

RECEIVED
DEC 18 2024

OCONOMOWOC
CITY HALL
J. Kozicki
Clerk

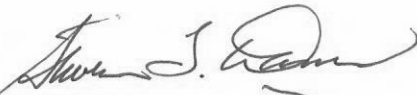

**PETITION OF ELECTORS AND PROPERTY OWNERS
FOR UNANIMOUS DIRECT ANNEXATION UNDER §66.0217(2), WIS. STATS.**

We, the undersigned, constituting all the owners of the real property in the below described territory in the Town of Oconomowoc, Waukesha County, Wisconsin, lying contiguous to the City of Oconomowoc, respectfully petition the Common Council of the City of Oconomowoc, to annex to the Oconomowoc, Waukesha County, Wisconsin, the following


territory: LOT 7, 8, 15 & 16, BLOCK 2-B, OF THE CORRECTED PLAT OF OCONOMOWOC HEIGHTS, SECTION A, A SUBDIVISION BEING PART OF THE NE 1/4 OF THE NE 1/4 OF SECTION 33, TOWNSHIP 8 NORTH, RANGE 17 EAST, OF THE 4TH P.M., TOWN OF OCONOMOWOC, WAUKESHA COUNTY, WISCONSIN (TAX KEYS OCOT0561030 AND OCOT0561037)

The territory comprising this legal description is shown on the attached scale map as Exhibit A.

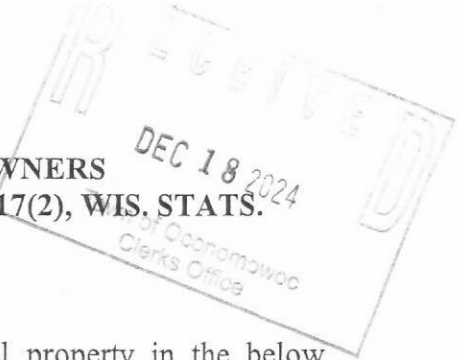
The population of this territory is ⁴ ____ ().

Signature of Petitioner	Date of Signing	Owner or Elector	Address
 SIGNATURE Steven L. Danen	12/17/2024	Owner	900 N. Lake, Oconomowoc, WI 53066
 PRINTED Margaret Susan Danen	12-17-24	Owner	900 N. Lake, Oconomowoc, WI 53066


Steven R. Samson 12-17-24 Owner 1216 Ridgeside Rd, Oconomowoc, WI 53066


Aubrey D. Samson 12-17-24 Owner 1216 Ridgeside Rd, Oconomowoc, WI 53066

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FOR UNANIMOUS DIRECT ANNEXATION UNDER §66.0217(2), WIS. STATS.**



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The territory comprising this legal description is shown on the attached scale map as Exhibit A.

The population of this territory is 4 ().

Signature of Petitioner	Date of Signing	Owner or Elector	Address
<i>Steven L. Daner</i> SIGNATURE <i>Steven L. Daner</i>	12/17/2024	Owner	900 N. Lake, Oconomowoc, WI 53066
<i>Margaret Susan Daner</i> PRINTED <i>Margaret Susan Daner</i>	12-17-24	Owner	900 N. Lake, Oconomowoc, WI 53066

Steven R. Samson
Steven R. Samson 12-17-24 Owner 1216 Ridgeside Rd, Oconomowoc, WI 53066

