



Legislation Details (With Text)

**File #:** 64804      **Version:** 1      **Name:** Cherokee Park Inc Attachment Town of Burke  
**Type:** Ordinance      **Status:** Passed  
**File created:** 3/23/2021      **In control:** Attorney's Office  
**On agenda:** 4/20/2021      **Final action:** 4/20/2021  
**Enactment date:** 5/1/2021      **Enactment #:** ORD-21-00036

**Title:** Creating Section 15.01(624) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 18th Aldermanic District the Cherokee Park, Inc./Madison Water Utility Attachment properties located at 4825 N. Sherman Avenue; 2023 Wheeler Road in the Town of Burke, and amending Section 15.02(112) of the Madison General Ordinances to assign the attached property to Ward 112; and assigning a temporary zoning classification of A Agricultural District.

**Sponsors:** Satya V. Rhodes-Conway

**Indexes:**

**Code sections:**

**Attachments:** 1. Cherokee Revised Petition\_07-02-20.pdf, 2. Cherokee Attachment Map\_06-22-20.pdf, 3. Cherokee-MWU Attachment Worksheet\_Revised\_02-23-21.pdf, 4. 210420\_Common Council Registrants Report.pdf, 5. 64804 ROD copy.pdf

Date	Ver.	Action By	Action	Result
4/20/2021	1	COMMON COUNCIL	Adopt Unanimously	Pass
3/30/2021	1	COMMON COUNCIL	Refer to a future Meeting to Adopt	
3/23/2021	1	Attorney's Office	Referred for Introduction	

**Fiscal Note**

No City appropriation is required for the proposed attachment.

**Title**

Creating Section 15.01(624) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 18th Aldermanic District the Cherokee Park, Inc./Madison Water Utility Attachment properties located at 4825 N. Sherman Avenue; 2023 Wheeler Road in the Town of Burke, and amending Section 15.02(112) of the Madison General Ordinances to assign the attached property to Ward 112; and assigning a temporary zoning classification of A Agricultural District.

**Body**

DRAFTER'S ANALYSIS: This ordinance attaches land in the Town of Burke and assigns temporary A zoning.

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An ordinance to create Subsection (624) 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 for attachment with scale map attached was filed with the City Clerk of Madison on April 15, 2020 and revised July 15, 2020 and has been presented to the Madison Common Council requesting attachment 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 of the land in the territory and notice of the proposed attachment having been given to the Town of Burke; and

WHEREAS, investigation by the City of Madison discloses that as of this date the above representations are

true, the Common Council now accepts the petition as sufficient and determines that the said attachment proceeding meets the requirements of the City of Madison and Town of Burke Cooperative Plan approved pursuant to Wis. Stat. § 66.0307;

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

1. Subsection (624) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(624) - There is hereby attached to the 18th Aldermanic District, the City of Madison, Dane County, Wisconsin, the following described property and pursuant to the provisions of Sec. 28.005, MGO, the territory attached by this ordinance is hereby assigned a temporary zoning classification of A Agricultural District:

Part of the Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  and part of the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , Section 19, T8N, R10E, Town of Burke, Dane County, Wisconsin, described as follows:

Beginning at the West  $\frac{1}{4}$  Corner of said Section 19; thence S88°09'28"E (recorded as S88°33'36"E), 2117.17 feet along the South line of said Northwest  $\frac{1}{4}$ , said South line also being the existing corporate boundary line of the City of Madison, to the Center  $\frac{1}{4}$  Corner of said Section 19; thence N02°17'10"E (recorded as N02°16'57"E), 385.59 feet along the East line of the Northwest  $\frac{1}{4}$  of said Section 19; thence N89°12'39"W, 174.45 feet; thence N02°03'16"E, 250.82 feet; thence N02°07'43"E, 492.04 feet (recorded as North); thence N87°48'17"W, 125.00 feet; thence N02°09'06"E (recorded as North), 143.08 feet to the South right-of-way line of Wheeler Road, said right-of-way line also being the existing corporate boundary line of the City of Madison; thence N88°48'12"W (recorded as N88°48'14"W), 1130.65 feet along said right-of-way line and corporate boundary line; thence continuing along said right-of-way line and corporate boundary line N88°59'41"W, 701.62 feet (recorded as N89°23'08"W, 700 feet) to the West line of said Northwest  $\frac{1}{4}$ , said West line also being the existing corporate boundary line of the City of Madison; thence S01°30'36"W (recorded as South), 586.04 feet along said West line and corporate boundary line; thence S88°30'31"E, 164.84 feet (recorded as 165 feet); thence S01°30'23"W, 132.03 feet (recorded as 132 feet); thence N88°31'56"W, 164.85 feet (recorded as 165 feet) to said West line and corporate boundary line; thence S01°30'36"W, 527.97 feet (recorded as South, 528 feet) along said West line and corporate boundary line to the aforesaid West  $\frac{1}{4}$  Corner and the point of beginning; Containing 2,482,617 square feet, or 56.993 acres, and 0.089052 square miles."

2. Subsection (112) of Section 15.02 entitled. "Wards and Ward Boundaries" of the Madison General Ordinances is amended to read as follows:

~~"(112) Ward 112 . Part of the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ , part of the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 18, part of the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ , part of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ , part of the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  and part of the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 19 all in T8N, R10E, Town of Burke, Dane County, Wisconsin more particularly described as follows: beginning at the N  $\frac{1}{4}$  corner of said Section 19; thence along the East line of the said SW  $\frac{1}{4}$  of Section 18 N00°55'38"E, 355.26 feet to the Southerly line of lands by the City of Madison in Document No. 4449205; thence along said Southerly line S57°51'14"W, 431.95 feet; thence continuing along said Southerly line S61°26'36"W, 682.66 feet; thence continuing along said Southerly line S89°35'44"W, 459.24 feet; thence continuing along said Southerly line N00°24'16"W, 33.00 feet; thence continuing along said Southerly line N88°59'56"W, 209.33 feet; thence continuing along said Southerly line N78°11'48"W, 236.52 feet; thence continuing along said Southerly line N04°09'41"E, 343.33 feet; thence continuing along said Southerly line N85°42'49"W, 301.88 feet to the West line of the said SW  $\frac{1}{4}$  of Section 18; thence along said West line S02°04'41"W, 151.42 feet to the Northwest Corner of said Section 19; thence along the West line of the said NW  $\frac{1}{4}$  of Section 19 S02°02'33"W (recorded as S02°02'25"W), 286.89 feet to the Corporate Boundary of the City of Madison;~~

thence along said Corporate Boundary S88°59'52"E, 699.99 feet (recorded as S89°23'08"E, 700.00 feet); thence continuing along said Corporate Boundary S02°02'33"W (recorded as S01°40'49"W), 740.43 feet; thence continuing along said Corporate Boundary S01°30'32"W (recorded as S01°07'06"W), 392.71 feet to the Southerly right of way line of Wheeler Road; thence along said Southerly right of way line S88°48'14"E, 1434.38 feet to the East line of the said NW ¼ of Section 19; thence along said East line N02°16'57"E, 1368.00 feet to the said N ¼ corner of Section 19 and the point of beginning. The above described parcel contains 2,060,091 square feet or 47.293 acres.

Part of the SE ¼ of the SW ¼, part of the SW ¼ of the SW ¼ of Section 18, part of the NE ¼ of the NW ¼, part of the NW ¼ of the NW ¼, part of the SW ¼ of the NW ¼ and part of the SE ¼ of the NW ¼ of Section 19, T8N, R10E, Town of Burke, Dane County, Wisconsin more particularly described as follows:

Beginning at the N ¼ corner of said Section 19; thence along the East line of the said SW ¼ of Section 18 N00°55'38"E, 355.26 feet to the Southerly line of lands by the City of Madison in Document No. 4449205; thence along said Southerly line S57°51'14"W, 431.95 feet; thence continuing along said Southerly line S61°26'36"W, 682.66 feet; thence continuing along said Southerly line S89°35'44"W, 459.24 feet; thence continuing along said Southerly line N00°24'16"W, 33.00 feet; thence continuing along said Southerly line N88°59'56"W, 209.33 feet; thence continuing along said Southerly line N78°11'48"W, 236.52 feet; thence continuing along said Southerly line N04°09'41"E, 343.33 feet; thence continuing along said Southerly line N85°42'49"W, 301.88 feet to the West line of the said SW ¼ of Section 18; thence along said West line S02°04'41"W, 151.42 feet to the Northwest Corner of said Section 19; thence along the West line of the said NW ¼ of Section 19 S02°02'33"W, 286.89 feet; thence S88°59'52"E, 699.99 feet; thence S02°02'33"W, 740.43 feet; thence S01°30'32"W, 392.71 feet to the Southerly right of way line of Wheeler Road; thence N88°48'12"W along said Southerly right of way line, 700.00 feet, more or less, to the West line of said Northwest ¼; thence S01°30'36"W, 586.04 feet along said West line; thence S88°30'31"E, 164.84 feet; thence S01°30'23"W, 132.03 feet; thence N88°31'56"W, 164.85 feet to said West line; thence S01°30'36"W, 527.97 feet along said West line to the West ¼ Corner of said Section 19; thence S88°09'28"E, 2117.17 feet along the South line of said NW ¼ to the Center ¼ Corner of said Section 19; thence N02°17'10"E, 385.59 feet along the East line of the NW ¼ of said Section 19; thence N89°12'39"W, 174.45 feet; thence N02°03'16"E, 250.82 feet; thence N02°07'43"E, 492.04 feet; thence N87°48'17"W, 125.00 feet; thence N02°09'06"E (recorded as North), 143.08 feet to the South right-of-way line of Wheeler Road; thence S88°48'14"E, 350.00 feet, more or less, to the East line of the said NW ¼ of Section 19; thence along said East line N02°16'57"E, 1368.00 feet to the said N ¼ corner of Section 19 and the Point of Beginning. Polling place at Blackhawk Middle School, 1402 Wyoming Way."

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.