



Legislation Text

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Fiscal Note

No City appropriation required.

Title

Implementing the Final Attachment Area of the Town of Madison by creating Section 15.01(638) 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 bounded by the West Beltline Highway, University of Wisconsin-Madison Arboretum, and the Cannonball Path, hereinafter referred to as "Area 6"; creating Section 15.02(149) of the Madison General Ordinances to create Ward 149; and amending Section 15.03(14) to add Ward 149 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 6," which attaches lands generally bounded by the West Beltline Highway on the south, the University of Wisconsin-Madison Arboretum on the north and west, and the Cannonball Path on the east. Area 6 will be attached to the 14th Ald. Dist. and will be located in newly created Ward 149.

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

An ordinance to create Subsection (638) 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 6" 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 (638) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(638) - There is hereby attached to the 10th Aldermanic District of the City of Madison, Dane County, Wisconsin, the following described property:

(AREA 6)

Lots 1-13, Johannsen Plat, recorded in Vol. 51 of Plats on Pg. 47 as Document No. 1640405; Lot 1, CSM 3000, recorded in Vol. 11 of CSMs on Pg. 433 as Document No. 1595546; Lots 1-3, CSM 1536, recorded in Vol. 6 of CSMs on Pg. 256-257 as Document No. 1411023; Lots 1-2, CSM 15028, recorded in Vol. 106 of CSMs on Pg. 98-103 as Document No. 5465926; Lots 1-3, CSM 6205, recorded in Vol. 30 of CSMs on Pg. 37-39 as Document No. 2223000; Lots 4-5, 10-15 and part of Lot 3, Whalen Plat, recorded in Vol. 41 of Plats on Pg. 29 as Document No. 1396707; Lot 1, CSM 15315, recorded in Vol. 109 of CSMs on Pg. 219-223 as Document No. 5553171 and other lands all located in the NW 1/4, NE 1/4, SE 1/4 and SW 1/4 of the SW 1/4 and also in the NW 1/4 of the SE 1/4, all of Section 34, all located in T 7 N, R 9 E, Dane County, Wisconsin, (including right-of-ways of Todd Drive, W Badger Road, Whalen Lane and West Beltline Highway (US Highways 12, 18 and 151)) more fully described as follows:

Beginning at the West quarter corner of said Section 34, also being the Northwest corner of the Johannsen Plat; thence Easterly, along the north line of the said SW 1/4 of said Section 34, also being the north line of said Johannsen Plat and said CSM 1536, 1327.41 feet, to the Northeast corner of said CSM 1536; thence Southerly, along the east line of said CSM, 40.30 feet, to the Northwest corner of the Whalen Plat; thence, Easterly, along the north line of said Whalen Plat (now re-platted by said CSM 6205), 480.73 feet (recorded as 481 feet), to the Northeast corner thereof; thence Southerly, along the east line of said Whalen Plat and its southern prolongation, 1279 feet, more or less, to the North line of the S 1/2 of the SW 1/4 of said Section 34; (Note: said North line is the Northerly line of a two foot-wide connector strip for this Town of Madison island located in the right of way of the West Beltline Highway); thence Easterly, along the said North line, 825 feet, more or less, to the intersection with the West line of the said SE 1/4 of said Section 34; thence Northerly, along the said West line of the SE 1/4, 326 feet, more or less, to the intersection with the Southeasterly right-of-way line of the former Chicago and Northwestern Transportation Company, now owned by the City of Madison; thence Northeasterly, along the said Southeasterly right-of-way line, 399 feet, more or less, to a point the intersection with a line that is parallel with and 313.5 feet East of, as measured by right angles to, the said West line of the SE 1/4; thence Southerly, along said parallel line, 578 feet, more or less, to the intersection with the said North line of the S 1/2 of the said SE 1/4 of said Section 34; thence Westerly, along the said North line, 257.2 feet, more or less, to a point which is 56.3 feet East of the West line of the SE 1/4 of said Section 34; thence South 05°35'35" East, 2 feet, more or less, to a point on a line that is parallel with and 2 feet south of, as measured at right angles to, the North line of the S 1/2 of the S 1/2 of said Section 34; thence Westerly, along said parallel line, 592 feet, more or less, to the intersection with the Northwesterly right-of-way line of the former Chicago and Northwestern Transportation Company, now owned by the City of Madison; thence Southwesterly, along said Northwesterly right-of-way line, 170 feet, more or less, to the South right-of-way line of U.S. Highways 12, 14 and 18, as formerly located per State Highway Commission Project T 04-2(1); thence Westerly, along said former highway right-of-way line, 1572 feet, more or less, to the intersection with a North-South line of which the southerly endpoint is the Northeast corner of CSM 8548, (now re-platted by CSM 12388, also being a point on the south right-of-way of the West Beltline Highway, and, the northerly endpoint of said North-South line lies on the south line of CSM 1553, 60 feet east of the southwest corner of said Lot 3 as measured along the south line of said Lot 3 (also being a point on the north right-of-way of the West Beltline Highway); thence Northerly, along said North-South line, 163 feet, more or less, to a point on a line that is parallel with and 10 feet Northerly of, as measured at right angles to, the existing (2004) North edge of pavement of the existing US Highways 12, 18 and 151, West Beltline Highway; thence Easterly, along said

parallel line, 165 feet, more or less, to the southerly prolongation of the East line of said CSM 1553; thence N00°28'40"W, along the said East line and its southerly prolongation, 503 feet, more or less, to the North line of Lot 2, said CSM 1553; thence N89°26'12"W, along the said North line and its westerly extension, 262 feet, more or less, to the centerline of Todd Drive; thence Southerly, along the said centerline, 110 feet, more or less, to the easterly prolongation of the South line of Lot 1, CSM 3000; thence N87°44'35"W along said Easterly prolongation and said South line, 329 feet, more or less, to the Southwest corner of said Lot 1; thence N00°18'48"W, along the West line of said CSM 3000, and the West line of said Johannsen Plat, also being the West line of the SW 1/4 of said Section, 823 feet, more or less, to the Point of Beginning. Said described area contains approximately: 54.52 acres, 2,374,984 square feet and 0.085 square miles, more or less.

2. Subsection (149) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is hereby created to read as follows:

"(149) Ward 149. Beginning at the West quarter corner of said Section 34, also being the Northwest corner of the Johannsen Plat; thence Easterly, along the north line of the said SW 1/4 of said Section 34, also being the north line of said Johannsen Plat and said CSM 1536, 1327.41 feet, to the Northeast corner of said CSM 1536; thence Southerly, along the east line of said CSM, 40.30 feet, to the Northwest corner of the Whalen Plat; thence, Easterly, along the north line of said Whalen Plat (now re-platted by said CSM 6205), 480.73 feet (recorded as 481 feet), to the Northeast corner thereof; thence Southerly, along the east line of said Whalen Plat and its southern prolongation, 1279 feet, more or less, to the North line of the S 1/2 of the SW 1/4 of said Section 34; (Note: said North line is the Northerly line of a two foot-wide connector strip for this Town of Madison island located in the right of way of the West Beltline Highway); thence Easterly, along the said North line, 825 feet, more or less, to the intersection with the West line of the said SE 1/4 of said Section 34; thence Northerly, along the said West line of the SE 1/4, 326 feet, more or less, to the intersection with the Southeasterly right-of-way line of the former Chicago and Northwestern Transportation Company, now owned by the City of Madison; thence Northeasterly, along the said Southeasterly right-of-way line, 399 feet, more or less, to a point the intersection with a line that is parallel with and 313.5 feet East of, as measured by right angles to, the said West line of the SE 1/4; thence Southerly, along said parallel line, 578 feet, more or less, to the intersection with the said North line of the S 1/2 of the said SE 1/4 of said Section 34; thence Westerly, along the said North line, 257.2 feet, more or less, to a point which is 56.3 feet East of the West line of the SE 1/4 of said Section 34; thence South 05°35'35" East, 2 feet, more or less, to a point on a line that is parallel with and 2 feet south of, as measured at right angles to, the North line of the S 1/2 of the S 1/2 of said Section 34; thence Westerly, along said parallel line, 592 feet, more or less, to the intersection with the Northwesterly right-of-way line of the former Chicago and Northwestern Transportation Company, now owned by the City of Madison; thence Southwesterly, along said Northwesterly right-of-way line, 170 feet, more or less, to the South right-of-way line of U.S. Highways 12, 14 and 18, as formerly located per State Highway Commission Project T 04-2(1); thence Westerly, along said former highway right-of-way line, 1572 feet, more or less, to the intersection with a North-South line of which the southerly endpoint is the Northeast corner of CSM 8548, (now re-platted by CSM 12388, also being a point on the south right-of-way of the West Beltline Highway, and, the northerly endpoint of said North-South line lies on the south line of CSM 1553, 60 feet east of the southwest corner of said Lot 3 as measured along the south line of said Lot 3 (also being a point on the north right-of-way of the West Beltline Highway); thence Northerly, along said North-South line, 163 feet, more or less, to a point on a line that is parallel with and 10 feet Northerly of, as measured at right angles to, the existing (2004) North edge of pavement of the existing US Highways 12, 18 and 151, West Beltline Highway; thence Easterly, along said parallel line, 165 feet, more or less, to the southerly prolongation of the East line of said CSM 1553; thence N00°28'40"W, along the said East line and its southerly prolongation, 503 feet, more or less, to the North line of Lot 2, said CSM 1553; thence N89°26'12"W, along the said North line and its westerly extension, 262 feet, more or less, to the centerline of Todd Drive; thence Southerly, along the said centerline, 110 feet, more or less, to the easterly prolongation of the South line of Lot 1, CSM 3000; thence N87°44'35"W along said Easterly prolongation and said South line, 329 feet, more or less, to the Southwest corner of said Lot 1; thence N00°18'48"W, along the West line of said CSM 3000, and the West line of said Johannsen Plat, also being the West line of the SW 1/4 of said Section, 823 feet, more or less, to the Point of Beginning. 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, ~~and 78,~~ 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.