

14087

Wisconsin Electric Power Co.

| 14087 | Date Sent | Reply | Status |
|--------------|----------------|----------|--------|
| Town Quest | 2/6 | | |
| Muni Quest | 2/6 | INCLUDED | |
| Prop. Lister | 2/6 | | |

TOWN OF GRAND CHUTE
CITY OF APPLETON
02/23/2018

OK 2/23/18

Request for Annexation Review

14087

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 Information

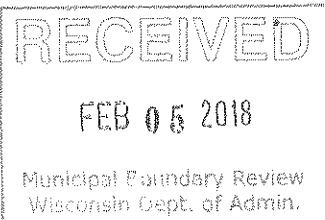
Name: **WISCONSIN ELECTRIC POWER COMPANY,
JAMES T. RAABE**

Address: **P.O. BOX 2046**

MILWAUKEE, WI 53201

Email: **ARLENE.BUTTKE@WE-ENERGIES.COM**

Office use only:



1. Town where property is located: **TOWN OF GRAND CHUTE**

2. Petitioned City or Village: **CITY OF APPLETON**

3. County where property is located: **OUTAGAMIE**

4. Population of the territory to be annexed: **0**

5. Area (in acres) of the territory to be annexed: **72.263 ACRES
M/L**

6. Tax parcel number(s) of territory to be annexed
(if the territory is part or all of an existing parcel): **PART OF
101153600**

Petitioners phone:

414-221-2718

Town clerk's phone:

920-832-5644

City/Village clerk's phone:

920-832-6443

Contact Information if different than petitioner:

Representative's Name and Address:

KURT COENEN

**NORTH EDGEWOOD ESTATES
DEVELOPMENT, LLC**

3117 E. CANVASBACK LANE

APPLETON, WI 54913

Phone: **920-858-7276**

E-mail: **KURTCOENEN1@GMAIL.COM**

Surveyor or Engineering Firm's Name & Address:

TOM KROMM, CITY SURVEYOR

100 N. APPLETON STREET

APPLETON, WI 54911

Phone: **920-832-6480**

E-mail: **TOM.KROMM@APPLETON.ORG**

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

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

Annexation Review Fee Schedule

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

Required Fees

14087

There is an initial filing fee and a variable review fee

\$350 Initial Filing Fee (required with the first submittal of all petitions)
\$200 – 2 acres or less
\$350 – 2.01 acres or more

\$1,000 Review Fee (required with all annexation submittals except those that consist ONLY of road right-of-way)
\$200 – 2 acres or less
\$600 – 2.01 to 10 acres
\$800 – 10.01 to 50 acres
\$1,000 – 50.01 to 100 acres
\$1,400 – 100.01 to 200 acres
\$2,000 – 200.01 to 500 acres
\$4,000 – Over 500 acres

\$1,350 TOTAL FEE DUE (Add the Filing Fee to the Review Fee)

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

THE DEPARTMENT WILL NOT PROCESS
AN ANNEXATION PETITION THAT IS NOT ACCOMPANIED
BY THE REQUIRED FEE.

THE DEPARTMENT'S 20-DAY STATUTORY REVIEW PERIOD
COMMENCES UPON RECEIPT OF THE PETITION AND REVIEW FEE

Shaded Area for Office Use Only

Date fee received: 2/5

Payee: NORTH EDGEWOOD ESTATES DEVELOPMENT LLC

Check Number: 5001

Check Date: 1/16

Amount: 1,350

ANNEXATION SUBMITTAL GUIDE

14087

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 only 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

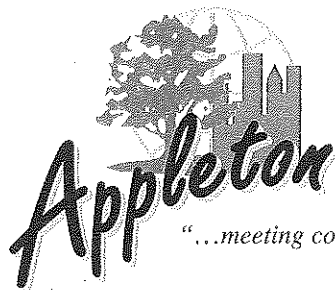
- ☒ The map shall be an *accurate reflection* of the legal description of the parcel being annexed. As such, it must show:
- A tie line from the parcel to the monumented corner of the section or quarter-section, or the monumented end of a private claim or federal reservation, in which the parcel lies. 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.]



"...meeting community needs...enhancing quality of life."

