

Ordinance No. 2491

The City of Baraboo, Wisconsin

Background: In 2017, the City of Baraboo sold to the Village of West Baraboo a parcel of land that is commonly known as the School Forest (the "Property"). The Village is now requesting that the City detach the Property from the City so that the Property can become a part of the Village. This request is consistent with the Offer to Purchase signed by the City wherein a contingency for the Village's purchase of the Property was for the City to consent to the detachment.

Fiscal Note: (check one) ☒ Not Required ☐ Budgeted Expenditure ☐ Not Budgeted
Comments:

An Ordinance amending Sections 1.49(3) and 8.01(4) of the City of Baraboo Municipal Code thereby detaching the Property described below from the City of Baraboo, Sauk County, Wisconsin.

THE COMMON COUNCIL OF THE CITY OF BARABOO, WISCONSIN, DO ORDAIN AS FOLLOWS:

WHEREAS, a petition for the detachment of the Property from the City of Baraboo (the "City") has been presented by the owner of the Property, the Village of West Baraboo (the "Village"), to the City Clerk and Common Council, and

WHEREAS, the Village has verified that the Property is owned in its entirety by the Village and contains approximately 29.52 acres, more or less, with a current population of zero person; and

WHEREAS, the Village has caused a Notice of Intent to Circulate a Petition to Detach Land to be published in the official paper of the City as a Class One Notice, and

WHEREAS, the Plan Commission reviewed the proposed detachment at the time the Offer to Purchase the property was presented to the City, and

WHEREAS, the Common Council accepts the petition for detachment as sufficient and hereby determines that the detachment proceedings herein have met the requirements of the Wisconsin Statutes, and

WHEREAS, it is in the best interest of the City that the Property be detached from the City and the Common Council by an affirmative vote of at least three-fourths of the governing body has approved the detachment petition at a meeting of the City Council duly called and held.

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF BARABOO, SAUK COUNTY, WISCONSIN DO ORDAIN AS FOLLOWS:

1. Sections 1.49(3) and 8.01(4) of the Municipal Code of the City of Baraboo are hereby amended to include this Ordinance, which detaches the following Property from the City of Baraboo:

Parcel 1

A PARCEL OF LAND LOCATED IN THE SOUTHEAST ONE QUARTER OF THE SOUTHWEST ONE QUARTER OF SECTION 27, TOWN 12 NORTH, RANGE 6 EAST, CITY OF BARABOO, SAUK COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 27 WHICH IS THE POINT OF BEGINNING: THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 27 S89°55'08"W, 432.81 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF COUNTY HIGHWAY "BD" (FORMERLY U.S. HIGHWAY "12"); THENCE ALONG SAID RIGHT-OF-WAY LINE N24°29'23"W, 425.49 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE N32°44'29"W, 501.39 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE N26°17'34"W, 450.29 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF TERRYTOWN ROAD; THENCE ALONG SAID RIGHT-OF-WAY LINE N51°08'54"E, 73.81 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE N78°28'56"E, 60.91 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE ~~N89°35'57"E, 973.48 FEET~~; THENCE S00°29'04"W, 424.09 FEET; THENCE N89°50'19"E, 218.00 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 27; THENCE ALONG SAID EAST LINE S00°29'04"W, 852.36 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 889,699 SQUARE FEET OR 20.42 ACRES, MORE OR LESS AND IS SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD AND OR USAGE.

Parcel 2

A PARCEL OF LAND LOCATED IN THE SOUTHEAST ONE QUARTER OF THE SOUTHWEST ONE QUARTER OF SECTION 27, TOWN 12 NORTH, RANGE 6 EAST, CITY OF BARABOO, SAUK COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 27; THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 27 S89°55'08"W, 644.22 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF COUNTY HIGHWAY "BD" (FORMERLY U.S. HIGHWAY "12") AND THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID ONE-QUARTER LINE S89°55'08"W, 661.12 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST ONE QUARTER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 27; THENCE ALONG THE WEST LINE OF SAID SOUTHEAST ONE QUARTER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 27 N00°25'15"E, 1125.87 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF TERRYTOWN ROAD; THENCE ALONG SAID RIGHT-OF-WAY LINE N60°43'34"E, 40.10 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF COUNTY HIGHWAY "BD" (FORMERLY U.S. HIGHWAY "12"); THENCE ALONG SAID RIGHT-OF-WAY LINE S32°45'12"E, 226.74 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE S25°02'22"E, 451.37 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE S28°13'12"E, 549.53 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE S36°08'23"E, 75.11 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 396,528 SQUARE FEET OR 9.10 ACRES, MORE OR LESS AND IS SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

Tax Roll Parcel No: 206-0036-43000

2. The City Clerk is directed to provide a copy of this Ordinance to the Village Clerk so that the Village may act upon an ordinance to accept the Property within 60 days of the effective date of this Ordinance, as required by §66.0227, Wis. Stat.

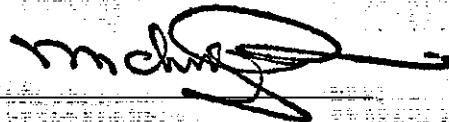
3. The City Clerk is further directed to make the mailings pursuant to §66.0217(9)(a), Wis. Stat.,

4. The City Engineer is directed to change the City's Official Map and Zoning District map to reflect the terms of this Ordinance.

5. The terms and provisions of this Ordinance shall be void if the Village does not approve an Ordinance attaching the Property within 60 days the effective date of this Ordinance.

This Ordinance shall take effect upon passage and publication as provided by law.

Mayor's Approval:



Clerk's Certification:

Brenda M. Zmar

I hereby certify that the foregoing Ordinance was duly passed by the Common Council of the City of Baraboo on the 22nd day of May, 2018, and is recorded on page 544 of volume 41.

City Clerk:

Brenda M. Zmar

Ordinance No. 2508

The City of Baraboo, Wisconsin

Background: On May 8, 2018, the Common Council approved Ordinance 2491 detaching the former School Forest Property from City of Baraboo to the Village of West Baraboo, which was consistent with the Offer to Purchase signed by the City wherein a contingency for the Village's purchase of the Property was for the City to consent to the detachment.

The legal description for the detachment had to be corrected so it is necessary for the City to approve the attachment with an accurate legal description.

Fiscal Note: (check one) ☒ Not Required ☐ Budgeted Expenditure ☐ Not Budgeted
Comments:

An Ordinance repealing and recreating Ordinance 2491 and thereby and therein amending Sections 1.49(3) and 8.01(4) of the City of Baraboo Municipal Code thereby detaching the Property described below from the City of Baraboo, Sauk County, Wisconsin.

THE COMMON COUNCIL OF THE CITY OF BARABOO, WISCONSIN, DO ORDAIN AS FOLLOWS:

WHEREAS, a petition for the detachment of the Property from the City of Baraboo (the "City") has been presented by the owner of the Property, the Village of West Baraboo (the "Village"), to the City Clerk and Common Council, and

WHEREAS, the Village has verified that the Property is owned in its entirety by the Village and contains approximately 29.52 acres, more or less, with a current population of zero person; and

WHEREAS, the Village has caused a Notice of Intent to Circulate a Petition to Detach Land to be published in the official paper of the City as a Class One Notice, and

WHEREAS, the Plan Commission reviewed the proposed detachment at the time the Offer to Purchase the property was presented to the City, and

WHEREAS, the Common Council accepts the petition for detachment as sufficient and hereby determines that the detachment proceedings herein have met the requirements of the Wisconsin Statutes, and

WHEREAS, it is in the best interest of the City that the Property be detached from the City and the Common Council by an affirmative vote of at least three-fourths of the governing body has approved the detachment petition at a meeting of the City Council duly called and held.

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF BARABOO, SAUK COUNTY, WISCONSIN DO ORDAIN AS FOLLOWS:

1. Sections 1.49(3) and 8.01(4) of the Municipal Code of the City of Baraboo are hereby amended to include this Ordinance, which detaches the following Property from the City of Baraboo:

PARCEL 1 DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHEAST ONE QUARTER OF THE SOUTHWEST ONE QUARTER OF SECTION 27, TOWN 12 NORTH, RANGE 6 EAST, CITY OF BARABOO, SAUK COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 27 WHICH IS THE POINT OF BEGINNING: THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 27 S89°55'08"W, 432.81 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF COUNTY HIGHWAY "BD" (FORMERLY U.S. HIGHWAY "12"); THENCE ALONG SAID RIGHT-OF-WAY LINE N24°29'23"W, 425.49 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE N32°44'29"W, 501.39 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE N26°17'34"W, 450.29 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE N51°08'54"E, 73.81 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE N78°28'56"E, 60.91 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF TERRYTOWN ROAD; THENCE N00°24'03"W, 37.91 FEET TO A POINT ON THE NORTH LINE OF THE SE1/4 OF THE SW1/4 OF SAID SECTION 27; THENCE ALONG SAID NORTH LINE N89°53'16"E, 756.01 FEET; THENCE S00°29'04"W, 458.19 FEET; THENCE N89°50'19"E, 218.00 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST ONE QUARTER OF THE SOUTHWEST ONE-QUARTER; THENCE ALONG SAID EAST LINE S00°29'04"W, 852.36 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 916913 SQUARE FEET OR 21.05 ACRES TOTAL OR 889,702 SQUARE FEET OR 20.42 ACRES LESS TERRYTOWN ROAD RIGHT-OF-WAY, MORE OR LESS AND IS SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD AND OR USAGE.

PARCEL 2 DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHEAST ONE QUARTER OF THE SOUTHWEST ONE QUARTER OF SECTION 27, TOWN 12 NORTH, RANGE 6 EAST, CITY OF BARABOO, SAUK COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 27; THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 27 S89°55'08"W, 644.22 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF COUNTY HIGHWAY "BD" (FORMERLY U.S. HIGHWAY "12") AND THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID ONE-QUARTER LINE S89°55'08"W, 661.12 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST ONE QUARTER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 27; THENCE ALONG THE WEST LINE OF SAID SOUTHEAST ONE QUARTER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 27 N00°25'15"E, 1125.87 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF TERRYTOWN ROAD; THENCE ALONG SAID RIGHT-OF-WAY LINE N60°43'34"E, 40.10 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF COUNTY HIGHWAY "BD" (FORMERLY U.S. HIGHWAY "12"); THENCE ALONG SAID RIGHT-OF-WAY LINE S32°45'12"E, 226.74 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE S25°02'22"E, 451.37 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE S36°08'23"E, 75.11 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 396,528 SQUARE FEET OR 9.10 ACRES, MORE OR LESS AND IS SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

COUNTY TRUNK HIGHWAY BD DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHEAST ONE-QUARTER OF THE SOUTHWEST ONE QUARTER OF SECTION 27, TOWN 12 NORTH, RANGE 6 EAST, CITY OF BARABOO, SAUK COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 27; THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 27 S89°55'08"W, 432.81 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF COUNTY HIGHWAY "BD" (FORMERLY U.S. HIGHWAY "12") AND THE POINT OF BEGINNING; THENCE ALONG SAID RIGHT-OF-WAY LINE N24°29'23"W, 425.49 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE N32°44'29"W, 501.39 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE N26°17'34"W, 450.29 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE N51°08'54"E, 73.81 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE N78°28'56"E, 60.91 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF TERRYTOWN ROAD; THENCE NO0°24'03"W, 37.91 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 27; THENCE ALONG SAID NORTH LINE S89°53'16"W, 332.80 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 27; THENCE ALONG THE WEST LINE OF SAID SOUTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER S00°25'15"W, 183.77 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF TERRYTOWN ROAD; THENCE ALONG SAID RIGHT-OF-WAY LINE N60°43'34"E, 40.10 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF COUNTY HIGHWAY "BD" (FORMERLY U.S. HIGHWAY "12"); THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE S32°45'12"E, 226.74 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE S25°02'22"E, 451.37 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE S28°13'12"E, 549.53 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE S36°08'23"E, 75.11 FEET; THENCE N89°55'08"E, 211.41 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 297,587 SQUARE FEET OR 6.83 ACRES, MORE OR LESS.

Tax Roll Parcel No: 206-0036-43000 and the portion of CTH BD Right-of-Way that bisects said parcel.

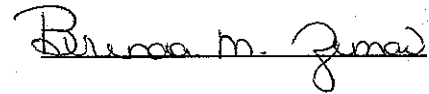
2. The City Clerk is directed to provide a copy of this Ordinance to the Village Clerk so that the Village may act upon an ordinance to accept the Property within 60 days of the effective date of this Ordinance, as required by §66.0227, Wis. Stat.
3. The City Clerk is further directed to make the mailings pursuant to §66.0217(9)(a), Wis. Stat.,
4. The City Engineer is directed to change the City's Official Map and Zoning District map to reflect the terms of this Ordinance.
5. The terms and provisions of this Ordinance shall be void if the Village does not approve an Ordinance attaching the Property within 60 days the effective date of this Ordinance.

This Ordinance shall take effect upon passage and publication as provided by law.

Mayor's Approval:



Clerk's Certification:



I hereby certify that the foregoing Ordinance was duly passed by the Common Council of the City of Baraboo on the 27th day of November, 2018, and is recorded on page 102 of volume 42.

City Clerk:

