

ORDINANCE NO. 2017-08

An Ordinance Rezoning the Properties Located at N44 W6035 – N43 W6005 Hamilton Road and the Parking Lot Property Across the Street on the North Side of Hamilton Road from I-1 to Rm-2/PUD along with a 17,100 Square Foot Portion of the Vacant Parcel Located between the Parking Lot and Spring Street from I-1 to Rs-3/PUD

The proposed ordinance having been submitted to the City Plan Commission for recommendation and notice having been given pursuant to Wis. Statute, the Common Council of the City of Cedarburg, Wisconsin, does hereby ordain as follows:

The following described real estate situated in the City of Cedarburg, Wisconsin, presently being I-1 Institutional and Public Service District is hereby rezoned to Rm-2/Multiple Family Residential District/Planned Unit Development Overlay District; and the north 17,100 square feet of the vacant parcel located between the parking lot and Spring Street being rezoned from I-1 Institutional and Public Service District to Rs-3 (PUD) Single Family Residential/Planned Unit Development District:

LEGAL DESCRIPTION #1

SOUTHWESTERLY PARCEL (APPX. 105,639 SQUARE FEET)

Lot 1 of Block 3 in John Schuette's Subdivision to the City of Cedarburg, Ozaukee County, Wisconsin, EXCEPT the South 6 feet thereof. The piece or parcel of land hereby intended to be conveyed to have a frontage of 134 feet on Hilgen Street, and approximately 186 feet along the present line of the church property.

AND

That part of Lot One (1) in Block Three (3) in John Schuette's Subdivision to the City of Cedarburg, Ozaukee County, Wisconsin, lying and being Northerly of a line perpendicular to the westerly line of South Hilgen Street at a point in said westerly line of South Hilgen Street 149.19 feet distant Southwesterly from the southwesterly intersection of the westerly line of said South Hilgen Street and the southerly line of East Hamilton Road in said City of Cedarburg. The perpendicular line above referred to being the acknowledged boundary line between the respective properties of the parties hereto, as delineated on plat of survey dated April 17, 1961, prepared by Badger Surveying Co. Inc. and signed by Clarence S. Piepenburg, Registered Surveyor.

Tax Key No. 13-112-03-01-000

That part of the Northeast 1/4 of the Northeast 1/4 of Section 34, Township 10 North of Range 21 East, City of Cedarburg, Ozaukee County, Wisconsin, described as follows: Commencing at a point which point is 2 1/2 degrees East,

158.4 feet from the northwest corner of Lot 11 in Block 3 of John Schuette's Subdivision to the City of Cedarburg; thence North 2 1/2 degrees East on the east line of the Milwaukee Cedarburg Plank Road, 100 feet; thence North 87 degrees East, 240 feet; thence South 2 1/2 degrees West, 100 feet; thence South 87 degrees, 240 feet to the place of beginning. Also known as Lot 6 Block 22 of Assessors Plat of the City of Cedarburg.

Tax Key No. 13-050-22-06-000

Lot 7, Block 22 of the Assessor's Plat of the City of Cedarburg, in the Northeast 1/4 of the Northeast 1/4 of Section 34, Township 10 North, Range 21 East. Said land being in the City of Cedarburg, County of Ozaukee, State of Wisconsin.

EXCEPTING THEREFROM

That part of Lot 7, Block 22 of the Assessor's Plat of the City of Cedarburg, in the Northeast 1/4 of the Northeast 1/4 of Section 34, Township 10 North, Range 21 East, in the City of Cedarburg, County of Ozaukee, State of Wisconsin bounded and described as: beginning at the Northwest corner of said Lot 77, Block 22 of the Assessor's Plat of the City of Cedarburg, said point being at the intersection of the East line of Washington Avenue and the Southwesterly line of Hamilton Road; thence South 48 degrees 08 minutes East, 189.49 feet along said Southwesterly line of Hamilton Road; thence South 41 degrees 52 minutes West, 59.51 feet; thence South 48 degrees 08 minutes East, 16.50 feet; thence South 41 degrees 52 minutes West, 33.61 feet; thence North 88 degrees 13 minutes 25 seconds West, 97.62 feet; thence North 1 degree 46 minutes 35 seconds East, 203.89 feet to the point of beginning.

Part of Tax Key No. 13-050-22-07-000

NORTHEASTERLY PARCEL (APPX. 61,099 SQUARE FEET)

Those parts of Lot 9 of Block 22 in Assessor's Plat of the City of Cedarburg, in the Northeast 1/4 of Section 34, and the Northwest 1/4 of Section 35, in Township 10 North, Range 21 East, in the City of Cedarburg, Ozaukee County, Wisconsin, bounded and described as follows: Commencing at the northeast corner of the Northeast 1/4 of Section 34, Town 10 North, Range 21 East; thence South 89 degrees 43 minutes West along the north line of said quarter section, 542.25 feet to a point in the center of S. Washington Avenue; thence South 15 degrees 07 minutes East along the center line of S. Washington Avenue, 351.58 feet to an angle point in said avenue; thence continuing along the center line of said avenue South 1 degree 47 minutes West, 48.62 feet to a point in the northerly line of Hamilton Road extended; thence South 48 degrees 08 minutes East, along the extension of and the northerly line of Hamilton Road, 306.61 feet to the point of beginning of the land to be described; thence North 41 degrees 52 minutes East on a line, 124.69 feet to a point; thence South 45 degrees 53 minutes East on a line 106.67 feet to a point; thence South 33 degrees 31 minutes West on a line, being the easterly line of Lot 9 aforesaid, 121.25 feet to a point in the northerly line of Hamilton Road; thence North 48 degrees 08 minutes West along the northerly line

of Hamilton Road, 120 feet to the place of beginning.

AND

Commencing at the northeast corner of the Northeast 1/4 of Section 34, Town 10 North, Range 21 East; thence South 89 degrees 43 minutes West on a line, being the north line of said quarter section, 542.25 feet to a point in the center line of S. Washington Avenue; thence South 15 degrees 07 minutes East along the center line of said avenue, 351.58 feet to an angle point in said avenue; thence continuing along the center line of said avenue South 1 degree 47 minutes West, 48.62 feet to a point in the northerly line of Hamilton Road extended; thence South 48 degrees 08 minutes East along the extension of and the northerly line of Hamilton Road, 186.61 feet to the place of beginning of the land to be described; thence North 41 degrees 52 minutes East on a line, 120.43 feet to a point; thence South 79 degrees 15 minutes East on a line, 16.31 feet to a point; thence South 45 degrees 53 minutes East on a line, 106.12 feet to a point; thence South 41 degrees 52 minutes West on a line, 124.69 feet to a point in the northerly line of Hamilton Road; thence North 48 degrees 08 minutes West along the northerly line of said avenue, 120 feet to the place of beginning.

AND

Commencing at the northeast corner of said quarter section; thence West along the north line of said quarter section, 542.25 feet to its intersection with the center line of S. Washington Avenue; thence South 15 degrees 07 minutes East along the centerline of said S. Washington Avenue and its Southeasterly extension, 419.87 feet to its intersection with the Northwesterly extension of the northeasterly line of E. Hamilton Road; thence South 48 degrees 08 minutes East along the northeasterly line of E. Hamilton Road and its Northwesterly extension, 160.64 feet to the point of beginning of the land to be described; thence North 41 degrees 52 minutes East on a line at right angles to the northeasterly line of said E. Hamilton Road, 121.34 feet to a point; thence North 79 degrees 15 minutes West on a line, 66.21 feet to a point; thence South 8 degrees 49 minutes West on a line, 103.98 feet to the point of beginning.

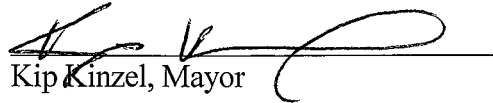
Tax Key No. 13-050-22-09-000

That part of Lot 9 of Block 22 in Assessor's Plat of the City of Cedarburg, in the Northeast 1/4 of Section 34 and the Northwest 1/4 of Section 35, in Township Ten (10) North, Range Twenty-one (21) East, in the City of Cedarburg, Ozaukee County, Wisconsin, bounded and described as follows: Commencing at the northeast corner of Lot 9 aforesaid, said point being in the south line of Spring Street and is 344.50 feet South (measured at right angles) to the north line of the Northwest 1/4 of Section 35 at a point, 97.78 feet East of the northwest corner thereof; thence Northwesterly along the north line of Spring Street, 150 feet to a point; thence South 9 degrees 08 minutes West on a line, 254.24 feet to a point; thence South 45 degrees 53 minutes East on a line, 30.32 feet to a point; thence South 59 degrees 15 minutes East on a line, 59.48 feet to the southeast corner of Lot 9 aforesaid; thence North 23 degrees 05 minutes East along the east line of

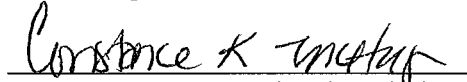
Lot 9 aforesaid, 285.24 feet to the place of beginning.

Tax Key No. 13-050-22-09-002

This ordinance shall take effect upon its passage and publication as provided by law.
Passed and adopted this 13th day of March 2017.


Kip Kinzel, Mayor

Countersigned:


Constance K. McHugh, City Clerk

Approved as to form:


Michael P. Herbrand, City Attorney