



**ORDINANCE NO. 259**  
**AN ORDINANCE TO ANNEX CERTAIN LANDS IN THE TOWN OF EAGLE**  
**TO THE VILLAGE OF EAGLE, WISCONSIN**

WHEREAS the Petitioner, Bielinski Homes, Inc., filed a Petition for Direct Annexation by Unanimous Approval pursuant to Wis. Stats. §66.0217(2) on December 28, 2023; and WHEREAS, the Petitioner is the sole owner of territory located in the Town of Eagle, Wisconsin which is proposed by the Petitioner to be annexed to the Village of Eagle; and

WHEREAS the Petitioner represents in their Petition that the territory proposed to be annexed has a total population of zero (0) and has a total number of qualified electors residing in said territory of zero (0); and

WHEREAS the Village of Eagle Planning Commission received and considered the Petition at its meeting on February 27, 2024, and finding the Petition in order, approved said Petition and recommended its approval to the Village Board; and

WHEREAS the Petitioner submitted a Request for Annexation Review to the Wisconsin Department of Administration on December 28, 2023, and the Department of Administration found the proposed annexation to be in the public interest and approved the proposed annexation by letter dated January 23, 2024, a copy of which is attached hereto as Exhibit "B" and fully incorporated herein; and

WHEREAS the Village Board received the Petition with the Planning Commission's recommendation for approval and the Department of Administration's findings and considered the Petition at its meeting on March 14, 2024; and

WHEREAS the Village Board found the Petition to be in order and in the best interests of the Village and the public, and approved said petition after a motion duly made, seconded, and carried by a two-thirds majority of votes; and

NOW, THEREFORE, the Village Board of the Village of Eagle, Wisconsin do ordain as follows:

**SECTION I. TERRITORY ANNEXED.** The following-described lands in the Town of Eagle, Waukesha County, Wisconsin, are hereby annexed to the Village of Eagle, pursuant to Wis. Stats. §66.0217(2):

*All that part of Lot 1 of Certified Survey Map Number 9371, being located in a part of the Southeast 1/4 of Section 21, Township 5 North, Range 17 East, in the Town of Eagle, Waukesha County, Wisconsin, now being more particularly bounded and described as follows:*

*Commencing at the Northeast corner of said Southeast 1/4 Section, Thence South 01°12'34" East along the East line of said Southeast 1/4, 959.92 feet to the place of beginning of the lands hereinafter described.*

*Thence continuing South 01°12'34" East along said East line, 287.45 feet to a point on the Southerly line of said Lot 1; Thence North 58°23'58" West along said Southerly line, 121.38 feet to a point on the West line of said Lot 1; Thence North 25°16'21" West along said West line, 160.00 feet to a point on the South Right-of-Way of the "Wisconsin and Southern Railroad"; Thence Northeasterly 150.21 feet along the arc of a curve whose center lies to the Northwest, whose radius is 4944.07, whose central angle is 01°44'27" and whose chord bears North 64°37'44" East along said South line, 150.20 feet to a point; Thence North 63°45'31" East along said South line, 33.35 feet to the point of beginning of this description.*

*Said Lands contains 29,251 Square Feet (or 0.6715 Acres) of land, more or less.*

**SECTION II. EFFECT OF ANNEXATION.** From and after the date of this ordinance the territory described in Section I shall be a part of the Village of Eagle 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 Village of Eagle. The annexed lands are made a part of Ward of the Village of Eagle.

**SECTION III. TEMPORARY ZONING CLASSIFICATION.** Pursuant to Village Code Section 15.06.010, annexations to the Village shall be temporarily placed in the A-2 limited agricultural district, unless the annexation ordinance temporarily places the land in another district. The territory annexed to the Village of Eagle is hereby temporarily zoned A-2 limited agricultural district. Within 6 months, the Village Planning Commission shall evaluate and recommend a permanent zoning classification to the Village Board.

**SECTION IV. ORDINANCE AND PLAT TO BE FILED WITH THE DEPARTMENT OF ADMINISTRATION.** Attached hereto as Exhibit "A", and fully incorporated herein, is a plat showing the boundaries of the annexed territory. The Village Clerk is directed to file certified copies of this ordinance and plat with the office of the State of Wisconsin Department of Administration as required by law and to deliver, within 5 days thereafter, a certified copy of this ordinance to the Waukesha County Clerk. The Village Clerk is further directed to record a copy of this ordinance with the Waukesha County Register of Deeds. A copy of this ordinance shall also be mailed to the Clerk for the Town of Eagle and the Palmyra-Eagle School District.

**SECTION V. OFFICIAL MAP.** The Official Map of the Village of Eagle shall be amended to include the annexed lands described in Section I of this ordinance.

**SECTION VI. SEVERABILITY.** All ordinances or parts of ordinances inconsistent with the Ordinance are hereby repealed. 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.

**SECTION VII. RECITALS INCORPORATED.** The above recitals are hereby fully incorporated into this Ordinance as if more fully set forth herein.

**SECTION VIII. EFFECTIVE DATE.** This ordinance shall take effect upon passage as provided by law.

A handwritten signature in black ink, appearing to read 'R Spurrell', written over a horizontal line.

Richard Spurrell, Village President

A handwritten signature in black ink, appearing to read 'J Wood', written over a horizontal line.

Jessica Wood, Village Clerk

# ANNEXATION EXHIBIT "A"

ALL THAT PART OF LOT 1 OF CERTIFIED SURVEY MAP NUMBER 9371, BEING LOCATED IN A PART OF THE SOUTHEAST 1/4 OF SECTION 21, TOWNSHIP 5 NORTH, RANGE 17 EAST, IN THE TOWN OF EAGLE, WAUKESHA COUNTY, WISCONSIN

(P.O.C.)  
N.E. CORNER OF THE  
S.E. 1/4  
SEC. 21-5-17



TED R.  
INDERMUEHLE  
S-3119  
BROOKFIELD,  
WI

WISCONSIN AND SOUTHERN RAILROAD

S01°12'34"E  
959.92

N68°45'31"E  
53.35

P.O.B.

**CURVE DATA:**

A = 150.21'  
R = 4944.07'  
DELTA = 01°44'27"  
CB = N64°37'44"E  
CH = 150.20'

**TOTAL  
ANNEXATION AREA**

29,251 S.F.  
0.6715 Ac.

TAX KEY #  
EGLT1812992001

LOT 1, CSM 9371

TAX KEY #  
EGLV1815965003

LOT 1, CSM 9371

UNPLATTED LANDS  
TAX KEY #  
EGLT1812994003

N25°16'21"W 160.00

N58°23'58"W 121.38

LOT 2, CSM 9371  
TAX KEY #  
EGLT1812992002

TAX KEY #  
EGLV1815965004

LOT 2, CSM 9371



**NORTH**  
SCALE: 1" = 40'



THIS EXHIBIT WAS PREPARED BY TED R. INDERMUEHLE, P.L.S. (S-3119)

DATE: 9/19/23

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TONY EVERS

GOVERNOR

KATHY BLUMENFELD

SECRETARY

**Municipal Boundary Review**

PO Box 1645, Madison WI 53701

Voice (608) 264-6102 Fax (608) 264-6104

Email: [wimunicipalboundaryreview@wi.gov](mailto:wimunicipalboundaryreview@wi.gov)

Web: <http://doa.wi.gov/municipalboundaryreview>

January 23, 2024

PETITION FILE NO. 14638

JESSICA WOOD, CLERK  
VILLAGE OF EAGLE  
PO BOX 295  
EAGLE, WI 53119-0295

MERCIA CHRISTIAN, CLERK  
TOWN OF EAGLE  
PO BOX 327  
EAGLE, WI 53119-0241

Subject: BIELINSKI HOMES ANNEXATION

The proposed annexation submitted to our office on January 03, 2024, has been reviewed and found to be in the public interest. In determining whether an annexation is in the public interest, s. 66.0217 (6), Wis. Stats. requires the Department to examine "[t]he shape of the proposed annexation and the homogeneity of the territory with the annexing village or city..." so as, to ensure the resulting boundaries are rational and compact. The statute also requires the Department to consider whether the annexing city or village can provide needed municipal services to the territory. The subject petition is for territory that is reasonably shaped and contiguous to the Village of Eagle, which is able to provide needed municipal services.

The Department reminds clerks of annexing municipalities of the requirements of s. 66.0217 (9)(a), Wis. Stats., which states:

"The clerk of a city or village which has annexed 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 any affected school district..."

State and federal aids based on population and equalized value may be significantly affected through failure to file with the Department of Administration. Please file a copy of your annexing ordinance, including a statement certifying the population of the annexed territory. **Please include your MBR number 14638 with your ordinance.** Ordinance filing checklist available at <http://mds.wi.gov/>, click on "Help on How to Submit Municipal Records". Email scanned copy of required materials (color scan maps with color) to [mds@wi.gov](mailto:mds@wi.gov) or mail to: Wisconsin Department of Administration, Municipal Boundary Review, PO Box 1645, Madison WI 53701-1645.

The petition file is available for viewing at: <http://mds.wi.gov/View/Petition?ID=2712>  
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner