

Request for Annexation Review

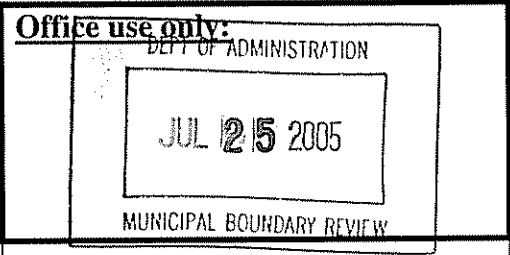
Wisconsin Department of Administration

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

608-266-0683 Fax: 608-267-6917
 George.Hall@doa.state.wi.us

Petitioner's Name and Address

Marlyn Glass
 7240 Peller Road
 Lake Geneva, WI 53147



1. Town where property is located _____ Lyons _____
2. Petitioned City or Village _____ City of Lake Geneva _____
3. County where property is located _____ Walworth _____
4. Population of the territory to be annexed _____ One (1) _____
5. Area (in acres) of the territory to be annexed _____ 5.8 acres (approx.) _____
6. Tax parcel number(s) of territory to be annexed _____

NLY 3000007
 NLY 3000007A
 NLY 3000014

(if the territory is part or all of an existing parcel)

_____ 262-248-2102 _____
 Petitioner's phone #

_____ 262-763-9936 _____
 Town Clerk's phone #

_____ 262-249-4092 _____
 City/Village Clerk's phone #

Contact Information if different than petitioner:

Representative's Name and Address:

Charles Platts
 351 Peller Road
 Lake Geneva, WI 53147

Phone: 262-248-8571 (daytime)

E-mail: platts@genevaonline.com

Surveyor or Engineering Firm's Name and Address:

Eppstein Uhen Architects
 333 E. Chicago Street
 Milwaukee, WI 53202

Phone: 414-271-5350

E-mail: jerryw@eppsteinuhen.com

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 \$200.00

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

Acreage Fee..... \$300.00

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)..... \$500.00

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
JUL 25 05



July 22, 2005

Via UPS Overnight delivery – Monday delivery:

Mr. George Hall
Division of Intergovernmental Relations
Municipal Boundary Review
101 East Wilson Street, 10th Floor
Madison, WI 53702-0001

RE: Request for Annexation Review – 7242 Peller Road, Lake Geneva, Wisconsin

Dear George:

Pursuant to our telephone conversation of today's date, I am forwarding to you hard copies of the following items in connection with the above-referenced matter:

- (i) Request for Annexation Review;
- (ii) Copy of Petition for Annexation;
- (iii) Legal Description of the Property to be annexed;
- (iv) Plat of Survey to be annexed; and

(v) Check in the amount of Five Hundred and 00/Dollars (\$500.00) made payable to the Department of Administration.

As mentioned during our conversation, I greatly appreciate your efforts in processing this request on an expedited basis.

Of course, if you have any questions or comments, please do not hesitate to contact me. Thank you.

Very Truly Yours,

Timothy J. Randall
Chief Legal Counsel / Chief Development Officer

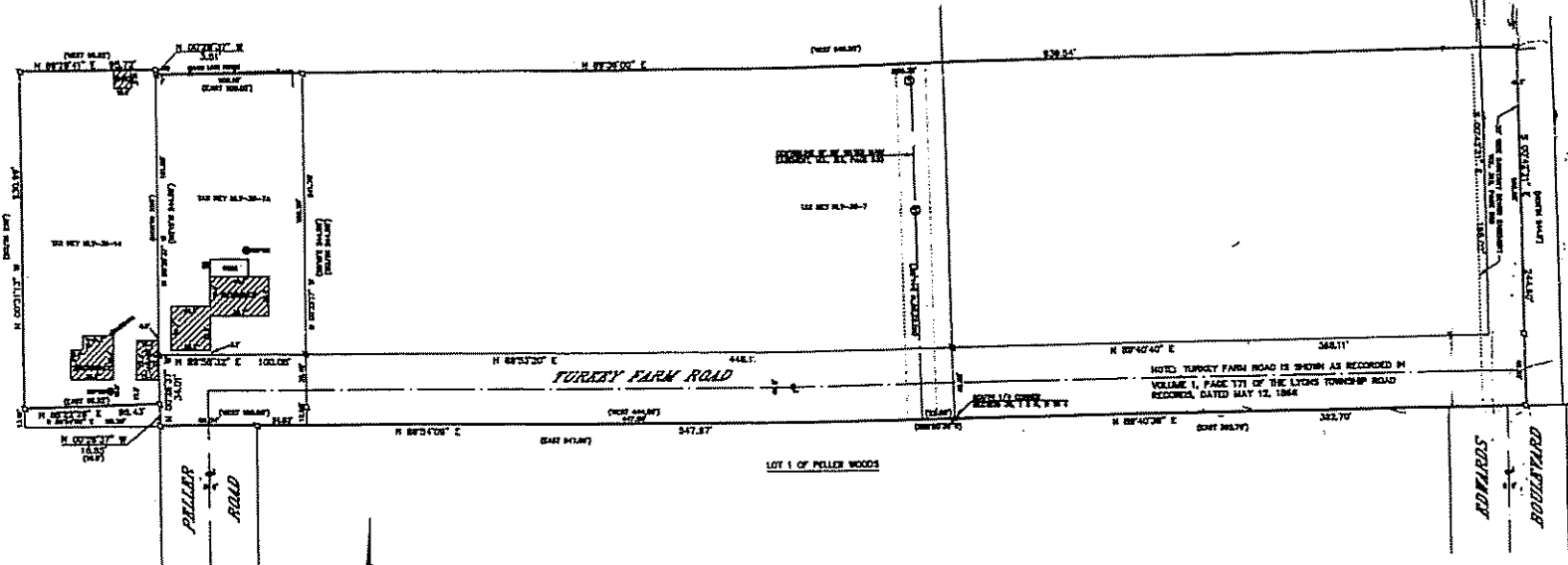
TJR/cad
Enclosures

DEPT OF ADMINISTRATION

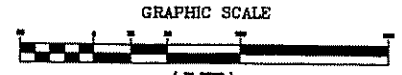
JUL 25 2005

MUNICIPAL BOUNDARY REVIEW

WALWORTH COUNTY
SURVEYING & MAPPING
P. O. BOX 115
LAKE GENEVA, WISCONSIN 53147
262-848-105



PLAT OF SURVEY OF
A PARCEL OF LAND LOCATED IN THE SOUTHWEST 1/4 AND THE SOUTHEAST
1/4 OF SECTION 20, T 2 N, R 18 E, WALWORTH COUNTY, WISCONSIN, RECORDED
A FOLLOWER, BEGINNING AT THE SOUTHWEST 1/4 CORNER OF SAID SECTION 20,
1. 1.000' S89°52'00\"/>



- (IN FEET)
1 inch = 50 ft.
- 2-INCH PIPE FOUND
- 4-INCH PIPE FOUND
- CONCRETE MONUMENT FOUND
- 2-INCH PIPE PLACED
- RECORDED AS
- MANHOLE

I HEREBY CERTIFY THAT I HAVE EXAMINED THE ABOVE DESCRIBED
PROPERTY AND THAT THE SAME IS A TRUE AND CORRECT
REPRESENTATION OF THE SAME AND THAT THE SAME IS
RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF
WALWORTH, WISCONSIN, IN VOLUME 1, PAGE 177 OF THE LYONS TOWNSHIP ROAD
RECORDS, DATED MAY 12, 1964.

NOTED: TURKEY FARM ROAD IS SHOWN AS RECORDED IN
VOLUME 1, PAGE 177 OF THE LYONS TOWNSHIP ROAD
RECORDS, DATED MAY 12, 1964.

DEED BY: CORNELL LAW OFFICE
413 BROAD STREET
LAKE GENEVA, WISCONSIN
53147

W. J. ...
RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF WALWORTH, WISCONSIN, IN VOLUME 1, PAGE 177 OF THE LYONS TOWNSHIP ROAD RECORDS, DATED MAY 12, 1964.

**AMENDED PETITION FOR DIRECT ANNEXATION BY UNANIMOUS
CONSENT OF ELECTORS AND PROPERTY OWNERS OF
TERRITORY LOCATED IN THE TOWN OF LYONS,
WALWORTH COUNTY, WISCONSIN, TO THE CITY OF LAKE
GENEVA, WALWORTH COUNTY, WISCONSIN,
PURSUANT TO WIS. STAT. § 66.021(2)**

TO: Common Council of the City of Lake Geneva,
Walworth County, Wisconsin
c/o Diana A. Dykstra, City Clerk
Lake Geneva City Hall
626 Geneva Street
Lake Geneva, WI 53147

Town Board of the Town of Lyons,
Walworth County, Wisconsin
c/o Karla Hill, Town Clerk
Lyons Town Hall
PO Box 337
Lyons, WI 53148

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

THIS AMENDED PETITION of Marilyn Glass, the owner the real property in the territory sought to be annexed (the "Petitioner") does respectfully state, represent, and show to the Common Council as follows:

1. Marilyn Glass, whose address is 7240 Taylor is the owner of the real property in the territory sought to be annexed, such property being located in Sections 30 and 31, Town of Lyons, Walworth County, Wisconsin, and more particularly described in the attached Exhibit A incorporated herein. (Subject Territory)
2. Petitioner respectfully requests, in accordance with the Petition made by PHRE Lake Geneva, LLC by Petition dated June 8, 2005, that all of the Subject Territory be annexed to the City of Lake Geneva, Walworth County, Wisconsin.
3. Attached hereto as Exhibit B and incorporated herein by reference is a scale map of the Subject Territory in accordance with the provisions of Wis. Stat. §§ 66.021(2) and 66.021(5).
4. One elector, Marilyn Glass, resides in the Subject Territory sought to be annexed hereunder. The current population of the Subject Territory sought to be annexed hereunder is one (1).
5. Petitioner will cause this Amended Petition, the legal description, and the scale

map of the Subject Territory to be annexed to be filed with the City Clerk of the City of Lake Geneva, Walworth County, Wisconsin, the Town Clerk of the Town of Lyons, Walworth County, Wisconsin, and the State of Wisconsin, Department of Administration, in accordance with the provisions of Wis. Stat. § 66.0217(2).

6. Petitioner requests the Subject Territory described herein be zoned as General Business (GB) Zoning District.

7. Petitioner requests the City of Lake Geneva adopt an appropriate Annexation Ordinance prior to any action by the City. If annexed, the Petitioner shall reimburse the city for five years of real estate tax reimbursement the City is required to pay to the township under Section 66.0217 (14) of the Wisconsin Statutes.

8. Petitioner believes this Amended Petition and the Subject Territory sought to be annexed hereunder meet all legal requirements for annexation, and that such annexation is in the public interest.

Dated this 16th day of July, 2005.

Marlyn M. Glass
Marlyn Glass

This instrument drafted by:
Timothy J. Randall
Wisconsin Hospitality Group, LLC
10930 W. Porter Road, Suite A
Wauwatosa, WI 53226
Telephone: (414)266-5100
Facsimile: (414)258-4913

**AMENDED PETITION FOR DIRECT ANNEXATION BY UNANIMOUS
CONSENT OF ELECTORS AND PROPERTY OWNERS OF
TERRITORY LOCATED IN THE TOWN OF LYONS,
WALWORTH COUNTY, WISCONSIN, TO THE CITY OF LAKE
GENEVA, WALWORTH COUNTY, WISCONSIN,
PURSUANT TO WIS. STAT. § 66.0217(2)**

TO: Common Council of the City of Lake Geneva,
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Lyons, WI 53148

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

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1. Marilyn Glass, whose address is _____, is the owner of the real property in the territory sought to be annexed, such property being located in Sections 30 and 31, Town of Lyons, Walworth County, Wisconsin, and more particularly described in the attached Exhibit A incorporated herein (Subject Territory).

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8. Petitioner believes this Amended Petition and the Subject Territory sought to be annexed hereunder meet all legal requirements for annexation, and that such annexation is in the public interest.

Dated this ____ day of July, 2005.

Marilyn Glass

This instrument drafted by:
Timothy J. Randall
Wisconsin Hospitality Group, LLC
10930 W. Potter Road, Suite A
Wauwatosa, WI 53226
Telephone: (414)266-5100
Facsimile: (414)258-4913

Exhibit A**Property Description**

Beginning at the South one-quarter (1/4) corner, thence East 23.8 rods, N 244.5 feet, West 57 rods, South 244.5 feet, East 33.2 rods to the beginning Sec. 30, T2N, R18E, Except parcel as described in Vol. 464 on page 499 in the Walworth County Records.

Tax Key No. NLY3000007

A parcel of land described as follows:

Commencing at the S 1/4 corner of Section 30, T2N, R18E; thence W 444.50' to the point of beginning; thence W 100' thence N 0° 19' W 244.50'; thence E 100'; thence S 0° 19' E 244.50' to the point of beginning, containing .561 acres

Tax parcel No: NLY 3000007A

This parcel has improvements consisting of a house.

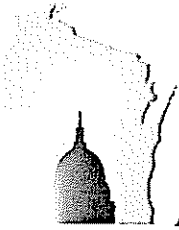
A parcel of land described as follows:

Commencing at a stake 16.' N of the intersection of the North line of Sec. 31, T2N, R18E and the West line of a public road in the NE 1/4 of the NW 1/4 of Section 31; thence N 228'; thence W 95.52'; thence S 228'; thence E 95.52' to the place of beginning, containing .50 acres.

Tax parcel No. NLY 3000014

This parcel has improvements consisting of a house.

m99 - 02/24/05



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) 267-6917
<http://www.doa.wi.gov/>

July 27, 2005

PETITION FILE NO. 12668

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

KARLA HILL, CLERK
TOWN OF LYONS
PO BOX 337
LYONS, WI 53148-0337

Subject: GLASS 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 Lyons to the City of Lake Geneva (see attached description) must be reviewed pursuant to the statute. Two copies of this petition have been provided – the faxed copy was signed by the petitioner but is illegible, the unsigned original is legible so both are being provided to you.

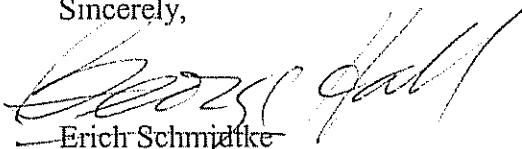
To assist us in making this determination, we urge that you promptly supply the data requested on the enclosed questionnaire (where possible) and return the questionnaire to the department.

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 August 3, 2005 so that the information can be reviewed prior to the department's statutory deadline of August 8, 2005. Direct any questions and comments to Erich Schmidtke at (608) 264-6102 or George Hall at (608) 266-0683. Thank you for your cooperation.

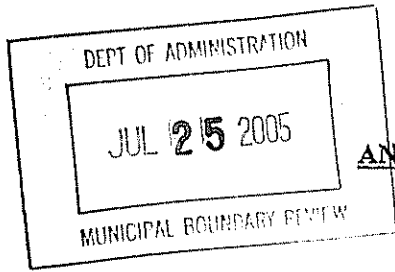
For additional information on annexation or other land use issues, visit our web site at www.doa.wi.gov and type 'annexation' in the search box.

Sincerely,



—Erich Schmidtke

Enclosures



PETITION # 12068

ANNEXATION REVIEW QUESTIONNAIRE
MUNICIPAL BOUNDARY REVIEW

1. Territory to be annexed: _____ From Town of: LYONS To City/Village of: LAKE GENEVA

2. Area (Acres): 1.5 Approx. Equalized (full) value: Land:\$ _____ Improvements:\$ _____

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

<p>a. Annual town property tax on territory to be annexed: _____</p> <p>b. Total that will be paid to Town (annual tax multiplied by 5 years): _____</p> <p>c. Paid by: Petitioner <u>City/Village</u> (circle one) <i>Other: Petitioner will pay City & City will pay Township.</i></p>	<p>a. Title of boundary agreement _____</p> <p>b. Year adopted _____</p> <p>c. Participating jurisdictions _____</p> <p>d. Statutory authority (circle one) 66.0307 66.0225 66.0301</p>
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4. Approximate present land use of territory: _____ Resident Population: _____

Undeveloped: <u>50</u> %	Residential <u>50</u> %	Electors: <u>1</u>
Commercial: _____ %	Recreational _____ %	Total: <u>1</u>
Industrial: _____ %		

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

Commercial: <u>100</u> %	Residential _____ %	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?:
Commercial

In the town?: Commercial / Agriculture

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 _____	

PETITION

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: 65 Annual park program appropriation: \$ 80,000

Describe proximity of parks from annexation territory:

11. Schools:

What school district(s) serve the territory to be annexed? JT1 BADGER

12. Planning:

1. Do you have a comprehensive plan for the City/Village/Town? Yes No
If yes, when was it prepared? 92 When Updated? 92
Who prepared the plan? Vandewalle

2. Annual appropriation for planning? \$ 30,000

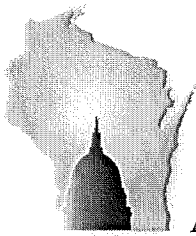
3. How is the annexation territory now zoned?

4. How will the land be zoned and used if annexed? Commercial

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

Prepared by: DIANA DYKSTRA
Title: City Clerk
Phone: (262) 249-4092
Date: 8-1-05

Please RETURN PROMPTLY to:
Municipal Boundary Review
101 E. Wilson Street, 10th Floor
Madison, WI 53702-0001
(608) 264-6102 (608) 267-6917 FAX
crich.schmidtke@don.state.wi.us EMAIL



**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) 267-6917
<http://www.doa.wi.gov/>

August 8, 2005

DOA PETITION FILE NO. 12668

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

KARLA HILL, CLERK
TOWN OF LYONS
PO BOX 337
LYONS, WI 53148-0337

Subject: GLASS ANNEXATION

The proposed annexation submitted to our office on July 25, 2005, 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 on three sides. The City can immediately provide municipal sewer and water to the subject territory.

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. **Please also include the MBR number with your ordinance as this assists with record keeping. Your MBR number is: 12668**

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.

Sincerely,

George Hall
Municipal Boundary Review

Cc: Charles Platts