



Legislation Text

File #: 72167, Version: 1

**Fiscal Note**

No City appropriation required.

**Title**

Implementing the Final Attachment Area of the Town of Madison by creating Section 15.01(639) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 13th Alder District land generally bounded by the University of Wisconsin-Madison Arboretum and Fish Hatchery Road, hereinafter referred to as "Area 7"; creating Section 15.02(147) of the Madison General Ordinances to create Ward 147; and amending Section 15.03(13) to add Ward 147 to the 13th Alder District.

**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 7" that is located west of Fish Hatchery Road, which is otherwise surrounded by the University of Wisconsin-Madison Arboretum. The portion of Area 7 located west of Fish Hatchery Road will be attached to the 13th Ald. Dist. and will be located in newly created Ward 147.

The zoning of this attachment area will be addressed in a subsequent ordinance.

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An ordinance to create Subsection (639) 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 7" 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 Area 7 encompasses a total of approximately 141.01 acres, 6,142,466 square feet and 0.220 square miles, more or less, located on both sides of Fish Hatchery Road; and

WHEREAS, during redistricting it was determined that the area of the Town located west of Fish Hatchery

Road and surrounded by the Arboretum would be attached to District 13 to distribute the population of the Town among multiple alder districts; 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 (639) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(639) - There is hereby attached to the 13th Alder District of the City of Madison, Dane County, Wisconsin, the following described property:

(AREA 7 (West))

Lots 1-2, CSM 4868, recorded in Vol. 21 of CSMs on Pg. 288, as Document No. 1920144; Lots 1-3, CSM 1264, recorded in Vol. 5 of CSMs on Pg. 190-191, as Document No. 1377224; Lots 1-2, CSM 4531, recorded in Vol. 19 of CSMs on Pg. 295-297, as Document No. 1858147; Lots 1-4, Block 1, Part of Lot 1 and Lots 2-12, Block 2 and Lots 3-23 and Outlot A, Block 3, Forest Park, recorded in Vol. 8 of Plats on Pg. 17, as Document No. 564669; Lot 1, CSM 12228, recorded in Vol. 75 of CSMs on Pg. 279-281, as Document No. 4345926; Lots 1-2, CSM 4302, recorded in Vol. 18 of CSMs on Pg. 191, as Document No. 1821845; Lots A and B, CSM 93, recorded in Vol. 1 of CSMs on Pg. 93, as Document No. 1051983; Lots 1-3 and 5-6, Sawyer Addition, recorded in Vol. 30 of Plats on Pg. 1, as Document No. 1131504; Lot 1, CSM 15794, recorded in Vol. 115 of CSMs on Pg. 125-128, as Document No. 5766048; Lots 1-2, Outlot A and Alleyway, CSM 5849, recorded in Vol. 27 of CSMs on Pg. 289-291, as Document No. 2140546; Lots 1-26 & Park, Block 3, Lots 1-16, 18-24 and Vacated Alleyway, Block 4, Lots 4-19, Block 5, Lots 1-26, Block 6, Lots 1-26, Block 7, Lots 1-26 and Private Park, Block 8, Lots 1-26, Block 9, Lots 1-26, Block 10, Lots 1-26, Block 11, Lake Forest, recorded in Vol. 5 of Plats on Pg. 48 and 48A, as Document No. 385367; Lot 1, CSM 12181, recorded in Vol. 75 of CSMs on Pg. 148-150, as Document No. 4327497; Lot 1-4, 3434, recorded in Vol. 13 of CSMs on Pg. 277-278, as Document No. 1658619; Lots 1-2, CSM 4901, recorded in Vol. 22 of CSMs on Pg. 3-4, as Document No. 1927459; Lots 1-5 and part of Lot 6, Fraust Plat, recorded in Vol. 26 of Plats on Pg. 3, as Document No. 1052391; and other lands located in parts of Government Lots 2 and 3 (SW 1/4) of Section 27 and also parts of the NW 1/4 and NE 1/4 of the NW 1/4 and the NW 1/4 and NE 1/4 of the NE 1/4 all of Section 34, all lands located in Town 7 North, Range 9 East, Dane County, Wisconsin, including the right-of-ways of Arboretum Drive, Arboretum Lane, Stoner Street, Rowan Street, Marshall Parkway, Balden Street, Covall Street, Carver Street, Martin Street, Field Street, Floyd Place, Catlin Place, Frazer Place, Dunn Place, Dickson Place, Irwin Place, Dodge St, and Fish Hatchery Road, more fully described as follows:

Commencing at the Northeast Corner of said Section 34; thence Southerly, 1042.46 feet along the east line of the said NE 1/4 of Section 34; thence Westerly, 918.19 feet along the south line of Martin Street and its easterly extension to the Northwest corner of said CSM 12181 and the Point of Beginning; thence N89° 23'22"W, 2030.77 feet; thence N32°54'23"W along the southwesterly edge of Martin Street, 473.32 feet to a point on a curve; thence northeasterly, northwesterly and southwesterly on a curve to the left which has a radius of 200.00' and a chord which bears N34°43'38"W, 393.40 feet; thence N32°54'23"W, 318.75 feet to a point of curve; thence northwesterly on a curve to the left which has a radius of 40.00 feet and a chord which bears N67°09'27"W, 45.03 feet to a point on a curve; thence northwesterly on a curve to the right which has a radius of 213.60 feet and a chord which bears N73°35'23"W, 199.37 feet to the southeasterly edge of Rowan Street; thence S56°20'10"W, along said southeasterly edge of Rowan Street, 544.25 feet to the southerly edge of Stoner Street; thence N77°59'07"W, 233.74 feet; thence N12°00'53"E, 50.00 feet to the southwest corner of CSM 4531; thence N15°34'27"W, along the edge of said CSM 4531, 171.93 feet to a point on a curve; thence northeasterly on a curve to the left which has a radius of 353.00 feet and a chord which bears N12°56'50"E,

38.90 feet; thence S89°40'13"E, 1.41 feet to the centerline of Arboretum Drive; thence N15°28'08"W, along said centerline, 670.55 feet to a point of curve; thence northeasterly continuing along said centerline, on a curve to the right which has a radius of 200.00 feet and a chord which bears N19°31'40"E, 229.41 feet; thence N54°31'28"E, continuing along said centerline, 112.56 feet to a point of curve; thence northeasterly continuing along said centerline on a curve to the right which has a radius of 618.10 feet and a chord which bears N65°39'56"E, 230.03 feet to a point of curve; thence southeasterly continuing along said centerline on a curve to the right which has a radius of 385.60 feet and a chord which bears S88°42'16"E, 160.55 feet to a point of curve; thence northeasterly continuing along said centerline on a curve to the left which has a radius of 498.30 feet and a chord which bears N83°23'48"E, 252.05 feet; thence N70°46'31"E, continuing along said centerline, 870.42 feet; thence S19°13'29"E, 40.05 feet to the southeasterly edge of Arboretum Drive; thence S70°46'31"W, along said southeasterly edge, 116.10 feet to the southeasterly edge of Covall Street; thence S41°44'39"W, along said southeasterly edge, 331.57 feet to the most northerly corner of CSM 93; thence S30°56'45"E, 130.80 feet to the most easterly corner of said CSM 93; thence S31°05'54"E, 313.20 feet; thence S18°29'07"E, 141.00 feet; thence S26°26'23"W, 148.20 feet to the northeasterly edge of Balden Street; thence southeasterly along said edge on a curve to the right which has a radius of 1251.38 feet and a chord which bears S22°20'29"E, 126.44 feet to a point of curve; thence southeasterly continuing along said edge on a curve to the left which has a radius of 859.70 feet and a chord which bears S30°23'22"E, 317.83 feet; thence S52°12'02"E, 120.00 feet to the southeasterly edge of Balden Street; thence S37°47'58"W, along said edge, 275.45 feet to a point on a curve; thence southeasterly along the northwesterly edge of Carver Street on a curve to the right which has a radius of 260.00 feet and a chord which bears S22°30'00"E, 147.90 feet; thence S89°20'58"E, along the northerly edge of Carver Street, 428.85 feet to the southwest corner of Lot 1, Block 3, of the plat of Lake Forest; thence N00°39'02"E, 130.71 feet to the northerly edge of said plat; thence S87°52'49"E, along said northerly edge, 350.12 feet; thence N87°19'01"E, along said northerly edge, 224.33 feet; thence N84°31'24"E, continuing along said northerly edge, 140.30 feet; thence S84°36'05"E, continuing along said northerly edge 141.89 feet; thence N87°18'15"E, continuing along said northerly edge, 78.63 feet; thence S86°39'07"E, continuing along said northerly edge, 58.27 feet; thence S87°49'54"E, continuing along said northerly edge, 56.14 feet; thence N89°30'00"E, continuing along said northerly edge 229.86 feet; thence N87°06'15"E, continuing along said northerly edge, 244.76 feet to the east line of Lot 26, Block 3, Lake Forest; thence S00°39'02"W, along said east line, 158.12 feet to the north edge of Carver Street; thence S89°20'58"E, along said north edge, 1089.16 feet to the centerline of Fish Hatchery Road; thence Southerly, 272 feet, more or less, along said centerline of Fish Hatchery Road until its intersection with and continuing along the west line of the said NW 1/4 of to the intersection with the North line of the plat of Sunnyslope; thence S00°21'20"E, 600 feet, more or less, along said centerline of Fish Hatchery Road; thence N89°13'27"W, along the South line of the North 1/2 of the said Northeast 1/4 of said Section 34, 930 feet, more or less, to the intersection with the southerly prolongation of the west line of said CSM 12181 and also the intersection with the said "Arboretum Annexation"; thence northerly, along said west line of CSM 12181, its southerly prolongation, 275 feet, more or less, to the Point of Beginning. Said described area contains 4,187,095 square feet or 96.122 acres or 0.150190625 square miles, more or less.

2. Subsection (147) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is hereby created to read as follows:

"(147) Ward 147. Commencing at the Northeast Corner of said Section 34; thence Southerly, 1042.46 feet along the east line of the said NE 1/4 of Section 34; thence Westerly, 918.19 feet along the south line of Martin Street and its easterly extension to the Northwest corner of said CSM 12181 and the Point of Beginning; thence N89°23'22"W, 2030.77 feet; thence N32°54'23"W along the southwesterly edge of Martin Street, 473.32 feet to a point on a curve; thence northeasterly, northwesterly and southwesterly on a curve to the left which has a radius of 200.00' and a chord which bears N34°43'38"W, 393.40 feet; thence N32°54'23"W, 318.75 feet to a point of curve; thence northwesterly on a curve to the left which has a radius of 40.00 feet and a chord which bears N67°09'27"W, 45.03 feet to a point on a curve; thence northwesterly on a curve to the right which has a radius of 213.60 feet and a chord which bears N73°35'23"W, 199.37 feet to the southeasterly edge of Rowan Street; thence S56°20'10"W, along said southeasterly edge of Rowan Street, 544.25 feet to

the southerly edge of Stoner Street; thence N77°59'07"W, 233.74 feet; thence N12°00'53"E, 50.00 feet to the southwest corner of CSM 4531; thence N15°34'27"W, along the edge of said CSM 4531, 171.93 feet to a point on a curve; thence northeasterly on a curve to the left which has a radius of 353.00 feet and a chord which bears N12°56'50"E, 38.90 feet; thence S89°40'13"E, 1.41 feet to the centerline of Arboretum Drive; thence N15°28'08"W, along said centerline, 670.55 feet to a point of curve; thence northeasterly continuing along said centerline, on a curve to the right which has a radius of 200.00 feet and a chord which bears N19°31'40"E, 229.41 feet; thence N54°31'28"E, continuing along said centerline, 112.56 feet to a point of curve; thence northeasterly continuing along said centerline on a curve to the right which has a radius of 618.10 feet and a chord which bears N65°39'56"E, 230.03 feet to a point of curve; thence southeasterly continuing along said centerline on a curve to the right which has a radius of 385.60 feet and a chord which bears S88°42'16"E, 160.55 feet to a point of curve; thence northeasterly continuing along said centerline on a curve to the left which has a radius of 498.30 feet and a chord which bears N83°23'48"E, 252.05 feet; thence N70°46'31"E, continuing along said centerline, 870.42 feet; thence S19°13'29"E, 40.05 feet to the southeasterly edge of Arboretum Drive; thence S70°46'31"W, along said southeasterly edge, 116.10 feet to the southeasterly edge of Covall Street; thence S41°44'39"W, along said southeasterly edge, 331.57 feet to the most northerly corner of CSM 93; thence S30°56'45"E, 130.80 feet to the most easterly corner of said CSM 93; thence S31°05'54"E, 313.20 feet; thence S18°29'07"E, 141.00 feet; thence S26°26'23"W, 148.20 feet to the northeasterly edge of Balden Street; thence southeasterly along said edge on a curve to the right which has a radius of 1251.38 feet and a chord which bears S22°20'29"E, 126.44 feet to a point of curve; thence southeasterly continuing along said edge on a curve to the left which has a radius of 859.70 feet and a chord which bears S30°23'22"E, 317.83 feet; thence S52°12'02"E, 120.00 feet to the southeasterly edge of Balden Street; thence S37°47'58"W, along said edge, 275.45 feet to a point on a curve; thence southeasterly along the northwesterly edge of Carver Street on a curve to the right which has a radius of 260.00 feet and a chord which bears S22°30'00"E, 147.90 feet; thence S89°20'58"E, along the northerly edge of Carver Street, 428.85 feet to the southwest corner of Lot 1, Block 3, of the plat of Lake Forest; thence N00°39'02"E, 130.71 feet to the northerly edge of said plat; thence S87°52'49"E, along said northerly edge, 350.12 feet; thence N87°19'01"E, along said northerly edge, 224.33 feet; thence N84°31'24"E, continuing along said northerly edge, 140.30 feet; thence S84°36'05"E, continuing along said northerly edge 141.89 feet; thence N87°18'15"E, continuing along said northerly edge, 78.63 feet; thence S86°39'07"E, continuing along said northerly edge, 58.27 feet; thence S87°49'54"E, continuing along said northerly edge, 56.14 feet; thence N89°30'00"E, continuing along said northerly edge 229.86 feet; thence N87°06'15"E, continuing along said northerly edge, 244.76 feet to the east line of Lot 26, Block 3, Lake Forest; thence S00°39'02"W, along said east line, 158.12 feet to the north edge of Carver Street; thence S89°20'58"E, along said north edge, 1089.16 feet to the centerline of Fish Hatchery Road; thence Southerly, 272 feet, more or less, along said centerline of Fish Hatchery Road until its intersection with and continuing along the west line of the said NW 1/4 of to the intersection with the North line of the plat of Sunnyslope; thence S00°21'20"E, 600 feet, more or less, along said centerline of Fish Hatchery Road; thence N89°13'27"W, along the South line of the North 1/2 of the said Northeast 1/4 of said Section 34, 930 feet, more or less, to the intersection with the southerly prolongation of the west line of said CSM 12181 and also the intersection with the said "Arboretum Annexation"; thence northerly, along said west line of CSM 12181, its southerly prolongation, 275 feet, more or less, to the Point of Beginning. Polling place at Arboretum Visitor Center, 2880 Longnecker Drive.

3. Subsection (13) of Section 15.03 entitled "Alder Districts" of the Madison General Ordinances is amended to read as follows:

(13) Thirteenth Alder District . Wards 68, 69, 70, 71, 72, and 73, and 147.

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.

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