

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

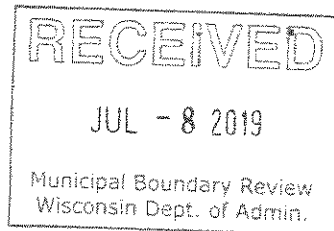
Name: **ALEJANDRO PEREZ, IMELDA GONZALEZ
PEREZ, AND ALEX PEREZ**

Address: **219 W. EDGEWOOD DRIVE**

APPLETON, WI 54913

Email: **APEREA1113@YAHOO.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: **3**

5. Area (in acres) of the territory to be annexed: **1.3 ACRES M/L**

6. Tax parcel number(s) of territory to be annexed
(if the territory is part or all of an existing parcel): **101039314**

Petitioners phone:

920-205-6911

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: _____

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 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 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.]



"...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

July 2, 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. A19-0499

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 Perez – 219 W. Edgewood Drive 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,

James P. Walsh
City Attorney

Enclosure

JPW:jljg



**PETITION FOR DIRECT ANNEXATION BY UNANIMOUS APPROVAL
PURSUANT TO SECTION 66.0217(2), WISCONSIN STATUTES**

I/We, the undersigned, constituting all of the sole owner of the real property and all of the electors that 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 scale map to the City of Appleton, Outagamie County, Wisconsin.

Lot 1 of Certified Survey Map No. 7013 filed in Volume 42 of Certified Survey Maps on Page 7013 as Document No. 2047169, located in and being a part of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 11, Township 21 North, Range 17 East, Town of Grand Chute, Outagamie County, Wisconsin

And

All that part of Edgewood Drive (C.T.H. "JJ") right of way lying immediately adjacent to the North line of said Lot 1 and East of the following described line:

Commencing at the Northwest corner of said Lot 1; Thence N.00°15'19"E coincident with the Northerly extension of the West line of said Lot 1 to the North line of Edgewood Drive (C.T.H. "JJ") to the terminus of said described line.

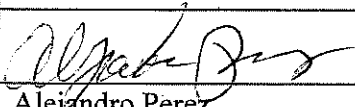
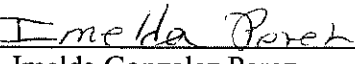
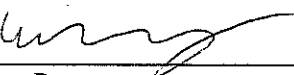
The current population of such territory is 3. The number of electors that reside on the lands to be annexed is 3.

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 1.30 acres m/l.

Tax Parcel number of lands to be annexed: 101039314

Signature of Petitioner	Owner/Elector	Date of Signing	Address of Petitioner (Include Zip Code)
 Alejandro Perez	Owner/Elector	6-21-19	219 W. Edgewood Drive Appleton, WI 54913
 Imelda Gonzalez Perez	Owner/Elector	6-21-19	219 W. Edgewood Drive Appleton, WI 54913
 Alex Perez	Elector	6-21-19	219 W. Edgewood Drive Appleton, WI 54913

Lot 1 of Certified Survey Map No. 7013, being located in the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 11, 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 1/4
SECTION 11, T.21N., R.17E.; WHICH BEARS
N89°01'08"W
H:\Acad\Annex\2019\Edgewood_Drive_0617_2019

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

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: Alejandro Perez, Imelda Gonzalez Perez and Alex Perez

Petition Number:

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

2. Area (Acres): 1.3 m/l

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

d. Statutory authority (pick one)
66.027 & 66.30

c. Paid by: ☐ Petitioner ☐ City ☐ Village

☐ Other: _____

4. Resident Population: 3 Electors: 3 Total: 3

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

Residential: 100 % Recreational: _____ % Commercial: _____ % Industrial: _____ %

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

N/A

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?

Single-family residential

In the town?: Single-family residential and agricultural

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: City/Village Town

Sanitary Sewers immediately ☒ ☐

 or, write in number of years.

Water Supply immediately ☐ ☐

 or, write in number of years.

No timetable provided by DPW. Dependent upon timing

of adjacent development.

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? RSF Single Family Residential 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? 20

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: 6-25-19

Please **RETURN PROMPTLY** to:

wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

(March 2018)



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>

July 08, 2019

PETITION FILE NO. 14226

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: PEREZ 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 July 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

PETITION # _____

REAL PROPERTY LISTER'S ANNEXATION REVIEW

1. Territory to be annexed: 101039314	From Town of: GRAND CHUTE	To City/Village of: C 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, ¼ - ¼ 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.

___Y___ (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

___Y___ (7) Legend

___Y___ (8) Total area/acreage of annexation

3. Other relevant information and comments:

I DON'T SHOW ALEX PEREZ HAVING AN OWNERSHIP IN THIS PARCEL BUT THE DOCUMENT IS FINE AS DRAFTED, TO INCLUDE HIM AND HIS SIGNATURE.

Prepared by: TERRI A LISON
Title: REAL PROPERTY LISTER
Phone: 920-832-5665
Date: JULY 17, 2019

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



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>

July 29, 2019

PETITION FILE NO. 14226

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: PEREZ ANNEXATION

The proposed annexation submitted to our office on July 08, 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.

Note: the legal description should be revised to be a metes and bounds description of the four sides of Edgewood Drive which are included as part of this annexation. Currently, only the western side is described. The Lot 1 CSM portion of the legal description is fine.

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 14226 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=2300>

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

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner