

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>

**Online Submittal and Payment: Instead of this form go to <https://appengine.egov.com/apps/wi/dir/annexation>
This will speed up the process by eliminating the time it used to take to mail the check to us.**

Petitioner Information

Name: **Jill Swanson**

Phone: 847-208-6308

Email: jill@fastcooling.com

RECEIVED

January 24, 2023

Municipal Boundary Review
Wisconsin Dept. of Admin.

Contact Information if different than petitioner:

Representative's Name: **Jill Swanson**

Phone: 847-208-6308

E-mail: jill@fastcooling.com

1. Town(s) where property is located: **Town of Rhine**

2. Petitioned City or Village: **Village of Elkhart Lake**

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

4. Population of the territory to be annexed: **3**

5. Area (in acres) of the territory to be annexed: **40**

6. Tax parcel number(s) of territory to be annexed (if the territory is part or all of an existing parcel):
59018257700

Include these required items with this form:

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 [see attached annexation guide]
4. Check or money order covering review fee [see next page for fee calculation]

(November 2022)

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: 1-24-23

Payer: Cleveland State Bank

Check Number:

244879

Check Date: 1-10-23

Amount: \$1150.00

PETITION FOR DIRECT ANNEXATION BY UNANIMOUS APPROVAL

TO: The Honorable Village Board of the Village of Elkhart Lake

c/o Village Clerk

40 Pine Street

PO Box 143

Elkhart Lake, WI 53020

Fast Forty LLC ("Petitioner") hereby respectfully petitions the Village Board of the Village of Elkhart Lake, Sheboygan County, Wisconsin, pursuant to §66.0217(2) of the Wisconsin Statutes, for the direct annexation to the Village of Elkhart Lake, Sheboygan County, Wisconsin (the "Village"), and the detachment from the Town of Rhine, Sheboygan County, Wisconsin (the "Town"), of the territory described below in Paragraph 6 (the "Territory").

In support of this petition, the Petitioner alleges and represents the following:

1. The Petitioner is the sole owner of all the land within the Territory.
2. There are 3 electors residing in the Territory.
3. The population of the Territory is three.
4. The purpose of this petition for direct annexation of the Territory to the Village is to obtain the benefits to be derived from owning land located within the limits of the Village, including, but not limited to, having Petitioner's property receive municipal services (e.g. water and sewer) within the same municipality. The Petitioner believes it to be in its own best interests and the best interests of the affected communities to have the Territory annexed to the Village.

5. The Territory is contiguous to the Village.

6. The legal description of the Territory is as follows:

The Northwest 1/4 of the Southwest 1/4 of Section 28, T16N, R21E, Town of Rhine, Sheboygan County, Wisconsin described as follows:

BEGINNING at the West Quarter Corner of said Section 28; thence N89°52'29"E 1303.53 feet along the North line of the Northwest 1/4 of the Southwest 1/4 of said section 28; thence S00°33'26"E 1312.65 feet along the East line of the Northwest 1/4 of the Southwest 1/4 of said Section 28; thence S89°49'36"W 1301.70 feet along the South line of the Northwest 1/4 of the Southwest 1/4 of said Section 28; thence N00°38'12"W 1313.76 feet along the West line of the Northwest 1/4 of the Southwest 1/4 of said Section 28 to the point of beginning.

Tax Parcel No.: 59018257700

Said parcel contains 1,710,541 sq. ft (39.269 acres), more or less.

7. Attached to this Petition as Exhibit A is a scale map which reasonably shows the boundaries of the Territory.

8. Pursuant to §66.0217(8) of the Wisconsin Statutes, Petitioner hereby requests that the Territory be given a temporary zoning classification of Agricultural Holding under the Village zoning code until such time as a permanent zoning classification for the Territory can be applied for by Petitioner and approved by the Village.

10. The filing of this Petition was duly authorized by the undersigned.

FAST FORTY LLC

By: Jill Swanson

Print Name: Jill Swanson

Title: Owner

Date: 01/10/2023

ELECTOR

By: Michael Lienau

Print Name: Michael Lienau

Title: Elector

Date: 1/10/2023

ELECTOR

By: Carmen Lienau

Print Name: Carmen Lienau

Title: Elector

Date: 1/10/2023

ELECTOR

By: Joshua Lienau

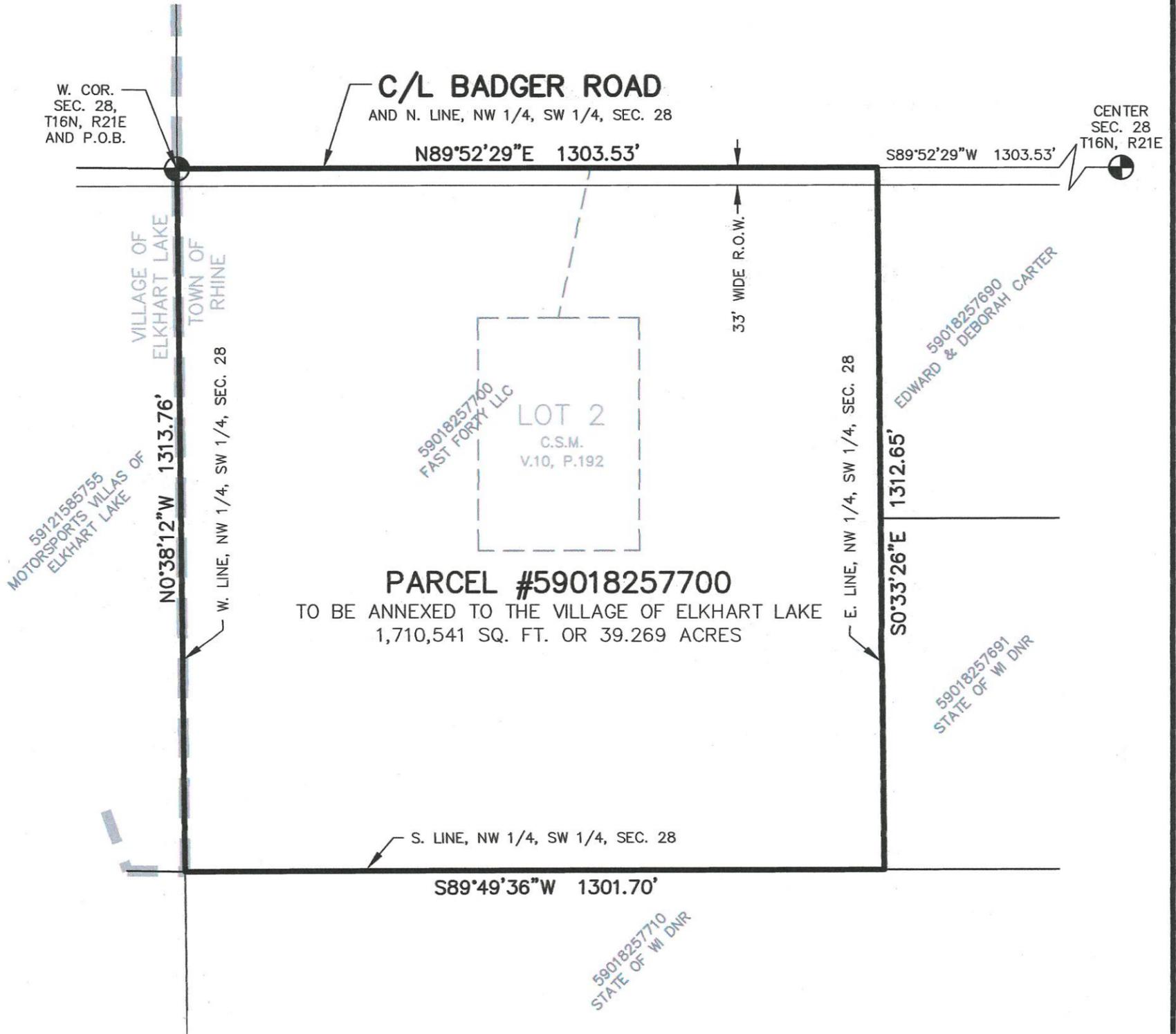
Print Name: Joshua Lienau

Title: Elector

Date: 1/10/2023

ANNEXATION EXHIBIT

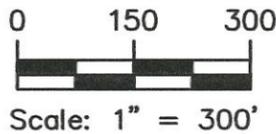
The Northwest 1/4, Southwest 1/4, Section 28, T16N, R21E, Town of Rhine, Sheboygan County, Wisconsin.



PARCEL #59018257700
TO BE ANNEXED TO THE VILLAGE OF ELKHART LAKE
1,710,541 SQ. FT. OR 39.269 ACRES

LEGEND

⊕ = County Monument



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

CEDAR CREEK SURVEYING, LLC
www.cedarcreeksurveying.com

This exhibit and description is not a monumented land survey and should not be relied upon as such for the transfer of fee ownership.

ANNEXATION EXHIBIT

The Northwest 1/4, Southwest 1/4, Section 28, T16N, R21E, Town of Rhine, Sheboygan County, Wisconsin.

Legal Description of Parcel #59018257700 to be Annexed to the Village of Elkhart Lake:

The Northwest 1/4 of the Southwest 1/4 of Section 28, T16N, R21E, Town of Rhine, Sheboygan County, Wisconsin described as follows:

BEGINNING at the West Quarter Corner of said Section 28; thence N89°52'29"E 1303.53 feet along the North line of the Northwest 1/4 of the Southwest 1/4 of said section 28; thence S00°33'26"E 1312.65 feet along the East line of the Northwest 1/4 of the Southwest 1/4 of said Section 28; thence S89°49'36"W 1301.70 feet along the South line of the Northwest 1/4 of the Southwest 1/4 of said Section 28; thence N00°38'12"W 1313.76 feet along the West line of the Northwest 1/4 of the Southwest 1/4 of said Section 28 to the point of beginning.

This parcel contains 1,710,541 square feet or 39.269 acres.



941 Center Avenue, Suite 1
Oostburg, WI 53070

920-547-0599

CEDAR CREEK SURVEYING, LLC
www.cedarcreeksurveying.com

PETITION # 14564

REAL PROPERTY LISTERS ANNEXATION REVIEW

1. Territory to be annexed: NW/SW Sec 28 | From Town of: Rhine | To City/Village of: Elkhart Lake

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
- Y (7) Legend
- Y (8) Total area/acreage of annexation

3. Other relevant information and comments:

- There was a CSM done for part of this parcel and then removed at some point. Found nothing recorded concerning that removal.

- APCA Maps out to 39.269 acres

Prepared by: Kurt Eigenberger
Title: Land Desc Tech
Phone: 920-459-3124
Date: 1/27/23

Please **RETURN PROMPTLY** to:
Municipal Boundary Review
PO Box 1645
Madison WI 53701

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: **Swanson**

Petition Number: **14564**

1. Territory to be annexed: From **TOWN OF RHINE** To **VILLAGE OF ELKHART LAKE**

2. Area (Acres): 40

3. Pick one: Property Tax Payments

OR Boundary Agreement

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

\$ 527.97

a. Title of boundary agreement _____

b. Year adopted _____

b. Total that will be paid to Town

(annual tax multiplied by 5 years): 2,639.85

c. Participating jurisdictions _____

c. Paid by: Petitioner City Village

d. Statutory authority (pick one)

s.66.0307 s.66.0225 s.66.0301

Other: _____

4. Resident Population: Electors: 3 Total: 3

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

Residential: 20 % Recreational: _____ % Commercial: _____ % Industrial: _____ %

Undeveloped: 80 %

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

Residential: 50 % Recreational: _____ % Commercial: 50 % 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?

Commercial / Residential

In the town?: Residential / Undeveloped

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. 1 year _____

Water Supply immediately
or, write in number of years. 1 year _____

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: a lift station costing ~\$500,000

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? Conservancy & Residential

c. How will the land be zoned and used if annexed? Residential & Commercial

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: Jessira Reilly

Email: jreilly@elkhartlakewi.gov

Phone: 920-876-2122

Date: 2/6/23

Please RETURN PROMPTLY to:

wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

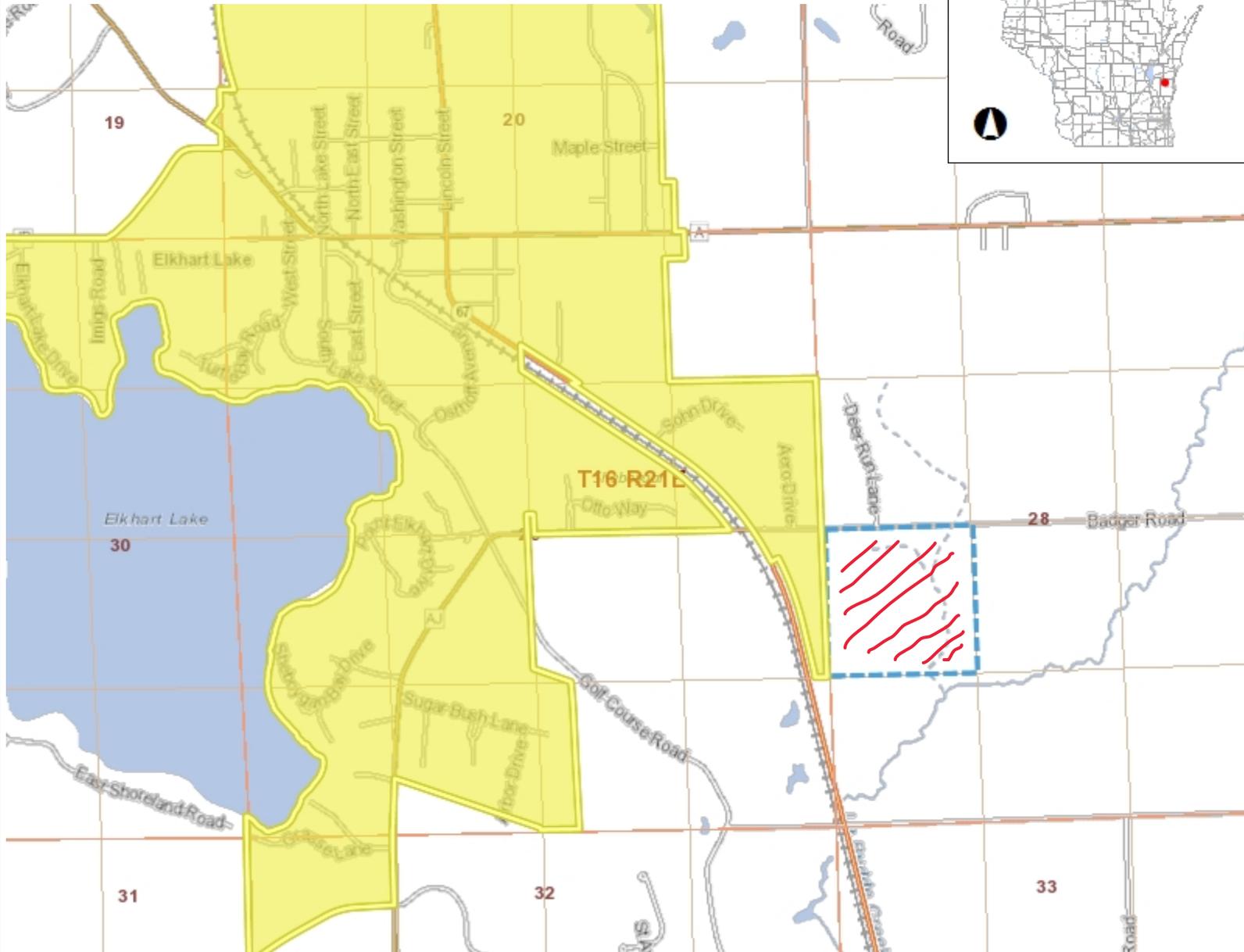
PO Box 1645, Madison WI 53701

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: 15,840

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>

February 13, 2023

PETITION FILE NO. 14564

JESSICA REILLY, CLERK
VILLAGE OF ELKHART LAKE
PO BOX 143
ELKHART LAKE, WI 53020-0143

LEXANN HOOGSTRA, CLERK
TOWN OF RHINE
W5250 COUNTY RD FF
ELKHART LAKE, WI 53020-2020

Subject: SWANSON ANNEXATION

The proposed annexation submitted to our office on January 24, 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 Village of Elkhart Lake, 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 14564 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=2638>

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

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner