Madison, Wisconsin.

City's Designated Representatives: Representatives designated by the City of Madison to review and approve property uses permissible by this Declaration. The City's Designated Representatives shall be the Department of Planning, Community & Economic Development-Planning Division Director, or designee.

County: The County of Dane, Wisconsin.

Declarant: The County - and its successors and assigns.

Declaration: This Declaration of Covenants, Conditions, and Restrictions for the Sustainable Business Park, as it may from time to time be amended or supplemented.

Design Professional: All architects or engineers licensed to practice in the State of Wisconsin, or an individual in the allied professions, such as planning, urban design, landscape architecture, or the like.

Development Site: A Lot, combination of Lots or subplot on which improvements are proposed.

Director: The Director of the Dane County Department of Waste & Renewables.

Local Negotiated Agreement Process: Process administered by the State of Wisconsin Waste Facility Siting Board required as part of landfill permitting and governed by State Statutes ss. 289.33.

Lot: A platted parcel of land that is contained within the Sustainable Business Park.

Master Site Plan: The County-developed overall site plan that incorporates and illustrates multiple phases of the Campus at varying time periods as it may from time to time be amended or supplemented.

Occupant: A lessee or licensee of a Property Owner, or any other person or entity other than a Property Owner, in lawful possession of a lot with the permission of the Owner.

Plans: Documents that discuss and illustrate the intended development scheme; drawings, diagrams, scaled-map, a detailed formulation of a program of action, designs for improvements, buildings, or development site.

Project: A development, business, operation, organization, educational campaign or otherwise that meets the requirements of this Declaration and is approved or adopted by the Project Review Board as affiliated with the Sustainability Campus.

Project Review Board: The Project Review Board established under Article IV. Also referred to as the Design Review Board in prior Agreements between City and County.

Project Representative: A business owner, business owner's representative, or individual designated as the authorized representative for a Project.

Property Owner: Any person or entity that is the record owner of fee simple title to any Lot, excluding any entity or person who holds such interests as security for the payment of an obligation, but including land contract purchasers and any mortgagee in actual possession of a Lot.

Record: To file a document with the Office of the Register of Deeds, Dane County, Wisconsin.

Site Improvements: Includes, but is not limited to, buildings, outbuildings, roads, driveways, parking areas, fences, screening walls and barriers, retaining walls, stairs, docks, water lines, sewers, electrical and gas distribution facilities, hedges, windbreaks, plantings, planted trees and shrubs, poles, signs, loading areas, and all other structures, installations, and landscaping of every type and kind, whether above or below the land surface.

Sustainable Business Park: The portion of the Sustainability Campus further defined in Article II that will be further divided into lots or sublots and available for long term lease and development for the uses defined in this Declaration.

Sustainability Campus: Overarching Property, owned by County, that is proposed to be developed into a landfill, supporting infrastructure for the landfill, organics management facility, and Sustainable Business Park.

Violation: An act or omission that results in a violation of any term of this Declaration.

II. PROPERTY SUBJECT TO THIS DECLARATION

This Declaration shall apply to the real property, known as the Dane County Sustainable Business Park, located in the City of Madison, Dane County, Wisconsin, identified as Lot 1 (30.34 acres) on CSM 16345 included as Exhibit A.

III. STATEMENT OF PURPOSE

This Declaration is made with the intention of promoting an integrated land use plan that includes sustainable and accessible design and ensures an effective, safe, and appropriate physical environment while helping to divert waste, promote circular economies, and educate the public about sustainability and waste minimization. This Declaration is made to ensure that Property within the Sustainable Business Park is used consistent with the City's and County's goals to promote waste diversion, reuse, and recycling, and advance circular economies.

IV. PROJECT REVIEW BOARD

A. Creation

There shall be created a Project Review Board that shall be responsible for reviewing and approval of proposed Projects, including building plans and specifications, and for enforcing the provisions of this Declaration.

B. Functions

1. **General.** The Project Review Board shall cooperate with Property Owners, Occupants, Project Representatives, and Applicants to assure the orderly and quality development of the Project and has the right to enforce compliance with this Declaration.
2. **Administration of Project Review Process.** The Project Review Board shall administer the plan submission process described in Article V.
3. **The Project Review Board shall review only for compliance with this Declaration.** The Declarant or future Property Owner shall be solely responsible for negotiating any sale or lease of property subject to this Declaration.

C. Project Review Board Structure

1. The Project Review Board shall consist of three (3) members appointed by the Director of the Dane County Department of Waste & Renewables, and one (1) member subsequently appointed pursuant to Paragraph IV.C.2. Three members shall be appointed by the Director as follows:
 - a. One (1) member, who will represent the County or the majority Property Owner.

- b. One (1) member, who shall be a business professional who shall have the ability to review business plans, waste and recycling markets, job creation potential, economic impact, and financial viability.
 - c. One (1) member who shall be a design or engineering professional who shall have the ability to review safety standards, design standards, and consistency with the Master Site Plan of the Campus.
 - d. The Project Review Board members appointed by the Director may be County staff.
 - e. Project Review Board members appointed by the Director shall be appointed - within ninety (90) days of initial recording of this Declaration and within ninety (90) days of any future vacancy.
2. Project Review Board shall adopt bylaws that allow for the appointment of one (1) additional Project Review Board member as follows:
- a. Upon execution of three or more Project lease agreements or contracts, the designated Project Representatives shall be allowed to elect one (1) member to the Project Review Board.
 - b. Each Project Representative shall be entitled to a minimum of one (1) vote to select a member of the Project Review Board. The Project Review Board may develop additional bylaws that grant additional voting rights to Projects that meet or exceed established waste diversion criteria.

D. Term

Each member of the Project Review Board shall serve for a three (3) year term.

E. Removal

Director can remove a board member upon death, incapacitation or malfeasance in office.

F. Organization and Notice of Meetings

The Chair of the Project Review Board shall be appointed by the Director, and the Chair shall schedule and preside over the Project Review Board meetings. The Project Review Board's meetings are open to the public and will be publicly noticed. A quorum shall consist of simple majority of members. The Project Review Board shall adopt bylaws governing the structure, manner of business, and meeting times and places of the Project Review Board. In the absence of adopted by-laws or procedures, the Board shall follow Robert's Rules of Order.

G. Voting Structure

A simple majority vote of members attending shall constitute a decision by the Project Review Board. If a Project Review Board member is unable to serve due to absence or conflict of interest the Director may appoint a temporary substitute member to serve.

V. PLAN SUBMISSION PROCESS

A. General

Each Applicant is required to follow the plan submission and approval process set forth in this Article V. The Applicant is responsible for providing all documents and plans necessary to submit a completed application.

B. Application Submittal and Requirements

1. The application and review process shall generally involve three (3) steps:
 - a. Preliminary Concept and Business Plan. This step may be initiated by issuance of a Request for Proposals or Request for Information by the Declarant.
 - b. Site Plan. This step may be waived for an Application that does not include site Improvements.
 - c. Construction Plan. This step may be waived for an Application that does not include site Improvements.
2. The Preliminary Concept and Business Plan shall be submitted to the Project Review Board and include the following:
 - a. Name and description of the Project
 - b. Name, address, and contact information of the Applicant
 - c. Name, address, and contact information of the Project Representative
 - d. Project Schedule and Timeline
 - e. Detailed description of how the Project will advance the local circular economy including, as applicable:
 - i. Types and quantities of materials diverted from landfill disposal

- ii. Plans for collection, transportation, and processing of materials
 - iii. Byproducts or residuals of process
 - iv. Number of jobs created and estimated economic impact
 - v. Summary of how the Project will advance public education and awareness of waste diversion or other stated goals of the Sustainability Campus.
- f. Estimated costs and revenues including, as applicable:
- i. Capital costs (infrastructure, buildings, equipment, etc.)
 - ii. Operating costs (utilities, staff, fuel, etc.)
 - iii. Operating revenues (tipping fees, sale of products, etc.)
 - iv. Sources of financing or funding (loans, grants, subsidies, investors, etc.)
- g. Description of how the Project will utilize or create renewable energy, incorporate green building standards, minimize or reduce carbon emissions, or further incorporate safety, sustainability, or environmental stewardship
- h. Description of how the Project will incorporate diversity, equity and inclusion in planning and execution.
- i. Application shall also include the following for Projects that include Site Improvements:
- i. Proposed design and engineering team
 - ii. Size and requirements of lot or subplot, if applicable
 - iii. Required improvements including the necessary square footage of building space, outdoor storage, required zoning, utilities or other infrastructure
 - iv. Generalized process flow and relationships of buildings, adjacent properties, streets and other infrastructure
 - v. Preliminary stormwater plan
 - vi. The Project Review Board may require the Applicant to submit additional detail including renderings that will illustrate the design and development concept, if deemed necessary at this stage of review

3. Upon Project Review Board approval of the Preliminary Concept and Business Plan, an Applicant shall submit a "Site Plan" for the proposed Project. The Site Plan shall include the following, as applicable:
 - a. Site survey, including existing topography, easements and utilities
 - b. Building location(s) and footprint(s)
 - c. Building setbacks
 - d. Circulation, including waste streams, residuals, shipping/receiving, customers, pedestrian, tour guests, and other vehicular traffic
 - e. Proposed future grades and drainage
 - f. Proposed storm water infiltration measures and runoff calculations and modelling
 - g. Utility locations, including telephone, electricity, gas, sewer, water, storm sewer systems and water quality and quantity management
 - h. Parking layout and number of spaces, and number of employees
 - i. Outdoor staging areas, equipment, and waste collection areas
 - j. Other site amenities
 - k. Building and Landscape Plans:
 - i. Floor plans
 - ii. Building elevations and renderings
 - iii. Building materials, including use, colors and samples
 - iv. Roof lines
 - v. Color conceptual landscape plan indicating plant material, location, quantity, species and initial size

4. Upon Project Review Board approval of the Site Plan, an Applicant shall submit "Final Construction Plans" for the proposed Project. The Final Construction Plans shall include the following, as applicable:
 - a. Engineering and construction plans, specifications, and grading plans for the site, parking areas, signage, lighting, and landscaping
 - b. Erosion control plans during construction

- c. Storm water infiltration plan and storm water management plan including required oil and grease interceptor plans
- d. Construction plans, specifications and elevations for the Improvements as required for engineering and construction for all aspects of a Development Site

C. Basis for Approval

All plans shall be in compliance with the standards set forth in Articles III, VI, and VII, and subject to approval by a majority vote of the Project Review Board.

VI. PERMITTED USES

A. Permitted Uses

The following business activities or uses are considered consistent with the intent of the Development and are permitted uses:

- 1. Entities that divert materials from the waste stream and prevent landfill disposal, including but not limited to:
 - a. Materials Recovery Facilities (MRFs) and supporting infrastructure
 - b. Waste Collection and Sorting Facilities and supporting infrastructure
 - c. Recycling Facilities (i.e scrap metal, tires, shingles, plastics, fiber, mattresses, paper, electronics, textiles, glass)
 - d. Untraditional or Emerging Recycling or Waste Management Technologies (i.e. electric car battery, drywall, solar panel, or wind turbine recycling)
 - e. Wood Processing
 - f. Upcyclers
 - g. Food Recovery Operations (food pantries, commercial refrigerators or freezers)
 - h. Surplus, Swap, or Trade Shops or Auctions
 - i. Thrift or Reuse Stores

2. Entities that implement and operate alternatives to landfill disposal, including but not limited to the following processes and any necessary supporting infrastructure:
 - a. Anaerobic Digestion
 - b. Biomass and Biofuel Production
 - c. Pyrolysis
 - d. Gasification
 - e. Mechanical Biological Treatment (mechanical sorting with biological processing)
 - f. Indoor or Outdoor Composting Facilities (i.e wind rows, aerated static piles, in-vessel composting)
 - g. Vermicomposting, bokashi composting, or other emerging composting practices
 - h. Aerobic Digestion
 - i. Soil or Sediment Treatment
3. Entities that operate systems to utilize energy or resources from Campus operations, including but not limited to the following processes and any necessary supporting infrastructure:
 - a. Carbon (CO₂) and/or Nitrogen (N₂) Capture, Processing, Distribution or Beneficial Reuse
 - b. Biogas Collection, Processing, Distribution or Beneficial Reuse
 - c. Renewable Energy Production
 - d. Cogeneration Facilities and Infrastructure
 - e. Electrical Vehicle Charging Stations
4. Entities that offer services that extend the life of materials, including but not limited to:
 - a. Repair or Refurbish Shops (i.e appliance repair, bike repair, clothing, electronics)
 - b. Tool, Equipment, or Supplies Sharing Programs or Businesses
 - c. Reupholsters

- d. Artists and Craftspeople
 - e. Maker Spaces and Community Workshop Spaces
 - f. Commercial Dishwashers
 - g. Reprocessing Facilities
 - h. Deconstruction or Demolition Services
5. Entities that research or develop new waste technologies, recycling processes, renewable energy, or use or production of post-consumer materials, including but not limited to:
- a. Academic Research Institutions
 - b. Research Companies
 - c. Materials Testing Laboratories
 - d. Start-up Companies
 - e. Product Life Cycle Assessment Focused Organizations or Consultancies
6. Entities that use recovered or recycled materials as the primary feedstock for the production of goods or products including but not limited to:
- a. Composite Decking Manufacturers
 - b. Recycled Gypsum Processors
 - c. Sustainable Fertilizer Manufacturing
 - d. Post-Consumer Product Manufacturers
7. Entities that provide education or program management services that advance the goals of the Campus and promote circular economy, renewable energy, and regenerating natural systems, including but not limited to:
- a. STEAM Educators (Schools, Museums, Nature Centers)
 - b. Environmental Clubs and Organizations
 - c. Community Groups

- d. Businesses that provide consulting on operating with minimal waste
- e. Vocational Trainers
- f. Wellbeing or Mindfulness Practitioners

B. Accessory Uses

The following activities or uses that support Campus tenants or embody circular economy goals including are considered consistent with the intent of the Development and are permitted accessory uses:

1. Renewable Energy Infrastructure (geothermal, wind, solar, or otherwise)
2. Administrative Offices
3. Scaling/Weighing Infrastructure
4. Maintenance Facilities
5. Retail Activities that support or sell products of Campus Occupants.
6. Wastewater Treatment Facilities
7. Stormwater Management Facilities
8. Food Service Operations that use recovered food or food grown onsite

C. Other Uses

Other uses consistent with the purposes of the Sustainable Business Park as set forth in Article III may be allowable with approval of the Project Review Board and approval from the City's Designated Representatives.

VII. DEVELOPMENT STANDARDS

Projects shall not be approved unless they meet the following standards:

A. Development Standards

Projects shall comply with all applicable building codes, zoning requirements and other applicable federal, state and local regulations, standards and codes. Project specific development standards for building materials, landscaping and screening, parking, signage, pedestrian access, educational displays, and other items may be established by the Declarant through amendments to this Declaration, conditions of project approvals, a Master Site Plan, or through lease agreements or contracts with Project Representatives.

B. Operational Standards.

Project Representatives and Property Owners shall be responsible for maintaining premises and improvements in such a manner that promotes a safe, clean, inclusive and attractive environment for employees, visitors, and adjacent property owners.

Projects shall comply with the applicable ordinances and regulations. Additional standards for hours of operation, noise limits, traffic patterns, or other items may be established by the Declarant through an amendment to this Declaration, conditions of project approvals, the Local Negotiated Agreement Process, or through lease agreements or contracts with Project Owners and Developers.

VIII. ENFORCEMENT

- A. Any violation of this Declaration that continues for a period of thirty (30) days following delivery of notice of violation to the Project Representative shall be enforceable by Declarant and any other Owner, or the City as provided for in Section B, by proceedings at law or in equity against any person or persons violating or attempting to violate any provision of the Declaration, either to restrain or cure the violation or to recover damages, or both.
- B. The City may enforce any violation of the permitted uses set forth in Article VI within the Sustainable Business Park. In enforcing these permitted uses, the City has the same rights and responsibilities as the Declarant under Section A.
- C. Nothing herein shall be deemed to limit the rights of the City of Madison to enforce any zoning codes, ordinances, regulations or other requirements which may be identical or similar to the requirements of this Declaration.
- D. The Declarant shall have the right to correct any violation of this Declaration itself and recover reimbursement by the party who has been in violation of the Declaration for all costs incurred, including but not limited to the costs of correction, legal fees, costs of enforcement and all other costs whether direct or indirect.

IX. ADDITIONAL PROVISIONS

A. Duration, Modification, and Termination

This Declaration may be amended by the Declarant and recorded with the Dane County Register of Deeds. Amendments to Articles VI and VIII shall require approval from the City's Designated Representatives. This Declaration shall expire after a period of twenty five (25) years from the date this Declaration is initially recorded, or such time that the landfill that is part of the Sustainability Campus is no longer accepting solid waste, whichever occurs later. Declarant shall have the unilateral right, exercisable by executing and recording a document exercising such right, to subject additional lands to this Declaration.

B. Variances

The Project Review Board may grant a variance from any of the prescribed criteria herein, from time to time where such variances will assist in carrying out the intent and spirit of this Declaration. Approval of any variance request requires a unanimous affirmative vote by the Project Review Board. Approval of any variance regarding allowable uses in Article VI shall have approval from City's Designated Representatives.

C. Severability

The provisions of this Declaration are severable. If one or more provisions of this Declaration is ruled invalid by judgment or court order, the remaining provisions shall not be affected and shall remain in full force.

D. Notices

Any notices or other communications to the Project Review Board required by this Declaration shall be given via registered or certified mail, to the Project Review Board at the following address:

Attn: Dane County Sustainability Campus Project Review Board
Dane County Department of Waste & Renewables
1919 Alliant Energy Center Way
Madison, WI 53713

or such other address as may be designated in a document recorded by Project Review Board with the Dane County Register of Deeds. Notices to any Project Representative shall be given to the address listed in the Project Application. All notices shall be deemed given three (3) days after the same have been sent, via registered or certified mail, to the party.

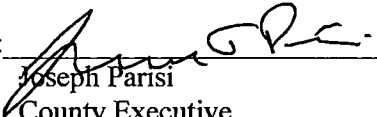
E. Successors and Assigns

This Declaration shall benefit, and be binding upon, Declarant, Project Representatives, and Property Owners, and their respective successors and assigns as owners of any lands within the Project, and shall run with the land.

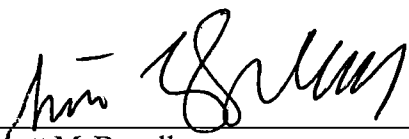
IN WITNESS OF ALL THE ABOVE, Declarant has executed this Declaration as of the Effective Date with approval of the City of Madison.

(Signatures begin on next page)

COUNTY OF DANE, WISCONSIN,
a municipal corporation

By: 
Joseph Parisi
County Executive

Date: 6-26-23

By: 
Scott McDonell
County Clerk

Date: 7-10-23

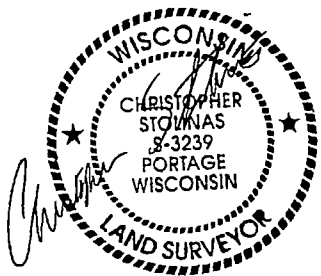
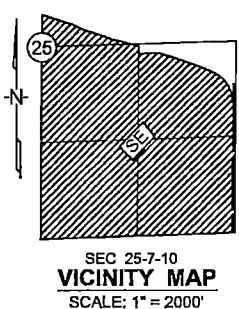
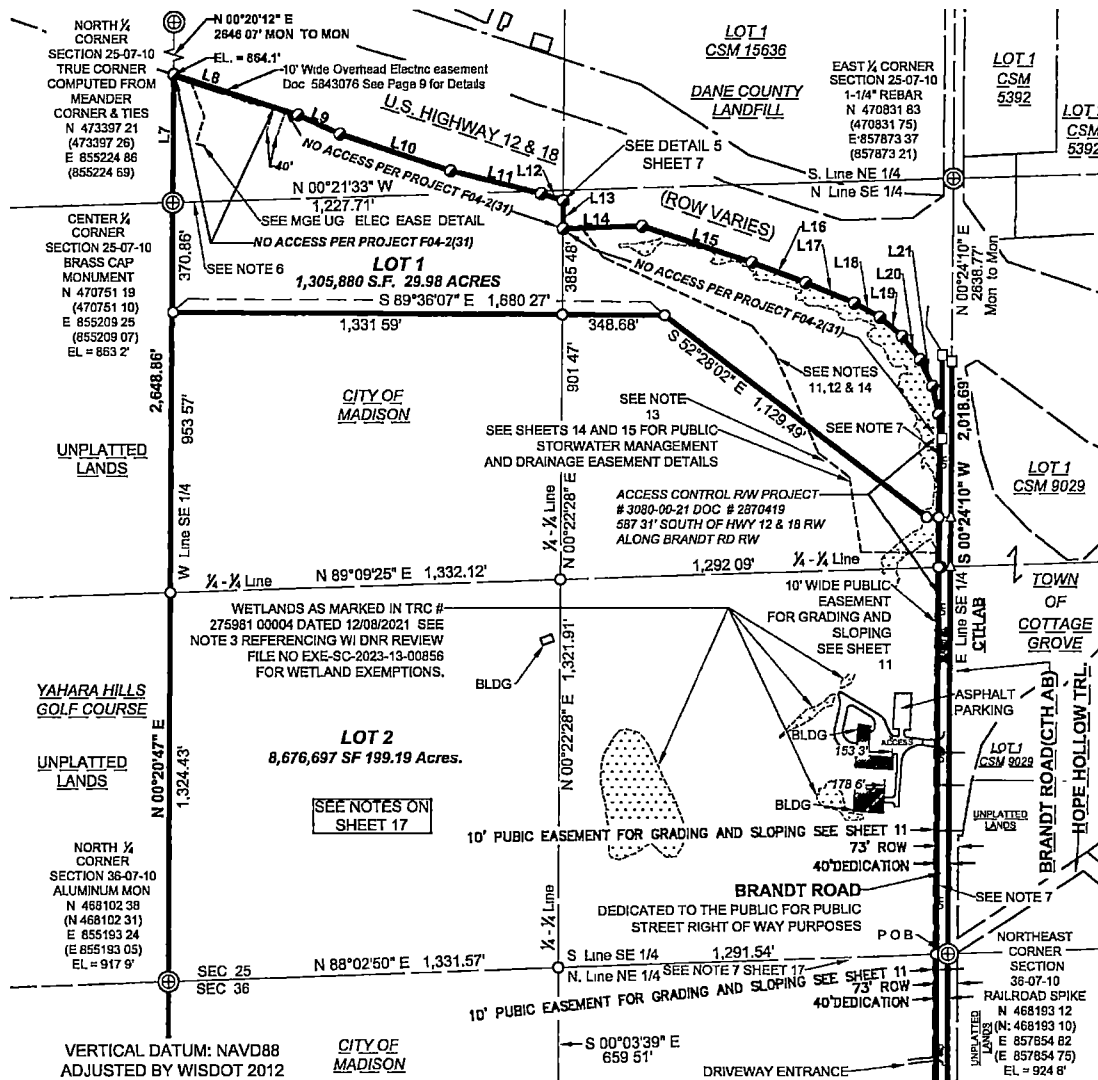
The execution of this Agreement by County officials was authorized by Enactment No. 2023 RES-059 file No. _____, adopted June 15, 2023

EXHIBIT A
Certified Survey Map

Document # 5924987

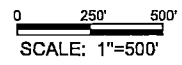
CERTIFIED SURVEY MAP NO. 16345

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- LEGEND**
- ⊕ FOUND SECTION CORNER
 - FOUND REBAR / WISDOT CAP
 - FOUND 3/4" REBAR
 - FOUND 1" IRON PIPE
 - ▣ FOUND 1-1/2" IRON PIPE
 - ▲ FOUND MAGNETIC NAIL
 - SET 3/4" O.D. X 18" IRON REBAR W/CAP
 - "AYRES ASSOC." @ 1.50 LBS. / LIN. FT.
 - SET 1-1/4" O.D. X 18" IRON REBAR @ 4.30 LBS / LIN FT
 - △ SET PK NAIL
 - (100.00') RECORD BEARING OR DISTANCE

Bearings are referenced to the East line of the Northeast 1/4 of Section 36, measured to bear S 00°14'45" W



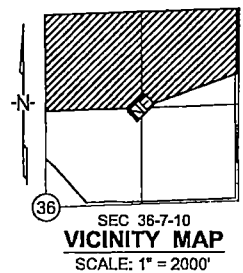
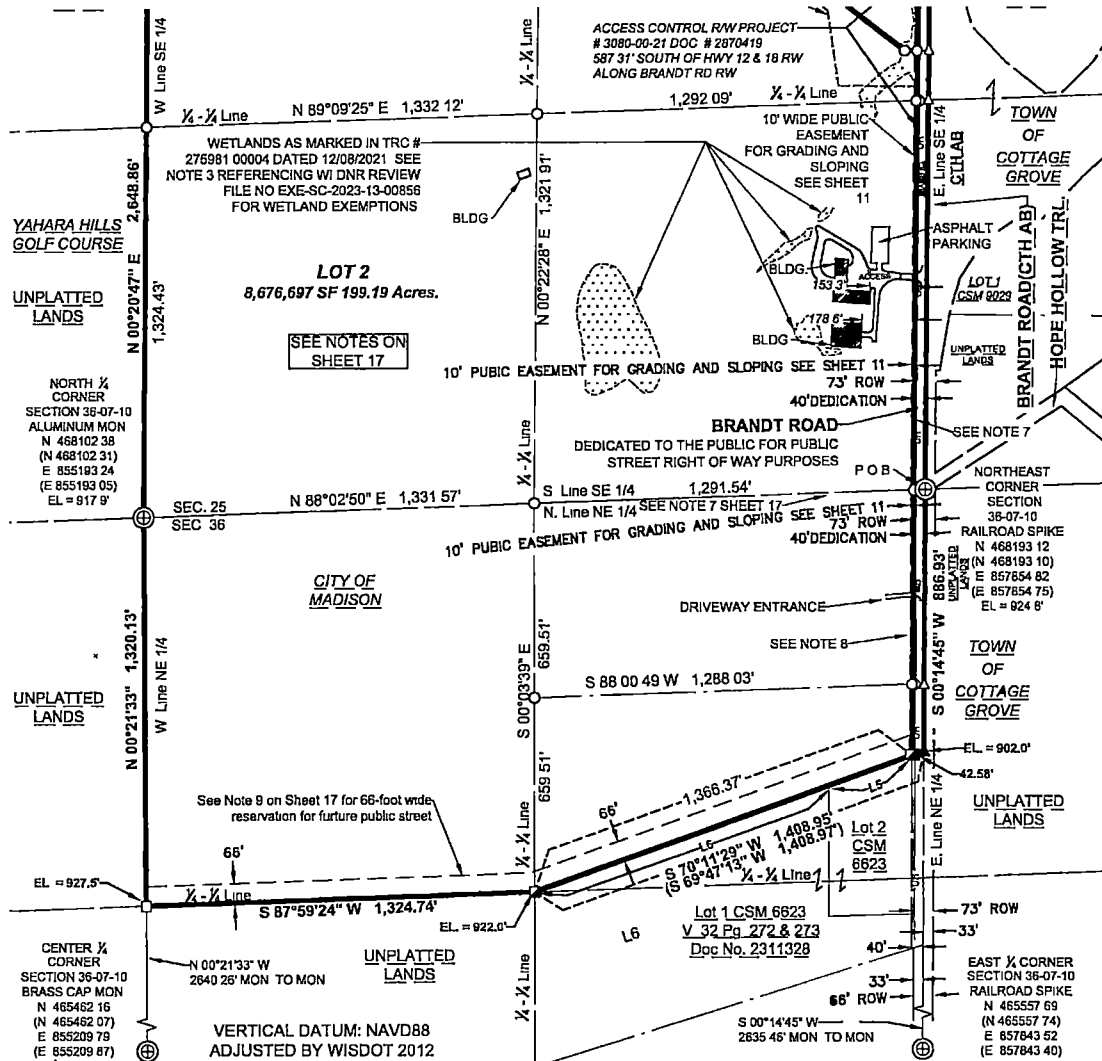
AYRES
5201 E Terrace Dr., Suite 200
Madison, WI 53718
(608) 443-1200

**THIS SURVEY HAS BEEN
MADE BY THE DIRECTION
OF:**
DANE COUNTY DEPARTMENT OF
WASTE & RENEWABLES
1919 ALLIANT ENERGY CENTER WAY
MADISON, WI. 53713

Drawn By: CJS
Date: 06/16/2023

CERTIFIED SURVEY MAP NO. 16345

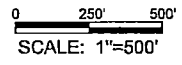
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THIS SURVEY HAS BEEN MADE BY THE DIRECTION OF:
 DANE COUNTY DEPARTMENT OF WASTE & RENEWABLES
 1919 ALLIANT ENERGY CENTER WAY
 MADISON, WI. 53713

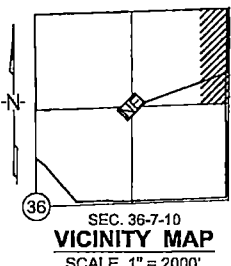
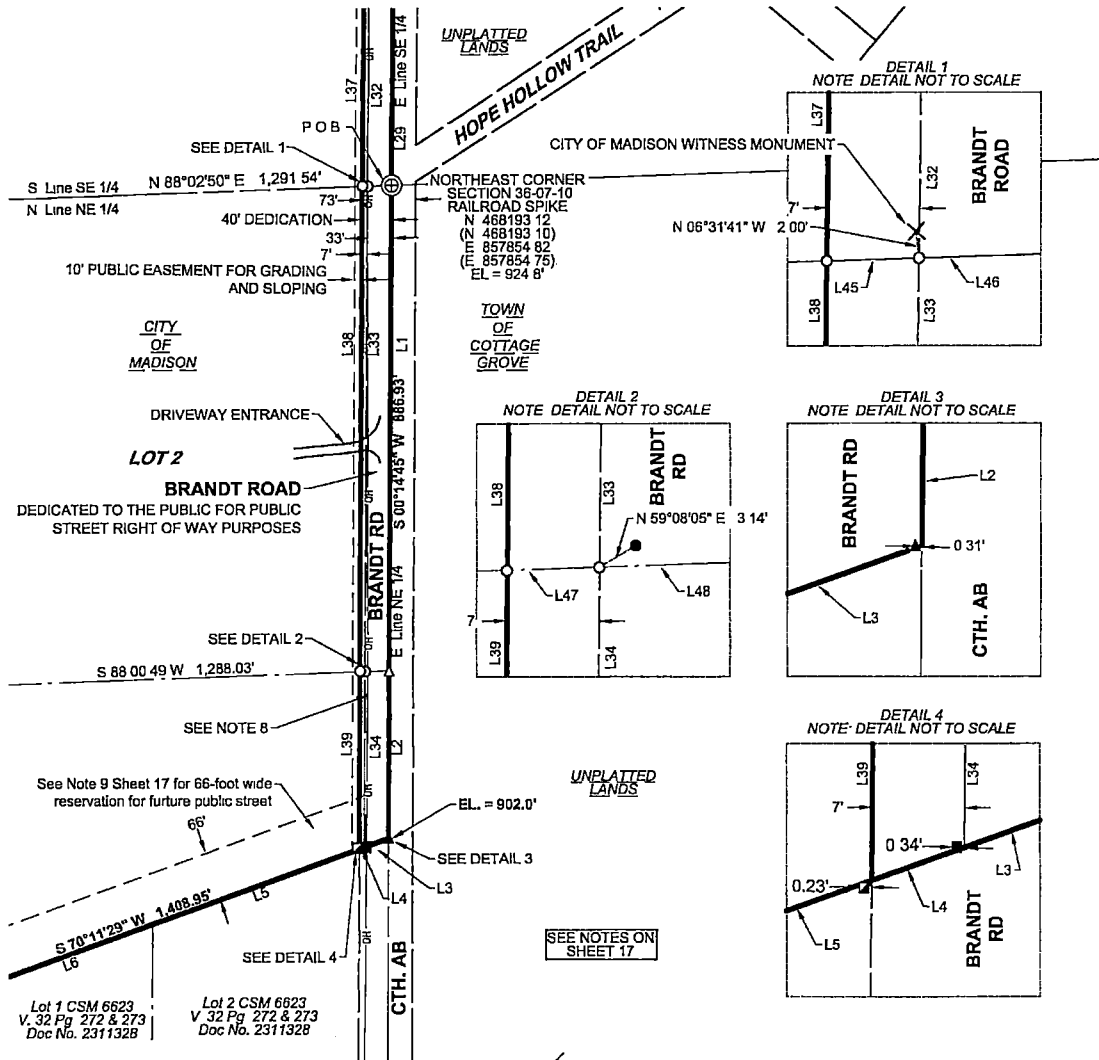


Drawn By: CJS
 Date: 06/16/2023

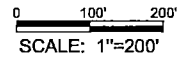
AYRES
 5201 E Terrace Dr., Suite 200
 Madison, WI 53718
 (608) 443-1200

CERTIFIED SURVEY MAP NO. 16345

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 - SET 3/4" O.D X 18" IRON REBAR W/CAP "AYRES ASSOC" @ 1.50 LBS / LIN. FT.
 - SET 1-1/4" O.D. X 18" IRON REBAR @ 4.30 LBS / LIN. FT.
 - SET PK NAIL
 - (100 00') RECORD BEARING OR DISTANCE



Bearings are referenced to the East line of the Northeast 1/4 of Section 36, measured to bear S 00°14'45" W

