

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://wi.accessgov.com/public/Forms/Page/doa-dir/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: **VDC WISCO REALTY INVESTMENTS 1, LLC**

Phone: **Tracye Herrington | 303-550-1580**

Email: **tracye.herrington@vantage-dc.com**

Contact Information if different than petitioner:

Representative's Name: **Deborah C. Tomczyk**

Phone: **414-298-8331**

E-mail: **dtomczyk@reinhardtlaw.com**

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

2. Petitioned City or Village: **City of Port Washington**

3. County where property is located: **County of Ozaukee**

4. Population of the territory to be annexed: **2 electors**

5. Area (in acres) of the territory to be annexed: **approximately 90.64 acres**

6. Tax parcel number(s) of territory to be annexed (if the territory is part or all of an existing parcel):
See Exhibit A attached hereto

Include these required items with this form:

- ☒ Legal Description meeting the requirements of s.66.0217 (1) (c) [see attached annexation guide]
- ☒ Map meeting the requirements of s. 66.0217 (1) (g) [see attached annexation guide]
- ☒ Signed Petition or Notice of Intent to Circulate [see attached annexation guide]
- ☒ ~~Check or money order covering review fee [see next page for fee calculation]~~ Online Payment

(June 2024)

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)

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: _____

Payer: _____ Check Number: _____

Check Date: _____

Amount: _____

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 adjoiners 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).

EXHIBIT A
TAX PARCEL NUMBERS OF TERRITORY TO BE ANNEXED

[SEE NEXT PAGES]

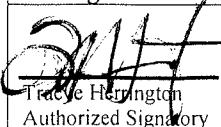
**PETITION FOR DIRECT ANNEXATION
BY UNANIMOUS APPROVAL**

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 two (2) 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 |
|  Tracey Herrington Authorized Signatory | VDC WISCO REALTY INVESTMENTS <u>1</u> , LLC | Owner | 070100500000; 40 acres | 1337 Lake Drive, Port Washington, WI 53074 | 9-3-25 |


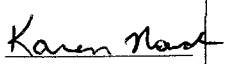
Same as above

VDC WISCO REALTY
INVESTMENTS 2, LLC

Owner

070100300300
(f.k.a. part of
070100300200)
26.44 acres

South of Lake Drive,
Port Washington, WI
53074

| ELECTOR OR OWNER | | | | | |
|-----------------------------------------------------------------------------------|---------------------|-----------------|-----------------------------|-------------------------------------------------------|-------------|
| Signature | Printed Name/Entity | Elector/Owner | Tax ID & Acreage | Property Address | Date Signed |
|  | Ryan J. Nowak | Elector & Owner | 070100200300 23.98 acres | 1299 Lake Dr., Port Washington, Wisconsin 53074 | 6/19/25 |
|  | Karen A. Nowak | Elector & Owner | 070100200300 23.98 acres | 1299 Lake Dr., Port Washington, Wisconsin 53074 | 6/19/25 |

The undersigned has purchased or 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: _____

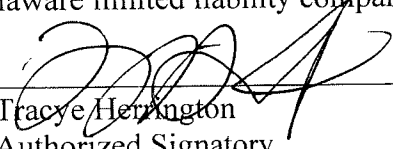
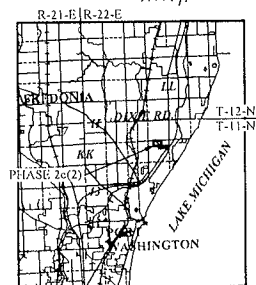
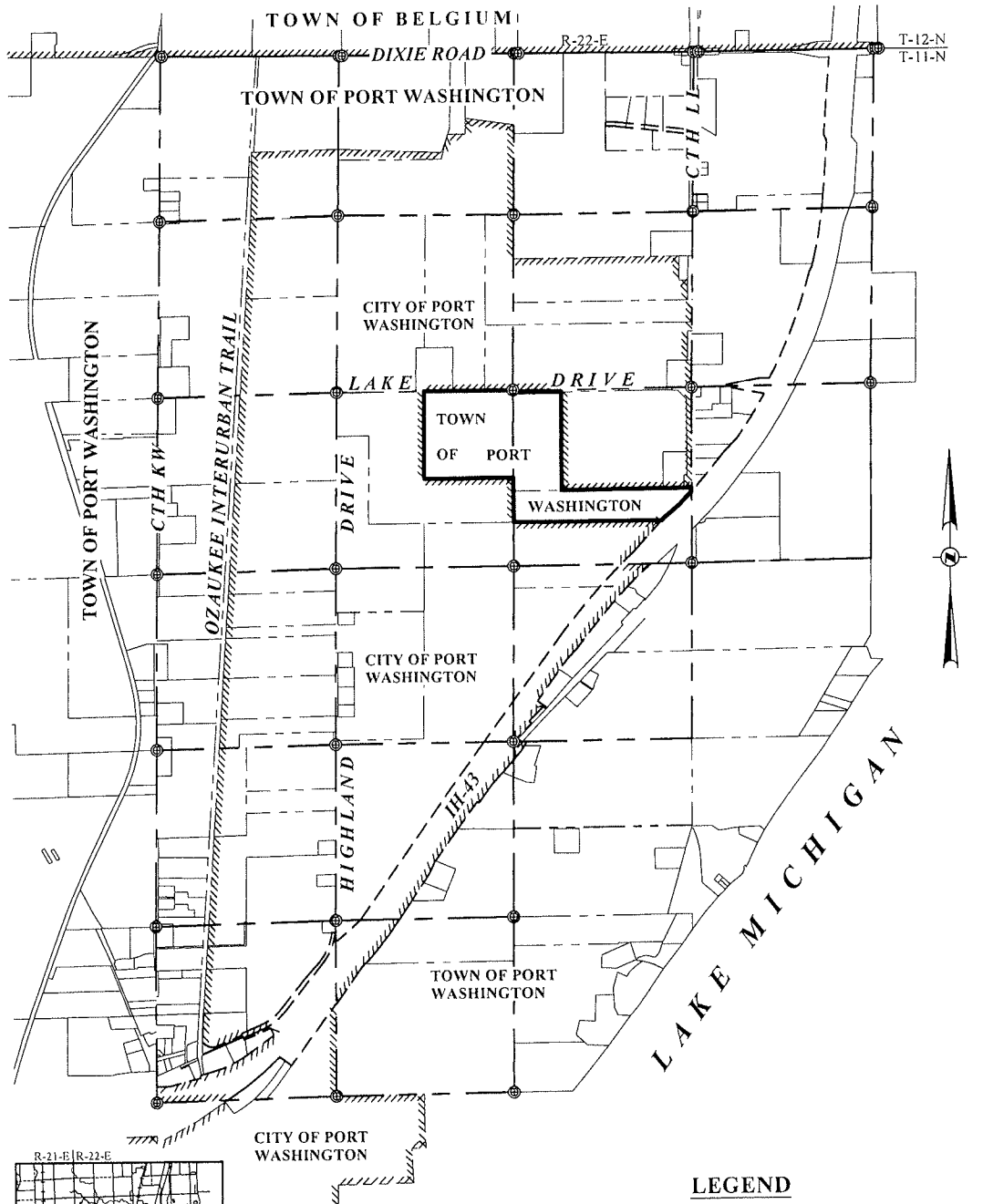

Tracye Herrington
Authorized Signatory

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

[SEE NEXT PAGES]

ANNEXATION SCALE MAP

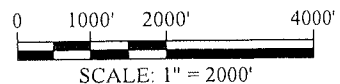
THOSE PARTS OF THE NORTHEAST 1/4 AND THE NORTHWEST 1/4 OF SECTION 10, ALL LYING IN TOWNSHIP 11 NORTH, RANGE 22 EAST, TOWN OF PORT WASHINGTON, OZAUKEE COUNTY, WISCONSIN.



VICINITY MAP
NOT TO SCALE

LEGEND

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



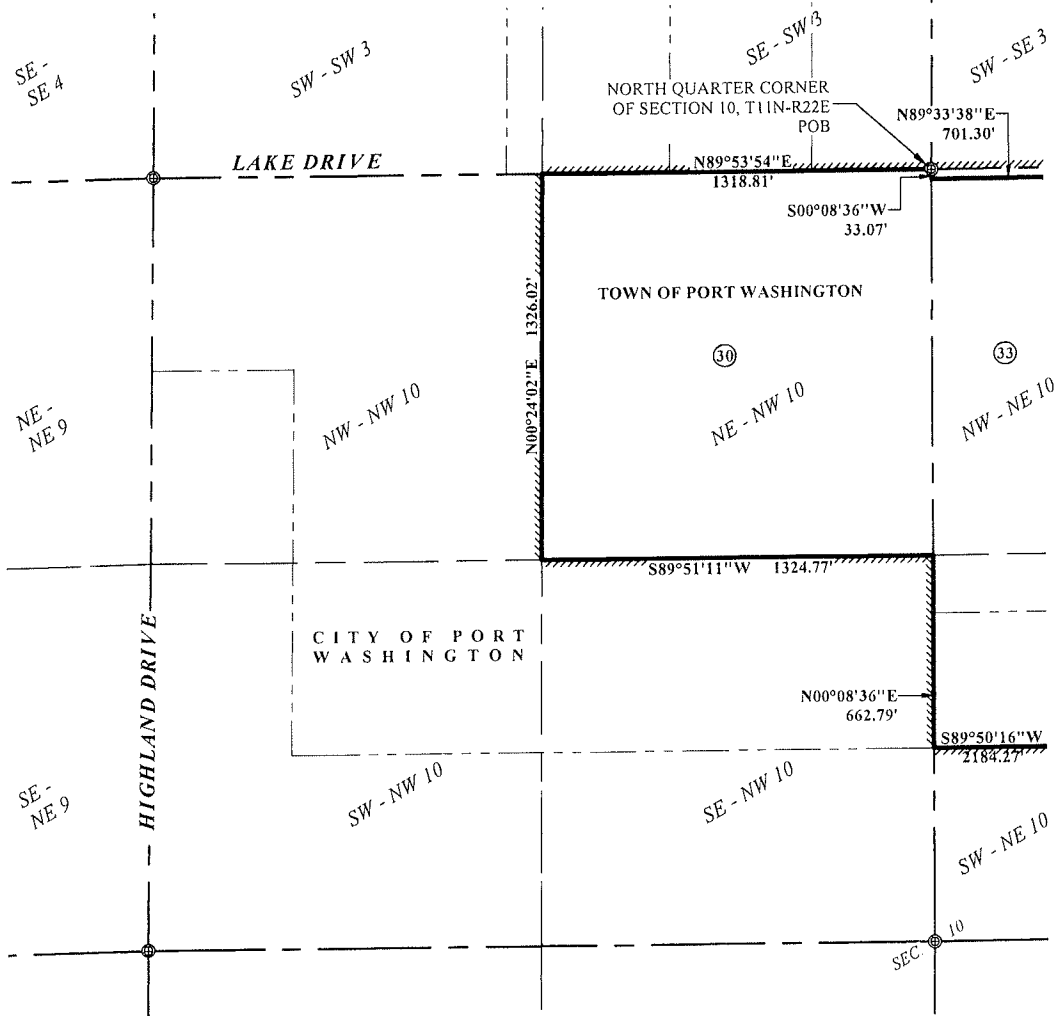
GRAEF

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

Date: 08/29/2025
Project No: 20240162.00
Drawn By: EH
Sheet No: 1 OF 4

ANNEXATION SCALE MAP

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

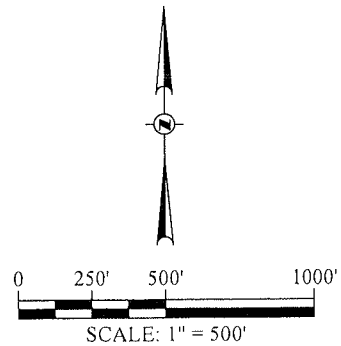


NOTE:
SEE TABLE ON PAGE 3 FOR ASSOCIATED
OWNER AND TAX KEY INFORMATION.

GRAEF

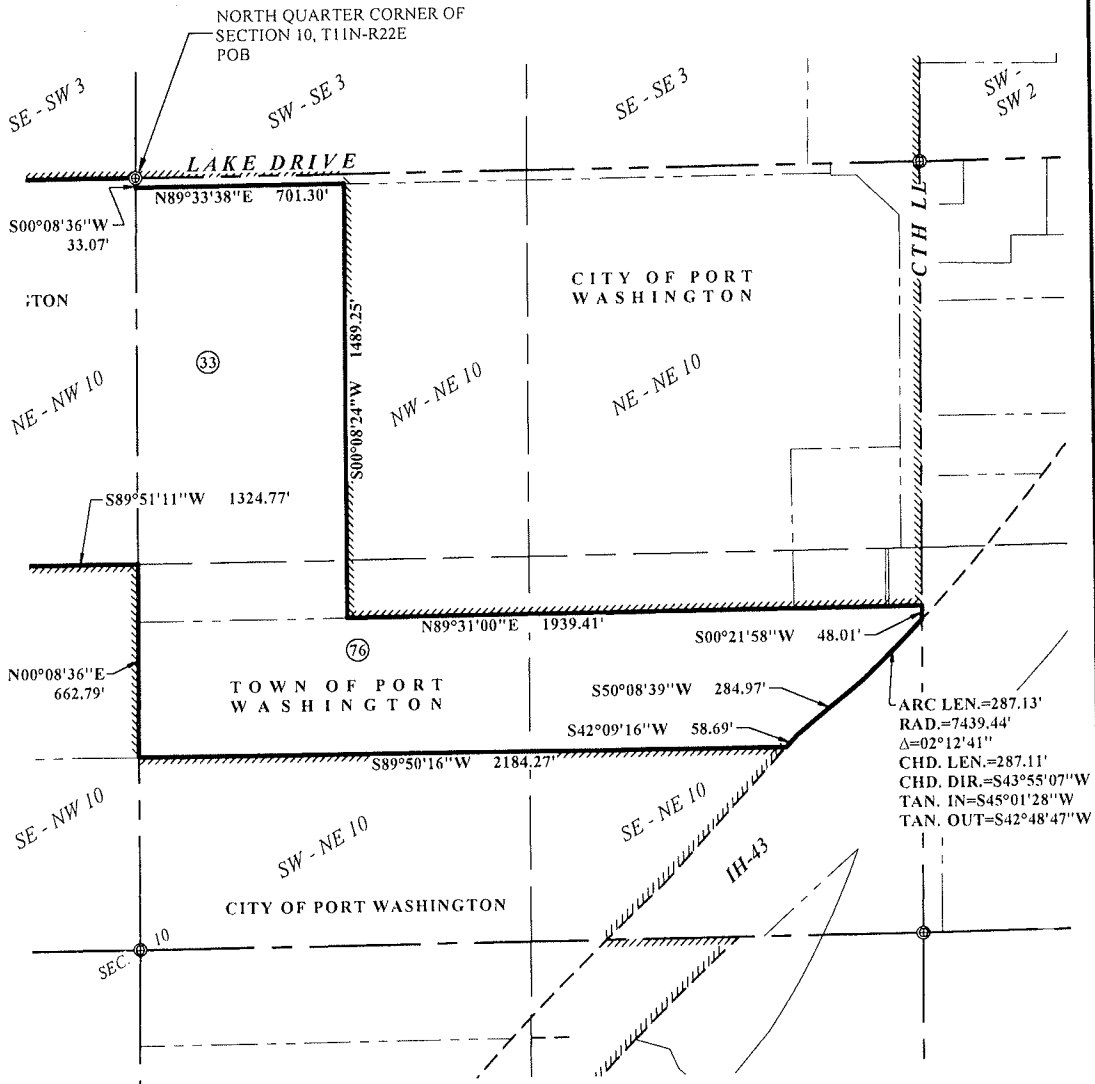
275 West Wisconsin Avenue
Suite 300
Milwaukee, WI 53203-3318
414 / 259 1500
www.graef-usa.com

Date: 08/29/2025
Project No: 20240162.00
Drawn By: EH
Sheet No: 2 OF 4



ANNEXATION SCALE MAP

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

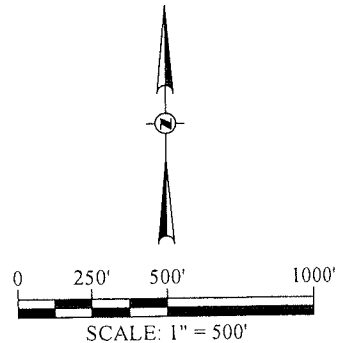


| TAX KEY TABLE | | | |
|---------------|-------------------------------------|--------------|-------------------------|
| MAP # | PARCEL OWNERS | TAX KEY # | OLD TAX KEY # |
| 30 | VDC WISCO REALTY INVESTMENTS 1, LLC | 070100500000 | - |
| 33 | Ryan Nowak and Karen Nowak | 070100200300 | - |
| 76 | VDC WISCO REALTY INVESTMENTS 2, LLC | 070100300300 | PART OF 070100300200 |

GRAEF

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

Date: 08/29/2025
Project No: 20240162.00
Drawn By: EH
Sheet No: 3 OF 4



ANNEXATION SCALE MAP

THOSE PARTS OF THE NORTHEAST 1/4 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 Northeast 1/4 and the Northwest 1/4 of Section 10, Township 11 North, Range 22 East, Town of Port Washington, Ozaukee County, Wisconsin being more particularly described as follows:

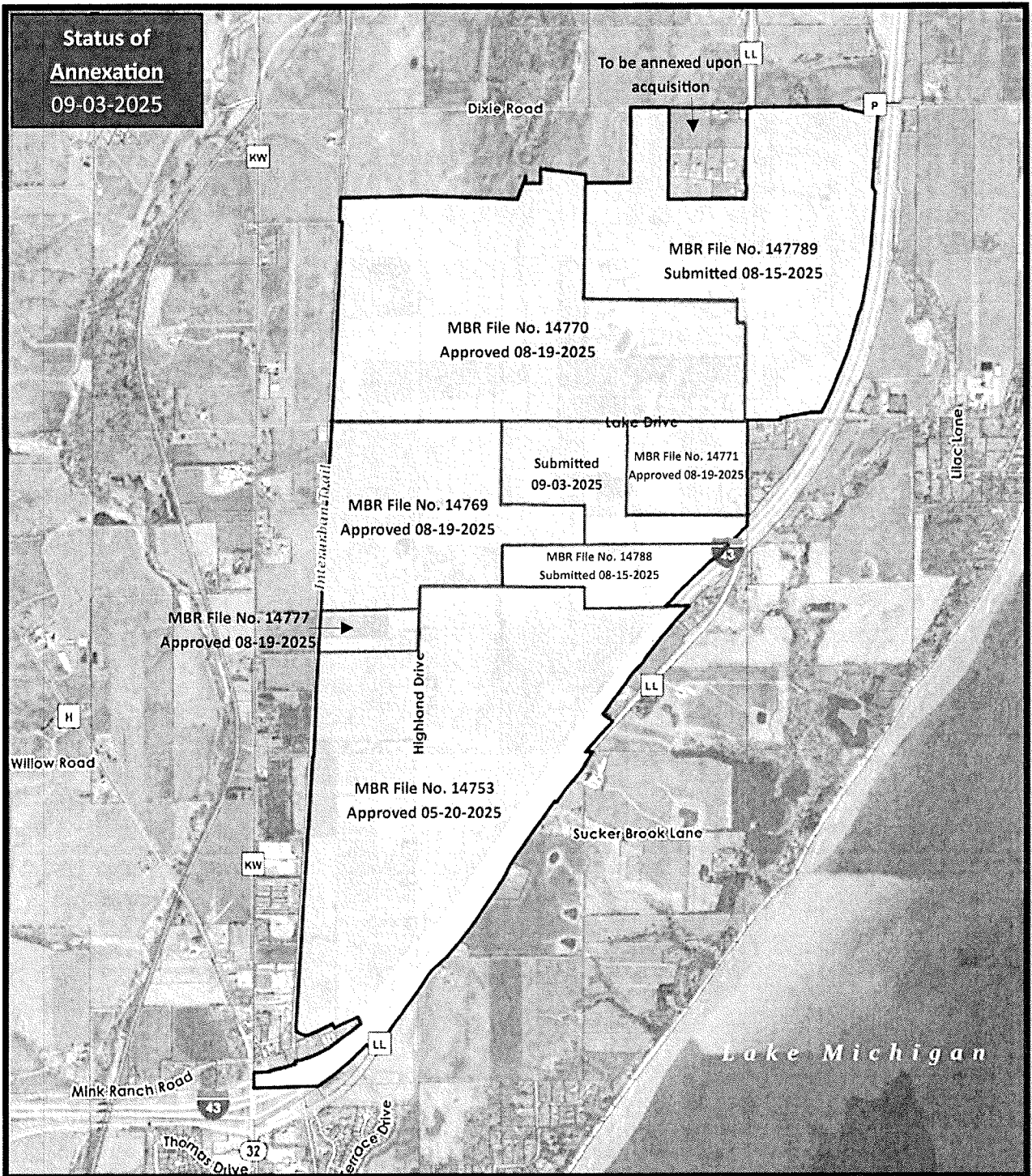
Beginning at the North 1/4 corner of said Section 10; thence South 00°08'36" West along the west line of the Northwest 1/4 of said Section 10, a distance of 33.07 feet to the northwest corner of Lot 3, Certified Survey Map No. 3905 recorded as Document No. 1008290 in the Office of the Register of Deeds, Ozaukee County, Wisconsin, said point also lying on the south right-of-way line of Lake Drive; thence North 89°33'38" East along the north line of said Lot 3 and said south right-of-way line, 701.30 feet to the northeast corner of said Lot 3; thence South 00°08'24" West along the east line of said Lot 3, a distance of 1489.25 feet to the southeast corner of said Lot 3, said point also being the southwest corner of Lot 2, of said Certified Survey Map No. 3905; thence North 89°31'00" East along the south line of said Lot 2, a distance of 1513.46 feet to the southeast corner of said Lot 2, said corner also being the southwest corner of Lot 1, of said Certified Survey Map No. 3905; thence continue North 89°31'00" East along the south line of said Lot 1 and the south line of said Lot 1 extended, a distance of 425.95 feet to the east line of the Northeast 1/4 of said Section 10; thence South 00°21'58" West, 48.01 feet to a point on a non-tangent curve concave to the northwest, said point lying on the west right-of-way line of Interstate Highway 43, having a radius of 7439.44 feet, to which a radial line bears South 47°11'13" East; thence southwesterly along the arc of said curve through a central angle of 02°12'41", having a chord bearing of South 43°55'07" West and a chord length of 287.11 feet, a distance of 287.13 feet; thence South 50°08'39" West along said west right-of-way line, a distance of 284.97 feet; thence South 42°09'16" West along said west right-of-way line, 58.69 feet; thence South 89°50'16" West, 2184.27 feet to a point on the west line of said Northeast 1/4; thence North 00°08'36" East along said west line, 662.79 feet to the southwest corner of the Northwest 1/4 of the Northeast 1/4 of said Section 10; thence South 89°51'11" West along the south line of the Northeast 1/4 of the Northwest 1/4 of said Section 10, a distance of 1324.77 feet to the southwest corner of said Northeast 1/4 of the Northwest 1/4; thence North 00°24'02" East along the west line of said Northeast 1/4 of the Northwest 1/4, a distance of 1326.02 feet to the northwest corner of said Northeast 1/4 of the Northwest 1/4; thence North 89°53'54" East along the north line of said Northeast 1/4 of the Northwest 1/4, a distance of 1,318.81 feet to the point of beginning.

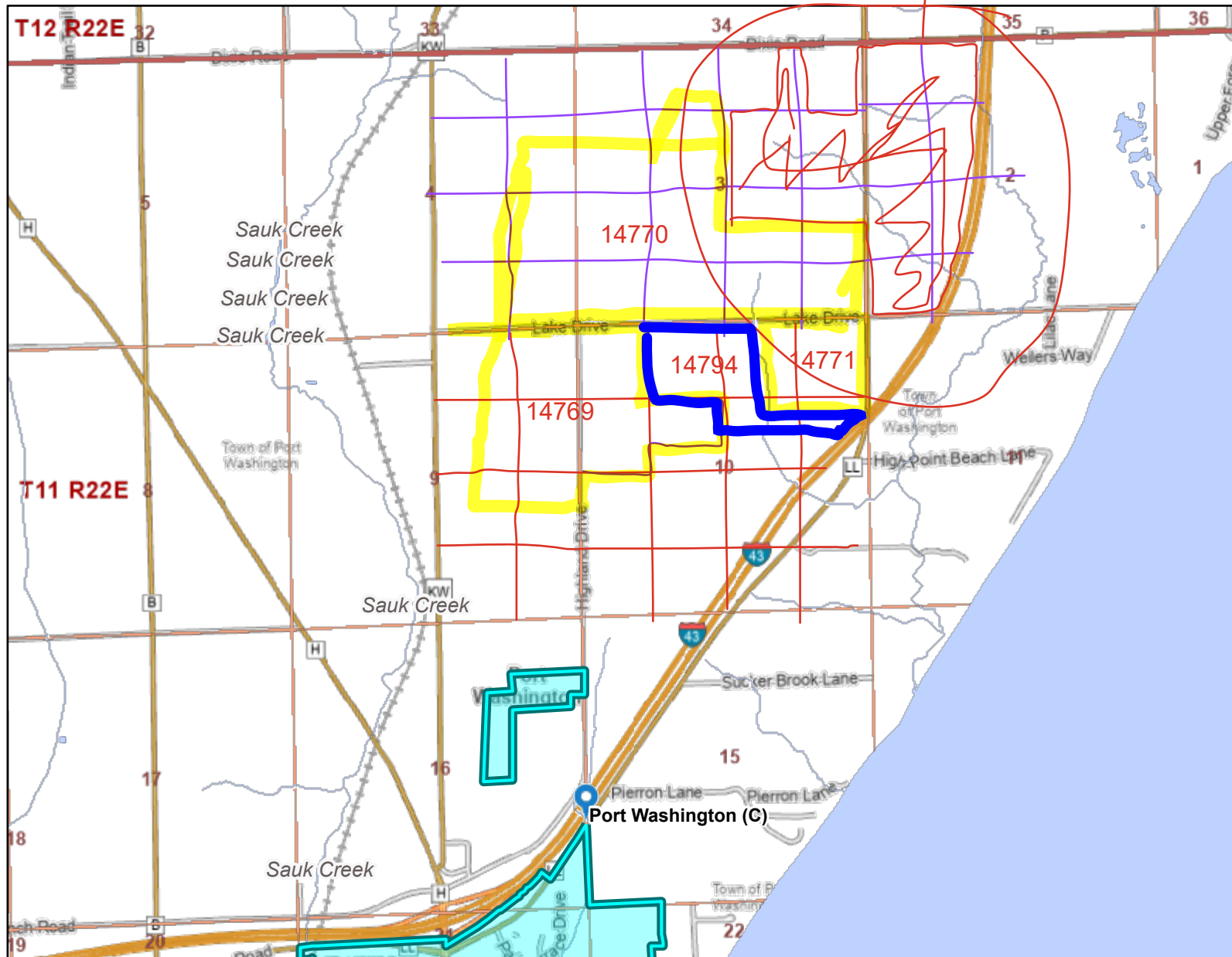
Said described land contains 90.642 acres more or less.



275 West Wisconsin Avenue
Suite 300
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www.graef-usa.com

Date: 08/29/2025
Project No: 20240162.00
Drawn By: EH
Sheet No: 4 OF 4





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.

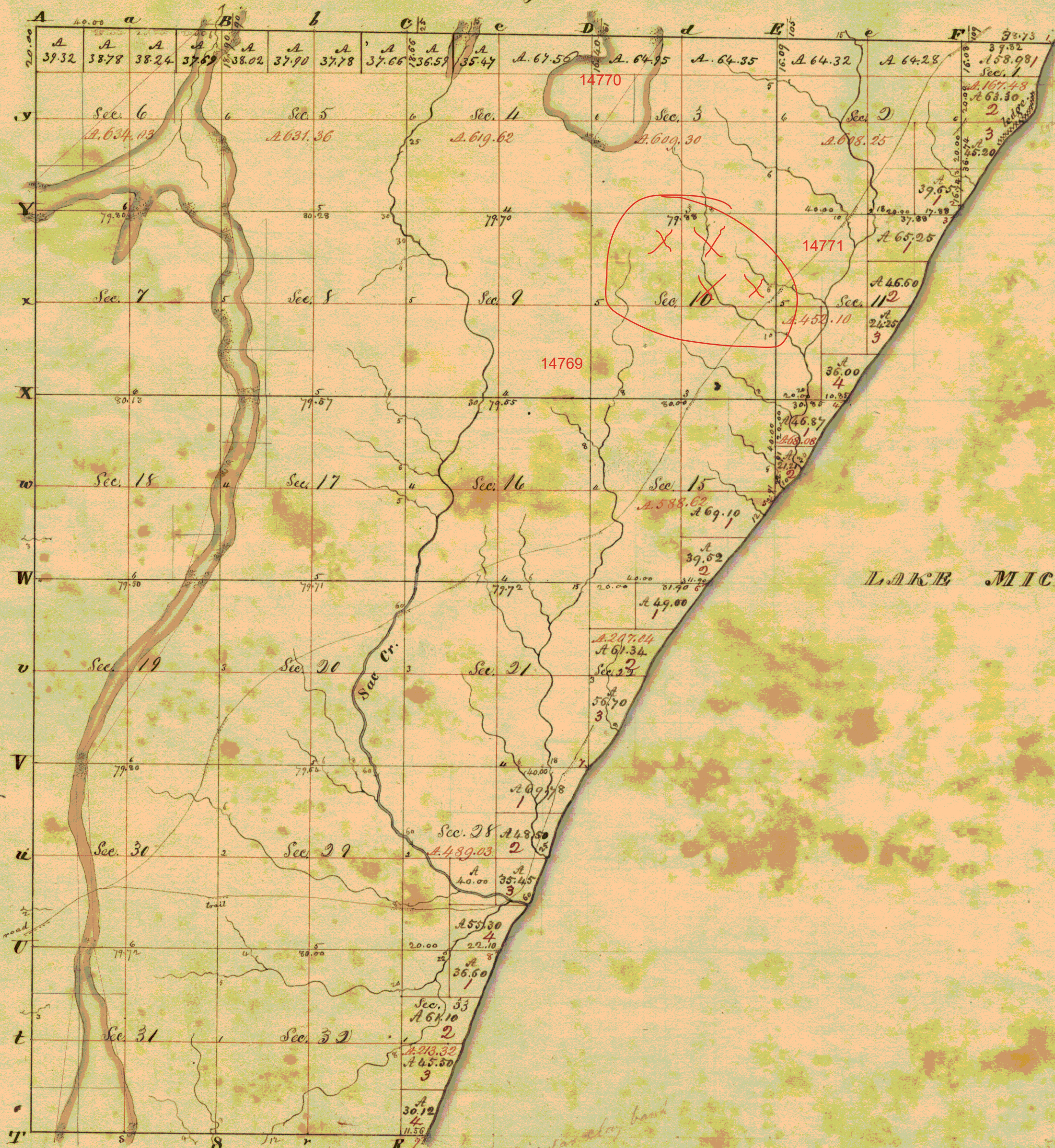
This map is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. The user is solely responsible for verifying the accuracy of information before using for any purpose. By using this product for any purpose user agrees to be bound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

Date Printed: 7/10/2025 12:07 PM



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 | 53.66 |
| | 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 perfect ch. in the Sur. Gen. acc. |
|--------------------|------------------|---------------------------|----------------|-------------------------|----------------------------------------|
| Township lines | Mullett & Brink | 9 th July 1833 | 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. T. Lyth 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>

September 25, 2025

PETITION FILE NO. 14794

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: VDC WISCO REALTY INVESTMENTS 1 LLC ET AL ANNEXATION

The proposed annexation submitted to our office on September 03, 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.

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 14794 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=2868>
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner