

ORDINANCE NO. 2009-01

An Ordinance Annexing Territory to the City of Cedarburg (Stroebe Annexation)

The Common Council of the City of Cedarburg, Wisconsin, does hereby ordain as follows:

SECTION 1. Territory Annexed. In accordance with Section 66.0217 of the Wisconsin Statutes and the petition for direct annexation filed with the City Clerk of the City of Cedarburg, Wisconsin, on December 1, 2008, signed by the owner of all the real property in the territory and there being no electors residing in the territory, the following described territory in the Town of Cedarburg, Ozaukee County, Wisconsin, is annexed to the City of Cedarburg, Wisconsin:

That part of the SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, T.10 N., R.21 E., CITY OF CEDARBURG, OZAUKEE COUNTY, WISCONSIN and described as:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 34; THENCE N 02° 32' 40" W., 40.00 FEET; THENCE N 87° 9' 11" E., 40.00 FEET TO THE POINT OF THE BEGINNING; THENCE N 02° 32' 40" W., 328.00 FEET; THENCE N 87° 09' 11" E., 120.00 FEET; THENCE S 02° 32' 40" E., 328.00 FEET; THENCE S 87° 09' 11" W., 120.00 FEET TO THE POINT OF BEGINNING.

Containing .903 acres, more or less.

The population is known to be zero.

SECTION 2. Effect of Annexation. From and after the date of this ordinance, the territory described in Section 1 shall be a part of the City of Cedarburg 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 governing the City of Cedarburg.

SECTION 3. Temporary Zoning Classification. (a) The territory annexed to the City of Cedarburg by this ordinance is temporarily zoned as follows, pursuant to Sec. 66.0217(8) of the Wisconsin Statutes: RS-1 Single Family Residential District; (b) The Plan Commission is directed to prepare an amendment to the zoning ordinance setting forth permanent classifications and regulations for the zoning of the annexed area, and to subject its recommendation to the Council not later than January 12, 2010.

SECTION 4. Aldermanic District Designation. Section 2-1-3 of the Code of Ordinances of the City of Cedarburg is hereby amended to incorporate this annexation. The territory described in Section 1 of this ordinance is hereby made a part of the 4th Ward, 7th Aldermanic District of the City of Cedarburg, as described in Section 2-1-3 of the City of Cedarburg Code of Ordinances, subject to the ordinances, rules and regulations of the City governing aldermanic districts.

SECTION 5. Severability. 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.

SECTION 6. Effective Date. This ordinance shall take effect upon passage and publication as provided by law.

Passed and adopted by the Common Council of the City of Cedarburg, this 12th day of January 2009.

Gregory P. Myers, Mayor

Attest:

Constance K. McHugh, City Clerk

Approved as to form:

Kaye K. Vance, City Attorney