



Legislation Text

File #: 81286, Version: 1

**Fiscal Note**

No additional City appropriation is required for the proposed parcel attachment. The 2022 property taxes collected by the Town of Middleton were \$23.00. There is no revenue sharing agreement with this attachment.

**Title**

Creating Section 15.01(658) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Alder Districts and Wards" attaching to the 20<sup>th</sup> Alder District the property located in the Town of Middleton on the northside of Mid Town Road between Marty Road and South Gammon Road, creating Section 15.02(160) of the Madison General Ordinances to attach the property to Ward 160, and assigning a temporary zoning classification of Temp. A (Agricultural) District. (District 20)

**Body**

DRAFTER'S ANALYSIS: This ordinance attaches the property located in the Town of Middleton on the northside of Mid Town Road between Marty Road and South Gammon Road in the Town of Middleton and assigns a temporary zoning classification of Temp. A (Agricultural) District.

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The Common Council of the City of Madison do hereby ordain as follows:

An ordinance to create Subsection (658) of Section 15.01 of the General Ordinances of the City of Madison entitled "City Boundaries" and being part of the chapter entitled "Alder Districts and Wards".

WHEREAS, a petition for attachment with scale map attached was filed with the City Clerk of Madison on December 11, 2023 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 Middleton; said petition having been signed by the owners of all of the land in the territory and notice of property attachment having been given to the Town of Middleton; 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 and Town of Middleton 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 (658) of Section 15.01 entitled "City Boundaries" of the Madison General Ordinances is created to read as follows:

"A parcel of land located in the SW 1/4 of the SE 1/4 and the SE 1/4 of the SW 1/4 of Section 35, T7N, R8E, Town of Middleton, Dane County, Wisconsin to-wit:

Commencing at the South 1/4 corner of said Section 35; thence N01°20'58"W, 33.00 feet to a point on the North right-of-way line of Mid Town Road, also being the Point of Beginning; thence S88°13'54"W, 23.25 feet along said North right-of-way line; thence S88°54'29"W, 192.94 feet along said North right-of-way line to the Southeast corner of Outlot 1, Certified Survey Map 9504; thence N00°13'02"E, 626.27 feet along the East line

of said Outlot 1 to the Northeast corner of said Outlot 1; thence N00°14'44"E, 664.12 feet along the East line of Lot 2, Certified Survey Map 5020; thence N88°55'49"E, 239.69 feet along the South line of Lot 4, Certified Survey Map 2664 and the North line of the said SE 1/4 of the SW 1/4; thence N89°07'57"E, 998.56 feet along the North line of the said SW 1/4 of the SE 1/4; thence S01°15'31"W, 690.00 feet; thence N89°07'57"E, 282.89 feet to a point on the West right-of-way line of S Gammon Road; thence S02°08'09"W, 599.78 feet along said West right-of-way line to a point on the North right-of-way line of Mid Town Road; thence S89°04'11"W, 1272.69 feet along said North right-of-way line to the Point of Beginning. Said described property contains 1,748,578 square feet, 40.142 acres, or 0.06272 square miles."

2. Subsection (160) entitled "Ward 160" of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is created to read as follows:

"(160) Ward 160. A parcel of land located in the SW 1/4 of the SE 1/4 and the SE 1/4 of the SW 1/4 of Section 35, T7N, R8E, Town of Middleton, Dane County, Wisconsin to-wit:

Commencing at the South 1/4 corner of said Section 35; thence N01°20'58"W, 33.00 feet to a point on the North right-of-way line of Mid Town Road, also being the Point of Beginning; thence S88°13'54"W, 23.25 feet along said North right-of-way line; thence S88°54'29"W, 192.94 feet along said North right-of-way line to the Southeast corner of Outlot 1, Certified Survey Map 9504; thence N00°13'02"E, 626.27 feet along the East line of said Outlot 1 to the Northeast corner of said Outlot 1; thence N00°14'44"E, 664.12 feet along the East line of Lot 2, Certified Survey Map 5020; thence N88°55'49"E, 239.69 feet along the South line of Lot 4, Certified Survey Map 2664 and the North line of the said SE 1/4 of the SW 1/4; thence N89°07'57"E, 998.56 feet along the North line of the said SW 1/4 of the SE 1/4; thence S01°15'31"W, 690.00 feet; thence N89°07'57"E, 282.89 feet to a point on the West right-of-way line of S Gammon Road; thence S02°08'09"W, 599.78 feet along said West right-of-way line to a point on the North right-of-way line of Mid Town Road; thence S89°04'11"W, 1272.69 feet along said North right-of-way line to the Point of Beginning.

Polling place at Elver Park Shelter, 1250 McKenna Boulevard."

3. Subsection (101) entitled "Ward 101" of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is created to read as follows:

"(101) Ward 101. Beginning at the point of intersection of the centerline of Raymond Road and the centerline of McKenna Boulevard; thence Northerly along the centerline of McKenna Boulevard to the centerline of New Washburn Way; thence Westerly along the centerline of New Washburn Way to the centerline of South High Point Road; thence Southerly along the centerline of South High Point Road to the North line of Section 2, Town 6 North, Range 8 East, Town of Verona, Dane County, Wisconsin, also being the approximate centerline of Mid Town Road; thence Easterly along the North line of said Section 2 and the North line of Section 1, Town 6 North, Range 8 East, Town of Verona, Dane County, Wisconsin, and becoming the approximate centerline of Raymond Road, to the point of beginning. Excepting therefrom the four (4) remaining Town of Middleton islands described as follows:

All of Lot 1, CSM 1949, being a part of the E½ of the NW¼ of Section 35, T07N R08E, Town of Middleton, Dane County, Wisconsin, excluding the right-of-way of South High Point Road, which was annexed to the City of Madison.

And

Part of the E $\frac{1}{2}$  of the SE $\frac{1}{4}$  of Section 35, T07N R08E, Town of Middleton, Dane County, Wisconsin, more fully described as follows: Commencing at the South Quarter Corner of said Section 35; thence N 88°39'24" E, 1334.33 feet along the south line of the said SE  $\frac{1}{4}$  of Section 35 (also noted as S 88°37'30" W per McKee Annexation, City of Madison Ordinance #13005) to the intersection with the easterly right-of-way of South Gammon Road and the Point of Beginning of this description, said point lying S 88°39'24" W, 1291.74 feet from the Northeast Corner of Section 2, T6N, R8E; thence N 00°04'15" W, 33.01 feet along the said easterly right-of-way of South Gammon Road; thence Northerly, 1287 feet, more or less, along the said easterly right-of-way of South Gammon Road to the intersection with the North line of the South  $\frac{1}{2}$  of the said SE  $\frac{1}{4}$  of Section 35; thence Northerly and Northeasterly along the Easterly and Southeasterly right-of-way line of South Gammon Road as located before vacation, to its point of intersection with the East line of the property described in Volume 1016 of Records on Page 553 in the Dane County Register of Deeds Office, said East property line also being the line that bears North from a point on the South line of the Northeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of said Section 35 that is 529.98 feet East of the center line of South Gammon Road, measured along the South line of the North  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of said Section 35; thence South 501.60 feet along the said East property line of the last mentioned property and its Southerly prolongation to the North line of the Southeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of said Section 35; thence South 88°43'02" West, 43.00 feet, more or less, along the North line of the Southeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of said Section 35 to the Westerly line of the property acquired by the City of Madison for Elver Park, as described in Volume 65 of Records on Page 162 in the Dane County Register of Deeds Office; thence South 00°56'38" West, 850.79 feet along the said West line of the property acquired by the City of Madison for Elver Park to a point that is 470.79 feet North of the South line of the Southeast  $\frac{1}{4}$  of said Section 35, measured along the Southerly prolongation of the last described East line of Elver Park; thence North 88°37'20" East, 380.95 feet; thence South 01°23'00" East, 377.79 feet to a point that is 50.00 feet North of the South line of the Southeast  $\frac{1}{4}$  of said Section 35; thence South 88°37'31" West, 199.46 feet along a line that is parallel to and 50.00 feet North of the South line of the Southeast  $\frac{1}{4}$  of said Section 35; thence South 56°07'22" West (previously recorded as South 56°07'31" West), along a line that is parallel with and 50.00 feet Northwesterly of, measured at right angles to, the center line of Raymond Road, 100 feet, more or less, to the North line of the Northeast  $\frac{1}{4}$  of Section 2, Town 6 North, Range 8 East; thence S 88°37'30" W along said North line, 578.38 feet, to the Point of Beginning.

And

Part of the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 35 and the SW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 35, T07N R08E, Town of Middleton, Dane County, Wisconsin, more fully described as follows: Commencing at the South Quarter Corner of said Section 35; thence S 88°30'53" W, 217.82 feet along the south line of the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 35; thence N 00°08'28" W, 33 feet to the intersection with the northerly right-of-way of Mid Town Road and the Point of Beginning of this description; thence N00°08'28"W, 1290.49 feet to the Northeast corner of Lot 2 of Certified Survey No. 5020; thence North 88°31'30" East, 239.37 feet, along the South line of Lot 4, Certified Survey Map No. 2664, to the Southeast corner thereof; thence continue Easterly along the South line of the Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of said Section 35, 1275 feet, more or less, to its point of intersection with the Westerly right-of-way line of South Gammon Road; thence Southerly, 1287 feet, more or less, along the said westerly right-of-way of South Gammon Road to the intersection with the north right-of-way of Mid Town Road; thence Westerly 1487 feet, more or less, along the north right-of-way of Mid Town Road, being 33 feet north of and parallel with the south lines of the said SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  and SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 35, to the

Point of Beginning.

And

Lot 2, CSM 7007 and parts of Lots 1 & 2, CSM 5020, located in part of the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 35, T07N R08E, Town of Middleton, Dane County, Wisconsin, more fully described as follows:  
Commencing at the Southwest Corner of said Section 35; thence N 88°54'11" E, along the South line of the said SW  $\frac{1}{4}$ , 1515.76 feet; thence N 01°17'46" E, 659.59 feet; thence N 88°54'11" E, 0.97 feet, to a point in the southerly line of Lot 1, CSM 5020 also being the Point of Beginning; thence N88°30'52"E, along the said southerly line, 303 feet, more or less, to the Southeast corner thereof; thence N05° 54'46"E, 355.75 feet; thence N07°00'06"W, 62.67 feet; thence N30°17'03"W, 77.91 feet; thence N01° 05'17"W, 114.46 feet to the Northeast corner of said Lot 1; thence N00°54'04"E, 66.06 feet to the North line of Lot 2, CSM 5020, also being the South line of the Valley Ridge Plat; thence S88°31'52"W, 447.31 feet along said North line, to the Easterly right-of-way line of South High Point Road; thence S 01°02'18" W, 455.50 feet along the said easterly right-of-way of South High Point Road and the Westerly line of Lots 1 and 2, CSM 5020; thence N 88°30'53" E, 7 feet, more or less along the said easterly right-of-way of said South High Point Road to the Northwest Corner of Lot 2, CSM 7007; thence S 00°53'22" W, along the said easterly right-of-way of South High Point Road, 124.21 feet, to the Southwest Corner of said Lot 2; thence S 88°42'56" E, along the South line of said Lot 2, 158.82 feet, to the Southeast corner thereof; thence S 01°16'13" W, along the East line of Lot 1, CSM 7007, 84.70 feet, to the Point of Beginning.

Excepting therefrom Wards 120, 142, and 160.

Polling place at Elver Park Shelter, 1250 McKenna Boulevard.”

4. Subsection (20) entitled “Twentieth Alder District” of Section 15.03 entitled “Alder Districts” is amended to read as follows:

“(20) Twentieth Alder District. Wards 97, 98, 99, 100, 101, 102, 120, 136, 142, 151, 152, ~~and~~ 156, and 160.”

5. 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.