



Legislation Text

File #: 61294, Version: 1

**Fiscal Note**

No City appropriation required.

**Title**

Creating Section 15.01(621) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 17th Aldermanic District the Betty's Real Estate, LLC property on Portage Road in the Town of Burke, and amending Section 15.02(126) of the Madison General Ordinances to assign the attached property to Ward 126; and assigning a temporary zoning classification of A Agricultural District.

**Body**

DRAFTER'S ANALYSIS: This ordinance attaches land in the Town of Burke and assigns temporary A zoning.

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An ordinance to create Subsection (621) 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 June 9, 2020 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 Burke; 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 Burke; 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 Burke 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 (621) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(621) - There is hereby attached to the 17th 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 Agricultural District:

All of Lot 2 of Certified Survey Map Number 12909, recorded in Volume 82 of Certified Survey Maps, on Pages 85-86, as Document Number 4658523, Dane County Registry, located in part of the SW 1/4 of the NW 1/4 of Section 22, Township 08 North, Range 10 East, Town of Burke, Dane County, Wisconsin, described as follows:

Commencing at the West Quarter Corner of said Section 22; thence N01°10'06"E, 544.91 feet along the west line of said NW 1/4 to the intersection with the westerly extension of the south line of said Lot 2; thence S88°49'46"E, 40.00 feet along said westerly extension to the southwest corner of said Lot 2, being the Corporate Boundary of the City of Madison and the Point of Beginning; thence N01°10'06"E,

395.14 feet (previously recorded as N01°10'02"E, 395.06 feet) along said Corporate Boundary and the east right-of-way of Portage Road to a north line of said Lot 2; thence N88°47'23"E, 268.14 feet (previously recorded as N88°47'39"E, 268.18 feet) along said north line to a west line of said Lot 2; thence N01°09'46"E, 212.10 feet (previously recorded as N01°10'02"E, 212.18 feet) along said west line to the northwest corner of said Lot 2; thence N88°46'45"E, 431.07 feet (previously recorded as N88°47'39"E, 431.02 feet) along the north line of said Lot 2 to the northeast corner thereof, being on said Corporate Boundary and the westerly right-of-way of Interstate Highway 39, 90 and 94; thence S35°06'25"E, 112.79 feet (previously recorded as S35°07'40"E) along said westerly right-of-way and said Corporate Boundary; thence S26°18'31"E, 614.80 feet (previously recorded as S26°18'18"E, 614.75 feet) along said Corporate Boundary and said westerly right-of-way to the southeast corner of said Lot 2; thence N88°49'46"W, 1048.99 feet (previously recorded as N88°49'30"W, 1048.95 feet) along said Corporate Boundary and the south line of said Lot 2 to the Point of Beginning. Said attachment description contains 494,348 square feet or 11.35 acres more or less, or 0.0177 square miles."

2. Subsection (126) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is amended to read as follows:

~~"(126) Ward 126. Beginning at the West  $\frac{1}{4}$  corner of said Section 22, said point also being the East  $\frac{1}{4}$  corner of said Section 21; thence S89°47'35"W along the East-West  $\frac{1}{4}$  line of said Section 21, 141.22 feet, (previously recorded as S89°23'07"W, 141.28 feet) to a point in the East right-of-way line of Portage Road, said point also lying on the Corporate Boundary of the City of Madison, 40 feet east of the centerline of Portage Road, said point also being a point of non-tangential curvature; thence 578.22 feet along said Corporate Boundary of the City of Madison, 40 feet east of the centerline of Portage Road and the arc of a curve to the left, through a central angle of 37°13'27" (previously recorded as 37°12'56"), a radius of 890.00 feet, and a chord bearing N19°46'29"E, 568.10 feet (previously recorded as N19°21'54"E, 567.98 feet); thence N01°10'01"E along said Corporate Boundary of the City of Madison, 40 feet east of the centerline of Portage Road, 9.81 feet to the Southwest corner of Lot 2, Certified Survey Map Number 12909, as recorded in Volume 82 of Certified Survey Maps, on Pages 85-86, as Document Number 4658523, Dane County Registry; thence S88°49'36"E along the South line of said Lot 2, 1049.02 feet to the Southeast corner of said Lot 2 and the westerly right of way line of Interstate Highway I-90 and I-94 (previously recorded as S89°13'E & S88°49'30"E, 1048.95 feet); thence S26°18'35"E along said westerly right of way line of Interstate Highway I-90 and I-94, 85.18 feet (previously recorded as S26°33'E, 81.45 feet); thence S23°29'15"E along said westerly right of way line of Interstate Highway I-90 and I-94, 455.07 feet (previously recorded as S23°57'E) to a northeasterly corner of Village Green Woods as recorded in Volume 49 of Plats, on Pages 18-20, also lying on the East-West  $\frac{1}{4}$  line of said Section 22; thence S88°45'12"W along the northerly line of said Village Green Woods and the said East-West  $\frac{1}{4}$  line of Section 22, 1319.42 feet (previously recorded as S88°21'W, 1319.85 feet and 1319.28 feet) to the point of beginning.~~

Commencing at the West Quarter Corner of said Section 22, Township 8 North, Range 10 East; thence S89°47'35"W along the East-West  $\frac{1}{4}$  line of said Section 21, 141.22 feet to a point on the easterly right-of-way line of Portage Road located 40 feet east of the centerline of Portage Road, said point also being a point of non-tangential curvature; thence 578.22 feet, 40 feet east of the centerline of Portage Road and the arc of a curve to the left, through a central angle of 37°13'27", a radius of 890.00 feet, and a chord bearing N19°46'29"E, 568.10 feet; thence N01°10'01"E, 9.81 feet to the Southwest corner of Lot 2, Certified Survey Map Number 12909; thence N01°10'06"E, 395.14 feet along the easterly right-of-way of Portage Road; thence N88°47'23"E, 268.14 feet; thence N01°09'46"E, 212.10 feet; thence N88°46'45"E, 431.07 feet to a point on the westerly right-of-way of Interstate Highway 39, 90 and 94; thence S35°06'25"E, 112.79 feet along said westerly right-of-way line; thence S26°18'31"E, 614.80 feet along said westerly right-of-way to the Southeast corner of Lot 2 of said CSM 12909; thence S26°18'35"E, 85.18 feet along said westerly right of way line; thence S23°29'15"E, 455.07 feet

along said westerly right-of-way line to a northeasterly corner of Village Green Woods as recorded in Volume 49 of Plats, on Pages 18-20, also lying on the East-West ¼ line of said Section 22; thence S88°45'12"W, 1319.42 feet along the northerly line of said Village Green Woods and the said East-West ¼ line of Section 22 to the Point of Beginning. Polling place at Eastside Lutheran Church, 2310 Independence Lane.

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.