

Cherokee Park Attachment, Town of Burke

Document Number

Document Title

ATTACHMENT ORDINANCE

This is to certify that the foregoing ordinance was adopted by the Common Council of the City of Madison, Wisconsin at a meeting held on the 20th day of April, 2021.

Cherokee Park Attachment
Ordinance #: ORD-21-00036
ID#: 64804

KRISTI CHLEBOWSKI
DANE COUNTY
REGISTER OF DEEDS

DOCUMENT #
5724504
05/03/2021 01:44 PM
Trans Fee:
Exempt #:
Rec. Fee: 30.00
Pages: 10

Recording Area

Name and Return Address

City Clerk
210 Martin Luther King Jr. Blvd.
Room 103
Madison, WI 53703

Parcel Identification Number (PIN)

May 3, 2021

Date

Maribeth Witzel-Behl

Signature of Clerk

Maribeth Witzel-Behl, City Clerk

*Name printed

Date

n/a

Signature of Grantor

*Name printed

STATE OF WISCONSIN, County of Dane

This document was drafted by:
(print or type name below)

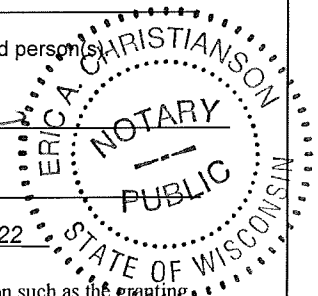
Eric Christianson

Subscribed and sworn to before me on May 3, 2021 by the above named person(s)

Signature of notary or other person
authorized to administer an oath
(as per s. 706.06, 706.07)

Print or type name: Eric Christianson

Title: Certified Municipal Clerk Date commission expires: 3/27/2022



*Names of persons signing in any capacity must be typed or printed below their signature.

This information must be completed by submitter: document title, name & return address, and PIN (if required). Other information such as the granting clauses, legal description, etc., may be placed on this first page of the document or may be placed on additional pages of the document. Note: Use of this cover page adds one page to your document and \$2.00 to the recording fee. Wisconsin Statutes, 59.43(2m). USE BLACK INK. WRDA 5/1999



City of Madison

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

Certified Copy

Ordinance: ORD-21-00036

File Number: 64804

Enactment Number: ORD-21-00036

Creating Section 15.01(624) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 18th Aldermanic District the Cherokee Park, Inc./Madison Water Utility Attachment properties located at 4825 N. Sherman Avenue; 2023 Wheeler Road in the Town of Burke, and amending Section 15.02(112) of the Madison General Ordinances to assign the attached property to Ward 112; and assigning a temporary zoning classification of A Agricultural District.

DRAFTER'S ANALYSIS: This ordinance attaches land in the Town of Burke and assigns temporary A zoning.

An ordinance to create Subsection (624) of Section 15.01 of the General Ordinances of the City of Madison entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards".

WHEREAS, a petition for attachment with scale map attached was filed with the City Clerk of Madison on April 15, 2020 and revised July 15, 2020 and has been presented to the Madison Common Council requesting attachment of the below-described territory to the City of Madison from the Town of Burke; said petition having been signed by the owners of all of the land in the territory and notice of the proposed attachment having been given to the Town of Burke; and

WHEREAS, investigation by the City of Madison discloses that as of this date the above representations are true, the Common Council now accepts the petition as sufficient and determines that the said attachment proceeding meets the requirements of the City of Madison and Town of Burke Cooperative Plan approved pursuant to Wis. Stat. § 66.0307;

NOW, THEREFORE, the Common Council of the City of Madison do ordain as follows:

1. Subsection (624) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(624) - There is hereby attached to the 18th Aldermanic District, the City of Madison, Dane County, Wisconsin, the following described property and pursuant to the provisions of Sec. 28.005, MGO, the territory attached by this ordinance is hereby assigned a temporary zoning classification of A Agricultural District:

Part of the Southwest ¼ of the Northwest ¼ and part of the Southeast ¼ of the Northwest ¼, Section 19, T8N, R10E, Town of Burke, Dane County, Wisconsin, described as follows:

Beginning at the West ¼ Corner of said Section 19; thence S88°09'28"E (recorded as S88°33'36"E), 2117.17 feet along the South line of said Northwest ¼, said South line also being the existing corporate boundary line of the City of Madison, to the Center ¼ Corner of said Section 19; thence N02°17'10"E (recorded as N02°16'57"E), 385.59 feet along the East line of the Northwest ¼ of said Section 19; thence N89°12'39"W, 174.45 feet; thence

N02°03'16"E, 250.82 feet; thence N02°07'43"E, 492.04 feet (recorded as North); thence N87°48'17"W, 125.00 feet; thence N02°09'06"E (recorded as North), 143.08 feet to the South right-of-way line of Wheeler Road, said right-of-way line also being the existing corporate boundary line of the City of Madison; thence N88°48'12"W (recorded as N88°48'14"W), 1130.65 feet along said right-of-way line and corporate boundary line; thence continuing along said right-of-way line and corporate boundary line N88°59'41"W, 701.62 feet (recorded as N89°23'08"W, 700 feet) to the West line of said Northwest ¼, said West line also being the existing corporate boundary line of the City of Madison; thence S01°30'36"W (recorded as South), 586.04 feet along said West line and corporate boundary line; thence S88°30'31"E, 164.84 feet (recorded as 165 feet); thence S01°30'23"W, 132.03 feet (recorded as 132 feet); thence N88°31'56"W, 164.85 feet (recorded as 165 feet) to said West line and corporate boundary line; thence S01°30'36"W, 527.97 feet (recorded as South, 528 feet) along said West line and corporate boundary line to the aforesaid West ¼ Corner and the point of beginning; Containing 2,482,617 square feet, or 56.993 acres, and 0.089052 square miles."

2. Subsection (112) of Section 15.02 entitled, "Wards and Ward Boundaries" of the Madison General Ordinances is amended to read as follows:

~~"(112) Ward 112. Part of the SE ¼ of the SW ¼, part of the SW ¼ of the SW ¼ of Section 18, part of the NE ¼ of the NW ¼, part of the NW ¼ of the NW ¼, part of the SW ¼ of the NW ¼ and part of the SE ¼ of the NW ¼ of Section 19 all in T8N, R10E, Town of Burke, Dane County, Wisconsin more particularly described as follows: beginning at the N ¼ corner of said Section 19; thence along the East line of the said SW ¼ of Section 18 N00°55'38"E, 355.26 feet to the Southerly line of lands by the City of Madison in Document No. 4449205; thence along said Southerly line S57°51'14"W, 431.95 feet; thence continuing along said Southerly line S61°26'36"W, 682.66 feet; thence continuing along said Southerly line S89°35'44"W, 459.24 feet; thence continuing along said Southerly line N00°24'16"W, 33.00 feet; thence continuing along said Southerly line N88°59'56"W, 209.33 feet; thence continuing along said Southerly line N78°11'48"W, 236.52 feet; thence continuing along said Southerly line N04°09'41"E, 343.33 feet; thence continuing along said Southerly line N85°42'49"W, 301.88 feet to the West line of the said SW ¼ of Section 18; thence along said West line S02°04'41"W, 151.42 feet to the Northwest Corner of said Section 19; thence along the West line of the said NW ¼ of Section 19 S02°02'33"W (recorded as S02°02'25"W), 286.89 feet to the Corporate Boundary of the City of Madison; thence along said Corporate Boundary S88°59'52"E, 699.99 feet (recorded as S89°23'08"E, 700.00 feet); thence continuing along said Corporate Boundary S02°02'33"W (recorded as S01°40'49"W), 740.43 feet; thence continuing along said Corporate Boundary S01°30'32"W (recorded as S01°07'06"W), 392.71 feet to the Southerly right of way line of Wheeler Road; thence along said Southerly right of way line S88°48'14"E, 1434.38 feet to the East line of the said NW ¼ of Section 19; thence along said East line N02°16'57"E, 1368.00 feet to the said N ¼ corner of Section 19 and the point of beginning. The above described parcel contains 2,060,091 square feet or 47.293 acres.~~

Part of the SE ¼ of the SW ¼, part of the SW ¼ of the SW ¼ of Section 18, part of the NE ¼ of the NW ¼, part of the NW ¼ of the NW ¼, part of the SW ¼ of the NW ¼ and part of the SE ¼ of the NW ¼ of Section 19, T8N, R10E, Town of Burke, Dane County, Wisconsin more particularly described as follows:

Beginning at the N ¼ corner of said Section 19; thence along the East line of the said SW ¼ of Section 18 N00°55'38"E, 355.26 feet to the Southerly line of lands by the City of Madison in Document No. 4449205; thence along said Southerly line S57°51'14"W, 431.95 feet; thence continuing along said Southerly line S61°26'36"W, 682.66 feet; thence continuing along said

