



Legislation Details (With Text)

File #: 19363 **Version:** 1 **Name:** Alsmo Detachment
Type: Ordinance **Status:** Passed
File created: 7/27/2010 **In control:** PLAN COMMISSION
On agenda: 9/7/2010 **Final action:** 9/7/2010
Enactment date: 9/15/2010 **Enactment #:** ORD-10-00087

Title: Creating Section 15.01(574) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" detaching from the Sixteenth Aldermanic District the Alsmo property and amending Section 15.02(1) of the Madison General Ordinances to remove the detached property from Ward 1.

Sponsors: David J. Cieslewicz

Indexes:

Code sections:

Attachments: 1. Map, 2. Detach19363Letter.pdf, 3. Annexation receipt from Register of Deeds, 4. 19363 MAIL CERT MCFARLAND.pdf, 5. 19363 MAIL CERT MMSD.pdf, 6. 19363 MAIL CERT SEC OF STATE.pdf

Date	Ver.	Action By	Action	Result
9/7/2010	1	COMMON COUNCIL	Adopt	Pass
8/23/2010	1	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
8/3/2010	1	COMMON COUNCIL	Refer For Public Hearing	
7/28/2010	1	Attorney's Office/Approval Group	Referred for Introduction	

Fiscal Note

The detachment will result in an annual loss of City property tax proceeds of an estimated \$2.00.

Title

Creating Section 15.01(574) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" detaching from the Sixteenth Aldermanic District the Alsmo property and amending Section 15.02(1) of the Madison General Ordinances to remove the detached property from Ward 1.

Body

DRAFTER'S ANALYSIS: This ordinance detaches approximately 19 feet of land from the 16th Aldermanic District due to a mistake in a Certified Survey Map.

An ordinance to create Subsection (574) 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 certified survey map created in 1987 unintentionally split the Alsmo property between two jurisdictions. The Westerly nineteen and one-half (19.5) feet is located in the City of Madison, with the remainder located in the Village of McFarland; and
WHEREAS, the owner currently receives a tax bill from both the City of Madison and the Village of McFarland; and
WHEREAS, to remedy the above inefficiency, a Notice of Intent to Circulate a Petition for Detachment of the nineteen and one-half (19.5) feet of the Alsmo land in the City of Madison (the "Territory") was published as a Class I Notice, under ch. 985, Wis. Stats., on June 30, 2010; and
WHEREAS, on July 15, 2010, a Petition for Detachment (the "Petition") of the Territory, described in Exhibit A and shown on Exhibit B, both attached hereto, was timely 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. Stats. Sec. 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 else, this ordinance shall be void.

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

1. Subsection (573) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(574) - There is hereby detached from the 16th Aldermanic District, the City of Madison, Dane County, Wisconsin, the following described property:

Part of the SE ¼ of the NE ¼ of Section, 34, T7N, R10E, more particularly described as follows:

Beginning at a point on the South quarter line of said NE ¼, 664.57 feet West of the Southeast corner thereof; then N0°40'E, 178.0 feet; thence West parallel to the said South quarter line 19.5 feet; thence S0°40'W, 178.0 feet; thence East along said South quarter line 19.5 feet to the point of beginning."

