

CITY OF WAUKESHA

COUNTY OF WAUKESHA

Notice of Litigation

OFFICE OF THE SECRETARY OF STATE
State of Wisconsin

Filed March 19, 1991

CORRESPONDENCE/MEMORANDUM

STATE OF WISCONSIN

Date: *March 19, 1991*File Ref: *17*To: John Pamperin
Department of Transportation
Room 951, Hill Farm State Office Bldg.From: Secretary of State's Office
Teresa J. Walker
Government Records Division

Subject: Municipal filings re: Chapter 66, Wis. Stats.

Enclosed please find the following:

 Annexation Detachment Notice of Litigation Other: _____City/Village of: *Shaukesha*County of: *Shaukesha*Land from Town/Village of: *Dwaukee*Ordinance #: *Guenzi Annex*Adoption date: *-*Population: *-*

If you have any questions, please contact our office.

cc: Depts. of: Administration
Development
Public Instruction
RevenueClerk
File

LAW OFFICES OF
ARENZ, MOLTER, MACY & RIFFLE, S.C.

720 N. EAST AVENUE
P.O. BOX 1348
WAUKESHA, WISCONSIN 53187-1348

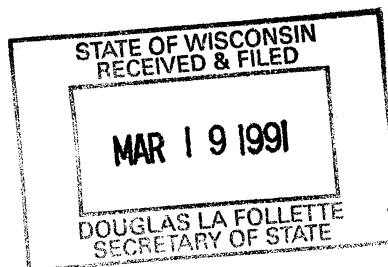
TELEPHONE 548-1340
FACSIMILE 548-9211
AREA CODE 414

DALE W. ARENZ
DONALD S. MOLTER, JR.
JOHN P. MACY,
COURT COMMISSIONER
H. STANLEY RIFFLE,
COURT COMMISSIONER

ERIC O. SCHLIETER
RICK D. TRINDL

March 14, 1991

SECRETARY OF STATE
State of Wisconsin
State Capitol
Madison, Wisconsin 53702



Re: State, ex rel,
Town of Pewaukee
-vs-
City of Waukesha
Waukesha County Case #91-CV-757

Dear Sir:

Please be advised that we are the Town Attorneys for the Town of Pewaukee.

Pursuant to §66.026 of the Wisconsin Statutes, enclosed please find four copies of the **Notice of Commencement of Litigation to Contest Annexation** concerning the above matter which involves the Kuenzi annexation.

By copy of this letter I am herewith asking that the Clerk of Courts file the original of said document in the Court file. Thank you.

Sincerely,

ARENZ, MOLTER, MACY & RIFFLE, S.C.

Donald S. Molter, Jr.

DSM/pw

Enclosures

cc: Mr. Brent Redford
Ms. Sandra Salbashian
Mr. Harlan Clinkenbeard
Clerk of Courts

STATE OF WISCONSIN

CIRCUIT COURT

WAUKESHA COUNTY

STATE, ex rel, TOWN OF PEWAUKEE,
a Municipal Corporation,
W240 N3065 Pewaukee Road
Pewaukee, Wisconsin 53072,

Plaintiff,

- vs -

CITY OF WAUKESHA,
a Municipal Corporation,
201 Delafield Street
Waukesha, Wisconsin 53188,

Defendant.

**NOTICE OF COMMENCEMENT
OF LITIGATION TO
CONTEST ANNEXATION**

Case #91-CV-757

TO: SECRETARY OF STATE
State of Wisconsin
State Capitol
Madison, Wisconsin 53702

PLEASE TAKE NOTICE that an action has been commenced in the Circuit Court for Waukesha County, Wisconsin, by the Town of Pewaukee, Waukesha County, Wisconsin, to contest the annexation of the following described territory to the City of Waukesha, Waukesha County, Wisconsin, which was certified to your office on the 22nd day of January, 1991:

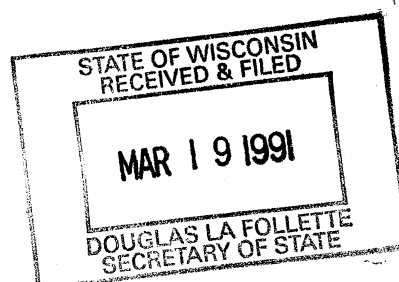
SEE ATTACHED LEGAL DESCRIPTION

Dated this 14th day of March, 1991.

ARENZ, MOLTER, MACY & RIFFLE, S.C.

By: s/ Donald S. Molter, Jr.

Donald S. Molter, Jr.
Attorneys for Town of Pewaukee



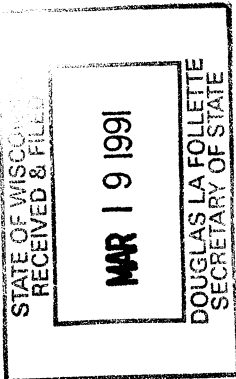
ARENZ, MOLTER,
MACY & RIFFLE, S.C.
720 N. EAST AVENUE
P.O. BOX 1348
WAUKESHA, WI 53187-1348
414-548-1340

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LEGAL DESCRIPTION - KUENZI ANNEXATION

All that part of the Southeast Quarter (SE $\frac{1}{4}$) of Section 31, and the Southwest Quarter (SW $\frac{1}{4}$) of Section 32, Town 7 North, Range 19 East, Town of Pewaukee, Waukesha County, Wisconsin, bounded and described as follows:

Commencing at the southwest corner of the Southwest Quarter (SW $\frac{1}{4}$) of Section 32; thence North 89° 40' 33" West along the south line of the Southeast Quarter (SE $\frac{1}{4}$) of Section 32, 95.27 feet to the east line of Certified Survey Map No. 787 as recorded in Volume 5 of Certified Survey Maps on Pages 127 and 128 as Document No. 709545, said east line being the westerly right-of-way line of Merrill Hills Road (C. T. H. TT); thence North 0° 45' 57" East along said east line and said right-of-way line 200.00 feet to the place of beginning of the lands hereinafter described; thence North 89° 58' 09" East parallel to the south line of the Southwest Quarter (SW $\frac{1}{4}$) of Section 32, 758.439 feet to the east line of the West One-Half (W $\frac{1}{2}$) of said Southwest Quarter (SW $\frac{1}{4}$); thence North 0° 06' 57" East along said east line 1017.35 feet to the north right-of-way line of U.S.H. 18 and the existing corporate limits of the City of Waukesha; thence South 89° 37' 25" West 392.103 feet along the northerly right-of-way line of U.S.H. 18 and the existing corporate limits; thence continuing westerly 274.36 feet along said corporate limits and said north right-of-way line and the arc of a curve of radius 3759.72 feet, center lies to the north, chord bears North 83° 40' 02" West 274.30 feet to a point on the westerly corporate limits line; thence continuing westerly 326.31 feet along said northerly right-of-way line and the arc of a curve of radius 3759.72 feet, center lies to the north, chord bears North 79° 05' 25" West 326.21 feet to a point of tangency; thence continuing North 76° 36' 14" West along said right-of-way line of U.S.H. 18, 599.11 feet; thence North 82° 18' 52" West along said right-of-way line 100.50 feet; thence North 76° 36' 14" West along said right-of-way line 123.70 feet; thence North 0° 28' 17" East along said right-of-way line 10.22 feet; thence North 76° 36' 14" West along said right-of-way line 216.62 feet to the east line of lands described in Reel 1145 on Image 435 as Document NO. 1558701; thence South 0° 25' 11" West along said east line 61.57 feet to the center line of U.S.H. 18; thence North 76° 36' 14" West along the center line of U.S.H. 18, 69.06 feet to the easterly line of land described in Reel 1122 on Image 91 as Document No. 1543528; thence South 25° 56' 41" West along said east line 498.63 feet; thence North 65° 34' 43" West along the south line of the above said lands 101.78 feet; thence South 23° 00' 37" West 961.86 feet; thence South 89° 40' 33" East parallel to and 200 feet north of the south line of the Southeast Quarter (SE $\frac{1}{4}$) of Section 31, 1497.66 feet to the westerly line of lands described in Volume 1143 of Deeds on Pages 481 and 482 as Document No. 727840; thence North 0° 45' 57" East along said west line 200.00 feet; thence South 89° 40' 33" East along the north line of the above said lands 494.55 feet to the westerly right-of-way line of Merrill Hills Road (C.T.H. TT); thence South 0° 45' 57" West along said right-of-way line 200.00 feet to the place of beginning.



Containing 62.640 acres of land, more or less.