

**ORDINANCE NO. L-2011-5
VILLAGE OF SHOREWOOD HILLS**

**SECOND AMENDMENT TO THE PLANNED UNIT
DEVELOPMENT ZONING REGULATIONS FOR
3750 UNIVERSITY AVENUE**

RECITALS

- A. Books & Music LLC is the owner of the property located at 3750 University Avenue, and legally described as set forth on Attachment A hereto (the “Property”).
- B. The Property is zoned Planned Unit Development pursuant to Village of Shorewood Hills Ordinance No. L-2000-4, as amended by the First Amendment to the Planned Unit Development Zoning Regulations for Kohl’s Shopping Center Redevelopment (Village of Shorewood Hills) recorded with the Dane County Register of Deeds on May 30, 2002 as Document No. 3494601.
- C. The University of Wisconsin Credit Union has submitted an application (the “Application”) for an amendment to the General Development Plan and Specific Development Plan for the Property. The Application, as amended during the course of the Village’s review of the Application, is attached as Attachment B hereto.
- D. Books & Music LLC has requested that the Village approve the Application, and consents to the amendment of the General Development Plan and Specific Development Plan for the Property
- E. On May 10, 2011, the Village of Shorewood Hills Plan Commission held a public hearing on the Application, which was preceded by publication of a Class 2 notice under Chapter 985 of the Wisconsin Statutes. The Plan Commission recommended that the Village Board approve the Application.
- F. On June 20, 2011, the Village of Shorewood Hills Village Board conducted a public hearing on the Application, which was preceded by publication of a Class 2 notice under Chapter 985 of the Wisconsin Statutes. The Village Board agrees with the Plan Commission’s recommendation to approve the Application.

THIS SPACE RESERVED FOR RECORDING DATA

RETURN TO:

Matthew P. Dregne
Stafford Rosenbaum LLP
P.O. Box 1784
Madison, WI 53701

P.I.N.

Now, therefore, the Village Board of the Village of Shorewood Hills, Dane County, Wisconsin, ordains as follows:

1. Amended General Development Plan and Specific Development Plan. The General Development Plan and Specific Development Plan for the Property are amended as described in the Application.
2. Effective Date. This ordinance shall take effect upon passage and publication or posting.

The foregoing ordinance was adopted by the Village Board of the Village of Shorewood Hills at a meeting held on July 6, 2011.

APPROVED:

Mark L. Sundquist, Village President

ATTEST:

Colleen Albrecht, Village Clerk

ACKNOWLEDGEMENT

STATE OF WISCONSIN

COUNTY OF DANE

Personally came before me this _____ day of _____, 2014, the above-named Mark Sundquist and Colleen Albrecht, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin
My Commission: _____

Posted _____

This instrument was drafted by

Matthew P. Dregne
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222 West Washington Avenue, Suite 900
P.O. Box 1784
Madison, WI 53701-1784
608.256.0226

Attachment A – Legal Description of the Property
Attachment B – PUD Amendment Application

ATTACHMENT A

LEGAL DESCRIPTION OF THE PROPERTY

PARCEL A:

LOT 4 OF CERTIFIED SURVEY MAP NO. 9933, RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR DANE COUNTY, WISCONSIN ON JANUARY 22, 2001, IN VOLUME 58 OF CERTIFIED SURVEY MAPS ON PAGES 12-20, INCLUSIVE, AS DOCUMENT NO. 3281579, BEING A PART OF LOTS 1 THROUGH 3, PART OF LOTS 4 AND 6, LOTS 7 THROUGH 24, OUTLOT A, LOCUST DRIVE, FERN DRIVE AND ROSE PLACE IN THE PLAT OF MIDWAY, AND PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 17, TOWN 7 NORTH, RANGE 9 EAST, IN THE VILLAGE OF SHOREWOOD HILLS, DANE COUNTY, WISCONSIN.

PARCEL B:

TOGETHER WITH NON-EXCLUSIVE RECIPROCAL EASEMENTS FOR UTILITIES, SIGNAGE, ROADS, AND VEHICULAR AND PEDESTRIAN ACCESS, INGRESS AND EGRESS AS SET FORTH IN OPERATION AND EASEMENTS AGREEMENT DATED MAY 3, 2001 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR DANE COUNTY, WISCONSIN ON MAY 4, 2001 AS DOCUMENT NO. 3315832.

PARCEL C:

TOGETHER WITH NON-EXCLUSIVE INGRESS AND EGRESS RIGHTS OVER DRIVE EASEMENT # 1 AS DESCRIBED IN AGREEMENT RELATING TO DEDICATED ROAD EASEMENTS DATED DECEMBER 18, 2000 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR DANE COUNTY, WISCONSIN ON MARCH 28, 2001 AS DOCUMENT NO. 3301523, AND AS DEPICTED ON CERTIFIED SURVEY MAP NO. 9933, RECORDED IN SAID REGISTER'S OFFICE ON JANUARY 22, 2001, AS DOCUMENT NO. 3281579.

PARCEL D:

TOGETHER WITH NON-EXCLUSIVE RECIPROCAL EASEMENTS FOR AUTOMOBILE, BICYCLE AND PEDESTRIAN ACCESS, INGRESS AND EGRESS AS SET FORTH IN DECLARATION OF EASEMENTS AND COVENANTS DATED MARCH 12, 2001 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR DANE COUNTY, WISCONSIN ON MARCH 15, 2001 AS DOCUMENT NO. 3297009.

Tax Parcel No.: 181/0709-174-5455-1

ATTACHMENT B
PUD AMENDMENT APPLICATION