

RESOLUTION NO. 2006-05

**A Resolution Declaring Intent to Prepare a
Comprehensive Zoning Ordinance for
Extraterritorial Zoning Jurisdiction Within the Town of Cedarburg**

WHEREAS, Section 62.23(7a) of the Wisconsin State Statutes provides the City of Cedarburg with extraterritorial jurisdiction within the Town of Cedarburg; and

WHEREAS, the City of Cedarburg is concerned about the Town of Cedarburg's possible rezoning of their Highway 60 corridor to an overlay zoning district which, as presently defined, will permit a wide range of intensive urban development; and

WHEREAS, the Town of Cedarburg has expressed an interest in creating and applying a new overlay zoning district classification that will reflect restrictive intense mixed use development to be served by private wells and onsite sewerage treatment systems or holding tanks along Highway 60; and

WHEREAS, the City of Cedarburg Common Council is interested in working cooperatively with the Town of Cedarburg to establish appropriate land use planning and zoning regulations for the Highway 60 corridor, west of and including the 5 Corners intersection, within the Town of Cedarburg in a manner that is compatible with the City's Land Use Plan and zoning; and

WHEREAS, the attached map illustration identified as Exhibit A and property description identified as Exhibit B identifies the geographic area in which the City of Cedarburg intends to exercise its extraterritorial jurisdiction.

NOW, THEREFORE, BE IT RESOLVED, BY THE COMMON COUNCIL OF THE CITY OF CEDARBURG, that the Common Council hereby declares its intent to exercise extraterritorial zoning jurisdiction and work with the Town of Cedarburg to prepare an appropriate Comprehensive Zoning Ordinance for the area described in Exhibits A and B, and that an interim zoning ordinance to preserve existing zoning within the described area shall also be enacted in accordance with Section 62.23(7a) of the Wisconsin State Statutes.

Passed and adopted this 15th day of March 2006.

Gregory P. Myers, Mayor

Attest:

Sandra M. Ingram, City Clerk

Approved as to form:

Kaye K. Vance, City Attorney

EXHIBIT B—LEGAL DESCRIPTION FOR
THE CITY OF CEDARBURG
EXTRA-TERRITORIAL ZONING AREA

That part of Sections 15, 16, 21, and 22, Township 10 North, Range 21 East, described as follows:

Section 15 The southerly 386 feet of the westerly 230 feet of the southwest $\frac{1}{4}$ of the southwest $\frac{1}{4}$ of said section.

Section 16 The south $\frac{1}{2}$ of said section excluding the north $\frac{1}{2}$ of the southwest $\frac{1}{4}$ and excluding the northwest $\frac{1}{4}$ of the southeast $\frac{1}{4}$ of said section.

Section 21 The north $\frac{1}{2}$ of said section, excluding the southwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of said section.

Section 22 All lands in the northwest $\frac{1}{4}$ of said section lying west of the westerly right of way of Washington Avenue; together with those lands in the northwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of said section lying west of a line described as follows: commencing at the intersection of the north line of said section and the extension of the west line of lot 1, Certified Survey Map 1687, recorded in book 13, page 41 of Certified Survey Maps; thence south along said west line to the southwest corner of said Certified Survey Map; thence east along the south line of said Certified Survey Map to the intersection with the west line of lot 1 Certified Survey Map 2215, recorded in book 22, page 366 Certified Survey Maps; thence south along said west line extended to the intersection with the centerline of Sycamore Lane; thence east along said centerline to the intersection with the extension of west line of lot 1, Certified Survey Map 906, recorded in book 4, page 223 Certified Survey Maps; thence south along said west line lot 1, Certified Survey Map 906; thence west along the north line of said lot 1; thence south along the west line of said lot 1, Certified Survey Map 906 to the intersection with the south line of the northwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of said section.