

ORDINANCE #2019-453
AN ORDINANCE REZONING PROPERTY IN THE CITY OF MILTON FROM M-2 TO B-2

WHEREAS, the Plan Commission of the City of Milton having held a duly noticed public hearing on the petition to rezone the properties described in Section I below from General Industrial District (M-2) to Large Scale Commercial District (B-2); and

WHEREAS, following said public hearing, the plan commission having determined that the proposed rezoning of the properties described below to the B-2 district is in conformity with the city's comprehensive plan; and

WHEREAS, the plan commission having voted to recommend to the common council that the petition to rezone the properties described below from M-2 to B-2 is in the best interests of the City of Milton; and

WHEREAS, the Common Council of the City of Milton having determined that it is appropriate to adopt the recommendation of the plan commission to rezone the properties described below from M-2 to B-2.

NOW, THEREFORE, the Common Council of the City of Milton do ordain as follows:

Section I. The following described properties are hereby rezoned from General Industrial District (M-2) to Large Scale Commercial District (B-2):

Parcel Number: V-23-1466

Parcel A:

The West 3/4 of the E 1/2 of the NE 1/4; also the North 50 acres of the W 1/2 of the NE 1/4; all in Section 35, T.4N., R.13E., of the 4th P.M.

Excepting therefrom parcel set forth in Certified Survey Map recorded August 20, 1996 in Vol. 19, Page 311 of Certified Survey Maps of Rock County, Wisconsin, as Document No. 1304534, Card No. 874, Image 502 and described as follows: Commencing at the Northeast corner of Section 35-4-13; thence West along North line of NE 1/4 of said Section, 333.22 feet; thence South 02° 14' 41" East 40.03 feet to the place of beginning for the land to be herein described; thence continuing South 02° 14' 41" East 592.15 feet; thence West 380.0 feet; thence North 02° 14' 41" West 588.40 feet; thence North 87° 08' 15" East 75.09 feet; thence East 305.0 feet to the place of beginning. Containing 5.16 acres.

And further excepting therefrom that parcel conveyed to David A. Schultz and Joan R. Schultz by Warranty Deed dated August 30, 1996 and recorded September 6, 1996 as Document No. 1306263, described as follows: Lot 1 of Certified Survey Map recorded August 20, 1996 in Vol. 19, Page 310 of Certified Survey Maps, Card No. 874, Image 501 as Document No. 1304533 and being part of the NW 1/4 of the NE 1/4 of Section 35, T.4N., R.13E. of the 4th P.M., Rock County, Wisconsin. Excepting lands conveyed to the State of Wisconsin Department of Transportation in Warranty Deed recorded November 20, 1984 as Document No. 996568.

Parcel B:

All that part of the NW 1/4 of Section 35, T.4N., R.13E, of the 4th P.M. described as follows: Beginning at the quarter section stone at Northeast corner of NW 1/4; thence South along the quarter section line, 29 chains, 30 links to the center of the Territorial Road; thence Northwest along the center of said road, 30 chains, 29 links to its

intersection with West line of E 1/2 of the NW 1/4; thence North along said line, 7 chains, 41 links to North line of said NW 1/4; thence East along said North line of NW 1/4 to place of beginning; there being.

Excepted therefrom; a tract of land conveyed in 196 Deeds 46 and described as follows: Beginning at the Northwest corner of NE 1/4 of the NW 1/4; thence South 87° 56' East along the section line 374.89 feet; thence South along a line parallel with the quarter line 905.26 feet to the center of the Johnstown Road; thence 41° 52' West along center line of said road 573.73 feet to its intersection with West line of NE 1/4 of the NW 1/4; thence North along said line 491.5 feet to place of beginning.

Also excepting that parcel conveyed to Frank Bua by Warranty Deed dated April 16, 1964 and recorded May 20, 1964 in Vol. 123 of Records, Page 394 as Document No. 673719, described as follows: Beginning at the Northwest corner of the NE 1/4 of the NW 1/4, Section 35-4-13; thence South 87° 56' East along the section line 374.89 feet to the place of beginning; thence continuing East along the section line 238 feet to a point; thence at right angles and South 0°37', 183 feet; thence West parallel with the said North section line, 238 feet; thence North 183 feet to the place of beginning, hereby intending to convey a one acre parcel with a 238 foot frontage along State Highway #59 out of the Northwest corner of the Ralph E. Schultz farm. Excepting lands conveyed to the State of Wisconsin Department of Transportation in Warranty Deed recorded November 20, 1984 as Document No. 996568.

Parcel C:

Part of the NE 1/4 of Section 35, T.4N., R.13E., Township of Milton, Rock County, Wisconsin, described as follows, to wit: East 11 acres of that certain parcel described in a Land Contract between Laurence M. Bevens and Wilma J. Bevens, his wife, as Vendor and James Ahrens and Violet Ahrens, his wife, as Vendee, dated April 18, 1964 and recorded in Vol. 120 of Records, Page 164, not including the West 1.25 acres with the buildings thereon.

Parcel Number: V-23-1466.001

Lot 1 of Certified Survey Map recorded September 19, 2017 in Volume 38 of Certified Survey Maps of Rock County, Wisconsin, pages 279 – 282 as Document No. 2087624, being a part of Outlot 1 of a Certified Survey Map recorded in Volume 36 of Certified Survey Maps of Rock County, Wisconsin, pages 332 – 335 as Document No. 2019159.

Parcel Number: V-23-1466.002

Outlot 1 of a Certified Survey Map recorded September 19, 2017 in Volume 38 of Certified Survey Maps of Rock County, Wisconsin, pages 279 – 282 as Document No. 2087624, being a part of Outlot 1 of a Certified Survey Map recorded in Volume 36 of Certified Survey Maps of Rock County, Wisconsin, pages 332 – 335 as Document No. 2019159.

Section II. The Official Zoning Map of the City of Milton is hereby amended to show this change in zoning classification and the city clerk is directed to make note on said official map of the zoning change.

Section III. This ordinance shall take effect upon passage and publication as provided by law.

Approved by the Common Council of the City of Milton this _____ day of _____, 2019.

CITY OF MILTON

By:

Anissa Welch, Mayor

Attest:

Leanne Schroeder, City Clerk

1st Reading: _____
2nd Reading: _____
3rd Reading: _____
Date Adopted: _____

Effect of Ordinance: Amends the zoning of the parcels described in Section I above from M-2 to B-2.