

CITY OF MADISON, WISCONSIN

AN ORDINANCE _____

creating Section 15.01(543) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to 10th Aldermanic District the Seminole Highway Area attachment, and repealing and recreating Section 15.02(59) of the Madison General Ordinances to add the attached property to Ward 59.

Drafted by: Katherine C. Noonan
Assistant City Attorney

Date: January 11, 2005

Fiscal Note: Referral to Comptroller is for
fiscal note.

SPONSORS: Aids. Bruer and Golden

PRESENTED February 1, 2005

REFERRED February 15, 2005 Common
Council Meeting; Comptroller

REREFERRED _____

REPORTED BACK _____

ADOPTED _____ POF _____

RULES SUSP. _____ TABLED _____

PUBLIC HEARING _____

* * * *

MAYOR SIGNED _____

PUBLISHED _____

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APPROVAL OF FISCAL NOTE IS NEEDED
BY THE COMPTROLLER'S OFFICE
Approved By

Comptroller's Office

* * * *

ORDINANCE NUMBER _____

ID NUMBER _____

An ordinance to create Subsection (543) of Section 15.01 of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards."

WHEREAS, on October 30, 2002, November 4, 2002 and November 5, 2002, the City of Fitchburg, Town of Madison, and City of Madison, respectively, adopted resolutions authorizing participation in the preparation of a cooperative plan pursuant to said statute and approved an intergovernmental agreement pursuant to Sec. 66.0301, Wis. Stats. to provide the basic foundation of the proposed cooperative plan; and

WHEREAS, on December 10, 2003, the City of Madison, City of Fitchburg, and Town of Madison Cooperative Plan was approved by the State Department of Administration; and

WHEREAS, pursuant to the City of Madison, City of Fitchburg, and Town of Madison Cooperative Plan, the City of Madison agreed to attach the following portion of Seminole Highway to the City of Madison; and

WHEREAS, on August 10, 2004, the City of Fitchburg did adopt Ordinance CO. 2004-0-19, detaching the same portion of Seminole Highway from the City of Fitchburg, such ordinance becoming effective upon attachment of said portion of Seminole Highway to the City of Madison.

Approved as to form:

Michael P. May, City Attorney

NOW, THEREFORE, the Common Council of the City of Madison do hereby ordain as follows:

1. Subsection (532) of Section 15.01 of the Madison General Ordinances entitled "City Boundaries" of the Madison General Ordinances is created to read as follows:

"Part of the Northeast 1/4 of the Northeast 1/4 of Section 5, T6N, R9E, City of Fitchburg, Dane County, Wisconsin, more particularly described as follows:

Commencing at the Northeast corner of Section 5, T6N, R9E, Dane County, Wisconsin; thence Westerly along the North line of Section 5 to the East right-of-way line of Seminole Highway and the point of beginning; thence Southwesterly along the East right-of-way line of Seminole Highway to the North plat line extended of the East Hill Addition to Belmar; thence Westerly along said North plat line to the centerline of Seminole Highway; thence Northeasterly along the centerline of said road to the North line of Section 5; thence East along the North line of Section 5 to the point of beginning. Containing approximately 49,400 square feet, 1.13 acres or 0.00177 square miles."

2. Subsection (59) of Section 15.02 entitled "Wards and Boundaries" of the Madison General Ordinances is hereby repealed and recreated to read as follows:

" (59) Ward 59. 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 the Chicago & Northwestern Railroad and the South line of the West Beltline Highway (U.S. Highway 12, 14 & 18) as formerly located; thence Easterly along the South line of the West Beltline Highway to the centerline of the right-of-way of the Chicago & Northwestern Railroad; thence Southwesterly along the centerline of said right-of-way to the South line of the North 1/2 of the Northwest 1/4 of Section 3, T6N, R9E, Town of Fitchburg, Dane County, Wisconsin; thence Westerly along the South line of the North 1/2 of the Northwest 1/4 of said Section 3 to the Northwest right-of-way line of the Chicago & Northwestern Railroad; thence Southwesterly along said Northwest right-of-way line to the West line of said Section 3; thence Southerly along the West line of said Section 3 to the South right-of-way line of the Chicago & Northwestern Railroad; thence Southwesterly, and Westerly along said South right-of-way line to the West line of the Northeast 1/4 of Section 4, T6N, R9E, Town of Fitchburg, Dane County, Wisconsin; thence Northerly along the West line of the Northeast 1/4 of said Section 4 to the North line of said Section 4; thence Easterly along the North line of said Section 4 to the Southeast corner of Lot 7, Arbordale Professional Center plat; thence North 530.1 feet to the Westerly extension of the south line of Outlot 1 of said Certified Survey map No. 4653; thence along said Westerly extension, S89°21'28"E, 49.10 feet to the Southwest corner of said Outlot 1; thence along the West line of said Outlot 1, N00°30'39"W (recorded as N00°27'09"E), feet to the Southeast corner of certified Survey Map No. 9539; thence along the South line of said Certified Survey Map No. 9539, N77°50'26"W, 120.07 feet; thence N89°21'09"W, 341.83 feet (recorded as N89°12'19"W, 342.65 feet and N89°17"W); thence continuing along said South line, S00°41'00"W, 23.62 feet (recorded as S00°38'11"W); thence continuing along said South line, N89°15'05"W, 311.84 feet (recorded as N89°17"W, 312.44 feet; to the Southwest corner of said Certified Survey Map 9539; thence along the West line of said Certified Survey map 9539, N00°43'00"E, 353.64 feet (recorded as N00°38'55"E) to the Northwest corner thereof, said corner being on the Southerly right-of-way line of West Beltline Highway Frontage Road; thence Westerly along said right-of-way, 1220 feet, more or less, to the Northwest corner of Outlot A, Town of Madison Assessor's Plat No. 4; thence S00°49'09"E, 1171.57 feet to the South line of Section 33; thence continuing along said South line S89°43'30"W, 1990.62 feet to the Southwest corner of Section 33, also the Southeast corner of Section 32; thence N89°49'12"W, 257.99 feet along the South line of Section 32 to the Northwest corner of Section 4, T6N, R9E; thence continuing along said South line of Section 32 N89°43'17"W, 100 feet, more or less, to the East right-of-way line of Seminole Highway; thence southwesterly along the East right-of-way line of Seminole Highway to the North plat line extended of the East Hill Addition to Belmar; thence Westerly along said North plat line to the centerline of Seminole Highway; thence Northeasterly along the centerline of said road to the North line of Section 5; thence continuing N02°28'26"E, 524.52 feet along said centerline; thence S89°36'09"E, 47.03 feet to the easterly right-of-way line of Seminole Highway; thence northerly along said easterly right-of-way line, 650 feet, more or less, to the north right-of-way line of the south frontage road of U.S. Highway 12 & 18; thence easterly along said north right-of-way line, 5,000 feet, more or less, to the intersection with the Northerly extension of the East line of Lot 36, First Addition to Arbor Heights; thence North along a Northerly prolongation of the East line of said Lot 36 to the centerline of the West Beltline Highway (also the limits line of the City of Madison); thence Easterly 270 feet more or less along the reference line of USH

12 & 18 as shown on the State Highway Commission of Wisconsin, right-of-way plat, Project No. T 04-2C42); thence Northerly along a North projection of the West line of Lot 2, CSM No. 343, 150 feet more or less to the South line of CSM 1918; thence Easterly along the South line of said Lot 1, CSM No. 1918, also being the North right-of-way line of the North frontage road to USH 12 & 18, 257 feet more or less to the Southeast corner of Lot 1, CSM No. 1918; thence continuing Easterly, 66 feet more or less to the Southwest corner of Lot 3, CSM 1553; thence Easterly, 60.00 feet along the South line of said Lot 1, CSM No. 1553, also being the North right-of-way line of the North frontage road to USH 12 & 18; thence Southerly 250 feet more or less along a Northerly prolongation of the East line of Lot 1, CSM No. 8548 to the Northeast corner of Lot 1, CSM No. 8548 to the point of intersection with the former South right-of-way line of US Highways 12,14 &18, (Northerly right-of-way line of the South frontage road to USH 12 & 18); thence Easterly, along said former South right-of-way line of US Highways 12, 14 & 18, 213 feet, more or less, to the point of intersection with the West line of the property described in Volume 802, Page 582 and recorded in the Dane County Register of Deeds Office and; thence continuing easterly to the point of beginning.

EXCEPT THOSE AREAS DESCRIBED AS FOLLOWED:

Part of the Southwest ¼ of Section 34, T07N, R09E, Town of Madison, Wisconsin, more particularly described as follows:

Commencing at a point within U.S. Highways 12, 14 and 18 right of way is 694.50 feet West of the West line of the East 1/2 of the Southwest 1/4 of said Section 34, last mentioned point being on the West line of the property described in Volume 802, Page 582 and recorded in the Dane County Register of Deeds Office, also being the point of intersection with the Northerly prolongation of the East line of Lot 1, C.S.M. No. 6018; thence S 00°10'08" E, along the said Northerly prolongation line, 60 feet, more or less, to the Northeast corner of said Lot 1; thence S 00°10'08" E, along the East line of Lot 1, also being the West line of Lot 2, C.S.M. No. 6018, 214.64 feet to the Southwest corner of said Lot 2 and the point of beginning; thence South 87°47'30" East, 330.06 feet (S87°55'04"E, 330.04 per CSM 6018) to the West line of the East 364.50 feet of the Southwest 1/4 of the Southwest 1/4 of said Section 34; thence South 313.14 feet along the last mentioned West line to a point on the Easterly prolongation of the North line of McDivitt Road as platted in the Arbor Heights Commercial Plat, a recorded plat in said Section 34; last mentioned point being 330.00 feet East of the East line of said plat; thence West 330.00 feet on the Easterly prolongation of the North line of McDivitt Road to the Southeast corner of Lot 5, Arbor Heights Commercial Plat; thence North 00°29'00" West, along the East line of said Lot 5, 186.26 feet to the Northeast corner thereof; thence Northerly, 15 feet, more or less, to the Southwest corner of Lot 2, C.S.M. No. 6018 and the point of beginning.

AND

Part of the Southeast 1/4 of the Southeast 1/4 of Section 33, T07N R09E, Town of Madison, Wisconsin, including Lots 41 through 47, (inclusive) First Addition to Arbor Heights, part of Lots 159 and 160, Post Addition to Arbor Hills, and including a portion of Ashford Lane public right-of-way, more particularly described as follows:

Beginning at the Northeast corner of Section 4, T06N, R09E, also being the Southeast corner of Lot 47, First Addition to Arbor Heights; thence North 89°30'40" West along the North line of said Section 4, 103.26 feet the Southwest corner of said Lot 47; thence North 00°08'21" West, along the West line of First Addition to Arbor Heights, 650.91 feet to the Northwest corner of Lot 41; thence North 89°57'30" East, 196.89 feet to the Northeast corner thereof; thence continuing North 89°57'30" East , 30.00 feet to the centerline of Ashford Lane; thence South 00°02'30" East, along and then deviating from, the centerline of Ashford Lane, 652.68 feet to a point on the North line of the Northwest ¼ of Section 3; thence North 89°32'06" West, along said North line, 92.53 feet to the point of beginning of this description.

Polling place at Leopold Elementary School, 2602 Post Road."

3. If any provisions 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: Section 15.02(59) of the Madison General Ordinances currently reads as follows:

"(59) Ward 59. 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 the Chicago & Northwestern Railroad and the South line of the West Beltline Highway (U.S. Highway 12, 14 & 18) as formerly located; thence Easterly along the South line of the West Beltline Highway to the centerline of the right-of-way of the Chicago & Northwestern Railroad; thence Southwesterly along the centerline of said right-of-way to the South line of the North 1/2 of the Northwest 1/4 of Section 3, T6N, R9E, Town of Fitchburg, Dane County, Wisconsin; thence Westerly along the South line of the North 1/2 of the Northwest 1/4 of said Section 3 to the Northwest right-of-way line of the Chicago & Northwestern Railroad; thence Southwesterly along said Northwest right-of-way line to the West line of said Section 3; thence Southerly along the West line of said Section 3 to the South right-of-way line of the Chicago & Northwestern Railroad; thence Southwesterly, and Westerly along said South right-of-way line to the West line of the Northeast 1/4 of Section 4, T6N, R9E, Town of Fitchburg, Dane County, Wisconsin; thence Northerly along the West line of the Northeast 1/4 of said Section 4 to the North line of said Section 4; thence Easterly along the North line of said Section 4 to the Southeast corner of Lot 7, Arbordale Professional Center plat; thence North 530.1 feet to the Westerly extension of the south line of Outlot 1 of said Certified Survey map No. 4653; thence along said Westerly extension, S89°21'28"E, 49.10 feet to the Southwest corner of said Outlot 1; thence along the West line of said Outlot 1, N00°30'39"W (recorded as N00°27'09"E), feet to the Southeast corner of certified Survey Map No. 9539; thence along the South line of said Certified Survey Map No. 9539, N77°50'26"W, 120.07 feet; thence N89°21'09"W, 341.83 feet (recorded as N89°12'19"W, 342.65 feet and N89°17'W); thence continuing along said South line, S00°41'00"W, 23.62 feet (recorded as S00°38'11"W); thence continuing along said South line, N89°15'05"W, 311.84 feet (recorded as N89°17'W, 312.44 feet; to the Southwest corner of said Certified Survey Map 9539; thence along the West line of said Certified Survey map 9539, N00°43'00"E, 353.64 feet (recorded as N00°38'55"E) to the Northwest corner thereof, said corner being on the Southerly right-of-way line of West Beltline Highway Frontage Road; thence S84°57'49"W along said Southerly right-of-way, 961.25 feet; thence S00°49'09"E, 1171.57 feet to the South line of Section 33; thence continuing along said South line S89°43'30"W, 1990.62 feet to the Southwest corner of Section 33, also the Southeast corner of Section 32; thence N89°49'12"W, 257.99 feet along the South line of Section 32 to the Northwest corner of Section 4, T6N, R9E; thence continuing along said South line of Section 32 N89°43'17"W, 131.17 feet to the centerline of Seminole Highway; thence N02°28'26"E, 524.52 feet along said centerline; thence S89°36'09"E, 47.03 feet to the easterly right-of-way line of Seminole Highway; thence northerly along said easterly right-of-way line, 650 feet, more or less, to the north right-of-way line of the south frontage road of U.S. Highway 12 & 18; thence easterly along said north right-of-way line, 5,000 feet, more or less, to the intersection with the Northerly extension of the East line of said Lot 36; thence North along a Northerly prolongation of the East line of said Lot 36 to the centerline of the West Beltline Highway (also the limits line of the City of Madison); thence Easterly along 270 feet more or less along the reference line of USH 12 & 18 as shown on the State Highway Commission of Wisconsin, right-of-way plat, Project No. T 04-2C42); thence Northerly along a North projection of the West line of Lot 2, CSM No. 343, 150 feet more or less; thence continuing Easterly along the South line of said Lot 1, CSM No. 1918, also being the North right-of-way line of the North frontage road to USH 12 & 18, 257 feet more or less; thence continuing Easterly, 66 feet more or less to the Southeast corner of Lot 1, CSM No. 1918; thence Easterly, 60.00 feet along the South line of said Lot 1, CSM No. 1553, also being the North right-of-way line of the North frontage road to USH 12 & 18; thence Southerly 250 feet more or less along a Northerly prolongation of the East line of Lot 1, CSM No. 8548 to the Northeast corner of Lot 1, CSM No. 8548 to the point of intersection with the former South right-of-way line of US Highways 12, 14 & 18, (Northerly right-of-way line of the South frontage road to USH 12 & 18); thence Easterly, along said former South right-of-way line of US Highways 12, 14 & 18, 213 feet, more or less, to the point of intersection with the West line of the property described in Volume 802,

Page 582 and recorded in the Dane County Register of Deeds Office and; thence continuing easterly to the point of beginning.

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