

The State of Wisconsin

Office of the Secretary of State

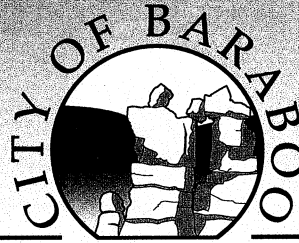
CITY 68

CITY OF BARABOO

COUNTY OF SAUK

ANNEXATION ORDINANCE NUMBER 2084

FILED JUNE 3, 2002



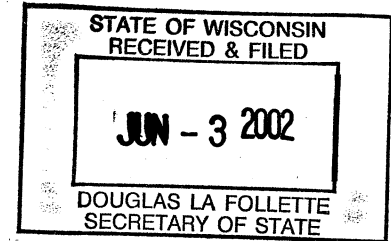
Office of the City Clerk

135 4th Street, Baraboo, WI 53913

608-355-2700 • 608-356-9666 fax

May 31, 2002

G-68



Office of Secretary of State
Government Records Division
PO Box 7848
Madison, WI 53707-7848

ANNEXATION: GREEN/GREENWOOD

Enclosed please find the necessary documents: certification, ordinance, and plat of the property which has been annexed.

Cheryl M. Giese

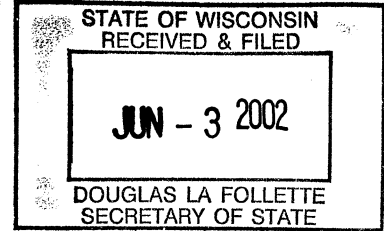
Cheryl M. Giese,
City Clerk/Finance Director
City of Baraboo

C-68

Annexation-Green/Greenwood AN 02 001

Document Number

Document Title



Name and Return Address:

City of Baraboo
 Attn: City Clerk
 135 4th Street
 Baraboo, WI 53913

Parcel Identification Number (PIN)

Recording Area

I, Cheryl M. Giese, City Clerk of the City of Baraboo, County of Sauk, State of Wisconsin, DO HEREBY CERTIFY that the territory described in the attached ordinance was detached from the Town of Baraboo, County of Sauk, and was annexed and zoned Highway Oriented Business District, to the said City of Baraboo, pursuant to Section 66.217 of the Wisconsin Statutes, by Ordinance No. 2084 adopted by the Common Council at a regular meeting held on May 28, 2002.

I further certify, that the population of said territory is 4, and that the attached ordinance is a true and complete copy of the annexation and zoning as adopted.

Dated this 31st day of May, 2002.

Cheryl M. Giese

Cheryl M. Giese
 City Clerk-Finance Director

Ordinance No. 2084
The City of Baraboo, Wisconsin

Background: The City has received a petition for direct annexation from Todd and Judy Greenwood, G. A. Greenwood Forest Products, Inc. and the Raymond L. Green and Edwin C. and Nancy J. Green Living Trust. The lands proposed for annexation consist of approximately 40 acres along Highway 12 immediately south of the Wal-Mart Subdivision. At present, these lands are used to operate the Greenwood Forest Products Lumber operation and business and contain two residences and agricultural land. This land is included in the 1999 supplement to the City of Baraboo Comprehensive Master Plan and is designated in the plan as lands appropriate for Highway Oriented Business Zoning. The City's Planner, Mike Slavney, has prepared a memorandum recommending that this land be annexed into the City and zoned for Highway Oriented Business Use. A copy of his report is included with the materials. Also included with the materials is a copy of that portion of the 1999 supplement to the Master Plan covering the southwest quadrant. Mike Slavney's report and the 1999 Supplement state that it is appropriate for the City's planning area to include lands extending to the point where Mine Road is proposed to connect with Highway 12. This southern boundary is consistent with the southern boundary of the proposed annexation. At this point, this land is proposed for annexation with the plan that after annexation and zoning that the parcel will be purchased by Menard's and that a new Menard's store is planned for this site. Menard's will need to obtain a conditional use permit in order for their project to proceed and, therefore, the details of their project should wait until the lands have been annexed and rezoned. Menard's have been provided with a copy of all relevant City Codes, such as the stormwater code, landscaping code and conditional use codes. By annexing this land, the City will be able to control the development of this land. The Wisconsin Department of Administration has reviewed this annexation and found it to "be in the public interest." A copy of the Department of Administration letter of approval dated April 8, 2002, is included with the materials.

Fiscal Note: (check one) Not Required Budgeted Expenditure Not Budgeted
Comments:

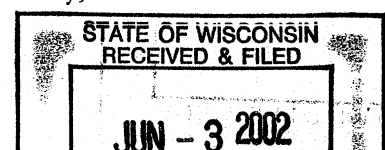
An Ordinance amending Section 1.49(2), Section 8.01(3), and Section 17.18(4)(b) of the Municipal Code of the City of Baraboo thereby annexing certain lands in the Town of Baraboo to the City of Baraboo pursuant to a Petition for Annexation filed by Mary A. Greenwood, Todd Greenwood, Judith Greenwood, G. A. Greenwood Forest Products, Inc., Raymond L. Green, and Edwin C. and Nancy J. Green Living Trust, together with others, and permanently zoning the subject lands, upon annexation, as Highway Oriented Business District (B-3).

THE COMMON COUNCIL OF THE CITY OF BARABOO, WISCONSIN, DO ORDAIN
AS FOLLOWS:

WHEREAS, over the years, the City of Baraboo has been successful in attracting new businesses to the City and further facilitating the expansion of existing businesses and business development and this has served to diversify the City's economic base, create employment opportunities, and contribute to the tax base of the City, and

WHEREAS, in the City of Baraboo Comprehensive Master Plan, it was projected that as this community grows in size and in regional retail sales and services, new commercial development will be attracted to the City of Baraboo and that during the planning period of the Master Plan, approximately 206 acres of highway commercial development activity was projected, and

WHEREAS, on August 11, 1998, the Baraboo City Council determined that it was necessary for the City to undertake a supplemental update to the City of Baraboo Master Plan and on August 27, 1998, the City of Baraboo retained the services of Vandewalle and Associates, a land use planning, design, and development consulting firm for the purpose of undertaking a study to develop, among other things, a plan to provide long-range commercial development to locations that are cost effective to serve, will respond to real estate market realities, and will preserve and enhance the important and economically valuable character of the area as a unique and high quality community, and



WHEREAS, in June of 1999, Vandewalle and Associates submitted its initial draft of a Long Range Non-residential Development Plan to the City and said plan identified the Southwest Baraboo growth area as ideally positioned for non-residential development because of its location straddling the existing U.S. Highway 12 corridor, and its adjacency to the proposed new U.S. Highway 12 by-pass route. The study further identified the southwest Baraboo growth area as presenting the greater Baraboo community with its most immediately available area for significant non-residential development. The plan identified this area as having immediate access to public utilities and as an area provided with excellent regional access from U.S. Highway 12, and

WHEREAS, on December 14, 1999, the City Council met jointly with the Baraboo Plan Commission to hear a public presentation from Mr. Michael Slavney of Vandewalle and Associates regarding the long range non-residential development plan for the City of Baraboo and on October 31, 2000, the City of Baraboo Plan Commission recommended to the Common Council the adoption of the proposed Long Range Non-residential Development Plan dated December, 1999, as an amendment or supplement to the City of Baraboo Master Plan and on November 28, 2000, the City of Baraboo conducted a public hearing and adopted as a supplement or amendment to the City of Baraboo Master Plan, the December 1999, Long Range Non-residential Development Plan also known as the Industrial Development Areas Plan and said plan dated December 1999, is adopted and incorporated herein by reference and made a part hereof, and

WHEREAS, the Common Council has further reviewed and considered the memorandum dated March 26, 2002, filed with the City by its planning consultant, Michael Slavney, AICP, of Vandewalle and Associates regarding the annexation petition filed with the City for the annexation of the lands described herein, and the memorandum of Michael Slavney is adopted by reference and made a part hereof, and

WHEREAS, the Common Council finds that the territory proposed to be annexed is contiguous to the City and its shape is unexceptional and the Common Council further finds that the City has a reasonable present and future need for the said territory and the said territory is reasonably suitable or adaptable to the City's needs and said lands are suitable for the extension of police, fire, sewer, water, and other services, and

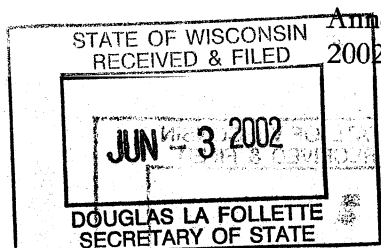
WHEREAS, the Common Council has considered the recommendation of the Plan Commission that the territory described above proposed for annexation should be annexed to the City and that the annexed territory be permanently zoned Highway Oriented Business District, and

WHEREAS, based upon the foregoing, the Common Council further finds that the lands proposed to be annexed should, upon annexation, be zoned Highway Oriented Business District (B-3), and that said zoning promotes the public safety, health, and general welfare of this community, and

WHEREAS, the Common Council has received and reviewed the advisory opinion of the Wisconsin Department of Administration dated April 8, 2002, and issued pursuant to Section 66.0217(6), Wis. Stats., and said opinion is on file in the office of the Baraboo City Clerk and is hereby adopted by reference as though fully set forth herein.

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF BARABOO, SAUK COUNTY, WISCONSIN DO ORDAIN AS FOLLOWS:

1. In accordance with Section 66.0217 of the Wisconsin Statutes and the Petition for Direct Annexation by Unanimous Approval filed with the City Clerk on the 14th day of March, 2002, signed by all of the electors in the territory proposed for annexation and further



signed by all of the owners of the territory proposed to be annexed, the following described territory in the Town of Baraboo, Sauk County, Wisconsin is hereby annexed to the City of Baraboo, Sauk County, Wisconsin:

A parcel of land located in the SE 1/4 - SW 1/4 and the NE 1/4 - SW 1/4, Section 3, T11N, R6E, Town of Baraboo, described as follows:

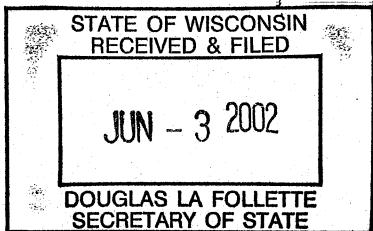
The SE 1/4 - SW 1/4, Section 3, T11N, R6E, and that part of the NE 1/4 - SW 1/4 contained with the following described traverse: commencing at the south one-quarter corner of said Section 3; thence N0°33'40"W, 1233.00 feet to the point of beginning of said traverse; thence S89°26'20"W, 50.00 feet; thence N0°33'40"W, 100.00 feet; thence N9°05'13"E, 101.44 feet; thence N89°26'20"E, 66.00 feet; thence S0°33'40"E, 111.00 feet; thence S11°22'30"E, 90.61 feet; thence S89°26'20"W, 50.00 feet to the point of beginning of said traverse.

2. The Petition for Annexation of the above described territory is hereby accepted as a sufficient and legal petition conforming to the requirements of Section 66.0217, Wis. Stats., and it is determined that the annexation proceedings herein meet the requirements of the Wisconsin Statutes.
3. From and after the date of this ordinance, the territory described above in Section 1 shall be part of the City of Baraboo, Sauk County, Wisconsin, 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 Baraboo, Wisconsin.
4. Upon the recommendation of the Baraboo Plan Commission, the territory annexed to the City by this ordinances shall be permanently zoned Highway Oriented Business District (B-3).
5. The territory described in Section 1 of this ordinance is hereby made a part of the 6th Ward of the City of Baraboo, Wisconsin, subject to the ordinances, rules, and regulations of the City of Baraboo governing wards, and the City Engineer is directed to change the City's Official Map and the City's Master Plan and Supplement thereto to reflect the terms of this Ordinance.
6. 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.
7. This Ordinance shall take effect upon passage and publication as provided by law.

Mayor's Approval: Dean D. Steinbock

Clerk's Certification: Cheryl M. Giese

I hereby certify that the foregoing Ordinance was duly passed by the Common Council of the City of Baraboo on the 28th day of May, 2002, and is recorded on page 293 of volume 34.



City Clerk: Cheryl M. Giese

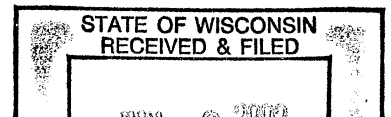


EXHIBIT "A"

**A PARCEL OF LAND
LOCATED IN
THE SE 1/4-SW 1/4 AND THE NE 1/4-SW 1/4 SECTION 3, T11N, R6E,
TOWN OF BARABOO, SAUK COUNTY, WISCONSIN**

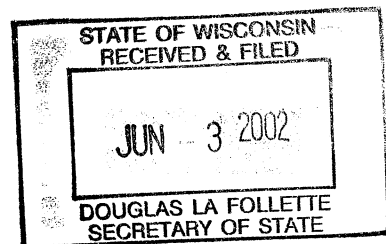
**AS GIVEN BY
MSA PROFESSIONAL SERVICES, INC.
BARABOO, WI 53913
February, 2002
Project #11501**

**RECEIVED
MAR 1 4 2002
CITY OF BARABOO**

Proposed Annexation Description

A parcel of land located in the SE 1/4-SW 1/4 and the NE 1/4-SW 1/4, Section 3, T11N, R6E, Town of Baraboo, described as follows:

The SE 1/4-SW 1/4, Section 3, T11N, R6E, and that part of the NE 1/4-SW 1/4 contained with the following described traverse: commencing at the south one-quarter corner of said Section 3; thence N0°33'40"W, 1233.00 feet to the point of beginning of said traverse; thence S89°26'20"W, 50.00 feet; thence N0°33'40"W, 100.00 feet; thence N9°05'13"E, 101.44 feet; thence N89°26'20"E, 66.00 feet; thence S0°33'40"E, 111.00 feet; thence S11°22'30"E, 90.61 feet; thence S89°26'20"W, 50.00 feet to the point of beginning of said traverse.

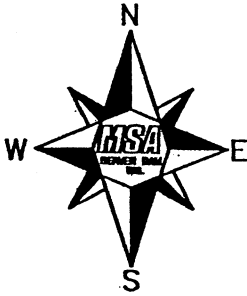


CITY OF BARABOO PROPOSED ANNEXATION
LOCATED IN THE SE1/4-SW1/4 AND THE NE1/4-SW1/4,
SECTION 3, T11N, R6E, TOWN OF BARABOO,
SAUK COUNTY WISCONSIN

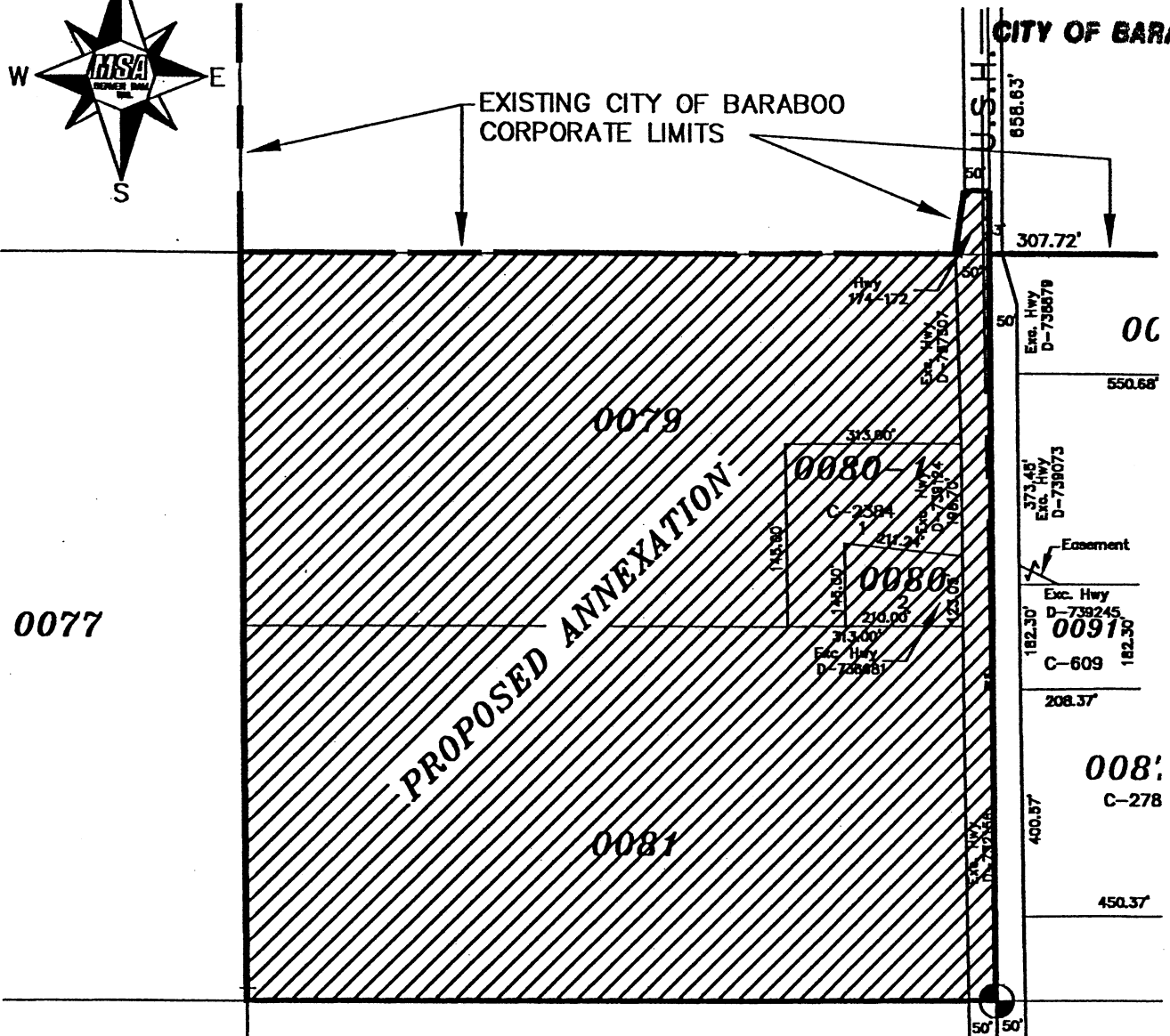
RECEIVED

MAR 1 4 2002

CITY OF BARABOO



EXISTING CITY OF BARABOO
CORPORATE LIMITS



0077

PROPOSED ANNEXATION

0079

0080-1

0080-2

0081

OC

550.68'

Exc. Hwy
D-738073

Easement

Exc. Hwy
D-739245
C-609

208.37'

0081
C-278

400.57'

450.37'

GRAPHIC SCALE



1" = 300 FEET

STATE OF WISCONSIN
RECEIVED & FILED

JUN - 3 2002

DOUGLAS LA FOLLETTE
SECRETARY OF STATE



TRANSPORTATION • MUNICIPAL • REMEDIATION
DEVELOPMENT • ENVIRONMENTAL

1200 South Broadway, Baraboo, WI 53513
608-338-3771 1-800-353-6000 Fax 608-338-9770

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DRAWING PATH

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2-13-02