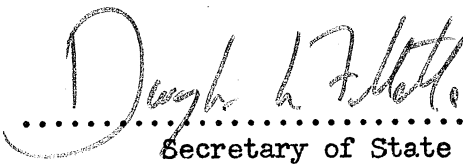

Madison

JUDGEMENT OF NOVEMBER 21, 1974

State of Wisconsin)
Department of State) ss.

Received and filed this14th.....

day ofJanuary..... A.D. 19.75...


.....
Secretary of State



Phone 266-4511

Edwin Conrad, J. D., CITY ATTORNEY, Room 401 *city-county building, madison, wisconsin 53709*

CITY OF MADISON

December 2, 1974

Robert C. Zimmerman, Esq.
Secretary of State
112 West, Capitol Building
Madison, Wisconsin 53702


Re: Annexation Case No. 138-463

Dear Mr. LaFollette:

Pursuant to Sec. 66.026, Wis. Stats., we are enclosing four copies of the Judgment in Town of Fitchburg v. City of Madison, Honorable Norris Maloney, Dane County Circuit Judge, on November 21, 1974.

This case will not be appealed by the City of Madison.

Very truly yours,


Larry W. O'Brien
Deputy City Attorney

LWO:sc

Enclosure

cc: Frederick Jordan
State Highway Commission
1317 Applegate Road
Madison, Wisconsin 53711

STATE OF WISCONSIN
DEPARTMENT OF STATE
RECEIVED AND FILED

JAN 14 1975

DOUGLAS LAFOLLETTE
SECRETARY OF STATE

TOWN OF FITCHBURG,

Plaintiff,

vs.

CITY OF MADISON,

Defendant.

JUDGMENT

Case No. 138-463

BEFORE: Hon. Norris Maloney, Circuit Judge, presiding.

Plaintiff's Motion for Summary Judgment having been brought on for hearing before said Court, Norris Maloney, Circuit Judge, presiding, on the 7th day of November, 1974, and the Court having ruled that the Motion for Summary Judgment is to be granted,

NOW THEREFORE, on motion of Ela, Esch, Hart & Clark, attorneys for plaintiff,

IT IS ORDERED that Ordinances No. 4087 and 4088 of the City of Madison, annexing Parcel 1 and Parcel 2 herein described from the Town of Fitchburg to the City of Madison, are declared void and of no legal effect.

Parcel 1: A strip of land 100.00 feet in width located in the Northwest 1/4 of Section 3, Town 6 North, Range 9 East, Town of Fitchburg, Dane County, Wisconsin, the Northwest line of which is more fully described as follows:

Beginning at the most Southeast corner of Lot 207, Post Road Addition to Arbor Hills, a recorded plat in said Section 3 and Section 4, Town 6 North, Range 9 East, City of Madison, Dane County, Wisconsin, said point also being in the Northwestern right-of-way line of the Chicago and North Western Railway; thence South 34°-40' West, 430 feet more or less along the said Northwestern right-of-way line of the Chicago and North Western Railway to the West line of the Northwest 1/4 of said Section 3 and the end of the Northwest line of the 100 foot strip described.

Parcel 2: A strip of land 100.0 feet in width being part of Sections 4 and 5, Town 6 North, Range 9 East, Town of Fitchburg, Dane County, Wisconsin, the Northerly line of which is more fully described as follows:

STATE OF WISCONSIN
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SECRETARY OF STATE

Beginning at the Southwest corner of Lot 14, Belmar, a recorded plat in the North 1/2 of said Section 5 and the South 1/2 of Section 32, Town 7 North, Range 9 East, City of Madison, Dane County, Wisconsin. Said point also being in the Northerly right-of-way line of the Chicago and North Western Railway as presently located; thence North 80°-50'07" East, 2,695.45 feet along the South line of the said Belmar Plat and its Easterly prolongation to the center line of Seminole Highway as presently located. Last mentioned course also being along the said Northerly right-of-way line of the Chicago and North Western Railway; thence continuing North 80°-50'07" East, 1,762 feet along the said Northerly right-of-way line of the Chicago and North Western Railway to a point of curve; thence continuing along the said Northerly right-of-way line on a curve to the right, convex to the North, having a radius of 1,960 feet more or less and a long chord that bears South 80°-30' East, 1200 feet; thence South 62°-11' East, 650 feet more or less to a point in the East line of the Northwest 1/4 of said Section 4. Last mentioned point being 2054.88 feet South of the North 1/4 corner of said Section 4 measured along the East line of the Northwest 1/4 of said Section 4 and the end of the Northerly right-of-way line of the 100 foot strip of land described.

Dated this 21st day of November, 1974.

BY THE COURT:

/s/
Clerk JUDGE MATONEY

Approved:

/s/ 11-20-74
Larry O'Brien, City Attorney

STATE OF WISCONSIN
DEPARTMENT OF STATE
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DOUGLAS LAFOLLETTE
SECRETARY OF STATE