

ORDINANCE NO. 2010-09

An Ordinance Annexing Territory to the City of Cedarburg Halloran Farm Annexation 1067 Highway I and 1085 Highway I

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

SECTION 1. Territory Annexed. In accordance with Section 66.0217(2) of the Wisconsin Statutes and the Petition for Direct Annexation filed with the City Clerk of the City of Cedarburg, Wisconsin, on May 14, 2010, signed by all owners of all the real property in the territory and all 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:

Being part of the Northeast Quarter of the Southeast Quarter of Section 22, T. 10 N., R. 21 E., Town of Cedarburg, Ozaukee County, Wisconsin, containing 15.78 acres of land and described as:

Beginning at the East Quarter corner said Section 22; thence S. 02° 06' 22" E., 524.67 feet along the East line said SE 1/4; thence S. 87° 53' 38" W., 1329.79 feet along the North line of Fairfield Manor Phase Two; thence N. 02° 08' 58" W., 508.934 feet along the West line of said NE 1/4 of the SE 1/4; thence N. 87° 12' 57" E., 1330.26 feet along the North line of said SE 1/4 to the point of beginning.

Containing 15.78 acres, more or less.

The population of the territory is three.

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: A-1 Agricultural 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 June 14, 2011.

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 18th Ward, 6th 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. Town Taxes. The City agrees to pay annually to the Town of Cedarburg, for five years, an amount equal to the amount of property taxes that the Town levied on the annexed territory, as shown by the tax roll, in the year in which the annexation is final.

SECTION 6. 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 14th day of June 2010.

Gregory P. Myers, Mayor

Attest:

Constance K. McHugh, City Clerk

Approved as to form:

Kaye K. Vance, City Attorney