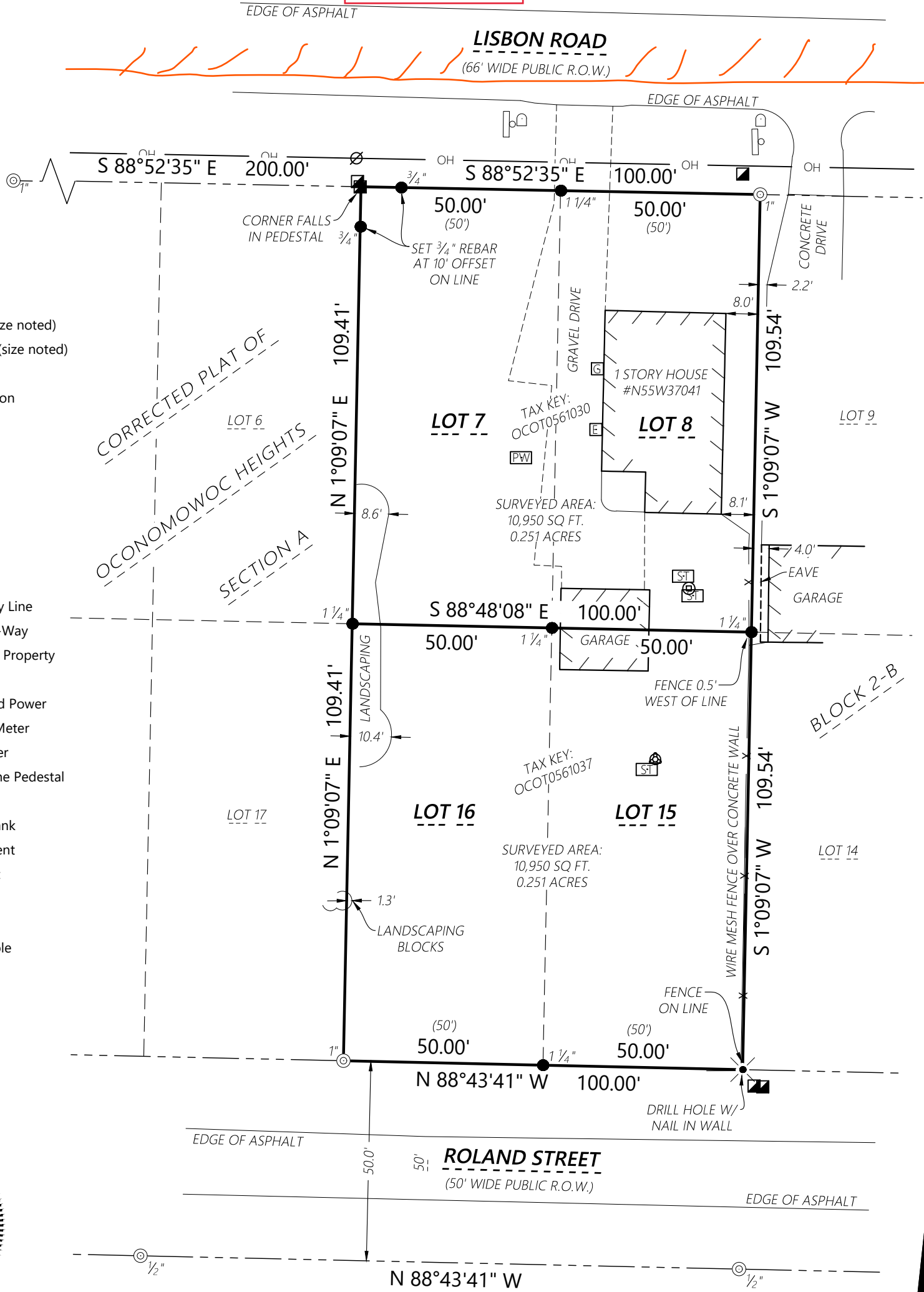
Aubrey D. Samson 12-17-24 Owner 1216 Ridgeside Rd, Oconomowoc, WI 53066
Aubrey D. Samson

LOT 7, 8, 15, & 16, BLOCK 2-B, OF THE CORRECTED PLAT OF OCONOMOWOC
HEIGHTS, SECTION A, A SUBDIVISION BEING PART OF THE NE 1/4 OF THE NE 1/4
OF SECTION 33, TOWNSHIP 8 NORTH, RANGE 17 EAST, OF THE 4TH P.M., TOWN OF OCONOMOWOC,
WAUKESHA COUNTY, WISCONSIN.

PLAT OF SURVEY

OF LOT 7, 8, 15, & 16, BLOCK 2-B, OF THE CORRECTED PLAT OF OCONOMOWOC HEIGHTS, SECTION A, A SUBDIVISION BEING PART OF THE NE 1/4 OF THE NE 1/4 OF SECTION 33, TOWNSHIP 8 NORTH, RANGE 17 EAST, OF THE 4TH P.M., TOWN OF OCONOMOWOC, WAUKESHA COUNTY, WISCONSIN.

city oconomowoc



MONUMENT KEY

- Iron Rebar Set (size noted)
- ⊙ Iron Pipe Found (size noted)
- ⊗ Drill Hole Set
- (XXX.XX) Record Information

LEGEND

- Existing Boundary Line
- - - Existing Right-of-Way
- - - Existing Adjacent Property
- X Existing Fence
- OH Existing Overhead Power
- E Existing Electric Meter
- G Existing Gas Meter
- ▣ Existing Telephone Pedestal
- PW Existing Well
- ST Existing Septic Tank
- ⊗ Existing Septic Vent
- ⊙ Existing Cleanout
- ⊔ Existing Sign
- ⊠ Existing Mailbox
- ⊗ Existing Utility Pole



David J. Earl
David J. Earl, P.L.S.
Wisconsin Professional Land Surveyor S-3257

State of Wisconsin } ss
County of Rock

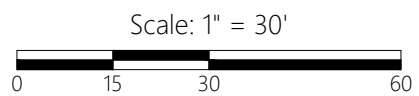
If the surveyor's signature is not red in color, the plan is a copy that should be assumed to contain unauthorized alterations. The certification contained on this document shall not apply to any copies.

I hereby certify that I have supervised the survey of the property described above and to the best of my knowledge and belief, the plat drawn hereon complies with Chapter A-E 7 of the State of Wisconsin Administrative Code, Minimum Standards for Property Surveys and correctly represents said survey and its location.

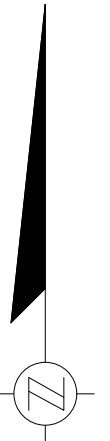
Given under my hand and seal at Beloit, Wisconsin this 2nd day of December, 2024
Last day of field work November 26th, 2024

SURVEY NOTES

- SURVEYED PROPERTY SUBJECT TO ANY AND ALL EASEMENTS AND AGREEMENTS RECORDED AND UNRECORDED.



DISTANCE UNITS BASED ON THE UNITED STATES SURVEY FOOT
BEARINGS BASED ON THE WISCONSIN COORDINATE REFERENCE SYSTEM, WAUKESHA ZONE. THE SOUTH LINE OF LISBON ROAD BEARING S 88°52'35" E



ORDER NO: 35321

FIELD CREW: BMR
DRAWN BY: BMR/DJE
SHEET 1 OF 1

FOR THE EXCLUSIVE USE OF:

Aubrey Samson
1216 Ridgeside Road
Oconomowoc, WI 53066

PLAT OF SURVEY

Batterman

engineers surveyors planners
BELOIT | ELKHORN | JANESVILLE
2857 S. Bartells Dr., Beloit, WI 53511
608.365.4464 | www.rhbatterman.com



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: **Samson**

Petition Number: **14726**

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

2. Area (Acres): .502 (21,900 SF)

3. Pick one: Property Tax Payments OR Boundary Agreement

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

\$ 603.09

b. Total that will be paid to Town

(annual tax multiplied by 5 years): \$3015.45

c. Paid by: Petitioner City Village

Other: _____

a. Title of boundary agreement _____

b. Year adopted _____

c. Participating jurisdictions _____

d. Statutory authority (pick one)

s.66.0307 s.66.0225 s.66.0301

4. Resident Population: Electors: _____ Total: 4

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

Residential: 25 % Recreational: _____ % Commercial: _____ % Industrial: _____ %

Undeveloped: 75 %

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

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

Other: _____ %

Comments: CURRENTLY 2 SEPARATE TAX KEY NUMBERS. INTENT IS TO DIVIDE INTO 4 LOTS.

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

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? RESIDENTIAL

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

Prepared by: Town City Village

Name: JASON GALLO, CITY PLANNER / ZONING ADMINISTRATOR

Email: jgallo@conomowoc-wi.gov

Phone: 262-569-2166

Date: December 30, 2024

(March 2018)

Please **RETURN PROMPTLY** to:

wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Fax: (608) 264-6104



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: **Samson**

Petition Number: **14726**

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

2. Area (Acres): 250 (Combined)

3. Pick one: Property Tax Payments

OR Boundary Agreement

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

\$ 603.09 (Combined)

a. Title of boundary agreement _____

b. Year adopted _____

b. Total that will be paid to Town

(annual tax multiplied by 5 years): \$3,015.45

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: _____ 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?

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 LETTER From City of Oconomowoc

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? R-3 Residential

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

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 petition contains two (2) tax key parcels and four (4) lots
Annexation should be to centerline of roads (Lisbon & Roland)

Prepared by: Town City Village

Name: JEFFREY HERMANN

Email: Jhermann@TownofDaneWisc-WI-Gov

Phone: 920-474-4449

Date: 12/29/2024

(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

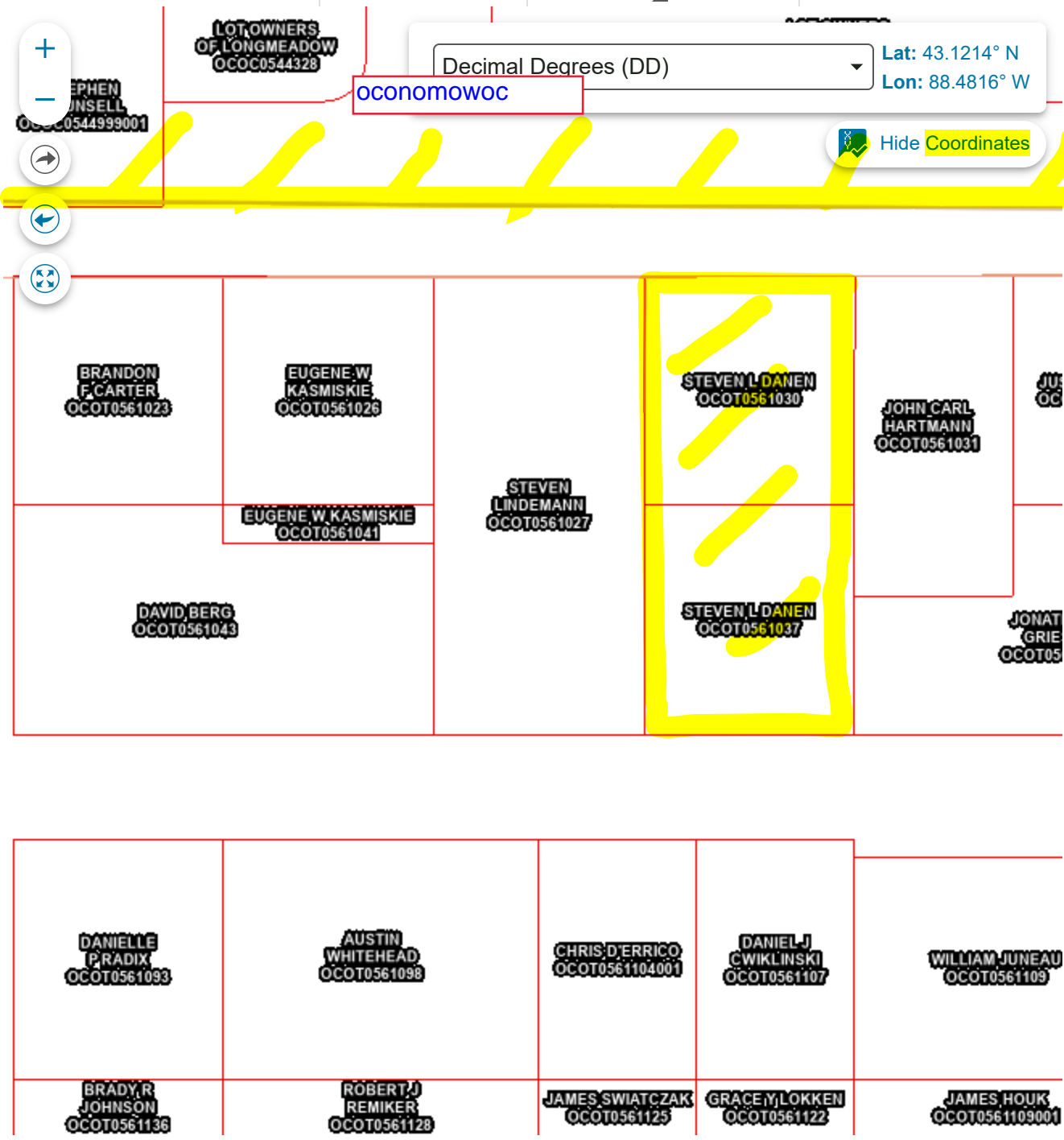
Wisconsin Department of Natural Resources

- Basic Tools
- Locate & Identify
- Draw & Measure
- Help & Resources

- Home
- Show Layers
- Legend
- Identify
- Clear All
- Upload Data
- Add Layers
- Print Map

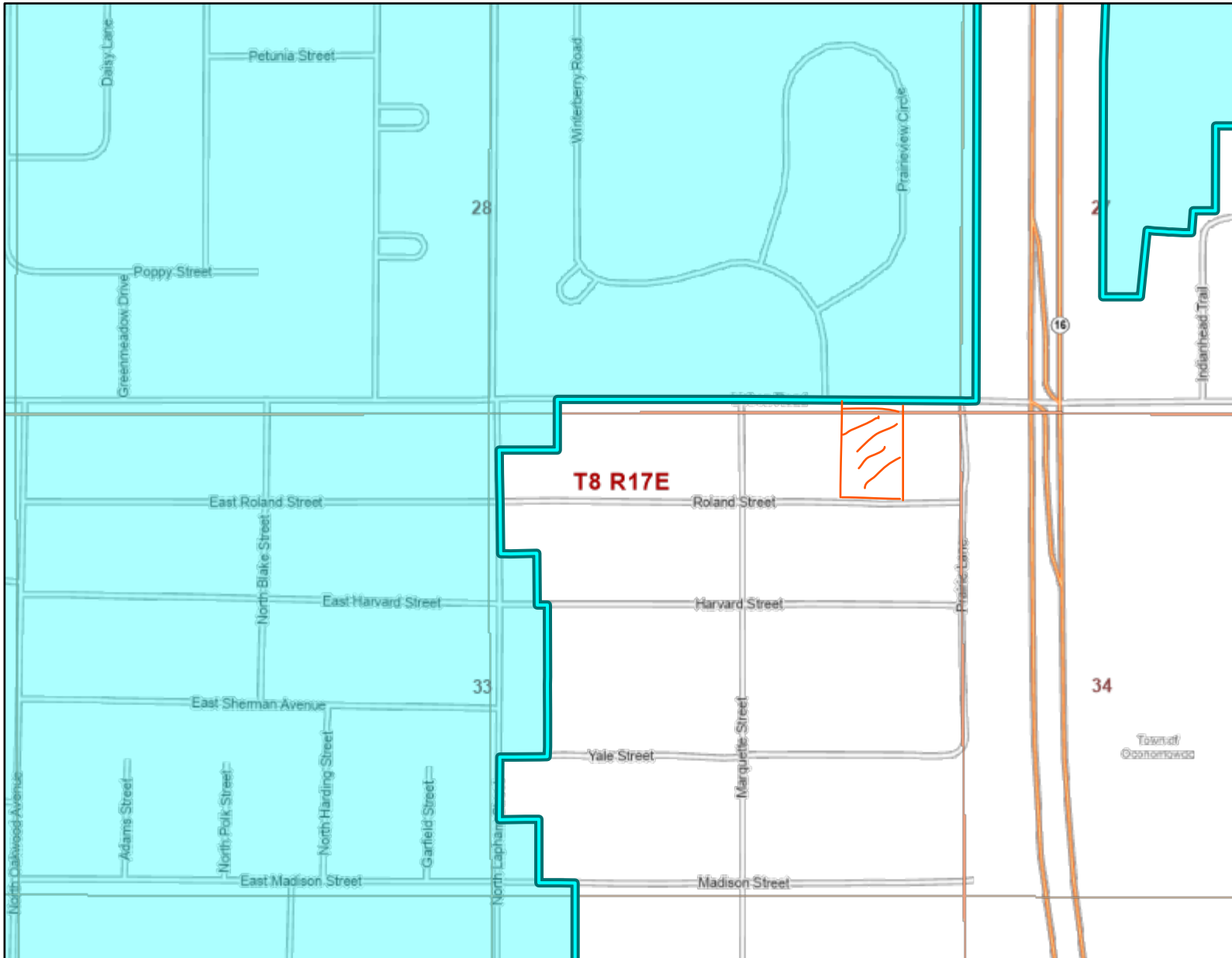
Print

Choose a print template layout from the dropdown below. Enter a title and any notes needed. Move the map to fit within the print window at the scale desired. Once the button 'Print' is clicked the map will take a few minutes to generate.



100 ft

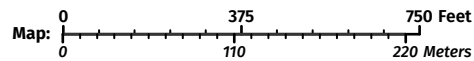
Scale



Legend: (some map layers may not be displayed)

- Township
- Section
- Quarter-Quarter
- Cities, Towns & Villages
- City
- Civil Town
- City or Village
- State Boundaries
- County Boundaries
- Major Roads
 - Interstate Highway
 - State Highway
 - US Highway
- County and Local Roads
 - County HWY
 - Local Road

Notes:



Service Layer Credits:
EN Basic Basemap WTM Ext. , Cadastral:

Map projection: NAD 1983 HARN Wisconsin TM

This map is a product generated by a DNR web mapping application.

