

OFFICE OF THE CITY CLERK

Michelle Luedtke, City Clerk

Renee J. Tadych, Deputy City Clerk

2000 North Calhoun Road

Brookfield, Wisconsin 53005-5095

(262) 782-9650 Fax (262) 796-6671 **ORD11704**

RECEIVED

September 21, 2023

Municipal Boundary Review
Wisconsin Dept. of Admin.

CERTIFICATION

I, Renee J. Tadych, duly appointed as Deputy City Clerk of the City of Brookfield, Waukesha County, State of Wisconsin, do hereby certify that attached Ordinance No. 2845-23 approved on September 19, 2023, annexing land from the Town of Brookfield to the City of Brookfield and assigning temporary zoning, is a true and correct copy of the original.

In testimony whereof I have hereunto set my hand and affixed the seal of said City of Brookfield in said County and State this 21st day of September, 2023.

Deputy City Clerk
Official Position

Renee J. Tadych
Signature



Ordinance No. 2845-23 for the City of Brookfield, Wisconsin

Ordinance Title: An Ordinance Annexing Land from the Town of Brookfield

WHEREAS, the City of Brookfield received a petition for annexation of land in the Town of Brookfield from Rupesh Agrawal, on August 7, 2023; and,

WHEREAS, the Department of Administration, Municipal Boundary Review Division, reviewed the proposed annexation petition and found it to be in the public interest per its August 31, 2023, letter; and,

WHEREAS, the Common Council has reviewed the Department of Administration's findings; and

WHEREAS, the Plan Commission reviewed the petition for annexation at its September 11, 2023, meeting and recommended temporary zoning as R-2 Single-family residence with Floodway, Flood Fringe, and Wetland preservation overlay Districts as appropriate; and

WHEREAS, the Common Council has reviewed the Plan Commission's recommendation; and

WHEREAS, the annexation petition appears to meet the requirements of §66.0217, Wisconsin Statutes; and,

WHEREAS, based on the Department of Administration determination and the Plan Commission recommendation, the Common Council has determined that it is in the best interest of the City of Brookfield to annex the territory described in the Agrawal annexation petition.

Now therefore, the Common Council of the City of Brookfield hereby enacts the following ordinance:

SECTION 1: Annexation.

That the territory described in the Agrawal August 7, 2023, annexation petition which is attached to this ordinance as Exhibit A and incorporated as if fully set forth herein is hereby annexed to the City of Brookfield. The population of this territory is 0.

SECTION 2: Temporary Zoning.

That the annexed territory shall be temporarily zoned as R-2 Single-family Residence District with Floodway, Flood Fringe, and Wetland Preservation Overlay Districts.

SECTION 3: Ward.

That the annexed territory shall be in Aldermanic District 2, Ward 5.

SECTION 4: Payment to Town as required by Statute.

The City agrees to pay annually to the Town of Brookfield, for 5 years, an amount equal to the amount of property taxes that the Town levied on the annexed territory, as shown by the 2023 tax roll under §70.65, Stats., pursuant to §66.0217(14)(a)1., Stats.

SECTION 5: Severability.

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or

Ordinance No. 2845-23 for the City of Brookfield, Wisconsin

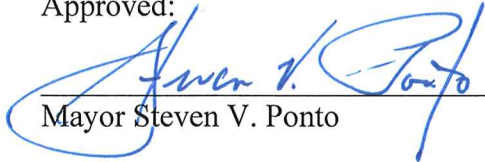
portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinance whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 6: Effective Date.

This ordinance is effective upon enactment pursuant to §66.0217(8)(c), Stats.

Adopted this 19th day of September 2023.

Approved:



Mayor Steven V. Ponto

Attested:



City Clerk Michelle Luedtke

Publication Date: September 23, 2023

EXHIBIT A

ANNEXATION EXHIBIT "A"

SITUATED ON WEST SIDE OF LANNON ROAD (SOUTH OF LISBON ROAD), IN THE TOWN OF BROOKFIELD, WAUKESHA COUNTY, WISCONSIN.

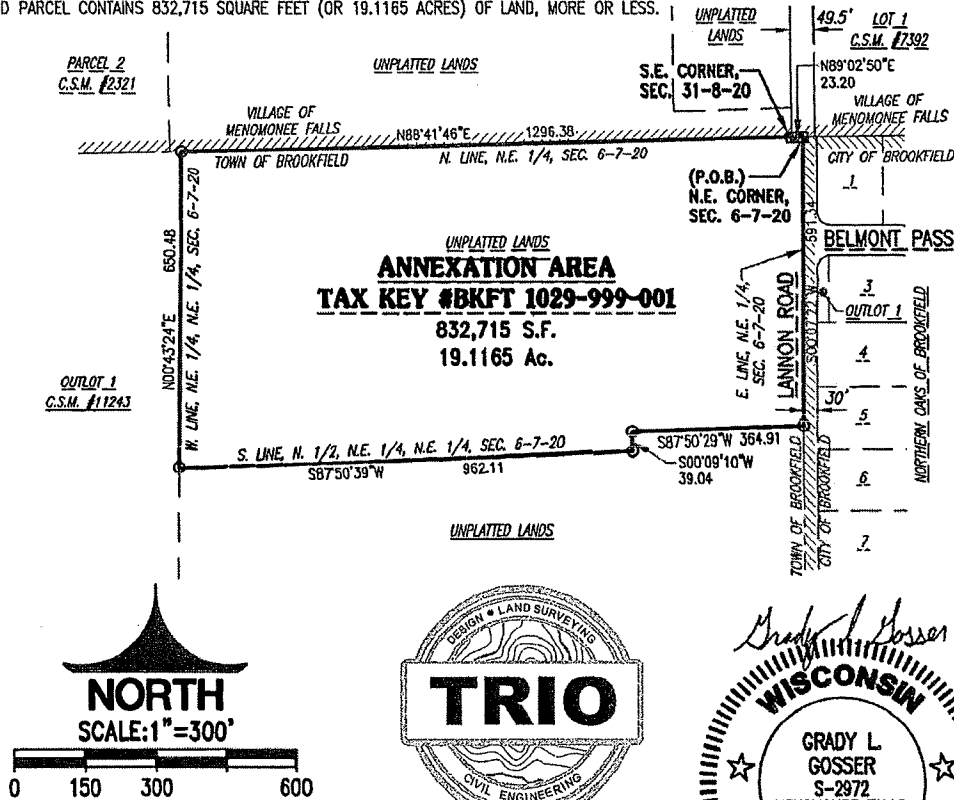
LEGAL DESCRIPTION:

ALL THAT PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 6, TOWN 7 NORTH, RANGE 20 EAST, IN THE TOWN OF BROOKFIELD, WAUKESHA COUNTY, WISCONSIN, NOW BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SAID NORTHEAST 1/4 SECTION; SAID POINT BEING THE PLACE OF BEGINNING OF LANDS
HEREINAFTER DESCRIBED;

THENCE SOUTH 00°07'22" WEST AND ALONG THE EAST LINE OF THE SAID NORTHEAST 1/4 SECTION, 591.34 FEET TO A POINT; THENCE SOUTH 87°50'29" WEST AND ALONG THE NORTH LINE OF LANDS DESCRIBED IN DOCUMENT NO. 4240985, 364.91 FEET TO A POINT; THENCE SOUTH 00°09'10" WEST AND ALONG THE WEST LINE OF SAID LANDS DESCRIBED IN SAID DOCUMENT NO. 4240985, 39.04 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 1/2 OF THE SAID NORTHEAST 1/4 OF THE SAID NORTHEAST 1/4 SECTION; THENCE SOUTH 87°50'39" WEST AND ALONG THE SAID SOUTH LINE OF THE SAID NORTH 1/2, 962.11 FEET TO A POINT ON THE WEST LINE OF THE SAID NORTHEAST 1/4 OF THE SAID NORTHEAST 1/4 SECTION; THENCE NORTH 00°43'24" EAST AND ALONG THE SAID WEST LINE OF THE SAID NORTHEAST 1/4 OF THE SAID NORTHEAST 1/4 SECTION, 650.48 FEET TO A POINT ON THE NORTH LINE OF THE SAID NORTHEAST 1/4 SECTION; THENCE NORTH 88°41'46" EAST AND ALONG THE SAID NORTH LINE OF THE SAID NORTHEAST 1/4 SECTION, 1296.38 FEET TO A POINT MARKING THE SOUTHEAST CORNER OF SECTION 31, TOWN 8 NORTH, RANGE 20 EAST; THENCE NORTH 89°02'50" EAST AND ALONG THE SAID NORTH LINE OF THE SAID NORTHEAST 1/4 SECTION, 23.20 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION.

SAID PARCEL CONTAINS 832,715 SQUARE FEET (OR 19.1165 ACRES) OF LAND, MORE OR LESS.



NOTE:

ALL BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD-83(11)), IN WHICH THE EAST LINE OF THE N.E. 1/4 OF SECTION 6, TOWN 7 NORTH, RANGE 20 EAST, BEARS N00°07'22"E.

**4100 N. Calhoun Road
Suite 800
Brookfield, WI 53005
Phone: (262) 790-1480
Fax: (262) 790-1481**

THIS EXHIBIT WAS PREPARED BY GRADY L. GOSSER, P.L.S. (S-2972)

DATE: 06/05/23

ARGAWAL PROPERTY ANNEXATION LEGAL DESCRIPTION

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COMMENCING AT THE NORTHEAST CORNER OF THE SAID NORTHEAST 1/4 SECTION; SAID POINT BEING THE PLACE OF BEGINNING OF LANDS HEREINAFTER DESCRIBED;

THENCE SOUTH 00°07'22" WEST AND ALONG THE EAST LINE OF THE SAID NORTHEAST 1/4 SECTION, 591.34 FEET TO A POINT; THENCE SOUTH 87°50'29" WEST AND ALONG THE NORTH LINE OF LANDS DESCRIBED IN DOCUMENT NO. 4240985, 364.91 FEET TO A POINT; THENCE SOUTH 00°09'10" WEST AND ALONG THE WEST LINE OF SAID LANDS DESCRIBED IN SAID DOCUMENT NO. 4240985, 39.04 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 1/2 OF THE SAID NORTHEAST 1/4 OF THE SAID NORTHEAST 1/4 SECTION; THENCE SOUTH 87°50'39" WEST AND ALONG THE SAID SOUTH LINE OF THE SAID NORTH 1/2, 962.11 FEET TO A POINT ON THE WEST LINE OF THE SAID NORTHEAST 1/4 OF THE SAID NORTHEAST 1/4 SECTION; THENCE NORTH 00°43'24" EAST AND ALONG THE SAID WEST LINE OF THE SAID NORTHEAST 1/4 OF THE SAID NORTHEAST 1/4 SECTION, 650.48 FEET TO A POINT ON THE NORTH LINE OF THE SAID NORTHEAST 1/4 SECTION; THENCE NORTH 88°41'46" EAST AND ALONG THE SAID NORTH LINE OF THE SAID NORTHEAST 1/4 SECTION, 1296.38 FEET TO A POINT MARKING THE SOUTHEAST CORNER OF SECTION 31, TOWN 8 NORTH, RANGE 20 EAST; THENCE NORTH 89°02'50" EAST AND ALONG THE SAID NORTH LINE OF THE SAID NORTHEAST 1/4 SECTION, 23.20 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION.

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