



Legislation Text

File #: 72169, Version: 1

**Fiscal Note**

No City appropriation required.

**Title**

Implementing the Final Attachment Area of the Town of Madison by creating Section 15.01(641) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 14th Alder District land generally located on the west side of Fish Hatchery Road at the W Beltline Highway, hereinafter referred to as "Area 8"; creating Section 15.02(148) of the Madison General Ordinances to create Ward 148; and amending Section 15.03(14) to add Ward 148 to the 14th 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 8," which attaches lands generally on the west side of Fish Hatchery Road at the W Beltline Highway. Area 8 will be attached to the 14th Ald. Dist. and will be located in newly created Ward 148.

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

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An ordinance to create Subsection (641) 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 8" 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 (641) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(641) - There is hereby attached to the 14th Alder District of the City of Madison, Dane County, Wisconsin, the following described property:

(AREA 8)

Part of Lot 1, CSM 285, recorded in Vol. 2 of Certified Surveys on Pg. 25, as Document No. 1220733 and other lands all located in parts of the NE 1/4, NW 1/4, SW 1/4 and SE 1/4 of the Southeast 1/4 of Section 34, Town 7 North, Range 9 East, Dane County, Wisconsin, (including right-of-ways of W Beltline Highway and Fish Hatchery Road) more particularly described as follows:

Commencing at the East Quarter Corner of said Section 34; thence N89°20'42"W, 1355.80 along the North line of said Section 34; thence S22°00'03"W, 823.91; thence S89°55'37" E, 330.40 feet along the north line of CSM 5555 and the south line of Emil Street to the northwest corner of vacated and discontinued Ida Street; thence Southerly, 334.5 feet along the west line of the Madison Shops Plat recorded in Vol. 15 of Plats on Pg. 14, as Document No. 847298 to the intersection with the most southerly line of said Madison Shops plat and the Point of Beginning; thence Southerly, along the southerly extension of the West line of said vacated Ida Street and Madison City Limits, 316 feet, more or less, to the centerline of the W Beltline Highway as laid-out by the State Highway Commission of Wisconsin, Plat of Right of Way Required, Project T 04-2(42); thence Westerly, along said centerline, 666 feet, more or less, to the intersection with a line that is 650 feet east of and parallel with the West line of the East 1/2 of said Section 34, also being the northerly extension of the east line of CSM 14729; thence Southerly, along the said parallel line, northerly extension of the east line of CSM 14729, 87 feet, more or less, to a point on a line that is parallel with and 19 feet north of, measured at right angles to the reference line "FS" of the W Beltline Highway as laid-out by said project plat T 04-2(42), said line also being parallel with and 53 feet north of, measured at right angles to, the south right-of-way line of the W Beltline Highway South Frontage Road; thence Easterly, 2.5 feet more or less, parallel with and 19 feet northerly of said reference line "FS" and the arc of a curve to the right having a radius of 2883.79 feet, to the point of tangency thereof; thence S87° 21'E, 388.5 feet, more or less, parallel with and 19 feet northerly of said reference line "FS"; thence Southeasterly, 281 feet, more or less, parallel with and 19.5 feet northeasterly of said reference line "FS" and the arc of a curve to the right having a radius of 319 feet to the point of tangency thereof; thence S36° 50'E, 549 feet more or less, along a line parallel with and 19 feet Northeasterly of a tangent of said reference line "FS" lying between Curves 36 and 37, and its southeasterly prolongation thereof to the intersection with the centerline of Fish Hatchery Road; thence Northeasterly, along the said centerline, 680 feet, more or less, to the centerline of the W Beltline Highway as laid-out by the State Highway Commission of Wisconsin, Plat of Right of Way Required, Project T 04-2(42); thence Westerly, along said centerline, 92 feet, more or less, to its point of intersection with a line which is perpendicular to the most southerly line of said Madison Shops Plat and 250 feet west of the center line of Fish Hatchery Road, as measured along said most southerly line of said Madison Shops plat; thence Northerly, along said perpendicular line and Madison City Limits, 340 feet, more or less, to the intersection with said most southerly line of Madison Shops Plat; thence Westerly, along said most southerly line and Madison City Limits, 535 feet, more or less, to the Point of Beginning. Said described parcel contains approximately: 10.75 acres, 468,379 square feet, or 0.017 square miles, more or less.

2. Subsection (148) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is hereby created to read as follows:

"(148) Ward 148. Commencing at the East Quarter Corner of said Section 34; thence N89°20'42"W, 1355.80 along the North line of said Section 34; thence S22°00'03"W, 823.91; thence S89°55'37" E, 330.40 feet along the north line of CSM 5555 and the south line of Emil Street to the northwest corner of vacated and

discontinued Ida Street; thence Southerly, 334.5 feet along the west line of the Madison Shops Plat recorded in Vol. 15 of Plats on Pg. 14, as Document No. 847298 to the intersection with the most southerly line of said Madison Shops plat and the Point of Beginning; thence Southerly, along the southerly extension of the West line of said vacated Ida Street and Madison City Limits, 316 feet, more or less, to the centerline of the W Beltline Highway as laid-out by the State Highway Commission of Wisconsin, Plat of Right of Way Required, Project T 04-2(42); thence Westerly, along said centerline, 666 feet, more or less, to the intersection with a line that is 650 feet east of and parallel with the West line of the East 1/2 of said Section 34, also being the northerly extension of the east line of CSM 14729; thence Southerly, along the said parallel line, northerly extension of the east line of CSM 14729, 87 feet, more or less, to a point on a line that is parallel with and 19 feet north of, measured at right angles to the reference line "FS" of the W Beltline Highway as laid-out by said project plat T 04-2(42), said line also being parallel with and 53 feet north of, measured at right angles to, the south right-of-way line of the W Beltline Highway South Frontage Road; thence Easterly, 2.5 feet more or less, parallel with and 19 feet northerly of said reference line "FS" and the arc of a curve to the right having a radius of 2883.79 feet, to the point of tangency thereof; thence S87° 21'E, 388.5 feet, more or less, parallel with and 19 feet northerly of said reference line "FS"; thence Southeasterly, 281 feet, more or less, parallel with and 19.5 feet northeasterly of said reference line "FS" and the arc of a curve to the right having a radius of 319 feet to the point of tangency thereof; thence S36° 50'E, 549 feet more or less, along a line parallel with and 19 feet Northeasterly of a tangent of said reference line "FS" lying between Curves 36 and 37, and its southeasterly prolongation thereof to the intersection with the centerline of Fish Hatchery Road; thence Northeasterly, along the said centerline, 680 feet, more or less, to the centerline of the W Beltline Highway as laid-out by the State Highway Commission of Wisconsin, Plat of Right of Way Required, Project T 04-2(42); thence Westerly, along said centerline, 92 feet, more or less, to its point of intersection with a line which is perpendicular to the most southerly line of said Madison Shops Plat and 250 feet west of the center line of Fish Hatchery Road, as measured along said most southerly line of said Madison Shops plat; thence Northerly, along said perpendicular line and Madison City Limits, 340 feet, more or less, to the intersection with said most southerly line of Madison Shops Plat; thence Westerly, along said most southerly line and Madison City Limits, 535 feet, more or less, to the Point of Beginning. Said described parcel contains approximately: 10.75 acres, 468,379 square feet, or 0.017 square miles, more or less. Polling place at Arboretum Visitor Center, 2880 Longnecker Drive.

3. Subsection (14) of Section 15.03 entitled "Alder Districts" of the Madison General Ordinances is amended to read as follows:

(14) Fourteenth Alder District . Wards 74, 75, 76, 77, 78, 145, 148, and 149.

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.