

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: **Please see Attachment to Request for Annexation Review.**

Phone:

Email:

Contact Information if different than petitioner:

Representative's Name: **Attorney Michael J. Bauer, Hopp Neumann Humke LLP**

Phone: **920-457-8400**

E-mail: **mike.bauer@hopplaw.com**

RECEIVED

December 14, 2022

Municipal Boundary Review
Wisconsin Dept. of Admin.

1. Town where property is located: **Sheboygan Falls**

2. Petitioned City or Village: **Sheboygan Falls**

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

4. Population of the territory to be annexed: **TWO (2)**

5. Area (in acres) of the territory to be annexed: **13.899**

6. Tax parcel number(s) of territory to be annexed (if the territory is part or all of an existing parcel):
59026-388032, 59026-388100 AND 59026-388260

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

\$800 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

\$1150 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: 12-14-22

Payer: City of Sheboygan Falls

Check Number: 44394

Check Date: 11-30-22

Amount: \$1150.00

ATTACHMENT TO REQUEST FOR ANNEXATION REVIEW
Tax Parcel Numbers: 59026-388032, 59026-388100 and 59026-388260

Petitioner Information:

Myers Tomlinson Living Trust of 2018
Richard L. Tomlinson, Trustee
Phone Number: (920) 918-1685
Email: rit5123@charter.net

James D. and Nancy J. Ottman
Phone Number: (920) 467-4477
Email: jnottman@att.net



HOPP NEUMANN HUMKE^{LLP}

December 5, 2022

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

Re: Request for Annexation Review
Petitioners: Myers Tomlinson Living Trust of 2018
James D. and Nancy J. Ottman
Town of Sheboygan Falls, Wisconsin

To Whom It May Concern:

I am the attorney for the City of Sheboygan Falls and our office is assisting the Petitioners, Myers Tomlinson Living Trust of 2018 and James and Nancy Ottman, with a petition for annexation. Enclosed please find for review the *Request for Annexation Review* form and City of Sheboygan Falls check, number 44394, in the amount of \$1,150.00 for the review and filing fee.

Please do not hesitate to contact me, should you have any questions.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Michael J. Bauer', written over a horizontal line.

Michael J. Bauer
e-mail: mike.bauer@hopplaw.com

MJB/cb
Enclosures

ec: Mr. Randy Meyer, Mayor
Ms. Paul Seymour, Clerk
Mr. Shad Tenpas, City Administrator/Utility Manager

R:\CLIENT\08281\00061\00202923.DOCX

www.hopplaw.com

Michael J. Bauer • J. Phil Mueller • Herbert C. Humke • Paul A. Dirkse • Crystal H. Fieber • Oliver M. Bauer • Kelly Del Ponte
OF COUNSEL Carl K. Buesing • RETIRED Roland M. Neumann • William W. Moir III
Alexander Hopp 1955-1999 • H.C. Humke 1963-2009

2124 Kohler Memorial Drive | Suite 310 | Sheboygan, WI 53081 | PH 920-457-8400 | FX 920-457-8411

PETITION FOR DIRECT ANNEXATION BY UNANIMOUS APPROVAL
PURSUANT TO WISCONSIN STATUTE § 66.0217(2)

The undersigned, constituting all of the electors residing in the territory and all of the owners of real property in the following territory of the Town of Sheboygan Falls, Sheboygan County, Wisconsin, lying contiguous to the City of Sheboygan Falls, petition the Common Council of the City of Sheboygan Falls to annex the territory described and as shown on the attached **Exhibit A**, legal descriptions and scale maps to the City of Sheboygan Falls, Sheboygan County, Wisconsin:

The above-described territory contains a population of two (2).


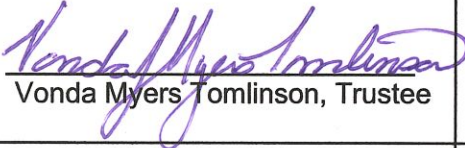
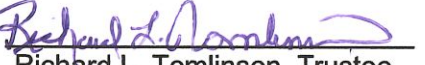
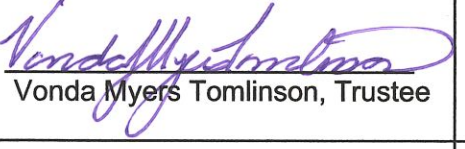
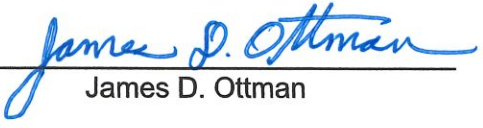

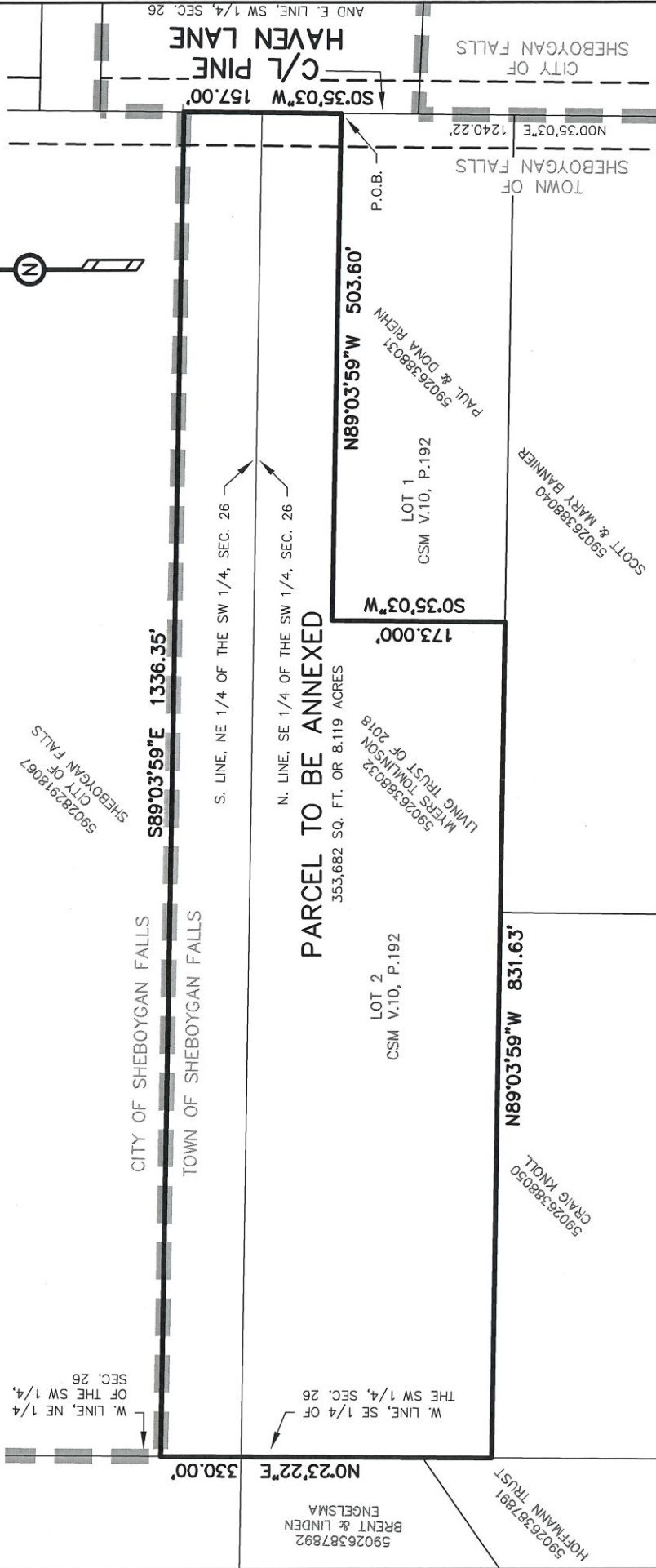
Signature of Petitioner	Date of Signing	Mark an "X" if Owner	Mark an "X" if Elector	Address or Description of Property
MYERS TOMLINSON LIVING TRUST OF 2018 By:  Richard L. Tomlinson, Trustee By:  Vonda Myers Tomlinson, Trustee		X X		Vacant land west of North Bluebird Lane (PIN: 59026-388032)
MYERS TOMLINSON LIVING TRUST OF 2018 By:  Richard L. Tomlinson, Trustee By:  Vonda Myers Tomlinson, Trustee		X X		Vacant land at southeast corner of Bluebird Lane and Pine Haven Lane (PIN: 59026-388260)
 James D. Ottman  Nancy J. Ottman		X X	X X	118 N. Bluebird Lane Sheboygan Falls, WI (PIN: 59026-388100)

EXHIBIT "A"

Lot 2 C.S.M. V.10, P.192, Part of the E 1/2 of the SW 1/4,
 Section 26, T15N, R22E, Town of Sheboygan Falls,
 Sheboygan County, Wisconsin.



Legal Description of Parcel to be Annexed:

Lot 2 C.S.M. V.10, P.192, Part of the East 1/2 of the Southwest 1/4 of Section 26, T15N, R22E, Town of Sheboygan Falls, Sheboygan County, Wisconsin, described as follows:

Commencing at the South 1/4 Corner of said Section 26; thence N00°35'03"E 1,240.22 feet along the East line of the Southwest 1/4 of Section 26 to the POINT OF BEGINNING of this description; thence N89°03'59"W 503.60 feet along the South line of Lot 2 C.S.M. V.10, P.192; thence S00°35'03"W 173.00 feet along the East line of said Lot 2; thence N89°03'59"W 831.63 feet along the South line of said Lot 2; thence N00°23'22"E 330.00 feet along the West line of said Lot 2 and the West line of the East 1/2 of the Southwest 1/4 of said Section 26; thence S89°03'59"E 1,336.35 feet along the North line of said Lot 2; thence S00°35'03"W 157.00 feet along the East line of said Lot 2 and the East line of the Southwest 1/4 of said Section 26 to the point of beginning of this description. This parcel contains 353,682 square feet or 8.119 acres.

941 Center Avenue, Suite 1
 Oostburg, WI 53070
 920-547-0599
CEDAR CREEK SURVEYING, LLC
www.cedarcreeksurveying.com

EXHIBIT "A"

Part of the W 1/2 of the SE 1/4, Section 26, T15N, R22E,
Town of Sheboygan Falls, Sheboygan County, Wisconsin.

CITY OF SHEBOYGAN FALLS

C/L PINE HAVEN LANE

S88°58'01"E 684.57'

PARCEL TO BE ANNEXED

223,297 SQ. FT. OR 5.126 ACRES

C/L N BLUEBIRD LANE
AND W. LINE, SE 1/4, SEC. 26

N035°03'E 317.49'

N0035°03'E 1163.33'

P.O.B.



CITY OF SHEBOYGAN FALLS

590282918053
MERS TOMLINSON
LIVING TRUST OF 2018

590282918053
TW REDTAL DRIVE LLC

N87°26'06"W 683.13'

TOWN OF SHEBOYGAN FALLS

S053°44"W 335.74'

LOT 2

C.S.M.
V.22,
P.253-255

590282923037
PINEVIEW PARK
APARTMENTS
LLC

590282918019
PINE HAVEN
CHRISTIAN
HOME INC

LOT 1

C.S.M.
V.26, P.160-164



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Oostburg, WI 53070
920-547-0599

CEDAR CREEK SURVEYING, LLC
www.cedarcreeksurveying.com

EXHIBIT "A"

Part of the W 1/2 of the SE 1/4, Section 26, T15N, R22E,
Town of Sheboygan Falls, Sheboygan County, Wisconsin.

Legal Description of Parcel to be Annexed:

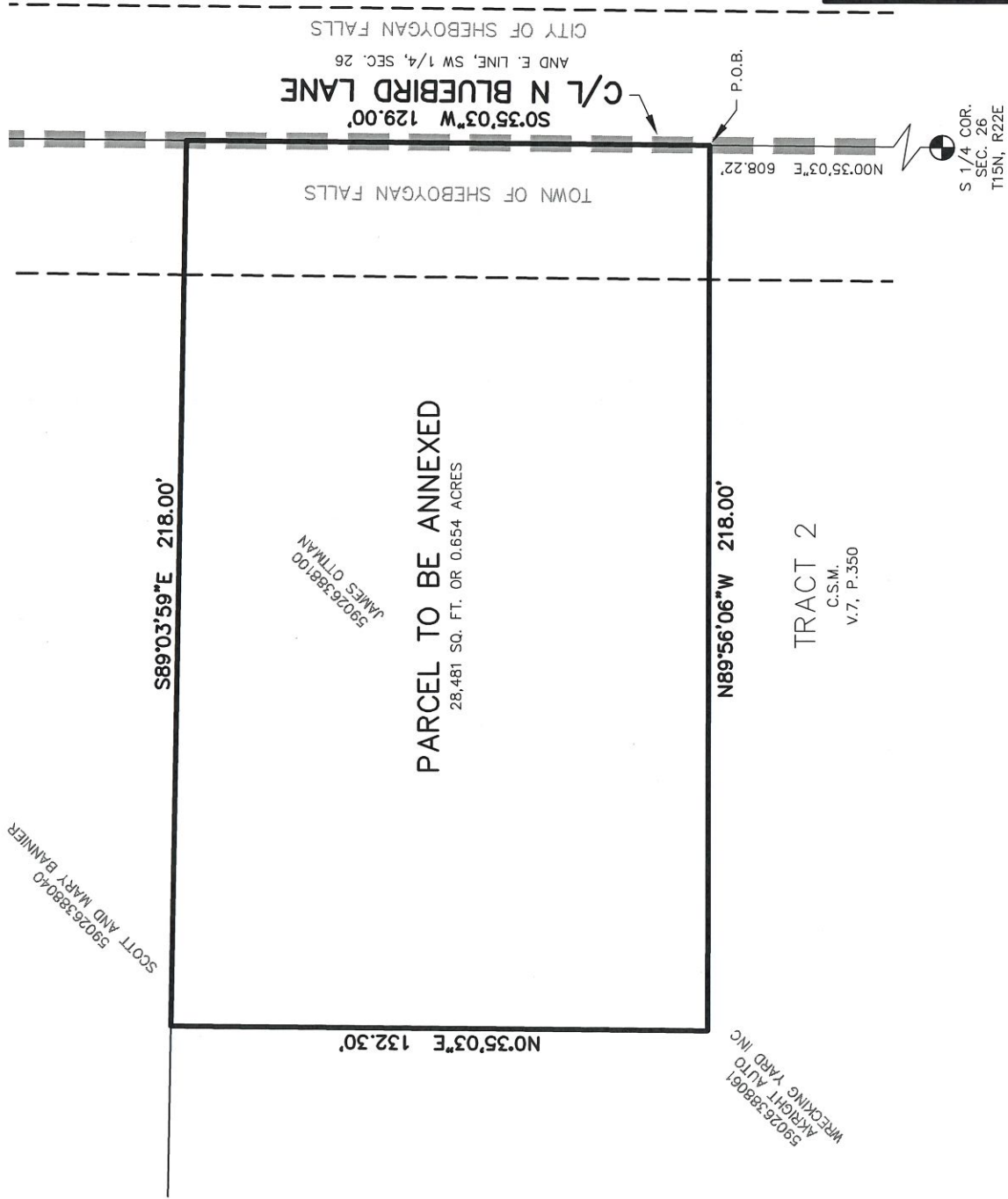
Part of the West 1/2 of the Southeast 1/4 of Section 26, T15N, R22E, Town of Sheboygan Falls, Sheboygan County, Wisconsin,
described as follows:

Commencing at the South 1/4 Corner of said Section 26; thence N00°35'03"E 1,163.33 feet along the West line of Southeast 1/4 of said Section 2 to the POINT OF BEGINNING of this description; thence N00°35'03"E 317.49 feet along said West line; thence S88°58'01"E 684.57 feet along the South Right-of-Way line of Pine Haven Avenue per C.S.M. V.26, P.160-164 ; thence S00°53'44"W 335.74 feet along the East line of Lot 2 C.S.M. V.28, P253-255; thence N87°26'06"W 683.13 feet to the point of beginning of this description. This parcel contains 223,297 square feet or 5.126 acres.



EXHIBIT "A"

Part of the SE 1/4 of the SW 1/4, Section 26, T15N, R22E,
Town of Sheboygan Falls, Sheboygan County, Wisconsin.



