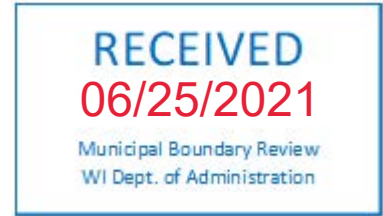


ORD11335



City of Delavan  
123 S Second Street  
PO Box 465  
Delavan, WI 53115



**CERTIFICATE OF CITY CLERK**

STATE OF WISCONSIN    )  
  )  
COUNTY of WALWORTH    )

I, Andrea White, hereby certify that I am the duly appointed City Clerk for the City of Delavan, Walworth County, Wisconsin, and as such, have charge of the official records of the City.

I further certify that the attached is a true and correct copy of Ordinance RC-443 as adopted by the City of Delavan Common Council on June 15, 2021, and the original is on file in the City Clerk's office. Said Ordinance annexes property from the Town of Delavan into the City of Delavan upon Unanimous Petition for Direct Annexation of Lands pursuant to Wis. Stats. §66.0217(2). A Boundary Agreement pursuant to Wis. Stats. §66.0301 between the Town of Delavan and City of Delavan, dated June 27, 2016, waives certain rights for annexations from within the City Growth Area. The population of the territory being annexed is zero (0) persons. The MBR number is 14388. The 9.45-acre annexation includes all of parcel F D 1600001C.

I further certify that, prior to the annexation, these lands were within the Delavan Darien School District, and after said annexation, remain in the same school district.

In witness whereof, I have hereunto set my hand and the seal of the City of Delavan, this 25<sup>th</sup> day of June, 2021.

  
\_\_\_\_\_  
Andrea White, City Clerk

**ORDINANCE RC-443**  
**An ordinance annexing certain contiguous land located**  
**in the Town of Delavan, Walworth County, Wisconsin.**  
**MBR 14388**

**WHEREAS**, Patrick J. Watts has filed with the City Clerk of the City of Delavan a Unanimous Petition for Direct Annexation of lands situated in the Town of Delavan, as the sole owner of said land proposed for annexation, and said petition containing a description of the territory proposed to be annexed, sufficiently accurate to determine its location, and having attached thereto scale maps reasonably showing the boundaries of such territory and the relation of the territory to the municipalities involved, subject to approval and execution of the Annexation Agreement; and

**WHEREAS**, Patrick J. Watts owns the real property described in said petition attached hereto, all of said described land being referred to herein as the “territory proposed to be annexed”; and

**WHEREAS**, the parcel of land described herein, and comprising territory proposed to be annexed, is contiguous to the City; and

**WHEREAS**, said petition states that there are no electors residing in said territory proposed to be annexed; and

**WHEREAS**, said Unanimous Petition for Direct Annexation, together with legal description and attached scale maps showing the boundaries of such territory to be annexed and the relation of the territory to the City to which annexation is requested, were filed on April 13, 2021 with the City Clerk of the City of Delavan, and said petition together with legal description and attached scale map, were also mailed to the Town Clerk of the Town of Delavan on April 13, 2021; and

**WHEREAS**, copy of said Petition for Direct Annexation, together with the legal description and attached scale maps were received by the Wisconsin Department of Administration on April 16, 2021; and

**WHEREAS**, the Wisconsin Department of Administration has responded by letter dated May 7, 2021, and stated that it has reviewed the proposed annexation and found it to be in the public interest, which letter has been duly considered and reviewed by the Council; and

**WHEREAS**, the proposed annexation, including the proposed temporary zoning classification of Manufacturing Light (ML) for the subject territory have been referred to the Plan Commission of this City and said Commission has on May 3, 2021 recommended annexing said territory and giving the same the requested temporary zoning classification of Manufacturing Light (ML); and

**WHEREAS**, the Common Council makes the following findings with respect to the territory proposed to be annexed, to-wit:

1. That the annexation of said property to the City of Delavan is in the public interest.
2. That said contiguous lands of the territory proposed to be annexed and the future use thereof will be important to the future quality of life of this City.

**NOW, THEREFORE**, The Common Council of the City of Delavan, Walworth County, Wisconsin, does ordain as follows:

1. The described lands located in the Town of Delavan, Walworth County, Wisconsin, comprising the territory to be annexed, as described as follows, be and the same is hereby annexed to the City of Delavan;

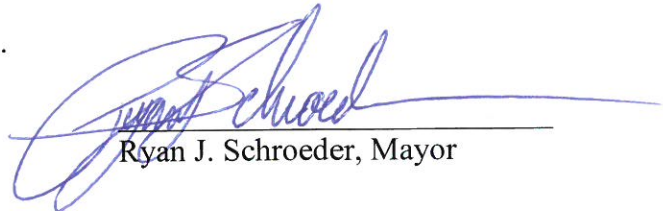
An area of lands located in the southeast one-quarter of Section 9, T2N, R16E and the northeast one-quarter of Section 16, T2N, R16E, of the 4<sup>th</sup> Principal Meridian, Township of Delavan, County of Walworth, State of Wisconsin; being more particularly described as:

Commencing at the North  $\frac{1}{4}$  Corner of Section 16, T2N, R16E; thence N88°29'50"E along the north line of said section 561.00 feet to the point of beginning; thence continuing N88°29'50"E along said north line 240.60 feet; thence N01°30'10"W 33.00 feet; thence N48°22'45"E 405.12 feet; thence S01°32'54"E 86.23 feet to the northwest right-of-way of Interstate 43; thence S48°22'45"W along said northwest right-of-way 245.18 feet; thence S88°29'50"W 51.35 feet; thence S01°30'10"E 33.00 feet to the centerline of Mound Road and the north line of said Section; thence N88°29'50"E along said north line 601.3 feet; thence S01°30'10"E 33.00 feet to the southeast right-of-way Interstate 43; thence S48°00'03"W along said southeast right-of-way 782.59 feet; thence S35°30'34"W along said right-of-way 489.02 feet; thence N01°39'58"W 512.8 feet to the northwest right-of-way of Interstate 43; thence continuing N01°39'58"W 418.08 feet to the point of beginning.

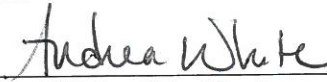
2. That the land described is hereby annexed to and made part of the fourteenth Ward in the Third Aldermanic District of the City of Delavan;
3. Upon recommendation of the Planning Commission, the territory annexed to the City of Delavan by this Ordinance is temporarily zoned pursuant to Section 66.0217(8)(a) of the Wisconsin Statutes as Manufacturing Light (ML);
4. That the Town of Delavan and the City of Delavan have a boundary agreement pursuant to Wisconsin Statutes 66.0301 waiving certain rights for annexations from within the City Growth Area.

5. That the land described is hereby annexed to and made part of the Lake Comus Protection and Rehabilitation District.
6. The annexation hereby effected is and shall be effective upon the final enactment of this annexation ordinance.
7. 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 effect without the invalid or unconstitutional provision or application.
8. The Clerk shall file immediately with the Secretary of Administration a certified copy of the ordinance, certificate, and plat, and shall send one copy to each company that provides any utility service in the area that is annexed. The clerk shall record the ordinance with the Register of Deeds and file a signed copy of the ordinance with the clerk of the of the Delavan-Darien School District, describing the territory which is hereby annexed and the associated population of zero (0).

Adopted this 15<sup>th</sup> day of June, 2021.

  
Ryan J. Schroeder, Mayor

Attest:

  
Andrea White, City Clerk

