



Legislation Text

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Fiscal Note

No City appropriation required.

Title

Implementing the Final Attachment Area of the Town of Madison by creating Section 15.01(642) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 14th Alder District land generally located on the south side of W Badger Road along both sides of Fiedler Lane, hereinafter referred to as "Area 9"; creating Section 15.02(146) of the Madison General Ordinances to create Ward 146; and amending Section 15.03(14) to add Ward 146 to the 14th 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 9," which attaches lands generally located on the south side of W Badger Road and along Fiedler Lane. Area 9 will be attached to the 14th Ald. Dist. and will be located in newly created Ward 146.

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

An ordinance to create Subsection (642) 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 9" 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 (642) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(642) - There is hereby attached to the 14th Alder District of the City of Madison, Dane County, Wisconsin, the following described property:

(AREA 9)

Lots 1-12, 15-26, Outlot A, and vacated Eric Circle and part of Fiedler Lane, Assessor's Plat No. 5, Town of Madison, recorded in Vol. 20 of Plats on Pg. 34, as Document No. 946895; and Lots 13-A, 13-B, 14-A and 14-B, CSM 5, recorded in Vol. 1 of CSMs on Pg. 5, as Document No. 970821 and other lands, all located in part of the Northwest 1/4 and Northeast 1/4 of the Southwest 1/4 of Section 35, Town 7 North, Range 9 East, Dane County, Wisconsin, including right-of-ways of W Badger Road and Fiedler Lane, and more particularly described as follows:

Commencing at the West Quarter Corner of said Section 35; thence Easterly, 298 feet, more or less, along the North line of the said SW 1/4 of Section 35, also being the centerline of W Badger Road, to its intersection with the Northerly prolongation of the east line of the Rauch-Petersen Apartment Plat and the Point of Beginning; thence continuing Easterly, 1502 feet, more or less, along the said North line and centerline to a point lying 478.5 feet east of the northwest corner of the said Northeast 1/4 of the Southwest 1/4, also being the intersection with the northerly prolongation of the west line of CSM 106; thence Southerly, along the said northerly prolongation and the said west line of CSM 106, 299 feet to the southwest corner of said CSM 106; thence S00°06'38"W, 270.2 feet; thence Westerly, 35.8 feet; thence Southerly, 109 feet, more or less, to the intersection with the north line of CSM 8914 (currently the north line of CSM 14730; thence along the said north line of CSM 8914 S00°22'28"W, 14.55 feet; thence N89°13'48"W, 442.94 feet; thence N 00°57'06" W, 33.00 feet, to the southeast corner of said Assessor's Plat No. 5 Town of Madison; thence N 89°41' W, along the south line of said Assessor's Plat No. 5 Town of Madison, 825.72 feet, to the southwest corner of said Assessor's Plat No. 5 Town of Madison; thence North, along the west line of said Assessor's Plat No. 5 Town of Madison, 393 feet, more or less, to the northeast corner of the plat of First Addition to Haase Gardens; thence N 88°42'30" W, along the north line of said First Addition to Haase Gardens, 200.04 feet, to the northwest corner of said First Addition to Haase Gardens, also being a point on the east line of Rauch-Petersen Apartment Plat; thence N00°02'00"E, along the said east line of Rauch-Petersen Apartment Plat and its northerly prolongation, 261 feet, more or less, to the North line of the Southwest 1/4 of said Section 35 and the Point of Beginning. Said described area contains approximately 21.26 acres, 925,956 square feet and 0.033 square miles, more or less.

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

"(146) Ward 146. Commencing at the West Quarter Corner of said Section 35; thence Easterly, 298 feet, more or less, along the North line of the said SW 1/4 of Section 35, also being the centerline of W Badger Road, to its intersection with the Northerly prolongation of the east line of the Rauch-Petersen Apartment Plat and the Point of Beginning; thence continuing Easterly, 1502 feet, more or less, along the said North line and centerline to a point lying 478.5 feet east of the northwest corner of the said Northeast 1/4 of the Southwest 1/4, also being the intersection with the northerly prolongation of the west line of CSM 106; thence Southerly, along the said northerly prolongation and the said west line of CSM 106, 299 feet to the southwest corner of said CSM 106; thence S00°06'38"W, 270.2 feet; thence Westerly, 35.8 feet; thence Southerly, 109 feet, more or less, to the intersection with the north line of CSM 8914 (currently the north line of CSM 14730; thence along the said north line of CSM 8914 S00°22'28"W, 14.55 feet; thence N89°13'48"W, 442.94 feet; thence N 00°57'06" W, 33.00 feet, to the southeast corner of said Assessor's Plat No. 5 Town of Madison; thence N 89° 41' W, along the south line of said Assessor's Plat No. 5 Town of Madison, 825.72 feet, to the southwest

corner of said Assessor's Plat No. 5 Town of Madison; thence North, along the west line of said Assessor's Plat No. 5 Town of Madison, 393 feet, more or less, to the northeast corner of the plat of First Addition to Haase Gardens; thence N 88°42'30" W, along the north line of said First Addition to Haase Gardens, 200.04 feet, to the northwest corner of said First Addition to Haase Gardens, also being a point on the east line of Rauch-Petersen Apartment Plat; thence N00°02'00"E, along the said east line of Rauch-Petersen Apartment Plat and its northerly prolongation, 261 feet, more or less, to the North line of the Southwest 1/4 of said Section 35 and the Point of Beginning. Polling place at Madison College-Goodman South Campus, 2429 Perry Street.

3. Subsection (14) of Section 15.03 entitled "Alder Districts" of the Madison General Ordinances is amended to read as follows:

(14) Fourteenth Alder District . Wards 74, 75, 76, 77, 78, 145, 146, 148, and 149.

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.