

ORDINANCE 2019-01

**AN ORDINANCE ANNEXING LAND
FROM THE TOWN OF DANE, WISCONSIN TO THE VILLAGE OF DANE,
WISCONSIN**

WHEREAS, the Village of Dane received a unanimous petition for direct annexation of land in the Town of Dane from Tanimarah Ridge LLC, Donald C. Tierney, Manager (herein Petition) dated March 18, 2019; and,

WHEREAS, the Petition has been reviewed by the Village of Dane Plan Commission at its meeting on April 8, 2019, and the Plan Commission has made recommendations for temporarily zoning of the territory included in the Petition to the RD Rural Development District; and

WHEREAS, the Petition meets the requirements of §66.0217(2), Wisconsin Statutes; and,

WHEREAS, the Petition was reviewed by the Municipal Boundary Review Division of the Wisconsin Department of Administration and found to be in the public interest; and,

WHEREAS, the Village Board has determined that it is in the best interest of the Village of Dane to annex the territory described in the Petition.

NOW THEREFORE, the Village Board of the Village of Dane hereby enacts the following ordinance:

SECTION 1: Territory Annexed.

The Village Clerk received a petition for direct annexation on the 18th day of March, 2019, signed by all of the electors residing in the territory and the owners of all of the real property in the territory. That the territory described in the Petition which is attached to this ordinance as Exhibit A and incorporated as if fully set forth herein is hereby annexed to the Village of Dane in accordance with sec. 66.0217(2) of Wisconsin Statutes.

SECTION 2: Effect of Annexation.

From and after the date of this ordinance the territory described in Section 1 shall be part of the Village of Dane for any and all purposes provided by law and all persons doing or residing within such territory shall be subject to all ordinances, rules and regulations governing the Village of Dane.

SECTION 3: Temporary Zoning.

Upon recommendation of the Village of Dane Plan Commission, the territory annexed to the Village of Dane by this ordinance is temporarily zoned as RD Rural Development, pursuant to sec. 66.0217(8)(a) of the Wisconsin Statutes.

SECTION 4: Payment to Town as required by Statute.

The Village agrees to pay annually to the Town of Dane, for 5 years, an amount equal to the amount of property taxes that the town levied on the annexed territory, as shown by the real estate property tax bill for 2018 tax roll, under §70.65, Stats., pursuant to §66.0217(14)(a)1., Stats.

SECTION 5: Severability.

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinance whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 6: Effective Date.

This ordinance is effective upon enactment pursuant to §66.0217(8)(c), Stats.

Adopted by the Village Board of the Village of Dane, Wisconsin on this 8th day of April 2019 on a roll call vote: _____ Ayes _____ Nays

VILLAGE OF DANE

Roger Schmidt, Village President

ATTEST:

Teresa Hughey Groves, Village Clerk