

NOTICE OF STIPULATION

Please take notice that the Town of Mukwonago ("Town") and the Village of Mukwonago ("Village") have entered into a stipulation pursuant to Sections 66.027 and 66.30, Wis. Stats. The stipulation is as follows:

MUNICIPAL BOUNDARY AGREEMENT TOWN OF MUKWONAGO AND VILLAGE OF MUKWONAGO

WHEREAS, the Village has recently received a Petition for Direct Annexation respecting the Fritz, Minor and Deneen properties, involving approximately 227 acres of land; and

WHEREAS, the Town is amenable to the detachment of the Fritz, Minor and Deneen properties in consideration of establishing permanent boundaries between the respective communities; and

WHEREAS, the Village is desirous of establishing the ultimate exterior boundaries of the Village as said boundary relates to the Town of Mukwonago so as to provide for adequate and logical growth as between the Town and the Village, so that it may properly plan for its future municipal needs; and

WHEREAS, the Town, likewise, is desirous of establishing a common boundary line between the Town and the Village so as to permit the Town to properly plan for the future needs of the Town; and

WHEREAS, Section 66.027 of the Wisconsin Statutes provides that any two municipalities whose boundaries are immediately adjacent and who are parties to an action in court testing the validity or invalidity of an annexation, may enter into a written stipulation compromising and settling such litigation and determine the common boundary line between the municipalities,

NOW, THEREFORE, it is hereby agreed as follows:

1. **Common Borders Established** The Village and Town agree that, pursuant to the provisions set forth below, the maximum external boundary of the Village limits which border the Town shall be as described in Exhibit A attached hereto and incorporated herein. In addition, the maximum external boundary of the Village limits which border the Town may be extended, as described herein, to include the territory described in Exhibits B, C and D attached hereto and incorporated herein.

- 2 Detachment/Attachment of Territory. The territory described in attached Exhibits A, B, C, and D may be detached from the Town and attached to the Village as follows.

A EXHIBIT A PROPERTY It is the intent of both the Village and the Town that the property described in Exhibit A shall eventually be attached to the Village. This property shall be attached in the following manner:

- (1) The Town agrees that it will withdraw any objection to the annexation of the Fritz, Minor and Deneen properties, and the Fritz, Minor and Deneen properties shall, therefore, be attached to the Village subject to the provisions of Section 5.
- (2) The Town agrees that it will withdraw any objection to the annexation of the Greenwald property (currently in litigation in Waukesha County Circuit Court), and the Greenwald property shall, therefore, be attached to the Village subject to the provisions of Section 5.
- (3) The Town agrees that all "town islands" (meaning Town territory that is completely surrounded by the current Village limits) shall be attached to the Village subject to the provisions of Section 5. The "town islands" referenced herein, as referred to by tax key number parcels, are as follows:

| | | |
|-------------------|---------------|---------------|
| MUKT 1974-933 | MUKT 1974-983 | MUKT 1974-934 |
| MUKT 1968-992 | MUKT 1974-984 | MUKT 1974-910 |
| MUKT 1969-998-001 | MUKT 1974-985 | MUKT 1974-931 |
| MUKT 1968-997 | MUKT 1974-988 | MUKT 1974-911 |
| MUKT 1968-995 | MUKT 1974-989 | MUKT 1975-989 |
| MUKT 1968-994 | MUKT 1974-922 | MUKT 1974-945 |
| MUKT 1974-930 | MUKT 1974-923 | MUKT 1974-957 |
| MUKT 1974-981 | MUKT 1974-924 | MUKT 1974-961 |
| MUKT 1974-982 | MUKT 1974-926 | MUKT 1974-959 |
| | | MUKT 1974-968 |

In addition, any remnant road right-of-way or alleys immediately adjacent to the Town islands referenced herein interior to the Village shall be attached to the Village pursuant to this agreement.

- (4) With regard to the remainder of territory described in Exhibit A presently located outside of the incorporated boundaries of the Village, but within the maximum external boundary described in Exhibit A (the Detachment Parcels) the Town agrees, subject to the provisions of Section 5, to detach each individual parcel, and

the Village agrees to consider attaching each individual parcel upon the earliest of the following events:

1. Request on the part of the owner(s) of each individual parcel to be attached to the Village
2. Any land division of any individual parcel, whether by certified survey map, subdivision plat, or otherwise.
3. Request of any individual parcel owner for extension of any Village services

The procedure for detachment of any Detachment Parcel shall be as follows:

1. The parcel owner desirous of attaching to the Village, dividing an individual parcel or receiving Village services, shall file a Petition for Detachment with the Town and Village Clerks
2. The Town, within forty-five (45) days of receipt of a petition, shall adopt an ordinance detaching the subject property conditioned upon the Village adopting an ordinance attaching the subject property.
3. The Village, within forty-five (45) days after adoption of the Town ordinance, may adopt an ordinance attaching the subject property.

B EXHIBIT B, C AND D TERRITORY. It is the intent of both the Village and the Town that the territory described in Exhibits B, C and D shall remain in the Town, unless the property owners located in those areas wish to be attached to the Village, in which case the properties may be attached subject to the provisions of Section 5. Upon such a request, the property may be attached in the following manner:

- (1) The Town agrees to detach each individual parcel that requests to be detached, and Village agrees to consider the requests to be attached, if the parcel is in the area described in Exhibits B, C and D upon the request on the part of the owner(s) of each individual parcel to be attached to the Village. The procedure for detachment of any Detachment Parcel shall be as follows:


1. The parcel owner desirous of attaching to the Village shall file a Petition for Detachment with the Town and Village Clerks.

2. The Town, within forty-five (45) days of receipt of a petition, shall adopt an ordinance detaching the subject property conditioned upon the Village adopting an ordinance attaching the subject property.
 3. The Village, within forty-five (45) days after adoption of the Town ordinance, may adopt an ordinance attaching the subject property
3. Territory Outside the Maximum External Village Boundary Village agrees that any lands lying outside of the maximum external boundary of the Village described above shall not be annexed into the Village unless detachment is approved by Resolution of the Town Board
4. Court Approval of Municipal Boundary Agreement. Village acknowledges that the Town has entered into this agreement to avoid litigation relative to the Fritz, Minor and Deneen annexation. It is the intent of the parties that this municipal boundary agreement is to be incorporated into the judgment of the circuit court pursuant to the provisions of Section 66.027 of the Wisconsin Statutes. In the event the court fails or refuses to enter judgment incorporating the terms of this municipal boundary agreement, this agreement shall be null and void and of no further force and effect
5. Effective Date Thirty (30) days following the publication of the stipulation to change boundaries, unless a petition for referendum is filed in accordance with §66.027 Wisconsin Statutes, the following shall occur:
 - A The Town shall withdraw its objection to the annexation ordinances as set forth in Paragraph 2.A (1) and (2)
 - B The Town islands described in Paragraph 2.A (3) shall be attached to the Village
 - C The remaining terms of the agreement shall become effective

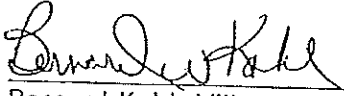
In the event a petition for referendum is filed and the referendum election is opposed to detachment, this agreement shall be null and void in its entirety. Otherwise, all terms herein shall become effective immediately following such election subject to any appeals

Dated this 28 day of April, 2000

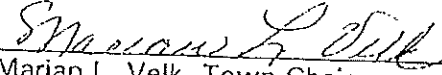
VILLAGE OF MUKWONAGO


James Wagner, Village President

ATTEST:


Bernard Kahl, Village Clerk

TOWN OF MUKWONAGO


Marian L. Velk, Town Chairperson

ATTEST:

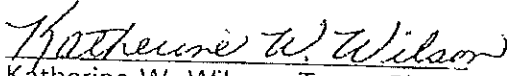

Katherine W. Wilson, Town Clerk

EXHIBIT A

That part of 15N R18E described as follows: The area that includes the existing limits of the Village, extended to a line which commences at the Southeast corner of Section 36; thence West along the South line of Section 36 and Section 35 (including the existing Village limits) to the Westerly property line of the East Troy Railroad Museum railway line property; thence Northeasterly along the Westerly property line of the East Troy Railroad Museum railway line property to a point on the Northerly property line of lands identified by Town of Mukwonago Tax Key No. 2011-998; thence Northwesterly along the Northerly property line of lands identified by Town of Mukwonago Tax Key No. 2011-998 and continuing Northwesterly along the Northerly property line of lands identified by Town of Mukwonago Tax Key No. 2011-998-001 to a point on the Southeast corner of lands identified by Town of Mukwonago Tax Key No. 2010-998;

thence continuing North 01°05'00" West 1570 feet more

or less to a point, said point being 2240 feet more or less South 39°15'00" West of the North line of the bridge abutment of CTH "ES"; thence North 39°15'00" East 1322 feet more or less to the North 1/4 of Section line of said Section 35; thence North 01°05'00" West on said North 1/4 Section line to the shore of Phantom Lake; thence Westerly and Northerly along said shoreline to.

the East 1/4 corner of Section 27; thence South along the East line of the Southeast 1/4 of Section 27 560.00 feet more or less to the Southeast corner of the North 1/2 of the Northeast 1/4 of the Southeast 1/4 of Section 27; thence West along the South line of the North 1/2 of the North 1/2 of the Southeast 1/4 of Section 27 to the Southwest corner of the North 1/2 of the Northwest 1/4 of the Southeast 1/4 of Section 27; thence South 00°01'29" West along the South 1/4 line of Section 27 790.00 feet; thence South 39°51'25" West 568.59 feet;

thence South to the South line of Section 27; thence West along the South line of Section 27 to the West line of Section 27; thence North along the West line of Section 27 and Section 22 to a point in the center of CTH NN; thence East along the center line of CTH NN to a point on the South 1/4 line of Section 22; thence North along the South 1/4 line of Section 22 to a point on the center line of CTH EE; thence Northwesterly along the centerline of CTH EE to the West line of the East half of the Northwest quarter of Section 22; thence North along the said West line of the East half of the Northwest quarter of section 22 to the North line of Section 22; thence East along the North line of Section 22, Section 23 and Section 24 to the East line of Section 24; thence South along the East line of Section 24 and Section 25 and Section 36 to the point of beginning.

EXHIBIT B

That part of T5N R18E described as follows: Commencing at the Southeast corner of Section 13; thence West along the South line of Section 13 to the Westerly right-of-way line of the Wisconsin Central Railroad Ltd. (including the existing Village limits); thence Northeasterly along said Westerly right-of-way line to a point on the Southeasterly shoreline of the Fox River; thence Northeasterly along the Southeasterly shoreline of the Fox River, being described as the Northwesternly line of lands identified by Town of Mukwonago Tax Key No. 1924-998, and including any gaps in the legal description between the shoreline of the Fox River and the Wisconsin Central Railroad Ltd. right-of-way, to the East line of Section 13; thence South along the East line of Section 13 to the point of beginning.

EXHIBIT C

That part of Section 22, T5N R18E described as follows:
Commencing at a point in the center of the intersection of CTH NN
and CTH EE; thence Westerly along the center line of CTH NN to
the West line of Section 22; thence North along the West Section
line of Section 22 to a point in the center of CTH EE; thence
Southeasterly along the centerline of CTH EE to the point of
beginning.

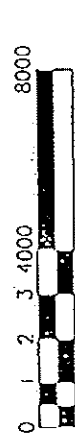
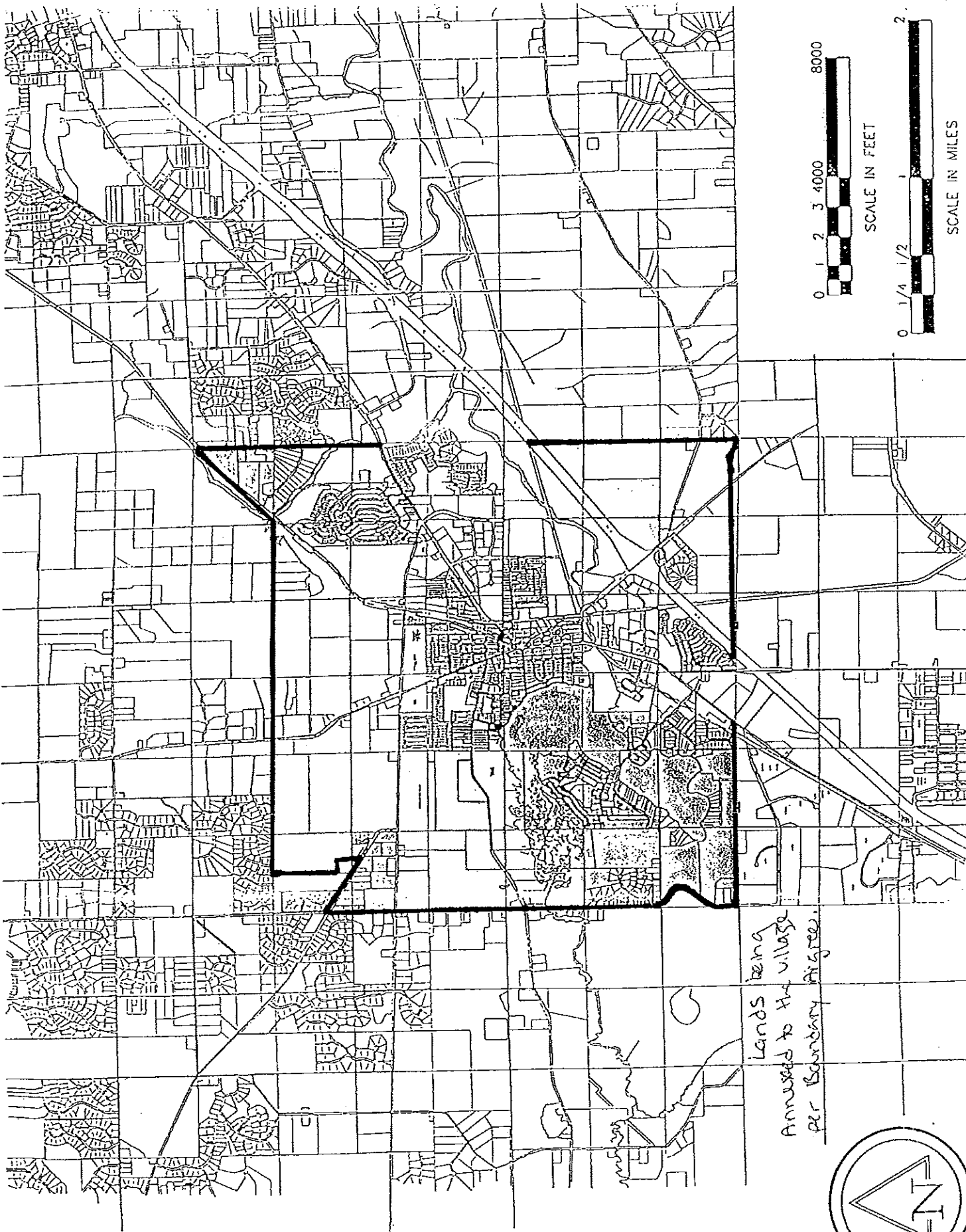
EXHIBIT D

That part of T5N R18E described as follows: Commencing at a point on the South line of Section 35 at the West property line of the East Troy Railroad Museum railway line property; thence Northeasterly along the Westerly property line of the East Troy Railroad Museum railway line property to a point on the Northerly property line of lands identified by Town of Mukwonago Tax Key No. 2011-998; thence Northwesterly along the Northerly property line of lands identified by Town of Mukwonago Tax Key No. 2011-998 and continuing Northwesterly along the Northerly property line of lands identified by Town of Mukwonago Tax Key No. 2011-998-001 to a point on the Southeast corner of lands identified by Town of Mukwonago Tax Key No. 2010-998;

thence continuing North 01°05'00" West 1570 feet more or less to a point, said point being 2240 feet more or less South 89°15'00" West of the North line of the bridge abutment of CTH "ES"; thence North 89°15'00" East 1322 feet more or less to the North 1/4 of Section line of said Section 35; thence North 01°05'00" West on said North 1/4 Section line to the shore of Phantom Lake; thence Westerly and Northerly along said shoreline to:

the East 1/4 corner of Section 27; thence South along the East line of the Southeast 1/4 of Section 27 560.00 feet more or less to the Southeast corner of the North 1/2 of the Northeast 1/4 of the Southeast 1/4 of Section 27; thence West along the South line of the North 1/2 of the Northeast 1/4 of the Southeast 1/4 of Section 27 to the Southwest corner of the North 1/2 of the Northeast 1/4 of the Southeast 1/4 of Section 27; thence South 00°01'29" West along the South 1/4 line of Section 27 700.00 feet; thence South 39°51'25" West 668.59 feet;

thence South to the South line of Section 27; thence West along the South line of Section 27 to the West line of Section 27; thence Southerly along the centerline of CTH I (following the curve in CTH I around the East line of lands identified by Town of Mukwonago Tax Key No. 2007-991 and 2008-990) to the South line of Section 34; thence East along the South line of Section 34 and Section 35 to the point of beginning.

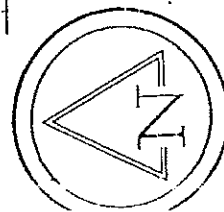


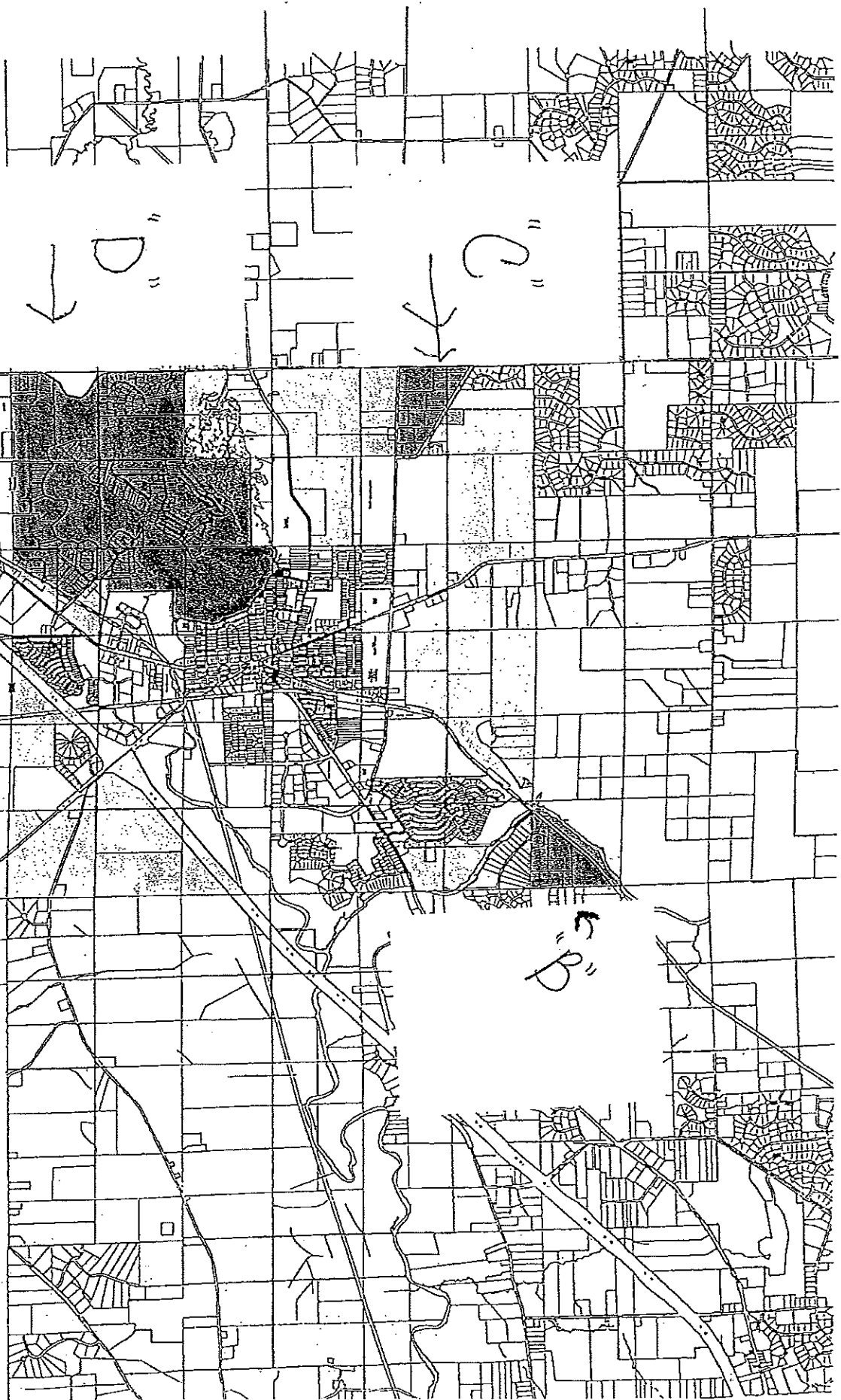
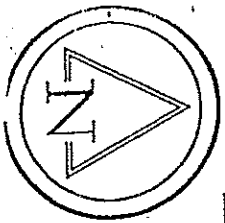
SCALE IN FEET



SCALE IN MILES

Lands being
Annexed to the village
per Boundary Agreements.





SCALE IN FEET



SCALE IN MILES

