



Legislation Text

File #: 36140, Version: 1

**Fiscal Note**

Under provisions of the Cooperative Plan, starting in 2016 the City will pay to the Town of Burke annually for five years the local property tax levy, estimated to be \$462 annually. The payments will come from the General Fund Miscellaneous account and will be accommodated in future budgets.

**Title**

Creating Section 15.01(592) 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 Boehm Attachment and creating Section 15.02(126) to assign the attached property to Ward 126 attaching to the Boehm 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 (592) 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 September 24, 2014, 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 (592) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(592) - 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 SW ¼ - NW ¼ of Section 22 and part of the SE ¼ - NE ¼ of Section 21, all in Township 08N, Range 10E, Town of Burke, Dane County, Wisconsin, more fully described as follows: Beginning at the West ¼ corner of said Section 22, said point also being the East ¼ corner of said Section 21; thence S89°47'35"W along the East-West ¼ line of said Section 21, 141.22 feet, (previously recorded as S89°23'07"W, 141.28 feet) to a point in the East right-of-way line of Portage Road, said point also lying on the Corporate Boundary of the City of Madison, 40 feet east of the centerline of Portage Road, said point also being a point of non-tangential curvature; thence 578.22 feet along said Corporate Boundary of the City of Madison, 40 feet east of the centerline of Portage Road and the arc of a curve to the left, through a central angle of 37°13'27" (previously recorded as 37°12'56"), a radius of 890.00 feet, and a chord bearing N19°46'29"E, 568.10 feet (previously recorded as N19°21'54"E, 567.98 feet); thence N01°10'01"E along said Corporate Boundary of the City of

Madison, 40 feet east of the centerline of Portage Road, 9.81 feet to the Southwest corner of Lot 2, Certified Survey Map Number 12909, as recorded in Volume 82 of Certified Survey Maps, on Pages 85 -86, as Document Number 4658523, Dane County Registry; thence S88°49'36"E along the South line of said Lot 2, 1049.02 feet to the Southeast corner of said Lot 2 and the westerly right of way line of Interstate Highway I-90 and I-94 (previously recorded as S89°13'E & S88°49'30"E, 1048.95 feet); thence S26°18'35"E along said westerly right of way line of Interstate Highway I-90 and I-94, 85.18 feet (previously recorded as S26°33'E, 81.45 feet); thence S23°29'15"E along said westerly right of way line of Interstate Highway I-90 and I-94, 455.07 feet (previously recorded as S23°57'E) to a northeasterly corner of Village Green Woods as recorded in Volume 49 of Plats, on Pages 18-20, as Document Number 1581940, said point also lying on the East-West ¼ line of said Section 22; thence S88°45'12"W along the northerly line of said Village Green Woods and the said East-West ¼ line of Section 22, 1319.42 feet (previously recorded as S88°21'W, 1319.85 feet and 1319.28 feet) to the point of beginning. Bearings in this description are based upon the Wisconsin County Coordinate System, Dane County.

Said attachment description contains 635,273 square feet or 14.58 acres more or less, or 0.0228 square miles."

2. Subsection (592) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is created to read as follows:

"(126) Ward 126. Beginning at the West ¼ corner of said Section 22, said point also being the East ¼ corner of said Section 21; thence S89°47'35"W along the East-West ¼ line of said Section 21, 141.22 feet, (previously recorded as S89°23'07"W, 141.28 feet) to a point in the East right-of-way line of Portage Road, said point also lying on the Corporate Boundary of the City of Madison, 40 feet east of the centerline of Portage Road, said point also being a point of non-tangential curvature; thence 578.22 feet along said Corporate Boundary of the City of Madison, 40 feet east of the centerline of Portage Road and the arc of a curve to the left, through a central angle of 37°13'27" (previously recorded as 37°12'56"), a radius of 890.00 feet, and a chord bearing N19°46'29"E, 568.10 feet (previously recorded as N19°21'54"E, 567.98 feet); thence N01°10'01"E along said Corporate Boundary of the City of Madison, 40 feet east of the centerline of Portage Road, 9.81 feet to the Southwest corner of Lot 2, Certified Survey Map Number 12909, as recorded in Volume 82 of Certified Survey Maps, on Pages 85 -86, as Document Number 4658523, Dane County Registry; thence S88°49'36"E along the South line of said Lot 2, 1049.02 feet to the Southeast corner of said Lot 2 and the westerly right of way line of Interstate Highway I-90 and I-94 (previously recorded as S89°13'E & S88°49'30"E, 1048.95 feet); thence S26°18'35"E along said westerly right of way line of Interstate Highway I-90 and I-94, 85.18 feet (previously recorded as S26°33'E, 81.45 feet); thence S23°29'15"E along said westerly right of way line of Interstate Highway I-90 and I-94, 455.07 feet (previously recorded as S23°57'E) to a northeasterly corner of Village Green Woods as recorded in Volume 49 of Plats, on Pages 18-20, as Document Number 1581940, said point also lying on the East-West ¼ line of said Section 22; thence S88°45'12"W along the northerly line of said Village Green Woods and the said East-West ¼ line of Section 22, 1319.42 feet (previously recorded as S88°21'W, 1319.85 feet and 1319.28 feet) to the point of beginning. Polling place at Eastside Lutheran Church, 2310 Independence Lane."

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, and 26, and 126."

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.