



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(646) 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 located east of Nob Hill Road and Badger Lane on both sides of Moorland Road, hereinafter referred to as "Area 13"; and repealing and re-creating Section 15.02(133) of the Madison General Ordinances to attach the property to Ward 133.

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 13," which includes lands located east of Nob Hill Road and Badger Lane on both sides of Moorland Road. Area 13 will be attached to the 14th Ald. Dist. and will be added to existing Ward 133, which will be repealed and re-created with this ordinance.

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

An ordinance to create Subsection (646) 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 13" 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 (646) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(646) - There is hereby attached to the 14th Aldermanic District of the City of Madison, Dane County, Wisconsin, the following described property:

(AREA 13)

Parts of Lots 3-4, Block 1, W.H. Jacobs and E.S. Barker's, recorded in Vol. 2 of Plats on Pg. 1 as Document No. 217049; Lots 1-2, CSM 6504, recorded in Vol. 32 of CSM's on Pg. 1-4 as Document No. 2283538; Lots 1-3, CSM 15296, recorded in Vol. 109 of CSMs on Pg. 150-153 as Document No. 5543025; Lot 1-2 and Outlot 1, CSM 3185, recorded in Vol. 12 of CSMs on Pg. 248-249 as Document No. 1622956; Lots 1-2, CSM 15324, recorded in Vol. 109 of CSMs on Pg. 258-264 as Document No. 5556230; Lot 1 and part of Lot 2, CSM 2064, recorded in Vol. 8 of CSMs on Pg. 248-249 as Document No. 1474617; Lot 1, CSM 15211, recorded in Vol. 108 of CSMs on Pg. 112-119 as Document No. 5514172; Lots 1-2, CSM 13930, recorded in Vol. 93 of CSMs on Pg. 1-12 as Document No. 5140911; Lots 1-2, CSM 5996, recorded in Vol. 28 of CSM's on Pg. 270-271 as Document No. 2174269; Lot 1 and part of Lot 2, CSM 5198, recorded in Vol. 23 of CSMs on Pg. 277-278 as Document No. 2005209; Lots 1-6, Lust Addition to Nob Hill Park, recorded in Vol. 56-175A of Plats on Pg. 540 as Document No. 2545177; Lots 2-3, CSM 4707, recorded in Vol. 20 of CSMs on Pg. 321-323 as Document No. 1890013; Lots 1-2, CSM 8795, recorded in Vol. 48 of CSMs on Pg. 309-310 as Document No. 2923068; Lots 1-2, CSM 4859, recorded in Vol. 21 of CSMs on Pg. 271-273 as Document No. 1917937; Lot 1, CSM 3823, recorded in Vol. 15 of CSMs on Pg. 353-355 as Document No. 1724511; Lots 1-2, CSM 7708, recorded in Vol. 40 of CSMs on Pg. 194-197 as Document No. 2655600; Lots 1-2, CSM 3370, recorded in Vol. 13 of CSMs on Pg. 160-162 as Document No. 1649988; Lots 1-4 and part of Lot 8, Danner-Stein Plat, recorded in Vol. 45 of Plats on Pg. 28 as Document No. 1497380; Lots 1-4, CSM 2287, recorded in Vol. 9 of CSMs on Pg. 116-117 as Document No. 1504664; Lots 1-4, CSM 5196, recorded in Vol. 23 of CSMs on Pg. 273-274 as Document No. 2004860 and other lands all located in part of the NE 1/4, NW 1/4, SW 1/4 and SE 1/4 of the NE 1/4 of Section 36 and also the SE 1/4 of the NW 1/4 of Section 36 and also the NE 1/4, NW 1/4, SW 1/4 and SE 1/4 of the SE 1/4 of Section 36, all located in T7N, R9E, Town of Madison, Dane County, Wisconsin, including the right-of-ways of Nob Hill Road, E Badger Road, Badger Ln, W Beltline Highway, Coyier Lane, Holtzman Road, Munn Road, Ocean Road, Moorland Road, Warner Street, Warner Lane, Longview Lane, Foxwood Trail and Engelhart Drive, more fully described as follows:

Beginning at the Center of said Section 36; thence Westerly, along the South line of the NW 1/4 of said Section 36, 596 feet, more or less, to the centerline of Nob Hill Road; thence N00°22'39"E, 349.97 feet along the said centerline of Nob Hill Road; thence along said centerline and the arc of a curve to the left through a central angle of 19°41'29", an arc distance of 68.74 feet, a radius of 200.00 feet and a chord bearing N09°28'07"W, 68.40 feet to the intersection with the South line of Lot 3, Block 1 of W.H. Jacobs and E.S. Barker's Subdivision; thence East 382.5 feet, more or less, along the South line of said Lot 3 to a point that is 192.5 feet West of the West line of Badger Lane; thence North 200.5 feet along a line that is parallel to and 192.5 feet West of the West line of Badger Lane; thence East 226.5 feet, more or less, along a line that is parallel with and 200.5 feet North of the South line of said Lot 3 to the West line of the NE 1/4 of said Section 36; thence North along the last mentioned West line of the said NE 1/4, 636 feet, more or less, to the center line of the W Beltline Highway, (US Highways 12 and 18); thence Northeasterly along the center line of said W Beltline Highway, 1453 feet, more or less, to the East line of the West 1/2 of the NE 1/4 of said Section 36; thence North along the last mentioned East line, 202 feet, more or less, to its point of intersection with the previous center line of former Olin Avenue (City route US Highways 12 and 18); thence Southeasterly, along the former center line curve of the former Olin Avenue, 710 feet, more or less, to the point of intersection of the center line of former Olin Avenue (aka the City route for US Highways 12 and 18) with the West line of the East 1/2 of the East 1/2 of the NE 1/4 of said Section 36; thence Southerly, along the said West line, 117 feet, more or less to the southerly right-of-way of the W Beltline Highway thence S 85°52'22" W, 7.76 feet along said right of way; thence S58°07'33" W, along said southerly right-of-way, 106.02 feet; thence S 31°38'18" W, along said southerly right-of-way, 231.95 feet, to the north right-of-way of Nob Hill Road; thence S01°12'55"E,

33 feet to the centerline of Nob Hill Road; thence N88°47'05"E, 216.87 feet along the said centerline to the West line of the East 1/2 of the East 1/2 of the NE 1/4 of said Section 36, said point also being the northerly prolongation of the east line of Lot 2, CSM 13930; thence S00°28'24"W, on said West line of the East 1/2 of the East 1/2 of the NE 1/4, 1503 feet, more or less, to the South line of the said NE 1/4; thence Westerly, along said South line of the said NE 1/4 of Section 36, 1415 feet, more or less, to a point lying 570.8 feet East of the West line of the NE 1/4 of said Section 36 (also from the Center of said Section 36); thence Southerly on a straight line 660.8 feet to a point lying 571.2 feet East of the West line of the said SE 1/4 of Section 36; thence S88°50' E, 185.2 feet; thence S01°10'W, 499 feet, more or less, (recorded as 464.9 feet) to the centerline of Moorland Road (formerly Badger Road); thence Southeasterly, 1171 feet more or less following along the centerline of said Moorland Road to a point being 880.3 Northwesterly, as measured along said centerline, of the East line of said Section 36; thence Southerly, 1108 feet, more or less, on a straight line to a point in the South line of the said SE 1/4 of Section 36, said point being 776.58 feet West of the Southeast Corner of said Section 36 as measured along the said South line of the SE 1/4 of Section 36; thence Westerly, 728 feet, along the said South line of the SE 1/4 of Section 36 to the southwest corner of the Danner-Stein Plat; thence N01°29'52" E, 1369.09 feet along the west line of said Danner-Stein Plat to the intersection with the southerly right of way of said Moorland Road; thence N77°33'54" W, 494.77 feet along the said southerly right of way of Moorland Road, to the East right-of-way line of Longview Lane (presently 30.00 feet in width); thence S01°27'13"W, 626.36 feet, to the northeast corner of Outlot 1 of said CSM 3370; thence N89°42'58"W, 346.29 feet along the northerly most lines of said Outlot 1 of CSM 7730, and their extension across Warner Lane, to the intersection with the east line of the plat of First Addition to Palatial Heights; thence Northerly, 738 feet, more or less, along a line that is parallel with and 297 feet East of the West line of the said SE 1/4 of Section 36 to the center line of said Moorland Road; thence Northwesterly, along the center line of said Moorland Road, 305 feet, more or less, to its point of intersection with the said West line of the SE 1/4 of said Section 36; thence Northerly, along the said West line of the SE 1/4 of Section 36, 1000 feet, more or less, to the Center of said Section 36 and the Point of Beginning. Said described area contains approximately 126.28 acres; 5,500,843 square feet; and 0.197 square miles."

2. Subsection (133) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is hereby repealed and re-created to read as follows:

"(133) Ward 133. Beginning at the Center of said Section 36; thence N89°10'07"W along the South line of the NW 1/4 of said Section 36, also being the centerline of E Badger Road, 596 feet, more or less, to the centerline of Nob Hill Road; thence continuing N89°10'07"W along said South line of the NW 1/4 and centerline, 271.60 feet, more or less; thence N02°36'42"W, 33.33 feet to the Northerly right of way line of E Badger Road; thence N02°36'42"E, 332.98 feet, more or less; thence S89°11'01"E, 227.32 feet to a point on the East line of Lot 5, Block 1 of W.H. Jacobs and E.S. Barker's Subdivision; thence continuing N00°22'39"E along said East line of said Lot 5, 51.07 feet, more or less, to the intersection with the South line of Lot 3, Block 1 of said Barker's Subdivision; thence continuing along said South line of Lot 3, S89°09'51"E, 18.30 feet, more or less, to the centerline of Nob Hill Road; thence continuing along said South line of said Lot 3, Block 1 of said Barker's Subdivision; thence East 382.5 feet, more or less, to a point that is 192.5 feet West of the West line of Badger Lane; thence North 200.5 feet along a line that is parallel to and 192.5 feet West of the West line of Badger Lane; thence East 226.5 feet, more or less, along a line that is parallel with and 200.5 feet North of the South line of said Lot 3 to the West line of the Northeast 1/4 of said Section 36; thence North along the last mentioned West line of the said NE 1/4, 636 feet, more or less, to the center line of the W Beltline Highway, (US Highways 12 and 18); thence Northeasterly along the center line of said W Beltline Highway, 1453 feet, more or less, to the East line of the West 1/2 of the NE 1/4 of said Section 36; thence North along the last mentioned East line, 202 feet, more or less, to its point of intersection with the previous center line of former Olin Avenue (City route US Highway 12 and 18); thence Southeasterly, along the former center line curve of the former Olin Avenue, 710 feet, more or less, to the point of intersection of the centerline of former Olin Avenue (aka the City route for U.S. Highways 12 and 18) with the West line of the East 1/2 of the East 1/2 of the NE 1/4 of said Section 36; thence

Southerly, along the said West line, 117 feet, more or less to the southerly right-of-way of the W Beltline Highway thence S 85°52'22" W, 7.76 feet along said right of way; thence S58°07'33" W, along said southerly right-of-way, 106.02 feet; thence S 31°38'18" W, along said southerly right-of-way, 231.95 feet, to the north right-of-way of Nob Hill Road; thence S01°12'55"E, 33 feet to the centerline of Nob Hill Road; thence N88°47'05"E, 216.87 feet along the said centerline to the West line of the East 1/2 of the East 1/2 of the Northeast 1/4 of said Section 36, said point also being the northerly prolongation of the east line of Lot 2, CSM 13930; thence S00°28'24"W, on said West line of the East 1/2 of the East 1/2 of the NE 1/4, 1503 feet, more or less, to the South line of the said NE 1/4; thence Westerly, along said South line of the said NE 1/4 of Section 36, 1415 feet, more or less, to a point lying 570.8 feet East of the West line of the NE 1/4 of said Section 36 (also from the Center of said Section 36); thence Southerly on a straight line 660.8 feet to a point lying 571.2 feet East of the West line of the said SE 1/4 of Section 36; thence S88°50' E, 185.2 feet; thence S01°10'W, 499 feet, more or less, (recorded as 464.9 feet) to the centerline of Moorland Road (formerly Badger Road); thence Southeasterly, 1171 feet more or less following along the centerline of said Moorland Road to a point being 880.3 Northwesterly, as measured along said centerline, of the East line of said Section 36; thence Southerly, 1108 feet, more or less, on a straight line to a point in the South line of the said SE 1/4 of Section 36, said point being 776.58 feet West of the Southeast Corner of said Section 36 as measured along the said South line of the SE 1/4 of Section 36; thence Westerly, 728 feet, along the said South line of the SE 1/4 of Section 36 to the southwest corner of the Danner-Stein Plat; thence N01°29'52" E, 1369.09 feet along the west line of said Danner-Stein Plat to the intersection with the southerly right of way of said Moorland Road; thence N77°33'54" W, 494.77 feet along the said southerly right of way of Moorland Road, to the East right-of-way line of Longview Lane (presently 30.00 feet in width); thence S01°27'13"W, 626.36 feet, to the northeast corner of Outlot 1 of said CSM 3370; thence N89°42'58"W, 346.29 feet along the northerly most lines of said Outlot 1 of CSM 7730, and their extension across Warner Lane, to the intersection with the east line of the plat of First Addition to Palatial Heights; thence Northerly, 738 feet, more or less, along a line that is parallel with and 297 feet East of the West line of the said SE 1/4 of Section 36 to the center line of said Moorland Road; thence Northwesterly, along the center line of said Moorland Road, 305 feet, more or less, to its point of intersection with the said West line of the SE 1/4 of said Section 36; thence Northerly, along the said West line of the SE 1/4 of Section 36, 1000 feet, more or less, to the Center of said Section 36 and the Point of Beginning. Polling place at Badger Rock Neighborhood Center, 501 East Badger Road."

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.