14087

LEGAL SERVICES DEPARTMENT

Office of the City Attorney

100 North Appleton Street

Appleton, WI 54911-4799

Phone: 920/832-6423

Fax: 920/832-5962

February 1, 2018

WI Department of Administration
Municipal Boundary Review
101 East Wilson Street, 9th Floor
Madison, WI 53703

**Certified Mail –
Return Receipt Requested**

Re: Annexation

To Whom It May Concern:

Enclosed please find a copy of the *Unanimous Petition of Property Owners for Direct Annexation* to the City of Appleton, along with a scale map of the same. This is being referred to as the North Edgewood Estates Annexation.

Also enclosed please find a completed Request for Annexation Review form along with a draft in the appropriate amount.

If you have any questions or concerns, please do not hesitate to contact me. Thank you for your assistance in this matter.

Sincerely,

James P. Walsh
City Attorney

Enclosure

JPW:jljg



**PETITION FOR DIRECT ANNEXATION BY UNANIMOUS APPROVAL
PURSUANT TO SECTION 66.0217(2), WISCONSIN STATUTES
WHERE NO ELECTORS RESIDE IN TERRITORY**

We, the undersigned, constituting all of the owners of the real property in which no electors reside in the following territory of the Town of Grand Chute, Outagamie County, Wisconsin, lying contiguous to the City of Appleton, petition the Common Council of the City of Appleton to annex the territory described below and shown on the attached scale map to the City of Appleton, Outagamie County, Wisconsin.

Part of Lot One (1) and part of Lot Two (2) of CERTIFIED SURVEY MAP NUMBER 4228 filed in Volume 23 of Certified Survey Maps on Page 4228 as Document Number 1448301 in the Outagamie County Register of Deeds Office, located in the North One-Half (N ½) of the Southwest Quarter (SW ¼) of Section 5, Township 21 North, Range 18 East, Town of Grand Chute, Outagamie County, Wisconsin, containing 72.263 Acres of land m/l and being described by:

Commencing at the Southwest corner of said Section 5;

Thence North 00° 02' 25" West 1325.97 feet along the West line of the SW ¼ of said Section 5 to the South line of Certified Survey Map No. 4228;

Thence South 88° 34' 21" East 33.01 feet coincident to the South line of said Certified Survey Map No. 4228 to the Point of Beginning;

Thence North 00° 02' 25" West 1185.99 feet to a North line of said Certified Survey Map No. 4228;

Thence South 88° 35' 21" East 171.05 feet coincident to a North line of said Certified Survey Map No. 4228;

Thence North 00° 02' 25" West 140.00 feet coincident to a West line of said Certified Survey Map No. 4228;

Thence South 88° 35' 21" East 2486.15 feet coincident to the North line of said Certified Survey Map No. 4228 to the East line of said Certified Survey Map No. 4228;

Thence South 00° 16' 55" West 1326.58 feet coincident to the East line of said Certified Survey Map No. 4228 to the South line of said Certified Survey Map No. 4228;

Thence North 88° 34' 21" West 1982.54 feet coincident to the South line of said Certified Survey Map No. 4228;

Thence North 00° 02' 25" West 525.18 feet;

Thence North 88° 34' 11" West 660.22 feet to a point 40.00 feet East of, as measured at a right angle to, the West line of the Southwest ¼ of said Section 5;

Thence South 00° 02' 25" East 525.21 feet to the South line of said Certified Survey Map No. 4228;

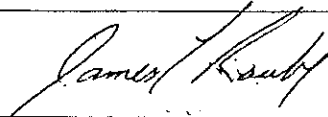
Thence North 88° 34' 21" West 7.00 feet coincident to the South line of said Certified Survey Map No. 4228 to the point of beginning.

The current population of such territory is 0.

We, the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexation, incorporation, or consolidation proceedings, if any.

