

**MUNICIPAL BOUNDARY AGREEMENT  
TOWN OF GENESEE  
AND  
VILLAGE OF NORTH PRAIRIE**

**WHEREAS**, the Village of North Prairie ("Village") and the Town of Genesee ("Town") have previously been party to an intramunicipal agreement providing for joint planning of territory previously annexed into the Village of North Prairie and,

**WHEREAS**, the Village has recently received a Petition for Direct Annexation by unanimous approval respecting the "Campbell property", involving approximately 88.65 acres of land, and

**WHEREAS**, the Town is amenable to the detachment of the Campbell property in consideration of continuing the intermunicipal planning for said property in accordance with the multijurisdictional plan prepared by the Joint Planning Committee, and a municipal boundary agreement establishing permanent boundaries between the respective communities, and

**WHEREAS**, the Village is desirous of establishing the ultimate exterior boundaries of the Village 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:

- I. **Common Borders Established.** The Village and Town agree that pursuant to the provisions set forth below, the maximum external boundary of the Village limits shall be as depicted on Map "A" attached hereto and generally described as follows:
  - A. The area bounded on the north by the northern right-of-way line of CTH "ZZ" and north section line of Section 33 extended, bounded on the east by the east right-of-way line of Dable Road, bounded on the south by the Town of Mukwonago, and

bounded on the west by the western section line of Section 31, Town of Genesee.

**II. Detachment/Attachment of Territory.**

- A. The Town agrees that it will withdraw any objection to the annexation of the Campbell property, and the Campbell property shall, therefore, be attached to the Village.
- B. Pursuant to this agreement, the Town agrees to detach and Village agrees to attach the "North Prairie Cemetery" located in the southwest one-quarter of Section 31, more particularly described in Exhibit "B" attached hereto and incorporated herein by reference.
- C. With regard to the remainder of territory presently located outside of the incorporated boundaries of the Village, but within the maximum external boundary described above, (the "Detachment Parcels") the Town agrees to detach each individual parcel, and Village agrees to attach 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.

**III. Procedure for Detachment.** The procedure for detachment of any Detachment Parcel shall be as follows:

- A. 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.
- B. The Town, within forty-five (45) days of receipt of a petition, shall adopt an ordinance detaching the subject property.
- C. The Village, within forty-five days after adoption of the Town ordinance, shall adopt an ordinance attaching the subject property.

**IV. 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.

- V. **Incorporation of the Town.** Village agrees that it shall support any effort on the part of the Town to incorporate as a Village or City, either pursuant to Section 66.013, *et seq.*, of the Wisconsin Statutes or otherwise.
- VI. **Court Approval of Municipal Boundary Agreement.** Village acknowledges that the Town has entered into this agreement to avoid litigation relative to the Campbell 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.

Dated this 14 day of June, 1999.

**VILLAGE OF NORTH PRAIRIE**

By: Merle Teske  
Merle Teske, Acting Village President

**ATTEST:**

Judith Beranek  
Judith Beranek, Clerk

**TOWN OF GENESEE**

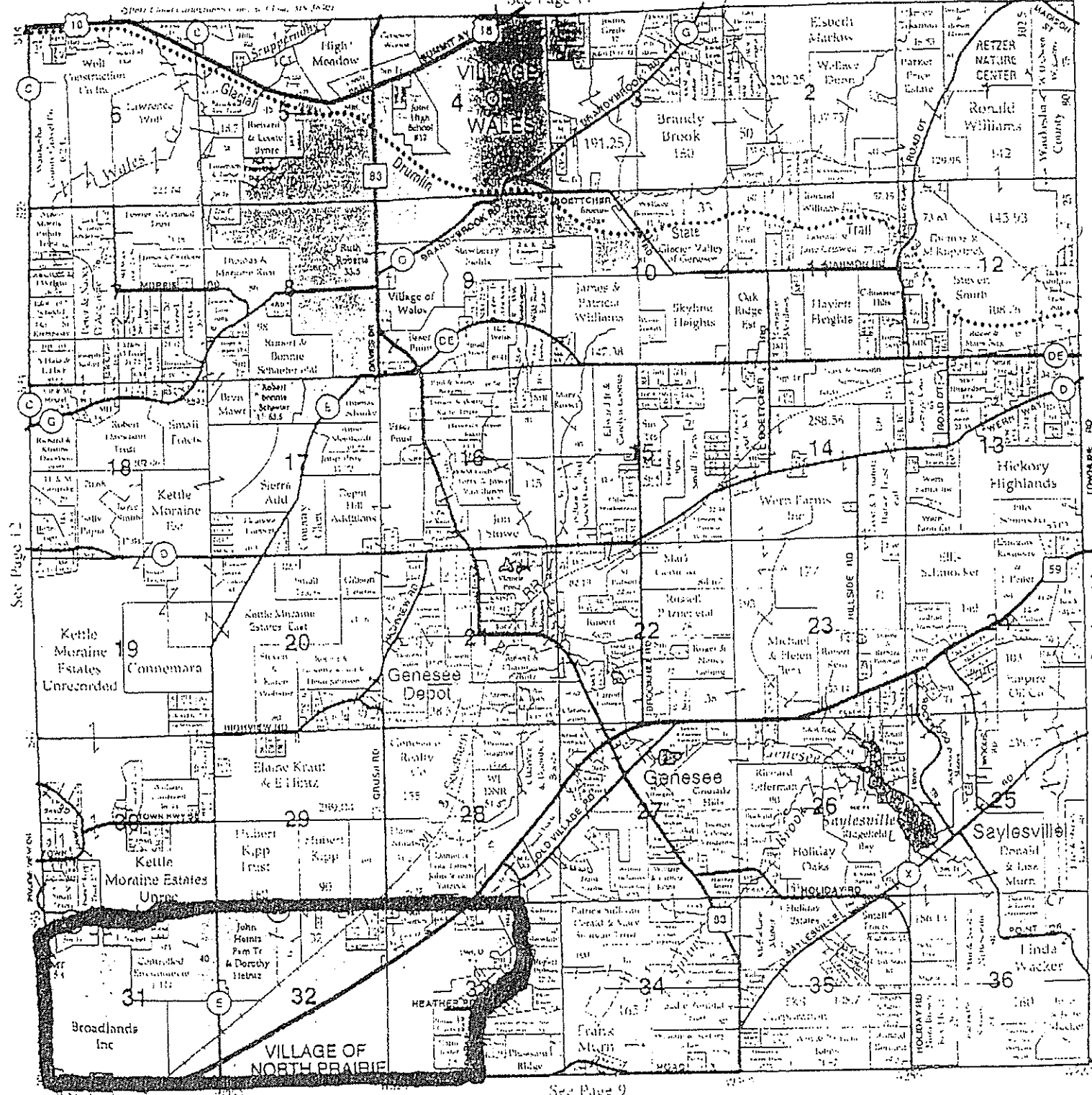
By: Sharon L. Leair  
Sharon L. Leair, Town Chair

**ATTEST:**

Barbara A. Whitmore  
Barbara A. Whitmore, Clerk



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EXHIBIT "A"