

14172

Fond du Lac County

14172	Date Sent	Reply	Status
Town Quest	11/12		
Muni Quest	1/11/18	ED W	SUBMITAL
Prop. Lister	11/12	11/13	

TOWN OF FOND DU LAC
CITY OF FOND DU LAC
12/03/2018

OK 11/30/18

Request for Annexation Review

14 172

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

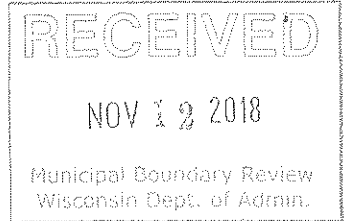
Name: **FOND DU LAC COUNTY**

Address: **160 SOUTH MACY STREET**

FOND DU LAC, WI 54935

Email: **SAM.TOBIAS@FDLCO.WI.GOV**

Office use only:



1. Town where property is located: **TOWN OF FOND DU LAC**

2. Petitioned City or Village: **CITY OF FOND DU LAC**

3. County where property is located: **FOND DU LAC**

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

5. Area (in acres) of the territory to be annexed: **0.35**

6. Tax parcel number(s) of territory to be annexed
(if the territory is part or all of an existing parcel):
PART OF T09-15-17-13-001-00

Petitioners phone:

920-929-3488

Town clerk's phone:

(920) 923-1327

City/Village clerk's phone:

(920) 322-3433

Contact Information if different than petitioner:

Representative's Name and Address:
DYANN BENSON

CITY OF FOND DU LAC

PO BOX 150

FOND DU LAC, WI 54936-0150

Phone: **(920) 322-3440**

E-mail: **DBENSON@FDL.WI.GOV**

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

ONE SYSTEMS DRIVE

APPLETON, WI 54914

Phone: **(920) 830-6164**

E-mail: **JASON.MARKS@OMNI.COM**

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 Review Fee Schedule

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

Required Fees

There is an initial filing fee and a variable review fee

14 172

\$200 Initial Filing Fee (required with the first submittal of all petitions)

\$200 – 2 acres or less

\$350 – 2.01 acres or more

\$200 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

\$400 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: 11/12

Payee: FOND DU LAC COUNTY

Check Number: 345900

Check Date: 10/31

Amount: 400

ANNEXATION SUBMITTAL GUIDE

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 adjoining 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.

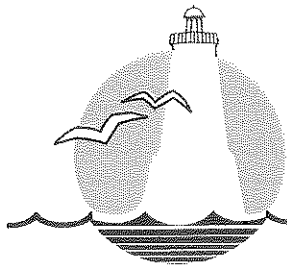
[It is beneficial to include a North arrow, and identify adjacent streets and parcels on the map.]

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.]

14 172



City of Fond du Lac
First on the Lake

14 172

Website: www.fdl.wi.gov

City-County Government Center
160 S. Macy Street--P.O. Box 150--Fond du Lac, WI 54936-0150

November 6, 2018

WI Dept. Of Administration
Municipal Boundary Review
101 E Wilson Street, 9th Floor
Madison, WI 53703

Patti Supple, Clerk
Town of Fond du Lac
N5256 County Road V
Fond du Lac, WI 54937

Moraine Park Technical College
Mike Miller, Secretary
235 North National Avenue
Fond du Lac, WI 54935

Fond du Lac School District
72 West 9th Street
Fond du Lac, WI 54935

Re: Direct Annexation: Fond du Lac County

Dear Ladies and Gentlemen:

On behalf of and at the request of the petitioner I am forwarding herewith a copy of their petition in accordance with the provisions of s. 66.0217 (2), Wisconsin Statutes.

Should you have any questions regarding the annexation, you may call the Planning Department at 920-322-3440.

Margaret Hefter
City Clerk

Attachments

cc: Dyann Benson, Director of Community Development

PETITION FOR DIRECT ANNEXATION

To: City Council
City of Fond du Lac, Wisconsin

We, the undersigned electors and/or landowners, pursuant to Chapter 66 of the Wisconsin Statutes, respectfully petition the City of Fond du Lac for direct annexation to the City of Fond du Lac of the following described territory which is presently in the Town of Fond du Lac, Fond du Lac County, Wisconsin.

Legal Description of Territory to be Annexed

See Exhibit B

A scale map of the territory to be annexed is attached hereto and marked Exhibit A.

In support of this petition, the petitioners say to the City Council:

1. The total number of residents in the territory proposed to be annexed is 0.
2. Your petitioners constitute the owners of all of the land in area within such territory, and in assessed value.
3. There is 0 dwelling unit(s) on the property being annexed.
4. The area will be located in the 3 Ward of the City upon annexation.

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

We, the petitioners herein, do affirm that we have filed a copy of this petition with the Town Clerk of the town in which this territory is located, together with a scale map of such territory and that within five (5) days of the filing of this petition we will mail a copy of said scale map and description of such territory to be annexed to the State of Wisconsin Department of Administration.

We further respectfully request that the subject property be zoned M-1.

14 172

SIGNATURE

DATE

OWNER
(MARK WITH X)

ELECTOR

Allen Buechel
Allen Buechel

10/23/18

X

Fond du Lac County
160 South Macy Street
Fond du Lac, WI 54935

ANNEXATION MAP

14 172

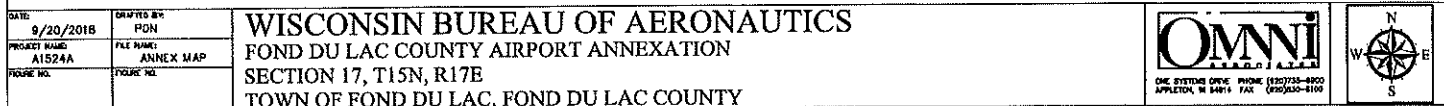


EXHIBIT B

Annexation Description:

A parcel of land being a part of the Northeast Quarter of the Southeast Quarter of Section 17, T15N, R17E, Town of Fond Du Lac, Fond Du Lac County, Wisconsin.

Commencing at the East Quarter Corner of said Section 17;

Thence N88°13'01"W coincident with the North line of the Northeast Quarter of the Southeast Quarter of said Section 17 a distance of 371.92 feet to the East property line of the Fond Du Lac County Airport;

Thence S00°30'13"E coincident with said East property line a distance of 233.31 feet being the South line of the corporate limits of the City of Fond Du Lac also being the point of beginning of this description.

Thence continuing S00°30'13"E coincident with the East property line of the Fond Du Lac County Airport a distance of 30.00 feet;

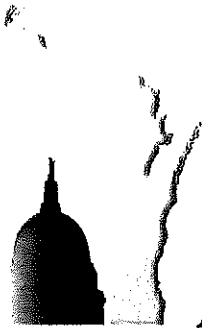
Thence S89°55'29"W a distance of 510.66 feet to the Easterly line of the North – South Taxiway at the Fond Du Lac County Airport;

Thence N00°02'24"E coincident with said Easterly line a distance of 30.00 feet to the South line of the corporate limits of the City of Fond Du Lac;

Thence N89°55'29"E coincident with said South corporate limits line a distance of 510.38 feet to the point of beginning.

Said parceled land for Annexation purposes contains 0.35 acres (15,315 sq. ft.) more or less.

Subject to all easements and restrictions of record.



**WISCONSIN DEPARTMENT OF
ADMINISTRATION**

WISCONSIN DEPARTMENT OF ADMINISTRATION

**APPROVAL of the COOPERATIVE PLAN
under Section 66.0307, Wis. Stats.**

between the

**CITY OF FOND DU LAC and TOWNS OF BYRON, EMPIRE,
FOND DU LAC, TAYCHEEDAH, and FRIENDSHIP,
FOND DU LAC COUNTY**

July 27, 2017



SCOTT WALKER
GOVERNOR
ELLEN NOWAK
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>

November 12, 2018

PETITION FILE NO. 14172

MARGARET HEFTER, CLERK
CITY OF FOND DU LAC
160 S MACY ST
FOND DU LAC, WI 54936-4241

PATTI S. SUPPLE, CLERK
TOWN OF FOND DU LAC
N5256 COUNTY RD V
FOND DU LAC, WI 54937-9096

Subject: FOND DU LAC COUNTY 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 FOND DU LAC to the CITY OF FOND DU LAC (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 December 03, 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

Real Property Lister 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>

Petition Number: 14172

1. Territory to be annexed:	From Town of: FOND DU LAC	To City/Village of: FOND DU LAC
-----------------------------	----------------------------------	--

2. Is the annexation location described by government lot, recorded private claim, ¼ section, section, township & range?

☒ Yes ☐ No

3. Is the annexation contiguous with the existing city/village boundaries?

☒ Yes ☐ No

4. Will the annexation create an island area in the town (completely surrounded by the city/village)?

☐ Yes ☐ No

5. Will the annexation create an island area in the city/village (completely surrounded by the town)?

☐ Yes ☒ No

6. Does the owner(s) of record match the owner(s) listed on the petition?

☒ Yes ☐ No

7. Other relevant information and comments about the annexation:

Prepared by:

Name: **LISA VERCAUTEREN**

Email: lisa.vercauteren@fdlco.wi.gov

Phone: 920-929-7021

Date: 11/13/2018

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

Municipal Boundary Review
PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

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/>

14 172

Petitioner:

Petition Number:

Fond du Lac County

1. Territory to be annexed:	From Town of: Town of Fond du Lac	To City/Village of: City of Fond du Lac
-----------------------------	--	--

2. Area (Acres): **0.35**

3. Pick one: <input type="checkbox"/> Property Tax Payments	OR	<input checked="" type="checkbox"/> Boundary Agreement
a. Annual town property tax on territory to be annexed: \$ _____		a. Title of boundary agreement <u>Please see attached</u>
b. Total that will be paid to Town (annual tax multiplied by 5 years): _____		b. Year adopted <u>2017</u>
c. Paid by: <input type="checkbox"/> Petitioner <input type="checkbox"/> City <input type="checkbox"/> Village		c. Participating jurisdictions
<input type="checkbox"/> Other:		d. Statutory authority (pick one)
		<input checked="" type="checkbox"/> s. 66.0307 <input type="checkbox"/> s. 66.0225 <input type="checkbox"/> s. 66.0301

4. Resident Population: Electors: **19292** Total: **43381**

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

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

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

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

Other: **Government/institutional use - Fond du Lac County Airport**

Comments: **The proposed zoning, M-1, allows for government/institutional use such as County airport facilities.**

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? **Manufacturing to the North; Interstate to the East; Commercial beyond the Interstate**

In the town?: **Commercial to the South; General Agricultural to the West**

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

<input type="checkbox"/> Sanitary sewer	<input type="checkbox"/> Water supply	<input type="checkbox"/> Storm sewers
<input type="checkbox"/> Police/Fire protection	<input type="checkbox"/> EMS	<input checked="" type="checkbox"/> 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:

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

City/Village

☒

Town

☒

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

☒

☒

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: The Comprehensive Plan shows the land use as Manufacturing. The proposed zoning of M-1 Manufacturing allows for government/institutional use. The Comprehensive Plan document also references the Intergovernmental Agreement.

2. Annual appropriation for planning? \$ 444580

3. How is the annexation territory now zoned? Commercial District

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

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

The purpose of the annexation of 30 feet is to allow a new building at the Fond du Lac County Airport to be constructed within a single municipality and not cross boundaries.

Prepared by: ☐ Town ☒ City ☐ Village

Name: **Dyann Benson, Community Development Director**

Email: **dbenson@fdl.wi.gov**

Phone: **(920) 322-3440**

Date: **July 18, 2017**

(April 2013)

Please **RETURN PROMPTLY** to:

wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

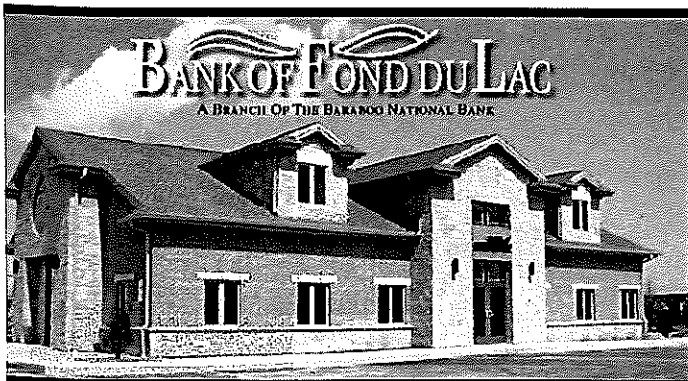
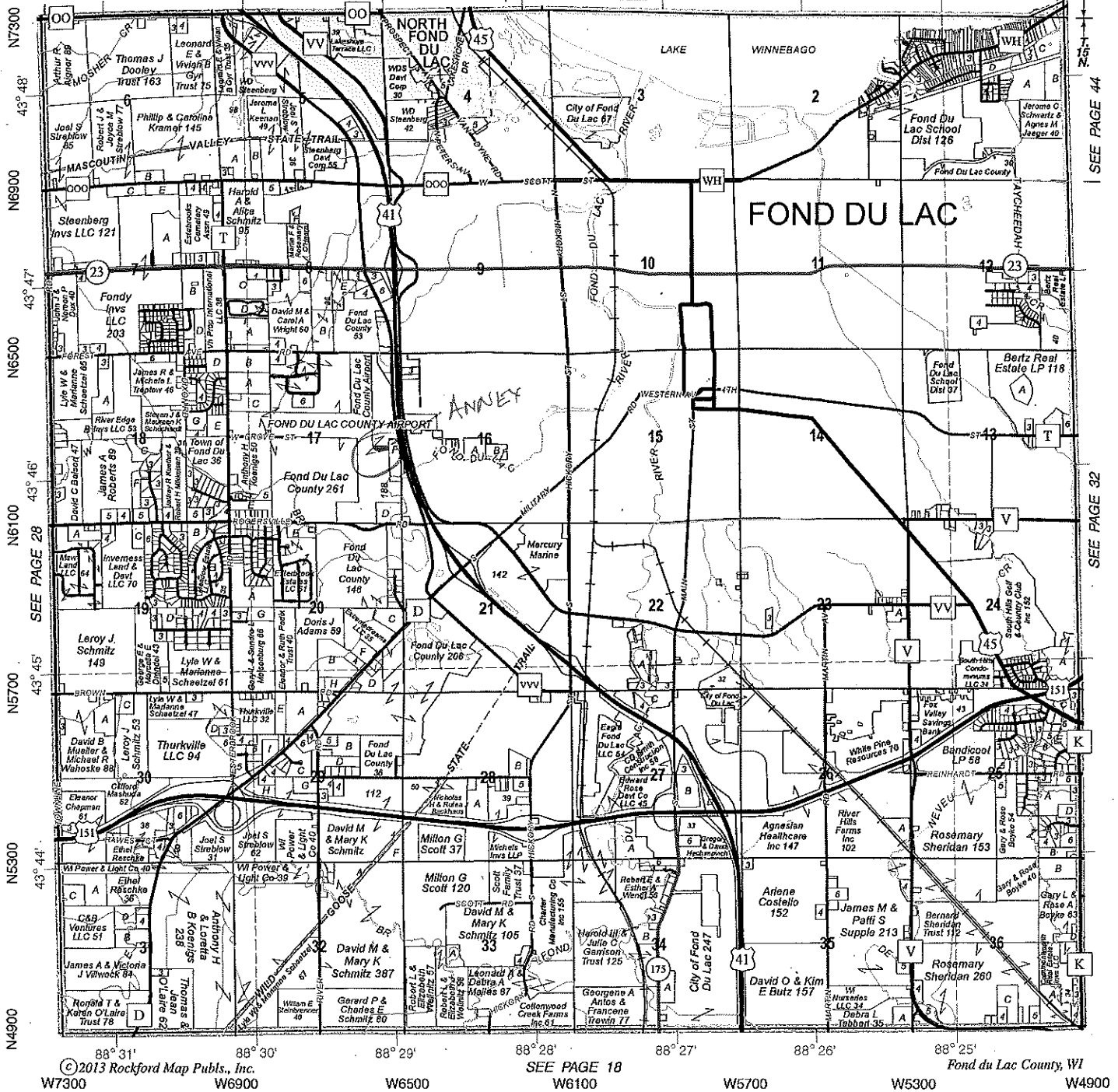
PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

FOND DU LAC

Refer to page 61 for keyed parcels
T.15-16N.-R.17E.

SEE PAGE 42



BANK OF FOND DU LAC
A BRANCH OF THE BARABOO NATIONAL BANK

BANK OF FOND DU LAC
BRANCH OF THE BARABOO NATIONAL BANK

1207 W. Johnson Street
Fond du Lac, WI 54937
920-907-0269

www.baraboonational.com

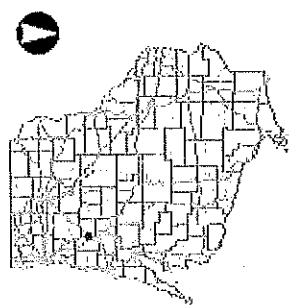
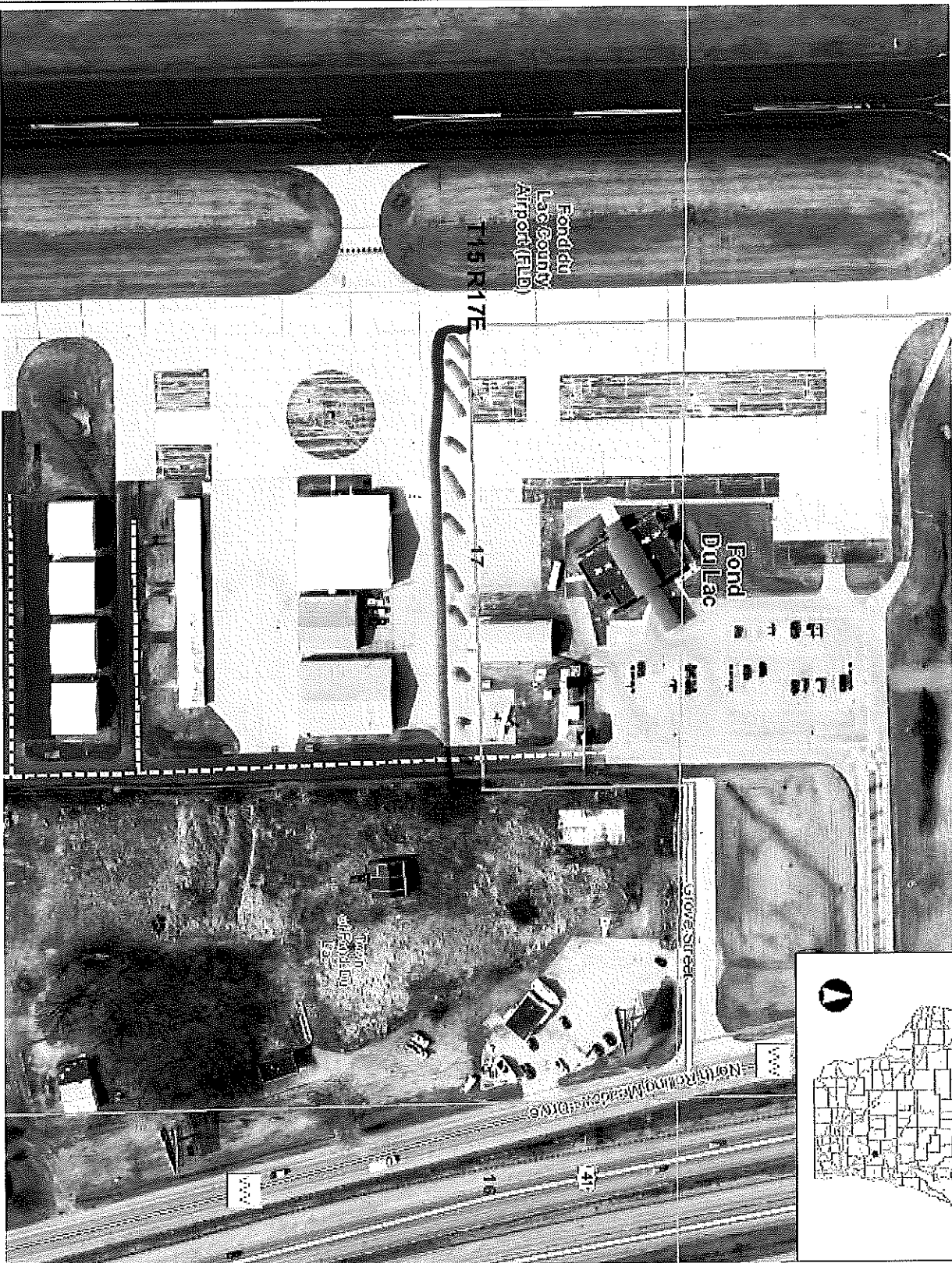
Making it happen for you,
your family and your business.

Member
FDIC





14172



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
- ☐ Index to EN_Image_Basemap_Leaf Off

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/>

0.1 0 0.03 0.1 Miles

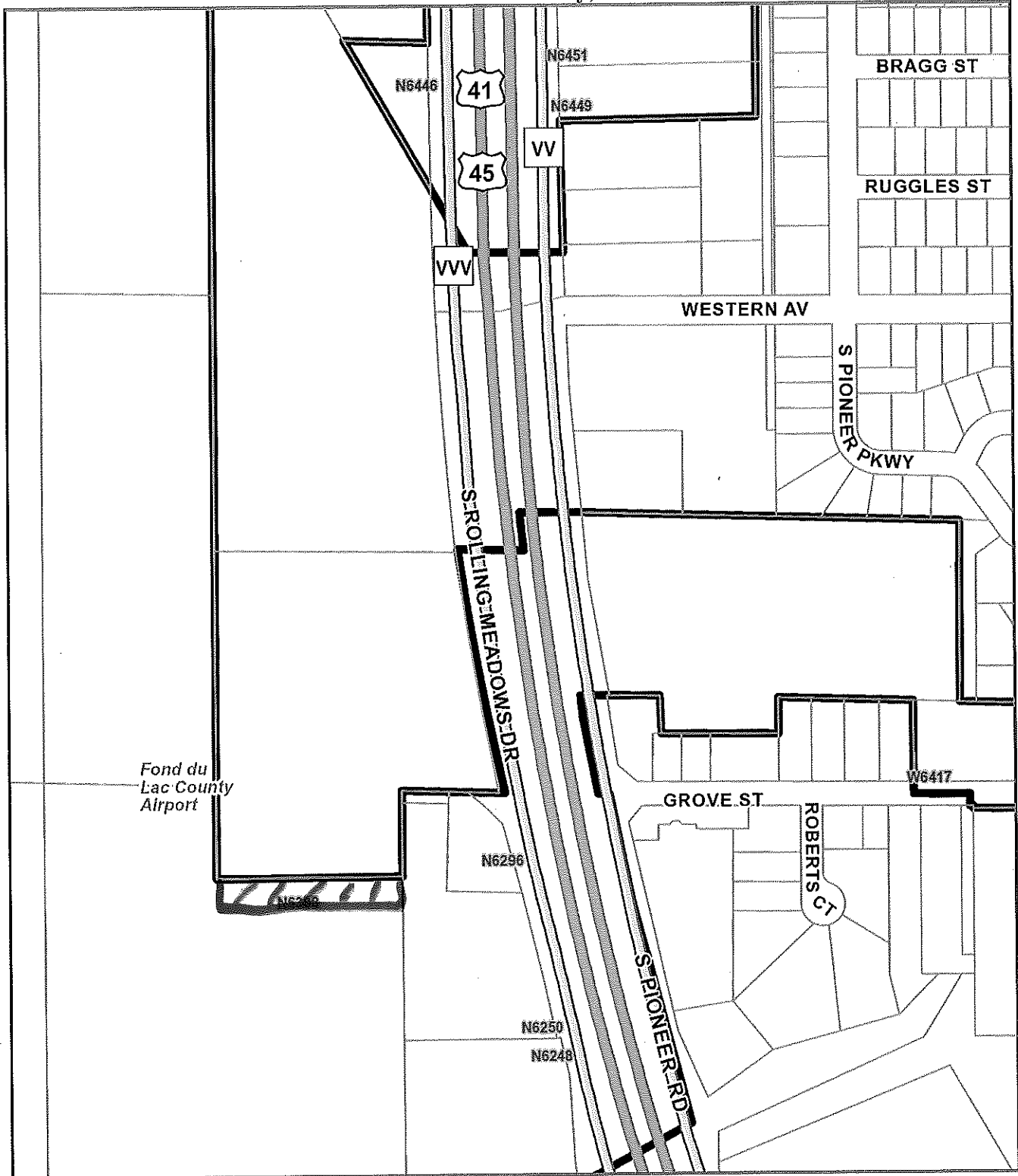
NAD_1983_HARN_Wisconsin_TM

1: 1,980

Township N^o XV. — Range N^o XVII E. 4th



Fond du Lac County, WI



Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.

Map Scale
1 inch = 400 feet
11/30/2018



SCOTT WALKER

GOVERNOR

ELLEN NOWAK

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>

November 30, 2018

PETITION FILE NO. 14172

MARGARET HEFTER, CLERK
CITY OF FOND DU LAC
160 S MACY ST
FOND DU LAC, WI 54936-4241

PATTI S. SUPPLE, CLERK
TOWN OF FOND DU LAC
N5256 COUNTY RD V
FOND DU LAC, WI 54937-9096

Subject: FOND DU LAC COUNTY ANNEXATION

The proposed annexation submitted to our office on November 12, 2018, 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...." so as, to ensure the resulting boundaries are rational and compact. The statute also requires the Department to consider whether the annexing city or village can provide needed municipal services to the territory. The subject petition is for territory that is reasonably shaped and contiguous to the **CITY OF FOND DU LAC**, which is able to provide needed municipal services.

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 14172 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=2245>
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner