



Legislation Details (With Text)

**File #:** 53819      **Version:** 1      **Name:** Herrling Family Attachment from Town of Middleton  
**Type:** Ordinance      **Status:** Passed  
**File created:** 11/13/2018      **In control:** Attorney's Office/Approval Group  
**On agenda:**      **Final action:** 12/4/2018  
**Enactment date:** 12/15/2018      **Enactment #:** ORD-18-00133

**Title:** Creating Section 15.01(609) 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 Herrling Family Attachment and amending Section 15.02(124) of the Madison General Ordinances to assign the attached property to Ward 124; and assigning a temporary zoning classification of A Agriculture District.

**Sponsors:** Paul R. Soglin

**Indexes:**

**Code sections:**

**Attachments:** 1. Map, 2. registered copy

Date	Ver.	Action By	Action	Result
12/4/2018	1	COMMON COUNCIL	Adopt	Pass
11/20/2018	1	COMMON COUNCIL	Refer to a future Meeting to Adopt	Pass
11/13/2018	1	Attorney's Office/Approval Group	Referred for Introduction	

**Fiscal Note**

The proposed ordinance attaches land to the 9<sup>th</sup> Aldermanic District 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(609) 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 Herrling Family Attachment and amending Section 15.02(124) of the Madison General Ordinances to assign the attached property to Ward 124; 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 (609) 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 October 17 and November 7, 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 (609) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(609) - 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 that part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and the Southeast 1/4 of the Southeast 1/4 of Section 20, Town 7 North, Range 8 East, in the Town of Middleton, Dane County, Wisconsin, now being more particularly bounded and described as follows:

Commencing at the East 1/4 Corner of said Section 20; said point being the place of beginning of lands hereinafter described; thence South 01°19'36" West and along the East line of the said Southeast 1/4 Section, 2584.44 feet to a point on the North Right-of-Way line of "W. Mineral Point Road"; Thence North 89°52'41" West and along the said North Right-of-Way line being parallel to and at a right angle distance of 50.00 feet from the South line of the said Southeast 1/4 Section, 1323.47 feet to a point; Thence South 00°29'09" West, 110.00 feet to a point on the South Right-of-Way line of said "W. Mineral Point Road"; Thence North 89°52'41" West and along the said South Right-of-Way line being parallel to and at a right angle distance of 60.00 feet from the said South line of the said Southeast 1/4 Section, 1158.69 feet to a point; Thence North 01°26'54" East and along the East line of Unplatted Lands and its Southerly extension, 324.02 feet to a point; Thence North 89°52'41" West and along the North line of said Unplatted Lands and its Westerly extension and being parallel to the said South line of the said Southeast 1/4 Section, 165.75 feet to a point on the West line of the said Southeast 1/4 Section; Thence North 01°17'06" East and along the said West line of the said Southeast 1/4 Section, 1076.16 feet to a point; Thence South 89°41'26" East and along the South line of Unplatted Lands and its Westerly extension and being parallel to the North line of the said Southeast 1/4 Section, 583.46 feet to a point; Thence North 01°26'54" East and along the East line of said Unplatted Lands, 1303.00 feet to a point on the said North line of the said Southeast 1/4 Section; Thence South 89°41'26" East and along the said North line of the said Southeast 1/4 Section, 2060.00 feet to the point of beginning of this description. Said Parcel contains 6,178,849 square feet, or 141.8469 acres or 0.2216 square miles, more or less."

2. Subsection (124) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is repealed and recreated to read as follows:

(124) Ward 124. Beginning at the East 1/4 Corner of Section 20, Township 7N, Range 8E, Town of Middleton, Dane County, Wisconsin; thence S01°19'36"W and along the East line of the said SE 1/4 Section, 2584.44 feet to a point on the North Right-of-Way line of Mineral Point Road; Thence N89° 52'41"W and along the said North Right-of-Way line being parallel to and at a right angle distance of 50.00 feet from the South line of the said SE 1/4 Section, 1323.47 feet to a point; thence S00°29'09"W, 110.00 feet to a point on the South Right-of-Way line of Mineral Point Road; thence N89°52'41"W and along the said South Right-of-Way line being parallel to and at a right angle distance of 60.00 feet from the said South line of the said SE 1/4 Section, 1158.69 feet to a point; thence N01°26'54"E and along the East line of Unplatted Lands and its Southerly extension, 324.02 feet to a point; thence N89° 52'41"W and along the North line of said Unplatted Lands and its Westerly extension and being parallel to the said South line of the said SE 1/4 Section, 165.75 feet to a point on the West line of the said SE 1/4 Section, said line also being the centerline of Pioneer Road; thence N01°17'06"E and along the said West line of the said SE 1/4 Section, 1076.16 feet to a point; thence S89°41'26"E and along the South line of Unplatted Lands and its Westerly extension and being parallel to the North line of the said SE 1/4 Section, 583.46 feet to a point; thence N01°26'54"E and along the East line of said Unplatted Lands, 1303.00 feet to a point on the said North line of the said SE 1/4 Section, said line also being the south line of Lot 243 of the plat of Eagle Trace; thence N89°41'23"W said North line of the said SE 1/4

Section, 289.33 feet, more or less, to the Southeast corner of Lot 1, Certified Survey Map No. 2519, recorded in Volume 10 of Certified Survey Maps on pages 68-69 as Document No. 1532233 and corrected by Document No. 1736219; thence N01°36'31"E, 149.73 feet along the East line of and to the Northeast corner of said Lot 1; thence N89°37'45"W, 298.06 feet along the North line of said Lot 1 and the Westerly extension thereof to the West line of said NE 1/4, also being the centerline of Pioneer Road; thence N01°36'46"E, 1329.67 feet along the West line of said NE 1/4 to the Northwest corner of the South 10 acres of the North 1/2 of said NE 1/4; thence N89°59'30"E, 2649.26 feet along the North line of the South 10 acres of the North 1/2 of said NE 1/4 to a point on the East line of said NE 1/4; thence S01°40'41"W, 825.82 feet along said East line of said NE 1/4 to a point; thence N89°19'18"E, 1320.17 feet to the East line of the SW 1/4 of the NW 1/4 of Section 21, Township 7 North, Range 8 East, Town of Middleton, Dane County, Wisconsin; thence S01°24'07"W, 683.00 feet along the east line of SW 1/4 of the NW 1/4 of Section 21 to the intersection with the East-West Quarter line of said Section 21; thence S89°19'18"W, 1318.81 feet along said East-West Quarter line to the Point of Beginning of this ward description. Polling place at The Jefferson, 9401 Old Sauk Road."

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:

Current Section 15.02(124) reads as follows:

"(124) Ward 124. Beginning at the W ¼ corner of said Section 21, Township 7N, Range 8E, Town of Middleton, Dane County, Wisconsin; thence N01°17'16"E, 682.95 feet along the west line of said the SW ¼ of the NW ¼ of said section to the intersection with the south line of Lot 4, Certified Survey Map No. 6407, recorded in Volume 31 of Certified Survey Maps, on Pages 120-122, as Document No. 2263459; thence N89°19'18"E, 1320.17 feet along the south line of said Lot 4 to the intersection with the east line of said SW ¼ of the NW ¼; thence S01°24'07"W, 683.00 feet along the east line of said SW ¼ of the NW ¼ to the intersection with the East-West Quarter line of said Section 21; thence S89°19'18"W, 1318.81 feet along said East-West Quarter line to the point of beginning to said W ¼ corner of said Section 21, also being the E ¼ corner of Section 20, Township 7N, Range 8E, Town of Middleton, Dane County, Wisconsin; thence N89°41'23"W, 2349.11 feet along the South line of the NE ¼ of said Section 20 to the Southeast corner of Lot 1, Certified Survey Map No. 2519, recorded in Volume 10 of Certified Survey Maps on pages 68-69 as Document Number 1532233 and corrected by Document Number 1736219; thence N01°36'31"E, 149.73 feet along the East line of and to the Northeast corner of said Lot 1; thence N89°37'45"W, 298.06 feet along the North line of said Lot 1 and the Westerly extension thereof to the West line of said NE ¼, also being the centerline of Pioneer Road; thence N01°36'46"E, 1329.67 feet along the West line of said NE ¼ to the Northwest corner of the South 10 acres of the North ½ of said NE ¼; thence N89°59'30"E, 2649.26 feet along the North line of the South 10 acres of the North ½ of said NE ¼ to a point on the East line of said NE ¼; thence S01°40'41"W, 1494.50 feet along said East line, also being the West lines of Outlot 3 of The Willows II subdivision and Outlot 1 of Autumn Ridge Reserve subdivision, and the existing corporate boundary of the City of Madison, to the point of beginning. Polling place at The Jefferson, 9401 Old Sauk Road."