

Ordinance No. 2006-005

**An Ordinance
to amend the Zoning Map
of the Town of Delafield from A-2 to A-3 for lands located in the Southeast 1/4 of Section 28,
owned by Kent Hanson**

The Town Board of Delafield, Waukesha County, Wisconsin, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1:

The Town of Delafield Zoning Map is hereby amended to change the zoning classification from A-2 to A-3 on the following described parcels of land:

All that part of the Northeast, Southeast, Northwest and Southwest Quarters of the Southeast Quarter of Section 28, Town 7 North, Range 18 East, Town of Delafield, Waukesha County, Wisconsin bounded and described as follows: Commencing at the Northeast corner of the said Southeast Quarter, thence S 87°50'10" W along the North line of said Southeast Quarter, 559.81 feet to the point of beginning of the lands hereinafter described: thence S 02°09'50" E 20.38 feet to a point of curve, thence Southerly along the arc of a curve, 397.87 feet, whose center lies to the West, having a radius of 915.00 feet, chord bears S 10°17'35" W 394.74 feet; to a point of reverse curve, thence Southerly along the arc of a curve, 230.72 feet, whose center lies to the East, having a radius of 541.00 feet, chord bears S 10°31'57.5" W 228.97 feet; thence N 88°18'55" E 308.24 feet; thence S 08°13'34" W 452.57 feet; thence S 11°30'13" W 333.65 feet; thence S 05°39'25" W 543.41 feet; thence N 86°32'42" W 908.44 feet; thence S 05°11'21" E 250.00 feet; thence S 86°28'39" W 205.00 feet; thence S 60°58'39" W 272.50 feet; thence S 46°58'39" W 264.54 feet; thence S 00°54'23" E 304.58 feet; thence S 89°05'37" W 495.31 feet to a point on the East right-of-way line of State Trunk Highway 83; thence Northerly along said east right-of-way the following courses; thence N 01°20'20" W 192.67 feet; thence N 07°17'40" E 579.60 feet; thence N 01°20'20" W 600.00 feet; thence S 88°39'40" W 10.00 feet; thence N 01°20'20" W 618.01 feet to the south line of Carlton Ridge Subdivision; thence N 86°11'12" E along said south line 315.41 feet; thence northeasterly along an arc of a curve, 191.41 feet, whose center lies to the north, having a radius of 454.20 feet, chord bears N 74°06'49" E 190.00 feet; thence S 26°40'09" E 415.81 feet; thence N 56°09'39" E 747.84 feet; thence N 02°09'50" W 394.00 feet; thence N 87°50'10" E 310.00 feet; thence N 02°09'50" W 250.00 feet to a point on the North line of said Southeast Quarter; thence N 87°50'10" E along said North line, 378.19 feet to the point of beginning. Said lands containing 3,270,477 square feet or 75.1 acres of land.

Excepting there from, those lands currently designated as WF-1 zoned lands more particularly described on the Preliminary Layout for Scuppernong Springs given a date a of July 5, 2006.

Section 2:

The rezoning of these lands is conditioned upon satisfaction of the following items:

- A. The land shall be developed as a residential Planned Unit Development.
- B. The development of the lands shall generally conform to the plans dated July 5, 2006, presented at the July 5, 2006 Plan Commission meeting.
- C. If the development does not commence within one (1) year of the approval of this ordinance (which includes County approval), the zoning shall revert back to its present zoning.

Section 3: 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 ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

Section 4: Effective Date.

This ordinance shall take effect immediately upon passage by Waukesha County and posting or publication as provided by law.

This ordinance passed this 11th day of July, 2006.

BY THE TOWN BOARD OF THE
TOWN OF DELAFIELD:



Paul L. Kanter
Town Chairman

ATTEST:



Mary T. Elsner, CMC
Town Clerk