

5/12/94

**Intergovernmental Cooperation Agreement
between
the Town of Middleton and
the City of Middleton**

The parties to this agreement are the City of Middleton and the Town of Middleton, both located in Dane County, Wisconsin.

WHEREAS, the City and the Town believe it is in each of their best interests to establish a framework other than the court system within which to settle land use questions which arise between the two entities; and

WHEREAS, the City has reviewed the Town's Land Use Plan; and

WHEREAS, the Town recognizes the need for the City to grow and expand; and

WHEREAS, this agreement is authorized by Section 66.30(2) Wisconsin Statutes; Section 236(10)(5) of the Wisconsin Statutes; City of Middleton Resolution 1994-4 adopted by the Common Council on May 12, 1994 and a Town of Middleton Resolution adopted by the Town Board on May 12, 1994. Copies of the resolutions are attached and incorporated herein by reference.

NOW, THEREFORE, THE TOWN OF MIDDLETON AND THE CITY OF MIDDLETON agree as follows:

1. The parties shall act in good faith towards one another in implementing these agreements.
2. The City shall not exercise its extraterritorial jurisdiction, pursuant to Sec. 236(10)(5), Wis. Stats., with respect to any land in the Town west of a line running from the point between Sections 4 and 5 on the northern border of the Town, to the point between Sections 32 and 33 on the southern border of the Town. East of said line, the City shall continue to exercise its extraterritorial jurisdiction. The Town shall make development and land use decisions in accordance with the Land Use Plan adopted by the Town on March 24, 1994 with regard to all areas within the City's extraterritorial jurisdiction, and any amendments to the Land Use Plan that affect any areas subject to the City's extraterritorial jurisdiction shall be subject to City approval.

*east of
Pine Hill
& PHE 1st At*

*west of
Whispering
Cedar*

3. The Town will not oppose the annexation by the City of the property included in the Quisling annexation petition nor any other future annexation petition, provided however that the City agrees to zone as single-family residential the land immediately east of Evergreen Road to the extent of no less than one lot deep.
4. The Town will withdraw from any bidding for the purchase of the Pleasant View Golf Course and adjacent lands from CUNA Mutual Insurance Group and will notify CUNA Mutual Insurance Group in writing of its support for the City's purchase of the land at the time of the execution of this agreement. The City intends to maintain all such lands as open space, with uses to include nature preserves and passive and active recreation areas as identified by Section 10.37(7) of the Middleton Zoning Ordinance; however, if finances so dictate, the City may, at its sole discretion, develop up to eighty (80) acres of the land primarily as single-family residences, such residences to comprise at least 65% of the 80 acres.
5. This agreement covers governmental actions taken during a twenty-year period, commencing on the date of the agreement. The agreement will automatically be renewed for one additional ten-year term unless either party notifies the other in writing, at least one year prior to the expiration of the term, of its intention not to renew.
6. This agreement may be amended by written agreement approved by the Common Council of the City of Middleton and the Board of Supervisors of the Town of Middleton.

*later modified
no access to
Evergreen +
a large beam
to be completed*

*City owns
the golf course*

Dated this 12th day of May, 1994.

Town of Middleton

by *Edwin H. Tallard*
Edwin H. Tallard, Chairman

City of Middleton

by *Dan A. Ramsey*
Dan A. Ramsey, Mayor

ATTEST:

Jeffrey Kern
Jeffrey S. Kern, Clerk

Timothy R. Studer
Timothy R. Studer, Clerk