

Request for Annexation Review

Wisconsin Department of Administration

WI Dept. of Administration
Municipal Boundary Review
PO Box 1645, Madison WI 53701
608-264-6102
wimunicipalboundaryreview@wi.gov
<https://doa.wi.gov/municipalboundaryreview>

Petitioner Information

Name: WEST MADISON LAND COMPANY, LLC (Jeff Jaschinski)

Phone: (608) 836-4345

Email: rprocter@axley.com

RECEIVED

October 5, 2022

Municipal Boundary Review
Wisconsin Dept. of Admin.

Contact Information if different than petitioner:

Representative's Name: Attorney Robert C. Procter

Phone: (608) 283-6762

E-mail: rprocter@axley.com

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

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

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

4. Population of the territory to be annexed: **1**

5. Area (in acres) of the territory to be annexed: **128.18 ACRES**

6. Tax parcel number(s) of territory to be annexed (if the territory is part or all of an existing parcel):
080836386400; 080836390002; 080836395016; 080836380010; 080836296810

Include these required items with this form:

- Legal Description meeting the requirements of s.66.0217 (1) (c) [see attached annexation guide]
- Map meeting the requirements of s. 66.0217 (1) (g) [see attached annexation guide]
- Signed Petition or Notice of Intent to Circulate [see attached annexation guide]
- Check or money order covering review fee [see next page for fee calculation]

(2021)

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

\$1400 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

\$1750 TOTAL FEE DUE (Add the Filing Fee to the Review Fee)

Include check or money order, payable to: **Department of Administration**

DON'T attach the check with staples, tape, ...

**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 & form received: 10-5-22

Payer: Axley

Check Number: 188931

Check Date: 10-5-22

Amount: \$1750.00

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 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).

PETITION FOR DIRECT ANNEXATION
BY UNANIMOUS CONSENT
(Wis. Stats. § 66.0217(2))

TO:	City of Middleton Attn: City Clerk 7426 Hubbard Avenue Middleton, WI 53562	Town of Springfield Attn: Town Clerk 6157 County Highway P Dane, WI 53593
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The undersigned, being all of the electors residing in the Territory, and all of the owners of all of the real property in the Territory, do hereby unanimously petition the city of Middleton for the purpose of annexing the Territory from the town of Springfield to the city of Middleton.

The "Territory" proposed for annexation from the town of Springfield to the city of Middleton is shown on the scale map attached as Exhibit A, and more particularly described on the attached Exhibit B. The Territory is located in Dane County, Wisconsin.

The undersigned do hereby request that this annexation be approved and take effect in the manner provided for by law.

There is 1 elector residing in the Territory. The population of the Territory is 1.

This Petition for Annexation is filed pursuant to Wis. Stats. § 66.0217(2).

[SIGNATURES ON FOLLOWING PAGES]

cc: Wisconsin Department of Administration

SIGNATURE PAGE
PETITION FOR DIRECT ANNEXATION BY UNANIMOUS CONSENT
Of
WEST MADISON LAND COMPANY, LLC

WEST MADISON LAND COMPANY, LLC

By: Jeffrey A. Jaschinski
Jeffrey A. Jaschinski

Date: 09/28/2022

SIGNATURE PAGE
DIRECT ANNEXATION BY UNANIMOUS CONSENT
Of
ELECTORS



Stephen P. Acker Date

EXHIBIT "A" ANNEXATION EXHIBIT

UNPLATTED LANDS BEING A PART OF THE NW1/4 OF THE SW1/4, A PART OF THE SW1/4 OF THE SW1/4, A PART OF THE SE1/4 OF THE SW1/4, A PART OF THE NE1/4 OF THE SW1/4, AND A PART OF THE SE1/4 OF THE NW OF SECTION 36, TOWN 8 NORTH, RANGE 8 EAST, LOCATED IN THE TOWN OF SPRINGFIELD, DANE COUNTY, WISCONSIN.

NORTH ¼ CORNER
SECTION 36-T8N-R8E

LEGEND

- SECTION CORNER FOUND / RECOVERED
- ANNEXATION LIMITS
- RIGHT-OF-WAY LINE
- CENTERLINE
- SECTION LINE
- QUARTER/QUARTER LINE
- PLATTED LINE
- MUNICIPAL LIMITS CITY OF MIDDLETON / TOWN OF SPRINGFIELD

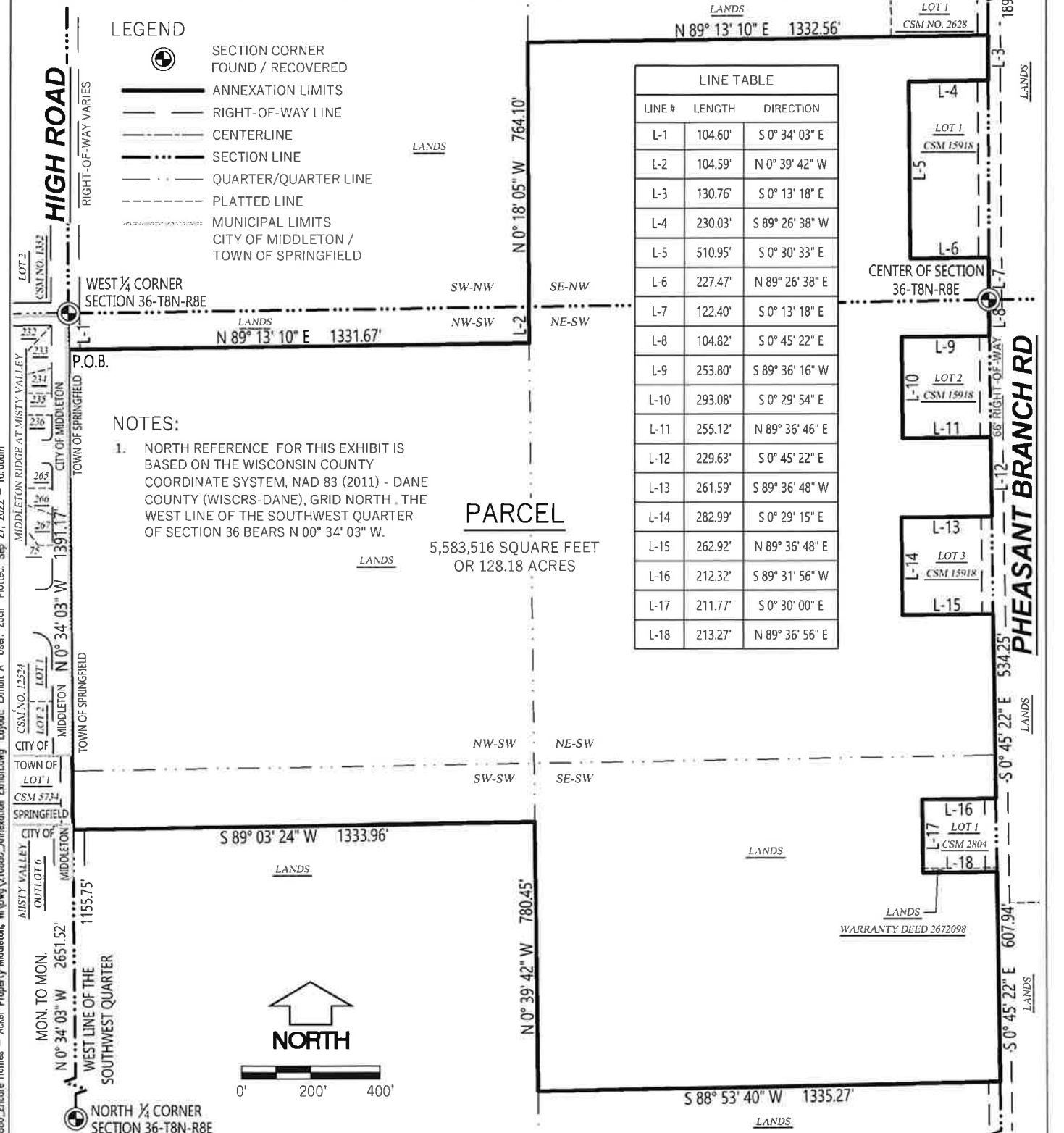
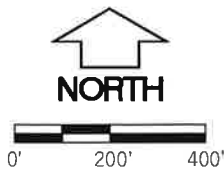
NOTES:

1. NORTH REFERENCE FOR THIS EXHIBIT IS BASED ON THE WISCONSIN COUNTY COORDINATE SYSTEM, NAD 83 (2011) - DANE COUNTY (WISCRS-DANE), GRID NORTH. THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 36 BEARS N 00° 34' 03" W.

PARCEL

5,583,516 SQUARE FEET
OR 128.18 ACRES

LINE TABLE		
LINE #	LENGTH	DIRECTION
L-1	104.60'	S 0° 34' 03" E
L-2	104.59'	N 0° 39' 42" W
L-3	130.76'	S 0° 13' 18" E
L-4	230.03'	S 89° 26' 38" W
L-5	510.95'	S 0° 30' 33" E
L-6	227.47'	N 89° 26' 38" E
L-7	122.40'	S 0° 13' 18" E
L-8	104.82'	S 0° 45' 22" E
L-9	253.80'	S 89° 36' 16" W
L-10	293.08'	S 0° 29' 54" E
L-11	255.12'	N 89° 36' 46" E
L-12	229.63'	S 0° 45' 22" E
L-13	261.59'	S 89° 36' 48" W
L-14	282.99'	S 0° 29' 15" E
L-15	262.92'	N 89° 36' 48" E
L-16	212.32'	S 89° 31' 56" W
L-17	211.77'	S 0° 30' 00" E
L-18	213.27'	N 89° 36' 56" E



File: W:\2022\10880_Encore Homes - Acier Property Middleton, WI\dwg\210880_Annexation Exhibit.dwg Layout: Exhibit A User: Zach Plotted: Sep 27, 2022 - 10:00am



PREPARED BY:
300 EAST FRONT STREET
MOUNT HOREB, WI 53572
www.wyserengineering.com

PREPARED FOR:
ENCORE HOMES, INC.
6840 SCHNEIDER ROAD
MIDDLETON, WI 53562

SURVEYED BY: -----
DRAWN BY: ZMR
APPROVED BY: ZMR

PROJECT NO: 180530
SHEET NO: 1 of 1

NORTH ¼ CORNER
SECTION 36-T8N-R8E

EXHIBIT B

ANNEXATION LEGAL DESCRIPTION

LEGAL DESCRIPTION – ACKER PARCEL

Unplatted being a part of the Northwest Quarter of the Southwest Quarter, a part of the Southwest Quarter of the Southwest Quarter, a part of the Southeast Quarter of the Southwest Quarter, a part of the Northeast Quarter of the Southwest Quarter, and a part of the Southeast Quarter of the Northwest Quarter of Section 36, Town 8 North, Range 8 East, located in the Town of Springfield, Dane County, Wisconsin, being more particularly described as follows:

Commencing at the West Quarter Corner of aforesaid Section 36; thence along the West line of the Southwest Quarter of said Section 36, South 00 degrees 34 minutes 03 seconds East, 104.60 feet to the Point of Beginning;

Thence North 89 degrees 13 minutes 10 seconds East, 1331.67 feet to a point on the West line of the Northeast Quarter of the Southwest Quarter of said Section 36; thence along said West line of the Northeast Quarter of the Southwest Quarter of said Section 36, North 00 degrees 39 minutes 42 seconds West, 104.60 feet to the Southwest corner of the Southeast Quarter of the Northwest Quarter of said Section 36; thence along the West line of said Southeast Quarter of the Northwest Quarter of Section 36, North 00 degrees 18 minutes 05 seconds West, 764.10 feet; thence North 89 degrees 13 minutes 10 seconds East, 1332.56 feet to a point on the East line of the Northwest Quarter of said Section 36; thence along said East line of the Northwest Quarter of Section 36, South 00 degrees 13 minutes 18 seconds East, 130.76 feet to the Northeast corner Lot 1 of Certified Survey Map No. 15918, recorded in Volume 116 of Dane County Certified Surveys on pages 239 – 244 as Document No. 5808141 (CSM 15918); thence along the North line of said Lot 1 of CSM 15918, South 89 degrees 26 minutes 38 seconds West, 230.03 feet to the Northwest corner of said Lot 1 of CSM 15918; thence along the West line of said Lot 1 of CSM 15918, South 00 degrees 30 minutes 33 seconds East, 510.95 feet to the Southwest corner of said Lot 1 of CSM 15918; thence along the South line of said Lot 1 of CSM 15918, North 89 degrees 26 minutes 38 seconds East, 227.47 feet to the Southeast corner of said Lot 1 of CSM 15918, also being a point on the aforesaid East line of the Northwest Quarter of Section 36; thence along said East line of the Northwest Quarter of Section 36, South 00 degrees 13 minutes 18 seconds East, 122.40 feet to the Center of said Section 36, as set by Jeffrey R. Quamme on Dane County Records Survey No. 2006-01415; thence along the East line of the Southwest Quarter of said Section 36, South 00 degrees 45 minutes 22 seconds East, 104.82 feet to the Northeast corner of Lot 2 of CSM 15918; thence along the North line of said Lot 2 of CSM 15918, South 89 degrees 36 minutes 16 seconds West, 253.80 feet to the Northwest corner of said Lot 2 of CSM 15918; thence along the West line of said Lot 2 of CSM 15918, South 00 degrees 29 minutes 54 seconds East, 293.08 feet to the Southwest corner of said Lot 2 of CSM 15918; thence along the South line of said Lot 2 of CSM 15918, North 89 degrees 36 minutes 46 seconds East, 255.12 feet to the Southeast corner of said Lot 2 of CSM 15918, also being a point on the aforesaid East line of the Southwest Quarter of Section 36; thence along said East line of the Southwest Quarter of Section 36, South 00 degrees 45 minutes 22 seconds East, 229.63 feet to the Northeast corner of Lot 3 of CSM 15918; thence along the North line of said Lot 3 of CSM 15918, South 89 degrees 36 minutes 48 seconds West, 261.59 feet to the Northwest corner of said Lot 3 of CSM 15918; thence along the West line of said Lot 3 of CSM 15918, South 00 degrees

29 minutes 15 seconds East, 282.99 feet to the Southwest corner of said Lot 3 of CSM 15918; thence along the South line of said Lot 3 of CSM 15918, North 89 degrees 36 minutes 48 seconds East, 262.92 feet to the Southeast corner of said Lot 3 of CSM 15918, also being a point on the aforesaid East line of the Southwest Quarter of Section 36; thence along said East line of the Southwest Quarter of Section 36, South 00 degrees 45 minutes 22 seconds East, 534.25 feet to the Northeast corner of Lot 1 of Certified Survey Map No. 2804, recorded in Volume 11 of Certified Surveys of Dane County on page 123 as Document No. 1571502 (CSM 2804); thence along the North line of said Lot 1 of CSM 2804, South 89 degrees 31 minutes 56 seconds West, 212.32 feet to the Northwest corner of said Lot 1 of CSM 2804; thence along the West line of said Lot 1 of CSM 2804, South 00 degrees 30 minutes 00 seconds East, 211.77 feet to the Southwest corner of lands described in a Warranty Deed recorded April 25, 1995 as Document No. 2672098; thence along the South line of said lands, North 89 degrees 36 minutes 56 seconds East, 213.27 feet to the Southeast corner of said lands, also being a point on the aforesaid East line of the Southwest Quarter of Section 36; thence along said East line of the Southwest Quarter of Section 36, South 00 degrees 45 minutes 22 seconds East, 607.94 feet; thence South 88 degrees 53 minutes 40 seconds West, 1335.27 feet to a point on the West line of the Southeast Quarter of the Southwest Quarter of said Section 36; thence along said West line of the Southeast Quarter of the Southwest Quarter of Section 36, North 00 degrees 39 minutes 42 seconds West, 780.45 feet; thence South 89 degrees 03 minutes 24 seconds West, 1333.96 feet to a point on the West line of the Southwest Quarter of said Section 36; thence along said West line of the Southwest Quarter of Section 36, North 00 degrees 34 minutes 03 seconds West, 1391.17 feet back to the point of beginning.

Above described parcel is subject to public right-of-way over the West 33.00 feet along High Road, and various widths along Pheasant Branch Road on the East side of the parcel.

Above described parcel contains 5,583,516 square feet or 128.18 acres.

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: **West Madison Land Company LLC**

Petition Number: **14534**

1. Territory to be annexed: From **TOWN OF SPRINGFIELD** To **CITY OF MIDDLETON**

2. Area (Acres): 128.18

3. Pick one: Property Tax Payments **OR** Boundary Agreement *City of Middleton and Town of Springfield Intergovernmental*

a. Annual town property tax on territory to be annexed:
\$ _____
a. Title of boundary agreement Agreement

b. Total that will be paid to Town
(annual tax multiplied by 5 years): _____
b. Year adopted 2004, extension in 2009

c. Paid by: Petitioner City Village
c. Participating jurisdictions city of Middleton
Town of Springfield

Other: _____
d. Statutory authority (pick one)
 s.66.0307 s.66.0225 s.66.0301

4. Resident Population: Electors: _____ Total: _____

5. Approximate **present land use** of territory:
Residential: 1.2 *farmhouse + outbuildings + driveway* % Recreational: _____ % Commercial: _____ % Industrial: _____ %
Undeveloped: 98.8 *agricultural* %

6. If territory is undeveloped, what is the **anticipated use**?
Residential: ~49 % Recreational: ~29 % Commercial: ~1 % Industrial: 0 %
Other: ~21 % *ROW (greenway, parks, wetland)*
Comments: _____

7. Has a preliminary or final plat been submitted to the Plan Commission: Yes No
Plat Name: Redtail Ridge

8. What is the **nature of land use adjacent** to this territory in the city or village?
W: Residential
In the town?: N/S/E: Agricultural Also E: Conservancy

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?

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. immediately upon ARPC approval

Water Supply immediately
or, write in number of years. 0 _____

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

conducting an Acker Farm utility study

If yes, identify the nature of the anticipated improvements and their probable costs: Unknown. Strand Engineering is currently.

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? A-1 Agricultural

c. How will the land be zoned and used if annexed? Planned development district (PDD)

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 or see their annexation checklist here: <http://elections.wi.gov/forms/el-100>

Ward 24 (District 6, Ward 24, Assembly District 8, Senate District 27,

13. Other relevant information and comments bearing upon the public interest in the annexation: County Supervisory and subsequent extension. 295

Prepared by: Town City Village

Name: Abby Attoun

Email: aaattoun@cityofmiddleton.us

Phone: (608) 821-8343

Date: 10/19/22

(March 2018)

Please RETURN PROMPTLY to:

wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

PO Box 1645, Madison WI 53701

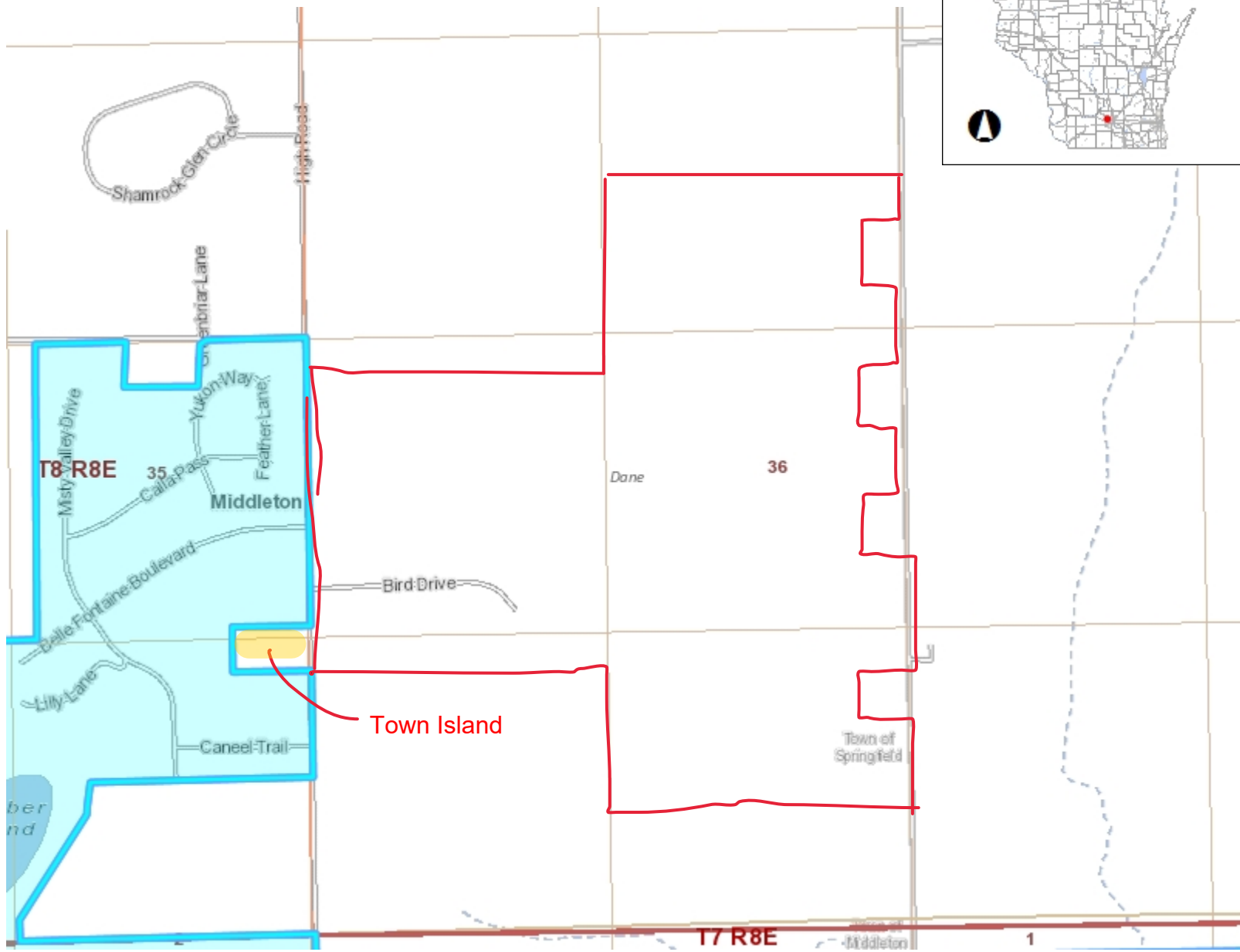
Fax: (608) 264-6104



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

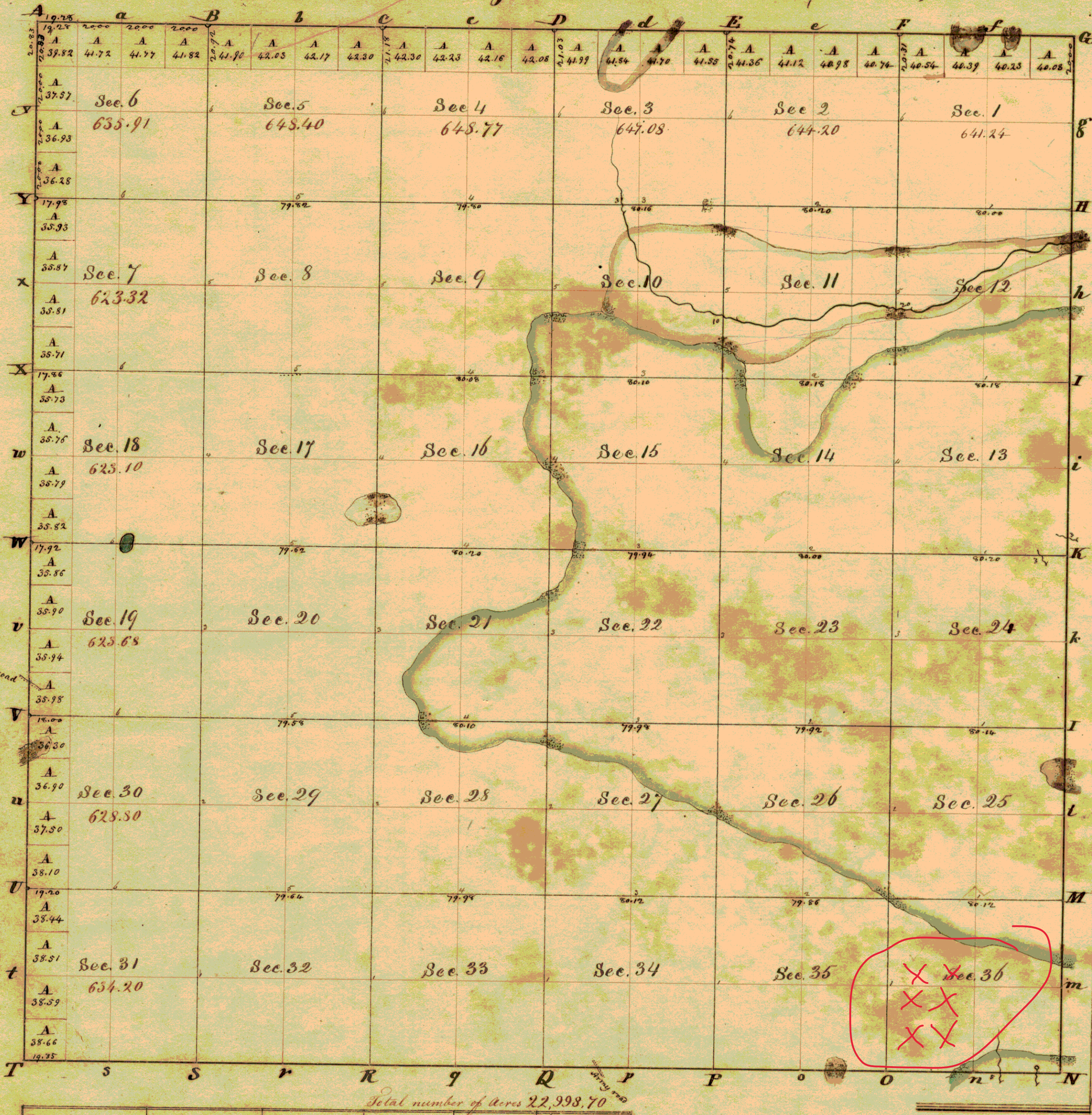
1: 7,920

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. 8 N. Range N. 8 East 4th Mer. (Wis. Ter.)

144-14



Total number of Acres 22,998.70

Survey Designated	By whom Surveyed	Date of Contract	Am't. of Survey	When Surveyed	When h'ly & c'ly. in Div. Gen. Sect.
Lower Part Acres - Subdivisions	John Mullett	4 th of 1831	M. Ct. 16, 59.75. 11	1 st of 1833	3 rd of 1833.

The above map of Township N. 8, Range N. 8 East, 4th Meridian North West Division, is strictly conformable to the field notes of the Survey thereof on file in this Office, which have been examined and approved.

Surveyor General's Office
Cincinnati, May 27th 1834

M. T. Williams
Secy. Genl.



TONY EVERS

GOVERNOR

KATHY BLUMENFELD

SECRETARY-DESIGNEE

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 25, 2022

PETITION FILE NO. 14534

LORIE J. BURNS, CLERK
CITY OF MIDDLETON
7426 HUBBARD AVE
MIDDLETON, WI 53562-3118

DIANAH FAYAS, CLERK
TOWN OF SPRINGFIELD
6157 COUNTY RD P
DANE, WI 53529-9760

Subject: WEST MADISON LAND COMPANY LLC ANNEXATION

The proposed annexation submitted to our office on October 05, 2022, 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 Middleton, 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 14534 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=2608>

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

Sincerely,

A handwritten signature in black ink, appearing to read "Erich Schmidtke". The signature is fluid and cursive, written over a white background.

Erich Schmidtke, Municipal Boundary Review

cc: petitioner