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We further respectfully request that the City Plan Commission initiate a rezoning for the subject property, from temporary AG Agricultural District to a permanent zoning classification of R-1B Single-Family District.

| Signature of Petitioner | Owner | Date of Signing | Address of Petitioner (Include Zip Code) |
|---|--|-----------------|--|
|  | Wisconsin Electric Power Company | 1/22/18 | P.O. Box 2046 Milwaukee, WI 53201 |
| James T. Raabe, Manager of Property Management, Wisconsin Electric Power Company | | | |

ANNEXATION "NORTH EDGEWOOD ESTATES"**PART OF PARCEL: 101153600****Owner: Wisconsin Electric Power Company****Document #1378002**

Part of Lot One (1) and part of Lot Two (2) of **CERTIFIED SURVEY MAP NUMBER 4228** filed in Volume 23 of Certified Survey Maps on Page 4228 as Document Number 1448301 in the Outagamie County Register of Deeds Office, located in the North One-Half (N ½) of the Southwest Quarter (SW ¼) of Section 5, Township 21 North, Range 18 East, Town of Grand Chute, Outagamie County, Wisconsin, containing 72.263 Acres of land m/l and being described by:

Commencing at the Southwest corner of said Section 5;

Thence North 00° 02' 25" West 1325.97 feet along the West line of the SW ¼ of said Section 5 to the South line of Certified Survey Map No. 4228;

Thence South 88° 34' 21" East 33.01 feet coincident to the South line of said Certified Survey Map No. 4228 to the Point of Beginning;

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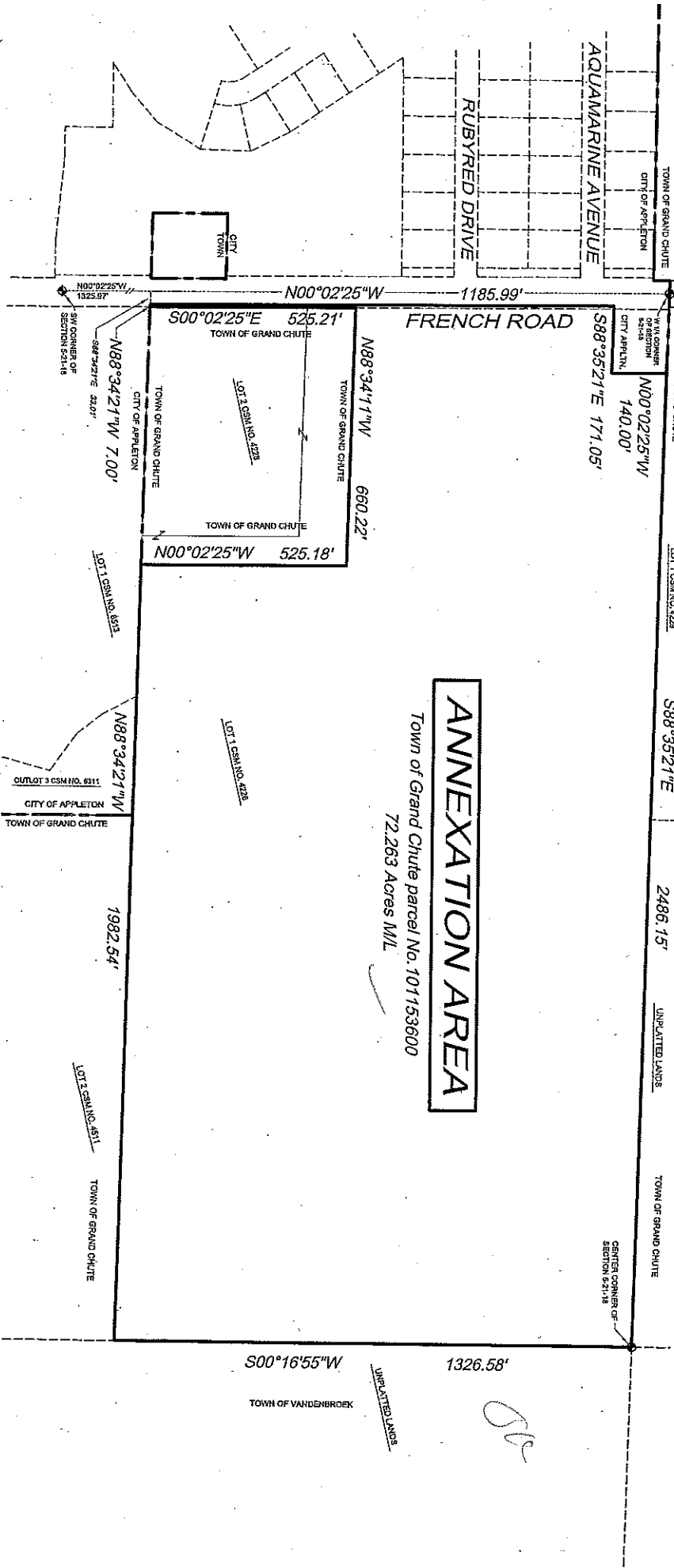
Thence North 88° 34' 21" West 7.00 feet coincident to the South line of said Certified Survey Map No. 4228 to the point of beginning.

06

14087

ANNEXATION EXHIBIT

Part of Lot One (1) and part of Lot Two (2) of CERTIFIED SURVEY MAP NUMBER 4228 filed in Volume 23 of Certified Survey Maps on Page 4228 as Document Number 1448301 in the Outagamie County Register of Deeds Office, located in the North One-Half (N 1/2) of the Southwest Quarter (SW 1/4) of Section 5, Township 21 North, Range 18 East, Town of Grand Chute, Outagamie County, Wisconsin.



CITY OF APPLETON
DEPT. OF PUBLIC WORKS
ENGINEERING DIVISION
100 NORTH APPLETON STREET
APPLETON, WI 54911
920-832-6474
DRAFTED BY: T. KRONAK



SCOTT WALKER

GOVERNOR

SCOTT A. NEITZEL

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/>

February 06, 2018

PETITION FILE NO. 14087

KAMI LYNCH, CLERK
CITY OF APPLETON
100 N APPLETON ST
APPLETON, WI 54911-4702

KAREN WEINSCHROTT, CLERK
TOWN OF GRAND CHUTE
1900 GRAND CHUTE BLVD
GRAND CHUTE, WI 54913-9613

Subject: WISCONSIN ELECTRIC POWER CO. 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 GRAND CHUTE to the CITY OF APPLETON (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 February 23, 2018. 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

14087

PETITION #

ANNEXATION REVIEW QUESTIONNAIRE**MUNICIPAL BOUNDARY REVIEW**

| | | |
|---|------------------------------|-------------------------|
| 1. Territory to be annexed: North Edgewood Estates | From Town of: Grand Chute | To City of: Appleton |
|---|------------------------------|-------------------------|

2. Area (Acres): 72.263 acres Approx. Equalized (full) value: Land: \$13,400 Improvements: \$0

| | | |
|--|----|---|
| 3. Property Tax Payments | OR | Boundary Agreement (yes) |
| a. Annual town property tax on territory to be annexed: _____ | | a. Title of boundary agreement: <u>Intermunicipal Agreement</u> |
| b. Total that will be paid to Town (annual tax multiplied by 5 years): _____ | | b. Year adopted: <u>1992</u> |
| c. Paid by: Petitioner City/Village Other: N/A | | c. Participating jurisdictions: <u>City of Appleton and Town of Grand Chute</u> |
| | | d. Statutory authority: <u>66.027 and 66.30</u> |

| | |
|--|----------------------|
| 4. Approximate present land use of territory: | Resident Population: |
| Undeveloped: <u>100%</u> | Residential _____% |
| Commercial: _____% | Recreational _____% |
| Industrial: _____% | Electors: <u>0</u> |
| | Total: <u>0</u> |

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

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

Comments: Approximately 129 single-family lots anticipated.6. Has a preliminary ____ or final ____ plat been submitted to the Plan Commission: ____ Yes X No7. What is the **nature of land use adjacent** to this territory in the city?:One and Two-Family Residential, Multi-Family ResidentialIn the town?: Agricultural, Public/Institutional (utility substation)8. What are the **basic service needs** that precipitated the request for annexation?

| | |
|-------------------------|------------------------------|
| Sanitary sewer <u>X</u> | Police/Fire protection _____ |
| Water supply <u>X</u> | EMS _____ |
| Storm sewers <u>X</u> | Zoning _____ |
| Other _____ | |

9. Is the city/village or town capable of providing needed utility services?

City X Yes ___ No Town ___ Yes X No

If yes, approximate time table for providing service:

Sanitary Sewers immediately
or, write in number of years.

City
In phases, per
Dev. Agmt.

Town

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

In phases, per
Dev. Agmt.

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)?
X Yes ___ No. If yes, identify the nature of the anticipated improvements and their probable costs: Regional lift station and force main, per approved Development Agreement.

10. Parks and Recreation:

Total acreage: 633 acres Annual park program appropriation: \$ 3,732,631

Describe proximity of parks from annexation territory: 0.4 miles north of Vosters Park, 0.9 miles northeast of Providence Park

11. Schools:

What school district(s) serve the territory to be annexed? Appleton Area School District

12. Planning:

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

If yes, when was it prepared? 2009/2010 When Updated? 2016/2017

Who prepared the plan? R.A. Smith National, Inc., Short Elliott Hendrickson, Inc., and City of Appleton Staff

2. Annual appropriation for planning? \$280,414

3. How is the annexation territory now zoned? AGD (General Agricultural District)

4. How will the land be zoned and used if annexed? R-1B Single Family District. Approximately 129 single-family lots anticipated.

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

Prepared by: David Kress
Title: Principal Planner, City of Appleton
Phone: (920) 832-6428
Date: 01-22-18

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@wisconsin.gov EMAIL



14087



Legend

- ☐ Township
- ☐ Section
- ☐ Quarter-Quarter
- ☐ County Boundary
- ☐ Cities, Towns & Villages
- ☐ City
- ☐ Village
- ☐ Civil Town
- ☐ Municipality
- ☐ State Boundaries
- ☐ County Boundaries
- ☐ Major Roads
- ☐ Interstate Highway
- ☐ State Highway
- ☐ US Highway
- ☐ County and Local Roads
- ☐ County HWY
- ☐ Local Road
- ☐ Railroads
- ☐ Tribal Lands
- ☐ Rivers and Streams
- ☐ Intermittent Streams
- ☐ Lakes and Open water

Notes

DISCLAIMER: The information shown on these maps has been obtained from various sources, and are of varying age, reliability and resolution. These maps are not intended to be used for navigation, nor are these maps an authoritative source of information about legal land ownership or public access. No warranty, expressed or implied, is made regarding accuracy, applicability for a particular use, completeness, or legality of the information depicted on this map. For more information, see the DNR Legal Notices web page: <http://dnr.wi.gov/legal/>

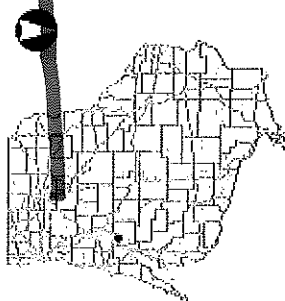
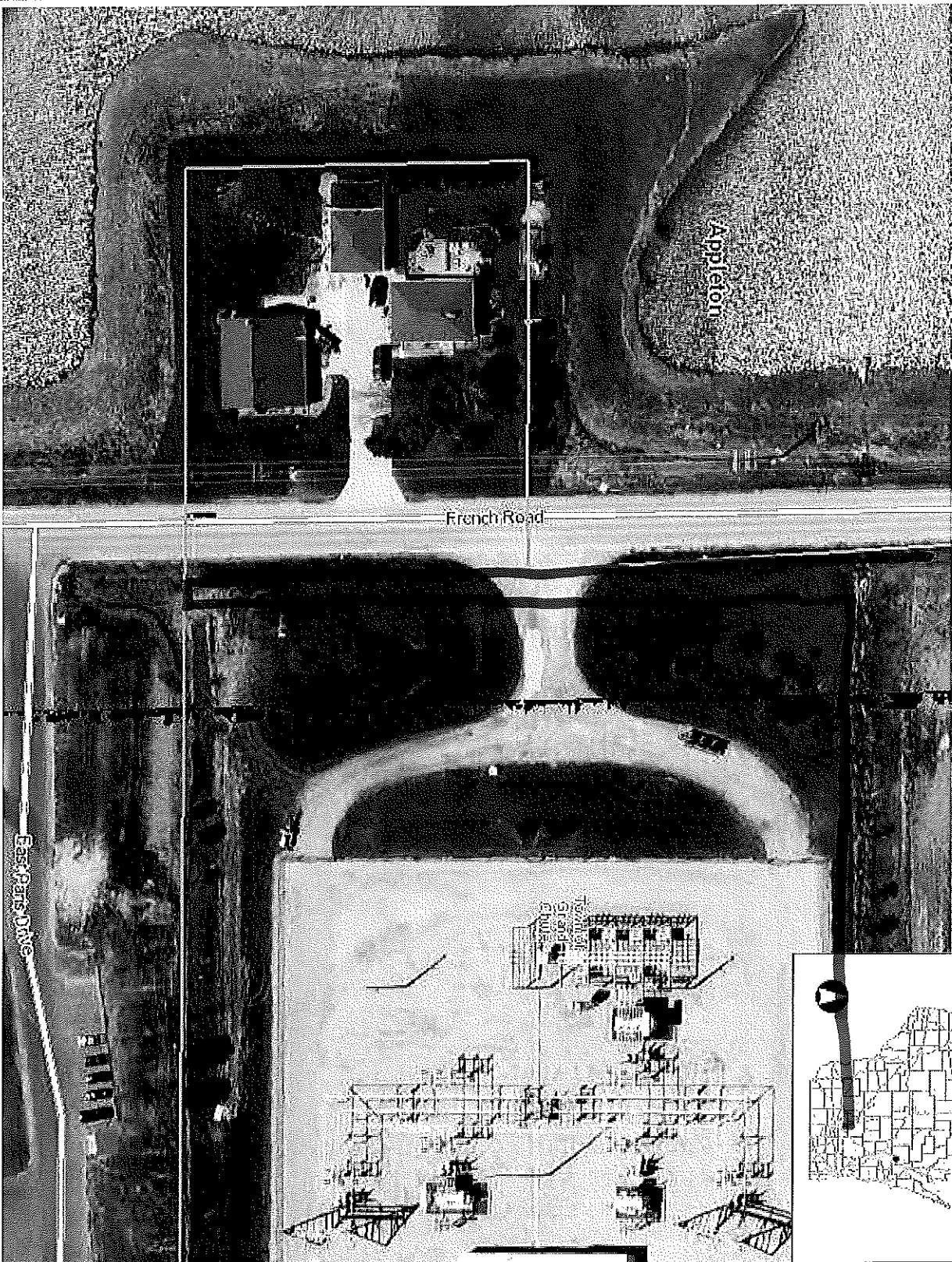
0.3 0 0.13 0.3 Miles

NAD_1983_HARN_Wisconsin_TM

1: 7,920



14087



Legend

- ☐ County Boundary
- ☐ Cities, Towns & Villages
- ☐ City
- ☐ Village
- ☐ Civil Town
- ☐ Municipality
- ☐ State Boundaries
- ☐ County Boundaries
- ☐ Major Roads
- ☐ Interstate Highway
- ☐ State Highway
- ☐ US Highway
- ☐ County and Local Roads
- ☐ County HWY
- ☐ Local Road
- ☐ Railroads
- ☐ Tribal Lands
- ☐ Rivers and Streams
- ☐ Intermittent Streams
- ☐ Lakes and Open water

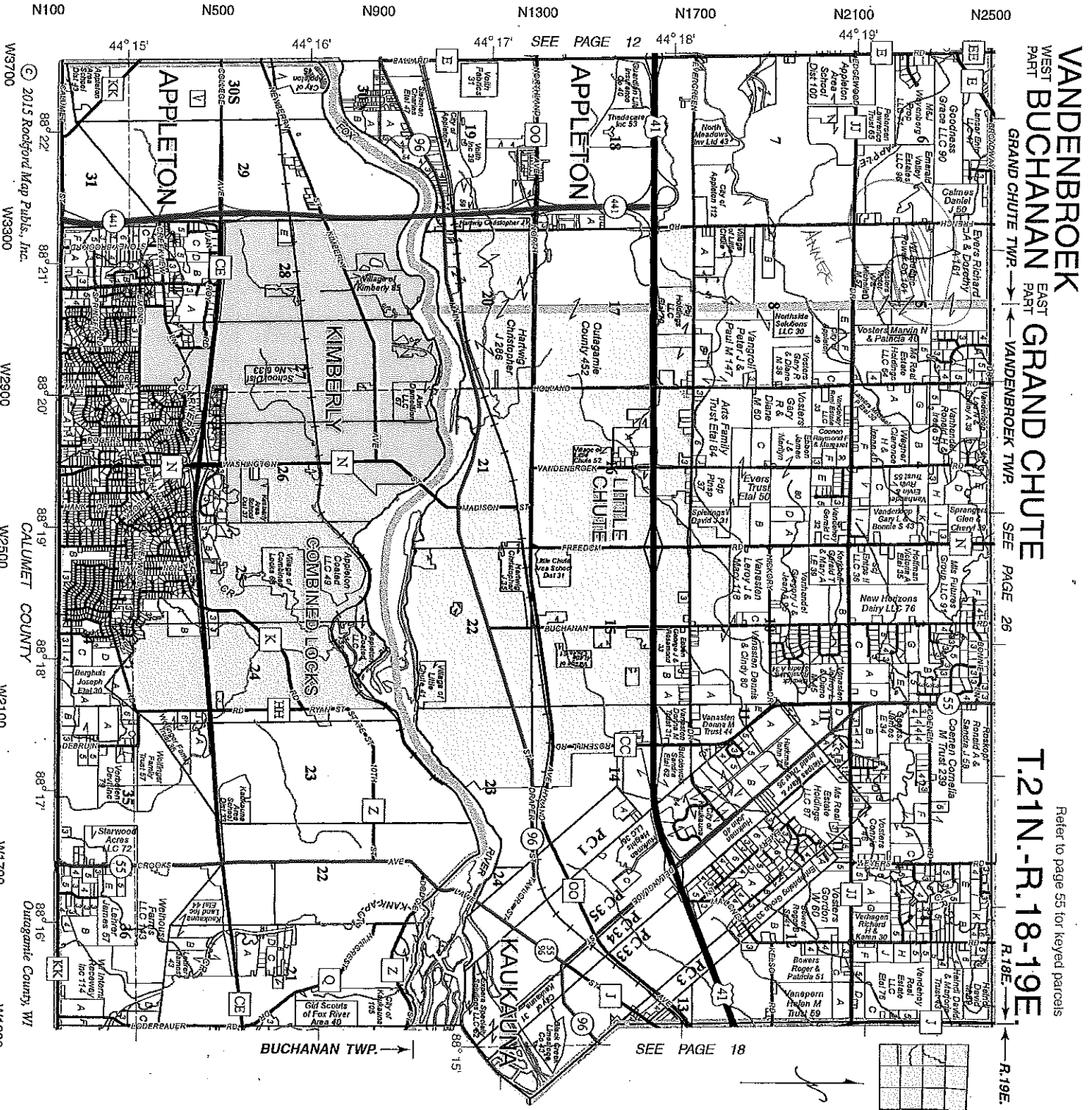
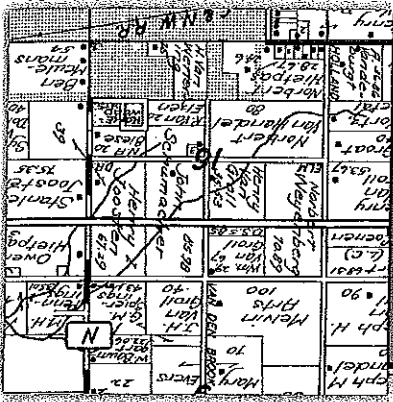
Notes

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ROCKFORD MAP
PUBLISHERS

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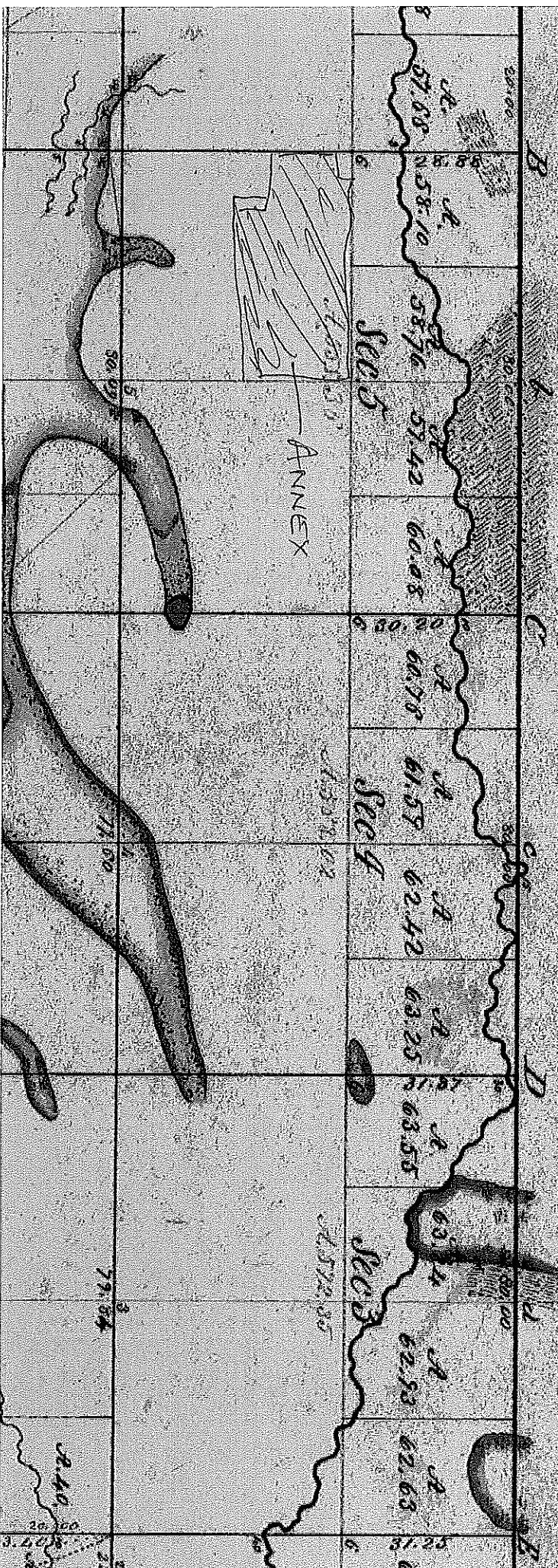


VANDENBROEK
WEST BUCHANAN
PART GRAND CHUTE
GRAND CHUTE TWP. SEE PAGE 26

Refer to page 55 for keyed parcels
T.21N.-R.18-19E
R.19E.

SEE PAGE 18

Township No 21 N, Range No 18 East.





SCOTT WALKER

GOVERNOR

SCOTT A. NEITZEL

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/>

February 23, 2018

PETITION FILE NO. 14087

KAMI LYNCH, CLERK
CITY OF APPLETON
100 N APPLETON ST
APPLETON, WI 54911-4702

KAREN WEINSCHROTT, CLERK
TOWN OF GRAND CHUTE
1900 GRAND CHUTE BLVD
GRAND CHUTE, WI 54913-9613

Subject: WISCONSIN ELECTRIC POWER CO. ANNEXATION

The proposed annexation submitted to our office on February 05, 2018, has been reviewed and found to be in the public interest, as the territory to be annexed is contiguous to the City of Appleton and is subject to a boundary agreement between the City of Appleton and the Town of Grand Chute created in 1992 per s. 66.027 & s. 66.30., Wis. Stats.

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 administration 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 Department of Administration. Please file a copy of your annexing ordinance, including a statement certifying the population of the annexed territory. **Please include your MBR number 14087 with your ordinance.** Ordinance filing checklist available at <http://mds.wi.gov/>, click on "Help on How to Submit Municipal Records". Email scanned copy of required materials (color scan maps with color) to mds@wi.gov or mail to: Wisconsin Department of Administration, Municipal Boundary Review, PO Box 1645, Madison WI 53701-1645.

The petition file is available for viewing at: <http://mds.wi.gov/View/Petition?ID=2158>

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

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner