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**KRISTI CHLEBOWSKI
DANE COUNTY
REGISTER OF DEEDS**

**DOCUMENT #
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Name and Return Address

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

Document Number

Document Title

DETACHMENT 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 November, 2016.

Anderson Detachment
Ordinance #: ORD-16-00098
ID#: 44621

Parcel Identification Number (PIN)

January 3, 2017
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 January 3, 2017 by the above named person(s).

Signature of notary or other person
authorized to administer an oath *E. A. 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: 6/29/2018

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-16-00098

File Number: 44621

Enactment Number: ORD-16-00098

Creating Section 15.01(601) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" detaching from Ward 1, 16th Aldermanic District, the Norman and Peggy Anderson Property.

DRAFTER'S ANALYSIS: This ordinance detaches .67 acres of land from Ward 1, 16th Aldermanic District.

An ordinance to create Subsection (601) 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 on August 22, 2016, a Notice of Intention to Circulate a Petition of Detachment was published in the Wisconsin State Journal as required by Wis. Stat. § 66.0227(1); and

WHEREAS, on August 25, 2016, a Petition for Detachment (the "Petition") of the Territory, described in Exhibit A and shown on Exhibit B, both attached hereto, was filed in the Office of the City Clerk of the City of Madison ("Madison"); and

WHEREAS, said Petition has been signed by a majority of the owners of three-fourths of the taxable land in area within the Territory proposed to be detached; and

WHEREAS, pursuant to Wis. Stat. § 66.0227(2), the Village of McFarland shall, by duly adopted ordinance, attach the Territory within sixty (60) days of the detachment of the Territory from the City of Madison or this ordinance shall be void.

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

1. Subsection (601) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(601) - There is hereby detached from Ward 1, 16th Aldermanic District, the City of Madison, Dane County, Wisconsin, the following described property:

Lot 1, Myron Dean's Addition, as recorded in Volume 24 of plats, on page 4, as document number 1004880, Dane County Registry, and the North ½ of the Vacated Colonial Street and Part of Lot 2, Certified Survey Map Number 1398 as recorded in Volume 6 of Certified Survey Maps, on pages 63-64, as document number 1391367, Dane County Registry, also located in the Southwest Quarter of the Southwest Quarter of Section 35, Township 7 North, Range 10 East, City of Madison, Dane County, Wisconsin, more fully described as follows:

Beginning at the Northwesterly corner of said Lot 1, Myron's Dean's Addition, thence along the Northerly line of said Lot 1, North 88 degrees 15 minutes 48 seconds East, 249.91 feet to the Easterly line of said Lot 2; Certified Survey Map Number 1398, thence along said Easterly line South 01 degree 21 minutes 47 seconds East, 100.13 feet; thence South 88 degrees 19 minutes 24

seconds West, 100.13 feet to the Southeasterly corner of said Lot 1, Myron's Dean's Addition, thence South 01 degree 17 minutes 51 seconds East, 30.00 feet; thence South 88 degrees 19 minutes 24 seconds West, 149.94 feet to the Easterly right-of-way line of Marsh Road; thence North 01 degree 16 minutes 18 seconds West along said Easterly right-of-way line, 129.87 feet to the point of beginning. This description contains approximately 29,497 square feet or 0.6772 acres.

2. 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 Wis. Stat. § 66.0227(2), this detachment ordinance must be enacted by a three-fourths vote of the elected members of the Common Council or at least 15 votes.

I, City Clerk Maribeth Witzel-Behl, certify that this is a true copy of Ordinance No. ORD-16-00098, adopted by the Madison Common Council on November 1, 2016.

Maribeth Witzel-Behl

1-3-2017

Date Certified

Exhibit A

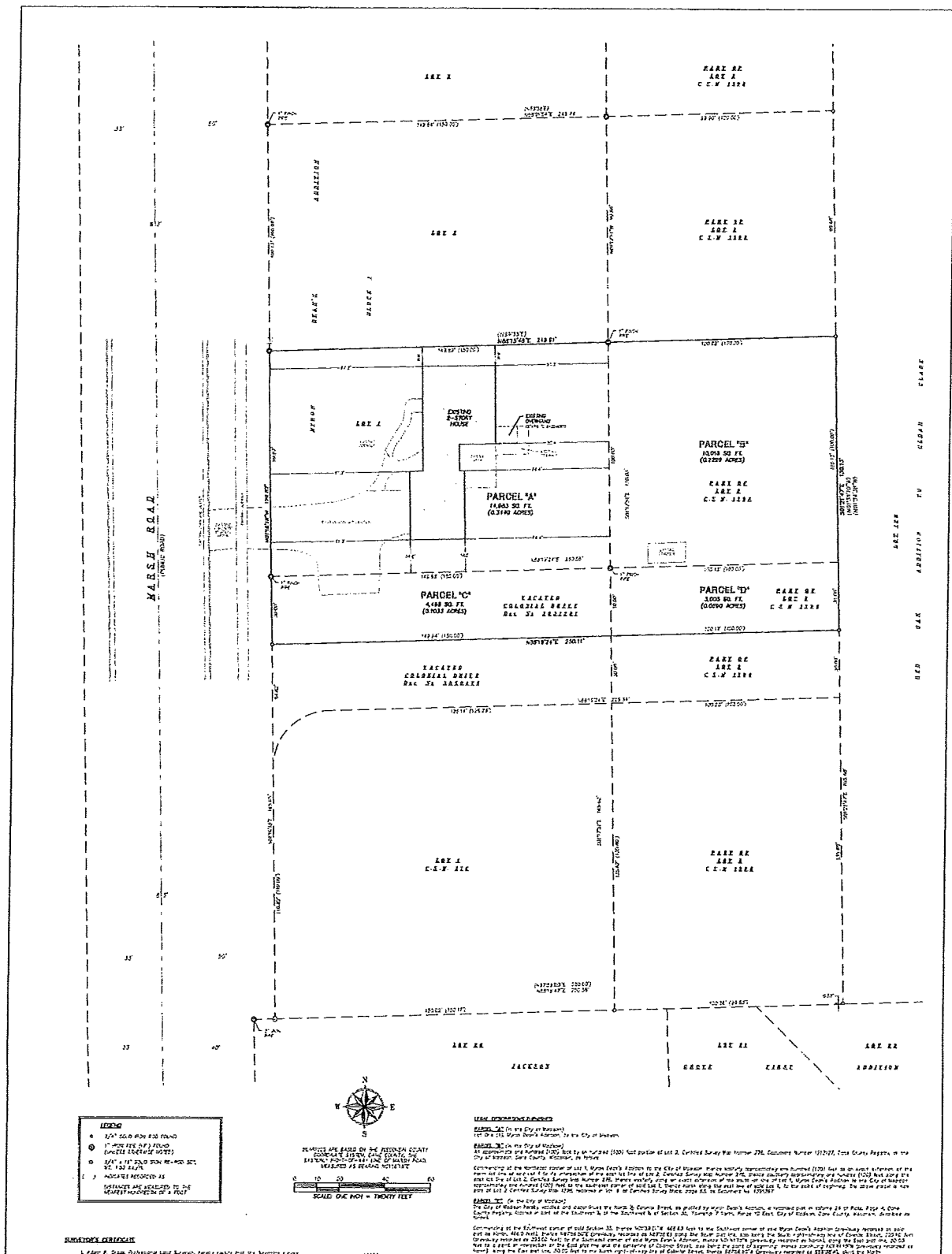
FN: 116.0644.30
DATE: 08-02-2016

LANDS TO BE ANNEXED TO THE VILLAGE OF McFARLAND

Lot 1, Myron Dean's Addition, as recorded in Volume 24 of plats, on page 4, as document number 1004880, Dane County Registry, and the North ½ of the Vacated Colonial Street and Part of Lot 2, Certified Survey Map Number 1398 as recorded in Volume 6 of Certified Survey Maps, on pages 63-64, as document number 1391367, Dane County Registry, also located in the Southwest Quarter of the Southwest Quarter of Section 35, Township 7 North, Range 10 East, City of Madison, Dane County, Wisconsin, more fully described as follows:

Beginning at the Northwestern corner of said Lot 1, Myron's Dean's Addition, thence along the Northerly line of said Lot 1, North 88 degrees 15 minutes 48 seconds East, 249.91 feet to the Easterly line of said Lot 2; Certified Survey Map Number 1398, thence along said Easterly line South 01 degree 21 minutes 47 seconds East, 100.13 feet; thence South 88 degrees 19 minutes 24 seconds West, 100.13 feet to the Southeasterly corner of said Lot 1, Myron's Dean's Addition, thence South 01 degree 17 minutes 51 seconds East, 30.00 feet; thence South 88 degrees 19 minutes 24 seconds West, 149.94 feet to the Easterly right-of-way line of Marsh Road; thence North 01 degree 16 minutes 18 seconds West along said Easterly right-of-way line, 129.87 feet to the point of beginning. This description contains approximately 29,497 square feet or 0.6772 acres.

SHEET
1 OF 1



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: Mariabeth Witzel-Behr Date: January 3, 2017

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

SUBMITTED FOR: Norman Anderson 5325 Myron Road McFarland WI 53555	SUBMITTED BY: Snyder & Associates, Inc. 5210 Voke Road Madison, WI 53718 (608) 835-0444 snc@snyder-associates.com	PLAT OF SURVEY LOT 1, MYRON DEAN'S ESTATE, AS RECORDED IN VOLUME 24 OF PLATS, ON PAGE 4, AS DOCUMENT NUMBER 1004880, DAHE COUNTY REGISTRY, THE NORTH 1/2 OF THE VACATED COLONIAL STREET AND PART OF LOT 2, CERTIFIED SURVEY MAP NUMBER 1398 AS RECORDED IN VOLUME 6 OF CERTIFIED SURVEY MAPS, ON PAGES 63-64, AS DOCUMENT NUMBER 1391367, DAHE COUNTY REGISTRY, AND LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 7 NORTH, RANGE 10 EAST, CITY OF MADISON AND VILLAGE OF MCFARLAND, DAHE COUNTY, WISCONSIN.	PN 10/04/05 DPT 31-27-14 561290 SHEET 1 OF 1
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PETITION OF DETACHMENT

TO: Ms. Maribeth Witzel-Behl
City Clerk
City of Madison, Room 103
210 Martin Luther King, Jr. Blvd.
Madison, WI 53703

THIS PETITION is filed pursuant to Wis. Stat. § 66.0227, and is signed by all owners of all of the real property described on Exhibit A, which is attached hereto and incorporated herein ("the Property").

1. The property currently located within the corporate limits of the City of Madison, and it is requested that the property be detached from the City of Madison and annexed to the Village of McFarland.

2. Attached hereto as Exhibit B is a scale map reasonably showing the boundaries of the property and the relation of the property to the municipalities involved.

3. The current population of the property is two.

WHEREFORE, Petition requests that the City of Madison enact an Ordinance detaching the property from the City of Madison and that the Village Board of the Village of McFarland accept such terms pursuant to Wis. Stat. § 66.0227(2).

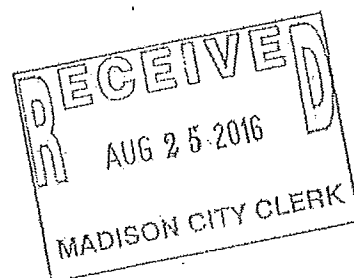
PETITIONERS:

Dated: 8/22/16

Norman C. Anderson
Norman C. Anderson

Dated: 8/22/16

Peggy M. Anderson
Peggy M. Anderson



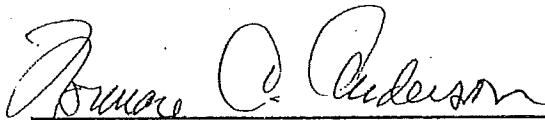
**NOTICE OF INTENTION TO
CIRCULATE A PETITION OF DETACHMENT**

PLEASE TAKE NOTICE, that within one hundred twenty (120) days after the date of publication of this notice, the undersigned, the owner of lands within the area referred to herein, will cause a Petition to be circulated for the purpose of detaching from the City of Madison, Dane County, Wisconsin, and annexing to the Village of McFarland, Dane County, Wisconsin, the following described parcel of land: see exhibit A, which is attached.

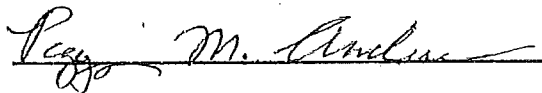
A scale map of the territory proposed to be detached from the City of Madison and annexed to the Village of McFarland is attached as Exhibit B.

Dated this 17 day of August, 2016.

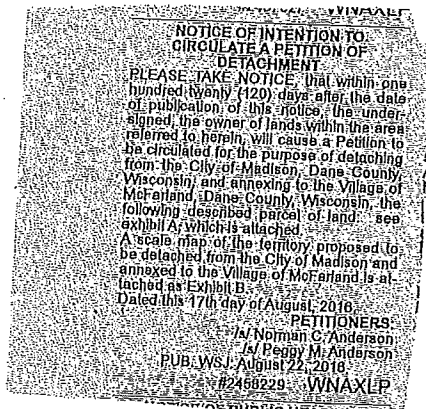
PETITIONERS:



Norman C. Anderson



Peggy M. Anderson





Department of Planning & Community & Economic Development

Planning Division

Heather Stouder, AICP, Director

Madison Municipal Building, Suite LL-100

215 Martin Luther King, Jr. Boulevard

P.O. Box 2985

Madison, Wisconsin 53701-2985

Phone: (608) 266-4635

Fax (608) 267-8739

www.cityofmadison.com

TO: Common Council
Plan Commission

FROM: Timothy M. Parks, Planner

DATE: October 13, 2016

SUBJECT: ID 44621 – Request submitted by Norman and Peggy Anderson to detach 29,497 square-foot parcel from the City of Madison to the Village of McFarland

On August 25, 2016, a petition was filed in the Office of the City Clerk to detach an approximately 29,497 square-foot (0.68-acre) parcel owned by Norman C. and Peggy A. Anderson located at 5325 Marsh Road from the City of Madison to the Village of McFarland as allowed under Section 66.0227 of Wisconsin Statutes. The property is developed with a two-story, 2,100 square-foot single-family residence and attached garage and is zoned SR-C1 (Suburban Residential–Consistent 1 District).

The Anderson property is one of two parcels specifically excluded from the attachment provisions included in the 1997 Intermunicipal Cooperation Agreement between the City of Madison and Village of McFarland. The agreement was entered into between the two municipalities in an effort to correct an irregular corporate boundary and to facilitate construction of a new elementary school in the McFarland School District on two parcels that were in the City at the time. The agreement also included seven single-family home parcels located west of the proposed school site along the east side of Marsh Road in the City, including the subject property. The agreement noted that the properties along Marsh Road already received some municipal services from McFarland, including public water. The final agreement has an effective term of 20 years, and included various provisions regarding revenue sharing for detached properties, water system interconnectedness, road maintenance and widening, and extraterritorial subdivision approval limits.

Five of the seven parcels along the March Road frontage subject to the intergovernmental agreement consented to detachment from the City and annexation to McFarland pursuant to the terms of the agreement and predicated on construction of the school. The five parcels were detached soon after one the triggers in the agreement were met. However, 5313 and 5325 Marsh Road did not consent to the detachment, and were left as City islands subject to limited municipal services by the Village as outlined in the agreement. The agreement, however, does allow for them to petition to detach from Madison at any time during the term as allowed by Wis. Stats. Section 66.022[7].

Approval of the detachment must be adopted by the favorable vote of three-fourths of the Common Council. If approved by the City, the Village has 60 days from adoption to adopt an ordinance annexing the detached parcel.

ID # 44621
Anderson Detachment
October 13, 2016
Page 2

The Planning Division, City Attorney's Office, and City Engineering Division have reviewed the form of the proposed detachment and found it to be acceptable. Staff takes no position on the request to detach this parcel from the City. However, it should be noted that if the detachment is approved by Madison and McFarland that this will be the last year that the City will be paid local property taxes for the Anderson property. Unlike with annexations, where the city or village annexing a parcel is required to pay annually to the respective town for the five years following annexation an amount equal to the amount of property taxes that the town levied on the annexed territory, there is no revenue sharing component with detachments. If revenue sharing is desired, another agreement between the City of Madison and Village of McFarland would be required prior to the detachment proceeding.

cc: Doran Viste, City Attorney's Office
Pauline Boness, Village of McFarland