Legislation Details (With Text)

File #:	81305	**Version:** 1	**Name:**	Cherokee Park Annexation	
Type:	Ordinance		**Status:**	Passed	
File created:	12/21/2023		**In control:**	Attorney's Office	
On agenda:	1/23/2024		**Final action:**	1/23/2024	
Enactment date:	2/2/2024		**Enactment #:**	ORD-24-00007	

Title: Creating Section 15.01(659) of the Madison General Ordinances entitled “City Boundaries" and being part of the chapter entitled “Alder Districts and Wards" annexing to the 18th Alder District nine parcels located in the Town of Westport generally addressed as 5000 North Sherman Avenue, creating Section 15.02(161) of the Madison General Ordinances to annex the property to Ward 161, amending 15.03(18) to add Ward 161 to Alder District 18, and assigning a temporary zoning classification of Temp. A (Agricultural) District. (District 18)

Sponsors: Satya V. Rhodes-Conway, Charles Myadze, Amani Latimer Burris

Indexes:

Code sections:

Attachments: 1. Locator Maps.pdf, 2. Amended Annexation Petition_01-04-24.pdf, 3. Annexation Map, 4. Cherokee Park-TPC Annexation Worksheet_Initial_12-18-23, 5. Staff Comments.pdf, 6. MBR Review Letter_01-19-24.pdf, 7. registered copy

Date	Ver.	Action By	Action	Result
1/23/2024	1	COMMON COUNCIL	Adopt Unanimously	Pass
1/22/2024	1	PLAN COMMISSION	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
1/9/2024	1	COMMON COUNCIL	Refer For Public Hearing	
12/21/2023	1	Attorney's Office	Referred for Introduction	

Fiscal Note

No additional City appropriation is required for the proposed parcel attachment.

Title

Creating Section 15.01(659) of the Madison General Ordinances entitled “City Boundaries" and being part of the chapter entitled “Alder Districts and Wards" annexing to the 18th Alder District nine parcels located in the Town of Westport generally addressed as 5000 North Sherman Avenue, creating Section 15.02(161) of the Madison General Ordinances to annex the property to Ward 161, amending 15.03(18) to add Ward 161 to Alder District 18, and assigning a temporary zoning classification of Temp. A (Agricultural) District. (District 18)

Body

DRAFTER’S ANALYSIS: This ordinance annexes nine parcels located in the Town of Westport generally addressed as 5000 North Sherman Avenue to the City of Madison and assigns a temporary zoning classification of Temp. A (Agricultural) District.
This ordinance shall take effect on January 31, 2024.

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The Common Council of the City of Madison do hereby ordain as follows:

An ordinance to create Subsection (659) of Section 15.01 of the General Ordinances of the City of Madison entitled “City Boundaries” and being part of the chapter entitled “Alder Districts and Wards”.

WHEREAS, a petition for annexation with scale map attached was filed with the City Clerk of Madison on December 14, 2023 and has been presented to the Madison 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 of the land in the territory, which lies contiguous to the City of Madison; and

WHEREAS, investigation by the City of Madison discloses that as of this date the above representations are true, and having been reviewed, the Common Council determines that the said annexation proceeding meets the requirements of the Wisconsin Statutes; and

WHEREAS, pursuant to Sec. 28.005, Madison General Ordinances, the annexed territory is declared to be in the Temp. A-Agricultural District;

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

1. Subsection (659) of Section 15.01 entitled “City Boundaries” of the Madison General Ordinances is created to read as follows:

“(659) Part of Certified Survey Map 2225 and other lands located in the Northwest 1/4 of the Northeast 1/4, the Northeast 1/4 of the Northeast 1/4, the Southwest 1/4 of the Northeast 1/4, the Southeast 1/4 of the Northeast 1/4, the Northwest 1/4 of the Southeast 1/4, the Northeast 1/4 of the Southeast 1/4, the Southwest 1/4 of the Southeast 1/4, the Southeast 1/4 of the Southeast 1/4, the Northeast 1/4 of the Southwest 1/4, and the Southeast 1/4 of the Southwest 1/4, Section 24, T8N, R9E, Town of Westport, Dane County, Wisconsin described as follows:

Beginning at the East Quarter Corner of said Section 24; thence S02°04'46"W (recorded as S02°04'50"W), 469.76 feet along the East line of said Southeast 1/4 to the plat line of The Turn subdivision; thence N87°55'38"W (recorded as N87°55'10"W), 108.13 feet along said plat line; thence continuing along said plat line S05°39'33"W (recorded as S05°38'36"W), 246.09 feet; thence continuing along said plat line S45°03'18"W (recorded as S45°03'50"W), 290.57 feet; thence continuing along said plat line S18°57'44"W (recorded as S18°56'32"W), 196.71 feet; thence continuing along said plat line S50°26'53"W, 68.54 feet (recorded as S50°25'23"W, 68.71 feet); thence continuing along said plat line S02°55'50"E, 69.52 feet (recorded as S02°44'24"E, 69.34 feet); thence continuing along said plat line S43°04'00"E (recorded as S43°03'24"E), 239.42 feet; thence continuing along said plat line S15°03'52"W (recorded as S14°38'16"W), 56.76 feet; thence continuing along said plat line S75°20'36"E (recorded as S75°21'44"E), 239.51 feet to the West right-of-way line of North Sherman Avenue; thence S02°00'56"W (recorded as S02°04'43"W), 105.27 feet along said right-of-way line; thence continuing along said right-of-way line S02°04'36"W (recorded as S02°02'46"W), 218.40 feet to the North line of Golf Parkway, a private road; thence N88°03'24"W, 567.06 feet along said North line; thence continuing along said North line N82°56'19"W (recorded as N82°57'11"W), 175.25 feet to the Easterly line of Certified Survey Map 13029, said Easterly line also the Easterly line of Cherokee Golf View Condominium; thence N00°33'48"E (recorded as N00°33'02"E), 254.69 feet along said Easterly line to the Northerly line of said Certified Survey Map 13029, said Northerly line also the Northerly line of said Golf View Condominium; thence N48°49'14"W, 168.86 feet (recorded as N48°48'27"W, 168.71 feet) along said Northerly line; thence continuing along said Northerly line S40°57'59"W (recorded as S40°59'35"W), 140.30 feet; thence continuing along said Northerly line and its Westerly extension S86°03'30"W (recorded as S86°03'20"W), 152.90 feet, said Westerly extension being the Northerly line of lands owned by Cherokee Townhouse Condominium Homes, Inc.; thence N71°40'47"W, 921.38 feet (recorded as N72°04'51"W, 921.23 feet) along said Northerly line, the Westerly 738.71 feet of which also being the Northerly line of Certified Survey Map 1361; thence S25°46'16"W (recorded as S25°20'05"W), 187.00 feet along the Westerly line of said CSM 1361 and said Cherokee Townhouse Condominium Homes, Inc., lands; thence along the Westerly line of said CSM 1361, said Westerly line also being the Westerly line of Cherokee Townhouse Condominium Homes, S08°02'53"W (recorded as S07°40'40"W), 456.14 feet;

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thence continuing along said Westerly line S21°16'30"W (recorded as S20°52'37"W), 220.34 feet; thence continuing along said Westerly line S67°42'14"W, 205.42 feet (recorded as S67°19'57"W, 205.00 feet) to the Easterly line of the plat of First Addition to Cherokee Park; thence N22°14'44"W, 364.60 feet (recorded as N22°41'W, 364.82 feet) along said Easterly line; thence continuing along said Easterly line N13°27'21"W (recorded as N14°01'W), 49.09 feet; thence N76°32'39"E (recorded as N75° 59'E), 50.00 feet; thence N13°33'36"W (recorded as N14°01'W), 160.00 feet; thence S76°29'12"W (recorded as S75°59'W), 50.00 feet to said Easterly line; thence N13°30'48"W (rec as N14°01'W), 300.00 feet along said Easterly line to the Southeast corner of Outlot B, Cherokee Park; thence N12° 47'26"W (recorded as N12°47'W), 102.65 feet along the Easterly line of said Outlot B to the Southeast corner of Lot 22 and the Easterly line of said First Addition to Cherokee Park; thence N12°58'52"E (recorded as N12°33'E), 384.90 feet along said Easterly line; thence continuing along said Easterly line N01°42'26"E (recorded as N01°19'E), 748.15 feet; thence continuing along said Easterly line N24° 00'57"E, 124.93 feet (recorded as N23°34'E, 125.05 feet) to the Southeast corner of Lot 150, Second Addition to Cherokee Park; thence N41°22'30"E, 55.06 feet (recorded as N40°57'37"E, 54.87 feet) along the Easterly line of said Lot 150 to the Southeast corner of Outlot 7 and the Easterly line of Fourth Addition to Cherokee Park; thence along said Easterly line of Fourth Addition to Cherokee Park for the next 21 courses, N37°33'58"E, 110.35 feet (recorded as N37°00'E, 110.00 feet); thence N61° 11'09"E, 331.51 feet (recorded as N60°47'E, 332.0 feet); thence N57°52'38"E, 339.81 feet (recorded as N57°34'E, 340.0 feet); thence S41°56'15"E, 150.38 feet (recorded as S42°13'E, 150.0 feet); thence S82°58'04"E, 164.48 feet (recorded as S83°18'E, 164.0 feet); thence N27°26'06"E, 229.51 feet (recorded as N27°14'E, 230.0 feet); thence N80°03'10"E, 211.84 feet (recorded as N79°39'E, 212.0 feet); thence S83°19'27"E (recorded as S83°50'E), 123.00 feet; thence N69°33'48"E, 240.66 feet (recorded as N69°22'E, 240.0 feet); thence N37°49'21"E, 131.87 feet (recorded as N37°33'E, 132.0 feet); thence N05°44'52"E, 70.43 feet (recorded as N05°07'E, 71.0 feet); thence N38°09'20"W, 141.80 feet (recorded as N38°31'W, 142.0 feet); thence N64°19'07"W, 110.72 feet (recorded as N64°57'W, 110.0 feet); thence S76°47'00"W (recorded as S76°27'W), 320.00 feet; thence N13°08'51"W (recorded as N13°33'W), 95.00 feet; thence N64°54'42"W (recorded as N65°15'W), 195.00 feet; thence S61° 03'28"W (recorded as S60°50'W), 111.00 feet; thence S76°51'58"W (recorded as S76°27'W), 100.00 feet; thence N18°22'58"W (recorded as N18°46'W), 830.00 feet; thence N34°52'02"W (recorded as N35°15'W), 153.76 feet; thence N66°21'16"W (recorded as N66°52'W), 26.98 feet; thence N23° 38'44"E (recorded as N23°08'E), 10.00 feet along said Easterly line to the Southerly line of Certified Survey Map 14531; thence S66°25'18"E (recorded as S66°28'19"E), 137.79 feet along said Southerly line; thence N10°59'39"E (recorded as N10°58'48"E), 300.17 feet along the Easterly line of said Certified Survey Map 14531 and the Easterly line of Outlot 4, Certified Survey Map 12879; thence N53°11'17"E (recorded as N53°11'38"E), 117.12 feet along the Southerly line of said Outlot 4; thence continuing along said Southerly line S81°03'05"E (recorded as S81°10'16"E), 40.85 feet; thence continuing along said Southerly line S81°21'54"E (recorded as S81°13'24"E), 162.79 feet; thence continuing along said Southerly line S16°44'50"E, 645.69 feet (recorded as S16°45'44"E, 645.49 feet); thence continuing along said Southerly line S44°24'53"E (recorded as S44°22'38"E), 143.37 feet; thence continuing along said Southerly line S87°43'21"E (recorded as S87°42'41"E), 479.89 feet; thence continuing along said Southerly line S72°43'04"E (recorded as S72°44'00"E), 1020.59 feet to the East line of said Northeast 1/4; thence S01°37'04"W, 220.34 feet along said East line to the West Quarter Corner of Section 18, T8N, R10E; thence continuing along said East line S01°36'22"W (recorded as S01°36'30"W), 973.84 feet to the aforesaid East Quarter Corner of Section 24 and the Point of Beginning. Said described area contains 6,932,148 square feet, or 159.140 acres, or 0.248657 square miles."

2. Subsection (161) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is created to read as follows:

"(161) Part of Certified Survey Map 2225 and other lands located in the Northwest 1/4 of the Northeast 1/4, the Northeast 1/4 of the Northeast 1/4, the Southwest 1/4 of the Northeast 1/4, the Southeast 1/4 of the Northeast 1/4, the Northwest 1/4 of the Southeast 1/4, the Northeast 1/4 of the Southeast 1/4, the

Southwest 1/4 of the Southeast 1/4, the Southeast 1/4 of the Southeast 1/4, the Northeast 1/4 of the Southwest 1/4, and the Southeast 1/4 of the Southwest 1/4, Section 24, T8N, R9E, Town of Westport, Dane County, Wisconsin described as follows:

