

# Request for Annexation Review

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](mailto:wimunicipalboundaryreview@wi.gov)  
<http://doa.wi.gov/municipalboundaryreview>

## Petitioner Information

Name: **TIPPERARY FARMS, LLC**

Address: **3564 EGRE ROAD**

**DEFOREST, WI 53532**

**ATTENTION: DONALD C. TIERNEY**

Email: **JKTIERNEY999@GMAIL.COM**

Office use only:

**RECEIVED**

**May 4, 2020**

Municipal Boundary Review  
Wisconsin Dept. of Admin.

1. Town where property is located: **WESTPORT**

2. Petitioned City or Village: **WAUNAKEE**

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

4. Population of the territory to be annexed: **-5-**

5. Area (in acres) of the territory to be annexed: **1.297**

6. Tax parcel number(s) of territory to be annexed  
(if the territory is part or all of an existing parcel):  
**080917287408;080917287202**

Petitioners phone:

**608-241-0102**

Town clerk's phone:

**608-849-4372**

City/Village clerk's phone:

**608-850-2827**

## Contact Information if different than petitioner:

Representative's Name and Address:

**MICHAEL J. LAWTON**

**PO Box 927**

**Madison, Wisconsin 53701**

Phone: **608-286-7236**

E-mail:

**MLAWTON@BOARDMANCLARK.COM**

Surveyor or Engineering Firm's Name & Address:

**MARK PYNNONEN**

**BIRRENKOTT SURVEYING**

**1677 NORTH BRISTOL STREET**

**SUN PRAIRIE, WISCONSIN 53590**

Phone: **608-837-7463**

E-mail:

**MPYNNONEN@BIRRENKOTTSURVEYING  
.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

**\$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**

Date fee received: 5-5-2020 Shaded Area for Office Use Only

Payee: Kilkenny Farms LLC

Check Number: 4066

Check Date: 4-29-2020

Amount: \$400.00



**UNANIMOUS PETITION FOR DIRECT ANNEXATION  
UNDER § 66.0217(2), WIS. STATS.**

To the Village Board of the Village of Waunakee, Dane County, Wisconsin:

1. The undersigned hereby petition for direct annexation of the territory legally described on Exhibit A attached hereto to the Village of Waunakee, Dane County, Wisconsin, whereby said territory would be detached from the Town of Westport, Dane County, Wisconsin, pursuant to § 66.0217(2), Wis. Stats.
2. Attached hereto as Exhibit B is a scale map which accurately reflects the legal description of the property to be annexed and the boundary of the annexing Village and includes a graphic scale on the face of the map.
3. The current population of the territory proposed to be annexed is -5-.
4. This petition has been signed by the owner of all of the land within the territory proposed to be annexed, and by all of the electors residing within the territory proposed to be annexed.


Owner of All Lands Within the Territory Proposed to be  
Annexed:

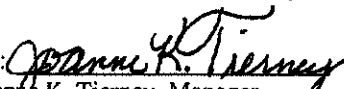
Name of Owner: TIPPERARY FARMS, LLC

Address of Owner: 3564 Egge Road  
DeForest, WI 53532

Date of Signing: April 27, 2020

Signatures:

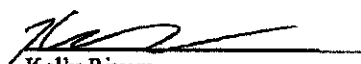
By:   
Donald C. Tierney, Manager

By:   
Joanne K. Tierney, Manager


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[Signatures continued on page 2 of Petition]




All Electors Residing in the Territory Proposed to be  
Annexed:

Name of Elector: Kelly  
Rivera  
Address of Owner: 5806 CTH Q  
Waunakee, WI  
Date of Signing: 4/27/20, 2020  
Elector Signature:   
Name: Kelly Rivera

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Name of Elector: Leonel Andrade Rivera  
Address of Owner: 5806 CTH Q  
Waunakee, WI  
Date of Signing: 4/27/20, 2020  
Elector Signature:   
Name: Leonel Andrade Rivera

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Name of Elector: Ashton Jelle  
Address of Owner: 5810 CTH Q  
Waunakee, WI  
Date of Signing: 4-27-20, 2020  
Elector Signature:   
Name: Ashton Jelle



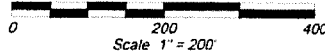


**BIRRENKOTT  
SURVEYING, INC.**

P.O. Box 237  
1677 N. Bristol Street  
Sun Prairie, WI. 53590  
Phone (608) 837-7463  
Fax (608) 837-1081

## Exhibit A

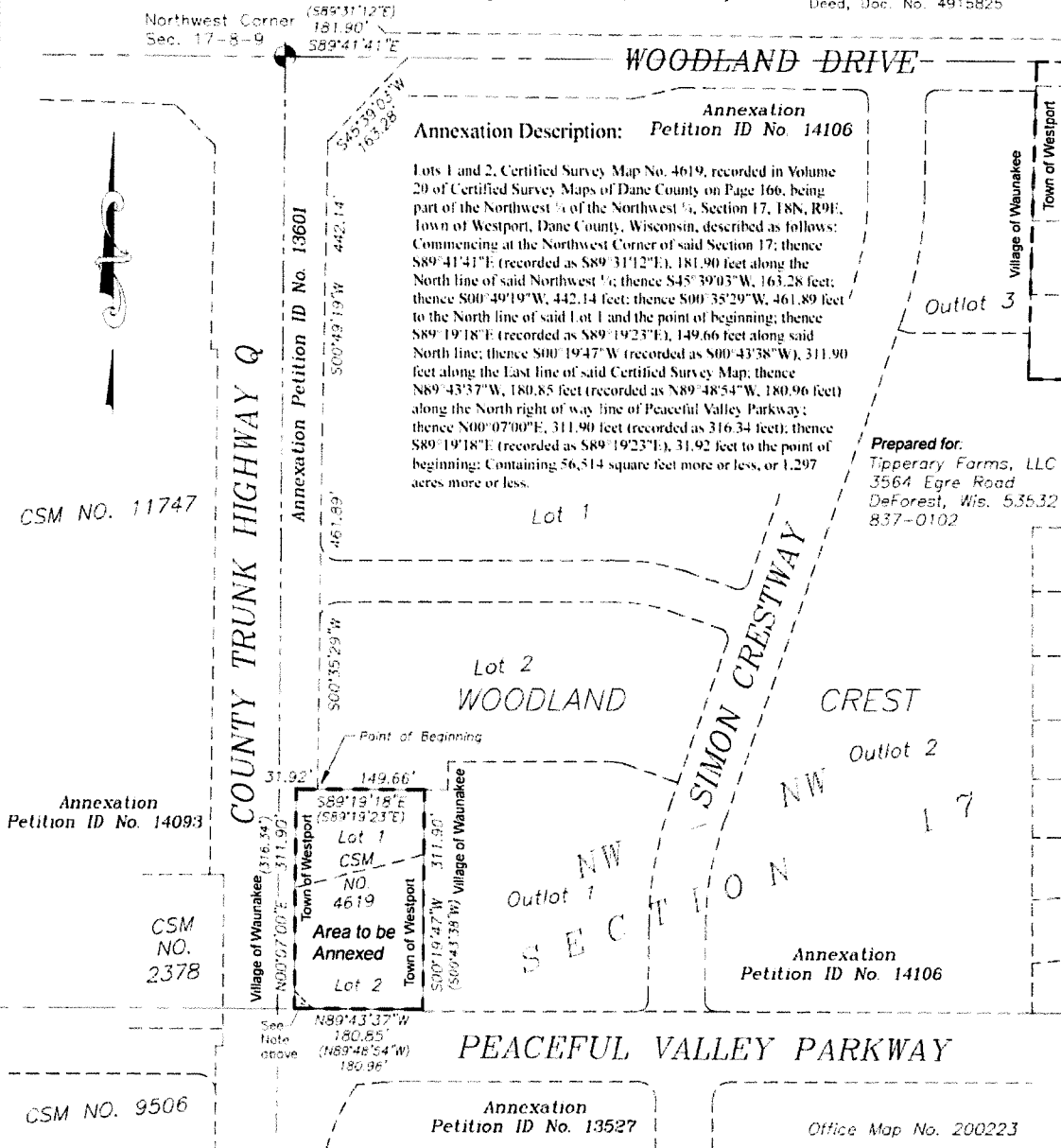
# ANNEXATION MAP



**Note:**  
Lands deeded to the Village  
of Waunakee by Warranty  
Deed, Doc. No. 4915825

L:\2011\110115-Tierney\Annexations\Annexation 2020.dwg

--- Village of Waunakee Corporate Boundary





## Exhibit B

### **Annexation description:**

Lots 1 and 2, Certified Survey Map No. 4619, recorded in Volume 20 of Certified Survey Maps of Dane County on Page 166, being part of the Northwest ¼ of the Northwest ¼, Section 17, T8N, R9E, Town of Westport, Dane County, Wisconsin, described as follows:

Commencing at the Northwest Corner of said Section 17; thence S89°41'41"E (recorded as S89°31'12"E), 181.90 feet along the North line of said Northwest ¼; thence S45°39'03"W, 163.28 feet; thence S00°49'19"W, 442.14 feet; thence S00°35'29"W, 461.89 feet to the North line of said Lot 1 and the point of beginning; thence S89°19'18"E (recorded as S89°19'23"E), 149.66 feet along said North line; thence S00°19'47"W (recorded as S00°43'38"W), 311.90 feet along the East line of said Certified Survey Map; thence N89°43'37"W, 180.85 feet (recorded as N89°48'54"W, 180.96 feet) along the North right of way line of Peaceful Valley Parkway; thence N00°07'00"E, 311.90 feet (recorded as 316.34 feet); thence S89°19'18"E (recorded as S89°19'23"E), 31.92 feet to the point of beginning; Containing 56,514 square feet more or less, or 1.297 acres more or less.



# 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](mailto:wimunicipalboundaryreview@wi.gov)  
<http://doa.wi.gov/municipalboundaryreview>

Petitioner: **Tipperary Farms**

Petition Number: **14305**

1. Territory to be annexed: From **TOWN OF WESTPORT** To **VILLAGE OF WAUNAKEE**

2. Area (Acres): 1.2

3. Pick one: ☒ Property Tax Payments

OR ☐ Boundary Agreement

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

\$ 1255.71

a. Title of boundary agreement \_\_\_\_\_

b. Year adopted \_\_\_\_\_

b. Total that will be paid to Town

(annual tax multiplied by 5 years): \$6278.55

c. Participating jurisdictions \_\_\_\_\_

c. Paid by: ☐ Petitioner ☐ City ☒ Village

d. Statutory authority (pick one)

☐ s.66.0307 ☐ s.66.0225 ☐ s.66.0301

☐ Other: \_\_\_\_\_

4. Resident Population: Electors: 3 Total: 3

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?

In the town?: N/A Surrounded by Village

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 \_\_\_\_\_



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

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. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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: \_\_\_\_\_

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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? \_\_\_\_\_

*Single Family*

c. How will the land be zoned and used if annexed? \_\_\_\_\_

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12. Elections: ☐ New ward or ☐ Existing ward? 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](mailto:elections@wi.gov) or see their annexation checklist here: <http://elections.wi.gov/forms/el-100>

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

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Prepared by: ☒ Town ☐ City ☐ Village

Name: *Robert Anderson*

Email: *banderson@townofwestport.us*

Phone: *608-849-4372*

Date: *5/6/20*

Please **RETURN PROMPTLY** to:

[wimunicipalboundaryreview@wi.gov](mailto:wimunicipalboundaryreview@wi.gov)

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

(March 2018)



# Annexation Review Questionnaire

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Petitioner: **Tipperary Farms**

Petition Number: **14305**

1. Territory to be annexed: From **TOWN OF WESTPORT** To **VILLAGE OF WAUNAKEE**

2. Area (Acres): 1.297

3. Pick one: ☒ Property Tax Payments

OR

☐ Boundary Agreement

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

\$ 1,255.71

a. Title of boundary agreement \_\_\_\_\_

b. Year adopted \_\_\_\_\_

b. Total that will be paid to Town

(annual tax multiplied by 5 years): \$6,278.55

c. Participating jurisdictions \_\_\_\_\_

d. Statutory authority (pick one)

c. Paid by: ☒ Petitioner ☐ City ☐ Village  
via an annexation agreement

☐ s.66.0307 ☐ s.66.0225 ☐ s.66.0301

☐ Other: \_\_\_\_\_

4. Resident Population: \_\_\_\_\_ Electors: 3 Total: 5

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?

Mixed use - commercial and residential

In the town?: \_\_\_\_\_

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 \_\_\_\_\_



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

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 ☐  
\_\_\_\_      \_\_\_\_

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? Single-family residential

c. How will the land be zoned and used if annexed? Single-family residential

---

12. Elections: ☐ New ward or ☒ Existing ward? 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](mailto: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:

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Prepared by: ☐ Town ☐ City ☒ Village

Name: Caitlin Stene

Email: cstene@waunakee.com

Phone: 608-850-2827

Date: April 14, 2020

(March 2018)

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Please **RETURN PROMPTLY** to:

[wimunicipalboundaryreview@wi.gov](mailto:wimunicipalboundaryreview@wi.gov)

Municipal Boundary Review

PO Box 1645, Madison WI 53701

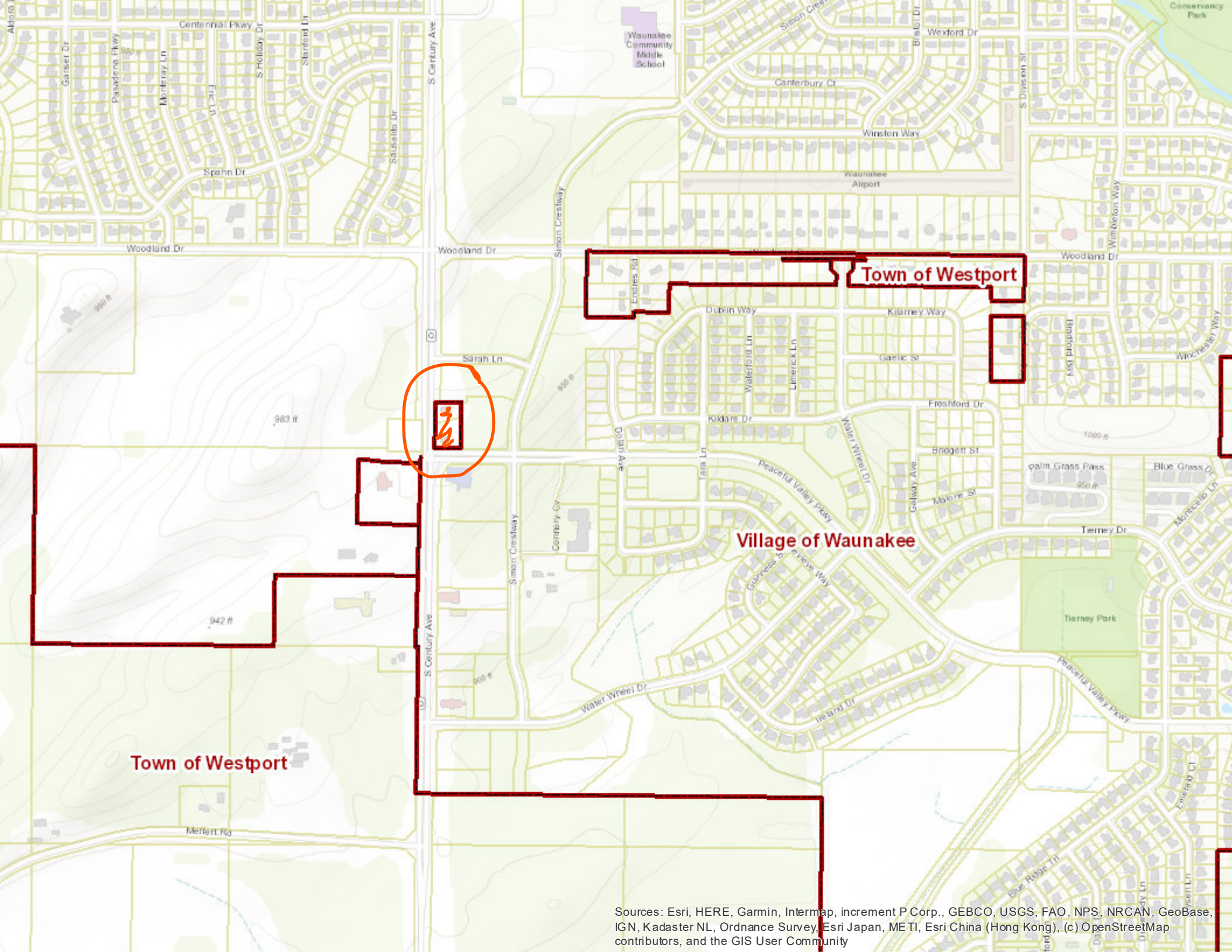
Fax: (608) 264-6104

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# Township N<sup>o</sup> VIII — Range N<sup>o</sup> IX E. 4<sup>th</sup> Mer. Wis. Ter



Standards of 4<sup>th</sup> Lake

| Post | Course     | Ch. Lk. |
|------|------------|---------|
| 7.   | N 16 E     | 4.50    |
|      | N 42 E     | 5.00    |
|      | N 38 E     | 17.00   |
|      | N 6 W      | 6.00    |
|      | N 29 W     | 17.00   |
|      | N 46 W     | 22.00   |
|      | N 84 W     | 4.85    |
| 6.   | S 80 W     | 15.00   |
|      | S 78 W     | 33.00   |
|      | S 72 W     | 6.00    |
|      | S 31 W     | 31.50   |
|      | S 83 W     | 7.00    |
|      | S 37 W     | 5.50    |
|      | N 6 1/2 W  | 3.30    |
| 5.   | N 44 W     | 7.00    |
|      | N 53 E     | 4.50    |
|      | N 10 W     | 7.50    |
|      | N 57 W     | 32.00   |
|      | N 4 E      | 10.00   |
|      | N 47 1/2 W | 10.75   |
| 4.   | N 55 W     | 10.00   |
|      | N 14 W     | 25.00   |
|      | S 79 1/2 W | 13.75   |
| 3.   | S 66 W     | 18.00   |
|      | S 68 W     | 10.22   |
| 2.   | S 51 W     | 12.00   |
|      | S 75 1/2 W | 30.00   |
|      | S 34 W     | 40.00   |
| 1.   | S 23 1/2 W | 13.34   |

Total number of acres 21,497.25

| Survey Designated        | By whom Surveyed | Date of Contract          | Acres of Survey | When Surveyed           | When Surveyed           |
|--------------------------|------------------|---------------------------|-----------------|-------------------------|-------------------------|
| Lower Boundaries         | John Mallett     | 4 <sup>th</sup> of 1831   | 20. 4. 16       | 3 <sup>d</sup> of 1832  | 1 <sup>st</sup> of 1833 |
| Subdivisions             | John Mallett     | 16 <sup>th</sup> of 1832  | 15. 07. 14      | 2 <sup>d</sup> of 1833  | 3 <sup>d</sup> of 1833  |
| 2 <sup>d</sup> East Road | Orson Lyon       | 8 <sup>th</sup> Feb. 1834 | 47. 03. 53      | 3 <sup>d</sup> of 1834  | 1 <sup>st</sup> of 1835 |
| 2 <sup>d</sup> West Road | Mallett & Brink  | 7 <sup>th</sup> July 1833 | 14. 69. 66      | 4 <sup>th</sup> of 1835 | 3 <sup>d</sup> of 1834  |

The above Map of Township N<sup>o</sup> 8. Range N<sup>o</sup> 9 East. 4<sup>th</sup> Meridian North West Territory, is thieftly Conformable to the field Notes of the Survey thereof on file in this Office, which have been examined and approved.

Surveyor General's Office

Robert L. Lytle Surveyor





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](mailto:wimunicipalboundaryreview@wi.gov)

Web: <http://doa.wi.gov/municipalboundaryreview>

May 26, 2020

PETITION FILE NO. 14305

CAITLIN STENE, CLERK  
VILLAGE OF WAUNAKEE  
PO BOX 100  
WAUNAKEE, WI 53597-0100

THOMAS G. WILSON, CLERK  
TOWN OF WESTPORT  
5387 MARY LAKE RD  
WAUNAKEE, WI 53597-9128

Subject: TIPPERARY FARMS ANNEXATION

The proposed annexation submitted to our office on May 04, 2020, 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 **VILLAGE OF WAUNAKEE**, 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 14305 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](mailto: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=2379>  
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner