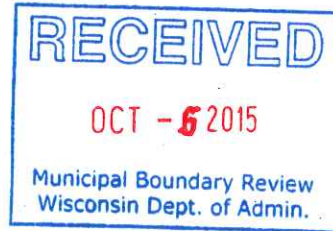


Office of the City Clerk

ORD-10476



210 Martin Luther King, Jr. Boulevard
Madison, Wisconsin 53703-3342
PH 608 266 4601
FAX 608 266 4666
TTY/Textnet 866 704 2340
www.cityofmadison.com/clerk

September 23, 2015

Annexations and Railroads
Division of Government Records
Office of the Secretary of State
P. O. Box 7848
Madison, WI 53707-7848

Dear Mr. LaFollette:

ENACTMENT NO. ORD-15-00090
ID NO. 39538
Cherokee Park, Inc. Annexation

I, Maribeth Witzel-Behl, City Clerk of the City of Madison, County of Dane, State of Wisconsin, pursuant to Sections 66.0217(7)2., 66.0217(9)(a), and 66.0235, Wisconsin Statutes, do hereby certify adoption of annexation Enactment No. ORD-15-00090, ID No. 39538 on September 1, 2015; thereby detaching City-owned territory from the Town of Westport and annexing same to the City of Madison.

This letter shall serve as notice that the Common Council failed to reject the Petition for Annexation, accepted the Petition for Direct Annexation and adopted the above noted ordinance. A certified copy of Enactment No. ORD-15-00090, which contains an accurate metes and bounds description of the territory so affected is attached. The Petition for Direct Annexation filed in this matter identifies the population in the annexed territory to be zero (0).

Sincerely,

Maribeth Witzel-Behl
City Clerk

September 23, 2015

Page 2

MWB:eac

Secretary of State (7)

cc:

Waunakee School District (email)
MG&E (Gas & Electric)
Dane County Register of Deeds
Clerk, Town of Westport
Tim Parks, Planning & Development Unit (email)
City Streets Department – West (email)
City Assessor, Maureen Richards (email)
Eric Pederson, City Engineering (email)
John Leach, Traffic Engineering (email)
Gregg Knudtson, Fire Department (email)
Brad Murphy, Planning Unit (email)
Dane County Clerk, Scott McDonell (email)
Capital Area Regional Planning Commission, Chris Gjeston (email)
Dane County Planning & Development, Jim Czaplicki (email)
Dane County Tax Lister, Jim Czaplicki (email)
Dane County EMS, J. Timothy Hillebrand (email)
Dane County Public Safety Communications, Randy Forrand (email)
Madison Area Metropolitan Planning Organization
Madison Metropolitan Sewer District, Curt Sauser (email)
AT&T (email)
City Clerk file (scan & attach)



8 9 0 5 7 8 9
Tx:8697599

Document Number

Document Title

KRISTI CHLEBOWSKI
DANE COUNTY
REGISTER OF DEEDS

ORDINANCE

This is to certify that the foregoing ordinance was adopted by the Common Council of the City of Madison, Wisconsin at a meeting held on the 1st day of September, 2015. The following is a re-recording of that action to replace an erred map.

DOCUMENT #
5185112

09/21/2015 8:45 AM
Trans. Fee:
Exempt #:
Rec. Fee: 30.00
Pages: 13

Cherokee Park, Inc. (Clubhouse-area) Annexation
Ordinance #: ORD-15-00090
ID#: 39538

Recording Area

Name and Return Address

City Clerk
210 Martin Luther King Jr. Blvd.
Room 103
Madison, WI 53703

Parcel Identification Number (PIN)

September 2, 2015

Date
Maribeth Witzel-Behl

Date
n/a

Signature of Clerk
Maribeth Witzel-Behl, City Clerk

Signature of Grantor

*Name printed

*Name printed

STATE OF WISCONSIN, County of Dane

This document was drafted by:
(print or type name below)

Eric Christianson

Subscribed and sworn to before me on September 2, 2015 by the above named person(s).

Signature of notary or other person
authorized to administer an oath
(as per s. 706.06, 706.07)

Eric A. Christianson

*Names of persons signing in any
capacity must be typed or printed below
their signature.

Print or type name: Eric Christianson

Title: Municipal Clerk 2 Date commission expires: 6/29/2018

This information must be completed by submitter: document title, name & return address, and PIN (if required). Other information such as the granting clauses, legal description, etc., may be placed on this first page of the document or may be placed on additional pages of the document. Note: Use of this cover page adds one page to your document and \$2.00 to the recording fee. Wisconsin Statutes, 59.43(2m). USE BLACK INK. WRDA 5/1999



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Certified Copy

Ordinance: ORD-15-00090

File Number: 39538

Enactment Number: ORD-15-00090

Creating Section 15.01(597) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" annexing to the 18th Aldermanic District the Cherokee Annexation and assigning a temporary zoning classification of A Agriculture District, creating Section 15.02(135) of the Madison General Ordinances to assign the attached property to Ward 135, and amending Sec. 15.03(18) to assign the attached property to the Eighteenth Aldermanic District.

DRAFTER'S ANALYSIS: In April 2007, the City of Madison entered into an Annexation Attachment Agreement with Cherokee Park Development, Inc., under which Cherokee and the City agreed to work cooperatively on a series of annexations that would bring the Cherokee development into the City over a period of years. As provided for in that Agreement, Cherokee has petitioned the City to annex a portion of the Cherokee development. This ordinance therefore annexes land in the Town of Westport pursuant to a petition.

An ordinance to create Subsection (597) 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, a petition with scale map attached was filed with the City Clerk of Madison on June 17, 2015, and mailed to the Clerk of the Town of Westport and the Municipal Boundary Review Section of the Wisconsin Department of Administration and has been presented to the City Common Council requesting annexation of the below-described territory to the City of Madison from the Town of Westport; said petition having been signed by the owners of all the real property within the territory, which lies contiguous to the City of Madison and has no residents; and

WHEREAS, pursuant to Sec. 28.005, Madison General Ordinances, the annexed territory is declared to be in the A Agriculture District and the annexation and temporary zoning were considered by the Plan Commission at its meeting of August 24, 2015, and adoption of the said annexation and zoning were recommended; and

WHEREAS, pursuant to Wis. Stat. § 66.0217(14)(a)1., the City of Madison agrees to pay annually to the Town of Westport, for five (5) years, an amount equal to the amount of property taxes that the town levied on the annexed territory, as shown by the tax roll under Wis. Stat. § 70.65, in the year in which the annexation is final; and

WHEREAS, an investigation by the City of Madison revealed that the above representations are true, and that the Municipal Boundary Review Section of the Wisconsin Department of Administration has found the annexation to be in the public interest; and

WHEREAS, having been reviewed, the Common Council now accepts the petition as sufficient and determines that the said annexation proceeding meets the requirements of the Wisconsin Statutes; NOW, THEREFORE, the Common Council of the City of Madison do ordain as follows:

1. Subsection (597) of Section 15.01 of the Madison General Ordinances is hereby created to read as follows:

"15.01(597) - There is hereby attached to the 18th Aldermanic District, the City of Madison, Dane County, Wisconsin, the following described property:

Part of Lot 1, Certified Survey Map Number 2225, as recorded in Volume 9 of Certified Survey Maps, on Pages 16-18, as Document Number 1494556, Dane County Registry, and located in the NE ¼ and the SE ¼ of the SE ¼ of Section 24, all in T8N, R9E, Town of Westport,

Dane County, Wisconsin more particularly described as follows:

Commencing at the Southeast corner of said Section 24; thence N02°02'25"E along the East line of said Section 24, 809.01 feet to the Easterly extension of the Northerly right-of-way line of Golf Parkway as recorded in Certified Survey Map 13029, Dane County Registry also being the point of beginning; thence along said Northerly right-of-way, N88°03'24"W, 33.00 feet to the Westerly right-of-way line of North Sherman Avenue; thence along said Westerly right-of-way line, N02°02'25"E, 218.41 feet; thence continuing along said Westerly right-of-way line, N02°04'50"E, 105.65 feet; thence N75°21'44"W, 239.42 feet; thence N14°38'16"E, 56.76 feet to the intersection with the Southeasterly extension of the Northeasterly line of Lot 1 Certified Survey Map 2225, Dane County Registry; thence N43°03'24"W, 239.42 feet along said Northeasterly line of Lot 1 to a bend point on the Northeasterly line of Lot 1, Certified Survey Map 2225, Dane County Registry; thence N02°44'24"W along the Northeasterly line of said Lot 1, 69.34 feet; thence N50°25'23"E, 68.71 feet; thence N18°56'32"E, 196.71 feet; thence N45°03'50"E, 290.57 feet; thence N05°38'36"E, 246.09 feet; thence S 87°55'10"E, 108.09 feet to the East line of Section 24, said line also being the corporate boundary of the Town of Westport; thence along said East line of said Section 24, S02°04'50"W, 1143.18 feet to the Northwest corner of Section 19, T8N, R10E, Town of Burke, Dane County, Wisconsin; thence continuing along the East line of said Section 24, S02°02'25"W, 218.35 feet to the point of beginning. This description contains approximately 279,778 square feet or 6.4228 acres or 0.0100 square miles."

2. Subsection (135) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is created to read as follows:

"(135) Ward 135. Part of Lot 1, Certified Survey Map Number 2225, as recorded in Volume 9 of Certified Survey Maps, on Pages 16-18, as Document Number 1494556, Dane County Registry, and located in the NE ¼ and the SE ¼ of the SE ¼ of Section 24, all in T8N, R9E, Town of Westport, Dane County, Wisconsin more particularly described as follows:

Commencing at the Southeast corner of said Section 24; thence N02°02'25"E along the East line of said Section 24, 809.01 feet to the Easterly extension of the Northerly right-of-way line of Golf Parkway as recorded in Certified Survey Map 13029, Dane County Registry also being the point of beginning; thence along said Northerly right-of-way, N88°03'24"W, 33.00 feet to the Westerly right-of-way line of North Sherman Avenue; thence along said Westerly right-of-way line, N02°02'25"E, 218.41 feet; thence continuing along said Westerly right-of-way line, N02°04'50"E, 105.65 feet; thence N75°21'44"W, 239.42 feet; thence N14°38'16"E, 56.76 feet to the intersection with the Southeasterly extension of the Northeasterly line of Lot 1 Certified Survey Map 2225, Dane County Registry; thence N43°03'24"W, 239.42 feet along said Northeasterly line of Lot 1 to a bend point on the Northeasterly line of Lot 1, Certified Survey Map 2225, Dane County Registry; thence N02°44'24"W along the Northeasterly line of said Lot 1, 69.34 feet; thence N50°25'23"E, 68.71 feet; thence N18°56'32"E, 196.71 feet; thence N45°03'50"E, 290.57 feet; thence N05°38'36"E, 246.09 feet; thence S 87°55'10"E, 108.09 feet to the East line of Section 24, said line also being the corporate boundary of the Town of Westport; thence along said East line of said Section 24, S02°04'50"W, 1143.18 feet to the Northwest corner of Section 19, T8N, R10E, Town of Burke, Dane County, Wisconsin; thence continuing along the East line of said Section 24, S02°02'25"W, 218.35 feet to the point of beginning. Polling place at Blackhawk Middle School, 1402 Wyoming Way."

3. Subsection (18) of Section 15.03 entitled "Aldermanic Districts" of the Madison General Ordinances is amended to read as follows:

"(18) Eighteenth Aldermanic District. Wards 34, 35, 36, 37, 38, 112, and 118, and 135."

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.

EDITOR'S NOTE: Pursuant to Wis. Stat. § 66.0217(8), this annexation ordinance must be enacted by a two-thirds vote of the elected members of the Common Council or at least 14 votes.

I, City Clerk Maribeth Witzel-Behl, certify that this is a true copy of Ordinance No. 15-00090, Passed by the Madison Common Council on September 1, 2015.

Maribeth Witzel-Behl

September 2, 2015
Date Certified

Annexation/ Attachment Worksheet



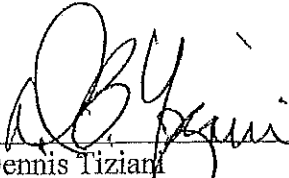
	Comment 1	Comment 2
Petition Name:	Cherokee Park, Inc. (Clubhouse-area) Annexation	
Dane County Address:	5000 N. Sherman Avenue	
Township:	Westport	
Parcel Numbers:	066-0809-244-8000-6/ 066-0809-244-9502-0/ 066-0809-244-9541-0	
Date Filed with City Clerk:	17 June 2015	
Date Accepted:	17 June 2015	
Date Filed with Town:	Unknown	
Dept. of Administration Review:	Pending – Questionnaire submitted 30 June 2015	
Property Owner(s)		
<i>Name:</i>	Dennis Tiziani, Craig Makela	
	Cherokee Park, Inc.	
<i>Address:</i>	5000 N. Sherman Avenue	
	Madison, WI 53704	
Representative (if any)		
<i>Name:</i>		
<i>Address:</i>		
Surveyor		
<i>Name:</i>	Adam Gross & Scott Anderson	
	Snyder & Associates	
<i>Address:</i>	5010 Voges Road	
	Madison, WI 53718	
County Zoning of Annexed Land:	B-1 (Local Business District) and RE-1 (Recreational District)	
Existing Use(s) of Annexed Land:	Golf course, clubhouse access drive	
City Land Use Plan:	Cherokee Special Area Plan – Low-density residential and park, drainage, open space	
Zoning Upon Annexation:	Temp A	
CUSA Status:	No – Requires amendment	
Environmental Corridors:	TBD	
Square-Footage of Annexation:	279,778	
Acreage of Annexation:	6.4228	
Square-Mileage of Annexation:	0.001	
Dwelling Units:	0	
Population:	0	
Electors:	0	

Tax Information by Parcel/ Year	8000-6 (Part of)	9502-0 (Part of)	9541-0 (Part of)	
<i>Assessed Land Value:</i>	\$228,000.00	\$34,500.00	\$47,200.00	
<i>Ass. Improvement Value:</i>	\$180,000.00	\$0.00	\$1,562,000.00	
<i>Total Assessed Value:</i>	\$408,000.00	\$34,500.00	\$1,609,200.00	
Taxes/ Year (2014):	\$6,353.50	\$543.49	\$25,276.28	
Aldermanic District:	18			
Ward:	135 (NEW)			
Polling Place:	Blackhawk Middle School, 1402 Wyoming Way			
Supervisory District:	25			
Assembly District:	79			
Senate District:	27			
School District(s):	Waunakee			
Electricity:	MG&E			
Gas:	MG&E			
Trash Day:	6B – Wednesday			
Telephone:	AT&T			
Petition Introduction to Council:	7 July 2015 (ID 38872)		<i>Accepted:</i> 21 July 2015	
Plan Commission Date:	24 August 2015			
Common Council				
<i>Introduction:</i>	4 August 2015			
<i>Adoption:</i>	1 September 2015			
Ordinance Number (ID):				
Effective Date:				
Recording Date:				
Legal Description:				
<p>Part of Lot 1, Certified Survey Map Number 2225, as recorded in Volume 9 of Certified Survey Maps, on Pages 16-18, as Document Number 1494556, Dane County Registry, and located in the Northeast Quarter and the Southeast Quarter of the Southeast Quarter of Section 24, all in Township 8 North, Range 9 East, Town of Westport, Dane County, Wisconsin more particularly described as follows:</p> <p>Commencing at the Southeast corner of said Section 24; thence North 02 degrees 02 minutes 25 seconds East along the East line of said Section 24, 809.01 feet to the Easterly extension of the Northerly right-of-way line of Golf Parkway as recorded in Certified Survey Map 13029, Dane County Registry also being the point of beginning; thence along said Northerly right-of-way, North 88 degrees 03 minutes 24 seconds West, 33.00 feet to the Westerly right-of-way line of North Sherman Avenue; thence along said Westerly right-of-way line, North 02 degrees 02 minutes 25 seconds East, 218.41 feet; thence continuing along said Westerly right-of-way line, North 02 degrees 04 minutes 50 seconds East, 105.65 feet; thence North 75 degrees 21 minutes 44 seconds West, 239.42 feet; thence North 14 degrees 38 minutes 16 seconds East, 56.76 feet to the intersection with the Southeasterly extension of the Northeasterly line of Lot 1 Certified Survey Map 2225, Dane County Registry; thence North 43 degrees 03 minutes 24 seconds West, 239.42 feet along said Northeasterly line of Lot 1 to a bend point on the Northeasterly line of Lot</p>				

1, Certified Survey Map 2225, Dane County Registry; thence North 02 degrees 44 minutes 24 seconds West along the Northeasterly line of said Lot 1, 69.34 feet; thence North 50 degrees 25 minutes 23 seconds East, 68.71 feet; thence North 18 degrees 56 minutes 32 seconds East, 196.71 feet; thence North 45 degrees 03 minutes 50 seconds East, 290.57 feet; thence North 05 degrees 38 minutes 36 seconds East, 246.09 feet; thence South 87 degrees 55 minutes 10 seconds East, 108.09 feet to the East line of Section 24, said line also being the corporate boundary of the Town of Westport; thence along said East line of said Section 24, South 02 degrees 04 minutes 50 seconds West, 1143.18 feet to the Northwest corner of Section 19, Township 8 North, Range 10 East, Town of Burke, Dane County, Wisconsin; thence continuing along the East line of said Section 24, South 02 degrees 02 minutes 25 seconds West, 218.35 feet to the point of beginning. This description contains approximately 279,778 square feet or 6.4228 acres or 0.0100 square miles.

PETITION FOR DIRECT ANNEXATION

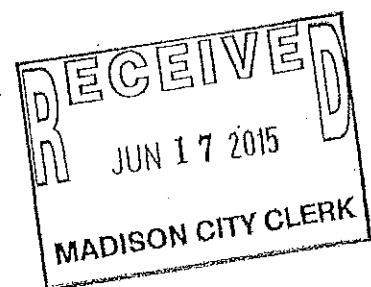
Pursuant to Wis. Stats. § 66.0217(2), the undersigned, being owner of all of the lands both in area and assessed valuation, and there being no electors within the territories which are shown on the scale maps attached hereto as Exhibit A, and legally described on the attached Exhibit B, do hereby petition to annex said territory from the Town of Westport, Dane County, Wisconsin, to the City of Madison, Dane County, Wisconsin. The population of said territory is zero (0) and there are zero (0) electors residing within the territory. It is undeveloped, and has no buildings.

By: 
Dennis Tiziani
Cherokee Park, Inc.
5000 N Sherman Ave
Madison, WI 53704

Property Owner Elector

X _____

Date: 6-17-15



NOTE: PLEASE BE ADVISED THAT THE DOCUMENT GRANTOR(S) HEREBY DIRECT VIEWERS TO IGNORE THE PRINTED TEXT MATERIAL ON THIS MAP. ONLY THE SPATIAL RELATIONSHIPS OF THE ILLUSTRATIONS ON THE MAP ARE BEING PRESENTED FOR YOUR INFORMATION.

Date: 9.2.15

Signed by grantor(s) or grantor(s) agent: *Maribeth Witzel-Behl*
Name of grantor(s) or grantor(s) agent printed: Maribeth Witzel-Behl

HEROKEE PARK, INC.
EASEMENT DOCUMENT #1132851
REVISED EASEMENT DOCUMENT #1511947

LANDS

NE 1/4 - SE 1/4
SECTION 24

N02°44'24"W
69.34'

N45°03'24"W
239.42'

LOI 1
C.S.M. 2225

SE 1/4 - SE 1/4
SECTION 24

N75°21'44"W
239.42'

LANDS

N02°02'25"E
218.41'

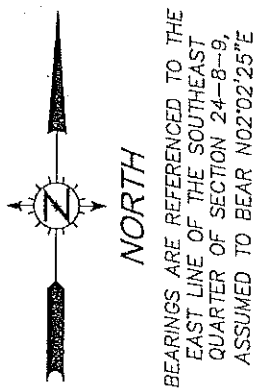
TOWN OF WESTPORT

GOLF PARKWAY

SNYDER & ASSOCIATES
Engineers and Planners

ORDINANCE No. _____
FILE No. _____
DATE ADOPTED _____
DATE PUBLISHED _____

ALD. DISTRICT ANNEXED TO 18TH
AREA 279,778 SQUARE FEET OR 6.4228 ACRES



SCALE: 1" = 200 FEET

N. SHERMAN AVE.
TOWN OF BURKE

NORTHWEST CORNER OF
SECTION 19-8-10
BRASS MONUMENT

SW 1/4 - SW 1/4
SECTION 18

SECTION 18
SECTION 19

ANNEXATION
DOCUMENT
#47123989

CITY OF MADISON
TOWN OF BURKE

NW 1/4 - NW 1/4
SECTION 19

S02°02'25"W
218.35'

POINT OF
BEGINNING

ANNEXATION
DOCUMENT
#1222579

POINT OF COMMENCEMENT
SOUTHEAST CORNER OF
SECTION 24-8-9 FOUND
BRASS MONUMENT

S87°55'10"E
108.09'

N5°38'36"E
246.09'

N45°03'50"E
290.57'

N18°56'32"E
196.71'

N50°25'23"E
68.71'

SECTION 24

N14°38'16"E
56.76'

N75°21'44"W
239.42'

N02°04'50"E
105.65'

N88°03'24"W
33.00'

N02°02'25"E
809.01'

ATTACHMENT MAP

PART OF THE NORTHEAST QUARTER AND THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, ALL IN TOWNSHIP 8 NORTH, RANGE 9 EAST, TOWN OF WESTPORT, DANE COUNTY, WISCONSIN.

PREPARED FOR:
CHEROKEE PARK, INC.
5000 N. SHERMAN AVE.
MADISON, WI 53704

PREPARED BY:
Snyder & Associates, Inc.
5010 Voges Road
Madison, WI 53718
(608) 838-0444
www.snyder-associates.com

FN: CPI01
DATE: 12-19-13

REVISIONS:
DATE: 03-16-15
DATE: 04-22-15
DATE: 06-01-15
DATE: 06-10-15
DATE: 07-10-15

SHEET
1 OF 2

P:\PROJECTS\2013\113.0244.30\Annexation\annexation boundary.dwg

DESCRIPTION:

Part of Lot 1, Certified Survey Map Number 2225, as recorded in Volume 9 of Certified Survey Maps, on Pages 16-18, as Document Number 1494556, Dane County Registry, and located in the Northeast Quarter and the Southeast Quarter of the Southeast Quarter of Section 24, all in Township 8 North, Range 9 East, Town of Westport, Dane County, Wisconsin more particularly described as follows:

Commencing at the Southeast corner of said Section 24; thence North 02 degrees 02 minutes 25 seconds East along the East line of said Section 24, 809.01 feet to the Easterly extension of the Northerly right-of-way line of Golf Parkway as recorded in Certified Survey Map 13029, Dane County Registry also being the point of beginning; thence along said Northerly right-of-way, North 88 degrees 03 minutes 24 seconds West, 33.00 feet to the Westerly right-of-way line of North Sherman Avenue; thence along said Westerly right-of-way line, North 02 degrees 02 minutes 25 seconds East, 218.41 feet; thence continuing along said Westerly right-of-way line, North 02 degrees 04 minutes 50 seconds East, 105.65 feet; thence North 75 degrees 21 minutes 44 seconds West, 239.42 feet; thence North 14 degrees 38 minutes 16 seconds East, 56.76 feet to the intersection with the Southeasterly extension of the Northeasterly line of Lot 1 Certified Survey Map 2225, Dane County Registry; thence North 43 degrees 03 minutes 24 seconds West, 239.42 feet along said Northeasterly line of Lot 1 to a bend point on the Northeasterly line of Lot 1, Certified Survey Map 2225, Dane County Registry; thence North 02 degrees 44 minutes 24 seconds West along the Northeasterly line of said Lot 1, 69.34 feet; thence North 50 degrees 25 minutes 23 seconds East, 68.71 feet; thence North 18 degrees 56 minutes 32 seconds East, 196.71 feet; thence North 45 degrees 03 minutes 50 seconds East, 290.57 feet; thence North 05 degrees 38 minutes 36 seconds East, 246.09 feet; thence South 87 degrees 55 minutes 10 seconds East, 108.09 feet to the East line of Section 24, said line also being the corporate boundary of the Town of Westport; thence along said East line of said Section 24, South 02 degrees 04 minutes 50 seconds West, 1143.18 feet to the Northwest corner of Section 19, Township 8 North, Range 10 East, Town of Burke, Dane County, Wisconsin; thence continuing along the East line of said Section 24, South 02 degrees 02 minutes 25 seconds West, 218.35 feet to the point of beginning. This description contains approximately 279,778 square feet or 6.4228 acres or 0.0100 square miles.



