



Legislation Details (With Text)

File #: 72165 **Version:** 1 **Name:** Town of Madison Area 5 Attachment
Type: Ordinance **Status:** Passed
File created: 6/15/2022 **In control:** Attorney's Office
On agenda: 7/12/2022 **Final action:** 7/12/2022
Enactment date: 10/30/2022 **Enactment #:** ORD-22-00065

Title: Implementing the Final Attachment Area of the Town of Madison by creating Section 15.01(637) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 10th Alder District land located in the "Arbor Hills" neighborhood and generally bounded by the West Beltline Highway, Landmark Place, University of Wisconsin-Madison Arboretum, and Nottingham Way, hereinafter referred to as "Area 5"; creating Section 15.02(150) of the Madison General Ordinances to create Ward 150; and amending Section 15.03(10) to add Ward 150 to the 10th Alder District.

Sponsors: Satya V. Rhodes-Conway

Indexes:

Code sections:

Attachments: 1. Area 5.pdf, 2. registered copy

Date	Ver.	Action By	Action	Result
7/12/2022	1	COMMON COUNCIL	Adopt Unanimously	Pass
6/21/2022	1	COMMON COUNCIL	Refer to a future Meeting to Adopt	
6/15/2022	1	Attorney's Office	Referred for Introduction	

Fiscal Note

No City appropriation required.

Title

Implementing the Final Attachment Area of the Town of Madison by creating Section 15.01(637) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 10th Alder District land located in the "Arbor Hills" neighborhood and generally bounded by the West Beltline Highway, Landmark Place, University of Wisconsin-Madison Arboretum, and Nottingham Way, hereinafter referred to as "Area 5"; creating Section 15.02(150) of the Madison General Ordinances to create Ward 150; and amending Section 15.03(10) to add Ward 150 to the 10th Alder District.

Body

DRAFTER'S ANALYSIS: On November 5, 2002, the Common Council adopted Resolution 59879 (ID 32734) authorizing the Mayor and City Clerk to execute an intergovernmental agreement among the City of Madison, Town of Madison, and City of Fitchburg regarding boundary changes and other urban growth and municipal service delivery issues pursuant to an approved cooperative plan under Wis. Stats. Ch. 66.0307. The agreement was executed on November 8, 2002. The subsequent cooperative plan was adopted by the Common Council on April 8, 2003 by Resolution 60411 (ID 33561) and was approved by the State of Wisconsin on October 10, 2003. The final cooperative plan established the final attachment of the Town of Madison to the cities of Madison and Fitchburg at 11:59 p.m. on October 30, 2022.

The final attachments of the portions of the Town of Madison accruing to the City of Madison will be adopted as a series of ordinances corresponding to discrete areas of the Town. This ordinance encompasses the area

of the Town hereinafter referred to as "Area 5," which attaches lands located in the Arbor Hills neighborhood and generally bounded by the West Beltline Highway on the north, Landmark Place on the east, the University of Wisconsin-Madison Arboretum on the west, and Nottingham Way on the south. Area 5 will be attached to the 10th Ald. Dist. and will be located in newly created Ward 150.

The zoning of this attachment area will be addressed in a subsequent ordinance.

An ordinance to create Subsection (637) 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, the City of Madison, Town of Madison, and City of Fitchburg entered into a cooperative plan pursuant to Wis. Stat. § 66.0307 providing for the final attachment of the Town of Madison to the City of Madison and City of Fitchburg; and

WHEREAS the area hereinafter described as "Area 5" shall attach to the City of Madison consistent with the Final City of Madison, City of Fitchburg and Town of Madison Cooperative Plan adopted by the State of Wisconsin on October 10, 2003; and

WHEREAS, investigation by the City of Madison discloses that as of this date the above representations are true, the Common Council now accepts that the said attachment proceeding meets the requirements of said 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 (637) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(637) - There is hereby attached to the 10th Aldermanic District of the City of Madison, Dane County, Wisconsin, the following described property:

(AREA 5)

Lots 1-22, 24-38, parts of Lot 23, Outlot A and Outlot B and vacated Villa Bell Lane, Assessor's Plat No. 4 Town of Madison, recorded in Vol. 20 of Plats on Pg. 5 as Doc 932070; Lots 86-105, 108-114 and parts of Lots 106 & 107, Town of Madison Assessor's Plat No. 6 of the Third Addition to Arbor Hills, recorded in Vol. 26 of Plats on Pg. 1 as Document No. 1051874; Lots 18-20, 27-29, 30, parts of Lots 21-24, 26 and 33, Arbor Hills, recorded in Vol. 21 of Plats on Pg. 15-16 as Document No. 958219; Lots 1-8, Arbordale, recorded in Vol. 35 of Plats on Pg. 24 as Doc 1245519; part of Lot 7, Arbordale Professional Center, recorded in Vol. 37 of Plats on Pg. 32 as Document No. 1296113; Lots 34-35, part of Lot 36, First Addition to Arbor Hills, recorded in Vol. 23 of Plats on Pg. 20 as Document No. 993715; Lot 2, CSM 9218, recorded in Vol. 52 of CSMs on Pg. 100-102 as Document No. 3085828; Lots 1-2, CSM 6501, recorded in Vol. 31 of CSMs on Pg. 339-342 as Document No. 2282876; and other lands all being located in part of the SW¹/₄ of the SE¹/₄ and the SE ¹/₄ of the SW ¹/₄ of Section 33, T 7 N, R 9 E, Dane County, Wisconsin, (including right-of-ways of Milford Road, Kingston Drive, Thames Trail, Brighton Place, Nottingham Way, Grandview Boulevard, Arbordale Court, Coventry Trail and Landmark Place), more fully described as follows:

Beginning at the South Quarter Corner of said Section 33; thence Westerly, along the South line of the said SW 1/4, 311 feet, more or less, to the North Quarter Corner of Section 4, T 6 N, R 9 E; thence continuing Westerly, along the said South line of the SW1/4 and along the existing Corporate Limits of the City of Fitchburg, 362 feet, more or less, to the southwest corner of Assessor's Plat No. 4 Town of Madison; thence N00°49'09"W, 1171.57 feet to the Southerly right-of-way of the South frontage road of the West Beltline Highway (US Highways 12, 18 and 151); thence N84°57'49"E, along said Southerly right-of-way, 961.25 feet

to a point of curve; thence Northeasterly, continuing along said Southerly right-of-way, 256 feet, more or less, along a curve to the right which has a radius of 5,579.58 feet, to the Northwest corner of Certified Survey Map 9539, thence S00°43'00" W, along the West line of said CSM 9539, 353.64 feet to the Southwest corner thereof, also being the North line of said Arbordale subdivision; thence S89°15'05" E, along the South line of said CSM 9539, North line of Arbordale, 311.84 feet, to a bend point in said South line of CSM 9539 also being the West line of said CSM 9218; thence N00°41'00" E along said South line and West line, 23.62 feet, to the North line of said CSM 9218; thence S 89°21'09" E, along said South line of CSM 9539 and the North line of said CSM 9218, 341.83 feet, to a bend point in said lines; thence S77°50'26" E, along the said North and South CSM lines, 120.07 feet to the west line of Outlot 1 (West right-of-way line of Landmark Place as dedicated) of Certified Survey Map 4653; thence S00°30'39" E, along said west line of Outlot 1, 411 feet, more or less, to the southwest corner of said Outlot 1; thence N88°58'39" W, along the easterly side of Lot 7, Arbordale Professional Center, also being the westerly extension of the south line of said Outlot 1, 49.1 feet, to the most westerly lot corner along the east line of said Lot 7; thence S00°23'34"W, along said east line of Lot 7, 530.1 feet, to the south line of the SE 1/4 of said Section 33; thence westerly, along the said south line of the SE 1/4, 1255 feet, more or less, to the Point of Beginning. Said described area contains approximately: 50.35 acres, 2,193,316 square feet and 0.079 square miles, more or less.

2. Subsection (150) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is hereby created to read as follows:

“(150) Ward 150. Beginning at the South Quarter Corner of said Section 33; thence Westerly, along the South line of the said SW 1/4, 311 feet, more or less, to the North Quarter Corner of Section 4, T 6 N, R 9 E; thence continuing Westerly, along the said South line of the SW1/4 and along the existing Corporate Limits of the City of Fitchburg, 362 feet, more or less, to the southwest corner of Assessor’s Plat No. 4 Town of Madison; thence N00°49'09"W, 1171.57 feet to the Southerly right-of-way of the South frontage road of the West Beltline Highway (US Highways 12, 18 and 151); thence N84°57'49"E, along said Southerly right-of-way, 961.25 feet to a point of curve; thence Northeasterly, continuing along said Southerly right-of-way, 256 feet, more or less, along a curve to the right which has a radius of 5,579.58 feet, to the Northwest corner of Certified Survey Map 9539, thence S00°43'00" W, along the West line of said CSM 9539, 353.64 feet to the Southwest corner thereof, also being the North line of said Arbordale subdivision; thence S89°15'05" E, along the South line of said CSM 9539, North line of Arbordale, 311.84 feet, to a bend point in said South line of CSM 9539 also being the West line of said CSM 9218; thence N00°41'00" E along said South line and West line, 23.62 feet, to the North line of said CSM 9218; thence S 89°21'09" E, along said South line of CSM 9539 and the North line of said CSM 9218, 341.83 feet, to a bend point in said lines; thence S77°50'26" E, along the said North and South CSM lines, 120.07 feet to the west line of Outlot 1 (West right-of-way line of Landmark Place as dedicated) of Certified Survey Map 4653; thence S00°30'39" E, along said west line of Outlot 1, 411 feet, more or less, to the southwest corner of said Outlot 1; thence N88°58'39" W, along the easterly side of Lot 7, Arbordale Professional Center, also being the westerly extension of the south line of said Outlot 1, 49.1 feet, to the most westerly lot corner along the east line of said Lot 7; thence S00°23'34"W, along said east line of Lot 7, 530.1 feet, to the south line of the SE 1/4 of said Section 33; thence westerly, along the said south line of the SE 1/4, 1255 feet, more or less, to the Point of Beginning. Polling place at Leopold Elementary School, 2602 Post Road.

3. Subsection (10) of Section 15.03 entitled "Alder Districts" of the Madison General Ordinances is amended to read as follows:

“(10) Tenth Alder District . Wards 79, 80, 81, 82, 83, and 84, and 150.”

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.

5. This ordinance shall take effect at 11:59 p.m. on October 30, 2022 in accordance with the terms of the agreement and plan.