

The State of Wisconsin

Office of the Secretary of State

CITY 90

CITY OF PORT WASHINGTON

COUNTY OF OZAUKEE

ANNEXATION ORDINANCE NUMBER 2003-18

FILED DECEMBER 15, 2003

CITY OF PORT WASHINGTON
OZAUKEE COUNTY, WISCONSIN
ORDINANCE NO. 2003 - 18

**AN ORDINANCE ANNEXING TERRITORY TO
THE CITY OF PORT WASHINGTON, WISCONSIN**

The Common Council of the City of Port Washington, Wisconsin, do ordain as follows:

SECTION 1. Territory Annexed. In accordance with sec. 66.0217 of the Wisconsin Statutes and the Petition for Direct Annexation filed with the City Clerk on the 7th day of November, 2003, signed by owners of at least 1/2 of the land in area in the territory (in which no electors reside), the following described territory in the Town of Grafton, Ozaukee County, Wisconsin, is annexed to the City of Port Washington, Wisconsin:

See legal description attached hereto as Exhibit A

SECTION 2. Effect of Annexation. From and after the date of this ordinance the territory described in Section 1 shall be a part of the City of Port Washington for any and all purposes provided by law, and all persons coming or residing within such territory shall be subject to all ordinances, rules and regulations governing the City of Port Washington.

SECTION 3. Temporary Zoning Classification. (a) Upon recommendation of the Plan Commission, the territory annexed to the City of Port Washington by this ordinance is temporarily zoned as follows, pursuant to sec. 66.0217(8) of the Wisconsin Statutes: AG Agricultural District

(b) As soon as practicable following annexation of the territory described in Section 1, the Plan Commission shall prepare an amendment to the zoning ordinance setting forth permanent classifications and regulations for the zoning of the annexed area and submit its recommendations to the Common Council.

SECTION 4. Ward and Aldermanic District Designation. The territory described in Section 1 of this ordinance is hereby made a part of the 4th ward and 4th aldermanic district of the City of Port Washington, subject to the ordinances, rules and regulations of the City of Port Washington governing wards.

SECTION 5. Severability. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application.

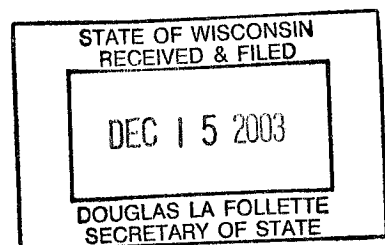
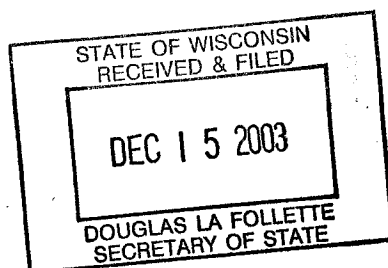


Exhibit A

THAT PART OF THE NORTHEAST FRACTIONAL 1/4 OF SECTION 5 AND THE NORTHWEST FRACTIONAL 1/4 OF SECTION 4, TOWN 10 NORTH, RANGE 22 EAST, IN THE TOWN OF GRAFTON, OZAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST 1/4 OF SECTION 4; THENCE SOUTH $02^{\circ}55'31''$ EAST ALONG THE WEST LINE OF SAID NORTHWEST 1/4 SECTION 255.00 FEET TO THE POINT OF BEGINNING OF THE LANDS TO BE DESCRIBED; THENCE NORTH $87^{\circ}07'44''$ EAST 115.00 FEET TO A POINT; THENCE NORTH $02^{\circ}55'31''$ WEST 255.00 FEET TO A POINT ON THE NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 4; THENCE NORTH $87^{\circ}07'44''$ EAST ALONG SAID NORTH LINE 1475.08 FEET TO A POINT; THENCE SOUTH $31^{\circ}10'31''$ WEST 441.14 FEET TO A POINT; THENCE SOUTH $02^{\circ}46'10''$ EAST 452.03 FEET TO A POINT ON THE EASTERLY LINE OF CHICAGO AND NORTHWESTERN RAILROAD RIGHT-OF-WAY; THENCE SOUTH $34^{\circ}26'51''$ WEST ALONG SAID EASTERLY LINE 637.54 FEET TO A POINT; THENCE SOUTH $87^{\circ}33'42''$ WEST 384.29 FEET TO A POINT ON THE HIGHWAY REFERENCE LINE OF STH "32"; THENCE SOUTHWESTERLY 34.90 FEET ALONG SAID REFERENCE LINE AND THE ARC OF A CURVE WHOSE CENTER LIES TO THE SOUTHEAST, WHOSE RADIUS IS 34377.47 FEET AND WHOSE CHORD BEARS SOUTH $30^{\circ}14'11''$ WEST 34.90 FEET TO A POINT; THENCE SOUTH $87^{\circ}33'42''$ WEST 551.20 FEET TO A POINT; THENCE SOUTH $02^{\circ}55'31''$ EAST 207.15 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTHEAST FRACTIONAL 1/4 SECTION; THENCE SOUTH $87^{\circ}18'39''$ WEST ALONG SAID SOUTH LINE 2657.78 FEET TO A POINT IN THE WEST LINE OF SAID 1/4 SECTION; THENCE NORTH $02^{\circ}37'33''$ WEST ALONG THE WEST LINE OF SAID 1/4 SECTION A DISTANCE OF 385.04 FEET TO A POINT; THENCE NORTH $51^{\circ}06'59''$ EAST 458.87 FEET TO A POINT; THENCE NORTH $87^{\circ}18'39''$ EAST 2284.34 FEET TO A POINT IN THE EAST LINE OF SAID NORTHEAST FRACTIONAL 1/4 OF SECTION 5; THENCE NORTH $02^{\circ}55'31''$ WEST ALONG THE WEST LINE OF SAID FRACTIONAL 1/4 A DISTANCE OF 642.88 FEET TO THE POINT OF BEGINNING.

