



**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](http://www.cityofsunprairie.com)

**ORD11595**

I, Elena Hilby, City Clerk, of the City of Sun Prairie, hereby certify:

ORDINANCE #319  
ADOPTED – June 26, 2007



**“AN ORDINANCE APPROVING A PETITION FOR ATTACHMENT, ESTABLISHING TEMPORARY ZONING OF PLANNED DEVELOPMENT (PD), OF 7.23 ACRES LOCATED ALONG US 151 AND JENNY WREN TRAIL, APPROXIMATELY ½ MILE NORTHEAST OF REINER ROAD, FURTHER DESCRIBED AS STATED IN THE ATTACHED ORDINANCE.”**

“DSH REAL ESTATE, LLC - ATTACHMENT”

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 I further certify that this copy is a true and correct copy of the original Ordinance and hasn't been revoked.

In witness whereof, I sign at my office in Dane County, Wisconsin on December 12, 2022.

DocuSigned by:  
*Elena Hilby* 12/12/2022  
18462FE8F2094B8...  
Elena Hilby  
City of Sun Prairie, City Clerk

(SEAL)

City of Sun Prairie, Wisconsin

**AN ORDINANCE APPROVING A PETITION FOR ATTACHMENT, ESTABLISHING TEMPORARY ZONING OF PLANNED DEVELOPMENT (PD), OF 7.23 ACRES LOCATED ALONG US 151 AND JENNY WREN TRAIL, APPROXIMATELY ½ MILE NORTHEAST OF REINER ROAD, FURTHER DESCRIBED AS FOLLOWS:**

**TWO PARCELS OF LAND LOCATED IN THE SE1/4 OF THE SW1/4 OF THE SW1/4 OF SECTION 12, T8N, R10E, TOWN OF BURKE, DANE COUNTY, WISCONSIN DESCRIBED AS FOLLOWS:**

**PARCEL 1: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 12; THENCE S87°31'11"W, 1212.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S87°30'11"W, 741.77 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF U.S.H. 151; THENCE N41°48'15"E ALONG SAID RIGHT-OF-WAY LINE, 903.12 FEET; THENCE S48°18'25"E, 387.66 FEET; THENCE S41°48'15"W, 386.05 FEET; THENCE S48°17'49"E, 143.20 FEET TO THE POINT OF BEGINNING CONTAINING 286.909 SQUARE FEET (6.59 ACRES).**

**PARCEL 2: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 12; THENCE S87°30'11"W, 1953.77 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF U.S.H. 151; THENCE N41°48'15"E ALONG SAID RIGHT-OF-WAY LINE, 1210.12 FEET; THENCE S48°09'53"E, 24.00 FEET TO THE POINT OF BEGINNING; THENCE N41°48'15"E, 122.40 FEET; THENCE S48°09'53"E, 228.97 FEET; THENCE S41°50'07"W, 122.40 FEET; THENCE N48°09'53"W, 228.90 FEET TO THE POINT OF BEGINNING. CONTAINING 28.022 SQUARE FEET (0.64 ACRES).**

**TOTAL AREA TO BE ATTACHED: 7.23 ACRES.**

**"DSH REAL ESTATE, LLC. – ANNEXATION"**

Presented: June 26, 2007

Adopted: June 26, 2007

Published: July 19, 2007

**File Number: 10,475**

**Ordinance No.: #319**

## ORDINANCE

**WHEREAS**, On June 7, 2007, DSH Real Estate LLC filed a petition for attachment of approximately 7.23 acres of land located within the Town of Burke along US 151 and Jenny Wren Trail, approximately ½ mile northeast of Reiner Road, Dane County, Wisconsin; and,

**WHEREAS**, the subject land is owned in part by DSH Real Estate LLC, and in part by the Wisconsin Department of Transportation, which has submitted a letter indicating that it has no objection to the attachment of the subject property; 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**, the proposed area for attachment is located in the “Immediate City of Sun Prairie Development Area” as designated on the City of Sun Prairie Master Plan 2020 Development Staging Plan map; 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 directly adjacent to the City of Sun Prairie along its southern, western and eastern property lines; and,

**WHEREAS**, the proposed area for attachment is proposed to be served by public sanitary sewer and public water -- both of which are available to be extended to the subject property, and

**WHEREAS**, at the time of the filing of the subject attachment petition, there were no electors 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 19; State Assembly District 46; State Senate District 16; 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 June 7, 2007, under Case No. PC07-1582 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:

Two parcels of land located in the SE1/4 of the SW1/4 of the SW1/4 of Section 12, T8N, R10E, Town of Burke, Dane County, Wisconsin described as follows:

Parcel 1: Commencing at the south quarter corner of said Section 12; thence S87°31'11"W, 1212.00 feet to the point of beginning; thence continuing S87°30'11"W, 741.77 feet to the

southeasterly right-of-way line of U.S.H. 151; thence N41°48'15"E along said right-of-way line, 903.12 feet; thence S48°18'25"E, 387.66 feet; thence S41°48'15"W, 386.05 feet; thence S48°17'49"E, 143.20 feet to the point of beginning. Containing 286.909 square feet (6.59 acres).

Parcel 2: Commencing at the south quarter corner of said Section 12; thence S87°30'11"W, 1953.77 feet to the southeasterly right-of-way line of U.S.H. 151; thence N41°48'15"E along said right-of-way line, 1210.12 feet; thence S48°09'53"E, 24.00 feet to the point of beginning; thence N41°48'15"E, 122.40 feet; thence S48°09'53"E, 228.97 feet; thence S41°50'07"W, 122.40 feet; thence N48°09'53"W, 228.90 feet to the point of beginning. Containing 28,022 square feet (0.64 acres).

Total area to be annexed: 7.23 acres.

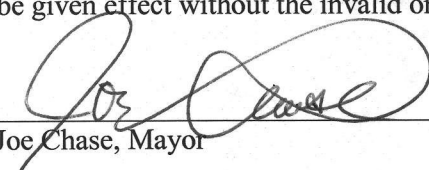
**SECTION 2: EFFECT OF ATTACHMENT.** From and after the date of this ordinance, the territory described in Section 1 shall be a part of the City of Sun Prairie, at and for any and all purposes provided by law and all persons coming or residing within such territory shall be subject to all ordinances,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

**SECTION 3: ZONING.** From and after the date of this ordinance, until such time that rezoning of the property is requested by the property owner, the subject property shall be temporarily zoned as follows: Planned Development (PD).

**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 3<sup>rd</sup> Aldermanic District, Ward 32, of the City of Sun Prairie, subject to the ordinances, rules, and regulations of the governing wards.

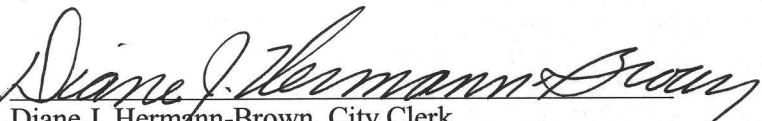
**SECTION 5: SEVERABILITY.** If any provision of this ordinance is found to be invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is found to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or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

APPROVED: \_\_\_\_\_

  
Joe Chase, Mayor

Date Approved: June 26, 2007

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 26<sup>th</sup> day of June 2007.

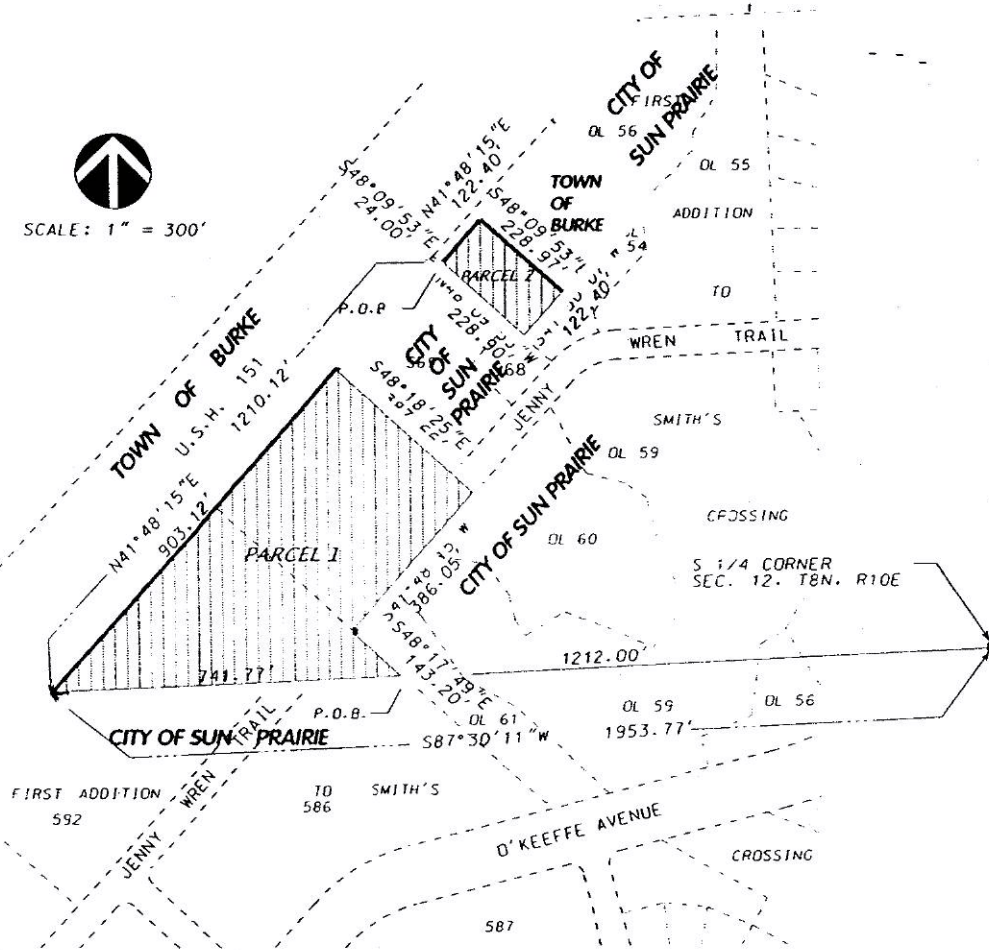
  
Diane J. Hermann-Brown, City Clerk

**LANDS TO BE ATTACHED TO  
THE CITY OF SUN PRAIRIE**

Ordinance No. \_\_\_\_\_ Ald. District Annexed to \_\_\_\_\_  
 File No. \_\_\_\_\_ Area = 0.0113 sq. mi.  
 Date Adopted \_\_\_\_\_  
 Date Published \_\_\_\_\_



SCALE: 1" = 300'



**ATTACHMENT DESCRIPTION**

Two parcels of land located in the SE1/4 and SW1/4 of the SW1/4 of Section 12, T8N, R10E, Town of Burke, Dane County, Wisconsin described as follows:

**Parcel 1:** Commencing at the south quarter corner of said Section 12; thence S87°30'11"W, 1212.00 feet to the point of beginning; thence continuing S87°30'11"W, 741.77 feet to the southeasterly right-of-way line of U.S.H. 151; thence N41°48'15"E along said right-of-way line, 903.12 feet; thence S48°09'53"E, 387.66 feet; thence S41°48'15"W, 386.05 feet; thence S48°17'49"E, 143.20 feet to the point of beginning. Containing 286,909 square feet (6.59 acres).

**Parcel 2:** Commencing at the south quarter corner of said Section 12; thence S87°30'11"W, 1953.77 feet to the southeasterly right-of-way line of U.S.H. 151; thence N41°48'15"E along said right-of-way line, 1210.12 feet; thence S48°09'53"E, 24.00 feet to the point of beginning; thence N41°48'15"E, 122.40 feet; thence S48°09'53"E, 228.97 feet; thence S41°50'07"W, 122.40 feet; thence N48°09'53"W, 228.90 feet to the point of beginning. Containing 28,022 square feet (0.64 acres).

Total area to be annexed: 7.23 acres.

Date: May 16, 2007  
 FN: 06-07-115

SHEET 1 OF 1

PETITION FOR ATTACHMENT



Pursuant to the Final Town of Burke, Village of DeForest, City of Sun Prairie and City of Madison Cooperative Plan adopted pursuant to Section 66.0703 Wis. Stats., the undersigned, being the owner of the real property in the territory, and there being no electors within the territories which are shown and legally described on the scale map attached hereto as Exhibit A, do hereby petition to attach said territory from the Town of Burke, Dane County, Wisconsin, to the City of Sun Prairie, Dane County, Wisconsin. The population of said territory is zero (0) and there are zero (0) electors residing within the territory.

Upon attachment to the City of Sun Prairie, the City may designate a temporary zoning classification which is consistent with the City of Sun Prairie Zoning Code.

	<u>Property Owner</u>	<u>Elector</u>
DSH REAL ESTATE LLC		
By: 	<u>X</u>	<u>          </u>
Title: Assistant Secretary		

Date: 6-4-07



Division of Transportation System Development **APR 25 2007**  
Real Estate Unit - Southwest Region  
2101 Wright St.  
Madison, WI 53704-2583

Jim Doyle, Governor  
Frank J. Busalacchi, Secretary  
Internet: [www.dot.wisconsin.gov](http://www.dot.wisconsin.gov)

Telephone: 608-246-5403

Facsimile (FAX): 608-242-8027  
E-mail: [anita.lacoursiere@dot.state.wi.us](mailto:anita.lacoursiere@dot.state.wi.us)

APRIL 20, 2007

CITY OF SUN PRAIRIE  
300 E MAIN ST  
SUN PRAIRIE WI 53590

SUBJECT: Annexation of Parcels

Dear Sir/Madam:

This letter is being submitted to the City of Sun Prairie indicating that the Wisconsin Department of Transportation has no objection to the City annexing two parcels of land owned by the Department. The parcel numbers are listed below:

014-0810-123-9390-6  
014-0810-123-9410-1

While we do not actively pursue annexation we have no objection to the proposal.

If you have any questions, please feel free to contact me at (608) 246-5403.

Sincerely,

A handwritten signature in cursive script that reads "Anita J. LaCoursiere".

Anita J. LaCoursiere  
Real Estate Specialist  
Southwest Region - Madison Office

/ajl

cc: William White - Michael, Best & Friedrich, LLP