



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

LEGAL SERVICES DEPARTMENT

Office of the City Attorney

100 North Appleton Street

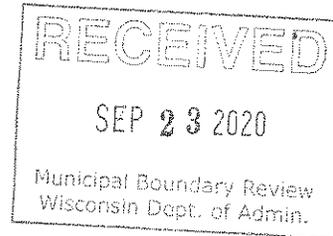
Appleton, WI 54911-4799

Phone: 920/832-6423

Fax: 920/832-5962

September 11, 2020

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



**Certified Mail –
Return Receipt Requested**

Re: Annexation
Our File No. A20-0562

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 Sequoia Drive (right-of-way) 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
City Attorney

Enclosure

CRB:jljg

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

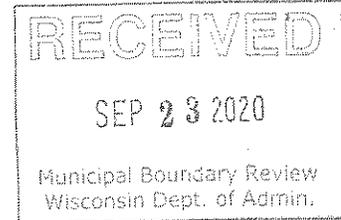
Name: **JACOB A. WOODFORD, MAYOR**

Address: **100 NORTH APPLETON STREET**

APPLETON, WI 54911

Email: **jake.woodford@appleton.org**

Office use only:



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

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

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

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

5. Area (in acres) of the territory to be annexed: **3.3251 ACRES**

6. Tax parcel number(s) of territory to be annexed
(if the territory is part or all of an existing parcel): **PART OF
101153201, 101153500, 200012500 AND 200012700**

Petitioners phone:

920-832-6400

Town clerk's phone:

**GRAND CHUTE: 920-832-5644
VANDENBROEK: 920-850-1848**

City/Village clerk's phone:

920-832-6443

Contact Information if different than petitioner:

Representative's Name and Address:
DON HARP, PRINCIPAL PLANNER

CITY OF APPLETON

100 N. APPLETON STREET

APPLETON, WI 54911

Phone: **920-832-6466**

E-mail: **DON.HARP@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]

(2012)

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

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

\$600 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

\$950 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**

check received: 9-23-2020
 Payer: City of Appleton

544889
 check# ~~544889~~
 check: 9-9-2020
 Amount: \$950.00

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 annexe (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.]

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>

Sequoia Drive (Right-of-Way) Annexation

Petitioner: Jacob A. Woodford, Mayor, City of Appleton

Petition Number:

1. Territory to be annexed: From: Town of Grand Chute and Town of Vandebroek To: City of Appleton

2. Area (Acres): 3.3251 acres

3. Pick one: Property Tax Payments

OR Boundary Agreements

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

\$ _____

b. Total that will be paid to Town

(annual tax multiplied by 5 years): _____

c. Paid by: Petitioner City Village

Other: _____

a. Title of boundary agreement

1. Intermunicipal Agreement
2. Amendment to Intergovernmental Cooperation Agreement

b. Year adopted:

1. 1992
2. Amended 2019

c. Participating jurisdictions

1. City of Appleton and Town of Grand Chute
2. City of Appleton and Village of Little Chute

d. Statutory authority:

1. 66.027 and 66.30
2. 66.30

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

5. Approximate **present land use** of territory: 100% Undeveloped

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

Comments: City Street/Public Right-of-Way

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? The adjacent land use to the south will be developed into a single-family subdivision, but currently it is undeveloped agricultural land.

In the town?: Undeveloped agricultural land in both Town of Grand Chute and Town of Vandebroek.

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: The property owner initiated the annexation in order to construct a public street and extend utilities in the City of Appleton.

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

City/Village Yes No Town(s) Yes No

If yes, approximate timetable for providing service: City/Village Town

Sanitary Sewers immediately X
or, write in number of years. Spring 2021

Water Supply immediately X
or, write in number of years. Spring 2021

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: New public street and utilities designed to City of Appleton specifications. Estimated Cost: \$400,000.

11. Planning & Zoning:

a. Do you have a comprehensive plan for the City? Yes No

Is this annexation consistent with your comprehensive plan? Yes No

b. How is the annexation territory now zoned? Pursuant to Outagamie County Records: General Agricultural

c. How will the land be zoned and used if annexed? AG General Agriculture District, City of Appleton Zoning

12. Elections: New ward or Existing ward? Pursuant to the City Clerk, the territory will join existing Ward 62.

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: The City is fulfilling a condition identified in a Development Agreement with the developer of North Edgewood Estates Subdivision (residential development south of the annexation area) to acquire land and fund all costs associated with installing a second access point (public street) from Phase II of the North Edgewood Estates Subdivision to Broadway Drive. Also, this public street will provide opportunities to buildout a street network and extend utilities in this part of the City's future growth area.

Prepared by: Town City Village

Name: Don Harp, Principal Planner, City of Appleton

Email: don.harp@appleton.org

Phone: 920-832-6466

Date: 9-8-20

Please **RETURN PROMPTLY** to:

wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

(March 2018)



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

I, the undersigned, constituting all of the owners of the real property in which no electors reside in the following territory of the Towns of Grand Chute and Vandebroek, 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.

A part of Lot 2 of Certified Survey Map No. 5163 filed in Volume 29 of Certified Survey Maps on Page 5163 as Document No. 1676059, a part of the East $\frac{1}{2}$ of the Fractional Northwest $\frac{1}{4}$ and a part of the West $\frac{1}{2}$ of the Fractional Northeast $\frac{1}{4}$ of Section 5, Township 21 North, Range 18 East, Town of Grand Chute and the Town of Vandebroek, Outagamie County, Wisconsin, containing 3.3251 Acres (144,841 sq. ft.) of land and being more fully described by:

Commencing at the N $\frac{1}{4}$ corner of said Section 5;

Thence South $00^{\circ}16'59''$ West 33.00 feet along the West line of the Fractional NE $\frac{1}{4}$ of said Section 5 to the Point of Beginning;

Thence South $89^{\circ}33'00''$ East 33.02 feet along the South line of Broadway Drive;

Thence South $00^{\circ}31'45''$ West 1,347.02 feet;

Thence Southwesterly 400.24 feet along the arc of curve to the right having a radius of 335.00 feet and the chord of which bears South $34^{\circ}45'22''$ West 376.86 feet;

Thence Southwesterly 312.44 feet along the arc of a curve to the left having a radius of 265.00 feet and the chord of which bears South $35^{\circ}12'24''$ West 294.66 feet;

Thence South $01^{\circ}25'49''$ West 9.99 feet;

Thence North $88^{\circ}35'21''$ West 70.00 feet;

Thence North $01^{\circ}25'49''$ East 10.01 feet;

Thence Northeasterly 394.97 feet along the arc of curve to the right having a radius of 335.00 feet and the chord of which bears North $35^{\circ}12'24''$ East 372.49 feet;

Thence Northeasterly 316.61 feet along the arc of a curve to the left having a radius of 265.00 feet and the chord of which bears North $34^{\circ}45'22''$ East 298.11 feet;

Thence North $00^{\circ}31'45''$ East 1,347.07 feet;

Thence South $89^{\circ}18'26''$ East 36.81 feet;

Thence South $89^{\circ}33'00''$ East 0.17 feet to the point of beginning.

I, 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 further understand a temporary zoning classification of AG Agricultural zoning classification is assigned to newly annexed territory with no public hearing required.

Area of lands to be annexed contains 3.3251 acres m/l.

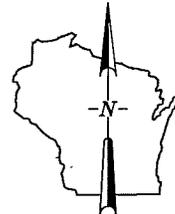
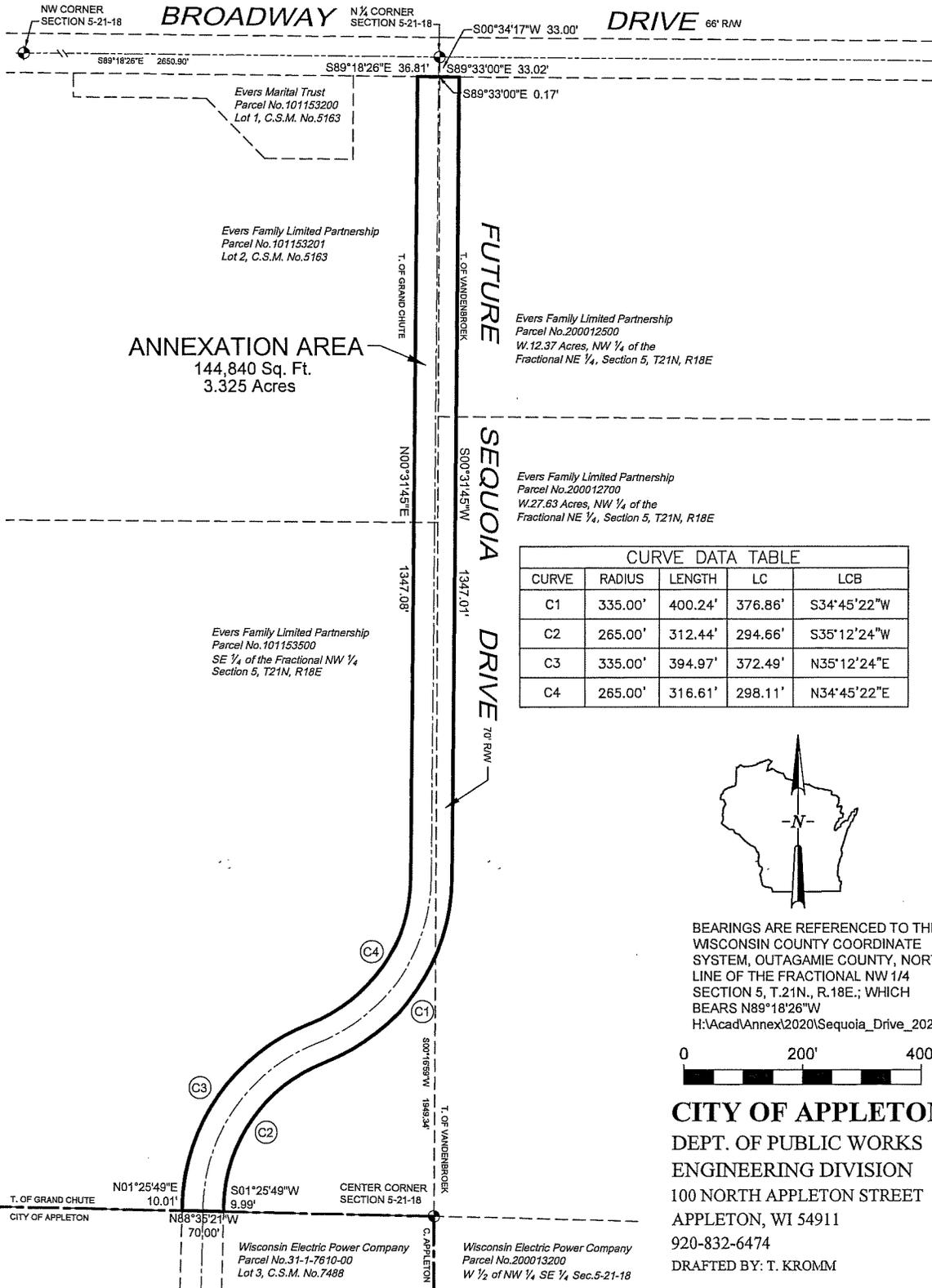
Tax Parcel numbers of lands to be annexed: Part of Tax Key #101153201, 101153500, 200012500 and 200012700

The current population of such territory is 0.

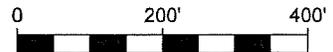
Signature of Petitioner	Owner	Date of Signing	Address of Petitioner (Include Zip Code)
	City of Appleton	9/8/20	100 N. Appleton Street Appleton, WI 54911
Jacob A. Woodford, Mayor City of Appleton			

ANNEXATION EXHIBIT

Part of Lot 2 of Certified Survey Map No.5163, part of the East One-half (E 1/2) of the Fractional Northwest Quarter (NW 1/4) and part of the West 40 Acres of the Fractional Northeast Quarter (NE 1/4) of Section 5, Township 21 North, Range 18 East, Town of Grand Chute and Town of Vandenberg, Outagamie County, Wisconsin.



BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, OUTAGAMIE COUNTY, NORTH LINE OF THE FRACTIONAL NW 1/4 SECTION 5, T.21N., R.18E.; WHICH BEARS N89°18'26"W
H:\Acad\Annex2020\Sequoia_Drive_2020



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

REAL PROPERTY LISTERS ANNEXATION REVIEW

1. Territory to be annexed: _____ | From Town of: _____ | To City/Village of: _____
Part of 101153201, 101153500, 200012500, 200012700 FROM GRAND CHUTE & VANDENBROEK
| TO C OF APPLETONy

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:

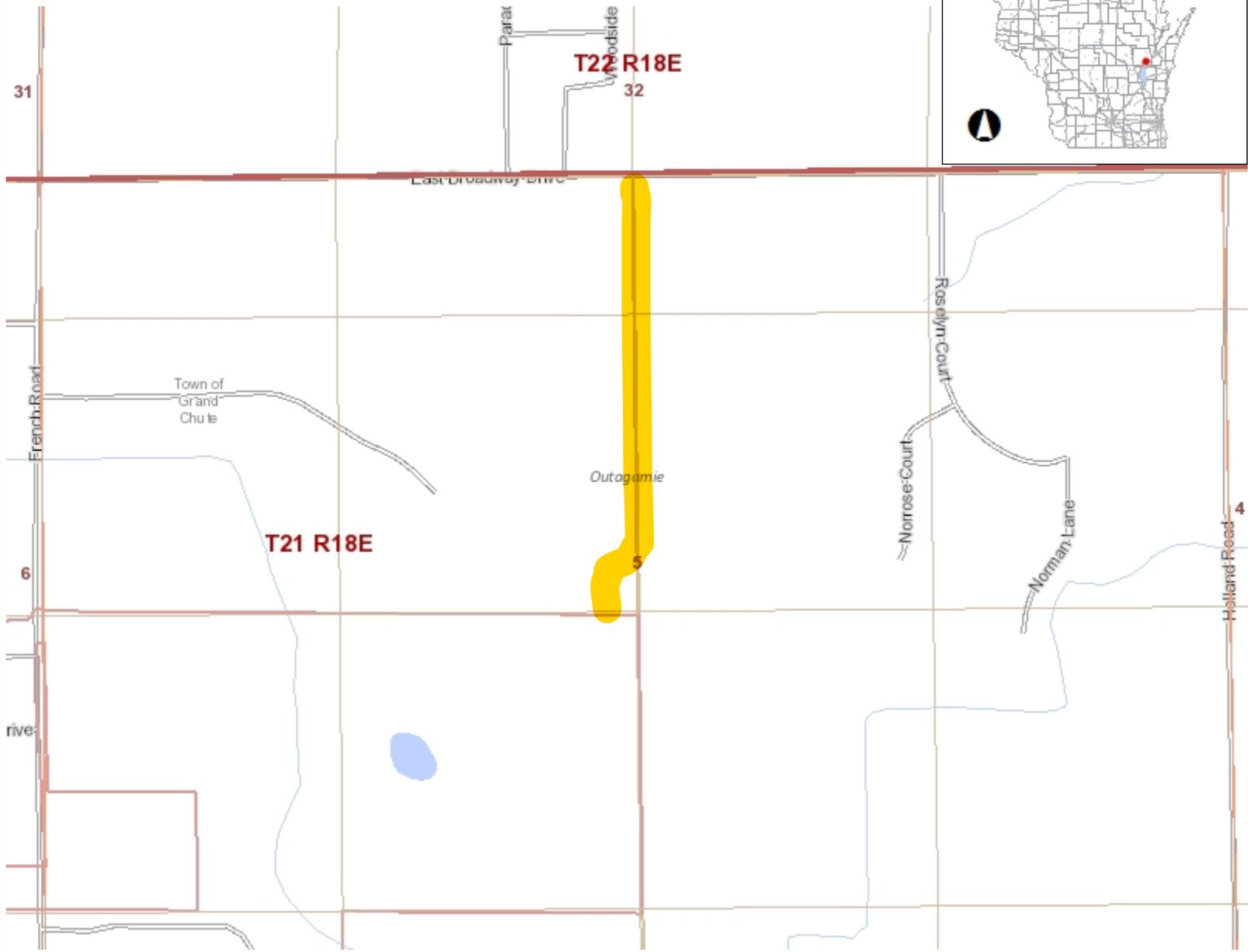
Document #2204420, recorded 8/28/20 conveys the property description to City of Appleton

Prepared by: <u>Terri A Lison</u>	Please RETURN PROMPTLY to:
Title: <u>REAL PROPERTY LISTER</u>	Municipal Boundary Review
Phone: <u>920-832-5665</u>	PO Box 1645
Date: <u>10-5-2020</u>	Madison WI 53701

(608) 264-6102 **FAX** (608) 264-6104
wimunicipalboundaryreview@wi.gov



Surface Water Data Viewer Map



- 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



NAD_1983_HARN_Wisconsin_TM

1: 7,920

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/>

Notes

Township N^o 21 N, Range N^o 18 East, 4th Mer.



Meanders of Fox River.			
Posts	Courses	Ch ^s Lk ^s	Posts Courses Ch ^s Lk ^s
Left bank, down stream.			
1	N 73° E	3.50	N 55° E 4.00
	N 68° E	6.00	N 74° E 3.00
	N 88° E	4.50	N 26° E 1.95
	N 88° E	7.50	N 26° E 2.05
	N 72° E	6.50	N 9° E 5.50
	N 49° E	2.00	N 3° E 10.50
	N 44° E	7.50	N 54° E 5.00
	N 33° E	4.50	N 57° E 3.50
	N 22° E	4.50	
2	N 32° E	4.00	N 54° E 5.00
	N 38° E	4.50	N 55° E 4.50
	N 39° E	9.00	N 55° E 11.50
	N 58° E	1.50	N 70° E 5.00
	N 30° E	4.00	N 51° E 6.00
	N 8° E	4.50	N 47° E 8.00
	N 34° E	3.50	N 42° E 7.00
	N 50° E	9.00	N 49° E 11.50
	N 68° E	5.00	N 62° E 12.50
	N 81° E	6.00	N 52° E 4.50
	N 66° E	8.00	N 62° E 6.50
3	N 94° E	4.50	N 87° E 3.50
	N 72° E	4.89	N 65° E 7.00
	N 72° E	4.50	N 67° E 4.50
	N 88° E	9.50	N 54° E 7.50
	N 35° E	8.00	N 64° E 6.50
	N 64° E	3.00	N 59° E 8.94
	N 83° E	6.00	
	N 74° E	9.50	
	N 78° E	7.00	
	N 56° E	5.00	
	N 52° E	9.50	
	N 70° E	6.50	
	N 86° E	3.00	
	N 75° E	9.50	
4	N 56° E	3.50	
	N 73° E	8.50	
	N 72° E	7.00	
	N 45° E	10.00	
	N 78° E	4.00	
	N 74° E	5.50	
	N 64° E	2.50	
	N 82° E	3.50	
	N 47° E	14.00	
	N 34° E	6.21	
	N 68° E	5.50	
	N 44° E	5.50	
	N 22° E	6.50	
	N 70° E	7.00	
	N 86° E	4.50	
5	N 64° E	8.50	
	N 63° E	12.00	
	N 41° E	4.00	
	N 71° E	7.50	
	N 80° E	8.50	
	N 82° E	3.00	
	N 68° E	6.00	
	N 78° E	3.50	
	N 76° E	4.00	
	N 89° E	6.00	
	N 69° E	6.00	
	N 28° E	6.50	
24	N 24° E	5.50	

Scale 40 Chains to an Inch.

Total number of Acres 11,343.74					
Surveys Designated.	By Whom Surveyed.	Date of Contract.	Amount of Surveys. M. Ch ^s Lk ^s	When Surveyed.	When Charged in the Sur ^r 's Gen ^l 's acc ^t .
Township lines.	A. G. Ellis	May 13, 1843	15. 77. 32	June 1843	1 st Qr. 1844
Subdivisions.	John Baunister	August 10 th 1843	38. 72. 54	4 th Qr. 1843	4 th Qr. 1844

The above Map of Township N^o 21 North, of Range N^o 18 East of the 4th Principal Meridian, Wisconsin Territory is strictly conformable to the field notes of the survey thereon file in this Office, which have been examined and approved.

Surveyor General's Office, *Geo. W. Jones* Sur^r Gen^l.

Dubuque July 29th 1847.



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>

October 13, 2020

PETITION FILE NO. 14337

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

CORY SWEDBERG, CLERK
TOWN OF VANDENBROEK
W2030 COUNTY ROAD JJ
KAUKAUNA, WI 54130

Subject: CITY OF APPLETON ANNEXATION

The proposed annexation submitted to our office on September 23, 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 **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 14337 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=2411>

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

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner