

**AGREEMENT RELATING TO DEFERRAL OF
SPECIAL ASSESSMENTS PURSUANT TO THE TOWN OF BLOOMING GROVE
AND CITY OF MADISON COOPERATIVE PLAN**

This Agreement is entered into by and between the Town of Blooming Grove, a Wisconsin municipality with offices at 1880 South Stoughton Road, Madison, Wisconsin 53716 (the "Town"), and the City of Madison, a Wisconsin municipal corporation with offices at 210 Martin Luther King, Jr. Blvd., Madison, Wisconsin 53703 (the "City").

WHEREAS, the City and the Town have adopted and entered into the Town of Blooming Grove and City of Madison Cooperative Plan under Section 66.0307, Wisconsin Statutes, dated April 20, 2006, and approved by the Wisconsin Department of Administration on October 3, 2006 (the "Plan"); and

WHEREAS, Section 24 of the Plan requires the Town and the City to cooperate in good faith to implement the Plan and authorizes entering into further agreements to facilitate an orderly transition of the remaining Town territory to the City on or before October 31, 2027; and

WHEREAS, part of this orderly transition contemplated under Section 12 of the Plan provides for orderly urban growth and development of both City and Town properties, and specifically allows the City to extend municipal services and to construct public improvements and levy special assessments therefore against benefiting Town properties. Such extensions of municipal services and construction of public improvements have occurred and will continue to occur through October 31, 2027; and

WHEREAS, the Town and City agree that it would facilitate the orderly transition and be reasonable and equitable for the City to have the option to defer certain special assessments for street improvements levied against Town parcels that currently "shall not be deferred" under Section 12.B.(6) of the Plan in order to give the City the option to defer special assessments for public street improvements benefiting Town parcels until the parcels are attached to the City, in accordance with Sections 12.B. of the Plan.

NOW, THEREFORE, the Town and City agree:

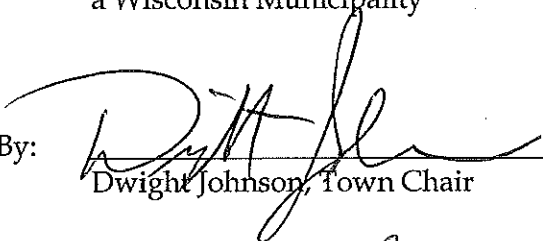
1. That notwithstanding the words "shall not" in Section 12.B.(6) of the Plan, the City "may" defer the payment of special assessments for public street improvements specified in Section 12.B.(6) of the Plan until a benefited parcel is attached to the City in accordance with Section 12.B.(2) of the Plan.

2. Except as expressly altered by Section 1 of this Agreement, this Agreement does not affect any other term or condition of the Plan.

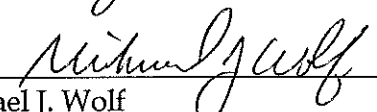
IN WITNESS WHEREOF, the Town and City certify that this Agreement has been duly approved by their respective governing bodies in accordance with State and local laws, rules and regulations, and each has caused its duly authorized officers to execute this Agreement.

TOWN OF BLOOMING GROVE
a Wisconsin Municipality

Date: 8/26/08

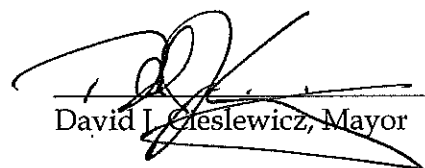
By: 
Dwight Johnson, Town Chair

Date: 8/26/08

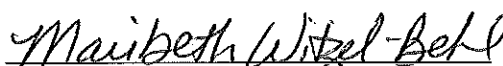
By: 
Michael J. Wolf
Town Administrator/Clerk/Treasurer

CITY OF MADISON
a Wisconsin Municipal Corporation

Date: 8-19-08

By: 
David I. Cheslewicz, Mayor

Date: August 11, 2008

By: 
Maribeth Witzel-Behl, City Clerk

**TOWN OF BLOOMING GROVE
RESOLUTION NO. 2008-06
RESOLUTION CONCERNING DEFERRAL OF SPECIAL ASSESSMENTS UNDER THE
COOPERATIVE PLAN WITH THE CITY OF MADISON AND
APPROVING THE CITY OF MADISON'S DEFERRAL OF THE PAYMENT OF SPECIAL
ASSESSMENTS FOR CITY OF MADISON'S SIGGELKOW ROAD PROJECT AND
SOUTH SPRECHER ROAD PROJECT**

RECITALS

A. The City of Madison and the Town of Blooming Grove have adopted and entered into the Town of Blooming Grove and City of Madison Cooperative Plan under section 66.0307, Wisconsin Statutes, dated April 20, 2006, and approved by the Wisconsin Department of Administration on October 3, 2006 (the "Plan").

B. Section 24 of the Plan requires the Town and the City in good faith to implement the Plan and authorizes entering into further agreements to facilitate an orderly transition of the remaining Town territory to the City on or before October 31, 2027.

C. Part of the orderly transition contemplated under § 12 of the Plan provides for orderly urban growth and development of both City and Town properties, and specifically allows the City to extend municipal services and to construct public improvements and levy special assessments therefore against benefiting Town properties. Such extensions of municipal services and construction of public improvements have occurred and will continue to occur through October 31, 2027.

