

RECEIVED
AT
DHIR
**Harrison, Williams, McDonell,
Swatek & Buttram, LLP**
Attorneys at Law

APR -2 04

**David C. Williams
Timothy P. Swatek
Kimberly A. Buttram**
527 Center Street
Post Office Box 760
Lake Geneva, WI 53147
Phone: 262/248-8175
Fax: 262/248-3154

March 30, 2004

**Martin W. Harrison
Wallace K. McDonell**
452 W. Main Street
P. O. Box 59
Whitewater, WI 53190
Phone: 262/473-7900
262/723-4975
Fax: 262/473-7906

Please Reply to Lake Geneva Office

Mr. George Hall
Municipal Boundary Review
State of Wisconsin
Department of Administration
P. O. Box 1645
Madison, Wisconsin 53701-1645

Re: GENEVA MEADOWS, LLC ANNEXATION

Dear Mr. Hall:

Enclosed please find a copy of the Petition for Annexation in the above matter. I am also enclosing a check for \$600.00 as the review fee.

By copy of this letter I am forwarding copies of the Petition to the Bloomfield Town Clerk and to the Clerk of the Lake Geneva School District.

Any questions on this matter may be directed to my attention at our Lake Geneva address or by cell phone at 262-206-3231.

Thank you.

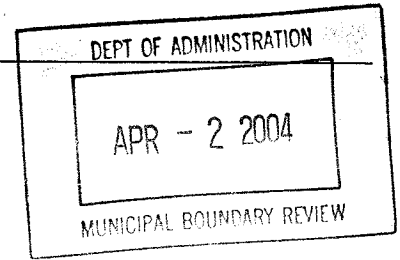
Sincerely,

HARRISON, WILLIAMS, McDONELL,
SWATEK & BUTTRAM, LLP

Timothy P. Swatek

TPS/esj
Enc: 2

In the matter of the
direct annexation of land
to the City of Lake Geneva,
Walworth County, Wisconsin



PETITION FOR DIRECT ANNEXATION

TO: City Clerk
City of Lake Geneva
Walworth County, Wisconsin

Geneva Meadows, LLC, hereinafter referred to as "GM" petitions the City of Lake Geneva and represent as follows:

1. That GM is the owner of certain real property located in the Town of Bloomfield, County of Walworth, and State of Wisconsin, described in the attached Exhibit "A" incorporated herein by reference for all purposes.

2. That the lands described herein in Exhibit "A" has on it a single family home and garage. There are no persons occupying the properties and, therefore, there are no electors residing in the territory comprised in the above described real estate.

4. That GM is desirous of having said real estate described in the attached Exhibit "A" detached from the Town of Bloomfield and annexed to the City of Lake Geneva, Walworth County, Wisconsin **conditioned upon City approval of the P.U.D. application attached for a 12 unit building to be made part of Geneva Meadows Condominium.** The purpose of this petition is for the direct annexation of the territory comprised solely of the real estate described herein to the City of Lake Geneva.

5. That as indicated above, a survey of the property indicating specific dimensions thereof is attached hereto, together with a scale map of the City showing the boundaries of the described property in relation to the municipalities involved. Said documents are made a part hereof.

6. That the territory comprised solely of the described real estate is contiguous to the City of Lake Geneva.

7. That the current population of the territory, comprised solely of the described land, is "zero".

8. That the petitioner is informed and believes that the territory, comprised of said real estate, meets all requirements for direct annexation under Section 66.021(12) of the Wisconsin Statutes.

9. That the petitioner further petition the City of Lake Geneva that, as part of annexation, the City temporarily designate the classification of the annexed area for zoning purposes designate zoning as P.U.D. under its Code and immediately thereafter designate final zoning classifications.

10. That this property was subject to a Direct Annexation Petition for which hearings were held in 2003. That the City had approved the annexation and conditional use under the PUD zoning ordinances but that no formal Ordinance had been adopted by the City. The time periods for the adoption of an Ordinance have lapsed and, therefore, it is necessary for the petitioner to reapply for annexation and for the adoption of an Ordinance consistent therewith.

