

ORDINANCE NO. 2014-11

An Ordinance Annexing Territory to the City of Cedarburg
Adjacent to and Northwest of the
Prairie View Subdivision
Matthew and Minal Hahm

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, 2014, 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 NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 33, TOWNSHIP 10 NORTH, RANGE 21 EAST, TOWN OF CEDARBURG, OZAUKEE COUNTY, WISCONSIN, WHICH IS BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHEAST 1/4; THENCE N 87°54'18" E ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 33, 589.23 FEET; THENCE S 00°33'16" E 329.99 FEET; THENCE N 87°51'20" E 87.17 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING N 87°51'20" E 638.54 FEET TO THE EAST LINE OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 33; THENCE S 02°40'17" E ALONG SAID EAST LINE 341.39 FEET TO A NORTHERLY LINE OF PRAIRIE VIEW BEING A SUBDIVISION RECORDED IN THE OZAUKEE COUNTY COURTHOUSE; THENCE S 87°55'43" W ALONG SAID NORTHERLY LINE 640.70 FEET; THENCE N 02°18'34" W 340.56 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 5.007 ACRES (218,090 SQUARE FEET).

The current population of the territory is 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 has recommended that an amendment to the zoning ordinance setting forth permanent RS-3 Single Family Residential 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. The territory described in Section 1 of this ordinance is hereby made a part of Ward 2, Aldermanic District 2 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, and subject to the County Board amending the supervisory district map to move this parcel from County Supervisory District 11 representing the Town of Cedarburg to County Supervisory District 17 representing the City of Cedarburg.

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 August 13, 2014 upon publication as provided by law.

Passed and adopted by the Common Council of the City of Cedarburg, this 28th day of July, 2014.

Kip Kinzel, Mayor

Attest:

Constance K. McHugh, City Clerk

Approved as to form:

Michael Herbrand, City Attorney