

**RESOLUTION R-33-22**

RECEIVED
12/08/2022
 Municipal Boundary Review
 Wisconsin Dept. of Administration

**A RESOLUTION APPROVING AN INTERGOVERNMENTAL BOUNDARY AGREEMENT
 WITH THE VILLAGE OF FOX CROSSING**

Introduced by Council President Sevenich.

WHEREAS, Wisconsin State Statutes 66.0301 authorizes municipalities to enter into intergovernmental agreements for various purposes, including the establishment and adjustment of the boundary lines between them; and,

WHEREAS, the City of Menasha and the Village of Fox Crossing have negotiated the terms of a tentative intergovernmental boundary agreement, a copy of which is attached hereto as EXHIBIT A, providing for mutual agreed upon boundary between the two municipalities; and,

WHEREAS, the City Common Council held a public hearing on the terms of the proposed agreement on October 3rd, 2022, after due notice as required by Wisconsin State Statutes 66.0301(6)(c)1, to solicit public input on the terms of the agreement; and,

WHEREAS, the City Common Council finds that the terms of the proposed agreement are reasonable, and that approval of it will promote orderly development within the affected communities, minimize future intergovernmental conflicts and reasonably protect the economic interests of the City;

NOW, THEREFORE, BE IT RESOLVED the Common Council of the City of Menasha approves the intergovernmental boundary agreement attached hereto; the City of Menasha Mayor and City Clerk are hereby authorized to execute the agreement on behalf of the City upon approval of the same agreement by the Village of Fox Crossing;

BE IT FURTHER RESOLVED THAT that the City Clerk is directed to promptly cause the publication of the approved agreement in the manner required by Wisconsin State Statutes 66.0301(6)(c)2.

Passed and approved this 3rd day of October, 2022.

Recommended by:
 Common Council

Motion/Second:
 Ald. Sevenich / Ald. Schmidt

Passed: 8-0

Requires: Majority Vote


 Donald Merkes, Mayor

ATTEST:


 Haley Krautkramer, City Clerk

RES #221010-1

VILLAGE OF FOX CROSSING APPROVAL OF CITY OF MENASHA & VILLAGE OF FOX CROSSING INTERGOVERNMENTAL COOPERATION AGREEMENT UNDER §66.0301, WIS STATS.

WHEREAS, Wisconsin State Statutes §66.0301 authorizes municipalities to enter into intergovernmental agreements for various purposes, including the establishment and adjustment of the boundary lines between them; and

WHEREAS, the City of Menasha and the Village of Fox Crossing have negotiated the terms of a tentative intergovernmental boundary agreement, a copy of which is attached, providing for a mutual agreed upon boundary between the two municipalities; and

WHEREAS, the Village of Fox Crossing Board of Trustees held a public hearing on the terms of the proposed agreement on October 10, 2022, after due notice as required by Wisconsin State Statute §66.0301(6)(c)1, to solicit public input on the terms of the agreement; and

WHEREAS, the Village Board of Trustees finds that the terms of the proposed agreement are reasonable, and that approval of the agreement will promote orderly development within the affected communities, minimize future intergovernmental conflicts and reasonably protect the economic interests of the Village.

NOW, THEREFORE BE IT RESOLVED, that the Fox Crossing Board of Trustees hereby approves the intergovernmental cooperation agreement between the City of Menasha and the Village of Fox Crossing, as attached.

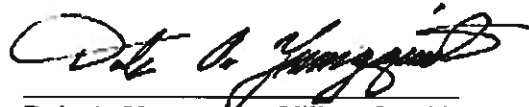
BE IT FURTHER RESOLVED, the Village President and Village Clerk are hereby authorized to execute the agreement on behalf of the Village upon approval of the same agreement by the City of Menasha.

BE IT FURTHER RESOLVED, that the Village Clerk is directed to promptly cause the publication of the approved agreement in the manner required by Wisconsin State Statutes 66.0301(6)(c)2.

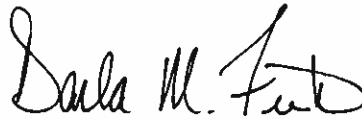
Adopted this 10th day of October, 2022

Requested by: Dale A. Youngquist, Village President

Submitted by: Dale A. Youngquist, Village President



Dale A. Youngquist, Village President



Attest: Darla M. Fink, Village Clerk

CITY OF MENASHA & VILLAGE OF FOX CROSSING

INTERGOVERNMENTAL COOPERATION AGREEMENT under §66.0301, Wis. Stats.

A. GENERAL PROVISIONS

SECTION 1 PARTIES

The City of Menasha, a Wisconsin municipal corporation with primary offices at 100 Main St., Suite 200, Menasha Wisconsin 54952 (“CITY”) and the Village of Fox Crossing, a Wisconsin municipal corporation with primary offices at 2000 Municipal Drive, Neenah, WI, 54956 enter into this Intergovernmental Cooperation Agreement (“Agreement”), on the last date shown on the signature lines below, pursuant to §66.0301, Wis. Stats.

SECTION 2 FORMAL REQUIREMENTS

- 2.1 Notice of CITY’s and VILLAGE’s intent to enter into this Agreement has been published, Class 1, and a public hearing as required by State Statutes held on October 3, 2022, in the CITY and October 10, 2022, in the VILLAGE.
- 2.2 Notice to property owners affected by the boundary line change was made by certified mail.
- 2.3 Adoption of RESOLUTION R-33-22, A Resolution Approving an Intergovernmental Boundary Agreement with the Village of Fox Crossing, by the City of Menasha Common Council occurred on October 3, 2022, authorizing execution of this Agreement.
- 2.4 Adoption of RESOLUTION 221010-1, A Resolution Approving an Intergovernmental Boundary Agreement with the City of Menasha, by the Village of Fox Crossing Village Board occurred on October 10, 2022 authorizing execution of this Agreement.
- 2.5 Within 20 days after adoption of the Resolutions, CITY and VILLAGE shall jointly publish this Agreement in the Appleton Post Crescent as a Class 1 notice, under ch. 985, Wis. Stats.

SECTION 3 PURPOSES

- 3.1 CITY and VILLAGE have considered the effects of an adjustment to certain common boundary lines described herein and have determined it is in the best interests of their respective communities to make the changes.
- 3.2 CITY and VILLAGE agree to cooperatively engage in a joint street reconstruction project in the best interests of their respective communities as a portion of the road abuts the City and a portion abuts the Village.

SECTION 4 AGREEMENT DURATION

This Agreement shall terminate upon the satisfaction of the obligations of the CITY and VILLAGE stated herein.

B. BOUNDARY LINE CHANGE

SECTION 1 BOUNDARY LINE CHANGE

The boundaries between the CITY and VILLAGE shall change such that the lands described and depicted in EXHIBIT A, EXHIBIT B, and EXHIBIT G shall change jurisdiction from the CITY to the VILLAGE and the lands described and depicted in EXHIBIT C and EXHIBIT E shall change jurisdiction from the VILLAGE to the CITY. Upon the effective date of the Triggering Ordinance defined herein, the boundary line between the CITY and the VILLAGE will be as indicated in EXHIBIT D. In accordance with Wis. Stat. § 66.0301(6)(e), each party shall adopt a Triggering Ordinance on even date herewith, the effect of which will be to effectuate all jurisdictional boundary changes called for in this Agreement. Although the Triggering Ordinance may be approved on or after even date herewith, it shall become effective on the date of publication of this Agreement (the parties recognizing that publication is a prerequisite to the validity of this Agreement and, the parties further recognizing that there are no electors residing within the territory whose jurisdiction is subject to change who could possibly sign a petition to force a referendum). Accordingly, “effective date” of this Agreement and of the earliest “effective date” of the Triggering Ordinance shall be the date of publication.

SECTION 2 IMPLEMENTATION

Contemporaneously with this Agreement, the City shall adopt the Triggering Ordinance attached hereto as Exhibit F, the purpose of which is to effectuate the boundary line change resulting in land being transferred from the Village to the City in accordance with Wis. Stat. §66.0301(6)(e). The filing and recording requirements under §66.0217(9)(a) shall promptly be complied with by the City Clerk.

Contemporaneously with this Agreement, the Village shall adopt the Triggering Ordinance attached hereto as Exhibit H, the purpose of which is to effectuate the boundary line change resulting in land being transferred from the City to the Village in accordance with Wis. Stat. §66.0301(6)(e). The filing and recording requirements under §66.0217(9)(a) shall promptly be complied with by the Village Clerk.

SECTION 3 EXHIBITS

Exhibits A – H are attached hereto and made a part of this Agreement.

SECTION 4 ADOPTION

The CITY and VILLAGE certify that this Agreement has been approved by their respective governing bodies in accordance with Wisconsin Statutes and each has duly authorized execution by representative officers.

SECTION 5 PAYMENT

Following final effectuation of the boundary adjustment, beginning in November 2024 and continuing over 10 years, CITY will pay to VILLAGE, a total sum of \$60,000, as shared tax revenues, in the minimum amount of \$6,000 each year due on November 1 of each year.

C. STREET PROJECT

SECTION 1 LOCATION

CITY and VILLAGE agree to pursue the street reconstruction of Airport Road in 2022 from Racine Road/County P to Mayer Street.

SECTION 2 PROJECT DESCRIPTION

- 2.1 The Airport Road reconstruction project shall consist of unclassified excavation, utility adjustments, pavement removal, fine grading and replacement of 8" concrete pavement with 5" asphalt pavement, curb and gutter, sidewalk replacement as needed, and potential asphalt trail.
- 2.2 The total length of roadway being reconstructed is 2,790 linear feet, 648 linear feet of which is in the City of Menasha, 1,513 linear feet in the Village of Fox Crossing and 629 linear feet is shared road right of way between both municipalities. Except as indicated below in 4.2, the CITY shall therefore be responsible for 34.5% of the total project, and the VILLAGE shall be responsible for 65.5% of the total project.

SECTION 3 LEAD AGENCY

- 3.1 The CITY shall be the lead agency to include, but is not limited to, preparing all engineering plans and specifications, preparing all contract documents necessary to solicit bids, bidding for the work, project construction administration.
- 3.2 The VILLAGE shall review the plans and contract documents prior to bid solicitation. The VILLAGE shall be included as a third party beneficiary of the contract, and the VILLAGE shall be an additional insured.
- 3.3 The CITY and VILLAGE agree each municipality shall have a period of up to 15 days to review the bid prices prior to the CITY'S acceptance of the lowest responsible bidder. The actual contract may be let by the CITY only after the 15 day review period. Following its review of the bid prices, should either the CITY or VILLAGE decide not to pursue this project in 2022, then the project shall be moved to 2023.
- 3.4 The CITY and VILLAGE agree that the CITY will be responsible for performing project inspection work.

SECTION 4 PAYMENT

- 4.1 When the reconstruction contract is awarded, the CITY shall be the paying party for all contract work. The VILLAGE shall reimburse the CITY within 30 days of billing for work completed in the Village.
- 4.2 The CITY shall be responsible 34.5% of the total project costs, and the VILLAGE shall be responsible for 65.5% of the total project costs except with respect to sidewalk replacement which shall be paid by each municipality within which the road right of way exists. The parties agree that the final invoice submitted to the VILLAGE shall include

an administrative charge equal to 10% of the VILLAGE's total cost share. The 10% administrative charge is to cover the VILLAGE's cost of the design engineering, bid solicitation, and project construction administration conducted by the CITY.

4.3 The CITY shall review and recommend action on change orders in consultation with the VILLAGE. The CITY shall notify the VILLAGE of said actions.

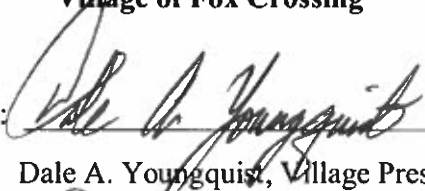
SECTION 5 PROJECT COMPLETION

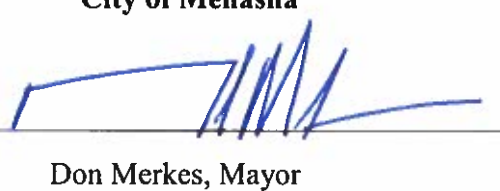
This project will complete upon acceptance by the CITY of final payment from the VILLAGE of all VILLAGE related project costs or upon the parties' mutual agreement to terminate the Agreement. Project costs at the time of any termination shall be based on the percentages in paragraph C. Section 2.2.


Dated this 17 of OCTOBER, 2022. Dated this 14TH of OCTOBER, 2022.

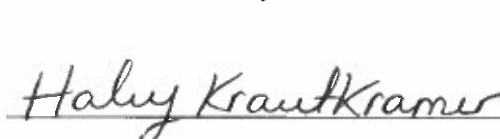
Village of Fox Crossing

City of Menasha

By: 
Dale A. Youngquist, Village President


By: 
Don Merkes, Mayor

Attest: 
Darla M. Fink, Village Clerk

Attest: 
Haley Krautkramer, City Clerk

Approved as to form:

Approved as to form:


Village Attorney

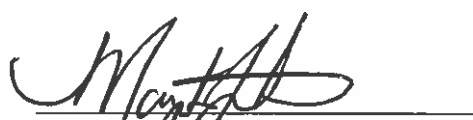
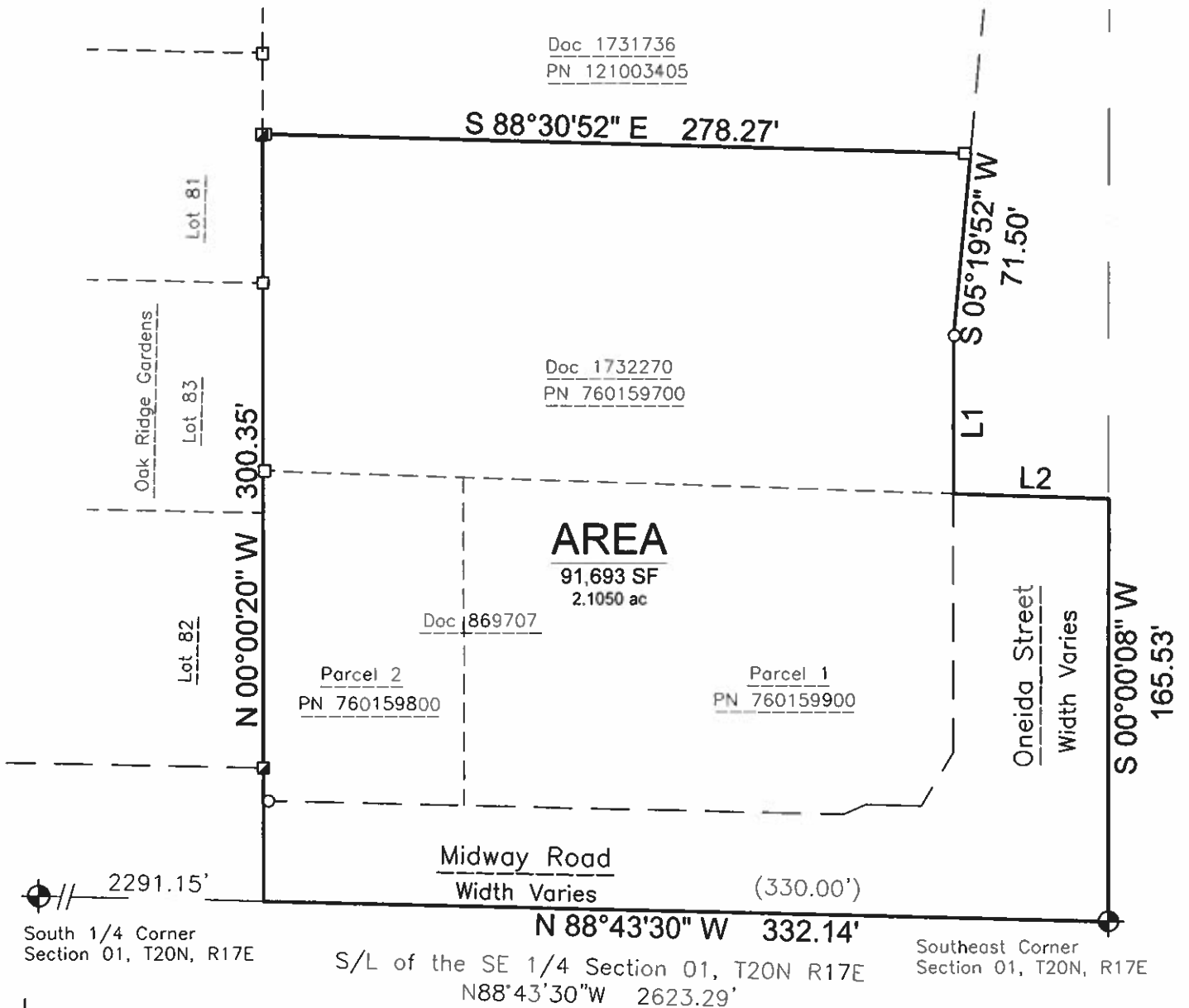

City Attorney

TABLE OF EXHIBITS

Exhibit A	Legal Description for 1818 & 1822 Midway Road and Associated Rights-of-Way
Exhibit B	Legal Description for Vacant Parcel No. 740100301
Exhibit C	Legal Description for 500 Ninth Street and Associated Rights-of-Way
Exhibit D	Map of Boundary Line Between the City of Menasha and Village of Fox Crossing after Proposed Land Transfers
Exhibit E	Legal Description for 1425 Appleton Road and Associated Rights-of-Way
Exhibit F	City of Menasha Triggering Ordinance to Effectuate Land Transfers from the Village of Fox Crossing into the City of Menasha
Exhibit G	Legal Description Vacant Parcel No. 740100304
Exhibit H	Village of Fox Crossing Triggering Ordinance to Effectuate Land Transfers from the City of Menasha into the Village of Fox Crossing

Exhibit A

Part of the Southeast 1/4 of the the Southeast 1/4
 Section 01, Township 20 North, Range 17 East,
 City of Menasha, Winnebago County



Bearings are referenced to the South line of the
 Southeast 1/4, Section 01, T20N, R17E,
 assumed to bear S88°43'30"W, base on the
 Winnebago County Coordinate System.

Note:

Boundary was determined utilizing existing deed
 descriptions and surveys on file. Due to
 discrepancies in this information some fieldwork
 was done to verify the description no monuments
 were set.

LINE TABLE		
Line	Bearing	Length
L1	S 00°00'04" W	61.89'
L2	S 88°11'25" E	60.59'

File: 6808Ex1.dwg
 Date: 08/16/2021
 Drafted By: Jim
 Sheet: A



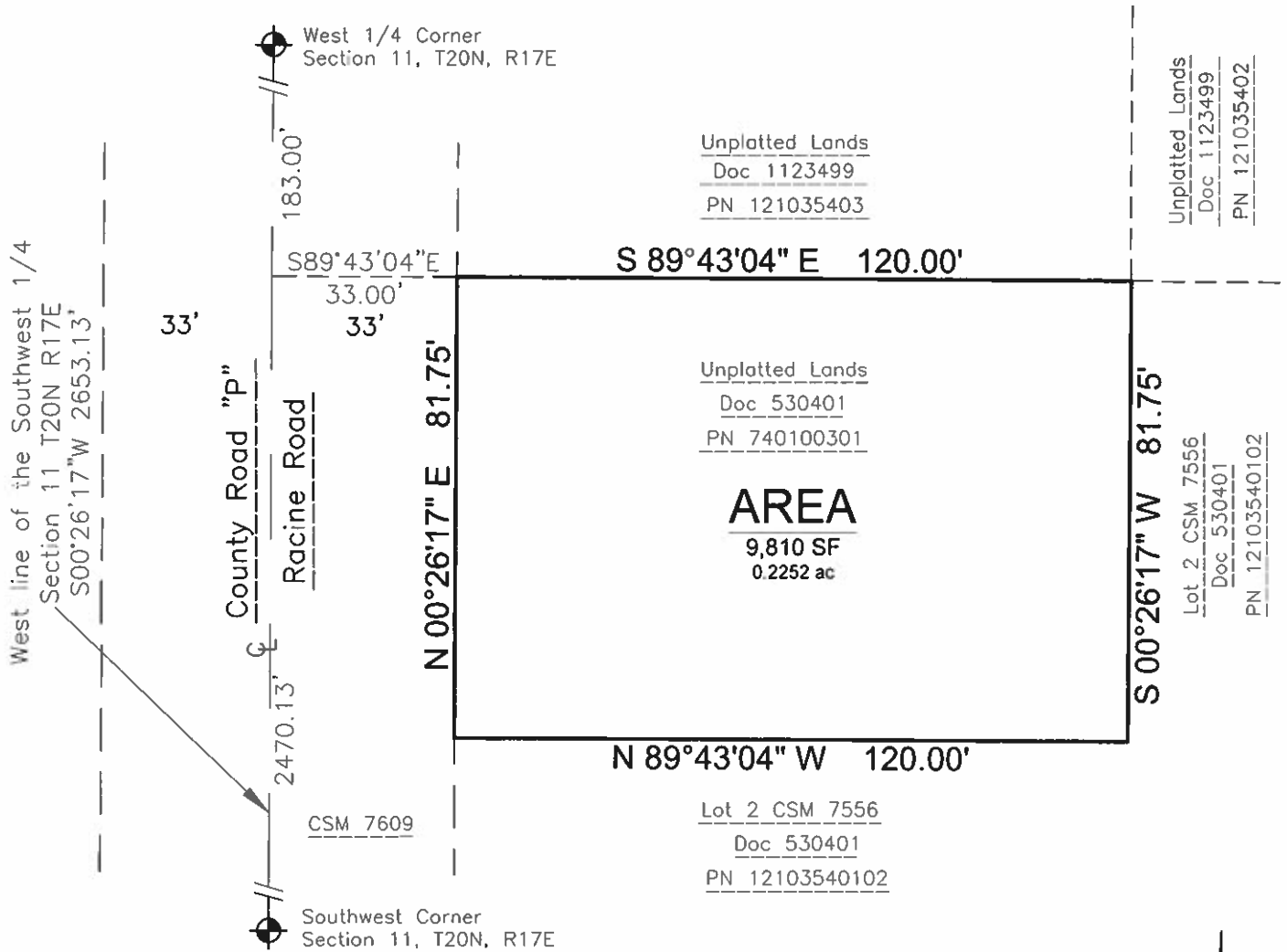
**DAVEL ENGINEERING &
 ENVIRONMENTAL, INC.**

Civil Engineers and Land Surveyors

1164 Province Terrace, Menasha, WI 54952
 Ph: 920-991-1866 Fax: 920-441-0804
 www.davel.pro

Exhibit B

Part of the Northwest 1/4 of the Southwest 1/4
 Section 11, Township 20 North, Range 17 East,
 City of Menasha, Winnebago County



Note:
 Boundary was determined utilizing existing deed descriptions and surveys on file. No field work verification was performed.



Bearings are referenced to the West line of the Southwest 1/4, Section 11, T20N, R17E, assumed to bear S00°26'17"W, base on the Winnebago County Coordinate System.



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Civil Engineers and Land Surveyors

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 Ph: 920-991-1866 Fax: 920-441-0804
 www.davel.pro

File: 6808Ex2.dwg
 Date: 08/16/2021
 Drafted By: Jim
 Sheet: B

Commencing at the Northwest corner of Section 12; thence, along the West line of the Northwest 1/4 of said Section 12, S00°43'02"W, 421.39 feet to the point of beginning; thence, continuing along said West line, S00°43'02"W, 74.34 feet; thence S89°36'35"E, 405.87 feet to the West line of Lot 1 of Certified Survey Map 6988; thence, along said West line, S00°43'02"W, 136.50 feet, to the North line of lands annexed, to the City of Menasha, by Doc 992626; thence, along said North line, N89°36'35"W, 330.59 feet, to the East right of way line of STH 47/Appleton Road; thence, along said East line, S00°11'28"E, 28.63 feet; thence, continuing along said East line, 166.33 feet along the arc of a curve to the right with a radius of 1975.08 feet and a chord of 166.28 feet which bears S02°13'21"W, to the South west corner of Lot 1 Certified Survey Map 1735; thence N88°57'35"W 71.36 feet to a point on said West line of the Northwest 1/4; thence, along said West line, S00°43'02"W, 67.44 feet; thence N89°24'41"W, 60.10 feet to the Southeast corner of Lot 1 Certified Survey Map 7193; thence, along the East line of said Lot 1, 231.82 feet along the arc of a curve to the left with a radius of 1850.08 feet and a chord of 231.67 feet which bears N03°23'59"E; thence continuing along said East line, N00°11'28"W, 241.00 feet to the Northeast Corner of said Lot 1; thence, S89°20'02"E, 53.07 feet to the point of beginning.

Parcel Number 121038001 & right of way

The population of the described Area C and E is zero.

SECTION 2: Effect of Attachment. From and after the date of this Ordinance, the territory described in Section 1 shall be a part of the City of Menasha for any and all purposes provided by law and all persons coming or residing within such territory shall be subject to all ordinances, rules and regulations governing the City of Menasha.

SECTION 3: Pursuant to the recommendation of the Plan Commission, the zoning classification for the attached territory is as follows: Area C, C-1 General Commercial and Area E, C-1 General Commercial.

SECTION 4: Aldermanic District Designation. The territory described in Section 1 of this Ordinance as Area C is hereby made a part of Aldermanic District 5, Ward 18. The territory described in Section 1 of this Ordinance as Area E is hereby made a part of Aldermanic District 7, Ward 19. All subject to the ordinances, rules and regulations of the City governing wards and aldermanic districts.

SECTION 5: Severability. If any provision of this Ordinance is invalid or unconstitutional, or if the application of this Ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid or unconstitutional provision or application.

SECTION 6: This Ordinance shall become effective upon its passage and publication as provided by law.

BDA10774

Passed and approved this 3rd day of October, 2022.



Recommended by:
Common Council

Motion/Second:
Ald. Sevenich / Ald. Schmidt

Passed: 8-0

Requires: Majority Vote


Donald Merkes, Mayor

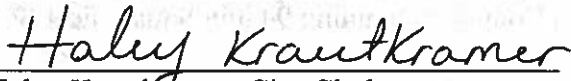
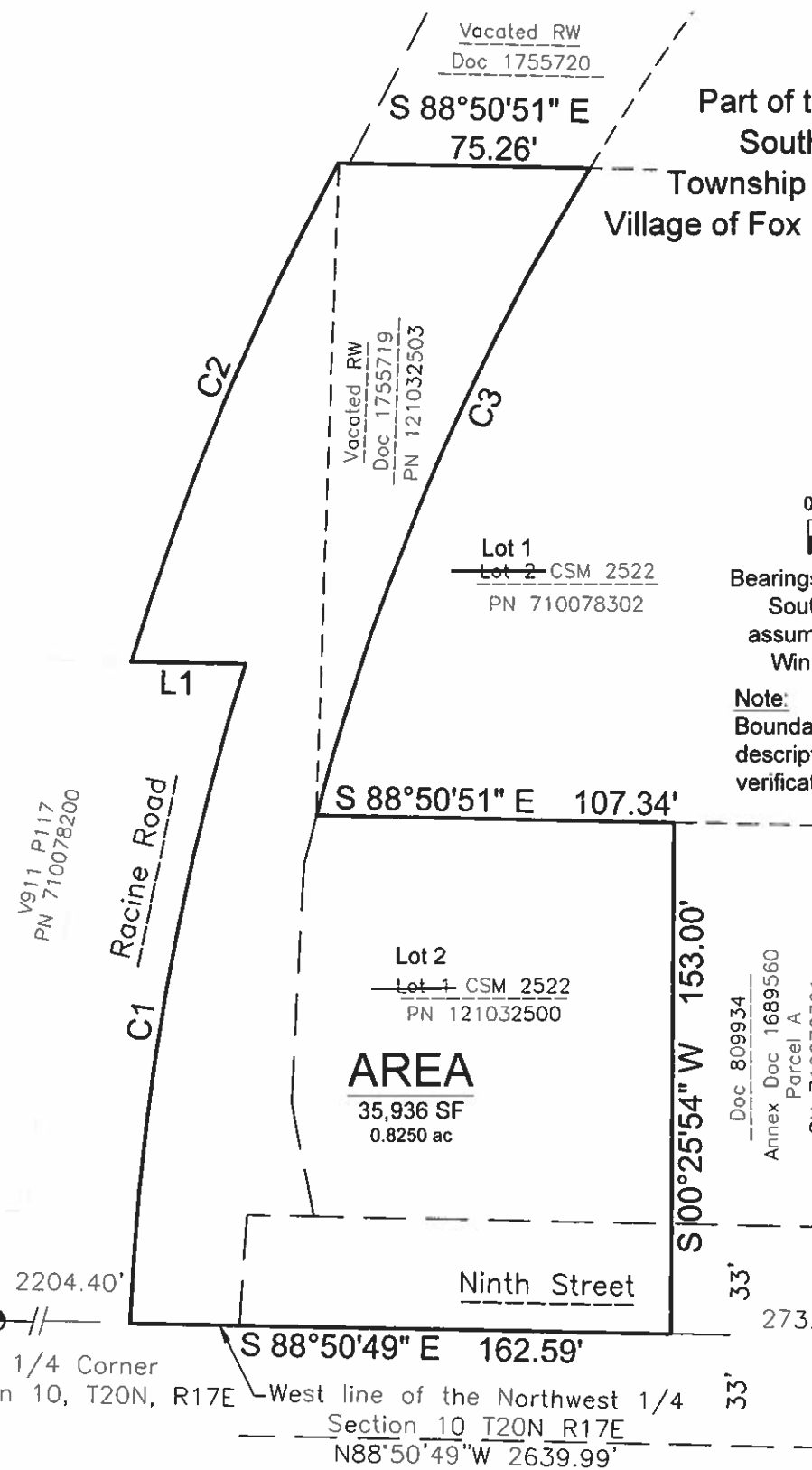
ATTEST:

Haley KrautKramer, City Clerk

Exhibit C

Part of the Southeast 1/4 of the
Southeast 1/4, Section 10,
Township 20 North, Range 17 East,
Village of Fox Crossing, Winnebago County



Bearings are referenced to the South line of the Southeast 1/4, Section 10, T20N, R17E, assumed to bear N88°50'49"W, base on the Winnebago County Coordinate System.

Note:
Boundary was determined utilizing existing deed descriptions and surveys on file. No field work verification was performed.

AREA
35,936 SF
0.8250 ac

LINE TABLE		
Line	Bearing	Length
L1	N 88°50'49" W	34.35'

Southeast Corner
Section 10, T20N, R17E

South 1/4 Corner
Section 10, T20N, R17E
West line of the Northwest 1/4
Section 10 T20N R17E
N88°50'49"W 2639.99'

File: 6808Ex3.dwg
Date: 08/16/2021
Drafted By: Jim
Sheet: 3 of 3



**DAVEL ENGINEERING &
ENVIRONMENTAL, INC.**

Civil Engineers and Land Surveyors

1164 Province Terrace, Menasha, WI 54952
Ph. 920-991-1866 Fax: 920-441-0804
www.davel.pro

CURVE TABLE					
Curve	Radius	Chord Direction	Chord Length	Arc Length	Central Angle
C1	763.94'	N 10°07'16" E	200.23'	200.80'	15°03'38"
C2	796.94'	N 22°46'06" E	161.58'	161.86'	11°38'13"
C3	730.94'	S 23°02'29" W	210.17'	210.90'	16°31'53"

EXHIBIT D

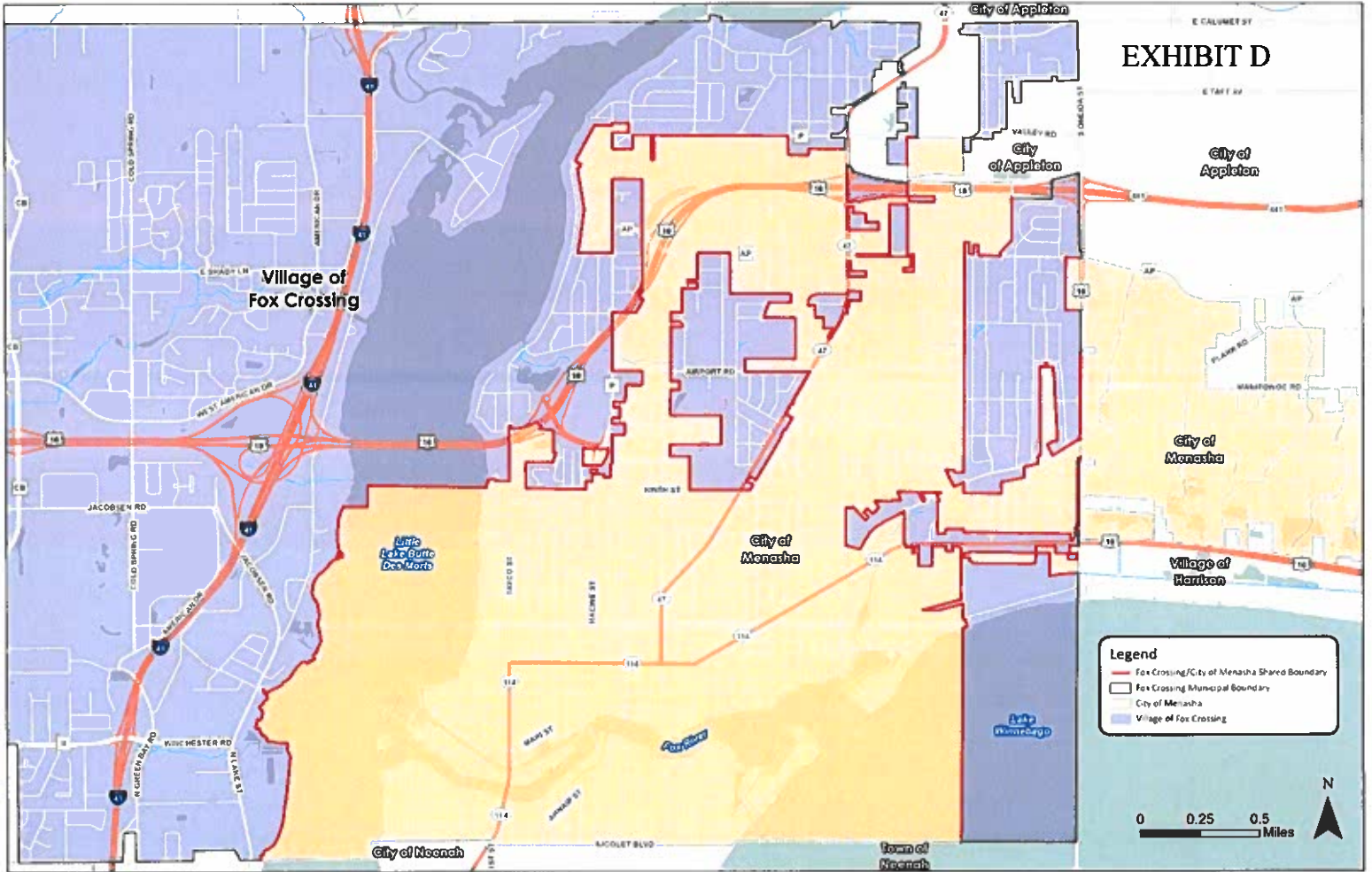
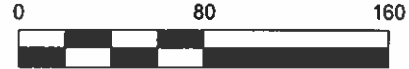
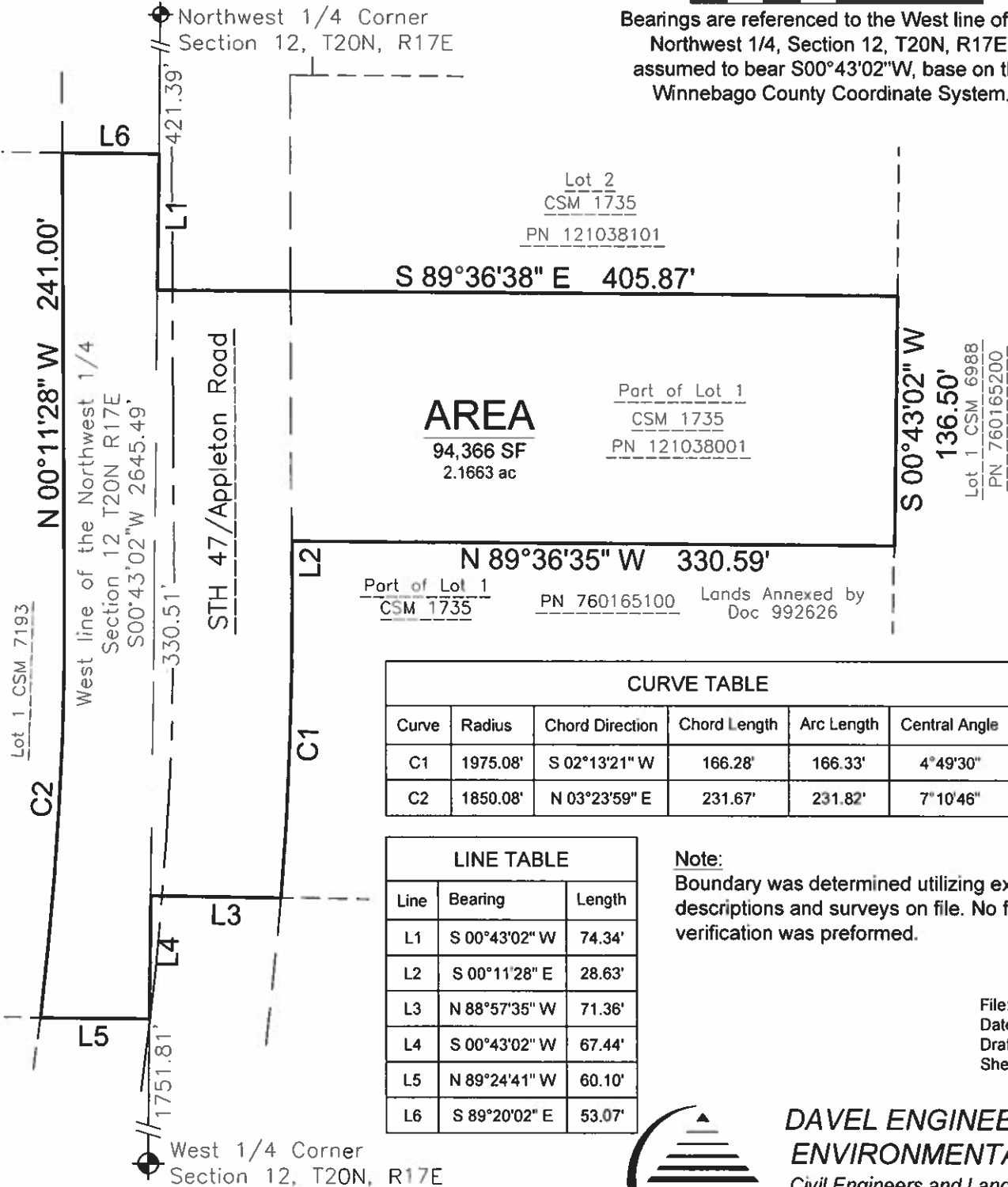


Exhibit E

Part of the Northwest 1/4 of the Northwest 1/4, Section 12, and part of the Northeast 1/4 of the Northeast 1/4, Section 11, all located in Township 20 North, Range 17 East, Village of Fox Crossing, Winnebago County



Bearings are referenced to the West line of the Northwest 1/4, Section 12, T20N, R17E, assumed to bear S00°43'02"W, base on the Winnebago County Coordinate System.



AREA
94,366 SF
2.1663 ac

Part of Lot 1
CSM 1735
PN 121038001

Part of Lot 1
CSM 1735
PN 760165100
Lands Annexed by
Doc 992626

CURVE TABLE

Curve	Radius	Chord Direction	Chord Length	Arc Length	Central Angle
C1	1975.08'	S 02°13'21" W	166.28'	166.33'	4°49'30"
C2	1850.08'	N 03°23'59" E	231.67'	231.82'	7°10'46"

LINE TABLE

Line	Bearing	Length
L1	S 00°43'02" W	74.34'
L2	S 00°11'28" E	28.63'
L3	N 88°57'35" W	71.36'
L4	S 00°43'02" W	67.44'
L5	N 89°24'41" W	60.10'
L6	S 89°20'02" E	53.07'

Note:
Boundary was determined utilizing existing deed descriptions and surveys on file. No field work verification was preformed.

File: 6808Ex4.dwg
Date: 08/16/2021
Drafted By: Jim
Sheet: E



DAVEL ENGINEERING & ENVIRONMENTAL, INC.
Civil Engineers and Land Surveyors

1164 Province Terrace, Menasha, WI 54952
Ph: 920-991-1866 Fax: 920-441-0804
www.davel.pro

EXHIBIT F

City of Menasha Triggering Ordinance to Effectuate Land Transfers from the Village of Fox
Crossing into the City of Menasha



ORDINANCE O-19-22

AN ORDINANCE RELATED TO THE ATTACHMENT OF CERTAIN PROPERTIES TO THE CITY OF MENASHA FROM THE VILLAGE OF FOX CROSSING

Introduced by Council President Sevenich.

The Common Council of the City of Menasha does ordain as follows:

SECTION 1: Territory Attached. In accordance with the Intergovernmental Boundary Agreement between the City of Menasha and the Village of Fox Crossing as approved by Resolution R-33-2022 following Wisconsin State Statutes 66.0301, the following described territory in the Village of Fox Crossing, Winnebago County, Wisconsin, is attached to the City of Menasha, Winnebago County, Wisconsin.

Legal description:

AREA C (as shown in EXHIBIT C attached)

Part of the Southeast 1/4 of the Southeast 1/4, Section 10, Township 20 North, Range 17 East, Village of Fox Crossing, Winnebago County, containing 35,936 Square Feet (0.8250 Acres) of land described as follows:

Commencing at the Southeast corner of Section 10; thence, along the South line of the Southeast 1/4 of said Section 10, N88°50'49"W, 273.00 feet, to the Southeast Corner of Lot 2 CSM 2522 said point being the point of beginning; thence, continuing along said South line, N88°50'49"W, 162.59 feet to the center line of Racine Road as originally platted; thence, along said center line, 208.80 feet along the arc of a curve to the right with a radius of 763.94 feet and a chord of 200.23 feet which bears N10°07'16"E to the extension of North line of lands described in V991 P 117; thence, along said extension of the North line, N88°50'49"W, 34.35 feet to the Westerly right of way line of Racine Road as originally platted; thence, along said Westerly right of way line, 161.86 feet along the arc of a curve to the right with a radius of 796.94 feet and a chord of 161.58 feet which bears N22°46'06"E to the intersection of said Westerly right of way line and the extension of the North line of Lot 1, Certified Survey Map 2522; thence, along said extension, S88°50'51"E, 75.26 feet to the East line of said Lot 1; thence, along said East line of Lot 1, 210.90 feet along the arc of a curve to the left with a radius of 730.94 feet and a chord of 210.17 feet which bears S23°02'29"W, to the North line of said Lot 2 Certified Survey Map 2522; thence, along said North line, S88°50'51"E, 107.34 feet to the East line of said Lot 2, S00°25'54"W, 153.00 feet to the point of beginning.

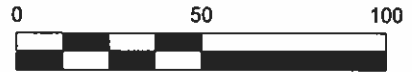
Parcel Numbers 121032500; 12132503 & right of way

AREA E (as shown in EXHIBIT E attached).

Part of the Northwest 1/4 of the Northwest 1/4, Section 12, and part of the Northeast 1/4 of the Northeast 1/4, Section 11, all located in Township 20 North, Range 17 East, Village of Fox Crossing, Winnebago County, containing 94,366 Square Feet (2.1663 Acres) of land described as follows:

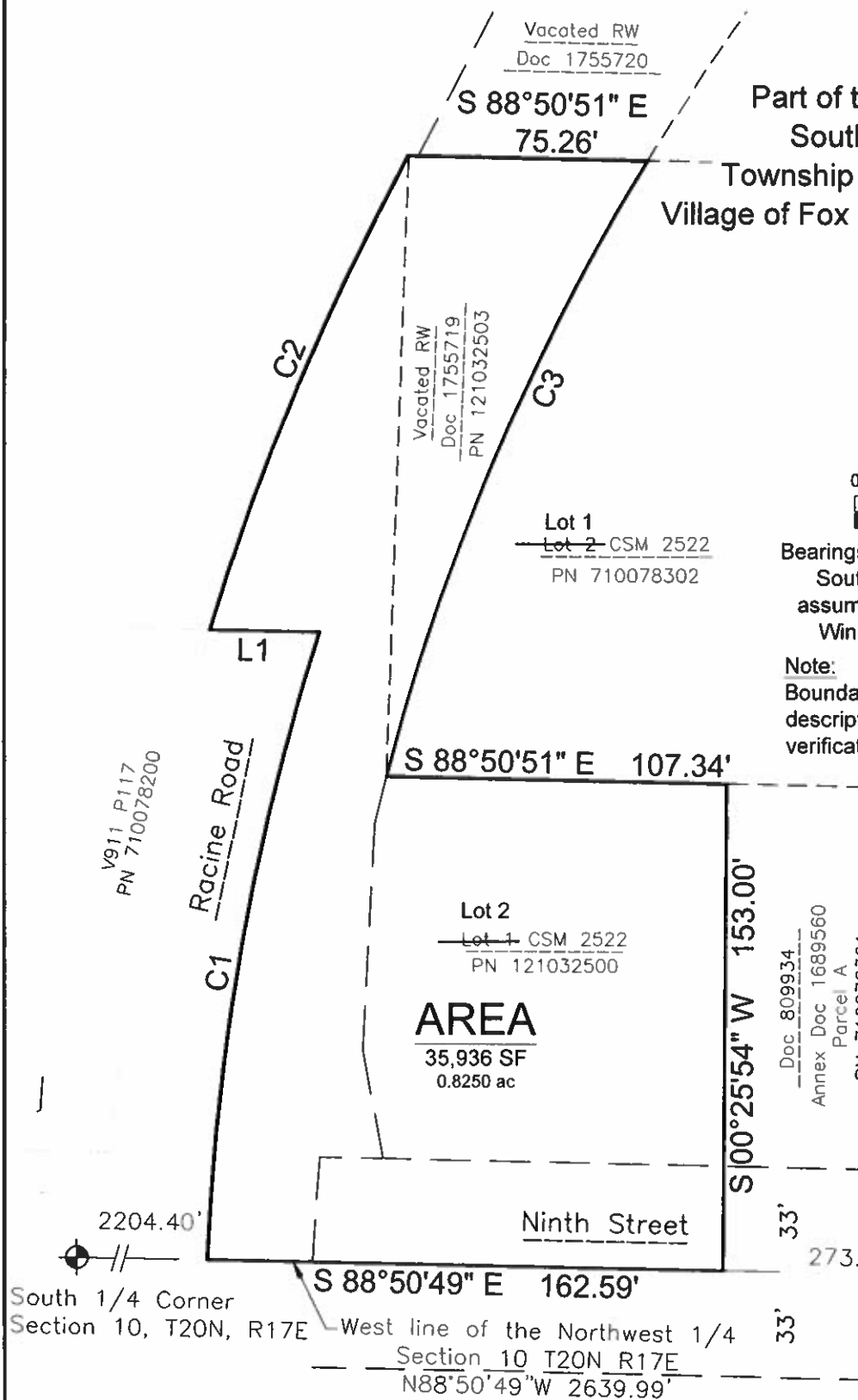
Exhibit C

Part of the Southeast 1/4 of the
Southeast 1/4, Section 10,
Township 20 North, Range 17 East,
Village of Fox Crossing, Winnebago County



Bearings are referenced to the South line of the Southeast 1/4, Section 10, T20N, R17E, assumed to bear N88°50'49"W, base on the Winnebago County Coordinate System.

Note:
Boundary was determined utilizing existing deed descriptions and surveys on file. No field work verification was performed.



LINE TABLE		
Line	Bearing	Length
L1	N 88°50'49" W	34.35'

South 1/4 Corner
Section 10, T20N, R17E

West line of the Northwest 1/4
Section 10 T20N R17E
N88°50'49"W 2639.99'

Southeast Corner
Section 10, T20N, R17E

File: 6808Ex3.dwg
Date: 08/16/2021
Drafted By: Jim
Sheet: 3 of 3



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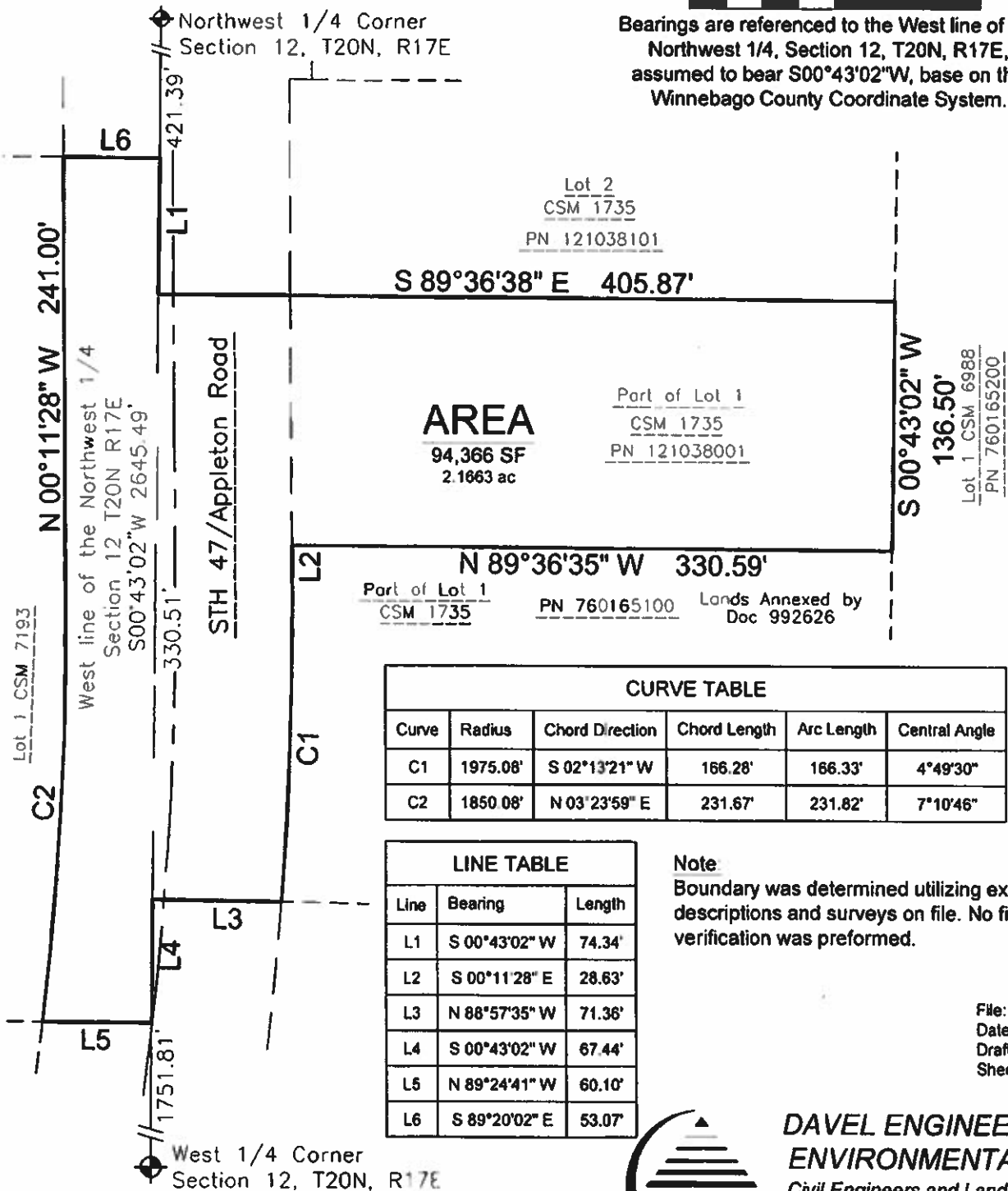
CURVE TABLE					
Curve	Radius	Chord Direction	Chord Length	Arc Length	Central Angle
C1	763.94'	N 10°07'16" E	200.23'	200.80'	15°03'38"
C2	796.94'	N 22°46'06" E	161.58'	161.86'	11°38'13"
C3	730.94'	S 23°02'29" W	210.17'	210.90'	16°31'53"

Exhibit E

Part of the Northwest 1/4 of the Northwest 1/4, Section 12, and part of the Northeast 1/4 of the Northeast 1/4, Section 11, all located in Township 20 North, Range 17 East, Village of Fox Crossing, Winnebago County



Bearings are referenced to the West line of the Northwest 1/4, Section 12, T20N, R17E, assumed to bear S00°43'02"W, base on the Winnebago County Coordinate System.



CURVE TABLE					
Curve	Radius	Chord Direction	Chord Length	Arc Length	Central Angle
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C2	1850.08'	N 03°23'59" E	231.67'	231.82'	7°10'46"

LINE TABLE		
Line	Bearing	Length
L1	S 00°43'02" W	74.34'
L2	S 00°11'28" E	28.63'
L3	N 88°57'35" W	71.36'
L4	S 00°43'02" W	67.44'
L5	N 89°24'41" W	60.10'
L6	S 89°20'02" E	53.07'

Note
Boundary was determined utilizing existing deed descriptions and surveys on file. No field work verification was performed.

File: 6808Ex4.dwg
Date: 08/16/2021
Drafted By: Jim
Sheet: E

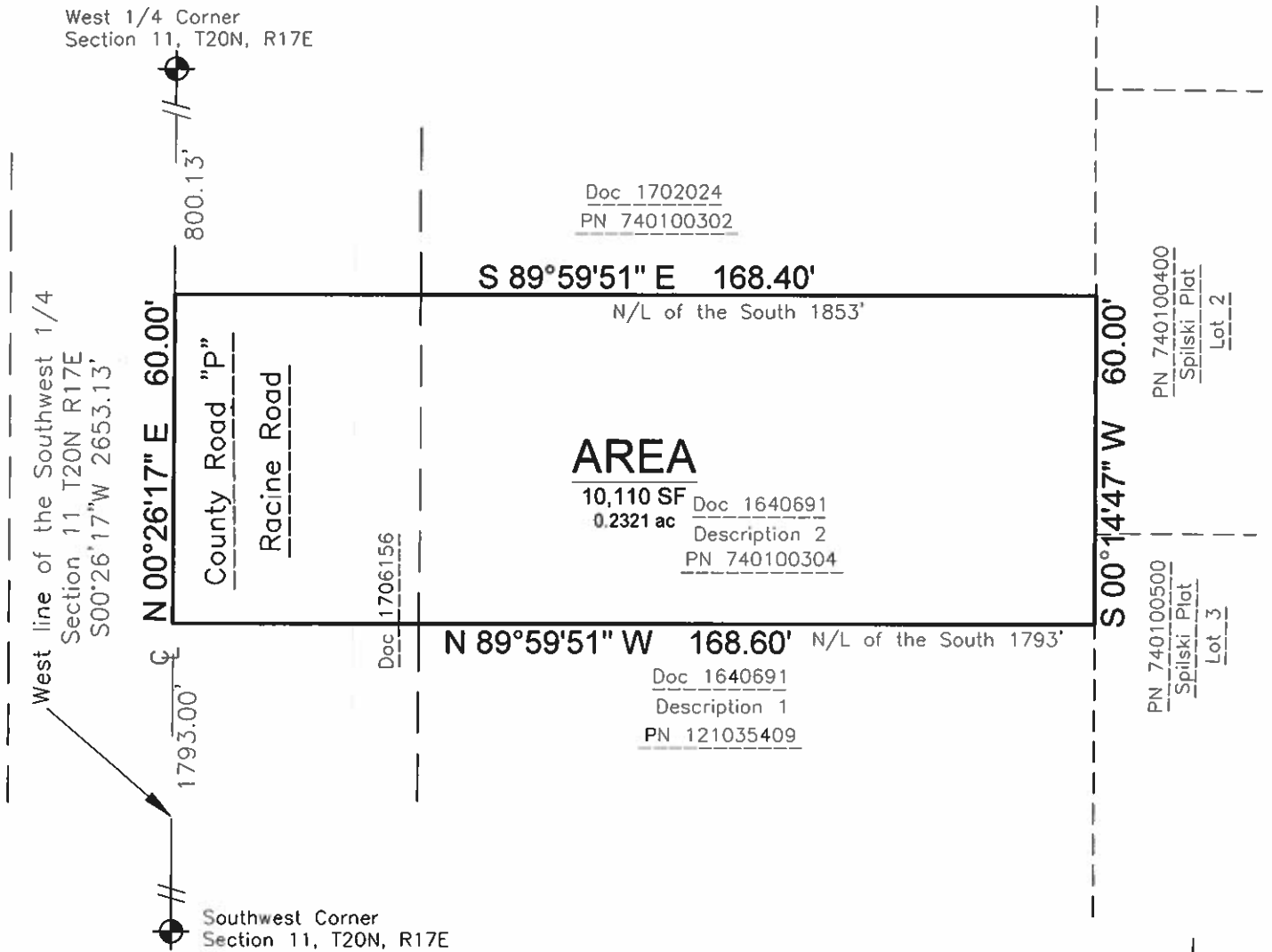


DAVEL ENGINEERING & ENVIRONMENTAL, INC.
Civil Engineers and Land Surveyors

1164 Province Terrace, Menasha, WI 54952
Ph: 920-991-1866 Fax: 920-441-0804
www.davel.pro

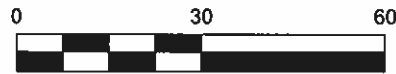
Exhibit G

Part of the Northwest 1/4 of the the Southwest 1/4
 Section 11, Township 20 North, Range 17 East,
 City of Menasha, Winnebago County



Note:

Boundary was determined utilizing existing deed descriptions and surveys on file. No field work verification was performed.



Bearings are referenced to the West line of the Southwest 1/4, Section 11, T20N, R17E, assumed to bear S00°26'17"W, base on the Winnebago County Coordinate System.



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1164 Province Terrace, Menasha, WI 54952
 Ph: 920-991-1866 Fax: 920-441-0804
 www.davel.pro

File: 6808Ex7.dwg
 Date: 01/12/2022
 Drafted By: Jim
 Sheet: G

EXHIBIT H

**Village of Fox Crossing Triggering Ordinance to Effectuate Land Transfers from the City of
Menasha into the Village of Fox Crossing**

ORD #221010-1:ORD *First Reading, Second Reading, Adoption*
ORDINANCE TO ACCOMPLISH BOUNDARY LINE CHANGE REFERENCED IN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF MENASHA AND THE VILLAGE OF FOX CROSSING

WHEREAS, the Village of Fox Crossing and the City of Menasha are parties to an intergovernmental agreement entered into pursuant to Wis. Stat. § 66.0301 (hereinafter, the “Agreement”); and

WHEREAS, under the terms of the Agreement, following the Agreement’s effective date, the Village is to attach certain territory previously located in the City; and

WHEREAS, under the terms of the Agreement, the attachment is to occur through the adoption of an ordinance by the Village under Wis. Stat. § 66.0301(6)(e); and

WHEREAS, this Ordinance is intended to serve as that ordinance.

NOW, THEREFORE, the Village Board of the Village of Fox Crossing, Winnebago County, Wisconsin, pursuant to the terms and conditions of the Agreement, together with the powers conferred pursuant to Wis. Stat. § 66.0301(6), does hereby ordain as follows:

SECTION 1. The lands set forth in Exhibit A, Exhibit B, and Exhibit G are hereby attached to the Village effective immediately.

SECTION 2. The Village Clerk is directed to file the documents required by Wis. Stat. § 66.0301(6)(e) and to take all other necessary action to implement this Ordinance.

SECTION 3. This Ordinance shall take effect immediately upon its adoption.

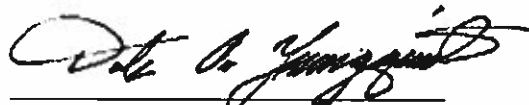
SECTION 4. The associated population of land referenced in Exhibit A, Exhibit B, and Exhibit G is zero (0).

Date Introduced: October 10, 2022

Date Adopted: October 10, 2022

Requested by: Dale A. Youngquist, Village President

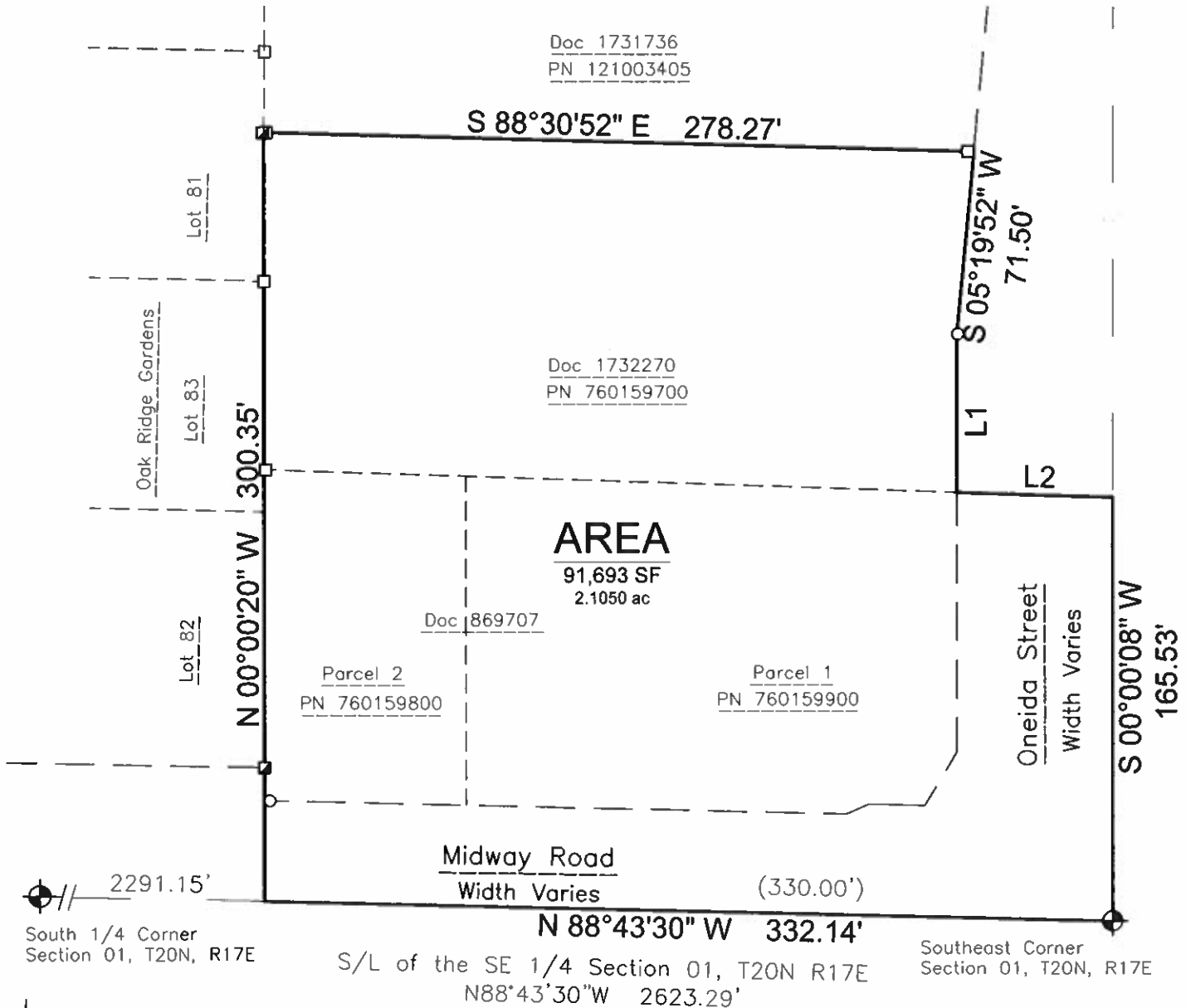
Submitted by: Dale A. Youngquist, Village President


Dale A. Youngquist, Village President


Attest: Darla M. Fink, Village Clerk

Exhibit A

Part of the Southeast 1/4 of the the Southeast 1/4
 Section 01, Township 20 North, Range 17 East,
 City of Menasha, Winnebago County



AREA

91,693 SF
 2.1050 ac

Note:
 Boundary was determined utilizing existing deed descriptions and surveys on file. Due to discrepancies in this information some fieldwork was done to verify the description no monuments were set.

LINE TABLE		
Line	Bearing	Length
L1	S 00°00'04" W	61.89'
L2	S 88°11'25" E	60.59'

File: 6808Ex1.dwg
 Date: 08/16/2021
 Drafted By: Jim
 Sheet: A



Bearings are referenced to the South line of the Southeast 1/4, Section 01, T20N, R17E, assumed to bear S88°43'30"W, base on the Winnebago County Coordinate System.



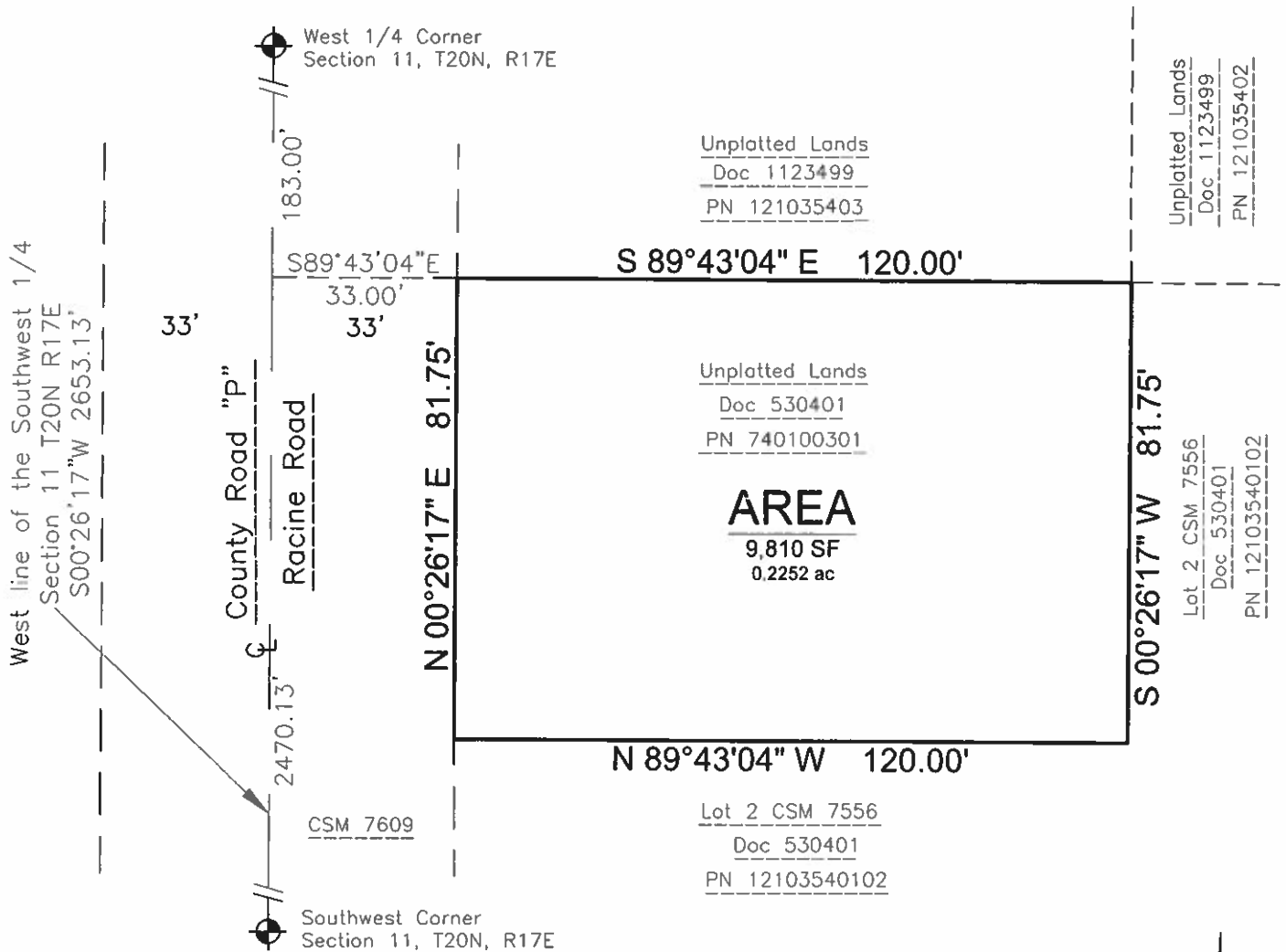
**DAVEL ENGINEERING &
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Civil Engineers and Land Surveyors

1164 Province Terrace, Menasha, WI 54952
 Ph: 920-991-1866 Fax: 920-441-0804
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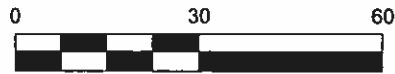
Exhibit B

Part of the Northwest 1/4 of the Southwest 1/4
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 City of Menasha, Winnebago County



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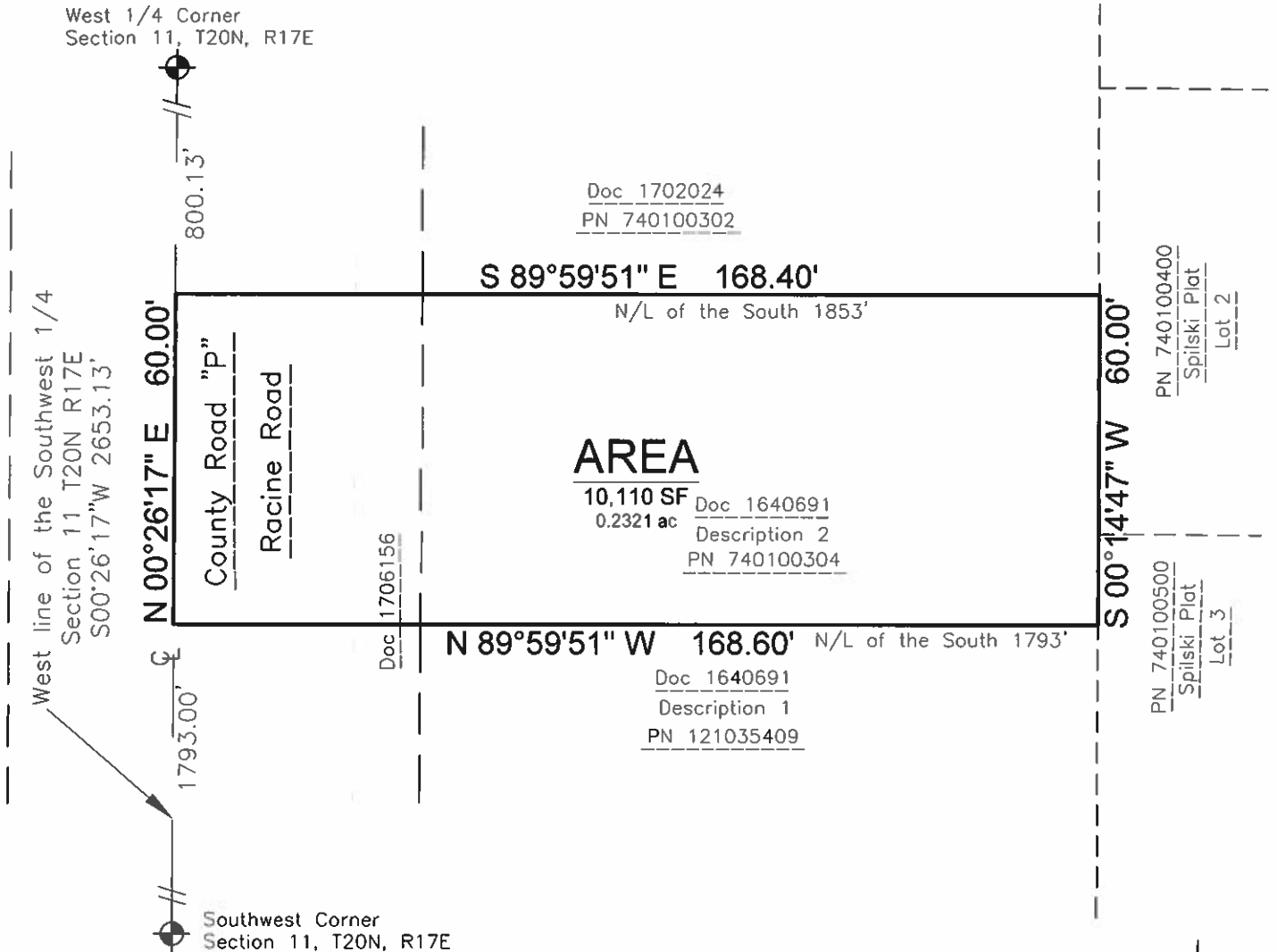
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File: 6808Ex2.dwg
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 Drafted By: Jim
 Sheet: B

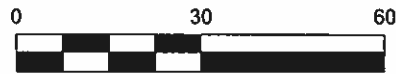
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File: 6808Ex7.dwg
 Date: 01/12/2022
 Drafted By: Jim
 Sheet G



RESOLUTION R-1-22

**A RESOLUTION APPROVING AN INTERGOVERNMENTAL BOUNDARY AGREEMENT
WITH THE VILLAGE OF FOX CROSSING**

Introduced by Council President Sevenich.

WHEREAS, Wisconsin State Statutes 66.0301 authorizes municipalities to enter into intergovernmental agreements for various purposes, including the establishment and adjustment of the boundary lines between them; and,

WHEREAS, the City of Menasha and the Village of Fox Crossing have negotiated the terms of a tentative intergovernmental boundary agreement, a copy of which is attached hereto as EXHIBIT A, providing for mutual agreed upon boundary between the two municipalities; and,

WHEREAS, the City Common Council held a public hearing on the terms of the proposed agreement on February 7, 2022, after due notice as required by Wisconsin State Statutes 66.0301(6)(c)1, to solicit public input on the terms of the agreement; and,

WHEREAS, the City Common Council finds that the terms of the proposed agreement are reasonable, and that approval of it will promote orderly development within the affected communities, minimize future intergovernmental conflicts and reasonably protect the economic interests of the City;

NOW, THEREFORE, BE IT RESOLVED the Common Council of the City of Menasha approves the intergovernmental boundary agreement attached hereto; the City of Menasha Mayor and City Clerk are hereby authorized to execute the agreement on behalf of the City upon approval of the same agreement by the Village of Fox Crossing;

BE IT FURTHER RESOLVED THAT that the City Clerk is directed to promptly cause the publication of the approved agreement in the manner required by Wisconsin State Statutes 66.0301(6)(c)2.

Passed and approved this 7th day of February, 2022.

Recommended by:
Common Council


Motion/Second:
Ald. Sevenich/ Ald. Langdon

Passed: 7-0

Requires: Majority Vote



Donald Merkes, Mayor

ATTEST:


Haley Krautkramer, City Clerk

RES #220214-1

VILLAGE OF FOX CROSSING APPROVAL OF CITY OF MENASHA & VILLAGE OF FOX CROSSING INTERGOVERNMENTAL COOPERATION AGREEMENT UNDER §66.0301, WIS STATS.

WHEREAS, Wisconsin State Statutes §66.0301 authorizes municipalities to enter into intergovernmental agreements for various purposes, including the establishment and adjustment of the boundary lines between them; and

WHEREAS, the City of Menasha and the Village of Fox Crossing have negotiated the terms of a tentative intergovernmental boundary agreement, a copy of which is attached, providing for a mutual agreed upon boundary between the two municipalities; and

WHEREAS, the Village of Fox Crossing Board of Trustees held a public hearing on the terms of the proposed agreement on February 14, 2022, after due notice as required by Wisconsin State Statute §66.0301(6)(c)1, to solicit public input on the terms of the agreement; and

WHEREAS, the Village Board of Trustees finds that the terms of the proposed agreement are reasonable, and that approval of the agreement will promote orderly development within the affected communities, minimize future intergovernmental conflicts and reasonably protect the economic interests of the Village.

NOW, THEREFORE BE IT RESOLVED, that the Fox Crossing Board of Trustees hereby approves the intergovernmental cooperation agreement between the City of Menasha and the Village of Fox Crossing, as attached.

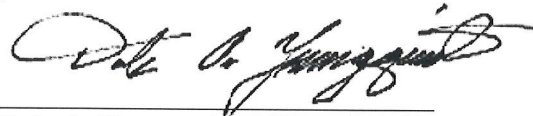
BE IT FURTHER RESOLVED, the Village President and Village Clerk are hereby authorized to execute the agreement on behalf of the Village upon approval of the same agreement by the City of Menasha.

BE IT FURTHER RESOLVED, that the Village Clerk is directed to promptly cause the publication of the approved agreement in the manner required by Wisconsin State Statutes 66.0301(6)(c)2.

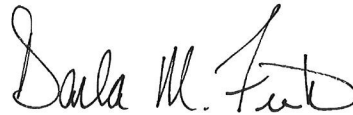
Adopted this 14th day of February, 2022

Requested by: Dale A. Youngquist, Village President

Submitted by: Dale A. Youngquist, Village President



Dale A. Youngquist, Village President



Attest: Darla M. Fink, Village Clerk

CITY OF MENASHA & VILLAGE OF FOX CROSSING

INTERGOVERNMENTAL COOPERATION AGREEMENT under §66.0301, Wis. Stats.

A. GENERAL PROVISIONS

SECTION 1 PARTIES

The City of Menasha, a Wisconsin municipal corporation with primary offices at 100 Main St., Suite 200, Menasha Wisconsin 54952 (“CITY”) and the Village of Fox Crossing, a Wisconsin municipal corporation with primary offices at 2000 Municipal Drive, Neenah, WI, 54956 enter into this Intergovernmental Cooperation Agreement (“Agreement”), on the last date shown on the signature lines below, pursuant to §66.0301, Wis. Stats.

SECTION 2 FORMAL REQUIREMENTS

- 2.1 Notice of CITY’s and VILLAGE’s intent to enter into this Agreement has been published, Class 1, and a public hearing as required by State Statutes held on February 7, 2022, in the CITY and February 14, 2022, in the VILLAGE.
- 2.2 Notice to property owners affected by the boundary line change was made by certified mail.
- 2.3 Adoption of RESOLUTION R-1-22, A Resolution Approving an Intergovernmental Boundary Agreement with the Village of Fox Crossing, by the City of Menasha Common Council occurred on February 7, 2022 authorizing execution of this Agreement.
- 2.4 Adoption of RESOLUTION 220214-1, A Resolution Approving an Intergovernmental Boundary Agreement with the City of Menasha, by the Village of Fox Crossing Village Board occurred on February 14, 2022 authorizing execution of this Agreement.
- 2.5 Within 20 days after adoption of the Resolutions, CITY and VILLAGE shall jointly publish this Agreement in the Appleton Post Crescent as a Class 1 notice, under ch. 985, Wis. Stats.

SECTION 3 PURPOSES

- 3.1 CITY and VILLAGE have considered the effects of an adjustment to certain common boundary lines described herein and have determined it is in the best interests of their respective communities to make the changes.
- 3.2 CITY and VILLAGE agree to cooperatively engage in a joint street reconstruction project in the best interests of their respective communities as a portion of the road abuts the City and a portion abuts the Village.

SECTION 4 AGREEMENT DURATION

This Agreement shall terminate upon the satisfaction of the obligations of the CITY and VILLAGE stated herein.

B. BOUNDARY LINE CHANGE

SECTION 1 BOUNDARY LINE CHANGE

The boundaries between the CITY and VILLAGE shall change such that the lands described and depicted in EXHIBIT A, EXHIBIT B, and EXHIBIT G shall change jurisdiction from the CITY to the VILLAGE and the lands described and depicted in EXHIBIT C and EXHIBIT E shall change jurisdiction from the VILLAGE to the CITY. Upon the effective date of the Triggering Ordinance defined herein, the boundary line between the CITY and the VILLAGE will be as indicated in EXHIBIT D. In accordance with Wis. Stat. § 66.0301(6)(e), each party shall adopt a Triggering Ordinance on even date herewith, the effect of which will be to effectuate all jurisdictional boundary changes called for in this Agreement. Although the Triggering Ordinance may be approved on or after even date herewith, it shall become effective on the date of publication of this Agreement (the parties recognizing that publication is a prerequisite to the validity of this Agreement and, the parties further recognizing that there are no electors residing within the territory whose jurisdiction is subject to change who could possibly sign a petition to force a referendum). Accordingly, “effective date” of this Agreement and of the earliest “effective date” of the Triggering Ordinance shall be the date of publication.

SECTION 2 IMPLEMENTATION

Contemporaneously with this Agreement, the City shall adopt the Triggering Ordinance attached hereto as Exhibit F, the purpose of which is to effectuate the boundary line change resulting in land being transferred from the Village to the City in accordance with Wis. Stat. §66.0301(6)(e). The filing and recording requirements under §66.0217(9)(a) shall promptly be complied with by the City Clerk.

Contemporaneously with this Agreement, the Village shall adopt the Triggering Ordinance attached hereto as Exhibit H, the purpose of which is to effectuate the boundary line change resulting in land being transferred from the City to the Village in accordance with Wis. Stat. §66.0301(6)(e). The filing and recording requirements under §66.0217(9)(a) shall promptly be complied with by the Village Clerk.

SECTION 3 EXHIBITS

Exhibits A – H are attached hereto and made a part of this Agreement.

SECTION 4 ADOPTION

The CITY and VILLAGE certify that this Agreement has been approved by their respective governing bodies in accordance with Wisconsin Statutes and each has duly authorized execution by representative officers.

SECTION 5 PAYMENT

Following final effectuation of the boundary adjustment, beginning in November 2024 and continuing over 10 years, CITY will pay to VILLAGE, a total sum of \$60,000, as shared tax revenues, in the minimum amount of \$6,000 each year due on November 1 of each year.

C. STREET PROJECT

SECTION 1 LOCATION

CITY and VILLAGE agree to pursue the street reconstruction of Airport Road in 2022 from Racine Road/County P to Mayer Street.

SECTION 2 PROJECT DESCRIPTION

- 2.1 The Airport Road reconstruction project shall consist of unclassified excavation, utility adjustments, pavement removal, fine grading and replacement of 8" concrete pavement with 5" asphalt pavement, curb and gutter, sidewalk replacement as needed, and potential asphalt trail.
- 2.2 The total length of roadway being reconstructed is 2,790 linear feet, 648 linear feet of which is in the City of Menasha, 1,513 linear feet in the Village of Fox Crossing and 629 linear feet is shared road right of way between both municipalities. Except as indicated below in 4.2, the CITY shall therefore be responsible for 34.5% of the total project, and the VILLAGE shall be responsible for 65.5% of the total project.

SECTION 3 LEAD AGENCY

- 3.1 The CITY shall be the lead agency to include, but is not limited to, preparing all engineering plans and specifications, preparing all contract documents necessary to solicit bids, bidding for the work, project construction administration.
- 3.2 The VILLAGE shall review the plans and contract documents prior to bid solicitation. The VILLAGE shall be included as a third party beneficiary of the contract, and the VILLAGE shall be an additional insured.
- 3.3 The CITY and VILLAGE agree each municipality shall have a period of up to 15 days to review the bid prices prior to the CITY'S acceptance of the lowest responsible bidder. The actual contract may be let by the CITY only after the 15 day review period. Following its review of the bid prices, should either the CITY or VILLAGE decide not to pursue this project in 2022, then the project shall be moved to 2023.
- 3.4 The CITY and VILLAGE agree that the CITY will be responsible for performing project inspection work.

SECTION 4 PAYMENT

- 4.1 When the reconstruction contract is awarded, the CITY shall be the paying party for all contract work. The VILLAGE shall reimburse the CITY within 30 days of billing for work completed in the Village.
- 4.2 The CITY shall be responsible 34.5% of the total project costs, and the VILLAGE shall be responsible for 65.5% of the total project costs except with respect to sidewalk replacement which shall be paid by each municipality within which the road right of way exists. The parties agree that the final invoice submitted to the VILLAGE shall include

an administrative charge equal to 10% of the VILLAGE's total cost share. The 10% administrative charge is to cover the VILLAGE's cost of the design engineering, bid solicitation, and project construction administration conducted by the CITY.

4.3 The CITY shall review and recommend action on change orders in consultation with the VILLAGE. The CITY shall notify the VILLAGE of said actions.


SECTION 5 PROJECT COMPLETION

This project will complete upon acceptance by the CITY of final payment from the VILLAGE of all VILLAGE related project costs or upon the parties' mutual agreement to terminate the Agreement. Project costs at the time of any termination shall be based on the percentages in paragraph C. Section 2.2.


Dated this 28th of February, 2022. Dated this 24th of FEBRUARY, 2022.

Village of Fox Crossing

City of Menasha

By: 
Dale A. Youngquist, Village President


By: 
Don Merkes, Mayor

Attest: 
Darla M. Fink, Village Clerk

Attest: 
Haley Krautkramer, City Clerk

Approved as to form:

Approved as to form:


Village Attorney


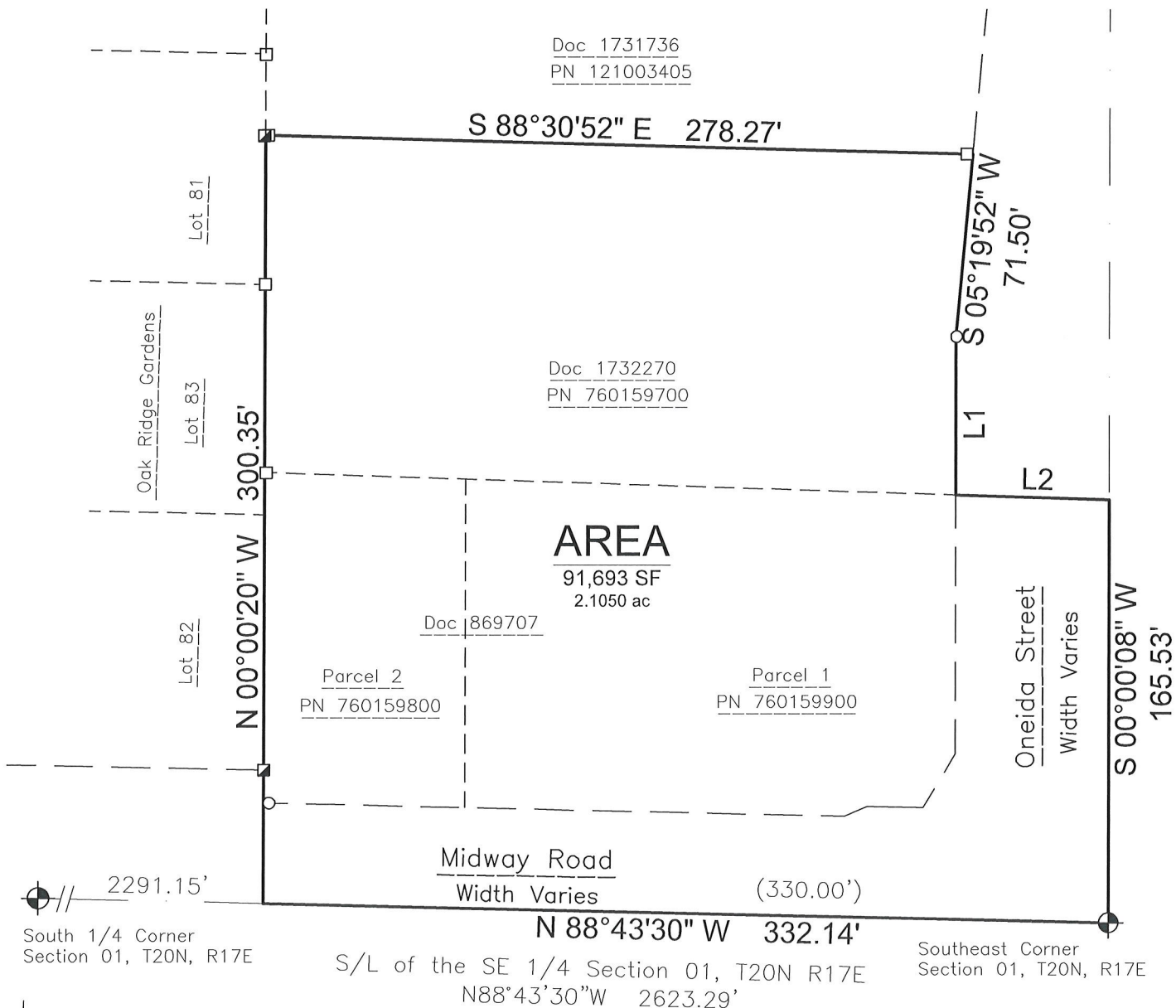

City Attorney

TABLE OF EXHIBITS

Exhibit A	Legal Description for 1818 & 1822 Midway Road and Associated Rights-of-Way
Exhibit B	Legal Description for Vacant Parcel No. 740100301
Exhibit C	Legal Description for 500 Ninth Street and Associated Rights-of-Way
Exhibit D	Map of Boundary Line Between the City of Menasha and Village of Fox Crossing after Proposed Land Transfers
Exhibit E	Legal Description for 1425 Appleton Road and Associated Rights-of-Way
Exhibit F	City of Menasha Triggering Ordinance to Effectuate Land Transfers from the Village of Fox Crossing into the City of Menasha
Exhibit G	Legal Description Vacant Parcel No. 740100304
Exhibit H	Village of Fox Crossing Triggering Ordinance to Effectuate Land Transfers from the City of Menasha into the Village of Fox Crossing

Exhibit A

Part of the Southeast 1/4 of the the Southeast 1/4
Section 01, Township 20 North, Range 17 East,
City of Menasha, Winnebago County



Bearings are referenced to the South line of the Southeast 1/4, Section 01, T20N, R17E, assumed to bear S88°43'30"W, base on the Winnebago County Coordinate System.

Note:

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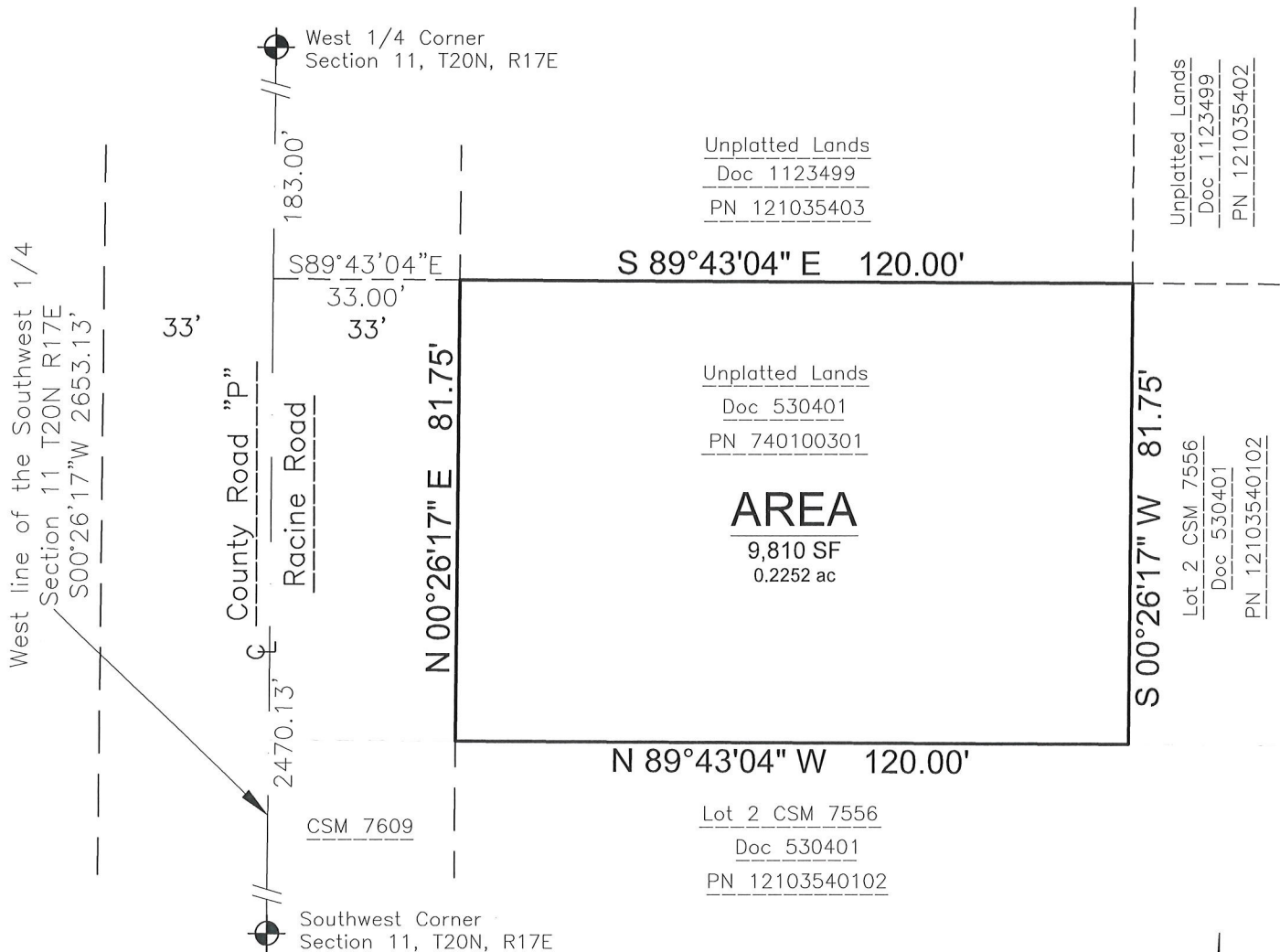
LINE TABLE		
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L1	S 00°00'04" W	61.89'
L2	S 88°11'25" E	60.59'

File: 6808Ex1.dwg
Date: 08/16/2021
Drafted By: Jim
Sheet: A

DAVEL ENGINEERING & ENVIRONMENTAL, INC.
Civil Engineers and Land Surveyors
1164 Province Terrace, Menasha, WI 54952
Ph: 920-991-1866 Fax: 920-441-0804
www.davel.pro

Exhibit B

Part of the Northwest 1/4 of the Southwest 1/4
 Section 11, Township 20 North, Range 17 East,
 City of Menasha, Winnebago County



Note:

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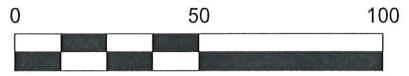
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File: 6808Ex2.dwg
 Date: 08/16/2021
 Drafted By: Jim
 Sheet: B

Exhibit C

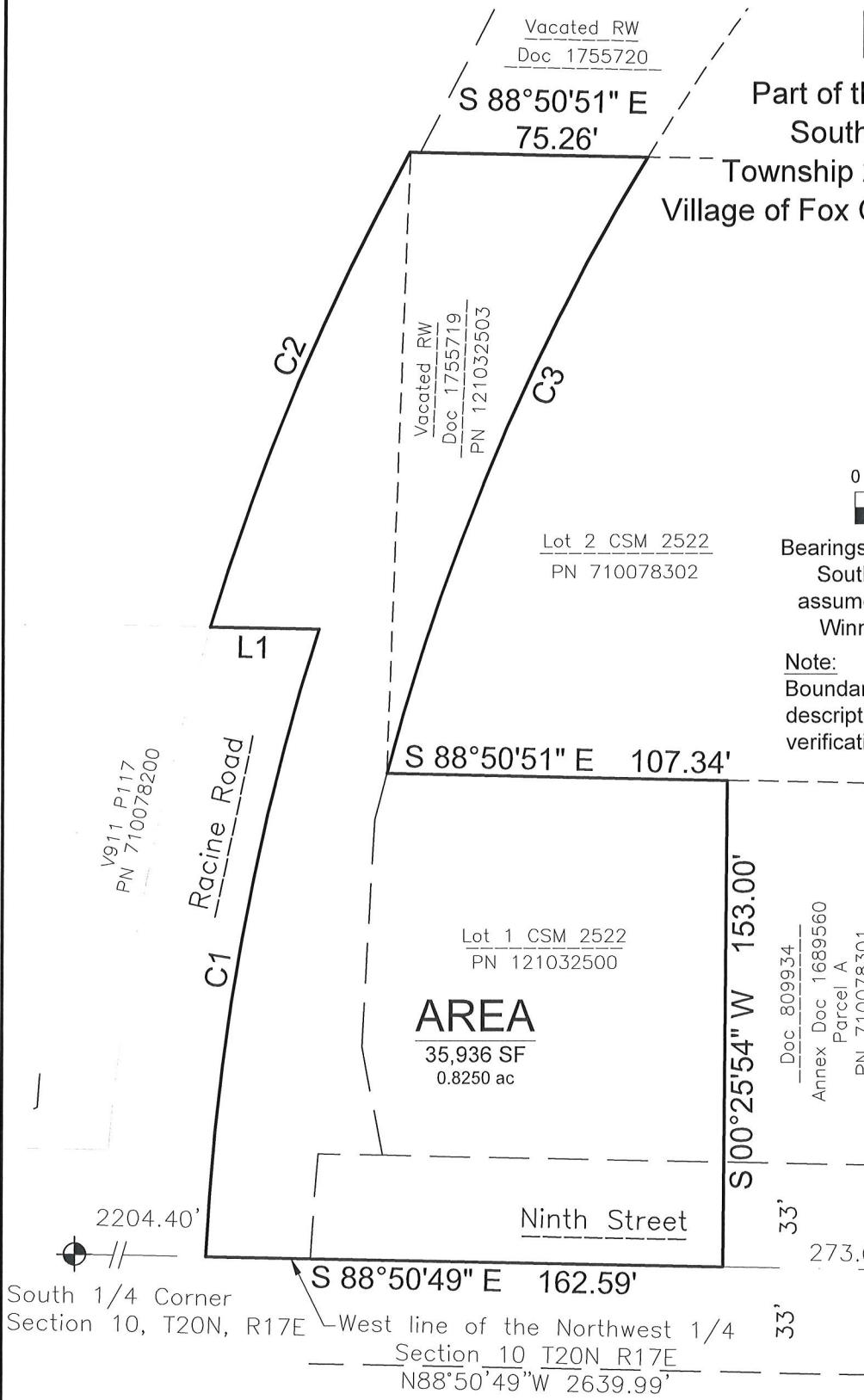
Part of the Southeast 1/4 of the
 Southeast 1/4, Section 10,
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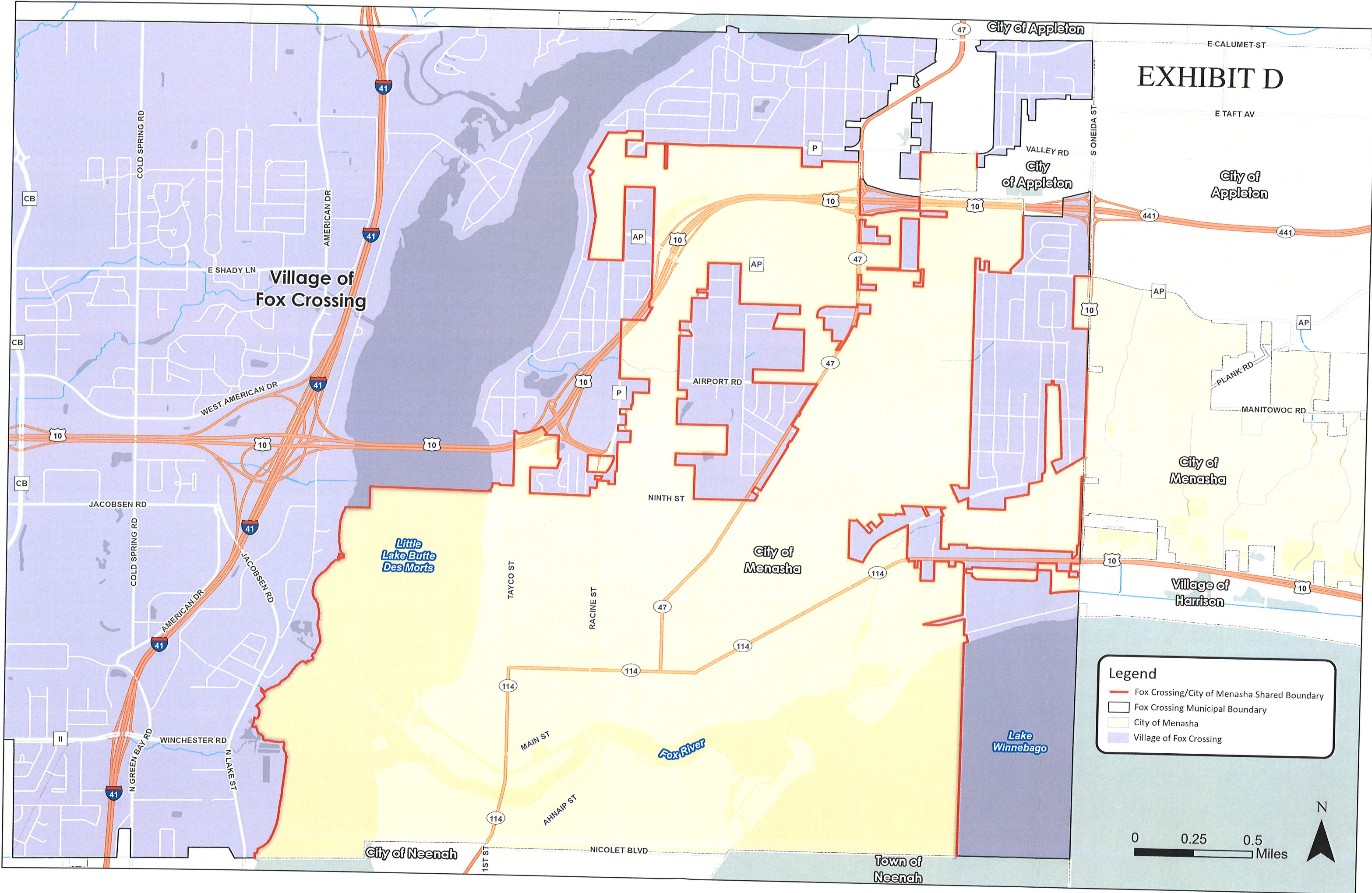
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EXHIBIT D



Legend

- Fox Crossing/City of Menasha Shared Boundary
- ▭ Fox Crossing Municipal Boundary
- ▭ City of Menasha
- ▭ Village of Fox Crossing

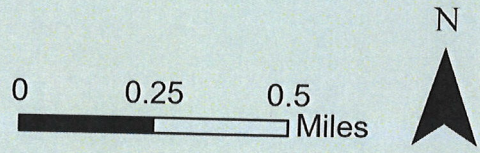
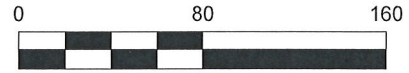
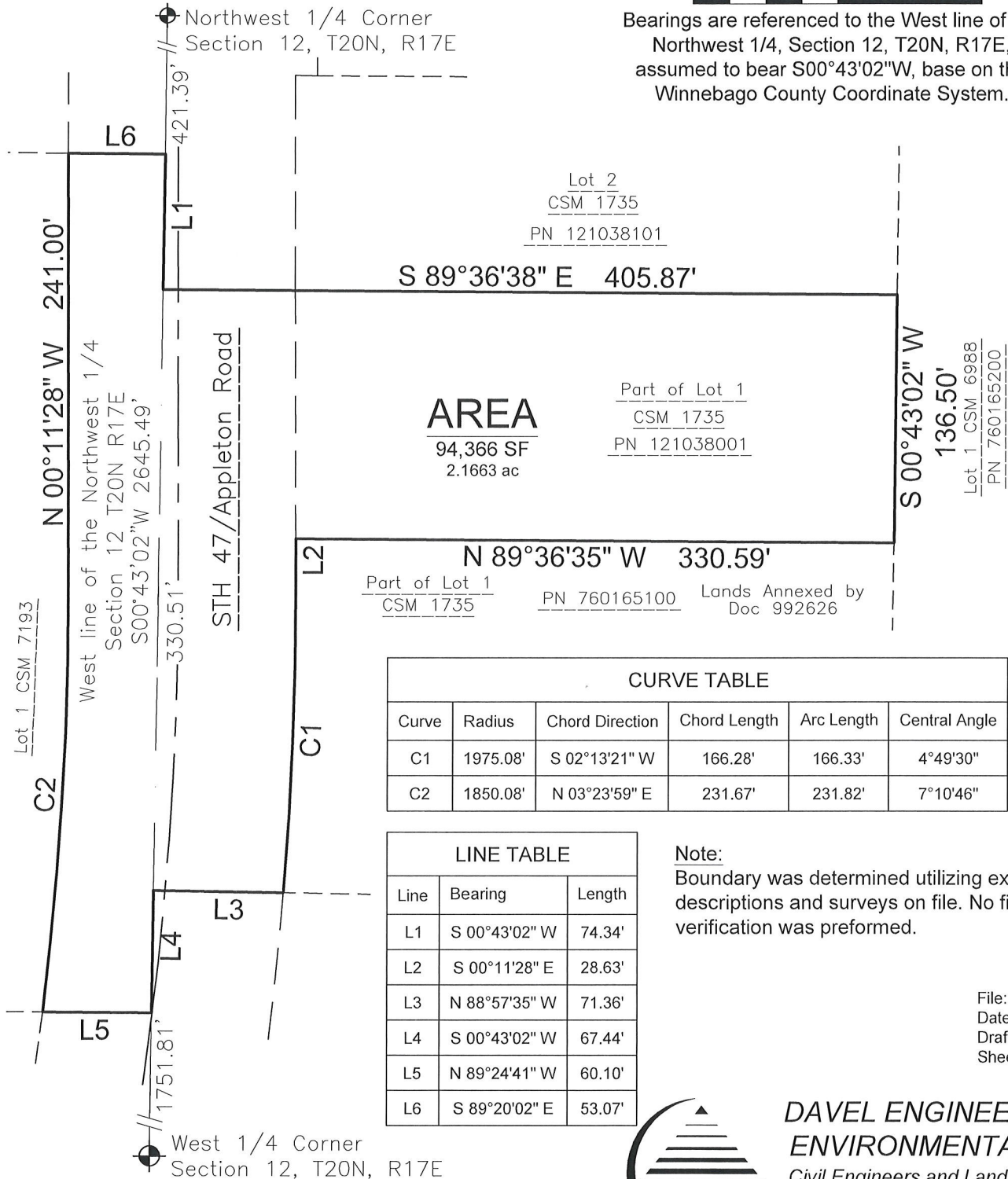


Exhibit E

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L6	S 89°20'02" E	53.07'

Note:
Boundary was determined utilizing existing deed descriptions and surveys on file. No field work verification was performed.

File: 6808Ex4.dwg
Date: 08/16/2021
Drafted By: Jim
Sheet: E



DAVEL ENGINEERING & ENVIRONMENTAL, INC.
Civil Engineers and Land Surveyors

1164 Province Terrace, Menasha, WI 54952
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EXHIBIT F

City of Menasha Triggering Ordinance to Effectuate Land Transfers from the Village of Fox
Crossing into the City of Menasha



ORDINANCE O-1-22

AN ORDINANCE RELATED TO THE ATTACHMENT OF CERTAIN PROPERTIES TO THE CITY OF MENASHA FROM THE VILLAGE OF FOX CROSSING

Introduced by Council President Sevenich.

The Common Council of the City of Menasha does ordain as follows:

SECTION 1: Territory Attached. In accordance with the Intergovernmental Boundary Agreement between the City of Menasha and the Village of Fox Crossing as approved by Resolution R-1-2022 following Wisconsin State Statutes 66.0301, the following described territory in the Village of Fox Crossing, Winnebago County, Wisconsin, is attached to the City of Menasha, Winnebago County, Wisconsin.

Legal description:

AREA C (as shown in EXHIBIT C attached)

Part of the Southeast 1/4 of the Southeast 1/4, Section 10, Township 20 North, Range 17 East, Village of Fox Crossing, Winnebago County, containing 35,936 Square Feet (0.8250 Acres) of land described as follows:

Commencing at the Southeast corner of Section 10; thence, along the South line of the Southeast 1/4 of said Section 10, N88°50'49"W, 273.00 feet, to the Southeast Corner of Lot 1 CSM 2522 said point being the point of beginning; thence, continuing along said South line, N88°50'49"W, 162.59 feet to the center line of Racine Road as originally platted; thence, along said center line, 208.80 feet along the arc of a curve to the right with a radius of 763.94 feet and a chord of 200.23 feet which bears N10°07'16"E to the extension of North line of lands described in V991 P 117; thence, along said extension of the North line, N88°50'49"W, 34.35 feet to the Westerly right of way line of Racine Road as originally platted; thence, along said Westerly right of way line, 161.86 feet along the arc of a curve to the right with a radius of 796.94 feet and a chord of 161.58 feet which bears N22°46'06"E to the intersection of said Westerly right of way line and the extension of the North line of Lot 2, Certified Survey Map 2522; thence, along said extension, S88°50'51"E, 75.26 feet to the East line of said Lot 2; thence, along said East line of Lot 2, 210.90 feet along the arc of a curve to the left with a radius of 730.94 feet and a chord of 210.17 feet which bears S23°02'29"W, to the North line of said Lot 1 Certified Survey Map 2522; thence, along said North line, S88°50'51"E, 107.34 feet to the East line of said Lot 1, S00°25'54"W, 153.00 feet to the point of beginning.

Parcel Numbers 121032500; 12132503 & right of way

AREA E (as shown in EXHIBIT E attached).

Part of the Northwest 1/4 of the Northwest 1/4, Section 12, and part of the Northeast 1/4 of the Northeast 1/4, Section 11, all located in Township 20 North, Range 17 East, Village of Fox Crossing, Winnebago County, containing 94,366 Square Feet (2.1663 Acres) of land described as follows:

Commencing at the Northwest corner of Section 12; thence, along the West line of the Northwest 1/4 of said Section 12, S00°43'02"W, 421.39 feet to the point of beginning; thence, continuing along said West line, S00°43'02"W, 74.34 feet; thence S89°36'35"E, 405.87 feet to the West line of Lot 1 of Certified Survey Map 6988; thence, along said West line, S00°43'02"W, 136.50 feet, to the North line of lands annexed, to the City of Menasha, by Doc 992626; thence, along said North line, N89°36'35"W, 330.59 feet, to the East right of way line of STH 47/Appleton Road; thence, along said East line, S00°11'28"E, 28.63 feet; thence, continuing along said East line, 166.33 feet along the arc of a curve to the right with a radius of 1975.08 feet and a chord of 166.28 feet which bears S02°13'21"W, to the South west corner of Lot 1 Certified Survey Map 1735; thence N88°57'35"W 71.36 feet to a point on said West line of the Northwest 1/4; thence, along said West line, S00°43'02"W, 67.44 feet; thence N89°24'41"W, 60.10 feet to the Southeast corner of Lot1 Certified Survey Map 7193; thence, along the East line of said Lot 1, 231.82 feet along the arc of a curve to the left with a radius of 1850.08 feet and a chord of 231.67 feet which bears N03°23'59"E; thence continuing along said East line, N00°11'28"W, 241.00 feet to the Northeast Corner of said Lot 1; thence, S89°20'02"E, 53.07 feet to the point of beginning.

Parcel Number 121038001 & right of way

The population of the described Area C and E is zero.

SECTION 2: Effect of Attachment. From and after the date of this Ordinance, the territory described in Section 1 shall be a part of the City of Menasha for any and all purposes provided by law and all persons coming or residing within such territory shall be subject to all ordinances, rules and regulations governing the City of Menasha.

SECTION 3: Pursuant to the recommendation of the Plan Commission, the zoning classification for the attached territory is as follows: Area C, C-1 General Commercial and Area E, C-1 General Commercial.

SECTION 4: Aldermanic District Designation. The territory described in Section 1 of this Ordinance as Area C is hereby made a part of Aldermanic District 5, Ward 18. The territory described in Section 1 of this Ordinance as Area E is hereby made a part of Aldermanic District 7, Ward 19. All subject to the ordinances, rules and regulations of the City governing wards and aldermanic districts.

SECTION 5: Severability. If any provision of this Ordinance is invalid or unconstitutional, or if the application of this Ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid or unconstitutional provision or application.

SECTION 6: This Ordinance shall become effective upon its passage and publication as provided by law.

Passed and approved this 7th day of February, 2022.

Recommended by:
Common Council

Motion/Second:
Ald. Sevenich/ Ald. Langdon

Passed: 7-0

Requires: Majority Vote



Donald Merkes, Mayor

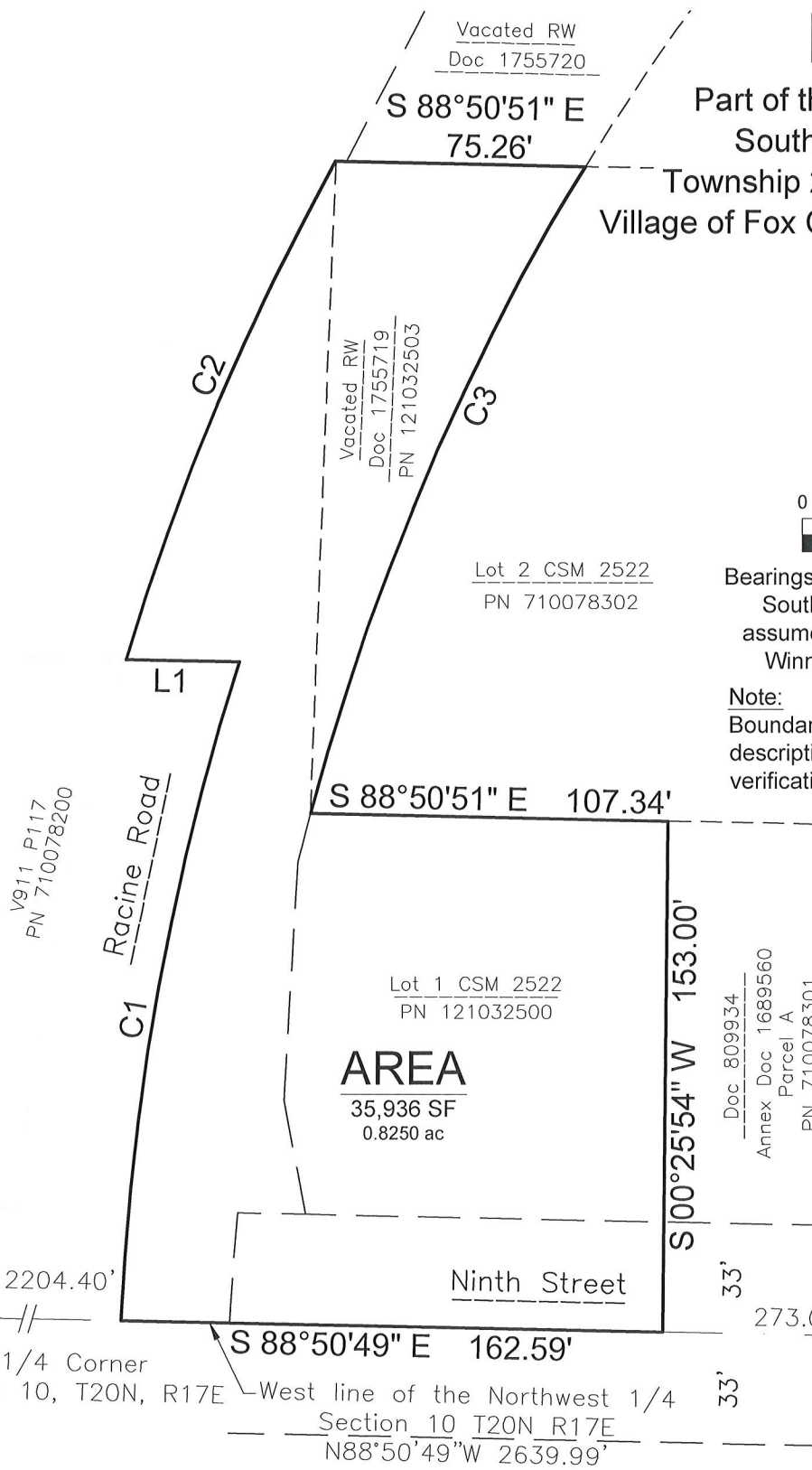
ATTEST:



Haley Krautkramer, City Clerk

Exhibit C

Part of the Southeast 1/4 of the
 Southeast 1/4, Section 10,
 Township 20 North, Range 17 East,
 Village of Fox Crossing, Winnebago County



Bearings are referenced to the South line of the
 Southeast 1/4, Section 10, T20N, R17E,
 assumed to bear N88°50'49"W, base on the
 Winnebago County Coordinate System.

Note:
 Boundary was determined utilizing existing deed
 descriptions and surveys on file. No field work
 verification was performed.

LINE TABLE		
Line	Bearing	Length
L1	N 88°50'49" W	34.35'

CURVE TABLE					
Curve	Radius	Chord Direction	Chord Length	Arc Length	Central Angle
C1	763.94'	N 10°07'16" E	200.23'	200.80'	15°03'38"
C2	796.94'	N 22°46'06" E	161.58'	161.86'	11°38'13"
C3	730.94'	S 23°02'29" W	210.17'	210.90'	16°31'53"

File: 6808Ex3.dwg
 Date: 08/16/2021
 Drafted By: Jim
 Sheet: C



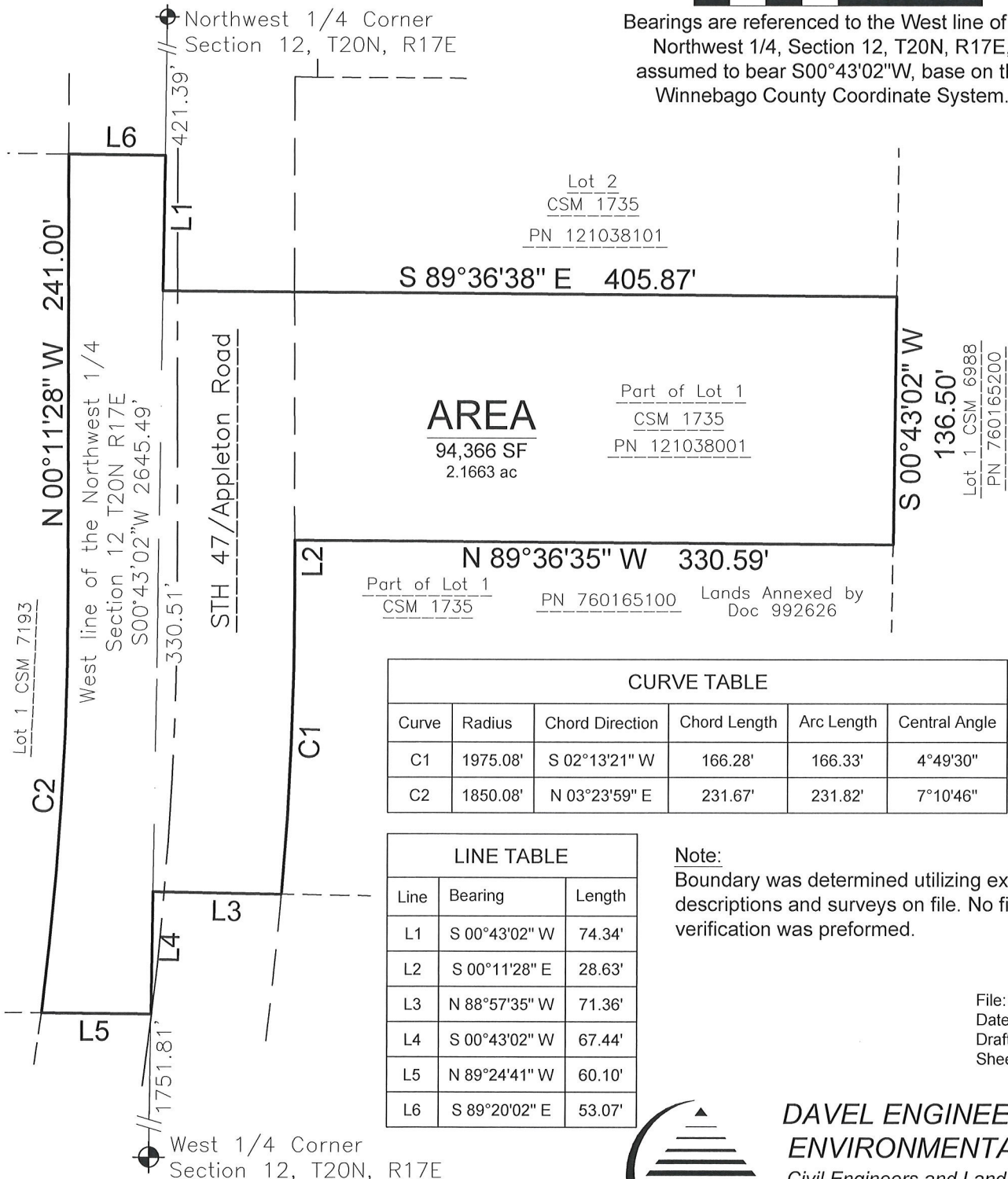
**DAVEL ENGINEERING &
 ENVIRONMENTAL, INC.**
 Civil Engineers and Land Surveyors
 1164 Province Terrace, Menasha, WI 54952
 Ph: 920-991-1866 Fax: 920-441-0804
 www.davel.pro

Exhibit E

Part of the Northwest 1/4 of the Northwest 1/4, Section 12, and part of the Northeast 1/4 of the Northeast 1/4, Section 11, all located in Township 20 North, Range 17 East, Village of Fox Crossing, Winnebago County



Bearings are referenced to the West line of the Northwest 1/4, Section 12, T20N, R17E, assumed to bear S00°43'02"W, base on the Winnebago County Coordinate System.



CURVE TABLE					
Curve	Radius	Chord Direction	Chord Length	Arc Length	Central Angle
C1	1975.08'	S 02°13'21" W	166.28'	166.33'	4°49'30"
C2	1850.08'	N 03°23'59" E	231.67'	231.82'	7°10'46"

LINE TABLE		
Line	Bearing	Length
L1	S 00°43'02" W	74.34'
L2	S 00°11'28" E	28.63'
L3	N 88°57'35" W	71.36'
L4	S 00°43'02" W	67.44'
L5	N 89°24'41" W	60.10'
L6	S 89°20'02" E	53.07'

Note:
Boundary was determined utilizing existing deed descriptions and surveys on file. No field work verification was performed.

File: 6808Ex4.dwg
Date: 08/16/2021
Drafted By: Jim
Sheet: E

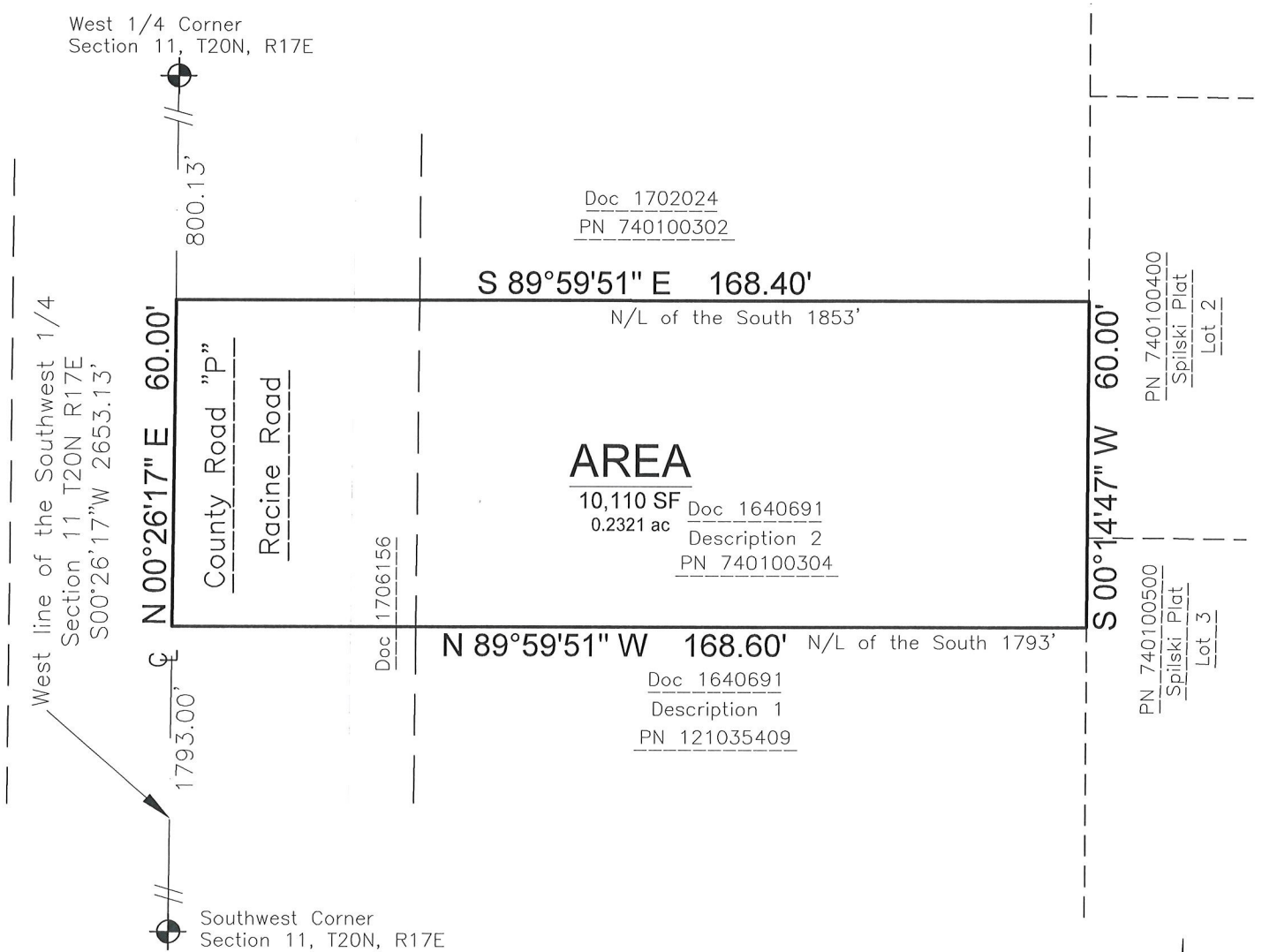


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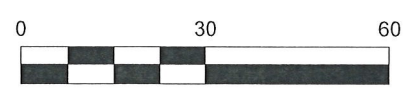
1164 Province Terrace, Menasha, WI 54952
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Exhibit G

Part of the Northwest 1/4 of the the Southwest 1/4
 Section 11, Township 20 North, Range 17 East,
 City of Menasha, Winnebago County



Note:
 Boundary was determined utilizing existing deed descriptions and surveys on file. No field work verification was performed.



Bearings are referenced to the West line of the Southwest 1/4, Section 11, T20N, R17E, assumed to bear S00°26'17"W, base on the Winnebago County Coordinate System.



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File: 6808Ex7.dwg
 Date: 01/12/2022
 Drafted By: Jim
 Sheet: G

EXHIBIT H

Village of Fox Crossing Triggering Ordinance to Effectuate Land Transfers from the City of
Menasha into the Village of Fox Crossing

ORD #220214-1:ORD *First Reading, Second Reading, Adoption*
ORDINANCE TO ACCOMPLISH BOUNDARY LINE CHANGE REFERENCED IN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF MENASHA AND THE VILLAGE OF FOX CROSSING

WHEREAS, the Village of Fox Crossing and the City of Menasha are parties to an intergovernmental agreement entered into pursuant to Wis. Stat. § 66.0301 (hereinafter, the “Agreement”); and

WHEREAS, under the terms of the Agreement, following the Agreement’s effective date, the Village is to attach certain territory previously located in the City; and

WHEREAS, under the terms of the Agreement, the attachment is to occur through the adoption of an ordinance by the Village under Wis. Stat. § 66.0301(6)(e); and

WHEREAS, this Ordinance is intended to serve as that ordinance.

NOW, THEREFORE, the Village Board of the Village of Fox Crossing, Winnebago County, Wisconsin, pursuant to the terms and conditions of the Agreement, together with the powers conferred pursuant to Wis. Stat. § 66.0301(6), does hereby ordain as follows:

SECTION 1. The lands set forth in Exhibit A, Exhibit B, and Exhibit G are hereby attached to the Village effective immediately.

SECTION 2. The Village Clerk is directed to file the documents required by Wis. Stat. § 66.0301(6)(e) and to take all other necessary action to implement this Ordinance.

SECTION 3. This Ordinance shall take effect immediately upon its adoption.

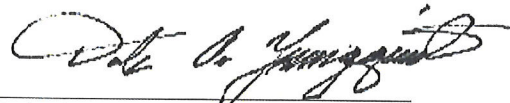
SECTION 4. The associated population of land referenced in Exhibit A, Exhibit B, and Exhibit G is zero (0).

Date Introduced: February 14, 2022

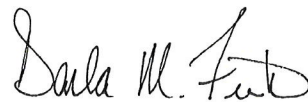
Date Adopted: February 14, 2022

Requested by: Dale A. Youngquist, Village President

Submitted by: Dale A. Youngquist, Village President



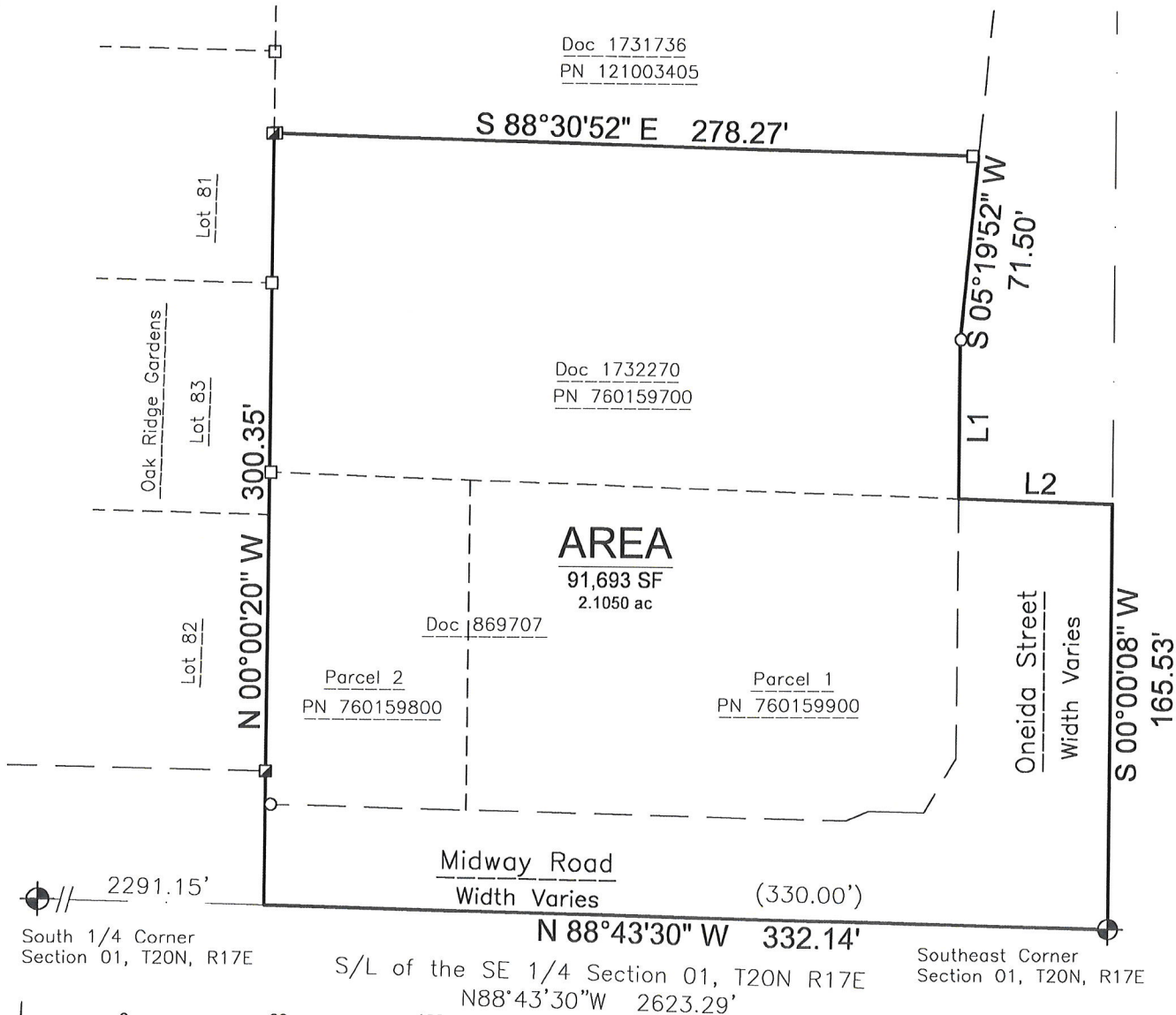
Dale A. Youngquist, Village President



Attest: Darla M. Fink, Village Clerk

Exhibit A

Part of the Southeast 1/4 of the the Southeast 1/4
 Section 01, Township 20 North, Range 17 East,
 City of Menasha, Winnebago County



AREA

91,693 SF
 2.1050 ac

Doc 869707

Parcel 2
 PN 760159800

Parcel 1
 PN 760159900

2291.15'
 South 1/4 Corner
 Section 01, T20N, R17E

N 88°43'30" W 332.14'
 S/L of the SE 1/4 Section 01, T20N R17E
 N88°43'30"W 2623.29'

Southeast Corner
 Section 01, T20N, R17E



Bearings are referenced to the South line of the
 Southeast 1/4, Section 01, T20N, R17E,
 assumed to bear S88°43'30"W, base on the
 Winnebago County Coordinate System.

Note:
 Boundary was determined utilizing existing deed
 descriptions and surveys on file. Due to
 discrepancies in this information some fieldwork
 was done to verify the description no monuments
 were set.



**DAVEL ENGINEERING &
 ENVIRONMENTAL, INC.**

Civil Engineers and Land Surveyors

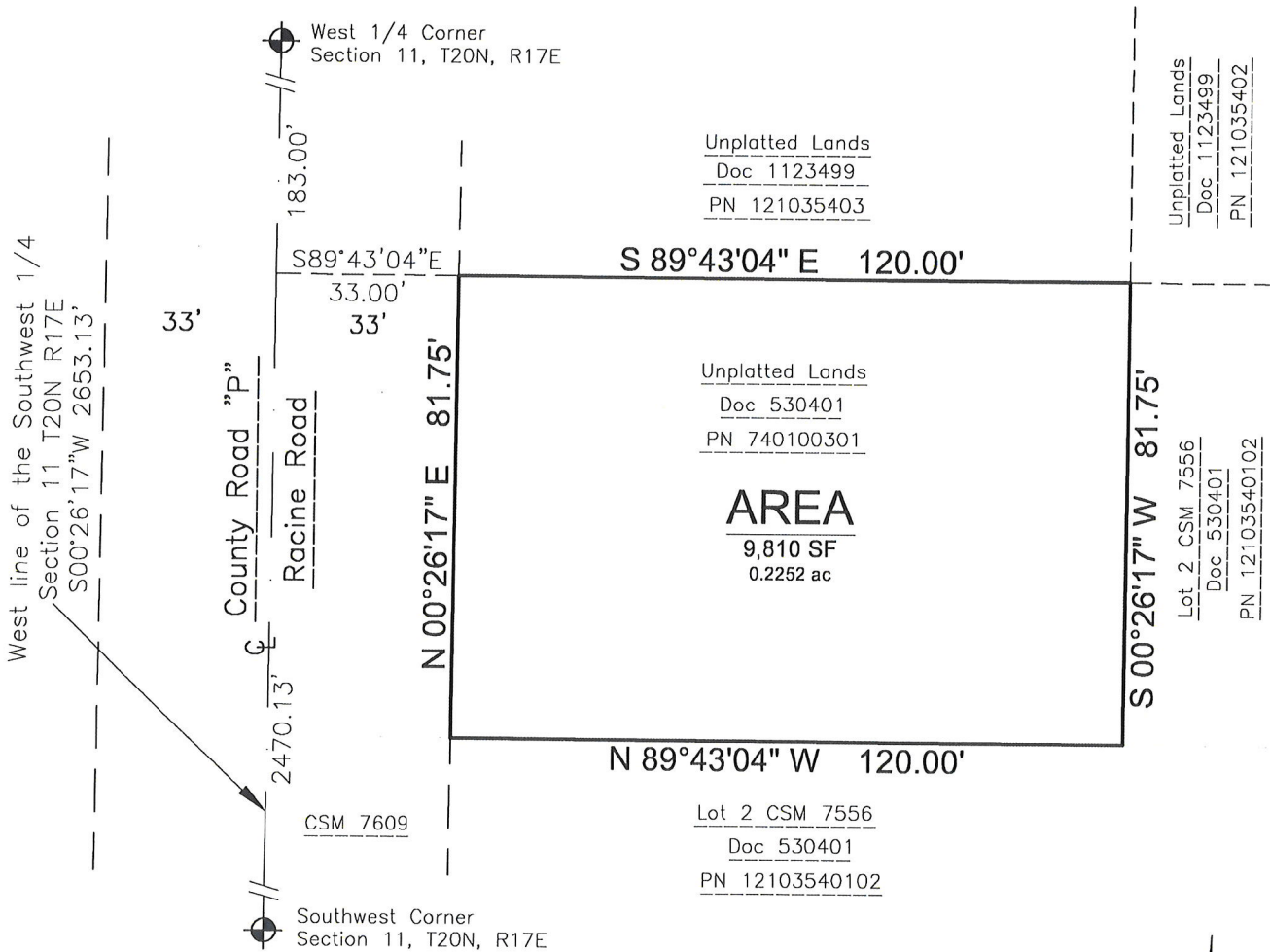
1164 Province Terrace, Menasha, WI 54952
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LINE TABLE		
Line	Bearing	Length
L1	S 00°00'04" W	61.89'
L2	S 88°11'25" E	60.59'

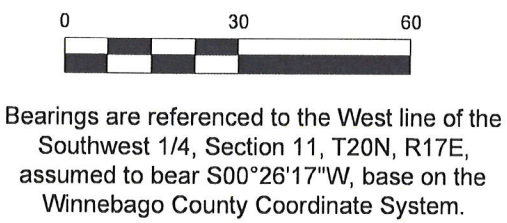
File: 6808Ex1.dwg
 Date: 08/16/2021
 Drafted By: Jim
 Sheet: A

Exhibit B

Part of the Northwest 1/4 of the Southwest 1/4
 Section 11, Township 20 North, Range 17 East,
 City of Menasha, Winnebago County



Note:
 Boundary was determined utilizing existing deed descriptions and surveys on file. No field work verification was performed.



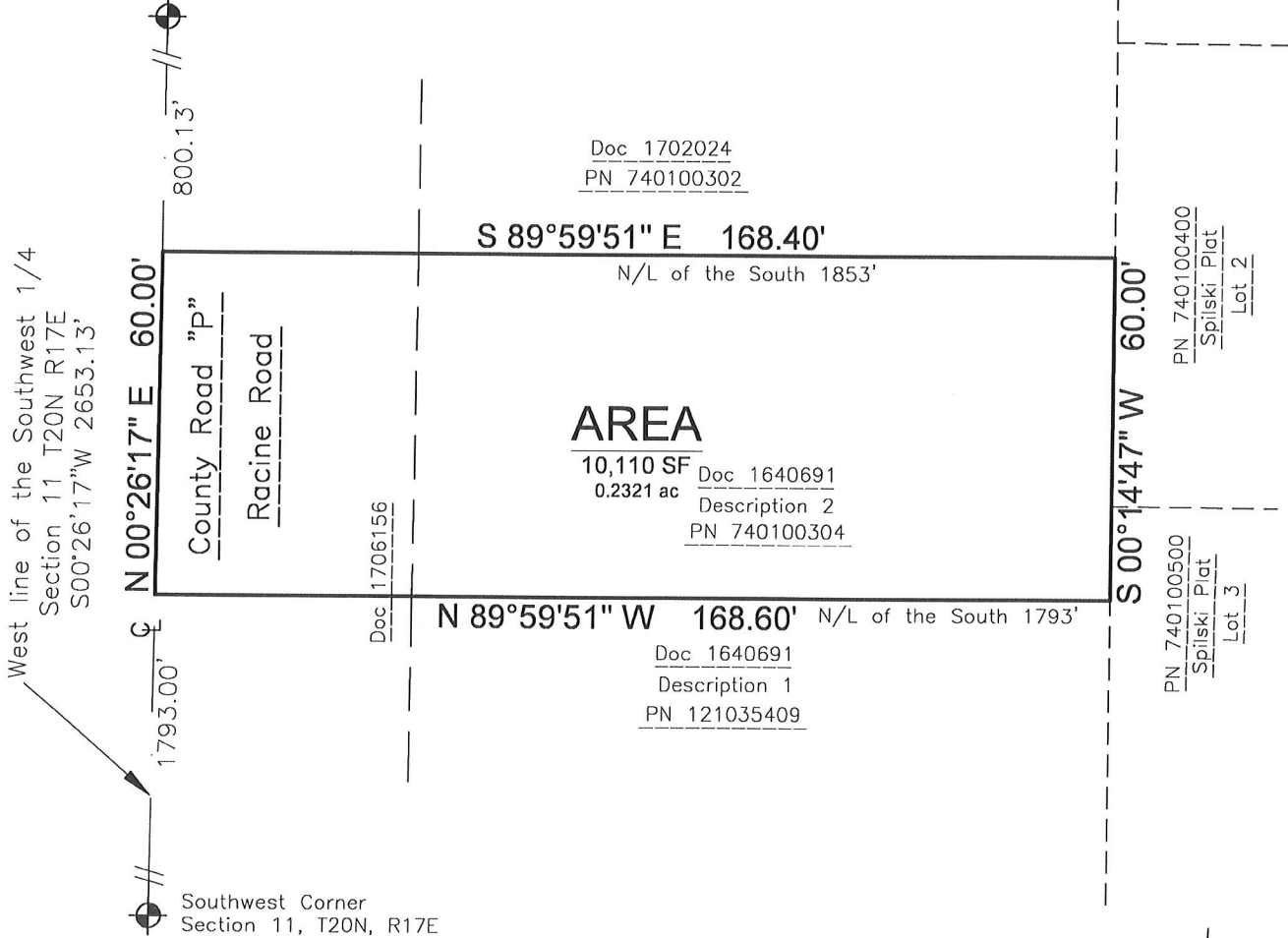
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File: 6808Ex2.dwg
 Date: 08/16/2021
 Drafted By: Jim
 Sheet: B

Exhibit G

Part of the Northwest 1/4 of the the Southwest 1/4
 Section 11, Township 20 North, Range 17 East,
 City of Menasha, Winnebago County

West 1/4 Corner
 Section 11, T20N, R17E



Note:
 Boundary was determined utilizing existing deed descriptions and surveys on file. No field work verification was performed.



Bearings are referenced to the West line of the Southwest 1/4, Section 11, T20N, R17E, assumed to bear S00°26'17"W, base on the Winnebago County Coordinate System.



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File: 6808Ex7.dwg
 Date: 01/12/2022
 Drafted By: Jim
 Sheet: G