SNYDER & ASSOCIATES

Engineers and Planners

P: \PROJECTS\2013\113.0244.30\Annexation\annexation boundary.dwg

PREPARED FOR:

CHEROKEE PARK, INC.
5000 N. SHERMAN AVE.
MADISON, WI 53704

PREPARED BY:

Snyder & Associates, Inc.
5010 Voges Road
Madison, WI 53718
(608) 838-0444
www.snyder-associates.com

ATTACHMENT MAP

PART OF THE NORTHEAST QUARTER AND THE SOUTHEAST
QUARTER OF THE SOUTHEAST QUARTER OF SECTION 24, ALL IN
TOWNSHIP 8 NORTH, RANGE 9 EAST, TOWN OF WESTPORT, DANE
COUNTY, WISCONSIN.

FN: CPIO1
DATE: 12-19-13

REVISIONS:

DATE: 03-16-15
DATE: 04-22-15
DATE: 06-01-15
DATE: 06-10-15
DATE: 07-10-15

**SHEET
2 OF 2**

PLANNING DIVISION STAFF REPORT

August 24, 2015

PREPARED FOR THE PLAN COMMISSION



Project Address: Adjacent to 5000 N. Sherman Avenue
Application Type: Direct Annexation from Town of Westport
Legistar File ID # 39538
Prepared By: Timothy M. Parks, Planning Division

Summary

Requested Action: Approval of Ordinance ID 39538, annexing a 6.42-acre property owned by Cherokee Park, Inc. located adjacent to 5000 N. Sherman Avenue from the Town of Westport to the City of Madison.

Petitioner: Dennis Tiziani, President, Cherokee Park, Inc.; 5000 N. Sherman Avenue; Madison

Status of Petitioner: Property owner. According to the petition, there are no electors on the property, which is undeveloped.

Applicable Regulations & Standards: Section 66.0217 of Wisconsin Statutes outlines the process for annexation of land to municipalities in the State of Wisconsin.

Review Required By: Plan Commission and Common Council.

Development Schedule: Following annexation, it is anticipated that the petitioner will seek approval of a zoning map amendment and subdivision plat to develop low-density housing on the property. There is no timeline for when those approvals will be requested.

Parcel Location: The annexation petition encompasses a 6.42-acre parcel located at the southwestern corner of Mid Town Road and Woods Road. The land is adjacent to Aldermanic District 18 (Kemble) and is currently located in the Waunakee School District.

Adopted Land Use Plan: The Cherokee Special Area Plan includes the annexation parcel in the "Cherokee Country Club" planning sub-area, which is identified primarily for low-density residential uses up to 8 dwelling units per acre except for a small portion of the area, which is identified as part of the adjoining golf course and clubhouse.

Public Utilities and Services: The subject site is located in the Central Urban Service Area. Public sewer is available to the site and includes a Madison Metropolitan Sewerage District interceptor at the southern end of the annexation parcel and a City of Madison main on the east side of N. Sherman Avenue. City water is located approximately 400 feet south of the annexation parcel at the intersection of N. Sherman Avenue and Golf Parkway; extension of the water main north to serve the subject site would be required as a condition of approval of any future development. The City believes that it can provide a full array of services to the site following annexation and future development.

The annexation property is currently located in a mapped environmental corridor that includes most of the golf course at Cherokee Country Club but excludes the land to the south on which the clubhouse is located. An amendment to remove the annexation parcel from the environmental corridor will be required before any development of the property could commence.

Project Description, Analysis and Conclusion

The property owner, Cherokee Park, Inc., is requesting direct annexation of a 6.42-acre parcel to the City of Madison from the Town of Westport. The parcel to be annexed is undeveloped and is located along the west side of N. Sherman Avenue adjacent to the Cherokee Country Club golf course and just north of the clubhouse. The 6.42 acres to be annexed include a portion of the clubhouse driveway to N. Sherman Avenue, which may be incorporated into a future residential development of the annexation parcel. The Cherokee Special Area Plan identified the annexation area as part of the "Cherokee Country Club" planning sub-area for future low-density residential use up to 8 units an acre. No development plans have been formally submitted for review at this time. The parcel will be zoned Temporary A–Agricultural upon annexation.

In April 2007, the City of Madison entered into an Annexation/ Attachment Agreement with Cherokee Park Development, Inc., under which Cherokee and the City agreed to work cooperatively on a series of annexations that would bring most of the Cherokee development into the City over a period of 15 years. In reviewing the proposed annexation, staff believes that this request is consistent with the Cherokee Annexation/ Attachment Agreement and with the Cherokee Special Area Plan.

Recommendation

The Planning Division recommends that the Plan Commission forward this annexation ordinance to the Common Council with a favorable recommendation.



WISCONSIN DEPARTMENT OF
ADMINISTRATION

SCOTT WALKER
GOVERNOR
SCOTT A. NEITZEL
SECRETARY

Municipal Boundary Review
PO Box 1645, Madison WI 537
Voice (608) 264-6102 Fax (6
Email: wimunicipalboundary@doa.wi.gov
Web: <http://doa.wi.gov/municipalboundary>

June 29, 2015

PETITION FILE NO. 13862

MARIBETH WITZEL-BEHL, CLERK
CITY OF MADISON
210 M L K JR BLVDRM 103
MADISON, WI 53703-3345

THOMAS G. WILSON, CLERK
TOWN OF WESTPORT
5387 MARY LAKE RD
WAUNAKEE, WI 53597-9128

Subject: CHEROKEE PARK, INC. ANNEXATION

The proposed annexation submitted to our office on June 09, 2015, has been reviewed and found to be in the public interest. In determining whether an annexation is in the public interest, s. 66.0217 (6), Wis. Stats. requires the Department to examine "[t]he shape of the proposed annexation and the homogeneity of the territory with the annexing village or city and any other contiguous village or city...." so as unincorporated land transitions to city or village status, the resulting boundaries are rational and easy for jurisdictions and residents to follow. The subject petition is for territory that is reasonably shaped and contiguous to the **CITY OF MADISON**.

Notes:

- It appears that this annexation includes part of Lot 1 CSM 2225; reference to the Lot, CSM number, and recording volume and page or document number must be included in the legal description. (ref: s. 236.34(3), Wis. Stats.)
- We suggest that North Sherman Avenue and Golf Parkway be identified on the annexation map.

The Department reminds clerks of annexing municipalities of the requirements of s. 66.0217 (9)(a), Wis. Stats., which states:

"The clerk of a city or village which has annexed shall file immediately with the secretary of state a certified copy of the ordinance, certificate and plat, and shall send one copy to each company that provides any utility service in the area that is annexed. The clerk shall record the ordinance with the register of deeds and file a signed copy of the ordinance with the clerk of any affected school district..."

State and federal aids based on population and equalized value may be significantly affected through failure to file with the Secretary of State. Please file a copy of your annexing ordinance, including a statement certifying the population of the annexed territory. **Please also include the MBR number with your ordinance as this assists with record keeping. Your MBR number is: 13862**

The address of the Office of the Secretary of State is:

Annexations and Railroads
Division of Government Records
Office of the Secretary of State
PO Box 7848
Madison WI 53707-7848

Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,


Erich Schmidtke, Municipal Boundary Review