Beginning at the East Quarter Corner of said Section 24; thence S02°04'46"W (recorded as S02°04'50"W), 469.76 feet along the East line of said Southeast 1/4 to the plat line of The Turn subdivision; thence N87°55'38"W (recorded as N87°55'10"W), 108.13 feet along said plat line; thence continuing along said plat line S05°39'33"W (recorded as S05°38'36"W), 246.09 feet; thence continuing along said plat line S45°03'18"W (recorded as S45°03'50"W), 290.57 feet; thence continuing along said plat line S18°57'44"W (recorded as S18°56'32"W), 196.71 feet; thence continuing along said plat line S50°26'53"W, 68.54 feet (recorded as S50°25'23"W, 68.71 feet); thence continuing along said plat line S02°55'50"E, 69.52 feet (recorded as S02°44'24"E, 69.34 feet); thence continuing along said plat line S43°04'00"E (recorded as S43°03'24"E), 239.42 feet; thence continuing along said plat line S15°03'52"W (recorded as S14°38'16"W), 56.76 feet; thence continuing along said plat line S75°20'36"E (recorded as S75°21'44"E), 239.51 feet to the West right-of-way line of North Sherman Avenue; thence S02°00'56"W (recorded as S02°04'43"W), 105.27 feet along said right-of-way line; thence continuing along said right-of-way line S02°04'36"W (recorded as S02°02'46"W), 218.40 feet to the North line of Golf Parkway, a private road; thence N88°03'24"W, 567.06 feet along said North line; thence continuing along said North line N82°56'19"W (recorded as N82°57'11"W), 175.25 feet to the Easterly line of Certified Survey Map 13029, said Easterly line also the Easterly line of Cherokee Golf View Condominium; thence N00°33'48"E (recorded as N00°33'02"E), 254.69 feet along said Easterly line to the Northerly line of said Certified Survey Map 13029, said Northerly line also the Northerly line of said Golf View Condominium; thence N48°49'14"W, 168.86 feet (recorded as N48°48'27"W, 168.71 feet) along said Northerly line; thence continuing along said Northerly line S40°57'59"W (recorded as S40°59'35"W), 140.30 feet; thence continuing along said Northerly line and its Westerly extension S86°03'30"W (recorded as S86°03'20"W), 152.90 feet, said Westerly extension being the Northerly line of lands owned by Cherokee Townhouse Condominium Homes, Inc.; thence N71°40'47"W, 921.38 feet (recorded as N72°04'51"W, 921.23 feet) along said Northerly line, the Westerly 738.71 feet of which also being the Northerly line of Certified Survey Map 1361; thence S25°46'16"W (recorded as S25°20'05"W), 187.00 feet along the Westerly line of said CSM 1361 and said Cherokee Townhouse Condominium Homes, Inc., lands; thence along the Westerly line of said CSM 1361, said Westerly line also being the Westerly line of Cherokee Townhouse Condominium Homes, S08°02'53"W (recorded as S07°40'40"W), 456.14 feet; thence continuing along said Westerly line S21°16'30"W (recorded as S20°52'37"W), 220.34 feet; thence continuing along said Westerly line S67°42'14"W, 205.42 feet (recorded as S67°19'57"W, 205.00 feet) to the Easterly line of the plat of First Addition to Cherokee Park; thence N22°14'44"W, 364.60 feet (recorded as N22°41'W, 364.82 feet) along said Easterly line; thence continuing along said Easterly line N13°27'21"W (recorded as N14°01'W), 49.09 feet; thence N76°32'39"E (recorded as N75°59'E), 50.00 feet; thence N13°33'36"W (recorded as N14°01'W), 160.00 feet; thence S76°29'12"W (recorded as S75°59'W), 50.00 feet to said Easterly line; thence N13°30'48"W (rec as N14°01'W), 300.00 feet along said Easterly line to the Southeast corner of Outlot B, Cherokee Park; thence N12°47'26"W (recorded as N12°47'W), 102.65 feet along the Easterly line of said Outlot B to the Southeast corner of Lot 22 and the Easterly line of said First Addition to Cherokee Park; thence N12°58'52"E (recorded as N12°33'E), 384.90 feet along said Easterly line; thence continuing along said Easterly line N01°42'26"E (recorded as N01°19'E), 748.15 feet; thence continuing along said Easterly line N24°00'57"E, 124.93 feet (recorded as N23°34'E, 125.05 feet) to the Southeast corner of Lot 150, Second Addition to Cherokee Park; thence N41°22'30"E, 55.06 feet (recorded as N40°57'37"E, 54.87 feet) along the Easterly line of said Lot 150 to the Southeast corner of Outlot 7 and the Easterly line of Fourth Addition to Cherokee Park; thence along said Easterly line of Fourth Addition to Cherokee Park for the next 21 courses, N37°33'58"E, 110.35 feet (recorded as N37°00'E, 110.00 feet); thence N61°11'09"E, 331.51 feet (recorded as N60°47'E, 332.0 feet); thence N57°52'38"E, 339.81 feet (recorded as N57°34'E, 340.0 feet); thence S41°56'15"E, 150.38 feet (recorded as S42°13'E, 150.0 feet); thence S82°58'04"E, 164.48 feet (recorded as S83°18'E, 164.0 feet); thence N27°26'06"E, 229.51 feet (recorded as N27°14'E, 230.0 feet); thence N80°03'10"E, 211.84 feet (recorded as N79°39'E, 212.0

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Polling Place at TPC Wisconsin, 5000 N Sherman Avenue."

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

"(18) Eighteenth Alder District Alder District. Wards 33, 34, 35, 36, 37, 38, 39, ~~and~~ 129, and 161.

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.

5. This ordinance shall take effect on January 31, 2024.