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DANE COUNTY  
REGISTER OF DEEDS

DOCUMENT #  
**4383126**

12/21/2007 03:58PM

Exempt #:

Rec. Fee: 29.00  
Pages: 10

Recording Area

Name and Return Address

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

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 19th day of June, 2007

Cherokee Annexation  
Ordinance #: ORD-07-00079  
ID#: 06590

Parcel Identification Number (PIN)

December 17, 2007

Date

Date

*Maribeth Witzel-Behl*

Signature of Clerk

n/a  
Signature of Grantor

Maribeth Witzel-Behl, City Clerk

\*Name printed

\*Name printed

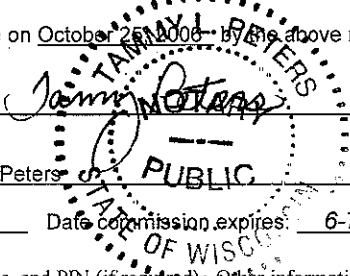
STATE OF WISCONSIN, County of Dane

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

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: Program Assistant 2 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

10/29



## Office of the City Clerk

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Room 103  
210 Martin Luther King, Jr. Boulevard  
Madison, Wisconsin 53703-3342  
PH 608 266 4601  
FAX 608 266 4666  
TTY/Textnet 866 704 2340  
[www.cityofmadison.com/clerk](http://www.cityofmadison.com/clerk)

December 14, 2007

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-07-00079  
ID NO. 06590  
Cherokee 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-07-00079, ID No. 06590 on June 19, 2007; thereby accepting the petition filed in our office on May 10, 2007, 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-07-00079, 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

cc:

Dane County Register of Deeds  
Clerk, Town of Westport  
**AT&T**  
**Waunakee School District**  
**MG& E**  
Tim Parks, Planning & Development Unit (email)  
Al Schumacher, City Streets Department – West (email)  
City Assessor, Maureen Richards (email)  
Eric Pederson, City Engineering (4) (email)  
John Leach, Traffic Engineering (email)  
Gregg Knudtson, Fire Department  
Brad Murphy, Planning Unit (email)  
Dane County Clerk  
Dane County Community Analysis and Planning Division  
Dane County Planning & Development  
Dane County Tax Lister, Cheryl Zellmer (email)  
Dane County Public Safety Communications  
Dane County EMS  
Madison Area Metropolitan Planning Organization  
Madison Metropolitan Sewer District  
Charter Communications  
Sharon Milleville (email)  
City Clerk file (scan & attach)



# City of Madison Certified Copy

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

Ordinance: ORD-07-00079

File Number: 06590

Enactment Number: ORD-07-00079

**Creating Section 15.01(563) 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, creating Sections 15.02(143) and (144) of the Madison General Ordinances to assign the attached property to Wards 143 and 144, and amending Section 15.03(18) of the Madison General Ordinances to add Wards 143 and 144 to Aldermanic District 18.**

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

\*\*\*\*\*  
An ordinance to create Subsection (563) 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 10, 2007, 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 medium 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 18, 2007, 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 (563) of Section 15 01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(563) - There is hereby attached to the 18th Aldermanic District, the City of Madison, Dane County, Wisconsin, the following described property:

Part of the Northwest 1/4 of the Northeast 1/4 of Section 24, T8N, R9E, Town of Westport, Dane County, Wisconsin being more particularly described as follows:

Beginning at the Northwest corner of Lot 223, Fourth Addition to Cherokee Park; thence N23°32'28"E, 10.00 feet; thence S66°27'32"E, 274.65 feet; thence N10°58'48"E, 300.17 feet; thence N53°11'38"E, 117.12 feet; thence S81°10'16"E, 40.85 feet; thence N08°17'00"E, 280.45 feet; thence N18°07'06"W, 126.76 feet to the North line of the said Northeast 1/4 of Section 24; thence along said North line N88°56'44"W, 365.94 feet to the Easterly shoreline of Cherokee Lake; thence along said Easterly line S00°54'20"E, 76.50 feet; thence continuing along said Easterly line S30°13'52"W, 94.53 feet; thence continuing along said Easterly line S67°57'49" W, 30.60 feet; thence continuing along said Easterly line S34°43'35"W, 159.46 feet; thence continuing along said Easterly line S24°53'29"W, 186.72 feet; thence continuing along said Easterly line S17°05'24"W, 112.68 feet to the Northerly line of Fourth Addition to Cherokee Park; thence along said Northerly line S66°27'32"E, (recorded as S66°52'E), 212.81 feet to the point of beginning.

AND

Part of Lot 1, Certified Survey Map No. 2225, part of the Southeast 1/4 of the Southeast 1/4 all in Section 24, T8N, R9E, Town of Westport, Dane County, Wisconsin being more particularly described as follows:

Commencing at the Southeast Corner of said Section 24; thence along the East line of the said Southeast 1/4 N02°02'25"E, 739.01 feet to the point of beginning; thence continuing along said east line, N02°02'25"E, 70.00 feet to the Easterly extension of the Northerly right of way line of Golf Parkway; thence along said Northerly right of way line N88°03'24"W (recorded as N88°25'00"W), 600.06 feet; thence continuing along said Northerly right of way line N82°57'11"W (recorded as N83°18'47"W), 175.25 feet; thence N00°33'02"E, 254.69 feet; thence N48°48'27"W, 168.71 feet to a Westerly corner of said Lot 1, Certified Survey Map No. 2225; thence S40°59'35"W, 140.30 feet; thence S86°03'20"W, 132.80 feet; thence S00°23'49"W, 128.85 feet (recorded as S00°00'14"E, 130.00 feet) to the Southerly right of way line of said Golf Parkway; thence along said Southerly right of way line S42°09'19"E, (recorded as S42°33'13"E) 108.75 feet to a point on a curve; thence continuing along said Southerly right of way line along a curve to the left having of radius of 190.00 feet and a chord bearing and distance of S62°21'47"E, 133.65 feet (recorded as S82°56'00"E, 132.33 feet) to a point of tangency; thence continuing along said Southerly right of way line S82°57'11"E, 331.82 feet (recorded as S83°18'47"E, 334.45 feet); thence continuing along said Southerly right of way line S88°03'24"E, 568.77 feet (recorded as S88°25'00"E, 367.86 feet) to the Westerly right of way line of said North Sherman Avenue; thence along said Westerly right of way line S02°02'25"W, 30.00 feet; thence S88°03'24"E, (recorded as S89°23'08"E), 33.00 feet to the said East line of the Southeast 1/4 and the point of beginning."

2. Subsection (143) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is created to read as follows:

"(143) Ward 143. Beginning at the Northwest corner of Lot 223, Fourth Addition to Cherokee Park; thence N23°32'28"E, 10.00 feet; thence S66°27'32"E, 274.65 feet; thence N10°58'48"E, 300.17 feet; thence N53°11'38"E, 117.12 feet; thence S81°10'16"E, 40.85 feet; thence N08°17'00"E, 280.45 feet; thence N18°07'06"W, 126.76 feet to the North line of the said Northeast 1/4 of Section 24; thence along said North line N88°56'44"W, 365.94 feet to the Easterly shoreline of Cherokee Lake; thence along said Easterly line S00°54'20"E, 76.50 feet; thence continuing along said Easterly line S30°13'52"W, 94.53 feet; thence continuing along said Easterly line S67°57'49" W, 30.60 feet; thence continuing along said Easterly line S34°43'35"W, 159.46 feet; thence continuing along said Easterly line S24°53'29"W, 186.72 feet; thence continuing along Easterly line S17°05'24"W, 112.68 feet to the Northerly line of Fourth Addition to Cherokee Park; thence along said Northerly line S66°27'32"E, (recorded as S66°52'E), 212.81 feet to the point of beginning."

3. Subsection (144) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is created to read as follows:

"(144) Ward 144. Commencing at the Southeast Corner of said Section 24; thence along the East line of the

said Southeast ¼, N02°02'25"E, 739.01 feet to the point of beginning; thence continuing along said east line, N02°02'25"E, 70.00 feet to the Easterly extension of the Northerly right of way line of Golf Parkway; thence along said Northerly right of way line N88°03'24"W (recorded as N88°25'00"W), 600.06 feet; thence continuing along said Northerly right of way line N82°57'11"W (recorded as N83°18'47"W), 175.25 feet, thence N00°33'02"E, 254.69 feet; thence N48°48'27"W, 168.71 feet to a Westerly corner of said Lot 1, Certified Survey Map No. 2225; thence S40°59'35"W, 140.30 feet; thence S86°03'20"W, 132.80 feet; thence S00°23'49"W, 128.85 feet (recorded as S00°00'14"E, 130.00 feet) to the Southerly right of way line of said Golf Parkway; thence along said Southerly right of way line S42°09'19"E, (recorded as S42°33'13"E) 108.75 feet to a point on a curve; thence continuing along said Southerly right of way line along a curve to the left having of radius of 190.00 feet and a chord bearing and distance of S62°21'47"E, 133.65 feet (recorded as S82°56'00"E, 132.33 feet) to a point of tangency; thence continuing along said Southerly right of way line S82°57'11"E, 331.82 feet (recorded as S83°18'47"E, 334.45 feet); thence continuing along said Southerly right of way line S88°03'24"E, 568.77 feet (recorded as S88°25'00"E, 367.86 feet) to the Westerly right of way line of said North Sherman Avenue; thence along said Westerly right of way line S02°02'25"W, 30.00 feet; thence S88°03'24"E, (recorded as S89°23'08"E), 33.00 feet to the said East line of the Southeast ¼ and the point of beginning. Polling place at Blackhawk Middle School, 1402 Wyoming Way."

4 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, and 25, 143, and 144."

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 June 19, 2007.

Annexation vote:  
 Ayes: 18  
 Noes: 0  
 Excused: 2

I, Maribeth Witzel-Behl, certify that this is a true copy of Ordinance No. 06590, passed by the COMMON COUNCIL on 6/19/2007.

Maribeth Witzel-Behl  
 City Clerk Signature

12/14/07

Date Certified

[Signature]  
 Mayor Signature

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: 12/17/07 (USE BLACK INK ONLY)

Name of grantor(s) or grantor's(s) agent printed: Maribeth Witzel-Behl (USE BLACK INK ONLY)



**BIRRENKOTT  
SURVEYING, INC.**

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

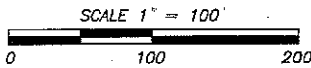
NORTHWEST CORNER  
SECTION 19-8-10  
FOUND BRASS MONUMENT

### ANNEXATION MAP

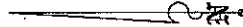
PART OF LOT 1, CERTIFIED SURVEY MAP NO. 2225, PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 24, T8N, R9E, TOWN OF WESTPORT, DANE COUNTY, WISCONSIN

PREPARED FOR:

CHEROKEE PARK, INC.  
13 CHEROKEE CIRCLE  
MADISON, WI 53704



BEARINGS REFERENCED TO THE DANE COUNTY COORDINATE SYSTEM AND THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 24-8-9 BEARING N02°02'25"E



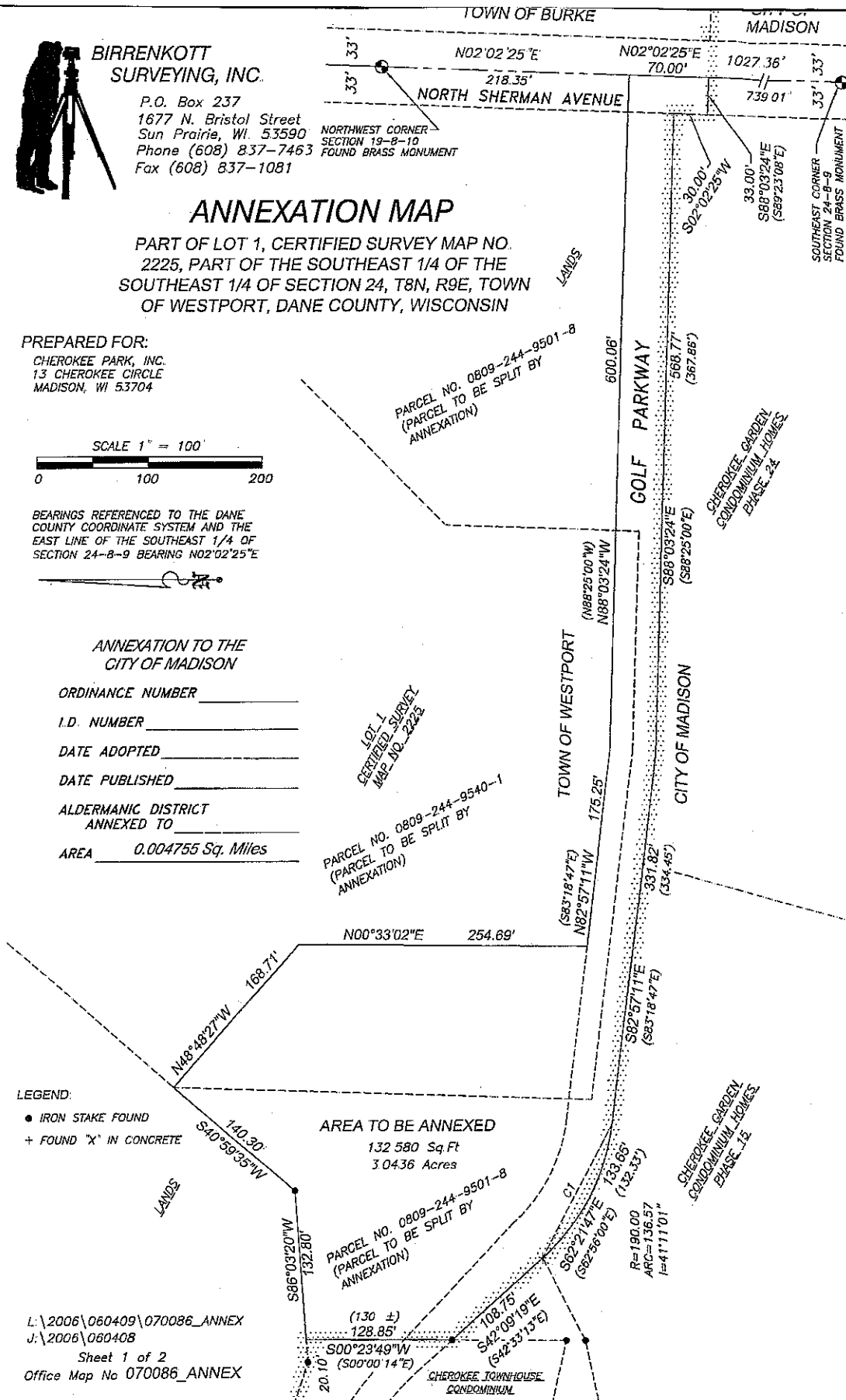
#### ANNEXATION TO THE CITY OF MADISON

ORDINANCE NUMBER \_\_\_\_\_  
I.D. NUMBER \_\_\_\_\_  
DATE ADOPTED \_\_\_\_\_  
DATE PUBLISHED \_\_\_\_\_  
ALDERMANIC DISTRICT ANNEXED TO \_\_\_\_\_  
AREA 0.004755 Sq. Miles

**LEGEND:**

- IRON STAKE FOUND
- + FOUND "X" IN CONCRETE

L:\2006\060409\070086\_ANNEX  
J:\2006\060408  
Sheet 1 of 2  
Office Map No 070086\_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 LOT 1, CERTIFIED SURVEY MAP NO.  
2225, PART OF THE SOUTHEAST 1/4 OF THE  
SOUTHEAST 1/4 OF SECTION 24, T8N, R9E, TOWN  
OF WESTPORT, DANE COUNTY, WISCONSIN

**ANNEXATION DESCRIPTION:**

Part of Lot 1, Certified Survey Map No. 2225, and part of the Southeast 1/4 of the Southeast 1/4 Section 24, T8N, R9E, Town of Westport, Dane County, Wisconsin being more particularly described as follows: Commencing at the Southeast Corner of said Section 24, thence along the East line of the said Southeast 1/4 N02°02'25"E, 739.01 feet to the point of beginning; thence continuing along said East line N02°02'25"E, 70.00 feet to the Easterly extension of the Northerly right of way line of Golf Parkway; thence along said Northerly right of way line N88°03'24"W (recorded as N88°25'00"W), 600.06 feet; thence continuing along said Northerly right of way line N82°57'11"W (recorded as N83°18'47"W), 175.25 feet; thence N00°33'02"E, 254.69 feet; thence N48°48'27"W, 168.71 feet to a Westerly corner of said Lot 1, Certified Survey Map No. 2225; thence S40°59'35"W, 140.30 feet; thence S86°03'20"W, 132.80 feet; thence S00°23'49"W, 128.85 feet (recorded as S00°00'14"E, 130 feet±) to the Southerly right of way line of said Golf Parkway; thence along said Southerly right of way line S42°09'19"E (recorded as S42°33'13"E), 108.75 feet to a point on a curve; thence continuing along said Southerly right of way line along a curve to the left having a radius of 190.00 feet and a chord bearing and distance of S62°21'47"E, 133.65 feet (recorded as S62°56'00"E, 132.33 feet) to a point of tangency; thence continuing along said Southerly right of way line S82°57'11"E, 331.82 feet (recorded as S83°18'47"E, 334.45 feet); thence continuing along said Southerly right of way line S88°03'24"E, 568.77 feet (recorded as S88°25'00"E, 367.86 feet) to the Westerly right of way line of North Sherman Avenue; thence along said Westerly right of way line S02°02'25"W, 30.00 feet; thence S88°03'24"E (recorded as S89°23'08"E), 33.00 feet to the said East line of the Southeast 1/4 and the point of beginning. The above described parcel contains 132,580 square feet, or 3.0436 acres, or 0.004755 square miles.

L:\2006\060409\070086\_ANNEX  
J:\2006\060408

Sheet 1 of 2  
Office Map No. 070086\_ANNEX

PREPARED FOR:  
CHEROKEE PARK, INC.  
13 CHEROKEE CIRCLE  
MADISON, WI 53704



**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: 12/17/07 (USE BLACK INK ONLY)

Name of grantor(s) or grantor's(s) agent printed: Maribeth Witzel-Behl (USE BLACK INK ONLY)



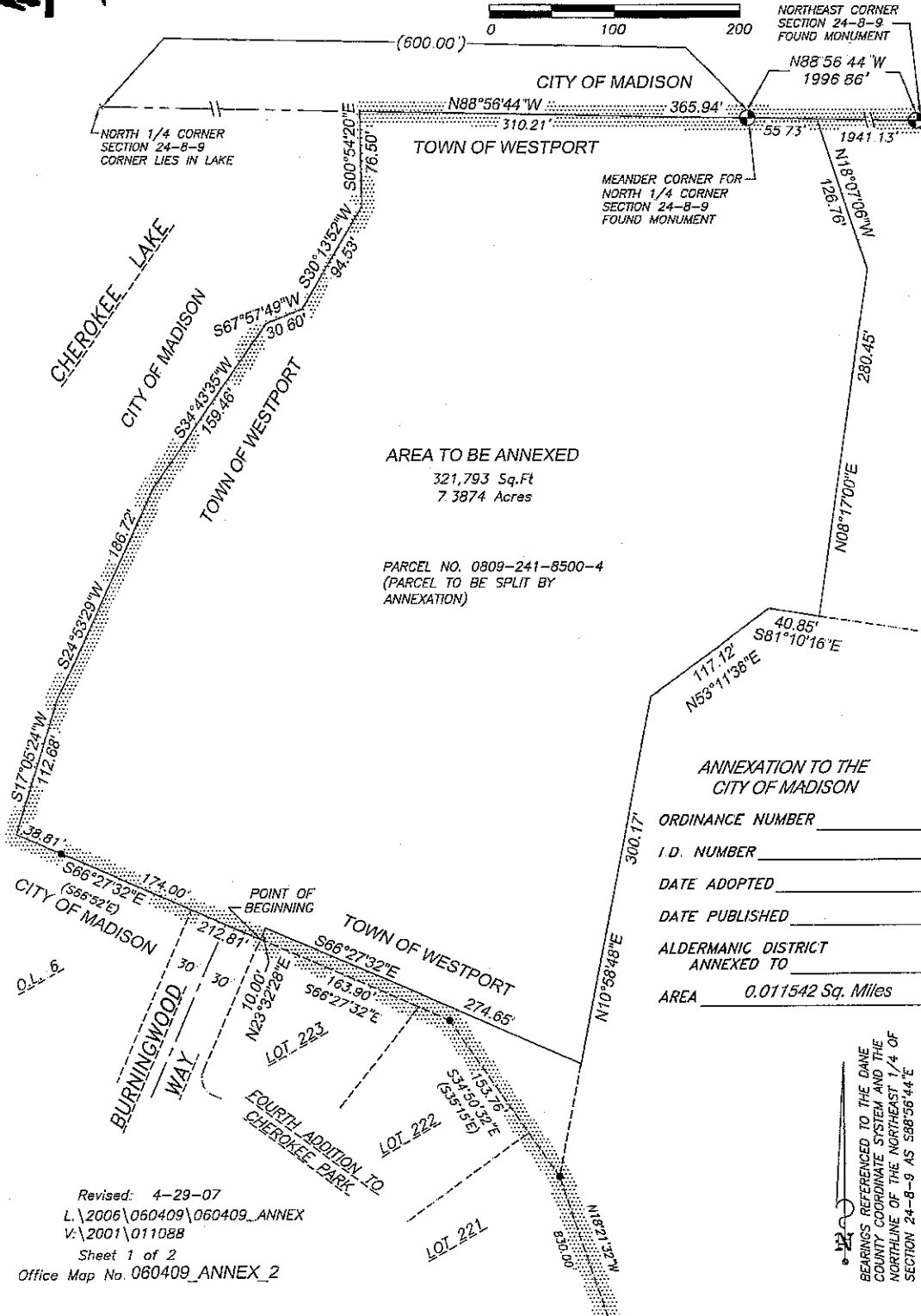
**BIRRENKOTT  
SURVEYING, INC.**

P.O. Box 237  
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Sun. Prairie, WI. 53590  
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Fax (608) 837-1081

**ANNEXATION MAP**

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

SCALE 1" = 100'



AREA TO BE ANNEXED  
321,793 Sq.Ft  
7.3874 Acres

PARCEL NO. 0809-241-8500-4  
(PARCEL TO BE SPLIT BY  
ANNEXATION)

ANNEXATION TO THE  
CITY OF MADISON

ORDINANCE NUMBER \_\_\_\_\_  
I.D. NUMBER \_\_\_\_\_  
DATE ADOPTED \_\_\_\_\_  
DATE PUBLISHED \_\_\_\_\_  
ALDERMANIC DISTRICT  
ANNEXED TO \_\_\_\_\_  
AREA 0.011542 Sq. Miles

BEARINGS REFERENCED TO THE DANE  
COUNTY COORDINATE SYSTEM AND THE  
NORTHLINE OF THE NORTHEAST 1/4 OF  
SECTION 24-8-8-9 AS S88°56'44"E

Revised: 4-29-07  
L:\2006\060409\060409\_ANNEX  
V:\2001\011088  
Sheet 1 of 2  
Office Map No. 060409\_ANNEX\_2



**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  
NORTHEAST 1/4 OF SECTION 24, T8N, R9E,  
TOWN OF WESTPORT, DANE COUNTY,  
WISCONSIN

### ANNEXATION DESCRIPTION:

Part of the Northwest 1/4 of the Northeast 1/4 of Section 24, T8N, R9E, Town of Westport, Dane County, Wisconsin being more particularly described as follows: Beginning at the Northwest corner of Lot 223, Fourth Addition to Cherokee Park; thence  $N23^{\circ}32'28''E$ , 10.00 feet; thence  $S66^{\circ}27'32''E$ , 274.65 feet; thence  $N10^{\circ}58'48''E$ , 300.17 feet; thence  $N53^{\circ}11'38''E$ , 117.12 feet; thence  $S81^{\circ}10'16''E$ , 40.85 feet; thence  $N08^{\circ}17'00''E$ , 280.45 feet; thence  $N18^{\circ}07'06''W$ , 126.76 feet to the North line of the said Northeast 1/4 of Section 24; thence along said North line  $N88^{\circ}56'44''W$ , 365.94 feet to the Easterly shoreline of Cherokee Lake; thence along said Easterly line  $S00^{\circ}54'20''E$ , 76.50 feet; thence continuing along said Easterly line  $S30^{\circ}13'52''W$ , 94.53 feet; thence continuing along said Easterly line  $S67^{\circ}57'49''W$ , 30.60 feet; thence continuing along said Easterly line  $S34^{\circ}43'35''W$ , 159.46 feet; thence continuing along said Easterly line  $S24^{\circ}53'29''W$ , 186.72 feet; thence continuing along said Easterly line  $S17^{\circ}05'24''W$ , 112.68 feet to the Northerly line of said Fourth Addition to Cherokee Park; thence along said Northerly line  $S66^{\circ}27'32''E$  (recorded as  $S66^{\circ}52''E$ ), 212.81 feet to the point of beginning. The above described parcel contains 321,793 square feet, or 7.3874 acres, or 0.011542 square miles.

L:\2006\060409\060409\_ANNEX

V:\2001\011088

Sheet 2 of 2

Office Map No. 060409\_ANNEX