

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

To:	Village of Waunakee Attn: Village Clerk Village Hall 500 W. Main Street Waunakee, WI 53597	Town of Westport Attn: Town Clerk Kennedy Administration Building 5387 Mary Lake Road Waunakee, WI 53597
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The undersigned electors residing in the Territory and the owners of all of the real property in the Territory do hereby unanimously petition the Village of Waunakee for the purpose of annexing the Territory from the Town of Westport to the Village of Waunakee.

The "Territory" proposed for annexation from the Town of Westport to the Village of Waunakee is more particularly described on the attached Exhibit A and shown on the scale map attached as Exhibit B. The Territory is located in Dane County, Wisconsin.

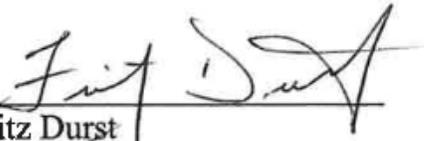
The undersigned do hereby request that this annexation be approved and take effect in the manner provided for by law.

There are 2 electors residing in the Territory. The population of the Territory is 2.

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

[SIGNATURES ON FOLLOWING PAGES]

ELECTORS


Fritz Durst

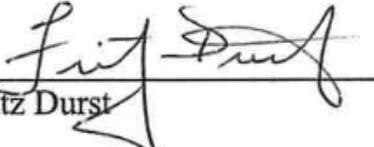
Date: 2/14/24


Sharon Durst

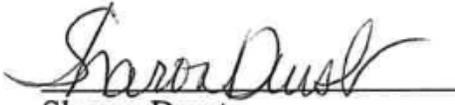
Date: 2/14/24

[BEING ALL OF THE ELECTORS RESIDING IN THE TERRITORY]

OWNERS


Fritz Durst

Date: 2/14/24


Sharon Durst

Date: 2/14/24

[BEING ALL OF THE OWNERS RESIDING IN THE TERRITORY]

cc: Wisconsin Department of Administration

EXHIBIT A

LEGAL DESCRIPTION OF THE TERRITORY

A parcel of land located in the NE and NW $\frac{1}{4}$'s of the NW $\frac{1}{4}$ of Section 16, T8N, R9E, in the Town of Westport, being more particularly described as follows:

Commencing at the North $\frac{1}{4}$ corner of said Section 16; thence N 89°33'34" W along the south line of said section, 1163.82 feet to the point of beginning.

Thence S 41°28'30" E, 250.16 feet; thence S 49°56'14" E, 456.32 feet; thence S 63°02'37" E, 209.19 feet; thence S 50°15'37" E, 68.12 feet; thence S 63°02'05" E, 124.89 feet; thence N 43°34'43" E, 50.00 feet; thence S 63°02'05" E, 1150.09 feet to the westerly right of way of Mill Road; thence along said right of way for the next 3 courses, and the arc of a curve concaved northwesterly having a radius of 536.87 feet and a long chord bearing S 05°57'39" W, a distance of 15.22 feet; thence along the arc of a curve concaved northwesterly having a radius of 143.29 feet and a long chord bearing S 32°27'04" W, a distance of 131.45 feet; thence S 59°45'14" W, 69.88 feet to the centerline of Sixmile Creek; thence along said centerline for the next 22 courses, N 29°53'06" E, 8.72 feet; thence N 45°37'23" E, 32.18 feet; thence N 10°09'32" E, 25.82 feet; thence N 29°04'07" W, 24.43 feet; thence N 44°50'32" W, 23.28 feet; thence N 81°37'25" W, 124.97 feet; thence N 53°17'41" W, 32.97 feet; thence N 18°36'50" W, 40.82 feet; thence N 31°45'06" W, 39.73 feet; thence N 69°18'09" W, 193.17 feet; thence N 72°49'14" W, 102.10 feet; thence N 45°44'21" W, 99.15 feet; thence N 57°00'22" W, 72.06 feet; thence N 69°55'13" W, 72.40 feet; thence N 58°37'17" W, 77.61 feet; thence N 45°14'27" W, 213.97 feet; thence N 8°01'04" W, 38.17 feet; thence N 27°25'30" W, 57.38 feet; thence N 44°04'44" W, 60.27 feet; thence N 65°27'22" W, 121.39 feet; thence N 49°33'20" W, 9.72 feet; thence N 00°35'42" E, 55.25 feet to the north line of said Section 16; thence S 89°33'34" E along said north line, 166.39 feet to the point of beginning. This described area contains 3.68 acres or 160,429 sq. ft.

EXHIBIT B

SCALE MAP OF TERRITORY



WILLIAMSON SURVEYING & ASSOCIATES, LLC

104 A WEST MAIN STREET, WAUNAKEE, WISCONSIN, 53597.

NOA T. PRIEVE // CHRIS W. ADAMS // NEIL F. BORTZ

PROFESSIONAL LAND SURVEYORS

PHONE: 608-255-5705 FAX: 608-849-9760 WEB: WILLIAMSONSURVEYING.COM

SCALE 1" = 300'



SCALE MAP

PREPARED FOR:

VILLAGE OF WAUNAKEE
500 W MAIN ST
WAUNAKEE, WI 53597
&
FREDERICK & SHARON DURST
5841 MILL RD
WAUNAKEE, WI 53597

W.C.C.S. - DANE ZONE
BEARINGS ARE REFERENCED TO THE
NORTH LINE OF THE NW ¼ OF SECTION 16
LINE TO BEAR S 89°33'34" E

S ¼ COR.
SEC. 9
AND
N ¼ COR.
SEC. 16

ISLAND

VILLAGE OF WAUNAKEE

UNKNOWN TITLE
AREA TO REMAIN IN
TOWN OF WESTPORT

SW COR.
SEC. 9
AND
NW COR.
SEC. 16

AREA TO BE ANNEXED

LINE	BEARING & DISTANCE
L1	S 59°45'14" W 69.88
L2	N 29°53'06" E 8.72
L3	N 45°37'23" E 32.18
L4	N 10°09'32" E 25.82
L5	N 29°04'07" W 24.43
L6	N 44°50'32" W 23.28
L7	N 81°37'25" W 124.97
L8	N 53°17'41" W 32.97
L9	N 18°36'50" W 40.82
L10	N 31°45'06" W 39.73
L11	N 69°18'09" W 193.17
L12	N 72°49'14" W 102.10
L13	N 45°44'21" W 99.15
L14	N 57°00'22" W 72.06
L15	N 69°55'13" W 72.40
L16	N 58°37'17" W 77.61
L17	N 08°01'04" W 38.17
L18	N 27°25'30" W 57.38
L19	N 44°04'44" W 60.27
L20	N 65°27'22" W 121.39
L21	N 49°33'20" W 9.72
L22	N 00°35'42" E 55.25
L23	S 89°33'34" E 166.39
L24	S 50°15'37" E 68.12
L25	S 63°02'05" E 124.89
L26	N 43°34'43" E 50.00
L27	S 63°02'05" E 150.09

VILLAGE OF WAUNAKEE

TOWN OF WESTPORT

LEGEND

= EXISTING VILLAGE OF WAUNAKEE CORPORATE BOUNDARY

AREA TO BE DETACHED

LINE	BEARING & DISTANCE
L28	N 41°28'30" W 87.51
L29	N 03°18'47" W 144.00
L30	N 24°38'41" W 66.00
L31	N 14°00'52" E 187.00
L32	N 09°32'02" W 230.00

AREA TO BE ANNEXED

CURVE	ARC	RADIUS	LONG CHORD
C1	15.22	536.87	S 05°57'39" W 15.22
C2	136.56	143.29	S 32°27'04" W 131.45

JOB NO: 23W-223

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: **Durst**

Petition Number: **14659**

1. Territory to be annexed: From **TOWN OF WESTPORT** To **VILLAGE OF WAUNAKEE**

2. Area (Acres): 3.6

3. Pick one: Property Tax Payments

OR Boundary Agreement

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

\$ 0

a. Title of boundary agreement _____

b. Total that will be paid to Town

(annual tax multiplied by 5 years): 0

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: _____ Total: _____

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

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

Undeveloped: _____ %

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?: 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

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? A1

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:

Land swap between Village & property owner.

Prepared by: Town City Village

Name: Robert Anderson

Email: banderson@townofwestport.org

Phone: 608 849 4372

Date: 4/15/24

Please RETURN PROMPTLY to:

wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

(March 2018)

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: **Durst**

Petition Number: **14659**

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2. Area (Acres): 3.68

3. Pick one: Property Tax Payments

OR Boundary Agreement

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 Boundary Stipulation + Intergovernmental Cooperative Agreement

b. Year adopted 1996

c. Participating jurisdictions Waunakee/Westport

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

Undeveloped: 100 %

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

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

Other: _____%

Comments: possible bike path/pedestrian path

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?

Undeveloped / Public road / Residential

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

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? A-1 Agricultural

c. How will the land be zoned and used if annexed? CON - Conservancy

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: Marla Endres

Email: kendres@waunaakee.com

Phone: (608) 850-2827

Date: 4/29/24

Please RETURN PROMPTLY to:

wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

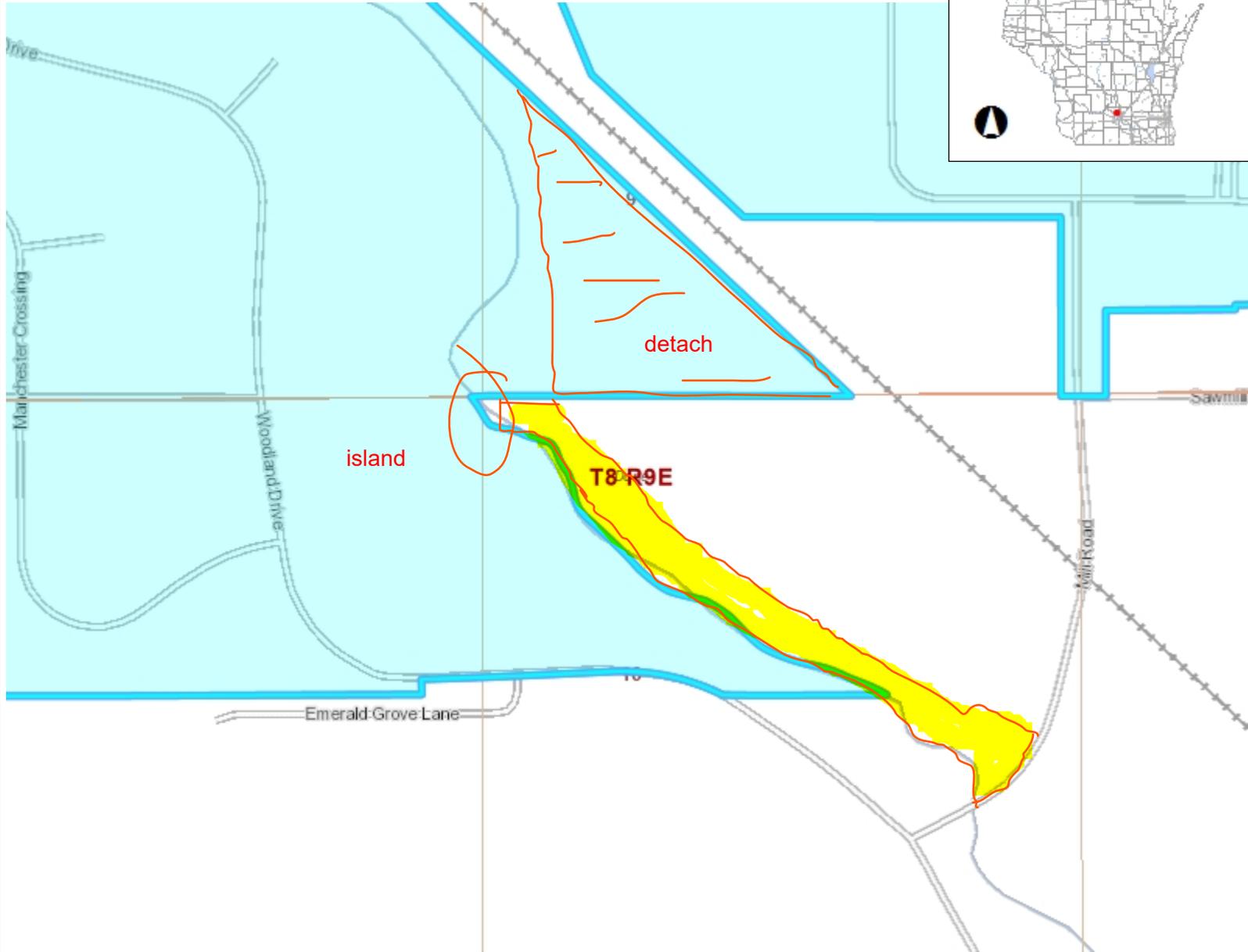
PO Box 1645, Madison WI 53701

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
 - Railroads
 - Rivers and Streams
 - Intermittent Streams
 - Lakes and Open water



NAD_1983_HARN_Wisconsin_TM

1: 3,960

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 VIII — Range N^o IX E. 4th Mer. Wis. Ter



Acres of 4th Lake

Dist	Course	Ch. Lk.
7.	N16 E	4.50
	N42 E	5.00
	N38 E	17.00
	N6 W	6.00
	N29 W	17.00
	N46 W	22.00
	N84 W	4.85
6.	S80 W	15.00
	S78 W	33.00
	S72 W	6.00
	S31 W	31.50
	S83 W	7.00
	S37 W	5.50
	N67 W	3.30
5.	N44 W	7.00
	N53 E	4.50
	N10 W	7.50
	N57 W	32.00
	N4 E	10.00
	N47 W	10.75
4.	N55 W	10.00
	N14 W	25.00
	S79 W	13.75
3.	S66 W	18.00
	S68 W	10.20
2.	S51 W	12.00
	S75 W	30.00
	S34 W	40.00
1.	S23 W	13.34

Total number of acres 21,197.25

Survey Designated	By whom surveyed	Date of Contract	Am't. of Survey	When surveyed	When surveyed
Lower Boundaries	John Mallett	4 th of 1831	20. 00	3 ^d of 1832	17 th of 1833
Subdivisions	John Mallett	16 th of 1832	15. 07. 11	2 ^d of 1833	3 ^d of 1833
2 ^d East of Road	Orson Lyon	8 th Feb. 1834	47. 03. 53	3 ^d of 1834	1 st of 1835
of the Road	Mallett & Brink	7 th July 1833	14. 69. 66	4 th of 1833	3 ^d of 1834

The above Map of Township N^o 8, Range N^o 9 East, 4th Meridian North West Territory, is thieftly conformable to the field notes of the Survey thereof on file in this Office, which have been examined and approved.

Surveyor General's Office

[Signature]

1453
45-44



TONY EVERS

GOVERNOR

KATHY BLUMENFELD

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>

April 30, 2024

PETITION FILE NO. 14659

KARLA ENDRES, CLERK
VILLAGE OF WAUNAKEE
PO BOX 100
WAUNAKEE, WI 53597-0100

DEAN A. GROSSKOPF, CLERK
TOWN OF WESTPORT
5387 MARY LAKE RD
WAUNAKEE, WI 53597-9128

Subject: DURST ANNEXATION

The proposed annexation submitted to our office on April 10, 2024, 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 Waunakee, which is able to provide needed municipal services.

Notes: 1) The length shown 1150.09' in line 3 of the metes & bounds description should be changed to 150.09'.
2) This annexation appears to create an isolated area of town island territory. However, the communities have developed a boundary agreement between them which is an exception to the prohibition against creation of town islands in 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 14659 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=2733>
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner