

**TOWN OF COTTAGE GROVE  
RESOLUTION NO. 2010-01**

**RESOLUTION APPROVING DECISION TO FILE NOTICE OF  
PENDENCY FOR VACATION OF A TOWN ROAD AND INTRODUCTION OF THE  
VACATION RESOLUTION**

**WHEREAS**, the Cottage Grove Town Board has reviewed for vacation the selected portions of a Town Highway known as Laudon Road (Town Road) in the Town of Cottage Grove, further described on the map attached as Exhibit A, and as indicated on the attached Notice of Pendency; and,

**WHEREAS**, after due consideration and pursuant to Wis. Stat., § 66.1003 and § 840.11, the Town Board wishes to introduce this resolution considering vacation of the Town Road, wishes to immediately file the Notice of Pendency with the Register of Deeds Office, send notices to all owners of property abutting the Town Road that may be vacated, hold a public hearing, further consider and act on a resolution regarding the vacation of the unimproved selected public way and adopt or reject such resolution.

**NOW, THEREFORE, FOLLOWING CONSIDERATION OF THE ABOVE  
RECITALS, WHICH ARE INCORPORATED HEREIN BY REFERENCE, THE  
COTTAGE GROVE TOWN BOARD RESOLVES AS FOLLOWS:**

1. A public hearing and consideration/adoption of the resolution to vacate the Town Road shall be noticed and placed on the Town agenda for the Town Board Meeting on **March 1, 2010**. (*This date must be at least 40 days after the date of the adoption of this resolution*).
2. The attached Notice of Pendency shall be promptly filed with the Register of Deeds.
3. Notice of consideration of the resolution vacating the Town Road shall be personally served on the abutting land owners and others who the Town Clerk or Town Board reasonably determines may be interested, no later than 30 days prior to the public hearing.
4. The Town Clerk shall publish in the official newspaper a class 3 notice of the public hearing and consideration of the resolution.

This resolution was duly considered and adopted by the Cottage Grove Town Board pursuant to a vote of 5 for and 0 against and 0 abstentions on this 18<sup>th</sup> day of January, 2010.

  
\_\_\_\_\_  
Kris Hampton, Town Chair

  
\_\_\_\_\_  
Kim Banigan, Town Clerk

# Laudon Road Vacation Map

**Surveyor's Certificate  
State of Wisconsin)  
County of Dane )§.**

I hereby certify that this survey is in compliance with Chapter 236.34 of Wisconsin Statutes.

I further certify that I have surveyed and mapped the lands described hereon, and that this map is a correct representation in accordance with the information furnished.



**Royal Oak Engineering, Inc.**

5610 Medical Circle, Suite 6

Madison, WI 53719

Phone (608) 274-0500

Fax (608) 274-4530

www.royaloakengineering.com

Eric W. Sandsnes, Professional Land Surveyor S-2475

**Description of Areas 2, 5 & 6 (Bruce M. Homburg)**

Part of the Southeast ¼ of the Southwest ¼ of Section 15, part of the Northeast ¼ of the Northwest ¼ and part of the Northwest ¼ of the Northeast ¼ of Section 22, Township 07 North, Range 11 East, Town of Cottage Grove, Dane County, Wisconsin, more fully described as follows:

Beginning at the North ¼ of said Section 22, also being the South ¼ corner of Section 15, Township 07 North, Range 07 East, Town of Cottage Grove, Dane County, Wisconsin;

Thence S 00°23'06" W, 15.48 feet, along the East line of the Northwest ¼ of said Section 22, also being the West Line of the Northeast ¼ of said Section 22;

Thence, along a curve to the right, having a radius of 133.00 feet and a chord bearing S 20°14'18" E, 93.69 feet;

Thence S 00°23'06" W, 106.14 feet, to the Northeasterly right-of-way of Laudon Road;

Thence, along said Northeasterly right-of-way, being a curve to the left, having a radius of 233.00 feet and a chord bearing N 15°02'53" W, 124.01 feet, to the East Line of the Northwest ¼ of said Section 22;

Thence N 00°23'06" E, 89.77 feet, along said East line, to the North ¼ corner of said Section 22;

Thence S 88°35'43" W, 148.82 feet, along the North line of the Northwest ¼ of said Section 22, to the Westerly right-of-way of Laudon Road;

Thence, continuing along said North line, S 88°35'43" W, 412.31 feet, to the Southerly right-of-way of Uphoff Road;

Thence, along said Southerly right-of-way, being a curve to the left, having a radius of 597.00 feet and a chord bearing N 61°30'04" E, 72.43 feet;

Thence N 88°35'43" E, 323.44 feet, to the Southwesterly right-of-way of Laudon Road;

Thence S 37°53'00" E, 41.04 feet, along said Southwesterly right-of-way, to the North line of the Northwest ¼ of said Section 22;

Thence N 88°35'43" E, 82.09, to the Northeasterly right-of-way of Laudon Road;

Thence N 37°53'00" W, 40.31, along said Northeasterly right-of-way;

Thence, along a curve to the right, having a radius of 133.00 feet and a chord bearing S 68°05'27" E, 81.90 feet, to the North line of the Northeast ¼ of said Section 22;

Thence N 88°35'43" E, 15.48 feet, along said North line, to the North ¼ corner of said Section 22 and the Point of Beginning of this description.

Area 2 contains 2,816 square feet or 0.065 acres.

Area 5 contains 12,085 square feet or 0.277 acres

Area 6 contains 1,185 square feet or 0.027 acres

Said road right-of-way vacation contains 16,086 square feet or 0.369 acres.

Surveyed by J R Sandsnes

Drawn by E W Sandsnes

Date June 30, 2008

Dir /data/dane/cottage/county/section22

Data Level PLAT

File 15865

Office Map No. 15865  
Sheet 1 of 3 Sheet(s)

**Surveyed For:** Town of Cottage Grove

**Address:** 4058 County Road N, Cottage Grove, WI 53527

**Description-Location:** Part of the SE ¼ -SW ¼ of Section 15 and part of the NE ¼ - NW ¼ of Section 22, T07N, R11E, Town of Cottage Grove, Dane County, Wisconsin

# Laudon Road Vacation Map



## Royal Oak Engineering, Inc.

5610 Medical Circle, Suite 6

Madison, WI 53719

Phone (608) 274-0500

Fax (608) 274-4530

www.royaloakengineering.com

### Description of Areas 1 & 3 (Skaar Revocable Trust)

Part of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 22, Township 07 North, Range 11 East, Town of Cottage Grove, Dane County, Wisconsin, more fully described as follows:

Beginning at the North  $\frac{1}{4}$  corner of said Section 22;

Thence S  $00^{\circ}23'06''$  W, 89.77 feet, along the East line of the Northwest  $\frac{1}{4}$  of said Section 22, to the Northeasterly right-of-way of Laudon Road;

Thence, along a said Northeasterly right-of-way, being a curve to the left, having a radius of 233.00 feet and a chord bearing N  $34^{\circ}10'56''$  W, 30.08 feet;

Thence, continuing along said Northeasterly right-of-way, N  $37^{\circ}53'00''$  W, 80.14 feet, to the North line of the Northwest  $\frac{1}{4}$  of said Section 22;

Thence S  $88^{\circ}35'43''$  W, 82.09 feet, to the Southwesterly right-of-way of Laudon Road;

Thence S  $37^{\circ}53'00''$  E, 47.36 feet, along said Southwesterly right-of-way;

Thence, along a curve to the left, having a radius of 117.00 feet and a chord bearing N  $82^{\circ}55'56.5''$  W, 34.48 feet;

Thence S  $88^{\circ}35'43''$  W, 387.90 feet;

Thence N  $00^{\circ}27'14''$  E, 33.02 feet, to the North line of the Northwest  $\frac{1}{4}$  of said Section 22;

Thence N  $88^{\circ}35'43''$  E, 392.77 feet, along said North line, to the Southwesterly right-of-way of Laudon Road;

Thence, continuing along said North line, N  $88^{\circ}35'43''$  E, 82.09 feet, to the Northeasterly right-of-way of Laudon Road;

Thence, continuing along said North line, N  $88^{\circ}35'43''$  E, 66.73 feet, to the North  $\frac{1}{4}$  corner of said Section 22 and Point of beginning of this description.

Area 1 contains 2,907 square feet or 0.067 acres.

Area 3 contains 13,430 square feet or 0.308 acres

Office Map No. 15865

Sheet 1 of 3 Sheet(s)

Said road right-of-way vacation contains 16,337 square feet or 0.375 acres.

### Description of Area 4 (Russell Development, LLC)

Part of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 22, Township 07 North, Range 11 East, Town of Cottage Grove, Dane County, Wisconsin, more fully described as follows:

Commencing at the North  $\frac{1}{4}$  corner of said Section 22;

Thence S  $88^{\circ}35'43''$  W, 541.59 feet, along the North line of the Northwest  $\frac{1}{4}$  of said Section 22, to the Point of Beginning of this description;

Thence S  $00^{\circ}27'14''$  W, 50.03 feet, to the Northeast corner of Lot 1, Certified Survey Map Number 12365 in Volume 77 on Pages 23 through 26 of Dane County Certified Survey Maps;

Thence S  $88^{\circ}35'43''$  W, 257.09 feet, along the North Line of said Lot 1, to the Southerly right-of-way of Uphoff Road;

Thence, along said Southerly right-of-way, being a curve to the left, having a radius of 597.00 feet and a chord bearing N  $76^{\circ}47'13.5''$  E, 244.34 feet, to the North line of the Northwest  $\frac{1}{4}$  of said Section 22;

Thence N  $88^{\circ}35'43''$  E, 19.54 feet, along said North line, to the Point of Beginning of this description.

Said road right-of-way vacation contains 4,853 square feet or 0.111 acres.

Office Map No. 15865

Sheet 2 of 3 Sheet(s)



**RESOLUTION AND NOTICE OF  
VACATION OF OLD LAUDON  
ROAD IN THE TOWN OF  
COTTAGE GROVE, DANE  
COUNTY, WISCONSIN**

Document Number

**TOWN OF COTTAGE GROVE  
RESOLUTION NO. 2010-02**

**RESOLUTION VACATING OLD LAUDON ROAD IN  
THE TOWN OF COTTAGE GROVE, DANE COUNTY,  
WISCONSIN**

**WHEREAS**, on or about January 18, 2010, the Cottage Grove Town Board discussed the vacation of a Town Highway known as a portion of Laudon Road in the Town of Cottage Grove, further described on the map attached as Exhibit A; and,

RECORDING AREA

NAME AND RETURN ADDRESS

Clerk Kim Banigan  
Town of Cottage Grove  
4058 CTH N  
Cottage Grove, WI 53527

018/0711-222-8001-0; 018/0711-221-8755-0;  
018/0711-222-8050-0; 018/0711-153-9901-0

PARCEL IDENTIFIER NUMBERS (PINs)

**WHEREAS**, following review, the Town Board adopted Resolution No. R2010-01 to approve the decision to file notice of pendency for vacation of the Town Road and introduce a vacation resolution; and,

**WHEREAS**, a notice of pendency relating to this vacation was subsequently recorded at the Dane County Register of Deeds; and,

**WHEREAS**, the abutting land owners to Laudon Road have been notified of the proposed action to discontinue Laudon Road; and,

**WHEREAS**, the Town published a Class 3 legal notice of the public hearing and consideration of this final resolution; and,

**WHEREAS**, the vacation of Laudon Road will not result in a landlocked property and no owner of property abutting the discontinued public way will be damaged by the vacation; and,

**WHEREAS**, the Town held the public hearing on March 1, 2010 and considered the information provided at the public hearing; and,

**WHEREAS**, this public hearing and this road vacation proceeded according to the provisions of § 66.1003, Wis. Stats.

NOW, THEREFORE, FOLLOWING CONSIDERATION OF THE ABOVE RECITALS, WHICH ARE RATIFIED AND INCORPORATED HEREIN BY REFERENCE, THE TOWN BOARD OF THE TOWN OF COTTAGE GROVE RESOLVES AS FOLLOWS:

1. Vacation of Laudon Road is in the public interest.
2. Laudon Road is hereby vacated.
3. Upon vacation, portions of the vacated Laudon Road (described as "areas" on the Laudon Road Vacation Map Exhibit A provided by Royal Oak Engineering, Inc.) shall revert and fully and forever attach and become part of the fee simple land interest of the following abutting property owners,
  - A. Areas 2, 5, and 6 shall revert and attach to the respective land parcels owned by Bruce M. Homburg in the following manner:
    - a) Area 2 shall revert and attach to TPIN 018/0711-221-8755-0;
    - b) Areas 5 and 6 shall revert and attach to TPIN 018/0711-153-9901-0
  - B. Areas 1 and 3 shall revert and attach to the respective land parcels owned by Skaar Revocable Trust (TPIN 018/0711-222-8001-0)
  - C. Area 4 revert and attach to the respective land parcels owned by Russell Development, LLC. (TPIN 018/0711-222-8050-0)
4. This original resolution shall be recorded in the Dane County Register of Deeds Office.

This resolution was duly considered and adopted by the Cottage Grove Town Board pursuant to a vote of 4 for and 0 against and 0 abstentions on this 1<sup>st</sup> day of March, 2010.

  
Kris Hampton, Cottage Grove Town Chair

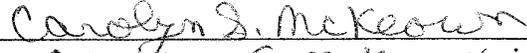
  
Kim Banigan, Cottage Grove Town Clerk

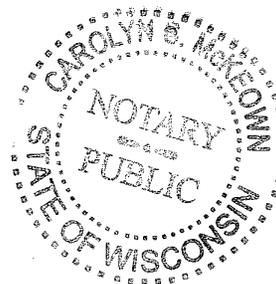
**ACKNOWLEDGMENT**

STATE OF WISCONSIN                    )  
COUNTY OF DANE                    )ss.

This form document was drafted by:  
Attorney Constance L. Anderson  
Anderson & Kent, S.C.  
1 N. Pinckney Street, Suite 200  
Madison, Wisconsin, 53703

Personally came before me, this 3<sup>rd</sup> day of March, 2010, the above-named Kris Hampton and Kim Banigan to me known to be the persons who executed the foregoing instrument and acknowledged the same.

  
Carolyn S. McKeown (print name)  
Notary Public, State of Wisconsin.  
My commission expires on: 9-15-13



# Laudon Road Vacation Map

**Surveyor's Certificate  
State of Wisconsin)  
County of Dane )§.**

I hereby certify that this survey is in compliance with Chapter 236.34 of Wisconsin Statutes.

I further certify that I have surveyed and mapped the lands described hereon, and that this map is a correct representation in accordance with the information furnished.



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Eric W. Sandsnes, Professional Land Surveyor S-2475

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Surveyed by J R Sandsnes

Drawn by E W Sandsnes

Date June 30, 2008

Dir /data/dane/cottage/county/section22

Data Level PLAT

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Sheet 1 of 3 Sheet(s)

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Office Map No. 15865

Sheet 1 of 3 Sheet(s)

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Said road right-of-way vacation contains 4,853 square feet or 0.111 acres.

Office Map No. 15865

Sheet 2 of 3 Sheet(s)



**TOWN OF COTTAGE GROVE  
TOWN BOARD RESOLUTION NO. 2010-03**

**A RESOLUTION ADOPTING CERTAIN FEES AS PERMITTED BY THE  
TOWN OF COTTAGE GROVE CODE OF ORDINANCES**

WHEREAS, the Town of Cottage Grove Code of Ordinances authorizes the Town Board to establish certain fees by resolution; and

WHEREAS, TCG Ord. sec. 07.01(2)(b) indicates that the Town Board may amend such fees at any time;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Cottage Grove, Dane County, Wisconsin, does hereby adopt the following fees to be effective upon posting: (Relevant ordinance sections are indicated in brackets following each fee)

Alcohol Beverage Fees [TCG 05.03 (2)]

Reserve "Class B" Intoxicating License [s. 125.51(4), Stats]	\$10,000.00
Class "A" Fermented Malt Beverage License [s. 125.25, Stats.]	\$500.00
Class "B" Fermented Malt Beverage License [s. 125.51(2), Stats.]	\$100.00
"Class A" Intoxicating Liquor License [s. 125.51(2), Stats.]	\$500.00
"Class B" Intoxicating Liquor License [s. 125.51(3)(b), Stats.]	\$500.00
"Class B" Winery License [s. 125.51(3am), Stats.]	\$100.00
"Class C" Retail Wine License [s. 125.51(3m), Stats.]	\$100.00
Temporary Class "B" Fermented Malt Beverage License [s. 125.26(6), Stats]	\$10.00
Temporary "Class B" Wine License [s. 125.51(10), Stats.]	\$10.00/day
Operator's License [s. 125.17(1-3,6), Stats.]	\$25.00
Manager's License [ss. 125.18, 125.32(10 and 125.68(1), Stats)]	\$25.00

Blasting Permit Fee [TCG 18.01]

Short Term	\$100.00
Long Term	\$250.00

Change of Land Use Fee [TCG 15.19.1] ..... \$250.00

Cigarette and Tobacco Products Retailer License Fee [TCG 07.02(1)] ..... \$25.00

Dangerous Animal License [TCG 20.20(8)] ..... \$150.00

Dog License Fee (in addition to County Fees)[TCG 20.01(4)]

Per dog	\$4.25
Multi-Dog (up to 12)	\$6.50

Emergency Response Reimbursement Fees [TCG 07.02(3)]

CGFD Ladder 1	\$400.00/hour
CGFD Engine 3	\$250.00/hour
CGFD Engine 4	\$250.00/hour
CGFD Squad 1	\$200.00/hour
CGFD Tender 1	\$150.00/hour
CGFD Tender 2	\$150.00/hour
CGFD Brush 1	\$100.00/hour
Personnel (minimum of 1 hour, rounded to next full hour for any minute over the hour)	
First hour	\$15.00/hour
Each additional person	\$10.00/hour
Water	\$10.00/1000 gal
Foam "A"	\$20.00/gal

Foam "B" .....	\$30.00/gal
Oil Dry .....	\$10.00/40 lb. bag
Fire Works Use Permit Fee [TCG 18.02(5)] .....	\$20.00
Handling Fee [TCG 07.02(4)]	
per hour .....	\$5.00
minimum .....	\$5.00
Hall Rental Fees (Town Hall or Flynn Hall) [TCG 07.02(5)]	
User Fee – Town or Village of Cottage Grove Resident .....	\$125.00
User Fee - Non Resident .....	\$400.00
Security Deposit.....	\$50.00
Mailing List Fees [TCG 07.02(6)]	
First 1,000 names .....	\$25.00
Per 1,000 in excess of 1,000 .....	\$5.00
(Fees are doubled if gummed labels are requested)	
Non-metallic Mining Permit Fee [TCG 17.02].....	\$150.00
Non-Sufficient Funds Fee [TCG 07.02(7)].....	\$30.00
Overweight Permit Fees [TCG 07.02(8)] .....	\$20.00 per power unit
Park Organized Event Administrative Fee [TCG 10.01(c)].....	\$25.00
Peddlers and Transient Merchants Permit Fee [TCG 11.07(4)(c)].....	\$25.00
Photocopying Fee [TCG 07.02(9)]	
Sheets sized for use in the Town copy machine .....	\$.25/page
Sheets sized in excess of the capacity of the Town copy machine .....	\$5.00/page
Road Right-of-Way Permit Fee [TCG 08.03(1)(c)]	
Paid on application.....	\$50.00
Invoiced after approval .....	\$55.00
Security Deposit.....	determined at time of Town Board approval of permit
Statement of Real Property Status (Title Search) Fee [TCG 07.02(10)]	
Paid with request.....	\$25.00
Invoiced.....	\$30.00
Waste Treatment, Disposal or Storage Site Application Fee [TCG 16.04(6)(c)]...	\$250.00

This resolution was duly considered and adopted by the Cottage Grove Town Board pursuant to a vote of 5 for and 0 against and 0 abstentions on this 15th day of March, 2010.

**TOWN OF COTTAGE GROVE**

ATTEST:



Kristopher Hampton, Town Chair



Kim Banigan, Town Clerk

**TOWN OF COTTAGE GROVE**  
**TOWN BOARD RESOLUTION NO. 2010-04**

**A RESOLUTION ADOPTING STATE OF WISCONSIN DEPARTMENT OF  
TRANSPORTATION CLASSIFIED EQUIPMENT RATES FOR CONTRACTED SERVICES  
AND ORDINANCE VIOLATION ASSESSMENTS**

WHEREAS, the Town of Cottage Grove Town Board, in accordance with any applicable Town ordinance or State or Federal Law, may assess fees for services rendered to Town residents and other municipalities, and may assess fees for remediation of ordinance violations when that remediation is performed by Town employees and/or contracted providers,

NOW, THEREFORE, BE IT RESOLVED, that the Town of Cottage Grove Town Board, Dane County, Wisconsin, does hereby adopt the State of Wisconsin Department of Transportation 2010 Classified Equipment Rates and each subsequent annual revision of the same, or other amendments thereto, EXCEPT rates for fire apparatus, which are established by resolution of the Town Board, and

BE IT FURTHER RESOLVED that the State of Wisconsin Department of Transportation 2010 Classified Equipment Rates shall be applied to those fees charged for contracted services rendered to Town residents and other municipalities (except for fees for services performed using fire apparatus), and shall be applied to those fees charged for remediation of ordinance violations when that remediation is performed by Town employees and/or contracted providers, and

BE IT FURTHER RESOLVED that as the labor costs of the equipment operator(s) are not included in the equipment rates, each operator's actual hourly wage including benefits shall be assessed separately from, and in addition to, the equipment costs in each case.

This resolution was duly considered and adopted by the Cottage Grove Town Board pursuant to a vote of 5 for and 0 against and 0 abstentions on this 5<sup>th</sup> day of April, 2010.

  
\_\_\_\_\_  
Kris Hampton, Town Chair

  
\_\_\_\_\_  
Kim Banigan, Town Clerk

# TOWN OF COTTAGE GROVE

4058 County Road N  
COTTAGE GROVE, WISCONSIN 53527

## RESOLUTION 2010-05

### RESOLUTION APPOINTING TOWN TREASURER

**WHEREAS**, at the Annual Town Meeting held on April 11, 2006, the electors of the Town of Cottage Grove adopted Town Meeting Resolution 2006-05, and pursuant to Wis. Stat. § 60.10(1)(b)(2m) voted to change the office of Town Treasurer from an elected office to an appointed office, and

**WHEREAS**, the term of office for the current appointed Town Treasurer expires on April 10, 2010,

**NOW, THEREFORE**, the Cottage Grove Town Board hereby resolves that Deborah Simonson is appointed to the office of Town Treasurer for the term of office of three years to commence at 12:00 a.m. on April 10, 2010 and to expire at 12:00 a.m. on April 9, 2013.

Adopted this 5<sup>th</sup> day of April, 2010 by a vote of 5 for, 0 against and 0 abstain by the Cottage Grove Town Board.

  
\_\_\_\_\_  
Kris Hampton, Town Chair

ATTEST:

  
\_\_\_\_\_  
Kim Banigan, Town Clerk

**TOWN OF COTTAGE GROVE  
TOWN BOARD RESOLUTION NO. 2010-06  
As reconsidered and approved on July 19, 2010**

**RESOLUTION APPROVING DECISION TO FILE NOTICE OF  
PENDENCY FOR VACATION OF SELECTED TOWN ROADS AND INTRODUCTION  
OF THE VACATION RESOLUTION**

**WHEREAS**, the Cottage Grove Town Board has reviewed for vacation the selected portions of the following Town Highways (Town Roads) in the Town of Cottage Grove:  
Bork Road, Hoppman Drive, Brinkhoff Road, Stone Dahl Road, and Wagner Road,  
further described on the attached Exhibit A, and as indicated on the attached Notice of Pendency;  
and,

**WHEREAS**, after due consideration and pursuant to Wis. Stat., § 66.1003 and § 840.11,  
the Town Board wishes to introduce this resolution considering vacation of the Town Roads,  
wishes to immediately file the Notice of Pendency with the Register of Deeds Office, send  
notices to all owners of property abutting the Town Roads that may be vacated, hold a public  
hearing, further consider and act on a resolution regarding the vacation of the unimproved  
selected public ways and adopt or reject such resolution.

**NOW, THEREFORE, FOLLOWING CONSIDERATION OF THE ABOVE  
RECITALS, WHICH ARE INCORPORATED HEREIN BY REFERENCE, THE  
COTTAGE GROVE TOWN BOARD RESOLVES AS FOLLOWS:**

1. A public hearing and consideration/adoption of the resolution to vacate the Town Roads shall be noticed and placed on the Town agenda for the Town Board Meeting on September 7, 2010. *(This date must be at least 40 days after the date of the adoption of this resolution).*
2. The attached Notice of Pendency shall be promptly filed with the Register of Deeds.
3. Notice of consideration of the resolution vacating the Town Roads shall be personally served on the abutting land owners and others who the Town Clerk or Town Board reasonably determines may be interested, no later than 30 days prior to the public hearing.
4. The Town Clerk shall publish in the official newspaper a class 3 notice of the public hearing and consideration of the resolution.

This resolution was duly considered and adopted by the Cottage Grove Town Board pursuant to a vote of   5   for and   0   against and   0   abstentions on this   6<sup>th</sup>   day of   July  , 2010.

This resolution was duly considered and adopted by the Cottage Grove Town Board pursuant to a vote of   5   for and   0   against and   0   abstentions on this   19<sup>th</sup>   day of   July  , 2010.

  
\_\_\_\_\_  
Kris Hampton, Town Chair

  
\_\_\_\_\_  
Kim Banigan, Town Clerk

**NOTICE OF PENDING OF  
VACATION OF TOWN ROADS  
IN THE TOWN OF COTTAGE  
GROVE, DANE COUNTY,  
WISCONSIN**

Document Number

To Whom It May Concern:

There will be considered before the Town Board of the Town of Cottage Grove on September 7, 2010 at or about 7:00 p.m., at the Cottage Grove Town Hall, 4058 CTH N, Cottage Grove, WI 53527, a resolution ("Resolution") providing for the discontinuance and vacation of Town Roads known as Bork Road, Hoppman Drive, Brinkhoff Road, Stone Dahl Road, and Wagner Road, whose descriptions and locations are indicated on Exhibit A, which is attached and expressly incorporated herein (hereinafter "Roads").

RECORDING AREA

NAME AND RETURN ADDRESS

Clerk Kim Banigan  
Town of Cottage Grove  
4058 CTH N  
Cottage Grove, WI 53527

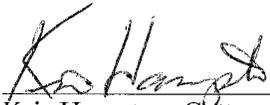
018/0711-083-8501-2  
018/0711-183-9500-0  
018/0711-212-8500-6  
018/0711-333-9000-3  
018/0711-131-9501-1

PARCEL IDENTIFIER NUMBER (PIN)

This road vacation was introduced by Town Board Resolution on July 19, 2010. The resolution is attached hereto as Exhibit B.

This notice is made pursuant to Sec. 840.11(1), Wis. Stats. This matter is proceeding according to the provisions of Sec. 66.1003, Wis. Stats. A Class 3 Notice of the above public hearing is being published as required by statute.

Dated at Town of Cottage Grove, Dane County, Wisconsin this \_\_\_\_\_ day of \_\_\_\_\_, 2010.



Kris Hampton, Cottage Grove Town Chair

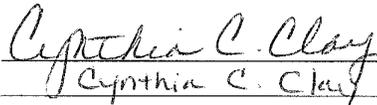


Kim Banigan, Cottage Grove Town Clerk

**ACKNOWLEDGMENT**

STATE OF WISCONSIN )  
COUNTY OF DANE )ss.

Personally came before me, this 21 day of July, 2010 the above-named Kris Hampton and Kim Banigan to me known to be the persons who executed the foregoing instrument and acknowledged the same.



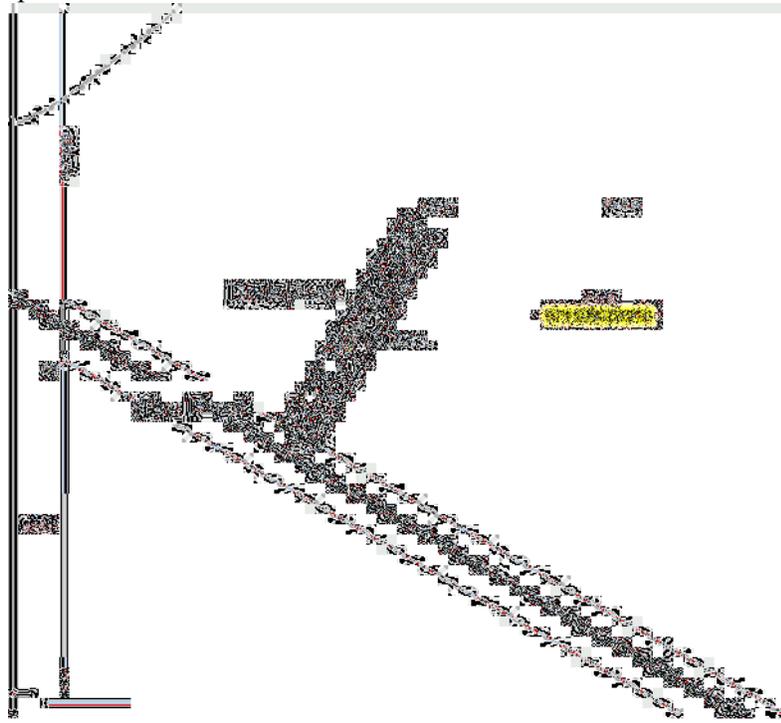
(print name)

Notary Public, State of Wisconsin.

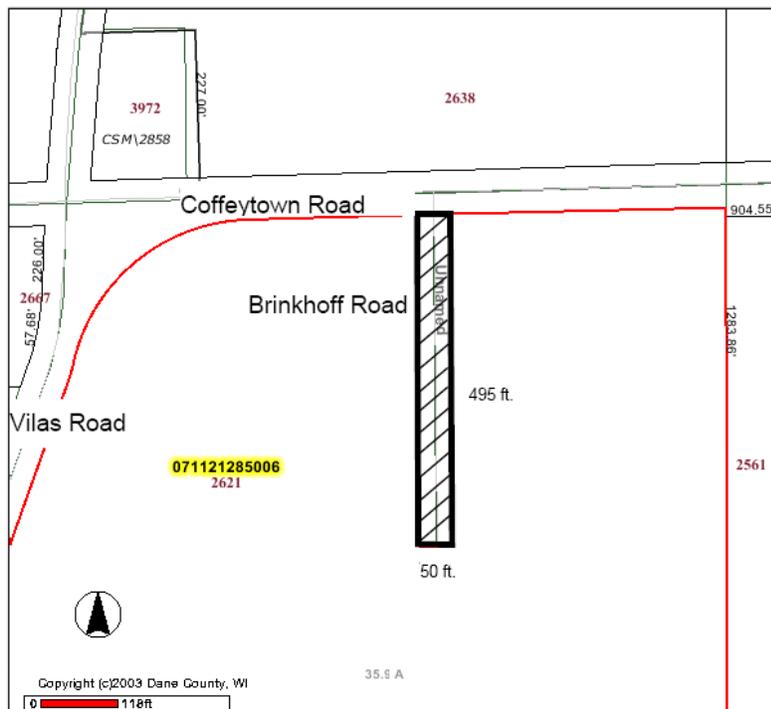
My commission expires on 2/26/12.

**Exhibit A**  
**All Roads Are In Dane County, Wisconsin**

**Bork Road:** A dead end road off of Vilas Road in section 08 of the Town of Cottage Grove, area to be vacated is from the edge of the Vilas Road right of way to the end of Bork Road, an area approximately 284 feet long by 66 feet wide, entirely surrounded by parcel 018/0711-083-8501-2, as depicted in the map below:

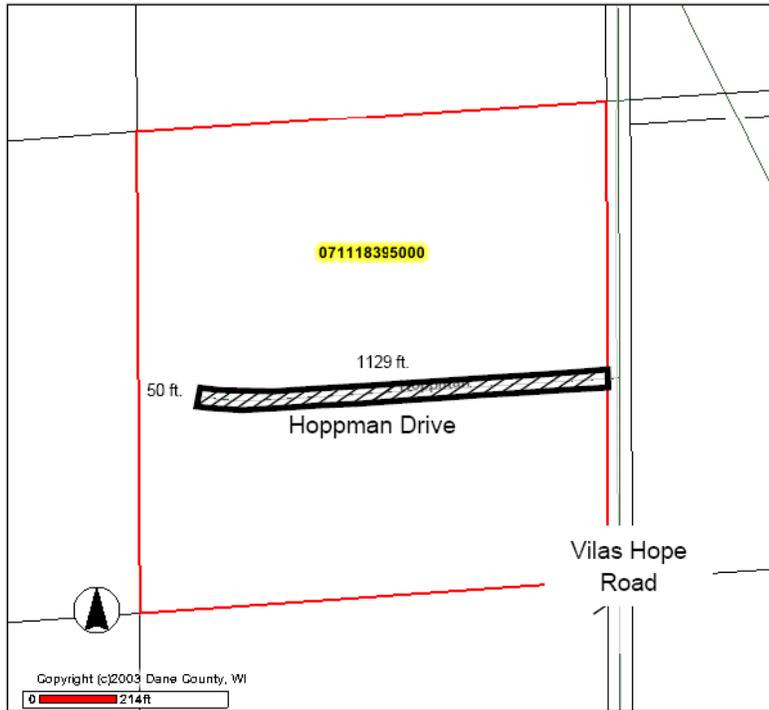


**Brinkhoff Road:** A dead end road off of Coffeytown Road in section 21 of the Town of Cottage Grove. The area to be vacated is from the edge of the Coffeytown Road right of way to the end of Brinkhoff Road, approximately 495 feet long by 50 feet wide, entirely surrounded by parcel 018/0711-212-8500-6, as depicted in the map below:

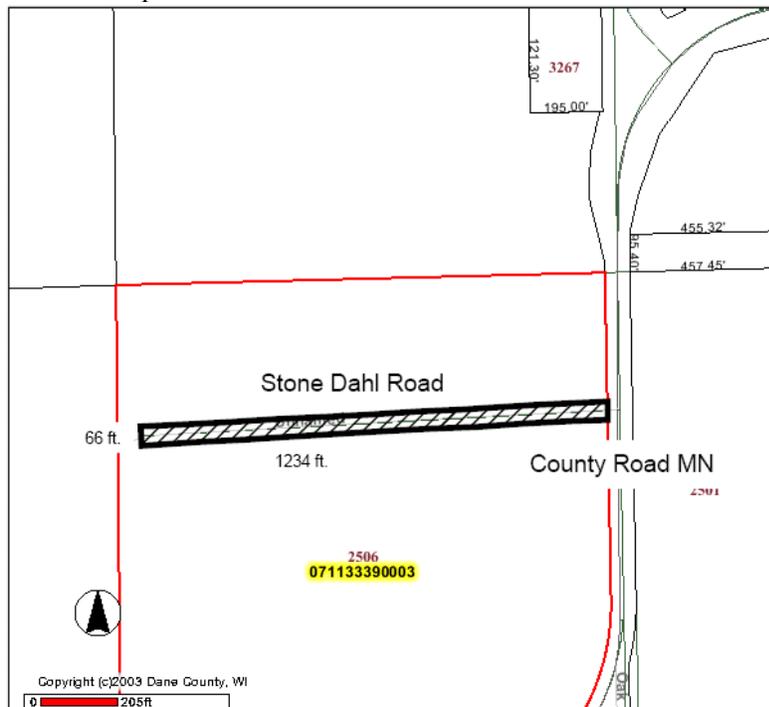


**Exhibit A**  
**All Roads Are In Dane County, Wisconsin**

**Hoppman Drive:** A dead end road off of Vilas Hope Road in section 18 of the Town of Cottage Grove. The area to be vacated runs from the Vilas Hope Road right of way to the end of Hoppman Drive, approximately 1129 feet long by 50 feet wide, entirely surrounded by parcel 018/0711-183-9500-0, as depicted in the map below:

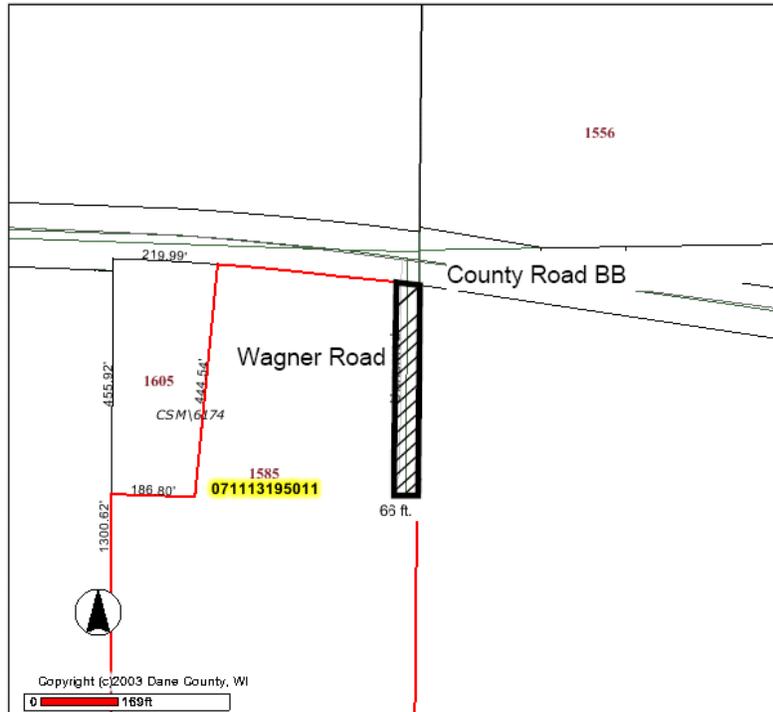


**Stone Dahl Road:** A dead end road off of County Road MN in section 33 of the Town of Cottage Grove. Area to be vacated runs from the County Road MN right of way to the end of Stone Dahl Road, approximately 1234 feet long by 66 feet wide, entirely surrounded by parcel 018/0711-333-9000-3, as depicted in the map below:



**Exhibit A**  
**All Roads Are In Dane County, Wisconsin**

**Wagner Road:** A dead end road off of County Road BB in section 13 of the Town of Cottage Grove. Area to be vacated runs from the County Road BB right of way to the end of Wagner Road, approximately 495 feet long by 66 feet wide, entirely surrounded by parcel 018/0711-131-9501-1, as depicted in the map below:



Document Number

**RESOLUTION AND NOTICE OF  
VACATION OF TOWN ROADS  
IN THE TOWN OF COTTAGE  
GROVE, DANE COUNTY,  
WISCONSIN**



8 1 8 5 0 6 8  
Tx:8120306

**DANE COUNTY  
REGISTER OF DEEDS**

**DOCUMENT #  
4691746**

09/15/2010 11:06 AM  
Trans. Fee:  
Exempt #:  
Rec. Fee: 30.00  
Pages: 5

**TOWN OF COTTAGE GROVE  
RESOLUTION NO. 2010-07**

**RESOLUTION VACATING TOWN ROADS IN  
THE TOWN OF COTTAGE GROVE, DANE COUNTY,  
WISCONSIN**

**WHEREAS**, on May 17, 2010, the Cottage Grove Town Board discussed the vacation of Town Highways known as Bork Road, Brinkhoff Road, Hoppman Drive, Stone Dahl Road, and Wagner Road ("Town Roads") in the Town of Cottage Grove, further described on the map attached as Exhibit A; and,

RECORDING AREA

NAME AND RETURN ADDRESS

Clerk Kim Banigan  
Town of Cottage Grove  
4058 CTH N  
Cottage Grove, WI 53527

018/0711-083-8501-2  
018/0711-183-9500-0  
018/0711-212-8500-6  
018/0711-333-9000-3  
018/0711-131-9501-1

PARCEL IDENTIFIER NUMBER (PIN)

**WHEREAS**, following review, the Town Board adopted Resolution No. 2010-06 on July 19, 2010 to approve the decision to file notice of pendency for vacation of the Town Roads and introduce a vacation resolution; and,

**WHEREAS**, a notice of pendency relating to this vacation was subsequently recorded at the Dane County Register of Deeds; and,

**WHEREAS**, the abutting land owners to the Town Roads and the Secretary of Transportation have been notified of the proposed action to discontinue the Town Roads; and,

**WHEREAS**, the Town published a Class 3 legal notice of the public hearing and consideration of this final resolution; and,

**WHEREAS**, the vacation of the Town Roads will not result in landlocked property and no owner of property abutting the discontinued public ways will be damaged by the vacation; and,

**WHEREAS**, the Town held the public hearing on September 7, 2010 and considered the information provided at the public hearing; and,

**WHEREAS**, this public hearing and this road vacation proceeded according to the provisions of § 66.1003, Wis. Stats.

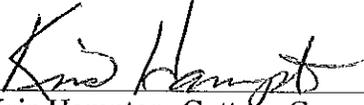
RECEIVED  
SEP 23 2010  
TOWN OF COTTAGE GROVE

5

NOW, THEREFORE, FOLLOWING CONSIDERATION OF THE ABOVE RECITALS, WHICH ARE RATIFIED AND INCORPORATED HEREIN BY REFERENCE, THE TOWN BOARD OF THE TOWN OF COTTAGE GROVE RESOLVES AS FOLLOWS:

1. Vacation of the Town Roads is in the public interest.
2. The Town Roads are hereby vacated.
3. The Town Road lands shall revert to the abutting property owners as provided by law.
4. This original resolution shall be recorded in the Dane County Register of Deeds Office.

This resolution was duly considered and adopted by the Cottage Grove Town Board pursuant to a vote of 5 for and 0 against and 0 abstentions on this 7<sup>th</sup> day of Sept, 2010.

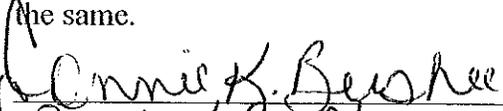
  
Kris Hampton, Cottage Grove Town Chair

  
Kim Banigan, Cottage Grove Town Clerk

#### ACKNOWLEDGMENT

STATE OF WISCONSIN                    )  
COUNTY OF DANE                    )ss.

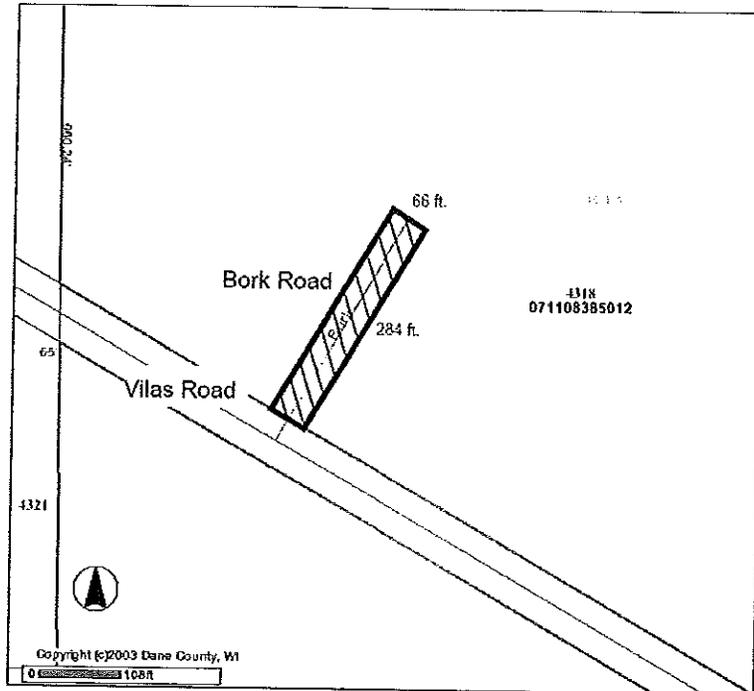
Personally came before me, this 7 day of September 2010, the above-named Kris Hampton and Kim Banigan to me known to be the persons who executed the foregoing instrument and acknowledged the same.

  
Annie K. Bushee (print name)  
Notary Public, State of Wisconsin.  
My commission expires on: 3-2-2014

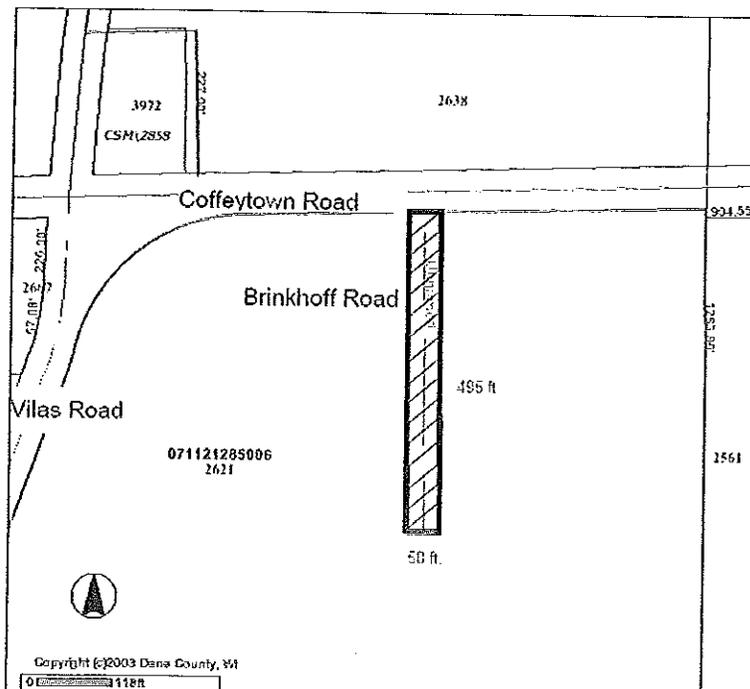
Drafted by: Town of Cottage Grove

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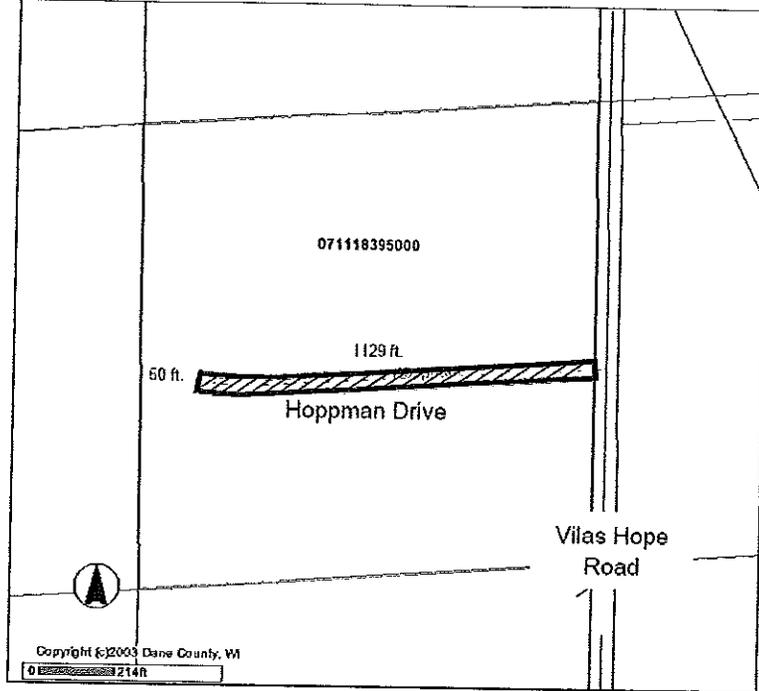
Viewers are advised to ignore the illegible text on this map. It is presented to show spatial relationships only.

Authorized by:

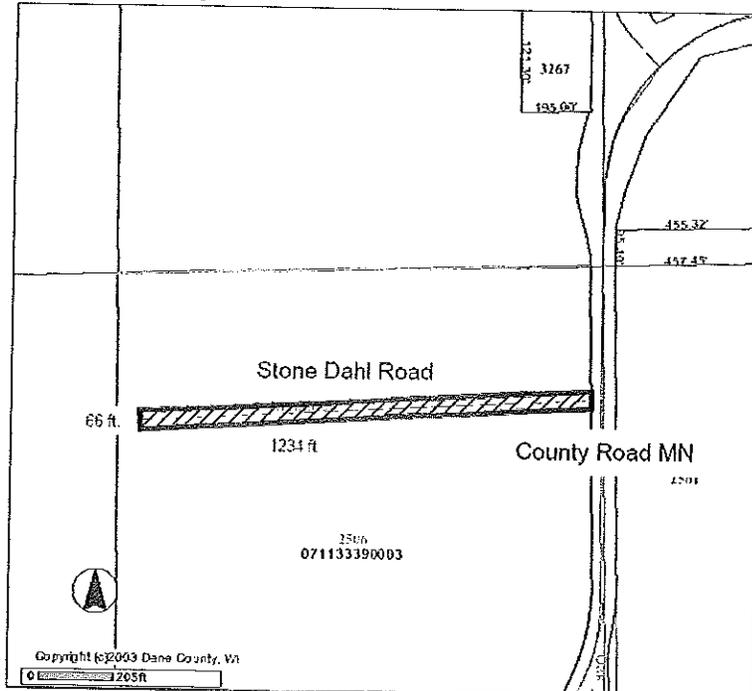
*KON*

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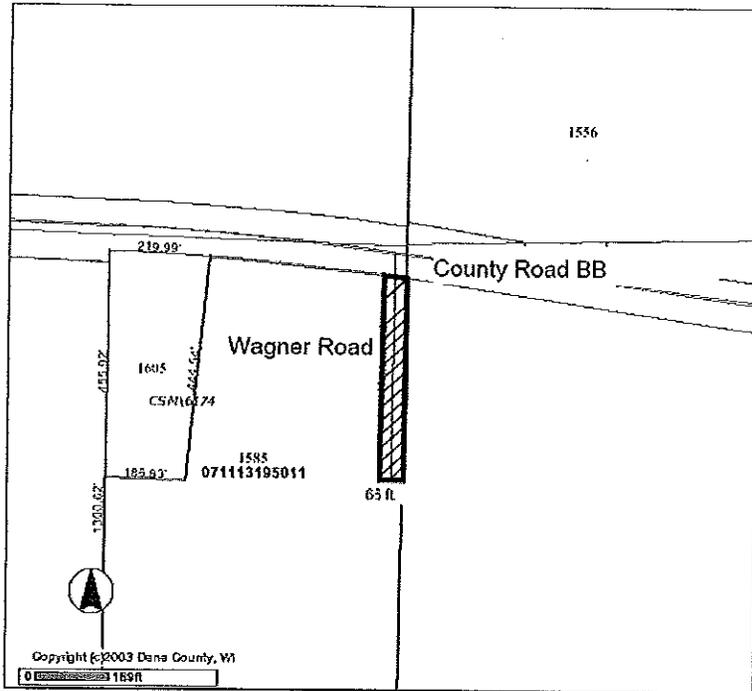


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**Wagner Road:** A dead end road off of County Road BB in section 13, T07N, R11E, Town of Cottage Grove. Area to be vacated runs from the County Road BB right of way to the end of Wagner Road, approximately 495 feet long by 66 feet wide, entirely surrounded by parcel 018/0711-131-9501-1, as depicted in the map below:



**TOWN OF COTTAGE GROVE  
TOWN BOARD RESOLUTION NO. 2010-08**

**TO AUTHORIZE A REFERENDUM ON THE LEVYING OF  
A SALES TAX TO FUND COMMUTER RAIL**

**WHEREAS**, the State of Wisconsin 2009-10 Executive Budget Act, signed on June 29, 2009, provided that the Dane County Board of Supervisors could establish a Regional Transportation Authority (RTA) for certain areas of Dane County, and that additional areas can voluntarily attach themselves to such RTA in the future, and

**WHEREAS**, the Dane County Board of Supervisors subsequently established the RTA in late 2009, and

**WHEREAS**, this Budget Act provided that the Board of the RTA may levy a 0.5% sales tax within the jurisdictional area of the RTA, and

**WHEREAS**, the Town of Cottage Grove is partially within the jurisdictional area of the RTA, and

**WHEREAS**, the November, 2010 election is quickly approaching and the RTA has not yet scheduled a referendum on the sales tax, and the November, 2010 election will almost certainly have a larger voter turnout than either of the spring elections in 2011, which means the November, 2010 election would be more appropriate for a referendum to be held in order to give residents an opportunity to voice their opinion on this important question;

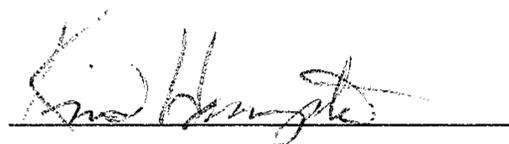
**NOW THEREFORE BE IT RESOLVED** that the Town Board of the Town of Cottage Grove does hereby authorize the following question to be placed on the Town of Cottage Grove ballot for the November 2, 2010 election:

***“Shall commuter rail from the City of Middleton to the Town of Burke be funded by a half-cent (0.5%) increase in the sales tax? Yes \_\_\_ No \_\_\_”***

**NOW THEREFORE BE IT FURTHER RESOLVED** by the Town Board of the Town of Cottage Grove that the Town Clerk shall take all necessary steps to implement this resolution, and that after the election the Town Clerk shall communicate the results of such referendum to the RTA, Dane County Executive, Dane County Board Chair, and the two Dane County Board Supervisors who represent the Town of Cottage Grove.

This resolution was duly considered and adopted by the Cottage Grove Town Board pursuant to a vote of 5 for and 0 against and 0 abstentions on this 7<sup>th</sup> day of September 2010.

Kris Hampton, Town Chair



Kim Banigan, Town Clerk

