

(POWERS)

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

Petitioner Information

Office use only:

RECEIVED

January 4, 2023

Municipal Boundary Review
Wisconsin Dept. of Admin.

Name: **SEE EXHIBIT A**

Address: **SEE EXHIBIT A**

Email: **SEE EXHIBIT A**

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

2. Petitioned City or Village: **NEW RICHMOND**

3. County where property is located: **ST. CROIX**

4. Population of the territory to be annexed: **SEE EXHIBIT A**

5. Area (in acres) of the territory to be annexed: **SEE EXHIBIT A**

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

Petitioners phone:

715-386-5551

Town clerk's phone:

715-808-1795

City/Village clerk's phone:

715-246-4268

Contact Information if different than petitioner:

Representative's Name and Address:
RYAN C. CARI

HEYWOOD, CARI & ANDERSON S.C.

816 DOMINION DRIVE, SUITE 100

HUDSON, WI 54016

Phone: **715-386-5551**

E-mail: **RCARI@HEYWOODANDCARI.COM**

Surveyor or Engineering Firm's Name & Address:
MATT HIEB

AUTH CONSULTING & ASSOCIATES

2920 ENLOE ST. #101

HUDSON, WI 54016

Phone: **715-381-5277**

E-mail: **MHIEB@AUTHCONSULTING.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

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

\$1,000 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

\$1,350 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: 1-4-23

Payee: City of New Richmond

Check Number: 067574

Check Date: 12-20-22

Amount: \$3,300.00

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).

- 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.]



December 16, 2022

Erich Schmidtke
Municipal Boundary Review - DOA
101 East Wilson Street
PO Box 1645, Madison, WI 53701

RE: "Avondale Annexation"

Dear Mr. Schmidtke:

The City of New Richmond has enclosed the following for an annexation process that took place in 2021, however it appears that our check and packet were never received by the State. We have been emailing about this annexation over the past month and would like to get this cleared up as soon as possible.

- Check for \$1,950.00
- Petition and State Review for Powers Property
- Petition and State Review for Stenseth Property
- State Review for St. Croix County Property
- Map of annexation areas
- Public Notice
- Ordinance #564 (recorded)
- Minutes from Plan Commission Meeting (November 2, 2021) / Public Hearing
- Minutes from City Council Meeting (November 8, 2021)

Sincerely,

A handwritten signature in black ink, appearing to read "Michelle Scanlan". The signature is fluid and cursive, with a large initial "M" and "S".

Michelle Scanlan
City Clerk

Exhibit A

Request for Annexation Review – Powers

Name: Glendetta A. Powers Trust
Address: 1393 Cty Rd. GG, New Richmond, WI 54017
Email: rcari@heywoodandcari.com

- 4. Population of the territory to be annexed: 0**
- 5. Area (in acres) of the territory to be annexed: 57.375**
- 6. Parcel Numbers: 026-1006-30-001 and 026-1006-20-000**



PETITION FOR ANNEXATION

PURSUANT TO SECTION 66.0217(2) WISCONSIN STATUTES WHERE NO ELECTORS RESIDE IN TERRITORY

We, the undersigned, constituting all of the owners of the real property, and all of the electors residing in the following territory of the Town of Richmond, St. Croix County, Wisconsin, lying contiguous to the City of New Richmond, petition to annex the territory described below and shown on the attached scale map to the City of New Richmond, St. Croix County, Wisconsin.

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.

Signature of Petitioner(s)	Owner/Elector Name(s)	Date
<i>Naren Powers, trustee</i>	Glendetta A. Powers Trust	<i>10-4-2021</i>
<i>x Calvin Powers trustee</i>		<i>x/10-4-2021</i>

Parcel Number See Exhibit A **Address** See Exhibit A

Approximate Value: Land \$ See Exh. A Improvements \$ See Exh. A

Current Annual Township Property Tax Amount \$ See Exhibit A

Number of Electors 0

Present Land Use	Undeveloped	%	Commercial	%	Industrial	%
See Exhibit A	Residential	%	Recreational	%		
Anticipated Land Use	Commercial	%	Industrial	%		
	Residential	100 %	Recreational	%		

Nature of land use adjacent to this property

Land in the City See Exhibit A

Land in the Township See Exhibit A

DESCRIPTION FOR POWERS ANNEXATION:

The SE 1/4 of the SE 1/4 and part of the SW 1/4 of the SE 1/4 of Section 2, T30N, R18W, St. Croix County, Wisconsin, more particularly described as follows:

Beginning at the Southeast corner of said Section 2;

thence N 89°49'15" W along the south line of the SE 1/4 of Section 2 a distance of 1780 feet, more or less, to the center of Paperjack Creek;

thence approximately along the center line of Paperjack Creek, N 15° W a distance of 671 feet, more or less, to the east boundary of SOUTHVIEW ADDITION as filed in the Register of Deeds for St. Croix County;

thence N 00°02' E along the east boundary of SOUTHVIEW ADDITION as filed in said Register of deeds, a distance of 673.0 feet, more or less, to north boundary of said SW 1/4 of the SE 1/4;

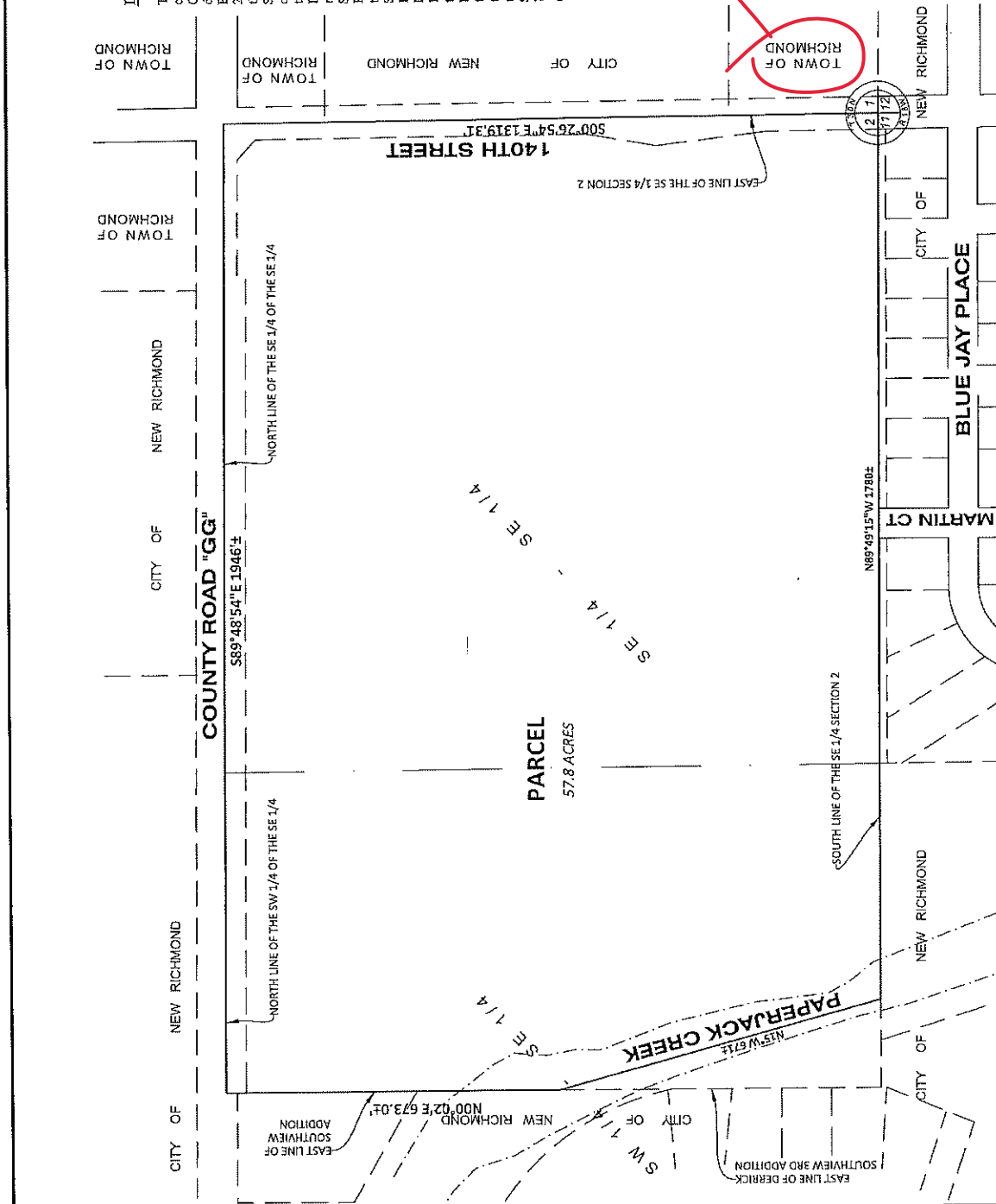
thence S 89° 48' 54" E along last said north boundary and the north boundary of said SE 1/4 of the SE 1/4 a distance of 1946 feet, more or less, to the northeast corner of said SE 1/4 of the SE 1/4;

thence S 00° 26' 54" E along the east line of said SE 1/4 a distance of 1319.31 feet to the point of beginning.

Containing 57.8 Acres.

DATE	08/27/21
BY	DAVID STRUBEN
FOR	REVISION

DESCRIPTION FOR ANNEXATION #2:
 The SE 1/4 of the SE 1/4 and part of the SW 1/4 of the SE 1/4 of Section 2, T24N, R15W, St. Croix County, Wisconsin, more particularly described as follows:
 Beginning at the Southeast corner of said Section 2,
 thence N 89°49'15" W along the south line of the SE 1/4 of Section 2 a distance of 1780 feet, more or less, to the center of Paperjack Creek;
 thence approximately along the center line of Paperjack Creek, N 15° W a distance of 671 feet, more or less, to the east boundary of SOUTHWEST VIEW ADDITION as filed in the Register of Deeds for St. Croix County;
 thence N 00°02' E along the east boundary of SOUTHWEST VIEW ADDITION as filed in said Register of Deeds, a distance of 673.0 feet, more or less, to north boundary of said SW 1/4 of the SE 1/4;
 thence S 89° 48' 54" E along last said north boundary and the north boundary of said SE 1/4 of the SE 1/4, a distance of 1946 feet, more or less, to the northeast corner of said SE 1/4 of the SE 1/4;
 thence S 00° 26' 54" E along the east line of said SE 1/4, a distance of 1319.31 feet to the point of beginning.
 Containing 57.8 Acres.



Scale: 0 200 400
 BEARINGS ARE REFERENCED TO THE ST. CROIX COUNTY COORDINATE SYSTEM
 NORTH
 337

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: **Glendetta Powers Trust**

Petition Number: **14553**

1. Territory to be annexed: From **TOWN OF RICHMOND** To **CITY OF NEW RICHMOND**

2. Area (Acres): 57.375

3. Pick one: Property Tax Payments

OR Boundary Agreement

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

\$ 247.82

a. Title of boundary agreement _____

b. Year adopted _____

b. Total that will be paid to Town

(annual tax multiplied by 5 years): \$1239.10

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: 0 Total: _____

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

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

Undeveloped: 100 %

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

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

Other: _____%

Comments: _____

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

Plat Name: Avondale

8. What is the **nature of land use adjacent** to this territory in the city or village?

Residential and Institutional

In the town?: Residential

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

<u>Sanitary Sewers</u> immediately	<input checked="" type="checkbox"/>	<input type="checkbox"/>
or, write in number of years.	_____	_____
<u>Water Supply</u> immediately	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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? Rural Residential

c. How will the land be zoned and used if annexed? Z-4 General Urban (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 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:

This site has been steadily surrounded by new residential development over the past twenty years, and has been actively listed for sale for several years. Due to additional growth, 140th Street was upgraded to include three travel lanes, an off-street bike trail, and lighting. The site is within close proximity to an elementary school and is a logical location for residential development.