D. The Town and the City agree that it would facilitate orderly transition and be reasonable and equitable for the City to have the option to defer certain special assessments for street improvements levied against Town parcels that currently "shall not be deferred" under § 12.B.(6) of the Plan.

RESOLUTION

NOW, THEREFORE, the Town Board of the Town of Blooming Grove, Dane County, Wisconsin, resolves as follows:

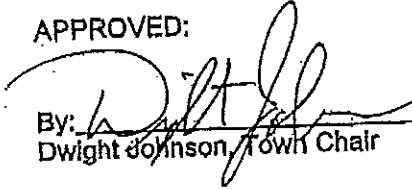
1. **Cooperative Agreement.** The Town Chair and the Town Clerk are authorized to execute an agreement with the City of Madison that states that the words "shall not" in § 12.B.(6) of the Plan be replaced with the word "may" in order to give the City the option to defer special assessments for public street improvements benefiting Town parcels.

2. **City Special Assessments for Siggelkow Road.** The Town Board approves of any deferral by the City of special assessments levied by the City pursuant to §§ 12.B.2 and 12.B.3 of the Plan for the Siggelkow Road Reconstruction Assessment Project - 2008 special assessments approved by the City's Common Council on December 4, 2007 (RES-07-01128) and the City's collection of the special assessments in 15 annual installments.

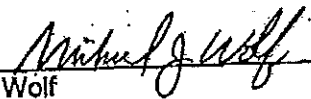
3. **City Special Assessments for South Sprecher Road.** The Town Board approves of any deferral by the City of special assessments levied by the City pursuant to §§ 12.B.2 and 12.B.3 of the Plan for the South Sprecher Road Assessment District - 2008 approved by the Common Council on March 4, 2008 (RES-08-00204) and the City's collection of the special assessments in 15 annual installments.

This resolution was duly adopted at a meeting of the Town Board of the Town of Blooming Grove, Dane County, Wisconsin, held on July 8, 2008, by a vote of 4 ayes, 0 nays, and with 0 members not voting.

APPROVED:

By: 
Dwight Johnson, Town Chair

ATTEST:


Michael J. Wolf
Town Administrator/Clerk/Treasurer



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Certified Copy

Resolution: RES-08-00726

File Number: 10781

Enactment Number: RES-08-00726

Authorizing the Mayor and City Clerk to execute an agreement with the Town of Blooming Grove to modify implementation language in the Town of Blooming Grove and City of Madison Cooperative Plan and approving deferral of special assessments levied against Town parcels for Siggelkow Road and Sprecher Road projects.

WHEREAS, the City and the Town of Blooming have adopted and entered into the Town of Blooming Grove and City of Madison Cooperative Plan under Section 66.0307, Wisconsin Statutes, dated April 20, 2006, and approved by the Wisconsin Department of Administration on October 3, 2006 (the "Plan"); and WHEREAS, §24 of the Plan requires the Town and the City to cooperate in good faith to implement the Plan and authorizes entering into further agreements to facilitate an orderly transition of the remaining Town territory to the City on or before October 31, 2027; and

WHEREAS, part of this orderly transition contemplated under §12 of the Plan provides for orderly urban growth and development of both City and Town properties, and specifically allows the City to extend municipal services and to construct public improvements and levy special assessments therefore against benefiting Town properties. Such extensions of municipal services and construction of public improvements have occurred and will continue to occur through October 31, 2027; and

WHEREAS, the Town and City agree that it would facilitate orderly transition and be reasonable and equitable for the City to have the option to defer certain special assessments for street improvements levied against Town parcels that currently "shall not be deferred" under §12.B.(6) of the Plan.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Clerk are hereby authorized to execute an agreement with the Town of Blooming Grove providing that the words "shall not" in §12.B.(6) of the Plan be replaced with the word "may" in order to give the City the option to defer special assessments for public street improvements benefiting Town parcels until the parcels are attached to the City, in accordance with §§12.B.(2) and 12.B.(3) of the Plan.

BE IT FURTHER RESOLVED that Siggelkow Road Reconstruction Assessment District-2008 special assessments approved by the Common Council on December 4, 2007 (RES-07-01128) shall be deferred in accordance with §§12.B.(2) and 12.B.(3) of the Plan.

BE IT FURTHER RESOLVED that Siggelkow Road Reconstruction Assessment District-2008 special assessments approved by the Common Council on December 4, 2007 (RES-07-01128) shall be collected in fifteen (15) annual installments.

BE IT FURTHER RESOLVED that South Sprecher Road Assessment District-2008 special assessments approved by the Common Council on March 4, 2008 (RES-08-00204) shall be deferred in accordance with §§12.B.(2) and 12.B.(3) of the Plan, at the request of the current property owner(s).

BE IT FURTHER RESOLVED that South Sprecher Road Assessment District-2008 special assessments approved by the Common Council on March 4, 2008 (RES-08-00204) shall be collected in fifteen (15) annual installments.

I, Maribeth Witzel-Behl, certify that this is a true copy of Resolution No. 10781, passed by the COMMON COUNCIL on 7/15/2008.

Maribeth Witzel-Behl

8/11/08

Maribeth Witzel-Behl

Date Certified