



Legislation Text

File #: 30144, Version: 1

**Fiscal Note**

Under the terms of the City of Madison/Town of Middleton Cooperative Plan, annexation or attachment of non-commercial properties such as is proposed in this Resolution are exempt from revenue sharing requirements. Therefore, no appropriation is required in conjunction with this attachment.

**Title**

Creating Section 15.01(586) 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 Murphy Attachment; creating Section 15.02(122) of the Madison General Ordinances to assign the attached property to Ward 122; amending Section 15.03(1) to add Ward 122 to Aldermanic District 9; creating Section 28.022 - 00057 to zone the property SR-C1 (Suburban Residential - Consistent 1 District) for an existing single-family residence and potential future residential subdivision; and authorizing an application to amend the Central Urban Service Area to include the property.

**Body**

DRAFTER'S ANALYSIS: This ordinance attaches land in the Town of Middleton.

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An ordinance to create Subsection (586) 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 May 6, 2013, 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; 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 (586) of Section 15.01 of the Madison General Ordinances is hereby created

to read as follows:

"15.01(586) - There is hereby attached to the 9th Aldermanic District, the City of Madison, Dane County, Wisconsin, the following described property:

Lot 3 of Dane County Certified Survey Map Number 6407, Recorded as Document Number 2263459, Dane County Register of Deeds, Located in Part of the Northwest Quarter of the NW ¼ of Section 21, Township 7N, Range 8E, Town of Middleton, Dane County, Wisconsin, more particularly described for attachment purposes as follows:

Commencing at the Northwest Corner of Section 21, Town 7N, Range 8E, Dane County, Wisconsin; thence S89°58'36"E, along the North Line of the NW ¼ of said Section 21, a distance of 878,84 feet; thence S01°47'23"W, 33.02 feet to a point on the South right-of-way line of Old Sauk Road, also being the Northwest corner of Lot 3, Dane County Certified Survey Map 6407 and the point of beginning of the lands hereinafter described; thence continuing, along the West line of said Lot 3, S01°47'23"W, 1489.98 feet to the Southwest corner of said Lot 3; thence, along the South line of said Lot 3, S89°58'36"E, 445.00 feet to the Southeast Corner of said Lot 3; thence, along the east line of said Lot 3, N01°47'23"E, 1489.98 feet to the Northeast corner of said Lot 3, being on the South right-of-way line of Old Sauk Road; thence, along the South line of Old Sauk Road and the North line of said Lot 3, N89°58'36"W, 445.00 feet to the point of beginning. The above-described tract of land contains 662,728 square feet or 15.214 acres of land."

2. Subsection (122) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is created to read as follows:

(122) Ward 122. Lot 3 of Dane County Certified Survey Map Number 6407, Recorded as Document Number 2263459, Dane County Register of Deeds, Located in Part of the Northwest Quarter of the NW ¼ of Section 21, Township 7N, Range 8E, Town of Middleton, Dane County, Wisconsin, More particularly described as follows: Commencing at the Northwest Corner of Section 21, Town 7N, Range 8E, Dane County, Wisconsin; thence S89°58'36"E, along the North Line of the NW ¼ of said Section 21, a distance of 878,84 feet; thence S01°47'23"W, 33.02 feet to a point on the South right-of-way line of Old Sauk Road, also being the Northwest corner of Lot 3, Dane County Certified Survey Map 6407 and the point of beginning of the lands hereinafter described; thence continuing, along the West line of said Lot 3, S01°47'23"W, 1489.98 feet to the Southwest corner of said Lot 3; thence, along the South line of said Lot 3, S89°58'36"E, 445.00 feet to the Southeast Corner of said Lot 3; thence, along the east line of said Lot 3, N01°47'23"E, 1489.98 feet to the Northeast corner of said Lot 3, being on the South right-of-way line of Old Sauk Road; thence, along the South line of Old Sauk Road and the North line of said Lot 3, N89°58'36"W, 445.00 feet to the point of beginning. The above-described tract of land contains 662,728 square feet or 15.214 acres of land. Polling place at The Jefferson, 9401 Old Sauk Road."

3. Subsection (9) entitled "Ninth Aldermanic District" of Section 15.03 entitled "Aldermanic Districts" of the Madison General Ordinances is amended to read as follows:

"(9) Ninth Aldermanic District. Wards 107, 108, 109, 110, ~~and 111,~~ and 122."

4. Map Amendment 00057 of Section 28.022 of the Madison General Ordinances is hereby created to read as follows:

"28.022-00057. The following described property is hereby added to the SR-C1 (Suburban Residential - Consistent 1) District:

Lot 3 of Dane County Certified Survey Map Number 6407, Recorded as Document Number 2263459, Dane County Register of Deeds, Located in Part of the Northwest Quarter of the NW ¼ of Section 21, Township 7N, Range 8E, Town of Middleton, Dane County, Wisconsin, More particularly described as follows: Commencing at the Northwest Corner of Section 21, Town 7N, Range 8E, Dane County, Wisconsin; thence S89°58'36"E, along the North Line of the NW ¼ of said Section 21, a distance of 878,84 feet; thence S01°47'23"W, 33.02 feet to a point on the South right-of-way line of Old Sauk Road, also being the Northwest corner of Lot 3, Dane County Certified Survey Map 6407 and the point of beginning of the lands hereinafter described; thence continuing, along the West line of said Lot 3, S01°47'23"W, 1489.98 feet to the Southwest corner of said Lot 3; thence, along the South line of said Lot 3, S89°58'36"E, 445.00 feet to the Southeast Corner of said Lot 3; thence, along the east line of said Lot 3, N01°47'23"E, 1489.98 feet to the Northeast corner of said Lot 3, being on the South right-of-way line of Old Sauk Road; thence, along the South line of Old Sauk Road and the North line of said Lot 3, N89°58'36"W, 445.00 feet to the point of beginning."

5. 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.

BE IT FURTHER ORDAINED that the Planning Division is hereby authorized to request approval from the Capital Area Regional Planning Commission of an amendment to the Central Urban Service Area (CUSA) to include the Property and other nearby properties not currently located within the CUSA, and that the Common Council hereby adopts the boundaries of any wetlands or environmental corridors within said amendment area; and

BE IT FURTHER ORDAINED that the proposed use of the property is consistent with the Elderberry Neighborhood Development Plan and City of Madison Comprehensive Plan.