



## Legislation Text

File #: 30772, Version: 1

### Fiscal Note

No appropriation is required.

### Title

Creating Section 15.01(589) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" detaching from the Fourteenth Aldermanic District approximately 1186.8 square feet of property located at 3101 Syene Road and amending Section 15.02(1) of the Madison General Ordinances to remove the detached property from Ward 73.

### Body

DRAFTER'S ANALYSIS: This ordinance amends the boundaries of Ward 73 to correspond to a boundary adjustment agreement between the City of Madison and the City of Fitchburg approved by the Council under RES-13-00018.

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An ordinance to create Subsection (589) 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, Wisconsin Statutes, Section 66.0301(6), authorizes municipalities whose boundaries are immediately adjacent at any point to enter into a written agreement determining all or a portion of common boundary line between the municipalities; and,

WHEREAS, the property located at 3101 Syene Road, Parcel No. 251-0609-021-0092-8, (the "Parcel") is a lot approximately 2137 square feet in area, owned by Nicholas & Kerry Laper ("Lapers"), that was entirely in Madison, with the eastern property line also being the jurisdictional line between Madison and Fitchburg, and the western property line lying along and being made up of the Syene Road right-of-way; and,

WHEREAS, the Parcel's only current use is to provide a joint-driveway approach for 3105 Syene Road and 3030 Syene Road (a property made up of multiple tax parcels that is also owned by the Lapers and that is entirely in Fitchburg); and,

WHEREAS, during the 2011 reconstruction of Syene Road it was discovered that portions of the Parcel are occupied by Syene Road; and,

WHEREAS, the Lapers expressed an interest in having the Parcel brought into Fitchburg so that it could be assembled with the parcels making up 3030 Syene Road and both Madison and Fitchburg are in agreement with this request, and, subject to certain conditions set forth in the Boundary Adjustment discussed below, agree that it is in both Madison's and Fitchburg's best interests to adjust the boundary between them so that the portions of the Parcel not dedicated to Madison as right-of-way be in Fitchburg; and,

WHEREAS, the Common Council of the City of Madison, in RES-13-00108 authorized the Mayor and the City Clerk to execute an "Intergovernmental Agreement Regarding the Boundary Adjustment at 3101 Syene Rd" and a "Boundary Adjustment Agreement Regarding 3101 Syene Rd" with the City of Fitchburg to effectuate this change; and,

WHEREAS, the boundary change became effective on July 3, 2013, when the City of Fitchburg adopted an attachment ordinance; and,

WHEREAS, this amendment adjusts the boundaries of Ward 73 to correspond with that boundary change.

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

1. Subsection (589) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(589) - There is hereby detached from the 14th Aldermanic District, the City of Madison, Dane County, Wisconsin, the following described property:

Part of the NW 1/4 of the NE 1/4 of Section 2, T6N, R9E, City of Madison, Dane County, Wisconsin, described as follows: Commencing at the Northeast corner of Lot 1, Watson Commercial & Industrial Plat, thence S88° 33'10"E, along the South line of Stewart Street extended, 117.15 feet, to the point of beginning; thence continuing S88°33'10"E, along the South line of Stewart Street extended, 12.88 feet, to a point on a line that is parallel to and 70 feet East of, as measured at right angles to, the Centerline of Syene Road, said Centerline also being the West line of the said NW 1/4 of the NE 1/4; thence S2°43'26"W, along said line that is 70 feet East of said Centerline, 66.03 feet, to a point on a line that is parallel to and 200 feet North of, as measured at right angles to, the South line of a parcel described in Volume 513 of Deeds, Page 357, as document number 763139, Dane County Registry; thence N88°32'06"W, along said line that is 200 feet North of the South line of said described parcel, 23.07 feet; thence N11°27'49"E, 67.03 feet, to the point of beginning."

2. Subsection (73) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is amended to read as follows:

"(73) "Ward 73. Beginning at a point in the limits line of the City of Madison, said point being the point of intersection of the Southerly prolongation of the West line of Lot 6, Block 2, Oakridge Plat, Town of Madison, Dane County, Wisconsin and the centerline of Ridgewood Way; thence Easterly along the centerline of Ridgewood Way to the centerline of Park Street; thence Southerly along the centerline of South Park Street to the centerline of Buick Street; thence Easterly along the centerline of Buick Street to a point in the limits line of the City of Madison, said point being 330 feet more or less East of the centerline of South Park Street; thence Southerly along said limits line to the Southeast corner of Lot 1, Certified Survey Map Number 6493, City of Madison, Dane County, Wisconsin; thence Westerly, Southerly, Westerly and Southerly along said limits line to the Southeast corner of the Northwest 1/4 of Section 2, Town 6, Range 9 East, Town of Fitchburg, Dane County, Wisconsin; thence Westerly, Northerly and Westerly along said limits line to the point of intersection of the centerline of Greenway Cross and the centerline of Fish Hatchery Road; thence Northeasterly and Northerly along the centerline of Fish Hatchery Road to the Southeast right-of-way line of the Union Pacific Railroad; thence Northeasterly along said Southeast right-of-way line to the North line of the South 1/2 of the Northwest 1/4 of Section 35, Town 7 North, Range 9 East, Town of Madison; thence Easterly along said North line (also the North line of the Second Addition to Burr Oaks Plat, City of Madison, Dane County, Wisconsin) to the West line of Lot 1, Certified Survey Map Number 12,790, City of Madison, Dane County, Wisconsin; thence Northerly along the West line of said Lot 1 and the Northerly prolongation of the West line of said Lot 1 to the centerline of Ridgewood Way; thence Easterly along the centerline of Ridgewood Way to the point of beginning. Beginning at a point in the limits line of the City of Madison, said point being the point of intersection of the Southerly prolongation of the West line of Lot 6, Block 2, Oakridge Plat, Town of Madison, Dane County, Wisconsin and the centerline of Ridgewood Way; thence Westerly along the centerline of Ridgewood Way to an extension of the East line of Lot 11, said Oakridge Plat; thence South 25 feet to the Northeast corner of Lot 11, Oakridge Plat; thence continuing South along the East lot line of Lot 11 to the Southeast corner; thence Westerly along the North line of the Second Addition to Burr Oaks plat to the Southerly row of the Union Pacific Railroad; thence Southerly along said railroad right-of-way to the centerline of Fish Hatchery Road; thence Southerly along the center line of said Fish Hatchery Road, to the centerline of Greenway Cross; thence Easterly

along the centerline of Greenway Cross aka the North line of Section 3, T6N, R9E; thence S89°39'10"E, along the North line of said Section 3 to a point that is N89°39'10"W, 914.10 feet from the Northeast corner of said Section 3, measured along the North line of the Northeast 1/4 of said Section 3; thence S00°20'50"W, 168.17 feet; thence S74°10'20"E, 240.25 feet to a point that is 233.00 feet South of, measured at right angles to, the North line of the Northeast 1/4 of said Section 3; thence S89°39'10"E, 682.57 feet, to the East line of the Northeast 1/4 of said Section 3; thence S01°58'50"E, along the East line of the Northeast 1/4 of said Section 3 to a point that is 316.96 feet North of the East 1/4 corner of said Section 3, measured along the East line of said Section 3; thence N71°33'54"E, 553.00 feet; thence N61°00'40"E, 589.18 feet; thence S89°00'00"E, 932.00 feet; thence S02°14'23"W, 770.00 feet to the South line of the Northwest 1/4 of Section 2, T6N, R9E; thence N89°30'33"E, 726.00 feet along the South line of the Northwest 1/4 of said Section 2 to the center line of Syene Road, said center line also being the East line of the Northwest 1/4 of said Section 2; thence N02°17'22" East along the said center line of Syene Road to a point that is S02°17'22"W, 1,735.12 feet South of the North 1/4 corner of said Section 2, measured along the said West line of the Northeast 1/4 of said Section 2; thence S89°42'38"E, 394.60 feet; thence N80°47'16"E, 344.43 feet; thence N32°01'17"E, 923.45 feet; thence N05°10'49"E, 138.50 feet; thence N89°07'09"W, 1,014.20 feet, more or less, to a point that is 183.00 feet East of the West line of the Northeast 1/4 of said Section 2; thence N02°17'22"W, 200.00 feet, along a line that is parallel to and 183.00 feet East of the West line of the Northeast 1/4 of said Section 2; thence N89°07'09"W, 113.00 feet to a point that is 70.00 feet East of the Centerline of Syene Road, to the North Line of the Northeast 1/4 of said Section 2; thence N88°32'06"W, 23.07 feet; thence N11°27'49"E, 67.03 feet; thence S88°33'10"E, along the South line of Steward Street extended, 12.88 feet; thence Northerly and Northeasterly along a line that is parallel to and 70 feet east of the centerline of Syene Road to the North line of the Northeast 1/4 of Section 2; thence Westerly 73.00 feet along the North line of the Northeast 1/4 of said Section 2, to the existing center line of Syene Road; thence continuing Westerly 670.00 feet along the North line of said Section 2 to the Southeast corner of the Beltline Projects Plat, a recorded plat in Section 35, T7N, R9E; thence North along the East line of said Beltline Projects Plat and said East line extended North, 1320 feet, more or less, to the North line of the Southeast 1/4 of the Southwest 1/4 of said Section 35; thence East along said North line, 640 feet, more or less, to the East line of the Southwest 1/4 of said Section 35; thence Southerly along said East line of the Southwest 1/4 of said Section 35, 700 feet, more or less, to a point on said East line which is 622.80 feet North of the South line of said Section 35, measured along said East line of the Southwest 1/4 of said Section 35; thence East 650.00 feet on a line that is parallel to and 622.80 feet North of said South line of said Section 35; thence South on a line parallel to and 650.00 feet East of the East line of said Southwest 1/4, 620 feet, more or less, to the South line of said Section 35; thence Easterly along said South line, 500 feet, more or less, to the Westerly right-of-way line of the said Chicago and Northwestern Transportation Company; thence Northerly along said Westerly right-of-way line, 620 feet, more or less, to the center line of U.S. Highway 14; thence Northwesterly along said highway center line, 680 feet, more or less; thence Northwesterly on a straight line to the point of intersection of the centerline of the West Beltline Highway (USH 12 & 18) and the East line of the Southwest 1/4 of Section 35, T7N, R9E, said point being 850.00 feet South of the North line of said Southwest 1/4 measured along the said East line of the said Southwest 1/4 of Section 35; thence N70°38'12"E, along the centerline of said West Beltline Highway (USH 12 & 18), 1573.3 feet; thence S00°10'10"W, 447 feet, more or less; thence S30°10'10"W, 40.0 feet; thence S00°10'10"W, 85.0 feet; thence S50°01'00"W, 42.62 feet; thence S00°10'10"W, 30.0 feet; thence N70°01'10"E, 226.42 feet; thence N00°10'12"W, 3.38 feet (recorded as N00°10'12"E, 3.26); thence N70°01'10"E, 146.32 feet; thence N59°28'25"E, 82.01 feet; thence N17°57'33"W, 806.6 feet to the North line of the Southeast 1/4 of Section 35, also being the centerline of East Badger Road; thence N90°00'00"W, along said North line of the Southeast 1/4, 1017 feet, more or less to the point of intersection with the Southerly prolongation of the East line of lands conveyed by Document No. 3928527; thence N00°45"E, along said Southerly prolongation and East line of lands conveyed by Document No. 3928527, 290.5 feet, more or less, to the Northeast corner thereof; thence Westerly along the North line of said lands, 178.7 feet more or less, to the Northwest corner thereof,

also being the Northeast corner of lands conveyed by Document No. 3133493; thence continuing Westerly along the North line of lands conveyed by Document No. 3133493, 95 feet, more or less, to the Northwest corner thereof and the Southeast corner of lands conveyed by Document No. 3160144; thence Northerly along the East line of said lands, 306.2 feet to the Southeast corner of old town parcel number 0709-351-9100-5 being part of lands conveyed by Volume 15994, Page 2 as Document No. 2265627; thence continuing Northerly along the East line of said lands, 587.5 feet to the centerline of Buick Street; thence Westerly along said centerline to the centerline of South Park Street; thence Northerly along the centerline of South Park Street to the centerline of Ridgewood Way extended; thence Westerly along the centerline of Ridgewood Way to the point of beginning. Polling Place at Village on Park, 2300 South Park Street.

**Except:**

(10) Part of the North 1/2 of the Southwest 1/4 of Section 35, Town 7 North, Range 9E, Town of Madison, Dane County, Wisconsin, more fully described as follows:

Beginning at a point in the North line of the Southwest 1/4 of said Section 35 which is 1,800.07 feet East of the West 1/4 corner of said Section 35; thence S00°06'38"W, 299.00 feet to the Southwest corner of Lot 2, certified Survey Map No. 106; thence Southerly along the East line of lands conveyed by Document No. 3104994, 270.2 feet; thence Westerly along said East line, 35.8 feet; thence Southerly, along said East line, 109 feet, more or less to a point on the North line of Lot 4, Certified Survey Map 8914; thence N89°13'48"W, along said North line, 442.94 feet to the Northwest corner of said Lot 4, also being a point on the East line of Lot 3, said Certified Survey Map 8914; thence N00°57'06"W, along the east line of said Lot 3, 33.00 feet; thence N89°33'11"W, along the North line of said Lot 3, also being the South line of Assessor's Plat No. 5 Town of Madison, 660.00 feet; thence continuing Westerly along the South line of Assessor's Plat No. 5 Town of Madison, 165 feet more or less to a point on the East line of Lot 2, Haase Gardens; thence N00°14'30"E, along the East line of said Lot 2, 196.07 feet to the Northeast corner thereof, also being the Southeast corner of First Addition to Haase Gardens; thence continuing N00°14'30"E, along the East line of First Addition to Haase Gardens, 200.00 feet to the Northeast corner thereof; thence N88°42'30" West on the North line of said First Addition to Haase Gardens, 200.04 feet to the East line of the Rauch Petersen Apartment Plat; thence North on the said East line and the Northerly prolongation of said East line to the South line of the Northwest 1/4 of said Section 35; thence East along the said South line of said Northwest 1/4 to the point of beginning.

NOTE: Refer to 53W0286 Badger-Ann-Park Street Attachment Revised Island Exception No. 10-01/29/2007etp"

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.