Prepared by: Town City Village

Name: Michelle Scanlan

Email: mscanlan@newrichmondwi.gov

Phone: 715-246-4268

Date: 01/10/2023

Please **RETURN PROMPTLY** to:

wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

(March 2018)

REAL PROPERTY LISTERS ANNEXATION REVIEW

1. Territory to be annexed: 57.8 acres Powers Trust	From Town of: Richmond	To City/Village of: New Richmond
--	---------------------------	-------------------------------------

2. Checklist: (Y) Yes; (N) No; (NA) Not applicable; (NC) Not checked

Location and Position

(1) Location description by government lot, recorded private claim, ¼ - ¼ section, section, township, range and county

(2) Contiguous with existing village/city boundaries

(3) Creates an island area in Township (completely surrounded by city)

(4) Creates an island area in City (completely surrounded by town)

Petition and Map Information

(1) Identify owner(s) of annexed land

(2) Identify parcel ID numbers included in annexation.

(3) Identify parcel ID numbers being split by annexation

(4) North arrow

(5) Graphic Scale

(6) Streets and Highways shown and identified

(7) Legend

(8) Total area/acreage of annexation

3. Other relevant information and comments: No further comments, annexation documents meets lister review.

Prepared by: Brett Budrow
 Title: Planning & Land Info Admin RPL
 Phone: 715-386-4678
 Date: 01/17/2023

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

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

Petitioner: **Glendetta Powers Trust**

Petition Number: **14553**

1. Territory to be annexed: From **TOWN OF RICHMOND** To **CITY OF NEW RICHMOND**

2. Area (Acres): 60

3. Pick one: Property Tax Payments **OR** Boundary Agreement

a. Annual town property tax on territory to be annexed:
\$ 342.15 a. Title of boundary agreement _____

b. Total that will be paid to Town
(annual tax multiplied by 5 years): 1710.75 b. Year adopted _____

c. Paid by: Petitioner City Village c. Participating jurisdictions _____

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

4. Resident Population: Electors: 0 Total: 0

5. Approximate **present land use** of territory:
Residential: 5 % Recreational: _____ % Commercial: _____ % Industrial: _____ %
Undeveloped: 95 %

6. If territory is undeveloped, what is the **anticipated use**?
Residential: 100 % 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?
Residential and School
In the town?: Residential and Commercial (east) Residential (North)

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:

Sanitary Sewers immediately

City/Village Town

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? Rural Residential

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:

Annexation creates 4 acre island of commercial property within the Township.

Prepared by: Town City Village

Name: Patrick Earley

Email: clerk@townofrichmondwi.gov

Phone: 715-808-1795

Date: 1-9-2023

Please **RETURN PROMPTLY** to:

wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

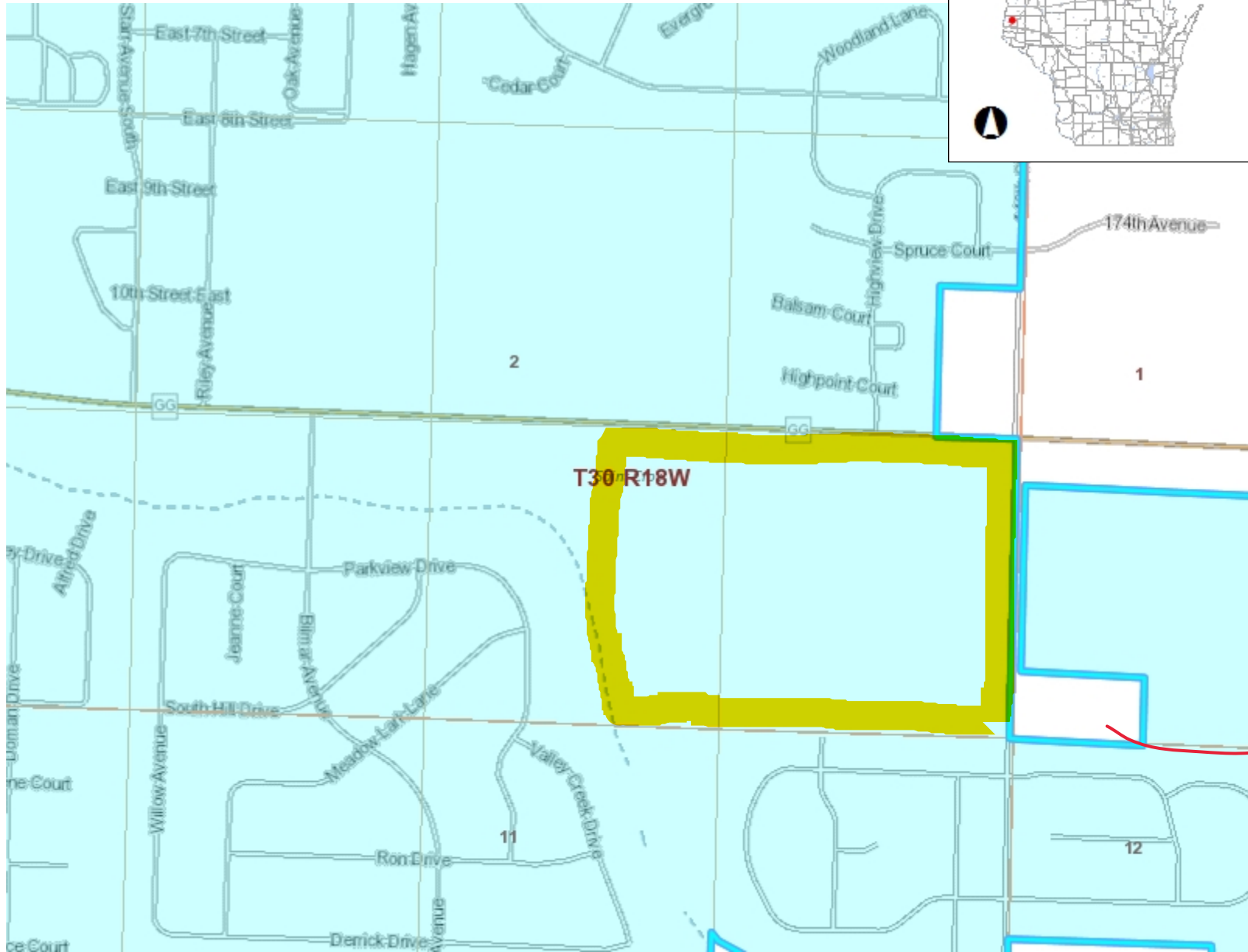
PO Box 1645, Madison WI 53701

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

balloon on a string
town island



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



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 26, 2023

PETITION FILE NO. 14553

MICHELLE SCANLAN, CLERK
CITY OF NEW RICHMOND
156 E 1ST ST
NEW RICHMOND, WI 54017-1802

PATRICK EARLEY, CLERK
TOWN OF RICHMOND
1453 COUNTY ROAD GG
NEW RICHMOND, WI 54017-6715

Subject: GLENDETTA POWERS TRUST ANNEXATION

The proposed annexation submitted to our office on January 04, 2023, 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 New Richmond, which is able to provide needed municipal services.

Note: this annexation appears to create an island of isolated town territory contrary to s. 66.0221, Wis. Stats.

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 14553 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=2627>

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

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner