



Legislation Text

File #: 03849, Version: 1

**Fiscal Note**

As per State Statutes, beginning in 2008 the City will make annual payments for five years of an estimated \$25 to the Town of Verona (an amount equal to the town levy on the territory for the year 2006). The payments will come from the General Fund Miscellaneous account and will be accommodated in future budgets.

**Title**

Creating Section 15.01(556) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to the 1st Aldermanic District the Midtown Holdings Annexation and assigning a temporary zoning classification of A Agriculture District, and amending Section 15.02(107) of the Madison General Ordinances to add the attached property to Ward 107.

**Body**

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

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An ordinance to create Subsection (556) 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 April 27, 2006, and mailed to the Clerk of the Town of Verona and the Municipal Boundary Review Section, Department of Commerce, State of Wisconsin, on April 28, 2006, 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 Verona; said petition having been signed by the owners of all the real property within the territory. There are no electors residing within the territory, which lies contiguous to the City of Madison; and

WHEREAS, the City of Madison Comprehensive Plan recommends NPA-LDR (Neighborhood Planning Area - Possible Low Density Residential) uses; and

WHEREAS, pursuant to Sec. 28.04(7), 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 June 19, 2006, and adoption of the said annexation and zoning were recommended; and

WHEREAS, pursuant to Wis. Stats. sec. 66.0217(14)(a)1., the City of Madison agrees to pay annually to the Town of Verona, 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. Stats. sec. 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 (556) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(556) - There is hereby attached to the 1st Aldermanic District, the City of Madison, Dane County, Wisconsin, the following described property:

"Part of the NE ¼ of the NW ¼, Section 4, T6N, R8E, Township of Verona, Dane County, Wisconsin, described as follows:

Commencing at the Northwest corner of said Section 4; thence N89°15'49"E along the North line of the NW ¼ of said

Section 4, 1328.36 feet; thence S00°46'25"W, 40.01 feet to the point of beginning of this description; thence N89°15'49"E parallel with and 7.00 feet Southerly of the Southerly right-of-way line of Mid Town Road, 791.19 feet to a point on the West line of Lot 1, Certified Survey Map No. 1964, recorded in Volume 8 of Certified Surveys, Pages 96, 97, and 98, Document No. 1464093; thence S00°44'35"W, 460.00 feet to the Southwest corner of said Certified Survey Map No. 1964; thence N89°15'49"E along the South line of said Certified Survey Map No. 1964, 467.00 feet to the Westerly right-of-way line of Woods Road; thence S00°44'35"W along said right-of-way line, 464.04 feet to the Westerly extension of the Southerly line of Lot 2, Certified Survey Map No. 9278; thence continuing S00°44'35"W (recorded as S00°22'11"W City Annexation Description) along said Westerly right-of-way line, 238.89 feet to the Northerly line of Certified Survey Map No. 9278; thence N88°13'18"W along said Northerly line, 1258.57 feet to the East line of a parcel described in a certain Quit Claim Deed as Document No. 4002902; thence N00°46'25"E along said East line, 1107.70 feet to the point of beginning of this description. This parcel contains 1,213,555 square feet (27.859 acres)."

2. Subsection (107) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is amended to read as follows:

"(107) Ward 107. Commencing at the Northwest corner of the Northeast quarter of Section 4, T6N, R8E, Township of Verona, Dane County, Wisconsin; also known as North-South ¼-line of said Section 4; thence S00° 18'48"W, along the North-South ¼-line of said Section 4, 33.00 feet to the Point of Beginning; thence S89°16'00"W, 9.25 feet along the South right-of way line of Midtown Road to the West right-of-way of Woods Road; thence S00°44'57"W, along said West right-of-way line and the East line of Certified Survey Lot No. 1964, 460.00 feet to the Southeast corner of said Lot 1964; thence S89°15'49"W, along the South lot line of said Certified Survey Map No. 1964, 467.00 feet to the Southwest corner of said Certified Survey Map No 1964; thence N00°44'35"E, along the West lot line of said Lot 1964, 460 feet; thence S89° 15'49"W parallel with and 7.00 feet southerly of the southerly right-of-way line of Mid-Town Road, 791.19 feet; thence S00° 46'25"W, 1107.70 feet along the East line of a parcel described in a certain Quit Claim Deed as Document No. 4002902; thence S88°13'18"E 1258.57 along the northerly line of Certified Survey Map No 2680 to the West right-of-way line of Woods Road; thence S00°44'57"W, along said West right-of-way line, 3510.07 4673 feet more or less to the Northwest corner of the South ½ of the Southwest ¼ of the Southeast ¼ of Section 4, T6N, R8E; thence S88°14'53"E, 1337.56 feet; thence S00°13'34"W, 685 feet more or less to a point on the South right-of-way line of County Trunk Highway "PD"; thence Easterly, along said South right-of-way line, 4015 feet more or less to the point of intersection with the East right-of-way line of County trunk Highway "M"; thence N00°11'23"E, along a line that is 60.00 feet East of, measured at right angles to, and parallel with the West line of the Southeast ¼ and the Northeast of Section 3, T6N, R8E, 3225 feet more or less to the Southwest corner of the Stone Crest Estates plat; thence N01°18'50"E, along the West line of said Stone Crest Estates plat, 112.13 feet; thence N89°41'10"W, along said West plat line, 10.00 feet; thence N01°18'50"E, along said West plat line, 966.00 feet; thence S88°41'10"E, along said West plat line, 25.00 feet; thence N01°18'50"E, along said West plat line, 600.00 feet; thence N88°41'10"W, along said West plat line, 30.00 feet; thence N01°18'50"E, along said West plat line, 476.74 feet to the Northwest corner of the Stone Crest Estates plat; thence Westerly and Northerly, along said Easterly right-of-way line, 124 feet more or less; thence S88°02'46"W, 88.68 feet; thence N45°03'57"W, 3.53 feet to a point on the West right-of-way line of County Trunk Highway "M" and also a point on the East line of the Northwest ¼ of Section 3; thence continuing N45°03'57"W, along said West right-of-way line of County Trunk Highway "M", 88.54 feet to a point on the South right-of-way line of Midtown Road; thence S88°52'52"W, along said South right-of-way line, 2587.76 feet to the East line of said Section 4; thence S89°21'35"W along a line parallel with and 33 feet South of, measured at right angles to, the North line of the NE 1/4 of said Section 4, 2595.90 feet more or less, to the point of beginning. Polling place at Elver Park New Shelter, 1250 McKenna Boulevard."

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 July 18, 2006.

Annexation vote:

Ayes: 19  
Noes: 0