

## ORDINANCE NO. 2012-20

An Ordinance Annexing Territory to the City of Cedarburg  
Redeemer Lutheran Church  
607 Wauwatosa Road

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 September 27, 2012, 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:

That part of Certified Survey Map 480 as recorded in the Ozaukee County Courthouse as volume 2, page 267 as document number 244813 of Certified Survey Map, being in the Northeast ¼ and Southeast ¼ of the Southeast ¼ of Section 28, Township 10 North, Range 21 East in the Town of Cedarburg, Ozaukee County, State of Wisconsin, more particularly describe as:

Commencing at the Northeast Corner of said Southeast ¼; thence S 00°36'48" E along the East line of the said Southeast ¼, 990.75 feet to the point of beginning; thence S 89°21'01" W 1309.15 feet; thence S 01°04'46" E 393.38 feet; thence S 89°01'56" W 9.13 feet; thence S 00°45'43" E 4.21 feet; thence N 89° 19'59" E 1315.07 feet to the East line of the said Southeast ¼; thence N 00°36'48" W along said east line 397.23 feet to the point of beginning.

Containing 11.93 acres, more or less, total.

The current population of the territory is five.

**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: I-1 Institutional and Public Service District; (b) The Plan Commission has recommended that an amendment to the zoning ordinance setting forth permanent I-1 Institutional and Public Service District zoning of the annexed area be completed within one year of its annexation.

**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 and to create Ward 9. The territory described in Section 1 of this ordinance is hereby made a part of the 9<sup>th</sup> Ward, 2<sup>nd</sup> 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 26<sup>th</sup> day of November, 2012.

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Kip Kinzel, Mayor

Attest:

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Constance K. McHugh, City Clerk

Approved as to form:

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Kaye K. Vance, City Attorney