



City of Madison

Legislative File Number 04098 (version 1)

Title

Creating Section 15.01(559) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to the 17th Aldermanic District the Zeier Annexation and assigning a temporary zoning classification of A Agriculture District, and amending Section 15.02(18) of the Madison General Ordinances to assign the attached property to Ward 18.

Body

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

An ordinance to create Subsection (559) 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 30, 2006, mailed to the Clerk of the Town of Burke on June 30, 2006, and the Municipal Boundary Review Section, Department of Commerce, State of Wisconsin, on June 30, 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 (559) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(559) - There is hereby attached to the 17th Aldermanic District, the City of Madison, Dane County, Wisconsin, the following described property:

Part of West Half of the Northeast Quarter of the Northwest Quarter of Section 15, Township 08 North, Range 10 East, Town of Burke, Dane County, Wisconsin, more fully described as follows:

Commencing at the north quarter corner of said Section 15; thence south along the north-south quarter line of said Section 15, 33.0 feet, more or less, to the southerly right-of-way line of Hoepker Road; thence S88°19'38"W along said southerly right-of-way line, 658 feet, more or less, to the east line of the West Half of said Northeast Quarter of the Northwest Quarter; thence S00°55'27"W along said east line of the West Half, 759.2 feet, more or less, to the point of beginning, also being the southeast corner of Document Number 1281579, Dane County Registry; thence westerly parallel with the east-west quarter line of said Section 15, 165 feet, more or less to the southwest corner of said Document Number 1281579; thence N00°55'27"E parallel with the east line of the aforementioned West Half, 759 feet, more or less, to the southerly right-of-way line of Hoepker Road; thence S88°19'38"W along said southerly right-of-way line, 393.3 feet to the easterly line of Document Number 1097480, Dane County Registry; thence southerly parallel with said west line of the West Half, 187 feet, more or less, to the southeast corner of said Document Number 1097480; thence westerly parallel with the east-west quarter line of said Section 15, 100 feet, more or less, to said west line of the West Half; thence southerly along said west line of the West Half, 1106 feet, more or less, to the south line of the Northeast Quarter of the Northwest Quarter; thence easterly along said south line, 658.7 feet, more or less, to the east line of said West Half; thence N00°55'27"E along said east line of the West Half, 534.7 feet, more or less, to the point of beginning. This description contains approximately 16.23 acres."

2. Subsection (18) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is amended to read as follows:

"(18) Beginning at a point in the limits line of the City of Madison, said point being the point of intersection of the West right-of-way line of Interstate Highway 90 & 94 and the North line of the Southwest 1/4 of Section 22, Town 8 North, Range 10 East, Town of Burke, Dane County, Wisconsin (also the North line of the Village Green Woods Plat, City of Madison, Dane County, Wisconsin); thence Easterly along the North line of the Southwest 1/4 of said Section 22 to the centerline of Interstate Highway 90 & 94; thence Southeasterly along the centerline of Interstate Highway 90 & 94 to the point of intersection with the North line of Lien Road; thence Easterly along the North line of Lien Road to the West line of Section 26, Town 8 North, Range 10 East, Town of Burke, Dane County, Wisconsin; thence Southerly along the West line of said Section 26 to the Southwest corner of said Section 26 (also the limits line of the City of Madison); thence Easterly, Northeasterly, Southerly and Easterly along said limits line to the Southeast corner of the Southwest 1/4 of said Section 26; thence N00°06'09"E, along the North-South quarter line of said Section 26, also the East line of the Southwest 1/4 of Section 26, 221 feet, more or less, to the Easterly extension of the South line of Certified Survey Map (C.S.M.) 2239; thence S89°47'43"W, along the South line of said C.S.M. 2239, 537 feet, more or less, to the Southwest corner of said C.S.M. 2239; thence N00°12'16"W along the West line of C.S.M. 2239, 21 feet, more or less; thence S89°49'40"W, 130 feet, more or less; thence N49°55'20"W, 95.80 feet, more or less; thence N40°04'40"E, 128.50 feet, more or less; thence N89°47'44"E, along the Westerly extension of the Southerly right-of-way line of Wynter Lane, 20 feet, more or less, to the Westerly right-of-way line of said Wynter Lane; thence N40°01'43"E (bearings referenced to C.S.M. 2239), 44.43 feet to a point of curvature; thence N65°06'03"W, 119.98 feet along the chord of a arc to the right with a radius of 60.00 feet to a point of reverse curvature; thence S57°00'37"E, 32.86 feet along the chord of an arc to the left with a radius of 30.00 feet; thence N00°12'16"W, 150 feet, more or less; thence N89°47'44"E, 150 feet, more or less; thence S00°12'16"E, 150 feet, more or less, to the Northerly right-of-way line of said Wynter Lane; thence N89°47'44"E, 86 feet, more or less, along said Northerly right-of-way line; thence N00°06'09"E, 165 feet, more or less; thence N03°59'24"W, 378.43 feet, more or less; thence N00°06'16"E, 94 feet, more or less; thence S89°54'15"E, 264 feet, more or less, to the North-South quarter line of said Section 26; thence N00°06'09"E, along said North-South quarter line, 818.10 feet, more or less; thence N87°49'00"E, 218 feet, more or less; thence S00°06'09"W, 140 feet, more or less; thence S87°49'00"W, 185 feet more or less, to the Easterly right-of-way line of Felland Road; thence S00°06'09"W along said Easterly right-of-way line, 1623 feet, more or less, to the Northwest corner of Lot 1, C.S.M. 3085; thence Easterly along the North line of said Lot 1 to the Northeast corner of said Lot 1; thence Southerly along the East line of said Lot 1 to the Southeast corner of said Lot 1; thence Westerly along the South line of said Lot 1 to the Southwest corner of said Lot 1 (also the limits line of the City of Madison); thence Southerly right-of-way line to the East line of the West 1/2 of the Northwest 1/4 of said Section 26; thence Northerly along the East line of the West 1/2 of the Northwest 1/4 of said Section 26 and the East line of

the West 1/2 of the Southwest 1/4 of Section 23, Town 8 North, Range 10 East, Town of Burke, Dane County, Wisconsin to the North line of Burke Road; thence Westerly along the North line of Burke Road to the East line of City View Drive; thence Northerly along the East line of City View Drive to the Westerly prolongation of the South line of the Fourth Addition to High Crossing Plat, City of Madison, Dane County, Wisconsin; thence Easterly along said Westerly prolongation and the South line of said Fourth Addition to High Crossing Plat to the East line of said Fourth Addition to High Crossing Plat; thence Northerly, Easterly and Northerly along the East line of said Fourth Addition to High Crossing Plat to the Northeast corner of Lot 49, said Fourth Addition to High Crossing Plat (also the limits line of the City of Madison); thence Northerly, Easterly and Northerly along said limits line to the South line of Nelson Road; thence Easterly along the South line of Nelson Road to the centerline of Felland Road; thence Northerly along the centerline of Felland Road to the intersection with the centerline of Nelson Road; thence N89°41'48"E, 661.89 feet along the centerline of Nelson Road; thence N01°17'15"E, 33.02 feet to the North line of Nelson Road; thence Easterly along the North line of Nelson Road to the Northwest right-of-way line of the Soo Line Railroad; thence Northeasterly along said Northwest right-of-way line to the West line of Reiner Road (also the limits line of the City of Madison); thence Northerly, Westerly, Northerly and Westerly along said limits line to a point on the East line of the Southwest 1/4 of Section 14, Town 7 North, Range 10 East, Dane County, Wisconsin, said point being 150.00 feet North of the Southeast corner of the Southwest 1/4 of said Section 14, measured along the East line of the Southwest 1/4 of said Section 14; thence Northerly along the East line of the Southwest 1/4 of said Section 14 to the Southeast line of U.S. Highway 151 and the limits line of the City of Madison; thence Southwesterly, Northwesterly, Northeasterly and Northerly along said limits line to the Northeast corner of the Northwest 1/4 of said Section 14; thence Northerly 33 feet along the West line of the Southeast 1/4 of Section 11, Town 8 North, Range 10 East, Town of Burke, Dane County, Wisconsin to the North line of Hoepker Road; thence Westerly along the North line of Hoepker Road to the point of intersection with the Northerly prolongation of the West line of the Parkway Village Replat, City of Madison, Dane County, Wisconsin; thence Southerly along said Northerly prolongation to the South line of Hoepker Road ~~and the limits line of the City of Madison~~; thence South 88°25'02" West, 1316.19 feet along the south right-of-way line of Hoepker Road, as located in 1988, to the North-South quarter line of Section 15; thence continuing along the south right-of-way line of Hoepker Road, S88°19'50"W, 657.72 feet; thence South 00 degrees 55 minutes 27 seconds West along said east line of the West Half, 759.2 feet, more or less thence westerly parallel with the east-west quarter line of said Section 15, 165 feet, more or less; thence North 00 degrees 55 minutes 27 seconds East, 759 feet, more or less, to the southerly right-of-way line of Hoepker Road; thence South 88 degrees 19 minutes 38 seconds West along said southerly right-of-way line, 393.3 feet to a point 100 feet east of the west line of said West Half of the Northeast Quarter of the Northwest Quarter as measured along the right-of-way line; thence southerly parallel with said west line of the West Half, 187 feet, more or less, to a line 200 feet southerly of and parallel with the east-west quarter line of said Section 15; thence westerly parallel with the east-west quarter line of said Section 15, 100 feet, more or less, to said west line of the West Half; thence southerly along said west line of the West Half 1006 feet, more or less, to the south line of the Northeast Quarter of the Northwest Quarter; thence easterly along said south line 658.7 feet, more or less, to the east line of said West Half; thence South 00°51'35" West, 809.58 feet; thence South 88°34'57" West, 1,943.72 feet to the Easterly right-of-way line of Portage Road; thence South 00°52'36" West, 528.20 feet on said Easterly right-of-way line; thence South 01°08'25" West, 316.86 feet on said Easterly right-of-way line; thence South 88°51'35" East, 287.00 feet; thence South 01°08'25" West, 240.08 feet; thence North 88°51'35" West, 287.00 feet to the Easterly right-of-way line of said Portage Road; thence Westerly, Southerly Westerly, Southerly and Westerly along said the limits line of the City of Madison, to the point of intersection of the East line of Portage Road and the West right-of-way line of Interstate Highway 90 & 94; thence Southeasterly along the West right-of-way line of Interstate Highway 90 & 94 to the point of beginning. Polling place at No. 8 Fire Station, 3945 Lien Road."

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. 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

Annexation vote:

Ayes: _____
Noes: _____

Temporary Zoning vote:

Ayes: _____
Noes: _____

Fiscal Note

[enter Fiscal Note here]