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Tx: 8522029

**KRISTI CHLEBOWSKI
DANE COUNTY
REGISTER OF DEEDS**

**DOCUMENT #
5059860**

03/24/2014 12:19 PM
Trans. Fee:
Exempt #:
Rec. Fee: 30.00
Pages: 15

Document Number

Document Title

ATTACHMENT 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 18th day of March, 2014.

Watermark Annexation
Ordinance #: ORD-14-00055
ID#: 33170

Name and Return Address

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

Parcel Identification Number (PIN)

March 24, 2014
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)

Eric Christianson

Subscribed and sworn to before me on March 24, 2014 by the above named person(s).

Signature of notary or other person authorized to administer an oath Eric Christianson
(as per s. 706.06, 706.07)

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

Print or type name: Eric Christianson

Title: Municipal Clerk 2 Date commission expires: 6/29/2014

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



City of Madison

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

Certified Copy

Ordinance: ORD-14-00055

File Number: 33170

Enactment Number: ORD-14-00055

Creating Section 15.01(591) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing privately owned land located at 7273 Midtown Road to the 1st Aldermanic District and assigning a temporary zoning classification of A Agricultural District, creating Section 15.02(125) of the Madison General Ordinances to assign the attached property to Ward 125, and amending Section 15.03(1) of the Madison General Ordinances to add Ward 125 to Aldermanic District 1.

DRAFTER'S ANALYSIS: This ordinance annexes land owned privately at 7273 Midtown Road in the Town of Verona. Under Wis. Stat. Sec. § 66.0217, this annexation is effective upon enactment of the annexation ordinance.

An ordinance to create Subsection (591) 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, pursuant to Wis. Stat. § 66.0217, the City of Madison wishes to annex lands privately owned land in the Town of Verona as shown on the attached map and described below; and

WHEREAS, a petition with scale map attached was filed with the City Clerk of Madison on February 18, 2014, 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 Verona; said petition having been signed by the owners of all the real property within the territory, and all of the electors residing within the territory, which has a population of two (2) and lies contiguous to the City of Madison; and

WHEREAS, pursuant to Sec. 28.005, Madison General Ordinances, the annexed territory is declared to be in the A Agricultural District and the annexation and temporary zoning were considered by the Plan Commission at its meeting of March 10, 2014, and adoption of the said annexation and zoning were recommended; and

WHEREAS, pursuant to Sec. 66.0217(14)(a)1., the City of Madison agrees to pay annually to the Town of Verona, 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 having been reviewed, the Common Council 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 (591) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(591) - There is hereby annexed to the 1st Aldermanic District, the City of Madison, Dane County, Wisconsin, the following described property:

Being Lot 1, Certified Survey Map No. 1964, recorded in Volume 8 of Certified Survey Maps, pages 96-98 as Document No. 1464093 and a parcel of land located in the NE ¼ of the NW ¼ of Section 4, T6N, R8E, in the City of Madison, Dane County, Wisconsin, to-wit: Commencing at the North quarter corner of said Section 4; thence S89°16'00"W, 9.25 feet along the north line of said NW ¼; thence S00°44'57"W, 33.01 feet to the Northeast corner of said Lot 1, Certified Survey Map No. 1964 to the point of beginning, also being a point on the Westerly right-of-way line of Woods Road, said point being S89°16'00"W, 9.25 feet from the North - South ¼ line of Section 4, T6N, R8E, as measured along the Southerly right-of-way of Mid Town Road; thence S00°44'57"W (S00°44'35"W per Certified Survey Map No. 1964 and S00°14'47"W per City of Madison NAD27 control) along said Westerly right-of-way line of Woods Road and East line of Lot 1, Certified Survey Map No. 1964, 467.00 feet to the Southeast corner of said Lot 1, Certified Survey Map No. 1964; thence S89°15'49"W, along the South line of said Lot 1, 467.00 feet to the Southwest corner thereof; thence N00°44'35"E, along the West line of said Lot 1, 460.00 feet, to a point 7.00 feet South of, measured at right angles to, the existing South right-of-way line of Mid Town Road as presently located (November 2013); thence S89°15'49"W, parallel with and 40.00 feet South of, measured at right angles to, the North line of the NW ¼ of Section 4, T6N, R8E, 791.19 feet to a point on the East line of lands described in certain quit claim deed recorded as Document No. 4002902; thence N00°46'25"E, along the East line of said lands, 7.06 feet; thence N89°16'00"E, along the south right of way line of Mid Town Road, 1258.23 feet to the point of beginning. This area contains 223,600 square feet or 5.133 acres."

2. Subsection (125) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is created to read as follows:

"(125) Ward 125. Being Lot 1, Certified Survey Map No. 1964, recorded in Volume 8 of Certified Survey Maps, pages 96-98 as Document No. 1464093 and a parcel of land located in the NE ¼ of the NW ¼ of Section 4, T6N, R8E, in the City of Madison, Dane County, Wisconsin, to-wit: Commencing at the North quarter corner of said Section 4; thence S89°16'00"W, 9.25 feet along the north line of said NW ¼; thence S00°44'57"W, 33.01 feet to the Northeast corner of said Lot 1, Certified Survey Map No. 1964 to the point of beginning, also being a point on the Westerly right-of-way line of Woods Road, said point being S89°16'00"W, 9.25 feet from the North - South ¼ line of Section 4, T6N, R8E, as measured along the Southerly right-of-way of Mid Town Road; thence S00°44'57"W (S00°44'35"W per Certified Survey Map No. 1964 and S00°14'47"W per City of Madison NAD27 control) along said Westerly right-of-way line of Woods Road and East line of Lot 1, Certified Survey Map No. 1964, 467.00 feet to the Southeast corner of said Lot 1, Certified Survey Map No. 1964; thence S89°15'49"W, along the South line of said Lot 1, 467.00 feet to the Southwest corner thereof; thence N00°44'35"E, along the West line of said Lot 1, 460.00 feet, to a point 7.00 feet South of, measured at right angles to, the existing South right-of-way line of Mid Town Road as presently located (November 2013); thence S89°15'49"W, parallel with and 40.00 feet South of, measured at right angles to, the North line of the NW ¼ of Section 4, T6N, R8E, 791.19 feet to a point on the East line of lands described in certain quit claim deed recorded as Document No. 4002902; thence N00°46'25"E, along the East line of said lands, 7.06 feet; thence N89°16'00"E, along the south right of way line of Mid Town Road, 1258.23 feet to the point of beginning. Polling place at Blackhawk Church, 9620 Brader Way."

3. Subsection (1) of Section 15.03 entitled "Aldermanic Districts" of the Madison General Ordinances is amended to read as follows:

"(1) First Aldermanic District. Wards 101, 102, 103, 104, 105, 106, 114, 115, 116, 119, and 121, and 125."

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.

I, City Clerk Maribeth Witzel-Behl, certify that this is a true copy of Ordinance No. 14-00055, Adopted by the Madison Common Council on March 18, 2014.

Maribeth Witzel-Behl

3-21-2014
Date Certified



Annexation Name
Watermark – Midtown Rd

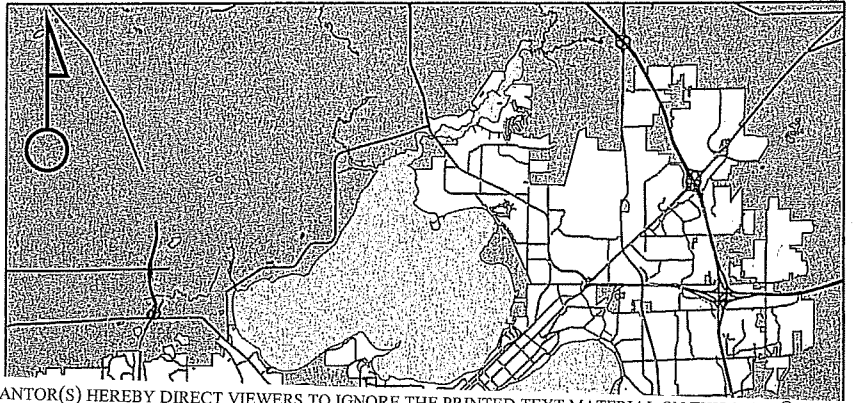
Location
7273 Midtown Rd

Petitioner
JT Watermark LLC

Existing Use
Single Family House

Proposed Use
Residential

Public Hearing Date
Plan Commission
10 March 2014
Common Council
18 March 2014

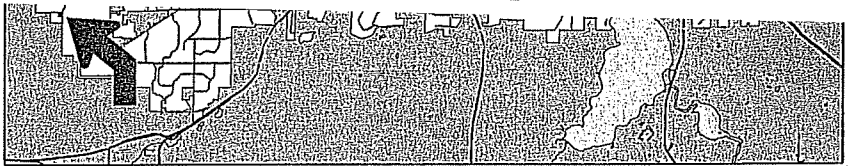


NOTE: PLEASE BE ADVISED THAT THE DOCUMENT GRANTOR(S) HEREBY DIRECT VIEWERS TO IGNORE THE PRINTED TEXT MATERIAL ON THIS MAP. ONLY THE SPATIAL RELATIONSHIPS OF THE ILLUSTRATIONS ON THE MAP ARE BEING PRESENTED FOR YOUR INFORMATION.

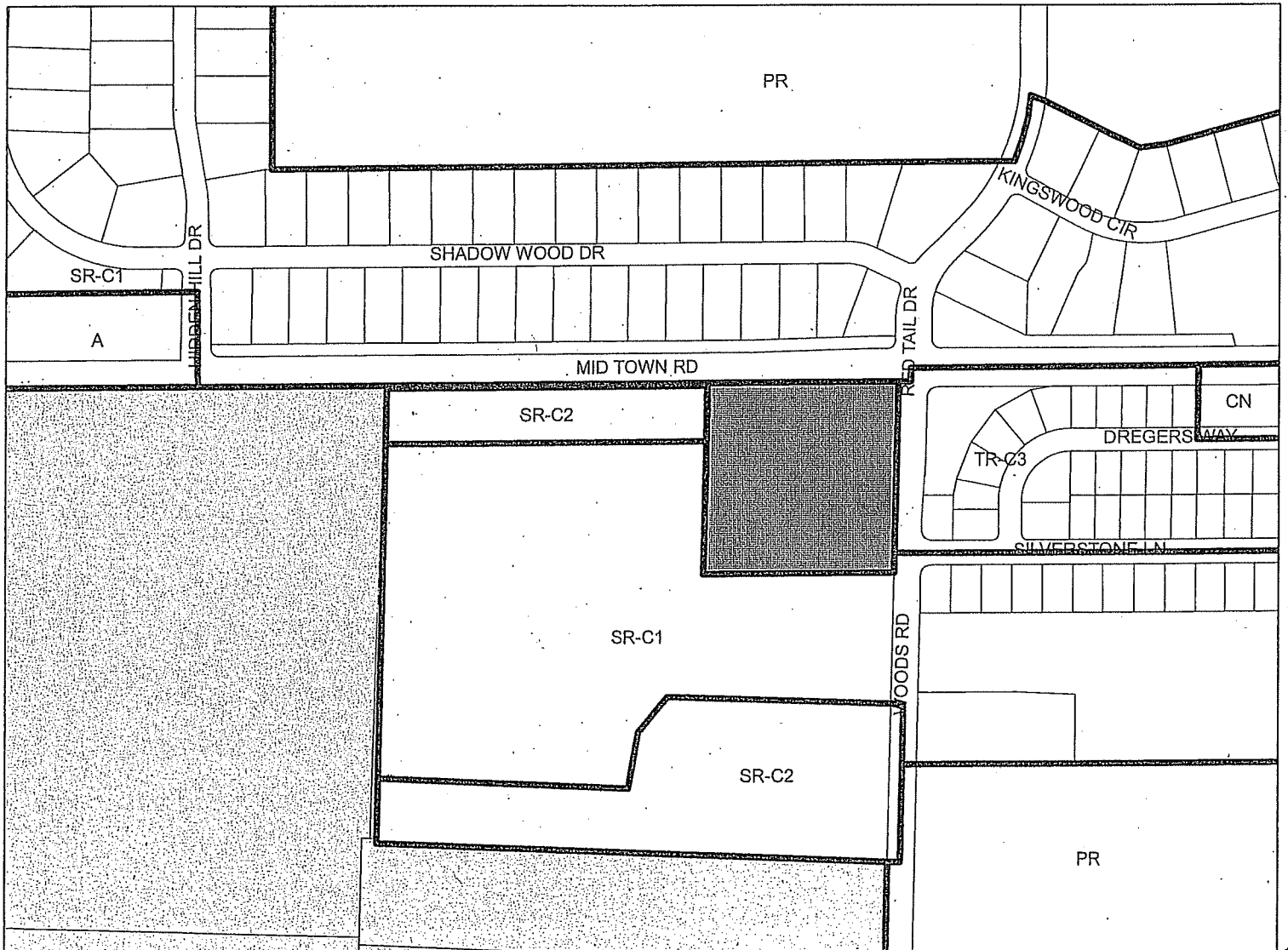
Signed by grantor(s) or grantor(s) agent: Maribeth Witzel-Behl

Date: 3-24-14

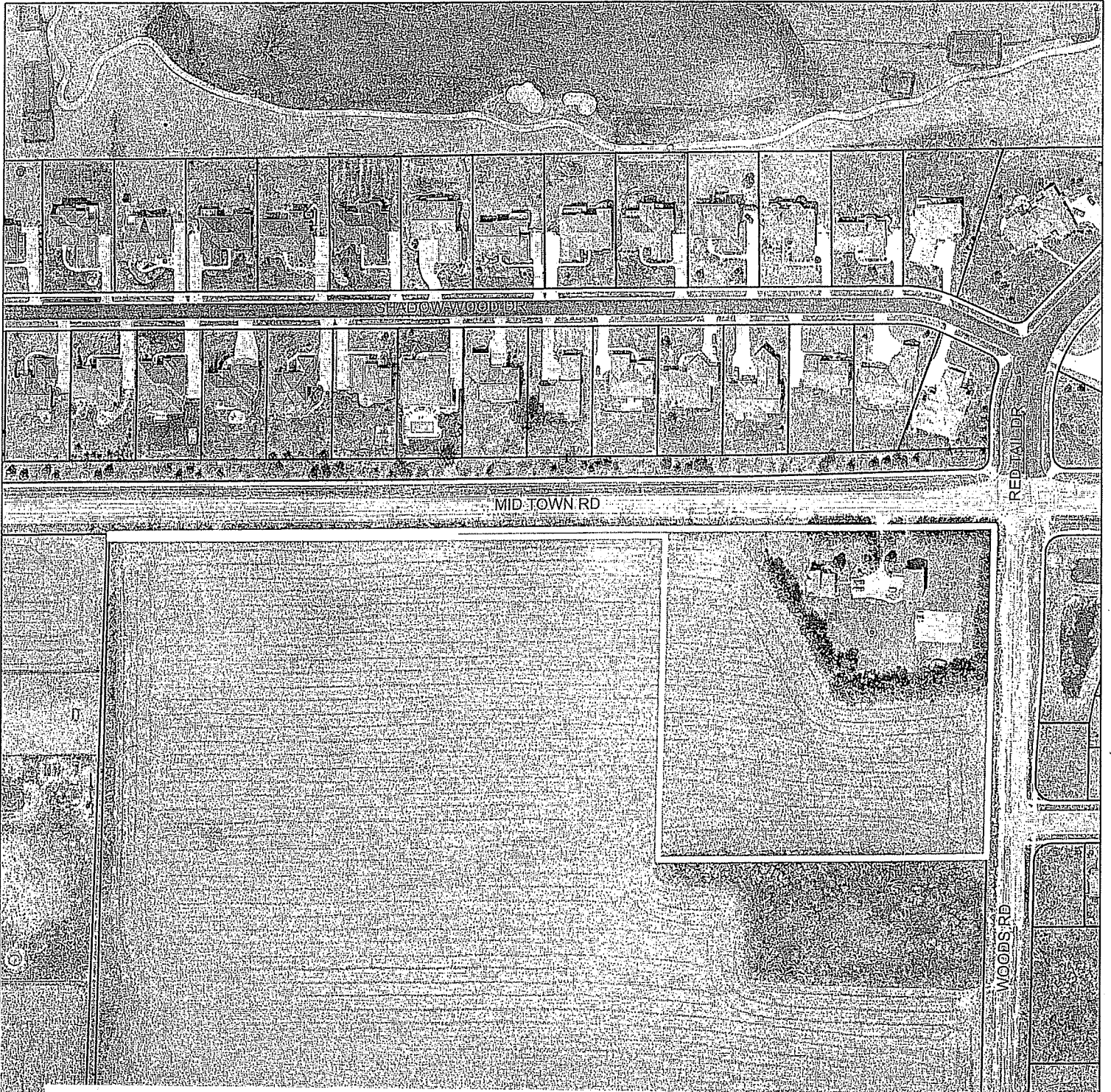
Name of grantor(s) or grantor(s) agent printed: Maribeth Witzel-Behl



For Questions Contact: Tim Parks at: 261-9632 or tparks@cityofmadison.com or City Planning at 266-4635



Scale : 1" = 400'



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Signed by grantor(s) or grantor(s) agent: Maribeth Witzel-Behl

Date: 3.24.14

Name of grantor(s) or grantor(s) agent printed: Maribeth Witzel-Behl

Date: February 13, 2014

To: City of Madison
Attn: Tim Parks
(hand carry)

Re: Hawks Valley

CITY OF MADISON

FEB 13 2014

Planning & Community
& Economic Development

Enclosed you will find the following related information:

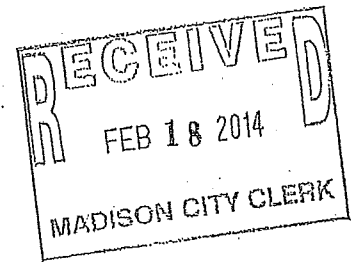
Annexation Petition

Warranty Deed from closing

DOA Annexation submittal - DKA to submit directly to DOA

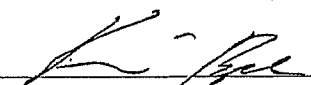
1 Number of Copies.

- For your approval and/or comments.
- Per your request.
- With our approval as noted thereon.
- For your information.
- Preliminary only.
- Revised copy.



Remarks:

Sincerely Yours,
D'Onofrio, Kottke & Associates, Inc.



 Kevin J. Pape, RLS, PE

FN: 13-07-115

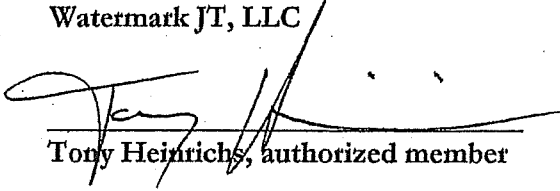
cc: Town of Verona

PETITION FOR ANNEXATION

NOW COMES the undersigned, pursuant to Wisconsin Statutes Section 66.0217(2) and petitions the City of Madison, Dane County, State of Wisconsin as follows:

1. The undersigned are all of the owners of all of the real property described in the attached Exhibit I.
2. The undersigned hereby petition and request the territory described in the attached Exhibit I to be directly annexed to the City of Madison, Dane County, State of Wisconsin.
3. Undersigned further petition and request that an annexation ordinance for the annexation of the above described territory be enacted by the governing body of the City of Madison, Dane County, State of Wisconsin in accordance with Wisconsin Statute Section 66.0217, forthwith.
4. A scale map of the property to be annexed, marked Exhibit II, showing the boundaries of such territory and the relation of the territory to the municipality to which annexation is requested, is attached hereto and incorporated by reference in this petition.
5. The area of the property to be annexed is 223,600 square feet; 5.133 acres; 0.0080 sq. mi.
6. The current population of the territory to be annexed is two including two electors.
7. There is currently one dwelling unit located on the property to be annexed.
8. The undersigned further petitions that upon annexation the territory so annexed be temporarily designated for zoning purposes as "Temporary A" until the zoning ordinance is amended as prescribed by the Wisconsin Statutes.
9. The undersigned state and affirm their unanimous approval of the proposed annexation.

Watermark JT, LLC


Tony Heinrichs, authorized member

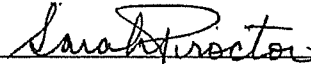
STATE OF WISCONSIN)

)ss.

COUNTY OF DANE)

Personally came before me this 13th day of February, 201~~3~~⁴, the above named person(s), to be known to be the person(s) who executed the foregoing instrument and acknowledged the same.

My Commission Expires: 11-13-16


Notary Public, Dane County, WI

This instrument drafted by:
D'Onofrio Kottke & Associates, Inc.
7530 Westward Way
Madison, WI 53717

NOTARY PUBLIC
SARAH PROCTOR
STATE OF WISCONSIN

u/user/1007116/project docs/annexation petition 2013.docx

EXHIBIT I

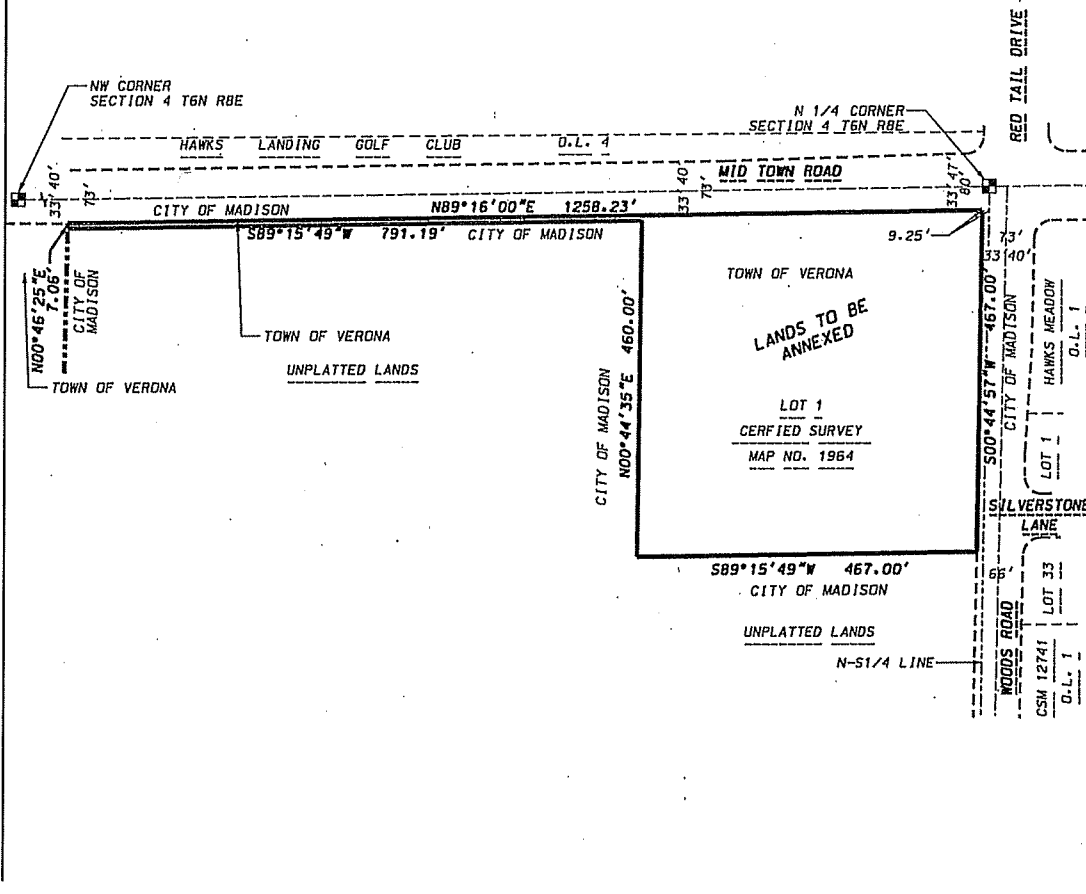
Being Lot 1, Certified Survey Map No. 1964, recorded in Volume 8 of Certified Survey Maps, pages 96-98 as Document No. 1464093 and a parcel of land located in the Northeast 1/4 of the Northwest 1/4 of Section 4, T6N, R8E, in the City of Madison, Dane County, Wisconsin, to-wit: Commencing at the North quarter corner of said Section 4; thence S89°16'00"W, 9.25 feet along the north line of said NW1/4; thence S00°44'57"W, 33.01 feet to the Northeast corner of said Lot 1, Certified Survey Map No. 1964 to the point of beginning, also being a point on the Westerly right-of-way line of Woods Road, said point being S89°16'00"W, 9.25 feet from the North – South 1/4 line of Section 4, T6N, R8E, as measured along the Southerly right-of-way of Mid Town Road; thence S00°44'57"W (S00°44'35"W per Certified Survey Map No. 1964 and S00°14'47"W per City of Madison NAD27 control) along said Westerly right-of-way line of Woods Road and East line of Lot 1, Certified Survey Map No. 1964, 467.00 feet to the Southeast corner of said Lot 1, Certified Survey Map No. 1964; thence S89°15'49"W, along the South line of said Lot 1, 467.00 feet to the Southwest corner thereof; thence N00°44'35"E, along the West line of said Lot 1, 460.00 feet, to a point 7.00 feet South of, measured at right angles to, the existing South right-of-way line of Mid Town Road as presently located (November 2013); thence S89°15'49"W, parallel with and 40.00 feet South of, measured at right angles to, the North line of the Northwest 1/4 of Section 4, Town 6 North, Range 8 East, 791.19 feet to a point on the East line of lands described in certain quit claim deed recorded as Document No. 4002902; thence N00°46'25"E, along the East line of said lands, 7.06 feet; thence N89°16'00"E, along the south right of way line of Mid Town Road, 1258.23 feet to the point of beginning.

EXHIBIT II

LANDS TO BE ANNEXED TO THE CITY OF MADISON

Enactment No. _____
 File ID No. _____
 Date Adopted _____
 Date Published _____

Aid. District Annexed to _____
 Area 223,600 sf; 5.133 ac; 0.0080 sq. mi.



NOTE: PLEASE BE ADVISED THAT THE DOCUMENT GRANTOR(S) HEREBY DIRECT VIEWERS TO IGNORE THE PRINTED TEXT MATERIAL ON THIS MAP. ONLY THE SPATIAL RELATIONSHIPS OF THE ILLUSTRATIONS ON THE MAP ARE BEING PRESENTED FOR YOUR INFORMATION.

Signed by grantor(s) or grantor(s) agent: Maribeth Witzel-Behl
 Name of grantor(s) or grantor(s) agent printed: Maribeth Witzel-Behl

Date: 3-24-14

D'ONOFRIO KOTTKE AND ASSOCIATES, INC.
 7530 Westward Way, Madison, WI 53717
 Phone: 608.833.7530 • Fax: 608.833.1089
 YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT



0 200
 Scale 1" = 200'

DATE: 12-05-13
 F.N.: 13-07-115
 REV.

DRAWN BY: KJP

U:\USER\1007116\DRAWINGS\ANNEXATION.DGN

5

STATE BAR OF WISCONSIN FORM 2-2003
WARRANTY DEED

Document Number

Document Name

THIS DEED, made between James W. Weber and Gayla S. Garlick-Hansen a/k/a Gayla Garlick-Hansen husband and wife

("Grantor," whether one or more), and Watermark JT, LLC

("Grantee," whether one or more).

Grantor, for a valuable consideration, conveys and warrants to Grantee the following described real estate in Dane County, State of Wisconsin ("Property") (if more space is needed, please attach addendum):

Lot 1, Certified Survey Map 1964, recorded in Vol. 8 of Certified Survey Maps, page 96, as #1464093, in the Town of Verona, Dane County, Wisconsin.

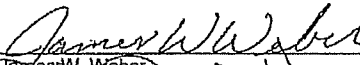
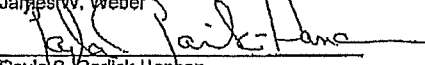
RETURN TO
Tony Heinrichs
702 N. Highpoint Rd.
Madison, WI 53717

Tax Parcel No.:
062-0608-042-8000-6

This is a homestead property.

Exception to warranties: Municipal and zoning ordinances and agreements entered under them, recorded easements for the distribution of utility and municipal services, recorded building and use restrictions and covenants, present uses of the Property in violation of the foregoing disclosed in Seller's Real Estate Condition Report and in the Offer, and general taxes levied in the year of closing.

Dated this 13th day of February, 2014.


James W. Weber

Gayla S. Garlick-Hansen

AUTHENTICATION

ACKNOWLEDGMENT

Signature(s)

STATE OF WISCONSIN

DANE COUNTY

)
) ss.
)

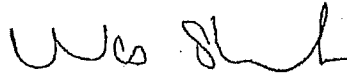
authenticated this ___ day of _____, 20__

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not, _____
authorized by § 706.06, Wis. Stats.)

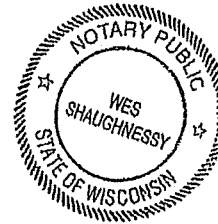
Personally came before me this 13th day of February, 2014 the above named James W. Weber and Gayla S. Garlick-Hansen; to me known to be the person(s) who executed the foregoing instrument and acknowledge the same.

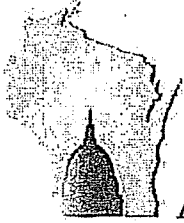
THIS INSTRUMENT WAS DRAFTED BY
Attorney Perry J. Armstrong



* Wes Shaughnessy
Notary Public Dane County, WI
My Commission expires: 12/04/2017

(Signatures may be authenticated or acknowledged. Both are not necessary.)





WISCONSIN DEPARTMENT OF
ADMINISTRATION

SCOTT WALKER
GOVERNOR
MIKE HUEBSCH
SECRETARY

Municipal Boundary Review
PO Box 1645, Madison WI 53701
Voice (608) 264-6102 Fax (608) 264-6104
Email: wimunicipalboundaryreview@wi.gov
Web: <http://doa.wi.gov/municipalboundaryreview/>

March 5, 2014

PETITION FILE NO. 13754

MARIBETH WITZEL-BEHL, CLERK
CITY OF MADISON
210 M L K JR BLVD RM 103
MADISON, WI 53703

JOHN WRIGHT, CLERK
TOWN OF VERONA
335 N NINE MOUND RD
VERONA, WI 53593

Subject: WATERMARK JT, LLC ANNEXATION

The proposed annexation submitted to our office on February 13, 2014, has been reviewed and found to be in the public interest. In determining whether an annexation is in the public interest, s. 66.0217 (6), Wis. Stats. requires the Department to examine "[t]he shape of the proposed annexation and the homogeneity of the territory with the annexing village or city and any other contiguous village or city...." so as unincorporated land transitions to city or village status, the resulting boundaries are rational and easy for jurisdictions and residents to follow. The subject petition is for territory that is reasonably shaped and contiguous to the **CITY OF MADISON**.

The Department reminds clerks of annexing municipalities of the requirements of s. 66.0217 (9)(a), Wis. Stats., which states:

"The clerk of a city or village which has annexed shall file immediately with the secretary of state a certified copy of the ordinance, certificate and plat, and shall send one copy to each company that provides any utility service in the area that is annexed. The clerk shall record the ordinance with the register of deeds and file a signed copy of the ordinance with the clerk of any affected school district..."

State and federal aids based on population and equalized value may be significantly affected through failure to file with the Secretary of State. Please file a copy of your annexing ordinance, including a statement certifying the population of the annexed territory. **Please also include the MBR number with your ordinance as this assists with record keeping. Your MBR number is: 13754**
The address of the Office of the Secretary of State is:

Annexations and Railroads
Division of Government Records
Office of the Secretary of State
PO Box 7848
Madison WI 53707-7848

Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner

