



OFFICE OF THE CITY CLERK

300 East Main Street
Sun Prairie, WI 53590-2227
(608) 837-2511
FAX (608) 825-6879
Website www.cityofsunprairie.com

March 4, 2016

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



To whom it may concern,

Enclosed please find a copy of the Ordinance voluntary attaching territory to the City of Sun Prairie, of approximately 29.803 acres from the Town of Burke.

The current population of the above lands as set forth in the annexation proceedings are zero (1).

This attachment was approved by the Sun Prairie Common Council on May 21, 2013, Ordinance #525 in accordance with S.S. 66.0307 as part of a Boundary Agreement reference S.S. 66.0307 with the Town of Burke.

If you have any questions, please feel free to contact me.

Sincerely,


Diane J. Hermann-Brown, CPM, MMC, WCPC
City Clerk

cc: per attached list



OFFICE OF THE CITY CLERK

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I, Diane J. Hermann-Brown, City Clerk, of the City of Sun Prairie, hereby certify that the attached


ORDINANCE #632 FILE NUMBER 12,484
Adopted – March 1, 2016

Ordinance approving a petition for voluntary attachment of approximately 29.803 acres located at the northeast corner of the intersection of Grand Avenue and Blue Aster Boulevard, more particularly described in the attached attachment petition.

Said two Parcel contains 361,674 square feet (8.303 acres) and 936,540 square feet (21.50 acres).

has been compared by me with the original Ordinance and is on file in my office and now in my legal custody. I further certify that this copy is a true and correct copy of the original Ordinance.

In witness whereof, I sign at my office in Dane County, Wisconsin on March 4, 2016.


Diane J. Hermann-Brown
City Clerk

(SEAL)





ADDITIONAL WARDS DUE TO ATTACHMENT

This is to advise the Secretary of State and the State Election Board of a newly-created ward and the districts that comprise that ward.

Approval of Council Date: 03/01/2016
 Ordinance Number: 632
 File Number 12,484
 Name of Annexation Menards, Inc.

| | Municipal losing the area | Municipality gaining the area |
|----------------------------|--|---|
| Municipality | Town of Burke | City of Sun Prairie |
| Aldermanic District | | 21 |
| Ward | 2 | 21 |
| County Supervisor District | 21 | 21 |
| School District | Sun Prairie | Sun Prairie |
| Assembly District | 79 | 79 |
| State Senate District | 27 | 27 |
| Congressional District | 2 | 2 |
| Court of Appeals District | 4 | 4 |
| Current population | 1 | 0 |
| District Combo | 13014-002-5656-1 | 13282-021-5656-1 |
| School District | Sun Prairie Area School District | Sun Prairie Area School District |
| Clerk/contact | Town of Burke -- Brenda Ayers | City of Sun Prairie -- Diane J. Hermann-Brown |
| Mailing address | Town Hall 5365 Reiner Rd Madison | Sun Prairie Clerk's Office 300 East Main Street Sun Prairie 53590 |
| Phone number | (608) 825-8420 | (608) 837-2511 |

Legal Description of Property:

AN ORDINANCE APPROVING A PETITION FOR VOLUNTARY ATTACHMENT OF APPROXIMATELY 29.803 ACRES LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF GRAND AVENUE AND BLUE ASTER BOULEVARD, MORE PARTICULARLY DESCRIBED AS A PART OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 12, TOWNSHIP 8 NORTH, RANGE 10 EAST, TOWNSHIP OF BURKE, DANE COUNTY WISCONSIN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE WEST ¼ CORNER OF SAID SECTION 12; THENCE NORTH 5° 30' EAST ALONG THE WEST LINE OF SECTION 12 FOR A DISTANCE OF 766.5 FEET; THENCE SOUTH 87° 55' EAST 1,328.5 FEET; THENCE SOUTH 5° 26' WEST 761.35 FEET; THENCE NORTH 88° 09' WEST 1,329.3 FEET TO THE WEST ¼ CORNER AND THE POINT OF BEGINNING OF THIS DESCRIPTION, EXCEPTING THEREFROM THE LAND DESCRIBED IN AWARD OF DAMAGES, RECORDED OCTOBER 4, 2004 AS DOCUMENT NO. 3974379, CONTAINING 936,540 SQUARE FEET (21.50 ACRES) OF LAND, ALSO, THAT PART OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 12, TOWNSHIP 8 NORTH, RANGE 10 EAST, TOWNSHIP OF BURKE, DANE COUNTY, WISCONSIN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST ¼ CORNER OF SECTION 12; THENCE NORTH 87° 07' 17" EAST ALONG THE SOUTH LINE OF THE NORTHWEST ¼ OF SAID SECTION 12, 100.20 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED; THENCE CONTINUE NORTH 87° 07' 17" EAST ALONG SAID LINE 1233.49 FEET; THENCE SOUTH 00° 54' 24" WEST, 146.42 FEET; THENCE SOUTHWESTERLY, 903.00 FEET ALONG THE ARC OF A CURVE HAVING A RADIUS OF 990.00 FEET WITH ITS CENTERPOINT TO THE NORTH AND A CENTRAL CHORD OF 52° 15' 40" WITH A LONG CHORD BEARING SOUTH 76° 17' 20" WEST A DISTANCE OF 872.03 FEET TO A POINT OF REVERSE CURVATURE; THENCE NORTHWESTERLY 231.37 FEET ALONG THE ARC OF A CURVE HAVING A RADIUS OF 989.00 FEET WITH ITS CENTERPOINT TO THE SOUTH AND A CENTRAL ANGLE OF 13° 24' 14" WITH A LONG CHORD BEARING NORTH 84° 16' 56" WEST A DISTANCE OF 231.37 FEET; THENCE SOUTH 89° 00' 57" WEST, 159.38 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF S. GRAND AVENUE;

Parcel Identification Number: Part of 014/0810-122-9181-01 and 014/810-123-8501-0

Addresses involved: 5966 County Highway C, Sun Prairie Wisconsin – Town of Burke
List of voters: Paul M. Spahn, 5966 County Highway C

Copies sent to: *4/19*
Per listing *3/04/2016*

Date sent *4/19/* 03/04/2016

City of Sun Prairie, Wisconsin

AN ORDINANCE APPROVING A PETITION FOR VOLUNTARY ATTACHMENT OF APPROXIMATELY 29.803 ACRES LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF GRAND AVENUE AND BLUE ASTER BOULEVARD, MORE PARTICULARLY DESCRIBED AS A PART OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 12, TOWNSHIP 8 NORTH, RANGE 10 EAST, TOWNSHIP OF BURKE, DANE COUNTY WISCONSIN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE WEST ¼ CORNER OF SAID SECTION 12; THENCE NORTH 5° 30' EAST ALONG THE WEST LINE OF SECTION 12 FOR A DISTANCE OF 766.5 FEET; THENCE SOUTH 87° 55' EAST 1,328.5 FEET; THENCE SOUTH 5° 26' WEST 761.35 FEET; THENCE NORTH 88° 09' WEST 1,329.3 FEET TO THE WEST ¼ CORNER AND THE POINT OF BEGINNING OF THIS DESCRIPTION, EXCEPTING THEREFROM THE LAND DESCRIBED IN AWARD OF DAMAGES, RECORDED OCTOBER 4, 2004 AS DOCUMENT NO. 3974379, CONTAINING 936,540 SQUARE FEET (21.50 ACRES) OF LAND, ALSO, THAT PART OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 12, TOWNSHIP 8 NORTH, RANGE 10 EAST, TOWNSHIP OF BURKE, DANE COUNTY, WISCONSIN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST ¼ CORNER OF SECTION 12; THENCE NORTH 87° 07' 17" EAST ALONG THE SOUTH LINE OF THE NORTHWEST ¼ OF SAID SECTION 12, 100.20 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED; THENCE CONTINUE NORTH 87° 07' 17" EAST ALONG SAID LINE 1233.49 FEET; THENCE SOUTH 00° 54' 24" WEST, 146.42 FEET; THENCE SOUTHWESTERLY, 903.00 FEET ALONG THE ARC OF A CURVE HAVING A RADIUS OF 990.00 FEET WITH ITS CENTERPOINT TO THE NORTH AND A CENTRAL CHORD OF 52° 15' 40" WITH A LONG CHORD BEARING SOUTH 76° 17' 20" WEST A DISTANCE OF 872.03 FEET TO A POINT OF REVERSE CURVATURE; THENCE NORTHWESTERLY 231.37 FEET ALONG THE ARC OF A CURVE HAVING A RADIUS OF 989.00 FEET WITH ITS CENTERPOINT TO THE SOUTH AND A CENTRAL ANGLE OF 13° 24' 14" WITH A LONG CHORD BEARING NORTH 84° 16' 56" WEST A DISTANCE OF 231.37 FEET; THENCE SOUTH 89° 00' 57" WEST, 159.38 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF S. GRAND AVENUE;

(CONT.)

Presented: March 1, 2016

Adopted: March 1, 2016

Published: March 4, 2016

File Number: 12,484

Ordinance No.: #632

THENCE NORTHEASTERLY 92.82 FEET ALONG SAID LINE BEING THE ARC OF A CURVE HAVING A RADIUS OF 1,422.21 FEET WITH ITS CENTERPOINT TO THE WEST AND A CENTRAL ANGLE OF 3° 44' 22" WITH A LONG CHORD BEARING NORTH 02° 37' 37" EAST, 92.81 FEET; THENCE NORTH 00° 45' 28" EAST ALONG SAID RIGHT-OF-WAY LINE, 178.20 FEET TO THE POINT OF BEGINNING, CONTAINING 361,674 SQUARE FEET (8.303 ACRES) OF LAND.

ORDINANCE

WHEREAS, On January 20, 2016, Paul M. Spahn and Brooks, Inc., along with Menards, Inc. filed a petition for voluntary attachment of approximately 29.803 acres of land located on the east side of Grand Avenue and north of Blue Aster Boulevard, in the Town of Burke, Dane County, Wisconsin; and,

WHEREAS, the proposed area for attachment is located within the Boundary Adjustment Area – Sun Prairie, of the Final Town of Burke, Village of DeForest, City of Sun Prairie and City of Madison Cooperative Plan (hereinafter, the Burke Cooperative Plan); and,

WHEREAS, said Burke Cooperative Plan was adopted under Section 66.0307 Wis. Stats.; and

WHEREAS, the proposed area for attachment is located within the City of Sun Prairie Urban Service Area (USA); and,

WHEREAS, the proposed area for attachment is located in an area that can be served by public sanitary sewer and public water service: and,

WHEREAS, at the time of the filing of the subject attachment petition, one of the petitioners – Paul M. Spahn – was the only elector residing within the territory proposed to be annexed; and,

WHEREAS, the proposed area for attachment is located within the following voting districts: Sun Prairie Aldermanic District 3; Dane County Supervisory District 21; State Assembly District 79; State Senate District 27; and the Sun Prairie Area School District.

NOW, THEREFORE, the Common Council of the City of Sun Prairie, Dane County, Wisconsin, do ordain as follows:

SECTION 1: TERRITORY ATTACHED. In accordance with Burke Cooperative Plan and the Petition for Attachment filed with the City Clerk on January 20, 2016, under Case No. PC16-2346 and signed by all of the owners of land in the territory, the following described territory in the Town of Burke, Dane County, Wisconsin is attached to the City of Sun Prairie, Wisconsin:

A part of the Southwest ¼ of the Northwest ¼ of Section 12, Township 8 North, Range 10 East, Township of Burke, Dane County Wisconsin, more particularly described as follows: Beginning at the West ¼ corner of said Section 12; thence North 5° 30' East along the West line of Section 12 for a distance of 766.5 feet; thence South 87° 55' East 1,328.5 feet; thence South 5° 26' West 761.35 feet; thence North 88° 09' West 1,329.3 feet to the West ¼ corner and the point of beginning of this description, excepting therefrom the land described in Award of Damages, recorded October 4, 2004 as Document No. 3974379, containing 936,540 square feet (21.50 acres) of land, also, that part of the Northwest ¼ of the Southwest ¼ of Section 12, Township 8 North, Range 10 East, Township of Burke, Dane County, Wisconsin and being more particularly described as follows: Commencing at the West ¼ corner of Section 12; thence North 87° 07' 17" East along the South line of the Northwest ¼ of said Section 12, 100.20 feet to the point of beginning of the land to be described; thence continue North 87° 07' 17" East along said line 1233.49 feet; thence South 00° 54' 24" West, 146.42 feet; thence Southwesterly, 903.00 feet along the arc of a curve having a radius of 990.00 feet with its centerpoint to the North and a central chord of 52° 15' 40" with a long chord bearing South 76° 17' 20" West a distance of 872.03 feet to a point of reverse curvature; thence Northwesterly 231.37 feet along the arc of a curve having a radius of 989.00 feet with its centerpoint to the South and a central angle of 13° 24' 14" with a long chord bearing North 84° 16' 56" West a distance of 231.37 feet; thence South 89° 00' 57" West, 159.38 feet to a point on the East right of way line of S. Grand Avenue; thence Northeasterly 92.82 feet along said line being the arc of a curve having a radius of 1,422.21 feet with its centerpoint to the West and a central angle of 3° 44' 22" with a long chord bearing North 02° 37' 37" East, 92.81 feet; thence North 00° 45' 28" East along said right-of-way line, 178.20 feet to the point of beginning, containing 361,674 square feet (8.303 acres) of land.

Parcel Identification Number: 014/0810-122-9181-0 and part of 014/0810-123-8501-0

SECTION 2: EFFECT OF ATTACHMENT. From and after the date of this ordinance, the territory described in Section 1 shall be a part of the City of Sun Prairie, at and for any and all purposes provided by law and all persons coming or residing within such territory shall be subject to all ordinances, rules, and regulations of the City of Sun Prairie.

SECTION 3: ZONING. The applicant had filed a General Development Plan (GDP)/Precise Implementation Plan (PIP) in conjunction with this Attachment under Case File No. PC15-2276. From and after the date of this ordinance, the territory described in Section 1 shall be zoned Rural Holding (RH-35), until such time that the conditions of approval for PC15-2276 are met, after which the property described in Section 1 shall be zoned Planned Development, pursuant to City of Sun Prairie Ordinance.

SECTION 4: ALDERMANIC DESIGNATION. From and after the date of this ordinance, unless revised by future ordinance, the territory described in Section 1 is hereby made a part of the 3rd Aldermanic District, Ward 21, of the City of Sun Prairie, subject to the ordinances, rules, and regulations of the governing wards.

SECTION 5: SEVERABILITY. If any provision of this ordinance is found to be invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is found to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or application of this ordinance which can be given effect without the invalid or unconstitutional provisions or application.

APPROVED: Paul T. Esser
Paul T. Esser, Mayor

Date Approved: March 1, 2016

Date Signed: March 3, 2016

This is to certify that the foregoing ordinance was approved by the Common Council of the City of Sun Prairie at a meeting held on the 1st day of March, 2016, and was submitted for signatures on the 2nd day of March, 2016.

Diane J. Hermann-Brown
Diane J. Hermann-Brown, City Clerk

ATTACHMENT PETITION

To the Mayor and City Council of the City of Sun Prairie, Dane County, Wisconsin:

Paul M. Spahn proposes to attach the territory described on Exhibit A1 and depicted on Exhibit A3 hereto, to the City of Sun Prairie, Dane County, Wisconsin. Exhibit A1 attached hereto is a legal description of the territories proposed for attachment, and Exhibit A3 hereto is a scale map of the territory proposed for attachment. The owner is the only resident elector within the territory proposed for attachment. The undersigned is the owner of all of the territory in Exhibit A1, proposed for attachment. The tax parcel number for the parcel which includes the territory proposed for attachment is 014/0810-122-9181-0. The mailing address for the owner is 5966 County Highway C, Sun Prairie, Wisconsin 53590.

Brooks Incorporated, a Wisconsin corporation, proposes to attach the territory described on Exhibits A2 and depicted on Exhibit A3 hereto, to the City of Sun Prairie, Dane County, Wisconsin. Exhibit A2 attached hereto is a legal description of the territories proposed for attachment, and Exhibit A3 hereto is a scale map of the territory proposed for attachment. There are no residents within the territory proposed for attachment. The undersigned is the owner of all of the territory in Exhibit A2, proposed for attachment. The tax parcel number for the parcel which includes the territory proposed for attachment is 014/0810-123-8501-0. The mailing address for the owner is 1900 W. Main Street, Sun Prairie, Wisconsin 53590.

[^]
P.O. Box 9

RECEIVED

JAN 20 2016

CITY CLERKS
OFFICE

ATTACHMENT PETITION SIGNATORY
OWNER OF PROPERTY DESCRIBED IN EXHIBIT A1

Dated this 20th day of JANUARY, 2016.

By: Paul M Spahn

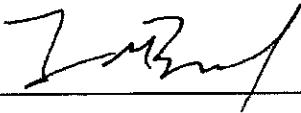
Paul M. Spahn, Owner

ATTACHMENT PETITION SIGNATORY

OWNER OF PROPERTY DESCRIBED IN EXHIBIT A2

Dated this 20th day of January, 2016.

Brooks Incorporated

By: 

Lew Brooks, President

EXHIBIT A1

Spahn Property Legal Description

Part of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 12, Township 8 North, Range 10 East, Township of Burke, Dane County Wisconsin, described as follows: Beginning at the West $\frac{1}{4}$ corner of said Section 12; thence North $5^{\circ} 30'$ East along the West line of Section 12 for a distance of 766.5 feet; thence South $87^{\circ} 55'$ East 1,328.5 feet; thence South $5^{\circ} 26'$ West 761.35 feet; thence North $88^{\circ} 09'$ West 1,329.3 feet to the West $\frac{1}{4}$ corner and the point of beginning of this description.

Excepting therefrom the land described in Award of Damages, recorded October 4, 2004 as Document No. 3974379.

Containing 936,540 square feet (21.50 acres) of land.



733 NORTH WATER STREET, SUITE 510
MILWAUKEE, WI 53202
414.224.8399 (tel) - 414.224.8383 (fax)

EXHIBIT A2

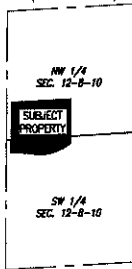
That part of the Brooks property to be included in the attachment Legal Description

That part of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 12, Township 8 North, Range 10 East, Township of Burke, Dane County, Wisconsin and being more particularly described as follows: Commencing at the West $\frac{1}{4}$ corner of Section 12; thence North $87^{\circ} 07' 17''$ East along the South line of the Northwest $\frac{1}{4}$ of said Section 12, 100.20 feet to the point of beginning of the land to be described; thence continue North $87^{\circ} 07' 17''$ East along said line 1233.49 feet; thence South $00^{\circ} 54' 24''$ West, 146.42 feet; thence Southwesterly, 903.00 feet along the arc of a curve having a radius of 990.00 feet with its centerpoint to the North and a central chord of $52^{\circ} 15' 40''$ with a long chord bearing South $76^{\circ} 17' 20''$ West a distance of 872.03 feet to a point of reverse curvature; thence Northwesterly 231.37 feet along the arc of a curve having a radius of 989.00 feet with its centerpoint to the South and a central angle of $13^{\circ} 24' 14''$ with a long chord bearing North $84^{\circ} 16' 56''$ West a distance of 231.37 feet; thence South $89^{\circ} 00' 57''$ West, 159.38 feet to a point on the East right of way line of S. Grand Avenue; thence Northeasterly 92.82 feet along said line being the arc of a curve having a radius of 1,422.21 feet with its centerpoint to the West and a central angle of $3^{\circ} 44' 22''$ with a long chord bearing North $02^{\circ} 37' 37''$ East, 92.81 feet; thence North $00^{\circ} 45' 28''$ East along said right-of-way line, 178.20 feet to the point of beginning.

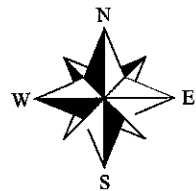
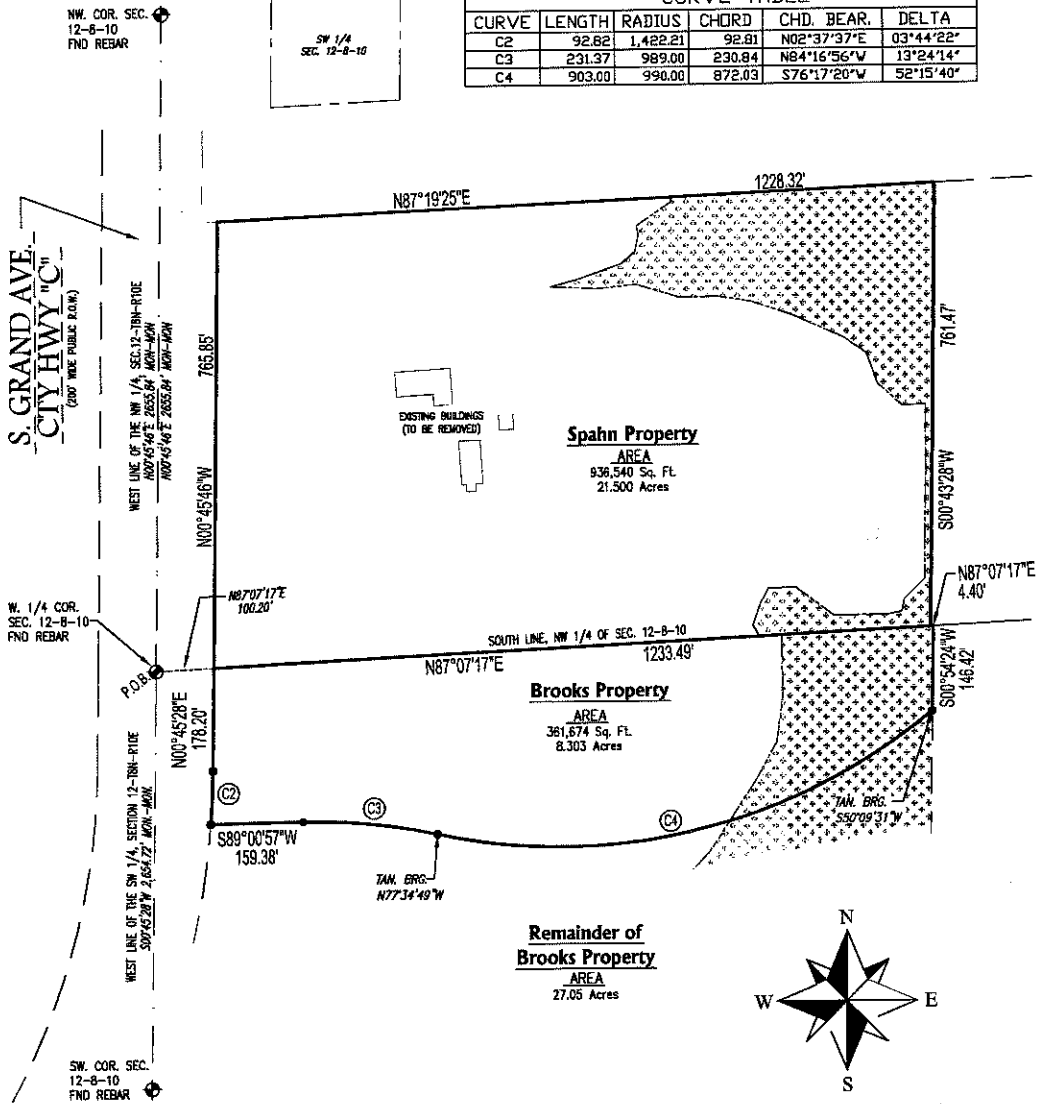
Containing 361,674 square feet (8.303 acres) of land.

EXHIBIT A3

LOCATION
(NOT TO SCALE)



| CURVE TABLE | | | | | |
|-------------|--------|----------|--------|-------------|-----------|
| CURVE | LENGTH | RADIUS | CHORD | CHD. BEAR. | DELTA |
| C2 | 92.82 | 1,422.21 | 92.81 | N02°37'37"E | 03°44'22" |
| C3 | 231.37 | 989.00 | 230.84 | N84°16'56"W | 13°24'14" |
| C4 | 903.00 | 990.00 | 872.03 | S76°17'20"W | 52°15'40" |



(IN FEET)
1 inch = 250 ft.

KEY ENGINEERING GROUP LTD.
735 NORTH WATER STREET, SUITE 510
MILWAUKEE, WI 53202
414.224.8380 (tel) - 414.224.8383 (fax)

D:\Drawings\34319\34319_0319_0319_Annex.dwg