

The State of Wisconsin

Office of the Secretary of State

VILLAGE 47

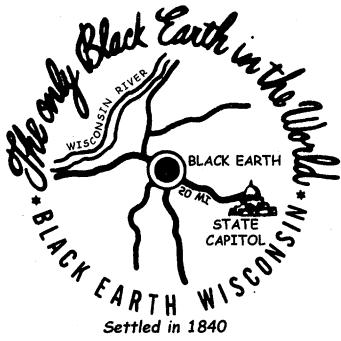
VILLAGE OF BLACK EARTH

COUNTY OF DANE

ANNEXATION ORDINANCE NUMBER O-2005-10

FILED JUNE 27, 2005

V-47



Village of Black Earth

OFFICE OF THE CLERK

CERTIFICATE OF TRUE COPY

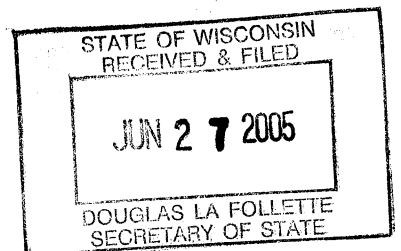
State of Wisconsin
Dane County

June 8th, 2005

I, Tina Butteris, Clerk-Treasurer of the Village of Black Earth, State of Wisconsin, do hereby certify that the attached ordinance and exhibits are true and exact copies of the original annexation ordinance.

The current population of the annexed territory is five (5).

Tina Butteris, CMC, Clerk-Treasurer
Village of Black Earth



Annexation Ordinance

Document Number

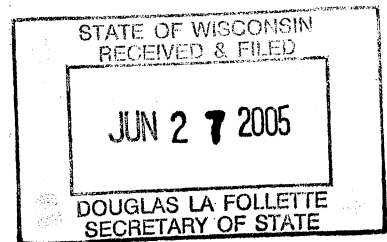
Document Title

Recording Area

Name and Return Address

Village of Black Earth
PO Box 347
Black Earth WI 53515

Parcel Identification Number (PIN)



This information must be completed by submitter: document title, name & return address, and PIN (if required). Other information such as the granting clause, legal description, etc., may be placed on this first page of the document or may be placed on additional pages of the document. Note: Use of this cover page adds one page to your document and \$2.00 to the recording fee. Wisconsin Statutes, 59.43(2m). WRDA HB Rev. 1/8/2004

STATE OF WISCONSIN

COUNTY OF DANE

Personally, came before me this 24th day of May, 2005 the above named Jeanne Poast, Village President and Tina Butteris, Village Clerk, personally known by me to be the same persons whose names are subscribed to the foregoing instrument and acknowledged that they signed and delivered the instrument for the uses and purposes therein set forth.

Stephanie Marie
11/25/2007
My Commission Expires

STATE OF WISCONSIN
RECEIVED & FILED
JUN 27 2005
DOUGLAS LA FOLLETTE
SECRETARY OF STATE

ORDINANCE OF THE VILLAGE OF BLACK EARTH, WISCONSIN

Title: AN AMENDMENT TO ORDINANCE ANNEXING TERRITORY
TO THE VILLAGE OF BLACK EARTH, WISCONSIN

Ordinance Identification Number	<u>O-2005-10</u>
Code Section(s) created, amended, or repealed	<u>N/A</u>
Presented to Board by	<u>Village Attorney</u>
Committee Review by	<u>N/A</u>
Date(s) Public Hearing(s) held (if required)	<u>N/A</u>
Date adopted	<u>5-24-05</u>
Vote	<u>4-0</u>
Date of publication of adoption of ordinance	<u>No publication requirement</u>

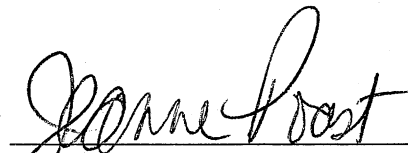
AN AMENDMENT TO ORDINANCE ANNEXING TERRITORY TO THE VILLAGE OF BLACK EARTH, WISCONSIN

The Village Board of the Village of Black Earth, Wisconsin does ordain as follows:

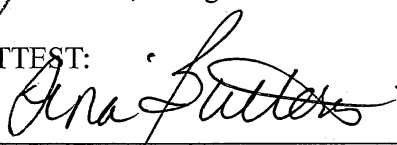
SECTION 1. Ordinance Annexing Territory. The Village of Black Earth adopted Ordinance O-2005-1 on May 31st, 2005. The Village of Black Earth does hereby amend Section 5 of Ordinance O-2005-1 An Ordinance Annexing Territory to the Village of Black Earth to read as follows: "Delayed Effective Date. This ordinance shall not be effective until Village and Developer have executed a Development Agreement. If such Agreement has not been executed by August 9th, 2005, this ordinance shall be null and void."

SECTION 2. 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.

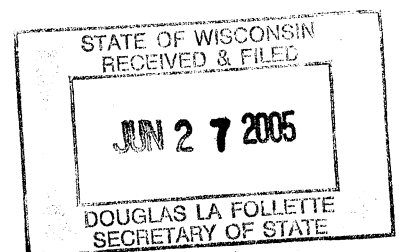
Adopted this 24th day of May 2005.



Jeanne Poast, Village President

ATTEST:


Tina Butteris, Village Clerk



ORDINANCE OF THE VILLAGE OF BLACK EARTH, WISCONSIN

Title: AN ORDINANCE ANNEXING TERRITORY
TO THE VILLAGE OF BLACK EARTH, WISCONSIN

Ordinance Identification Number	<u>O-2005-1</u>
Code Section(s) created, amended, or repealed	<u>N/A</u>
Presented to Board by	<u>Village Attorney</u>
Committee Review by	<u>Plan Commission</u>
Date(s) Public Hearing(s) held (if required)	
Date adopted	<u>3-1-05 with delayed effective date</u>
Vote	<u>6-0</u>
Date of publication of adoption of ordinance	<u>No publication requirement.</u>

AN ORDINANCE ANNEXING TERRITORY TO THE VILLAGE OF BLACK EARTH, WISCONSIN

The Village Board of the Village of Black Earth, Wisconsin does ordain as follows:

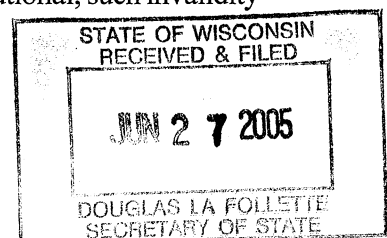
SECTION 1. Territory Annexed. In accordance with Wis. Stats. § 66.0217(2) and the petition for Direct Annexation by Unanimous Approval filed with the Village Clerk on February 23rd, 2005, and filed with the Town Clerk, and signed by all of the electors residing in the territory and the owners of all the land in the territory to be annexed, and following review of the recommendations of the Department of Administration, the following described territory in the Town of Black Earth, Dane County, Wisconsin, shall be and hereby is annexed to the Village of Black Earth, Wisconsin:

(See attached Exhibit A that includes the legal description of the territory to be annexed, and is incorporated herein by reference.)

SECTION 2. Effect of Annexation. From and after the date of this ordinance the territory described in section 1 shall be a part of the Village of Black Earth 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 Village of Black Earth.

SECTION 3. Zoning Classification. The territory annexed to the Village of Black Earth shall be temporarily zoned A-1 Agricultural. Following annexation of the Property, the Petitioner shall apply for a change in the temporary zoning of the Property to permanent zoning in the appropriate residential zoning districts. Permanent zoning classifications and regulations for the zoning of the annexed area shall be considered by the Plan Commission and Village Board upon submission of appropriate applications by Owner-Developer.

SECTION 4. 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.

SECTION 5. Delayed Effective Date. This ordinance shall not be effective until Village and Developer have executed a Development Agreement. If such Agreement has not been executed by May 31st, 2005, this ordinance shall be null and void.

Adopted this 1st day of March 2005.

Jeanne Poast
Jeanne Poast, Village President

ATTEST:

Tina Butteris
Tina Butteris, Village Clerk

STATE OF WISCONSIN

COUNTY OF DANE

Personally, came before me this 1st day of March, 2005 the above named Jeanne Poast, Village President and Tina Butteris, Village Clerk, personally known by me to be the same persons whose names are subscribed to the foregoing instrument and acknowledged that they signed and delivered the instrument for the uses and purposes therein set forth.

Stephanie Maier
MAR. 25. 2007
My Commission Expires

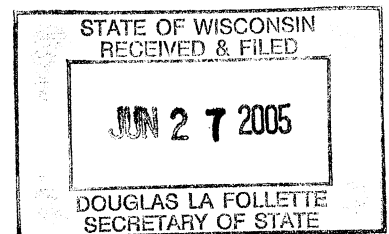
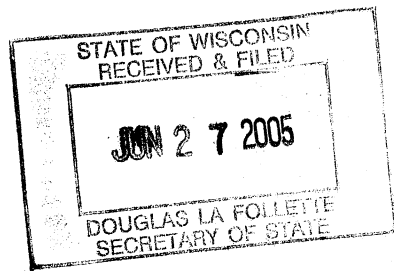


EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY TO BE ANNEXED

EXHIBIT B

MAP OF PROPERTY TO BE ANNEXED



Description of area being proposed for annexation to the Village of Black Earth

Part of the Northeast Quarter of the Northeast Quarter, part of the Southeast Quarter of the Northeast Quarter and part of the Northwest Quarter of the Northeast Quarter of Section 35, Town 8 North, Range 6 East, Town of Black Earth, Dane County, Wisconsin, being more particularly described as follows:

Commencing at the Northeast corner of Section 35; thence S 00°18'38" W on the East line of the Northeast Quarter, 810.26'; thence N 89°41'22" W, 423.38' to a point on the centerline of County Trunk Highway "KP" and the point of beginning of the area being annexed; thence N 05°25'10" E, 42.65' to a point of the Northerly right-of-way line of County Trunk Highway "KP"; thence Northwesterly on said right-of-way line, on the arc of a 1,518.00' radius curve to the left, to the East line of that parcel described in Volume 497 of Deeds, Page 235; thence Northerly to the Northeast corner of Volume 497 of Deeds, Page 235; thence N 58°27' W, 106' to the Northwest corner of Volume 497 of Deeds, Page 235, said point also being the Northeast corner of that parcel described in Document Number 3919718; thence N 58°27' W, 62' to the Northwest corner thereof, said point also being the Northeast corner of that parcel described in Volume 562 of Deeds, page 506; thence Northwesterly, 200' to the Northwest corner of Volume 562 of Deeds, Page 506, said point also being the Northeast corner of a parcel described in Document Number 3808548 previously annexed into the Village of Black Earth; thence South, 183' to the centerline of County Trunk Highway "KP", said point also being the Southeast corner of Document Number 3808548; thence Northwesterly on the centerline of County Trunk Highway "KP" to the West line of the Northeast Quarter of the Northeast Quarter; thence South on said West line to the South right-of-way line of County Trunk Highway "KP"; thence S 61°19'01" E on said right-of-way line, 176.84' to the Northeast corner of Dane County Certified Survey Map No. 6043; thence S 00°14'13" W, 394.32' to the Southeast corner thereof; thence S 89°22'28" W, 154.95' to the Southwest corner thereof; thence S 00°23'32" W, 184.67'; thence S 00°14'42" W to the Northeast corner of the Cemetery, thence West, 109.6' to the Northwest corner of the Cemetery; thence South, 97' to the Southwest corner of the Cemetery; thence East, 109.6' to the Southeast corner of the Cemetery; thence S 00°14'42" W to the Northeast corner of the First Addition to Thorson's Addition to the Village of Black Earth; thence S 00°38'24" W on the East line thereof, 522.80'; thence N 89°41'22" E, 168.30'; thence N 00°33'13" E, 375.06'; thence S 80°08'16" E, 210.61'; thence N 64°26'13" E, 529.18'; thence N 05°25'10"E, 470.77' to the point of beginning.

Above described area includes the entirety of Tax Parcel Numbers 180060, 18070, 18080, 18890 and 18210, and a portion of the Southerly 33' of Tax Parcel Number 18802 (C.T.H. "KP" right-of-way) and contains 20 acres, more or less.

SHEET 2 OF 2

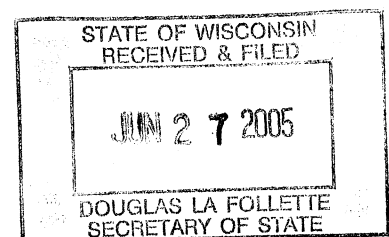


Exhibit B

OF AN AREA PROPOSED FOR ANNEXATION INTO THE VILLAGE OF BLACK EARTH, BEING LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 35, TOWN 8 NORTH, RANGE 6 EAST, TOWN OF BLACK EARTH, DANE COUNTY, WISCONSIN.

N1/4 COR
SEC. 35
T8N, R6E

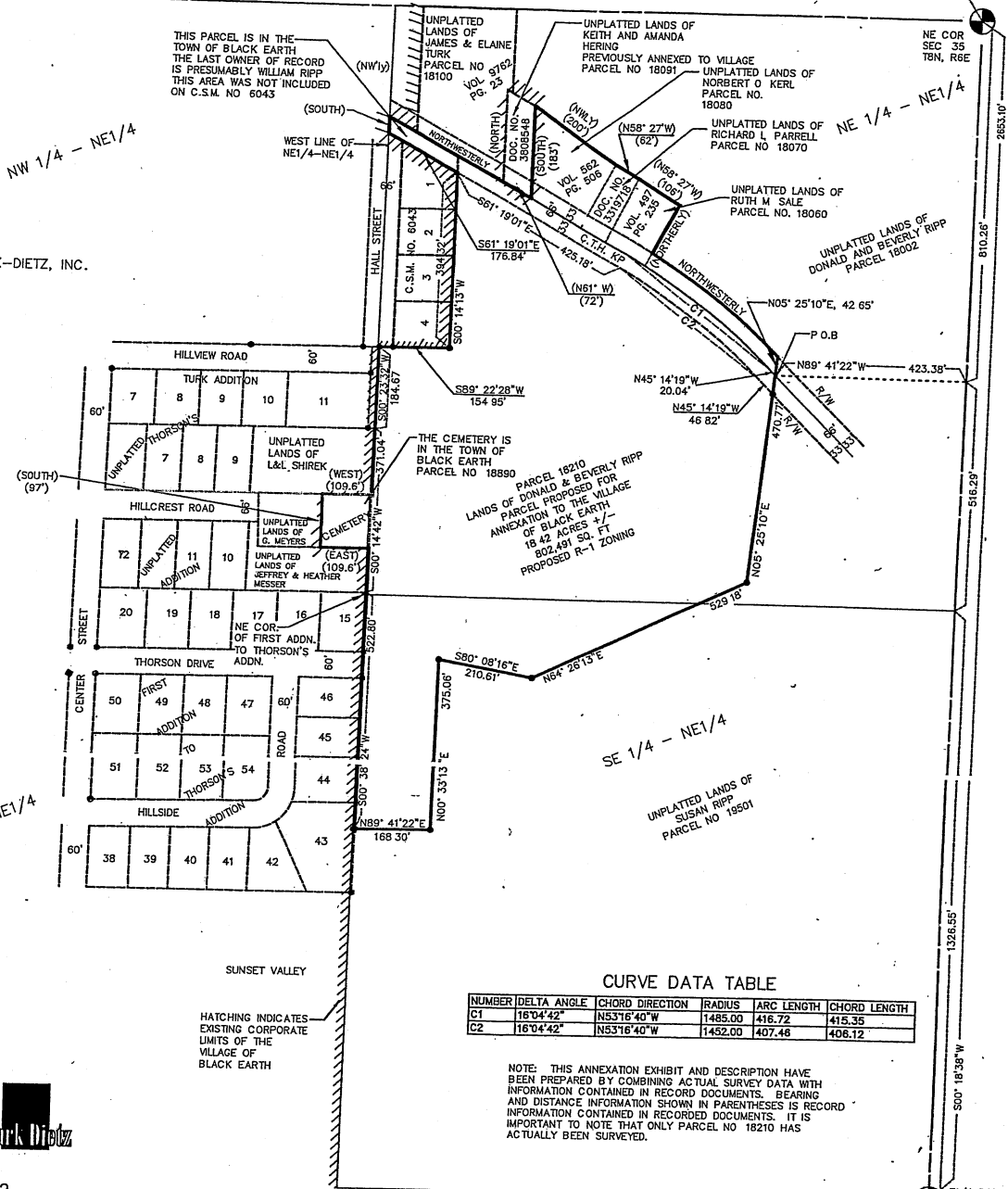
JANUARY 21, 2005
PREPARED FOR:
MR. JIM SUTTER
101 AGNES CT.
MOUNT HOREB, WI 53572

PREPARED BY:
JEWELL, A DIVISION OF CLARK-DIETZ, INC.
156 W. JEFFERSON ST.
SPRING GREEN, WI 53588

NORTH

BEARINGS ARE REFERENCED TO THE
SECTION CORNER OF THE NORTHEAST
QUARTER OF SECTION 35, TOWN 8N,
RANGE 6E WHICH BEARS S00°18'38"W
ACCORDING TO THE DANE COUNTY
COORDINATE SYSTEM

0 200
Scale: 1" = 200'



CURVE DATA TABLE

NUMBER	DELTA ANGLE	CHORD DIRECTION	RADIUS	ARC LENGTH	CHORD LENGTH
C1	116°04'42"	N53°16'40"W	1485.00	416.72	415.35
C2	116°04'42"	N53°16'40"W	1452.00	407.48	406.12

NOTE: THIS ANNEXATION EXHIBIT AND DESCRIPTION HAVE BEEN PREPARED BY COMBINING ACTUAL SURVEY DATA WITH INFORMATION CONTAINED IN RECORD DOCUMENTS. BEARING AND DISTANCE INFORMATION SHOWN IN PARENTHESES IS RECORD INFORMATION CONTAINED IN RECORD DOCUMENTS. IT IS IMPORTANT TO NOTE THAT ONLY PARCEL NO 18210 HAS ACTUALLY BEEN SURVEYED.



SHEET 1 OF 2

STATE OF WISCONSIN
RECEIVED & FILED
JUN 27 2005
DOUGLAS LA FOLLETTE
SECRETARY OF STATE

I hereby certify that the attached
was mailed to:

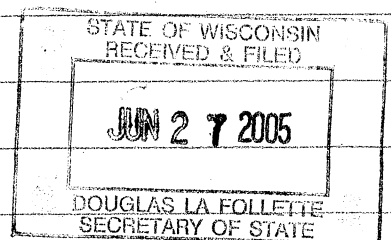
Wesc. Heights School Dist
Attn: Clerk
10173 US Hwy 14
Mazomanie WI 53560

MATC
Attn: Clerk
3550 Anderson St.
Madison WI 53704

Charter Communications
1265 John Q Hammons Dr.
Madison WI 53717

TDS
PO Box 346
Black Earth WI 53515

Madison Gas & Electric
133 S. Blair Street
Madison WI 53703



Secretary of State

PO Box 7848

Madison WI 53707-7848

Black Earth Utilities (Water, Sewer, Electric)

PO Box 347

Black Earth WI 53515

by Stephanie Macer, Deputy Clerk
on Thursday June 9th 2005

Senal Putter, Clerk

