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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 1st day of August, 2006.

Schweiss Annexation
Ordinance #: ORD-06-00119
ID#: 04097

Recording Area

Name and Return Address

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

Parcel Identification Number (PIN)

October 25, 2006
Date

Maribeth Witzel-Behl
Signature of Clerk

Maribeth Witzel-Behl, City Clerk
*Name printed

Date

n/a
Signature of Grantor

*Name printed

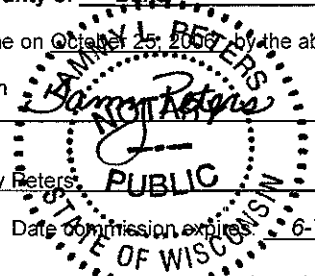
STATE OF WISCONSIN, County of Dane

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

Tammy Peters

Subscribed and sworn to before me on October 25, 2006 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: Tammy Peters

Title: Admin Clerk II Date of commission expires: 6-7-09

*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

2/23



Department of Revenue
Office of the City Clerk

000557

City-County Building, Room 103
210 Martin Luther King, Jr. Boulevard
Madison, Wisconsin 53703-3342
PH: 608 266 4601
TDD: 608 266 6573
FAX: 608 266 4666

October 25, 2006

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-06-00119
ID NO 04097
Schweiss 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-06-00119, ID No. 04097 on August 1, 2006; thereby accepting the petition filed in our office on June 7, 2006 and thereby detaching territory from the Town of Burke 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-06-00119, 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,

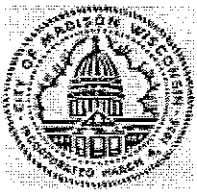
Maribeth Witzel-Behl
City Clerk

MWB:tlp

Secretary of State
Page 2

cc:

Dane County Register of Deeds
Clerk, Town of **Burke**
SBC
Sun Prairie Schools
MG&E
Bill Roberts, Planning & Development Unit
Al Schumacher, City Streets Department - West
City Assessor
Eric Pederson, City Engineering (4)
John Leach, Traffic Engineering
Gregg Knudtson, Fire Department
Brad Murphy, Planning Unit
Dane County Clerk
Dane County Community Analysis and Planning Division
Dane County Planning & Development
Dane County Tax Lister, Cheryl Zellmer
Dane County Public Safety Communications
Dane County EMS
Madison Area Metropolitan Planning Organization
Madison Metropolitan Sewer District
Charter Communications
Sharon Milleville
City Clerk file (scan & attach)



City of Madison Certified Copy

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

Ordinance: ORD-06-00119

000559

File Number: 04097

Enactment Number: ORD-06-00119

Creating Section 15.01(558) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to the 3rd Aldermanic District the Schweiss, et. al. Annexation and assigning a temporary zoning classification of A Agriculture District, creating Section 15.02(139) of the Madison General Ordinances to assign the attached property to Ward 139, and amending Section 15.03(3) to add new Ward 139 to the 3rd Aldermanic District.

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

An ordinance to create Subsection (558) 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 June 7, 2006, mailed to the Clerk of the Town of Burke on June 6, 2006, and the Municipal Boundary Review Section, Department of Commerce, State of Wisconsin, on June 6, 2006, 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 Burke; said petition having been signed by the owners of all the real property in the territory, there being no residents within the territory, which lies contiguous to the City of Madison; 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 July 24, 2006, 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 Burke, 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 (558) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(558) - There is hereby attached to the 17th Aldermanic District, the City of Madison, Dane County, Wisconsin, the following described property:

" Part of the East half (1/2) of the Southwest Quarter of Section 35, Township 8 North, Range 10 East, Town of Burke, Dane County, Wisconsin, more fully described as follows:

Beginning at the Northeast corner of the Southeast Quarter of the Southwest Quarter of said Section 35; thence S89°36'27"W, along the North line of the Southeast Quarter of the Southwest Quarter of said Section 35, 33.00 feet to the Westerly right-of-way line of Felland Road; thence S00°26'14"W, along said Westerly right-of-way line, 714.24 feet to the Easterly extension of the North line of Lot 2, Certified Survey Map (C.S.M.) number 1799; thence N89°33'46"W, along said Easterly extension of the North line of Lot 2, C.S.M. number 1799, 7.00 feet to the Northeast corner of said Lot 2 of C.S.M. number 1799; thence S00°26'14"W, along the East line of said Lot 2, C.S.M. number 1799, 272.70 feet to the Southeast corner of said Lot 2; thence N89°33'46"W, along the South line

of said Lot 2, 508.06 feet to the Southeast corner of lands described in Volume 704 of Records, Page 268, Document Number 1478868; thence N03°47'50"W, along the Easterly line of said lands, 14 04 feet; thence N00°26'14" East, along the Easterly line of said lands, 258 70 feet to the North line of said Lot 2, C S M. number 1799; thence N89°33'46"W, along said North line, 250.00 feet to the Northwest corner of said Lot 2 and the East line of C.S.M. number 1799; thence N00°26'14" East, along said East line of C.S.M. number 5458, 156 28 feet to the Northeast corner of said C.S.M. number 5458; thence S89°46'18"W, along the North line of said C.S.M. number 5458, 512.70 feet to the West line of the East half (1/2) of the Southwest Quarter of said Section 35; thence N00°24'55" East, along said West line, 1601.94 feet to the Southwest corner of the plat of BRIDLE DOWNS, according to the recorded plat thereof, said point also being on the South right-of-way line of Canter Drive; thence S89°33'46" East, along the South line of said BRIDLE DOWNS plat, 122 38 feet; thence S00°26'14"W, along said South plat line, 200 00 feet; thence S89°33'46" East, along said South plat line, 300 00 feet; thence S00°26'14"W, along said South plat line, 309 92 feet; thence S89°33'46" East, along said South plat line, 260 00 feet; thence N00°26'14" East, along said South plat line, 70 00 feet to a point of curvature; thence along said South plat line and the arc of a curve to the right through a central angle of 89°58'58", an arc distance of 31 41 feet, a radius of 20.00 feet and a chord bearing N45°26'14" East, 28 28 feet; thence S89°33'46" East, along said South plat line, 550.00 feet to a point of curvature; thence along said South plat line and the arc of a curve to the right through a central angle of 89°58'58", an arc distance of 31 41 feet, a radius of 20.00 feet and a chord bearing S44°33'46" East, 28 28 feet to the Westerly right-of-way line of Felland Road; thence S89°33'46" East, 40.00 feet to the East line of the Southwest Quarter of said Section 35; thence S00°26'14"W, along said East line, 597.64 feet to the point of beginning. This description contains approximately 1,877,618 square feet or 43.1 acres."

2. Subsection (139) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is created to read as follows:

"(139) Ward 139. Beginning at the Northeast corner of the Southeast Quarter of the Southwest Quarter of said Section 35; thence S89°36'27"W, along the North line of the Southeast Quarter of the Southwest Quarter of said Section 35, 33.00 feet to the Westerly right-of-way line of Felland Road; thence S00°26'14"W, along said Westerly right-of-way line, 714 24 feet to the Easterly extension of the North line of Lot 2, Certified Survey Map (C.S.M.) number 1799; thence N89°33'46"W, along said Easterly extension of the North line of Lot 2, C.S.M. number 1799, 7.00 feet to the Northeast corner of said Lot 2 of C.S.M. number 1799; thence S00°26'14"W, along the East line of said Lot 2, C.S.M. number 1799, 272.70 feet to the Southeast corner of said Lot 2; thence N89°33'46"W, along the South line of said Lot 2, 508.06 feet to the Southeast corner of lands described in Volume 704 of Records, Page 268, Document Number 1478868; thence N03°47'50"W, along the Easterly line of said lands, 14 04 feet; thence N00°26'14" East, along the Easterly line of said lands, 258 70 feet to the North line of said Lot 2, C.S.M. number 1799; thence N89°33'46"W, along said North line, 250 00 feet to the Northwest corner of said Lot 2 and the East line of C.S.M. number 1799; thence N00°26'14" East, along said East line of C.S.M. number 5458, 156.28 feet to the Northeast corner of said C.S.M. number 5458; thence S89°46'18"W, along the North line of said C.S.M. number 5458, 512.70 feet to the West line of the East half (1/2) of the Southwest Quarter of said Section 35; thence N00°24'55" East, along said West line, 1601.94 feet to the Southwest corner of the plat of BRIDLE DOWNS, according to the recorded plat thereof, said point also being on the South right-of-way line of Canter Drive; thence S89°33'46" East, along the South line of said BRIDLE DOWNS plat, 122 38 feet; thence S00°26'14"W, along said South plat line, 200 00 feet; thence S89°33'46" East, along said South plat line, 300 00 feet; thence S00°26'14"W, along said South plat line, 309 92 feet; thence S89°33'46" East, along said South plat line, 260 00 feet; thence N00°26'14" East, along said South plat line, 70 00 feet to a point of curvature; thence along said South plat line and the arc of a curve to the right through a central angle of 89°58'58", an arc distance of 31 41 feet, a radius of 20.00 feet and a chord bearing N45°26'14" East, 28 28 feet; thence S89°33'46" East, along said South plat line, 550 00 feet to a point of curvature; thence along said South plat line and the arc of a curve to the right through a central angle of 89°58'58", an arc distance of 31 41 feet, a radius of 20.00 feet and a chord bearing S44°33'46" East, 28 28 feet to the Westerly right-of-way line of Felland Road; thence S89°33'46" East, 40.00 feet to the East line of the Southwest Quarter of said Section 35; thence S00°26'14"W, along said East line, 597 64 feet to the point of beginning. Polling place at Kennedy Elementary School, 221 Meadowood Dr."

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

"(3) Third Aldermanic District. Wards 5, 6, 7, 8, 9, 111, 115, and 136, and 139 "

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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. A separate roll call vote is requested on the temporary zoning.


Adopted on roll call at a regular meeting of the Common Council of the City of Madison, Wisconsin, held on 8-1-06.

Annexation vote:	Temporary Zoning vote:
Ayes: 17	Ayes: 17
Noes: 0	Noes: 0
Excused: 3	Excused: 3

I, Maribeth Witzel-Behl, certify that this is a true copy of Ordinance No. ORD-06-00119, passed by the COMMON COUNCIL on 8/1/2006.

Maribeth Witzel-Behl
 Maribeth Witzel-Behl, City Clerk

10-25-06
 Date Certified

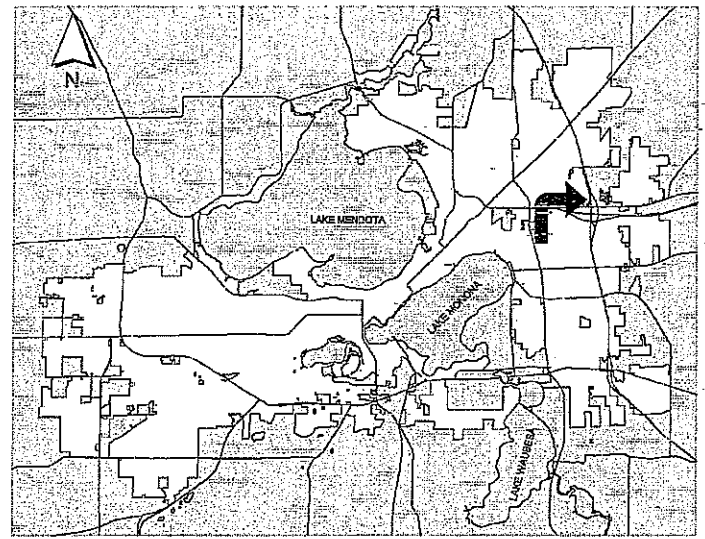
