

DANE COUNTY
REGISTER OF DEEDS

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Pages: 8

Document Number

Document Title

ANNEXATION 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 7th day of July, 2009.

Cherokee Wheeler Triangle Annexation
Ordinance #: ORD-09-00108
ID#: 14850

Name and Return Address

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

Parcel Identification Number (PIN)

January 6, 2010
Date

Date

Maribeth Witzel-Behl
Signature of Clerk

n/a
Signature of Grantor

Maribeth Witzel-Behl, City Clerk
*Name printed

*Name printed

STATE OF WISCONSIN, County of Dane

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

Elena Berg

Subscribed and sworn to before me on January 6, 2010 by the above named person(s)

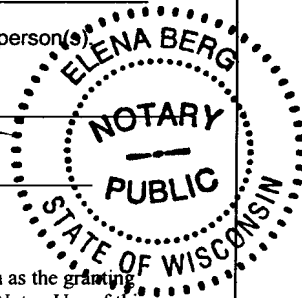
Signature of notary or other person
authorized to administer an oath
(as per s. 706.06, 706.07)

Elena Berg

Print or type name: Elena Berg

Title: Elections Clerk Date commission expires: 02-24-13

*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



Office of the Madison City Clerk

210 Martin Luther King, Jr. Boulevard, Room 103, Madison, WI 53703-3342
PH: 608 266 4601 • TDD: 608 266 6573 • FAX: 608 266 4666

January 6, 2010

Annexations and Railroads
Division of Government Records
Office of the Secretary of State
P. O. Box 7848
Madison, WI 53707-7848

Dear Mr. LaFollette:

ENACTMENT NO. ORD-09-00108
ID NO. 14850
Cherokee-Wheeler Triangle Annexation

I, Maribeth Witzel-Behl, City Clerk of the City of Madison, County of Dane, State of Wisconsin, pursuant to Sections 66.0217(7)2., 66.0217(9)(a), and 66.0235, Wisconsin Statutes, DO HEREBY CERTIFY adoption of annexation Enactment No. ORD-09-00108, ID No. 14850 on July 7, 2009; thereby accepting the petition filed in our office on May 11, 2009, and thereby detaching territory from the Town of Westport and annexing same to the City of Madison.

This letter shall serve as notice that the Common Council failed to reject the Petition for Annexation, accepted the Petition for Direct Annexation and adopted the above noted ordinance. A certified copy of Enactment No. ORD-09-00108, which contains an accurate metes and bounds description of the territory so affected is attached. The Petition for Direct Annexation filed in this matter identifies the population in the annexed territory to be zero (0).

Sincerely,

Maribeth Witzel-Behl
City Clerk

MWB:emb

January 6, 2010

Page 2

Secretary of State (3)

cc:

Dane County Register of Deeds
Clerk, Town of Westport
<Enter Telephone Company Here (ask Sheri Milleville in planning)>
<Enter School District Here (ask Sheri Milleville in planning)>
<Enter Utility Company Here (ask Sheri Milleville in planning)>
Tim Parks, Planning & Development Unit (email)
Al Schumacher, City Streets Department – West (email)
City Assessor, Maureen Richards (email)
Eric Pederson, City Engineering (email)
John Leach, Traffic Engineering (email)
Gregg Knudtson, Fire Department (email)
Brad Murphy, Planning Unit (email)
Dane County Clerk, Karen Peters (email)
Capital Area Regional Planning Commission, Chris Gjeston (email)
Dane County Planning & Development, Jim Czaplicki (email)
Dane County Tax Lister, Jim Czaplicki (email)
Dane County Public Safety Communications (hard copy for now)
Dane County EMS, Teresa Haynes (email)
Madison Area Metropolitan Planning Organization
Madison Metropolitan Sewer District, Gerry Sachs (email)
Charter Communications, Marj Ihssen (email)
Sharon Milleville (email)
City Clerk file (scan & attach)



City of Madison

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

Certified Copy

Ordinance: ORD-09-00108

File Number: 14850

Enactment Number: ORD-09-00108

Creating Section 15.01(570) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to the 18th Aldermanic District the Cherokee Annexation and assigning a temporary zoning classification of A Agriculture District, and creating Section 15.02(146) of the Madison General Ordinances to assign the attached property to Ward 146.

DRAFTER'S ANALYSIS: This ordinance annexes land in the Town of Westport.

An ordinance to create Subsection (570) 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 with scale map attached was filed with the City Clerk of Madison on May 11, 2009, and mailed to the Clerk of the Town of Westport and the Municipal Boundary Review Section, Department of Commerce, State of Wisconsin, and has been presented to the City Common Council requesting annexation of the below-described territory to the City of Madison from the Town of Westport; said petition having been signed by the owners of all the real property within the territory, which lies contiguous to the City of Madison and has no residents; and WHEREAS, the Cherokee Special Area Plan recommends low density residential uses for the surrounding area; and

WHEREAS, pursuant to Sec. 28.04(7), Madison General Ordinances, the annexed territory is declared to be in the A Agriculture District and the annexation and temporary zoning were considered by the Plan Commission at its meeting of June 15, 2009, and adoption of the said annexation and zoning were recommended; and

WHEREAS, pursuant to Wis. Stats. sec. 66.0217(14)(a)1., the City of Madison agrees to pay annually to the Town of Westport, for five (5) years, an amount equal to the amount of property taxes that the town levied on the annexed territory, as shown by the tax roll under Wis. Stats. sec. 70.65, in the year in which the annexation is final; and

WHEREAS, investigation by the City of Madison discloses that as of this date the above representations are true, and the determination of the Department of Commerce, Municipal Boundary Review Section, State of Wisconsin, that the below described annexation has been reviewed and found to be in the public interest, having been reviewed, the Common Council now accepts the petition as sufficient and determines that the said annexation proceeding meets the requirements of the Wisconsin Statutes;

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

1. Subsection (570) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(570) - There is hereby attached to the 18th Aldermanic District, the City of Madison, Dane County, Wisconsin, the following described property:

Part of the Northwest ¼ of the Southwest ¼, part of the Southwest ¼ of the Southwest ¼ and part of the Southeast ¼ of the Southwest ¼ of Section 24, Town 8 North, Range 9 East, Town of Westport, Dane County, Wisconsin, more fully described as follows:

Beginning at the Southwest corner of the plat of Third Addition to Cherokee Park, a recorded plat in said Section 24, and the point of intersection of the West line of said Section 24 and the Southwest line of the drainage easement described in Volume 440 of Miscellaneous, Page 36, and recorded in the Dane County Register of Deeds Office; thence

Southeasterly along the Southwest line of said Third Addition to Cherokee Park and the Southwest line of the plat of Second Addition to Cherokee Park, a recorded plat in said Section 24, thence S65°40'43"E, 1,356.16 feet (recorded as S66°05'E, 1,355.85 feet); thence continuing along the Southerly line of said Second Addition to Cherokee Park (previously described as the South line of the North 1/2 of the Southwest 1/4 in description No. 14 of the City of Madison Index of Excluded Lands) S89°27'49"E, 968.04 feet (recorded as S89°51'E, 968.62 feet) to a point on the Westerly line of the plat of First Addition to Cherokee Park, a recorded plat in said Section 24, thence along said Westerly line S13°41'14"E, 563.62 feet (recorded as S14°01'E, 564.09 feet); thence continuing along said Westerly line S22°12'11"E, 458.11 feet (recorded as S22°41'E, 458.54 feet) to the Northerly right of way line of Wheeler Road as platted in the plat of Cherokee Park; thence along said Northerly right of way line S67°47'49"W (recorded as S67°19'W), 317.89 feet to a point of curvature; thence continuing along said Northerly right of way line along a curve to the right having a radius of 1,668.00 feet and a chord bearing and distance of S73°15'20"W, 317.35 feet (recorded as S72°46'07.5"W, 316.97 feet) to the Westerly line of said plat of Cherokee Park, thence along said Westerly line S00°49'04"W, 116.28 feet (recorded as S01°17'W, 116.53 feet) to the South line of the said Southwest 1/4 of Section 24, thence along said South line N89°22'11"W, 1,962.95 feet to the Southwest corner of said Section 24; thence along the West line of the said Southwest 1/4 of Section 24, N01°37'38"E, 1,846.33 feet to the said Southwest corner of the plat of Third Addition to Cherokee Park and the point of beginning. The above described property contains 3,356,759 sq feet or 77.0605 acres or 0.1204071611 square miles."

2. Subsection (146) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is created to read as follows:

"(146) Ward 146. Beginning at the Southwest corner of the plat of Third Addition to Cherokee Park, a recorded plat in said Section 24, and the point of intersection of the West line of said Section 24 and the Southwest line of the drainage easement described In Volume 440 of Miscellaneous, Page 36, and recorded in the Dane County Register of Deeds Office; thence Southeasterly along the Southwest line of said Third Addition to Cherokee Park and the Southwest line of the plat of Second Addition to Cherokee Park, a recorded plat in said Section 24, thence S65°40'43"E, 1,356.16 feet (recorded as S66°05'E, 1,355.85 feet); thence continuing along the Southerly line of said Second Addition to Cherokee Park (previously described as the South line of the North 1/2 of the Southwest 1/4 in description No. 14 of the City of Madison Index of Excluded Lands) S89°27'49"E, 968.04 feet (recorded as S89°51'E, 968.62 feet) to a point on the Westerly line of the plat of First Addition to Cherokee Park, a recorded plat in said Section 24, thence along said Westerly line S13°41'14"E, 563.62 feet (recorded as S14°01'E, 564.09 feet); thence continuing along said Westerly line S22°12'11"E, 458.11 feet (recorded as S22°41'E, 458.54 feet) to the Northerly right of way line of Wheeler Road as platted in the plat of Cherokee Park; thence along said Northerly right of way line S67°47'49"W (recorded as S67°19'W), 317.89 feet to a point of curvature; thence continuing along said Northerly right of way line along a curve to the right having a radius of 1,668.00 feet and a chord bearing and distance of S73°15'20"W, 317.35 feet (recorded as S72°46'07.5"W, 316.97 feet) to the Westerly line of said plat of Cherokee Park, thence along said Westerly line S00°49'04"W, 116.28 feet (recorded as S01°17'W, 116.53 feet) to the South line of the said Southwest 1/4 of Section 24, thence along said South line N89°22'11"W, 1,962.95 feet to the Southwest corner of said Section 24; thence along the West line of the said Southwest 1/4 of Section 24, N01°37'38"E, 1,846.33 feet to the said Southwest corner of the plat of Third Addition to Cherokee Park and the point of beginning. Polling place at Blackhawk Middle School, 1402 Wyoming Way."

3. Subsection (18) of Section 15.03 entitled "Aldermanic Districts" of the Madison General Ordinances is amended to read as follows:

"(18) Eighteenth Aldermanic District. Wards 22, 23, 24, 25, 143, and ~~144~~, and 146."

4. 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.

EDITOR'S NOTE: Pursuant to sec. 66.0217(8), Wis. Stats., this annexation ordinance must be enacted by a two-thirds vote of the elected members of the Common Council or at least 14 votes. Adopted on roll call at a regular meeting of the Common Council of the City of Madison, Wisconsin, held on July 7, 2009.

Annexation vote:

Ayes: 15
Noes: 0

I, Maribeth Witzel-Behl, certify that this is a true copy of Ordinance No. 14850, passed by the COMMON COUNCIL on 7/7/2009.

Maribeth Witzel-Behl
Maribeth Witzel-Behl

January 6, 2010
Date Certified

Viewers are advised to ignore the illegible text on this map. It is presented to show spatial relationships only.
 Authorized by:

EMB



**BIRRENKOTT
 SURVEYING, INC.**

P.O. Box 237
 1677 N. Bristol Street
 Sun Prairie, WI. 53590
 Phone (608) 837-7463
 Fax (608) 837-1081

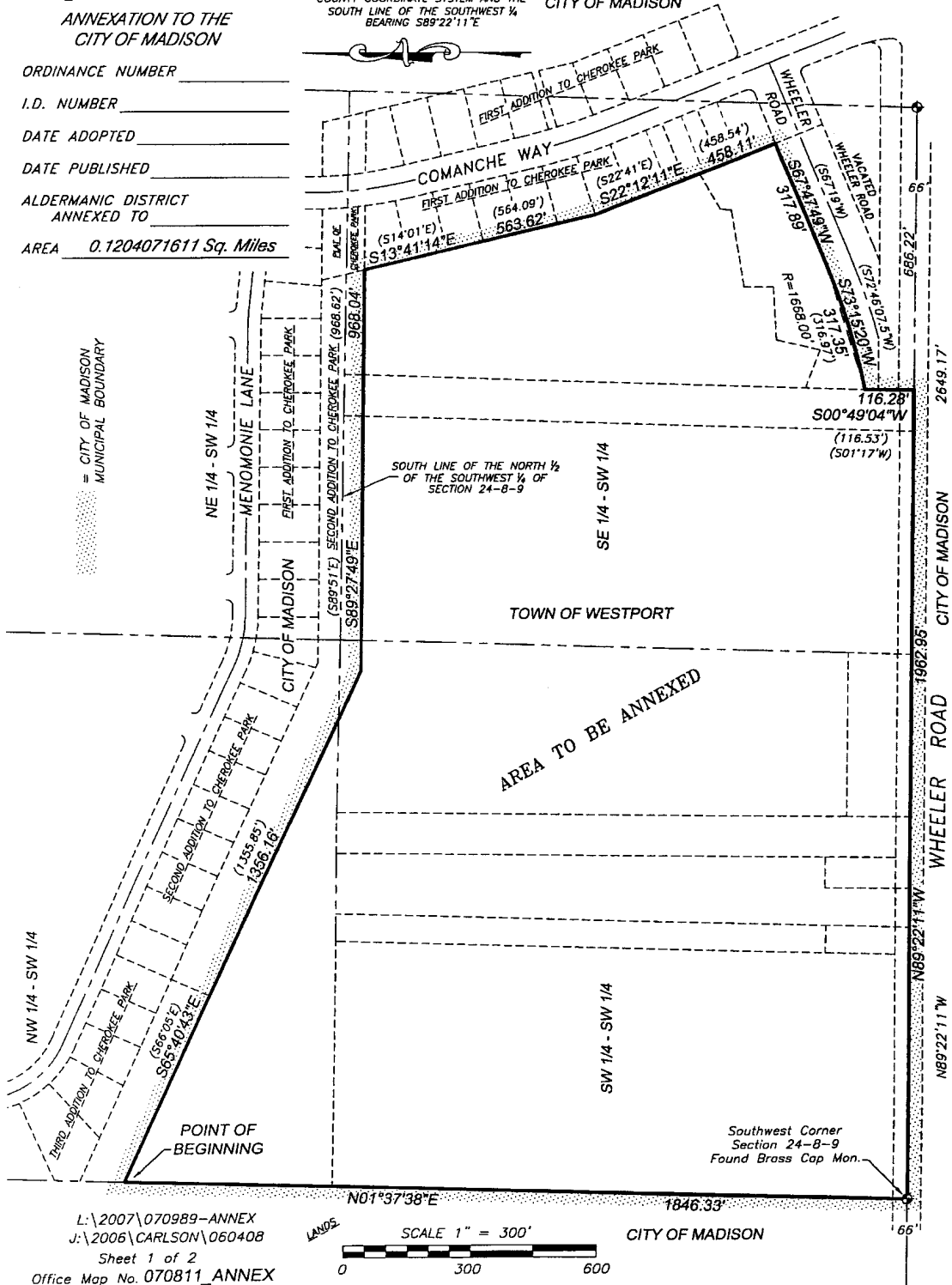
ANNEXATION MAP

PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4,
 PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4
 AND PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST
 1/4 OF SECTION 24, T8N, R9E, TOWN OF WESTPORT,
 DANE COUNTY, WISCONSIN

BEARINGS REFERENCED TO THE DANE
 COUNTY COORDINATE SYSTEM AND THE
 SOUTH LINE OF THE SOUTHWEST 1/4
 BEARING S89°22'11"E

**ANNEXATION TO THE
 CITY OF MADISON**

ORDINANCE NUMBER _____
 I.D. NUMBER _____
 DATE ADOPTED _____
 DATE PUBLISHED _____
 ALDERMANIC DISTRICT
 ANNEXED TO _____
 AREA 0.1204071611 Sq. Miles



L:\2007\070989-ANNEX
 J:\2006\CARLSON\060408
 Sheet 1 of 2
 Office Map No. 070811_ANNEX



**BIRRENKOTT
SURVEYING, INC.**

P.O. Box 237
1677 N. Bristol Street
Sun Prairie, WI. 53590
Phone (608) 837-7463
Fax (608) 837-1081

ANNEXATION MAP

PART OF THE NORTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$,
PART OF THE SOUTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$
AND PART OF THE SOUTHEAST $\frac{1}{4}$ OF THE SOUTHWEST
 $\frac{1}{4}$ OF SECTION 24, T8N, R9E, TOWN OF WESTPORT,
DANE COUNTY, WISCONSIN

ANNEXATION DESCRIPTION:

Part of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, part of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and part of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 24, Town 8 North, Range 9 East, Town of Westport, Dane County, Wisconsin, more fully described as follows:

Beginning at the Southwest corner of the plat of Third Addition to Cherokee Park, a recorded plat in said Section 24, and the point of intersection of the West line of said Section 24 and the Southerly line of a drainage easement described in Volume 440 of Miscellaneous, Page 36, and recorded in the Dane County Register of Deeds Office; thence along the Southerly line of said Third Addition to Cherokee Park and the Southerly line of the plat of Second Addition to Cherokee Park, a recorded plat in said Section 24, S65°40'43"E, 1356.16 feet (recorded as S66°05'E, 1355.85 feet); thence continuing along the Southerly line of said Second Addition to Cherokee Park (previously described as the South line of the North $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ in description No. 14 of the City of Madison Index of Excluded Lands) S89°27'49"E, 968.04 feet (recorded as S89°51'E, 968.62 feet) to a point on the Westerly line of the plat of First Addition to Cherokee Park, a recorded plat in said Section 24; thence along said Westerly line S13°41'14"E, 563.62 feet (recorded as S14°01'E, 564.09 feet); thence continuing along said Westerly line S22°12'11"E, 458.11 feet (recorded as S22°41'E, 458.54 feet) to the Northerly right of way line of Wheeler Road, as platted in the plat of Cherokee Park; thence along said Northerly right of way line S67°47'49"W (recorded as S67°19'W), 317.89 feet to a point of curvature; thence continuing along said Northerly right of way line along a curve to the right having a radius of 1668.00 feet and a chord bearing and distance of S73°15'20"W, 317.35 feet (recorded as S72°46'07.5"W, 316.97 feet) to the Westerly line of said plat of Cherokee Park; thence along said Westerly line S00°49'04"W, 116.28 feet (recorded as S01°17'W, 116.53 feet) to the South line of the said Southwest $\frac{1}{4}$ of Section 24; thence along said South line N89°22'11"W, 1962.95 feet to the Southwest corner of said Section 24; thence along the West line of the said Southwest $\frac{1}{4}$ of Section 24, N01°37'38"E, 1846.33 feet to the said Southwest corner of the plat of Third Addition to Cherokee Park and the point of beginning. The above described parcel contains 3,356,759 square feet or 77.0605 acres or 0.1204071611 square miles.

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J:\2006\CARLSON\060408

Sheet 2 of 2

Office Map No. 070811_ANNEX