



Legislation Text

File #: 72158, Version: 1

**Fiscal Note**

No City appropriation required.

**Title**

Implementing the Final Attachment Area of the Town of Madison by creating Section 15.01(633) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 12th Alder District land located in the Town of Madison east of Sherman Avenue, west of Fordem Avenue, and generally north of Sherman Terrace, hereinafter referred to as "Area 1"; and amending Section 15.02(130) of the Madison General Ordinances to attach the property to Ward 130.

**Body**

DRAFTER'S ANALYSIS: On November 5, 2002, the Common Council adopted Resolution 59879 (ID 32734) authorizing the Mayor and City Clerk to execute an intergovernmental agreement among the City of Madison, Town of Madison, and City of Fitchburg regarding boundary changes and other urban growth and municipal service delivery issues pursuant to an approved cooperative plan under Wis. Stats. Ch. 66.0307. The agreement was executed on November 8, 2002. The subsequent cooperative plan was adopted by the Common Council on April 8, 2003 by Resolution 60411 (ID 33561) and was approved by the State of Wisconsin on October 10, 2003. The final cooperative plan established the final attachment of the Town of Madison to the cities of Madison and Fitchburg at 11:59 p.m. on October 30, 2022.

The final attachments of the portions of the Town of Madison accruing to the City of Madison will be adopted as a series of ordinances corresponding to discrete areas of the Town. This ordinance encompasses the area of the Town, hereinafter referred to as "Area 1," which includes lands located east of Sherman Avenue, west of Fordem Avenue, and generally north of Sherman Terrace. Area 1 will be attached to the 12th Ald. Dist. and will be added to existing Ward 130. The zoning of this attachment area will be addressed in a subsequent ordinance.

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An ordinance to create Subsection (633) 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 City of Madison, Town of Madison, and City of Fitchburg entered into a cooperative plan pursuant to Wis. Stat. § 66.0307 providing for the final attachment of the Town of Madison to the City of Madison and City of Fitchburg; and

WHEREAS the area hereinafter described as "Area 1" shall attach to the City of Madison consistent with the Final City of Madison, City of Fitchburg and Town of Madison Cooperative Plan adopted by the State of Wisconsin on October 10, 2003; and

WHEREAS, investigation by the City of Madison discloses that as of this date the above representations are true, the Common Council now accepts that the said attachment proceeding meets the requirements of said 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 (633) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(633) - There is hereby attached to the 12<sup>th</sup> Aldermanic District of the City of Madison, Dane County, Wisconsin, the following described property:

(AREA 1)

Part of Government Lots 1 and 2, located in the fractional Northeast 1/4 of Section 12 and including Lots 1-4, CSM 12958, recorded in Vol. 82 of CSMs on Pg. 269-276, as Doc. 4680507 and other lands, all located in T 7 N, R 9 E, Dane County, Wisconsin, (including the right-of-ways of Sherman Avenue, McGuire Street and Fordem Avenue) more particularly described as follows:

Beginning at the East Quarter Corner, of said Section 12, also being the Southeast Corner of Government Lot 2; thence along said south line of said Government Lot 2, S 89°43'47" W, 907.10 feet; thence N 27°14'52" E, 17.27 feet; thence N 63°29'40" W, 131.10 feet, to the Southeasterly right-of-way of Sherman Avenue; thence S 27°34'36" W, along the said Southeasterly right-of-way, 84.12 feet, to the said south line of Government Lot 2; thence westerly, along the said south line of Government Lot 2, 37 feet, more or less, to the centerline of Sherman Avenue; thence along said centerline of Sherman Avenue, also being the Corporate Limits of the Village of Maple Bluff, Northeasterly, 1724 feet, more or less, to the intersection with the centerline of McGuire Street; thence Southeasterly, along the said centerline of McGuire Street and the Corporate Limits of Maple Bluff until the intersection with the southeasterly right-of-way of Sherman Avenue and continuing therefrom, 165 feet, more or less; thence S 24°52'30" W, 164.92 feet, to the North line of said Government Lot 2; thence S 89°49'35" E, along said North line, 38.18 feet; thence S 00°02'15" W, 210.42 feet; thence S 89°57'35" E, 232.74 feet to the East line of said Government 2 and the centerline of Fordem Avenue (also being the East line of the said NE ¼); thence southerly along said East line of said Government 2, 1104 feet, more or less, to the Point of Beginning. Said described area contains approximately 22.99 acres, 1,001,545 square feet, and 0.036 square miles.

2. Subsection (130) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is hereby amended to read as follows:

~~"(130) Ward 130. Part of Sherman Terrace Condominium Homes (Parcel I) located in part of Government Lot 2, Section 12, T7N, R9E, Town of Madison, Dane County, Wisconsin, more particularly described as follows: Commencing at the East Quarter Corner, also being the Southeast Corner of Government Lot 2, Section 12, T7N, R9E, said point marked by a 1.25" Outside Diameter Iron Rebar, thence S89°43'37"W, along the south line of said Government Lot 2, 907.10 feet to the point of beginning of this description; thence S89°43'37"W, along said south line of Government Lot 2, 148.36 feet to a point on the Southeasterly right of way line of Sherman Avenue; thence N27°34'36"E, along said Southeasterly right of way line of Sherman Avenue, 84.12 feet; thence S63°29'40"E, 131.10 feet; thence S27°14'52"W, 17.27 feet to the Point of Beginning. Beginning at the East Quarter Corner, of said Section 12, also being the Southeast Corner of Government Lot 2; thence along said south line of said Government Lot 2, S 89°43'47" W, 1092.46 feet, more or less, to the centerline of Sherman Avenue; thence along said centerline of Sherman Avenue, also being the Corporate Limits of the Village of Maple Bluff, Northeasterly, 1724 feet, more or less, to the intersection with the centerline of McGuire Street; thence Southeasterly, along the said centerline of McGuire Street and the Corporate Limits of Maple Bluff until the intersection with the southeasterly right-of-way of Sherman Avenue and continuing therefrom, 165 feet, more or less; thence S 24°52'30" W, 164.92 feet, to the North line of said Government Lot 2; thence S 89°49'35" E, along said North line, 38.18 feet; thence S 00°02'15" W, 210.42 feet; thence S 89°57'35" E, 232.74 feet to the East line of said Government 2 and the centerline of Fordem Avenue (also being the East line of the said NE ¼); thence southerly along said East line of said Government 2, 1104 feet, more or less, to the Point of Beginning. Polling place at Tenney Park Pavilion, 402 North Thornton Avenue.~~

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.

4. This ordinance shall take effect at 11:59 p.m. on October 30, 2022 in accordance with the terms of the agreement and plan.