



## Legislation Details (With Text)

**File #:** 32803      **Version:** 1      **Name:** Elderberry Attachment  
**Type:** Ordinance      **Status:** Passed  
**File created:** 1/13/2014      **In control:** PLAN COMMISSION  
**On agenda:** 2/4/2014      **Final action:** 2/4/2014  
**Enactment date:** 2/19/2014      **Enactment #:** ORD-14-00033  
**Title:** Creating Section 15.01(591) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 9th Aldermanic District the Elderberry Attachment, creating Section 15.01(124) of the Madison General Ordinances to assign the attached property to Ward 124, and authorizing submittal of an amendment the Central Urban Service Area.  
**Sponsors:** Paul R. Soglin  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Map, 2. Attachment letter to Sec of State - ID #32803.pdf

Date	Ver.	Action By	Action	Result
2/4/2014	1	COMMON COUNCIL	Adopt	Pass
1/27/2014	1	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
1/21/2014	1	COMMON COUNCIL	Referred for Public Hearing	
1/13/2014	1	Attorney's Office/Approval Group	Referred for Introduction	

### Fiscal Note

Under the terms of the City of Madison/Town of Middleton Cooperative Plan, annexation or attachment of non-commercial properties such as is proposed in this Resolution are exempt from revenue sharing requirements. Therefore, no appropriation is required in conjunction with this attachment.

### Title

Creating Section 15.01(591) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 9th Aldermanic District the Elderberry Attachment, creating Section 15.01(124) of the Madison General Ordinances to assign the attached property to Ward 124, and authorizing submittal of an amendment the Central Urban Service Area.

### Body

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

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An ordinance to create Subsection (591) 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 December 26, 2013 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 the proposed 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 (591) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(591) - There is hereby attached to the 1st Aldermanic District, the City of Madison, Dane County, Wisconsin, the following described property:

Part of the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 21, T7N, R8E, Town of Middleton, Dane County, Wisconsin, described as follows:

Beginning at the W  $\frac{1}{4}$  corner of said Section 21; thence N01°17'16"E, 682.95 feet along the west line of said SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  to the intersection with the south line of Lot 4, Certified Survey Map No. 6407, recorded in Volume 31 of Certified Survey Maps, on Pages 120-122, as Document No. 2263459; thence N89°19'18"E, 1320.17 feet along the south line of said Lot 4 to the intersection with the east line of said SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ; thence S01°24'07"W, 683.00 feet along the east line of said SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  to the intersection with the East-West Quarter line of said Section 21; thence S89°19'18"W, 1318.81 feet along said East-West Quarter line to the point of beginning. This parcel contains 900,617 square feet or 20.675 acres more or less, 0.032 square miles."

2. Subsection (124) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is created to read as follows:

"(124) Ward 124. Beginning at the W  $\frac{1}{4}$  corner of said Section 21; thence N01°17'16"E, 682.95 feet along the west line of said SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  to the intersection with the south line of Lot 4, Certified Survey Map No. 6407, recorded in Volume 31 of Certified Survey Maps, on Pages 120-122, as Document No. 2263459; thence N89°19'18"E, 1320.17 feet along the south line of said Lot 4 to the intersection with the east line of said SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ ; thence S01°24'07"W, 683.00 feet along the east line of said SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  to the intersection with the East-West Quarter line of said Section 21; thence S89°19'18"W, 1318.81 feet along said East-West Quarter line to the point of beginning. Polling place at The Jefferson, 9401 Old Sauk Road."

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.

BE IT FURTHER ORDAINED that the Planning Division is hereby authorized to request approval from the Capital Area Regional Planning Commission of an amendment to the Central Urban Service Area (CUSA) to include the Property and other nearby properties not currently located within the CUSA, and that the Common Council hereby adopts the boundaries of any wetlands or environmental corridors within said amendment area; and

BE IT FURTHER ORDAINED that the proposed use of the property is consistent with the Elderberry Neighborhood Development Plan and City of Madison Comprehensive Plan.