



Legislation Text

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Fiscal Note

As per State Statutes, beginning in 2013, the City will make annual payments for five years of an estimated \$1,407 to the Town of Blooming Grove (an amount equal to the town levy on the parcel for the year 2011). The payments will come from the General Fund Miscellaneous account and will be accommodated in future budgets.

Title

Creating Section 15.01(579) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the Sixteenth Aldermanic District the Ho-Chunk Attachment and assigning a temporary zoning classification of A Agriculture District, and amending Section 15.02(1) of the Madison General Ordinances to add the attached property to Ward 1.

Body

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

An ordinance to create Subsection (579) 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, pursuant to Sec. 9A of the Town of Blooming Grove and City of Madison Cooperative Plan, the Ho-Chunk Nation lands identified on Attachment A shall be attached to the City of Madison; and

WHEREAS, pursuant to Sec. 28.04(7), Madison General Ordinances, the annexed territory is declared to be in the Temp A Agriculture District; and

WHEREAS, pursuant to Wis. Stat. § 66.0217(14)(a)1., the City of Madison agrees to pay annually to the Town of Blooming Grove, for five (5) years, an amount equal to the amount of property taxes that the town levied on the annexed territory, as shown by the tax roll under Wis. Stat. § 70.65, in the year in which the annexation 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 determines that the said attachment 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 (579) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(579) - There is hereby attached to the 16th Aldermanic District, the City of Madison, Dane County, Wisconsin, the following described property:

Lot 6, Assessor's Plat No. 10, Town of Blooming Grove, except that part of Lot 6 described in Document No. 3135154, Dane County Registry, and including part of the southerly and easterly right-of-way of Millpond Road as platted on said Assessor's Plat, all located in the S 1/2 of the NE 1/4 of Section 26, Township 7N, Range 10E, Town of Blooming Grove, Dane County, Wisconsin, to wit:

Commencing at the southwest corner of Lot 6, Assessor's Plat No. 10, Town of Blooming Grove, being also a point on the easterly right-of-way of Millpond Road as platted on said Assessor's Plat; thence S87°47'E, 318.73 feet along the southerly line of Lot 6 to the northeast corner of said Lot 13; thence S02°13'W, 65.00 feet along the east line of Lot 13 of said Assessor's Plat, to the southerly line of said Lot 6; thence along the southerly line of Lot 6 for the next three courses: (1) S87°47'E, 266.27 feet; (2) S02°13'W, 62.20 feet; and (3) S57°47'30"E, 330.45 feet to the northwesterly right-of-way line of Savannah Road; thence N32°12'30"E, 479.97 feet along said northwesterly right-of-way to the south corner of lands described as "Parcel 3" in Document No. 3135154, Dane County Registry; thence along the westerly line of said "Parcel 3", being the existing westerly right-of-way line of Savannah Road, for the next three courses: (1) northwesterly along the arc of a 25.00 foot radius curve to the left whose long chord bears N04°52'56"W, 30.15 feet; (2) N41°58'22"W,

43.11 feet to a point of curve; and (3) northwesterly along the arc of an 85 foot radius curve to the left whose long chord bears N63°33'41"W, 62.55 feet to the north line of said Lot 6 and existing southerly right-of-way of Millpond Road; thence N85°09'W, 4.43 feet along said north line of Lot 6 and southerly right-of-way line to an angle point in the north line of said Lot 6; thence N87°47'W, 74.13 feet along said north line of Lot 6 and southerly right-of-way line; thence N02°13'E, 35.00 feet along the existing city limits as defined in Madison Common Council Ordinance No. 12461, ID No. 25942, adopted Aug. 17, 1999, to the centerline of Millpond Road; thence N87°47'W along the centerline of Millpond Road, 731.73 feet to a point of tangent curve; thence southwesterly on said centerline along the arc of a 245.00 foot radius curve to the left whose long chord bears S65°13'W, 222.46 feet, to the southeasterly prolongation of the northeasterly line of Lot 1, Certified Survey Map No. 729; thence S51°47'E along said prolongation, 35.00 feet to the southeasterly right-of-way line of Millpond Road and westerly line of said Lot 6; thence southwesterly on said right-of-way line and westerly line of Lot 6, along the arc of a 210.00 foot radius curve to the left whose long chord bears S20°13'00"W, 129.79 feet to the point of beginning."

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

"(1) Ward 1. Beginning at a point in the limits line of the City of Madison, said point being the point of intersection of the West right-of-way line of Interstate Highway 90 and the North line of the Southeast 1/4 of the Southwest 1/4 of Section 23, Town 7 North, Range 10 East, Town of Blooming Grove, Dane County, Wisconsin (also the centerline of Femrite Drive); thence Westerly along the centerline of Femrite Drive to the centerline of Agriculture Drive; thence Northerly along the centerline of Agriculture Drive to the centerline of Pflaum Road; thence Easterly and Northerly along the centerline of Pflaum Road and the centerline of Vondron Road to the centerline of the right-of-way of the Chicago & Northwestern Railroad; thence Northwesterly along the centerline of said right-of-way to the centerline of East Buckeye Road; thence Westerly along the centerline of East Buckeye Road to the centerline of South Stoughton Road (U.S. Highway 51); thence Southerly along the centerline of South Stoughton Road to the point of intersection with the Easterly prolongation of the centerline of Allis Avenue; thence Westerly along said Easterly prolongation and the centerline of Allis Avenue and the centerline of West Lakeview Avenue to the centerline of East Dean Avenue; thence Southerly and Westerly along the centerline of East Dean Avenue to the West line of Section 16, Town 7 North, Range 10 East, Town of Blooming Grove, Dane County, Wisconsin (also the centerline of Monona Drive and the limits line of the City of Madison and the City of Monona); thence Southerly on the West line of said Section 16 to the North line of Section 21, Town 7 North, Range 10 East, Town of Blooming Grove, Dane County, Wisconsin (also the centerline of Pflaum Road); thence Easterly along the centerline of Pflaum Road to the point of intersection with the Northerly prolongation of the East line of Lot 24, Block 2, Ace View Plat, City of Madison, Dane County, Wisconsin; thence Southerly along said Northerly prolongation and the East line of said Lot 24 to the North line of Lot 25, Block 2, said Ace View Plat; thence Easterly along the North line of said Lot 25 to the East line of said Lot 25; thence Southerly along the East line of Lots 25 through 36, inclusive, Block 2, said Ace View Plat and the Southerly prolongation of the East line of said Lot 36 to the centerline of Acacia Lane; thence Westerly along the centerline of Acacia Lane to the point of intersection with the Northerly prolongation of the East line of Lot 1, Block 1, said Ace View Plat; thence Southerly along said Northerly prolongation and the East line of said Lot 1 to the Southeast corner of said Lot 1, thence Westerly along the South line of said Lot 1 and the Westerly prolongation of the South line of said Lot 1 to the centerline of Monona Drive; thence Southerly along the centerline of Monona Drive to the centerline of Tompkins Drive; thence Easterly along the centerline of Tompkins Drive to the point of intersection with the Northerly prolongation of the East line of Lot 13, Assessor's Plat No. 8, Town of Blooming Grove, Dane County, Wisconsin; thence Southerly along said Northerly prolongation and the East line of Lots 13 through 16, inclusive, said Assessor's Plat No. 8 and the Southerly prolongation of the East line of said Lot 16, and the East line of Lot 17, said Assessor's Plat No. 8 to the South line of the Crestview Heights Plat, City of Madison, Dane County, Wisconsin, thence Easterly along the South line of said Crestview Heights Plat to the West line of First Addition to Highwood Plat, City of Madison, Dane County, Wisconsin; thence Southerly along the West line of said First Addition to Highwood Plat to the South line of said First Addition to Highwood

Plat; thence Easterly along the South line of said First Addition to Highwood Plat and the South line of the Glenview Woods Plat, City of Madison, Dane County, Wisconsin and the Easterly prolongation of the South line of said Glenview Woods Plat to the West line of Lot 1, Certified Survey Map 996; thence Southerly along the West line of said Lot 1 and the Southerly prolongation of the West line of said Lot 1 to the centerline of Femrite Drive; thence, Southeasterly along the centerline of Femrite Drive to the point of intersection with the Southwesterly prolongation of the Northeast line of said Lot 1; thence Northeasterly along said Southwesterly prolongation and the Northeast line of said Lot 1 (also the Northwest line of Onderdonk Oaks Estates Plat, City of Monona, Dane County, Wisconsin) to the North line of the Southeast 1/4 of Section 21, Town 7 North, Range 10 East, Town of Blooming Grove, Dane County, Wisconsin; thence Easterly along the North line of the Southeast 1/4 of said Section 21 (also the North line of said Onderdonk Oaks Estates Plat) to the centerline of South Stoughton Road (U.S. Highway 51 and the limits line of the City of Madison); thence Southerly, Westerly and Southerly along said limits line to the point of intersection of the shoreline of Upper Mud Lake and the South line of the Northeast 1/4 of Section 28, Town 7 North, Range 10 East, Town of Blooming Grove, Dane County, Wisconsin; thence Easterly along the South line of the Northeast 1/4 of said Section 28 and the South line of the Northwest 1/4 of Section 27, Town 7 North, Range 10 East, Town of Blooming Grove, Dane County, Wisconsin (also the centerline of Voges Road) to the West line of the Southeast 1/4 of said Section 27; thence Southerly along the West line of the Southeast 1/4 of said Section 27 and the West line of the Northeast 1/4 of Section 34, Town 7 North, Range 10 East, Town of Blooming Grove, Dane County, Wisconsin to the South line of the Northeast 1/4 of said Section 34; thence Easterly along the South line of the Northeast 1/4 of said Section 34 (also the centerline of Siggelkow Road) to a point which is 684.07 feet more or less west of the Southeast corner of the NE 1/4 of Section 34; thence N0° 40'E, 178.0'; thence West parallel to the said South quarter line 19.5 feet; the West line of the East 1/2 of the East 1/2 of the Northeast 1/4 of said Section 34; thence Northerly along said West line to a point, said point being 612.73 feet North of the South line of the Northeast 1/4 of the Northeast 1/4 of said Section 34; thence Easterly 825.53 feet to the centerline of Marsh Road; thence Southerly along the centerline of Marsh Road to the South line of the Northwest 1/4 of Section 35, Town 7 North, Range 10 East, Town of Blooming Grove, Dane County, Wisconsin; thence Easterly along the South line of the Northwest 1/4 of said Section 35 (also the centerline of Siggelkow Road) to the East line of the West 1/2 of the Northwest 1/4 of said Section 35; thence Northerly along the East line of the West 1/2 of the Northwest 1/4 of said Section 35 (also the West line of the April Hill Plat, Town of Blooming Grove, Dane County, Wisconsin) to the South line of Section 26, Town of Blooming Grove, Dane County, Wisconsin; thence Westerly along the South line of said Section 26 to the Southwest corner of said Section 26; thence Northerly along the West line of said Section 26 to the Northwest corner of the Southwest 1/4 of said Section 26 and the limits line of the City of Madison; thence Easterly, Southerly, Westerly and Southerly along said limits line to the Northwest corner of Lot 1, Certified Survey Map 4003; thence Easterly along the North line of said Lot 1 to the Northeast corner of said Lot 1; thence Southerly along the East line of Lots 1, 2 and 3, said Certified Survey Map 4003 to the Southeast corner of said Lot 3; thence Westerly along the South line of said Lot 3 to the East line of Marsh Road; thence Southerly along the East line of Marsh Road to the North line of Lot 1, Certified Survey Map 4252; thence Easterly along the North line of said Lot 1 to the Northeast corner of said Lot 1; thence Northerly along the Northerly prolongation of the East line of said Lot 1 to the North line of the South 1/2 of the Southwest 1/4 of said Section 26; thence Easterly 1,765.09 feet along said North line; thence Southerly 1,330.47 feet along a line parallel to the West line of said Section 26 to the South line of said Section 26 (also the North line of the First Addition to April Hill Plat, Town of Blooming Grove, Dane County, Wisconsin); thence Easterly along the South line of said Section 26 to the West line of the Southeast 1/4 of said Section 26; also the North 1/4 corner of said Section 35; thence S01°29'26"E along the West line of the NE 1/4 of said Section 35, 2654.55 feet, more or less, to the SW corner of the NE 1/4 of said Section 35; thence N87°18'38"E, 612.29 feet along the South line of the NE 1/4 of said Section 35; thence N00°49'53"E, 233.68 feet; thence N87°46'50"E, 110.11 feet; thence N03°32'48"E, 84.97 feet; thence S88°56'22"E, 165.26 feet; thence S02°30'12"E, 306.00 feet to the South line of the NE 1/4 of said Section 35; thence N87°18'38"E, 1074.90 feet, more or less, along said

South line to the East line of the West 1/2 of the SE 1/4 of the NE 1/4 of said Section 35; thence $N01^{\circ}24'52''W$, 2650.62 feet, more or less, along the East line of the West 1/2 of the SE 1/4 of the NE 1/4, and the East line of the West 1/2 of the NE 1/4 of the NE 1/4 of Section 35 to the South line of the SE 1/4 of thence $S87^{\circ}25'32''W$, along said South line, 997.41 feet to the East line of the West 1/2 of the East 1/2 of the SW 1/4 of the SE 1/4 of said Section 26; thence $N00^{\circ}11'47''W$, along said East line, 1331.03 feet, more or less, to the North line of the SW 1/4 of the SE 1/4 of said Section 26; thence $S87^{\circ}28'50''E$, along said North line, 998.47 feet, more or less, to the NW corner of the SW 1/4 of the SE 1/4 of said Section 26; thence Northerly along the West line of the Southeast 1/4 of said Section 26 to the Southwest right-of-way line of Interstate Highway 90; thence Southeasterly along the Southwest right-of-way line of Interstate Highway 90 to the point of intersection with the Westerly prolongation of the South line of Lot 10, Blooming Grove Assessor's Plat No. 10, Dane County, Wisconsin; thence Easterly along said Westerly prolongation to the Northeast right-of-way line of Interstate Highway 90; thence Southeasterly along the Northeast right-of-way line of Interstate Highway 90 to the East line of Section 26 and the limits line of the City of Madison; thence Southerly, Easterly and Northerly along said limits line to the Southeast corner of Section 25, Town 7 North, Range 10 East, Town of Blooming Grove, Dane County, Wisconsin, thence Northerly along the East line of said Section 25 (also the centerline of Brandt Road and County Trunk Highway "AB") to the South line of the North 1/2 of the Northeast 1/4 of said Section 25 and the limits line of the City of Madison; thence Westerly, Northerly, Westerly, Northerly and Westerly along said limits line to the Northwest corner of said Section 25; thence Southerly, Easterly Southerly and Westerly along said limits line to the point of intersection with the Northerly prolongation of the East line of Lot 3, said Blooming Grove Assessor's Plat No. 10; thence Southerly along said Northerly prolongation and the East line of said Lot 3 to the Southeast corner of said Lot 3; thence Westerly 55.0 feet along the South line of said Lot 3 (also the North line of Millpond Road); thence Southerly 70.0 feet to the South line 35.0 feet to the centerline of Millpond Road; thence $N87^{\circ}47'W$ along the centerline of Millpond Road, 731.73 feet to a point of tangent curve; thence southwesterly on said centerline along the arc of a 245.00 foot radius curve to the left whose long chord bears $S65^{\circ}13'W$, 222.46 feet, thence Easterly and Southeasterly along the South line of Millpond Road to the Northwest line of Savannah Road; thence Southwesterly along the Northwest line of Savannah Road to the Southeast corner of Lot 6, said Blooming Grove Assessor's Plat No. 10; thence North $57^{\circ}44'36''$ West 330.45 feet; thence North $02^{\circ}14'32''$ East 62.20 feet; thence North $87^{\circ}45'28''$ West 266.27 feet; thence South $02^{\circ}14'32''$ West 54.49 feet to the Southeast corner of Lot 13, said Blooming Grove Assessor's Plat No. 10; thence Southwesterly along the Southeast line of said Lot 13 to the Southwest line of said Lot 13 (also the Northeast line of Evans Acres Road); thence Northwesterly and Northerly along the Northeast line of Evans Acres Road to the point of intersection with the Southeasterly prolongation of the Southwest line of Lot 1, Certified Survey Map 729; thence Northwesterly along said Southeasterly prolongation and the Southwest line of said Lot 1 to the Northwest corner of said Lot 1 and the limits line of the City of Madison; thence Northerly, Westerly, and Northerly to a point of intersection with the Northwesterly right-of-way line of Interstate Highway I-90; thence $N00^{\circ}15'00''E$, 1055.50 feet, more or less, along the West line of Certified Survey Map No. 1495 to a point which is 110 feet South of measured at right angles to the North line of the SE 1/4 of the SW 1/4 of Section 23, T7N, R10E; thence Easterly, 325.35 feet, more or less, along a line that is parallel to and 110 feet South of measured at right angles to, the North line of the SE 1/4 of the SW 1/4 of said Section 23 to its point of intersection with the West line of Lot 2, Certified Survey Map No. 1495 and the point of beginning; thence $S00^{\circ}15'W$, along the West line of Lot 2, Certified Survey Map No. 1495, 347.72 feet, more or less, to the SW corner of said Lot 2, Certified Survey Map No. 1495; thence $S89^{\circ}45'E$, along the South line of Lot 2, Certified Survey Map No. 1495, 225.00 feet, more or less, to the SE corner of said Lot 2; thence $S00^{\circ}15'W$, along the Southerly extension of the Westerly line of Lot 3 of Certified Survey Map No. 1495, 254.36 feet, more or less, to its point of intersection with the Northwesterly right-of-way of Interstate Highway I-90; thence Northeasterly along the Northwesterly right-of-way line of Interstate Highway I-90, 250.08 feet, more or less, to the SE corner of Lot 3, Certified Survey Map No. 1495 and a point of curve on the right-of way of Interstate Highway I-90; thence continue along the Easterly line of Lot 3, Certified Survey Map No. 1495 and the Westerly right-

of-way line of Interstate Highway I-90 on the arc of a 700 foot radius curve to the left, convex to the Southeast, whose long chord bears N27°45'29"E, 533.55 feet, more or less, to the corner of the existing city limits of the City of Madison which is 110 feet South of, measured at right angles to the North line of the SE 1/4 of the SW 1/4 of said Section 23; thence Northerly 90.00 feet to the centerline of Femrite Drive, also the North line of the SE 1/4 of the SW 1/4 of Section 23, T7N, R10E, Town of Blooming Grove, Dane County, Wisconsin, the point of beginning. Also, in addition, lands remaining in the City of Madison and located South of Siggelkow Road in Section 35, Town 7 North, Range 10 East, Town of Blooming Grove, Dane County, Wisconsin pursuant to Detachment Ordinance No. 12,040, ID No. 22886, adopted on February 17, 1998, identified on Exhibit A as Parcels 1 and 2, also known as 5313 Marsh Road, Parcel No. 0710-353-0097-1, and 5325 Marsh Road, Parcel No. 0710-353-0094-7; and Village of McFarland ordinance No. 98-03, adopted on February 23, 1998. Except: Lot 13, Blooming Grove Assessor's Plat No. 10. Polling place at Glendale Elementary School, 1201 Tompkins Drive."

3. 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.