2. Subsection (1) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is amended to read as follows:

"(1) Ward 1. Beginning at a point in the limits line of the City of Madison, said point being the point of intersection of the North line of the Southwest 1/4 of Section 16, T7N, R10E, City of Madison, Dane County, Wisconsin, and the centerline of Monona Drive; thence Easterly along the North line of the Southwest 1/4 of said Section 16 (also the North boundary line of the Monona Golf Course) and its Easterly prolongation to the centerline of Spaanem Avenue; thence Northerly along the centerline of Spaanem Avenue to the centerline of Ruth Street; thence Easterly along the centerline of Ruth Street and its Easterly prolongation to the centerline of South Stoughton Road (U.S. Highway 51); thence Northerly along the centerline of South Stoughton Road to the centerline of East Buckeye Road; thence Easterly along the centerline of East Buckeye Road to the centerline of the right-of-way of the Chicago & North Western Railway; thence Southeasterly along the centerline of said right-of-way to the centerline of Vondron Road; thence Southerly along the centerline of Vondron Road to the centerline of Femrite Drive; thence Easterly along the centerline of Femrite Drive to the West right-of-way line of Interstate Highway 90, also the limits line of the City of Madison; thence Southerly along said West right-of-way line to a point that is 110.00 feet South of, measured at right angles to, the North line of the Southeast 1/4 of the Southwest 1/4 of Section 23, T7N, R10E; thence Westerly 990.00 feet more or less, along a line that is parallel to and 110.00 feet South of, measured at right angles to, the North line of the Southeast 1/4 of the Southwest 1/4 of said Section 23 to its point of intersection with the East line of the Southwest 1/4 of the Southwest 1/4 of said Section 23; thence Southerly on said East line and the East line of the Northwest 1/4 of the Northwest 1/4 of Section 26, T7N, R10E to a point that is 846.82 feet North of the Southwest corner of the Northeast 1/4 of the Northwest 1/4 of said Section 26, measured along the West line thereof; thence S82°41'46"E to the centerline of Interstate Highway 90; thence Southerly and Southeasterly along said centerline to its intersection with the Southwesterly prolongation of the South line of Lot 10, Assessor's Plat No. 10 of the Town of Blooming Grove; thence Southwesterly along the Southwesterly prolongation of the South line of said Lot 10 to the Southwest right-of-way line of said Interstate Highway 90; thence Northwesterly along the Southwest right-of-way line of Interstate 90 to the East line of the Southwest 1/4 of said Section 26; thence South along said East line of the Southwest 1/4 to the South 1/4 corner of said Section 26; thence West along the South line of said Southwest 1/4 to a point on said South line of the Southwest 1/4, 2131.00 feet East of the Southwest corner of said Southwest 1/4; thence N00°42'05"W, 1330.47 feet; thence S87°55'53"W, 1765.09 feet; thence S00°52'46"W, 245.00 feet, more or less, to the Northeast corner of Lot 1, Certified Survey Map 4252; thence S88°02'30"W, 337.11 feet to a point on a line that is parallel to and 33.00 feet East of, measured at right angles to the West line of said Southwest 1/4 and a point on the East right-of-way line of Marsh Road; thence North on said parallel line and said East Row line 460.00 feet, more or less, to the Southwest corner of Lot 3, Certified Survey map 4003; thence N89°03'00"E, 197.00 feet to the Southeast corner of said Lot 3; thence N00°57'18"W, 400.00 feet to the Northeast corner of Lot 1, Certified Survey Map 4003; thence S89°03'00"W, 197.00 feet to the Northwest corner

of Lot 1, Certified Survey Map 4003; thence North on said parallel line and said East Row line, 360.00 feet, more or less, to a point, said point being 313.12 feet South of the North line of said Southwest 1/4; thence East parallel to the North line of said Southwest 1/4, 175.75 feet; thence North parallel to the West line of said Southwest 1/4, 104.37 feet; thence East parallel to the North line of said Southwest 1/4, 208.65 feet; thence North parallel to the West line of said Southwest 1/4, 208.70 feet to the North line of said Southwest 1/4; thence continuing Westerly, and Southerly along the limits line of the City of Madison to the centerline of Siggelkow Road; thence West along the centerline of Siggelkow Road to the centerline of Marsh Road as it is aligned to the North of Siggelkow Road; thence North along said centerline of Marsh Road and continuing Northerly, Westerly, then Southerly 1,775 feet, more or less, thence West along a line parallel to the South quarter line of the NE 1/4 of Section 34, 19.5 feet; thence S0°40'W, 178.0 feet to the centerline of Siggelkow Rd and the South quarter line of the NE 1/4 of Section 34, thence Westerly and Northerly along the limits line of the City of Madison to the point of beginning. Also, in addition, lands located in the City of Madison in Sections 25, 26, and 36, T7N, R10E City of Madison, Dane County, Wisconsin, such lands including the Yahara Hills Golf Course and adjacent territories, except those lands in Ward 70. Further, in addition, lands remaining in the City of Madison south of Siggelkow Road in Section 35, T7N, R10E, pursuant to Detachment Ordinance No. 12,040, ID No. 22886, adopted on February 17, 1998, identified on Exhibit A as Parcels 1 and 2, also known as 5313 Marsh Road, Parcel No. 0710-353-0097-1, and 5325 Marsh Road, Parcel No. 0710-353-0094-7; and Village of McFarland Ordinance No. 98-03, adopted on February 23, 1998. Polling place at Glendale School, 1201 Tompkins Drive.”

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

Adopted on roll call at a regular meeting of the Common Council of the City of Madison, Wisconsin, held on _____, 2010.

Detachment vote:

Ayes: _____

Noes: _____