



Legislation Text

File #: 59959, Version: 1

Fiscal Note

No City appropriation required.

Title

Implementing the South Phased Attachment Area in the Town of Blooming Grove Cooperative Plan by creating Section 15.01(617) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 16th Aldermanic District certain land located within the right of way of Interstate 39/90 between its interchange with US Highways 12/18 and Siggelkow Road, hereinafter referred to as "Area A"; attaching to the 16th Aldermanic District certain properties located between the centerline of Siggelkow Road and the City's Yahara Hills Golf Course east to the eastern town line at CTH AB, hereinafter referred to as "Area B"; creating Section 15.02(153) for the attached properties; and amending Sections 15.03(16) to add Ward 153 to Aldermanic District 16.

Body

DRAFTER'S ANALYSIS: On February 1, 2005, the Common Council adopted Resolution 05-00087 authorizing the Mayor and City Clerk to execute an Intergovernmental Agreement between the City and the Town of Blooming Grove regarding boundary changes and other urban growth and municipal service delivery issues pursuant to an approved cooperative plan under Wis. Stat. ch. 66.0307. The agreement was executed on February 18, 2005. The agreement and subsequent cooperative plan adopted by the Council on May 16, 2006 and approved by the State of Wisconsin established a process for the orderly transition of lands in the Town to the City between 2006 and the final attachment of the Town to the City on October 31, 2027, including two phased attachments of specific Town lands to the City before final attachment, the "North Phased Attachment Area" and "South Phased Attachment Area." The North Phased Attachment Area was accomplished by Ordinance 15-00065 (ID38625) on June 16, 2015, which took effect on December 28, 2015 and added 915.6 acres or 1.43 square miles to the City.

This ordinance begins implementation of the South Phased Attachment Area. Overall, the South Phased Attachment Area includes 1,183.2 acres (1.85 square miles) of land located south of the Chicago & Northwestern/Union Pacific Railroad right of way and east of Interstate 39/90. The specific area to be attached with this ordinance includes 120.2 acres or 0.1723 square miles and includes land located in the right of way of Interstate 39/90 and properties located between Siggelkow Road and the southern edge of Yahara Hills Golf Course east of the town limits. The specific lands comprising this portion of the South Phased Attachment Area are shown on the maps attached to the ordinance for reference.

The agreement and cooperative plan require that the South Phased Attachment Area be attached to the City by an ordinance passed on or before August 31, 2020. Once passed, the ordinances attaching the South Phased Attachment Areas to the City will be effective at 12:01 AM on December 28, 2020 in accordance with the terms of the agreement and plan. Additional ordinances attaching the rest of the South Phased Attachment Area will be forthcoming prior to the August 31, 2020 deadline.

An ordinance to create Subsection (617) 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 and Town of Blooming Grove entered into a cooperative plan pursuant to Wis. Stat. § 66.0307 providing for the South Phased Attachment Area in the Town of Blooming Grove to become

part of the City of Madison; 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 attachments proceeding meets the requirements of the City of Madison and Town of Blooming Grove 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 (617) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(617) - There is hereby attached to the 16th Aldermanic District of the City of Madison, Dane County, Wisconsin, the following described property:

(Area A)

That part of the Southeast ¼ of the Southeast ¼, Section 26, Township 7 North, Range 10 East, in the Town of Blooming Grove, Dane County, Wisconsin, lying within Interstate 39/90/94 right-of-way, per State Highway Commission of Wisconsin Plat of Right of Way Plat Project I-90-3(29)140, and Transportation Project Plat No: 1007-10-25-4.06, recorded as Document No. 5433665, described as follows:

Beginning at the Southeast Corner of said Section 26; thence N 00°18'35" E, 163.84 along the east line of the said Southeast 1/4 to the intersection with the former southwesterly right-of-way of said Interstate 39/90 as per Document No. 1013567 and the Point of Beginning; thence N 48°27'53"W, 651.89 feet along said former southwesterly right-of-way and the existing corporate boundary of the Village of McFarland; thence N 41° 48'37" W, 302.04 feet along said former southwesterly right-of-way and the existing corporate boundary of the Village of McFarland; thence N 48°27'53" W, 698.74 feet along said former southwesterly right-of-way and the existing corporate boundary of the Village of McFarland to the intersection with the north line of the said Southeast ¼ of the Southeast ¼; thence N 87°53'03"E, 333.20 along the said north line to the intersection with the northeasterly right-of-way of said Interstate 39/90; thence S 48°27'53" E, 557.65 feet; thence S 51°19'37" E, 300.37 feet along the said northeasterly right-of-way of said Interstate 39/90; thence S 48°27'53" E, 306.56 feet along the said northeasterly right-of-way of said Interstate 39/90 to the intersection with the said east line of the said SE ¼; thence S 00°18'35" W, 372.28 feet along the said east line of the said Southeast ¼ to the Point of Beginning. Said Area contains 8.18 acres, 356,320.8 square feet, or 0.0128 square miles, more or less.

AND

(Area B)

The Southeast ¼ of the Northeast ¼, part of the Northeast ¼ and Southwest ¼ of the Northeast ¼ and also part of the Southeast ¼ of the Northwest ¼, all in Section 36, Township 7 North, Range 10 East, in the Town of Blooming Grove, Dane County, Wisconsin, a portion lying within Interstate 39/90 right-of-way, per State Highway Commission of Wisconsin Plat of Right of Way Plat Project I-90-3(29)140, and Transportation Project Plat No: 1007-10-25-4.04, recorded as Document No. 5433662, described as follows:

Beginning at the East Quarter Corner of said Section 36; thence S 87°55'20" W, 2517.77 feet along the south line of the said Northeast ¼; thence N 28°39'14" W, 53.59 feet; thence N 41°34'53" W, 139.73 feet along the southwesterly right of way of said Interstate 39/90 to the intersection with the east line of the said Northwest ¼; thence continuing N 41°34'53" W, 221.96 feet along the said southwesterly right of way of said Interstate 39/90; thence N 50°15'11" W, 466.87 feet along the said southwesterly right of way of said Interstate 39/90; thence N 57°32'21" W, 200.24 feet along the said southwesterly right of way of said Interstate 39/90; thence N 70°46'49" W, 81.68 feet along the said southwesterly right of way of said Interstate 39/90; thence N 44°15'35" W, 72.69 feet along the said southwesterly right of way of said Interstate 39/90; thence N 12°08'25" W, 144.47

feet along the said southwesterly right of way of said Interstate 39/90; thence N 40°34'48" W, 436.40 feet along the said southwesterly right of way of said Interstate 39/90 to the intersection with the north line of the said Southeast quarter of the Northwest 1/4; thence N 87°57'31" E, 1110.72 feet along the existing corporate boundary of the City of Madison and along the said north line of the Southeast 1/4 of the Northwest 1/4 to the northeast corner thereof; thence N 87°57'42" E, 1324.60 feet along the existing corporate boundary of the City of Madison and the north line of the said Southwest 1/4 of the Northeast 1/4 to the northeast corner thereof; thence N 70°09'54" E, 1409.21 feet, more or less, along the existing corporate boundary of the City of Madison and the north line of Dane County Certified Survey Map No. 6623 to the intersection with the east line of the said Northeast 1/4, said point of intersection being 886.67 feet southerly of the Northeast Corner of said Section 36; thence S 00°14'44" W, 1748.77 feet to the Point of Beginning. Said Area contains 102.08 acres, 4,446,604.8 square feet or 0.1595 square miles, more or less.

2. Subsection (153) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is created to read as follows:

“(128) Ward 153. That part of the Southeast 1/4 of the Southeast 1/4, Section 26, Township 7 North, Range 10 East, in the Town of Blooming Grove, Dane County, Wisconsin, lying within Interstate 39/90/94 right-of-way, per State Highway Commission of Wisconsin Plat of Right of Way Plat Project I-90-3(29)140, and Transportation Project Plat No: 1007-10-25-4.06, recorded as Document No. 5433665, described as follows: Beginning at the Southeast Corner of said Section 26; thence N 00°18'35" E, 163.84 along the east line of the said Southeast 1/4 to the intersection with the former southwesterly right-of-way of said Interstate 39/90 as per Document No. 1013567 and the Point of Beginning; thence N 48°27'53" W, 651.89 feet along said former southwesterly right-of-way and the existing corporate boundary of the Village of McFarland; thence N 41°48'37" W, 302.04 feet along said former southwesterly right-of-way and the existing corporate boundary of the Village of McFarland; thence N 48°27'53" W, 698.74 feet along said former southwesterly right-of-way and the existing corporate boundary of the Village of McFarland to the intersection with the north line of the said Southeast 1/4 of the Southeast 1/4; thence N 87°53'03" E, 333.20 along the said north line to the intersection with the northeasterly right-of-way of said Interstate 39/90; thence S 48°27'53" E, 557.65 feet; thence S 51°19'37" E, 300.37 feet along the said northeasterly right-of-way of said Interstate 39/90; thence S 48°27'53" E, 306.56 feet along the said northeasterly right-of-way of said Interstate 39/90 to the intersection with the said east line of the said SE 1/4; thence S 00°18'35" W, 372.28 feet along the said east line of the said Southeast 1/4 to the Point of Beginning; Together with following described land in the Southeast 1/4 of the Northeast 1/4, part of the Northeast 1/4 and Southwest 1/4 of the Northeast 1/4 and also part of the Southeast 1/4 of the Northwest 1/4, all in Section 36, Township 7 North, Range 10 East, in the Town of Blooming Grove, Dane County, Wisconsin, a portion lying within Interstate 39/90 right-of-way, per State Highway Commission of Wisconsin Plat of Right of Way Plat Project I-90-3(29)140, and Transportation Project Plat No: 1007-10-25-4.04, recorded as Document No. 5433662, described as follows: Beginning at the West Quarter Corner of said Section 36; thence S 87°55'20" W, 2517.77 feet along the south line of the said Northeast 1/4; thence N 28°39'14" W, 53.59 feet; thence N 41°34'53" W, 139.73 feet along the southwesterly right of way of said Interstate 39/90 to the intersection with the east line of the said Northwest 1/4; thence continuing N 41°34'53" W, 221.96 feet along the said southwesterly right of way of said Interstate 39/90; thence N 50°15'11" W, 466.87 feet along the said southwesterly right of way of said Interstate 39/90; thence N 57°32'21" W, 200.24 feet along the said southwesterly right of way of said Interstate 39/90; thence N 70°46'49" W, 81.68 feet along the said southwesterly right of way of said Interstate 39/90; thence N 44°15'35" W, 72.69 feet along the said southwesterly right of way of said Interstate 39/90; thence N 12°08'25" W, 144.47 feet along the said southwesterly right of way of said Interstate 39/90; thence N 40°34'48" W, 436.40 feet along the said southwesterly right of way of said Interstate 39/90 to the intersection with the north line of the said Southeast quarter of the Northwest 1/4; thence N 87°57'31" E, 1110.72 feet along the existing corporate boundary of the City of Madison and along the said north line of the Southeast 1/4 of the Northwest 1/4 to the northeast corner thereof; thence N 87°57'42" E, 1324.60 feet along the existing corporate boundary of the City of Madison and the north line of the said Southwest 1/4 of the Northeast 1/4 to the northeast corner thereof; thence N 70°09'54"

E, 1409.21 feet, more or less, along the existing corporate boundary of the City of Madison and the north line of Dane County Certified Survey Map No. 6623 to the intersection with the east line of the said Northeast $\frac{1}{4}$, said point of intersection being 886.67 feet southerly of the Northeast Corner of said Section 36; thence S $00^{\circ} 14'44''$ W, 1748.77 feet to the Point of Beginning. Polling Place: Fire Station 14 - 3201 Dairy Drive.”

3. Subsection (16) of Section 15.03 entitled "Aldermanic Districts" of the Madison General Ordinances is amended to read as follows:

“(16) Sixteenth Aldermanic District. Wards 1, 2, 3, 4, 5, 6, 7, 123, 132, 133, ~~and 134,~~ and 153.”

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 12:01 a.m. on December 28, 2020 in accordance with the terms of the agreement and plan.