

13769

Jeffrey Nau - City of Oshkosh

| 13769 | Date Sent | Reply | Status |
|--------------|-----------|-------|--------|
| Town Quest | 4/18 | | |
| Muni Quest | 4/18 | 4/24 | |
| Prop. Lister | 4/18 | 4/21 | |

Town of OSHKOSH
City of OSHKOSH
05/07/2014

OK 5/7/14

Request for Annexation Review

Wisconsin Department of Administration

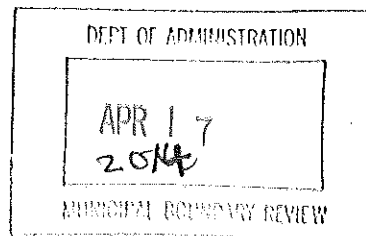
WI Dept. of Administration
Municipal Boundary Review
101 E. Wilson Street, 9th Floor
Madison WI 53703
608-264-6102 Fax: 608-264-6104
wimunicipalboundaryreview@wi.gov
<http://doa.wi.gov/municipalboundaryreview/>

13769

Petitioner Information

Name: **JEFFREY L. NAU**
Address: **CITY OF OSHKOSH**
DEPARTMENT OF COMMUNITY DEVELOPMENT
P.O. BOX 1130
OSHKOSH WI 54903-1130
Email: **JNAU@CI.OSHKOSH.WI.US**

Office use only:



1. Town where property is located: **TOWN OF OSHKOSH**
2. Petitioned City or Village: **CITY OF OSHKOSH**
3. County where property is located: **WINNEBAGO**
4. Population of the territory to be annexed: **0**
5. Area (in acres) of the territory to be annexed: **0.12**
6. Tax parcel number(s) of territory to be annexed
(if the territory is part or all of an existing parcel): **0181785**

Petitioners phone:
920-236-5122

Town clerk's phone:
920-235-7771

City/Village clerk's phone:
920-236-5011

Contact Information if different than petitioner:

Representative's Name and Address:

Phone: _____

E-mail: _____

Surveyor or Engineering Firm's Name & Address:

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 (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]

ANNEXATION SUBMITTAL GUIDE

13769

s. 66.0217 (5) THE PETITION

- ☒ State the purpose of the petition:
- Direct annexation by unanimous approval; OR
 - Direct annexation by one-half approval; OR
 - Annexation by referendum.
- ☒ Petition must be signed by:
- All owners and electors, if by unanimous approval.
 - See 66.0217 (3) (a), if by one-half approval.
 - See 66.0217 (3) (b), if by referendum.
- ☒ State the population of the land to be annexed.

[It is beneficial to include Parcel ID or Tax numbers, the parcel area, and identify the annexee (Town) and annexor (Village or City) in the petition.]

s. 66.0217 (1) (c) THE DESCRIPTION

- ☒ The annexation petition must include a legal description of the land to be annexed. The land must be described by reference to the government lot, private claim, quarter-section, section, town and range in which the land lies. The land must be further described by metes and bounds commencing from a monumented corner of the section or quarter-section, or the monumented end of a private claim or federal reservation, in which the land lies; OR
- ☒ If the land is wholly and entirely within a lot or lots, or all of a block or blocks of a recorded subdivision plat or certified survey map, it must be described by reference to the lot (s) and/or block (s) therein, along with the name of the plat or the number, volume, page, and County of the certified survey map.
- ☒ The land may NOT be described by:
- Aliquot part;
 - Reference to any other document (plat of survey, deed, etc.);
 - Exception or Inclusion;
 - Parcel ID or tax number.

s. 66.0217 (1) (g) THE MAP

- ☒ The map shall be an *accurate reflection* of the legal description of the parcel being annexed. As such, it must show:
- A tie line from the parcel to the monumented corner of the section or quarter-section, or the monumented end of a private claim or federal reservation, in which the parcel lies. The corner and monument must be identified.
 - Bearings and distances along all parcel boundaries as described.
 - All adjoiners as referenced in the description.
- ☒ The map must include a **graphic scale**.
- ☒ The map must show and identify the existing municipal boundary, in relation to the parcel being annexed.

