Legislation Details (With Text)

File #:	35836	**Version:** 1	**Name:**	Boehm Attachment	
Type:	Ordinance		**Status:**	Filed	
File created:	10/14/2014		**In control:**	COMMON COUNCIL	
On agenda:	11/18/2014		**Final action:**	11/18/2014	
Enactment date:			**Enactment #:**		

Title: Creating Section 15.01(567) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to the 18th Aldermanic District the Cherokee Annexation and assigning a temporary zoning classification of A Agriculture District, and amending Section 15.02(143) of the Madison General Ordinances to assign the attached property to Ward 143.

Sponsors: Paul R. Soglin

Indexes:

Code sections:

Attachments: 1. Map

Date	Ver.	Action By	Action	Result
11/18/2014	1	COMMON COUNCIL	Place On File	Pass
10/21/2014	1	COMMON COUNCIL	Referred	
10/14/2014	1	Attorney's Office/Approval Group	Referred for Introduction	

Fiscal Note

Beginning in 2016, the City will make annual payments for five years of an estimated $462 to the Town of Westport (an amount equal to the town levy on the territory for the year 2014). The payments will come from the General Fund Miscellaneous account and will be accommodated in future budgets.

Title

Creating Section 15.01(567) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to the 18th Aldermanic District the Cherokee Annexation and assigning a temporary zoning classification of A Agriculture District, and amending Section 15.02(143) of the Madison General Ordinances to assign the attached property to Ward 143.

Body

DRAFTER'S ANALYSIS: This ordinance annexes land in the Town of Westport.

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An ordinance to create Subsection (567) 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 with scale map attached was filed with the City Clerk of Madison on January 8, 2008, and mailed to the Clerk of the Town of Westport and the Municipal Boundary Review Section, Department of Commerce, State of Wisconsin, and has been presented to the City Common Council requesting annexation of the below-described territory to the City of Madison from the Town of Westport; said petition having been signed by the owners of all the real property within the territory, which lies contiguous to the City of Madison and has no residents; and

WHEREAS, the Cherokee Special Area Plan recommends low density residential uses for the surrounding area; and

WHEREAS, pursuant to Sec. 28.005, Madison General Ordinances, the annexed territory is declared to be in the A Agriculture District and the annexation and temporary zoning were considered by the Plan Commission at its meeting of February 11, 2008, and adoption of the said annexation and zoning were recommended; and

WHEREAS, pursuant to Wis. Stat. § 66.0217(14)(a)1., the City of Madison agrees to pay annually to the Town of Westport, for five (5) years, an amount equal to the amount of property taxes that the town levied on the annexed territory, as shown by the tax roll under Wis. Stat. § 70.65, in the year in which the annexation is final; and

WHEREAS, investigation by the City of Madison discloses that as of this date the above representations are true, and the determination of the Department of Commerce, Municipal Boundary Review Section, State of Wisconsin, that the below described annexation has been reviewed and found to be in the public interest, having been reviewed, the Common Council now accepts the petition as sufficient and determines that the said annexation proceeding meets the requirements of the Wisconsin Statutes;

NOW, THEREFORE, the Common Council of the City of Madison do ordain as follows:

1. Subsection (567) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(567) - There is hereby attached to the 18th Aldermanic District, the City of Madison, Dane County, Wisconsin, the following described property:

Part of the Northwest ¼ of the Northeast ¼, part of the Northeast ¼ of the Northeast ¼ and part of the Southeast ¼ of the Northeast ¼ of Section 24. T8N, R9E, Town of Westport, Dane County, Wisconsin being more particularly described as follows: commencing at the Northeast corner of said Section 24; thence along the North line of the said Northeast ¼ N88°56'44"W, 725.00 feet to the point of beginning; thence continuing along said North line N88°56'44"W, 1216.13 feet to the Northeast corner of Certified Survey Map No. 12293; thence along the East line of said Certified Survey Map S18°07'06"E, 126.76 feet; thence continuing along said East line S08°17'00"W, 280.45 feet; thence S81°13'24"E, 162.79 feet; thence S16°45'44"E, 645.49 feet; thence S44°22'38"E 143.37 feet; thence S87°42'41"E, 479.89 feet; thence S72°44'00"E, 1020.59 feet to the East line of said Northeast ¼; thence along said East line N01°37'04"E, 980.32 feet; thence N58°57'43"W, 849.53 feet to the said North line of the Northeast ¼ and the point of beginning. The above described parcel contains 1,969,669 square feet or 45.2173 acres or 0.0706521 square miles."

2. Subsection (143) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is amended to read as follows:

"(143) Ward 143. Part of the Northwest 1/4 of the Northeast 1/4 of Section 24, T8N, R9E, Town of Westport, Dane County, Wisconsin being more particularly described as follows: Beginning at the Northwest corner of Lot 223, Fourth Addition to Cherokee Park; thence N23º32'28"E, 10.00 feet; thence S66º27'32"E, 274.65 feet; thence N10º58'48"E, 300.17 feet; thence N53º11'38"E, 117.12 feet; thence S81º10'16"E, 40.85 feet; ~~thence N08º17'00"E, 280.45 feet; thence N18º07'06"W, 126.76 feet to the North line of the said Northeast ¼ of Section 24;~~ thence S81°13'24"E, 162.79 feet; thence S16°45'44"E, 645.49 feet; thence S44°22'38"E 143.37 feet; thence S87°42'41"E, 479.89 feet; thence S72°44'00"E, 1020.59 feet to the East line of said Northeast ¼; thence along said East line N01°37'04"E, 980.32 feet; thence N58°57'43"W, 849.53 feet to the said North line of the Northeast ¼; thence continuing along said North line N88°56'44"W, 1216.13 feet to the Northeast corner of Certified Survey Map No. 12293; thence along said North line N88º56'44"W. 365.94 feet to the Easterly shoreline of Cherokee Lake; thence along said Easterly line S00º54'20"E. 76.50 feet; thence continuing along said Easterly line S30º13'52"W, 94.53 feet; thence continuing along said Easterly line S67º57'49" W, 30.60 feet; thence continuing along said Easterly line S34º43'35"W, 159.46 feet; thence continuing along said Easterly line S24º53'29"W, 186.72 feet; thence continuing along said Easterly line S17º05'24"W, 112.68 feet to the said Northerly line of Fourth Addition to Cherokee Park; thence along said Northerly line S66º27'32"E, (recorded as S66º52'E), 212.81 feet to the point of beginning. Polling place at Blackhawk Middle School, 1402 Wyoming Way."

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.

EDITOR'S NOTE: Pursuant to sec. 66.0217(8), Wis. Stats., this annexation ordinance must be enacted by a two-thirds vote of the elected members of the Common Council or at least 14 votes.

Adopted on roll call at a regular meeting of the Common Council of the City of Madison, Wisconsin, held on

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Annexation vote:
Ayes: _____
Noes: _____