



Legislation Details (With Text)

File #: 06590 **Version:** 1 **Name:** NOTE: PLC TO CONSIDER 6/18 - REC FROM FLOOR Cherokee Annexation
Type: Ordinance **Status:** Passed
File created: 5/29/2007 **In control:** PLAN COMMISSION
On agenda: 6/19/2007 **Final action:** 6/19/2007
Enactment date: 7/11/2007 **Enactment #:** ORD-07-00079

Title: Creating Section 15.01(563) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to the 18th Aldermanic District the Cherokee Annexation and assigning a temporary zoning classification of A Agriculture District, creating Sections 15.02(143) and (144) of the Madison General Ordinances to assign the attached property to Wards 143 and 144, and amending Section 15.03(18) of the Madison General Ordinances to add Wards 143 and 144 to Aldermanic District 18.

Sponsors: David J. Cieslewicz

Indexes:

Code sections:

Attachments: 1. Maps&Comment.pdf, 2. Petition File 06655, 3. 06590Map1.pdf, 4. 06590Map2.pdf, 5. 06590 Cherokee Attatch map.pdf, 6. 06590 WI DOA Approval.pdf, 7. 06590 Register of Deeds recording.pdf, 8. 06590 Certified Mail Receipt.pdf

Date	Ver.	Action By	Action	Result
6/19/2007	1	COMMON COUNCIL	Adopt	Pass
6/18/2007	1	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
6/5/2007	1	COMMON COUNCIL	Refer	
5/31/2007	1	Finance Dept/Approval Group	Approved Fiscal Note By The Comptroller's Office	
5/30/2007	1	Finance Dept/Approval Group	Fiscal Note Pending	
5/30/2007	1	Attorney's Office	Referred for Introduction	
5/29/2007	1	Attorney's Office/Approval Group	Approved As To Form	
5/29/2007	1	Attorney's Office	Fiscal Note Required / Approval	

Fiscal Note

In accordance with State Statutes, the City will make annual revenue sharing payments to the Town of Westport for a five year period beginning in 2009. The required payments will be equal to the town levy on the annexed territory for the year 2007. The applicable payment is estimated to be \$57 per year and will be accommodated in the General Fund Miscellaneous Appropriations section of future year budgets.

Title

Creating Section 15.01(563) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to the 18th Aldermanic District the Cherokee Annexation and assigning a temporary zoning classification of A Agriculture District, creating Sections 15.02(143) and (144) of the Madison General Ordinances to assign the attached property to Wards 143 and 144, and amending Section 15.03(18) of the Madison General Ordinances to add Wards 143 and 144 to Aldermanic District 18.

Body

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

An ordinance to create Subsection (563) 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 May 10, 2007, and mailed to the Clerk of the Town of Westport and the Municipal Boundary Review Section, Department of Commerce, State of Wisconsin, 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 Westport; said petition having been signed by the owners of all the real property within the territory, which lies contiguous to the City of Madison and has no residents; and

WHEREAS, the Cherokee Special Area Plan recommends medium density residential uses for the surrounding area; 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 June 18, 2007, and adoption of the said annexation and zoning were recommended; and

WHEREAS, pursuant to Wis. Stats. sec. 66.0217(14)(a)1., the City of Madison agrees to pay annually to the Town of Westport, 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 Wis. Stats. 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 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 (563) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(563) - There is hereby attached to the 18th Aldermanic District, the City of Madison, Dane County, Wisconsin, the following described property:

Part of the Northwest 1/4 of the Northeast 1/4 of Section 24, T8N, R9E, Town of Westport, Dane County, Wisconsin being more particularly described as follows:

Beginning at the Northwest corner of Lot 223, Fourth Addition to Cherokee Park; thence N23°32'28"E, 10.00 feet; thence S66°27'32"E, 274.65 feet; thence N10°58'48"E, 300.17 feet; thence N53°11'38"E, 117.12 feet; thence S81°10'16"E, 40.85 feet; thence N08°17'00"E, 280.45 feet; thence N18°07'06"W, 126.76 feet to the North line of the said Northeast 1/4 of Section 24; thence along said North line N88°56'44"W, 365.94 feet to the Easterly shoreline of Cherokee Lake; thence along said Easterly line S00°54'20"E, 76.50 feet; thence continuing along said Easterly line S30°13'52"W, 94.53 feet; thence continuing along said Easterly line S67°57'49" W, 30.60 feet; thence continuing along said Easterly line S34°43'35"W, 159.46 feet; thence continuing along said Easterly line S24°53'29"W, 186.72 feet; thence continuing along said Easterly line S17°05'24"W, 112.68 feet to the Northerly line of Fourth Addition to Cherokee Park; thence along said Northerly line S66°27'32"E, (recorded as S66°52'E), 212.81 feet to the point of beginning.

AND

Part of Lot 1, Certified Survey Map No. 2225, part of the Southeast 1/4 of the Southeast 1/4 all in Section 24, T8N, R9E. Town of Westport, Dane County, Wisconsin being more particularly described as follows:

Commencing at the Southeast Corner of said Section 24; thence along the East line of the said Southeast 1/4 N02°02'25"E, 739.01 feet to the point of beginning; thence continuing along said east line, N02°02'25"E, 70.00 feet to the Easterly extension of the Northerly right of way line of Golf Parkway; thence along said Northerly right of way line N88°03'24"W (recorded as N88°25'00"W), 600.06 feet; thence continuing along said Northerly right of way line N82°57'11"W (recorded as N83°18'47W), 175.25 feet, thence N00°33'02"E, 254.69 feet; thence N48°48'27"W, 168.71 feet to a Westerly corner of said Lot 1, Certified Survey Map No. 2225; thence S40°59'35"W, 140.30 feet; thence S86°03'20"W, 132.80 feet; thence S00°23'49"W, 128.85 feet (recorded as S00°00'14"E, 130.00 feet) to the Southerly right of way line of said Golf Parkway; thence along said Southerly right of way line S42°09'19"E, (recorded as S42°33'13"E) 108.75 feet to a point on a curve; thence continuing along said Southerly right of way line along a curve to the left having of radius of 190.00 feet and a chord bearing and distance of S62°21'47"E, 133.65 feet (recorded as

S82°56'00"E, 132.33 feet) to a point of tangency; thence continuing along said Southerly right of way line S82°57'11"E, 331.82 feet (recorded as S83°18'47"E, 334.45 feet); thence continuing along said Southerly right of way line S88°03'24"E, 568.77 feet (recorded as S88°25'00"E, 367.86 feet) to the Westerly right of way line of said North Sherman Avenue; thence along said Westerly right of way line S02°02'25"W, 30.00 feet; thence S88°03'24"E, (recorded as S89°23'08"E), 33.00 feet to the said East line of the Southeast 1/4 and the point of beginning."

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. Beginning at the Northwest corner of Lot 223, Fourth Addition to Cherokee Park; thence N23°32'28"E, 10.00 feet; thence S66°27'32"E, 274.65 feet; thence N10°58'48"E, 300.17 feet; thence N53°11'38"E, 117.12 feet; thence S81°10'16"E, 40.85 feet; thence N08°17'00"E, 280.45 feet; thence N18°07'06"W, 126.76 feet to the North line of the said Northeast ¼ of Section 24; thence along said North line N88°56'44"W, 365.94 feet to the Easterly shoreline of Cherokee Lake; thence along said Easterly line S00°54'20"E, 76.50 feet; thence continuing along said Easterly line S30°13'52"W, 94.53 feet; thence continuing along said Easterly line S67°57'49" W, 30.60 feet; thence continuing along said Easterly line S34°43'35"W, 159.46 feet; thence continuing along said Easterly line S24°53'29"W, 186.72 feet; thence continuing along Easterly line S17°05'24"W, 112.68 feet to the Northerly line of Fourth Addition to Cherokee Park; thence along said Northerly line S66°27'32"E, (recorded as S66°52'E), 212.81 feet to the point of beginning."

3. Subsection (144) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is created to read as follows:

"(144) Ward 144. Commencing at the Southeast Corner of said Section 24; thence along the East line of the said Southeast ¼, N02°02'25"E, 739.01 feet to the point of beginning; thence continuing along said east line, N02°02'25"E, 70.00 feet to the Easterly extension of the Northerly right of way line of Golf Parkway; thence along said Northerly right of way line N88°03'24"W (recorded as N88°25'00"W), 600.06 feet; thence continuing along said Northerly right of way line N82°57'11"W (recorded as N83°18'47"W), 175.25 feet, thence N00°33'02"E, 254.69 feet; thence N48°48'27"W, 168.71 feet to a Westerly corner of said Lot 1, Certified Survey Map No. 2225; thence S40°59'35"W, 140.30 feet; thence S86°03'20"W, 132.80 feet; thence S00°23'49"W, 128.85 feet (recorded as S00°00'14"E, 130.00 feet) to the Southerly right of way line of said Golf Parkway; thence along said Southerly right of way line S42°09'19"E, (recorded as S42°33'13"E) 108.75 feet to a point on a curve; thence continuing along said Southerly right of way line along a curve to the left having of radius of 190.00 feet and a chord bearing and distance of S62°21'47"E, 133.65 feet (recorded as S82°56'00"E, 132.33 feet) to a point of tangency; thence continuing along said Southerly right of way line S82°57'11"E, 331.82 feet (recorded as S83°18'47"E, 334.45 feet); thence continuing along said Southerly right of way line S88°03'24"E, 568.77 feet (recorded as S88°25'00"E, 367.86 feet) to the Westerly right of way line of said North Sherman Avenue; thence along said Westerly right of way line S02°02'25"W, 30.00 feet; thence S88°03'24"E, (recorded as S89°23'08"E), 33.00 feet to the said East line of the Southeast 1/4 and the point of beginning. Polling place at Blackhawk Middle School, 1402 Wyoming Way."

4. Subsection (18) of Section 15.03 entitled "Aldermanic Districts" of the Madison General Ordinances is amended to read as follows:

"(18) Eighteenth Aldermanic District. Wards 22, 23, 24, and 25, 143, and 144."

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.

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.

Adopted on roll call at a regular meeting of the Common Council of the City of Madison, Wisconsin, held on June 19, 2007.

Annexation vote:
Ayes: 18

Noes: 0
Excused: 2