

LEGAL SERVICES DEPARTMENT

Office of the City Clerk

100 North Appleton Street Appleton, WI 54911 Phone: 920/832-6443 Fax: 920/832-5823

Municipal Boundary Review

Wisconsin Dept. of Admin.

September 9, 2019

Wisconsin Department of Administration Municipal Boundary Review P. O. Box 1645 Madison, WI 53701-1645

Re: Spartan Drive – Sommers Drive – Edgewood Drive Town of Grand Chute

To Whom It May Concern:

Enclosed please find a copy of the Certificate of Annexation with plat map attached thereto and one certified copy of the Ordinance #90-19 (MBR #14239), detaching a parcel of land from the Town of Grand Chute and annexing the same to the City of Appleton.

The ordinance annexing this territory was published in the official newspaper of the City of Appleton on September 9, 2019.

Sincerely,

Kayla Filen
Deputy City Clerk

Enclosure

CERTIFICATION OF CLERK

I, KAMI LYNCH, the City Clerk of the City of Appleton, Wisconsin, do hereby certify that the attached Ordinance is a true and compared copy of Ordinance #90-19 adopted by the Mayor and Common Council of the City of Appleton, Outagamie/Calumet/Winnebago Counties, at a regular meeting held September 4, 2019.

Dated at Appleton, Wisconsin, this 9th day of September, 2019.

KAMI LYNCH CITY CLERK

(City Seal)

CERTIFICATE OF ANNEXATION City of Appleton

I, KAMI LYNCH, the duly qualified City Clerk of the City of Appleton, County of Outagamie, State of Wisconsin, DO HEREBY CERTIFY, that the following described territory was detached from the Town of Grand Chute and was annexed to said City of Appleton pursuant to 66.0217 of the Wisconsin Statutes of 2013-2014, by an Ordinance adopted by the Common Council at a regular meeting held September 4, 2019.

<u>90-19</u>

AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF APPLETON, WISCONSIN.

Spartan Drive-Sommers Drive-Edgewood Drive Annexation

MBR: 14239

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

Section 1. Territory Annexed. In accordance with §66.0217 of the Wisconsin Statutes for 2017 – 2018 and the *Unanimous Petition for Direct Annexation* filed with the City Clerk on August 1, 2019, the following described territory in the Town of Grand Chute, Outagamie County, Wisconsin, lying contiguous to the City of Appleton, is hereby annexed to the City of Appleton, Wisconsin:

<u>Part of Tax Key #101008901</u> <u>AREA "A"</u>

A part of Lot 1 of Certified Survey Map No. 4225 filed in Volume 23 of Certified Survey Maps on Page 4225 as Document No.1447327, located in and being a part of the Northwest ¼ of the Southwest ¼ of Section 2, Township 21 North, Range 17 East, Town of Grand Chute, Outagamie County, Wisconsin, containing 0.0505 Acres (2,200 sq. ft.) of land and being all those lands of the owner within the following described traverse:

Commencing at the $W^{1/4}$ corner of said Section 2; Thence South 89°57'54" East 1029.19 feet along the North line of the SW $^{1/4}$ of said Section 2; Thence South 00°02'06" West 750.31 feet to the Point of Beginning; Thence South 89°29'31" East 40.00 feet; Thence South 00°30'29" West 55.00 feet to the North line of Spartan Drive; Thence North 89°29'31" West 40.00 feet coincident with the North line of Spartan Drive; Thence North 00°30'29" East 55.00 feet to the point of beginning.

<u>Part of Tax Key #101008901</u> AREA "B"

A part of Lot 1 of Certified Survey Map No. 4225 filed in Volume 23 of Certified Survey Maps on Page 4225 as Document No.1447327, located in and being a part of the Northeast ¼ of the Southwest ¼ of Section 2, Township 21 North, Range 17 East, Town of Grand Chute, Outagamie County, Wisconsin, containing 2.5298 Acres (110,198 sq. ft.) of land and being all those lands of the owner within the following described traverse:

Commencing at the $W^{1/4}$ corner of said Section 2;

Thence South 89°57′54" East 1542.63 feet along the North line of the SW ¼ of said Section 2;

Thence South 00°02'06" West 450.14 feet to the Point of Beginning;

Thence South 89°33'07" East 334.60 feet;

Thence South 55°08'53" East 233.42 feet to the Northwesterly line of Spartan Drive;

Thence South 34°51'07" West 86.19 feet coincident with the Northwesterly line of Spartan Drive;

Thence Southwesterly 200.43 feet along the arc of curve to the right having a radius of 360.00

feet and the chord of which bears South $50^{\circ}48'04''$ West 197.85 feet coincident with the

Northwesterly line of Spartan Drive;

Thence North 23°16'01" West 114.00 feet;

Thence North 89°33'07" West 254.52 feet;

Thence North 04°17′58" West 131.22 feet;

Thence North 08°33'37" West 95.27 feet to the point of beginning.

Part of Tax Key #101008901

AREA "C"

A part of Lot 1 of Certified Survey Map No. 4225 filed in Volume 23 of Certified Survey Maps on Page 4225 as Document No.1447327, located in and being a part of the Northeast ¼ of the Southwest ¼ of Section 2, Township 21 North, Range 17 East, Town of Grand Chute, Outagamie County, Wisconsin, containing 1.5300 Acres (66,647 sq. ft.) of land and being all those lands of the owner within the following described traverse:

Commencing at the W 1/4 corner of said Section 2;

Thence South $89^{\circ}57'54''$ East 1458.72 feet along the North line of the SW $\frac{1}{4}$ of said Section 2; Thence South $00^{\circ}02'06''$ West 888.86 feet to the South line of Spartan Drive and being the Point of Beginning;

Thence South 89°29'31" East 261.74 feet coincident with the South line of Spartan Drive; Thence Easterly 177.73 feet coincident with the South line of Spartan Drive, along the arc of curve to the left having a radius of 440.00 feet and the chord of which bears North 78°56'09" East 176.53 feet;

Thence South 22°45'43" East 34.24 feet; Thence South 73°05'06" West 75.48 feet;

Thence North 78°19'08" West 43.22 feet; Thence South 46°07'08" West 48.53 feet;

Thence South 00°26'53" West 44.85 feet; Thence North 89°33'07" West 32.68 feet;

Thence South 00°26'53" West 348.32 feet to the South line of Lot 1 of Certified Survey Map No. 4225;

Thence North 89°29'24" West 70.00 feet coincident with the South line of Lot 1 of Certified Survey Map No. 4225;

Thence North 00°26'53" East 232.78 feet; Thence North 89°33'07" West 129.63 feet;

Thence North 49°08'54" West 28.78 feet; Thence North 36°59'56" East 49.04 feet;

Thence North 18°19'57" East 31.14 feet; Thence North 07°51'34" East 50.31 feet;

Thence North 70°31'10" West 95.35 feet; Thence North 00°30'29" East 36.18 feet to the point of beginning.

All of Tax Key #101009803, #101009802 and #101009801 AREA "D"

A part of the Southeast ¼ of the Southwest ¼ of Section 2, Township 21 North, Range 17 East, Town of Grand Chute, Outagamie County, Wisconsin, containing 27.7395 Acres (1,208,333 sq. ft.) of land and being all those lands of the owner within the following described traverse:

Commencing at the S 1/4 corner of said Section 2;

Thence North 89°01'08" West 214.20 feet coincident with the South line of the SW ¼ of said Section 2 to the Point of Beginning;

Thence continue North 89°01'08" West 701.87 feet coincident with the South line of the SW ¼ of said Section 2;

Thence North 00°15'16" East 1327.18 feet to the South line of Lot 1 of Certified Survey Map No. 4225;

Thence South 89°29'24" East 916.01 feet coincident with the South line of Lot 1 of said Certified Survey Map No. 4225 to the East line of the SW ¼ of said Section 2;

Thence South 00°15'16" West 1283.40 feet coincident with the East line of the SW ¼ of said Section 2 to the North line of Edgewood Drive (C.T.H. "JJ");

Thence Westerly 214.19 feet along the arc of a curve to the right having a radius of 22,868.31 feet and the chord of which bears North 89°21'54" West 214.19 feet and being coincident with the North line of Edgewood Drive (C.T.H. "JJ");

Thence South $00^{\circ}15'19''$ West 50.02 feet to the South line of the SW $\frac{1}{4}$ of said Section 2 and being the point of beginning.

The current population of such territory is 2 people.

Section 2. <u>Effect of Annexation</u>. From and after the date of this ordinance, the territory described in Section 1 shall be a part of the City of Appleton 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 Appleton.

Section 3. Ward Designation. The territory described in Section 1 of this ordinance is hereby made a part of the Twentieth (20th) Ward, attached to the Seventh (7th) Aldermanic District of the City of

Appleton, Outagamie County, subject to the ordinances, rules and regulations of the City governing wards.

Section 4. Zoning Classification. The territory described in Section 1 is hereby zoned as follows, pursuant to §66.0217(7)(a), Stats., and §23-65(e), Appleton Municipal Code:

Temporary AG (Temporary Agricultural District)

Section 5. <u>Severability</u>. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance, which can be given without the invalid or unconstitutional provision or application.

Section 6. Effective Date. This ordinance shall take effect upon passage and publication.

KAMI LYNCH CITY CLERK

ANNEXATION EXHIBIT

Part of Lot 1 of Certified Survey Map No.4225 recorded in Volume 23 of Certified Survey Maps on Page 4225 as Document No. 1447327 and a part of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of Section 2, Township 21 North, Range 17 East, Town of Grand Chute, Outagamie County, Wisconsin. \$89*33'07*E\ 334,60 S00*1515*W 2669. AREA "B" 110,198 SQ. FT. 2,5298 Ac. ARBB FARM, LLC Parcel No.101008901 Pt. Lol 1, CSM #4225 ARBB FARM, LLC Parcel No.31-6-6000-00 R = 360,00° ARC = 200,43° Pl. Lot 1, C.S.M. #4225 Town of Grand Chute CH = S50*48'04"W S 254.52 \$89'33'07'E 245,50' AREA "A" -2,200 SQ, FT. 0,0505 Ac. 94,66 CITY OF APPLETON C. APPLETON 31-5-6001-01 31-6-6001-00 of 1. C.S.M. 7315 SPARTAN DRIVE CITY OF APPLETON ---/ Outlot 2, C.S.M. NO. 7316 S89*29'31*E Parcel No.31-6-6001-02 BE-1877 AREA "C" 66,647 SQ, FT, 1,5300 Ac. ARBB FARM, U.C. ARBB FARM, LLC 348.32 DRIVE Parcel No.101008901 Pt. Lot 1, GSM #4225 Parcel No.101008901 N89°33'07"W 129,63 Pl. Lot 1. CSM #4225 FUTURE Town of Grand Chule 232.78 SOMMERS S00"26'53"W LDT 181 LOT 122 CREEN \$89°29'24'E 94.31' ZEG ABBIT T, OF GRAND CHUIS S89*29'24"E 751.70 S89*29'24*E 916.01 LOT 123 IGT 124 AREA "D" 1,208,333 SQ, FT. 27,7395 Ac. LOT 125 CITY OF APPLETON CITY OF APPLETON ROBERT BURNS Parcel No.101009803 Parcel No.101009801 Parcel No. 101003800 Pt. SE 1/4 of the SW 1/4 of Section 2-21-17 Pt. SE 1/4 of the SW 1/4 Section 2-21-17 Pt S 1/4 of the SW 1/4 of Section 2-21-17 LOT 126 TABLE LINE CURVE DATA TABLE S22'45'43"E 34.24 N78'19'08"W 43.22 S46'07'08"W 48.53 CURVE LCB RADIUS LENGTH LC C1 440.00 177.73' 176.53' N78'56'09"E \$46.07.08 W 48.53 \$00.26.53 W 44.85 \$89.33.07 W 32.68 \$89.29.24 W 70.00 \$49.08.54 W 28.78 \$36.59.56 E 49.04 19 N18 19 57 E 31.14 N00'30'29"E 36,18' N89'29'31"W 40.00' N00'30'29"E 55.00' S89'29'31"E 40.00' BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, OUTAGAMIE COUNTY, SOUTH LINE OF SW 144 SECTION 2, T.21N., R.17E.; WHICH BEARS NES'01'08'W H:\Acad\Annex\2019\Spartan_Sommers_and _110_210 Edgewood_0506_2019 SCALE IN FEET 150' CITY OF APPLETON CITY OF APPLETON 50,02 Parcel No.101009802 DEPT. OF PUBLIC WORKS Pt. SE 1/4 of the SW 1/4 Section 2-21-17 N89°21'54'W 214.19 ENGINEERING DIVISION Radius = 22,868,31° Arc Length = 214,19° 100 NORTH APPLETON STREET EDGEWOOD DRIVE (C.T.H. "JJ") APPLETON, WI 54911 920-832-6474 N89"01'08"W DRAFTED BY: T. KROMM T. GRAND CHUTE CITY OF APPLETON

