

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 3rd day of December 2019.

Apple Ridge Annexation
Ordinance #: ORD-19-00091
ID#: 58227

KRISTI CHLEBOWSKI
DANE COUNTY
REGISTER OF DEEDS

DOCUMENT #
5547205
12/09/2019 12:48 PM
Trans Fee:
Exempt #:
Rec. Fee: 30.00
Pages: 9

Recording Area

Name and Return Address

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

Parcel Identification Number (PIN)

December 6, 2019

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 A. Christianson

Subscribed and sworn to before me on December 6, 2019 by the above named person(s).

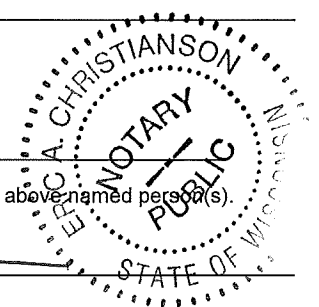
Signature of notary or other person authorized to administer an oath (as per s. 706.06, 706.07) [Signature]

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

Print or type name: Eric A. Christianson

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

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-19-00091

File Number: 58227

Enactment Number: ORD-19-00091

Creating Section 15.01(613) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing land located at 6444 Nesbitt Road to the 7th Aldermanic District and assigning a temporary zoning classification of A Agricultural District, creating Section 15.02(148) of the Madison General Ordinances to assign the attached property to Ward 148, and amending Section 15.03(7) of the Madison General Ordinances to add Ward 148 to Aldermanic District 7.

DRAFTER'S ANALYSIS: This ordinance annexes land located at 6444 Nesbitt Road in the Town of Verona. Under Wis. Stat. Sec. § 66.0217, this annexation is effective upon enactment of the annexation ordinance.

An ordinance to create Subsection (613) 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, pursuant to Wis. Stat. § 66.0217, the City of Madison wishes to annex lands in the Town of Verona as shown on the attached map and described below; and

WHEREAS, a petition with scale map attached was filed with the City Clerk of Madison on October 31, 2019, 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 Verona; 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

WHEREAS, pursuant to Sec. 28.005, Madison General Ordinances, the annexed territory is declared to be in the A Agricultural District and the annexation and temporary zoning were considered by the Plan Commission at its meeting of April 2, 2018, and adoption of the said annexation and zoning were recommended; and

WHEREAS, pursuant to Sec. 66.0217(14)(a)1., the City of Madison agrees to pay annually to the Town of Verona, 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. § 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 having been reviewed, the Common Council 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 (613) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(613) - There is hereby annexed to the 7th Aldermanic District, the City of Madison, Dane County, Wisconsin, the following described property:

Lot 2 of Certified Survey Map (CSM) No. 8091, recorded in Volume 43 of Certified Surveys, Pages 145-146, as Document No. 2737133, and the Nesbitt Road right-of-way within said CSM 8091 adjoining Lot 2, all located in the SW 1/4 of the SE 1/4 of Section 12, T6N R8E, Town of Verona, Dane County, Wisconsin, all more particularly described as follows:

Commencing at the South Quarter-Corner of said Section 12; thence S89°48'02"W along the South line of the SW1/4 of said Section 12, 327.76 feet; thence N°00'34'33"E, 276.51 feet to the Southwest corner of CSM 8091 and the existing corporate boundary of the City of Madison, being also the center line of Nesbitt Road per CSM 8091; thence N69°32'23"E along the Southerly line of CSM 8091, being also the existing corporate boundary of the City of Madison and center line of Nesbitt Road, 644.76 feet to the Southerly extension of the Westerly line of Lot 2 CSM 8091, and the Point of Beginning of this description; thence along the southerly line of CSM 8091 and center line of Nesbitt Road, on a curve to the left, radius 2864.79 feet, arc length 538.54 feet, long chord bearing N64°09'25"E, 537.75 feet, to the Southeast corner of CSM 8091; thence N00°44'05"W along the Easterly line of CSM 8091, 347.19 feet to the Northeast corner of Lot 2 CSM 8091 and the existing corporate boundary of the City of Madison; thence S64°13'10"W along the Northerly line of Lot 2 CSM 8091 and the existing corporate boundary of the City of Madison, 655.49 feet to the Northwest corner of Lot 2 CSM 8091; thence S20°28'47"E, 316.49 feet along the Westerly line of Lot 2 CSM 8091 and its Southerly extension, both being also the existing corporate boundary of the City of Madison, to the Point of Beginning. Containing approximately 192,349 square feet, 4.416 acres or 0.0069 square miles."

2. Subsection (148) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is created to read as follows:

"(148) Ward 148. Lot 2 of Certified Survey Map (CSM) No. 8091, recorded in Volume 43 of Certified Surveys, Pages 145-146, as Document No. 2737133, and the Nesbitt Road right-of-way within said CSM 8091 adjoining Lot 2, all located in the SW 1/4 of the SE 1/4 of Section 12, T6N R8E, Town of Verona, Dane County, Wisconsin, all more particularly described as follows:

Commencing at the South Quarter-Corner of said Section 12; thence S89°48'02"W along the South line of the SW1/4 of said Section 12, 327.76 feet; thence N°00'34'33"E, 276.51 feet to the Southwest corner of CSM 8091 and the existing corporate boundary of the City of Madison, being also the center line of Nesbitt Road per CSM 8091; thence N69°32'23"E along the Southerly line of CSM 8091, being also the existing corporate boundary of the City of Madison and center line of Nesbitt Road, 644.76 feet to the Southerly extension of the Westerly line of Lot 2 CSM 8091, and the point of beginning of this description; thence along the southerly line of CSM 8091 and center line of Nesbitt Road, on a curve to the left, radius 2864.79 feet, arc length 538.54 feet, long chord bearing N64°09'25"E, 537.75 feet, to the Southeast corner of CSM 8091; thence N00°44'05"W along the Easterly line of CSM 8091, 347.19 feet to the Northeast corner of Lot 2 CSM 8091 and the existing corporate boundary of the City of Madison; thence S64°13'10"W along the Northerly line of Lot 2 CSM 8091 and the existing corporate boundary of the City of Madison, 655.49 feet to the Northwest corner of Lot 2 CSM 8091; thence S20°28'47"E, 316.49 feet along the Westerly line of Lot 2 CSM 8091 and its Southerly extension, both being also the existing corporate boundary of the City of Madison, to the point of beginning. Polling place at St. Mary's Care Center, 3401 Maple Grove Drive."

3. Subsection (7) of Section 15.03 entitled "Aldermanic Districts" of the Madison General Ordinances is amended to read as follows:

"(7) Seventh Aldermanic District. Wards 97, 98, 99, 100, 144, and 148."

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.

I, City Clerk Maribeth Witzel-Behl, certify that this is a true copy of Ordinance No. 19-00091, file 58227, adopted by the Madison Common Council on 12/3/2019.

Maribeth Witzel-Behl

12-9-2019

Date Certified



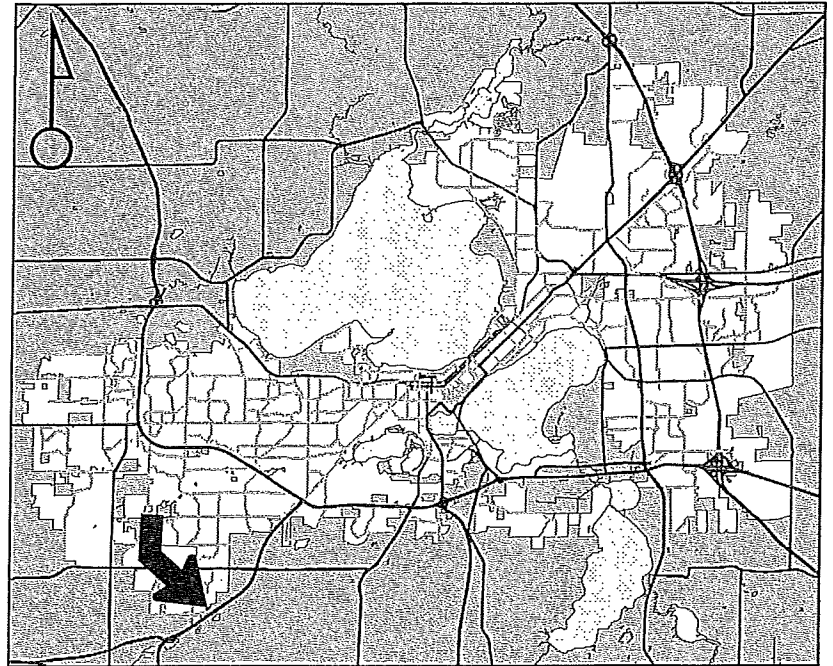
Location
6444 Nesbitt Road,
Town of Verona

Petitioner
City of Madison
Parks Division

Existing Use
Farm

Proposed Use
Annex addition to Apple Ridge Park
from Town of Verona

Public Hearing Date
Plan Commission
25 November 2019
Common Council
3 December 2019



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

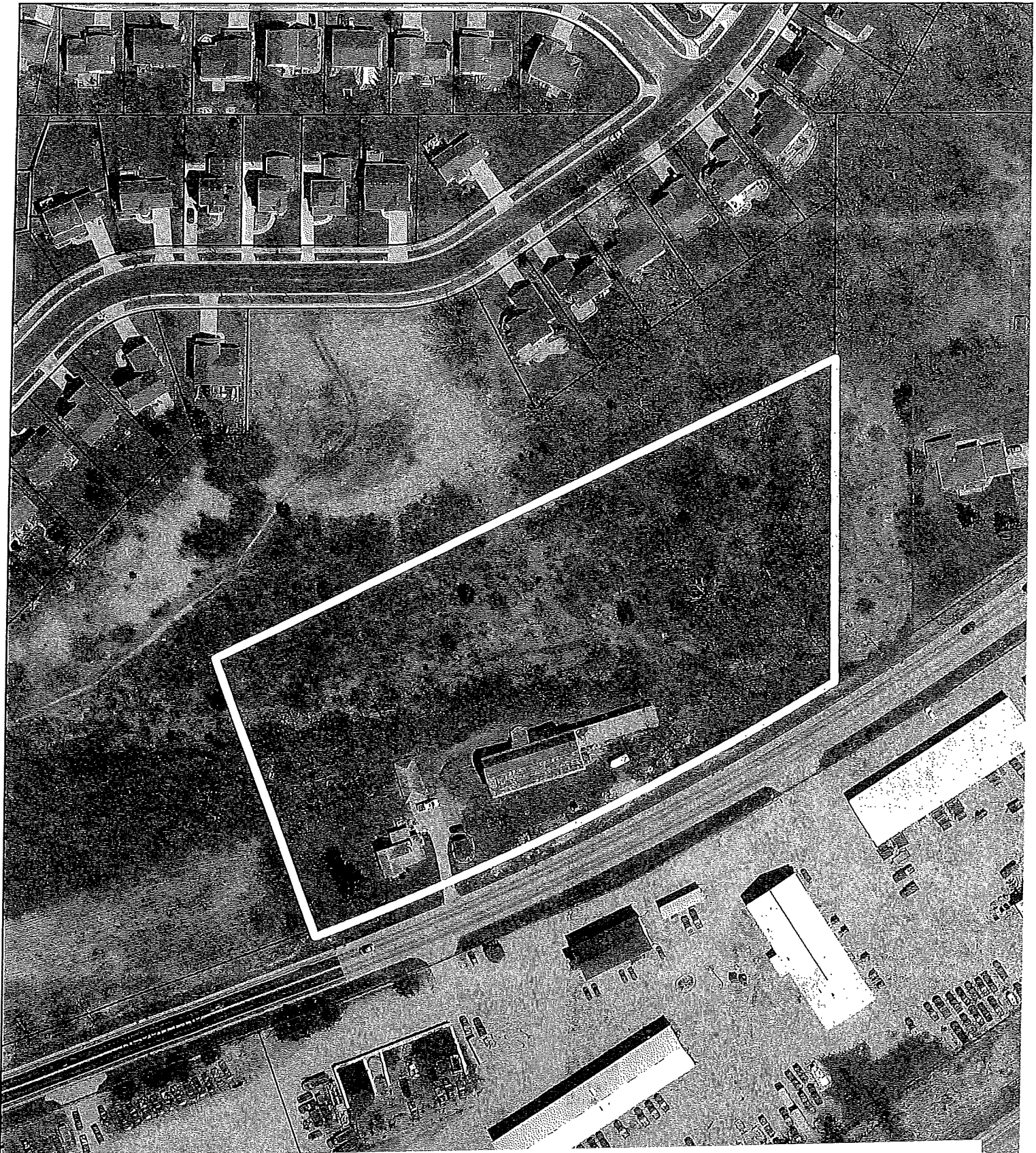


NOTE: PLEASE BE ADVISED THAT THE DOCUMENT GRANTOR(S) HEREBY DIRECT VIEWERS TO IGNORE THE PRINTED TEXT MATERIAL ON THIS MAP. ONLY THE SPATIAL RELATIONSHIPS OF THE ILLUSTRATIONS ON THE MAP ARE BEING PRESENTED FOR YOUR INFORMATION.