Dated this 17th day of MARCH, 2004.

GENEVA MEADOWS, LLC

By: _____

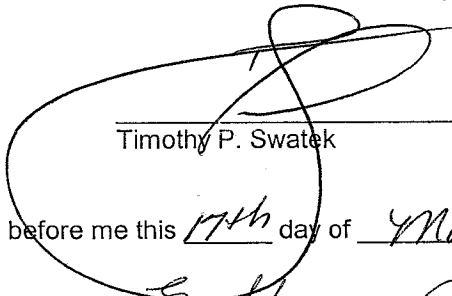


Timothy P. Swatek, its Attorney

STATE OF WISCONSIN)

COUNTY OF WALWORTH)
) ss
)

Timothy P. Swatek, being first duly sworn on oath deposes and states that he is the petitioner in the foregoing Petition for Direct Annexation, that he has read the same and knows the contents thereof, that the same is true of his own knowledge except as to matters stated on information and belief, and as to such matters, he believe the same to be true.



Timothy P. Swatek

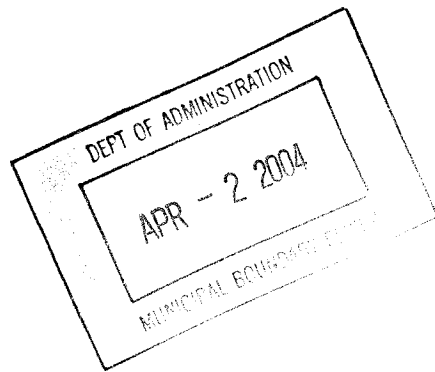
SUBSCRIBED and SWORN to before me this 17th day of March, 2004.

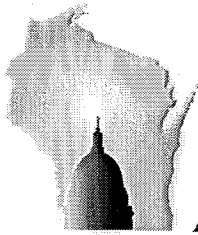
E. Sharon Gardini
Notary Public, State of Wisconsin

My commission expires 1/16/05

EXHIBIT 'A'

Lot 1 of Certified Survey Map No. 1784 as recorded in the Office of the Register of Deeds for Walworth County, Wisconsin on February 7, 1989 in Volume 8 of Certified Surveys on page 237 as Document No. 174183. Said land being in the South 1/2 of the NW 1/4 of Section 6, T1N, R18E, Township of Bloomfield, Walworth County, Wisconsin.





**WISCONSIN DEPARTMENT OF
ADMINISTRATION**

JIM DOYLE
GOVERNOR
MARK J. MAROTTA
SECRETARY

Division of Intergovernmental Relations
101 E. Wilson St, 10th Floor, Madison, WI
53702-0001
Phone (608)266-0288
Fax (608) 266-5519
<http://www.doa.state.wi.us>

April 6, 2004

Timothy Swatek, Attorney
PO Box 760
Lake Geneva, WI 53147

Dear Mr. Swatek:

The proposed annexation submitted to our office April 2, 2004 is on hold because of needed mapped information.

Section 66.0217(1)(g) of the Wisconsin Statutes defines "Scale Map" as follows:

A map that accurately reflects the legal description of the property to be annexed and the boundary of the annexing city or village, and that includes a graphic scale on the face of the map.

The map submitted is at far too great a scale. It seems to be a map of the city as a whole. There is no way to tell whether it accurately reflects the legal description, and whether the annexation is contiguous to the city. Also, the map does not include a graphic scale.

The annexation maps that are typically submitted for parcels that are part of a Certified Survey Map (CSM) typically show the lot to be annexed as part of the CSM and its location in context with the annexing city or village and the town.

Enclosed for your assistance please find an example of a typical map for a CSM that was recently received. Although it was not provided, and not legally required, it would have been helpful with this example petition to have also had a map drawn at a slightly larger scale showing how this annexation fits with the larger village.

Enclosed please also find a Request for Annexation form. This form helps with our record-keeping.

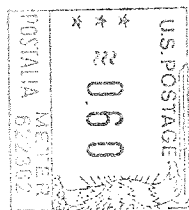
Should you have any questions, please contact me at (608) 264-6102.

Sincerely,

Erich Schmidtke

cc:// City Clerk, City of Lake Geneva
Town Clerk, Town of Bloomfield

Harrison, Williams, McDonell, Swatek & Buttram, LLP
527 Center Street, Post Office Box 760
Lake Geneva, Wisconsin 53147



|||||
MR. ERICH SCHMIDTKE
WISCONSIN DEPT. OF ADMINISTRATION
DIVISION OF INTERGOVERNMENTAL RELATIONS
101 EAST WILSON STREET, 10th FLOOR
MADISON WI 53702-0001

Request for Annexation Review

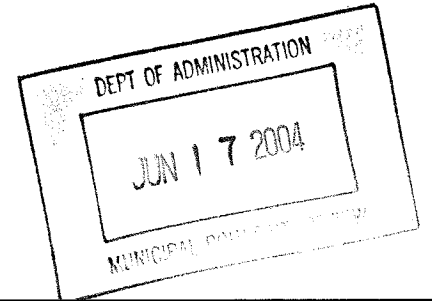
Wisconsin Department of Administration

Division of Intergovernmental Relations
Municipal Boundary Review
Shipping Address: 101 E. Wilson Street, 10th Floor
Madison, WI 53702-0001
Mailing Address: PO Box 1645
Madison, WI 53701-1645
Phone: 608-266-0288 Fax: 608-266-5519
E-mail: George.Hall@doa.state.wi.us

Petitioner's Name and Address

TIMOTHY P. SWATEK as attorney for GENEVA MEADOWS, LLC
200 ELIZABETH LANE
GENOA CITY, WI 53128

Office use only:



1. Town where property is located BLOOMFIELD
2. Petitioned City or Village LAKE GENEVA
3. County where property is located WALWORTH
4. Population of the territory to be annexed -0-
5. Area (in acres) of the territory to be annexed 1.1

262-206-3231
Petitioner's phone #
262-279-6039
Town Clerk's phone #
262-248-3673
City/Village Clerk's phone #

Contact Information if different than petitioner:

Representative's Name and Address:
TIMOTHY P. SWATEK
P.O. BOX 760
LAKE GENEVA, WI 53147
Phone 262-206-3231
E-mail TSWATEK@ELKNET.NET

Surveyor or Engineering Firm's Name and Address:
N/A

Phone
E-mail

Required Items to be provided with submission (to be completed by petitioner):

1. Legal Description meeting the requirements of s.66.0217 (c).....
2. Map meeting the requirements of s. 66.0217 (g)
 - Includes delineating boundary of the annexing city of village on the map.....
 - Territory is contiguous to city or village.....
3. Petition or Notice of Intent to Circulate.....
4. Statutory method used?
 - Unanimous s. 66.0217 (2), or,.....
 - Direct by one-half approval s. 66.0217 (3).....
5. Check or money order covering Department of Administration annexation fee.....

Annexation Review Fee Schedule

A Guide for Calculating the Fee Required by ss.16.53 (4) and 66.0217, Wis. Stats.

Required Fees

There is an initial filing fee and a variable acreage fee

Initial Filing Fee*..... \$200 \$ _____

*NOTE: The \$200 initial filing fee is required with the first submittal of the petition, only.

Acreage Fee..... \$ _____

Less than 2 acres..... \$200
2.01 to 10 acres..... \$300
10.01 to 50 acres..... \$400
50.01 to 100 acres..... \$500
100.01 to 200 acres..... \$700
200.01 to 500 acres..... \$1000
Over 500 acres..... \$2000

TOTAL FEE DUE (Add the Filing Fee to the Acreage Fee)..... / ^{PREVIOUSLY SUBMITTED} \$ _____

Attach check or money order here, payable to: Department of Administration

**THE DEPARTMENT IS PROHIBITED FROM PROCESSING
AN ANNEXATION PETITION THAT IS NOT ACCOMPANIED
BY THE REQUIRED FEE.**

Office use only:

Date that petition and fee was received _____ Amount \$ _____

Time limit expires _____ Assigned file number _____

BY:	Questionnaire sent to:
	Town of _____ City/Village of _____
	County Notification _____ DATE _____

RECEIVED
AT
DHIR
**Harrison, Williams, McDonell,
Swatek & Buttram, LLP**
Attorneys at Law

JUN 17 04

**David C. Williams
Timothy P. Swatek
Kimberly A. Buttram**
527 Center Street
Post Office Box 760
Lake Geneva, WI 53147
Phone: 262/248-8175
Fax: 262/248-3154

June 15, 2004

**Martin W. Harrison
Wallace K. McDonell**
452 W. Main Street
P. O. Box 59
Whitewater, WI 53190
Phone: 262/473-7900
262/723-4975
Fax: 262/473-7906

Please Reply to Lake Geneva Office

MR. ERICH SCHMIDTKE
WISCONSIN DEPT. OF ADMINISTRATION
DIVISION OF INTERGOVERNMENTAL RELATIONS
101 EAST WILSON STREET, 10th FLOOR
MADISON WI 53702-0001

RE: Annexation Petition for Geneva Meadows, LLC

Dear Mr. Schmidtke:

I am forwarding to you two documents which I trust will suffice regarding your request. One is a scale plat of the City of Lake Geneva which references the parcel in questions marked in red. I am also providing you a copy of the certified survey of the property showing lots 1 and 2 of Certified Survey Map No. 1784. Lot 2 of the certified survey was already annexed to the City of Lake Geneva and is now known as Geneva Meadows Condominium. The parcel in question for annexation is contiguous and being absorbed into that condominium. This annexation had been previously approved by the State, however, due to a failure to formally adopt an ordinance within 120 days of the submission, the annexation had to be resubmitted.

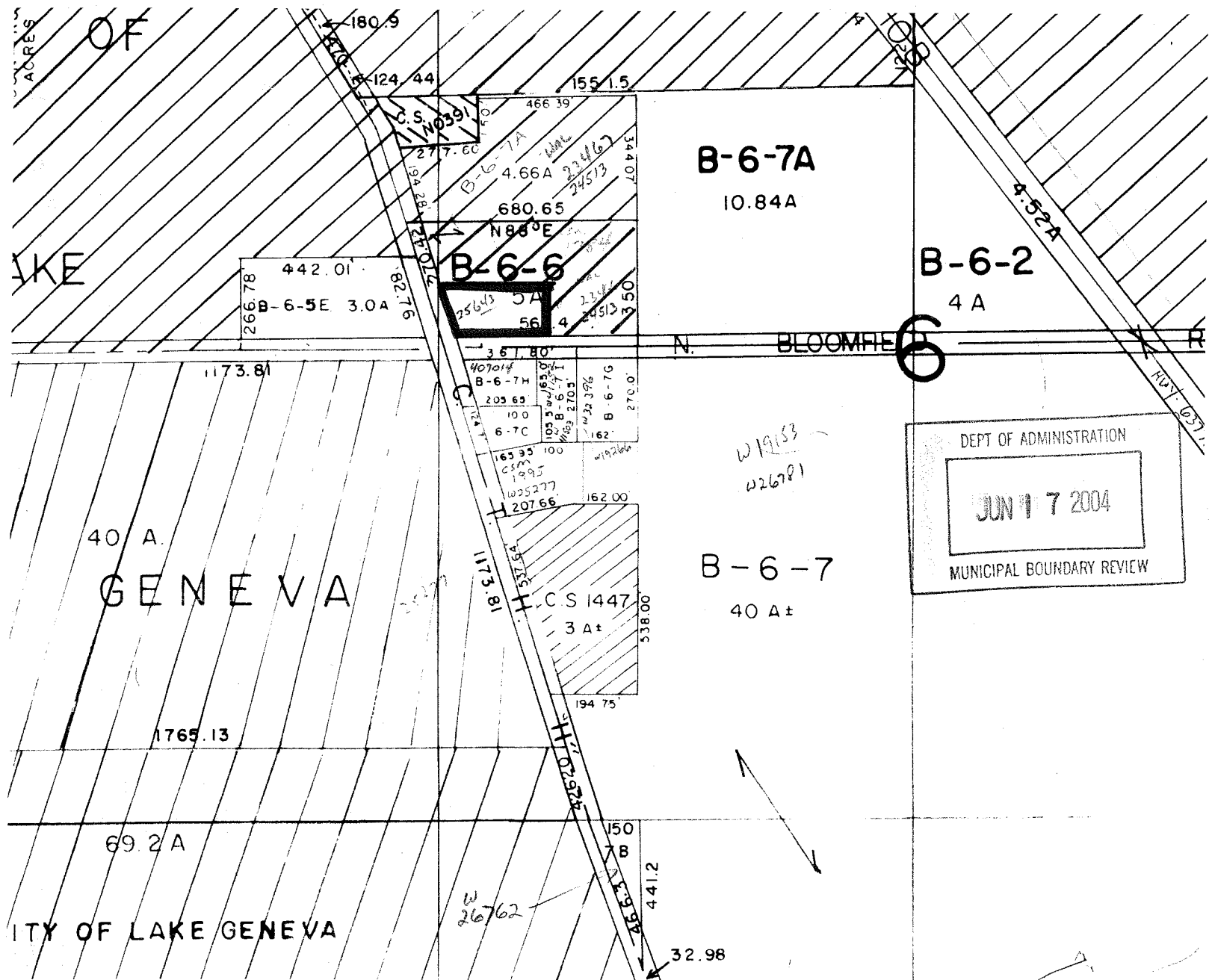
I trust this information will suffice in allowing a letter of approval in this annexation. If you need anything further please advise.

Thank you.

Sincerely,

HARRISON, WILLIAMS, McDONELL,
SWATEK & BUTTRAM, LLP

Timothy P. Swatek
TPS/esj
Enc: as stated



B-6-7A
10.84A

B-6-2
4 A

B-6-6

B-6-5E 3.0A

B-6-7
40 A±

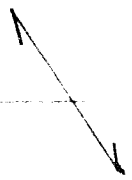
DEPT OF ADMINISTRATION
JUN 17 2004
MUNICIPAL BOUNDARY REVIEW

LAKE GENEVA

CITY OF LAKE GENEVA

W19153
W26781

W26762



JUL 08 1988

WALWORTH COUNTY PLANNING DEPT

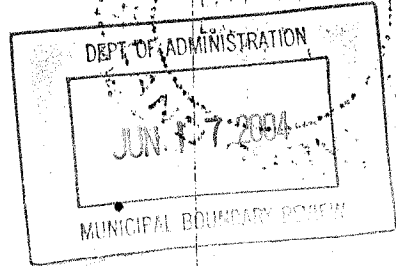
OWNER: TIMOTHY TIERNNEY
JEANNE BAAK
P. O. BOX 905
LAKE GENEVA WI
53147

WALWORTH COUNTY
SURVEYING & MAPPING
LAKE GENEVA, WISCONSIN

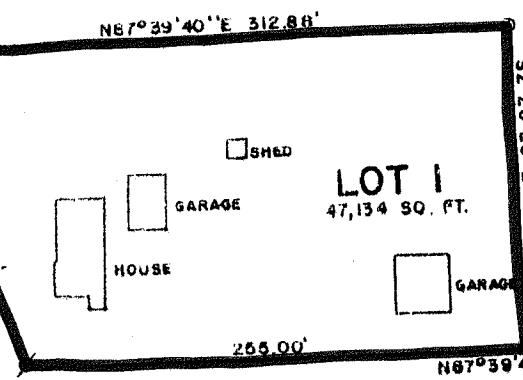
NOTE: 10.11.1988 T.M.B.
FEET-CONTOURS NOT SHOWN.

174183

UNPLATTED LANDS
N87°38'55"E 680.13'
648.18'

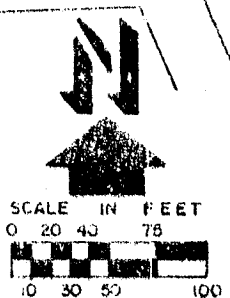


LOT 2
140,816 SQ. FT.



WEST 1/4 CORNER
SECTION 6, T1N, R18E
N87°39'40"E
1370.68'

EAST-WEST 1/4 LINE
N87°39'40"E 562.69'
NORTH BLOOMFIELD ROAD



UNPLATTED LANDS
BEARING REFERENCE: BEARINGS ARE REFERENCED TO THE WISCONSIN COORDINATE SYSTEM, SOUTH ZONE.
RECORDED IN VOL. 8, PAGE 237

CERTIFIED SURVEY MAP NO. 1784
LOCATED IN THE NORTHWEST 1/4 OF
SECTION 6, T 1 N, R 18 E, WALWORTH
COUNTY, WISCONSIN.

CENTER, SECTION 6,
T1N, R18E
'89 FEB 7 AM
Lois M. Ketter
REC. OF DEE
WALWORTH COUNTY

SURVEYOR'S CERTIFICATE

I, ROBERT M. BAERENWALD, REGISTERED LAND SURVEYOR, HEREBY CERTIFY THAT IN FULL COMPLIANCE WITH THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN STATUTES AND THE LAND DIVISION (SUBDIVISION) ORDINANCE OF WALWORTH COUNTY, AND UNDER THE DIRECTION OF TIMOTHY TIERNNEY, AN OWNER OF SAID LAND, I HAVE SURVEYED, DIVIDED AND MAPPED THIS CERTIFIED SURVEY, THAT SUCH PLAT REPRESENTS ALL EXTERIOR BOUNDARIES AND THE SUBDIVISION OF THE LAND SURVEYED, AND THAT THIS LAND IS LOCATED IN THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 6, T 1 N, R 18 E, WALWORTH COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 6, THENCE N87°39'40"E 1370.68 FEET TO THE PLACE OF BEGINNING; THENCE N21°33'35"W 370.56 FEET, THENCE N87°38'55"E 680.13 FEET; THENCE S3°03'55"E 350.08 FEET; THENCE S87°39'40"W 562.69 FEET TO THE PLACE OF BEGINNING, CONTAINING 4.99 ACRES OF LAND.

APPROVED BY RESOLUTION OF THE WALWORTH COUNTY PARK AND PLANNING COMMISSION THIS 25 DAY OF July, 1988.

ZONED: R-1
SOIL TYPE: MOBENRY S10R 10AM

Allen L. Morrison
ALLEN L. MORRISON, CHAIRMAN

NOTE: EXISTING SANITARY SYSTEM ON LOT 1 APPEARS TO BE FUNCTIONING. NO EVALUATION AS TO WHETHER REQUIREMENTS FOR REPLACEMENT SYSTEM UNDER ILHR-83 OF WISCONSIN ADMINISTRATIVE CODE.

- LEGEND
- 1" DIA. IRON PIPS FOUND
- 6" DIA. TOP CONCRETE MONUMENT FOUND
- 3/4" DIA. 24" IRON ROD. NIP. WF. 1" DIA. (S.S.), LINEAL POOL

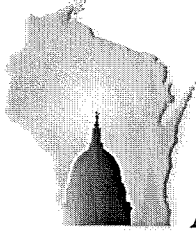
Robert M. Baerenwald
ROBERT M. BAERENWALD
WISCONSIN REGISTERED LAND SURVEYOR, S-1508

July 8, 1988
DATE JOB NO. 0017-1

C.S. 7175

VOLUME 8 PAGE 237

CSM 1784 L1, L2 OUT OF MB6-6



**WISCONSIN DEPARTMENT OF
ADMINISTRATION**

JIM DOYLE
GOVERNOR

MARC J. MAROTTA
SECRETARY

Division of Intergovernmental Relations
101 E. Wilson Street, 10th Floor
Madison, WI 53702-0001
(608) 264-6102, Fax (608) 266-5519
<http://www.doa.wi.gov/>

June 18, 2004

PETITION FILE NO. 12348

DIANA DYKSTRA, CLERK
CITY OF LAKE GENEVA
626 GENEVA ST
LAKE GENEVA, WI 53147-0340

MARTHA WELLS, CLERK
TOWN OF BLOOMFIELD
PO BOX 609
PELL LAKE, WI 53157-0609

Subject: GENEVA MEADOWS ANNEXATION

Section 66.0217 (6), Wis. Stats., provides that the annexation of lands to cities and villages within a county having a population of 50,000 or more shall be reviewed by the Department of Administration in order to determine if the proposed annexation is in the public interest or against the public interest. The proposed annexation from the Town of Bloomfield to the City of Lake Geneva (see attached description) must be reviewed pursuant to the statute. This annexation was put on hold April 6 because of needed map information. Because this information has been provided, the annexation is now off hold.

To assist us in making this determination, we urge that you promptly supply the data requested on the enclosed questionnaire (where possible) and return the questionnaire to the department.

The purpose of this questionnaire is to assist the department in determining "Whether the governmental services, including zoning, to be supplied to the territory could clearly be better supplied by the town...." The statute further stipulates that the department shall study the "shape of the proposed annexation and the homogeneity of the territory with the annexing municipality." In addition, we would appreciate receiving from you any comments or information bearing on governmental services or shape and homogeneity that would indicate whether the annexation is in or against the public interest.

Our reply must be prepared within a very limited statutory deadline. Please return the questionnaire no later than July 3, 2004 so that the information can be reviewed prior to the department's statutory deadline of July 7, 2004. Direct any questions and comments to Erich Schmidtke at (608) 264-6102 or George Hall at (608) 266-0683. Thank you for your cooperation.

Enclosed please also find 2003 Wisconsin Act 317 which makes a number of changes to annexation law. In order for this annexation petition to be considered for adoption as an ordinance, the proposed annexation will be need to comply with this law.

For additional information on annexation or other land use issues, visit our web site at: <http://doa.wi.gov/>

Sincerely,

Erich Schmidtke
erich.schmidtke@doa.state.wi.us
(608) 264-6102

Enclosures

PETITION # 12348

ANNEXATION REVIEW QUESTIONNAIRE
MUNICIPAL BOUNDARY REVIEW

1. Territory to be annexed: MA 178400001 - PARCEL # | From Town of: Bloomfield | To City/Village of: Lake Geneva
LOT 1 Cent survey No. 1784

2. Area (Acres): _____ Approx. Equalized (full) value: Land: \$ 30,000 Improvements: \$ 100,000.

3. Property Tax Payments **OR** Boundary Agreement (circle one)

a. Annual town property tax on territory to be annexed: <u>\$520.18</u>	a. Title of boundary agreement _____
b. Total that will be paid to Town (annual tax multiplied by 5 years): <u>\$2600.90</u>	b. Year adopted _____
c. Paid by: Petitioner <input checked="" type="radio"/> City Village (circle one) Other _____	c. Participating jurisdictions _____
	d. Statutory authority (circle one) 66.0307 66.0225 66.0301

4. Approximate present land use of territory: | Resident Population: |

Undeveloped: <u>100</u> %	Residential _____ %	Electors: <u>0</u>
Commercial: _____ %	Recreational _____ %	Total: <u>0</u>
Industrial: _____ %		

5. If territory is undeveloped, what is the anticipated use?

Commercial: _____ %	Residential <u>100</u> %	Other: _____
Industrial: _____ %	Recreational _____ %	

Comments: _____

6. Has a preliminary or final plat been submitted to the Plan Commission: Yes No

7. What is the nature of land use adjacent to this territory in the city or village?:
Residential, School

In the town?: undeveloped

8. What are the basic service needs that precipitated the request for annexation?

Sanitary sewer <input checked="" type="checkbox"/>	Police/Fire protection <input checked="" type="checkbox"/>
Water supply <input checked="" type="checkbox"/>	EMS <input checked="" type="checkbox"/>
Storm sewers <input checked="" type="checkbox"/>	Zoning <input checked="" type="checkbox"/>
Other _____	

9. Is the city/village or town capable of providing needed utility services?
City Village Yes ___ No. Town ___ Yes ___ No

If yes, approximate time table for providing service:
Sanitary Sewers immediately or, write in number of years. City/Village immediate Town _____
Water Supply immediately, or, write in number of years. immediate _____

Will provision of sanitary sewers and/or water supply to the territory proposed for annexation require capital expenditures (i.e. treatment plant expansion, new lift stations, interceptor sewers, wells, water storage facilities)?
___ Yes No. If yes, identify the nature of the anticipated improvements and their probable costs: _____

10. Parks and Recreation:

Total acreage: 131 Annual park program appropriation: \$ 85,000.

Describe proximity of parks from annexation territory:
This area is near Badger High school and Big Foot State Park.

11. Schools:

What school district(s) serve the territory to be annexed? Joint 1 - Grammar schools
Union High School Dist - High School

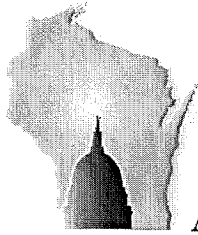
12. Planning:

- Do you have a comprehensive plan for the City/Village/Town? Yes ___ No
If yes, when was it prepared? 1992 When Updated? 1997 2004
Who prepared the plan? Vandewalle & Associates.
- Annual appropriation for planning? \$ 20,000.⁰⁰
- How is the annexation territory now zoned? Business
- How will the land be zoned and used if annexed? PUD - multi-Family

14. Other relevant information and comments bearing upon the public interest in the annexation:

Prepared by: Dennis E. JORDAN
Title: CITY ADMINISTRATOR
Phone: 262-249-4098
Date: 6-29-04

Please RETURN PROMPTLY to:
Division of Intergovernmental Relations
Municipal Boundary Review
101 E. Wilson Street, 10th Floor
Madison, WI 53702-0001



**WISCONSIN DEPARTMENT OF
ADMINISTRATION**

JIM DOYLE
GOVERNOR

MARC J. MAROTTA
SECRETARY

**Division of Intergovernmental Relations
Municipal Boundary Review**
101 E. Wilson Street, 10th Floor
Madison, WI 53702-0001
(608) 264-6102, Fax (608) 266-5519
<http://www.doa.wi.gov/>

July 8, 2004

DOA PETITION FILE NO. 12348

DIANA DYKSTRA, CLERK
CITY OF LAKE GENEVA
626 GENEVA ST
LAKE GENEVA, WI 53147-0340

MARTHA WELLS, CLERK
TOWN OF BLOOMFIELD
PO BOX 609
PELL LAKE, WI 53157-0609

Subject: GENEVA MEADOWS, LLC ANNEXATION

The proposed annexation submitted to our office on June 17, 2004, has been reviewed and found to be in the public interest.

The subject petition is for territory that is reasonably shaped and contiguous to the City of Lake Geneva.

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

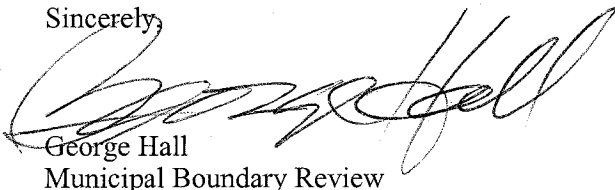
"The clerk of a city or village which has annexed shall file immediately with the secretary of state a certified copy of the ordinance, certificate and plat, and shall send one copy to each company that provides any utility service in the area that is annexed. The clerk shall record the ordinance with 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 Secretary of State. Please file a copy of your annexing ordinance, including a statement certifying the population of the annexed territory. The address of the Office of the Secretary of State is:

Annexations and Railroads
Division of Government Records
Office of the Secretary of State
P.O. Box 7848
Madison, WI 53707-7848

Please call me at (608) 266-0683, should you have any questions concerning this annexation review letter. I am enclosing a copy of Act 317, as this legislation may affect the passage of any annexation ordinance. We appreciate everyone's patience while the legal description and mapping issues were being resolved.

Sincerely,



George Hall
Municipal Boundary Review

Cc: Attorney Timothy P. Swatek