



Legislation Text

File #: 72168, Version: 1

Fiscal Note

No City appropriation required.

Title

Implementing the Final Attachment Area of the Town of Madison by creating Section 15.01(640) 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 east of Fish Hatchery Road and west of S Park Street, including Town lands on Culmen Street, Burr Oak Lane, Dane Street, Ridgewood Way, and Cypress Lane, hereinafter referred to as "Area 7"; creating Section 15.02(145) of the Madison General Ordinances to create Ward 145; and amending Section 15.03(14) to add Ward 145 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 7" that is located east of Fish Hatchery Road and west of S Park Street. The portion of Area 7 located east of Fish Hatchery Road will be attached to the 14th Ald. Dist. and will be located in newly created Ward 145.

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

An ordinance to create Subsection (640) 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 7" 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 Area 7 encompasses a total of approximately 141.01 acres, 6,142,466 square feet and 0.220 square miles, more or less, located on both sides of Fish Hatchery Road; and

WHEREAS, during redistricting it was determined that the area of the Town located east of Fish Hatchery

Road in Area 7 would be attached to District 14 to distribute the population of the Town among multiple alder districts; 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 (640) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(640) - There is hereby attached to the 14th Aldermanic District of the City of Madison, Dane County, Wisconsin, the following described property:

(AREA 7 (East))

Lots 1-2, CSM 12841, recorded in Vol. 81 of CSMs on Pg. 216-220, as Doc. 4629418; Lot 1, CSM 12040, recorded in Vol. 74 of CSMs on Pg. 124-126, as Document No. 4268556; Lots 8-14, Block 1, Lot 9, Block 2, Lots 1-5, Block 3, Lots 1-2, Block 4, and Vacated Berkey Street and Thomas Street, Sunnyslope, recorded in Vol. 5 of Plats on Pg. 18, as Document No. 330944; Lots 1-38, Outlots A and B, and Dedicated Park, Second Addition to Oak Ridge Subdivision, recorded in Vol. 10 of Plats on Pg. 15, as Document No. 641623; Lots 1-5, 9-13, Block 6, Lots 10-15 and Part of Lot 16, Block 7, Lots 1-6, 11-16, Block 8, First Addition to Oak Ridge Subdivision, recorded in Vol. 4 of Plats on Pg. 35, as Document No. 294634; Lots 11-20, Block 1, Lots 7-30, Block 2, Lots 1-24, Block 3, Lots 1-12, Block 4, Lots 11-15, Block 5, Oak Ridge Subdivision, recorded in Vol. 4 of Plats on Pg. 32, as Document No. 290503, and other lands located in parts of the NW 1/4, NE 1/4 and SW 1/4 of the NW 1/4 of Section 35, all lands located in Town 7 North, Range 9 East, including the right-of-ways of Fish Hatchery Road, Culmen Street, former right-of-way of the Chicago and Northwestern Railway, Ridgewood Way, Old Park Street, Dane Street, Burr Oak Lane, North Avenue, Cypress Way and Taylor Street, more fully described as follows:

Commencing at the Northeast Corner of said Section 34; thence Southerly, 710.91 feet, more or less, along the West line of the NW 1/4 of Section 35 until its intersection with and continuing along the west line of the said NW 1/4 of to the intersection with the North line of the plat of Sunnyslope extended Westerly, said point of intersection being the Point of Beginning of this description; thence N89°36'50"E along said North line extended, 941.0 feet, more or less, to the center line of the right-of-way of the former Chicago and Northwestern Transportation Company (now owned by the Wisconsin Department of Transportation and leased to Wisconsin and Southern Railroad); thence Northeasterly along said center line, 593 feet, more or less, to the point of intersection with the Northwesterly prolongation of the Southwesterly line of "Parcel A" as described in Volume 31068, Page 20 as Document No. 2711179, Dane County Registry; thence Southeasterly, at right angles to the center line of the Chicago and Northwestern Transportation Company along the said Southwesterly line of "Parcel A" and its northwesterly prolongation thereof, 50 feet, to the most southerly corner of said "Parcel A" on the former southeasterly right of way of the former Chicago and Northwestern Transportation Company and also being on the northwesterly line of said Second Addition to Oak Ridge Subdivision; thence Northeasterly, along the said northwesterly line of said Second Addition to Oak Ridge Subdivision, also being the said southeasterly right of way of the former Chicago and Northwestern Transportation Company, 125 feet, more or less, to the point of intersection with the center line of North Avenue as platted 50 feet wide by said First and Second Addition to Oak Ridge Subdivisions; thence Easterly, along the said center line, 614 feet, more or less, to the point of intersection with the Northerly prolongation of the east right of way line of Taylor Street; thence Southerly along the said Northerly prolongation and East right of way line, 112 feet, more or less; thence Easterly, perpendicular to the West line of Lot 17, Block 7, First Addition to Oak Ridge Subdivision, 50 feet to the West line of said Lot 17; thence Southerly, along the said West line of Lot 17, 40 feet to the Southwest corner of said Lot 17 thereof; thence Easterly, along the South

lines of Lots 17, 18, 19, 20 and 21, Block 7, First Addition to Oak Ridge Subdivision, 250 feet, to the Northwest corner of Lot 9, Block 7 of said First Addition to Oak Ridge Subdivision; thence Southerly along the west line of said Lot 9, Block 7, First Addition to Oak Ridge Subdivision, 120 feet, to the North right of way line of Burr Oak Lane (platted as Oak Street); thence continuing Southerly, 50 feet across said Burr Oak Lane, to the Northwest corner of Lot 21, Block 1, Oak Ridge Subdivision; thence Southerly, along the West line of said Lot 21, 120 feet to the northeast corner of Lot 9, Block 1, Oak Ridge Subdivision; thence Westerly along the North line of Lots 9 and 10, Block 1, Oak Ridge Subdivision, 100 feet to the Northwest corner of said Lot 10; thence Southerly along the West line of said Lot 10 and its southerly prolongation, 145 feet, to the center line of Dane Street (originally platted as Fitch Street); thence Easterly along the center line of Dane Street, 150 feet to the point of intersection with the Northerly prolongation of the East line of Lot 30, Block 2, Oak Ridge Subdivision; thence Southerly along the said Northerly prolongation and East line of Lot 30 and the East line of Lot 7, Block 2, Oak Ridge Subdivision, and its Southerly prolongation, 290 feet, to the center line of Ridgewood Way (platted as Ridgewood Street); thence Westerly along the center line of Ridgewood Way, 350 feet, more or less, to the point of intersection with the Northerly prolongation of the West line of Lot 10, Block 5, Oak Ridge Subdivision; thence Southerly, along the said Northerly prolongation and West line, 145 feet to the Southwest corner of said Lot 10, also being a point on the South line of Oak Ridge Subdivision; thence Westerly, along the said South line of Oak Ridge Subdivision and the South line of Second Addition to Oak Ridge Subdivision and the North line of the NW 1/4 of said Section 35, 1,900 feet, more or less, to the Southeasterly right-of-way line of the said former Chicago and Northwesterly Transportation Company; thence Southwesterly, along said right-of-way line, 302 feet, more or less, to the West line of the said NW 1/4 of Section 35; thence North, along said West line, 799 feet, more or less, to the Point of Beginning. Said described area contains approximately 1,953,273 square feet, 44.841 acres, and 0.0700640625 square miles, more or less.

2. Subsection (145) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is hereby created to read as follows:

“(145) Ward 145 . Commencing at the Northeast Corner of said Section 34; thence Southerly, 710.91 feet, more or less, along the West line of the NW 1/4 of Section 35 until its intersection with and continuing along the west line of the said NW 1/4 of to the intersection with the North line of the plat of Sunnyslope extended Westerly, said point of intersection being the Point of Beginning of this description; thence N89°36’50”E along said North line extended, 941.0 feet, more or less, to the center line of the right-of-way of the former Chicago and Northwestern Transportation Company (now owned by the Wisconsin Department of Transportation and leased to Wisconsin and Southern Railroad); thence Northeasterly along said center line, 593 feet, more or less, to the point of intersection with the Northwesterly prolongation of the Southwesterly line of “Parcel A” as described in Volume 31068, Page 20 as Document No. 2711179, Dane County Registry; thence Southeasterly, at right angles to the center line of the Chicago and Northwestern Transportation Company along the said Southwesterly line of “Parcel A” and its northwesterly prolongation thereof, 50 feet, to the most southerly corner of said “Parcel A” on the former southeasterly right of way of the former Chicago and Northwestern Transportation Company and also being on the northwesterly line of said Second Addition to Oak Ridge Subdivision; thence Northeasterly, along the said northwesterly line of said Second Addition to Oak Ridge Subdivision, also being the said southeasterly right of way of the former Chicago and Northwestern Transportation Company, 125 feet, more or less, to the point of intersection with the center line of North Avenue as platted 50 feet wide by said First and Second Addition to Oak Ridge Subdivisions; thence Easterly, along the said center line, 614 feet, more or less, to the point of intersection with the Northerly prolongation of the east right of way line of Taylor Street; thence Southerly along the said Northerly prolongation and East right of way line, 112 feet, more or less; thence Easterly, perpendicular to the West line of Lot 17, Block 7, First Addition to Oak Ridge Subdivision, 50 feet to the West line of said Lot 17; thence Southerly, along the said West line of Lot 17, 40 feet to the Southwest corner of said Lot 17 thereof; thence Easterly, along the South lines of Lots 17, 18, 19, 20 and 21, Block 7, First Addition to Oak Ridge Subdivision, 250 feet, to the Northwest corner of Lot 9, Block 7 of said First Addition to Oak Ridge Subdivision; thence Southerly along the west line of said Lot 9, Block 7, First Addition to Oak Ridge Subdivision, 120 feet, to the North right of way line of Burr Oak Lane (platted as Oak Street); thence continuing Southerly, 50 feet across said Burr Oak Lane, to the

Northwest corner of Lot 21, Block 1, Oak Ridge Subdivision; thence Southerly, along the West line of said Lot 21, 120 feet to the northeast corner of Lot 9, Block 1, Oak Ridge Subdivision; thence Westerly along the North line of Lots 9 and 10, Block 1, Oak Ridge Subdivision, 100 feet to the Northwest corner of said Lot 10; thence Southerly along the West line of said Lot 10 and its southerly prolongation, 145 feet, to the center line of Dane Street (originally platted as Fitch Street); thence Easterly along the center line of Dane Street, 150 feet to the point of intersection with the Northerly prolongation of the East line of Lot 30, Block 2, Oak Ridge Subdivision; thence Southerly along the said Northerly prolongation and East line of Lot 30 and the East line of Lot 7, Block 2, Oak Ridge Subdivision, and its Southerly prolongation, 290 feet, to the center line of Ridgewood Way (platted as Ridgewood Street); thence Westerly along the center line of Ridgewood Way, 350 feet, more or less, to the point of intersection with the Northerly prolongation of the West line of Lot 10, Block 5, Oak Ridge Subdivision; thence Southerly, along the said Northerly prolongation and West line, 145 feet to the Southwest corner of said Lot 10, also being a point on the South line of Oak Ridge Subdivision; thence Westerly, along the said South line of Oak Ridge Subdivision and the South line of Second Addition to Oak Ridge Subdivision and the North line of the NW 1/4 of said Section 35, 1,900 feet, more or less, to the Southeasterly right-of-way line of the said former Chicago and Northwesterly Transportation Company; thence Southwesterly, along said right-of-way line, 302 feet, more or less, to the West line of the said NW 1/4 of Section 35; thence North, along said West line, 799 feet, more or less, to the Point of Beginning. Said described area contains approximately 1,953,273 square feet, 44.841 acres, and 0.0700640625 square miles, more or less. Polling place at Village on Park, 2300 S Park Street.

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, 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.