



June 19, 2015

Ed Eberle, Administrator
Wisconsin Department of Administration, Intergovernmental Relations
PO Box 8944
Madison, WI 53707

Re: Resolution 89-15 - Resolution by the Mayor - Resolution to Approve the First Amendment of Kenosha/Town of Somers Cooperative Plan (Under Section 66.0307, Wisconsin Statutes), to Authorize The Mayor to Execute the Amendment, to Authorize the Transmittal of the Amendment to The Wisconsin Department of Administration, and to Request The State of Wisconsin Department of Administration to Approve that Amendment.

Please take notice that on the 15th day of June, 2015, the Common Council of the City of Kenosha, Wisconsin adopted the above resolution (14-0). A certified copy is enclosed.

This notice is required under authority of Section 66.0307(4)(a) and (8)(c), Wisconsin Statutes. Should you have any questions, please contact me.

Sincerely,

Debra Salas
City Clerk/Treasurer

C: Administration
City Attorney

Enclosure

THIS IS TO CERTIFY THAT THIS
IS A TRUE AND CORRECT COPY
OF THE RECORD ON FILE IN THE
OFFICE OF THE CITY CLERK
TREASURER, CITY OF KENOSHA
WISCONSIN

RESOLUTION NO. 89-15

BY: THE MAYOR

Karen J. August
Deputy City Clerk
8/19/15

TO AUTHORIZE TRANSMITTAL OF THE AMENDMENT TO THE CITY OF KENOSHA/TOWN OF SOMERS COOPERATIVE PLAN UNDER SECTION 66.0307, WISCONSIN STATUTES TO THE WISCONSIN DEPARTMENT OF ADMINISTRATION, AND TO REQUEST THE STATE OF WISCONSIN DEPARTMENT OF ADMINISTRATION TO APPROVE THAT AMENDMENT

WHEREAS, the Town Board of the Town of Somers on February 22, 2005, and the Common Council of the City of Kenosha on March 7, 2005, adopted a Comprehensive Cooperative Plan pursuant to Section 66.0307 of the Wisconsin Statutes (hereinafter the "Cooperative Plan"); and,

WHEREAS, the Cooperative Plan was approved by the Wisconsin Department of Administration on August 8, 2005; and,

WHEREAS, by resolutions by the Town Board for the Town of Somers on April 28, 2015, and by the Common Council for the City of Kenosha on May 4, 2015, the respective administrations were authorized to enter into negotiations concerning an amendment to the Cooperative Plan, which amendment has been presented to the Common Council and the Somers Town Board under the title "First Amendment to the City of Kenosha/Town of Somers Cooperative Plan Under Section 66.0307, Wisconsin Statutes" (hereinafter the "Amendment to the Cooperative Plan"), which is attached hereto and incorporated herein by reference; and

WHEREAS, the purpose of the Amendment to the Cooperative Plan is to facilitate the jurisdictional transfer of roads described as County Trunk Highways "N" (east of Interstate Highway 94), "K" (from the east frontage road of Interstate Highway 94 to 60th Avenue), "G" (from County Trunk Highway E to Washington Road), and "S" (from State Highway 31 to 39th Avenue), from the County of Kenosha to the City; and

WHEREAS, notice of the intent to pass and submit the Amendment to the Cooperative Plan directly to the Wisconsin Department of Administration for final approval without further public hearing pursuant to the expedited procedures of Wisconsin Statutes § 66.0307(8)(c) was published in the Kenosha News for three weeks and a week has passed since the last insertion of that notice in the Kenosha News, without an objection to the Amendment to the Cooperative Plan having been made.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Kenosha, Wisconsin, that the Amendment to the Cooperative Plan is adopted, execution of the Amendment to the Cooperative Plan is authorized.

BE IT FURTHER RESOLVED that the City Clerk/Treasurer is directed to send a certified copy of this Resolution to the Somers Town Clerk/Treasurer, and to join with the Town

Clerk/Treasurer in transmitting a certified copy of this Resolution, a certified copy of a similar resolution from the Town of Somers, and a fully-executed copy of the Amendment to the Cooperative Plan to the State of Wisconsin, Department of Administration.

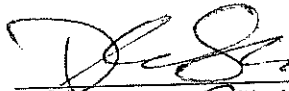
BE IT FURTHER RESOLVED by the Common Council of the City of Kenosha, Wisconsin to request the State of Wisconsin, Department of Administration to approve said Amendment to the Cooperative Plan.

BE IT FURTHER RESOLVED that in a manner intended to comply with Wisconsin Statutes §§ 66.0307(4)(a) and (8)(c), the City Clerk/Treasurer is directed to send a certified copy of this Resolution and a fully-executed copy of the Amendment to the Cooperative Plan to:

- the Wisconsin Department of Natural Resources;
- the Wisconsin Department of Agriculture, Trade and Consumer Protection;
- the Wisconsin Department of Transportation;
- the clerks of any municipality, school district, technical college district, sewerage district or sanitary district which has any part of its territory within five (5) miles of the City;
- the Kenosha County Clerk; and
- the Southeast Regional Planning Commission.

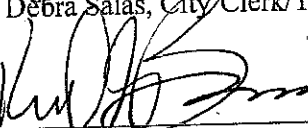
Adopted this 15th day of June, 2015.

ATTEST:



Debra Salas, City Clerk/Treasurer

APPROVED:



Keith G. Bosman, Mayor

Drafted By:
EDWARD R. ANTARAMIAN
City Attorney

**FIRST AMENDMENT TO THE
CITY OF KENOSHA/TOWN OF SOMERS
COOPERATIVE PLAN UNDER
SECTION 66.0307, WISCONSIN STATUTES**

THIS AGREEMENT is entered into between the City of Kenosha, Wisconsin, a municipal corporation duly organized and existing under the laws of the State of Wisconsin with principal offices at 625- 52nd Street, Kenosha, WI 53140, and the Town of Somers, Wisconsin, a municipal body corporate and politic, existing under the laws of the State of Wisconsin, with principal offices at 511 – 12th Street, Somers, Wisconsin 53171.

WHEREAS, the City of Kenosha (“CITY”) and the Town of Somers (“TOWN”) entered into an agreement entitled “CITY OF KENOSHA/TOWN OF SOMERS COOPERATIVE PLAN UNDER SECTION 66.0307, WISCONSIN STATUTES” (“Cooperative Plan”) that was approved by the Wisconsin Department of Administration on August 8, 2005; and

WHEREAS, the Cooperative Plan provided for the establishment of a permanent municipal boundary between the CITY and the TOWN, at the expiration of a planning period; and

WHEREAS, the Cooperative Plan identifies “Growth Areas” of territory that were within the municipal boundary of the TOWN at the execution of the Cooperative Plan, but which through effectuation of the provisions of the Cooperative Plan will ultimately be within the corporate boundary of the CITY at the expiration of the planning period; and

WHEREAS, the Cooperative Plan required as a material provision that territory designated therein as Growth Area could be attached to the CITY during the period of the planning period, but would be entirely attached to the CITY no later than at the end of the planning period; and

WHEREAS, included within the Growth Areas are rights-of-way, some of which are county trunk highways; and

WHEREAS, the portions of County Trunk Highways “G”, “K”, “N” and “S” subject to this **FIRST AMENDMENT TO THE CITY OF KENOSHA/TOWN OF SOMERS COOPERATIVE PLAN UNDER SECTION 66.0307, WISCONSIN STATUTES** (“First Amendment”) that are located in the Growth Area at the time of entry into this First Amendment are subject to “maintenance jurisdiction” of the County of Kenosha (“County”), which is authority vested in the County as the holder for the public of the right-of-way, that allows the County to issue permits for encroachment of its right-of-way and gives the County the responsibility to maintain the right-of-way; and due to municipal boundaries, the same portions of the County Trunk Highways are subject to “police jurisdiction” of either the CITY, the TOWN, or both, which “police jurisdiction” allows the respective municipalities to exercise home rule to the extent allowed by law; and

WHEREAS, the CITY and the County entered into an intergovernmental cooperation agreement to transfer the “maintenance jurisdiction” of the entirety of the portion of County Trunk Highway “N” from the County to the CITY dated October 6, 2008, but such intergovernmental cooperation agreement has not yet approved by the Wisconsin Department of Transportation pending the CITY obtaining “police jurisdiction” to the entirety of these portions; and

WHEREAS, the Wisconsin Department of Transportation, for purposes of state funding grants, has initially rejected the effectiveness of the jurisdictional transfer agreement for CTH N, as not complying with Wis. Stats. §83.025 (1) (a); and

WHEREAS, Wis. Stats. §83.025 (1) (a) states in part: “A county board may not make deletions from a county trunk system . . . without the approval of the governing body of the city, village or town in which the proposed deletion is located or, in the case of a proposed deletion affecting more than one city, village or town, without the approval of a majority of the governing bodies of such cities, villages or towns.”; and

WHEREAS, through a Jurisdictional Transfer Agreement for Transferred CTH G and Transferred CTH K (as those terms are defined herein) between the CITY and the County of Kenosha dated March 28, 2012, the County intended to remove Transferred CTH G and Transferred CTH K from the county trunk highway system, in favor of Transferred CTH G and Transferred CTH K becoming CITY roads that will be subject to the same considerations by the Wisconsin Department of Administration; and

WHEREAS, the CITY and the County have entered into a Memorandum of Understanding dated February 7, 2014, whereby those parties anticipate entering into a further intergovernmental cooperation agreement to transfer the “maintenance jurisdiction” of the entirety of a portion of Subject CTH S (as that term is defined herein) from the County to the CITY; and

WHEREAS, it is anticipated the Wisconsin Department of Transportation will have the same concerns regarding the application of Wis. Stat. §83.025 (1) (a) to Transferred CTH G, Transferred CTH K, and Subject CTH S, as it did to Transferred CTH N; and

WHEREAS, interest in real estate to Transferred CTH G, Transferred CTH K, and Transferred CTH N consist of a governmental right-of-way over property owned by private property owners in fee simple absolute; and

WHEREAS, the CITY and the TOWN enter into this First Amendment pursuant to Section 31 of the Cooperative Plan and under authority of § 66.0307(8), Wisconsin Statutes, to facilitate that transfer of “maintenance jurisdiction”; and

WHEREAS, it is the intention of the CITY and the TOWN that the Cooperative Plan, in conjunction with this First Amendment and all future amendments, be a binding and enforceable contract.

WITNESSETH:

NOW, THEREFORE, in consideration of the following mutual promises and undertakings of the Parties, the CITY and TOWN enter into this First Amendment under the authority of Section 31 of the Cooperative Plan and § 66.0307, Wisconsin Statutes, and petition the State of Wisconsin, Department of Administration for approval, in accordance with statutory procedures and time frames. The Parties agree:

SECTION 1 OF THIS FIRST AMENDMENT – DEFINITIONS

In addition to the definitions above of “CITY, “County, “Cooperative Plan”, First Amendment”,

and "TOWN", above, the following phrases have the meanings set forth:

"Attaching Roads" means collectively Transferred CTH N, Transferred CTH G, Transferred CTH K, and Subject CTH S.

"Subject CTH S" is generally described as the portion of the roadway that is in the TOWN, which roadway is alternatively known as County Trunk Highway S or Washington Road, extending easterly from the east line of State Highway 31 to the west line of 39th Avenue; the term is more particularly and accurately described in Attachment K 1 and is depicted in Attachment K 2.

"Transferred CTH G" is generally described as the portion of the roadway that is in the TOWN which roadway is alternatively known as County Trunk Highway G or 30th Avenue, extending from its juncture with Washington Road northward to its juncture with County Trunk Highway "E," expressly excluding the intersection with County Trunk Highway "E"; the term is more particularly and accurately described in Attachment L 1 and is depicted in Attachment L 2.

"Transferred CTH K" is generally described as the portion of the roadway in the TOWN, which roadway is alternatively known as County Trunk Highway K or 60th Street, extending easterly from the east line of the frontage road that is on the east side of Interstate Highway 94, to the juncture with 60th Avenue; the term is more particularly and accurately described in Attachment M 1 and is depicted in Attachment M 2.

"Transferred CTH N" is generally described as the portion of the roadway that is in the TOWN, which roadway is alternatively known as County Trunk Highway N or 38th Street, extending easterly from the east line of the frontage road that is on the east side of Interstate Highway 94, to the intersection with County Trunk Highway S; the term is more particularly and accurately described in Attachment N 1 and is depicted in Attachment N 2.

SECTION 2 OF THIS FIRST AMENDMENT – INTENT

It is the intent of this Agreement to transfer jurisdiction of the Attaching Roads to the CITY through extending the boundary of the CITY to include the Attaching Roads within the CITY. It is not the intent of the Parties to affect substantively any other provision of the Cooperative Plan.

SECTION 3 OF THIS FIRST AMENDMENT – CREATE SECTION 11.05 OF THE COOPERATIVE PLAN

The Cooperative Plan is amended to create section 11.05 as follows:

11.05 Immediate Attachment to the CITY of Rights-of-Way of Portions of County Trunk Highways G, K, N, and S. Notwithstanding any provision in the Cooperative Plan to the contrary, all portions of the right-of-way associated with Attaching Roads that are in the Town are attached to the City as of the effective date of this **FIRST AMENDMENT TO THE CITY OF KENOSHA/TOWN OF SOMERS COOPERATIVE PLAN UNDER SECTION 66.0307, WISCONSIN STATUTES.** A legal description of the portions of the right-of-way of Transferred CTN G subject to the attachment is included herein as Attachment L 1. A diagram showing the portions of the right-of-way of Transferred CTN G subject to the attachment is included herein as Attachment L 2. A legal description of the portions of the right-of-way of Transferred CTN K subject to the attachment is included herein as Attachment M 1. A diagram showing the portions of the right-of-way of Transferred CTN K subject to

the attachment is included herein as Attachment M 2. A legal description of the portions of the right-of-way of Transferred CTN N subject to the attachment is included herein as Attachment N 1. A diagram showing the portions of the right-of-way of Transferred CTN N subject to the attachment is included herein as Attachment N 2. A legal description of the portions of the right-of-way of Subject CTN S subject to the attachment is included herein as Attachment K 1. A diagram showing the portions of the right-of-way of Subject CTN S subject to the attachment is included herein as Attachment K 2. Such attachment of the portion of the right-of-way from the Town to the CITY shall occur without regard to the jurisdiction of the remainder of the parcel adjacent to the right-of-way.

The attachments made pursuant to this Section 11.05 shall be effective without further notice, hearing or action. Irrespective of any procedures to the contrary, without review and recommendation by the City Plan Commission or any other subunit of the City, without further review and approval of the Town, and without the need for a petitioner, the Common Council may adopt an attachment ordinance for the purpose of memorializing the attachments. After such an attachment ordinance becomes effective, the City Clerk/Treasurer will file immediately with the Secretary of State a certified copy of the attachment ordinance, certificate and plat, and shall send one (1) copy to each company that provides any utility service to the area that is attached. The City Clerk/Treasurer shall record the attachment ordinance with the Kenosha County Register of Deeds and file a signed copy of the attachment ordinance with the Clerk of any affected school district. The attachment ordinance that is filed, recorded or sent shall describe the attached territory and the associated population. Failure to file, record or send shall not invalidate the attachment and the duty to file, record or send shall be a continuing one.

SECTION 4 OF THIS FIRST AMENDMENT – REPLACE SECTION 12.03 OF THE COOPERATIVE PLAN

Section 12.03 of the of the Cooperative Plan is replaced with the following:

12.03 Public Rights-of-Way. Except for right-of-way attachments of the Attaching Roads, as described in Section 11.05 all other future public right-of-way attachments in the CITY Growth Area will occur as identified on Attachment C. Upon the Effective Date of the Cooperative Plan, the right-of-way of any boundary street identified in Attachment C which was in the CITY prior to the Effective Date, became part of the TOWN Growth Area.

Where Intermediate Attachments about a public right-of-way, the CITY shall have discretion as to whether or not to attach said public right-of-way to the CITY at any time prior to the Final Attachment or at the Final Attachment.

SECTION 5 OF THIS FIRST AMENDMENT -- NO OTHER CHANGES

With the exception of those changes made to the Cooperative Plan by application of Sections 1, 2, 3, and 4 of this First Amendment, it is expressly agreed that all other terms, conditions, and stipulations contained in the Cooperative Plan remain in full force and effect without any change or modification whatsoever, and are confirmed as binding elements upon the CITY and TOWN.

SECTION 6 OF THIS FIRST AMENDMENT-- INCORPORATION OF ATTACHMENTS

Attached hereto are true and correct copies of the following Attachments, which are incorporated herein by reference:

Attachment K 1	Legal Description of Subject CTH S
Attachment K 2	Map Depicting Subject CTH S
Attachment L 1	Legal Description of Transferred CTH G
Attachment L 2	Map Depicting Transferred CTH G
Attachment M 1	Legal Description of Transferred CTH K
Attachment M 2	Map Depicting Transferred CTH K
Attachment N 1	Legal Description of Transferred CTH N
Attachment N 2	Map Depicting Transferred CTH N

SECTION 7 OF THIS FIRST AMENDMENT -- EFFECTIVE DATE

This First Amendment becomes effective upon approval by the Wisconsin Department of Administration.

IN WITNESS WHEREOF, the parties certify that this First Amendment has been duly approved by their respective governing bodies in accordance with state and local laws, rules and regulations, and each party has caused their duly authorized officers to execute this First Amendment on the dates written below their respective signatures.

THE CITY OF KENOSHA, WISCONSIN,
A Municipal Corporation

BY: 


KEITH G. BOSMAN
Mayor for the City of Kenosha

BY: 

DEBRA SALAS
City Clerk/Treasurer for the City of Kenosha

STATE OF WISCONSIN)
 :SS.
COUNTY OF KENOSHA)

Personally came before me this 22 day of June, 2015, KEITH G. BOSMAN, Mayor, and DEBRA SALAS, City Clerk/Treasurer, of the CITY OF KENOSHA, WISCONSIN, a Wisconsin municipal corporation, to me known to be such Mayor and City Clerk/Treasurer of said municipal corporation and acknowledged that they executed the foregoing instrument as such officers as the agreement of said corporation, by its authority.



Lisa May
Notary Public, Kenosha County, WI.
My Commission expires/is: 2-4-18

TOWN OF SOMERS



BY: Benjamin R. Harbach
BEN HARBACH, Chairperson

Date: June 17, 2015

BY: Tim L. Kitzman
TIM L. KITZMAN, Clerk/Treasurer

Date: 06-17-2015

STATE OF WISCONSIN)
:SS.
COUNTY OF KENOSHA)

Personally came before me this 17 day of June 2015, BEN HARBACH, Chairperson, and TIM L. KITZMAN, Clerk/Treasurer, of the TOWN OF SOMERS, WISCONSIN, to me known to be such Chairperson and Clerk/Treasurer of said Township, and acknowledged that they executed the foregoing instrument as such officers as the agreement of said Township, by its authority.

Helen M Siferd
Helen M Siferd
Notary Public, Kenosha County, WI.
My Commission expires/is: 3/16/2018

Drafted by:
EDWARD R. ANTARAMIAN
City Attorney

Roadway Jurisdictional legal descriptions
City/Somers Revised
(6-08-2015)

County Trunk Highway "S" – Washington Avenue

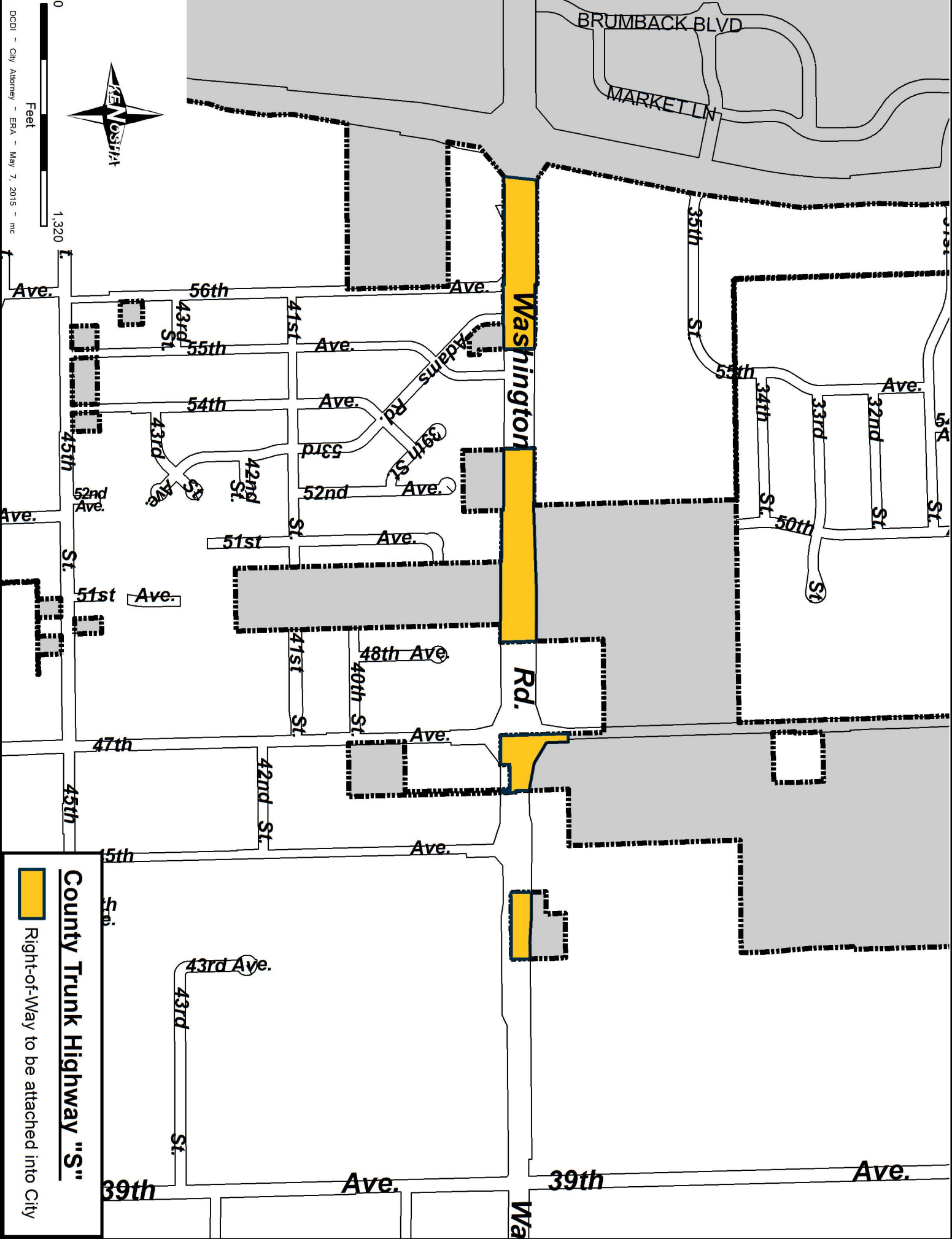
- 1) Commencing at the West $\frac{1}{4}$ corner of Section 26, Township 2 North, Range 22 East of the Fourth Principal Meridian; thence north along the west line of the Northwest $\frac{1}{4}$ of said section 26 152.07 feet to the north right of way line of State Trunk Highway 142 (Washington Road) and the place of beginning of the following description thence; S 89°41'29" E along the north line of Washington Road 379.92 feet; thence S 01°37'06" E 143.66 feet to the south line of the Northwest $\frac{1}{4}$ of said section 26, thence; S 00°39'28" E 40 feet to the South line of Washington Road said point being the northwest corner of Dowse Company Little Ranches Subdivision a subdivision recorded in the Kenosha County Register of Deeds Office as document 61352; thence S 89°20'32" W along a line 40 feet south of the south line of the Northwest $\frac{1}{4}$ of said section 26 to a point on the west line of said section 26; thence north along the west line of said section 26 to a point being 33 feet south along the west line of said section from the west $\frac{1}{4}$ corner of said section, said line being the south line of Washington Road; thence S 89°44'45" W along the south line of Washington Road being 33 feet south of the north line of the Southeast $\frac{1}{4}$ of Section 27, Township 2 North, Range 22 East of the Fourth Principal Meridian; 646.9 feet to an angle point being the intersection of the South line of Washington Road with the East line of State Trunk Highway 31; thence northeasterly to angle point located at the intersection of the East line of State Trunk Highway 31 with the North line of Washington Road said point being 160 feet north of the south line of the Northeast $\frac{1}{4}$ of said Section 27 at the southwest corner of lot 2 Certified Survey Map 2675 recorded in the Kenosha County Register of Deeds Office as document number 1628568; thence N 89°44'45" E along the north line of Washington Road being the south lines of lot 2 and 3 of said Certified Survey Map 2675, 618.76 feet to the west line of the Northwest $\frac{1}{4}$ of said Section 26; thence South along the west line of the Northwest $\frac{1}{4}$ of said Section 26, 10 feet to the place of beginning. Said land being in the Town of Somers, County of Kenosha, State of Wisconsin.

- 2) Commencing at the southeast corner of the Northwest $\frac{1}{4}$ of Section 26, Township 2 North, Range 22 East of the Fourth Principal Meridian; thence S 89°20'32" W along the south line of the Northwest $\frac{1}{4}$ of said Section 26 1362.78 feet; thence N 01°37'06" W 127.93 feet to the place of beginning; thence S 89°41'29" E along the north line of Washington Road 39.79 feet; thence N 88°01'05" E along the north line of said road 500.40 feet; thence N 89°41'29" E 267.44 feet; thence S 01°49'41" E to the south line of the Northwest $\frac{1}{4}$ of said Section 26; thence S 01°25'48" E parallel with the east line of the Southwest $\frac{1}{4}$ of said Section 26, 75.81 feet to the south line of Washington Road; thence N 89°41'28" W along the south line of Washington Road to the northeast corner of Certified Survey Map 491 recorded in the Kenosha County Register of Deeds Office as document number 629138; thence continue N 89°41'28" W along the south line of Washington Road to the northeast corner of lot 15 Meadow Heights Subdivision a subdivision recorded in the Kenosha County Register of Deeds Office as document number 1263865; thence continue westerly along south line of Washington Road to the northwest corner of lot 14 of said subdivision; being a point on the west line of the east $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of said Section 26; thence north along the west line of the east $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of said Section 26, 10 feet; to

a point being 52.6 feet south of the north line of the Southwest $\frac{1}{4}$ of said Section 26; thence N $89^{\circ}41'29''$ E along the South line of said road 361.67 feet; thence N $01^{\circ}30'56''$ W 45.2 feet to the south line of the Northwest $\frac{1}{4}$ of said Section 26; thence N $01^{\circ}37'06''$ W 133.59 feet to the north line of Washington Road; thence N $89^{\circ}41'29''$ E 335.96 feet to place of beginning; said lands being in the Town of Somers, County of Kenosha, State of Wisconsin.

- 3) Commencing at the southwest corner of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 26, Township 2 North, Range 22 East of the Fourth Principal Meridian; thence east on the south line of said quarter quarter section 330 feet to the place of beginning; thence N $0^{\circ}16'41''$ W parallel with the west line of said quarter quarter section to a point 75 feet N $01^{\circ}51'19''$ E of the reference line of State Trunk Highway (said reference line begins in the west line of said Northeast $\frac{1}{4}$ at a point 14.88 feet N $0^{\circ}16'41''$ W of the southwest corner of the Northeast $\frac{1}{4}$ it runs S $88^{\circ}08'41''$ E 1060.73 feet to a point in the south line of said northeast quarter which is 1060.28 feet east of the southwest corner of said Northeast $\frac{1}{4}$ as described in volume 862 page 25 document number 538473 of documents recorded with the Kenosha County Register of Deeds Office); thence northwesterly to a point which is 173.45 feet S $88^{\circ}08'41''$ E from the west line of the Northeast $\frac{1}{4}$ of said section and 100 feet N $01^{\circ}51'19''$ E from the highway reference line; thence northwesterly to a point that is 181.5 feet North of the southwest corner of the Northeast $\frac{1}{4}$ of said Section 26 along the west line of the Northeast $\frac{1}{4}$ and N $89^{\circ}30'17''$ E 50.01 feet from said west line of the Northeast $\frac{1}{4}$; thence north parallel to the west line of the Northeast $\frac{1}{4}$ of said section 132 feet; thence S $89^{\circ}30'17''$ W 50.01 feet to a point being 313.5 feet north along the west line of the Northeast $\frac{1}{4}$ of said Section 26; thence South along said west line 313.5 feet to the southwest corner of the Northeast $\frac{1}{4}$ of Section 26; thence south along the west line of the Southeast $\frac{1}{4}$ of said Section 26 to a point where the west line of said quarter section intersects a point that is 100 feet south of highway reference line as previously stated; thence S $89^{\circ}41'30''$ E to a point that is 100 feet south of the highway reference line and 173.45 feet east along said highway reference line from the intersection of said line with the west line of the Northeast $\frac{1}{4}$ of said Section 26; thence north parallel with the west line of the Southeast $\frac{1}{4}$ of said Section 26 to a point 33 feet south of said highway reference line; thence easterly parallel with and 33 feet south of the highway reference line to a point that is 33 feet south of the highway reference line and 330 feet west of the southwest corner of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 26; thence North to the place of beginning. Said lands being in the Town of Somers, County of Kenosha, State of Wisconsin. Also commencing at the northwest corner of the Southeast $\frac{1}{4}$ of Section 26, Town 2 North, Range 22 East of the Fourth Principal Meridian; thence south along the west line of said $\frac{1}{4}$ section to a point being 100 feet S $0^{\circ}18'30''$ W from the highway reference line being N $01^{\circ}49'41''$ W of said northwest corner of southeast $\frac{1}{4}$ and bearing S $89^{\circ}41'30''$ E from the west line of the Northeast $\frac{1}{4}$ of said Section 26; thence S $89^{\circ}41'30''$ E, 171 feet; thence N $01^{\circ}18'30''$ E to a point being 33 feet South of said highway reference line thence S $89^{\circ}41'30''$ E 148.8 feet to the place of beginning; thence S $01^{\circ}18'30''$ W to a point being 100 feet south of the highway reference line and 319 feet S $89^{\circ}41'30''$ E from the west line of said Southeast $\frac{1}{4}$ thence S $89^{\circ}41'30''$ E 20 feet; thence N $01^{\circ}49'41''$ W to a point approximately 339 feet S $89^{\circ}41'30''$ E of and N $01^{\circ}49'30''$ W of the northwest corner of said Southeast $\frac{1}{4}$ of said Section 26; thence N $89^{\circ}41'30''$ W 9 feet; thence S $01^{\circ}49'30''$ E to a point being 33 feet South of the highway reference line; thence N $89^{\circ}41'30''$ W to the point of beginning; Said lands being in the Town of Somers, County of Kenosha, State of Wisconsin.

- 4) Commencing at a point on the south line of the Northeast $\frac{1}{4}$ of Section 26, Township 2 North, Range 22 East of the Fourth Principal Meridian that is 857.82 feet N $89^{\circ}30'17''$ E from the southwest corner of the Northeast $\frac{1}{4}$ of said Section 26; thence N $01^{\circ}45'15''$ W 92.90 feet; thence S $89^{\circ}41'31''$ E 76.34 feet (recorded as 76.56 feet) along the North line of Washington Road to the place of beginning; thence easterly along the north line of Washington Road to a point that is 264 feet as measured on the South line of the Northeast $\frac{1}{4}$ and 90 feet north as measured parallel to the east line of the of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ from a point being the southeast corner of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 26; thence easterly along the North line of Washington road to a point being 80 feet north of and 100 feet west of the south line of the Northeast $\frac{1}{4}$ of said Section 26 from a point being the southeast corner of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$; thence N $89^{\circ}30'17''$ E 100 feet to the east line of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 26; thence South along the east line of the Southwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 26; to a point being 33 feet south of the North line of the Southeast $\frac{1}{4}$ of said Section 26; thence westerly parallel with the north line of the Southeast $\frac{1}{4}$ of said section to a point being 33 feet South of and 934.16 feet more or less from the southwest corner of the Northeast $\frac{1}{4}$; thence northerly to the place of beginning. Said lands being in the Town of Somers, County of Kenosha, State of Wisconsin.



DCDI - City Attorney - ERA - May 7, 2015 - mc

County Trunk Highway "S"

Right-of-Way to be attached into City

Roadway Jurisdictional legal descriptions

City/Somers

(6-02-2015)

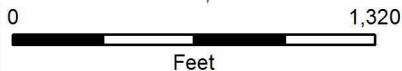
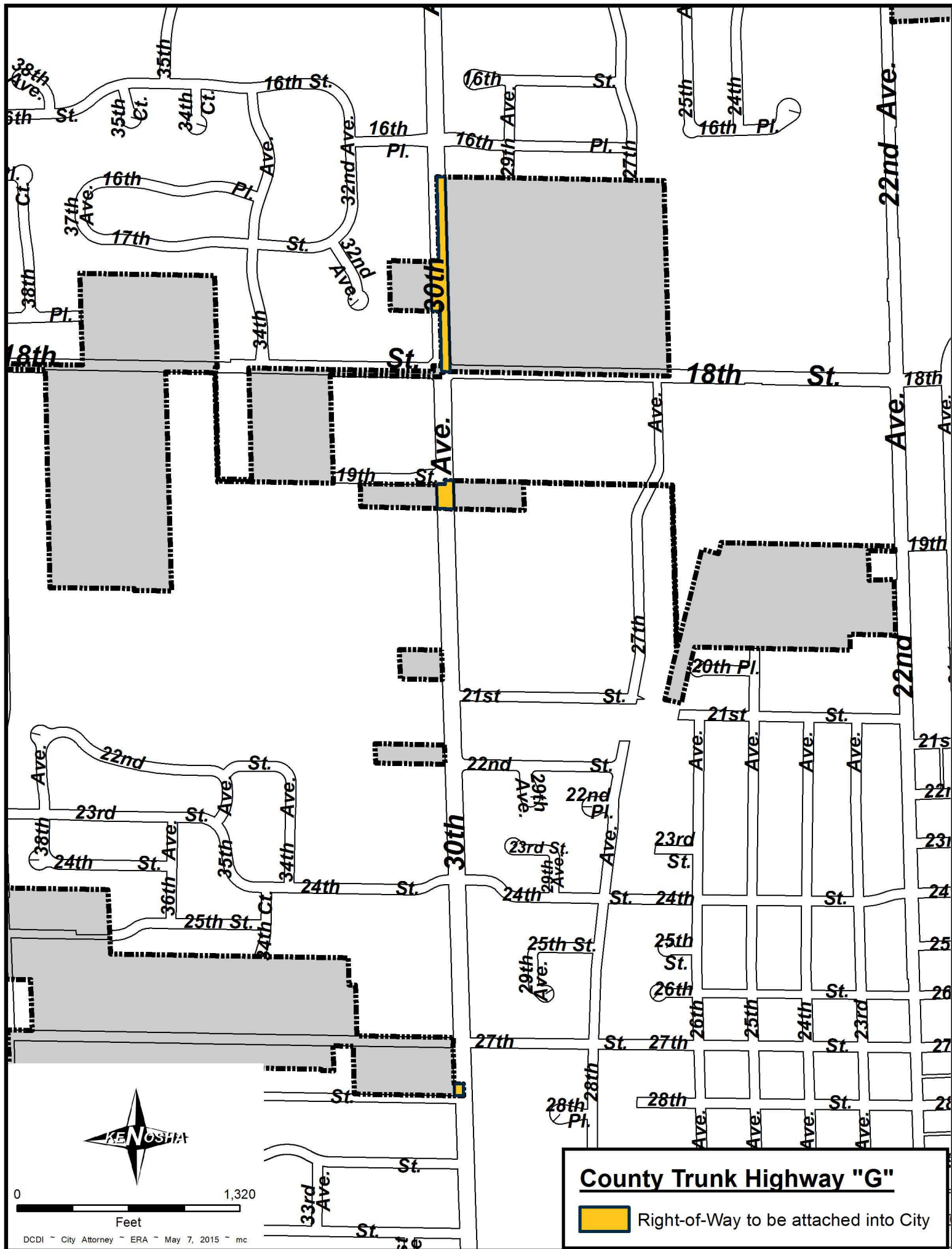
County Trunk Highway "G" – 30th Avenue

Revised 6-2-2015


- 1) Part of the Southeast $\frac{1}{4}$, and part of the Southwest $\frac{1}{4}$ of Section 13, Town 2 North, Range 22 East of the Fourth Principal Meridian described as follows: Commencing at the southwest corner of said $\frac{1}{4}$ section said point being the place of beginning of described lands; thence S $88^{\circ}50'57''$ E along the south line of said $\frac{1}{4}$ section 50.05 feet to the place of beginning; thence N $01^{\circ}26'36''$ W parallel with and 50.05 feet east of the west line of said $\frac{1}{4}$ section 1,155 feet to the north line of Certified Survey Map 458 as recorded in the Kenosha County Register of Deeds Office as document number 623339 thence; N $88^{\circ}50'57''$ W parallel to the south line of said section 50.05 feet to the west line of the Southeast $\frac{1}{4}$ of said section; thence south along the west line of said Southeast $\frac{1}{4}$ of said section to a point 652.05 feet North of the Southwest corner of the Southeast $\frac{1}{4}$; thence N $89^{\circ}00'01''$ W 50.05 feet; thence south parallel to the west line of the Southeast $\frac{1}{4}$, 295 feet; thence S $89^{\circ}00'01''$ E 50.05 feet to the west line of said Southwest $\frac{1}{4}$ of said Section 13; thence south along the west line of said $\frac{1}{4}$ section to place of beginning. Said land being in the Town of Somers, County of Kenosha, State of Wisconsin.

- 2) Part of the Northeast $\frac{1}{4}$ and part of the Northwest $\frac{1}{4}$ of Section 24 commencing at the North $\frac{1}{4}$ corner of Section 24, Town 2 North, Range 22 East of the Fourth Principal Meridian; thence S $1^{\circ}42'39''$ E along the east line of the Northwest $\frac{1}{4}$ of said section 670.4 feet to the place of beginning; thence N $89^{\circ}01'55''$ W 50 feet; thence south parallel with the east line of the Northwest $\frac{1}{4}$ of said section 140 feet; thence S $89^{\circ}01'55''$ E 50 feet to the east line of the Northwest $\frac{1}{4}$ of said section thence south along the east line of the Northwest $\frac{1}{4}$ of said section to a point being 814.5 feet south along the east line of the Northwest $\frac{1}{4}$ from the North $\frac{1}{4}$ corner of said section said point being the southwest corner of Certified Survey Map 473 as recorded in the Kenosha County Register of Deeds Office as document number 625232; thence S $88^{\circ}50'51''$ E 50.06 feet to the east line of 30th Avenue thence north parallel with the east line of the Northwest $\frac{1}{4}$ 168 feet; thence N $88^{\circ}50'51''$ W 50.06 feet to the East line of the Northwest $\frac{1}{4}$ of said Section 24; thence South along said East line to the place of beginning. Said land being in the Town of Somers, County of Kenosha, State of Wisconsin.

- 3) Part of the Southwest $\frac{1}{4}$ of Section 24 commencing at the southeast corner of the Southwest $\frac{1}{4}$ of Section 24, Town 2 North, Range 22 East of the Fourth Principal Meridian; thence north along the east section line of the Southeast $\frac{1}{4}$ 1,026 feet to the north line of 28th Street extended easterly; thence west along the North line of 28th Street extended 50.05 feet; thence north parallel to the east line of Southwest $\frac{1}{4}$ 68.24 feet; thence West parallel with the north line of 28th Street extended 50.05 feet; thence south along the east line of the Southwest $\frac{1}{4}$ of said section to the place of beginning. Said land being in the Town of Somers, County of Kenosha, State of Wisconsin.



County Trunk Highway "G"

 Right-of-Way to be attached into City

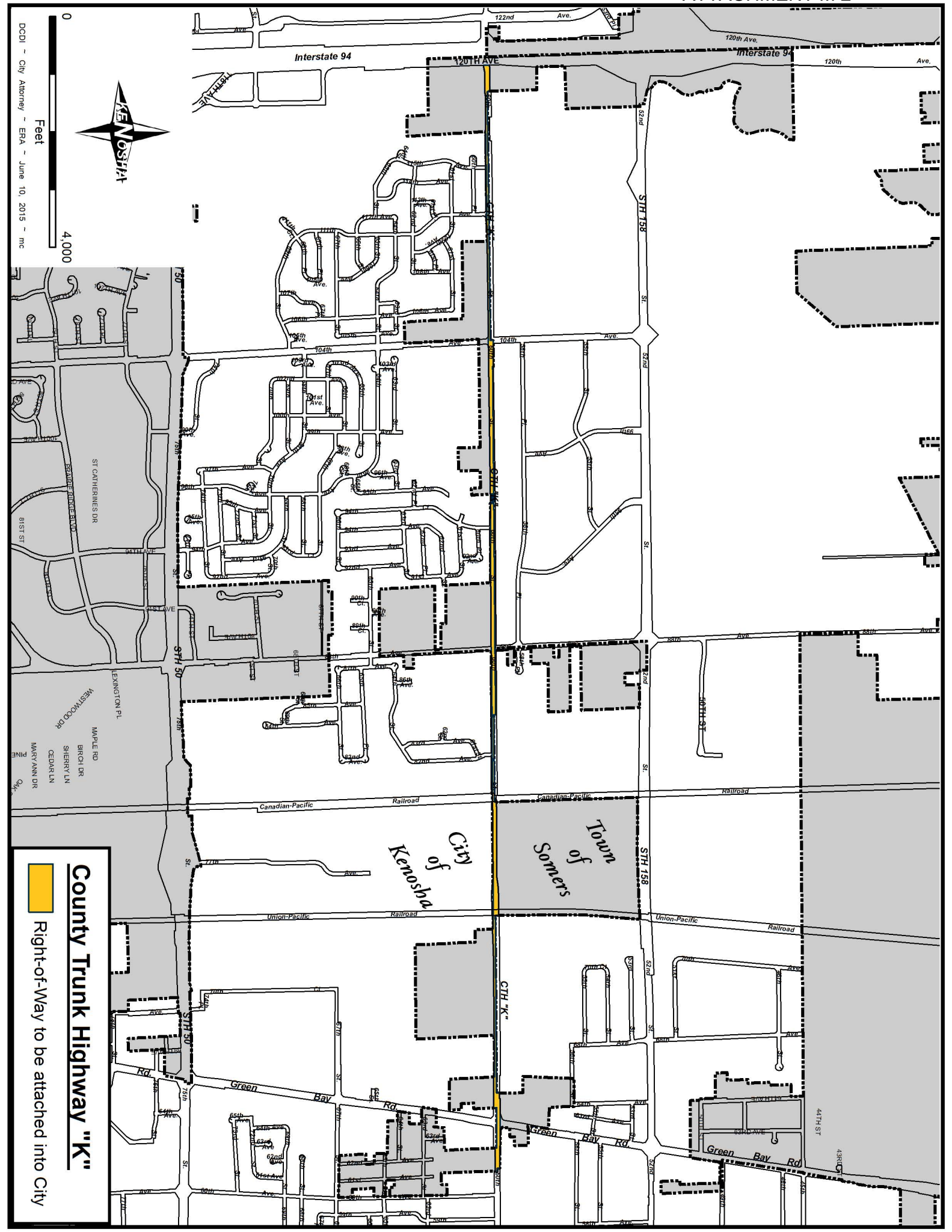
Roadway Jurisdictional legal descriptions
City/Somers
(6-13-2015)

County Trunk Highway "K" – 60th Street
Revised legal description

Commencing at the intersection of the East line of the Union Pacific Railroad with the south line of the Southeast $\frac{1}{4}$ of Section 33 Town 2 North, Range 22 East of the Fourth Principal Meridian; thence N $89^{\circ}33'30''$ E along the south line of said section 656.68 feet to the southwest corner of the Southwest $\frac{1}{4}$ of Section 34, Town 2 North, Range 22 East of the Fourth Principal Meridian; thence east along the South line of said Southwest $\frac{1}{4}$ of Section 34 1337.08 feet to the east line of the Southwest $\frac{1}{4}$ of said $\frac{1}{4}$ section; thence continue east along the south line of said $\frac{1}{4}$ section 782.68 feet; thence continue east along south line of said $\frac{1}{4}$ section 300 feet; thence N $00^{\circ}26'36''$ W 50 feet; thence East parallel with the south line of said Section 34, 100 feet; thence N $01^{\circ}50'16''$ W 10 feet to a point being 60 feet North of the south line of said section; thence N $89^{\circ}33'19''$ E 152.73 feet (recorded as 154.46 feet); thence N $89^{\circ}40'04''$ E 162.37 feet (recorded as 160.7 feet); thence easterly to a point being 60.02 feet North of and 406.54 feet east of the centerline of State Trunk Highway 31 said distance of said lands being measured off of the south line of said section; thence S $01^{\circ}50'18''$ E, 10 feet to a point 50 feet north of the south line of said section; thence East parallel with the south line of said section 383.35 feet; thence S $01^{\circ}50'18''$ E, 50 feet to the south line of said section 34; thence east to a point being 61 feet west of and 50 feet north of the northwest corner of Certified Survey Map 1978 recorded in the Kenosha County Register of Deeds Office as document number 1062134; thence South to a point being 50 feet South of the south line of said section; thence westerly parallel with and 50 feet south of the south line of said Section 34, 400 feet; thence north to the south line of said section; thence west along the south line of said section to the S $\frac{1}{4}$ corner of said Section 34; thence S $02^{\circ}48'51''$ E along the east line of the Northeast $\frac{1}{4}$ of Section 3, Town 1 North, Range 22 East of the Fourth Principal Meridian 60.06 feet; thence N $80^{\circ}12'18''$ W 56.3 feet to a point that is 50 feet south of the north line of the Northwest $\frac{1}{4}$ of said Section 3; thence parallel with and 50 feet south of the north line of said section 501.48 feet; thence N $88^{\circ}26'59''$ W being 50 feet south of the centerline of 60th Street 344.72 feet; thence S $89^{\circ}33'19''$ W 1306.57 feet; thence N $02^{\circ}48'49''$ W 2 feet; thence S $89^{\circ}33'19''$ W 52.04 feet; thence S $02^{\circ}48'49''$ E 2 feet; thence S $89^{\circ}33'19''$ W 417.01 feet; thence S $87^{\circ}33'31''$ W, 144.07 feet; thence S $87^{\circ}33'31''$ W, 199.78 feet; thence S $89^{\circ}33'31''$ W, 312.19 feet; thence S $01^{\circ}10'48''$ E, 10 feet; thence S $89^{\circ}33'31''$ W, 100.01 feet thence N $01^{\circ}10'48''$ W 120 feet; thence N $89^{\circ}33'31''$ E 100.01 feet; thence S $01^{\circ}10'48''$ E, 60 feet to the place of beginning. Said lands being in the Town of Somers, County of Kenosha, State of Wisconsin. **ALSO** Commencing at the northwest corner of the Northwest $\frac{1}{4}$ of Section 6 Town 1 North, Range 22 East of the Fourth Principal Meridian; thence S $0^{\circ}36'54''$ E 45 feet; thence S $89^{\circ}15'04''$ E 140.04 feet to the place of beginning; thence S $0^{\circ}29'24''$ E 17 feet; thence N $83^{\circ}50'56''$ E 83.20 feet; thence N $0^{\circ}29'24''$ W 7 feet to a point being 45 feet South of the north section line of said Section 6; thence N $89^{\circ}15'04''$ E 356.82 feet; thence

N 0°29'24" W 7 feet to a point 33 feet South of the north line of said Section 6 ; thence N 89°15'04" E parallel with and 33 feet south of the north line of said Section 6 to a point being the northwest corner of Kilbourn Woods Subdivision being a subdivision of the Northwest ¼ of said Section 6, Town 1, Range 22 East of the Fourth Principal Meridian; thence continue east parallel with and 33 feet south of the north line of the Northwest ¼ of Section 6 to the intersection with the east line of said ¼ section; thence east 33 feet south of and parallel with the north line of the Northeast ¼ of said Section 6 to the northeast corner of lot A Certified Survey Map 1550 located in the Northeast ¼ of Section 6 Town 1 Range 22 East of the Fourth Principal Meridian and recorded in the Kenosha County Register of Deeds Office as document number 886172; thence continue east 33 feet south of and parallel with the Northeast ¼ of said Section 6 to the intersection with the south line of said road with a vision corner of 104th Avenue described as follows: begin at the northeast corner of said Section 6; thence S 03°11'04" E 101.06 feet; thence N 46°56'44" W 145.98 feet; thence N 89°17'37" E 101.06 feet to the point of beginning; thence S 46°56'44" E to a point that is 33 feet west of and parallel to the north line of the Northeast ¼ of said Section 6; thence east to a point of intersection with a vision corner for 104th Avenue which is 55 feet east of the west line of the northwest corner of Section 5 Town 1 North Range 22 East of the Fourth Principal Meridian running parallel with the north line of said section and which point intersects the following reference line begin at the northwest corner of said section 5; thence N89°15'06" E 122 feet; thence S 43°02'01" W 92.65 feet; thence North along the west line of said ¼ section to the place of beginning; thence N 43°02'01" E to the intersection of a point being 33 feet south of and approximately 90 feet east of the north line of the Northwest ¼ of said section 5; thence east parallel with and 33 feet south of the north line of the Northwest ¼ of said Section 5; to the east line of the Northwest ¼ of said Section 5; thence north along the east line of said ¼ section to a point being the northwest corner of the Northeast ¼ of said Section 5; thence east along the north line of said ¼ section 164.18 feet; thence south parallel with the west line of said ¼ section to a point being 33 feet south of the north line of said ¼ section; thence east parallel with and 33 feet south of the north line of said ¼ section to the intersection with the east line of the Northeast ¼ of said Section 5; thence continue east 33 feet south of and parallel with the north line of the Northwest ¼ of Section 4, Township 1 North, Range 22 East of the Fourth Principal Meridian to the intersection with the west line of the CP railway; thence east parallel with and 33 feet south of the north line of said Section 4 to a point being the west line of the Northeast ¼ of the Northeast ¼ of said Section 4; thence S 84°15'34" E 250.73 feet; thence N 89°33'31" E 306.16 feet to the west line of Union Pacific Railroad; thence N 01°10'48" W 120 feet; thence S 89°33'31" W 304.61 feet; thence S 83°25'59" E 253.02 feet to a point on the west line of the Southeast ¼ of the Southeast ¼ of said Section 33 Town 2 North Range 22 East of the Fourth Principal Meridian said point being 33 feet north of the south line of said section 33; thence west parallel with and 33 feet north of the south line of said Section 33 to the intersection with the east line of CP Railway; thence south along the east line of CP railway to a point being the south ¼ corner of said Section 33; thence west along the south line of the Southwest ¼ of said Section 33 to a point being the southerly extension of the west line of lot 1 Certified Survey Map 2633 being a part of the Southwest ¼ of Section 33 Town 2 North Range 22 East of the Fourth Principal Meridian as recorded in the Kenosha County Register of Deeds Office as document number 1561649; thence north along the southerly extension of lot 1 Certified Survey Map 2633, 50 feet; thence west parallel with and 50 feet north of the south line of the Southwest ¼ of said Section 33 to the southwest corner of parcel 1 of Certified Survey Map 2586

being a part of the Southwest $\frac{1}{4}$ of Section 33 Town 2 North Range 22 East of the Fourth Principal Meridian as recorded in the Kenosha County Register of Deeds Office as document 153376; thence westerly parallel with and 50 feet north of the south line of the Southwest $\frac{1}{4}$ of Section 33 to the centerline of County Trunk Highway "H"; thence south along said centerline to a point that is 33 feet north of the southeast corner of Section 32 Town 2 North Range 22 East of the Fourth Principal Meridian; thence west parallel with and 33 feet north of the south line of said Section 32 to the intersection with the west line of said section; thence southerly along the west line of the of said section to the southeast corner of Section 31 Town 2 North Range 22 East of the Fourth Principal Meridian; thence west along the south line of said Section 31 to a point being 595 feet east of the southwest corner of the Southwest $\frac{1}{4}$ of said Section 31 thence N $0^{\circ}01'15''$ W to a point 33 feet north of the south line of said Section 31; thence west parallel with and 33 feet north of the south line of Section 31 19.1 feet; thence N $0^{\circ}01'15''$ W to a point 45 feet north of the south line of said section 31; thence N $89^{\circ}15'04''$ W 436.79 feet; thence southerly to the place of beginning. Said lands being in the Town of Somers, County of Kenosha, State of Wisconsin.



DCCI - City Attorney - ERA - June 10, 2015 - mc

Feet



County Trunk Highway "K"



Right-of-Way to be attached into City

Roadway Jurisdictional legal descriptions

City/Somers

(6-5-2015)

County Trunk Highway "N" – 38th Street

- 1) Commencing at the West $\frac{1}{4}$ corner of Section 30 Town 2 North, Range 22 East of the Fourth Principal Meridian; thence East along the North line of the Southwest $\frac{1}{4}$ of said Section 30 (said line also being the centerline of 38th Street) 846.8 feet to the West line of Certified Survey Map 620 as recorded in the Kenosha County Register of Deeds Office as document number 643225. (said line also being the East line of the West $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of said Section 30) and the place of beginning of lands described; thence southerly along the West line of said Certified Survey Map 620 40 feet thence; N $86^{\circ}59'16''$ E 52 feet; thence North parallel with the West line of said Certified Survey Map 620, 7 feet thence N $86^{\circ}59'16''$ E 856.95 feet; thence N $87^{\circ}49'39''$ E 225 feet; thence N $87^{\circ}28'34''$ E 188.665 feet to the east line of the Southwest $\frac{1}{4}$ of said Section 30; thence continuing N $87^{\circ}28'34''$ E 21.335 feet thence N $87^{\circ}36'38''$ E 150 feet; thence N $86^{\circ}24'38''$ E 444.53 feet; thence N $88^{\circ}13'04''$ E 588.86 feet; thence N $87^{\circ}30'45''$ E 453.25 feet; thence N $87^{\circ}44'47''$ E 694.665 feet; thence N $87^{\circ}59'34''$ E 319.98 feet to the East line of said Section 30 at a point which is 53.42 feet N $02^{\circ}01'47''$ W of the East $\frac{1}{4}$ corner of said Section 30; thence N $02^{\circ}01'47''$ W along the East line of the Northeast $\frac{1}{4}$ of said Section 30 to a point which is 118.7 feet N $02^{\circ}03'20''$ W of the east $\frac{1}{4}$ corner of said Section 30; thence S $87^{\circ}59'34''$ W 243.4 feet to the East line of Certified Survey Map 921 as recorded in the Kenosha County Register of Deeds Office as document 703095; thence southerly along the East line of said Certified Survey Map 921, 33 feet to the south line of said Certified Survey Map 921 which is also the centerline of 38th Street; thence S $87^{\circ}59'34''$ W (recorded as S $87^{\circ}44'41''$ W) along the south line of said Certified Survey Map 921, 76.58 feet to an angle point; thence continuing along the south line of said Certified Survey Map 921 S $87^{\circ}44'47''$ W (recorded as $87^{\circ}44'41''$ W) 103.71 feet; thence northerly along the West line of Certified Survey Map 921, 33 feet (recorded as 30 feet) to the North line of 38th Street; thence S $87^{\circ}44'47''$ W 590.955 feet; thence S $87^{\circ}30'45''$ W 453.25 feet; thence S $88^{\circ}13'04''$ W 588.86 feet to the East line of Certified Survey Map 2765 a Certified Survey Map recorded with the Kenosha County Register of Deeds Office as document 1734027 which point is also the centerline of Kilbourn Road Ditch, also known as Kilbourn Ditch Creek; thence S $86^{\circ}24'38''$ W along the South line of Certified Survey Map 2765 439.25 feet, more or less; thence S $87^{\circ}36'38''$ W 0.53 feet; thence S $02^{\circ}23'22''$ E 33 feet to the centerline of 38th Street; thence S $87^{\circ}36'38''$ W 149.13 feet; thence S $87^{\circ}28'34''$ W 210 feet thence; S $87^{\circ}43'34''$ W 225.19; thence N $02^{\circ}31'26''$ W 33 feet; thence S $87^{\circ}43'34''$ W 31.5 feet; thence S $86^{\circ}59'16''$ W 875.57 feet; thence southerly along the northerly extension of the West line of Certified Survey Map 620, 33 feet to the place of beginning. Said lands being in the Town of Somers, County of Kenosha, State of Wisconsin.

- 2) Commencing at a point on the West line of the Northwest $\frac{1}{4}$ of Section 29, Township 2 North, Range 22 East of the Fourth Principal Meridian which is 118.7 feet north of the west $\frac{1}{4}$ corner of said Section; thence S $89^{\circ}37'10''$ E 337 feet to the place of beginning; thence south parallel with the West line 33 feet; thence S $89^{\circ}37'10''$ E 505.5 feet; thence north parallel with the West line 33 feet; thence N $89^{\circ}37'10''$ W 505.5 feet to the place of beginning. Said lands being in the Town of Somers, County of Kenosha, State of Wisconsin.

- 3) Commence at a point on the West line of the Northwest $\frac{1}{4}$ of Section 29, Township 2 North, Range 22 East of the Fourth Principal Meridian, which is 85.7 feet north of the west $\frac{1}{4}$ corner of said Section, thence S $89^{\circ}37'10''$ E 1,011 feet to the point of beginning; thence north parallel to the West line 33 feet; thence S $89^{\circ}37'10''$ E 1,083.45 feet; thence N $79^{\circ}08'05''$ E 56 feet; thence N $30^{\circ}34'44''$ E 31.4 feet; thence N $37^{\circ}19'32''$ W 29.6 feet thence Southeasterly to the northwest corner of Certified Survey Map 927 recorded in the Kenosha County Register of Deeds Office as document 703101; thence N $89^{\circ}37'10''$ W 200.21 feet along the South line of 38th Street to the West line of the East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of said Section 29, thence north along the west line of the East $\frac{1}{2}$ of the East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of said Section 29, 33 feet thence; N $89^{\circ}37'10''$ W to a point 1,011 feet S $89^{\circ}37'10''$ E from the West line of said Section 29 and the place of beginning of said parcel. Said lands being in the Town of Somers, County of Kenosha, State of Wisconsin.

Interstate 94

Ave.

120th Ave.
29th St

Burlington Rd.
29th St

City of
Kenosha

Town of
Somers

Town of
Somers

City of
Kenosha

102ND AVE

Burlington Rd.
38th St

96TH AVE



Feet

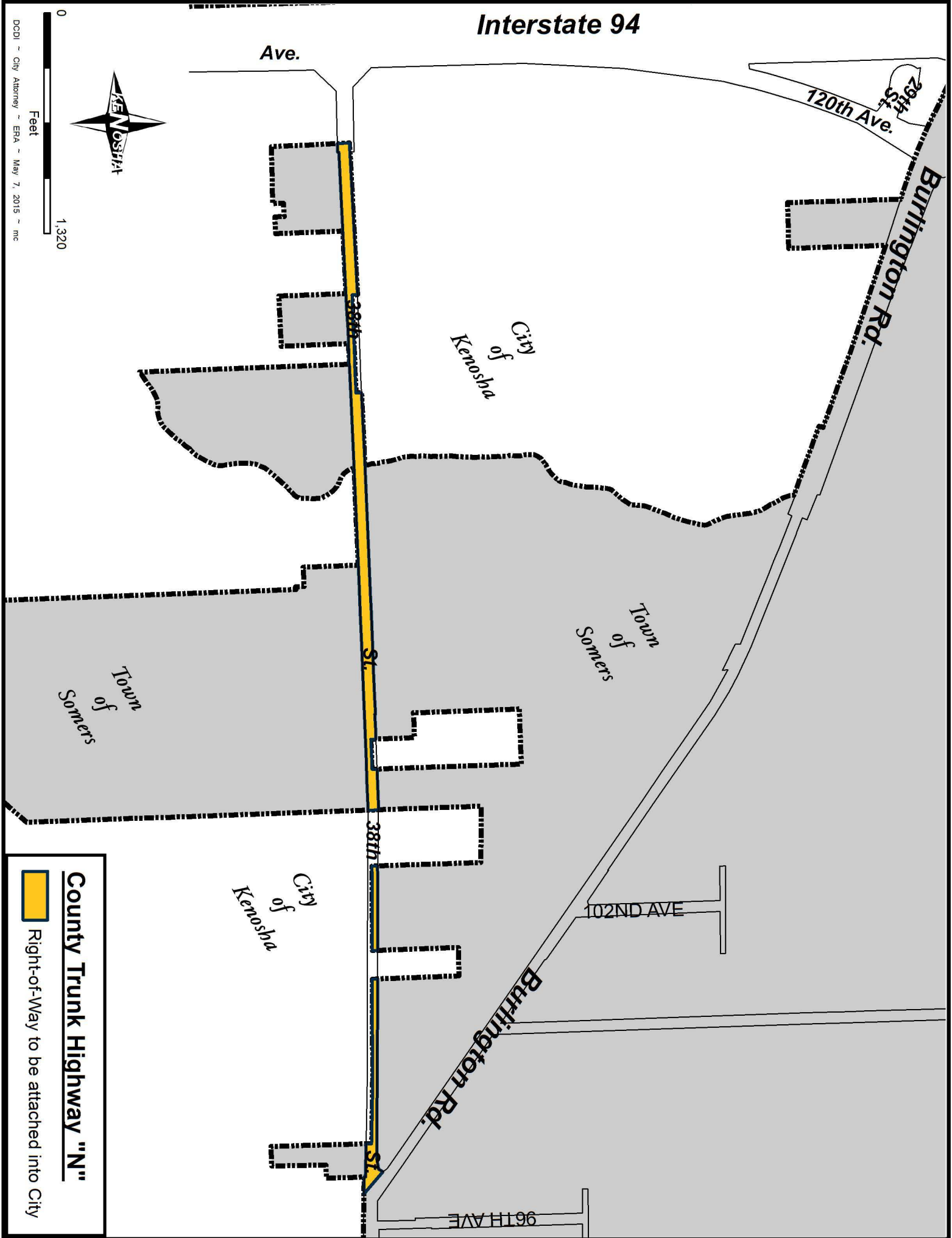
1,320

DCDI - City Attorney - ERA - May 7, 2015 - mc

County Trunk Highway "N"



Right-of-Way to be attached into City





**WISCONSIN DEPARTMENT OF
ADMINISTRATION**

SCOTT WALKER
GOVERNOR

SCOTT A NEITZEL
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/>

September 14, 2015

Keith Bosman, Mayor
City of Kenosha
625 52nd Street, Room 300
Kenosha, WI 53140

Ben Harbach, Chair
Town of Somers
900 - 100th Avenue
Kenosha, WI 53144

RE: Approval of First Amendment to the City of Kenosha and Town of Somers Cooperative Boundary Plan

Gentlemen:

The Department of Administration has received your request for review and approval of the First Amendment to the City of Kenosha and Town of Somers Cooperative Boundary Plan under s. 66.0307 Wis. Stats., which was originally approved by the Department on August 8, 2005. Hereinafter this First Amendment is referred to as the "First Amendment" while the original cooperative boundary plan agreement is referred to as the "Agreement". With this letter the Department is approving your First Amendment.

Section 66.0307 (8), Wis. Stats., enables parties to a cooperative boundary plan agreement to amend their agreement and submit it to the Department for approval. This First Amendment was adopted by resolution by the City of Kenosha on June 22, 2015 and by the Town of Somers on June 17, 2015. It was submitted to the Department for review and approval on July 25, 2015. Because your First Amendment does not make changes to the boundaries agreed to in the Agreement, nor does it change the duration of the Agreement, it is considered by s. 66.0307(8) Wis. Stats. to be an expedited amendment. As such, it does not require a public hearing unless a written objection is made. No written objection was received by any of the municipal participants, so a public hearing was not required.

The purpose of this First Amendment is to facilitate the jurisdictional transfer of specified road segments from Kenosha County to the City of Kenosha. These road segments would have ultimately transferred to the City pursuant to the Agreement no later than August 8, 2035. However, this amendment will accelerate the transfer of the road segments to the City immediately upon the Department's approval of this First Amendment.

The road segments to be transferred immediately are County Highways G, K, N, and S, which are shown by the color maps and legal descriptions contained in Attachments K-1 through N-2.

Furthermore, it is the intent of the parties that this First Amendment impacts only the transferring road segments. The parties do not intend for this First Amendment to change or impact any other Agreement provisions.

Section 4 of this First Amendment instructs the City Clerk/Treasurer to file the attachment ordinance with the Kenosha County Register of Deeds, Office of the Secretary of State, and any affected school districts. However, the parties should be aware that the recently approved 2015-17 Wisconsin State Budget Act has changed the process for filing municipal boundary changes. Changes are now to be filed with the Department of Administration rather than with the Secretary of State's Office.

September 14, 2015

Page 2 of 2

The language of this First Amendment is clear and unambiguous, and does not disturb the Agreement's compatibility with the Department's review and approval standards found in s. 66.0307 (5), Wis. Stats. Therefore, pursuant to authority granted under s. 66.0307 (5) (a), Wis. Stats., the Department of Administration hereby **APPROVES** this First Amendment to the City of Kenosha and Town of Somers Cooperative Boundary Plan Agreement.

If we can be of any further assistance to you, or should you have any questions concerning this approval letter, please feel free to call me at (608) 267-1824. Congratulations on a successful conclusion of your efforts.

Sincerely,



Ed Eberle, Administrator

Division of Intergovernmental Relations

Cc: Edward Antaramian, City Attorney
Jeffrey Davidson, Town Attorney
Deb Salas, City Clerk
Timothy L. Kitzman, Town Clerk