



Legislation Details (With Text)

**File #:** 50634      **Version:** 1      **Name:** BHTOO, LLC/Schumann Attachment  
**Type:** Ordinance      **Status:** Passed  
**File created:** 2/20/2018      **In control:** COMMON COUNCIL  
**On agenda:** 3/20/2018      **Final action:** 3/20/2018  
**Enactment date:** 3/29/2018      **Enactment #:** ORD-18-00036

**Title:** Creating Section 15.01(605) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 9th Aldermanic District the BHTOO, LLC (Schumann) Attachment; creating Section 15.01(143) of the Madison General Ordinances to assign the attached property to Ward 143; and assigning a temporary zoning classification of A Agriculture District.

**Sponsors:** Paul R. Soglin

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. 50634 ROD copy.pdf

Date	Ver.	Action By	Action	Result
3/20/2018	1	COMMON COUNCIL	Adopt	Pass
2/27/2018	1	COMMON COUNCIL	Refer to a future Meeting to Adopt	Pass
2/20/2018	1	Attorney's Office/Approval Group	Referred for Introduction	

**Fiscal Note**

The proposed ordinance attaches land to the 9<sup>th</sup> Aldermanic District, Ward 143, in the City of Madison from the Town of Middleton and assigns a temporary zoning classification of A Agriculture District. No City appropriation is required.

**Title**

Creating Section 15.01(605) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 9th Aldermanic District the BHTOO, LLC (Schumann) Attachment; creating Section 15.01(143) of the Madison General Ordinances to assign the attached property to Ward 143; and assigning a temporary zoning classification of A Agriculture District.

**Body**

DRAFTER'S ANALYSIS: This ordinance attaches land in the Town of Middleton.

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An ordinance to create Subsection (605) 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 February 5, 2018, 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 Middleton; 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 Middleton; 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 Middleton 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 (605) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(605) - There is hereby attached to the 9th 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 Agriculture District:

All of Lot One (1) of Certified Survey Map Number 4802, as recorded in Volume 21 of Certified Survey Maps, on Pages 168 and 169, as Document Number 1908493, Dane County Registry, also part of Lot Two (2) of Certified Survey Map Number 4815, as recorded in Volume 21 of Certified Survey Maps, on Page 190, as Document No. 1909721, Dane County Registry, also part of Lot 1, Certified Survey Map Number 3093, as recorded in Volume 12 of Certified Survey Maps, on Page 109, as Document Number 1607527, Dane County Registry, located in the NE ¼ of the SW ¼ of Section 16, Township 07 North, Range 08 East, in the Town of Middleton, Dane County, Wisconsin, being more fully described as follows:  
Commencing at the West ¼ corner of said Section 16; thence N89°49'50"E, along the North line of the SW ¼ of said Section 16, 1989.26 feet; thence S00°18'30"W, 33.00 feet to the Northwest corner of said Lot 1 of Certified Survey Map Number 4802 and the southerly right-of-way line of Blackhawk Road, said point also being the point of beginning; thence N89°49'50"E along said North line of Lot 1 and the southerly right-of-way line of Blackhawk Road, 363.10 feet; thence S00°18'42"W, 660.13 feet along the westerly line of Certified Survey Map Number 8722 and the westerly line of the plat of Blackhawk North; thence S89°49'31"W, 363.06 feet along the north line of the plat of Sixth Addition to Blackhawk Subdivision to a point of intersection with the southerly extension of the West line of said Lot 1 of Certified Survey Map Number 4802; thence N00°18'30"E along said West line and its southerly extension thereof, 660.16 feet to the Northwest corner of said Lot 1 and the point of beginning. Said description contains 239,678 square feet or 5.502 acres more or less. Bearings for this description are based upon the Wisconsin County Coordinate System, Dane Zone, the North line of the SW ¼ of said Section 16 measured as bearing N89°49'50"E."

2. Subsection (143) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is created to read as follows:

(143) Ward 143. All of Lot One (1) of Certified Survey Map Number 4802, as recorded in Volume 21 of Certified Survey Maps, on Pages 168 and 169, as Document Number 1908493, Dane County Registry, also part of Lot Two (2) of Certified Survey Map Number 4815, as recorded in Volume 21 of Certified Survey Maps, on Page 190, as Document No. 1909721, Dane County Registry, also part of Lot 1, Certified Survey Map Number 3093, as recorded in Volume 12 of Certified Survey Maps, on Page 109, as Document Number 1607527, Dane County Registry, located in the NE ¼ of the SW ¼ of Section 16, Township 07 North, Range 08 East, in the Town of Middleton, Dane County, Wisconsin, being more fully described as follows:  
Commencing at the West ¼ corner of said Section 16; thence N89°49'50"E, along the North line of the SW ¼ of said Section 16, 1989.26 feet; thence S00°18'30"W, 33.00 feet to the Northwest corner of said Lot 1 of Certified Survey Map Number 4802 and the southerly right-of-way line of Blackhawk Road, said point also being the point of beginning; thence N89°49'50"E along said North line of Lot 1 and the southerly right-of-way line of Blackhawk Road, 363.10 feet; thence S00°18'42"W, 660.13 feet along the westerly line of Certified Survey Map Number 8722 and the westerly line of the plat of Blackhawk North; thence S89°49'31"W, 363.06 feet along the north line of the plat of Sixth Addition to Blackhawk Subdivision to a point of intersection with the southerly extension of the West line of said Lot 1 of Certified Survey Map Number 4802; thence N00°18'30"E along said West line and its southerly extension thereof, 660.16 feet to the Northwest corner of said Lot 1 and the point of beginning. Polling place at The Jefferson, 9401 Old Sauk Road."

3. Subsection (9) of Section 15.03 entitled "Aldermanic Districts" of the Madison General Ordinances is amended to read as follows:

"(9) Ninth Aldermanic District. Wards 107, 108, 109, 110, 111, 122, 124, 127, 138, ~~and 140,~~ and 143."

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.