

CITY OF BELOIT

COUNTY OF ROCK

Amended Judgement in the  
Town of Beloit vs. City of Beloit Case

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OFFICE OF THE SECRETARY OF STATE  
*State of Wisconsin*

Filed November 15, 1988

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**FORBECK & MONAHAN, S. C.**

ATTORNEYS AT LAW

2715 RIVERSIDE DRIVE

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TELEPHONE 608-362-8086

November 10, 1988

KENNETH W. FORBECK  
TERRENCE T. MONAHAN

ASSISTANTS  
SHIRLEY SANDOW  
JEAN M. TAYLOR

Secretary of State's Office  
Madison, WI 53700

Re: Town of Beloit  
vs.  
City of Beloit  
Rock County Case No. 86-CV-31  
Appeal No. 86-1974

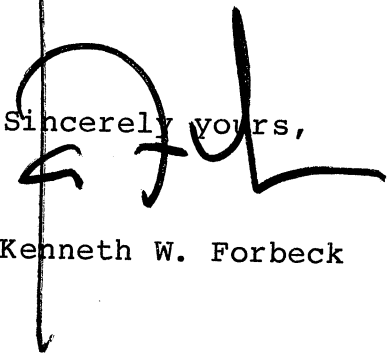
Gentlemen:

Enclosed please find four copies of the Amended Judgment in the above referenced annexation matter which reverses the decision of the Trial Court and renders annexation by the City of Beloit from the Town of Beloit of certain territory within the Town of Beloit, null and void.

The enclosed are sent to you pursuant to and as required by s. 66.026 Wis. Stats.. It is my understanding that that statute requires that you forward two copies of the enclosed to the Department of Transportation and one copy to the Department of Revenue.

Thank you.

Sincerely yours,

  
Kenneth W. Forbeck

KWF:ss  
Encs.

cc: Mr. Tom Nee  
R. H. Batterman & Company  
2857 Bartells Drive  
Beloit, WI 53511

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DOUGLAS LA FOLLE  
SECRETARY OF STATE

STATE OF WISCONSIN

COUNTY OF ROCK

IN CIRCUIT COURT

# # # # #

TOWN OF BELOIT,

vs.

CITY OF BELOIT,

Plaintiff-Appellant,

AMENDED JUDGMENT

Case No. 86-CV-31

Court of Appeals

No. 86-1974

Defendant-Respondent.

# # # # #

THE ABOVE CAPTIONED MATTER having been appealed to the State of Wisconsin Court of Appeals, District IV, by Notice of Appeal dated the 21st day of October, 1986, and,

THE COURT OF APPEALS having rendered a Decision filed the 8th day of October, 1987, in which Decision, the Court of Appeals reversed the Judgment of the Trial Court and directed the Trial Court to grant Judgment to the Town of Beloit, Plaintiff-Appellant,

NOW, THEREFORE, IT IS ORDERED that the Judgment entered in this matter on the 20th day of October, 1986, be and is hereby rendered null and void.

FURTHER, THAT, the Costs entered in said original Judgment in the amount of \$261.17 are also rendered null and void.

FURTHER, THAT, it is found and determined that the

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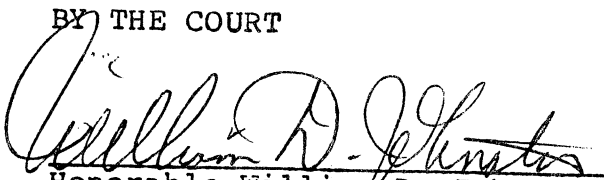
following Amended Judgment be entered in this matter:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED, in accordance with the Decision of the Court of Appeals, District IV, entered in this matter and filed on October 8, 1987, that City of Beloit Ordinance No. 1997, adopted October 21, 1985, published October 29, 1985, effective October 30, 1985, be and is hereby declared to be invalid and of no force and effect.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Town of Beloit, Plaintiff-Appellant, have and recover from the City of Beloit, Defendant-Respondent, its costs and disbursements of this action as determined by s. 809.25 Wis. Stats., said costs having been taxed by the Clerk of the Court of Appeals in the amount of \$967.36.

Dated this 16<sup>th</sup> day of November, 1987.

BY THE COURT

  
Honorable William D. Johnston  
Circuit Court Judge

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