

The State of Wisconsin

Office of the Secretary of State

C125

CITY OF STOUGHTON

DANE COUNTY

ANNEXATION ORDINANCE O-16-2013

FILED JULY 1, 2013

MBR 13684

C125

CITY OF STOUGHTON, 381 E. Main Street, Stoughton, WI 53589

ORDINANCE OF THE COMMON COUNCIL

AN ORDINANCE PROVIDING FOR THE DIRECT ANNEXATION
OF A PORTION OF THE TOWN OF RUTLAND
TO THE CITY OF STOUGHTON, DANE COUNTY, WISCONSIN

Committee Action: Recommend Council Approval - with the Mayor voting

Fiscal Impact: TBD

File Number: O- 16 -2013

Date Introduced: June 25, 2013

STATE OF WISCONSIN
RECEIVED & FILED

JUL - 1 2013

DOUGLAS LA FOLLETTE
SECRETARY OF STATE

RECITALS

- A. On May 17, 2013, Mabie/Veek/Burno/Guenther ("Owners") filed a petition with the City Clerk of the City of Stoughton seeking to annex to the City of Stoughton the lands described in Exhibit A & B (the "Territory"), pursuant to Wis. Stat. § 66.0217(2).
- B. A copy of the annexation petition, together with an annexation map and a legal description of the Territory, has been filed with the Wisconsin Department of Administration and the Town Clerk of the Town of Rutland.
- C. The City has considered the recommendations, if any, that the Department of Administration has made regarding the annexation.
- D. The City of Stoughton Planning Commission has recommended that the Territory be annexed to the City, and that the Territory be assigned a temporary zoning classification of RH- Rural Holding, pursuant to Wis. Stat. § 66.0217(8)(a).

NOW, THEREFORE, the Common Council of the City of Stoughton, Dane County, Wisconsin, does ordain as follows:

ORDINANCE

- 1. Recitals. The above recitals are material to and are incorporated in this Ordinance.
- 2. Territory Annexed. The Territory is annexed to the City of Stoughton pursuant to Wis. Stat. § 66.0217.
- 3. Effect of Annexation. From and after the effective date of this ordinance, the Territory shall be a part of the City of Stoughton 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 Stoughton.

4. Temporary Zoning Designation. Pursuant to Wis. Stat. § 66.0217(8)(a), the Territory shall be temporarily zoned R-H Rural Holding.
5. Ward Designation. The Territory shall be added to Ward No. 7 of the City of Stoughton.
6. Clerk Duties. The City Clerk is hereby directed to publish notice of and provide copies of this Ordinance in accordance with the applicable Wisconsin Statutes.
7. Town of Rutland. Pursuant to Wis. Stat. § 66.0217(14), the City shall pay annually to the Town of Rutland, for five years, an amount equal to the amount of property taxes that the town levied on the Territory in the year in which the annexation is final.
8. Effective Date. This ordinance shall take effect upon passage and publication as provided by law.

The above ordinance was duly adopted by a two-thirds (2/3) majority vote of the elected members of the Common Council of the City of Stoughton at a regular meeting held on June 25, 2013.

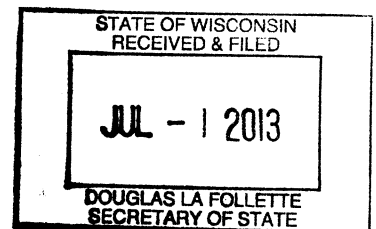
APPROVED:

By: Donna Olson
Donna Olson, Mayor

ATTEST:

Maria P. Horgan
City Clerk

APPROVED: June 25, 2013 VOTE: 8-2
PUBLISHED: July 3, 2013



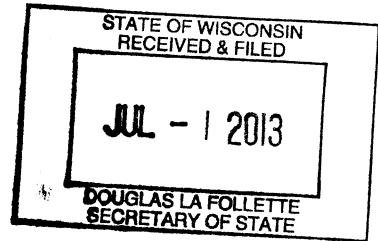
MBR13684

Certificate of Annexation

I, Maria P. Hougan, Acting Clerk of the City of Stoughton, County of Dane, State of Wisconsin, DO HEREBY CERTIFY that the following attached is a true and correct copy of the Original Ordinance O-16-2013, adopted June 25, 2013, and said population of said territory is SIX.

Maria P. Hougan 6/26/2013

Maria P. Hougan, Acting Clerk





MBR13684

Forward Development Group
161 Horizon Drive, Suite 101A
Verona, WI 53593

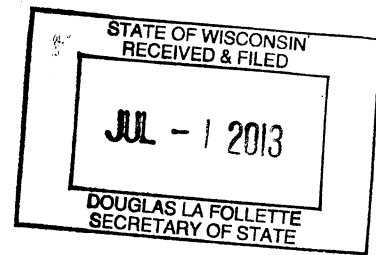


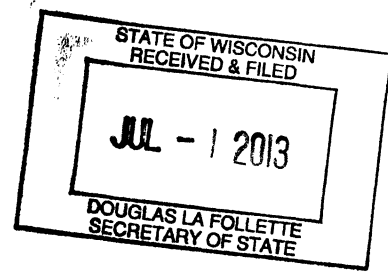
EXHIBIT A
ANNEXATION DESCRIPTION

Part of Lot 2, Certified Survey Map No. 3430 as recorded in Volume 13, pages 268-270, as Document No. 1658279, all of Lots 1, 2, and 3, Certified Survey Map No. 3435 as recorded in Volume 13, pages 279-281, as Document No. 1658680, all of Lot 1, Certified Survey Map No. 9632 as recorded in Volume 55, pages 194-197, as Document No. 3199102, and all of the Northwest Quarter of the Southeast Quarter, and part of the Northeast Quarter of the Southeast Quarter, part of the Southeast Quarter of the Southeast Quarter and part of the Southwest Quarter of the Southeast Quarter, all in Section 1, Township 5 North, Range 10 East, Town of Rutland, and part of the Southwest Quarter of the Southwest Quarter of Section 6, Township 5 North, Range 11 East, Town of Dunkirk, Dane County, Wisconsin, Described as follows:

Beginning at a point on the South line the Southwest Quarter of Section 6, aforesaid, being North 87 degrees 24 minutes 18 seconds East of the Southwest Corner of said Southwest Quarter a distance of 667.62 feet, said point also being on the Corporate boundary of the City of Stoughton; thence South 87 degrees 24 minutes 18 seconds West along the South line of said Southwest Quarter, 662.61 feet to a point that is 5.00 feet East of the West line of the Southwest Quarter of Section 6, aforesaid; thence North 00 degrees 17 minutes 13 seconds West parallel with the West line of the Southwest Quarter of Section 6, aforesaid, 184.63 feet; thence North 87 degrees 07 minutes 28 seconds West parallel with the North right-of-way line of State Trunk Highway '138' a distance of 298.58 feet; thence South 00 degrees 16 minutes 13 seconds East, 5.01 feet to the North right-of-way line of State Trunk Highway '138'; thence North 87 degrees 07 minutes 28 seconds West along said right-of-way line, 21.50 feet; thence South 00 degrees 12 minutes 45 seconds East along said right-of-way line, 8.67 feet; thence North 89 degrees 53 minutes 46 seconds West along said right-of-way line, 178.13 feet; thence South 00 degrees 00 minutes 00 seconds East, 162.51 feet to the South line of the Southeast Quarter of Section 1, aforesaid; thence North 87 degrees 05 minutes 45 seconds West along said section line, 1941.76 feet to the Southerly extension of the East line of Certified Survey Map No. 7803, as recorded in Volume 41, pages 76-77 as Document No. 2670794; thence North 00 degrees 05 minutes 30 seconds West along the East line of said Lot 1 a distance 604.54 feet to the Northeast corner of said Lot 1; thence North 87 degrees 50 minutes 42 seconds West along the North line of said Lot 1, a distance of 203.18 feet to the West line of said Southeast Quarter; thence North 00 degrees 04 minutes 33 seconds West along said West line, 2039.87 feet to the Northwest corner of said Southeast Quarter; thence South 86 degrees 41 minutes 54 seconds East along the North line of said Southeast Quarter, 1986.12 feet to the West line of Lot 1, Certified Survey Map No. 8144 as recorded in Volume 43, pages 285-290, as Document No. 2745975; thence South 00 degrees 09 minutes 16 seconds West, 146.55 feet; thence South 00 degrees 05 minutes 13 seconds East, 279.26 feet to the Southwest corner of Lot 2, Certified Survey Map No. 8144; thence South 00 degrees 06 minutes 55 seconds East along the West line of Certified Survey Map No. 9632 as



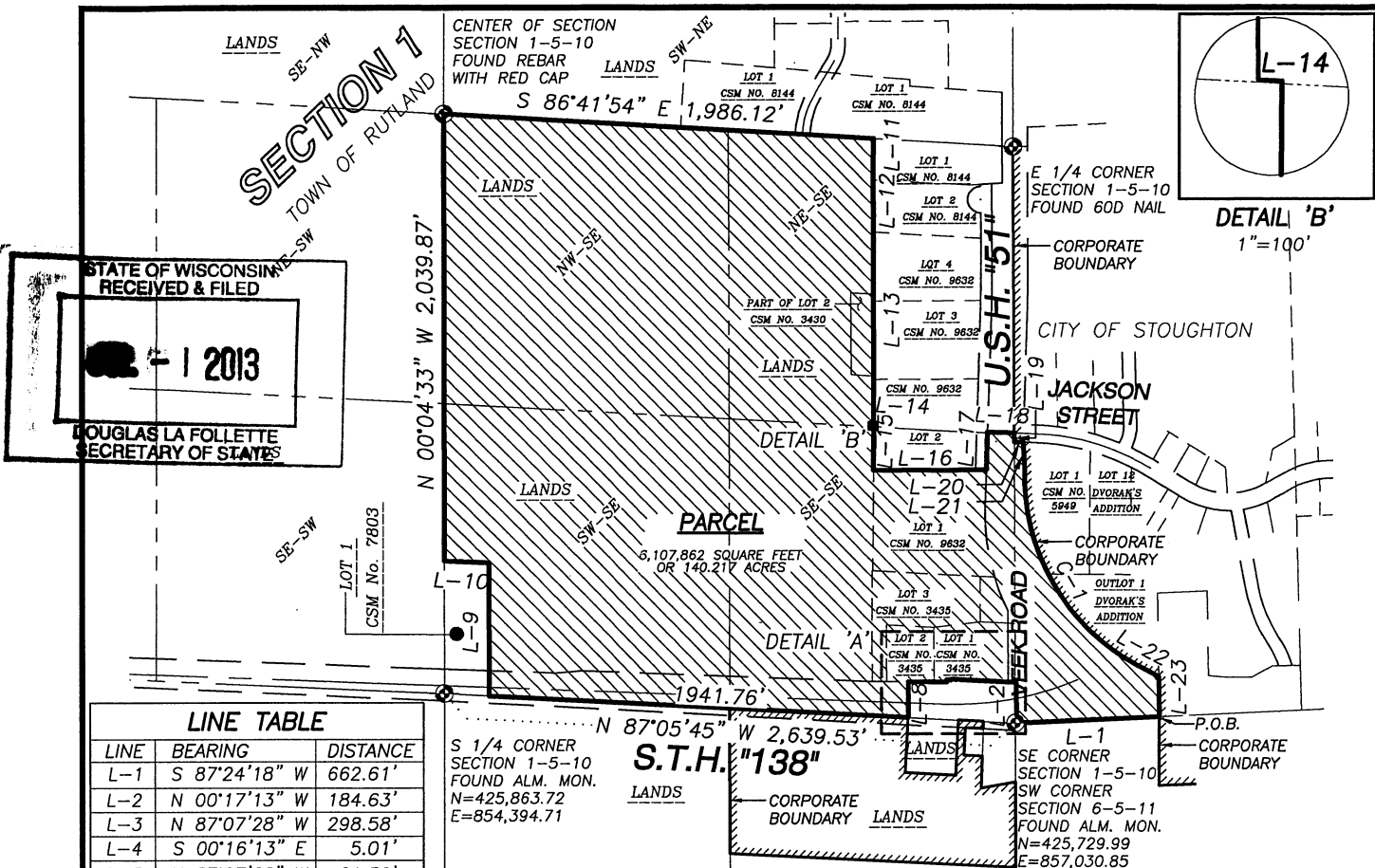
Forward Development Group
161 Horizon Drive, Suite 101A
Verona, WI 53593



recorded in Volume 55, pages 194-197 as Document No. 3199102 a distance of 888.03 feet; thence South 87 degrees 57 minutes 29 seconds East, 1.15 feet; thence South 00 degrees 20 minutes 15 seconds West, 198.79 feet to the Southwest corner of Lot 2 of said Certified Survey Map No. 9632; thence North 89 degrees 42 minutes 22 seconds East along the South line of said Lot 2 a distance of 519.85 feet to the Westerly right-of-way line of U.S.H. '51'; thence North 01 degrees 42 minutes 26 seconds East along said Westerly right-of-way line, 171.19 feet; thence South 88 degrees 07 minutes 03 seconds East, 123.54 feet to the East line of the Southeast Quarter of said Section 1 and the Westerly corporate boundary of the City of Stoughton; thence South 00 degrees 17 minutes 13 seconds East along the East line of said Southeast Quarter and said Westerly corporate boundary, 42.54 feet; thence North 88 degrees 23 minutes 40 seconds East, 41.11 feet to the Easterly right-of-way line of U.S.H. '51'; thence South 03 degrees 23 minutes 52 seconds East along said easterly right-of-way line, 122.33 feet to a point of curve; thence Southeasterly 1,089.67 feet along an arc of a curve to the left, having a radius of 976.74 feet, the chord bearing South 30 degrees 13 minutes 16 seconds East, 1,034.04 feet; thence South 63 degrees 11 minutes 08 seconds East, 113.67 feet; thence South 00 degrees 58 minutes 35 seconds East, 179.65 feet to the Point of Beginning.

Parcel contains 6,107,862 square feet or 140.217 acres.

MBR13484

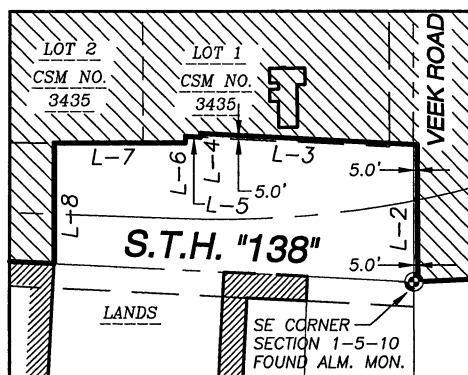


LINE TABLE

LINE	BEARING	DISTANCE
L-1	S 87°24'18" W	662.61'
L-2	N 00°17'13" W	184.63'
L-3	N 87°07'28" W	298.58'
L-4	S 00°16'13" E	5.01'
L-5	N 87°07'28" W	21.50'
L-6	S 00°12'45" E	8.67'
L-7	N 89°53'46" W	178.13'
L-8	S 00°00'00" E	162.51'
L-9	N 00°05'30" W	604.54'
L-10	N 87°50'42" W	203.18'
L-11	S 00°09'16" W	146.55'
L-12	S 00°05'13" E	279.26'
L-13	S 00°06'55" E	888.03'
L-14	S 87°57'29" E	1.15'
L-15	S 00°20'15" W	198.79'
L-16	N 89°42'22" E	519.85'
L-17	N 01°42'26" E	171.19'
L-18	S 88°07'03" E	123.54'
L-19	S 00°17'13" E	42.54'
L-20	N 88°23'40" E	41.11'
L-21	S 03°23'52" E	122.33'
L-22	S 63°11'08" E	113.67'
L-23	S 00°58'35" E	179.65'

S 1/4 CORNER
SECTION 1-5-10
FOUND ALM. MON.
N=425,863.72
E=854,394.71

S.T.H. "138"



DETAIL 'A'
SCALE 1"=250'

LEGEND

- GOVERNMENT CORNER FOUND
- ANNEXATION BOUNDARY LINE
- EXISTING CORPORATE BOUNDARY
- RIGHT-OF-WAY LINE
- SECTION LINE
- CENTERLINE
- PROPERTY LINE

NOTES

- BEARINGS FOR THIS ANNEXATION MAP ARE BASED ON THE WISCONSIN COUNTY COORDINATE SYSTEM, DANE COUNTY (WCCS DANE).
- EXISTING CORPORATE BOUNDARY LINE DETERMINED FROM THE CITY OF STOUGHTON LEGAL DESCRIPTION DATED APRIL 15, 2011.

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C-1	1,089.67'	976.74'	63°55'13"	1,034.04'	S 30°13'16" E

EXHIBIT B

PART OF LOT 2, CERTIFIED SURVEY MAP NUMBER 3430, LOTS 1, 2, AND 3, CERTIFIED SURVEY MAP No. 3435, LOT 1, CERTIFIED SURVEY MAP No. 9632, AND PART OF THE NE 1/4 OF THE SE 1/4, SE 1/4 OF THE SE 1/4, SW 1/4 OF THE SE 1/4, AND ALL OF THE NW 1/4 OF THE SE 1/4 OF SECTION 1, TOWNSHIP 5 NORTH, RANGE 10 EAST, TOWN OF RUTLAND, AND PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 5 NORTH, RANGE 11 EAST, TOWN OF DUNKIRK, DANE COUNTY, WISCONSIN.

PREPARED BY:

PREPARED FOR:

PROJECT NO: 09-3951S

SURVEYED BY: JK

JSD Professional Services, Inc.
• Engineers • Surveyors • Planners
161 HORIZON DRIVE, SUITE 101
VERONA, WISCONSIN 53593
PHONE: (608)848-5060

FORWARD DEVELOPMENT GROUP
161 HORIZON DRIVE,
STE. 101A
VERONS, WI 53593

FILE NO: A-218

DRAWN BY: JK

FIELDBOOK/PG: **

CHECKED BY: CWR

SHEET NO: 1 OF 1

APPROVED BY: DMJ



0 400' 800'



SCALE: 1" = 800'

Request for Annexation Review

Wisconsin Department of Administration

13684

Division of Intergovernmental Relations
Municipal Boundary Review
101 E. Wilson Street, 10th Floor
Madison, WI 53702-0001

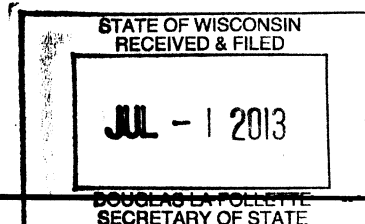
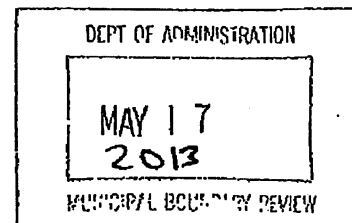
608-264-6102 Fax: 608-267-6917
Erich.Schmidtke@Wisconsin.gov

Petitioner Information

Name: 1. Leslie R. and Jeannette Mabie; 2. Robert and Margaret Veek; 3. Peter H. and Laura Burno; 4. 1400 US Highway 51 LLC, c/o Randall J. Guenther _____

Address: 1. 3234 STH 138, Stoughton, WI 53589; 2. 1355 Veek Road, Stoughton, WI 53589; 3. 1343 Veek Road, Stoughton, WI 53589; 4. PO Box 7700, Madison, WI 53707

Office use only:



1. Town where property is located: Town of Rutland _____
2. Petitioned City or Village: City of Stoughton, WI _____
3. County where property is located Dane County _____
4. Population of the territory to be annexed 6 _____
5. Area (in acres) of the territory to be annexed 142.256 acres _____
6. Tax parcel number(s) of territory to be annexed 1. 052/0510-014-8060-5, 052/0510-014-8500-2, 052/0510-014-9001-4, 052/0510-014-9570-6; 2. 052/0510-014-9810-5, 052/0510-014-9820-3, 052/0510-014-9920-2; 3. 052/0510-014-9840-9; 4. 052/0510-014-8375-0 _____
(if the territory is part or all of an existing parcel)

608.848.9050

Petitioner's phone # _____

608.455.3925

Town Clerk's phone # _____

608.873.6677

City/Village Clerk's phone # _____

Contact Information if different than petitioner:

Representative's Name and Address:

Forward Development Group LLC., Dennis Steinkraus,
161 Horizon Dr., Suite 101A, Verona, WI 53593

Phone 608.848.9050

Surveyor or Engineering Firm's Name and Address:

JSD Professional Services, Inc., Wade Wyse, 161
Horizon Dr., Verona, WI 53593

Phone 608.848.5060

13684

Owners Of All Lands Within The Territory Proposed To Annexed:

Tract A: Mabie Farm (part)

Date of Signing:
April 24, 2013

Name of Owner: Leslie R and Jeannette Mabie

Address of Owner: 3234 STH 138
Stoughton, WI 53589

Signature: Leslie R. Mabie

Signature: Jeannette G. Mabie

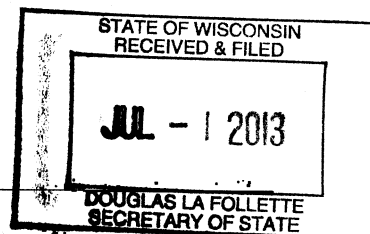
Tax Parcels:

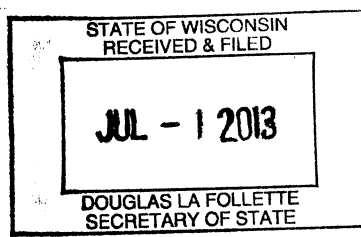
052-0510-014-8060-5 (part)

052-0510-014-8500-2 (part)

052-0510-014-9001-4

052-0510-014-9570-6





13684

Tract C: Burno

Date of Signing:
April 30, 2013

Name of Owner: Peter H. and Laura Burno

Address of Owner: 1343 Veek Road
Stoughton, WI 53589

Signature:

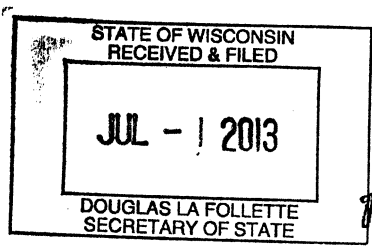
Peter H. Burno

Signature:

Laura J. Burno

Tax Parcels:

052-0510-014-9840-9



All Electors Residing Within The Territory Proposed To Be Annexed:

Tract A: Mabie Farm

Date of Signing:

April 24, 2013

Signature:

Leslie R. Mabie

Name of Elector: Leslie R. Mabie

Address of Elector: 3234 STH 138
Stoughton, WI 53589

Date of Signing:

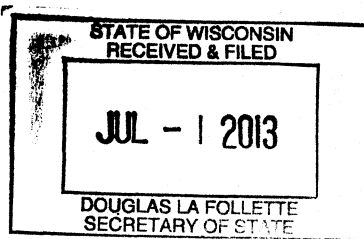
April 24, 2013

Signature:

Jeannette Mabie

Name of Elector: Jeannette Mabie

Address of Elector: 3234 STH 138
Stoughton, WI 53589



13684

Tract C: Burno

Date of Signing:
April 3, 2013

Signature: Peter H. Burno
Name of Elector: Peter H. Burno
Address of Elector: 1343 Veek Road
Stoughton, WI 53589

Date of Signing:
April 3, 2013

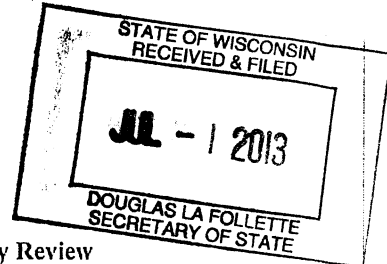
Signature: Laura J. Burno
Name of Elector: Laura Burno
Address of Elector: 1343 Veek Road
Stoughton, WI 53589



WISCONSIN DEPARTMENT OF
ADMINISTRATION

SCOTT WALKER
GOVERNOR
MIKE HUEBSCH
SECRETARY

Municipal Boundary Review
PO Box 1645, Madison WI 53701
Voice (608) 264-6102 Fax (608) 264-6104
Email: wimunicipalboundaryreview@wi.gov
Web: <http://doa.wi.gov/municipalboundaryreview/>



June 20, 2013

PETITION FILE NO. 13684

MARIA P HOUGAN, CLERK
CITY OF STOUGHTON
381 E MAIN ST
STOUGHTON, WI 53589

DAWN GEORGE, CLERK
TOWN OF RUTLAND
4177 OLD STAGE RD
BROOKLYN, WI 53521

Subject: MABIE/VEEK/BURNO/GUENTHER ANNEXATION

The proposed annexation has been resubmitted to our office for review. The petition has been revised to address concerns the Department detailed in our May 17, 2013 review letter and we now find the petition to be in the public interest.

The petitioner's initial configuration was found to be against the public interest because it would have created an illegal town island that was completely surrounded by the City of Stoughton. Petitioners have amended their annexation to exclude the State Highway 138 road right-of-way (see enclosed scale map) and thereby provide connection to the parcel and avoid creation of an illegal town island.

The Department reminds clerks of annexing municipalities of the requirements of s. 66.0217 (9)(a), Wis. Stats., which states:

"The clerk of a city or village which has annexed shall file immediately with the secretary of state a certified copy of the ordinance, certificate and plat, and shall send one copy to each company that provides any utility service in the area that is annexed. The clerk shall record the ordinance with the register of deeds and file a signed copy of the ordinance with the clerk of any affected school district..."

State and federal aids based on population and equalized value may be significantly affected through failure to file with the Secretary of State. Please file a copy of your annexing ordinance, including a statement certifying the population of the annexed territory. **Please also include the MBR number with your ordinance as this assists with record keeping. Your MBR number is: 13684**

The address of the Office of the Secretary of State is:

Annexations and Railroads
Division of Government Records
Office of the Secretary of State
PO Box 7848, Madison WI 53707-7848

Please call me at (608) 264-6102, should you have any questions concerning this annexation review.
Sincerely,

Erich Schmidtke, Municipal Boundary Review
cc: petitioner, Town of Dunkirk