



Legislation Details (With Text)

File #: 72163 **Version:** 1 **Name:** Town of Madison Area 4 Attachment
Type: Ordinance **Status:** Passed
File created: 6/15/2022 **In control:** Attorney's Office
On agenda: 7/12/2022 **Final action:** 7/12/2022
Enactment date: 10/30/2022 **Enactment #:** ORD-22-00064

Title: Implementing the Final Attachment Area of the Town of Madison by creating Section 15.01(636) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 10th Alder District land located entirely within the right of way of the West Beltline Highway, hereinafter referred to as "Area 4".

Sponsors: Satya V. Rhodes-Conway

Indexes:

Code sections:

Attachments: 1. Area 4.pdf, 2. registered copy

Date	Ver.	Action By	Action	Result
7/12/2022	1	COMMON COUNCIL	Adopt Unanimously	Pass
6/21/2022	1	COMMON COUNCIL	Refer to a future Meeting to Adopt	
6/15/2022	1	Attorney's Office	Referred for Introduction	

Fiscal Note

No City appropriation required.

Title

Implementing the Final Attachment Area of the Town of Madison by creating Section 15.01(636) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 10th Alder District land located entirely within the right of way of the West Beltline Highway, hereinafter referred to as "Area 4".

Body

DRAFTER'S ANALYSIS: On November 5, 2002, the Common Council adopted Resolution 59879 (ID 32734) authorizing the Mayor and City Clerk to execute an intergovernmental agreement among the City of Madison, Town of Madison, and City of Fitchburg regarding boundary changes and other urban growth and municipal service delivery issues pursuant to an approved cooperative plan under Wis. Stats. Ch. 66.0307. The agreement was executed on November 8, 2002. The subsequent cooperative plan was adopted by the Common Council on April 8, 2003 by Resolution 60411 (ID 33561) and was approved by the State of Wisconsin on October 10, 2003. The final cooperative plan established the final attachment of the Town of Madison to the cities of Madison and Fitchburg at 11:59 p.m. on October 30, 2022.

The final attachments of the portions of the Town of Madison accruing to the City of Madison will be adopted as a series of ordinances corresponding to discrete areas of the Town. This ordinance encompasses the area of the Town, hereinafter referred to as "Area 4," which is located entirely within the right of way of the West Beltline Highway (US Highways 12, 18 and 151) generally south of the University of Wisconsin-Madison Arboretum.

An ordinance to create Subsection (636) 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, the City of Madison, Town of Madison, and City of Fitchburg entered into a cooperative plan pursuant to Wis. Stat. § 66.0307 providing for the final attachment of the Town of Madison to the City of Madison and City of Fitchburg; and

WHEREAS the area hereinafter described as "Area 4" shall attach to the City of Madison consistent with the Final City of Madison, City of Fitchburg and Town of Madison Cooperative Plan adopted by the State of Wisconsin on October 10, 2003; and

WHEREAS, investigation by the City of Madison discloses that as of this date the above representations are true, the Common Council now accepts that the said attachment proceeding meets the requirements of said 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 (636) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(636) - There is hereby attached to the 10th Aldermanic District of the City of Madison, Dane County, Wisconsin, the following described property:

(AREA 4)

That part of all Quarters of the SW 1/4 and also all Quarters of the SE 1/4 of Section 33 and the NW 1/4 of the SW 1/4 of Section 34, all in T 7 N, R 9 E, Dane County, Wisconsin, lying within the right of way of US Highways 12, 18 and 151 (hereinafter the "West Beltline Highway"), and more particularly described as follows:

Commencing at the East Quarter Corner of said Section 33; thence S 00°18'24" E, 1120.83 along the east line of the said SE 1/4 of Section 33 to the intersection with the northerly right-of-way of said West Beltline Highway and the Point of Beginning; thence S87°48'35"E, 33 feet, more or less, along the said northerly right-of-way line of the said West Beltline Highway to the intersection with the northerly prolongation of the west line of Lot 2, Dane County Certified Survey Map No. 343, recorded in Volume 2 of Certified Surveys, on Pages 104 -105, as Document No 1266165, Dane County Register of Deeds; thence southerly, along said northerly prolongation of said Lot 2, 150 feet, more or less, to the intersection with the centerline (hereinafter "reference line") of said West Beltline Highway; thence Westerly, along the said reference line of said West Beltline Highway, 262 feet, more or less, to a point that is 229.2 feet west of the said west line of the SW 1/4 of Section 34; thence Southerly, 84 feet, more or less, along a line that is parallel with and 229.2 feet west of the said west line of the SW 1/4 of Section 34 to the intersection with a line lying parallel with and 84 feet south of the said reference line of the said West Beltline Highway; thence N87°43'56"W, 1,436.56 feet to a point of curve; thence Southwesterly on a curve to the left which has a radius of 5,645.58 feet and a chord which bears S88°36'49"W, 718.19 feet; thence S84°57'49"W, 2,887.97 feet; thence N02°28'06"E, 275.89 feet to the South line of the Westwood Plat, recorded in Vol. 12 of Plats on Pg. 8 as Doc 743360, Dane Co. Register of Deeds, and also being the Northerly right-of-way of the West Beltline Highway; thence Easterly, along the South line of said Westwood Plat and said northerly highway right-of-way of said West Beltline Highway, 279 feet, more or less, to the east line of said Westwood Plat; thence Easterly along the northerly right-of-way line of the West Beltline Highway southeasterly on a curve to the right which has a radius of 1943.86 feet and a chord which bears S84°48'27"E, 253.95 feet to a point of reverse curve; thence southeasterly on a curve to the left which has a radius of 1413.39 feet and a chord which bears S83°06'17"E, 100.75 feet; thence N84°57'49"E, 2232.25 feet to a point of curve; thence northeasterly on a curve to the right which has a radius of 5829.58 feet and a chord which bears N88°36'56"E, 742.63 feet; thence S87°43'56"E, 1212.38 feet to a point of curve; thence northeasterly on a curve to the left which has a radius of 2272.83 feet and a chord which bears N84°05'54"E,

180.75 feet to a point of reverse curve; thence northeasterly on a curve to the right which has a radius of 1466.40 feet and a chord which bears N86°53'16"E, 259.10 feet to the Point of Beginning. Said described area contains approximately: 23.19 acres, 1,010,184 square feet and 0.036 square miles, more or less."

2. 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.

3. This ordinance shall take effect at 11:59 p.m. on October 30, 2022 in accordance with the terms of the agreement and plan.