



Legislation Text

File #: 50763, Version: 1

**Fiscal Note**

The proposed ordinance attaches land to the City of Madison’s 9<sup>th</sup> Aldermanic District, Ward 122, from the Town Middleton and assigns a temporary zoning classification of A Agriculture District. No City appropriation is required.

**Title**

Creating Section 15.01(606) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 9th Aldermanic District the Luyet Attachment; amending Section 15.01(122) of the Madison General Ordinances to assign the attached property to Ward 122; and assigning a temporary zoning classification of A Agriculture District.

**Body**

DRAFTER'S ANALYSIS: This ordinance attaches land in the Town of Middleton.

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An ordinance to create Subsection (606) 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 for attachment with scale map attached was filed with the City Clerk of Madison on February 7, 2018, and has been presented to the Madison Common Council requesting attachment of the below-described territory to the City of Madison from the Town of Middleton; said petition having been signed by the owners of all of the land in the territory and notice of the proposed attachment having been given to the Town of Middleton; and

WHEREAS, investigation by the City of Madison discloses that as of this date the above representations are true, the Common Council now accepts the petition as sufficient and determines that the said attachment proceeding meets the requirements of the City of Madison and Town of Middleton 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 (606) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(606) - There is hereby attached to the 9th Aldermanic District, the City of Madison, Dane County, Wisconsin, the following described property and pursuant to the provisions of Sec. 28.005, MGO, the territory attached by this ordinance is hereby assigned a temporary zoning classification of A Agriculture District:

Part of Lot 2 of Certified Survey Map No. 6407 (CSM 6407) recorded on May 21, 1991 in Volume 31 of Certified Survey Maps on Pages 120-122 as Document no. 2263459, being a part of the Northwest Quarter of the Northwest Quarter and the Southwest Quarter of the Northwest Quarter of Section 21, Town 7 North, Range 8 East, located in the Town of Middleton, Dane County, Wisconsin, described as:  
The residual portion of Lot 2 of Certified Survey Map no. 6407 remaining in the Town of Middleton, excluding the North 33 feet previously attached to the City of Madison, per Ordinance no. 13710 File ID No. 36699 adopted September 21, 2004 and as recorded in Document no. 4014384, more particularly described as follows:

Commencing at the Northwest corner of aforesaid Section 21; thence along the North line of the Northwest Quarter of said Section 21 South 89 degrees 58 minutes 39 seconds East, 433.88 feet to the Northwest corner of aforesaid Lot 2 of CSM 6407; thence along the West line of said Lot 2 South 01 degrees 47 minutes 37 seconds West, 33.01 feet to the southerly Right-of-Way line of Old Sauk Road also being the Point of Beginning; thence along said southerly Right-of-Way line South 89 degrees 58 minutes 39 seconds East, 444.95 feet to the East line of aforesaid Lot 2 of CSM 6407; thence along said East line of Lot 2 South 01 degrees 47 minutes 23 seconds West, 1,490.07 feet to the South line of said Lot 2; thence along said South Line of Lot 2 North 89 degrees 58 minutes 09 seconds West, 445.05 feet to the aforesaid West line of Lot 2; thence along said West line of Lot 2 North 01 degrees 47 minutes 37 seconds East, 1,490.01 feet back to the point of beginning.

Above described Attachment Area contains 662,754 square feet or 15.21 acres or 0.0238 square miles more or less."

2. Subsection (122) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is created to read as follows:

(122) Ward 122. Lots 2, 3 and 4 of Dane County Certified Survey Map Number 6407, Recorded as Document Number 2263459, Dane County Register of Deeds, Located in Part of the Northwest 1/4 and Southwest 1/4 of the NW 1/4 of Section 21, Township 7 North, Range 8 East, Town of Middleton, Dane County, Wisconsin, more particularly described as follows: Commencing at the Northwest Corner of Section 21, Town 7 North, Range 8 East, Dane County, Wisconsin; thence S89°58'36"E, along the North Line of the NW 1/4 of said Section 21, a distance of 878.84 feet; thence S01°47'23"W, a distance of 33.02 feet to a point located on the South right-of-way line of Old Sauk Road, also being the Northwest corner of Lot 3, Dane County Certified Survey Map 6407 and the Point of Beginning of the lands hereinafter described; thence N89°58'36"W a distance of 445.00 feet to the northwest corner of Lot 2 of said CSM; thence S01°24'07"W a distance of 1152.00 feet to the southeast corner of Lot 1 of said CSM; thence continuing, along the West line of said Lot 3, S01°47'23"W, a distance of 1489.98 feet to the Southwest corner of said Lot 3, said point also being located on the North line of Lot 4 of said Certified Survey Map; thence N88°58'35"W along the North line of Lot 4 a distance of 445.00 feet; thence N01°47'23"E along the Easterly line of said Lot 4 a distance of 371.00 feet to the North Line of said Lot 4; said line also being the North line of Lot 4 of said CSM; thence N89°58'35"W along the North line of said Lot 4 a distance of 431.61 feet to the West Line of the NW 1/4 of said Section 21, said line also being the West line of said Lot 4; thence S01°40'44"W along said West Line a distance of 825.82 feet to the South line of said Lot 4; thence N89°42'34"E along said South line a distance of 1320.26 feet to the East line of said Lot 4; thence along the East line of said Lots 3 and 4, N01°47'23"E, a distance of 1937.61 feet to the Northeast corner of said Lot 3, being on the South right-of-way line of Old Sauk Road; thence along the South line of Old Sauk Road and the North line of said Lot 3, N89°58'36"W a distance of 445.00 feet to the Point of Beginning. Polling place at The Jefferson, 9401 Old Sauk Road."

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.