

13693

Patricia Listol

13693	Date Sent	Reply	Status
Town Quest	7/9		
Muni Quest	7/9	7/16	
Prop. Lister	7/9	7/10	

SEE COMMENTS

Town of DUNKIRK
City of STOUGHTON
07/26/2013

NO 7/26/13

Request for Annexation Review

13693

WI Dept. of Administration
Municipal Boundary Review
101 E. Wilson Street, 9th Floor
Madison WI 53703
608-264-6102 Fax: 608-264-6104
wlmunicipalboundaryreview@wi.gov
<http://doa.wi.gov/municipalboundaryreview/>

Wisconsin Department of Administration

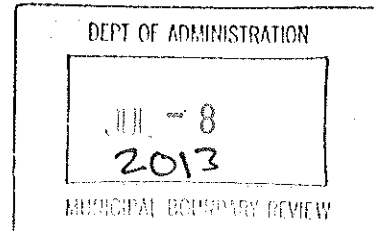
Petitioner Information

Name: PATRICIA LISTOL, PR OF TALMER LISTOL ESTATE

Address: 710 TAYLOR LN
STOUGHTON, WI 53589

Email:

Office use only:



1. Town where property is located: DUNKIRK
2. Petitioned City or Village: STOUGHTON
3. County where property is located: DANE
4. Population of the territory to be annexed: 0
5. Area (in acres) of the territory to be annexed: 13.066 M/L
6. Tax parcel number(s) of territory to be annexed
(if the territory is part or all of an existing parcel):

Petitioners phone:

Town clerk's phone:

City/Village clerk's phone:

Contact Information if different than petitioner:

Representative's Name and Address:
ATTORNEY DALE E. POPE

P.O. BOX 151

EDGERTON, WI 53534

ATTORNEY FOR THE PETITIONER

Phone: 608-884-3391

E-mail: depope@roethelaw.com

Surveyor or Engineering Firm's Name & Address:
STRAND ASSOCIATES INC.

910 W. WINGRA DR.

MADISON, WI 53715

Phone: 608-251-4843

E-mail:

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

1. ☐ Legal Description meeting the requirements of s.66.0217 (1) (c) [see attached annexation guide]
2. ☐ Map meeting the requirements of s. 66.0217 (1) (g) [see attached annexation guide]
3. ☐ Signed Petition or Notice of Intent to Circulate is included
4. Indicate Statutory annexation method used:
 - ☐ Unanimous per s. 66.0217 (2), or,
 - OR
 - ☐ Direct by one-half approval per s. 66.0217 (3)
5. ☐ Check or money order covering review fee [see next page for fee calculation]

LAW OFFICES
ROETHE POPE ROETHE LLP

13693

JEFFREY T. ROETHE
DALE E. POPE
MATTHEW T. ROETHE
MARK E. ROBINSON

*Wisconsin Lawyers:
Expert Advisers. Serving You.*

JOHN T. ROETHE (1911-1975)

Of Counsel:
ROBERT G. KROHN

July 1, 2013

PILI HOUGAN
ACTING CITY CLERK
CITY OF STOUGHTON
381 E MAIN ST
STOUGHTON WI 53589

COPY

RE: Request for Annexation

Dear Acting Clerk Hougan,

Please find enclosed a request for annexation submitted on behalf of Patricia Listol who is the Personal Representative of the Estate of Talmer Listol. This is for approximately 13 acres currently located in the Town of Dunkirk, Dane County, Wisconsin and is land located south of County Road Highway A as you can see by the attached survey.

I have also sent a copy of this petition for annexation to the Clerk for the Town of Dunkirk.

If you have any questions, please feel free to contact me.

Yours very truly,

ROETHE POPE ROETHE LLP



Dale E. Pope
E-Mail: depope@roethelaw.com

ja

enclosure

pc: Melanie Huchthausen (with enclosure)

✓ Wisconsin Dept of Administration

Municipal Boundary Review (with enclosure)

Attorney Matthew P. Dregne (with enclosure)

Pat Listol (with enclosure)

Reply to ☐ 24 N. Henry Street, PO Box 151, Edgerton, WI 53534, PH: 608-884-3391 FAX: 608-884-7018

508 Campus Street, Ste. 101, Milton, WI 53563, PH: 608-868-4346 FAX: 608-868-4348

13693

UNANIMOUS PETITION FOR DIRECT ANNEXATION
UNDER WIS. STAT. § 66.0217(2)

To the Common Council of the City of Stoughton, Dane County, Wisconsin:

1. The undersigned hereby petition for direct annexation of the territory described in Exhibit A hereto to the City of Stoughton, Dane County, Wisconsin (the "Territory").
2. Attached as Exhibit B is a scale map that accurately reflects the legal description of the Territory, and the boundary with the City of Stoughton, and that includes a graphic scale.
3. No persons reside within the Territory.
4. The Territory is owned by the Estate of Talmer A. Listol. This petition has been signed by the personal representative of the Estate of Talmer A. Listol.

ESTATE OF TALMER A. LISTOL

By Patricia Listol
Patricia Listol, Personal Representative

Exhibit A

Legal Description -- Annexation Petition

Annexation Area

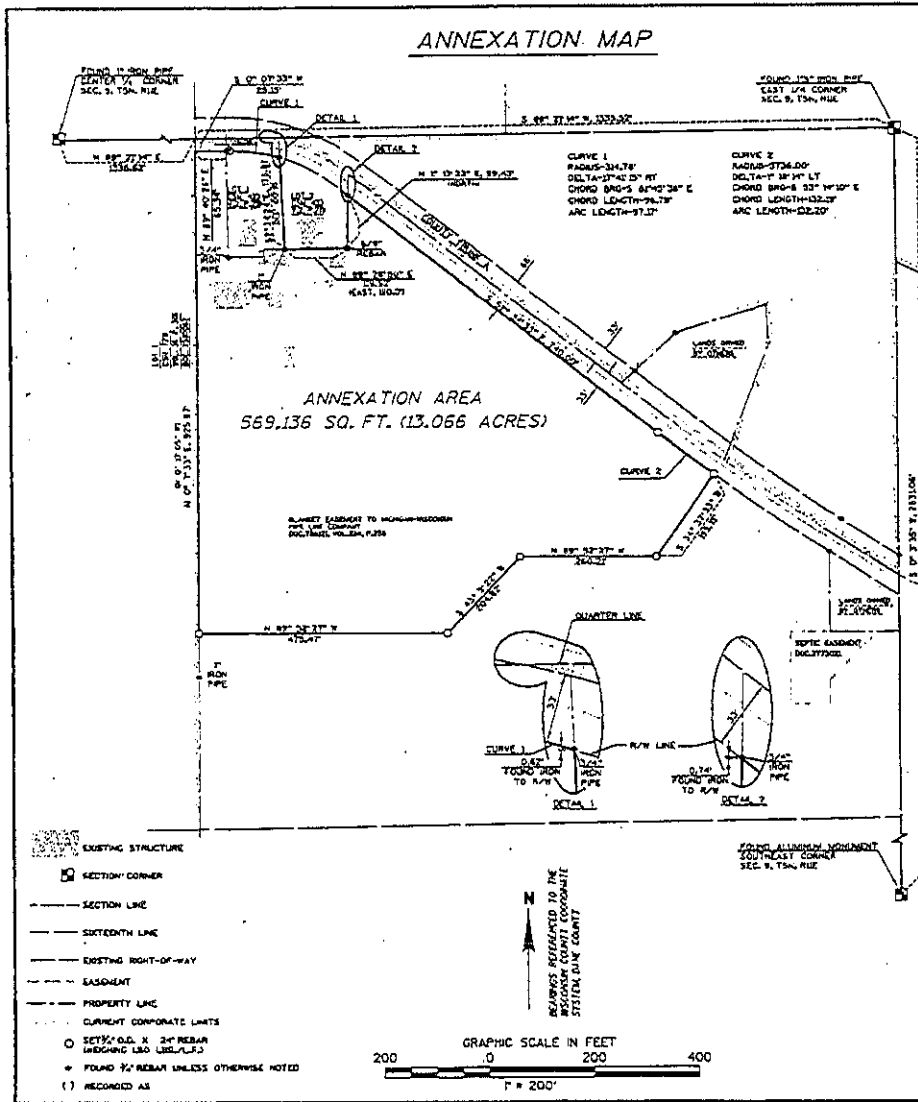
Lot 1 of Certified Survey Map 433 and part of the Northeast 1/4 of the Southeast 1/4 of Section 9, Township 5 North, Range 11 East, Town of Dunkirk, Dane County, Wisconsin, more fully described as follows:

Commencing at the East quarter corner of said Section 9;
Thence South 89°21' 14" West, 1,335.52 feet along the North line of said Southeast 1/4;
Thence South 0°07' 33" West, 25.15 feet to the Southerly right-of-way line of County Trunk A
and the point of beginning;

Thence North 89°40' 26" East, 65.34 feet along said Southerly right-of-way line to a point of circular curve to the right having a radius of 314.78 feet;
Thence 97.17 along the arc of said circular curve whose long chord bears South 81° 45' 36" East, 96.79 feet to the Westerly line of Lot 2 of Certified Survey Map 433 as recorded in Volume 2 on Pages 219-220 of Certified Survey Maps at the Dane County Register of Deeds;
Thence South 2°34' 24" East, 175.81 feet along said Westerly line to the Southwesterly corner of said Lot 2;
Thence North 89°28' 50" East, 119.92 feet along the Southerly line of said Lot 2 to the Southeasterly corner of said Lot 2;
Thence North 1°13' 23" East, 99.43 feet along the Easterly line of said Lot 2 to the Southwesterly right-of-way line of County Trunk A;
Thence South 52°34' 33" East, 740.00 feet along said Southwesterly right-of-way line to a point of circular curve to the left having a radius of 5,736.00 feet;
Thence continuing along said Southwesterly right-of-way line 132.20 feet along the arc of said circular curve whose long chord bears South 53° 14' 10" East, 132.19 feet;
Thence South 34°37' 33" West, 195.17 feet;
Thence North 89°52' 27" West, 260.21 feet;
Thence South 43°09' 22" West, 204.82 feet;
Thence North 89°52' 27" West, 475.47 feet to the Easterly line of Certified Survey Map 7211 as recorded in Volume 36 on Pages 305-306 of Certified Survey Maps at the Dane County Register of Deeds;
Thence North 0°07' 33" East, 925.87 feet along said Easterly line to the point of beginning.

Containing 569,136 square feet (13.066 acres), more or less.

Subject to all existing easements and restrictions, recorded and unrecorded.



ANNEXATION AREA
Lot 1 of Certified Survey Map 433 and part of the Northwest 1/4 of the Southeast 1/4 of Section 3, Township 3 North, Range 2 East, Town of Dunkirk, Dane County, Wisconsin, more fully described as follows:

Commencing at the East quarter corner of said Section 3;
Thence South 87°22'21" West, 133.52 feet along the North line of said Southeast 1/4;
Thence South 07°07'33" West, 25.8 feet to the Southern right-of-way line of County Trunk A and the point of beginning;
Thence North 87°40'26" East, 65.34 feet along said Southern right-of-way line to a point of sewer curve to the right having a radius of 344.78 feet;
Thence 17.37 along the arc of said circular curve whose long chord bears South 87°36' East, 96.78 feet to the Westerly line of Lot 2 of Certified Survey Map 433 as recorded in Volume 2 on Pages 228-229 of Certified Survey Maps of the Dane County Register of Deeds;
Thence South 27°42'24" East, 178.81 feet along said Westerly line to the Southwestern corner of said Lot 2;
Thence North 87°28'50" East, 28.82 feet along the Southern line of said Lot 2 to the Southeastern corner of said Lot 2;
Thence North 17°22'23" East, 99.43 feet along the Eastern line of said Lot 2 to the Southeastern right-of-way line of County Trunk A;
Thence South 52°04'33" East, 146.00 feet along said Southeastern right-of-way line to a point of circular curve to the left having a radius of 274.00 feet;
Thence continuing along said Southeastern right-of-way line 132.37 feet along the arc of said circular curve whose long chord bears South 33°14'10" East, 132.37 feet;
Thence South 34°33'33" West, 155.17 feet;
Thence North 87°52'27" West, 240.21 feet;
Thence South 43°09'22" West, 204.82 feet;
Thence North 28°52'21" West, 475.47 feet to the Eastern line of Certified Survey Map 721 as recorded in Volume 34 on Pages 309-308 of Certified Survey Maps of the Dane County Register of Deeds;
Thence North 07°07'33" East, 926.87 feet along said Eastern line to the point of beginning.

Containing 569,136 square feet (13.066 acres) more or less.
Subject to existing easements and restrictions, recorded and unrecorded.

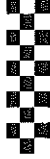
ANNEXATION MAP

Lot 1 of Certified Survey Map 433 and part of the Northeast 1/4 of the Southeast 1/4 of Section 3, Township 3 North, Range 2 East, Town of Dunkirk, Dane County, Wisconsin



FIGURE 1.0
L-046,088

13693
1:1
50



TOWN OF DUNKIRK
DANE COUNTY
654 County Road N
Stoughton, WI 53589-4354

Telephone: (608) 873-9177
Fax: (608) 877-5815

July 22, 2013

VIA FACSIMILE
(608) 264-6104

Mr. Erich Schmidtke
Wisconsin Department of Administration

**RE: Patricia Listol Annexation
Petition File No. 13693**

Dear Mr. Schmidtke:

Thank you for taking the time to speak with me regarding the above-referenced annexation. Confirming our conversation that the Town of Dunkirk is concerned this annexation will create an island for the residence located to the northeast of County A. The parcel number for this residence is 051109484452 and the owner is Mr. James Fouts. In conversations with Mr. Fouts, he is expressly opposed to being annexed into the City of Stoughton.

The Town is also concerned regarding the short amount of time we are given to review such matters. It is my understanding this time frame is set by State Statute.

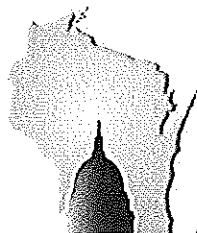
Again, thank you for your time and attention to this matter. We look forward to hearing from you regarding the Department's findings.

Sincerely,


Melanie Huchthausen, Clerk

CHAIRMAN - NORMAN E. MONSEN
SUPERVISOR I - ERIC J. QUAM
SUPERVISOR II - TED OLSON
CLERK - MELANIE L. HUCHTHAUSEN

TREASURER - BONNIE K. SMITHBACK
ASSESSOR - ASSOCIATED APPRAISAL, LLC
CONSTABLE - GREGORY HOLTE



**WISCONSIN DEPARTMENT OF
ADMINISTRATION**

SCOTT WALKER
GOVERNOR

MIKE HUEBSCH
SECRETARY

Municipal Boundary Review

PO Box 1645, Madison WI 53701

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

Email: wimunicipalboundaryreview@wi.gov

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

July 9, 2013

PETITION FILE NO. 13693

MARIA P HOUGAN, CLERK
CITY OF STOUGHTON
381 E MAIN ST
STOUGHTON, WI 53589

MELANIE HUCHTHAUSEN, CLERK
TOWN OF DUNKIRK
654 COUNTY ROAD N
STOUGHTON, WI 53589

Subject: PATRICIA LISTOL 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 DUNKIRK to the City of STOUGHTON (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.

Please return the questionnaire as soon as possible so that the information can be reviewed prior to the department's statutory deadline of July 26, 2013. Direct any questions and comments to Erich Schmidtke at (608) 264-6102. Thank you for your cooperation.

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

Sincerely,

Erich Schmidtke

Enclosures

REAL PROPERTY LISTERS ANNEXATION REVIEW

1. Territory to be annexed: 13.066	From Town of: Dunkirk	To City/Village of: Stoughton
---------------------------------------	--------------------------	----------------------------------

2. Checklist: (Y) Yes; (N) No; (NA) Not applicable; (NC) Not checked

Location and Position

- ☐ Y (1) A clear, concise description by government lot, recorded private claim, 1/4 - 1/4 section, section, township, range and county.
- ☐ NC (2) Alignment with orthophotography.
- ☐ Y (3) Contiguous with existing village/city boundaries.
- ☐ N (4) Creates an island area in Township (completely surrounded by city).
- ☐ N (5) Creates an island area in City (completely surrounded by town).

Description Information

- ☐ Y (1) New metes and bounds description.
- ☐ NC (a) Closure within 1:3000.
- ☐ Y (b) Commences with a corner of a 1/4 section (not center of section).
- ☐ Y (c) Bearing basis shown.
- ☐ N (d) Identifies surveyor including stamp and registration number
- ☐ N (2) Uses existing metes and bounds descriptions
- ☐ (a) Located in an existing recorded plat or Certified Survey Map, by lot(s) and or block(s).
- ☐ (b) Uses metes and bounds descriptions from existing surveys not on the same bearing basis

Map Information

- ☐ N (1) Previously recorded bearings and distances if different and reference document.
- ☐ Y (2) Section, 1/4 and 1/4-1/4 section lines labeled.
- ☐ N (3) Identify owner(s) of annexed land.
- ☐ N (4) Identify PIN numbers included in annexation.
- ☐ N (5) Identify PIN numbers being split by annexation
- ☐ Y (6) North arrow.
- ☐ Y (7) Scale
- ☐ Y (8) Streets and road shown and identified.
- ☐ Y (9) Legend
- ☐ Y (10) Curve data.

__NA__ (11) Meander line data.

__Y__ (12) Total area/acreage of annexation.

__N__ (13) Annexation to centerline of all streets and highway

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

Map attached to annexation is somewhat illegible – unable to determine conclusively if previously recorded bearings and distances are shown or if owners of lands are represented.

Prepared by: Jim Czaplicki
Title: Lead Land Records Spec.
Phone: (608) 267-3529
Date: 7/10/13

Please **RETURN PROMPTLY** to:
Municipal Boundary Review
101 E. Wilson Street, 10th Floor
Madison, WI 53702-0001
(608) 264-6102 (608) 267-6917 FAX

Annexation Review Questionnaire

Wisconsin Department of Administration

WI Dept. of Administration
Municipal Boundary Review
101 E. Wilson Street, 9th Floor
Madison WI 53703
608-264-6102 Fax: 608-267-6104
wimunicipalboundaryreview@wi.gov
<http://doa.wi.gov/municipalboundaryreview/>

Petitioner:

Patricia Listol

Petition Number:

13693

1. Territory to be
annexed:

From Town of: Dunkirk

To City/Village of: Stoughton

2. Area (Acres): 13

3. Pick one: ☒ Property Tax Payments

OR

☐ Boundary Agreement

a. Annual town property tax on territory to be
annexed: \$430

a. Title of boundary agreement _____

b. Total that will be paid to Town

(annual tax multiplied by 5 years): 2150

b. Year adopted _____

c. Paid by: ☐ Petitioner ☒ City ☐ Village
☐ Other:

c. Participating jurisdictions

d. Statutory authority (pick one)

☐ s. 66.0307

☐ s. 66.0225

☐ s. 66.0301

4. Resident Population: Electors: 0 Total: 0

5. Approximate **present** land use of territory:

Residential: 4%

Recreational: _____%

Commercial: _____%

Industrial: _____%

Undeveloped: 96%

6. If territory is undeveloped, what is the **anticipated** use?

Residential: _____%

Recreational: _____%

Commercial: _____%

Industrial: _____%

Other: 100

Comments: The City of Stoughton has an accepted offer to purchase this property for the future a new Public Works Facility

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

Plat Name: _____

8. What is the **nature of land use adjacent** to this territory in the city or village? Land to the west is in the City and is Industrial.

In the town?: Adjacent town uses are farm land with some homes.

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

☒ Sanitary sewer

☒ Water supply

☒ Storm sewers

☐ Police/Fire protection

☐ EMS

☒ Zoning

Other

10. 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: City/Village Town

Sanitary Sewers immediately ☒ ☐
or, write in number of years. 3 _____

Water Supply immediately, ☒ ☐
or, write in number of years. 3 _____

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: **This area is anticipated for future City development and included in the City's Comprehensive Plan for industrial development. Since the City plans to develop this site for their public works facility, the City will need to extend public sewer and water systems to this property.**

11. Planning:

1. Do you have a comprehensive plan for the City/Village/Town? ☒ Yes ☐ No

Is this annexation consistent with your comprehensive plan? ☒ Yes ☐ No

Describe: The property is located within the City's Short-Term Urban Growth Area.

2. Annual appropriation for planning? \$ 120000

3. How is the annexation territory now zoned? County Zoning

4. How will the land be zoned and used if annexed? City Zoning - this property will be considered for institutional or industrial to house our public works facility.

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

The City has an accepted offer to purchase this property. We are working through the acquisition contingencies at this time. The property owner is seeking annexation prior to the City purchase since splitting the parce prior to annexation may be inconsistent with the Town and County Zoning regulations.

Prepared by: ☐ Town ☒ City ☐ Village

Name: Rodney Scheel

Email: rjscheel@ci.stoughton.wi.us

Phone: 608-873-6619

Date: 7-12-2013

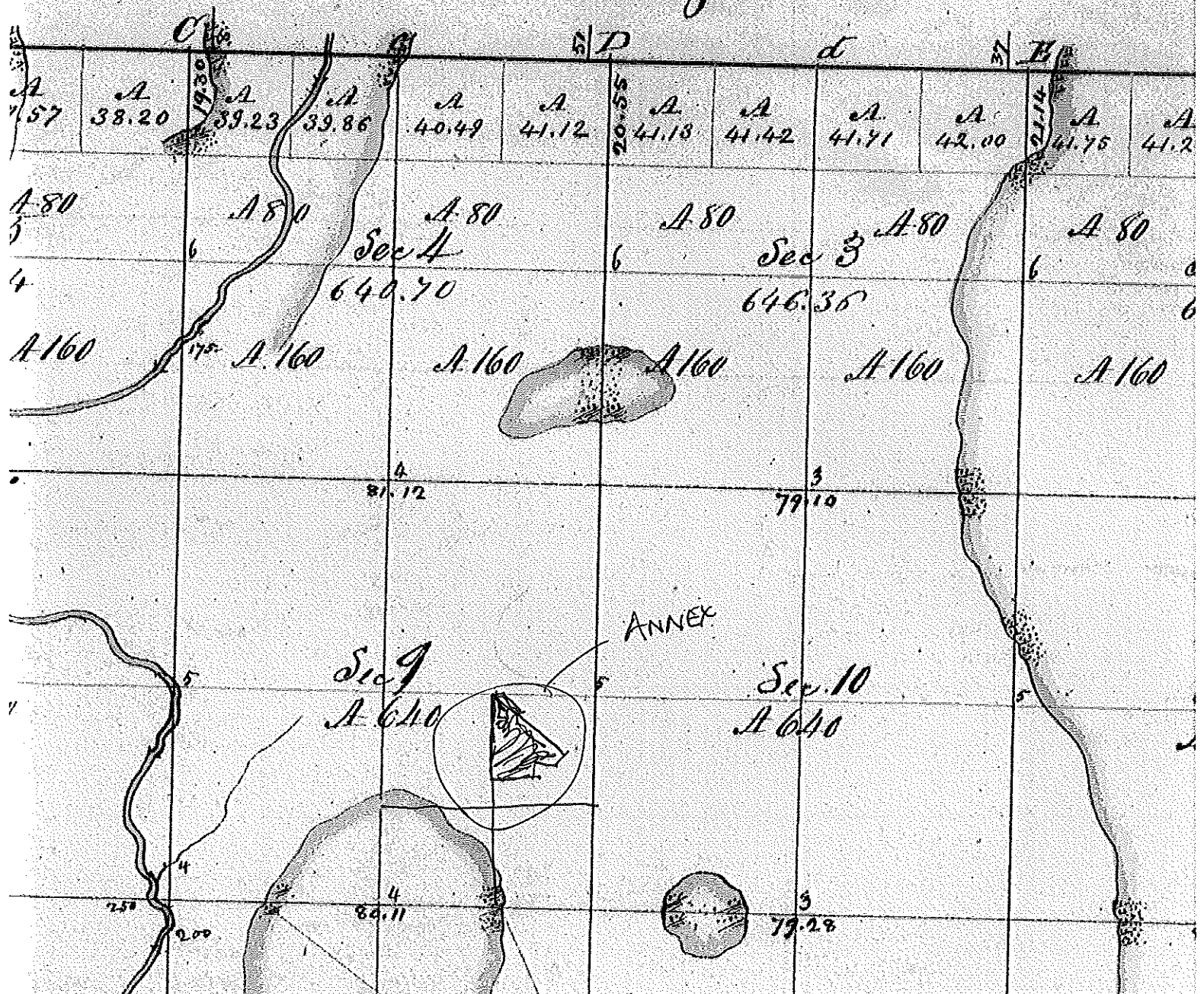
Please **RETURN PROMPTLY** to:
wimunicipalboundaryreview@wi.gov

Municipal Boundary Review
PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

(April 2013)

Ship No V N. Range No XI E.



T.5N.-R.11E.

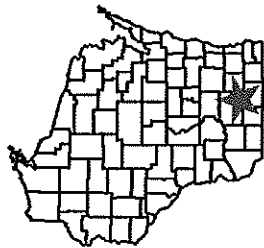


annex 13693



0 700 1400 2100 ft.

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.



Legend

- ☐ County Boundaries
- ☐ Civil Towns
- ☐ Civil Town
- ☐ 24K Open Water
- ☐ Cities and Villages
- ☐ Village
- ☐ City
- ☐ DNR Managed Lands
- ☐ Fee



Scale: 1:7,000



Dane County Wisconsin



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- Attention Mailing Label Users

Tools

Cometary Area

Map Content

Scale 1:4,504.02 GO

X : -89.191907 , Y : 42.911862

CURVE DATA

P.C.	Delta Angle	Radius	Long Chord
1-2	82°27'17"	5703.07	242.70
2-3	28°12'51"	342.78	150.22
3-4	82°27'17"	5703.07	242.70
4-5	82°27'17"	5703.07	242.70

Legend

- Surveyed, Iron and found
- Unless otherwise noted
- O = 3/4" x 13' rebar set
- 1.50x, per Linear Foot
- Permittees: David C. Riessop, Wisconsin

Surveyor's Certificate

I, David C. Riessop, Wisconsin Registered Land Surveyor, hereby certify that I have personally surveyed and monumented the area as described herein, and that such survey and monumentation were made in accordance with the laws and rules of the State of Wisconsin, and that I have fully complied with the State of Wisconsin Administration Code Chapter 7.01 in surveying and mapping herein, to the best of my knowledge and belief.

David C. Riessop, Wisconsin Registered Land Surveyor, No. 20170073



Dane County Wisconsin



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Tools

Map Content



Dane County
Wisconsin

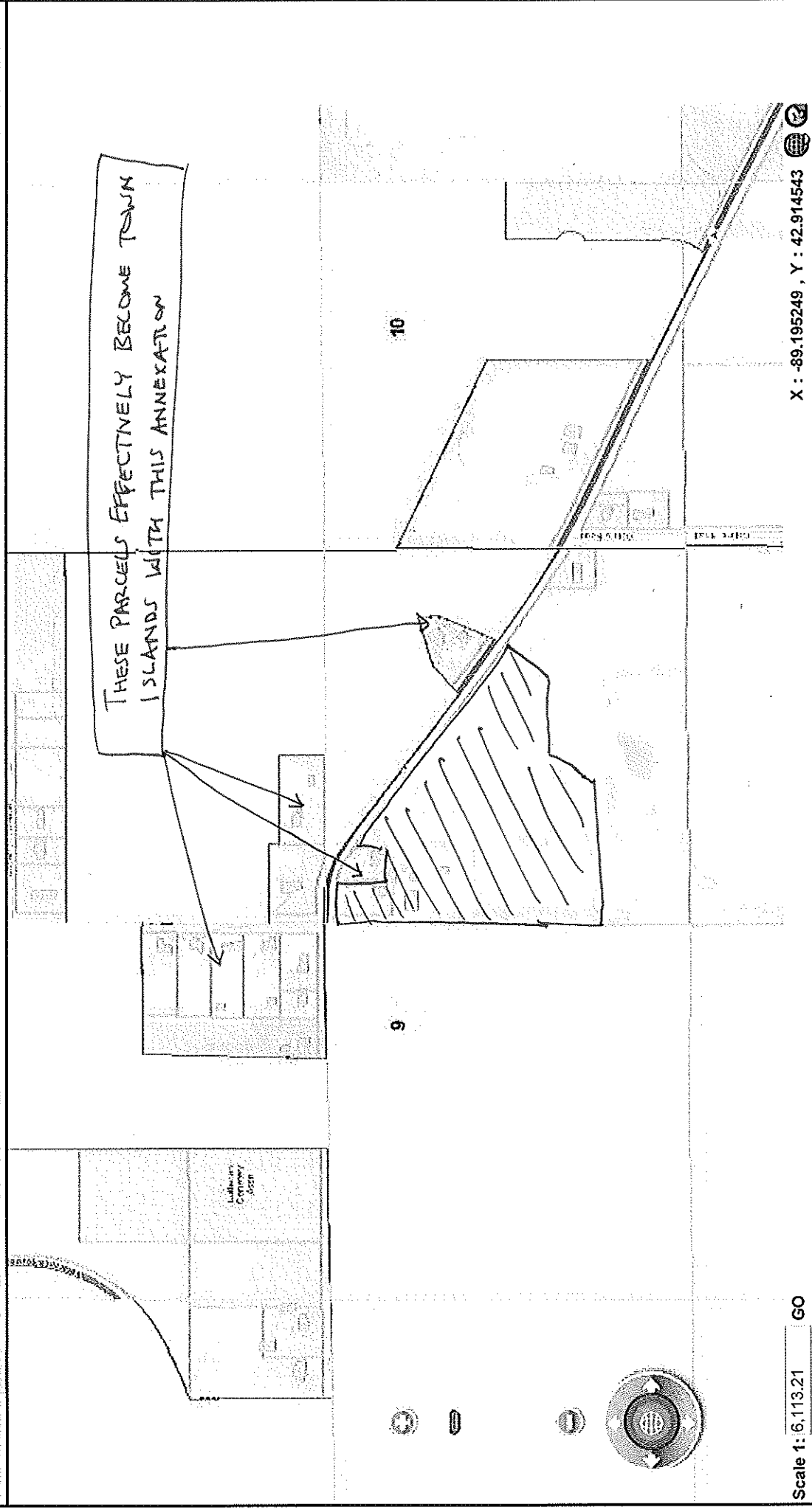


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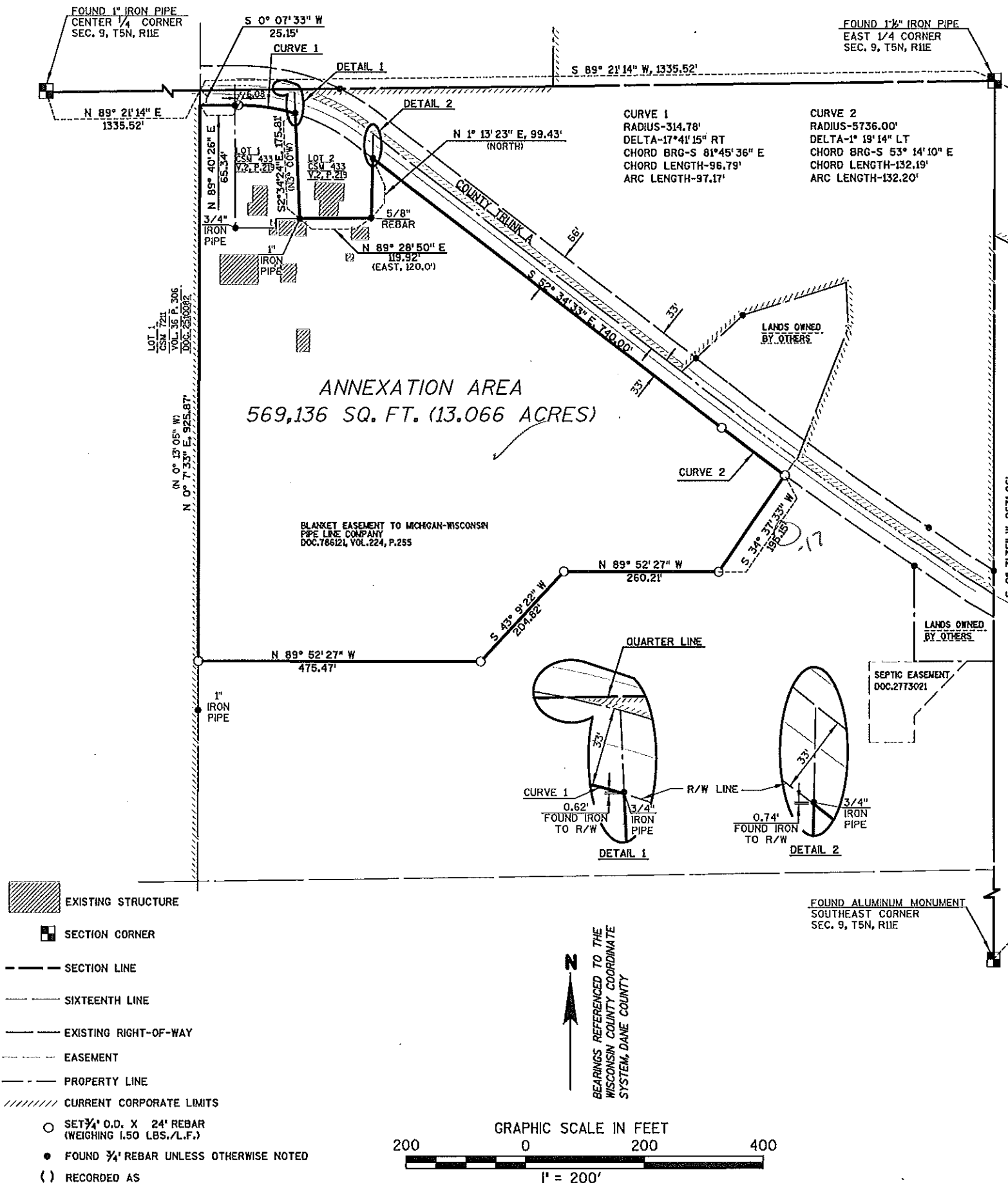
Searches Metadata View list of DCiMap updates Questions or Comments? Attention Mailing Label Users



Map Content



ANNEXATION MAP



ANNEXATION AREA:

Lot 1 of Certified Survey Map 433 and part of the
Northeast 1/4 of the Southeast 1/4 of Section 9, Township 5 North, Range 11 East, Town of Dunkirk,
Dane County, Wisconsin, more fully described as follows:

Commencing at the East quarter corner of said Section 9;
Thence South 89°21'14" West, 1,335.52 feet along the North line of said Southeast 1/4;
Thence South 0°07'33" West, 25.15 feet to the Southerly right-of-way line of County Trunk A
and the point of beginning;

Thence North 89°40'26" East, 65.34 feet along said Southerly right-of-way line to a point of circular curve to the right having a radius of 314.78 feet;
Thence 97.17 along the arc of said circular curve whose long chord bears South 81° 45'36" East, 96.79 feet to the Westerly line of Lot 2 of Certified Survey Map 433 as recorded in Volume 2 on Pages 219-220 of Certified Survey Maps at the Dane County Register of Deeds;
Thence South 2°34'24" East, 175.81 feet along said Westerly line to the Southwesterly corner of said Lot 2;
Thence North 89°28'50" East, 119.92 feet along the Southerly line of said Lot 2 to the Southeastery corner of said Lot 2;
Thence North 1°13'23" East, 99.43 feet along the Easterly line of said Lot 2 to the Southwesterly right-of-way line of County Trunk A;
Thence South 52°34'33" East, 740.00 feet along said Southwesterly right-of-way line to a point of circular curve to the left having a radius of 5,736.00 feet;
Thence continuing along said Southwesterly right-of-way line 132.20 feet along the arc of said circular curve whose long chord bears South 53° 14'10" East, 132.19 feet;
Thence South 34°37'33" West, 195.17 feet;
Thence North 89°52'27" West, 260.21 feet;
Thence South 43°09'22" West, 204.82 feet;
Thence North 89°52'27" West, 475.47 feet to the Easterly line of Certified Survey Map 7211 as recorded in Volume 36 on Pages 305-306 of Certified Survey Maps at the Dane County Register of Deeds;
Thence North 0°07'33" East, 925.87 feet along said Easterly line to the point of beginning.

Containing 569,136 [✓]square feet (13.066 acres), more or less.

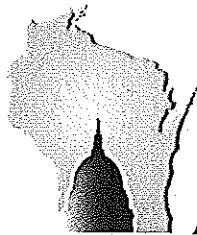
Subject to all existing easements and restrictions, recorded and unrecorded.

ANNEXATION MAP

Lot 1 of Certified Survey Map 433 and part of the Northeast 1/4 of the Southeast 1/4 of Section 9, Township 5 North, Range 11 East, Town of Dunkirk, Dane County, Wisconsin



FIGURE 1.0
1.040.068



**WISCONSIN DEPARTMENT OF
ADMINISTRATION**

SCOTT WALKER
GOVERNOR

MIKE HUEBSCH
SECRETARY

Municipal Boundary Review

PO Box 1645, Madison WI 53701

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

Email: wimunicipalboundaryreview@wi.gov

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

July 26, 2013

PETITION FILE NO. 13693

MARIA P HOUGAN, CLERK
CITY OF STOUGHTON
381 E MAIN ST
STOUGHTON, WI 53589

MELANIE HUCHTHAUSEN, CLERK
TOWN OF DUNKIRK
654 COUNTY ROAD N
STOUGHTON, WI 53589

Subject: PATRICIA LISTOL ANNEXATION

The proposed annexation submitted to our office on July 8, 2013, has been reviewed and found to be against 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 and any other contiguous village or city...." so as unincorporated land transitions to city or village status, the resulting boundaries are rational and easy for jurisdictions and residents to follow.

Although the subject petition is for territory that is reasonably shaped and contiguous to the City of Stoughton, the annexation of this territory would separate several parcels that remain in the Town of Dunkirk from the main body of the town. These 11 parcels, along Race Track Road and north and east of the proposed annexation territory along CTH "A", would be connected to the Town only via the CTH "A" road right-of-way, over a 1/4 mile at it's furthest. These Town of Dunkirk parcels that would become separated from the rest of the Town because of this annexation would effectively become town islands, which is prohibited by s. 66.0221 Wis. Stats.

This situation may be remedied by the owners of the potential Town island lands deciding to join in on the annexation. Alternatively, the Town and City could enter into a boundary agreement under s. 66.0301 or s. 66.0307 Wis. Stats. to proactively resolve these problematic pockets of isolated Town lands. Because boundary agreements are another of the Department's responsibilities, we would be available to provide assistance on developing a boundary agreement or answering any questions you might have.

If the City does choose to go ahead with this annexation, the Department recommends that the length (195.15') of the S 34° 37' 33" W course along the eastern boundary of the territory proposed to be annexed as shown on the annexation map should be changed to 195.17' so as to agree with the legal description of the annexation area.

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

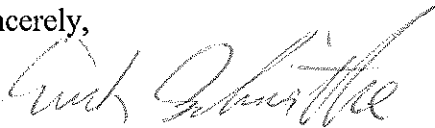
"The clerk of a city or village which has annexed shall file immediately with the secretary of state a certified copy of the ordinance, certificate and plat, and shall send one copy to each company that provides any utility service in the area that is annexed. The clerk shall record the ordinance with 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: 13693**
The address of the Office of the Secretary of State is:

Annexations and Railroads
Division of Government Records
Office of the Secretary of State
PO Box 7848
Madison WI 53707-7848

Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,



Erich Schmidtke, Municipal Boundary Review

cc: petitioner