



**City of Madison**

**Legislative File Number 04095 (version 1)**

**Title**

Creating Section 15.01(553) 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 Lawry Annexation and assigning a temporary zoning classification of A Agriculture District, and amending Section 15.02(133) of the Madison General Ordinances to assign the attached property to Ward 133.

**Body**

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

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An ordinance to create Subsection (553) 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 5, 2005, mailed to the Clerk of the Town of Burke on October 6, 2005, and the Municipal Boundary Review Section, Department of Commerce, State of Wisconsin, on October 6, 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, 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 (553) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(553) - There is hereby attached to the 17th Aldermanic District, the City of Madison, Dane County, Wisconsin, the following described property:

A parcel of land located in T8N, R10E, Town of Burke, Dane County, Wisconsin, to-wit:

Part of the SW ¼ of the SE ¼ lying South of the Southwest right of way line of I-90 and North of the

centerline of Hoepker Road, Section 9, T8N, R10E, Dane County, Wisconsin.

This parcel contains 5 acres (217,800 square feet) more or less.”

2. Subsection (133) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is amended to read as follows:

“(133) Ward 133. Commencing on the City of Madison corporate limits at the South 1/4 corner of Section 9, T8N, R10E, Town Of Burke, Dane County, Wisconsin and the point of beginning of this description; ~~thence N0°38'58"E, along the East line of the East 1/2 of the SW 1/4 of said Section 9, 4022.33 feet; thence along the South line of the South 1/4 of said Section 9, the centerline of Hoepker Road and the existing City of Madison corporate limits; 490.5 feet more or less to the Southwesterly r/w line of Interstate Highways "90 & 94"; thence continuing along said Southwesterly r/w line of Interstate Highways "90 & 94" 1099.3 feet more or less;~~ thence N26°42'01"W, along said Southwesterly r/w line, 1029.39 feet; thence N32°24'39"W, along said Southwesterly r/w line, 301.50 feet; thence N26°42'01"W, along said Southwesterly r/w, 514.89 feet to the North line of the East 1/2 of the SW 1/4 of said Section 9 and the centerline of Anderson Road; thence N89°57'38"W, along said North line and centerline, 451.27 feet; thence S0°32'04"W, along the West line of the East 1/2 of the SW 1/4 of said Section 9, 2668.91 feet to the South line of the SW 1/4 of said Section 9, the centerline of Hoepker Road and the existing City of Madison corporate limits; thence N89°28'34"E, along the said South line and centerline ~~and existing City of Madison corporate limits,~~ 1320.11 feet to the South 1/4 corner of said Section 9 and the point of beginning. Polling place at National Guard Armory, 1402 Wright Street.”

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:

Temporary Zoning vote:

Ayes: \_\_\_\_\_  
Noes: \_\_\_\_\_

Ayes: \_\_\_\_\_  
Noes: \_\_\_\_\_

**Fiscal Note**

[enter Fiscal Note here]