



Legislation Details (With Text)

File #: 20621 **Version:** 2 **Name:** Schutz Attachment
Type: Ordinance **Status:** Passed
File created: 11/18/2010 **In control:** COMMON COUNCIL
On agenda: 1/4/2011 **Final action:** 1/4/2011
Enactment date: 1/12/2011 **Enactment #:** ORD-11-00006

Title: SUBSTITUTE Creating Section 15.01(577) of the Madison General Ordinances entitled "City Boundaries" attaching to the Schutz Attachment and assigning a temporary zoning classification of A Agriculture District.

Sponsors: David J. Cieslewicz

Indexes:

Code sections:

Attachments: 1. Map, 2. Attachments - Clerk Notice - Town Burke #20621 & 20561.pdf, 3. Version 1, 4. 20621 ANNEXATION ROD RECEIPT

Date	Ver.	Action By	Action	Result
1/4/2011	2	COMMON COUNCIL	Adopt	Pass
11/30/2010	1	COMMON COUNCIL	Referred	Pass
11/18/2010	1	Attorney's Office/Approval Group	Referred for Introduction	

Fiscal Note

The Ordinance is a companion to a Resolution (Legistar #20595, introduced to Council at its meeting of November 30, 2010, concurrent with this authorizing Ordinance), for which the fiscal note reads as follows: "No appropriation is required to enter into this agreement. The property owner will be responsible for all costs related to the connection of his property to the City's sanitary sewer facilities, which are adjacent to the subject property. Under provisions of the Cooperative Plan, starting in 2017, the City will pay to the Town of Burke annually for five years the local property tax levy, estimated to be \$323 annually. The payments will come from the General Fund Miscellaneous account and will be accommodated in future budgets."

Title
SUBSTITUTE Creating Section 15.01(577) of the Madison General Ordinances entitled "City Boundaries" attaching to the Schutz Attachment and assigning a temporary zoning classification of A Agriculture District.

Body
DRAFTER'S ANALYSIS: This ordinance attaches land in the Town of Burke. Pursuant to the Cooperative Plan with the City of Madison, Town of Burke, City of Sun Prairie, Village of DeForest, a property owner may obtain municipal water and sewer with an agreement to pay for the costs of the service and attaching to the city in five (5) years.

An ordinance to create Subsection (577) 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 November 11, 2010, 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 Burke; 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 Burke; and
WHEREAS, pursuant to Wis. Stat. § 66.0217(14)(a)1., the City of Madison agrees to pay annually to the Town of Burke, for five (5) years, an amount equal to the amount of property taxes that the town levied on the

attached territory, as shown by the tax roll under Wis. Stat. § 70.65, in the year in which the attachment is final; 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, Town of Burke, City of Sun Prairie, Village of DeForest 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 (577) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(577) - There is hereby attached to the City of Madison, Dane County, Wisconsin, the following described property:

Part of the NE ¼ of the NW ¼ of Section 34, T8N, R10E, Town of Burke, Dane County, Wisconsin, described as follows:

Commencing at the North ¼ corner of said Section 34; thence S00°15'57"W, 1057.40 feet along the East line of said NW ¼ to the point of beginning; thence N89°44'03"W, 168.00 feet to the Easterly plot line of Ridgewood; thence S00°15'57"W, 160.00 feet along said Easterly plot line to the North line of those lands described in Volume 1010 of Records, Page 231; thence S89°44'03"E, 168.00 feet along said North line to said East line of the NW ¼ thence N00°15'57"E, 160.00 feet along said East line to the point of beginning. This parcel contains 26,880 square feet or 0.617 acres or 0.000964 square miles."

2. 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.

3. This ordinance shall be effective on January 4, 2016.

EDITOR'S NOTE: At the time the attachment becomes effective, the land will be added to the appropriate aldermanic district and ward.