

CITY OF SEYMOUR

COUNTY OF OUTAGAMIE

Annexation and Plat Map

OFFICE OF THE SECRETARY OF STATE
State of Wisconsin

Filed: August 3, 1989

DOUGLAS LA FOLLETTE



SECRETARY OF STATE
WISCONSIN

Department of Transportation
Room 951
Hill Farm State Office Building
Madison WI

Attn: John Pamperin

Dear Sir:

Pursuant to Wis. Stats. 66.021/66.025, we are pleased to enclose, in duplicate, certificate and plat relating to annexation of territory adopted by the Common Council of the City of Seymour, County of Outagamie on June 26, 1989.

Sincerely,

A handwritten signature in cursive script that reads "Douglas La Follette".

DOUGLAS LA FOLLETTE
Secretary of State

cc: Depts. of:

Administration
Development
Public Instruction
Revenue

Clerk
File

Outagamie
88

Lubinski, Rottier, Reed & Klass

LAWYERS

200 EAST WISCONSIN STREET, P.O. BOX 67
SEYMOUR, WI 54165-0067

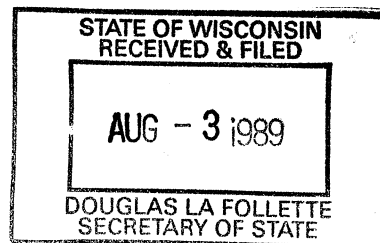
AREA CODE (414)

Vernon Lubinski
Richard Lubinski
Kenneth F. Rottier
Robert Lubinski
Ann Lubinski Reed
Mary Lubinski Klass

Seymour 833-2356
Pulaski 822-3115
Appleton 735-0834

August 1, 1989

Secretary of State
P.O. Box 7846
Madison, WI 53707



Dear Sir:

I enclose five certified copies of ordinance annexing property to the City of Seymour from the Town of Seymour. This was a direct annexation based upon a petition of all of the property owners. Please make distribution as required under the statute.

Sincerely yours,

LUBINSKI, ROTTIER, REED & KLASS


Kenneth F. Rottier

KFR:cmc

Encs.

n/s

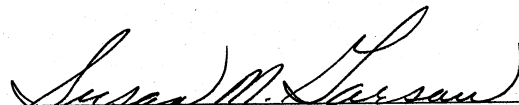
Annexation of Gabert-Rusch-Thomas property

STATE OF WISCONSIN)
) S
OUTAGAMIE COUNTY)

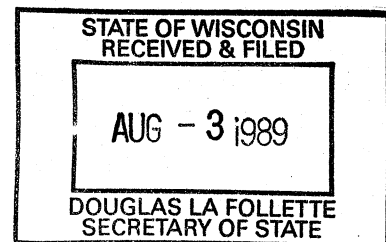
I, Susan M. Garsow, hereby certify that I am the duly qualified and acting Clerk of the City of Seymour, Outagamie County, Wisconsin, and as such official, I further certify that attached hereto are copies of excerpts from the minutes of the meetings of the Common Council of said City held on May 22, 1989, June 12, 1989 and June 26, 1989; and I have compared said copies with the original minute records of said meetings in my official custody; and that said copies are a true, correct and complete transcript from the said original minute records insofar as said record relates to the matters set out therein.

I further certify that attached hereto is a copy of Ordinance 89-105 and said copy is a true, correct and complete copy of the original ordinance, and a copy of the Petition for Direct Annexation and said copy is a true, correct and complete copy of the original petition and a copy of the Plat Map and said copy is a true, correct and complete copy of the original plat map insofar as these items relate to the matters set out therein.

WITNESS my official signature and the seal of said City this 30th day of June, 1989.


Susan M. Garsow
City Clerk

(AFFIX))
(CITY))
(SEAL))
(HERE))



Excerpts from the May 22, 1989 Regular Council meeting of the City of Seymour, as they pertain to the matter of the adoption of Ordinance No. 89-105, an ordinance annexing the Gabert-Rusch-Thomas property to the City of Seymour.

REGULAR COUNCIL

May 22, 1989

City Hall Council Chambers

7:00 P.M.

ROLL CALL

Mayor Schuette presiding with Burke, Landwehr, Pierre, Treml, Seidl and Rueden present. Also present were City Attorney, Ken Rottier; Chief of Police, Don Raymakers; and DPW Director, Mike Pepin.

GUESTS

Tom Rusch - Annexation

Mr. Rusch appeared before the Council in regard to the annexation of 26 acres of his property into the City.

Landwehr indicated the Streets and Sanitation Committee has no objection to the annexation of the Gabert-Rusch-Thomas property.

Motion -

Landwehr moved that Ordinance No. 89-105, Annexation of Gabert-Rusch-Thomas property be accepted for the first reading. Second by Seidl. Motion carried.

Council president, Burke, read the ordinance as follows:

(Ordinance No. 89-105) - Attached)

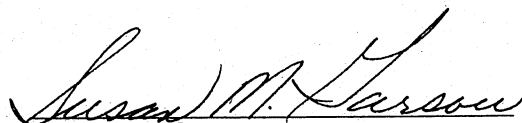
All other business was concluded.

ADJOURN

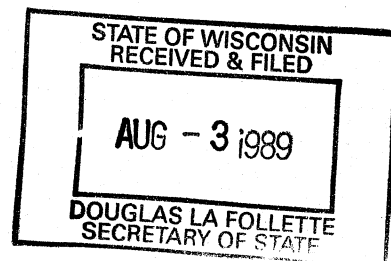
Motion -

Rueden moved to adjourn. Second by Seidl. Motion carried.

Meeting adjourned.


Susan M. Garsow
City Clerk

Approved 06-12-89 BLS



Excerpts from the June 12, 1989 Regular Council meeting of the City of Seymour, as they pertain to the matter of the adoption of Ordinance No. 89-105, an ordinance annexing the Gabert-Rusch-Thomas property to the City of Seymour.

REGULAR COUNCIL

June 12, 1989

City Hall Council Chambers

7:00 P.M.

ROLL CALL

Mayor Schuette presiding with Alderman Burke, Landwehr, Pierre, Seidl, Tremel and Rueden present. Also present were City Attorney, Ken Rottier; Chief of Police, Don Raymakers; Director of Public Works, Mike Pepin; and Fire Chief, Bob Mory.

OLD BUSINESS

Gabert, Reed, Thomas Annexation

The second reading of Ordinance 89-105 has been tabled until the next council meeting which is scheduled for June 26, 1989. The Council would like a commitment from Mr. Rusch so they may proceed.

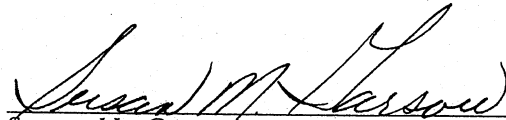
All other business was concluded.

ADJOURN

Motion -

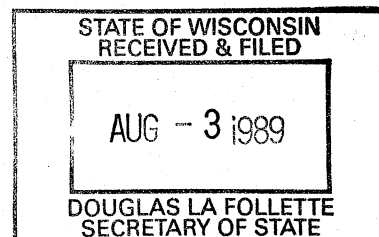
Seidl moved to adjourn. Second by Rueden. Motion carried.

Meeting adjourned.



Susan M. Garsow
City Clerk

Approved 06/26/89 BLS



Excerpts from the June 26, 1989 Regular Council meeting of the City of Seymour, as they pertain to the matter of the adoption of Ordinance 89-105, an ordinance annexing the Gabert-Rusch-Thomas property to the City of Seymour.

REGULAR COUNCIL

June 26, 1989

City Hall Council Chambers

7:00 P.M.

ROLL CALL

Mayor Schuette presiding with Alderman, Burke, Landwehr, Pierre, Seidl, Trembl and Rueden. Also present were City Attorney, Ken Rottier; Director of Public Works, Michael Pepin; and Chief of Police, Don Raymakers.

OLD BUSINESS

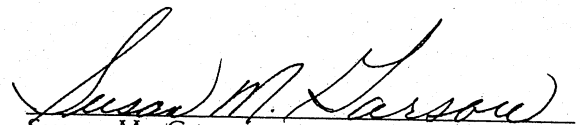
Ordinance 89-105 - Annexation of Gabert, Rusch, Thomas Property

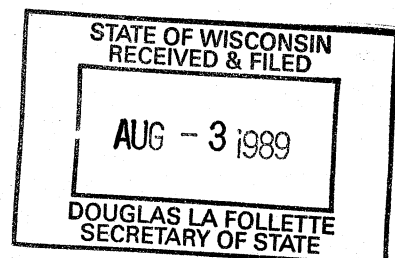
- Motion - Burke moved Ordinance 89-105 be accepted for the second reading. Second by Landwehr. Motion carried.
- Motion - Burke moved to waive the second reading of Ordinance 89-105. Second by Pierre. Motion carried.
- Motion - Burke moved to adopt Ordinance 89-105. Second by Rueden. Motion carried.

All other business was concluded.

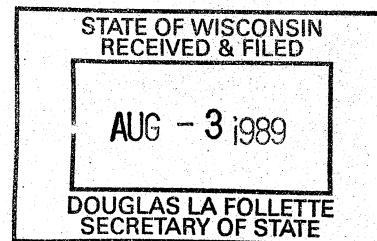
ADJOURN

- Motion - Seidl moved to adjourn. Second by Rueden. Motion carried.
- Meeting adjourned.


Susan M. Garsow
City Clerk



ORDINANCE #89- 105



The Common Council of the City of Seymour, Wisconsin, do ordain as follows:

Sec. 1. TERRITORY ANNEXED. In accordance with Sec. 66.021(12) of the Wis. Stats. and the petition for direct annexation filed with the City Clerk on the 6th day of August, 1988, signed by the owners of all of the land and area of which ~~no electors reside~~, the following described territory in the Town of Seymour, Outagamie County, Wisconsin, is annexed to the City of Seymour, Wisconsin:

A parcel of land located in part of the Northwest 1/4 of the Southeast 1/4 of Section 28, Township 24 North, Range 18 East, Town of Seymour, more fully described as follows: Beginning at the Northwest corner of the Southeast 1/4 of said Section 28; thence North 89 degrees 20 minutes 35 seconds East along the North line of said Southeast 1/4, 1,295.44 feet to the Northeast corner of the Northwest 1/4 of the Southeast 1/4 of said Section 28; thence South 00 degrees 17 minutes 50 seconds East along the East line of said Northwest 1/4 of the Southeast 1/4, 660.76 feet to the Northeast corner of the Southeast 1/4 of the Northwest 1/4 of the Southeast 1/4 of said Section 28; thence South 89 degrees 15 minutes 25 seconds West along the North line of the said Southeast 1/4 of the Northwest 1/4 of the Southeast 1/4 of said Section 28, and said line extended West, 863.85 feet; thence South 00 degrees 09 minutes 30 seconds East, parallel with the West line of said Southeast 1/4 of the Northwest 1/4 of the Southeast 1/4, 629.09 feet to the North line of a 33.00 ft. wide driveway easement; thence North 89 degrees 10 minutes 10 seconds East, along the North line of said driveway easement, 214.50 feet; thence South 00 degrees 09 minutes 30 seconds East along the West line of the Southeast 1/4 of the Northwest 1/4 of the Southeast 1/4 of said section, 33.00 feet to the Southwest corner of said Southeast 1/4 of the Northwest 1/4 of the Southeast 1/4; thence South 89 degrees 10 minutes 10 seconds West along the South line of the Southwest 1/4 of the Northwest 1/4 of the Southeast 1/4 650.05 feet to the Southwest corner of said Southwest 1/4 of the Northwest 1/4 of the Southeast 1/4; thence North 00 degrees 01 minutes 10 seconds West along the West line of the Southeast 1/4 of said Section 28, 1,325.52 feet to the point of beginning.

Said parcel of land contains 26 acres more or less.

Sec. 2. EFFECT OF ANNEXATION. From and after the date of this ordinance, the territory described in Sec. 1 shall be a part of the City of Seymour for any and all purposes provided by law and all

persons coming or residing within such territory shall be subject to all ordinances, rules and regulations governing the City of Seymour.

Sec. 3. WARD DESIGNATION. The territory described in Sec. 1 of this ordinance is hereby made a part of the Second Ward of the City of Seymour subject to the ordinances, rules and regulations of the city governing wards.

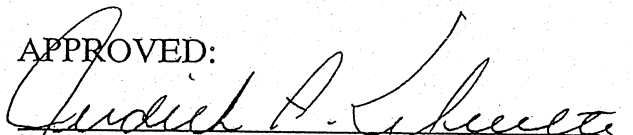
Sec. 4. SCHOOLS. The territory described in Sec. 1 is annexed for school purposes and remains a part of Seymour Community Schools, Joint District #4, City of Seymour, Villages of Black Creek, Nichols and Town of Center, et al, and subject to all of the laws governing the same.

Sec. 5. ZONING. The territory described in Sec. 1 is hereby zoned as agricultural as it was previously zoned under the Seymour Extraterritorial Zoning.

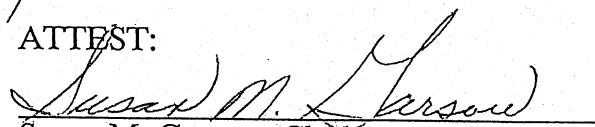
Sec. 6. SEVERABILITY. If any provision of this ordinance is invalid or unconstitutional or if the application of this ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application.

Sec. 7. EFFECTIVE DATE. This ordinance shall take effect on passage and publication as provided by law.

APPROVED:

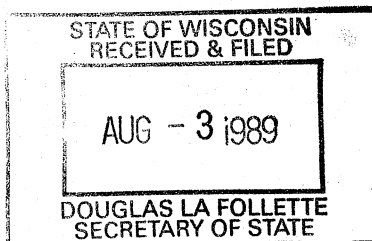

Judith A. Schuette, Mayor

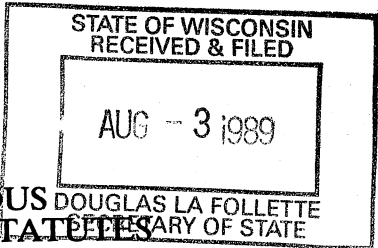
ATTEST:


Susan M. Garsow, Clerk

Adopted by the Common Council and approved by the Mayor on the ~~16~~ day of ~~June~~, 1989.

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PETITION FOR DIRECT ANNEXATION FOR UNANIMOUS APPROVAL PURSUANT TO SECTION 66.021(12) WISCONSIN STATUTES

**TO: Common Council, City of Seymour
Outagamie County, Wisconsin**

Petition is hereby made in accordance with the provisions of Sec. 66.021 of the Wisconsin Statutes for direct annexation with unanimous approval as per Sec. 66.021(12) to the City of Seymour, Wisconsin, from the Town of Seymour, Outagamie County, Wisconsin, of the real estate hereinafter described.

That attached hereto is a scale map reasonably showing the boundaries of the following described territory to be so annexed and its relation to the municipalities involved.

That the current population of the territory to be annexed as defined in Sec. 66.013(2)(b) of the Wisconsin Statutes is zero.

That the territory to be annexed is contiguous to the City of Seymour, located in the Town of Seymour, Outagamie County, Wisconsin, and described as follows:

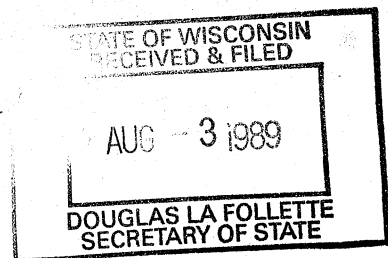
A parcel of land located in part of the Northwest 1/4 of the Southeast 1/4 of Section 28, Township 24 North, Range 18 East, Town of Seymour, more fully described as follows: Beginning at the Northwest corner of the Southeast 1/4 of said Section 28; thence North 89 degrees 20 minutes 35 seconds East along the North line of said Southeast 1/4, 1,295.44 feet to the Northeast corner of the Northwest 1/4 of the Southeast 1/4 of said Section 28; thence South 00 degrees 17 minutes 50 seconds East along the East line of said Northwest 1/4 of the Southeast 1/4, 660.76 feet to the Northeast corner of the Southeast 1/4 of the Northwest 1/4 of the Southeast 1/4 of said Section 28; thence South 89 degrees 15 minutes 25 seconds West along the North line of the said Southeast 1/4 of the Northwest 1/4 of the Southeast 1/4 of said Section 28, and said line extended West, 863.85 feet; thence South 00 degrees 09 minutes 30 seconds East, parallel with the West line of said Southeast 1/4 of the Northwest 1/4 of the Southeast 1/4, 629.09 feet to the North line of a 33.00 ft. wide driveway easement; thence North 89 degrees 10 minutes 10 seconds East, along the North line of said driveway easement, 214.50 feet; thence South 00 degrees 09 minutes 30 seconds East along the West line of the Southeast 1/4 of the Northwest 1/4 of the Southeast 1/4 of said section, 33.00 feet to the Southwest corner of said Southeast 1/4 of the Northwest 1/4 of the Southeast 1/4; thence South 89 degrees 10 minutes 10 seconds West along the South line of the Southwest 1/4 of the Northwest 1/4 of the Southeast 1/4

650.05 feet to the Southwest corner of said Southwest 1/4 of the Northwest 1/4 of the Southeast 1/4; thence North 00 degrees 01 minutes 10 seconds West along the West line of the Southeast 1/4 of said Section 28, 1,325.52 feet to the point of beginning.

Said parcel of land contains 26 acres more or less.

<u>Name</u>	<u>Post Office Address</u>	<u>Date Signed</u>	<u>Relationship To Property</u>
<i>Florence Thomas</i> Florence Thomas	615 Lincoln Street, Seymour, WI 54165	7/29/88	Land Contract Vendor
<i>Thomas N. Rusch</i> Thomas N. Rusch	2760 Westmoor Road, Oshkosh, WI 54904	8-1-88	Land Contract Vendee
<i>Richard L. Gabert</i> Richard L. Gabert	P.O. Box 2271, Oshkosh, WI 54903	8-1-88	Land Contract Vendee

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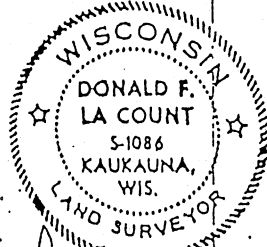


Plat of Survey

PART OF THE N.W. 1/4 OF THE S.E. 1/4 OF SECTION 28, T.24N., R.18E., TOWN OF SEYMOUR, AND PART OF THE N.E. 1/4 - S.W. 1/4 SECTION 28, T.24N., R.18E., CITY OF SEYMOUR, OUTAGAMIE COUNTY, WISCONSIN.

LEGEND

- EXISTING 8" x 8" STONE WITH HOLE IN CENTER FOUND
- ▲ EXISTING 2" ROUND IRON PIPE FOUND
- EXISTING 1" ROUND IRON PIPE FOUND
- 1" x 24" ROUND IRON PIPE SET



STATE OF WISCONSIN
RECEIVED & FILED

AUG - 3 1989

DOUGLAS LA FOLLETTE
SECRETARY OF STATE

N. 89° 20' 35" E. *Town of Seymour* 1295.44'

NORTH LINE S.E. 1/4

CENTER SECTION 28

26.516 ACRES ±
1,155,023 SQ. FT. ±



SCALE: 1" = 200'

N.W. 1/4

S.E. 1/4

N.W. 1/4 - S.E. 1/4
5.00° 17' 50" E.

Town of Seymour

SEC. 28

T. 24 N.

R. 18 E.

Town of Seymour

SEYMOUR CITY LIMITS LINE
City of Seymour
WEST LINE S.E. 1/4

N. 00° 01' 10" W., 33.03'
N. 89° 10' 10" E., 33.00'
N. 00° 01' 10" W., 33.00'

Land Use Services

S. 89° 07' 44" W., 33.00'

436.17' 33' DRIVEWAY EASEMENT
S. 89° 10' 10" W. 650.95'
SOUTH LINE N.W. 1/4 - S.E. 1/4

SAMSON ROAD

SOUTH HALF OF FUTURE 66' STREET

Town of Seymour

AUTHORIZATION CERTIFICATE:

I hereby certify that I have been authorized, under the direction of MR. & MRS. GORDON THOMAS to survey, map and describe the property as shown on this plat. Said survey was made on JULY 26, 1983

SURVEYOR'S CERTIFICATE:

I hereby certify that I have surveyed the property as shown and described, according to official records and that the plat above displays an accurate and correct representation of said survey. AUGUST 2, 1983

Donald F. La Count
Registered Land Surveyor

PHILIPPS AND ASSOCIATES, Engineers and Land Surveyors
DIVISION OF GRAEF, ANHALT, SCHLOEMER & ASSOCIATES, INC.

P.O. BOX 248, LITTLE CHUTE,
WISCONSIN 54140

FILE NO. 83H26
SHEET 1 OF 2

DEPARTMENT OF
COURT CLERK

9

AUG 10, 1988

received