

ORDINANCE NO. 2009-10

**An Ordinance Creating Certain Wards in the City of Cedarburg
and Amending Ordinance Nos. 2001-29, 2002-04, 2003-18, 2005-09
2005-19, 2005-20, 2005-29, and 2009-01 Assigning Aldermanic Districts
and Wards to Property Annexed into the City**

Whereas, the City of Cedarburg has annexed several properties since 2001, many of which crossed county supervisory district lines; and

Whereas, in Wisconsin wards cannot be split by county supervisory districts; and

Whereas, when the annexations occurred they were placed in existing wards, which resulted in the wards crossing county supervisory district lines, and

Whereas, the annexations should have been placed in separate wards; and

Whereas, the City is required to correct this situation by creating new wards and placing the annexed property into the correct wards, aldermanic districts, and county supervisory districts.

Now therefore, the Common Council of the City of Cedarburg, Wisconsin, hereby ordains as follows:

SECTION 1. ALDERMANIC DISTRICT AND WARDS. Section 2-1-3 (a) (3) of the Code of Ordinances of the City of Cedarburg is hereby amended to create **Ward No. 15 in Aldermanic District 1** as follows:

That part of the southeast ¼ and southwest ¼ of the southeast ¼ of Section 21 T 10N, R21E, City of Cedarburg, Ozaukee County, Wisconsin:

Commencing at the southeast corner of Section 21; thence S88°00'32"W., 2645.11 feet; thence N 02°09'51" W., 1320.94 feet; thence N 87°58'44" E., 2634.88 feet; thence S 02°36'25" E, 1322.40 feet to the point of beginning.

Section 2-1-3 (b) (3) of the Code of Ordinances of the City of Cedarburg is hereby amended to create **Ward No. 16 in Aldermanic District 2** as follows:

That part of the Northeast Quarter, Northwest Quarter, Southwest Quarter and Southeast Quarter of the Northeast Quarter of Section 33, T 10 N, R 21 E, City of Cedarburg, Ozaukee County, Wisconsin described as:

Beginning at the Northeast Quarter of said Section 33; thence S 02°27'55" E, 2243.61 feet; thence S 87°45'09" W, 1312.88 feet; thence N 02°40'16" W, 295.12 feet; thence S 87°45'09" W, 650.39 feet; thence N 02°15'16" W, 1282.63 feet; thence N 87°54'10" E, 641.08 feet; thence N 02°40'15" W, 671.02 feet; thence N 87°54'10" E, 1320.96 feet to the point of beginning.

Section 2-1-3 (d) (3) of the Code of Ordinances of the City of Cedarburg is hereby amended to create **Ward No. 17 in Aldermanic District 4** as follows:

Being a part of the E 1/2 of the SW 1/4, Government Lot 1, Government Lot 2, and Government Lot 3 of Section 36, Town 10 North, Range 21 East, City of Cedarburg, Ozaukee County, State of Wisconsin, bounded and described as follows:

Commencing at the south 1/4 corner of said section 36; thence S 87° 40' 57" W along the south line of the Southwest 1/4 of said section, 16.80 feet; thence S 87° 23' 45" W along said south line, 1307.78 feet; thence N 02° 24' 15" W along the occupied west line of said East 1/2 of the Southwest 1/4, 2649.99 feet to a point on the north line of said Southwest 1/4; thence N 86° 56' 03" E along said north line, 1319.44 feet to the center of said section 36; thence N 02° 30' 32" W along the west line of said Government Lots 1 and 2, 1356.96 feet; thence N 70° 59' 24" E along the south line of a parcel recorded in Volume 1045, on page 33, in the Ozaukee County Registry, 115.50 feet; thence N 66° 59' 24" E along said south line, 218.46 feet; thence N 82° 29' 24" E along said south line, 339.90 feet; thence N 79° 59' 24" E along said south line, 102.96 feet; thence S 88° 30' 36" E along said south line, 363.00 feet to a meander point of the Milwaukee River; thence S 54° 24' 08" W along a meander line of the Milwaukee River, 93.05 feet; Thence S 10° 52' 02" E along said meander line, 325.00 feet; thence S 04° 09' 13" W along said meander line, 573.13 feet; thence S 00° 37' 32" E along said meander line 382.22 feet; thence S 45° 08' 55" W along said meander line, 227.06 feet to a point on the south line of said Government Lot 2; thence S 86° 55' 29" W along said south line of Government Lot 2, 825.05 feet to a point N 86° 55' 29" E, 16.50 feet from the center of said section 36; thence S 02° 30' 40" E and parallel to the east line of said Southwest 1/4, 1330.31 feet; thence S 87° 10' 55" W, 16.50 feet to a point on the east line of said Southwest 1/4; thence S 02° 30' 40" E along said east line, 1330.45 feet to the point of beginning.

Section 2-1-3 (f) (3) of the Code of Ordinances of the City of Cedarburg is hereby amended to create **Ward No. 18 in Aldermanic District 6** as follows:

Section 23, T 10 N, R 21 E

The NW ¼ of the NW ¼ of Section 23, T 10 N, R 21 E, City of Cedarburg, Ozaukee County, Wisconsin, excepting the easterly 193 feet of the northerly 300.02 feet thereof; and

That part of the Southwest ¼ of the Northwest ¼, and the Southeast ¼ of the Northwest ¼ of Section 23, all in Township 10 North, Range 21 East, in the City of Cedarburg, Ozaukee County, Wisconsin, bounded and described as follows:

Commencing at the Southwest corner of the Northwest ¼ of said Section 23; thence S87°04'59" W along the south line of the Northwest ¼ of said Section 23, 40.00 feet; thence N2°13'26"W along the West line of said Northwest ¼, 1301.03; thence N87°08'32"E, 1903.41 feet, to a point in a meander line, said point being 74 feet +/- west of the Centerline of Cedar Creek; thence S15°40'20"W along said meander line, 426.41 feet to a meander point 64 feet +/- west of said Centerline; thence continuing along said meander line S50°12'51"W, 282.08 feet to a meander point 69 feet +/- west of said Centerline; thence continuing along said meander line S21°38'38"W, 202.95 feet to a meander point 70 feet +/- west of said Centerline; thence S0°01'53"W, along said meander line, 206.81 feet to a meander point 65 feet +/- west of said centerline; thence S87°08'32"W, 92.14 feet to a point in the East line of the Southwest ¼ of the Northwest ¼ of said Section 23; thence S2°10'20"E along said East line, 334.61 feet to a point in the South line of the Northwest ¼ of said Section 23; thence S87°04'59"W, along said South line, 1326.06 feet to the point of commencement; and

Part of the SW ¼ of Section 23, T 10 N, R 21 E, City of Cedarburg, Ozaukee County, Wisconsin, described as follows:

Commencing at the SW corner of said Section 23, thence N 00° 9' 32" W, 1593.72 feet along the westerly line of the SW ¼ of said Section 23 to the westerly extension of the northerly line of Cedar Hedge, a subdivision recorded in the Ozaukee County Registry, said point being the point

of beginning, thence along the northerly line of Cedar Hedge, N 88° 31' 28" E, 1208.72 feet to a point on a meander line, said point lying 21 feet, more or less, S 88° 31' 28" W of the west bank of the water's edge of Cedar Creek, thence along said meander line, N 21° 19' 10" E 102.71 feet, thence N 14° 41' 27" W, 319.67 feet, said point lying 21 feet, more or less, S 88° 31' 46" W of the west bank of the water's edge of Cedar Creek, thence leaving said meander line, S 88° 31' 46" W, 185.96 feet, thence N 07° 07' 30" E, 315.95 feet, thence N 39° 04' 27" E, 155.80 feet, thence N 41° 20' 16" E, 298.80 feet, to the northerly line of the SW ¼ of said Section 23, thence S 88° 31' 46" W, 1326.03 feet along the northerly line of the SW ¼ of said Section 23, to the W ¼ corner of said Section 23, thence S 00° 39' 32" E, 1056.10 feet along the westerly line of the NW ¼ of the SW ¼ of said Section 23, to the point of beginning, and including the land lying between the meander line and the west bank and the waters edge of Cedar Creek.

Together with the easterly 33 feet of the northerly 524.67 feet of the NE ¼ of the SE ¼ of Section 22, T 10 N, R 21 E, City of Cedarburg, Ozaukee County, Wisconsin.

Section 2-1-3 (g) (3) of the Code of Ordinances of the City of Cedarburg is hereby amended to create **Ward No. 19 in Aldermanic District 7** as follows:

All of the south ½ of the northeast ¼ of Section 28, Town 10 North, Range 21 East, in the City of Cedarburg, Ozaukee County, Wisconsin, bounded and described as follows:

Beginning at the southeast corner of the northeast ¼ of Section 28; thence south 87°50'28" west along the south line of said section 2637.34 feet to a point, said point being the southwest corner of the northeast ¼ of said section; thence north 02°20'35" west along the west line of the northeast ¼ a distance of 1325.20 feet to a point; thence north 87°55'31" east along the north line of the south ½ of the northeast ¼ of said section 2641.22 feet to a point on the east line of the northeast ¼; thence south 02°10'31" east along said east line 1321.31 feet to the point of beginning.

Section 2-1-3 (g) (4) of the Code of Ordinances of the City of Cedarburg is hereby amended to create **Ward No. 20 in Aldermanic District 7** as follows:

Section 22, T 10 N, R 21 E

The W ½ of the NE ¼ of Section 22, T 10 N, R 21 E, in the City of Cedarburg, Ozaukee County, Wisconsin, excepting that portion described as property conveyed to Town and Country Developers, Inc. by warranty deed recorded on August 15, 1985 in Volume 533 of Records on pages 346-348, as document number 362540.

Together with that part of the S ½ of the NW ¼ of Section 22 which lies east of STH 143 (now Washington Avenue), together with the 66' right of way of Washington Avenue abutting the above described property.

Section 2-1-3 (g) (5) of the Code of Ordinances of the City of Cedarburg is hereby amended to create **Ward No. 21 in Aldermanic District 7** as follows:

Section 15, T 10 N, R 21 E

The S ½ of the NE ¼ of the SE ¼ of Section 15, T 10 N, R 21 E, and the SE ¼ of the SE ¼ of Section 15, T 10 N, R 21 E in the City of Cedarburg, Ozaukee County, Wisconsin, excepting the easterly 50 feet lying 250 feet north of the SE corner of said Section 15.

Section 2-1-3 (d) (4) of the Code of Ordinances of the City of Cedarburg is hereby amended to create

Ward No. 22 in Aldermanic District 4 as follows:

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.

SECTION 2. ALDERMANIC DISTRICT DESIGNATION. Section 2-1-3 of the Code of Ordinances was amended by Ordinance No. 2001-29 on August 13, 2001 incorporating the Laubenstein/Hetzel annexation. Section 4 of Ordinance 2001-29 is hereby amended and the territory described in Ordinance 2001-29 is made part of the **1st Aldermanic District, 15th Ward** of the City of Cedarburg, as described above and 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 2-1-3 of the Code of Ordinances was amended by Ordinance No. 2002-04 on January 28, 2002 incorporating the Prairie West Partnership-Dobberpuhl Farm annexation. Section 4 of Ordinance 2002-04 is hereby amended and the territory described in Ordinance 2002-04 is made part of the **2nd Aldermanic District, 16th Ward** of the City of Cedarburg, as described above and 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 2-1-3 of the Code of Ordinances was amended by Ordinance No. 2003-18 on August 11, 2003 assigning an Aldermanic District to the property located at 1838 Pioneer Road. Section 1 of Ordinance 2003-18 is hereby amended and the territory referred to and described in Ordinance 2002-08 is made part of the **4th Aldermanic District, 17th Ward** of the City of Cedarburg, as described above and 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 2-1-3 of the Code of Ordinances was amended by Ordinance No. 2005-09 on February 14, 2005 incorporating the Retzlaff Farm annexation. Section 4 of Ordinance 2005-09 is hereby amended and the territory described in Ordinance 2005-09 is made part of the **7th Aldermanic District, 19th Ward** of the City of Cedarburg, as described above and 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 2-1-3 of the Code of Ordinances was amended by Ordinance No. 2005-19 on June 13, 2005 incorporating the Myers et al annexation. Section 4 of Ordinance 2005-19 is hereby amended and the territory described in Ordinance 2005-19 is made part of the **7th Aldermanic District, 20th Ward** of the City of Cedarburg, except for the portion of the annexation west of Sheboygan Road and north of Highway 60 which shall be made part of the **7th Aldermanic District, 21st Ward** and the portion east of Sheboygan Road and south of Highway 60 shall be made part of the **6th Aldermanic District, 18th Ward**, as described above and 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 2-1-3 of the Code of Ordinances was amended by Ordinance No. 2005-20 on June 13, 2005 incorporating the Riechers/Dippmann annexation. Section 4 of Ordinance 2005-20 is hereby amended and the territory described in Ordinance 2005-20 is made part of the **6th Aldermanic District, 18th Ward** of the

City of Cedarburg, as described above and 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 2-1-3 of the Code of Ordinances was amended by Ordinance No. 2005-29 on September 26, 2005 incorporating the R & R Excavating Bulldozing, Inc. et al annexation. Section 4 of Ordinance 2005-29 is hereby amended and the territory described in Ordinance 2005-29 is made part of the **6th Aldermanic District, 18th Ward** of the City of Cedarburg, as described above and 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 2-1-3 of the Code of Ordinances was amended by Ordinance No. 2009-01 on January 12, 2009 incorporating the Stroebel annexation. Section 4 of Ordinance 2009-01 is hereby amended and the territory described in Ordinance 2009-01 is made part of the **4th Aldermanic District, 22nd Ward** of the City of Cedarburg, as described above and 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 3. 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 28th day of September 2009.

Gregory P. Myers, Mayor

Attest:

Constance K. McHugh, City Clerk

Approved as to form:

Kaye K. Vance, City Attorney