

**RESOLUTION 2021-02**

**A RESOLUTION APPROVING THE RELEASE OF DEVELOPMENT AGREEMENT OBLIGATIONS FOR THE WOODLAND COMMONS PLAT.**

WHEREAS, On October 13, 2003 the Village entered into a Development Agreement with NEP, LLC for the development of the Woodland Commons subdivision; and

WHEREAS, the Development Agreement imposed certain obligations on the Developer to construct public infrastructure and satisfy various other requirements imposed by Village Ordinances; and

WHEREAS, in order to bind future owners of lands within the subdivision to the terms and conditions of the Development Agreement, a Memorandum of Development Agreement was recorded in the office of the Register of Deeds for Dane County providing public notice of the existence of the agreement; and


WHEREAS, the Developer has performed all of its obligations under the Development Agreement and there is no longer a need for the existence of that agreement to be reflected in the public records as an outstanding obligation; and

WHEREAS, the Village Board has determined that it is reasonable and appropriate to record an instrument formally releasing the Development Agreement and Memorandum of Development Agreement as potential encumbrances on title to parcels within the Woodland Commons subdivision;

NOW, THEREFORE, BE IT RESOLVED, that the Village President and Clerk-Treasurer are authorized to execute a Release of Development Agreement in the form attached hereto as Exhibit A, and the Village Administrator is authorized and directed to cause the recording of that document in the office of the Register of Deeds for Dane County.

Adopted at a regular meeting of the Village Board this 25<sup>th</sup> day of January, 2021.

  
\_\_\_\_\_  
Brad Czebotar, Village President

Attest:  
  
\_\_\_\_\_  
Cassandra Suettinger, Clerk-Treasurer

RESOLUTION 2021 -02	
MOTION	SECOND
Czebotar	Flaherty
ACTION	DATE
Adopted	
Referred	
Tabled	
Withdrawn	
Defeated	
Published	
INDIVIDUAL VOTING RECORD	
Rupert - Absent	Kryzenske - Aye
Brassington - Aye	Flaherty - Aye
Czebotar - Aye	Utter - Nay
Clow - Aye	
VOTING RESULTS	
Motion Carried	5 - 1 - 0
Motion Defeated:	

**RELEASE OF DEVELOPMENT AGREEMENT**

WHEREAS, NEP, LLC, a Wisconsin limited liability company (“Developer”) entered into a Development Agreement dated October 13, 2003 with the Village of McFarland, a Wisconsin municipal corporation, which required, among other things, the Developer to construct and install certain public improvements and satisfy certain other obligations with regard to the following described lands (the “Property”) in the Village of McFarland, Dane County, Wisconsin:

SEE ADDENDUM A

WHEREAS, a Memorandum providing notice of the Development Agreement was recorded on November 6, 2003 in the Office of the Register of Deeds for Dane County as Document No. 3837819; and

WHEREAS, NEP, LLC has completed the required construction and satisfied all other obligations of the Development Agreement to the satisfaction of the Village of McFarland;

**NOW THEREFORE**, the Village of McFarland hereby releases the Developer and the Property from any further obligations created by the above-referenced Development Agreement and/or Memorandum.

Dated this \_\_\_\_ day of January, 2021.

VILLAGE OF MCFARLAND

By: Brad Czebotar  
Brad Czebotar, Village President

Attest: Cassandra Suettinger  
Cassandra Suettinger, Clerk-Treasurer

This document was drafted by:  
Attorney Allen D. Reuter  
Reuter, Whitish & Evans, S.C.  
44 East Mifflin Street, Suite 306  
Madison, WI 53703

After recording return to:

Mr. Matt Schuenke  
Village Administrator  
Village of McFarland  
5915 Milwaukee St.  
P.O. Box 110  
McFarland, WI 53558-3619

Tax Parcel Nos.

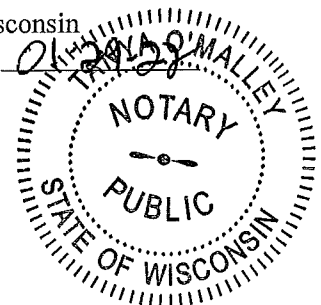
See Addendum A

ACKNOWLEDGMENT

STATE OF WISCONSIN )  
 ) ss.  
COUNTY OF DANE )

Personally came before me this 26 day of January 2021, the above named Brad Czebotar and Cassandra Suettinger, respectively the President and Clerk-Treasurer of the Village of McFarland, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Tanya O'Malley  
\* Tanya O'Malley  
Notary Public, State of Wisconsin  
My commissioner expires: 01-29-22



## ADDENDUM A

### Legal Description and Tax Parcel Numbers

Real property in the Village of McFarland, County of Dane, State of Wisconsin, and is described as follows:

Lots One (1) Two (2), Three (3) and Outlot 1 (OL 1), Certified Survey Map No. 11273, recorded as Document No. 3998454.

*Parcel ID Nos.* 154/0610-032-1650-1, 154/0610-032-1665-1, 154/0610-032-1680-1, 154/0610-032-1695-1

Lots One (1) and Two (2), Certified Survey Map No. 11394 recorded as Document No. 4050510.

*Parcel ID Nos.* 154/0610-032-1315-1, 154/0610-032-1322-1

Lots One (1), Two (2), Three (3) and Four (4), Certified Survey Map No. 11045 recorded as Document No. 3900843.

*Parcel ID Nos.* 154/0610-032-1331-1, 154/0610-032-1339-1, 154/0610-032-1347-1, 154/0610-032-1355-1

Lot (7), Woodland Commons, in the Village of McFarland, Dane County, Wisconsin.

*Parcel ID No.* 154/0610-032-1367-1

Lot One (1), Certified Survey Map No. 11366 recorded as Document No. 4037919.

*Parcel ID No.* 154/0610-032-1387-1

Units 5640, 5650, 5660, 5670, 5680 and 5690, Woodland Commons Condominium, in the Village of McFarland, Dane County, Wisconsin.

*Parcel ID Nos.* 154/0610-032-1701-1, 154/0610-032-1704-1, 154/0610-032-1707-1, 154/0610-032-1710-1, 154/0610-032-1713-1, 154/0610-032-1716-1

Lot Ten (10) and Eleven (11), Woodland Commons, in the Village of McFarland, Dane County, Wisconsin.

*Parcel ID Nos.* 154/0610-032-1400-1, 154/0610-032-1411-1

Lots One (1) and Two (2), Certified Survey Map No. 11333 recorded as Document No. 4023488.

*Parcel ID Nos.* 154/0610-032-1418-1, 154/0610-032-1425-1