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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

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 26th day of February, 2008.

Cherokee 3 Annexation
Ordinance #: ORD-08-00026
ID#: 08827

Parcel Identification Number (PIN)

March 17, 2008
Date

Maribeth Witzel-Behl
Signature of Clerk

Maribeth Witzel-Behl, City Clerk
*Name printed

Date

n/a
Signature of Grantor

*Name printed

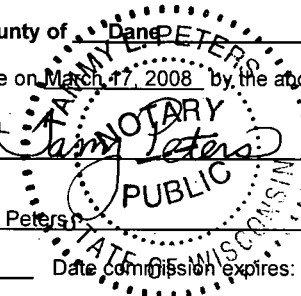
STATE OF WISCONSIN, County of Dane

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

Tammy Peters

Subscribed and sworn to before me on March 17, 2008 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 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

7/23



Office of the City Clerk

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

March 13, 2008

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-08-00026
ID NO. 08827
Cherokee 3 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-08-00026, ID No. 08827 on February 26, 2008; thereby accepting the petition filed in our office on January 8, 2008, 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-08-00026, 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

March 13, 2008

Page 2

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

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

Certified Copy

Ordinance: ORD-08-00026

File Number: 08827

Enactment Number: ORD-08-00026

Creating Section 15.01(567) 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 amending Section 15.02(143) of the Madison General Ordinances to assign the attached property to Ward 143.

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

An ordinance to create Subsection (567) 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 January 8, 2008, 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 February 11, 2008, 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 (567) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(567) - 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 Northeast ¼, part of the Northeast ¼ of the Northeast ¼ and part of the Southeast ¼ of the Northeast ¼ of Section 24. T8N, R9E, Town of Westport, Dane County, Wisconsin being more particularly described as follows: commencing at the Northeast corner of said Section 24; thence along the North line of the said Northeast ¼ N88°56'44"W, 725.00 feet to the point of beginning; thence continuing along said North line

N88°56'44"W, 1216.13 feet to the Northeast corner of Certified Survey Map No. 12293; thence along the East line of said Certified Survey Map S18°07'06"E, 126.76 feet; thence continuing along said East line S08°17'00"W, 280.45 feet; thence S81°13'24"E, 162.79 feet; thence S16°45'44"E, 645.49 feet; thence S44°22'38"E 143.37 feet; thence S87°42'41"E, 479.89 feet; thence S72°44'00"E, 1020.59 feet to the East line of said Northeast ¼; thence along said East line N01°37'04"E, 980.32 feet; thence N58°57'43"W, 849.53 feet to the said North line of the Northeast ¼ and the point of beginning. The above described parcel contains 1,969,669 square feet or 45.2173 acres or 0.0706521 square miles."

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

Ward 143. 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 ¼ of Section 24; thence S81°13'24"E, 162.79 feet; thence S16°45'44"E, 645.49 feet; thence S44°22'38"E 143.37 feet; thence S87°42'41"E, 479.89 feet; thence S72°44'00"E, 1020.59 feet to the East line of said Northeast ¼; thence along said East line N01°37'04"E, 980.32 feet; thence N58°57'43"W, 849.53 feet to the said North line of the Northeast ¼; thence continuing along said North line N88°56'44"W, 1216.13 feet to the Northeast corner of Certified Survey Map No. 12293; 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 said 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. Polling place at Blackhawk Middle School, 1402 Wyoming Way."

3. 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.

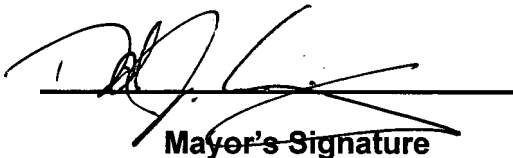
Adopted on roll call at a regular meeting of the Common Council of the City of Madison, Wisconsin, held on February 26, 2008.

Annexation vote:
Ayes: 20
Noes: 0

I, Maribeth Witzel-Behl, certify that this is a true copy of Ordinance No. 08827, passed by the COMMON COUNCIL on 2/26/2008.

Maribeth Witzel-Behl
Maribeth Witzel-Behl

3-20-2008
Date Certified


Mayor's Signature



BIRRENKOTT SURVEYING, INC.

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

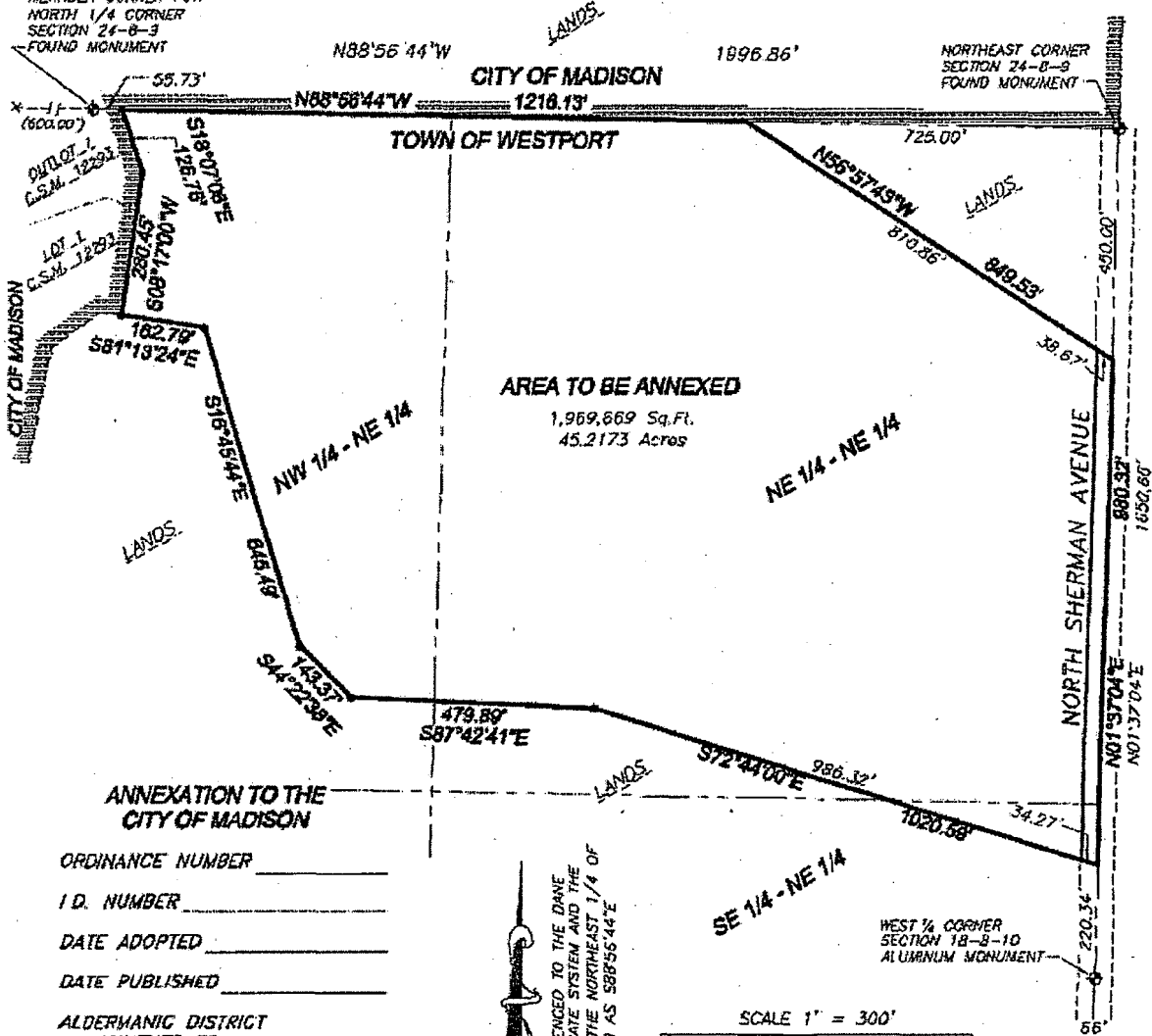
ANNEXATION MAP

**PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4,
PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 AND
PART OF THE SOUTHEAST 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, part of the Northeast 1/4 of the Northeast 1/4, and part of the Southeast 1/4 of the Northeast 1/4 of Section 24, T8N, R9E, Town of Westport, Dane County, Wisconsin being more particularly described as follows: commencing at the Northeast corner of said Section 24; thence along the North line of the said Northeast 1/4 N88°56'44"W, 725.00 feet to the point of beginning; thence continuing along said North line N88°56'44"W, 1216.13 feet to the Northeast corner of Certified Survey Map No. 12293; thence along the East line of said Certified Survey Map S18°07'06"E, 126.76 feet; thence continuing along said East line S08°17'00"W, 280.45 feet; thence S81°13'24"E, 162.79 feet; thence S16°45'44"E, 645.49 feet; thence S44°22'38"E, 143.37 feet; thence S87°42'41"E, 479.89 feet; thence S72°44'00"E, 1020.59 feet to the East line of said Northeast 1/4, thence along said East line N01°37'04"E, 980.32 feet; thence N56°57'43"W, 849.53 feet to the said North line of the Northeast 1/4 and the point of beginning. The above described parcel contains 1,969,669 square feet or 45.2173 acres or 0.0706521 square miles.

MEANDER CORNER FOR
NORTH 1/4 CORNER
SECTION 24-8-3
FOUND MONUMENT



**ANNEXATION TO THE
CITY OF MADISON**

ORDINANCE NUMBER _____
I.D. NUMBER _____
DATE ADOPTED _____
DATE PUBLISHED _____
ALDERMANIC DISTRICT
ANNEXED TO _____
AREA **0.0706521 Sq. Miles**

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

SCALE 1" = 300'
0 300 600

L:\2006\060409\0070811-ANNEX
V:\2001\011088 & J:\2006\CARLSON\011088

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: 3/17/08 (USE BLACK INK ONLY)

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