

DOCUMENT # 4249474

10/27/2006 11:03AM

Trans. Fee:
Exempt #:

Rec. Fee: 25.00
Pages: 8

000550

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.

Hoepker-Paulson-Yelk Annexation
Ordinance #: ORD-06-00118
ID#: 04096

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

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

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)

Tammy Peters

Print or type name: Tammy Peters

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

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

8/25



Department of Revenue
Office of the City Clerk

000551

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-06-00118
ID NO. 04096
Hoepker-Paulson-Yelk 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-06-00118, ID No. 04096 on August 1, 2006; thereby accepting the petition filed in our office on October 31, 2005, 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-06-00118, 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 two (2).

Sincerely,

Maribeth Witzel-Behl
Maribeth Witzel-Behl
City Clerk

MWB:tlp

Secretary of State
Page 2

cc:

Dane County Register of Deeds
Clerk, Town of **Burke**
SBC
DeForest 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-06-00118

000553

File Number: 04096

Enactment Number: ORD-06-00118

Creating Section 15.01(557) 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 Hoepker-Paulson-Yelk Annexation and assigning a temporary zoning classification of A Agriculture District, creating Section 15.02(138) of the Madison General Ordinances to assign the attached property to Ward 138, and amending Section 15.03(17) to add Ward 138 to the 17th Aldermanic District.

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

An ordinance to create Subsection (557) 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 October 31, 2005, mailed to the Clerk of the Town of Burke on October 31, 2005, and the Municipal Boundary Review Section, Department of Commerce, State of Wisconsin, on November 7, 2005, 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 and all the electors, there being two (2) 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 the proposed Cooperative Plan among the Town of Burke, Village of DeForest, City of Sun Prairie, and City of Madison, the City agrees to make five (5) equal annual revenue sharing payments of fifty-thousand dollars (\$50,000) for a total of two hundred fifty thousand dollars (\$250,000), the first installment payable on August 1, 2008; and

WHEREAS, if the above Cooperative Plan is not approved, 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 (557) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(557) - There is hereby attached to the 17th Aldermanic District, the City of Madison, Dane County, Wisconsin, the following described property:

"The following described lands located in the SE ¼ of Section 9, the SW ¼ of Section 10 and the NE ¼ of Section 16, T8N, R10E, Town of Burke, Dane County, Wisconsin:

Beginning at the Southeast corner of Section 9, thence N00°00'21"E, 296.21 feet along the east line of the SE ¼

of Section 9 to the southeast corner of CSM No. 8211; thence S86°52'22"W, 333.00 feet along the south line of CSM No. 8211 to the southwest corner of said CSM No. 8211; thence N00°00'21"E, 300.00 feet along the west line of CSM No. 8211 to the northwest corner of said CSM No. 8211; thence N86°52'22"E, 333.00 feet along the north line of CSM No. 8211 to the east line of the SE ¼ of Section 9; thence N00°00'22"E, 63.21 feet along said east line of the SE ¼ of Section 9 to the northwest corner of Lot 1, CSM No. 1835, thence N88°21'08"E, 659.64 feet along the north line of Lot 1, CSM No. 1835 to the northeast corner of said Lot 1; thence N00°07'06"E, 329.64 feet along the west line of Lot 2, CSM No. 1835 to the northwest corner of said Lot 2; thence N88°21'30"E, 330.14 feet along the north line of Lot 2, CSM No. 1835 to the northeast corner of said Lot 2; thence N00°10'28"E, 659.20 feet along the west line of Lot 3, CSM No. 1835 to the northwest corner of said Lot 3; thence N88°22'14"E, 330.78 feet along the north line of Lot 3 and Lot 4, CSM No. 1835 to the northeast corner of said Lot 4; thence S00°13'51"W, 1439.09 feet along the east line of Lot 4, CSM No. 1835 to the northwest corner of Lot 1, CSM No. 2224; thence N88°24'11"E, 208.75 feet along the north line of Lot 1, CSM No. 2224 to the northeast corner of said Lot 1; thence S00°17'40"W, 208.75 feet along the east line of Lot 1, CSM No. 2224 to the south line of the SW ¼ of Section 10; thence N88°24'11"E, 293.28 feet along the south line of the SW ¼ of Section 10 to the southwest corner of CSM No. 4004; thence N02°50'20"E, 258.23 feet along the west line of CSM No. 4004 to the northwest corner of Lot 1, CSM No. 4004; thence N73°34'16"E, 143.01 feet along the north line of Lot 1, CSM No. 4004; thence N60°28'13"E, 141.62 feet continuing along said north line of Lot 1, CSM No. 4004, to the northeast corner of said Lot 1; thence S05°54'35"E, 361.43 feet along the east line of CSM No. 4004 to the south line of the SW ¼ of Section 10; thence N88°24'11"E, 504.47 feet along the south line of the SW ¼ of Section 10 to the South Quarter Corner of Section 10; thence N00°40'00"E (recorded as N03°14'29"E), 2636.23 feet along the east line of the SW ¼ of Section 10 to the northeast corner of said SW ¼ of Section 10; thence S88°23'W, 2362.9 feet along the north line of the SW ¼ of Section 10 to the northeast corner of Lot 1, CSM No. 1339; thence S00°00'22"W, 175.00 feet along the east line of Lot 1, CSM No. 1339 to the southeast corner of said Lot 1; thence S88°23'W, 287.3 feet along the south line of Lot 1, CSM No. 1339 to the west line of the SW ¼ of Section 10; thence N00°00'22"E, 10.00 feet along the west line of the SW ¼ of Section 10 to a point lying S00°00'22"W, 165.00 feet from the East Quarter Corner of Section 9; thence S89°39'15"W, 180.00 feet; thence N00°00'21"E, 165.00 feet to the north line of the SE ¼ of Section 9; thence S89°39'15"W, 2437.50 feet along the north line of the SE ¼ of Section 9; thence S00°15'37"W, 1012.49 feet to the easterly right-of-way line of I-90-94-39; thence N27°05'23"W, 47.88 feet along said easterly right-of-way line to the west line of the SE ¼ of Section 9; thence S00°15'38"W, 391.8 feet to the reference line of I-90-94-39, as established on WisDOT R/W Project No. I-90-2(12)122; thence S27°05'23"E, 1443.6 feet along said reference line of I-90-94-39 to the south line of the SE ¼ of Section 9; thence S89°15'32"W, 228.8 feet along the south line of the SE ¼ of Section 9; thence S27°04'53"E, 49.03 feet to the south right-of-way line of Hoepker Road; thence continuing S27°04'53"E, 437.76 feet along the southwest right-of-way line of I-90-94-39 to the east line of the West ½ of the NW ¼ of the NE ¼ of Section 16; thence N00°53'20"E, 170.57 feet along said east line of the West ½ of the NW ¼ of the NE ¼ of Section 16; thence S27°04'53"E, 1388.37 feet continuing along said southwesterly right-of-way of I-90-94-39 to a point of curvature; thence continuing along said southwesterly right-of-way of I-90-94-39 and along the arc of a curve to the right with a radius of 7514.11 feet and a long chord of S26°59'16"E, 24.58 feet to the east line of the SW ¼ of the NE ¼ of Section 16; thence N00°53'11"E, 211.8 feet along the east line of the SW ¼ of the NE ¼ of Section 16 to the southwest corner of the NE ¼ of the NE ¼ of Section 16; thence N89°25'25"E, 179.2 feet to the southwest corner of Lot 2, CSM No. 10965; thence N89°25'25"E, 816.64 feet along the south line of Lot 2, CSM No. 10965; thence N00°52'59"E, 66.02 feet; thence N89°25'25"E, 329.89 feet along the south line of Lot 2, CSM No. 10965 to the east line of the NE ¼ of Section 16; thence N00°52'59"E, 808.16 feet along the east line of the NE ¼ of Section 16; thence S89°17'27"W, 798.50 feet along the south line of Lot 1, CSM No. 1598 to the southwest corner of said Lot 1; thence N00°55'40"W, 450.19 feet along the west line of Lot 1, CSM No. 1598 to the north line of the NE ¼ of Section 16; thence N89°15'56"E, 798.16 feet along the north line of the NE ¼ of Section 16 to the point of beginning. Containing 319.0 acres more or less. Subject to all easements of record."

2. Subsection (138) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is created to read as follows:

"(138) Ward 138.

Beginning at the Southeast corner of Section 9, thence N00°00'21"E, 296.21 feet along the east line of the SE ¼ of Section 9 to the southeast corner of CSM No. 8211; thence S86°52'22"W, 333.00 feet along the south line of CSM No. 8211 to the southwest corner of said CSM No. 8211; thence N00°00'21"E, 300.00 feet along the west line of CSM No. 8211 to the northwest corner of said CSM No. 8211; thence N86°52'22"E, 333.00 feet along the

north line of CSM No. 8211 to the east line of the SE ¼ of Section 9; thence N00°00'22"E, 63.21 feet along said east line of the SE ¼ of Section 9 to the northwest corner of Lot 1, CSM No. 1835, thence N88°21'08"E, 659.64 feet along the north line of Lot 1, CSM No. 1835 to the northeast corner of said Lot 1; thence N00°07'06"E, 329.64 feet along the west line of Lot 2, CSM No. 1835 to the northwest corner of said Lot 2; thence N88°21'30"E, 330.14 feet along the north line of Lot 2, CSM No. 1835 to the northeast corner of said Lot 2; thence N00°10'28"E, 659.20 feet along the west line of Lot 3, CSM No. 1835 to the northwest corner of said Lot 3; thence N88°22'14"E, 330.78 feet along the north line of Lot 3 and Lot 4, CSM No. 1835 to the northeast corner of said Lot 4; thence S00°13'51"W, 1439.09 feet along the east line of Lot 4, CSM No. 1835 to the northwest corner of Lot 1, CSM No. 2224; thence N88°24'11"E, 208.75 feet along the north line of Lot 1, CSM No. 2224 to the northeast corner of said Lot 1; thence S00°17'40"W, 208.75 feet along the east line of Lot 1, CSM No. 2224 to the south line of the SW ¼ of Section 10; thence N88°24'11"E, 293.28 feet along the south line of the SW ¼ of Section 10 to the southwest corner of CSM No. 4004; thence N02°50'20"E, 258.23 feet along the west line of CSM No. 4004 to the northwest corner of Lot 1, CSM No. 4004; thence N73°34'16"E, 143.01 feet along the north line of Lot 1, CSM No. 4004; thence N60°28'13"E, 141.62 feet continuing along said north line of Lot 1, CSM No. 4004, to the northeast corner of said Lot 1; thence S05°54'35"E, 361.43 feet along the east line of CSM No. 4004 to the south line of the SW ¼ of Section 10; thence N88°24'11"E, 504.47 feet along the south line of the SW ¼ of Section 10 to the South Quarter Corner of Section 10; thence N00°40'00"E (recorded as N03°14'29"E), 2636.23 feet along the east line of the SW ¼ of Section 10 to the northeast corner of said SW ¼ of Section 10; thence S88°23"W, 2362.9 feet along the north line of the SW ¼ of Section 10 to the northeast corner of Lot 1, CSM No. 1339; thence S00°00'22"W, 175.00 feet along the east line of Lot 1, CSM No. 1339 to the southeast corner of said Lot 1; thence S88°23"W, 287.3 feet along the south line of Lot 1, CSM No. 1339 to the west line of the SW ¼ of Section 10; thence N00°00'22"E, 10.00 feet along the west line of the SW ¼ of Section 10 to a point lying S00°00'22"W, 165.00 feet from the East Quarter Corner of Section 9; thence S89°39'15"W, 180.00 feet; thence N00°00'21"E, 165.00 feet to the north line of the SE ¼ of Section 9; thence S89°39'15"W, 2437.50 feet along the north line of the SE ¼ of Section 9; thence S00°15'37"W, 1012.49 feet to the easterly right-of-way line of I-90-94-39; thence N27°05'23"W, 47.88 feet along said easterly right-of-way line to the west line of the SE ¼ of Section 9; thence S00°15'38"W, 391.8 feet to the reference line of I-90-94-39, as established on WisDOT R/W Project No. I-90-2(12)122; thence S27°05'23"E, 1443.6 feet along said reference line of I-90-94-39 to the south line of the SE ¼ of Section 9; thence S89°15'32"W, 228.8 feet along the south line of the SE ¼ of Section 9; thence S27°04'53"E, 49.03 feet to the south right-of-way line of Hoepker Road; thence continuing S27°04'53"E, 437.76 feet along the southwest right-of-way line of I-90-94-39 to the east line of the West ½ of the NW ¼ of the NE ¼ of Section 16; thence N00°53'20"E, 170.57 feet along said east line of the West ½ of the NW ¼ of the NE ¼ and continuing along said southwesterly right-of-way of I-90-94-39; thence S27°04'53"E, 1388.37 feet continuing along said southwesterly right-of-way of I-90-94-39 to a point of curvature; thence continuing along said southwesterly right-of-way of I-90-94-39 and along the arc of a curve to the right with a radius of 7514.11 feet and a long chord of S26°59'16"E, 24.58 feet to the east line of the SW ¼ of the NE ¼ of Section 16; thence N00°53'11"E, 211.8 feet along the east line of the SW ¼ of the NE ¼ of Section 16 to the southwest corner of the NE ¼ of the NE ¼ of Section 16; thence N89°25'25"E, 179.2 feet to the southwest corner of Lot 2, CSM No. 10965; thence N89°25'25"E, 816.64 feet along the south line of Lot 2, CSM No. 10965; thence N00°52'59"E, 66.02 feet; thence N89°25'25"E, 329.89 feet along the south line of Lot 2, CSM No. 10965 to the east line of the NE ¼ of Section 16; thence N00°52'59"E, 808.16 feet along the east line of the NE ¼ of Section 16; thence S89°17'27"W, 798.50 feet along the south line of Lot 1, CSM No. 1598 to the southwest corner of said Lot 1; thence N00°55'40"W, 450.19 feet along the west line of Lot 1, CSM No. 1598 to the north line of the NE ¼ of Section 16; thence N89°15'56"E, 798.16 feet along the north line of the NE ¼ of Section 16 to the point of beginning Polling place at Sandburg Elementary School, 4114 Donald Dr."

3. Subsection (17) entitled "Seventeenth Aldermanic District" of Section 15.03 entitled "Aldermanic Districts" of the Madison General Ordinances is amended to read as follows:

"(17) Seventeenth Aldermanic District, Wards 15, 16, 17, 18, 19, 20, 21, 108, and 118, and 138."

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-06-00118, passed by the COMMON COUNCIL on 8/1/2006.

Maribeth Witzel-Behl
Maribeth Witzel-Behl, City Clerk

10-25-06
Date Certified

[Signature]
Mayor's Signature

CITY OF MADISON

Proposed Annexation

Annexation Name: Hoepker - Paulson - Yelk Annexation

Location: Hoepker Road/Portage Road/ Interstate 90/94/39

Petitioner: Donald and Juanita Hoepker/ Paulson Investments/Robert Yelk

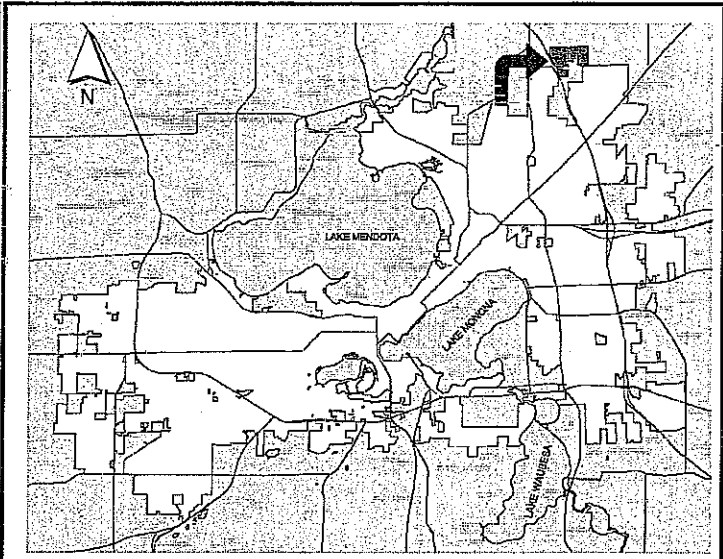
Existing Use: Single Family House and Vacant Lands

Proposed Use: Future Development

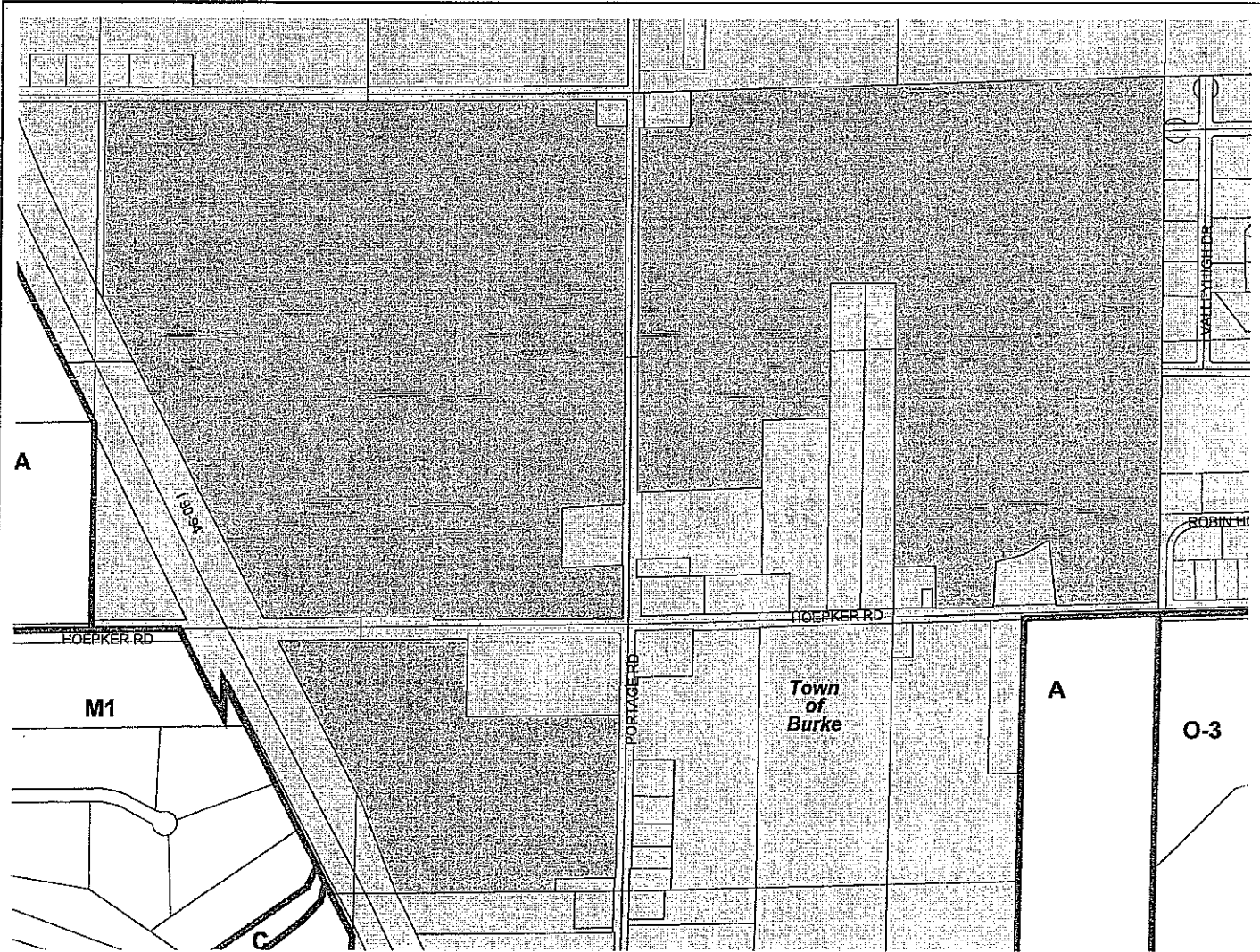
Public-Hearing Dates:

Plan Commission 24 July 2006

Common-Council 01 August 2006



For 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)