

14186

Lucht

14186	Date Sent	Reply	Status
Town Quest	1-9		
Muni Quest	1-9		
Prop. Lister	1-9		

TOWN OF GRAND CHUTE
CITY OF APPLETON
01/29/2019

OK 1-29-19

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/>

Petitioner Information

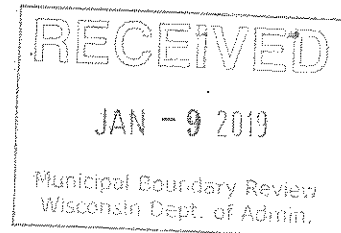
Name: **KEVIN LUCHT & SHANA JOSEPH-LUCHT**

Address: **1024 E. LINDBERGH STREET**

APPLETON, WI 54911

Email: **SHANAANNEJOSEPH@HOTMAIL.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: **1.0**

6. Tax parcel number(s) of territory to be annexed
(if the territory is part or all of an existing parcel): **101001800**

Petitioners phone:

920-915-0247

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:

JESSICA TITEL, PRINCIPAL PLANNER

CITY OF APPLETON

100 N. APPLETON STREET

APPLETON, WI 54911

Phone: **920-832-6476**

E-mail: **JESSICA.TITEL@APPLETON.ORG**

Surveyor or Engineering Firm's Name & Address:

TOM KROMM, CITY SURVEYOR

CITY OF APPLETON

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):

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

\$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: _____

Payee: _____ Check Number: _____

Check Date: _____

Amount: _____



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

LEGAL SERVICES DEPARTMENT

Office of the City Attorney

100 North Appleton Street

Appleton, WI 54911-4799

Phone: 920/832-6423

Fax: 920/832-5962

January 4, 2019

WI Department of Administration
Municipal Boundary Review
P.O. Box 1645
Madison, WI 53701

**Certified Mail –
Return Receipt Requested**

Re: Annexation
Our File No. A19-0014

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 Lucht Annexation.

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

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

Sincerely,

Christopher R. Behrens
Deputy City Attorney

Enclosure

CRB:jljg



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

I/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, petition the Common Council of the City of Appleton to annex the territory described below and shown on the attached scaled map to the City of Appleton, Outagamie County, Wisconsin.

A parcel of land located in and being a part of the Fractional Northwest Quarter (NW ¼) of Section One (1), Township Twenty-One (21) North, Range Seventeen (17) East, Town of Grand Chute, Outagamie County, Wisconsin, containing 1.00 Acres of land, more or less and described as follows:

Commencing at the Northwest corner of said Section 1;

Thence South 89°22'34" East 1,168.10 feet (recorded as S.89°27'E. 1,168.10 feet) along the North line of the Fractional NW ¼ of said Section 1 to the point of beginning;

Thence continue South 89°22'34" East 143.0 feet (recorded as S.89°27'E. 143.0 feet) along the North line of the Fractional NW ¼ of said Section 1 to the Northwest corner of lands described in Volume 757 of Records, page 296;

Thence South 00°00'34" East 299.0 feet (recorded as S.00°03'E. 299.0 feet) along the West line of lands described in Volume 757 of Records, page 296 and along the West line of said lands extended;

Thence South 88°29'26" West 146.41 feet (recorded as S.88°27'W. 146.40 feet);

Thence North 00°37'26" East 304.43 feet (recorded as N.00°35'E. 304.44 feet) to the point of beginning.

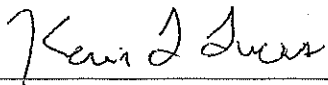
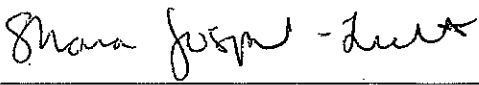
I/We, the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexation, incorporation, or consolidation proceedings, if any.

I/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.

Area of lands to be annexed contains 1.0 acres m/l.

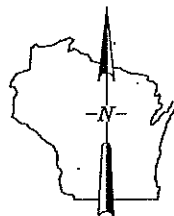
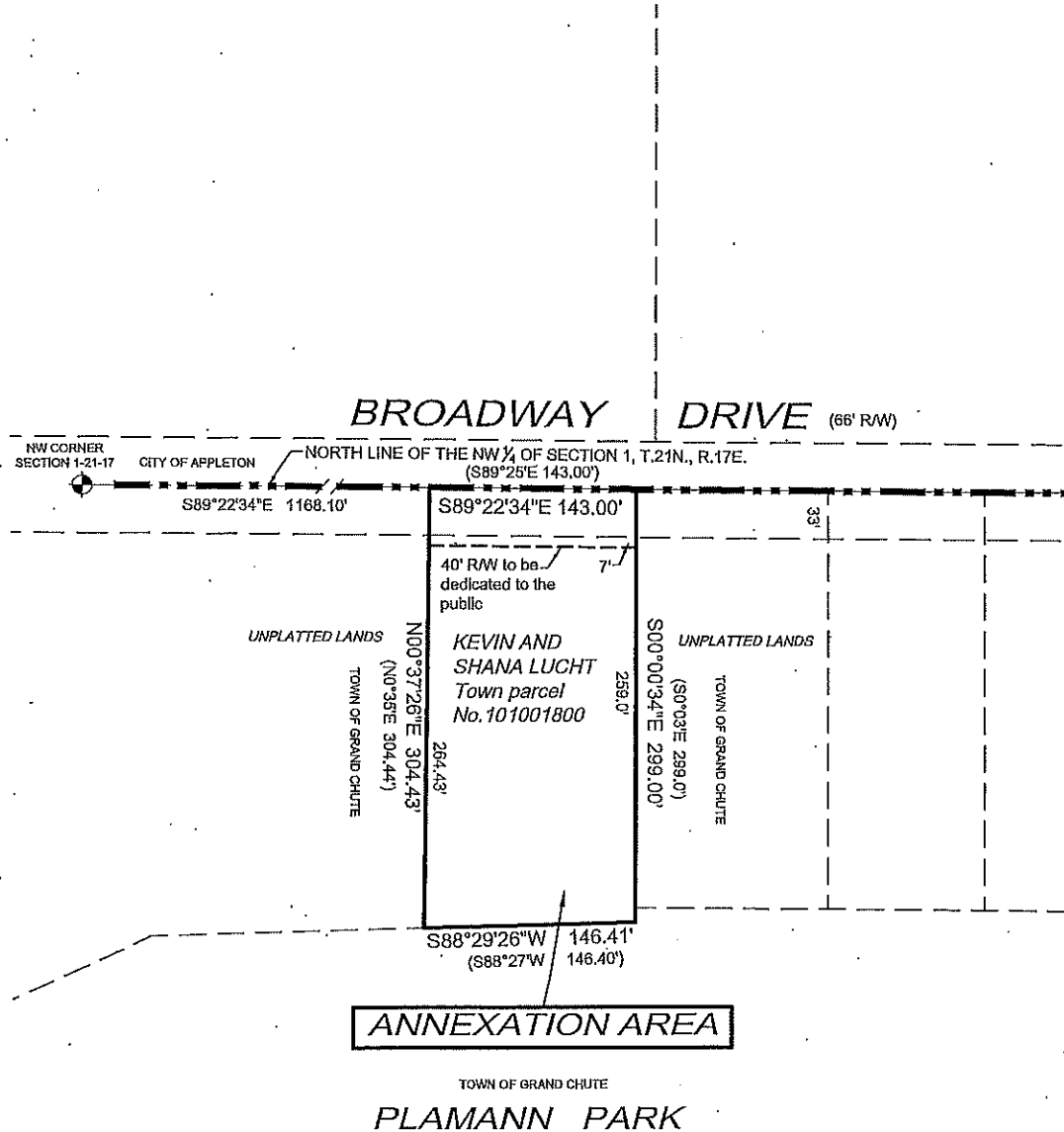
Tax Parcel numbers of lands to be annexed: 101001800.

The current population of such territory is 0.

Signature of Petitioner	Owner	Date of Signing	Address of Petitioner
 Kevin Lucht	Kevin Lucht	1-4-19	1024 E. Lindbergh Street Appleton, WI 54911
 Shana Joseph-Lucht	Shana Joseph-Lucht	1/4/19	1024 E. Lindbergh Street Appleton, WI 54911

ANNEXATION EXHIBIT

A part of Fractional Northwest $\frac{1}{4}$ of Section 1, Township 21 North, Range 17 East, Town of Grand Chute, Outagamie County, Wisconsin.



BEARINGS ARE REFERENCED TO THE
WISCONSIN COUNTY COORDINATE SYSTEM,
OUTAGAMIE COUNTY, NORTH LINE OF NW $\frac{1}{4}$
SECTION 1, T.21N., R.17E.; recorded to bear
N89°22'34\"W
H:\Acad\Annex\2019\Lucht_Broadway_Dr_1228_2018

SCALE IN FEET



CITY OF APPLETON

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

LUCHT ANNEXATION

PARCEL: 101001800

Owner: Kevin Lucht and Shana Lucht

Document #2145904

ANNEXATION DESCRIPTION:

A parcel of land located in and being a part of the Fractional Northwest Quarter (NW ¼) of Section One (1), Township Twenty-One (21) North, Range Seventeen (17) East, Town of Grand Chute, Outagamie County, Wisconsin, containing 1.00 Acres of land, more or less and described as follows:

Commencing at the Northwest corner of said Section 1;

Thence South 89°22'34" East 1,168.10 feet (recorded as S.89°27'E. 1,168.10 feet) along the North line of the Fractional NW ¼ of said Section 1 to the point of beginning;

Thence continue South 89°22'34" East 143.0 feet (recorded as S.89°27'E. 143.0 feet) along the North line of the Fractional NW ¼ of said Section 1 to the Northwest corner of lands described in Volume 757 of Records, page 296;

Thence South 00°00'34" East 299.0 feet (recorded as S.00°03'E. 299.0 feet) along the West line of lands described in Volume 757 of Records, page 296 and along the West line of said lands extended;

Thence South 88°29'26" West 146.41 feet (recorded as S.88°27'W. 146.40 feet);

Thence North 00°37'26" East 304.43 feet (recorded as N.00°35'E. 304.44 feet) to the point of beginning.

AS A CONDITION OF ANNEXATION THE ABOVE LISTED OWNERS HEREBY AGREE TO DEDICATE A PORTION OF LAND AS PUBLIC RIGHT OF WAY BEING DESCRIBED AS FOLLOWS:

The North 40 feet of lands described in a Warranty Deed, recorded as Document #2145904, located in and being a part of the Fractional Northwest Quarter (NW ¼) of Section One (1), Township Twenty-One (21) North, Range Seventeen (17) East, Town of Grand Chute, Outagamie County, Wisconsin.



STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION

Tony Evers, Governor
Joel Brennan, Secretary
Dawn Vick, Division Administrator

January 09, 2019

PETITION FILE NO. 14186

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

ANGIE CAIN, CLERK
TOWN OF GRAND CHUTE
1900 GRAND CHUTE BLVD
GRAND CHUTE, WI 54913-9613

Subject: LUCHT 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 January 29, 2019. 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
PO Box 1645
Madison WI 53701
608-264-6102 Fax: 608-264-6104
wimunicipalboundaryreview@wi.gov
<http://doa.wi.gov/municipalboundaryreview>

Petitioner: Kevin Lucht and Shana Joseph-Lucht

Petition Number:

1. Territory to be annexed: From **TOWN OF GRAND CHUTE** To **CITY OF APPLETON**

2. Area (Acres): 1.0

3. Pick one: ☐ Property Tax Payments

OR ☒ Boundary Agreement

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

a. Title of boundary agreement
Intermunicipal Agreement

\$ _____

b. Year adopted
1992

b. Total that will be paid to Town

(annual tax multiplied by 5 years): _____

c. Participating jurisdictions
City of Appleton and Town of Grand Chute

c. Paid by: ☐ Petitioner ☐ City ☐ Village

d. Statutory authority (pick one)
66.027 & 66.30

☐ Other: _____

4. Resident Population: 0 Electors: 0 Total: 0

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

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

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

Single-family residential

Comments: _____

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

Plat Name: N/A

8. What is the **nature of land use adjacent** to this territory in the city or village?

Agricultural

In the town?: County Park and Single-family residential

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? (water)

City/Village ☒ Yes ☐ No Town ☐ Yes ☒ No

If yes, approximate timetable for providing service:

Sanitary Sewers immediately

or, write in number of years.

City/Village Town

☐

☐

No timetable provided by DPW.

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 & Zoning:

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

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

b. How is the annexation territory now zoned? AGD General Agricultural District (Town of Grand Chute Zoning)

c. How will the land be zoned and used if annexed? R-1B Single family district / Single-family residential

12. Elections: ☒ New ward or ☐ Existing ward? New ward 61

Will the annexation create a new ward or join an existing ward? For more information, please contact the Wisconsin Election Commission at (608) 266-8005, elections@wi.gov or see their annexation checklist here:

<http://elections.wi.gov/forms/el-100>

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

Prepared by: ☐ Town ☒ City ☐ Village

Name: Jessica Titel, Principal Planner

Email: jessica.titel@appleton.org

Phone: 920-832-6476

Date: 12-26-18

Please **RETURN PROMPTLY** to:

wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

(March 2018)

PETITION #

14185

REAL PROPERTY LISTERS ANNEXATION REVIEW

1. Territory to be annexed: 101001800 | From Town of: TOWN OF GRAND CHUTE | To City/Village of: CITY OF APPLETON

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/A (3) Creates an island area in Township (completely surrounded by city)

☐ N/A (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

☐ N (8) Total area/acres of annexation – NOT LISTED ON THE ANNEXATION EXHIBIT

3. Other relevant information and comments:

N/A

Prepared by: TERRI A LISON
Title: REAL PROPERTY LISTER
Phone: 920-832-5665
Date: JANUARY 16 2019

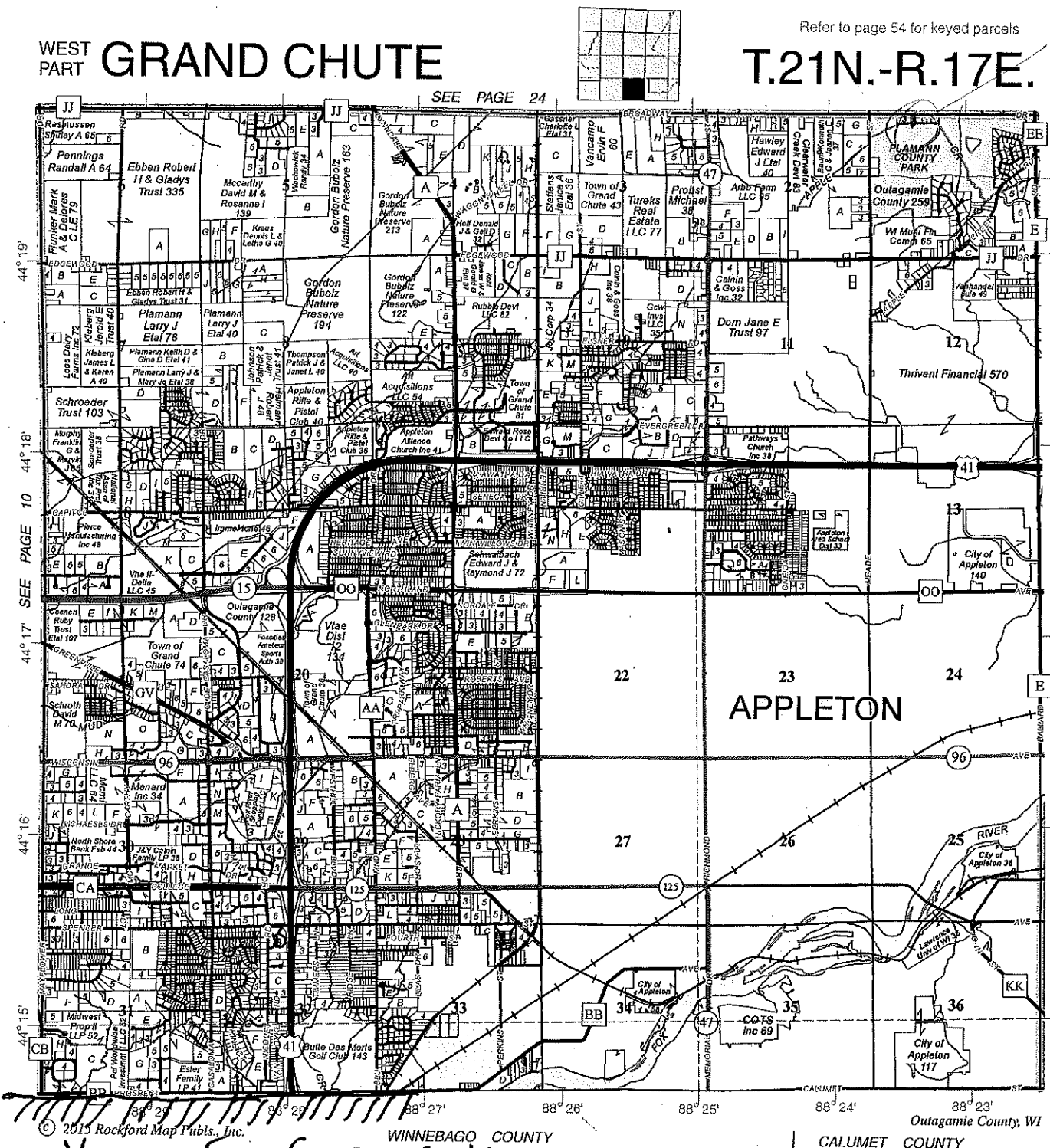
Please **RETURN PROMPTLY** to:
Municipal Boundary Review
PO Box 1645
Madison WI 53701
(608) 264-6102 FAX (608) 264-6104
wimunicipalboundaryreview@wi.gov

WEST PART **GRAND CHUTE**

T.21N.-R.17E.

Refer to page 54 for keyed parcels

ANNEX



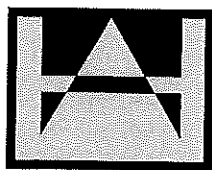
© 2015 Rockford Map Publs., Inc.

WINNEBAGO COUNTY

Outagamie County, WI

CALUMET COUNTY

VILLAGE FOX CROSSING ET



HARRIS & ASSOCIATES, INC.

Since 1957

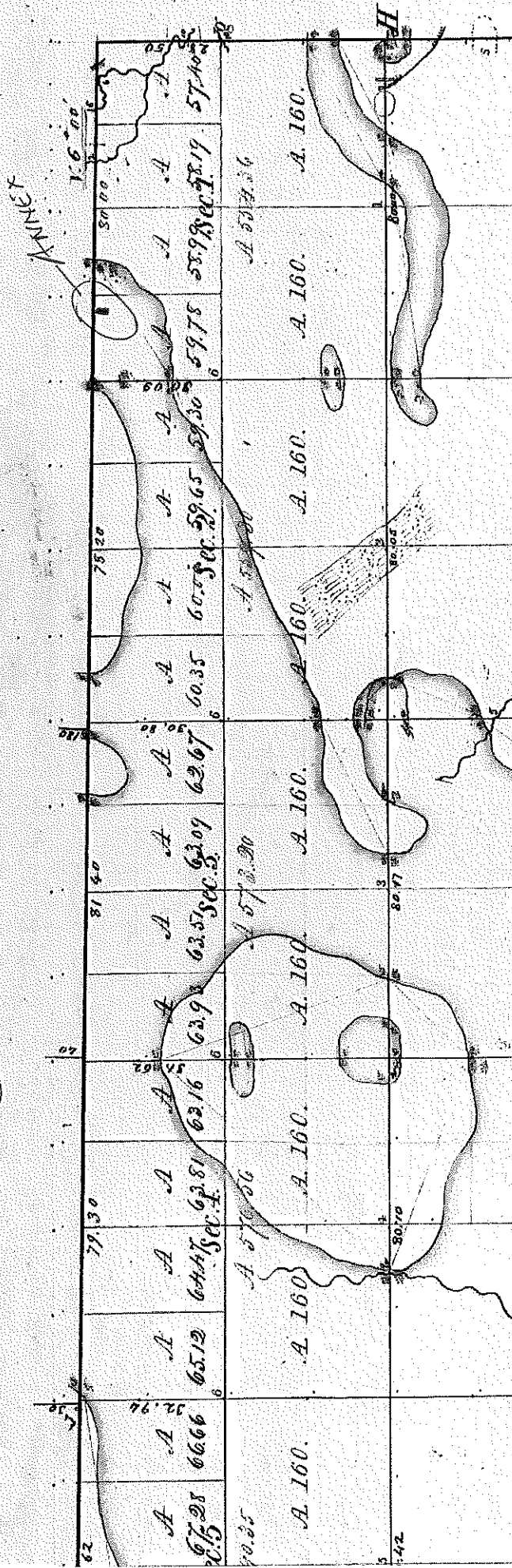
**CONSULTING ENGINEERS
AND LAND SURVEYORS**

2718 N. Meade St., Appleton, Wisconsin

920-733-8377 • Fax 920-733-4731

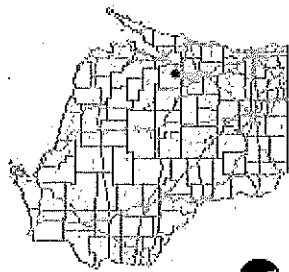
www.harrisinc.net

No 21N, Range No 17 East, 4th Mer.





14186



East Broadway Drive

ANNEX

Outagamie

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

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 Miles

0.06

0

0.1

NAD_1983_HARN_Wisconsin_TM

1: 3,960



TONY EVERS

GOVERNOR

JOEL BRENNAN

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>

January 29, 2019

PETITION FILE NO. 14186

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

ANGIE CAIN, CLERK
TOWN OF GRAND CHUTE
1900 GRAND CHUTE BLVD
GRAND CHUTE, WI 54913-9613

Subject: LUCHT ANNEXATION

The proposed annexation submitted to our office on January 09, 2019, 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 APPLETON**, 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 14186 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=2260>
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner