

June 20, 2025

DELIVERED BY FEDEX & EMAIL

Susan Westerbeke, City Clerk
City of Port Washington
100 West Grand Avenue
Port Washington, WI 53074
Email: swesterbeke@portwashingtonwi.gov

Dear Ms. Westerbeke,

Re: Second Petition for Direct Annexation by
Unanimous Approval

Enclosed please find for processing the original Petition for Direct Annexation by Unanimous Approval for the annexation of approximately 204 acres of territory located in the Town of Port Washington, Ozaukee County, Wisconsin contiguous at the north to the current City of Port Washington, Ozaukee County, Wisconsin, in accordance with Wisconsin Statutes Section 66.0217(2), a copy of which has been provided to the Clerk of the Town of Port Washington.

Please feel free to contact me at 414-298-8331 or dtomczyk@reinhartlaw.com with any questions or comments.

Yours very truly,



Deborah C. Tomczyk

54060134

Enc.

cc Ms. Tracye Herrington (via email)
Mr. Scott Troise (via email)
Mr. Andrew Stewart (via email)
Mr. Christopher Smith (via email)
Mr. Samuel Schultz (via email)
Mr. Joseph J. Franke (via email)

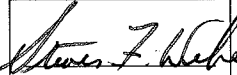


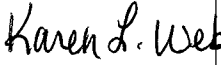
PETITION FOR DIRECT ANNEXATION BY UNANIMOUS APPROVAL

The undersigned hereby petition the City of Port Washington, Ozaukee County, Wisconsin, for annexation to the City of Port Washington of the territory contiguous to the City of Port Washington but lying in the Town of Port Washington, Ozaukee County, Wisconsin, as legally described and depicted on the scale map attached hereto as Exhibit A.


This Petition is for direct annexation by unanimous approval under Wisconsin Statutes Section 66.0217(2). Those signing this Petition constitute all of the electors residing in the territory to be annexed (according to the Wisconsin Elections Commission website, www.myvote.wi.gov). Those signing this Petition also represent all of the owners of the land within the territory to be annexed. The population of the total territory to be annexed, based on representations from Petition signers, is estimated to be three (3) electors.

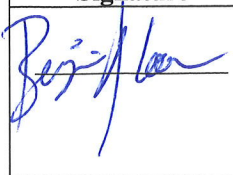
The purpose of the annexation is to expand the City's growth area, to make City of Port Washington services available to the territory and to ready the territory for development of a data center campus consistent with the I-3 Technology Campus District City of Port Washington Code Section 485-172. Those signing this Petition request that the territory be rezoned to such I-3 Technology Campus District immediately following adoption of an annexation ordinance.

See attached pages for signatures.

ELECTOR OR OWNER					
Signature	Printed Name/Entity	Elector/Owner	Tax ID & Acreage	Property Address	Date Signed
	Steven F. Weber	Elector & Owner	070090300300 58.54 acres	4341 Highland Dr., Port Washington, Wisconsin 53074	6/16/2025
	Karen L. Weber	Elector & Owner	070090300300 58.54 acres	4341 Highland Dr., Port Washington, Wisconsin 53074	6-16-25
 Name: Trustee 	Weber Trust	Owner	070090100100 44.49 acres	West of Highland Dr., Port Washington, Wisconsin 53074	6/16/2025 6-16-25

ELECTOR OR OWNER					
Signature	Printed Name/Entity	Elector/Owner	Tax ID & Acreage	Property Address	Date Signed
Name: Trustee	_____, Trustee of the Richard H. and Barbara D. Bauzenberger Trust	Owner	070100600200 65.87 acres	South of Lake Dr. and East of Highland Dr., Port Washington, Wisconsin 53074	<u>6/12/2018</u>


Richard H. Bauzenberger

ELECTOR OR OWNER					
Signature	Printed Name	Elector/Owner	Tax ID & Acreage	Property Address	Date Signed
	[Benjamin J. Loose]	Elector & Owner	070100600100 34.99 acres	4394 Highland Dr., Port Washington, Wisconsin 53074	<u>06/16/2025</u>

The undersigned has contracted to purchase all of the territory included in this Petition and joins with the owners and electors in petitioning for annexation of the territory to the City of Port Washington, Ozaukee County, Wisconsin.

CONTRACT PURCHASER

VDC WISCO REALTY INVESTMENTS 2, LLC,
a Delaware limited liability company

By: _____

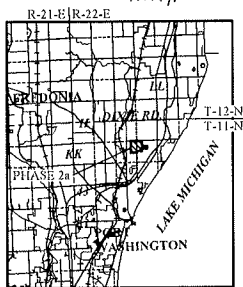
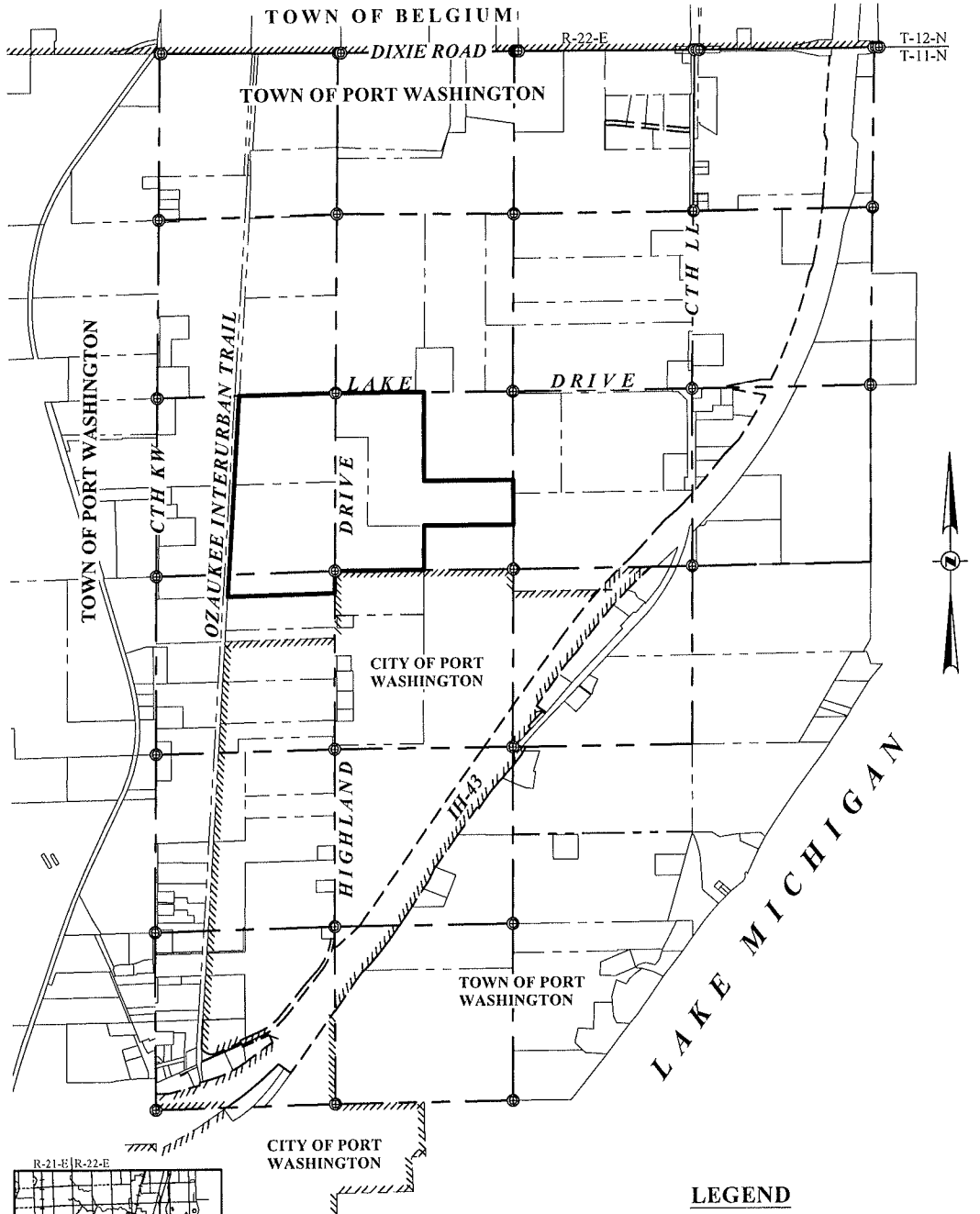

Tracye Herrington
Authorized Signatory

EXHIBIT A
LEGAL DESCRIPTION AND SCALE MAP OF TERRITORY TO BE ANNEXED

[SEE NEXT PAGES]

ANNEXATION SCALE MAP

THOSE PARTS OF THE SOUTHEAST 1/4 AND THE NORTHEAST 1/4 OF SECTION 9, AND THE NORTHWEST 1/4 OF SECTION 10, ALL LYING IN TOWNSHIP 11 NORTH, RANGE 22 EAST, TOWN OF PORT WASHINGTON, OZAUKEE COUNTY, WISCONSIN.



LEGEND

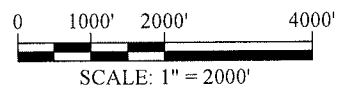
POB	POINT OF BEGINNING
⊕	SECTION CORNER
---	SECTION LINE
- - -	QUARTER SECTION LINE
---	SIXTEENTH LINE
---	PROPERTY LINE
---	EXTERIOR BOUNDARY LINE
////	CORPORATE LIMITS

VICINITY MAP
NOT TO SCALE

GRAEF

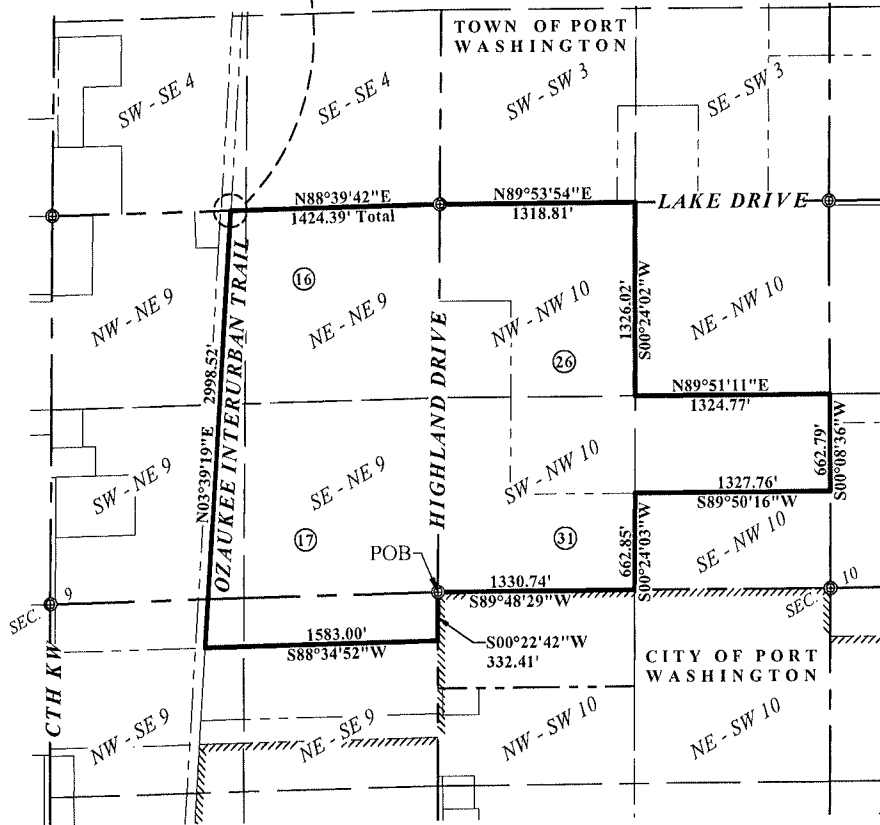
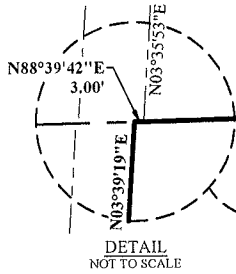
275 West Wisconsin Avenue
Suite 300
Milwaukee, WI 53203-3318
414 / 259 1500
www.graef-usa.com

Date: 06/12/2025
Project No: 20240162.00
Drawn By: LFG
Sheet No: 1 OF 3



ANNEXATION SCALE MAP

THOSE PARTS OF THE SOUTHEAST 1/4 AND THE NORTHEAST 1/4 OF SECTION 9, AND THE NORTHWEST 1/4 OF SECTION 10, ALL LYING IN TOWNSHIP 11 NORTH, RANGE 22 EAST, TOWN OF PORT WASHINGTON, OZAUKEE COUNTY, WISCONSIN.

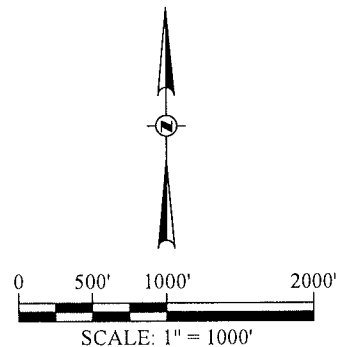


TAX KEY TABLE		
MAP #	PARCEL OWNERS	TAX KEY #
16	Steven F. Weber and Karen L. Weber, trustees of the Weber Trust	070090100100
17	Steven F. Weber and Karen L. Weber, husband and wife	070090300300
26	Richard H. and Barbara D. Bauzenberger Trust	070100600200
31	Benjamin J. Loose	070100600100

GRAEF

275 West Wisconsin Avenue
Suite 300
Milwaukee, WI 53203-3318
414 / 259 1500
www.graef-usa.com

Date: 06/12/2025
Project No: 20240162.00
Drawn By: LFG
Sheet No: 2 OF 3



ANNEXATION SCALE MAP

THOSE PARTS OF THE SOUTHEAST 1/4 AND THE NORTHEAST 1/4 OF SECTION 9, AND THE NORTHWEST 1/4 OF SECTION 10, ALL LYING IN TOWNSHIP 11 NORTH, RANGE 22 EAST, TOWN OF PORT WASHINGTON, OZAUKEE COUNTY, WISCONSIN.

LEGAL DESCRIPTION:

All those parts of the Southeast 1/4 and the Northeast 1/4 of Section 9, and the Northwest 1/4 of Section 10 all lying in Township 11 North, Range 22 East, Town of Port Washington, Ozaukee County, Wisconsin being more particularly described as follows:

Beginning at the West 1/4 corner of said Section 10; thence South 00°22'42" West along the west line of Southwest 1/4 of said Section 10, a distance of 332.41 feet to the southeast corner of lands described in Document No. 948929 as recorded in the Office of the Register of Deeds, Ozaukee County, Wisconsin, said point also being the northeast corner of lands described in Document No. 915916 as recorded in said Office of the Register of Deeds; thence South 88°34'52" West along the south line of lands described in said Document No. 948929 and the north line of lands described in said Document No. 915916, a distance of 1,583.00 feet to a point on the east right-of-way line of a Wisconsin Electric Power Company utility right-of-way; thence North 03°39'19" East along said east right-of-way line, a distance of 2998.52 feet to the northwest corner of Lot 1, Certified Survey Map No. 1659 recorded as Document No. 361480 in said Office of the Register of Deeds, said point lying on the north line of the Northeast 1/4 of said Section 9 and said point also lying on the centerline of Lake Drive; thence North 88°39'42" East along the north line of said Lot 1 and the north line of said Northeast 1/4 and the centerline of said Lake Drive, 1,424.39 feet to the northeast corner of said Lot 1 and the Northeast corner of said Section 9 and the intersection point of said Lake Drive and Highland Drive, said point also being the northwest corner of Lot 2, Certified Survey Map No. 2569 recorded as Document No. 495482 in said Office of the Register of Deeds; thence North 89°53'54" East along the north line of said Lot 2 and the north line of the Northeast 1/4 of the Northwest 1/4 of said Section 10 and the centerline of said Lake Drive, 1,318.81 feet to a northeast corner of said Lot 2, said point also being the northwest corner of lands described in Document No. 842240 as recorded in said Office of the Register of Deeds; thence South 00°24'02" West along the east line of said Lot 2 and the west line of lands described in said Document No. 842240, 1,326.02 feet to a northeast corner of said Lot 2 and the southwest corner of lands described in Document No. 842240; thence North 89°51'11" East along a north line of said Lot 2 and the south line of lands described in said Document No. 842240, a distance of 1,324.77 feet to a northeast corner of said Lot 2 and the southeast corner of lands described in said Document No. 842240, said point also lying on the east line of the Northwest 1/4 of said Section 10; thence South 00°08'36" West along an east line of said Lot 2 and said east line of said Northwest 1/4, 662.79 feet to the southeast corner of said Lot 2; thence South 89°50'16" West along the south line of said Lot 2, 1,327.76 feet to the northeast corner of Lot 1, Certified Survey Map No. 2568 as recorded in said Office of the Register of Deeds; thence South 00°24'03" West along the east line of said Lot 1, Certified Survey Map No. 2568, a distance of 662.85 feet to the southeast corner of said Lot 1, Certified Survey Map No. 2568; thence South 89°48'29" West along the south line of said Lot 1, Certified Survey Map No. 2568, a distance 1,330.74 feet to the point of beginning.

NW 1/4

Said described land containing 203.893 acres more or less.



275 West Wisconsin Avenue
Suite 300
Milwaukee, WI 53203-3318
414 / 259 1500
www.graef-usa.com

Date: 06/12/2025
Project No: 20240162.00
Drawn By: LFG
Sheet No: 3 OF 3

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: **Weber et al**

Petition Number: **14769**

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

2. Area (Acres): 204 acres

3. Pick one: ☒ ~~Property Tax Payments~~ Payments to Town per Agreement

OR

☒ Boundary Agreement

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

\$ 150,000

b. Total that will be paid to Town

(annual tax multiplied by 5 years): \$750,000

c. Paid by: ☐ Petitioner ☒ City ☐ Village

☐ Other: _____

a. Title of boundary agreement Supplemental Agreement

(copy attached)

b. Year adopted 2025

c. Participating jurisdictions Town and City of Port Washington

d. Statutory authority (pick one)

☐ s.66.0307 ☐ s.66.0225 ☒ s.66.0301

4. Resident Population: Electors: 3 in 2025 Total: 3 adults

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

Residential: 1 % Recreational: _____ % Commercial: _____ % Industrial: _____ %

Undeveloped: 99 %

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

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

Other: _____ %

Comments: I-3 Technology Campus District

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

In the town?: Agricultural

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: To be negotiated with Developer and annexed territory.

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 Exclusive Agriculture

c. How will the land be zoned and used if annexed? I-3 Technology Campus District.

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: Christopher R. Smith

Email: christopher.smith@vonbriesen.com

Phone: 414-287-1499

Date: 7-2-2025

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: **Weber et al**

Petition Number: **14769**

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OR

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b. Total that will be paid to Town

(annual tax multiplied by 5 years): \$750,000

c. Paid by: ☐ Petitioner ☒ City ☐ Village

☐ Other: _____

a. Title of boundary agreement Supplemental Agreement

(copy attached)

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d. Statutory authority (pick one)

☐ s.66.0307 ☐ s.66.0225 ☒ s.66.0301

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Other: _____ %

Comments: I-3 Technology Campus District

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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: To be negotiated with Developer and annexed territory.

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Is this annexation consistent with your comprehensive plan? ☒ Yes ☐ No

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

Prepared by: ☒ Town ☐ City ☐ Village

Name: Heather Krueger

Email: clerk@townofport-washingtonwi.gov

Phone: 262-284-5235

Date: 07/02/2025

(March 2018)

Please **RETURN PROMPTLY** to:

wimunicipalboundaryreview@wi.gov

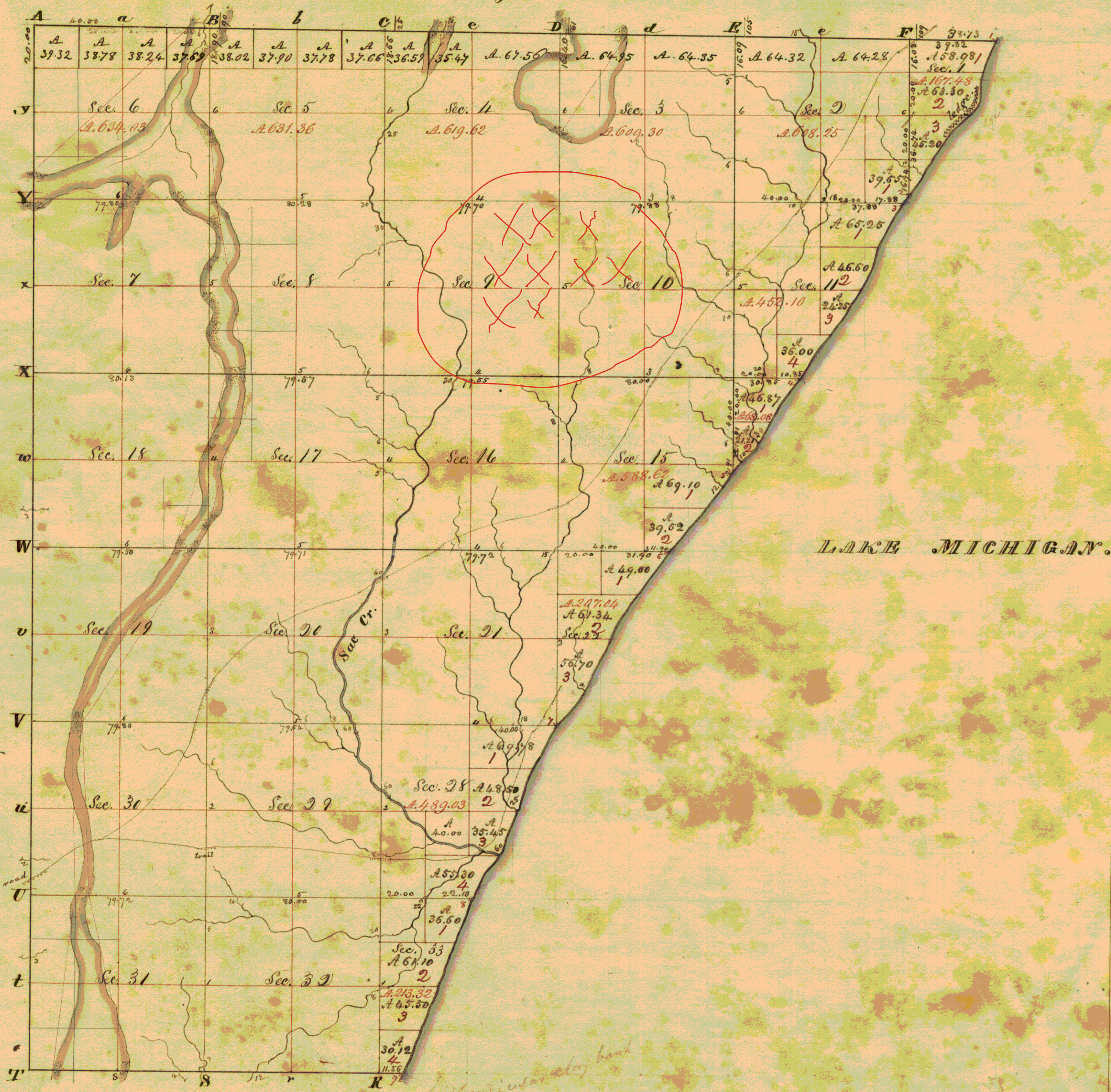
Municipal Boundary Review

PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

Township N. 11, Range 22 East 4th Mer. Wis. Ter.

24-6



Meanders of Lake Michigan					
Posts	Courses	Chalk	Posts	Courses	Chalk
1	S 33 1/4 N	15.12	6	S 36 1/4 N	27.32
	S 12 N	13.00		S 38 1/4 N	19.57
	S 5 E	5.21		S 36 1/4 N	35.00
	S 45 N	21.19		S 27 N	38.86
2	S 33 N	31.03		S 32 N	16.00
3	S 33 N	3.89	7	S 49 1/2 N	6.40
	S 38 N	17.22		S 37 1/2 N	19.91
	S 33 1/4 N	23.72		S 34 1/4 N	15.33
	S 31 N	14.23		S 14 1/4 N	30.35
	S 35 1/4 N	32.45		S 36 N	6.06
	S 33 1/4 N	3.91	8	S 28 N	17.42
4	S 31 1/4 N	2.77	9	S 21 1/4 N	25.66
	S 37 1/2 N	16.15			
	S 36 N	20.30			
5	S 41 N	16.09			

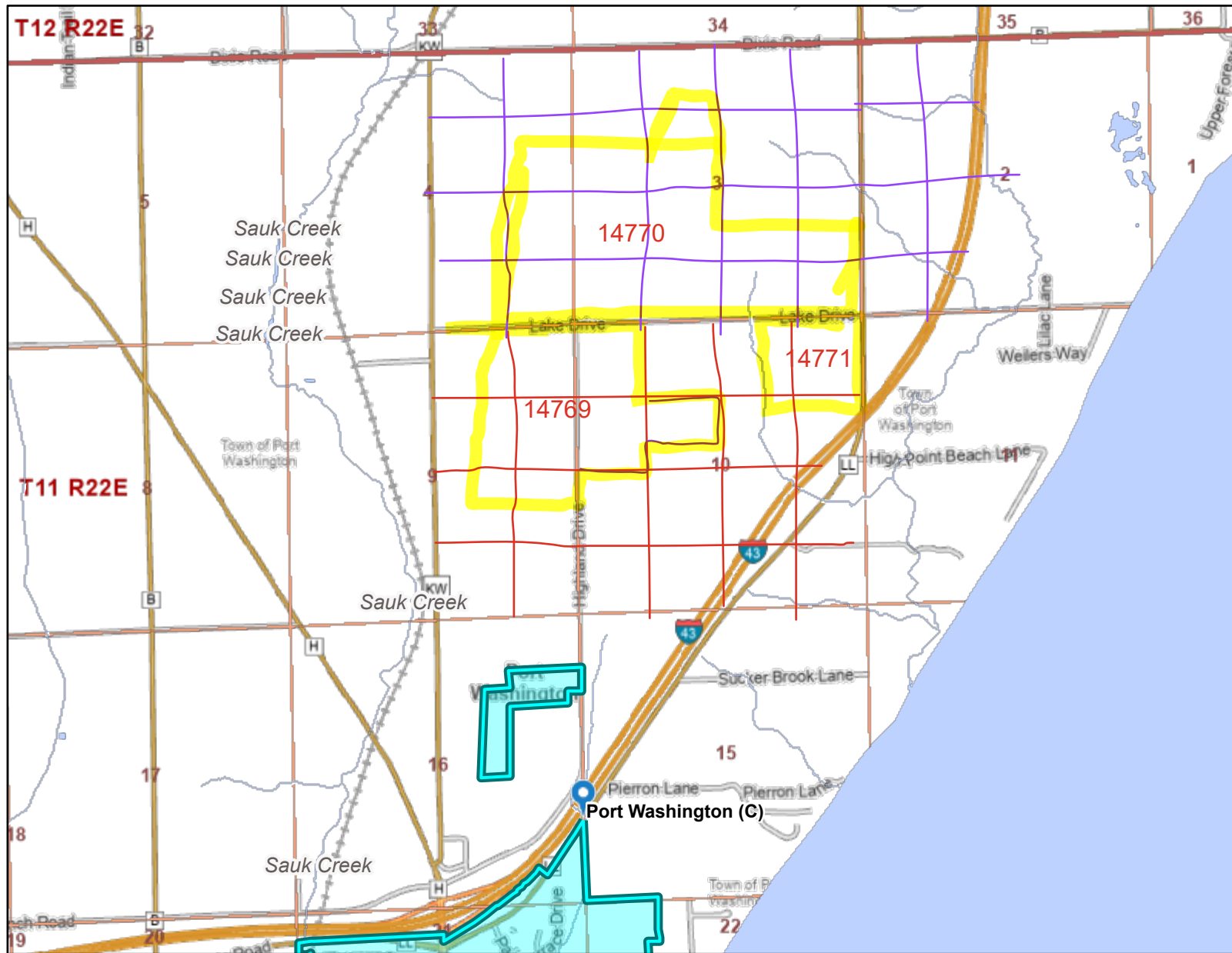
Total number of Acres 14,248.23

Surveys Designated	By whom surveyed	Date of Contract	Amount of Sur.	When surveyed	When paid for & ch. in the Sur. Gen. acc.
Township lines	Mullett & Brink	9 th July 1833	M. 11 th Lbs 13. 50. 39	4 th of 1833	3 rd of 1834
Subdivisions	Wm. A. Burt	26. Dec. 1835	44. 62. 17	1 st of 1835	4 th of 1835

The above Map, of Township N. 11 North, of Range N. 22 E, of the 4th Principal Meridian N.W. Ter. is strictly conformable to the field notes of the Survey thereof on file in this Office, which have been examined & approved.

Surveyor General's Office,
Cincinnati, Sept. 14, 1835.

Robt. J. Lyth Sur. Gen.



Legend: (some map layers may not be displayed)

- Rivers and Streams
- Intermittent Streams
- Open Water
- water
- 24K Intermittent Streams
- 24K Lakes and Open Water
- Township
- Section
- Cities, Towns & Villages
- City
- Civil Town
- City or Village
- County Boundaries
- Major Roads
- Interstate Highway
- State Highway
- County and Local Roads
- County HWY
- Local Road

Notes:



Map: 0 2,000 4,000 Feet
0 730 1,460 Meters

Service Layer Credits:
Cadastral: , Cities, Roads & Boundaries: , Surface Water (Cached): WiDNR, USGS, and other data

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: 7/10/2025 12:07 PM





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>

July 10, 2025

PETITION FILE NO. 14769

SUSAN WESTERBEKE, CLERK
CITY OF PORT WASHINGTON
PO BOX 307
PORT WASHINGTON, WI 53074-0307

HEATHER KRUEGER, CLERK
TOWN OF PORT WASHINGTON
3715 HIGHLAND DR
PORT WASHINGTON, WI 53074-9702

Subject: WEBER ET AL ANNEXATION

The proposed annexation submitted to our office on June 20, 2025, 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 Port Washington, which is able to provide needed municipal services.

Notes: 1) It appears that the call in line 15 of the metes and bounds description to the NE ¼ of the NW ¼ of Section 10 should be to the NW ¼ of the NW ¼, and

2) To assure contiguity, the City may wish to adopt annexation petitions numbers 14769, 14770, and 14771 simultaneously, or in an order that provides contiguity. For example, 14770 appears to depend upon 14769 for contiguity.

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 14769 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=2843>

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', with a stylized, flowing script.

Erich Schmidtke, Municipal Boundary Review

cc: petitioner