CEDAR CREEK SURVEYING, LLC
www.cedarcreeksurveying.com

941 Center Avenue, Suite 1
Oostburg, WI 53070
920-547-0599

EXHIBIT "A"

Part of the SE 1/4 of the SW 1/4, Section 26, T15N, R22E,
Town of Sheboygan Falls, Sheboygan County, Wisconsin.

Legal Description of Parcel to be Annexed:

Part of the Southeast 1/4 of the Southwest 1/4 of Section 26, T15N, R22E, Town of Sheboygan Falls, Sheboygan County, Wisconsin,
described as follows:

Commencing at the South 1/4 Corner of said Section 26; thence N00°35'03"E 608.22 feet along the East line of the Southwest 1/4 of Section 26 to the POINT OF BEGINNING of this description; thence N89°56'06"W 218.00 feet along the North line of Tract 2 C.S.M. V.7, P.350; thence N00°35'03"E 132.30 feet along the East line of said Tract 2; thence S89°03'59"E 218.00 feet; thence S00°35'03"W 129.00 feet along the East line of the Southwest 1/4 of said Section 26 to the point of beginning of this description. This parcel contains 28,481 square feet or 0.654 acres.



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Oostburg, WI 53070
920-547-0599

CEDAR CREEK SURVEYING, LLC
www.cedarcreeksurveying.com

REAL PROPERTY LISTERS ANNEXATION REVIEW

1. Territory to be annexed: _____ | From Town of: Sheboygan Falls | To City Village of: Sheboygan Falls

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.
- NA (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 *However, the street shown for parcel 59026388032 is incorrect. It should be N Bluebird Lane not Pine Haven Lane.*
- N (7) Legend
- Y (8) Total area/acreage of annexation

3. Other relevant information and comments: _____

Prepared by: _____
Title: _____
Phone: 920 459-3015
Date: 12/16/22

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

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: **Myers Tomlinson Living Trust et al**

Petition Number: **14548**

1. Territory to be annexed: From **TOWN OF SHEBOYGAN FALLS** To **CITY OF SHEBOYGAN FALLS**

2. Area (Acres): **13.899**

3. Pick one: Property Tax Payments

OR Boundary Agreement

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

\$ **2340.64** (2022 tax amts)

a. Title of boundary agreement _____

b. Year adopted _____

b. Total that will be paid to Town

(annual tax multiplied by 5 years): **\$ 11703.20**

c. Participating jurisdictions _____

d. Statutory authority (pick one)

c. Paid by: Petitioner City Village

s.66.0307 s.66.0225 s.66.0301

Other: _____

4. Resident Population: Electors: **1** Total: **1**

5. Approximate present land use of territory:

Residential: **6** % Recreational: _____ % Commercial: _____ % Industrial: _____ %

Undeveloped: **94** % **0.65 acres / 13.899** **4.97 + 8.11 = 13.08 / 13.899**

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?: _____

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. _____ _____

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? _____

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

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>

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

Prepared by: Town City Village

Name: Jeanette M Mayer

Email: clerk@townofshelbournfalls.wi.gov

Phone: (920) 467-1922

Date: 12-15-22

Please **RETURN PROMPTLY** to:

wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

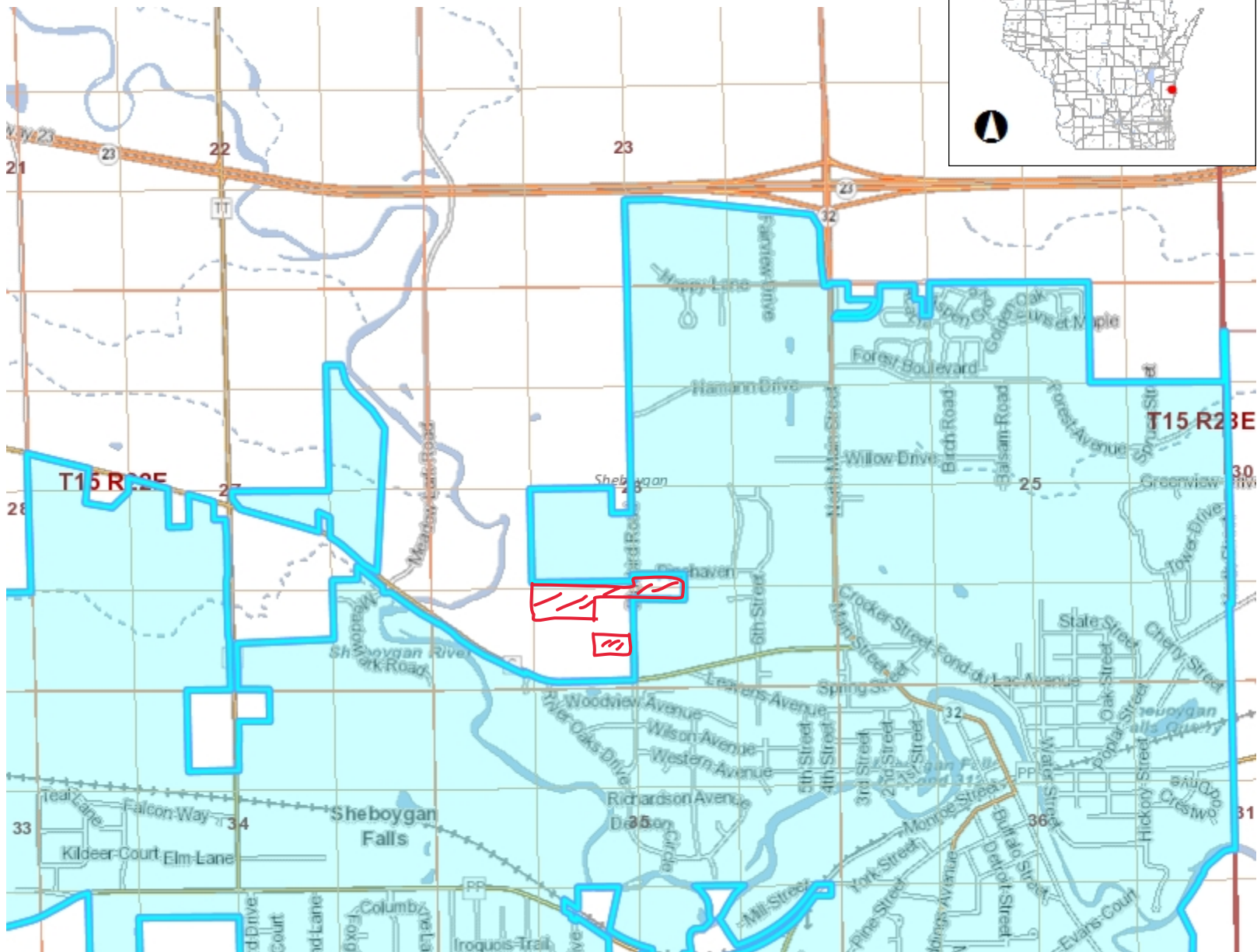
PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

(March 2018)



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

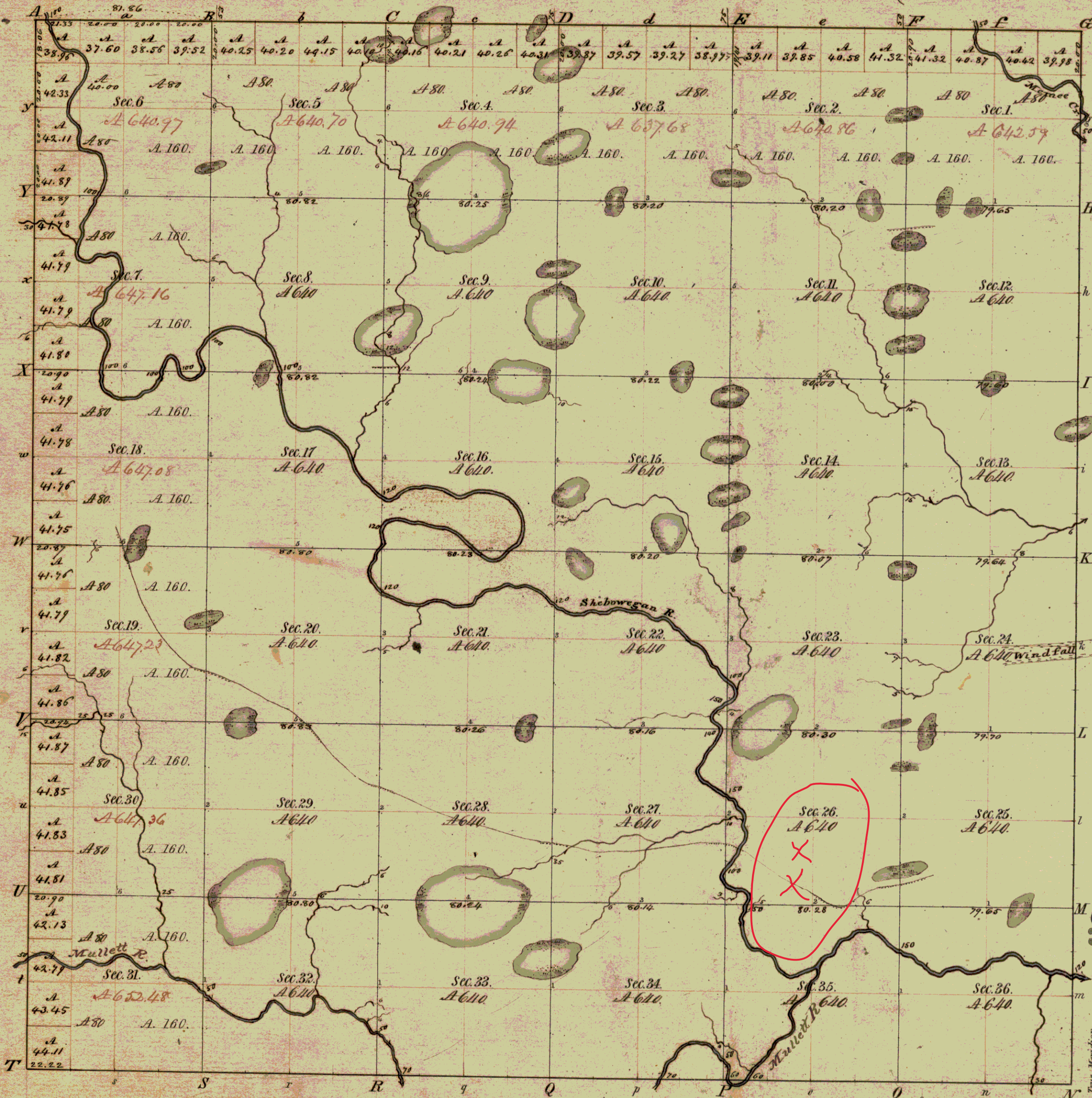
1: 23,760

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

Range 15-22

Township N:15. North, Range N:22. East 4th Mer. (Wis. Ter.)



Meanders of

Post	Course	Ch. ^s	Lk. ^s	Post	Course	Ch. ^s	Lk. ^s

Total number of Acres. 23,085.05

Surveys Designated	By Whom Surveyed	Date of Contract	Amount of Surveys	When Surveyed	When p ^d for and ch ^d in the Sur. Gen. 's acc.
Township lines	Mullett & Brink	7 th July 1833	M. Ch ^s Lks. 24 22 14	1 st 4 th 1834	3 rd 9 th 1834
Subdivisions	Sheboregan King	22 nd Aug. 1834	60. 04. 71	4 th 9 th 1834	3 rd 9 th 1835

The above Map of Township N:15 North, of Range N:22 E of the 4th Principal Meridian (M.T.) 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, Sept. 14, 1835. *Robt. L. Lyth* Sur. Gen.



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>

January 04, 2023

PETITION FILE NO. 14548

ALYSSA WALFORD, CLERK
CITY OF SHEBOYGAN FALLS
PO BOX 186
SHEBOYGAN FALLS, WI 53085-0186

JEANETTE MEYER, CLERK
TOWN OF SHEBOYGAN FALLS
W3860 COUNTY ROAD O
SHEBOYGAN FALLS, WI 53085-0046

Subject: MYERS TOMLINSON LIVING TRUST ET AL ANNEXATION

The proposed annexation submitted to our office on December 14, 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 Sheboygan Falls, which is able to provide needed municipal services.

Note: It appears that the adjoining street name is shown incorrectly on the map of parcel 59026388032; please verify and revise as needed.

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 14548 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=2622>
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner