

E. J. CASKEY (1917-1971)

DAVID Y. COLLINS
WILLIAM T. HENDERSON

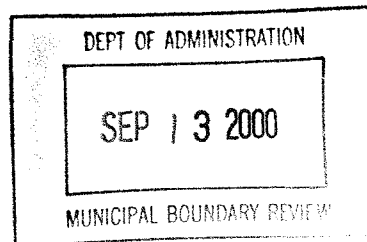
COLLINS & HENDERSON
LAW OFFICES

416 EAST GRAND AVENUE
POST OFFICE BOX 777
BELOIT, WISCONSIN 53512-0777

TELEPHONE
608-365-6614

FAX
608-365-3066

September 11, 2000



Mr. George Hall, Director
Municipal Boundary Review
Department of Administration
P. O. Box 952
Madison, WI 53703-0952

Dear Mr. Hall:

I represent the Town of Turtle, Rock County, Wisconsin. On May 26, 1999, the Town of Turtle and the City of Beloit entered into a Cooperative Boundary Plan pursuant to sec. 66.023 of the Wisconsin Statutes.

On September 6, 2000, the Town Board of the Town of Turtle passed a resolution to amend the Cooperative Boundary Plan. Sec. 66.023(8)(b) and (c) and sec. 66.023(4)(a) of the Wisconsin Statutes require that I send you notice of this resolution. Enclosed is a Notice of Intent to Amend Cooperative Boundary Plan and a copy of the resolution.

Very truly yours,

COLLINS & HENDERSON

A handwritten signature in cursive script that reads "William T. Henderson".

William T. Henderson

WTH:d

Encs.

NOTICE OF INTENT TO AMEND COOPERATIVE BOUNDARY PLAN

PLEASE TAKE NOTICE that it is the intent of the Town Board of the Town of Turtle to amend the Cooperative Boundary Plan with the City of Beloit which was approved on May 26, 1999. The amendment is being adopted pursuant to section 66.023(8) of the Wisconsin Statutes. A copy of the resolution of the Town Board, Town of Turtle, to amend the Cooperative Boundary Plan is attached hereto.

Dated: September 6, 2000
Town Board
Town of Turtle
Rock County, Wisconsin

RESOLUTION AUTHORIZING PARTICIPATION
IN THE PREPARATION OF AN AMENDMENT
TO THE COOPERATIVE BOUNDARY PLAN BETWEEN THE
CITY OF БЕЛОIT AND THE TOWN OF TURTLE

WHEREAS, the City of Beloit and Town of Turtle, on May 26, 1999, entered into a Cooperative Boundary Plan pursuant to section 66.023, Wis. Stats.; and

WHEREAS, the City and the Town wish to amend the Cooperative Boundary Plan to:

(a) Permit an additional 80 acres of land (described in Exhibit A attached hereto) to be annexed to the City; and

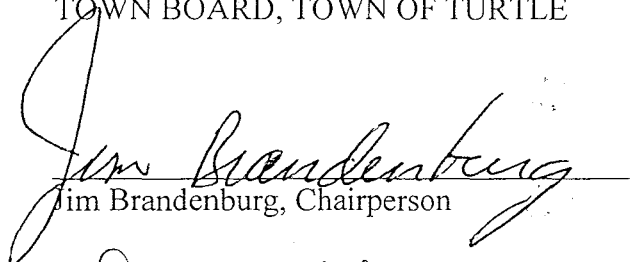
(b) Extend the planning period by one year with respect to the additional 80 acres of land being proposed for annexation to the City.

NOW, THEREFORE, BE IT RESOLVED that the Town of Turtle be, and is hereby, authorized to participate in the preparation of an amendment to the Cooperative Boundary Plan pursuant to section 66.023, Wis. Stats.

BE IT FURTHER RESOLVED that notice of this resolution be given in writing within five (5) days of adoption to the parties specified in section 66.023(4)(a), Wis. Stats.

Adopted this 6th day of September, 2000.

TOWN BOARD, TOWN OF TURTLE


Jim Brandenburg, Chairperson

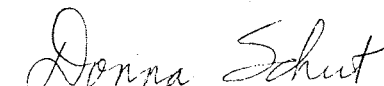

Donna Schut, Clerk

EXHIBIT A

AMENDED PROPERTY DESCRIPTION

PARCEL 1:

Part of the East $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 18, T.1N., R.13E., of the 4th P.M., Turtle Township, Rock County, Wisconsin, described as follows: Beginning at an iron pin monument at the South $\frac{1}{4}$ corner of said Section 18; thence S.89°17'30"W. Along the South line of the SW $\frac{1}{4}$ of said Section, 355.33 feet to an iron pin on a curving line; thence Westerly, along said curving line, along a curve convexed Northerly, 455.45 feet, having a radius of 3141.05 feet and a chord bearing N.86°33'16"W., 455.05 feet to an iron pin monument at a point of tangency; thence S.89°17'30"W. Parallel with and 33.00 feet North of said South line, 513.56 feet to an iron pin monument on the West line of the East $\frac{1}{4}$ of said Section; thence N.0°31'05"W. Along said West line, 2577.72 feet to an iron pipe monument on a line that is parallel with and 40.0 feet South from the East-West Centerline of said Section; thence along said line, 476.83 feet to an iron pin monument; thence N.0°36'30"W. 40.0 feet to an iron pipe monument at the SW corner of Lot 27, Valley Crest First Addition, thence N.88°56'30"E. Along the East-West Centerline of said Section, 846.54 feet to an iron pipe monument at the Center of Said Section; thence S.0°30'35"E. Along the North-South Centerline of said Section, 2658.81 feet to the place of beginning.

PARCEL 2:

That part of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 19, T.1N., R.13 E. of the 4th P.M., Town of Turtle, Rock County, Wisconsin, lying North of the North Right-of-Way line of Murphy Woods Road.

E. J. CASKEY (1917-1971)

DAVID Y. COLLINS
WILLIAM T. HENDERSON

COLLINS & HENDERSON

LAW OFFICES

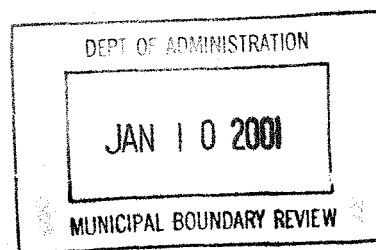
416 EAST GRAND AVENUE
POST OFFICE BOX 777
BELOIT, WISCONSIN 53512-0777

TELEPHONE
608-365-6614

FAX
608-365-3066

January 9, 2001

George Hall
State of Wisconsin
Department of Administration
Office of Land Information Services
P. O. Box 1645
Madison, Wisconsin 53701-1645



Dear George:

Enclosed is a proposed Amendment to the Cooperative Boundary Plan between the City of Beloit and the Town of Turtle which I believe meets the concerns in your previous memo. I am also enclosing a map prepared by Rock County Planning & Economic Development which shows the land parcel. I have put an arrow in the left hand margin of the map to show you where the parcel is located. It is the crosshatched parcel in section 18 with a thick blue line running along the bottom and the west side of the parcel and a thick red line running along the east side and north side of the parcel. As you can see, it is already adjacent to the City of Beloit on two sides and this amendment will not create a town island.

I apologize for the size of the map but we haven't been able to get any smaller ones yet.

If you have any other concerns, please let me know. The joint public hearing on the amendment is scheduled for January 17, 2001 at 6:00 p.m. in the Turtle Town Hall.

Very truly yours,

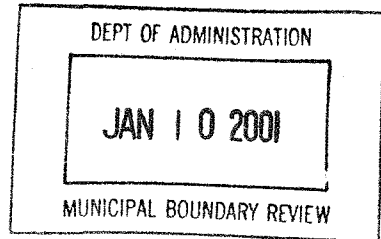
COLLINS & HENDERSON

A handwritten signature in cursive script that reads "William T. Henderson".

William T. Henderson

WTH:kel
Enclosures
c: Jim Brandenburg
Dick Holm

AMENDMENT TO COOPERATIVE BOUNDARY PLAN
BETWEEN
THE CITY OF BELOIT AND THE TOWN OF TURTLE
ROCK COUNTY, WISCONSIN



WHEREAS, on May 26, 1999, the City of Beloit and the Town of Turtle entered a Cooperative Boundary Plan;

WHEREAS, the City of Beloit and the Town of Turtle desire to amend the Cooperative Boundary Plan;

NOW, THEREFORE, the City of Beloit and the Town of Turtle amend the Cooperative Boundary Plan as follows:

1. Section 4.1 of the Cooperative Boundary Plan is amended to provide that the Cooperative Boundary Plan shall end on December 31, 2021. This extends the entire Cooperative Boundary Plan until December 31, 2021.

2. Section 4.2.B of the Cooperative Boundary Plan is amended to include the property consisting of 79.676 acres north of Murphy Woods Road described in Attachment A in the Boundary Adjustment Area (BAA). The 79.676 acres is Parcel No. 6-19-203 and is designated on the attached map.

The original Cooperative Boundary Plan states in section 4.2.B that the BAA includes all land in the Town of Turtle that is within the City of Beloit Sewer Service Area (also called the "blue line") as shown on the Town of Turtle Zoning Map adopted by the Turtle Town Board on October 28, 1998, and also shown on the Town of Turtle Parcel Map. It was not intended that the BAA would change as the City of Beloit Sewer Service Area changed in the future. The blue line was intended to be boundary line of the BAA in the Cooperative Boundary Plan which would not change unless the Cooperative Boundary Plan was amended by the City of Beloit and the Town of Turtle. To avoid confusion, the boundary line has been changed to the color red on the attached map.

3. Section 4.2.D of the Cooperative Boundary Plan is amended to provide that in addition to the \$10,000 per year for a total of 20 years that the City of Beloit is obligated to pay the Town of Turtle under the Cooperative Boundary Plan, the City of Beloit will pay the Town of Turtle an additional \$23,000 per year for 20 years for a total payment of \$460,000. These payments shall be combined for a payment of \$33,000 per year commencing on July 1, 2001, and continuing on the first day of July thereafter until paid in full.

4. The City of Beloit and the Town of Turtle agree that the only land subject to attachment to the City of Beloit under the Cooperative Boundary Plan is the land within the BAA as described in Section 4.2.B of the Cooperative Boundary Plan and the 79.676 acres north of

Murphy Woods Road as show in Attachment A. There is no reserve or additional property that may be considered to be within the BAA pursuant to the Beloit Clinton Area Water Quality Management Plan (also known as the 208 Plan).

5. The City of Beloit agrees to pay all reasonable and necessary attorneys fees and costs incurred by the Town of Turtle in connection with the Amendment of the Cooperative Boundary Plan and the development agreement with Rogers Development, Inc.

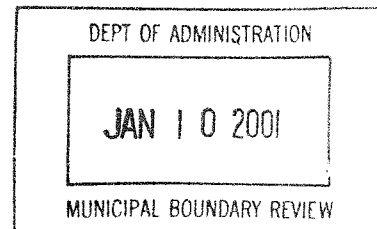
Dated: _____, 2001.

CITY OF BELOIT

TOWN OF TURTLE

By: _____
Chairperson of City Council

By: _____
Jim Brandenburg, Chairperson



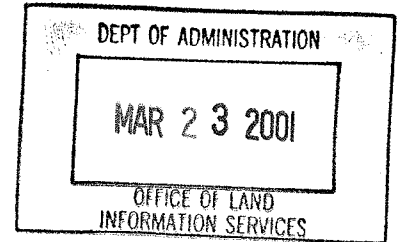
ROCK COUNTY, WISCONSIN



Planning, Economic & Community
Development Department
51 South Main Street
Janesville, Wisconsin 53545
Phone: 608/757-5587
Fax: 608-757-5586
Website: www.rockcounty.org

March 20, 2001

Mr. George Hall
DOA – Office of Land Information
17 S. Fairchild Street – 7th Floor
Madison, WI



Dear George,

I have reviewed the Town of Turtle/City of Beloit Cooperative Boundary Line Agreement and find it constant with the County Comprehensive Development, The Town of Turtle Development Plan and the City of Beloit Master Plan. I recommend the Department of Administration – Office of Land Information approves the updated City of Beloit/ Town of Turtle Cooperative Boundary Line Agreement.

The Town of Turtle and the City of Beloit have diligently worked together preparing this Cooperative Boundary Agreement – I believe both the City and the Town elected and administrative officials should be commended for the quality of this Agreement, which is truly in the best interests of both communities.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Phil Blazkowski".

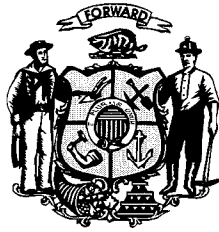
Phil Blazkowski, AICP
Director of the Rock County Planning, Economic
And Community Development Agency

cc: Jim Brandenburg, Chair
Town of Turtle

Jane Wood, City Manager
City of Beloit

STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION

TOMMY G. THOMPSON
GOVERNOR
GEORGE LIGHTBOURN
SECRETARY



Office of Land Information
Services

Municipal Boundary Review

17 South Fairchild Street, 7th Fl
Madison, Wisconsin 53703
Ph. (608) 266-0683, (608) 266-9728
Fax: (608) 266-5519

May 8, 2001

Mr. Thomas Ryan, President
Beloit City Council
City of Beloit
100 State Street
Beloit, WI 53511

Mr. Jim Brandenburg, Chairperson
Town of Turtle
5131 E. Creek Road
Beloit, WI 53511

Re: Amendment of the City of Beloit – Town of Turtle Cooperative Boundary Plan

By this letter, the Department is approving an amendment to the City of Beloit--Town of Turtle Cooperative Boundary Plan. This letter "Amendment" shall be attached to the original s. 66.023, Wis. Stats., "Agreement" entered into by the City and the Town, and subsequently approved by the Department on October 25, 1999, and shall be incorporated therein.

Section 66.0307 (8), Wis. Stats., enables parties to a cooperative boundary agreement to amend their agreement, and specifies the procedure to be followed. By this Amendment, the parties are changing the terms of financial compensation to the Town, adding 80 acres to the nearly 3-square-mile territory of the original agreement, and extending the duration of the Agreement by one year, to December 31, 2021.

Because s. 66.0307 (8)(b), Wis. Stats., requires any parties who amend the *boundary* of their agreement to follow the same adoption procedure as required for the original agreement, the Department determines that the City of Beloit and the Town of Turtle have complied with the required notification, hearing, and waiting periods found throughout s. 66.0307, Wis. Stats.

The terms of this Amendment provide for the following:

- "Section 4.1 of the "Cooperative Boundary Plan ...extends the entire Cooperative Boundary Plan until December 31, 2021."
- "Section 4.2.B of the Cooperative Boundary Plan is amended to include the property consisting of 79.676 acres north of Murphy Woods Road (Parcel No. 6-19-203)."

This Amendment clarifies that the boundary of the Plan and Agreement remains fixed, and does not change as the City of Beloit Sewer Service Area boundary may change in the future.

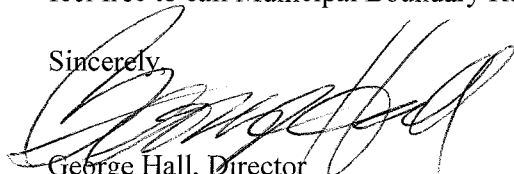
- Section 4.2.D of the Cooperative Boundary Plan changes the terms of cash money payments from the City to the Town, resulting in an annual payment of \$33,000 for 20 years commencing on July 1, 2001, and ending July 1, 2021.
- The City and Town "...agree that the only land subject to attachment to the City... is the land within the BAA as described in Section 4.2.B of the Cooperative Boundary Plan and the 79.676 acres north of Murphy Woods Road as shown in Attachment A. There is no reserve or additional property that may be considered to be within the BAA pursuant to the Beloit Clinton Area Water Quality Management Plan (also known as the 208 Plan)."
- "The City... agrees to pay all reasonable and necessary attorneys fees and costs incurred by the Town... in connection with the Amendment of the Cooperative Boundary Plan and the development agreement with Rogers Development, Inc."


The changes encompassed by this Amendment are primarily intended to provide for additional housing developments that will now occur within the City, which are to be served by full urban services, including public water and sewer. When compared to the scope and purpose of the original Agreement, these changes are considered de minimis, and are deemed to be consistent with the Department's review criteria discussed in our earlier approval document. Mr. Phil Blazkowski, Director of the Rock County Planning, Economic and Community Development Agency, communicated to the Department by letter dated March 20, 2001, stating that he found the "Agreement" "...consistent with the County Comprehensive Development (Plan), the Town of Turtle Development Plan, and the City of Beloit Master Plan."

Therefore, pursuant to authority under s. 66.0305 (5), Wis. Stats., the Wisconsin Department of Administration hereby **APPROVES** the "Amendment to Cooperative Boundary Plan Between the City of Beloit and the Town of Turtle, Rock County, Wisconsin" effective May 8, 2001.

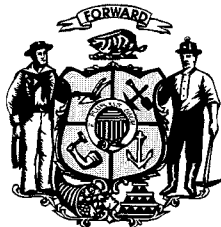
Congratulations on a successful conclusion to your efforts. If we can be of any further assistance to you, or should you or any of the affected parties have any questions concerning this approval, please feel free to call Municipal Boundary Review at (608) 266-0683.

Sincerely,


George Hall, Director
Municipal Boundary Review


Mark Saunders
DOA Deputy Legal Counsel

Cc: William T. Henderson, Attorney representing the Town of Turtle
Jane Wood, City Manager, City of Beloit
Richard V. Holm, City Attorney, City of Beloit
Carol Alexander, Clerk, City of Beloit
Donna Schut, Clerk, Town of Turtle
J. Michael Blaska, Director, DOA Office of Land Information Services



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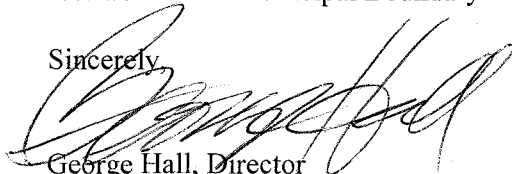
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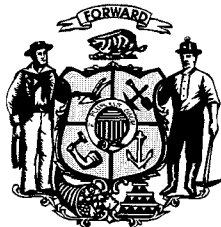


George Hall, Director
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Mark Saunders
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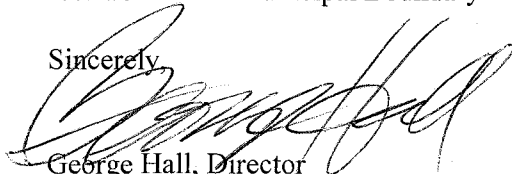
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DOA Deputy Legal Counsel

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