



## Legislation Details (With Text)

<b>File #:</b>	19203	<b>Version:</b>	1	<b>Name:</b>	Cherokee 5 Attachment
<b>Type:</b>	Ordinance	<b>Status:</b>	Passed		
<b>File created:</b>	7/12/2010	<b>In control:</b>	COMMON COUNCIL		
<b>On agenda:</b>	9/7/2010	<b>Final action:</b>	9/7/2010		
<b>Enactment date:</b>	9/15/2010	<b>Enactment #:</b>	ORD-10-00090		
<b>Title:</b>	Creating Section 15.01(573) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the Eighteenth Aldermanic District the Cherokee Attachment and assigning a temporary zoning classification of A Agriculture District, and creating Section 15.02(147) of the Madison General Ordinances to assign the attached property to Ward 147.				
<b>Sponsors:</b>	David J. Cieslewicz				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Map, 2. Attachments - Clerk Notice - Town Burke #19203 & 19132.pdf, 3. Town of Burke Attachment response.pdf, 4. Planning response to Town of Burke.pdf, 5. Town of Burke Resolution.pdf, 6. Attachments - file ID19203 .pdf, 7. 19203 Annexation Ordinance.pdf, 8. Reg of Deeds #4712398.pdf, 9. Claim-certified mail receipt				

Date	Ver.	Action By	Action	Result
9/7/2010	1	COMMON COUNCIL	Adopt	Pass
8/3/2010	1	COMMON COUNCIL	Refer	Pass
7/27/2010	1	Attorney's Office	RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER	
7/20/2010	1	COMMON COUNCIL	Referred	
7/12/2010	1	Attorney's Office/Approval Group	Referred for Introduction	

**Fiscal Note**

As per State Statutes, beginning in 2012 the City will make annual payments for five years of an estimated \$533 to the Town of Burke (an amount equal to the town levy on the parcels for 2010. The payments will come from the General Fund Miscellaneous account and will be accommodated in future budgets.

**Title**

Creating Section 15.01(573) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the Eighteenth Aldermanic District the Cherokee Attachment and assigning a temporary zoning classification of A Agriculture District, and creating Section 15.02(147) of the Madison General Ordinances to assign the attached property to Ward 147.

**Body**

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

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An ordinance to create Subsection (573) 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 July 1, 2010, 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; there being no residents or electors; 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 and Town of Burke 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 (573) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(573) - There is hereby attached to the 18th Aldermanic District, the City of Madison, Dane County, Wisconsin, the following described property:

Part of the SE 1/4 of the SW 1/4, part of the SW 1/4 of the SW 1/4 of Section 18, part of the NE 1/4 of the NW 1/4, part of the NW 1/4 of the NW 1/4, part of the SW 1/4 of the NW 1/4 and part of the SE 1/4 of the NW 1/4 of Section 19 all in T8N, R10E, Town of Burke, Dane County, Wisconsin more particularly described as follows: beginning at the N 1/4 corner of said Section 19; thence along the East line of the said SW 1/4 of Section 18 N00°55'38"E, 355.26 feet to the Southerly line of lands by the City of Madison in Document No. 4449205; thence along said Southerly line S57°51'14"W, 431.95 feet; thence continuing along said Southerly line S61°26'36"W, 682.66 feet; thence continuing along said Southerly line S89°35'44"W, 459.24 feet; thence continuing along said Southerly line N00°24'16"W, 33.00 feet; thence continuing along said Southerly line N88°59'56"W, 209.33 feet; thence continuing along said Southerly line N78°11'48"W, 236.52 feet; thence continuing along said Southerly line N04°09'41"E, 343.33 feet; thence continuing along said Southerly line N85°42'49"W, 301.88 feet to the West line of the said SW 1/4 of Section 18; thence along said West line S02°04'41"W, 151.42 feet to the Northwest Corner of said Section 19; thence along the West line of the said NW 1/4 of Section 19 S02°02'33"W (recorded as S02°02'25"W), 286.89 feet to the Corporate Boundary of the City of Madison; thence along said Corporate Boundary S88°59'52"E, 699.99 feet (recorded as S89°23'08"E, 700.00 feet); thence continuing along said Corporate Boundary S02°02'33"W (recorded as S01°40'49"W), 740.43 feet; thence continuing along said Corporate Boundary S01°30'32"W (recorded as S01°07'06"W), 392.71 feet to the Southerly right of way line of Wheeler Road; thence along said Southerly right of way line S88°48'14"E, 1434.38 feet to the East line of the said NW 1/4 of Section 19; thence along said East line N02°16'57"E, 1368.00 feet to the said N 1/4 corner of Section 19 and the point of beginning. The above described parcel contains 2,060,091 square feet or 47.293 acres."

2. Subsection (147) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is created to read as follows:

"(147) Ward 147. Beginning at the N 1/4 corner of said Section 19; thence along the East line of the said SW 1/4 of Section 18 N00°55'38"E, 355.26 feet to the Southerly line of lands by the City of Madison in Document No. 4449205; thence along said Southerly line S57°51'14"W, 431.95 feet; thence continuing along said Southerly line S61°26'36"W, 682.66 feet; thence continuing along said Southerly line S89°35'44"W, 459.24 feet; thence continuing along said Southerly line N00°24'16"W, 33.00 feet; thence continuing along said Southerly line N88°59'56"W, 209.33 feet; thence continuing along said Southerly line N78°11'48"W, 236.52 feet; thence continuing along said Southerly line N04°09'41"E, 343.33 feet; thence continuing along said Southerly line N85°42'49"W, 301.88 feet to the West line of the said SW 1/4 of Section 18; thence along said West line S02°04'41"W, 151.42 feet to the Northwest Corner of said Section 19; thence along the West line of the said NW 1/4 of Section 19 S02°02'33"W (recorded as S02°02'25"W), 286.89 feet to the Corporate Boundary of the City of Madison; thence along said Corporate Boundary S88°59'52"E, 699.99 feet (recorded as S89°23'08"E, 700.00 feet); thence continuing along said Corporate Boundary S02°02'33"W (recorded as S01°40'49"W), 740.43 feet; thence continuing along said Corporate Boundary S01°30'32"W (recorded as S01°07'06"W), 392.71 feet to the Southerly right of way line of Wheeler Road; thence along said Southerly right of way line S88°48'14"E, 1434.38 feet to the East line of the said NW 1/4 of Section 19; thence along said East line N02°16'57"E, 1368.00 feet to the said N 1/4 corner of Section 19 and the point of beginning. The

above described parcel contains 2,060,091 square feet or 47.293 acres. Polling Place: Blackhawk Middle School, 1402 Wyoming Way."

3. Subsection (18) of Section 15.03 entitled "Aldermanic Districts" of the Madison General Ordinances is amended to read as follows:

"(18) Eighteenth Aldermanic District. Wards 22, 23, 24, 25, 143, 144, and 146, and 147."

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.