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KRISTI CHLEBOWSKI
DANE COUNTY
REGISTER OF DEEDS

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

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 18th day of June, 2013.

Murphy Attachment
Ordinance #: ORD-13-00112
ID#: 30144

Parcel Identification Number (PIN)

June 19, 2013
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 June 19, 2013 by the above named person(s).

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

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

Print or type name: Eric Christianson

Title: Municipal Clerk 2 Date commission expires: 6/29/2014

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-13-00112

File Number: 30144

Enactment Number: ORD-13-00112

Creating Section 15.01(586) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 9th Aldermanic District the Murphy Attachment; creating Section 15.02(122) of the Madison General Ordinances to assign the attached property to Ward 122; amending Section 15.03(1) to add Ward 122 to Aldermanic District 9; creating Section 28.022 - 00057 to zone the property SR-C1 (Suburban Residential - Consistent 1 District) for an existing single-family residence and potential future residential subdivision; and authorizing an application to amend the Central Urban Service Area to include the property.

DRAFTER'S ANALYSIS: This ordinance attaches land in the Town of Middleton.

An ordinance to create Subsection (586) 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 May 6, 2013, 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 Middleton; 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 Middleton;

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 Middleton 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 (586) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(586) - There is hereby attached to the 9th Aldermanic District, the City of Madison, Dane County, Wisconsin, the following described property:

Lot 3 of Dane County Certified Survey Map Number 6407, Recorded as Document Number 2263459, Dane County Register of Deeds, Located in Part of the Northwest Quarter of the NW ¼ of Section 21, Township 7N, Range 8E, Town of Middleton, Dane County, Wisconsin, more particularly described for attachment purposes as follows:

Commencing at the Northwest Corner of Section 21, Town 7N, Range 8E, Dane County, Wisconsin; thence S89°58'36"E, along the North Line of the NW ¼ of said Section 21, a distance of 878.84 feet; thence S01°47'23"W, 33.02 feet to a point on the South right-of-way line of Old Sauk Road, also being the Northwest corner of Lot 3, Dane County Certified Survey Map 6407 and the point of beginning of the lands hereinafter described; thence continuing, along the West line of said Lot 3, S01°47'23"W, 1489.98 feet to the Southwest corner of said Lot 3; thence, along the South line of said Lot 3, S89°58'36"E, 445.00 feet to the Southeast Corner of said Lot 3; thence, along the east line of said Lot 3, N01°47'23"E, 1489.98 feet to the Northeast corner of said Lot 3, being on the South right-of-way line of Old Sauk Road; thence, along the South line of Old Sauk Road and the North line of said Lot 3, N89°58'36"W, 445.00 feet to the point of beginning. The above-described tract of land contains 662,728 square feet or 15.214 acres of land."

2. Subsection (122) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is created to read as follows:

(122) Ward 122. Lot 3 of Dane County Certified Survey Map Number 6407, Recorded as

Document Number 2263459, Dane County Register of Deeds, Located in Part of the Northwest Quarter of the NW ¼ of Section 21, Township 7N, Range 8E, Town of Middleton, Dane County, Wisconsin, More particularly described as follows: Commencing at the Northwest Corner of Section 21, Town 7N, Range 8E, Dane County, Wisconsin; thence S89°58'36"E, along the North Line of the NW ¼ of said Section 21, a distance of 878,84 feet; thence S01°47'23"W, 33.02 feet to a point on the South right-of-way line of Old Sauk Road, also being the Northwest corner of Lot 3, Dane County Certified Survey Map 6407 and the point of beginning of the lands hereinafter described; thence continuing, along the West line of said Lot 3, S01°47'23"W, 1489.98 feet to the Southwest corner of said Lot 3; thence, along the South line of said Lot 3, S89°58'36"E, 445.00 feet to the Southeast Corner of said Lot 3; thence, along the east line of said Lot 3, N01°47'23"E, 1489.98 feet to the Northeast corner of said Lot 3, being on the South right-of-way line of Old Sauk Road; thence, along the South line of Old Sauk Road and the North line of said Lot 3, N89°58'36"W, 445.00 feet to the point of beginning. The above-described tract of land contains 662,728 square feet or 15.214 acres of land. Polling place at The Jefferson, 9401 Old Sauk Road."

3. Subsection (9) entitled "Ninth Aldermanic District" of Section 15.03 entitled "Aldermanic Districts" of the Madison General Ordinances is amended to read as follows:
"(9) Ninth Aldermanic District. Wards 107, 108, 109, 110, ~~and 111, and 122.~~"

4. Map Amendment 00057 of Section 28.022 of the Madison General Ordinances is hereby created to read as follows:

"28.022-00057. The following described property is hereby added to the SR-C1 (Suburban Residential - Consistent 1) District:

Lot 3 of Dane County Certified Survey Map Number 6407, Recorded as Document Number 2263459, Dane County Register of Deeds, Located in Part of the Northwest Quarter of the NW ¼ of Section 21, Township 7N, Range 8E, Town of Middleton, Dane County, Wisconsin, More particularly described as follows: Commencing at the Northwest Corner of Section 21, Town 7N, Range 8E, Dane County, Wisconsin; thence S89°58'36"E, along the North Line of the NW ¼ of said Section 21, a distance of 878,84 feet; thence S01°47'23"W, 33.02 feet to a point on the South right-of-way line of Old Sauk Road, also being the Northwest corner of Lot 3, Dane County Certified Survey Map 6407 and the point of beginning of the lands hereinafter described; thence continuing, along the West line of said Lot 3, S01°47'23"W, 1489.98 feet to the Southwest corner of said Lot 3; thence, along the South line of said Lot 3, S89°58'36"E, 445.00 feet to the Southeast Corner of said Lot 3; thence, along the east line of said Lot 3, N01°47'23"E, 1489.98 feet to the Northeast corner of said Lot 3, being on the South right-of-way line of Old Sauk Road; thence, along the South line of Old Sauk Road and the North line of said Lot 3, N89°58'36"W, 445.00 feet to the point of beginning."

5. 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.

BE IT FURTHER ORDAINED that the Planning Division is hereby authorized to request approval from the Capital Area Regional Planning Commission of an amendment to the Central Urban Service Area (CUSA) to include the Property and other nearby properties not currently located within the CUSA, and that the Common Council hereby adopts the boundaries of any wetlands or environmental corridors within said amendment area; and

BE IT FURTHER ORDAINED that the proposed use of the property is consistent with the Elderberry Neighborhood Development Plan and City of Madison Comprehensive Plan.

I, Maribeth Witzel-Behl, certify that this is a true copy of ORD-13-00112 No. 30144, Adopted by the Madison Common Council on June 18, 2013.

Maribeth Witzel-Behl

6-19-2013

Date Certified



Department of Planning & Community & Economic Development
Planning Division

Website: www.cityofmadison.com

Madison Municipal Building
215 Martin Luther King, Jr. Boulevard
P.O. Box 2985
Madison, Wisconsin 53701-2985
TDD 608 266-4747
FAX 608 266-8739
PH 608 266-4635

DATE: May 30, 2013
TO: Plan Commission
FROM: Timothy M. Parks, Planner, Planning Division
RE: Ordinance ID 30144 – Attaching 15.2 acres to the City from the Town of Middleton, assigning SR-C1 zoning, and authorizing an amendment to add the property to the Central Urban Service Area

On May 7, 2013, a petition was filed in the City Clerk's Office on behalf of the property owners, Richard J. and Janet A. Murphy, to attach their approximately 15.2-acre property located in the Town of Middleton at 7353 W. Old Sauk Road to the City of Madison. The property to be attached is located on the south side of Old Sauk Road approximately a half-mile west of Bear Claw Way and south of the Blackhawk subdivision. The land is developed with a single-family residence and detached accessory building located on the northern half of the property. The remainder of the land is in tillage.

Attachment ordinances allowed by an intergovernmental agreement and cooperative plan do not typically come before the Plan Commission for a recommendation prior to being adopted by the Common Council. However, in addition to attaching the property to the City and assigning it to the 9th Aldermanic District, Ordinance ID 30144 includes a request for [permanent] SR-C1 (Suburban Residential-Consistent 1 District) zoning for the property. Section 12.01 of the City's intergovernmental agreement and cooperative plan with the Town of Middleton provides that the City may designate a temporary or permanent zoning classification for each attached parcel as prescribed in Sec. 62.23(7)(d) of Wis. Stats., which generally requires that a Class 2 notice be provided in the official municipal newspaper prior to the Plan Commission hearing on a zoning map amendment. In addition to the Class 2 notice, notices were mailed to Town and City property owners and occupants located in 200 feet of the subject property as prescribed in Section 28.181(5) of the Zoning Code.

The SR-C1 zoning district will provide the existing residence with conforming zoning following attachment. The property is generally surrounded by other single-family residences on a variety of different-sized lots located in the City of Madison and the Town of Middleton, and by undeveloped agricultural lands located in the Town. Staff believes that the requested SR-C1 zoning is consistent with these surrounding land uses and with the low-density residential land uses recommended for the property and surrounding properties in the (2002) Elderberry Neighborhood Development Plan.

Planning staff has held preliminary discussions with a developer regarding the potential subdivision of the subject property into multiple single-family residential lots following attachment, which will require approval of a preliminary plat and final plat by the Common Council following a recommendation by the Plan Commission. Comments and conditions from reviewing agencies will be submitted to the Plan Commission as part of the review of any subsequent plat approval application(s). In order for a subdivision of the property to be approved, the subject property will need to be added to the Central Urban Service Area (CUSA). In addition to the attachment and zoning of the property, the subject ordinance authorizes staff to file a request to amend the CUSA with the Capital Area Regional Planning Commission for review and approval.

ID 30144
7353 W. Old Sauk Rd.
May 30, 2013
Page 2

In closing, the Planning Division recommends that the Plan Commission recommend **approval** to the Common Council of Ordinance ID 30144, attaching lands in the Town of Middleton at 7353 W. Old Sauk Road to the City, zoning the attached property to the [permanent] SR-C1 (Suburban Residential-Consistent 1 District) zoning district, and authorizing an amendment to add the property to the Central Urban Service Area.



