



Legislation Text

File #: 50387, Version: 1

**Fiscal Note**

The proposed ordinance attaches land to the 17<sup>th</sup> Aldermanic District in the City of Madison from the Town Burke and assigns a temporary zoning classification of A Agriculture District. No City appropriation is required.

**Title**

Creating Section 15.01(605) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 17th Aldermanic District the Pumpkin Hollow Attachment and creating Section 15.02(142) to assign the attached property to Ward 142 attaching to the Pumpkin Hollow 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, and Village of DeForest.

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An ordinance to create Subsection (605) 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 December 4, 2017, 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 (605) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(605) - There is hereby attached to the 17<sup>th</sup> Aldermanic District, the City of Madison, Dane County, Wisconsin, the following described property and pursuant to the provisions of Sec. 28.005, MGO, the territory attached by this ordinance is hereby assigned a temporary zoning classification of A Agriculture District:

“Part of the Southeast ¼ of the Northeast ¼ and part of the Northeast ¼ of the Southeast ¼, Section 16; part of the Southwest ¼ of the Northwest ¼ and part of the Northwest ¼ of the Southwest ¼, Section 15; T8N, R10E, Town of Burke, Dane County, Wisconsin, described as follows:

Commencing at the East ¼ Corner of said Section 16; thence S88°43'13"E, 33.00 feet to the East right of way line of Portage Road and the point of beginning; thence N01°16'47"E, 527.64 feet (recorded as N00°52'36"E, 528.20 feet) along said East right of way line and the existing City of Madison Corporate Boundary; thence N88°43'13"W, 33.00 feet to the East line of said Northeast ¼; thence N01°16'47"E (recorded as N00°52'59"E), 122.66 feet along said East line; thence N88°43'13"W, 73.50 feet; thence N01°16'47"E, 256.00 feet; thence S88°43'13"E, 73.50 feet to said East line; thence N01°16'47"E (recorded as N00°52'59"E), 213.51 feet along said East line to the South line of Certified Survey Map No. 5686; thence S89°49'15"W, 1040.68 feet (recorded as S89°25'48"W, 1040.62 feet) along said South line to the Easterly right of way line of Interstate Highways 90-94-39; thence along said Easterly right of way line along a curve to the right having a radius of 7774.50 feet and a chord bearing and length of S21°21'10"E 1159.07 feet; thence continuing along said Easterly right of way line S17°04'26"E, 254.40 feet; thence continuing along said Easterly right of way line S26°18'14"E, 405.25 feet; thence continuing along said Easterly right of way line S17°04'26"E, 527.52 feet to the Westerly right of way line of Portage Road; thence along said Westerly right of way line N32°54'15"E, 10.47 feet; thence continuing along said Westerly right of way line along a curve to the left having a radius of 719.50 feet and a chord bearing and length of N23°59'05"E, 223.11 feet; thence continuing along said Westerly right of way line S74°56'04"E, 12.00 feet; thence continuing along said Westerly right of way line along a curve to the left having a radius of 731.50 feet and a chord bearing and length of N08°18'05"E, 172.31 feet; thence S88°27'45"E, 33.00 feet to the East line of said Southeast ¼; thence N01°32'15"E (recorded as N01°09'12"E), 379.14 feet along said East line; thence S88°27'45"E, 33.00 feet to the East right of way line of Portage Road; thence N01°32'15"E, 316.09 feet (recorded as N01°08'25"E, 316.86 feet) along said East right of way line and the existing City of Madison Corporate Boundary to the point of beginning; Containing 1,255,780 square feet, or 28.8287 acres (0.045045 sq. miles)."

2. Subsection (142) Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is created to read as follows:

"(142) Ward 142. Part of the Southeast ¼ of the Northeast ¼ and part of the Northeast ¼ of the Southeast ¼, Section 16; part of the Southwest ¼ of the Northwest ¼ and part of the Northwest ¼ of the Southwest ¼, Section 15; T8N, R10E, Town of Burke, Dane County, Wisconsin, described as follows: Commencing at the East ¼ Corner of said Section 16; thence S88°43'13"E, 33.00 feet to the East right of way line of Portage Road and the point of beginning; thence N01°16'47"E, 527.64 feet (recorded as N00°52'36"E, 528.20 feet) along said East right of way line and the existing City of Madison Corporate Boundary; thence N88°43'13"W, 33.00 feet to the East line of said Northeast ¼; thence N01°16'47"E (recorded as N00°52'59"E), 122.66 feet along said East line; thence N88°43'13"W, 73.50 feet; thence N01°16'47"E, 256.00 feet; thence S88°43'13"E, 73.50 feet to said East line; thence N01°16'47"E (recorded as N00°52'59"E), 213.51 feet along said East line to the South line of Certified Survey Map No. 5686; thence S89°49'15"W, 1040.68 feet (recorded as S89°25'48"W, 1040.62 feet) along said South line to the Easterly right of way line of Interstate Highways 90-94-39; thence along said Easterly right of way line along a curve to the right having a radius of 7774.50 feet and a chord bearing and length of S21°21'10"E 1159.07 feet; thence continuing along said Easterly right of way line S17°04'26"E, 254.40 feet; thence continuing along said Easterly right of way line S26°18'14"E, 405.25 feet; thence continuing along said Easterly right of way line S17°04'26"E, 527.52 feet to the Westerly right of way line of Portage Road; thence along said Westerly right of way line N32°54'15"E, 10.47 feet; thence continuing along said Westerly right of way line along a curve to the left having a radius of 719.50 feet and a chord bearing and length of N23°59'05"E, 223.11 feet; thence continuing along said Westerly right of way line S74°56'04"E, 12.00 feet; thence continuing along said Westerly right of way line along a curve to the left having a radius of 731.50 feet and a chord bearing and length of N08°18'05"E, 172.31 feet; thence S88°27'45"E, 33.00 feet to the East line of said Southeast ¼; thence N01°32'15"E (recorded as N01°09'12"E), 379.14 feet along said East line; thence S88°27'45"E, 33.00 feet to the East right of way line of Portage Road; thence N01°32'15"E, 316.09 feet (recorded as N01°08'25"E, 316.86 feet) along said East right of way line and the existing City of Madison Corporate Boundary to

the point of beginning. Polling place at Oakwood Village East, 5565 Tancho Drive.”

3. Subsection (17) of Section 15.03 entitled “Aldermanic Districts” of the Madison General Ordinances is amended to read as follows:

“(17) Seventeenth Aldermanic District. Wards 21, 22, 23, 24, 25, 26, 126, and 136, and 142.”

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.