

City of Sun Prairie, Wisconsin

AN ORDINANCE APPROVING A PETITION FOR DIRECT ANNEXATION OF APPROXIMATELY 41.802 ACRES OF LAND LOCATED NORTH OF PROGRESS WAY ON THE 1700 BLOCK OF COLUMBUS ST., FROM THE TOWN OF BRISTOL INTO THE CITY OF SUN PRAIRIE.

JBA LAND, LLC – “2021 ANNEXATION”

Presented: February 1, 2022

Adopted: February 1, 2022

Published: February 4, 2022

Ordinance No.: #878

ORDINANCE

WHEREAS, on April 26, 2021, JBA Land, LLC filed a petition for direct annexation by unanimous approval per s. 66.0217 (2) Wis., and pursuant to an intergovernmental agreement per s. 66.0301, of approximately 41.802 acres of land located north of Progress Way on the 1700 block of Columbus St., from the Town of Bristol into the City of Sun Prairie, Dane County, Wisconsin; and

WHEREAS, the proposed area for annexation is currently zoned A-1 Agriculture in the Town of Bristol; and

WHEREAS, the Comprehensive Plan recommends the lands within the proposed annexation area be used for Employment uses; and

WHEREAS, the proposed area for annexation is planned to be developed for a Quarra Stone company headquarters; and

WHEREAS, the proposed area for annexation is in close proximity to public sanitary sewer and public water -- both of which may be available to be extended to the subject property; and

WHEREAS, at the time of the filing of the subject annexation petition, there were no electors residing within the territory proposed to be annexed; and

WHEREAS, the proposed area for attachment is located within the following voting districts: Sun Prairie Aldermanic District 2, Ward ~~23~~ 9; Dane County Supervisory District 20; State Assembly District 37; State Senate District 13; and the Sun Prairie Area School District; and

WHEREAS, the Department of Administration, Municipal Boundary Review Division, reviewed the proposed annexation petition (MRB No. 14406) and found it to be in the public interest; and

WHEREAS, on July 13, 2021, the Plan Commission held a public meeting on the proposed annexation and recommended approval; and

WHEREAS, the City Council has reviewed the Department of Administration's Findings (MRB No. 14406); and

WHEREAS, the City Council has reviewed the Staff Report for Plan Commission Case No. PC21-2935, dated July 6, 2021, and the Plan Commission's recommendation to the Mayor and City Council, dated July 13, 2021 and finds that the proposed annexation is in the best interest of the City.

NOW, THEREFORE, the Common Council of the City of Sun Prairie, Dane County, Wisconsin, do ordain as follows:

SECTION 1: TERRITORY ANNEXED. In accordance with s.66.0217 of the Wisconsin Statutes, and the Petition for Direct Annexation by Unanimous Approval filed with the City Clerk on April 26, 2021, under Case No. PC21-2935 and signed by all of the owners of land in the territory, the following described territory in the Town of Bristol, Dane County, Wisconsin is annexed to the City of Sun Prairie, Wisconsin:

Part of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ and part of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 33; part of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and part of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 28; T9N, R11E, Town of Bristol, Dane County, Wisconsin, described as follows:

Commencing at the North $\frac{1}{4}$ Corner of said Section 33; thence S89°57'09"E, 116.48 feet along the North line of said Northeast $\frac{1}{4}$ to the point of beginning; thence S00°31'30"E, 609.06 feet to the Northwest corner of Lot 46, Fourth Addition to Sun Prairie Business Park; thence N89°55'31"W (recorded as S89°39'09"W), 116.40 feet along the North line of said Fourth Addition to the Northwest corner of Outlot 7 of said Fourth Addition; thence S00°31'30"E (recorded as S00°56'26"E), 228.28 feet along the Westerly line of said Outlot 7; thence continuing along said Westerly line S31°04'33"W, 572.15 feet (recorded as S30°40'23"W, 572.29 feet) to the North line of Certified Survey Map (CSM) No. 14301; thence S89°58'55"W (recorded as S89°33'40"W, S89°59'37"W, S89°54'43"W), 1020.12 feet along said North line and the North line CSM No. 15075 to the West right of way line of Science Drive; thence N00°34'21"W, 1375.76 feet; thence N89°55'02"E, 1437.47 feet; thence S00°31'30"E, 50.27 feet to the point of beginning; Containing 1,820,890 square feet, or 41.802 acres.

Parcel Identification Number: 0911-332-8001-0

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 Sun Prairie, at and 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 of the City of Sun Prairie.

SECTION 3: ZONING. From and after the date of this ordinance, the territory described in Section 1 shall be zoned Suburban Industrial (SI), until such time that a request to re-zone the subject property is approved by the City Council.

SECTION 4: ALDERMANIC DESIGNATION. From and after the date of this ordinance, unless revised by future ordinance, the territory described in Section 1 is hereby made a part of

the 2nd Aldermanic District, Ward 23, of the City of Sun Prairie, Dane County Supervisory District 20, State Assembly District 37, and State Senate District 13, subject to the ordinances, rules, and regulations of the governing wards.

SECTION 5: SEVERABILITY. If any provision of this ordinance is found to be invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is found to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or application of this ordinance which can be given effect without the invalid or unconstitutional provisions or application.

APPROVED: _____
Paul T. Esser, Mayor

Date Approved: February 1, 2022

This is to certify that the foregoing ordinance was approved by the Common Council of the City of Sun Prairie at a meeting held on the 1st day of February, 2022, and was submitted for signatures on the 2nd day of February, 2022.

Elena Hilby, City Clerk