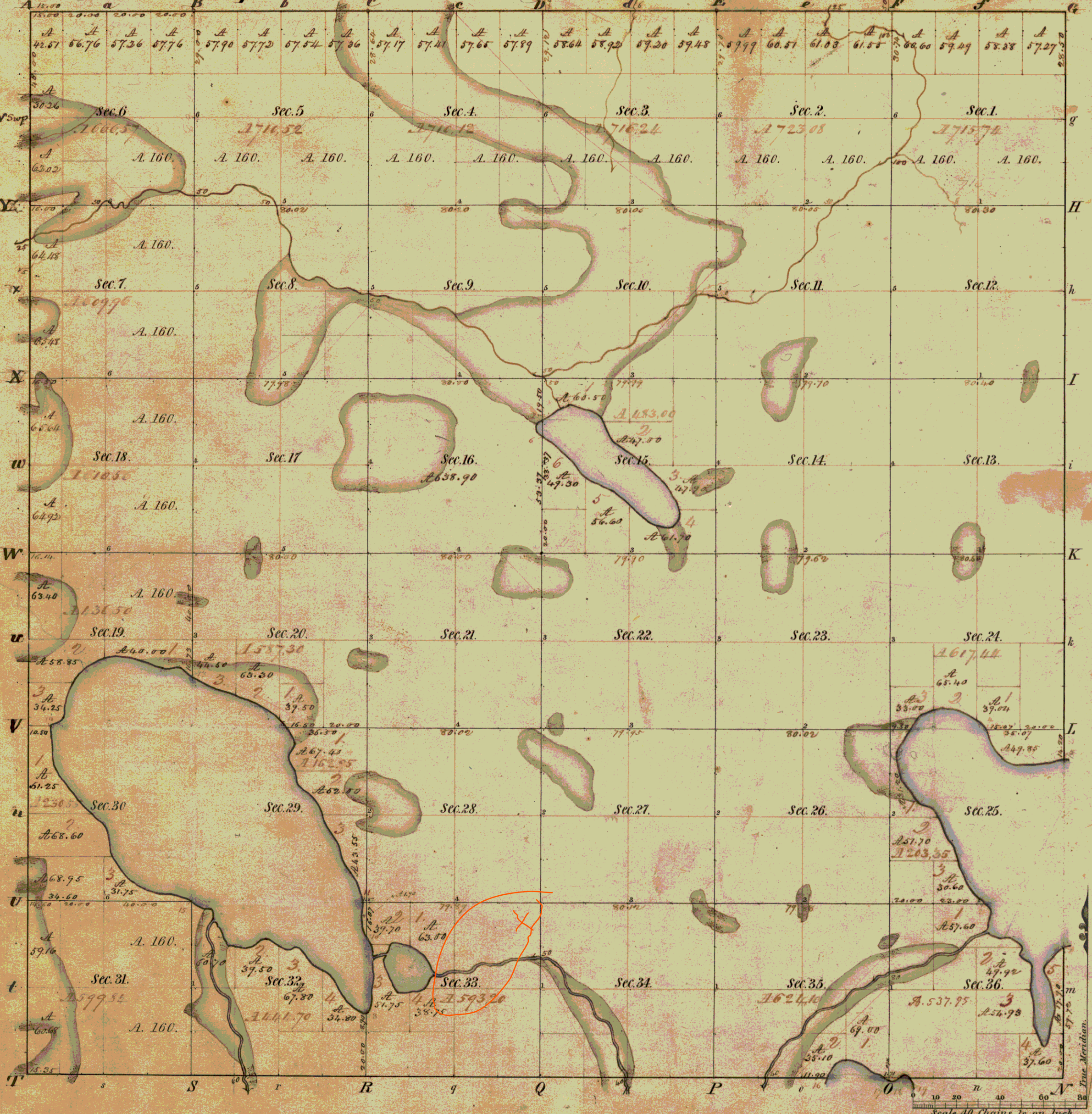
This map is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. The user is solely responsible for verifying the accuracy of information before using for any purpose. By using this product for any purpose user agrees to be bound by all disclaimers found here: <https://dnr.wisconsin.gov/legal>

Date Printed: 1/5/2025 8:33 AM

Township No 8, Range No 17 East 4th Mer. Wis. Ter.

Meanders of Lakes

Posts	Courses	Ch. Lk.	Posts	Courses	Ch. Lk.	Posts	Courses	Ch. Lk.
Lake in Section 17	N 78 E	1.50	N 56 E	23.00				
	S 80 E	5.50	N 44 E	17.00				
	S 74 E	3.00	N 72 E	9.00				
	N 41 E	1.50	N 57 E	7.50				
	N 25 E	9.00	N 24 E	15.00				
	N 12 E	4.50	N 14 E	20.00				
	S 57 E	6.00	N 57 E	14.50				
	S 89 E	9.00	N 24 E	13.00				
	N 71 E	10.00	N 72 E	18.00				
Lake in Section 16	S 61 E	5.00	N 50 E	14.00				
	S 52 E	5.00	N 59 E	2.50				
	S 88 E	4.00	South	4.00				
	N 61 E	5.00	S 51 E	2.80				
	N 43 E	9.00						
	N 18 E	8.00						
	N 59 E	11.50						
	N 70 E	12.00						
	N 80 E	9.00						
	N 33 E	9.80						
	N 34 E	15.50						
	N 14 E	10.00						
	N 70 E	8.00						
	N 60 E	14.00						
	N 17 E	8.50						
	N 27 E	11.00						
	N 15 E	9.50						
	N 29 E	9.50						
	N 15 E	11.80						
	N 44 E	4.00						
	N 26 E	1.50						
	N 22 E	2.00						
	N 13 E	1.50						
	N 19 E	1.00						
	N 27 E	1.50						
	N 18 E	2.00						
	N 36 E	2.50						
	N 41 E	2.00						
	N 15 E	5.00						
	N 86 E	4.00						
	N 50 E	4.00						
	N 37 E	2.50						
	N 24 E	7.50						
	N 77 E	7.50						
	N 77 E	12.00						
	South	11.50						
	N 32 E	13.00						
	N 11 E	17.50						
	N 11 E	11.50						
	N 26 E	11.50						
	N 40 E	12.30						
Lake in Section 25	N 25 E	9.50						
	N 57 E	11.00						
	N 45 E	10.50						
	N 21 E	7.50						
	N 35 E	8.00						
	N 56 E	12.50						
	N 26 E	12.50						
	N 9 E	4.00						
	N 9 E	4.00						
	N 30 E	7.50						
	N 35 E	22.00						
	N 47 E	10.00						
	N 4 E	10.00						
	N 35 E	9.50						
	N 50 E	12.00						
	N 52 E	15.00						
	N 66 E	8.50						
	N 56 E	2.50						



Total number of Acres 21,222.57

Surveys Designated	By Whom Surveyed	Date of Contract	Amount of Surveys	When Surveyed	When p ^d for and ch ^d in the Sur. Gen. ac ^t
Township lines	Mullett & Runk	17. Aug. 1835	M. Ch. Lks. 23-76-53	1 st of 1836	2 ^d of 1836
Subdivisions	James H. Mullett	13. April 1836	70-66-57	4 th of 1836	1 st of 1837

The above Map of Township No 8 of Range No 17 E of the 4th Meridian Wisconsin Terr. 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, Oct. 1st 1836

Robt. S. Lytle Sur. Gen.



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>

January 7, 2025

PETITION FILE NO. 14726

GINA KOZLIK, CLERK
CITY OF OCONOMOWOC
PO BOX 27
OCONOMOWOC, WI 53066-0027

LORI OPITZ, CLERK
TOWN OF OCONOMOWOC
W359 N6812 BROWN ST
OCONOMOWOC, WI 53066-1108

Subject: SAMSON ANNEXATION

The proposed annexation submitted to our office on December 18, 2024, has been reviewed and as currently configured is found to be against the public interest due to lack of contiguity.

In determining whether an annexation is in the public interest, § 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 the City of Oconomowoc appears able to provide needed municipal services. However, the territory does not appear to be contiguous with the City because road right-of-way from the adjacent Lisbon Road was not included as part of the annexation. As a result, there is no touching, or contiguity, between the proposed annexation territory and the City of Oconomowoc.

Notes:

- 1) The scale map of the territory to be annexed must clearly show and identify the existing City of Oconomowoc municipal boundary in relation to the territory.
- 2) The Department is aware of an intergovernmental cooperation agreement between the Town of Oconomowoc, Town of Oconomowoc Utility District No. 1, and the Village of Lac La Belle that includes boundary change provisions permitted under Wis. Stat. § 66.301(6). At the time this petition was filed with the Department, this intergovernmental agreement had not yet impacted the Town's status as unincorporated territory. While the common law doctrine in this area of the law referred to as the Rule of Prior Precedent may at some point sort out these potential boundary conflicts, the Department is required by Wis. Stat. § 66.0217(6) to review and apply the statutory standards to petitions proposed within populous counties, such as Waukesha, and determine if the petition is found to be "in the public interest" or "against the public interest" based on the specific definition contained in Wis. Stat. § 66.0217(6)(c).
- 3) The Town asks the Department to apply the Rule of Reason test to this annexation to determine whether the City of Oconomowoc abused its discretion in soliciting this annexation. However, the Rule of Reason is a creation and test applied by Wisconsin Courts over many years of caselaw. It is not a test found within the Department's statutory review criteria in § 66.0217(6), Wis. Stats. Therefore, the Department declines to apply the Rule of Reason test.

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 14726 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=2800>
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", written in a cursive style.

Erich Schmidtke, Municipal Boundary Review

cc: petitioner