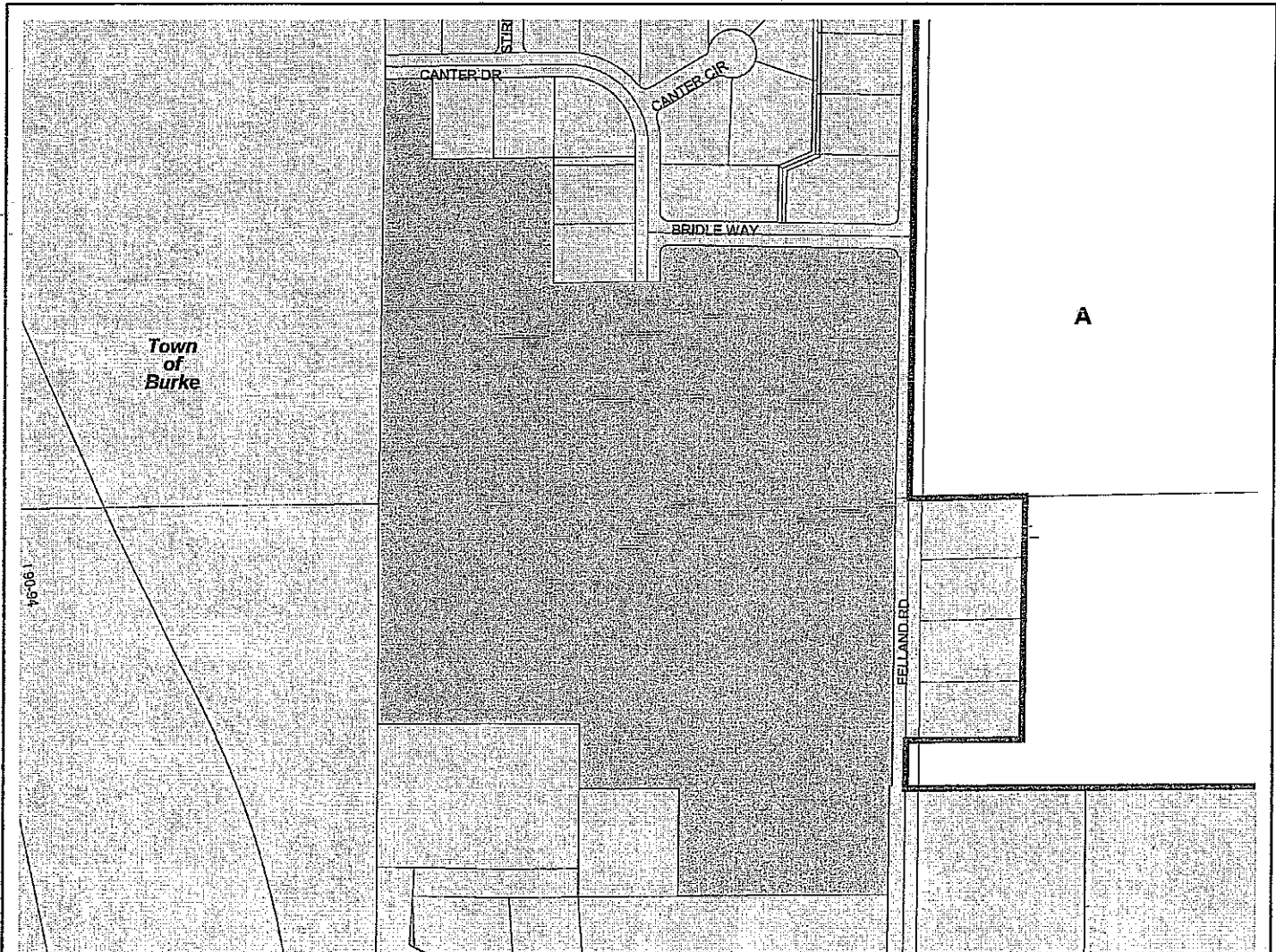

 Mayor's Signature

CITY OF MADISON

Proposed Annexation

Annexation Name: Schweiss AnnexationLocation: Felland RoadPetitioner: Moly Borreson/Jerome Eckel/Michele
McCarthy/Debbie Rice/Norman and Darlene SchweissExisting Use: Vacant LandsProposed Use: Future Development

Public Hearing Dates:

Plan Commission 24 July 2006Common Council 01 August 2006For Questions contact: Bill Roberts at: 266-5974 or broberts@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 exhibit. Only the spatial relationships of the illustrations on the plan are being presented for your information.

Signed by grantor(s) or grantor's(s) agent: Maribeth Witzel-Behl Date: 10-25-06 (USE BLACK INK ONLY)
 Name of grantor(s) or grantor's(s) agent printed: maribeth witzel-behl (USE BLACK INK ONLY)