

10535

RECEIVED

FEB 12 2016

Municipal Boundary Review  
Wisconsin Dept. of Admin.



8 9 6 0 4 7 1  
Tx:8737717

KRISTI CHLEBOWSKI  
DANE COUNTY  
REGISTER OF DEEDS

DOCUMENT #  
**5212922**

02/03/2016 9:37 AM  
Trans. Fee:  
Exempt #:  
Rec. Fee: 30.00  
Pages: 8

Document Number

Document Title

**ATTACHMENT 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 5th day of January, 2016.

735 Eagle Crest Drive Attachment  
Ordinance #: ORD-16-00004  
ID#: 40801

Recording Area

Name and Return Address

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

Parcel Identification Number (PIN)

February 2, 2016  
Date

Maribeth Witzel-Behl  
Signature of Clerk

Maribeth Witzel-Behl, City Clerk  
\*Name printed

\_\_\_\_\_  
Date

n/a  
Signature of Grantor

\_\_\_\_\_  
\*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 February 2, 2016 by the above named person(s).

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

\*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

8



# City of Madison

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

## Certified Copy

Ordinance: ORD-16-00004

**File Number: 40801**

**Enactment Number: ORD-16-00004**

Amending Section 15.01(575) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 17th Aldermanic District property addressed as 735 Eagle Crest Drive; creating Section 15.02(136) of the Madison General Ordinances entitled "Aldermanic Districts and Wards" to attach the property to Ward 136; amending Section 15.03(17) to add Ward 136 to Aldermanic District 17; and creating Section 28.022 - 00212 to assign the zoning of SR-C2 (Suburban Residential - Consistent District 2) District to said property.

DRAFTER'S ANALYSIS: On October 19, 2010, the Common Council adopted Ordinance ID 10-00102 (ID 19997) to attach 0.61 acres of land located at 4792 Eagle Crest Drive, Town of Burke based on a petition from the property owner, who sought to connect a new residence on the parcel to City of Madison water and sewer located in Eagle Crest Drive. Pursuant to the Cooperative Plan with the Town of Burke, City of Sun Prairie, Village of DeForest, a property owner may obtain municipal water and sewer with an agreement to pay for the costs of the service and a requirement to attach to the City with a delayed effective date of five years. At the time the ordinance was passed it would not have been possible to predict the exact boundaries of the aldermanic district, ward or polling place as of the five year effective date. Accordingly, this ordinance attaching the property did not assign an aldermanic district, ward or polling place for the property. This ordinance does that. This ordinance also assigns SR-C2 zoning to the property.

\*\*\*\*\*

An ordinance to amend Subsection (575) 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 Town of Burke, Village of DeForest, City of Sun Prairie and City of Madison entered into a cooperative plan dated January 5, 2007 pursuant to Wis. Stat. § 66.0307, which allows owners of properties to obtain municipal water and sewer with an agreement to pay for the costs of the service and a requirement to attach to the City with a delayed effective date of five (5) years; and WHEREAS on September 13, 2010, the City of Madison Clerk received a petition executed by Diane M. Sturdevant, owner of real property located at 4792 Eagle Crest Drive, Town of Burke, to attach her property to the City of Madison as a condition of her connecting to available municipal water and sanitary sewer in Eagle Crest Drive; and

WHEREAS following written notification to the Town of Burke as required in said Cooperative Plan, the Common Council adopted Ordinance ID 10-00102 (ID 19997) on October 19, 2010, to attach said property to the City with a delayed effective date of November 1, 2015; and

WHEREAS said ordinance did not stipulate the aldermanic district or ward for said attached property or assign a polling place;

NOW, THEREFORE, the Common Council of the City of Madison do ordain as follows:

1. Subsection (575) of Section 15.01 of the Madison General Ordinances is hereby amended to read as follows:

"15.01(575) - There is hereby attached to the 17th Aldermanic District, the City of Madison, Dane County, Wisconsin, the following described property:

Being a part of the Southeast Quarter of the SE ¼ of Section 34, Township 08N, Range 10E, Town of Burke, Dane County, Wisconsin, more fully described as follows:

Commencing at the southeast corner of Lot 1, Certified Survey Map Number 11073, as recorded in Volume 66 of Certified Survey Maps, on pages 265-268, as Document Number 3916860, Dane

County Registry; thence S89°57'W along the south line of said CSM, 143.55 feet to the point of beginning; thence S00°02'12"W, 150.00 feet; thence S89°57'W, 178.1 feet, more or less, to the centerline of Eagle Crest Drive; thence N00°02'40"W to the westerly extension of the south line of the aforementioned Certified Survey Map Number 11073; thence N89°57'E along said south line, 178.31 feet, more or less, to the point of beginning. Said area contains 26,730 square feet or 0.6136 acres. (Bearings are based upon the west line of the SE Quarter of the SE Quarter of said Section 34 assumed to bear N00°06'E per Andrew Dahlen Map 3332.)"

2. Subsection (136) of Section 15.02 entitled "Wards and Ward Boundaries" of the Madison General Ordinances is created to read as follows:

"(136) Ward 136. "Being a part of the SE ¼ of the SE ¼ of Section 34, Township 08N, Range 10E, Town of Burke, Dane County, Wisconsin, more fully described as follows:

Commencing at the southeast corner of Lot 1, Certified Survey Map Number 11073, as recorded in Volume 66 of Certified Survey Maps, on pages 265-268, as Document Number 3916860, Dane County Registry; thence S89°57'W along the south line of said CSM, 143.55 feet to the point of beginning; thence S00°02'12"W, 150.00 feet; thence S89°57'W, 178.1 feet, more or less, to the centerline of Eagle Crest Drive; thence N00°02'40"W to the westerly extension of the south line of the aforementioned Certified Survey Map Number 11073; thence N89°57'E along said south line, 178.31 feet, more or less, to the point of beginning. Said area contains 26,730 square feet or 0.6136 acres. (Bearings are based upon the west line of the SE ¼ of the SE ¼ of said Section 34 assumed to bear N00°06'E per Andrew Dahlen Map 3332.) Polling place at Streets East, 4602 Sycamore Avenue."

3. Subsection (17) of Section 15.03 entitled "Aldermanic Districts" of the Madison General Ordinances is amended to read as follows:

"(17) Seventeenth Aldermanic District. Wards 21, 22, 23, 24, 25, 26, and 126, and 136."

4. Map Amendment 00212 of Section 28.022 of the Madison General Ordinances is hereby created to read as follows:

"28.022-00212. The following described property is hereby zoned SR-C2 (Suburban Residential - Consistent District 2) District:

Being a part of the Southeast Quarter of the SE ¼ of Section 34, Township 08N, Range 10E, Town of Burke, Dane County, Wisconsin, more fully described as follows:

Commencing at the southeast corner of Lot 1, Certified Survey Map Number 11073, as recorded in Volume 66 of Certified Survey Maps, on pages 265-268, as Document Number 3916860, Dane County Registry; thence S89°57'W along the south line of said CSM, 143.55 feet to the point of beginning; thence S00°02'12"W, 150.00 feet; thence S89°57'W, 178.1 feet, more or less, to the centerline of Eagle Crest Drive; thence N00°02'40"W to the westerly extension of the south line of the aforementioned Certified Survey Map Number 11073; thence N89°57'E along said south line, 178.31 feet, more or less, to the point of beginning. Said area contains 26,730 square feet or 0.6136 acres. (Bearings are based upon the west line of the SE Quarter of the SE Quarter of said Section 34 assumed to bear N00°06'E per Andrew Dahlen Map 3332.)"

5. 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.

I, City Clerk Maribeth Witzel-Behl, certify that this is a true copy of Ordinance No. 16-00004, Adopted by the Madison Common Council on January 5, 2016.

Maribeth Witzel-Behl

2-2-2016

Date Certified





# City of Madison

# Proposed Zoning

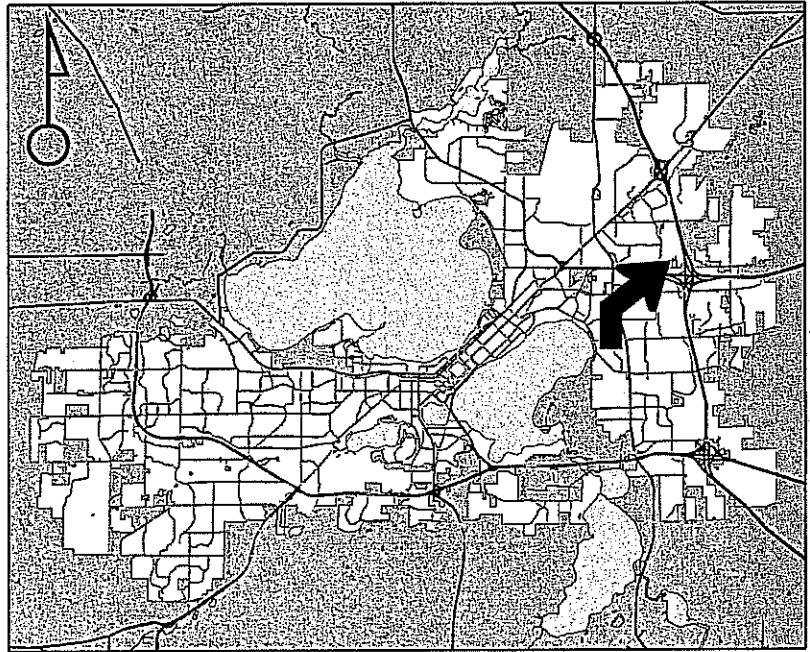
Location  
735 Eagle Crest Drive

Applicant  
Diane Sturdevant

Existing Use  
Single-family residence

Request  
Assigning SR-C2 Zoning

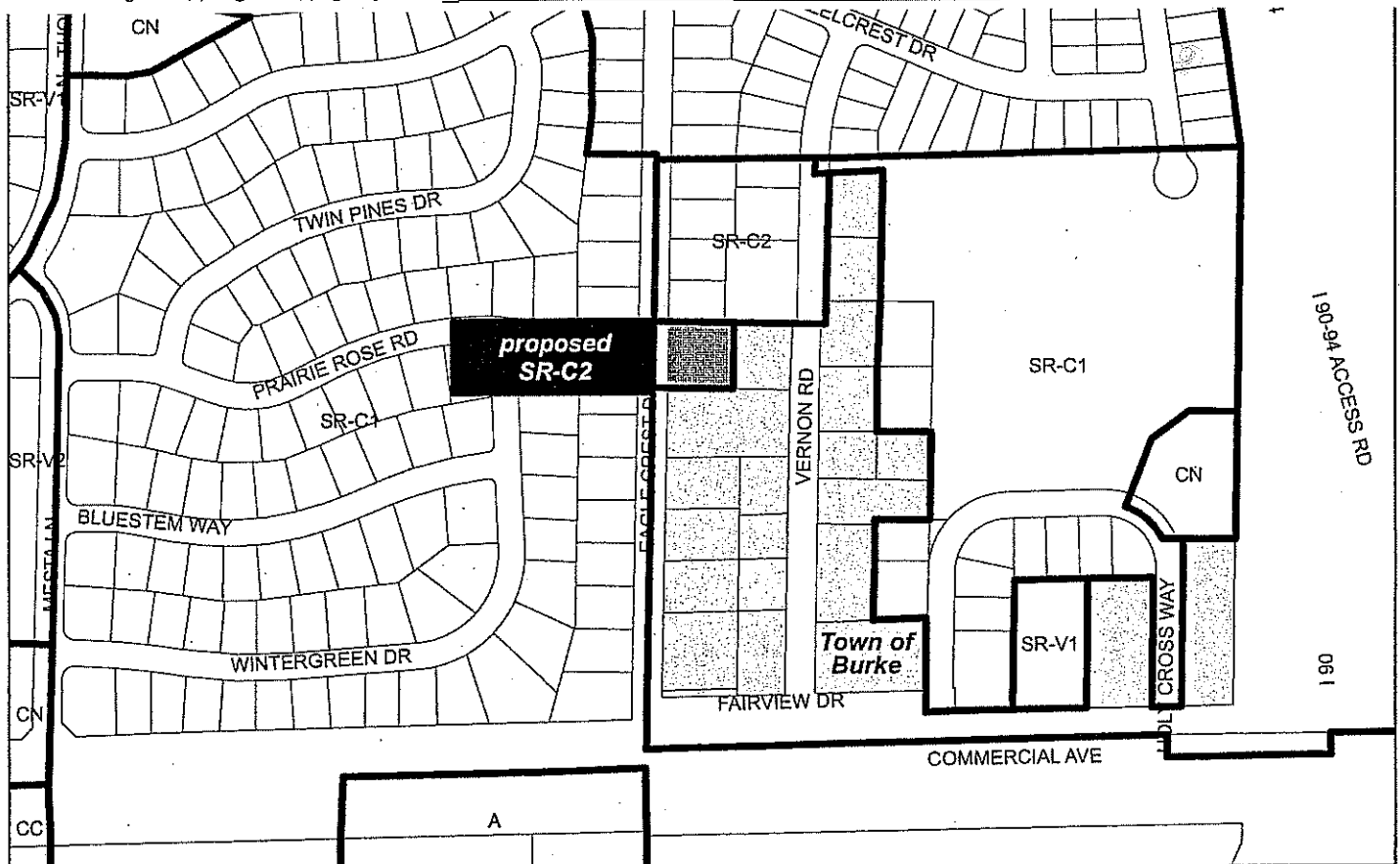
Public Hearing Date  
Plan Commission  
07 December 2015  
Common Council  
05 January 2016



For Questions Contact: Tim Parks at: 261-9632 or [tparks@cityofmadison.com](mailto:tparks@cityofmadison.com) or City Planning at 266-4635

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.

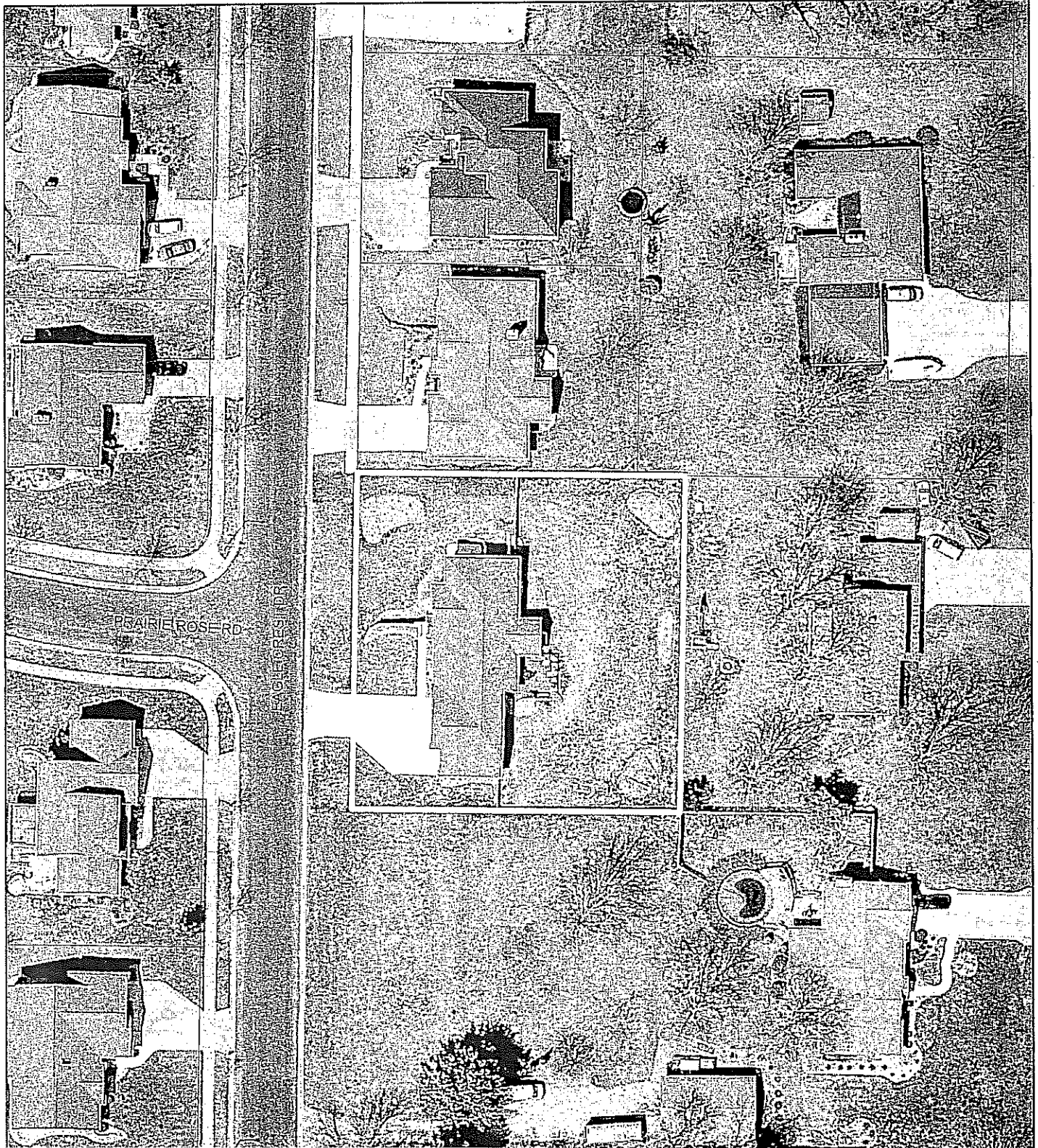
Signed by grantor(s) or grantor(s) agent: Maribeth Witzel-Behl Date: February 2, 2016  
Name of grantor(s) or grantor(s) agent printed: Maribeth Witzel-Behl



Scale : 1" = 400'

City of Madison, Planning Division : RPJ : Date : 30 November 2015

16



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.

Signed by grantor(s) or grantor(s) agent: Maribeth Witzel-Behl

Date: February 2, 2016

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

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.

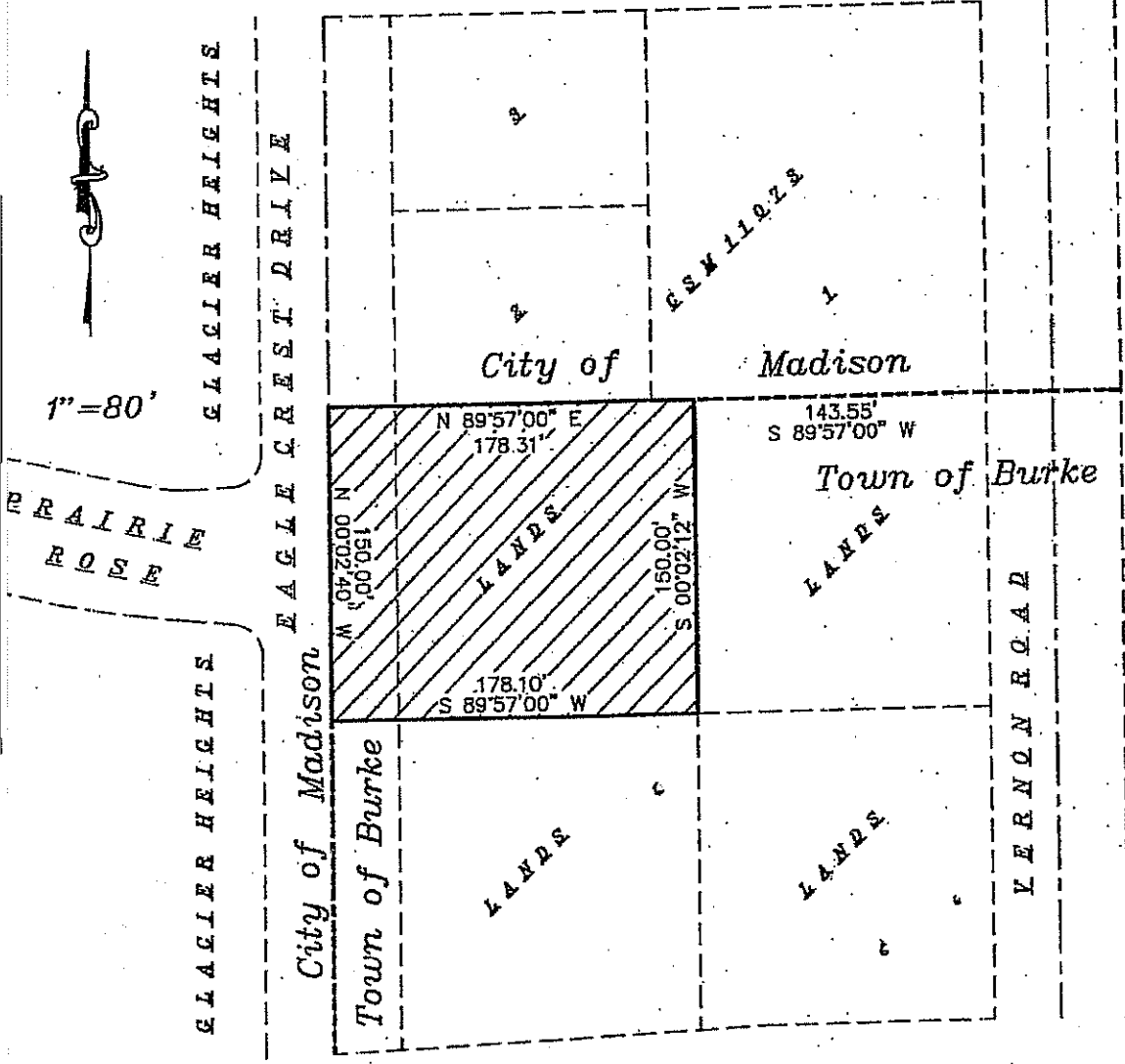
Signed by grantor(s) or grantor(s) agent: Maibeth Witzel-Behl Date: February 2, 2016

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

# EXHIBIT B ATTACHMENT TO THE CITY OF MADISON

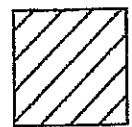
ORDINANCE No. \_\_\_\_\_  
I.D. No. \_\_\_\_\_  
DATE ADOPTED \_\_\_\_\_  
DATE PUBLISHED \_\_\_\_\_

ALD. DISTRICT ANNEXED TO \_\_\_\_\_  
AREA 26,730 SQ. FT. 0.6136 ACRES



### KEY

----- CITY OF MADISON LIMITS LINE



ANNEXATION AREA AND BOUNDARY



Department of Planning & Community & Economic Development

## Planning Division

Katherine Cornwell, Director

Madison Municipal Building, Suite LL-100

215 Martin Luther King, Jr. Boulevard

P.O. Box 2985

Madison, Wisconsin 53701-2985

Phone: (608) 266-4635

Fax (608) 267-8739

[www.cityofmadison.com](http://www.cityofmadison.com)

**TO:** Plan Commission

**FROM:** Timothy M. Parks, Planner

**DATE:** December 7, 2015

**SUBJECT:** ID 40801 – Amending Section 15.01(575) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 17th Aldermanic District property addressed as 735 Eagle Crest Drive; creating Section 15.02(136) of the Madison General Ordinances entitled "Aldermanic Districts and Wards" to attach the property to Ward 136; amending Section 15.03(17) to add Ward 136 to Aldermanic District 17; and creating Section 28.022 - 00212 to assign the zoning of SR-C2 (Suburban Residential–Consistent 2) District to said property.

On October 19, 2010, the Common Council adopted Ordinance ID 10-00102 (ID 19997) to attach 0.61 acres of land located addressed as 4792 Eagle Crest Drive from the Town of Burke based on a petition from the property owner, Diane Sturdevant, who sought to connect her new single-family residence on the parcel to City of Madison water and sewer located in Eagle Crest Drive. Pursuant to the Cooperative Plan with the Town of Burke, City of Sun Prairie, Village of DeForest, a property owner may obtain municipal water and sewer with an agreement to pay for the costs of the service and a requirement to attach to the City with a delayed effective date of 5 years.

At the time the ordinance was passed in 2010, it was not possible to predict the boundaries of the aldermanic district, ward or polling place for the property upon the November 1, 2015 effective date of the attachment. [The aldermanic districts and wards were redistricted in 2012 following the 2010 decennial census.] Accordingly, the attachment ordinance did not assign an aldermanic district, ward or polling place for the property. Ordinance ID 40801 will add the property to the 17<sup>th</sup> Aldermanic District, which surrounds it, creates a ward (136), and assigns a polling place for that ward.

This ordinance also assigns SR-C2 (Suburban Residential–Consistent 2 District) zoning to the property. As with any zoning map amendment in the City, the Plan Commission is required to make a recommendation to the Common Council. The proposed SR-C2 zoning is consistent with the zoning of other residential lots to the north in the City along Eagle Crest Drive (City parcels to the west across Eagle Crest are zoned SR-C1) and with the low-density residential land use recommendations applicable to the site and surrounding properties in the Comprehensive Plan and the East Towne-Burke Heights Neighborhood Development Plan. The recently constructed residence on the subject site also appears to meet the bulk requirements of the proposed zoning. Planning staff recommends that the Plan Commission forward this ordinance to the Common Council with a recommendation of approval.

cc: Ald. Samba Baldeh, District 17