



## Legislation Text

File #: 71149, Version: 2

### Fiscal Note

No City appropriation required.

### Title

**SUBSTITUTE** - Amending Section 15.01(598) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching property addressed as 60 White Oaks Lane to the 20th Aldermanic District; creating Section 15.02(~~446~~136) of the Madison General Ordinances entitled "Aldermanic Districts and Wards" to attach the property to Ward ~~446~~136; and amending Section 15.03(20) to add Ward ~~446~~136 to Aldermanic District 20.

### Body

**DRAFTER'S ANALYSIS:** On June 7, 2016, the Common Council adopted Ordinance 16-00059 (ID 42655) to attach 1.17 acres of land located at 60 White Oaks Lane, Town of Middleton based on a petition from the property owner, who sought to connect a new residence on the parcel to City of Madison sanitary sewer located in White Oaks Lane. Pursuant to the Cooperative Plan with the Town of Middleton a property owner may obtain municipal water and sewer with an agreement to pay for the costs of the service and a requirement to attach to the City with a delayed effective date of five (5) years. The effective date of Ordinance 16-00059 was June 1, 2021, which was subsequently amended to April 10, 2022 by Ordinance 21-00048 (ID 65651) on June 15, 2021.

The ordinance attaching the property did not assign a ward or polling place for the property and stipulated that the property be added to the 1st Aldermanic District upon the effective date of the attachment. However, due to redistricting, the surrounding property on the south side of Schroeder Road is located in the 20th Aldermanic District. The proposed ordinance amends the district designation for the property to the 20th District.

This substitute ordinance changes the assigned Ward from 146 to 136 based on state redistricting.

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An ordinance to amend Subsection (598) 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, the Town of Middleton and City of Madison entered into a cooperative plan dated September 29, 2003 pursuant to Wis. Stat. § 66.0307, which allows owners of properties to obtain municipal water and sewer with an agreement to pay for the costs of the service and a requirement to attach to the City with a delayed effective date of five (5) years; and

WHEREAS on March 4, 2016, the City of Madison Clerk received a petition executed by Janet Lounsbury, owner of real property located at 60 White Oaks Lane, Town of Middleton, to attach her property to the City of Madison as a condition of her connecting to available municipal sanitary sewer in White Oaks Lane; and

WHEREAS the Common Council adopted Ordinance 16-00059 (ID 42655) on June 7, 2016 to attach said property to the City with a delayed effective date of June 1, 2021; and

WHEREAS the effective date of the attachment was revised to April 10, 2022 by Ordinance 21-00048 (ID 65651); and

WHEREAS the previous ordinances assigned the property to the 1st Aldermanic District; and

WHEREAS, as a result of the new aldermanic districts that took effect on January 1, 2022, the property is no longer adjacent to the 1st District; and

WHEREAS the previous ordinances did not stipulate the ward for said attached property or assign a polling place;

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

1. Subsection (598) of Section 15.01 of the Madison General Ordinances is hereby amended to read as follows:

"15.01(598) - There is hereby attached to the ~~1st Aldermanic District~~ 20th Aldermanic District, the City of Madison, Dane County, Wisconsin, the following described property:

A parcel of land located in the NE1/4 of the NE1/4 of Section 36, T7N, R8E, Town of Middleton, Dane County, Wisconsin described as follows: Commencing at the northeast corner of said Section 36; thence S00°48'28"W, 40.01 feet; thence S89°15'34"W, 461.02 feet along the south right-of-way line of Schroeder Road to the northwest corner of Lot 17, White Oaks, recorded in Volume 56-42B of Plats on Pages 118-119, Dane County Registry and the point of beginning; thence the following 5 courses along the existing City of Madison Corporate Boundary: S00°52'56"W, 224.80 feet along the west line of said Lot 17; thence S59°22'34"W, 69.97 feet along the northwesterly line of Outlot 4, said White Oaks; thence S89°15'33"W, 140.42 feet along the north line of Outlot 3, said White Oaks; thence N00°52'52"E, 259.68 feet along the east line of 2nd Addition to Green Tree Hills recorded in Volume 24 of Plats on Pages 31-32, Dane County Registry; thence N89°15'34"E, 200.10 feet along said south right-of-way line of Schroeder Road to the point of beginning. Said parcel contains 50,900 square feet (1.168 acres, 0.002 sq. mi.)."

2. Subsection (~~146~~136) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is created to read as follows:

"(~~146~~) Ward 146136. "Being a part of the Southeast Quarter of the SE ¼ of Section 34, Township 08N, Range 10E, Town of Burke, Dane County, Wisconsin, more fully described as follows:

A parcel of land located in the NE1/4 of the NE1/4 of Section 36, T7N, R8E, Town of Middleton, Dane County, Wisconsin described as follows: Commencing at the northeast corner of said Section 36; thence S00°48'28"W, 40.01 feet; thence S89°15'34"W, 461.02 feet along the south right-of-way line of Schroeder Road to the northwest corner of Lot 17, White Oaks, recorded in Volume 56-42B of Plats on Pages 118-119, Dane County Registry and the point of beginning; thence the following 5 courses along the existing City of Madison Corporate Boundary: S00°52'56"W, 224.80 feet along the west line of said Lot 17; thence S59°22'34"W, 69.97 feet along the northwesterly line of Outlot 4, said White Oaks; thence S89°15'33"W, 140.42 feet along the north line of Outlot 3, said White Oaks; thence N00°52'52"E, 259.68 feet along the east line of 2nd Addition to Green Tree Hills recorded in Volume 24 of Plats on Pages 31-32, Dane County Registry; thence N89°15'34"E, 200.10 feet along said south right-of-way line of Schroeder Road to the point of beginning. Polling place at Anana Elementary School, 6323 Woodington Way."

3. Subsection (20) of Section 15.03 entitled "Aldermanic Districts" of the Madison General Ordinances is amended to read as follows:

"(3) Twentieth Aldermanic District. Wards 97, 98, 99, 100, 101, 102, 136 and 140,~~and 146~~."

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.