Signed by grantor(s) or grantor(s) agent: Maribeth Witzel-Behl

Date: December 6, 2019

Name of grantor(s) or grantor(s) agent printed: Maribeth Witzel-Behl



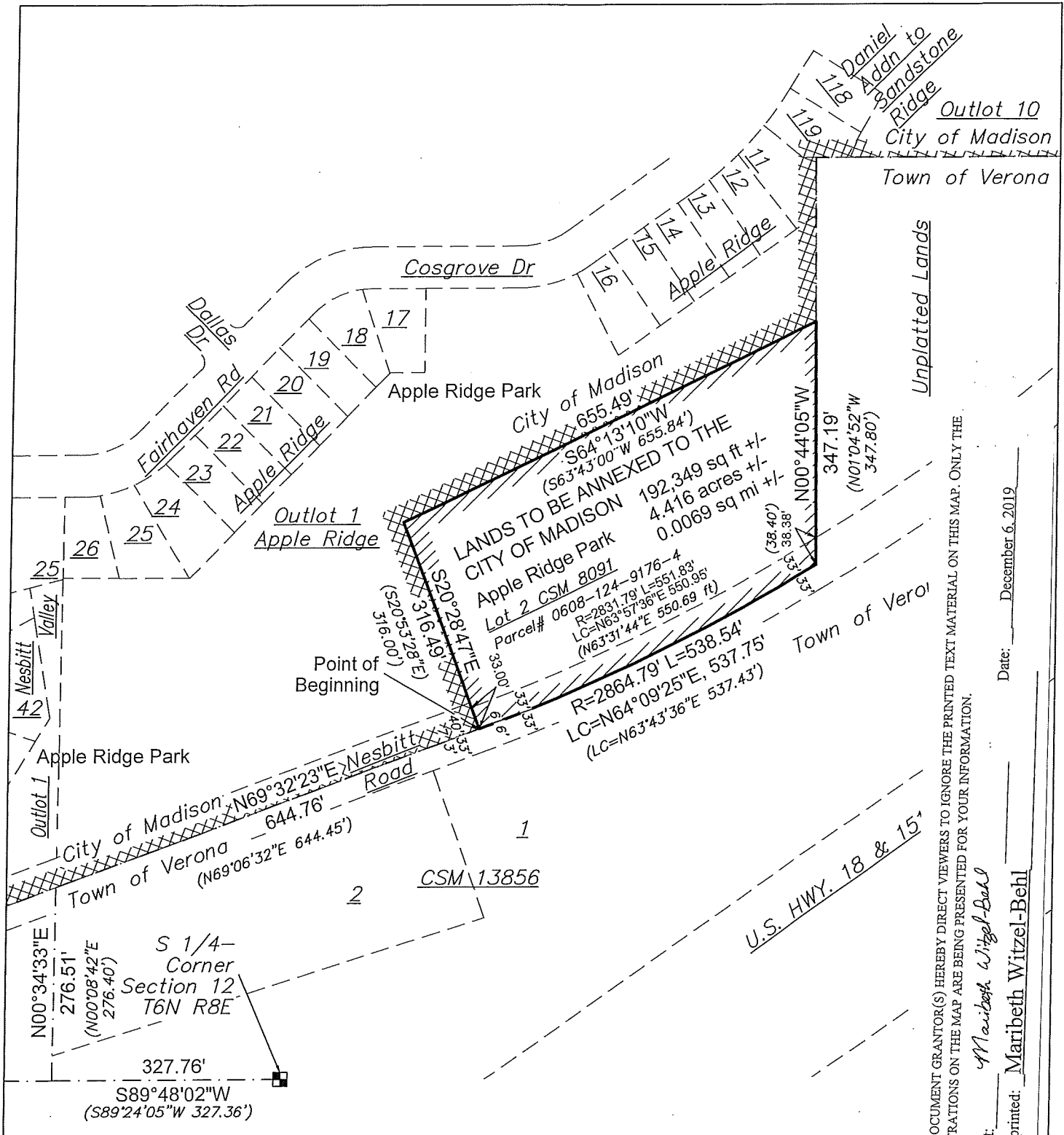
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Date: December 6, 2019

Name of grantor(s) or grantor(s) agent printed: Maribeth Witzel-Behl

EXHIBIT B



SCALE MAP: LANDS TO BE ANNEXED TO THE CITY OF MADISON APPLE RIDGE PARK
 Lot 2 CSM 8091 & part of Nesbitt Rd, in the SW1/4 of SE1/4 of Section 12 T6N R8E Town of Verona, Dane County, WI Prepared Oct 29, 2019

City of Madison
 Dept. of Public Works - Parks Div.
 City-County Building, Suite 104
 210 Martin Luther King Jr. Blvd.
 Madison, WI 53703

Grid North
 WISCRS-Dane
 NAD 83(2007)

Graphical Scale
 0 200 ft

play MADISON PARKS

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*
 Name of grantor(s) or grantor(s) agent printed: Maribeth Witzel-Behl

Date: December 6, 2019

PLANNING DIVISION STAFF REPORT

November 25, 2019



PREPARED FOR THE PLAN COMMISSION

Project Address: 6444 Nesbitt Road
Application Type: Direct Annexation from Town of Verona
Legistar File ID # 58227
Prepared By: Timothy M. Parks, Planning Division

Summary

Requested Action: Approval of Ordinance ID 58227, annexing approximately 4.4 acres of City-owned land located at 6444 Nesbitt Road from the Town of Verona to the City of Madison.

Petitioner: City of Madison.

Status of Petitioner: Property owner. There are no electors or residents on the property.

Applicable Regulations & Standards: Section 66.0223(1) of Wisconsin Statutes outlines the process for annexation of land owned by a city or village.

Review Required By: Plan Commission and Common Council.

Parcel Location: The 4.4-acre subject site is located on the north side of Nesbitt Road, approximately a quarter-mile east of Maple Grove Drive. The parcel will be annexed to Aldermanic District 7 (Moreland), which is adjacent. The land is located in the Verona Area School District.

Proposed Use and Development Schedule: The land to be annexed is under the control of the Parks Division, which acquired the property to expand adjacent Apple Ridge Park. The subject property is developed with a barn and outbuilding; a single-family residence and garage previously located on the property were razed prior to the filing of the annexation petition.

Adopted Land Use Plan: The 1993 Cross Country Neighborhood Development Plan and 2018 Comprehensive Plan both generally identify the subject property and adjacent parkland for park and open space uses.

Public Utilities and Services: The subject property and surrounding lands are located in the Central Urban Service Area. There is currently no public sewer or water available to the land to be annexed. The 4.4-acre site is not located in a mapped environmental corridor; however, the adjacent parkland is located in a mapped corridor.

Project Description, Analysis and Conclusion

On May 1, 2018, the Common Council adopted Resolution 18-00349 (ID 51003) to authorize the execution of a Purchase and Sale Agreement with James R. and Susan Weber to acquire an approximately 4.4-acre parcel addressed as 6444 Nesbitt Road in the Town of Verona. The City acquired the subject property by Warranty Deed recorded at the Dane County Register of Deeds as Document No. 5444486 on October 1, 2018.

The land was acquired to expand the adjacent approximately 12-acre Apple Ridge Park, which sits on the southern edge of the Stone Meadows neighborhood and surrounds the subject parcel on the north and west. The park is characterized by a modestly wooded slope and prairie that fall from the residential area to the north towards

Nesbitt Road. The Parks Division describes Apple Ridge Park as a “natural area... with a vast southern view.” The subject 4.4-acre parcel is developed with a large barn and outbuilding, which Parks Division staff indicates will remain. However, a residence and other accessory buildings on the subject parcel were razed prior to annexation.

Annexation of the property is consistent with longstanding City policy to annex or attach properties it owns into its corporate limits whenever practical. The annexation ordinance assigns Temporary A–Agricultural zoning to the parcel. Zoning of the property to a permanent district will follow the annexation as staff resources permit. Existing Apple Ridge Park is zoned CN (Conservancy District); Parks Division and Planning staff will collaborate on the appropriate future zoning of the subject property given the buildings present, their intended future use, and the park and open space land use recommendations for the site and adjacent park in the Cross Country Neighborhood Development Plan and Comprehensive Plan.

Recommendation

The Planning Division recommends that the Plan Commission forward this annexation ordinance to the Common Council with a favorable recommendation.