City of Madison

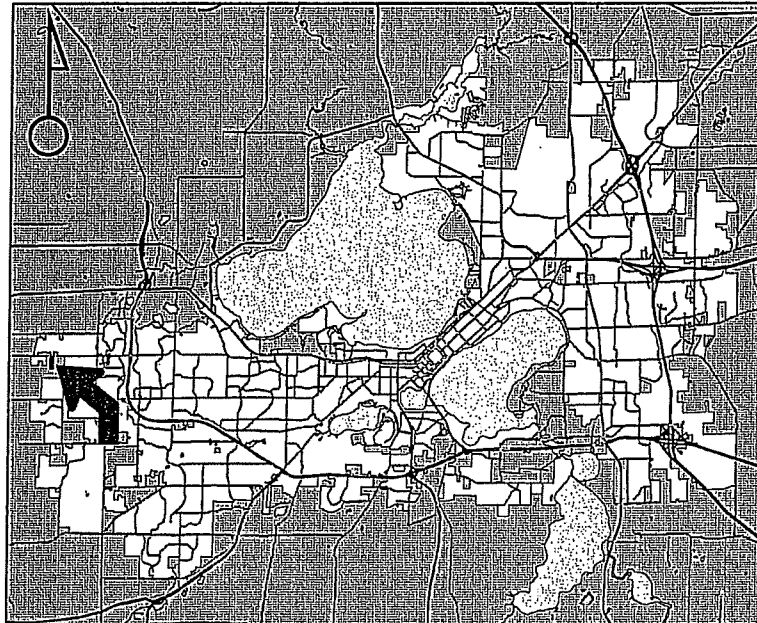
Proposed Zoning

Location
7353 West Old Sauk Road

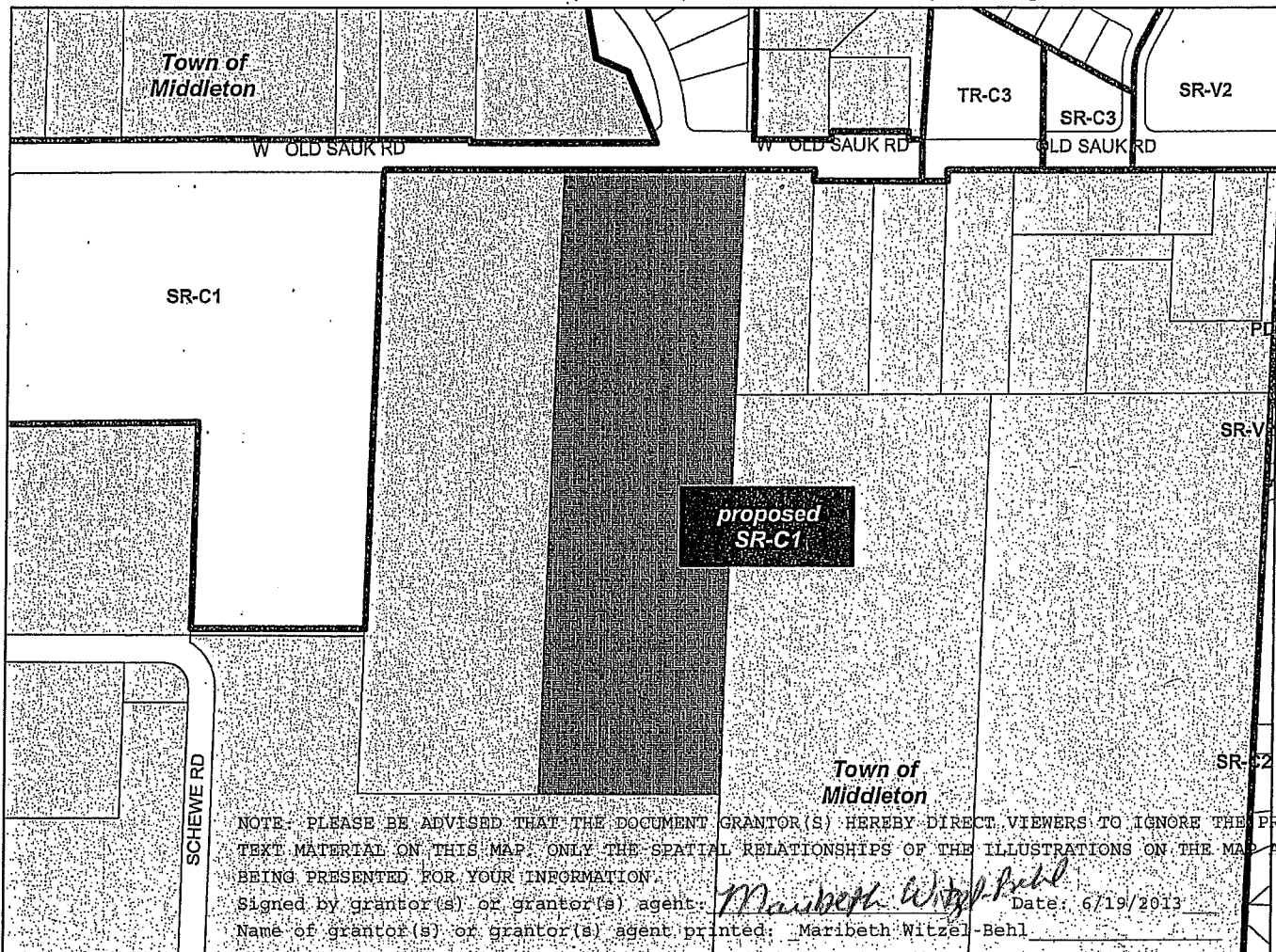
Applicant
Richard and Janet Murphy

Rezoning Request
Attach 15.2 acres to the City and zone property SR-C1 for existing single-family residence and potential future residential subdivision

Public Hearing Date
Plan Commission
03 June 2013
Common Council
18 June 2013



For Questions Contact: Tim Parks at: 261-9632 or tparks@cityofmadison.com or City Planning at 266-4635



Scale : 1" = 400'

City of Madison, Planning Division : RPJ : Date : 29 May 2013

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Date: April 3, 2013
To: City Clerk, City of Madison
Town Clerk, Town of Middleton

The undersigned petitioners, Richard J. and Janet A. Murphy, on behalf of the Murphy Joint Revocable Trust, are the owners of approximately 15.2 acres of real property described and illustrated by scaled drawing on Exhibit A attached hereto (such property being the territory described herein). The undersigned does hereby petition the City of Madison to attach this property to the City of Madison and detach it from the Town of Middleton, Dane County, Wisconsin. The tax key number for the parcel to be attached is 038/0708-212-8500-3 and is also identified on Exhibit A. This petition for Intermediate Attachment is executed pursuant to the provisions of section 12.01 of the Final City of Madison and Town of Middleton Cooperative Plan, dated September 29, 2003. The population of the territory to be attached is 2 and the number of electors is 2. There is one dwelling unit in the territory.

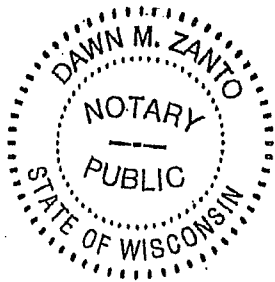
Dated MAY 6, 2013.
On behalf of Murphy Joint Revocable Trust

Richard J. Murphy
Richard J. Murphy

Janet A. Murphy
Janet A. Murphy

ACKNOWLEDGEMENT

Subscribed and sworn to before me this 6th day of May, 2013.



Dawn M. Zanto
Notary Public

DAWN M. ZANTO
Print Name

Dane County, Wisconsin

My commission expires 6/30, 2013

ATTACHMENT MAP

LOT 3 OF DANE COUNTY CERTIFIED SURVEY MAP NUMBER 6407, RECORDED AS DOCUMENT NUMBER 2263459, DANE COUNTY REGISTER OF DEEDS, LOCATED IN PART OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 7 NORTH, RANGE 8 EAST, TOWN OF MIDDLETON, DANE COUNTY, WISCONSIN, MORE PARTICULARLY DESCRIBED FOR ATTACHMENT PURPOSES AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 21, TOWN 7 NORTH, RANGE 8 EAST, DANE COUNTY, WISCONSIN; THENCE SOUTH 89°58'36" EAST, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 21, A DISTANCE OF 878.84 FEET;

THENCE SOUTH 01°47'23" WEST, 33.02 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF OLD SAUK ROAD, ALSO BEING THE NORTHWEST CORNER OF LOT 3, DANE COUNTY CERTIFIED SURVEY MAP 6407 AND THE POINT OF BEGINNING OF THE LANDS HEREINAFTER DESCRIBED;

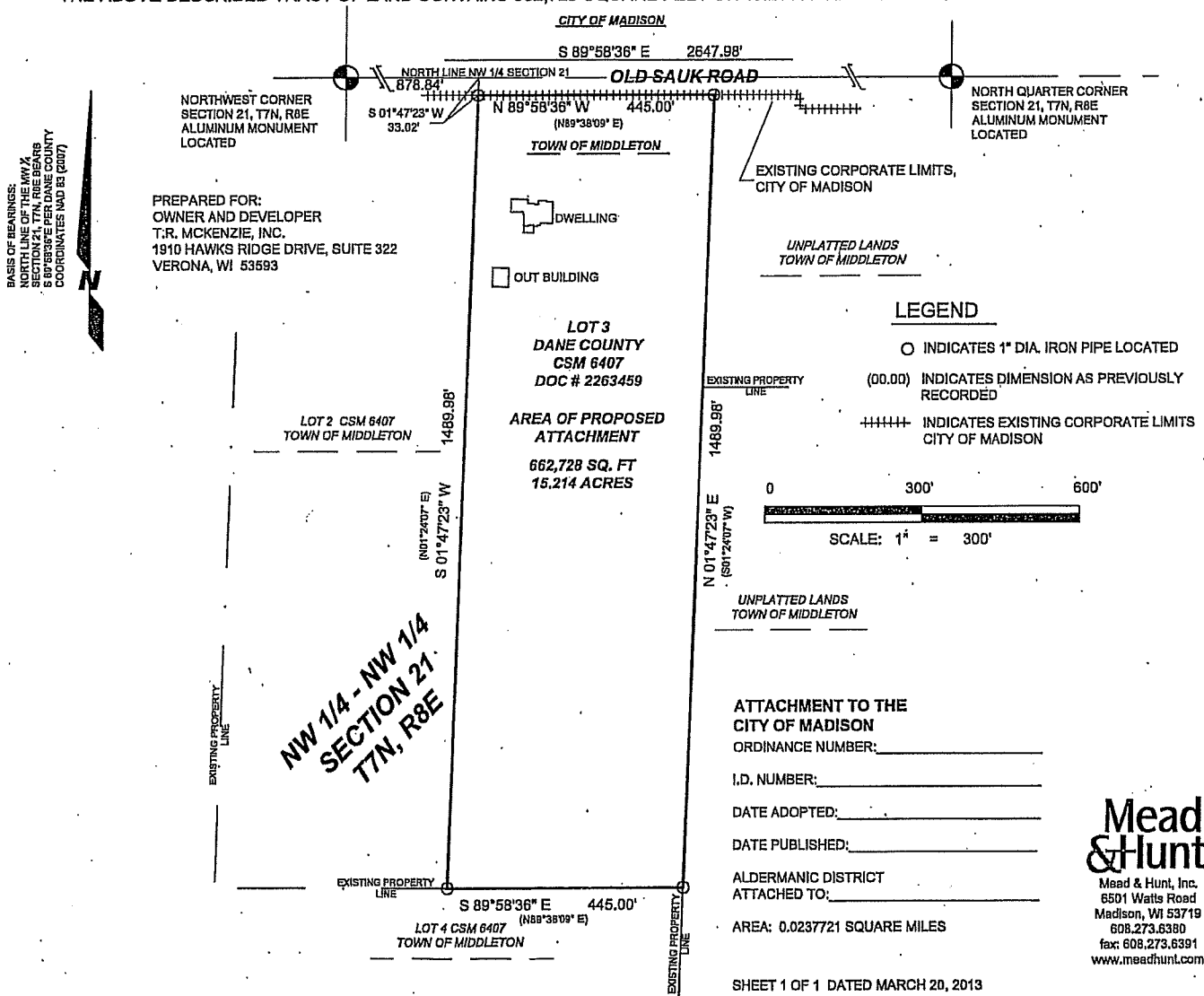
THENCE CONTINUING, ALONG THE WEST LINE OF SAID LOT 3, SOUTH 01°47'23" WEST, 1489.98 FEET TO THE SOUTHWEST CORNER OF SAID LOT 3;

THENCE, ALONG THE SOUTH LINE OF SAID LOT 3, SOUTH 89°58'36" EAST, 445.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 3;

THENCE, ALONG THE EAST LINE OF SAID LOT 3, NORTH 01°47'23" EAST, 1489.98 FEET TO THE NORTHEAST CORNER OF SAID LOT 3, BEING ON THE SOUTH RIGHT-OF-WAY LINE OF OLD SAUK ROAD;

THENCE, ALONG THE SOUTH LINE OF OLD SAUK ROAD AND THE NORTH LINE OF SAID LOT 3, NORTH 89°58'36" WEST, 445.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 662,728 SQUARE FEET OR 15.214 ACRES OF LAND.



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: Maribeth Witzel-Behl Date: 6/19/2013
 Name of grantor(s) or grantor(s) agent printed: Maribeth Witzel-Behl

Mead & Hunt
 Mead & Hunt, Inc.
 6501 Watts Road
 Madison, WI 53719
 608.273.6380
 fax: 608.273.6391
 www.meadhunt.com

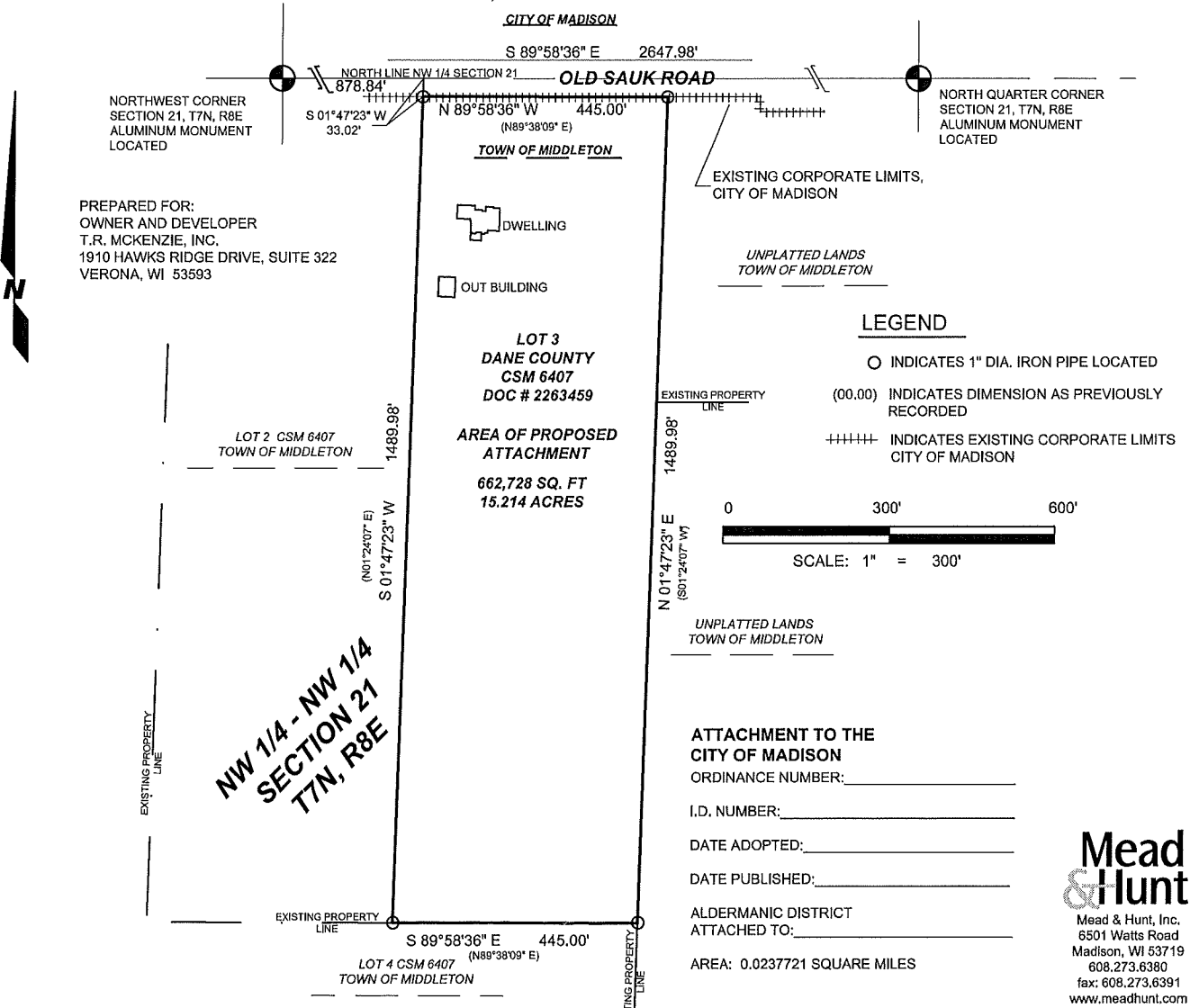
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BASIS OF BEARINGS:
 ON THE ANK
 SECTION 21, T7N, R8E BEARS
 S 89°58'36" E PER DANE COUNTY
 COORDINATES NAD 83 (2007).



PREPARED FOR:
 OWNER AND DEVELOPER
 T.R. MCKENZIE, INC.
 1910 HAWKS RIDGE DRIVE, SUITE 322
 VERONA, WI 53593

Mead & Hunt
 Mead & Hunt, Inc.
 6501 Watts Road
 Madison, WI 53719
 608.273.6380
 fax: 608.273.6391
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 Signed by grantor(s) or grantor(s) agent: Maribeth Witzel-Behl Date: 6/19/2013
 Name of grantor(s) or grantor(s) agent printed: Maribeth Witzel-Behl