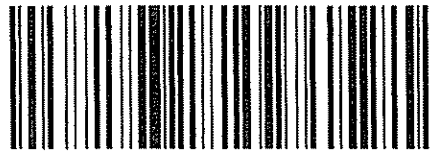


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WILEY
LAW S.C.

ATTORNEYS AT LAW
119½ North Bridge Street, P.O. Box 370
Chippewa Falls, WI 54729-0370

To: GEORGE HALL
MUNICIPAL BOUNDARY REVIEW
DEPARTMENT OF ADMINISTRATION
101 EAST WILSON STREET - 10TH FLOOR
MADISON WI 53702-0001

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Request for Annexation Review

Wisconsin Department of Administration

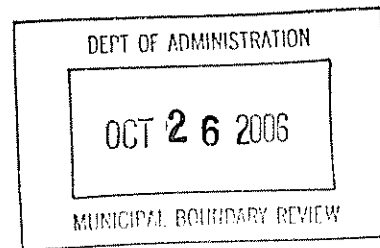
Division of Intergovernmental Relations
 Municipal Boundary Review
 101 E. Wilson Street, 10th Floor
 Madison, WI 53702-0001

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

Petitioner's Name and Address

Wissota Green Homeowners Association, Inc.
811 North Bridge Street
Chippewa Falls, WI 54729

Office use only:



1. Town where property is located Eagle Point
2. Petitioned City or Village Chippewa Falls
3. County where property is located Chippewa
4. Population of the territory to be annexed 0
5. Area (in acres) of the territory to be annexed 6.43
6. Tax parcel number(s) of territory to be annexed 22908-3422-71247001
 (if the territory is part or all of an existing parcel)

715-723-7828
 Petitioner's phone #
715-723-5112
 Town Clerk's phone #
715-726-2719
 City/Village Clerk's phone #

Contact Information if different than petitioner:

Representative's Name and Address:

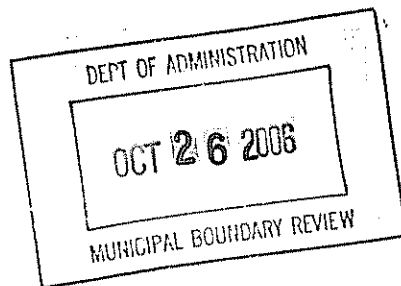
 Phone _____
 E-mail _____

Surveyor or Engineering Firm's Name and Address:
Jason Cance – Short Elliott Hendrickson, Inc.
421 Frenette Drive
Chippewa Falls, WI 54729
 Phone 715-720-6308
 E-mail jcance@sehinc.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.....

WILEY
 **LAW** S.C.
ATTORNEYS AT LAW



CHIPPEWA FALLS OFFICE
B. JAMES COLBERT
CHARLES G. NORSENG
STEVEN R. CRAY
HEATHER M. HUNT
AMY L. VAUDREUIL
TERESA GERMAIN

EAU CLAIRE OFFICE
PETER F. HERRELL
JAMES W. FLORY

INGOLF E. RASMUS (1906-1996)
MARSHALL A. WILEY (1912-1993)
VICTOR T. WAHL (1925-2000)

October 23, 2006

CERTIFIED MAIL – RETURN RECEIPT

George Hall
Municipal Boundary Review
Department of Administration
101 East Wilson Street – 10th Floor
Madison, WI 53702-0001

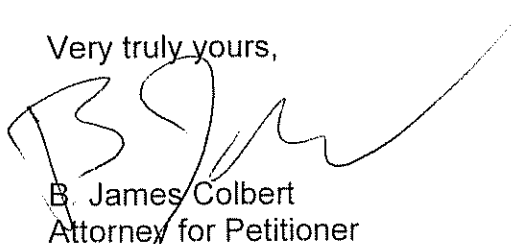
Re: Annexation of Lands – Sienna Property

Dear Mr. Hall:

Enclosed is a Notice of Intent to Circulate Petition for Annexation of Territory to City of Chippewa Falls of lands from the Town of Eagle Point to the City of Chippewa Falls, Wisconsin and a Request for Annexation Review, to which is attached the fee of \$500. The land to be annexed is described in the Notice.

If you have any questions or require any additional information, please contact me.

Very truly yours,



B. James Colbert
Attorney for Petitioner

Enclosures
BJC/ejn

c: Larry Thompson – Sienna Corporation
James Rusch – Sienna Corporation


**AMENDED NOTICE OF INTENT TO CIRCULATE PETITION FOR ANNEXATION
OF TERRITORY TO CITY OF CHIPPEWA FALLS**

PLEASE TAKE NOTICE that not less than 10 nor more than 20 days from the date of publication of this notice, the undersigned owners of real property in the territory described below intends to circulate a petition in accordance with Section 66.0217(4) of the Wisconsin Statutes for annexation of the following territory of the Town of Eagle Point, Chippewa County, Wisconsin, to the City of Chippewa Falls, Wisconsin.


1. The legal description of the annexation is attached hereto and incorporated by reference as Exhibit A.
2. A scale map is attached hereto and incorporated by reference as Exhibit B.
3. A copy of the scale map of the territory proposed for annexation may be inspected at the office of the Clerk for the Town of Eagle Point, 9362 138th Street, Chippewa Falls, Wisconsin 54729 and at the office of the Clerk of the City of Chippewa Falls, 30 West Central Street, Chippewa Falls, Wisconsin 54729

Dated: Oct 13, 2006

Wisota Green Homeowners
Association, Inc., Property Owner
811 North Bridge Street
Chippewa Falls, WI 54729

By: 
Bruce G. Nimmer,
President

Sienna Corporation, Property Owner
4940 Viking Drive, Suite 608
Minneapolis, MN 55435

By: 
Bruce G. Nimmer,
President

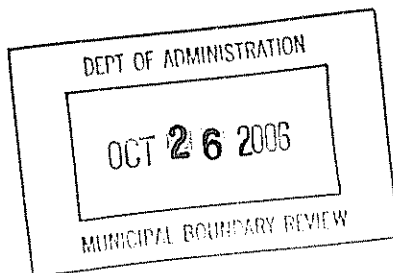
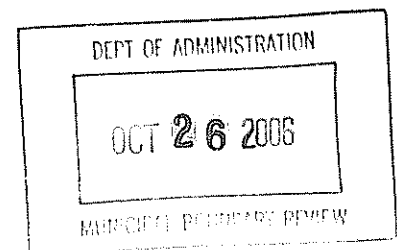


EXHIBIT A
DESCRIPTION OF XCEL PROPERTY AND SIENNA PROPERTY
TO BE ANNEXED

Being all of Lot 1 of Certified Survey Map No. 1247 recorded in Volume 5, Page 49-50, Document Number 535106, located in and also being a part of the Northwest ¼ of the Northwest ¼ of Section 34, Township 29 North, Range 8 West, Town of Eagle Point, Chippewa County, Wisconsin, more particularly described as follows:

Commencing at the Northwest corner of said Section 34; Thence S00°00'00"W 430.00 feet along the west line of said Northwest ¼; Thence S90°00'00"E 33.00 feet more or less to the easterly right of way of CTH I also being the point of beginning; Thence continuing S90°00'00"E 50.00 feet more or less to a point that is on a line that is parallel to and 83 feet east of the west line of said Northwest ¼; Thence N85°17'57"E 78.40 feet; Thence S86°15'59"E 27.40 feet to a point marking the beginning of a meander line; Thence S24°28'47"E 86.76 feet; Thence S56°31'28"E 98.26 feet; Thence S10°39'38"E 66.13 feet; Thence S8°38'00"E 116.83 feet; S49°58'30"E 101.41 feet to a point marking the end of said meander line; Thence S00°00'00"E 204.37 feet; Thence N86°42'30"E 20.01 feet; Thence S00°00'00"E 187.66 feet; Thence S90°00'00"W 47.92 feet; Thence S23°24'00"W 88.92 feet; Thence S90°00'00"W 317.55 feet; Thence N00 00'00"W 846.71 feet to the point of beginning. Said parcel contains 280,023 square feet (6.43 acres) more or less including all of land lying between the described meander line and the ordinary high water mark of Lake Wissota.





**WISCONSIN DEPARTMENT OF
ADMINISTRATION**

JIM DOYLE
GOVERNOR

STEPHEN BABLITCH
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/>

October 31, 2006

PETITION FILE NO. 12972

LYNNE BAUER, CLERK
CITY OF CHIPPEWA FALLS
30 W CENTRAL ST
CHIPPEWA FLS, WI 54729

KAREN KNORN, CLERK
TOWN OF EAGLE POINT
9362 138TH ST
CHIPPEWA FALLS, WI 54729

Subject: WISSOTA GREEN HOMEOWNERS ASSOCIATION INC ET AL 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 EAGLE POINT to the City of CHIPPEWA FALLS (see attached description) must be reviewed pursuant to the statute.

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 November 10, 2006 so that the information can be reviewed prior to the department's statutory deadline of November 15, 2006. 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 # 12972

ANNEXATION REVIEW QUESTIONNAIRE
MUNICIPAL BOUNDARY REVIEW

1. Territory to be annexed: ACEL + SIENNA PROPERTY | From Town of: EAGLE POINT | To City/Village of: CHIPPEWA FALLS

2. Area (Acres): 6.43 Approx. Equalized (full) value: Land:\$ Improvements:\$

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

a. Annual town property tax on territory to be annexed: \$5665.00 per yr a. Title of boundary agreement _____
b. Total that will be paid to Town (annual tax multiplied by 5 years): \$28,325.00 b. Year adopted _____
c. Paid by: Petitioner c. Participating jurisdictions _____
 City/Village (circle one) d. Statutory authority (circle one)
 Other 66.0307 66.0225 66.0301

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

Undeveloped: 100 % Residential 100 % Electors: _____
Commercial: _____ % Recreational _____ % Total: _____
Industrial: _____ %

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

Commercial: _____ % Residential _____ % Other:
Industrial: _____ % Recreational _____ %

Comments: UNKNOWN - BUILD SOMETHING TO GET BY - NOT TO PAY TAX OR GET BY ZONING LAWS

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?:

In the town?: LIES BETWEEN THE TOWN OF EAGLE POINT RESIDENTS BOTH SIDES

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

Sanitary sewer _____ Police/Fire protection _____
Water supply _____ EMS _____
Storm sewers _____ Zoning
Other THE TOWN TURNING DOWN THE REQUEST OF A REZONE



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 _____ Town _____
Water Supply immediately, or, write in number of years. City/Village _____ Town _____

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: _____ Annual park program appropriation: \$ _____

Describe proximity of parks from annexation territory: _____

11. Schools:

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

12. Planning:

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

2. Annual appropriation for planning? \$ 7500⁰⁰

3. How is the annexation territory now zoned? Residential

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

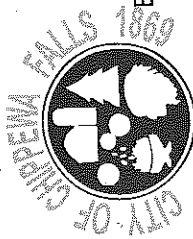
14. Other relevant information and comments bearing upon the public interest in the annexation:

People around the land live in town of Eagle Point. This annexation is to get around zoning laws. What is not right. This big companies come in and think they can get away with anything. Any more questions about this. Please call.

Prepared by: Mike Sadlerek
Title: Chairman
Phone: 715-382-4305
Date: 11-7-06

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

Best time to call is after 4:15 PM. or call my cell 1-715-827-0211



City of Chippewa Falls
30 WEST CENTRAL STREET
CHIPPEWA FALLS, WI 54729
Engineering

Department _____

Return Service Requested

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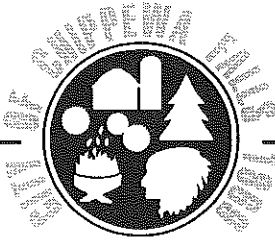


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MR ERICH SCHMIDTKE
MUNICIPAL BOUNDARY REVIEW
P O BOX 1645
MADISON WI 53701-1645

J5K6TWP 53701



City of Chippewa Falls

30 WEST CENTRAL STREET, CHIPPEWA FALLS, WISCONSIN 54729

November 9, 2006

Mr. Erich Schmidtke
Municipal Boundary Review
P O Box 1645
Madison WI 53701-1645

Dear Mr. Schmidtke:

Enclosed please find a completed questionnaire for petition #12972. Please contact me if you have any questions or concerns. A business card is enclosed for your convenience.

Sincerely,

Richard J. Rubenzer, P.E.
Director of Public Works/City Engineer

RJR/km

Enclosure: As stated

Home of The World's Purest Water

715-726-2701 • FAX - 715-726-2759

PETITION # 12972

ANNEXATION REVIEW QUESTIONNAIRE
MUNICIPAL BOUNDARY REVIEW

1. Territory to be annexed: _____ From Town of: _____ To City/Village of: _____
Parcel owned by Sienna Corporation Eagle Point Chippewa Falls

2. Area (Acres): 5.46 Acres Approx. Equalized (full) value: Land: \$ 200,000 Improvements: \$ _____

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

a. Annual town property tax on territory to be annexed: \$ <u>2,634.88</u>	a. Title of boundary agreement _____
b. Total that will be paid to Town (annual tax multiplied by 5 years): _____	b. Year adopted _____
c. Paid by: <u>City/Village</u> (circle one) Other _____	c. Participating jurisdictions _____
	d. Statutory authority (circle one) <u>66.0307</u> 66.0225 66.0301

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

Undeveloped: <u>100</u> %	Residential _____ %	Electors: <u>None</u> (0)
Commercial: _____ %	Recreational _____ %	Total: <u>None</u> (0)
Industrial: _____ %		

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

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

Comments: _____

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

7. What is the nature of land use adjacent to this territory in the city or village?:
Traditional Neighborhood Development

In the town?: Existing residential

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

Sanitary sewer <u>X</u>	Police/Fire protection <u>X</u>
Water supply <u>X</u>	EMS <u>X</u>
Storm sewers <u>X</u>	Zoning <u>X</u>
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
Immediately

Town

Water Supply immediately,
 or, write in number of years.

Immediately

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: 419 Acres (1991) Annual park program appropriation: \$ 800,000

Describe proximity of parks from annexation territory: One half mile to Chippewa County Conservancy Area and two miles to Irvine Park in the City of Chippewa Falls.

11. Schools:

What school district(s) serve the territory to be annexed? Chippewa Falls Area Unified School District and Chippewa Area Catholic Schools.

12. Planning:

1. Do you have a comprehensive plan for the City/Village/Town? Yes No
 If yes, when was it prepared? Adopted Dec 1999 When Updated? _____
 Who prepared the plan? JJB Associates

2. Annual appropriation for planning? \$ \$135,000

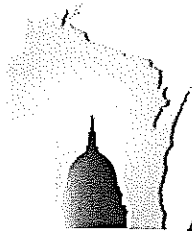
3. How is the annexation territory now zoned? Residential 1 Single Family only & Shoreland

4. How will the land be zoned and used if annexed? Traditional Neighborhood Development used as "Green" area

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

Prepared by: Richard J Rubenzer, P.E.
 Title: DPW/City Engr/Util. Mgr
 Phone: (715) 726-2736
 Date: Nov 8, 2006

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



WISCONSIN DEPARTMENT OF
ADMINISTRATION

JIM DOYLE
GOVERNOR

STEPHEN BABLITCH
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/>

December 22, 2006

DOA PETITION FILE NO. 12972

LYNNE BAUER, CLERK
CITY OF CHIPPEWA FALLS
30 W CENTRAL ST
CHIPPEWA FLS, WI 54729

KAREN KNORN, CLERK
TOWN OF EAGLE POINT
9362 138TH ST
CHIPPEWA FALLS, WI 54729

Subject: WISSOTA GREEN HOMEOWNERS ASSOCIATION INC ET AL ANNEXATION

The proposed annexation originally submitted to our office on October 26, 2006, has been reviewed and found to be in the public interest. This review was delayed as additional questions were posed to the surveyor, petitioner's attorney, and the town.

The subject petition is for territory that is reasonably shaped and contiguous to the City of CHIPPEWA FALLS. The City can immediately provide municipal sewer and water services to the subject property.

After discussing this annexation with the Town, it appears that development was initially attempted pursuant to town and county ordinances and subsequently the property was petitioned for annexation to the City. In addition, CTH "P" has been relocated to Seymour Cray Blvd., and the old right of way abutting the subject petition is now terminated near the subject property, potentially complicating access to this area for town residents. In the interest of promoting harmony and sound development practices, I would encourage the Town and City to consider using either of the intergovernmental agreement statutes, s. 66.0301 or 66.0307, Wis. Stats., and jointly formalize a development plan for the area, including official-mapping a street pattern adequate to serve the existing and future residents of the area, as the current cul-de-sac apparently irritates town residents living in the vicinity, and given the change-over in town board, there may have been no opportunity for coordination between the City and the Town over how development would proceed in this area. If there is interest in having a discussion over how intergovernmental agreements work, how they can be negotiated, and so forth, please feel free to call me at the number provided below.

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: 12972**

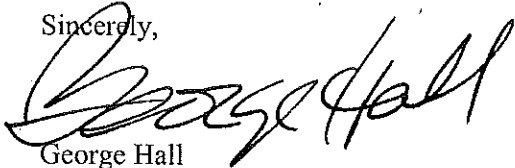
LYNNE BAUER, CLERK
KAREN KNORN, CLERK
December 22, 2006
Page 2

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: Attorney B. James Colbert
Mike Sedlacek, Chair, Town of Eagle Point
Richard J. Rubenzer, P.E., City Engineer