



Legislation Details (With Text)

File #: 01841 **Version:** 1 **Name:** Roe Annexation
Type: Ordinance **Status:** Passed
File created: 8/23/2005 **In control:** PLAN COMMISSION
On agenda: 9/20/2005 **Final action:** 9/20/2005
Enactment date: 10/12/2005 **Enactment #:** ORD-05-00152

Title: Creating Section 15.01(551) of the Madison General Ordinances entitled City Boundaries and being part of the chapter entitled Aldermanic Districts and Wards annexing to the Sixteenth Aldermanic District the Roe Annexation and assigning a temporary zoning classification of A Agriculture District, and amending Section 15.02(131) of the Madison General Ordinances to add the annexed property to Ward 131.

Sponsors: David J. Cieslewicz

Indexes:

Code sections:

Attachments: 1. RoeAnnexationMap.pdf, 2. Plans.pdf, 3. Comments.pdf, 4. 01841 Roe Annexation Letter.pdf, 5. 01841 Certified Mailing Receipt Town of Blooming Grove.pdf, 6. 01841 register of deeds receiptp.pdf

Date	Ver.	Action By	Action	Result
9/20/2005	1	COMMON COUNCIL	Adopt	Pass
9/19/2005	1	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT (15 VOTES REQUIRED) - REPORT OF OFFICER	Pass
9/6/2005	1	COMMON COUNCIL	Refer	
8/23/2005	1	Attorney's Office/Approval Group	Approved As To Form	
8/23/2005	1	Attorney's Office	Fiscal Note Required / Approval	
8/23/2005	1	Finance Dept/Approval Group	Approved Fiscal Note By The Comptroller's Office	
8/23/2005	1	Attorney's Office	Referred for Introduction	

Fiscal Note

As per State Statutes, beginning in 2007 the City will make annual payments for five years of an estimated \$382 to the Town of Blooming Grove (an amount equal to the town levy on the parcel for the year 2005). The payments will come from the General Fund Miscellaneous account and will be accommodated in future budgets.

Title

Creating Section 15.01(551) of the Madison General Ordinances entitled City Boundaries and being part of the chapter entitled Aldermanic Districts and Wards annexing to the Sixteenth Aldermanic District the Roe Annexation and assigning a temporary zoning classification of A Agriculture District, and amending Section 15.02(131) of the Madison General Ordinances to add the annexed property to Ward 131.

Body

DRAFTER'S ANALYSIS: This ordinance annexes land in the Town of Blooming Grove.

An ordinance to create Subsection (551) 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 with scale map attached was filed with the City Clerk of Madison on July 27, 2005, and mailed to the Clerk of the Town of Blooming Grove on July 27, 2005, and mailed to the Municipal Boundary Review Section, Department of Commerce, State of Wisconsin, on July 27, 2005, 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 Blooming Grove; said

petition having been signed by the owners of all the real property within the territory, and there being no electors residing within the territory, which lies contiguous to the City of Madison; and WHEREAS, the Cottage Grove Neighborhood Plan recommends low, low-medium, and medium density residential uses; and

WHEREAS, pursuant to Sec. 28.04(7), Madison General Ordinances, the annexed territory is declared to be in the A Agriculture District and the annexation and temporary zoning were considered by the Plan Commission at its meeting of September 19, 2005, and adoption of the said annexation and zoning were recommended; and

WHEREAS, pursuant to sec. 66.0217(14)(a)1., Wis. Stats., the City of Madison agrees to pay annually to the Town of Blooming Grove 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 sec. 70.65, Wis. Stats., 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 the determination of the Department of Commerce, Municipal Boundary Review Section, State of Wisconsin, that the below described annexation has been reviewed and found to be in the public interest, having been reviewed, the Common Council now accepts the petition as sufficient and 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 (551) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows: "15.01(551) - There is hereby attached to the 16th Aldermanic District, the City of Madison, Dane County, Wisconsin, the following described property:

Part of Lot 1, Certified Survey Map No. 6371, recorded in Volume 31 of Certified Surveys, Pages 39 & 40, as Document No. 2254639, located in the NE ¼ and SE ¼ of the SW ¼ of Section 12, T7N, R10E and part of the SE ¼ of the NW ¼ of Section 12, T7N, R10E, Township of Blooming Grove, Dane County, Wisconsin, described as follows:

Commencing at the West ¼ corner of said Section 12; thence N88°25'17"E along the East-West ¼ line of said Section 12 as monumented, 2643.60 feet to the center of said Section 12 and the point of beginning of this description; thence N00°53'34"W along the East line of the NW¼ of said Section 12, 27.31 feet, (recorded as 26.21 feet) to the southerly right-of-way line of C.T.H. BB/Cottage Grove Road, said point being on a curve; thence Southwesterly along said right-of-way line on a curve to the right which has a radius of 5785.00 feet and a chord which bears S81°13'05"W, 499.21 feet; thence S00°40'12"E (previously recorded as S00°40'24"E), 1285.91 feet; thence N88°33'59"E (previously recorded as N88°33'52"E) along a line of said Certified Survey Map No. 6371, 253.44 feet; thence S31°37'04"W, 1569.42 feet to the southerly line of said Certified Survey Map No. 6371; thence S88°25'32"E along said southerly line, 83.11 feet; thence N89°42'38"E along said southerly line, 154.84 feet; thence N31°37'04"E, 1575.10 feet to an east line of Certified Survey Map No. 6371; thence N00°40'12"W (previously recorded as N00°40'24"W), 1322.45 to the point of beginning of this description. This parcel contains 967,032 square feet (22.20 acres)."

2. Subsection (131) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is amended to read as follows:

"Beginning at the West ¼ corner of said Section 12; thence S87°38'17"W along the East-West ½ line of said Section 12, 33.00 feet; thence S00°26'31"E, 40.02 feet; thence S87°38'17"W, 154.38 feet; thence S02°21'43"E, 20.06 feet; thence N87°40'33"E, 89.68 feet to a point of curve; thence Southeasterly along the arc of a curve to the right which has a radius of 30.00 feet and a chord which bears S46°26'12"E, 43.13 feet; thence N89°31'23" E, 66.00 feet to the Easterly right-of-way line of Sprecher Road; thence S00°28'39"E along said right-of-way line, 329.71 feet; thence N88°05'20"E, 193.65 feet; thence S00°40'26"E, 250.00 feet; thence S88°17'49"W, 267.51 feet to the Westerly right-of-way line of Sprecher Road; thence S00°28'37"E along said right-of-way line, 643.14 feet; thence N88°33'59"E, 1037.67 feet; thence S2011'11"W, 706.83 feet; thence S2746'29"W, 155.88 feet; thence S3113'42"W, 149.68 feet; thence S3207'26"W, 1041.86 feet; thence S0049'24"E, 565.46 feet; thence S8821'45"E. 268.27 feet; thence Southeasterly along the arc of a curve to the right, having a radius of 1465.70 feet, and arc length of 1157.34 feet, the long chord bears S6544'30"E, 1127.51 feet; thence S4652'45"W, 33 feet; thence S4307'15"E, 95.88 feet; thence N0737'02"E, 1650.55 feet along the easterly line of Certified Survey Map No. 11086; thence N88°42'38"E along said easterly line, 84.25 feet to the most easterly corner of CSM 11086; thence N88°42'38"E along the southerly line of Certified Survey Map No. 6371, 154.73 feet; thence N31°37'04"E along an easterly line of Certified Survey Map No. 6371, 1575.10 feet; thence continuing on said easterly line, N00°40'12"W (previously recorded as N00°40'24"W), 1322.45 feet, thence N00°53'34"W along the East line of the NW¼ of said Section 12, 27.31 feet, (recorded as 26.21 feet) to the southerly right-of-way line of C.T.H. BB/Cottage Grove Road, said point being on a curve; thence N8842'38E, 84.25 feet; thence N8825'28"W, 330.04 feet; thence N0035'07"W, 1302.60 feet; thence N8833'59"E 831.46 feet to a Westerly line of Certified Survey Map No. 6371; thence N00°40' 12"W, 1285.91 feet to the Southerly right-of-way line of Cottage Grove Road (C.T.H. BB) and a point on a curve; thence Northeasterly along the arc of a curve on said right-of-way line, which has a radius of 5785.00 feet and a chord which bears N81°13'05"E, 499.21 feet to a point on the North-South ¼ line of said Section 12; thence continuing N00°53'34"W along said line, 123.36 feet to the Northerly right-of-way line of Cottage Grove Road (C.T.H. BB); thence continuing along said right-of-way line, S74°37'09"W, 126.40 feet; thence continuing along said right-of-way line, S78°20'15"W, 198.35 feet; thence continuing along said right-of-way line S85°14'57"W, 198.35 feet; thence continuing along

said right-of-way line S85°39'41"W, 197.99 feet; thence continuing along said right-of-way line S85°20'49"W, 198.06 feet to a point of curve; thence Westerly along the arc of a curve to the right on said right-of-way line which has a radius of 5675.00 feet and a chord which bears S88°06'25"W, 62.21 feet; thence S88°25'17"W along said right-of-way line, 349.10 feet; thence N01°34'43"W along said right-of-way line, 5.00 feet; thence S88°25'17"W, along said right-of-way line, 580.58 feet; thence N01°34'43"W along said right-of-way line, 10.00 feet; S88°25'17"W, 418.20 feet along said right-of-way line; thence S01°34'43"E, 20.00 feet along said right-of-way line; thence S88°25'17"W along said right-of-way line, 223.30 feet; thence N46°10'18"W, 93.98 feet to the Easterly right-of-way line of Sprecher Road; thence S00°52'52"E, 116.93 feet to the East-West ¼ line of said Section 12; thence S88°25'17"W, 33.00 feet to the point of beginning of this description.

And Except:

Beginning at the South ¼ corner of Section 12; thence S88°42'38"W along the south line of the Southwest ¼, 841.50 feet to the southeast corner of Certified Survey Map No. 6371; thence S88°42'38"W, 154.73 feet along the south line of CSM 6371; thence N88°25'28"W, 83.11 feet along said south line to the point of beginning; thence N88°25'28"W along said south line, 247.10 feet to the southwest corner of CSM 6371; thence N00°34'27"W, 1302.61 feet along the westerly line of CSM 6371 to an angle point; thence N88°33'52"E, 829.63 feet along said westerly line to an angle point; thence N88°33'52"E, 253.44 feet; thence S31°37'04" W, 1569.42 feet to the point of beginning. Polling place is Elvehjem Elementary School, 5106 Academy Dr."

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. EDITOR'S NOTE: Pursuant to Sec. 66.0217(8), Wis. Stats., this annexation ordinance must be enacted by a two-thirds vote of the elected members of the Common Council or at least 14 votes. A separate roll call vote is requested on the temporary zoning.

Adopted on roll call at a regular meeting of the Common Council of the City of Madison, Wisconsin, held on 20th of September, 2005.

Annexation vote:

Ayes: 19
Noes: 0

Temporary Zoning vote:

Ayes: 19
Noes: 0