

## ORDINANCE NO. 2020-12

### An Ordinance to Rezone the 55.287 Acre Parcel Located at W73 N1122 Washington Avenue

The proposed ordinance having been submitted to the City Plan Commission for recommendation and notice having been given pursuant to Wis. Statute, the Common Council of the City of Cedarburg, Wisconsin, does hereby ordain as follows:

The following described real estate, situated in the City of Cedarburg, Wisconsin, presently being zoned as P-1 Park (temporary) is hereby rezoned to RS-4, RS-5, P-1, A-1 and RD-1 along with a PUD Overlay:

#### **LEGAL DESCRIPTION "A" (LANDS TO BE REZONED TO "RS-4" "PUD"):**

Being a part of the Southwest 1/4 and Southeast 1/4 of the Northwest 1/4 of Section 22, Town 1 O North, Range 21 East, in the City of Cedarburg, Ozaukee County, Wisconsin, now being more particularly bounded and described as follows:

Commencing at the West 1/4 Corner of said Section 22; Thence North 87°16'39" East and along the South line of the said Northwest 1/4 Section, 1196.26 feet to a point on the Northeast Right-of-Way line of "Washington Avenue" and the place of beginning of lands hereinafter described;

Thence North 31°56'41" West and along the said Northeast Right-of-Way line, 436.85 feet to a point; Thence North 58°03'19" East, 122.53 feet to a point of curvature; Thence Northeasterly 107.67 feet along the arc of a curve, whose center lies to the Northwest, whose radius is 700.00 feet, whose central angle is 08° 48'47", and whose chord bears North 53°38'56" East, 107.56 feet to a point; Thence North 58°10'08" East, 30.38 feet to a point; Thence North 48°43'35" East, 107.65 feet to a point; Thence North 37°08'39" East, 6.92 feet to a point; Thence South 62°31'11" East, 109.22 feet to a point; Thence South 45°50'49" East, 49.15 feet to a point; Thence South 73°30'52" East, 137.30 feet to a point; Thence South 79°23'56" East, 174.52 feet to a point; Thence South 88°53'01" East, 30.00 feet to a point; Thence Northeasterly 138.95 feet along the arc of a curve, whose center lies to the Southeast, whose radius is 330.00 feet, whose central angle is 24°07'29", and whose chord bears North 13°10'44" East, 137.92 feet to a point of tangency; Thence North 25°14'28" East, 114.01 feet to a point of curvature; Thence Northeasterly 145.66 feet along the arc of a curve, whose center lies to the Northwest, whose radius is 200.00 feet, whose central angle is 41 °43'46", and whose chord bears North 04°22'35" East, 142.47 feet to a point; Thence North 73°30'42" East, 35.47 feet to a point of curvature; Thence Northeasterly 155.07 feet along the arc of a curve, whose center lies to the Southeast, whose radius is 450.00 feet, whose central angle is 19°44'40", and whose chord bears North 83°23'02" East, 154.31 feet to a point; Thence North 03° 15'22" East, 30.00 feet to a point; Thence North 04°02'23" East, 130.47 feet to a point; Thence South 81 °55'13" East, 92.44 feet to a point; Thence South 73°59'15" East, 151.99 feet to a point; Thence North 45° 16'55" East, 108.20 feet to a point; Thence North 78°42'05" East, 106.94 feet to a point; Thence South 75°36'36" East, 89.27 feet to

a point; Thence South 43°29'26" East, 85.76 feet to a point; Thence North 58°08'54" East, 49.76 feet to a point on the East line of the said Northwest 1/4 Section; Thence South 02°07'48" East and along the said East line of the said Northwest 1/4 Section, 382.49 feet to a point; Thence North 89°41 '01" West, 49.62 feet to a point; Thence South 69°09'15" West, 41.20 feet to a point; Thence South 87°13'29" West, 50.38 feet to a point; Thence South 76°13'52" West, 32.03 feet to a point; Thence North 79°16'24" West, 29.49 feet to a point; Thence South 73° 05'48" West, 43.82 feet to a point; Thence South 87°31 '35" West, 78.83 feet to a point; Thence South 85°50'53" West, 54.23 feet to a point; Thence North 76°41 '51" West, 73.93 feet to a point; Thence North 88°48'24" West, 46.68 feet to a point; Thence North 81°13'18" West, 60.15 feet to a point; Thence South 87°51'58" West, 78.32 feet to a point; Thence South 32°09'28" West, 60.28 feet to a point; Thence South 01 °27'02" West, 38.41 feet to a point; Thence South 03°02'24" East, 55.00 feet to a point; Thence South 07°21 '55" East, 87.97 feet to a point; Thence South 03°18'43" East, 117.44 feet to a point; Thence South 08°54'04" East, 86.08 feet to a point; Thence South 09°14'49" East, 73.42 feet to a point; Thence South 23°26'17" East, 47.19 feet to a point on the said South line of the said Northwest 1/4 Section; Thence South 87°16'39" West and along the said South line of the said Northwest 1/4 Section, 849.35 feet to the point of beginning of this description.

Said Parcel contains 775,230 Square Feet (or 17.7968 Acres) of land, more or less.

**LEGAL DESCRIPTION "B" (LANDS TO BE REZONED TO "RD-1" "PUD"):**

Being a part of the Southwest 1/4 of the Northwest 1/4 of Section 22, Town 10 North, Range 21 East, in the City of Cedarburg, Ozaukee County, Wisconsin, now being more particularly bounded and described as follows:

Commencing at the West 1/4 Corner of said Section 22; Thence North 87°16'39" East and along the South line of the said Northwest 1 /4 Section, 1196.26 feet to a point on the Northeast Right-of-Way line of "Washington Avenue"; Thence North 31 °56'41" West and along the said Northeast Right-of-Way line, 436.85 feet to the place of beginning of lands hereinafter described;

Continuing thence North 31°56'41" West and along the said Northeast Right-of-Way line, 732.31 feet to a point; Thence North 46°02'43" East and along the Southeasterly line of Lot 1 of Certified Survey Map No. 4089, 178.11 feet to a point; Thence South 52°57'37" East, 173 .24 feet to a point; Thence Southwesterly 53.42 feet along the arc of a curve, whose center lies to the Northwest, whose radius is 500.00 feet, whose central angle is 06°07'17", and whose chord bears South 40°05'49" West, 53.39 feet to a point; Thence South 46°50'33" East, 79.58 feet to a point of curvature; Thence Southeasterly 63.01 feet along the arc of a curve, whose center lies to the Southwest, whose radius is 400.00 feet, whose central angle is 09°01 '34", and whose chord bears South 42°19'46" East, 62.95 feet to a point; Thence North 52°11 '01" East, 30.00 feet to a point; Thence North 44°19'23" East, 107.31 feet to a point; Thence North 72°21'06" East, 47.70 feet to a point; Thence South 77°27'18" East, 38.06 feet to a point; Thence South 07°18'29" West, 67.46 feet to a point; Thence South 11 °03'29" East, 54.60 feet to a point; Thence South 19°25'34" East, 84.80 feet to a point; Thence South 31°15'13" East, 83.71 feet to a point;

Thence South 40°55'14" East, 78.42 feet to a point; Thence South 46°25'38" East, 69.35 feet to a point; Thence South 37°08'39" West, 6.92 feet to a point; Thence South 48°43'35" West, 107.65 feet to a point; Thence South 58°10'08" West, 30.38 feet to a point; Thence Southwesterly 107.67 feet along the arc of a curve, whose center lies to the Northwest, whose radius is 700.00 feet, whose central angle is 08°48'47", and whose chord bears South 53°38'56" West, 107.56 feet to a point of tangency; Thence South 58°03'19" West, 122.53 feet to the point of beginning of this description.

Said Parcel contains 226,319 Square Feet (or 5.1955 Acres) of land, more or less.

**LEGAL DESCRIPTION "C" (LANDS TO BE REZONED TO "RS-5" "PUD"):**

Being a part of the Southwest 1/4 and Southeast 1/4 of the Northwest 1/4 of Section 22, Town 10 North, Range 21 East, in the City of Cedarburg, Ozaukee County, Wisconsin, now being more particularly bounded and described as follows:

Commencing at the West 1/4 Corner of said Section 22; Thence North 87°16'39" East and along the South line of the said Northwest 1/4 Section, 1196.26 feet to a point on the Northeast Right-of-Way line of "Washington Avenue"; Thence North 31°56'41" West and along the said Northeast Right-of-Way line, 1169.16 feet to a point; Thence North 46°02'43" East and along the Southeasterly line of Lot 1 of Certified Survey Map No. 4089, 178.11 feet to the place of beginning of lands hereinafter described;

Thence South 52°57'37" East, 173.24 feet to a point; Thence Southwesterly 53.42 feet along the arc of a curve, whose center lies to the Northwest, whose radius is 500.00 feet, whose central angle is 06°07'17", and whose chord bears South 40°05'49" West, 53.39 feet to a point; Thence South 46°50'33" East, 79.58 feet to a point of curvature; Thence Southeasterly 63.01 feet along the arc of a curve, whose center lies to the Southwest, whose radius is 400.00 feet, whose central angle is 09°01'34", and whose chord bears South 42°19'46" East, 62.95 feet to a point; Thence North 52°11'01" East, 30.00 feet to a point; Thence North 44°19'23" East, 107.31 feet to a point; Thence North 72°21'06" East, 47.70 feet to a point; Thence South 77°27'18" East, 38.06 feet to a point; Thence South 07°18'29" West, 67.46 feet to a point; Thence South 11°03'29" East, 54.60 feet to a point; Thence South 19°25'34" East, 84.80 feet to a point; Thence South 31°15'13" East, 83.71 feet to a point; Thence South 40°55'14" East, 78.42 feet to a point; Thence South 46°25'38" East, 69.35 feet to a point; Thence South 62°31'11" East, 109.22 feet to a point; Thence South 45°50'49" East, 49.15 feet to a point; Thence South 73°30'52" East, 137.30 feet to a point; Thence South 79°23'56" East, 174.52 feet to a point; Thence South 88°53'01" East, 30.00 feet to a point; Thence Northeasterly 138.95 feet along the arc of a curve, whose center lies to the Southeast, whose radius is 330.00 feet, whose central angle is 24°07'29", and whose chord bears North 13°10'44" East, 137.92 feet to a point of tangency; Thence North 25°14'28" East, 114.01 feet to a point of curvature; Thence Northeasterly 145.66 feet along the arc of a curve, whose center lies to the Northwest, whose radius is 200.00 feet, whose central angle is 41°43'46", and whose chord bears North 04°22'35" East, 142.47 feet to a point; Thence North 73°30'42" East, 35.47 feet to a point of curvature; Thence Northeasterly 136.31 feet along the arc of a curve, whose center lies to the Southeast, whose radius is 450.00 feet, whose central

angle is 17°21'20", and whose chord bears North 82°11'22" East, 135.79 feet to a point; Thence North 00°52'02" East, 30.00 feet to a point; Thence North 04°02'23" East, 154.39 feet to a point; Thence North 02°47'21" West, 334.58 feet to a point on the North line of the South 1/2 of the said Northwest 1/4 Section; Thence South 87°15'38" West and along the said North line of the said South 1/2 of the said Northwest 1/4 Section, 1245.39 feet to a point; Thence South 01°19'43" West and along the East line of said Lot 1 of said Certified Survey Map No. 4089, 154.62 feet to a point; Thence South 46°02'43" West and along the said Southeasterly line of said Lot 1 of said Certified Survey Map No. 4089, 45.94 feet to the point of beginning of this description.

Said Parcel contains 787,503 Square Feet (or 18.0786 Acres) of land, more or less.

**LEGAL DESCRIPTION "D" (LANDS TO BE REZONED TO "P-1"):**

Being a part of the Southeast 1/4 of the Northwest 1/4 of Section 22, Town 10 North, Range 21 East, in the City of Cedarburg, Ozaukee County, Wisconsin, now being more particularly bounded and described as follows:

Commencing at the West 1/4 Corner of said Section 22; Thence North 87°16'39" East and along the South line of the said Northwest 1/4 Section, 2664.01 feet to a point marking the Center of said Section 22; Thence North 02°07'48" West and along the East line of the said Northwest 1/4 Section, 917.90 feet to the place of beginning of lands hereinafter described;

Continuing thence North 02°07'48" West and along the said East line of the said Northwest 1/4 Section, 405.00 feet to a point; Thence South 87°15'38" West and along the North line of the South 1/2 of the said Northwest 1/4 Section, 627.40 feet to a point; Thence South 02°47'21" East, 334.58 feet to a point; Thence South 04°02'23" West, 154.39 feet to a point; Thence South 00° 52'02" West, 30.00 feet to a point; Thence Southeasterly 18.76 feet along the arc of a curve, whose center lies to the Southwest, whose radius is 450.00 feet, whose central angle is 02°23'20", and whose chord bears South 87°56'18" East, 18.76 feet to a point; Thence North 03°15'22" East, 30.00 feet to a point; Thence North 04°02'23" East, 130.47 feet to a point; Thence South 81°55'13" East, 92.44 feet to a point; Thence South 73°59'15" East, 151.99 feet to a point; Thence North 45°16'55" East, 108.20 feet to a point; Thence North 78°42'05" East, 106.94 feet to a point; Thence South 75°36'36" East, 89.27 feet to a point; Thence South 43°29'26" East, 85.76 feet to a point; Thence North 58°08'54" East, 49.76 feet to the point of beginning of this description.

Said Parcel contains 239,840 Square Feet (or 5.5060 Acres) of land, more or less.

**LEGAL DESCRIPTION "E" (LANDS TO BE REZONED TO "A-1"):**

Being a part of the Southeast 1/4 of the Northwest 1/4 of Section 22, Town 10 North, Range 21 East, in the City of Cedarburg, Ozaukee County, Wisconsin, now being more particularly bounded and described as follows:

Commencing at the West 1 /4 Corner of said Section 22; Thence North 87°16'39" East and along the South line of the said Northwest 1/4 Section, 2045.61 feet to the place of beginning of lands hereinafter described;

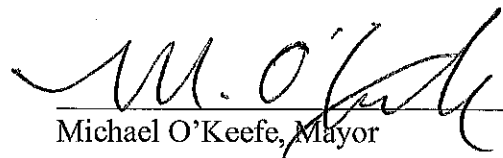
Continuing thence North 87°16'39" East and along the said South line of the said Northwest 1/4 Section, 618.40 feet to a point marking the Center of said Section 22; Thence North 02°07'48" West and along the East line of the said Northwest 1 /4 Section, 535.41 feet to a point; Thence North 89°41 '01" West, 49.62 feet to a point; Thence South 69°09'15" West, 41.20 feet to a point; Thence South 87°13'29" West, 50.38 feet to a point; Thence South 76°13'52" West, 32.03 feet to a point; Thence North 79°16'24" West, 29.49 feet to a point; Thence South 73°05'48" West, 43.82 feet to a point; Thence South 87°31 '35" West, 78.83 feet to a point; Thence South 85°50'53" West, 54.23 feet to a point; Thence North 76°41 '51" West, 73.93 feet to a point; Thence North 88°48'24" West, 46.68 feet to a point; Thence North 81 ° 13'18" West, 60.15 feet to a point; Thence South 87°51 '58" West, 78.32 feet to a point; Thence South 32°09'28" West, 60.28 feet to a point; Thence South 01 °27'02" West, 38.41 feet to a point; Thence South 03°02'24" East, 55.00 feet to a point; Thence South 07°21 '55" East, 87.97 feet to a point; Thence South 03°18'43" East, 117.44 feet to a point; Thence South 08°54'04" East, 86.08 feet to a point; Thence South 09°14'49" East, 73.42 feet to a point; Thence South 23°26'17" East, 47 .19 feet to the point of beginning of this description.

Said Parcel contains 345,687 Square Feet (or 7.9359 Acres) of land, more or less.

Tax Key No. 13-022-07-016.00  
Said parcel contains 55.287 acres.

This ordinance shall take effect upon its passage and publication as provided by law.

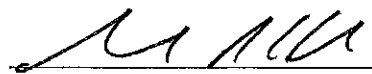
Passed and adopted this 26<sup>th</sup> day of October 2020.

  
\_\_\_\_\_  
Michael O'Keefe, Mayor

Attest:

  
\_\_\_\_\_  
Tracie Sette, City Clerk

Approved as to form:

  
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Michael P. Herbrand, City Attorney