

## Office of the Secretary of State

V483

VILLAGE OF SOMERS

KENOSHA COUNTY

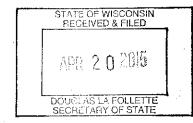
**INCORPORATION** 

FILED APRIL 20, 2015



## COUNTY OF KENOSHA

Rebecca Matoska-Mentink Clerk of Circuit Court 912 56th Street Kenosha, WI 53140-3747 Phone 262 653-2664 Rebecca.Matoska-Mentink@wicourts.gov



FILED

APR 1 5 2015

REBECCA MATOSKA-MENTINK CLERK OF CIRCUIT COURT

April 15, 2015

Douglas J. La Follette Secretary of State, State of Wisconsin 30 W. Mifflin, 10<sup>th</sup> Floor PO Box 7848 Madison, WI 53707-7848

RE:

Kenosha County Circuit Court file 14-CV-316
RE: The Incorporation of a Portion of Lands Comprising the Town of Somers, Kenosha County, as a Village pursuant to the provisions of Chapter 66, Wisconsin Statutes

Dear Mr. LaFollette:

Pursuant to sec66.0211, Wis. Stats, a referendum election was conducted on April 7, 2015 for residents to vote as to whether a portion of the Town of Somers should incorporate into a Village. That measure passed. Therefore, I am submitting to you the Certification along with all necessary documentation, pursuant to sec. 66, 0211, Wis Stats.

I respectfully request that you issue the Certificate of Incorporation on April 24, 2015 and that the first Village election be set for June 9, 2015.

Please contact me with any questions or concerns,

Rebecca Matoska-Mesatink

Truly Yours

cc: Atty Jeffrey J. Davison: 1207 55th Street: Kenosha, WI 53140

# Proposed Village of Somers, Kenosha County, Wisconsin Boundary Description

(November 14, 2014)

STATE OF WISCONSIN RECEIVED & FILED

APR 2 0 2015

DOUGLAS LA FOLLETTE SECRETARY OF STATE

Beginning at a point on the shoreline of Lake Michigan, which is 1,766.82 feet more or less south of the north line of the Southeast Quarter of Section 18, Town 2 North, Range 23 East of the Fourth Principal Meridian, said point being the intersection of the north line of Sunset Beach Subdivision, a subdivision of record with the Kenosha County Register of Deeds Office, and the shore of Lake Michigan; thence west along said north line of Sunset Beach Subdivision to the northwest corner of Lot 1 of said subdivision; thence continuing west along the westerly extension of said north line, 45.41 feet (recorded also as 44.76 feet), to the centerline of State Trunk Highway "32"; thence southerly along said centerline, 10.00 feet; thence North 55°09'10" West, 33.16 feet to the west line of said state trunk highway 32; thence North 29°17'00" East along said west line, 275.84 feet to an angle point in said west line as shown on an August 1965 plat of survey for "The Valley Inc.", by (former) Kenosha County Surveyor Robert L. Smith and filed with the Kenosha County Land Information Office; thence North 19°05'00" East along said west line 386.30 feet; thence continuing North 19°05'00" East along said west line, 248.43 feet; thence North 14°30'00" East along said west line, 253.04 feet; thence North 88°20'00" West along the north line of a parcel of land owned by Carthage College and annexed into said City of Kenosha by City of Kenosha Common Council Ordinance 50-99, a distance of 237.90 feet; thence North 01°40'00" East along the north line of the parcel of land owned by Carthage College, 300.00 feet; thence North 88°20'00" West along the north line of the parcel of land owned by Carthage College, 195.59 feet; thence North 86°08'31" West along the north line of the parcel of land owned by Carthage College, 450.58 feet to a point which is South 83°37'30" East, 207.00 feet from the northwest corner of Lot 49 of Riverview Subdivision, as shown on said August 1965 plat of survey; thence South 09°46'30" West along the north line of the parcel of land owned by Carthage College, 16.12 feet more or less to the center of the Pike River; thence southeasterly, southwesterly and southeasterly along the center of Pike River as shown on said plat of survey, to a point on the northerly extension of the east line of Sheridan Road (formerly known and shown on Riverview Subdivision plat as Lake Shore Drive); thence South 47°26'00" West (bearing per said Riverview Subdivision plat), along and upon the said easterly line, and said northerly extension, of Sheridan Road 604.13 feet; thence continuing South 45°22'00" West (bearing per said Riverview Subdivision plat), along and upon said easterly line of Sheridan Road, 525.41 feet; thence continuing South 6°00'00" West along and upon the easterly line of Sheridan Road, 816.33 feet to the south line of the former Austin Kellog Farm as said line is shown on a plat of survey by (former) Kenosha County Surveyor Robert L. Smith for Chas. F. Kluender; thence North 89°27'30" West along said south line, 30.10 feet to the centerline of Sheridan Road; thence South 05°17'30" West along said centerline, 90.30 feet; thence South 89°27'30" East, 30.10 feet to the east line of said Sheridan Road; thence South 05°17'30" West along said east line, 60.00 feet to the southwest corner of parcel 2 certified survey map 1958; thence South 89°27'30" East, 220.3 feet, more or less, to the

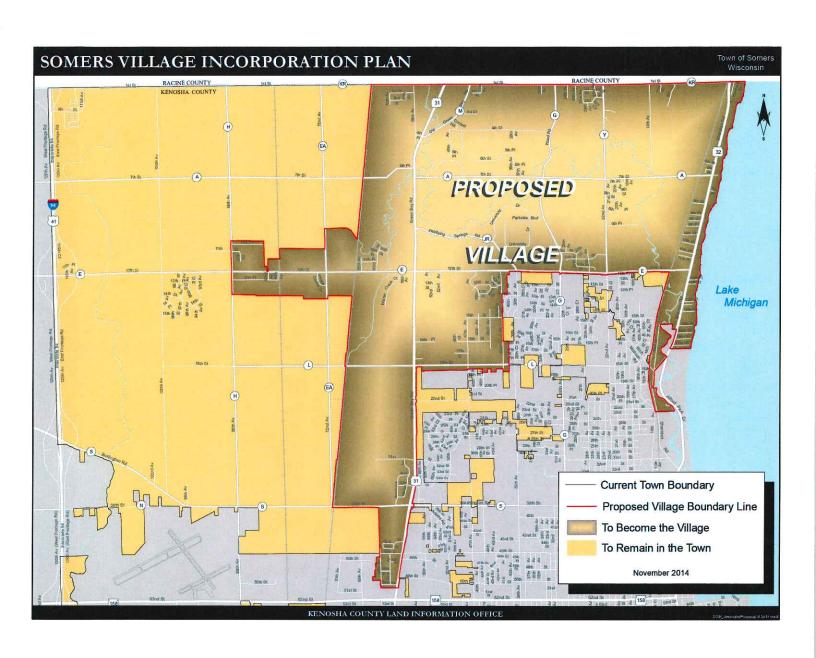
center line of Pike River; thence southerly along and upon the said center line of Pike River to the south line of the Northwest Quarter of Section 19, Town 2 North, Range 23 East; thence west along and upon the south line of said Quarter Section, and along the south line of the Northwest Quarter of said Section 19 to the west line of the (former) Chicago and Northwestern Railway right-of-way; thence North along the west line of said Chicago and Northwestern Railway right-of-way, 1,551.90 feet, more or less, to an angle point in said rightof-way line; thence east along the west line of said Chicago and Northwestern Railway right-ofway 8.32 feet; thence north along the west line of said Chicago and Northwestern Railway rightof-way 1,173.87 feet more or less to the north line of Birch Road; thence North 36°50'00" West along said north line, 93.72 feet more or less to the east line of land owned by Roy W. Watring, and described and recorded as Parcel 2, in Volume 1686, Pages 810-811, Document 965130 with said land registry; thence North 9°25'00" East, 496.69 feet along the east line of said parcel of land, as shown on a November 1962 plat of survey by (former) Kenosha County Surveyor Robert L. Smith, and filed with said Kenosha County Land Information Office; thence North 21°11'10" East along the north line of a parcel of land owned by the (former) Chicago & Northwestern Railroad, 338.79 feet, as shown on said November 1962 plat of survey, to a point which is South 9°30'00" West, 17.40 feet from the southeast corner of Lot 94 of Villa Capri Alta - Unit B, a subdivision of record; thence North 09°30'30" East, along the west line of the aforesaid Chicago and Northwestern Railway right-of-way, being here also along the east line of Lots 94 thru 120 of said subdivision, 1,552.75 feet to a point of curvature; thence continuing northeasterly along the east line of Lots 120 thru 123 of said subdivision, and along the west line of said railroad right-of-way, said west line being here the arc of a circular curve, 280.39 feet to a point in the south line of the Northeast Quarter of Section 18, Town 2 North, Range 23 East; said curve having a radius of 5,757.65 feet, a central angle of 2°47'25" and a chord which bears North 10°54'12" East a distance of 280.37 feet; thence continuing along the west line of said railroad right-of-way, and along the arc of said curve, 618.20 feet; said curve having a radius of 5,757.65 feet, a central angle of 6°09'07" and a chord which bears North 13°41'37" East a distance of 617.91 feet to a point of tangency of said curve; thence North 16°46'10" East along the west line of said railroad right-of-way, 156.93 feet; thence North 73°13'50" West, along the west line of said railroad right-of-way, 16.00 feet; thence North 16°46'10" East along the west line of said railroad right-of-way, 735.46 feet; thence continuing northeasterly along the west line of said railroad right-of-way, 250.00 feet, more or less, to the southeast corner of Lot 1 of Certified Survey Map 2275, recorded with said land registry; thence North 16°46'34" East along the west line of said railroad right-of-way, and along the east line of said Lot 1, a distance of 916.80 feet to the northeast corner of said Lot 1, and the south right-of-way line of County Trunk Highway "E", also known as 12th Street; thence continue West along the South line of County Trunk Highway "E" to the northwest corner of Certified Survey Map 1773; thence West along the South line of County Trunk Highway "E" extended West 50 feet to the centerline of County Trunk Highway "Y"; thence South along the centerline of County Trunk Highway "Y" to the intersection of said point with the North line of parcel 07-22-13-101-005 extended Easterly thence Westerly along North line of said parcel to the West line of said parcel; thence North to the South line of County Trunk Highway "E"; thence continue Westerly along the South line of County Trunk Highway "E" to a point being the northwest corner of

Certified Survey Map 8 Lot A; thence continue along the South line of County Trunk Highway "E" to a point on the North line of parcel 07-222-13-151-011 being the northeast corner of said parcel; thence West 1,219.25 feet along the South line of County Trunk Highway "E" to a point; thence S 45°07′ 20″ East 116.17 feet to a point in the right of way of 30<sup>th</sup> Avenue (as shown on City Annexation Order 26-01); thence westerly to the centerline of 30<sup>th</sup> Avenue; thence Northerly along the centerline of 30<sup>th</sup> avenue to a point 78.05 feet South of the northeast corner of the Northwest ¼ of Section 13 Township 2 North, Range 22 East of the Fourth Principal Meridian; thence northwesterly to a point on the West line of 30<sup>th</sup> Avenue (County Trunk Highway "G") being 33 feet south of the Section line of said Northwest ¼ of said Section 13; thence South to the Northeast corner of lot 2 Certified Survey Map 1931 also being the South line of County Trunk Highway "E" known as 12th Street; thence West along the South line of County Trunk Highway "E" to a point being 198 feet West of the East line of the Northeast ¼ of Section 14, Township 2 North, Range 22 East of the Fourth Principal Meridian; thence South parallel with East line of said ¼ section to the North line of Orchard View 2<sup>nd</sup> Addition Subdivision; thence West along the North line of said subdivision to the northwest corner of lot 108; thence South along the West line of Orchard View 2<sup>nd</sup> Addition to the north line of lot 120 in said subdivision; thence West along the North line of lot 120 and lot 121 of said subdivision to the northwest corner of lot 121; thence South along the West line of said subdivision to the South line of 15<sup>th</sup> Street being 40 feet South of the southwest corner of lot 135 of Orchard View 2<sup>nd</sup> Addition Subdivision; thence East along the South line of 15<sup>th</sup> Street to the intersection of the South line of 15<sup>th</sup> Street with the East line of 41<sup>st</sup> Avenue; thence South along the East line of 41<sup>st</sup> Avenue to the intersection with the North line of parcel 1 of Certified Survey Map 1652 extended westerly; thence East along the extension of the North line of parcel 1 of Certified Survey Map 1652 and the North line of said certified survey to the West line of Cavanagh Court West subdivision; thence South along the West Line of Cavanagh Court West subdivision to the centerline of County Trunk Highway "L" (18th Street); thence continue South parallel with the East line of the Southeast ¼ of said Section 395 feet to the Southeast corner of parcel 82-4-222-231-0110; thence West parallel with the North line of the Southeast ¼ 338.6 feet; thence North to a point being S 0°58'04" E 225 feet more or less South of the North line of the Northeast ¼ of Section 23, Township 2 North, Range 22 East of the Fourth Principal Meridian; thence West parallel with the North line of said Section 401.48 feet (as found in City annexation order 44-08); thence South along the East line of parcel 80-4-222-231-0155 to the North line of Outlot 3 in Riverwoods Subdivision; thence West along the North line of Outlot 3 in said subdivision 300 feet; thence North along Outlot 3 of said subdivision 185 feet; thence West along Outlot 3 in said subdivision 200 feet to a point also being the East line of Certified Survey Map 735; thence South along Outlot 3 of Riverwoods subdivision also being the East line of said Certified Survey Map 185 feet; thence West along Outlot 3 of said subdivision also being the South line of Certified Survey Map 735 263 feet; thence North the West line of Certified Survey Map 735 185 feet; thence West parallel with and 225 feet South of the centerline of County Trunk Highway "L" to the northeast corner of lot 30 Riverwoods subdivision; thence Westerly along said North line of Riverwoods subdivision to the Northwest corner of lot 32 of said subdivision, said point also being a part of the South line of lot 1 Certified Survey Map 2579; thence West along the South line of said Certified Survey Map 2579 and Southerly extension West of said South line of

Certified Survey Map to the West line of 47<sup>th</sup> Avenue; thence south along said west line, 58.00 feet to a point being 250 feet South of the South line of County Trunk Highway "L" also known as 18<sup>th</sup> Street; thence west parallel with and 250 feet South of the South line of County Trunk Highway "L" to the west line of Certified Survey Map 285; thence south along said west line of said Certified Survey Map, 17 feet to the Southeast corner of said Certified Survey; thence west along the south line of said certified survey map, 150.00 feet to the east line of the Northeast Quarter of Section 22, Town 2 North, Range 22 East; thence North along the East line of said Section 22 also being the West line of Certified Survey Map 285 to a point 55 feet South of the Northeast corner of the Northeast ¼ of said Section 22 said point being on the South line of County Trunk Highway "L"; thence West parallel to the north line of Northeast corner of said Section 22 263.60 feet; thence S 18° 43' 28" W 112.07 feet to the East right of way line of State Trunk Highway "31"; thence Southerly along the East right-of-way line of State Trunk Highway "31", also known as Green Bay Road to the north line of Lot 1 of Certified Survey Map 1453, recorded with said land registry; thence southwesterly, southerly and southeasterly along and upon said east right-of-way line of State Trunk Highway "31" also being the West line of Lot 1 Certified Survey Map 1453 to the intersection of State Highway "31" with the North line of 22<sup>nd</sup> Street said point being the southwest corner of lot 1 Certified Survey Map; thence South 13°07'21" West, 87.11 feet to a point being the intersection of the South line of 22<sup>nd</sup> Street and the East line of State Trunk Highway "31"; thence Southerly along the East line of State Trunk Highway "31" to a point being the intersection of the North line of Lot 2 Certified Survey Map 2675 and the East line of State Trunk Highway "31"; thence Southerly along the East line of State Trunk Highway "31" being the West line of Lot 2 Certified Survey Map 2675 180.68 feet; thence Southeasterly along the South and West line of Lot 2 Certified Survey Map 2675 a distance of 112.92 feet, to a point on the north right-of- way line of County Trunk Highway "S"; thence South 6°46'48" West, 194.47 feet to a point, on the south right-of-way line of said County Trunk Highway "S", which is 646.90 feet west of the east line of the Southeast Quarter of said Section 27; thence South 49°32'05" West along the southeast right-of-way line of the intersection of said State Trunk Highway "31" and of said County Trunk Highway "S", 180.21 feet; then continue South 49° 32'05" West, 41.14 feet to the angle point on the former southeasterly right-of-way line of the intersection of Washington Road with Green Bay Road; thence southwesterly along the former right-of-way line, 192.81 feet to point, said point being 13.91 feet west of present east right-of-way-line of State Trunk Highway "31"; thence North 89° 44'45" East parallel with said north line of Quarter Section, 13.91 feet to the present east right-of-way line of State Trunk Highway "31"; thence southwesterly along and upon the east right-of-way line of said State Trunk Highway "31" to the northwest corner of Lot 1 of Certified Survey Map 2100, recorded with said land registry; thence South 9°19'21" West along the west line of said Lot 1, a distance of 325.54 feet; thence South 2°14'29" East along the west line of said Lot 1, a distance of 152.41 feet; thence South 7°57'04" West along the west line of said Lot 1, a distance of 153.05 feet to the southwest corner of said Lot 1; thence continuing South 7°57'04" West along the east right-of-way line of said State Trunk Highway "31", a distance of 96.95 feet; thence South 19°15'40" West along the east right-of-way line of said State Trunk Highway "31", a distance of 101.98 feet; thence South 7°57'04" West along the east right-ofway line of said State Trunk Highway "31", a distance of 190.02 feet; thence west, 23.92 feet to

the northwest corner of the parcel of land shown on City of Kenosha Common Council Annexation Ordinance 65-80 and recorded with the land registry, also being a point on the former east right-of-way line of State Trunk Highway "31"; thence southwesterly along the former east right-of-way line, 680.15 feet to the north line of the Northeast Quarter of Section 32, Town 2 North, Range 22 East; thence west along said north line, 10.5 feet, more or less, to the former east right-of -way line of the aforesaid State Trunk Highway "31"; thence southwesterly along said former east right-of-way line, 1,418.53 feet; thence South 89°40'16" East along the centerline of 49<sup>th</sup> Street, 48 feet, more or less, to the intersection with the present east right-of-way line of State Trunk Highway "31"; thence southwesterly in a straight line, to the northwest corner of Parcel 4 of Certified Survey Map 2235, recorded with said land registry; thence South 8°59'08" West along the west line of Parcels 4 and 2 of said certified survey map, 507.16 feet to the easterly extension of the South line of lot 4 with the East line of State Trunk Highway "31"; thence westerly along the extension of lot 4 of Kimberlin Estates and the South lines of lot 1,2,3, and 4 of Kimberlin Estates and the South line of Certified Survey map 1385 to the Southwest corner of lot 1 of said Certified Survey Map; thence North along the west line of said Lot 1, a distance of 142.55 feet to the northwest corner of said lot; thence west 20.01 feet along the parcel of land annexed into the City of Kenosha by Annexation Ordinance 34-78, adopted by the City of Kenosha Common Council on April 17, 1978; thence north along the east line of said parcel of land, 292.44 feet to the south line of the parcel of land described and recorded in Document 1215956, on April 24, 2001 with said land registry; thence west along the south line of the parcel of land described and recorded in said Document, 436.00 feet; thence north along the west line of the parcel of land recorded in said Document, 200.00 feet to the westerly extension of the south line of Parcel "A" of Certified Survey Map 1020; thence east along said westerly extension, 130.48 feet to the southwest corner of said Parcel "A"; thence north along the west line of Parcels "A" and "B" of said Certified Survey Map 1020 to the northwest corner of parcel B of said Certified Survey Map; thence; East along the north line of said Parcel "B", 65.53 feet to the southwest corner of Lot 1 of Certified Survey Map 1412; thence north along the west line of Lots 1 thru 4 of said certified survey map, 400.00 feet to the northwest corner of Lot 4 of Certified Survey Map 1412; thence east along the north line of said Lot 4, a distance of 51.20 feet to the southwest corner of Lot "C" of Certified Survey Map 1655; thence north along the west line of Lots "C", "B" and "A", of said certified survey map, 346.05 feet to the northwest corner of said Lot "A"; thence east along the north line of said Lot "A", 208.83 feet to the northeast corner of said Lot "A", being here also a point on the east line of the Northwest Quarter of said Section 34; thence north along the east line of said Quarter Section, 208.83 feet to the southeast corner of the Southwest Quarter of Section 27, Town 2 North, Range 22 East; thence north along the east line of the Southwest Quarter of said Section 27, a distance of 2,608.24 feet to the south line of County Trunk Highway "S", also known as 38th Street; thence Westerly along the South line of County Trunk Highway "S" to the West line of Union Pacific Railroad; thence Northerly along the West line of said Railroad to a point being 1331.10 feet South along West line of tracks from the North line of Section 15, Township 2 North, Range 22 East of the Fourth Principal Meridian; thence Westerly along the North line of the Southwest ¼ of the Northwest ¼ of said Section 15 to the centerline of County Trunk Highway "EA" also known as 72<sup>nd</sup> Avenue; thence South along

the East line of the Northeast ¼ of Section 16, Township 2 North, Range 22 East of the Fourth Principal Meridian, to a point being 330 feet South of the intersection of the centerline of County Trunk Highway "EA" and the South line of Somers Village Center phase 4 extended East; thence West along the South line of parcel 80-4-222-161-0410 to the East line of the Southwest 14 of the Northeast 14 of Section 16; thence North to the North line of the Southwest 14 of the Northeast ¼ of Section 16; thence West along the North line of the South ½ of the Northwest ¼ of said Section 16 1,274.21 feet; thence North parallel with the West line of the Northwest ¼ 49.5 feet; thence West parallel with and 49.5 feet North of the North line of the S ½ of the Northwest ¼ of said Section 16 to the West line of County Trunk Highway "H"; thence North along the West line of said highway to a point on the South line of Section 8 Township 2 North, Range 22 East of the Fourth Principal Meridian being 33 feet West of the southeast corner of the Southeast ¼ of said Section; thence North along the West line of County Trunk Highway "H" 1,541.93 feet to the intersection with the centerline of 10<sup>th</sup> Place extended West with the West line of County Trunk Highway "H"; thence North along the West line of said County Trunk Highway 208.18 feet being the North line of the South 17 ½ acres of the North 55 acres of the West 110 acres of the Southwest ¼ of said Section; thence East 33 feet to the centerline of County Trunk Highway "H"; thence Easterly 208.18 feet North of the centerline of 10th Place, 1,830.83 feet; thence S 0° 57′ 54″ E to a point being 50 rods West of the southeast corner of the Southwest ¼ and North 330 feet of the centerline of County Trunk Highway "E", said point being the north line of 80-4-222-093-0580; thence East parallel with the Section line to the northeast corner of said parcel 80-4-222-093-0585; thence South 330 feet to a point of the South line of Section 9 Township 2 North, Range 22 East of the Fourth Principal Meridian 683 feet West of the southeast corner of the Southwest ¼ of said Section; thence East 66 feet along the Section line; thence Northerly to a point being the northwest corner of parcel 80-4-222-093-0596; thence East parallel with the South line of said Section 557.5 feet to the West line of CP Rail System; thence continue East 99 feet to the East line of said Railroad; thence Northerly along East line of said Railroad to the North line of the South ½ of the Southeast ¼ of said Section 9; thence East to the East line of said Southeast 1/4; thence North along the East line of the Southeast ¼ to the intersection of said section line with a waterway known as the Somers Branch of Pike Creek also known as the North line of parcel 80-4-222-103-0202; thence Easterly and Southerly along said waterway and Northerly line of said parcel to the intersection with the West line of the Union Pacific Railroad; thence Northerly along the West line of said Railroad to the intersection with the centerline of County Trunk Highway "KR"; thence Easterly along the centerline of County Trunk Highway "KR" and the centerline of County Trunk Highway "KR" extended Easterly to the intersection with the shoreline of Lake Michigan, said point being the northeast corner of Kenosha County; thence Southerly along the shoreline of Lake Michigan to a point of intersection of said lakeshore with the North line of Sunset Beach Subdivision, a subdivision of record with the Kenosha County Register of Deeds Office, said point being the point of beginning of said legal description.





### CERTIFICATE OF INCORPORATION of the VILLAGE OF SOMERS KENOSHA COUNTY, WISCONSIN

I, DOUGLAS LA FOLLETTE, Secretary of State of Wisconsin, Keeper of the Great Seal thereof and Custodian of the records relating to incorporations of towns, villages and cities, DO HEREBY CERTIFY THAT:

WHEREAS, the Clerk of Circuit Court of Kenosha County, Rebecca Matoska-Mentink, did, on the 20<sup>th</sup> day of April, 2015 submit to the Office of the Secretary of State of Wisconsin documents pertaining to the incorporation of the Town of Somers as a village under the provisions of §66.0211, Wisconsin Statutes, and;

WHEREAS, the Clerk of Circuit Court of Kenosha County has certified:

That pursuant to the return of votes cast at the election held on the 7th day of April, 2015, on the question of whether the Town of Somers should be incorporated as a village, a majority of the votes were cast in favor of a village as follows:

FOR the village: 676

AGAINST the village: 526

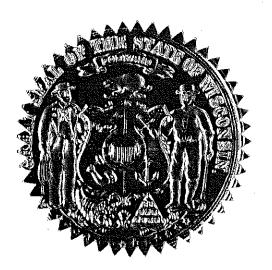
That the territory for incorporation of the Village of Somers has an estimated population of 6,970 persons, according to the State of Wisconsin Department of Administration; and that such estimate is derived from the Department of Administration's Determination of Incorporation Review Board regarding the Incorporation of a Portion of Lands comprising the Town of Somers, Kenosha County, Wisconsin as the Village of Somers dated January 9, 2015; and

That the description of land to be included within the village limits of Somers is legally described as set forth in the document entitled "Exhibit A".

NOW, THEREFORE, I, DOUGLAS LA FOLLETTE, Secretary of State of Wisconsin, pursuant to Wisconsin Statutes 66.0211(5), do hereby declare that the area, as described in Exhibit "A", and situated in the County of Kenosha, State of Wisconsin, is duly incorporated as a village and that from henceforth the said village shall be known as the:

#### VILLAGE OF SOMERS

and be governed by the provisions of Chapter 66 of the Wisconsin Statutes and Laws amendatory thereof and supplementary thereto.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Wisconsin, in the City of Madison, this 24th day of April, 2015.

DOUGLAS LA FOLLETTE Secretary of State

ingles h Follate