[It is beneficial to include a North arrow, and identify adjacent streets and parcels on the map.]

s. 66.0217 FILING

- ☒ The petition must be filed with the Clerk of the annexing City or Village and with the Clerk of the Town in which the land is located.
- ☐ If the annexation is by one-half approval, or by referendum, the petitioner must post notice of the proposed annexation as required by s. 66.0217 (4).
- ☒ If the lands being annexed are within a County of 50,000 or greater population, the petition must also be filed with the Department of Administration for review

[Note that no municipality within a County of 50,000 or greater population may enact an annexation ordinance prior to receiving a review determination from the Department of Administration.]

PETITION FOR TEMPORARY AND PERMANENT ZONING CLASSIFICATION

TO THE COMMON COUNCIL OF THE CITY OF OSHKOSH:

WHEREAS the undersigned are electors and/or property owners in the area being sought to be annexed to the City of Oshkosh, said area being more particularly described in a certain petition for unanimous annexation to the City of Oshkosh,

Hickory VI Annexation,

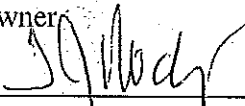
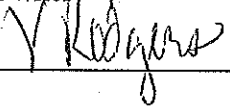
and,

WHEREAS it is acknowledged by the undersigned that the submitting of this petition does not in any matter attempt to make said petition for direct annexation conditional upon this petition or the action taken by the said Common Council pursuant to this petition.

NOW, THEREFORE, the undersigned petition the Common Council of the City of Oshkosh that the ordinance annexing said territory include a provision temporarily designating the classification for zoning purposes, pursuant to Sec. 66.0217(8) of the Wisconsin Statutes, until the zoning ordinance is amended as prescribed in Sec. 62.23(7)(d) of the Wisconsin Statutes, as follows:

R-1 Single Family Residence District

| NAME | POST OFFICE ADDRESS | DATE SIGNED | Qualification (elector and/or property owner) |
|--------------------|--|-------------|---|
| Thurman J. Rodgers | 575 Eastview Way Redwood City, CA 94062 | 3-19-14 | Owner <i>Thurman J. Rodgers</i> |
| Valeta Rodgers | 575 Eastview Way Redwood City, CA 94062 | 3-19-14 | Owner <i>Valeta Rodgers</i> |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

| NAME | POST OFFICE ADDRESS | DATE SIGNED | QUALIFICATION (elector and/or property owner) |
|--------------------|--|-------------|--|
| Thurman J. Rodgers | 575 Eastview Way Redwood City, CA 94062 | 3-19-14 | Owner  |
| Valeta Rodgers | 575 Eastview Way Redwood City, CA 94062 | 3-19-14 | Owner  |
| | | | |

PETITION FOR DIRECT ANNEXATION BY UNANIMOUS APPROVAL

TO THE COMMON COUNCIL OF THE CITY OF OSHKOSH, WINNEBAGO COUNTY, WISCONSIN:

WHEREAS; the undersigned constituting all of the electors and all of the owners of real property in the territory proposed to be annexed;

NOW, THEREFORE, PETITION IS HEREBY MADE by unanimous approval pursuant to the provisions of Sec. 66.0217(2) of the Wisconsin Statutes, for direct annexation to the City of Oshkosh, Wisconsin, from the Town of Oshkosh, Winnebago County, Wisconsin, of the real estate hereinafter described.

That pursuant to Sec. 66.0217(2), petition is hereby made without compliance to the notice requirements of Sec. 66.0217(4) of the Wisconsin Statutes.

That the current population of the territory to be annexed as defined by Sec. 66.0201(2)(dm) of the Wisconsin Statutes is zero (0).

That the territory to be annexed is contiguous to the City of Oshkosh, is located in the Town of Oshkosh, Winnebago County, Wisconsin and is described as follows:

HICKORY VI ANNEXATION

ALL OF LOT 39 OF DOEMEL PLAT LOCATED IN FRACTIONAL SECTION 7, TOWNSHIP 18 NORTH, RANGE 17 EAST, TOWN OF OSHKOSH, WINNEBAGO COUNTY, WISCONSIN BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH ¼ CORNER OF SAID SECTION 7; THENCE NORTH 89°55'43" WEST, 173.68 FEET ALONG THE SOUTH LINE OF THE SOUTHWEST ¼ OF SAID SECTION 7; THENCE NORTH 02°10'43" WEST, 928.53 FEET; THENCE NORTH 35°55'17.5" EAST, 324.46 FEET; THENCE NORTH 74°01'18" EAST, 719.88 FEET; THENCE NORTH 06°24'44" WEST, 279.91 FEET; THENCE NORTH 73°02'00" EAST, 344.80 FEET; THENCE NORTH 15°23'44" WEST, 92.05 FEET; THENCE NORTH 32°06'29" WEST, 422.90 FEET ALONG THE NORTHEAST LINES OF LOTS 298-300 OF THE ELEVENTH ADDITION TO NORTH POINT PLAT; THENCE NORTH 57°53'31" WEST, 150.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HICKORY LANE; THENCE NORTH 46°51'10" EAST, 50.43 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF HICKORY LANE, ALSO BEING THE SOUTHEAST CORNER OF LOT SAID 39 AND THE POINT OF BEGINNING; THENCE NORTH 32°06'29" WEST, 55.00 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF HICKORY LANE TO THE SOUTHWEST CORNER OF SAID LOT 39; THENCE NORTH 58°00'54" EAST 140.00 FEET ALONG THE WEST LINE OF SAID LOT 39 TO A POINT ON A MEANDER LINE, SAID POINT BEING SOUTH 58°00'54" WEST, 12 FEET MORE OR LESS FROM THE SHORELINE OF LAKE WINNEBAGO; THENCE SOUTH 32°06'29" EAST, 55.00 FEET ALONG SAID MEANDER LINE TO A POINT THAT IS SOUTH 58°00'54" WEST, 17 FEET MORE OR LESS FROM THE SHORELINE OF LAKE WINNEBAGO; THENCE SOUTH 58°00'54" WEST, 140.00 FEET ALONG THE EAST LINE OF SAID LOT 39 TO THE POINT OF BEGINNING. ALSO INCLUDING ALL LANDS LYING BETWEEN SAID MEANDER LINE AND SHORELINE OF LAKE WINNEBAGO AND THE EXTENSION OF WESTERLY AND EASTERLY BOUNDARY LINES TO SAID SHORELINE LINE. SAID AREA CONTAINS 8,566 SQUARE FEET OR 0.120 ACRES, MORE OR LESS.

That attached hereto is a scale map reasonably showing the boundaries of the following described territory to be annexed and its relation to the municipalities involved.



**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/>

April 18, 2014

PETITION FILE NO. 13769

PAMELA R. UBRIG, CLERK
CITY OF OSHKOSH
PO BOX 1130
OSHKOSH, WI 54903

JEANNETTE MERTEN, CLERK
TOWN OF OSHKOSH
1076 COZY LN
OSHKOSH, WI 54901

Subject: JEFFREY NAU - CITY OF OSHKOSH 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 OSHKOSH to the City of OSHKOSH (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 May 7, 2014. 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

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: 608-264-6104
wimunicipalboundaryreview@wi.gov
<http://doa.wi.gov/municipalboundaryreview/>

Petitioner:

Jeffrey Nau - City of Oshkosh

Petition Number:

13769

| | | |
|-----------------------------|----------------------------------|--|
| 1. Territory to be annexed: | From Town of: Town of OSHKOSH | To City/Village of: City of OSHKOSH |
|-----------------------------|----------------------------------|--|

2. Area (Acres): 0.12

3. Pick one: ☒ Property Tax Payments

OR

☐ Boundary Agreement

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

\$ 123.88

a. Title of boundary agreement _____

b. Year adopted _____

b. Total that will be paid to Town

(annual tax multiplied by 5 years) \$619.40

c. Participating jurisdictions

d. Statutory authority (pick one)

c. Paid by: ☐ Petitioner ☒ City ☐ Village

☐ s. 66.0307

☐ s. 66.0225

☐ s. 66.0301

☐ Other:

4. Resident Population: Electors: 0 Total: 0

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

Residential: 100 %

Recreational: _____ %

Commercial: _____ %

Industrial: _____ %

Undeveloped: _____ %

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

Residential: _____ %

Recreational: _____ %

Commercial: _____ %

Industrial: _____ %

Other:

Comments:

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? Single-Family Residential

In the town?: NA

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 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| or, write in number of years. | <u>Immediately</u> | _____ |

| | | |
|-------------------------------|-------------------------------------|--------------------------|
| Water Supply immediately, | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| or, write in number of years. | <u>Immediately</u> | _____ |

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:

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: Residential land use recommendation per City of Oshkosh 2005 Comprehensive Plan.

2. Annual appropriation for planning? \$ 703,600

3. How is the annexation territory now zoned? R-2, Suburban Residential District

4. How will the land be zoned and used if annexed?
R-1, Single-Family Residence District

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

Prepared by: ☐ Town ☒ City ☐ Village

Name: Jeffrey L. Nau

Email: jnau@ci.oshkosh.wi.us

Phone: 920-236-5122

Date: 4/22/2014

(April 2013)

Please RETURN PROMPTLY to:

wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

PETITION # 13769**REAL PROPERTY LISTERS ANNEXATION REVIEW**

1. Territory to be annexed: Hickory VII | From Town of: Oshkosh | To City/Village of: Oshkosh

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

Location and Position

- Y (1) Location description by government lot, recorded private claim, 1/4 - 1/4 section, section, township, range and county
- Y (2) Contiguous with existing village/city boundaries
- N (3) Creates an island area in Township (completely surrounded by city)
- N (4) Creates an island area in City (completely surrounded by town)

Petition and Map Information

- Y (1) Identify owner(s) of annexed land
- Y (2) Identify parcel ID numbers included in annexation.
- N/A (3) Identify parcel ID numbers being split by annexation
- Y (4) North arrow
- Y (5) Graphic Scale
- Y (6) Streets and Highways shown and identified
- N/A (7) Legend
- Y (8) Total area/acreage of annexation

3. Other relevant information and comments:

Prepared by: Diane Culver
Title: GIS Specialist
Phone: 920-233-3335
Date: 4-21-14

Please **RETURN PROMPTLY** to:
Municipal Boundary Review
101 E. Wilson Street, 9th Floor
Madison, WI 53702-0001
(608) 264-6102 (608) 267-6917 FAX
wimunicipalboundaryreview@wi.gov

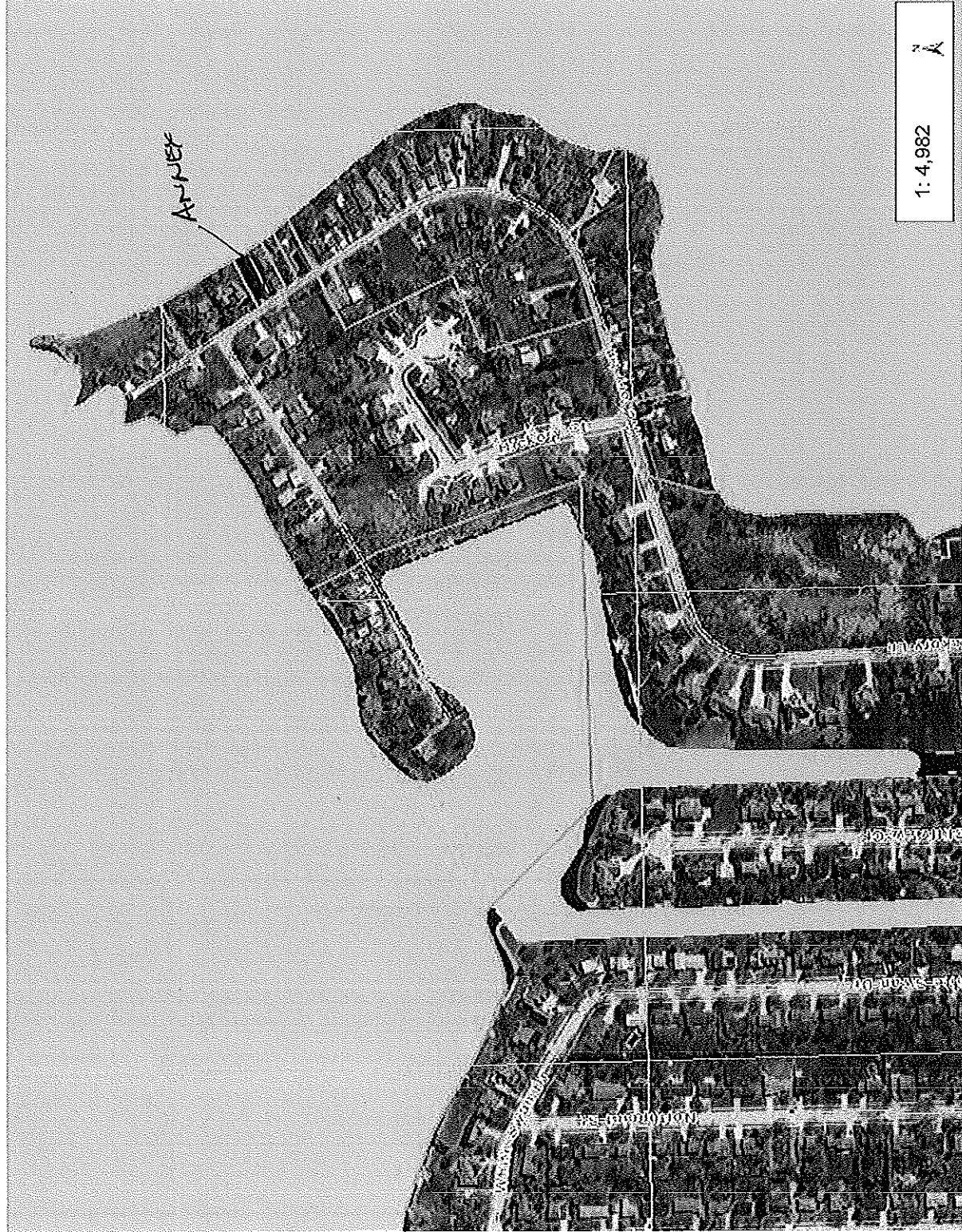


13769



Legend

- ☐ Quarter-Quarter
- ☐ Cities, Towns & Villages
- ☐ City
- ☐ Village
- ☐ Civil Town
- ☐ Rivers and Streams
- ☐ Open Water
- ☐ 2010 Air Photos (WROC)



1: 4,982



0.2 Miles

0.08

0

0.2

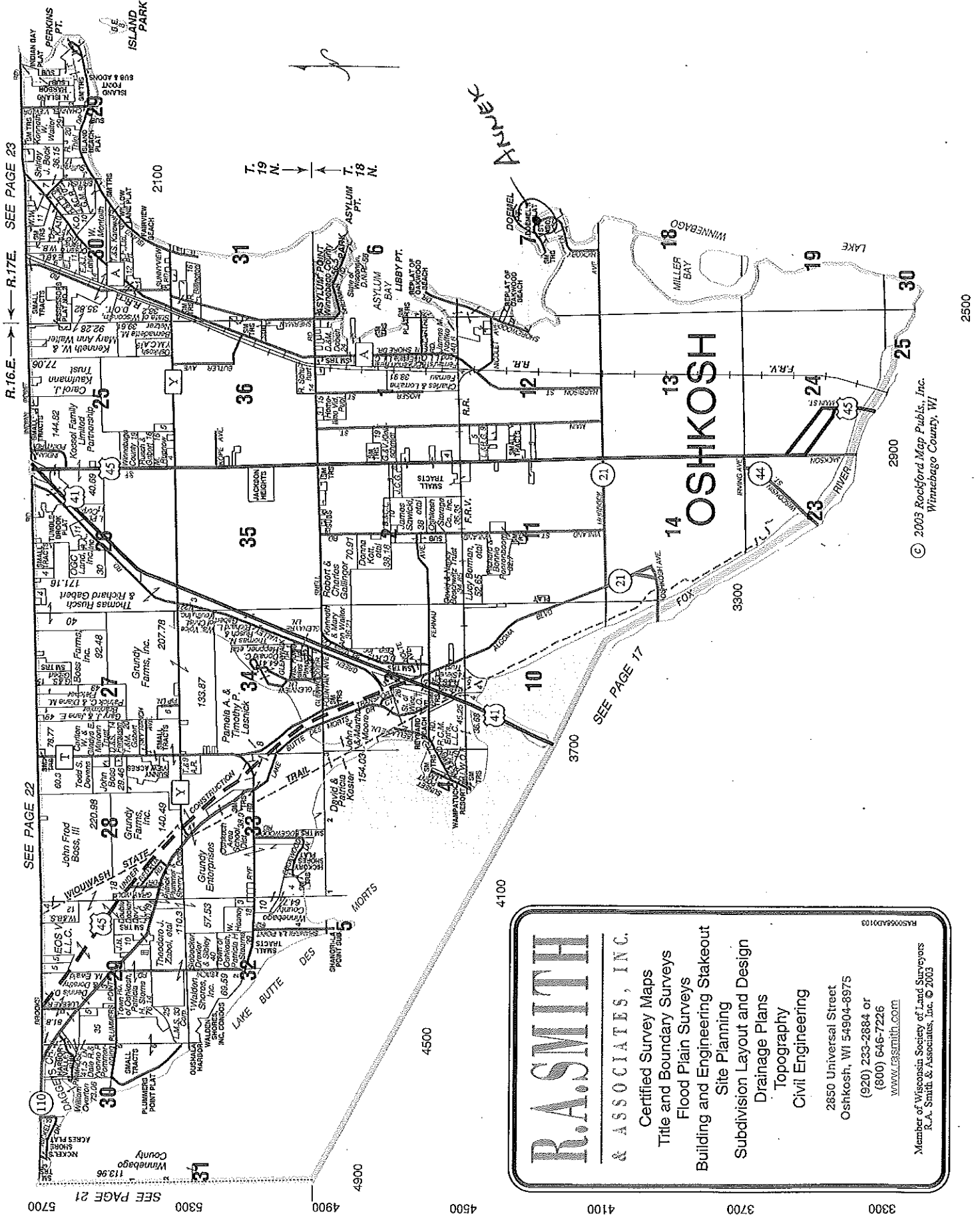
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Notes

OSHKOSH

T.18-19N.-R.16-17E.



R.A. SMITH

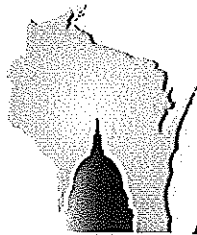
& ASSOCIATES, INC.

- Certified Survey Maps
- Title and Boundary Surveys
- Flood Plain Surveys
- Building and Engineering Stakeout
- Site Planning
- Subdivision Layout and Design
- Drainage Plans
- Topography
- Civil Engineering

2850 Universal Street
Oshkosh, WI 54904-8975
(920) 233-2884 or
(800) 646-7226
www.rasmith.com

Member of Wisconsin Society of Land Surveyors
R.A. Smith & Associates, Inc. © 2003

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Winnebago County, WI



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/>

May 7, 2014

PETITION FILE NO. 13769

PAMELA R. UBRIG, CLERK
CITY OF OSHKOSH
PO BOX 1130
OSHKOSH, WI 54903

JEANNETTE MERTEN, CLERK
TOWN OF OSHKOSH
1076 COZY LN
OSHKOSH, WI 54901

Subject: JEFFREY NAU - CITY OF OSHKOSH ANNEXATION

The proposed annexation submitted to our office on April 17, 2014, has been reviewed and found to be in the public interest. In determining whether an annexation is in the public interest, s. 66.0217 (6), Wis. Stats. requires the Department to examine "[t]he shape of the proposed annexation and the homogeneity of the territory with the annexing village or city 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. The subject petition is for territory that is reasonably shaped and contiguous to the **CITY OF OSHKOSH**.

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: 13769**

The address of the Office of the Secretary of State is:

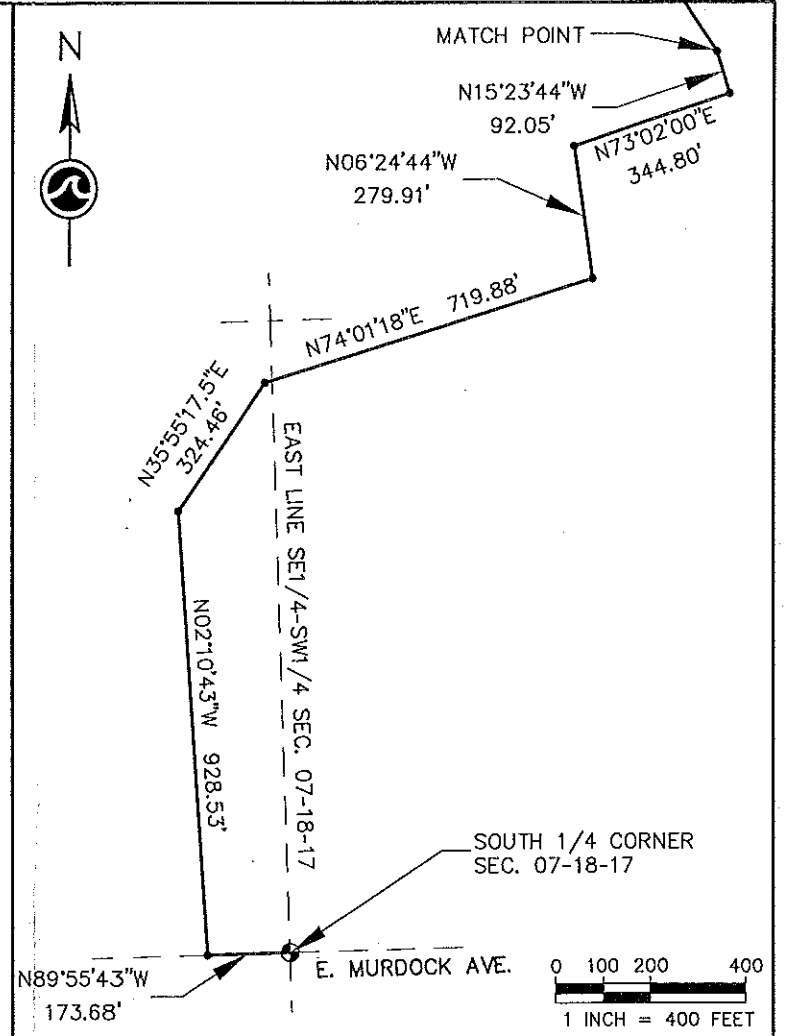
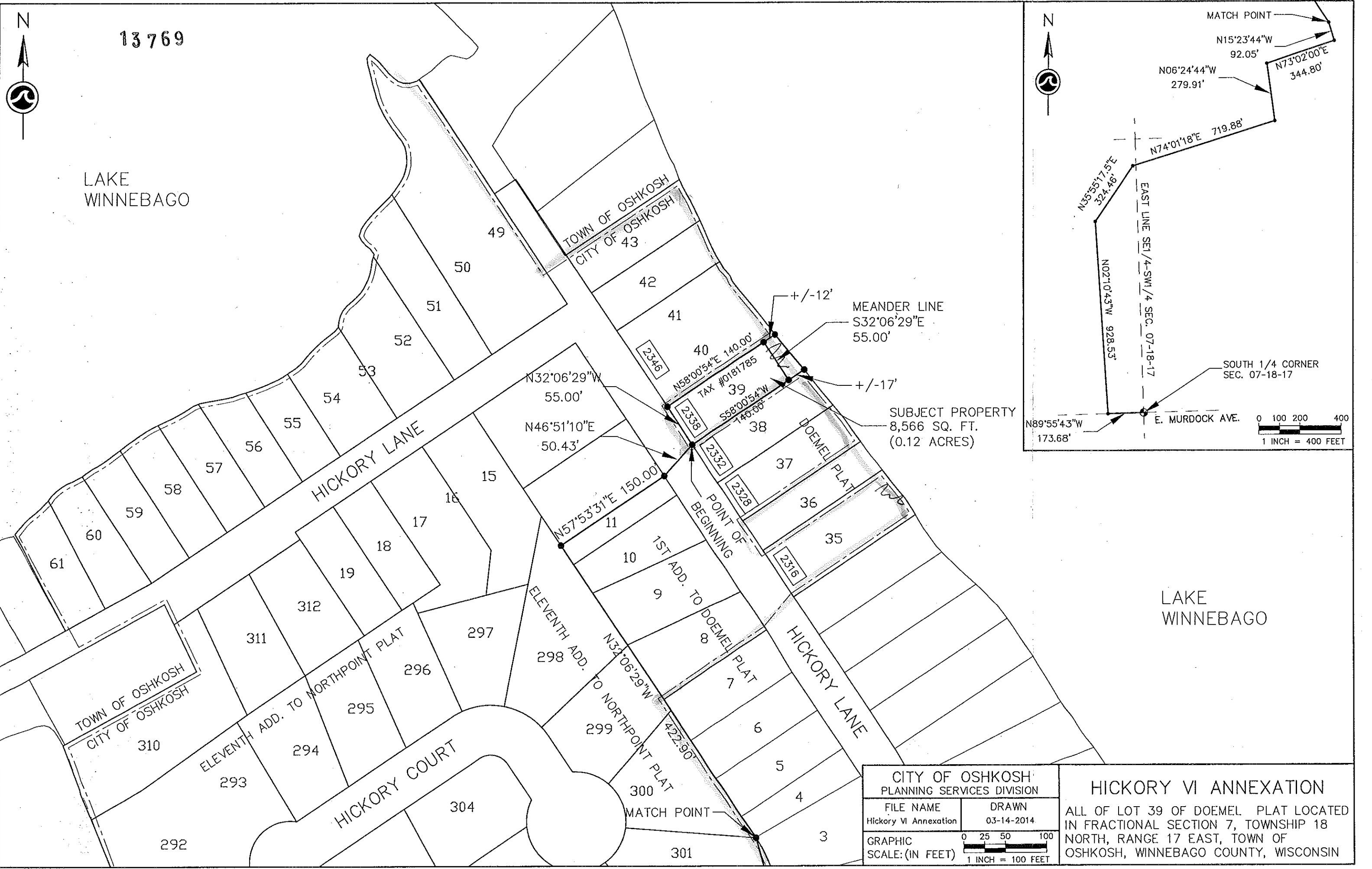
Annexations and Railroads
Division of Government Records
Office of the Secretary of State
PO Box 7848
Madison WI 53707-7848

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

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner



| | | | |
|---|----------------------------------|---|--|
| CITY OF OSHKOSH PLANNING SERVICES DIVISION | | HICKORY VI ANNEXATION | |
| FILE NAME | DRAWN | ALL OF LOT 39 OF DOEMEL PLAT LOCATED IN FRACTIONAL SECTION 7, TOWNSHIP 18 NORTH, RANGE 17 EAST, TOWN OF OSHKOSH, WINNEBAGO COUNTY, WISCONSIN | |
| Hickory VI Annexation | 03-14-2014 | | |
| GRAPHIC SCALE: (IN FEET) | 0 25 50 100 1 INCH = 100 FEET | | |