ADOPTED: September 4, 2019 PUBLISHED: September 9, 2019 Office of the City Clerk

90-19

AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF APPLETON, WISCONSIN.

Spartan Drive-Sommers Drive-Edgewood Drive Annexation MBR: 14239

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

Section 1. <u>Territory Annexed</u>. In accordance with §66.0217 of the Wisconsin Statutes for 2017 – 2018 and the *Unanimous Petition for Direct Annexation* filed with the City Clerk on August 1, 2019, the following described territory in the Town of Grand Chute, Outagamie County, Wisconsin, lying contiguous to the City of Appleton, is hereby annexed to the City of Appleton, Wisconsin:

<u>Part of Tax Key #101008901</u> <u>AREA "A"</u>

A part of Lot 1 of Certified Survey Map No. 4225 filed in Volume 23 of Certified Survey Maps on Page 4225 as Document No.1447327, located in and being a part of the Northwest ¼ of the Southwest ¼ of Section 2, Township 21 North, Range 17 East, Town of Grand Chute, Outagamie County, Wisconsin, containing 0.0505 Acres (2,200 sq. ft.) of land and being all those lands of the owner within the following described traverse:

Commencing at the W 1/4 corner of said Section 2;

Thence South 89°57'54" East 1029.19 feet along the North line of the SW $\frac{1}{4}$ of said Section 2;

Thence South 00°02'06" West 750.31 feet to the Point of Beginning;

Thence South 89°29'31" East 40.00 feet;

Thence South 00°30'29" West 55.00 feet to the North line of Spartan Drive;

Thence North 89°29'31" West 40.00 feet coincident with the North line of Spartan Drive;

Thence North 00°30'29" East 55.00 feet to the point of beginning.

<u>Part of Tax Kev #101008901</u> AREA "B"

A part of Lot 1 of Certified Survey Map No. 4225 filed in Volume 23 of Certified Survey Maps on Page 4225 as Document No.1447327, located in and being a part of the Northeast ¼ of the Southwest ¼ of Section 2, Township 21 North, Range 17 East, Town

of Grand Chute, Outagamie County, Wisconsin, containing 2.5298 Acres (110,198 sq. ft.) of land and being all those lands of the owner within the following described traverse:

Commencing at the W 1/4 corner of said Section 2;

Thence South $89^{\circ}57'54''$ East 1542.63 feet along the North line of the SW $\frac{1}{4}$ of said Section 2;

Thence South 00°02'06" West 450.14 feet to the Point of Beginning;

Thence South 89°33'07" East 334.60 feet;

Thence South $55^{\circ}08'53''$ East 233.42 feet to the Northwesterly line of Spartan Drive;

Thence South 34°51'07" West 86.19 feet coincident with the Northwesterly line of Spartan Drive:

Thence Southwesterly 200.43 feet along the arc of curve to the right having a radius of 360.00 feet and the chord of which bears South 50°48'04" West 197.85 feet coincident with the Northwesterly line of Spartan Drive;

Thence North 23°16'01" West 114.00 feet;

Thence North 89°33'07" West 254.52 feet;

Thence North 04°17'58" West 131.22 feet;

Thence North 08°33'37" West 95.27 feet to the point of beginning.

<u>Part of Tax Key #101008901</u> AREA "C"

A part of Lot 1 of Certified Survey Map No. 4225 filed in Volume 23 of Certified Survey Maps on Page 4225 as Document No.1447327, located in and being a part of the Northeast ¼ of the Southwest ¼ of Section 2, Township 21 North, Range 17 East, Town of Grand Chute, Outagamie County, Wisconsin, containing 1.5300 Acres (66,647 sq. ft.) of land and being all those lands of the owner within the following described traverse:

Commencing at the $W^{1/4}$ corner of said Section 2;

Thence South $89^{\circ}57'54''$ East 1458.72 feet along the North line of the SW $\frac{1}{4}$ of said Section 2;

Thence South 00°02'06" West 888.86 feet to the South line of Spartan Drive and being the Point of Beginning;

Thence South 89°29'31" East 261.74 feet coincident with the South line of Spartan Drive; Thence Easterly 177.73 feet coincident with the South line of Spartan Drive, along the arc of curve to the left having a radius of 440.00 feet and the chord of which bears North 78°56'09" East 176.53 feet;

Thence South 22°45'43" East 34.24 feet; Thence South 73°05'06" West 75.48 feet; Thence North 78°19'08" West 43.22 feet; Thence South 46°07'08" West 48.53 feet; Thence South 00°26'53" West 44.85 feet; Thence North 89°33'07" West 32.68 feet; Thence South 00°26'53" West 348.32 feet to the South line of Lot 1 of Certified Survey Map No. 4225;

Thence North 89°29'24" West 70.00 feet coincident with the South line of Lot 1 of Certified Survey Map No. 4225;

Thence North 00°26'53" East 232.78 feet; Thence North 89°33'07" West 129.63 feet; Thence North 49°08'54" West 28.78 feet; Thence North 36°59'56" East 49.04 feet; Thence North 18°19'57" East 31.14 feet; Thence North 07°51'34" East 50.31 feet;

Thence North 70°31'10" West 95.35 feet; Thence North 00°30'29" East 36.18 feet to the point of beginning.

All of Tax Key #101009803, #101009802 and #101009801 AREA "D"

A part of the Southeast ¼ of the Southwest ¼ of Section 2, Township 21 North, Range 17 East, Town of Grand Chute, Outagamie County, Wisconsin, containing 27.7395 Acres (1,208,333 sq. ft.) of land and being all those lands of the owner within the following described traverse:

Commencing at the $S^{1/4}$ corner of said Section 2;

Thence North 89°01'08" West 214.20 feet coincident with the South line of the SW ¼ of said Section 2 to the Point of Beginning;

Thence continue North 89°01'08" West 701.87 feet coincident with the South line of the SW ¼ of said Section 2;

Thence North 00°15'16" East 1327.18 feet to the South line of Lot 1 of Certified Survey Map No. 4225;

Thence South 89°29'24" East 916.01 feet coincident with the South line of Lot 1 of said Certified Survey Map No. 4225 to the East line of the SW ¼ of said Section 2;

Thence South 00°15'16" West 1283.40 feet coincident with the East line of the SW ¼ of said Section 2 to the North line of Edgewood Drive (C.T.H. "JJ");

Thence Westerly 214.19 feet along the arc of a curve to the right having a radius of 22,868.31 feet and the chord of which bears North 89°21'54" West 214.19 feet and being coincident with the North line of Edgewood Drive (C.T.H. "JJ");

Thence South $00^{\circ}15'19''$ West 50.02 feet to the South line of the SW $\frac{1}{4}$ of said Section 2 and being the point of beginning.

The current population of such territory is 2 people.

Section 2. <u>Effect of Annexation</u>. From and after the date of this ordinance, the territory described in Section 1 shall be a part of the City of Appleton 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 Appleton.

Section 3. <u>Ward Designation</u>. The territory described in Section 1 of this ordinance is hereby made a part of the Twentieth (20th) Ward, attached to the Seventh (7th) Aldermanic

District of the City of Appleton, Outagamie County, subject to the ordinances, rules and regulations of the City governing wards.

Section 4. Zoning Classification. The territory described in Section 1 is hereby zoned as follows, pursuant to §66.0217(7)(a), Stats., and §23-65(e), Appleton Municipal Code:

Temporary AG (Temporary Agricultural District)

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

Section 6. Effective Date. This ordinance shall take effect upon passage and publication.

Dated: September 4, 2019

M. Hanna, Mayor