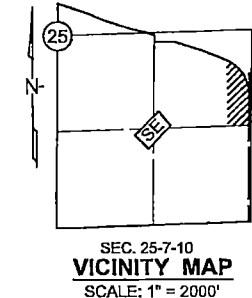
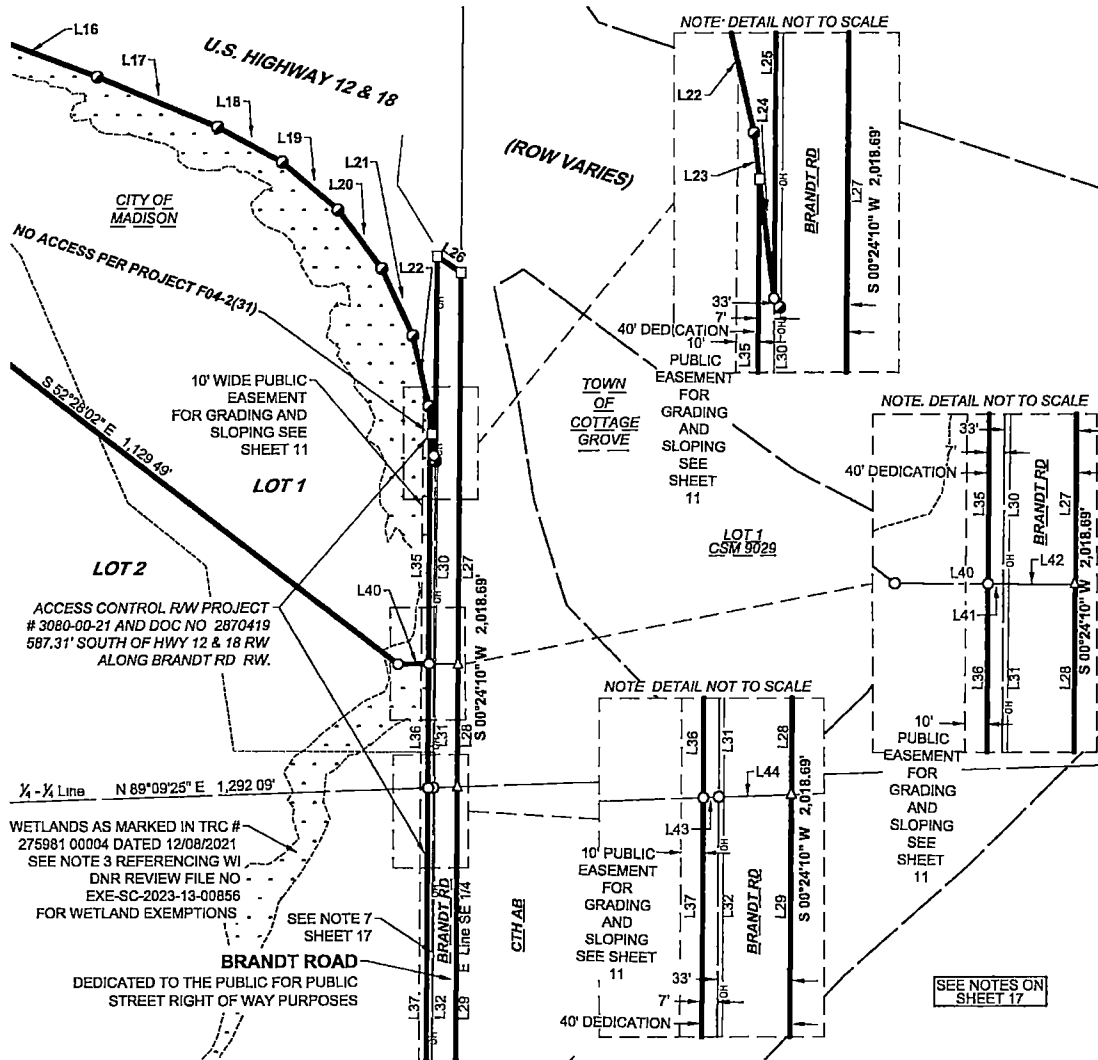
AYRES
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 (608) 443-1200

THIS SURVEY HAS BEEN MADE BY THE DIRECTION OF:
 DANE COUNTY DEPARTMENT OF WASTE & RENEWABLES
 1919 ALLIANT ENERGY CENTER WAY
 MADISON, WI. 53713

Drawn By: CJS
 Date: 06/16/2023

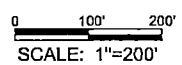
CERTIFIED SURVEY MAP NO. 16345

PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 25, PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, ALL LOCATED IN TOWNSHIP 7 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN



- LEGEND**
- ⊙ FOUND SECTION CORNER
 - FOUND REBAR / WISDOT CAP
 - FOUND 3/4" REBAR
 - FOUND 1" IRON PIPE
 - FOUND 1-1/2" IRON PIPE
 - ▲ FOUND MAGNETIC NAIL
 - SET 3/4" O.D. X 18" IRON REBAR W/CAP
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 - (100 00') RECORD BEARING OR DISTANCE

THIS SURVEY HAS BEEN MADE BY THE DIRECTION OF:
DANE COUNTY DEPARTMENT OF WASTE & RENEWABLES
1919 ALLIANT ENERGY CENTER WAY
MADISON, WI. 53713

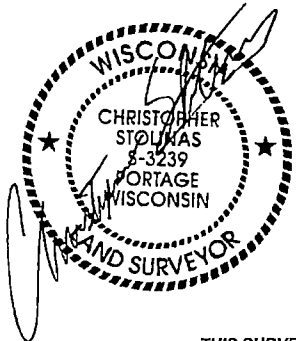
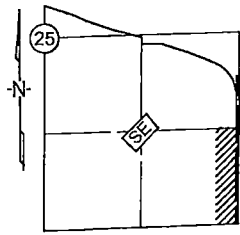
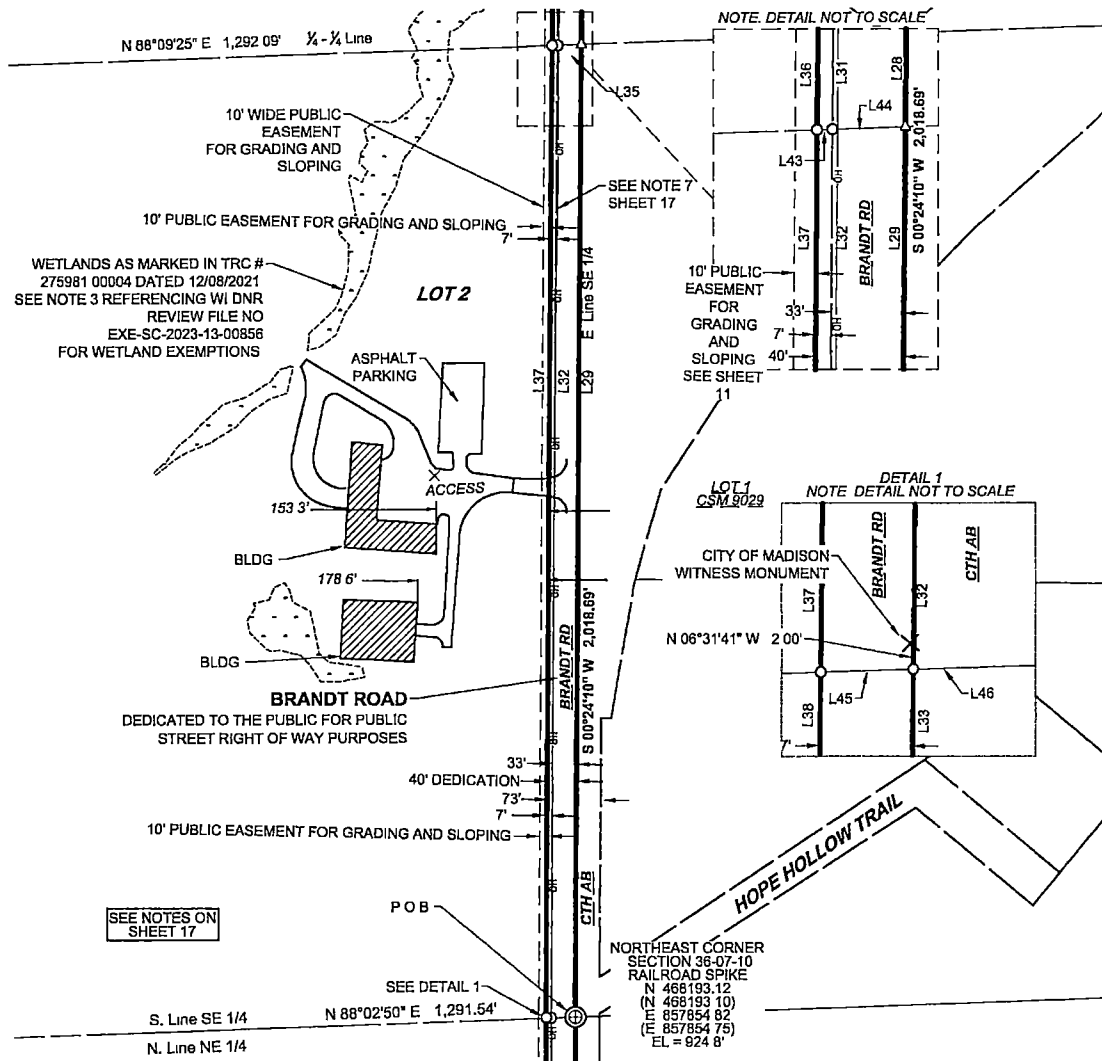


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Date 06/16/2023

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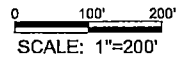
CERTIFIED SURVEY MAP NO. 16345

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 - △ SET PK NAIL
 - (100.00') RECORD BEARING OR DISTANCE

Bearings are referenced to the East line of the Northeast 1/4 of Section 36, measured to bear S 00°14'45" W



THIS SURVEY HAS BEEN MADE BY THE DIRECTION OF:

DANE COUNTY DEPARTMENT OF WASTE & RENEWABLES

1919 ALLIANT ENERGY CENTER WAY

MADISON, WI 53713

Drawn By CJS

Date: 06/16/2023

AYRES

5201 E Terrace Dr., Suite 200

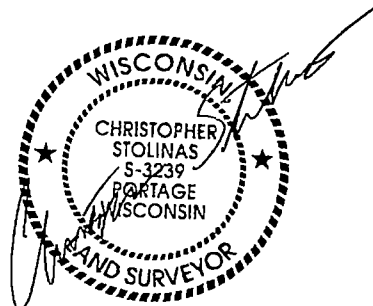
Madison, WI 53718

(608) 443-1200

CERTIFIED SURVEY MAP NO. 16345

PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 25, PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, ALL LOCATED IN TOWNSHIP 7 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN

LINE TABLE			LINE TABLE		
Line	Length (Recorded)	Bearing (Recorded)	Line	Length (Recorded)	Bearing (Recorded)
L1	658.86'	S 00°14'45" W	L28	167.51'	S 00°24'10" W
L2	228.08'	S 00°14'45" W	L29	1319.38'	S 00°24'10" W
L3	35.13'	S 70°11'29" W (N 69°47'13" E)	L30	275.85'	S 00°24'10" W
L4	7.45'	S 70°11'29" W (N 69°47'13" E)	L31	168.80'	S 00°24'10" W
L5	300.29'	S 70°11'29" W (N 69°47'13" E)	L32	1319.45'	S 00°24'10" W
L6	1066.08' 1066.10'	S 70°11'29" W (N 69°47'13" E)	L33	658.88'	S 00°14'45" W
L7	436.32'	N 00°20'12" E	L34	238.84'	S 00°14'45" W
L8	445.53'	S 72°02'15" E (N 72°02'15" W)	L35	329.84'	S 00°24'10" W
L9	156.63'	S 65°27'59" E (N 65°27'59" W)	L36	169.08'	S 00°24'10" W
L10	400.03'	S 71°33'05" E (N 71°33'05" W)	L37	1319.46'	S 00°24'10" W
L11	318.21'	S 75°52'43" E (N 75°52'43" W)	L38	658.88'	S 00°14'45" W
L12	80.04'	S 72°02'15" E (N 72°02'15" W)	L39	241.12'	S 00°14'45" W
L13	95.01'	S 00°26'49" W (N 00°26'49" E)	L40	42.36'	S 89°35'50" E
L14	268.49'	N 88°14'23" E (S 88°14'23" W)	L41	7.00'	S 89°35'50" E
L15	396.29'	S 72°02'15" E (N 72°02'15" W)	L42	33.00'	S 89°35'50" E
L16	196.57'	S 69°45'02" E (N 69°45'02" W)	L43	7.01'	S 89°09'25" E
L17	179.16'	S 67°27'49" E (N 67°27'49" W)	L44	33.02'	S 89°09'25" E
L18	100.00'	S 61°23'44" E (N 61°23'44" W)	L45	7.01'	N 88°02'50" E
L19	100.00'	S 49°15'34" E (N 49°15'34" W)	L46	33.02'	N 88°02'50" E
L20	100.00'	S 37°07'25" E (N 37°07'25" W)	L47	7.01'	S 88°00'49" W
L21	100.00'	S 24°59'16" E (N 24°59'16" W)	L48	33.03'	S 88°00'49" W
L22	98.35'	S 12°57'08" E (N 12°57'08" W)			
L23	21.18' (83.59')	S 06°59'06" E (N 06°59'06" W)			
L24	54.44' (83.59')	S 06°59'06" E (N 06°59'06" W)			
L25	277.75'	N 00°24'10" E			
L26	39.55'	S 56°08'06" E			
L27	531.80'	S 00°24'10" W			



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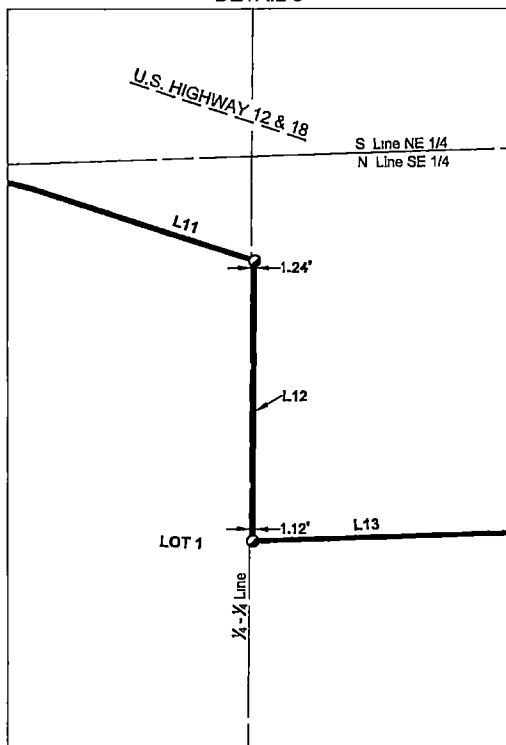
Sheet 6 of 20

6/16/2023

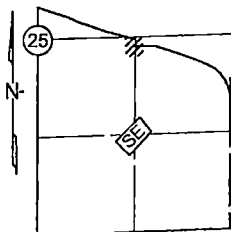
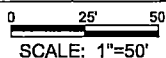
CERTIFIED SURVEY MAP NO. 16345

PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 25, PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, ALL LOCATED IN TOWNSHIP 7 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN

DETAIL 5



SEE NOTES ON SHEET 17

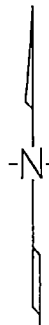


SEC. 25-7-10
VICINITY MAP
SCALE 1"=2000'



LEGEND

- ⊕ FOUND SECTION CORNER
- FOUND REBAR / WISDOT CAP
- FOUND 3/4" REBAR
- FOUND 1" IRON PIPE
- FOUND 1-1/2" IRON PIPE
- ▲ FOUND MAGNETIC NAIL
- SET 3/4" O.D. X 18" IRON REBAR W/CAP "AYRES ASSOC." @ 1.50 LBS / LIN. FT.
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- △ SET PK NAIL
- (100 00') RECORD BEARING OR DISTANCE



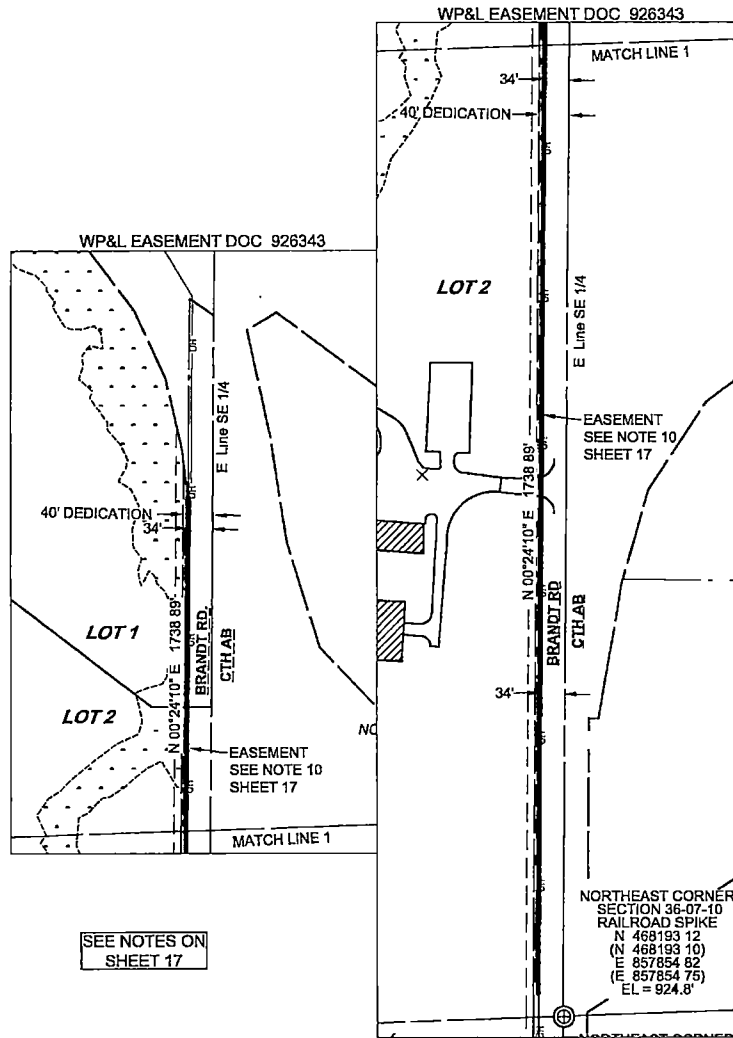
Bearings are referenced to the East line of the Northeast 1/4 of Section 36, measured to bear S 00°14'45" W

AYRES
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Drawn By CJS
Date. 06/16/2023
Sheet 7 of 20

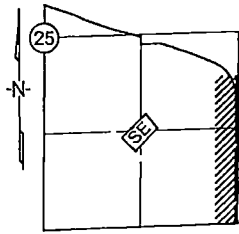
CERTIFIED SURVEY MAP NO. 16345

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SEE NOTES ON SHEET 17

NORTHEAST CORNER SECTION 36-07-10 RAILROAD SPIKE
 N 468193.12
 (N 468193.10)
 E 857854.82
 (E 857854.75)
 EL = 924.8'



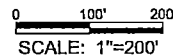
SEC 25-7-10
VICINITY MAP
 SCALE 1" = 2000'



LEGEND

- ⊕ FOUND SECTION CORNER
- FOUND REBAR / WISDOT CAP
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- △ SET PK NAIL
- (100 00') RECORD BEARING OR DISTANCE

Bearings are referenced to the East line of the Northeast 1/4 of Section 36, measured to bear S 00°14'45" W



SCALE: 1" = 200'

THIS SURVEY HAS BEEN MADE BY THE DIRECTION OF:
 DANE COUNTY DEPARTMENT OF WASTE & RENEWABLES
 1919 ALLIANT ENERGY CENTER WAY
 MADISON, WI. 53713

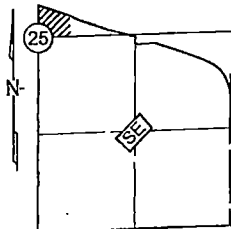
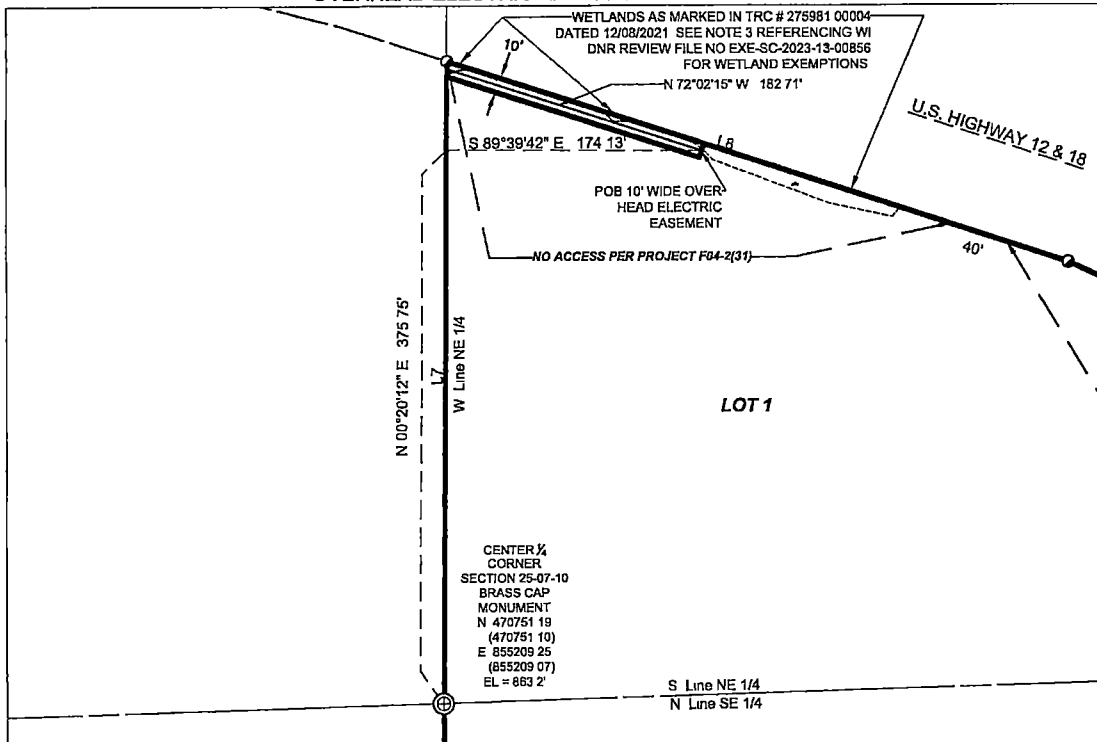
AYRES
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 (608) 443-1200

Drawn By: CJS
 Date: 06/16/2023

CERTIFIED SURVEY MAP NO. 16345

PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 25, PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, ALL LOCATED IN TOWNSHIP 7 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN

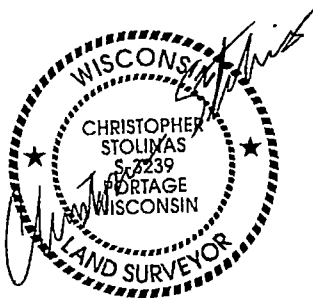
OVERHEAD ELECTRIC EASEMENT DOC. 5843076



SEC. 25-7-10
VICINITY MAP
SCALE: 1" = 2000'

0 50' 100'
SCALE: 1"=100'

SEE NOTES ON
SHEET 17



LEGEND

- ⊕ FOUND SECTION CORNER
- FOUND REBAR / WISDOT CAP
- FOUND 3/4" REBAR
- FOUND 1" IRON PIPE
- FOUND 1-1/2" IRON PIPE
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Bearings are referenced to the East line of the Northeast 1/4 of Section 36, measured to bear S 00°14'45" W

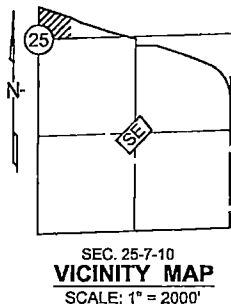
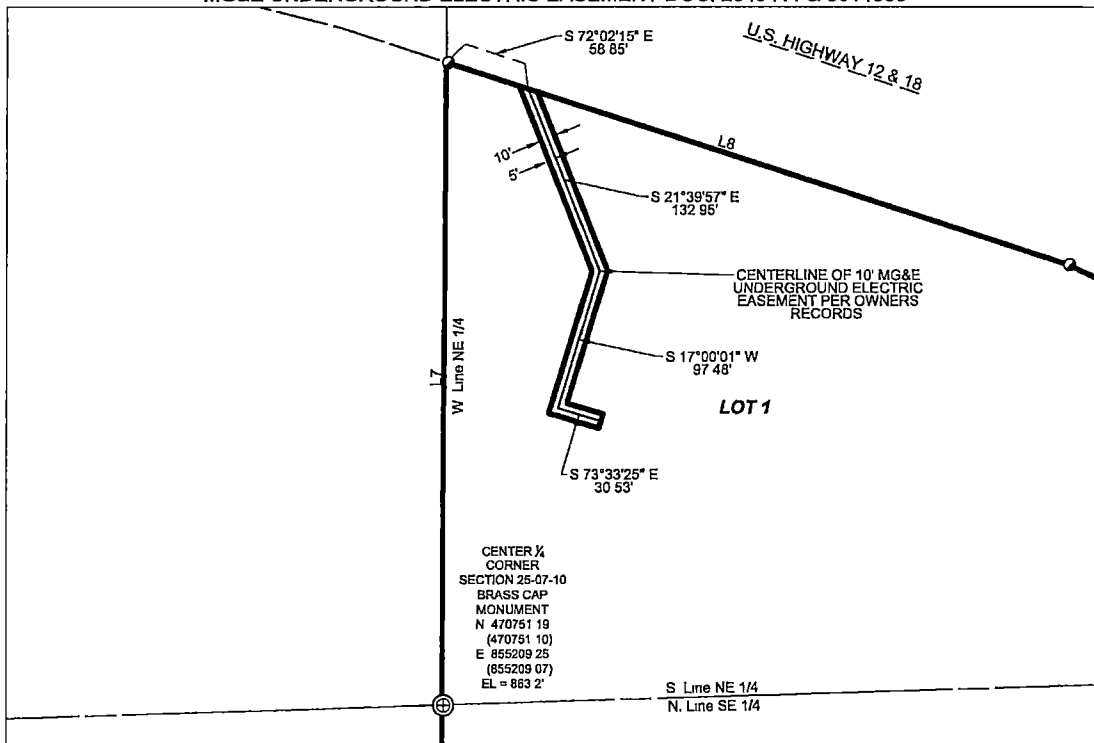
AYRES
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(608) 443-1200

Drawn By CJS
Date: 06/16/2023
Sheet 9 of 20

CERTIFIED SURVEY MAP NO. 16345

PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 25, PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, ALL LOCATED IN TOWNSHIP 7 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN

MG&E UNDERGROUND ELECTRIC EASEMENT DOC. 2349411 & 5014336



SEE NOTES ON SHEET 17

- LEGEND**
- ⊕ FOUND SECTION CORNER
 - FOUND REBAR / WISDOT CAP
 - FOUND 3/4" REBAR
 - FOUND 1" IRON PIPE
 - ▣ FOUND 1-1/2" IRON PIPE
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 - (100.00') RECORD BEARING OR DISTANCE

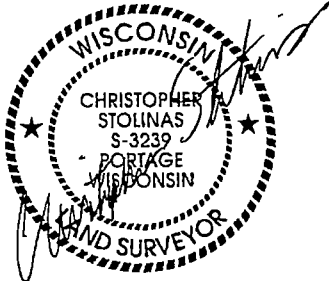
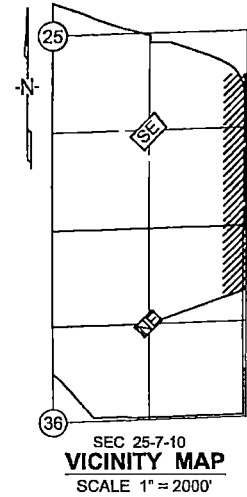
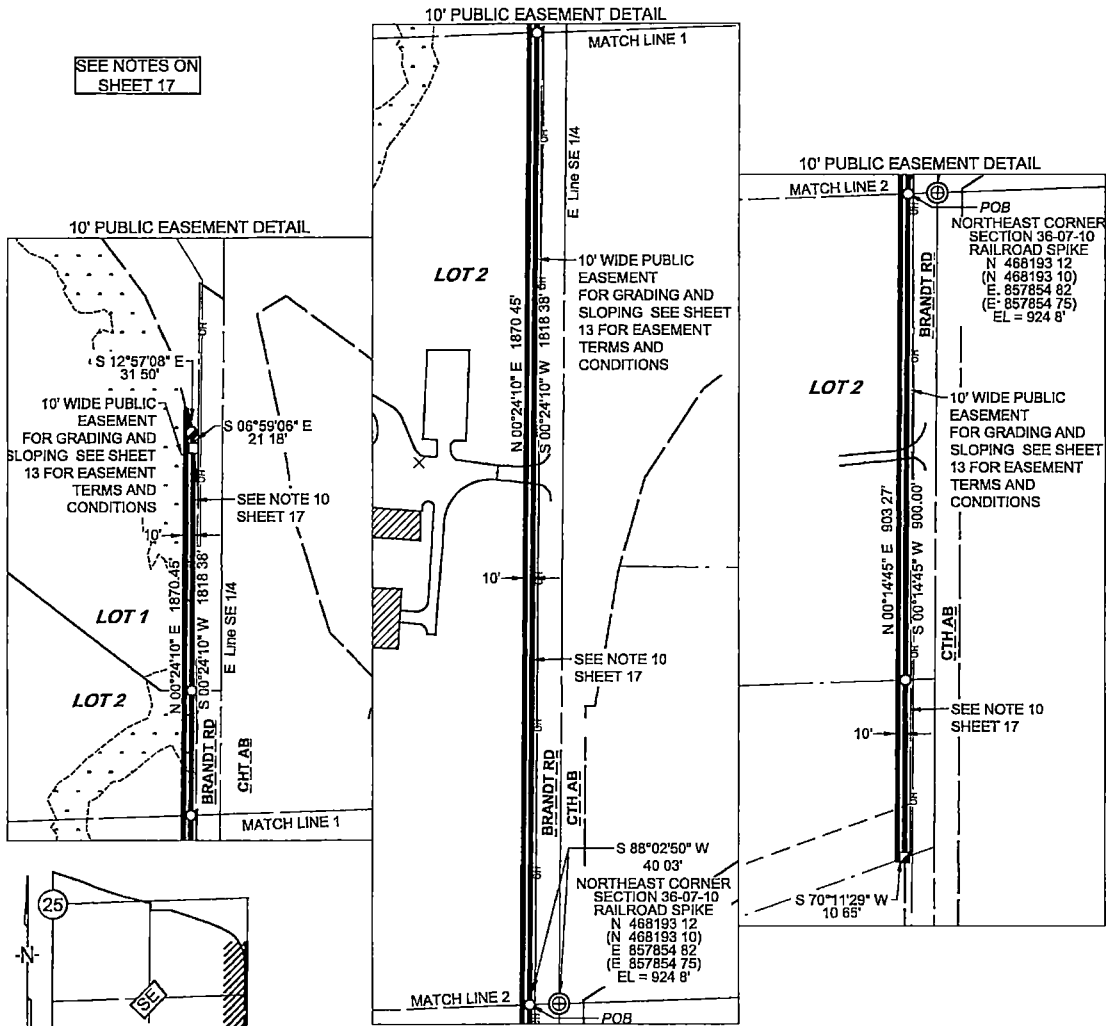
Beams are referenced to the East line of the Northeast 1/4 of Section 36, measured to bear S 00°14'45" W

AYRES
5201 E Terrace Dr., Suite 200
Madison, WI 53718
(608) 443-1200

Drawn By: CJS
Date 06/16/2023
Sheet 10 of 20

CERTIFIED SURVEY MAP NO. 16345

PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 25, PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, ALL LOCATED IN TOWNSHIP 7 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN



- LEGEND**
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 - FOUND 3/4" REBAR
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 - △ SET PK NAIL
 - (100 00') RECORD BEARING OR DISTANCE

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THIS SURVEY HAS BEEN MADE BY THE DIRECTION OF:

DANE COUNTY DEPARTMENT OF WASTE & RENEWABLES
1919 ALLIANT ENERGY CENTER WAY
MADISON, WI 53713

0 100' 200'
SCALE: 1"=200'

Drawn By CJS
Date: 06/16/2023

AYRES
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Madison, WI 53718
(608) 443-1200

CERTIFIED SURVEY MAP NO. 14345

PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 25, PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, ALL LOCATED IN TOWNSHIP 7 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN

10' WIDE PUBLIC EASEMENT FOR GRADING AND SLOPING LEGAL DESCRIPTION

Located in the Northeast Quarter of the Southeast Quarter, the Southeast Quarter of the Southeast Quarter of Section 25, the Northeast Quarter of the Northeast Quarter of Section 36, all in Township 7 North, Range 10 East, City of Madison, Dane County, Wisconsin described as:

Commencing at the Northeast Corner of said Section 36;

thence South 88°02'50" West, along the North line of said Section, 40.03 feet to the West right of way line of Brandt Road, and the **Point of Beginning**;

thence South 00°14'45" West, 900.00 feet to the North line of Lot 2 of Certified Survey Map 6623, Recorded in Volume 32 of Certified Survey Maps, on Pages 272 and 273, as Document 2311328;

thence South 70°11'29" West, along said North line, 10.65 feet,

thence North 00°14'45" East, 903.27 feet to said North line,

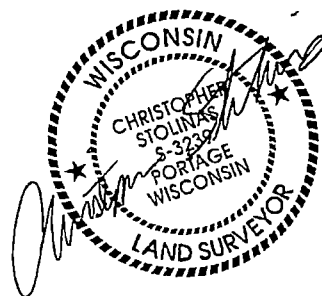
thence North 00°24'10" East, 1870.45 feet to the Southerly right of way line of United States Highway 12 and 18;

thence South 12°57'08" East, along said Southerly right of way line, 31.50 feet;

thence South 06°59'06" East, along said Southerly right of way line, 21.18 feet;

thence South 00°24'10" West, 1818.38 feet to the **Point of Beginning**.

The described land as, shown on Sheet 11 of 20 hereof, contains 27,495 square feet or 0.63 acres, more or less, and is subject to restrictions, reservations, rights-of-way and easements of records.



CERTIFIED SURVEY MAP NO. 16345

PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 25, PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, ALL LOCATED IN TOWNSHIP 7 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN

EASEMENT TERMS AND CONDITIONS

10' Wide Public Easement for Grading and Sloping:

Creation of Easement Rights: A permanent easement over, across and within the Easement Area is established, memorialized, reserved by, granted, conveyed, transferred and assigned to the City of Madison for the uses and purposes hereinafter set forth. The Easement Area may be used by the City of Madison for public sloping and grading purposes. The City of Madison and its employees, agents and contractors shall have the further right of ingress and egress to and from the Easement Area in order to exercise its rights and privileges hereunder, and to cut and remove trees, vegetation and other impediments in the Easement Area which may obstruct or interfere with the actual or potential use of the Easement Area for the foregoing purposes. Prior to removing any trees, vegetation or other impediments, City of Madison shall notify Dane County's Waste & Renewables Director at least 30 days prior to planned removal.

Property Restoration: City of Madison shall repair any damage caused to any pavement, turf, or vegetation required under associated permits located within the Easement Area and/or the Property as a result of the use of the Easement Area by or on behalf of the City of Madison as provided herein. Following completion of any excavation work, City of Madison shall promptly restore the area affected by the work to the required final grade and surface condition including the repair or replacement of pavement, turf, and vegetation required under associated permits.

Limitations on Use of Easement Area: The owner of the Property shall have the right to use the Easement Area for any purpose, provided such use shall not interfere with the easement rights of the City of Madison hereunder. No above-ground improvements (other than driveway access crossing or planting of additional vegetation) shall be constructed in and no grade change shall be made to the Easement Area without the written consent of the City of Madison's Engineering Division City Engineer.

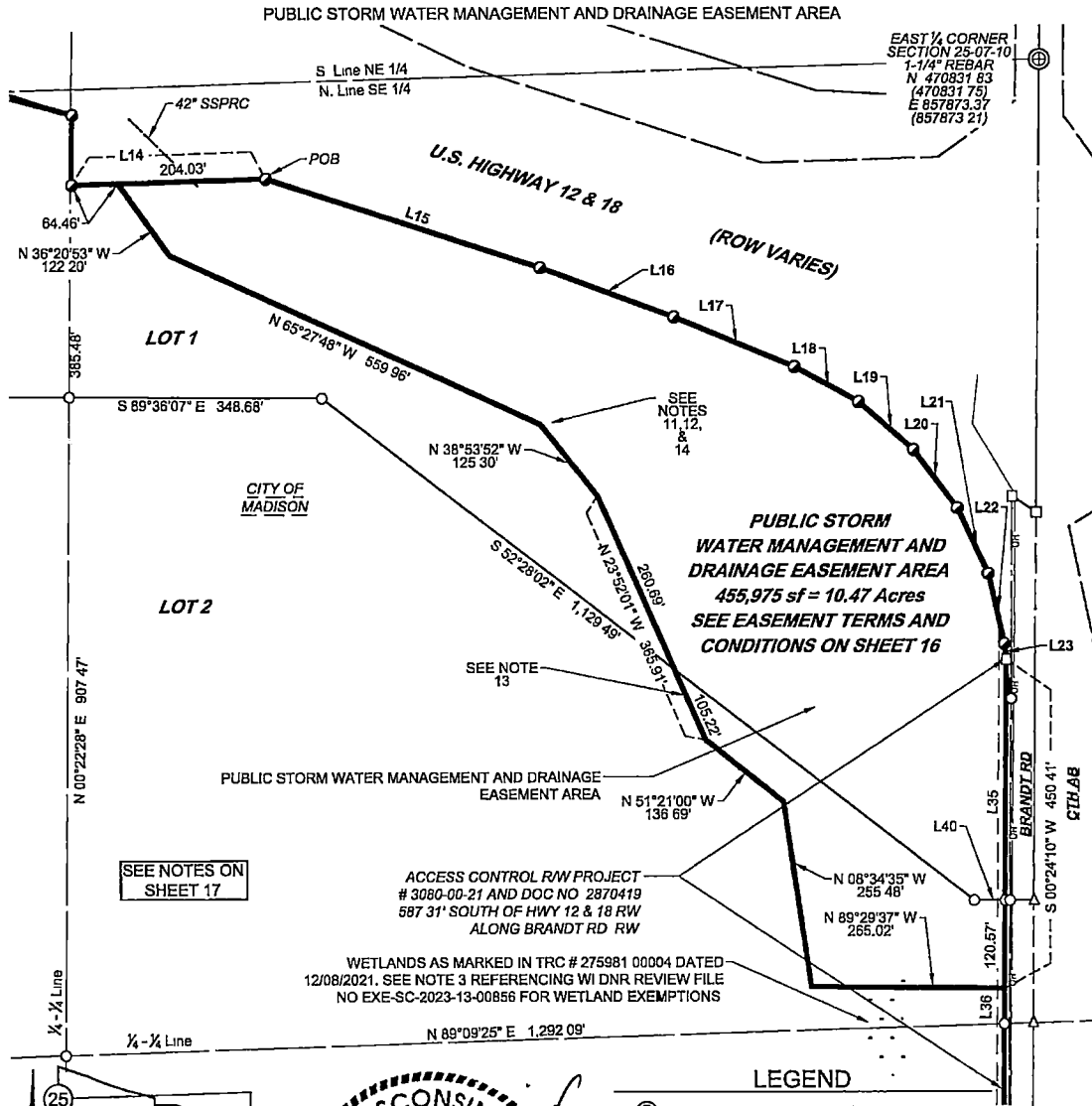
Binding Effect: This Easement shall run with the land described herein and shall be binding upon the owners of the Property, and their successors in interest.

Release of Rights to Easements Created by Plat: Any release of rights that were placed on platted land which was required by a public body or which names a public body or public utility as grantee shall be released by recording a separate easement release document with the Dane County Register of Deeds in accordance with ss236.293.

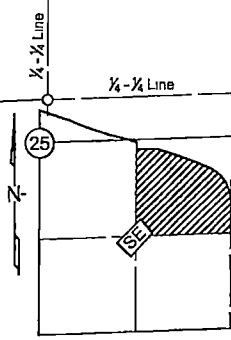


CERTIFIED SURVEY MAP NO. 16345

PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 25, PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, ALL LOCATED IN TOWNSHIP 7 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN



SEE NOTES ON SHEET 17

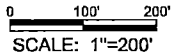


- LEGEND**
- ⊕ FOUND SECTION CORNER
 - FOUND REBAR / WISDOT CAP
 - FOUND 3/4" REBAR
 - FOUND 1" IRON PIPE
 - ▣ FOUND 1-1/2" IRON PIPE
 - ▲ FOUND MAGNETIC NAIL
 - SET 3/4" O.D. X 18" IRON REBAR W/CAP
 - "AYRES ASSOC" @ 1 50 LBS. / LIN FT.
 - SET 1-1/4" O.D. X 18" IRON REBAR @ 4.30 LBS / LIN FT
 - △ SET PK NAIL
 - (100 00') RECORD BEARING OR DISTANCE

Bearings are referenced to the East line of the Northeast 1/4 of Section 36, measured to bear S 00°14'45" W

THIS SURVEY HAS BEEN MADE BY THE DIRECTION OF:

DANE COUNTY DEPARTMENT OF WASTE & RENEWABLES
1919 ALLIANT ENERGY CENTER WAY
MADISON, WI. 53713



Drawn By: CJS
Date: 06/16/2023

AYRES
5201 E Terrace Dr., Suite 200
Madison, WI 53718
(608) 443-1200

CERTIFIED SURVEY MAP NO. 16345

PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 25, PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, ALL LOCATED IN TOWNSHIP 7 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN

PUBLIC STORMWATER MANAGEMENT AND DRAINAGE EASEMENT LEGAL DESCRIPTION

Located in the Northeast Quarter of the Southeast Quarter of Section 25, Township 7 North, Range 10 East, City of Madison, Dane County, Wisconsin described as:

Beginning at a Wisconsin Department of Transportation capped rebar, between line courses 14 and 15 of the course table, on the Southerly right of way line of United States Highway 12 and 18;

- thence South 72°02'15" East, 396.29 feet;
- thence South 69°45'02" East, 196.57 feet;
- thence South 67°27'49" East, 179.16 feet;
- thence South 61°23'44" East, 100.00 feet;
- thence South 49°15'34" East, 100.00 feet;
- thence South 37°07'25" East, 100.00 feet;
- thence South 24°59'16" East, 100.00 feet;
- thence South 12°57'08" East, 98.35 feet;
- thence South 06°59'06" East, 21.18 feet;
- thence South 00°24'10" West, 450.41 feet;
- thence North 89°29'37" West, 265.02 feet;
- thence North 08°34'35" West, 255.48 feet;
- thence North 51°21'00" West, 136.69 feet;
- thence North 23°52'01" West, 365.91 feet;
- thence North 38°53'52" West, 125.30 feet;
- thence North 65°27'48" West, 559.96 feet;
- thence North 36°20'53" West, 122.20 feet;
- thence North 88°14'23" East, 204.03 feet to the **Point of Beginning**.

The described land as, shown on Sheet 14 of 20 hereof, contains 455,975 square feet or 10.47 acres, more or less, and is subject to restrictions, reservations, rights-of-way and easements of records.



CERTIFIED SURVEY MAP NO. 16345

PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 25, PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, ALL LOCATED IN TOWNSHIP 7 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN

PUBLIC STORMWATER MANAGEMENT AND DRAINAGE EASEMENT TERMS AND CONDITIONS

Creation of Easement Rights: A permanent easement over, across a portion of the property (the "Easement Area") is established, memorialized, reserved by, granted, conveyed, transferred and assigned to City of Madison and Dane County for the uses and purposes hereinafter set forth. The Easement Area may be used by City of Madison and Dane County for public storm water management and drainage purposes. City of Madison, Dane County and their employees, agents and contractors shall have the right to construct, install, maintain, operate, repair, replace and reconstruct the Storm Water Management and Drainage Facilities within the Easement Area. City of Madison and Dane County shall have the further right of ingress and egress to and from the Easement Area in order to exercise their rights and privileges hereunder, and to cut and remove trees, vegetation and other impediments in the Easement Area which may obstruct or interfere with the actual or potential use of the Easement Area for the foregoing purposes.

Jurisdiction: Per the Sustainability Campus and Landfill Development Agreement (Contract #14742), Section 3.2(b) titled Erosion Control and Stormwater Management, the portion of Lot 1 shall be under City of Madison jurisdiction for erosion control and stormwater management permits. The portion of Lot 2 shall be under Dane County jurisdiction for erosion control and stormwater management permits.

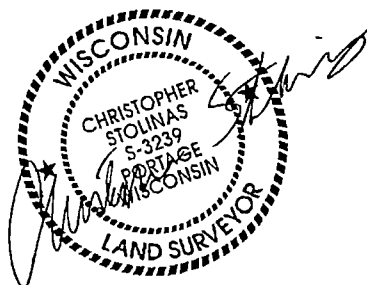
Property Restoration: City of Madison and Dane County shall repair any damage caused to any pavement, concrete, turf, or vegetation required under associated permits located within the Easement Area and/or the Property as a result of the use of the Easement Area by or on behalf of the City of Madison or Dane County as provided herein. Following completion of any excavation work, City of Madison or Dane County shall promptly restore the area affected by the work to the original grade and surface condition including the repair or replacement of pavement, concrete, turf, and vegetation required under associated permits.

Limitations on Use of Easement Area: The owner of the Property shall have the right to use the Easement Area for any purpose, provided such use shall not interfere with the easement rights of the City of Madison and Dane County hereunder. No buildings or structures or fences unrelated to the Storm Water Management and Drainage Facilities shall be constructed in and no grade change shall be made to the Easement Area without the written consent of the City of Madison's Engineering Division City Engineer or Dane County. Written consent by either City Engineer or Dane County shall not be unduly withheld.

Amendment: This Agreement may not be amended, modified, terminated, or released without the written consent of all the parties hereto, or their respective successors-in-interest. Dane County has the ability to modify pond subject to the approval of City Engineer per the Sustainability Campus and Landfill Development Agreement (Contract #14742), Section 3.2(c) titled Erosion Control and Stormwater Management. Written consent or objection by City Engineer shall be received within 30 days of County received modification request, or said approval shall be assumed.

Binding Effect: This Easement shall run with the land described herein and shall be binding upon the owners of the Property, and their successors in interest.

Release of Rights to Easements Created by Plat: Any release of rights that were placed on platted land which was required by a public body or which names a public body or public utility as grantee shall be released by recording a separate easement release document with the Dane County Register of Deeds in accordance with ss236.293.



AYRES
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Madison, WI 53718
(608) 443-1200

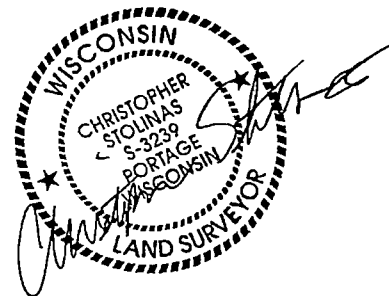
Drawn By: CJS
Date: 06/16/2023

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NOTES:

- 1) United States Highway 12 & 18 right of way determined by Right of Way Project Number 3080-00-21
- 2) County Highway "AB" right of way Determined by Certified Survey Map 9029, Certified Survey Map 6623, Right of Way Project Number 3080-00-21, and Town of Blooming Grove Road Order Dated September 16th, 1854, and Recommendations from the City of Madison Planning Division Staff report dated October 3rd, 2022
- 3) Wetlands as shown are from TRC Report # 275981.00004 dated 12/08/2021. Wisconsin Department of Natural Resources determined wetlands were artificial under Review File No. EXE-SC-2023-13-00856 and the pond was also artificial in nature. Therefore no regulator authority regarding Chapter 30 or 281 applies to the water body or wetlands.
- 4) Survey Field Work performed on 02/22/2022
- 5) The East 40 feet of this CSM shall be dedicated to the public for public street right of way purposes
- 6) NOTE 6 - Wisconsin Power and Light - Privilege to erect and maintain poles, wire, anchors, and appliances along the North line of the Northwest Quarter of the Southeast Quarter of Section 25. Doc. 460798
- 7) NOTE 7 - Wisconsin Power and Light - Privilege to erect and maintain poles, wire, anchors, and appliances along East line fence of the Northeast Quarter of the Southeast Quarter, and the East and South line fence of the Southeast Quarter of the Southeast Quarter of Section 25. Lands Previously owned by Henry Brandt. Doc. 460790
- 8) NOTE 8 - Wisconsin Power and Light - Privilege to erect and maintain poles, wire, anchors, and appliances across lands in the East half of the Northeast Quarter of Section 36. Doc. 460808
- 9) NOTE 9 - 66-foot wide reservation for a future public street. No Buildings or above ground structures shall be permitted within the reservation area. the 66-foot wide reservation area shall be dedicated to the City for public street purposes at no cost to the City of Madison upon action by the Common Council requesting the dedication of the lands for public street puposes.
- 10) NOTE 10 - Wisconsin Power and Light - Privilege to erect and maintain poles, wires, anchors, and other necessary Equipment - 34 feet West of the Section Line and from the North right of way line of the road on the South limits of Section 25 (Vacated per Doc 1126460) running North to the North property limits of previous owner Ervin Brandt Doc. 926343
- 11) NOTE 11 - Per the Sustainability Campus and Landfill Development Agreement (Contract #14742), Section 3.2(c) titled Erosion Control and Stormwater Management, Dane County has the ability to modify pond subject to the approval of City Engineer. Written consent by City Engineer shall not be unduly withheld.
- 12) NOTE 12 - Madison Genral Ordinance Chapter 37 (Public Stormwater System) compliance required prior to development of Lot 1.
- 13) NOTE 13 - Per the Sustainability Campus and Landfill Development Agreement (Contract #14742), Section 3.2(a) titled Erosion Control and Stormwater Management, Lot 2 shall be under Dane County jurisdiction for erosion control and stormwater management permits.
- 14) NOTE 14 - Per the Sustainability Campus and Landfill Development Agreement (Contract #14742), Section 3.2(b) titled Erosion Control and Stormwater Management, Lot 1 shall be under City of Madison jurisdiction for erosion control and stormwater management permits



CERTIFIED SURVEY MAP NO. 16345

PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 25, PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, ALL LOCATED IN TOWNSHIP 7 NORTH, RANGE 10 EAST, CITY OF MADISON, DANE COUNTY, WISCONSIN

Surveyor's Certificate:

That I have surveyed, divided, dedicated and mapped part of the Northeast Quarter of the Southeast Quarter, part of the Northwest Quarter of the Southeast Quarter, part of the Southeast Quarter of the Southeast Quarter, part of the Southwest Quarter of the Northeast Quarter, the Southwest Quarter of the Southeast Quarter of Section 25, part of the Northeast Quarter of the Northeast Quarter, the Northwest Quarter of the Northeast Quarter of Section 36, all located in Township 7 North, Range 10 East, City of Madison, Dane County, Wisconsin described as:

Beginning at the Northeast Corner of Section 36;

thence South 00°14'45" West, along the East line of the Northeast Quarter of Section 36, 886.93 feet to the Northeast corner of Certified Survey Map 6623 recorded in Volume 32 of Certified Survey Maps on Pages 272 and 273 as Document 2311328;
thence South 70°11'29" West, along the North line of said Certified Survey Map 6623, 1,408.95 feet to the Southeast Corner of the Northwest Quarter of the Northeast Quarter of said Section 36;
thence South 87°59'24" West, along the South line of said Northwest Quarter of the Northeast Quarter, 1,324.74 feet to the Southwest corner of said Northwest Quarter of the Northeast Quarter;
thence North 00°21'33" West, along the West line of said Northwest Quarter of the Northeast Quarter, 1,320.13 feet to the South Quarter Corner of said Section 25;
thence North 00°20'47" East, along the West line of the Southeast Quarter of said Section 25, 2,648.86 feet to the Center Quarter Corner of said Section 25;
thence North 00°20'12" East, along the West line of the Northeast Quarter of said Section 25, 436.32 feet to the Southerly right of way line of United States Highway 12 and 18 as described in the State of Wisconsin Transportation Project Plat 3080-01-26;
thence along said Southerly right of way line for the next 16 courses:
South 72°02'15" East, 445.53 feet;
South 65°27'59" East, 156.63 feet;
South 71°33' 05" East, 400.03 feet;
South 75°52'43" East, 318.21 feet;
South 72°02'15" East, 80.04 feet;
South 00°26'49" West, 95.01 feet;
North 88°14'23" East, 268.49 feet;
South 72°02'15" East, 396.29 feet;
South 69°45'02" East, 196.57 feet;
South 67°27'49" East, 179.16 feet;
South 61°23'44" East, 100.00 feet;
South 49°15'34" East, 100.00 feet;
South 37°07'25" East, 100.00 feet;
South 24°59'16" East, 100.00 feet;
South 12°57'08" East, 98.35 feet;
South 06°59'06" East, 75.62 feet to the West right of way line of Brandt Road;
thence North 00°24'10" East, along the old West right of way line of Brandt Road, 277.75 feet to the Southerly right of way line of United States Highway 12 & 18 as described in the State of Wisconsin Transportation Project Plat F04-2(31);
South 56°08'06" East, along said Southerly right of way line, 39.55 feet to the East line of the Southeast Quarter of said Section 25;
thence South 00°24'10" West, along said East line, 2,018.69 feet to the **Point of Beginning.**



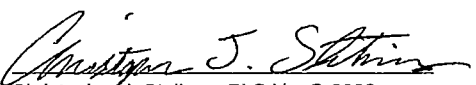
Said Parcel contains 10,097,846 square feet or 231.81 acres more or less, or 9,982,577 square feet or 229.17 acres, more or less excluding the area dedicated to the public.

That I have made such survey, land division, dedication, and map by the direction of the Dane County Department of Waste and Renewables, Owner of said land.

That such map is a correct representation of the exterior boundaries of the land surveyed and subdivision made.

That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and Sections 16.23 (7)(a) and (d) of the Madison General Ordinances for surveying and mapping the same.

Dated this 11th day of August, 2023.


Christopher J. Stolinas, PLS No. S-3239

AVRES
5201 E Terrace Dr., Suite 200
Madison, WI 53718
(608) 443-1200
Sheet 18 of 20

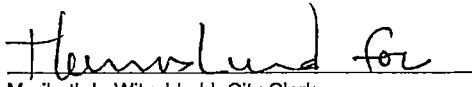
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City of Madison Common Council Certificate:

Resolved that this Certified Survey Map located in the City of Madison was hereby approved by Enactment Number 22-00712 File ID Number 73194, adopted on the 11th day of OCTOBER, 20 22, and that said enactment further provided for acceptance of those lands dedicated and rights conveyed by said Certified Survey Map to the City of Madison for public use.

Dated this 20th day of September, 20 23


Maribeth L. Witzel-behl, City Clerk
City of Madison, Dane County Wisconsin

City of Madison Plan Commission Certificate

Approved for recording per City of Madison Plan Commission Action of 20SEP, 2023.


Matthew Wachter, Secretary, City of Madison Planning Commission

20SEP 2023
Date

Certificate of Register of Deeds:

Received for record the 20th day of September, 2023 at 12:16 o'clock p.m. and recorded in Volume 121 of Certified Survey Maps on Pages 247-2466


Kristi Chlebowski, Dane County Register of Deeds

Received 9/20/23 11:50am



AVRES

5201 E Terrace Dr., Suite 200
Madison, WI 53718
(608) 443-1200

Sheet 20 of 20
6/16/2023

2023 RES-059

AUTHORIZING ADOPTION OF THE DANE COUNTY SUSTAINABLE BUSINESS
PARK DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS

Dane County's Rodefild Landfill, located on US Highway 12/18 and County Highway AB, has an estimated 10 years of capacity remaining, and a new location is needed for the County to continue to provide local waste management services. Dane County (County) and the City of Madison (City) have mutual interests in managing solid waste locally, which is a more environmentally sustainable and cost effective approach.

The County and the City negotiated a purchase of a portion of the Yahara Hills Golf Course, located directly south of the existing landfill across US Highway 12/18. This property provides approximately 232 acres of land to accommodate a Sustainability Campus which will include: a future landfill, composting operation, and a sustainable business park. The intent of the Sustainability Campus is to create opportunities for education, reuse, repair, recycling,

The City and the County previously executed a Development Agreement on June 1, 2022 that sets mutual understandings and expectations for the development of the landfill, compost site, and Sustainable Business Park. This Development Agreement stipulates that the County will file with the Dane County Register of Deeds, a declaration of restrictive covenants, approved by the City that establishes the purpose of the development, a project review board and process, allowable uses, and standards for development of the Sustainable Business Park.

Additionally, the Development Agreement requires that the declaration include a list of the types of property uses that will be allowable within the Sustainable Business Park to ensure the use is consistent with the underlying goals of the City and the County regarding the Sustainability Campus. This Development Agreement requires the declaration state that the County is solely responsible for the administration and enforcement of the Covenants, and that the City shall be provided with a mechanism to enforce the allowable property uses established by the Declaration.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the adoption of the Dane County Sustainable Business Park Declaration of Covenants, Conditions, and Restrictions.