



Legislation Details (With Text)

File #: 01553 **Version:** 2 **Name:** WL Holdings annexation (Blooming Grove)

Type: Ordinance **Status:** Passed

File created: 6/29/2005 **In control:** COMMON COUNCIL

On agenda: 8/2/2005 **Final action:** 8/2/2005

Enactment date: 8/19/2005 **Enactment #:** ORD-05-00143

Title: SUBSTITUTE - Creating Section 15.01(548) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to the 16th Aldermanic District the WL Holdings Annexation and assigning a temporary zoning classification of A Agriculture District, and amending Section 15.02 (131) of the Madison General Ordinances to assign the attached property to Ward 131.

Sponsors: David J. Cieslewicz

Indexes:

Code sections:

Attachments: 1. WLHoldingsmap.pdf, 2. Maps & Petition.pdf, 3. Comments.pdf, 4. 01553 registration statement.pdf, 5. 01553 annexation certification.pdf, 6. 01553 Town of Blooming Grove certified mail receipt.pdf, 7. 01553 Certified Mail Receipt.pdf, 8. 01553 certification.pdf, 9. 01553 rerecording.pdf

Date	Ver.	Action By	Action	Result
8/2/2005	2	COMMON COUNCIL	Adopt	Pass
7/19/2005	2	COMMON COUNCIL	Refer to a future Meeting to Adopt	Pass
7/18/2005	2	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT (15 VOTES REQUIRED) - REPORT OF OFFICER	Pass
7/13/2005	1	Finance Dept/Approval Group	Approved Fiscal Note By The Comptroller's Office	
7/13/2005	2	Attorney's Office/Approval Group	Approved As To Form	
7/13/2005	2	Attorney's Office	Fiscal Note Required / Approval	
7/13/2005	2	Finance Dept/Approval Group	Approved Fiscal Note By The Comptroller's Office	
7/6/2005	1	COMMON COUNCIL	Fiscal Note Required / Approval	
7/5/2005	1	COMMON COUNCIL	Refer	
6/29/2005	1	Attorney's Office/Approval Group	Approved As To Form	
6/29/2005	1	Attorney's Office	Fiscal Note Required / Approval	
6/29/2005	1	Finance Dept/Approval Group	Fiscal Note Pending	
6/29/2005	1	Attorney's Office	Referred for Introduction	

Fiscal Note

As per agreement with the Town of Blooming Grove, beginning in 2007, the City will make annual payments for five years of an estimated \$2,880 to the Town of Blooming Grove (an amount equal to the town levy on the parcels for the year 2005). The payments will come from the General Fund Miscellaneous account and will be accommodated in future budgets.

Title
SUBSTITUTE - Creating Section 15.01(548) of the Madison General Ordinances entitled "City Boundaries" and being

part of the chapter entitled "Aldermanic Districts and Wards" annexing to the 16th Aldermanic District the WL Holdings Annexation and assigning a temporary zoning classification of A Agriculture District, and amending Section 15.02 (131) of the Madison General Ordinances to assign the attached property to Ward 131.

Body

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

An ordinance to create Subsection (548) 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 June 20, 2005, mailed to the Clerk of the Town of Blooming Grove on June 21, 2005, and the Municipal Boundary Review Section, Department of Commerce, State of Wisconsin, on June 21, 2005, an amended petition was filed with the City Clerk of Madison on July 12, 2005, and mailed to the Clerk of the Town of Blooming Grove and the Municipal Boundary Review Section, Department of Commerce, State of Wisconsin on July 12, 2005 and have 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 petitions having been signed by the owners of all the real property in the territory, and all 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 July 18, 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, 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 amended 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 (548) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(548) - There is hereby attached to the 16th Aldermanic District, the City of Madison, Dane County, Wisconsin, the following described property:

Lot 1, Certified Survey Map No. 3735, recorded in Volume 15 of Certified Survey Maps, Pages 186, 187, and 188 and part of the NE ¼ of the SE ¼, Section 11, and part of the NW ¼ and NE ¼ of the SW ¼ of Section 12, and part of the SE ¼ of the SW ¼, of Section 12, all in T7N, R10E, and also part of Sprecher Road and Cottage Grove Road (C.T.H. BB), Township of Blooming Grove, Dane County, Wisconsin, described 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, 2226.58 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 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. This parcel contains approximately 3,027,421 square feet (69.50 acres / 0.108 square miles)."

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

"(131) Ward 131. Commencing at the Southwest Corner of Section 12, T9N, R6E, Town of Blooming Grove, Dane County, Wisconsin; thence S00°49'24"E, 1037.27 feet to the point of beginning; thence N00°49'24"W, 565.46 feet; thence N32°07'26"E, 1041.86 feet; thence N31°13'42"E, 149.68 feet; thence N27°46'29"E, 155.88 feet; thence N20°11'11"E, 706.83 feet; thence N88°33'52"E, 357.44 feet; thence S00°35'07"E, 1302.60 feet; thence S88°25'28"E, 330.04 feet; thence S88°42'38"W, 84.25 feet; thence S07°37'02"W, 1650.55 feet; thence N43°07'15"W, 95.88 feet; thence N46°52'45"E, 33.00 feet; thence Northwesterly along the arc of a curve to the left, having a radius of 1465.70 feet, an arc length of 1157.34 feet, the long chord bears N65°44'30"W, 1127.51 feet; thence N88°21'45"W, 268.27 feet to the point of beginning.

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 S20°11'11"W, 706.83 feet; thence S27°46'29"W, 155.88 feet; thence S31°13'42"W, 149.68 feet; thence S32°07'26"W, 1041.86 feet; thence S00°49'24"E, 565.46 feet; thence S88°21'45"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 S65°44'30"E, 1127.51 feet; thence S46°52'45"W, 33 feet; thence S43°07'15"E, 95.88 feet; thence N07°37'02"E, 1650.55 feet; thence N88°42'38"E, 84.25 feet; thence N88°25'28"W, 330.04 feet; thence N00°35'07"W, 1302.60 feet; thence N88°33'59"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 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. 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 2nd of August, 2005.

Annexation vote:

Ayes: 16
Noes: 0

Temporary Zoning vote:

Ayes: 16
Noes: 0