Southerly line S89°35'44"W, 459.24 feet; thence continuing along said Southerly line N00°24'16"W, 33.00 feet; thence continuing along said Southerly line N88°59'56"W, 209.33 feet; thence continuing along said Southerly line N78°11'48"W, 236.52 feet; thence continuing along said Southerly line N04°09'41"E, 343.33 feet; thence continuing along said Southerly line N85°42'49"W, 301.88 feet to the West line of the said SW ¼ of Section 18; thence along said West line S02°04'41"W, 151.42 feet to the Northwest Corner of said Section 19; thence along the West line of the said NW ¼ of Section 19 S02°02'33"W, 286.89 feet; thence S88°59'52"E, 699.99 feet; thence S02°02'33"W, 740.43 feet; thence S01°30'32"W, 392.71 feet to the Southerly right of way line of Wheeler Road; thence N88°48'12"W along said Southerly right of way line, 700.00 feet, more or less, to the West line of said Northwest ¼; thence S01°30'36"W, 586.04 feet along said West line; thence S88°30'31"E, 164.84 feet; thence S01°30'23"W, 132.03 feet; thence N88°31'56"W, 164.85 feet to said West line; thence S01°30'36"W, 527.97 feet along said West line to the West ¼ Corner of said Section 19; thence S88°09'28"E, 2117.17 feet along the South line of said NW ¼ to the Center ¼ Corner of said Section 19; thence N02°17'10"E, 385.59 feet along the East line of the NW ¼ of said Section 19; thence N89°12'39"W, 174.45 feet; thence N02°03'16"E, 250.82 feet; thence N02°07'43"E, 492.04 feet; thence N87°48'17"W, 125.00 feet; thence N02°09'06"E (recorded as North), 143.08 feet to the South right-of-way line of Wheeler Road; thence S88°48'14"E, 350.00 feet, more or less, to the East line of the said NW ¼ of Section 19; thence along said East line N02°16'57"E, 1368.00 feet to the said N ¼ corner of Section 19 and the Point of Beginning. Polling place at Blackhawk Middle School, 1402 Wyoming Way."

3. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application.

I, City Clerk Maribeth Witzel-Behl, certify that this is a true copy of Ordinance 21-00036 No. 64804, adopted by the Madison Common Council on April 20, 2021.

Maribeth Witzel-Behl

5-3-21

Date Certified

PETITION FOR INTERMEDIATE ATTACHMENT
PURSUANT TO A COOPERATIVE PLAN UNDER
SECTION 66.0307 OF WISCONSIN STATUTES

The Undersigned are the authorized representatives of the owners of the territory in the Town of Burke within the territory legally described in Exhibit A and shown on the scale map on Exhibit B. The Tax Key Numbers for the territory to be attached are 014/0810-192-9001-0, 014/0810-192-9543-0, 014/0810-192-9110-1, 014/0810-192-9975-6 and 014/0810-192-9980-0. The Undersigned do hereby petition to attach this territory to the City of Madison from the Town of Burke, Dane County, Wisconsin. This petition for Intermediate Attachment is executed pursuant to the provisions for Immediate Attachment in Section 10 of the Final Town of Burke, Village of Deforest, City of Sun Prairie and City of Madison Cooperative Plan dated January 5, 2007.

The population of the territory to be attached is one (1) and the number of electors residing in the territory is one (1). There is one (1) dwelling unit in the territory.

The Undersigned hereby request that this attachment be approved and take effect in the manner provided for by law and that the territory be zoned pursuant to the provisions of the Cooperative Plan.

Owner:
Cherokee Park, Inc.

Dated: _____, 2020

Dennis B. Tiziani, President

Owner:
City of Madison, Wisconsin

Dated: _____, 2020

Mayor Satya Rhodes-Conway
City of Madison, Wisconsin

Dated: _____, 2020

Maribeth Witzel-Behl, Clerk
City of Madison, Wisconsin

The execution of this attachment petition by the City of Madison is authorized by Resolution 20-00461 (ID 60496), adopted by the Madison Common Council on June 16, 2020.

Attachment Description:

Part of the Southwest 1/4 of the Northwest 1/4 and part of the Southeast 1/4 of the Northwest 1/4, Section 19, T8N, R10E, Town of Burke, Dane County, Wisconsin, described as follows: Beginning at the West 1/4 Corner of said Section 19; thence S88°09'28"E (recorded as S88°33'36"E), 2117.17 feet along the South line of said Northwest 1/4, said South line also being the existing corporate boundary line of the City of Madison, to the Center 1/4 Corner of said Section 19; thence N02°17'10"E (recorded as N02°16'57"E), 385.59 feet along the East line of the Northwest 1/4 of said Section 19; thence N89°12'39"W, 174.45 feet; thence N02°03'16"E, 250.82 feet; thence N02°07'43"E (recorded as North), 492.04 feet; thence N87°48'17"W, 125.00 feet; thence N02°09'06"E (recorded as North), 143.08 feet to the South right-of-way line of Wheeler Road, said right-of-way line also being the existing corporate boundary line of the City of Madison; thence N88°48'12"W (recorded as N88°48'14"W), 1130.65 feet along said right-of-way line and corporate boundary line; thence continuing along said right-of-way line and corporate boundary line N88°59'41"W, 701.62 feet (recorded as N89°23'08"W, 700 feet) to the West line of said Northwest 1/4, said West line also being the existing corporate boundary line of the City of Madison; thence S01°30'36"W (recorded as South), 586.04 feet along said West line and corporate boundary line; thence S88°30'31"E, 164.84 feet (recorded as 165 feet); thence S01°30'23"W, 132.03 feet (recorded as 132 feet); thence N88°31'56"W, 164.85 feet (recorded as 165 feet) to said West line and corporate boundary line; thence S01°30'36"W, 527.97 feet (recorded as South, 528 feet) along said West line and corporate boundary line to the aforesaid West 1/4 Corner and the point of beginning; Containing 2,482,617 square feet, or 56.993 acres.

ATTACHMENT TO THE
CITY OF MADISON

ORDINANCE NUMBER _____
I.D. NUMBER _____
DATE ADOPTED _____
DATE PUBLISHED _____
ALDERMANIC DISTRICT _____
ATTACHED TO _____
AREA 0.089052 Sq. Miles

BIRRENKOTT SURVEYING INC.
LAND SURVEYING & PERC TESTING
P.O. BOX 237
1677 N. BRISTOL ST. SUN PRAIRIE, WIS. 53590 FAX (608) 837-1081
(608) 837-7463

Rev. June 22, 2020
Rev. June 8, 2020
Rev. June 5, 2020

ATTACHMENT MAP

MAY 26, 2020

Legend:
— = Attachment parcel boundary
- - - = Municipal boundary

Northwest Corner
Section 25, T8N, R9E
Found Brass Cop
Monument

Scale 1" = 300'
0 300 600

North 1/4 Corner
Section 19, T8N, R10E
Found Brass Cop
Monument

LANDS
Annexation Ordinance 2818

LOT 1
CSM NO. 14762

LOT 2
CSM NO. 14762

WHEELER ROAD

Annexation Ordinance ORD-10-00090

City of Madison
Town of Burke
N88°59'41"W
(N88°23'08"W, 700')

City of Madison
Town of Burke
N88°48'12"W
(N88°48'14"W)

City of Madison
Town of Burke
N02°09'06"E
(North)

Bearings referenced to the South
line of the Northwest 1/4.
assumed bearing of S88°09'28"E.

SOUTHWEST 1/4, NORTHWEST 1/4

SOUTHEAST 1/4, NORTHWEST 1/4

PACKERS AVENUE

PARCEL ATTACHMENT

N. SHERMAN AVENUE

City of Madison
Town of Burke
S01°30'23"W
(132')
132.03'
S88°30'31"E
(165')
164.84'
N88°31'56"W
(165')
164.85'

LANDS
LOT 1
CSM 8237
LOT 2
LANDS
N02°07'43"E
(North)
250.82'
N02°03'16"E
174.45'
N89°12'39"W

N02°17'10"E 385.59'

City of Madison
Town of Burke
S01°30'36"W
(South 528')

City of Madison
O.L. 5
S88°09'28"E
(S88°33'36"E)
Annexation Ordinance 10,346

City of Madison
Town of Burke
N02°17'10"E 385.59'

Center 1/4 Corner
Section 19, T8N, R10E
Found 1 1/4" Iron Bar

JOB NO. 200085
SHEET 1 of 1
FB270/54-56

PREPARED FOR:
CHEROKEE PARK INC.
5000 N. SHERMAN AVE.
MADISON, WI 53704
608-886-3649

SURVEYED BY: JAK
DRAWN BY: MAP
CHECKED BY: MAP / CKC
APPROVED BY: MAP

NOTE: PLEASE BE ADVISED THAT THE DOCUMENT GRANTOR(S) HEREBY DIRECT VIEWERS TO IGNORE THE PRINTED TEXT MATERIAL ON THIS MAP. ONLY THE SPATIAL RELATIONSHIPS OF THE ILLUSTRATIONS ON THE MAP ARE BEING PRESENTED FOR YOUR INFORMATION.

Signed by grantor(s) or grantor(s) agent: Maibeth Witzel-Behl Date: May 3, 2021
Name of grantor(s) or grantor(s) agent printed: Maribeth Witzel-Behl

Annexation/ Attachment Worksheet

[Revised, 23 February 2021]



	Comment 1	Comment 2
Petition Name:	Cherokee Park, Inc./ Madison Water Utility Attachment	
Dane County Addresses:	4825 N Sherman Avenue; 2023 Wheeler Road	
Township:	Burke	
Parcel Number(s):	014/0810-192-9110-1; 014/0810-192-9001-0; 014/0810-192-9543-0; 014/0810-192-9976-0; and 014/0810-192-9980-0	
Date Filed with City Clerk:	15 April 2020	Revised: 15 July 2020
Date Filed with Town:	15 April 2020 (by mail)	
Dept. of Administration Review:	None; Cooperative Plan	
Property Owner(s)		
	Cherokee Park, Inc.	
	5000 N Sherman Avenue	
	Madison, WI 53704	
	<i>and</i>	
	City of Madison	
	210 Martin Luther King, Jr. Blvd.	
	Madison, WI 53703	
Representative (if any)		
<i>Name:</i>	Bill White	
	Husch Blackwell LLP	
<i>Address:</i>	33 E Main Street, Suite 300	
	Madison, WI 53703	
Surveyor		
<i>Name:</i>	Mark Pynonnen	
	Birrenkott Surveying, Inc.	
<i>Address:</i>	1607 N Bristol Street	
	Sun Prairie, WI 53590	
County Zoning of Annexed Land:	RM-16 (Rural Mixed-Use District–16 acres) SFR-08 (Single-Family Residential (Small Lots) District) UTR (Utility, Transportation and Right-of-Way District)	
Existing Use(s) of Annexed Land:	Single-family residence (4825 N Sherman Ave); well (2023 Wheeler Rd); undeveloped agricultural land and open space on remainder	
City Land Use Plan(s):	Comprehensive Plan (2018) – Low Residential (LR) and Park (P) Cherokee Special Area Plan – Low-Density Residential (0-8 and 8-15 unit per acre density ranges) and Park, Open Space, and Stormwater Management	
Zoning Upon Annexation:	Temp. A (Agricultural Dist.)	
CUSA Status:	In CUSA	

Madison Metropolitan Sewerage District Status:	In MMSD		
Environmental Corridors:	None		
Square-Footage of Annexation:	2,482,617		
Acreage of Annexation:	56.993		
Square-Mileage of Annexation:	0.089052		
Dwelling Units:	1		
Population:	1		
Electors:	1		
Tax Information by Parcel/Year	2020		
	-9110-1	-9001-0	-9543-0
<i>Assessed Land Value:</i>	\$73,600.00	\$94,300.00	\$18,100.00
<i>Ass. Improvement Value:</i>	\$74,100.00	\$0.00	\$0.00
<i>Total Assessed Value:</i>	\$147,700.00	\$94,300.00	\$18,100.00
Total Taxes for Year: (2020)	\$2,547.54	\$1,626.49	\$317.52
<i>State of Wisconsin</i>	\$0.00	\$0.00	\$0.00
<i>Dane County</i>	\$546.71	\$349.05	\$67.00
<i>Town of Burke</i>	\$302.74	\$193.29	\$37.10
<i>School District</i>	\$1,598.17	\$1,020.36	\$195.84
<i>Madison Area Technical College</i>	\$143.42	\$91.57	\$17.58
Special Assessment:	\$9.54 (Septic)	\$0.00	\$0.00
	-9976-0 and -9980-0 are City-owned; all value and tax data is \$0.00 for both		
Aldermanic District:			
Ward:			
Polling Place:			
Supervisory District:			
Assembly District:			
Senate District:			
School District(s):			
Electricity:			
Gas:			
Trash Day:	9-B (Friday)		
Telephone:	SBC Wisconsin (dba AT&T) (ID 6720)		
Petition Before Council:	N/A		
Common Council			
<i>Ordinance Introduction:</i>	02 March 2021		
<i>Plan Commission Date:</i>	N/A		
<i>Ordinance Adoption:</i>	16 March 2021 (scheduled)		
Ordinance Number (ID):			
Effective Date:			

Legal Description:

Part of the Southwest ¼ of the Northwest ¼ and part of the Southeast ¼ of the Northwest ¼, Section 19, T8N, R10E, Town of Burke, Dane County, Wisconsin, described as follows:

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