SAID LAND CONTAINS 3,400,743 SQUARE FEET OR 78.0703 ACRES.



(July 17, 2003)

**NOTICE OF INTENT TO CIRCULATE PETITION
FOR ANNEXATION TO THE
CITY OF PORT WASHINGTON, WISCONSIN**

Please take notice that not less than ten (10) nor more than twenty (20) days from the date of this notice, the undersigned owner of some of the real property in the territory described below, intends to circulate a petition in accordance with Section 66.0217(4) of the Wisconsin Statutes for annexation of the following territory in the Town of Grafton, Ozaukee County, Wisconsin to the City of Port Washington, Wisconsin:

THAT PART OF THE NORTHEAST FRACTIONAL 1/4 OF SECTION 5 AND THE NORTHWEST FRACTIONAL 1/4 OF SECTION 4, TOWN 10 NORTH, RANGE 22 EAST, IN THE TOWN OF GRAFTON, OZAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST 1/4 OF SECTION 4; THENCE SOUTH 02°55'31" EAST ALONG THE WEST LINE OF SAID NORTHWEST 1/4 SECTION 255.00 FEET TO THE POINT OF BEGINNING OF THE LANDS TO BE DESCRIBED; THENCE NORTH 87°07'44" EAST 115.00

FEET TO A POINT; THENCE NORTH 02°55'31" WEST 255.00 FEET TO A POINT ON THE NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 4; THENCE NORTH 87°07'44" EAST ALONG SAID NORTH LINE 1475.08 FEET TO A POINT; THENCE SOUTH 31°10'31" WEST 441.14 FEET TO A POINT; THENCE SOUTH 02°46'10" EAST 452.03 FEET TO A POINT ON THE EASTERLY LINE OF CHICAGO AND NORTHWESTERN RAILROAD RIGHT-OF-WAY; THENCE SOUTH 34°26'51" WEST ALONG SAID EASTERLY LINE 637.53 FEET TO A POINT; THENCE SOUTH 87°33'42" WEST 384.29 FEET TO A POINT ON THE HIGHWAY REFERENCE LINE OF STH "32"; THENCE SOUTHWESTERLY 34.90 FEET ALONG SAID REFERENCE LINE AND THE ARC OF A CURVE WHOSE CENTER LIES TO THE SOUTHEAST, WHOSE RADIUS IS 34377.47 FEET AND WHOSE CHORD BEARS SOUTH 30°14'11" WEST 34.90 FEET TO A POINT; THENCE SOUTH 87°33'42" WEST 551.20 FEET TO A POINT; THENCE SOUTH 02°55'31" EAST 207.15 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTHEAST FRACTIONAL 1/4 SECTION; THENCE SOUTH 87°18'39" WEST ALONG SAID SOUTH LINE 2657.78 FEET TO A POINT IN THE WEST LINE OF SAID 1/4 SECTION; THENCE

NORTH 02°37'33" WEST ALONG THE WEST LINE OF SAID 1/4 SECTION A DISTANCE OF 385.04 FEET TO A POINT; THENCE NORTH 51°06'59" EAST 458.87 FEET TO A POINT; THENCE NORTH 87°18'39" EAST 2284.34 FEET TO A POINT IN THE EAST LINE OF SAID NORTHEAST FRACTIONAL 1/4 OF SECTION 5; THENCE NORTH 02°55'31" WEST ALONG THE WEST LINE OF SAID FRACTIONAL 1/4 A DISTANCE OF 642.88 FEET TO THE POINT OF BEGINNING. SAID LAND CONTAINS 3,400.743 SQUARE FEET OR 78.0703 ACRES.

A copy of the scale map may be inspected at either the Town of Grafton Town Hall or the City of Port Washington City Hall.

Dated this 16th day of July, 2003.

FRED Port Washington, LLC

By: /s/ Bruce A. McInay

Bruce A. McInay

General Counsel

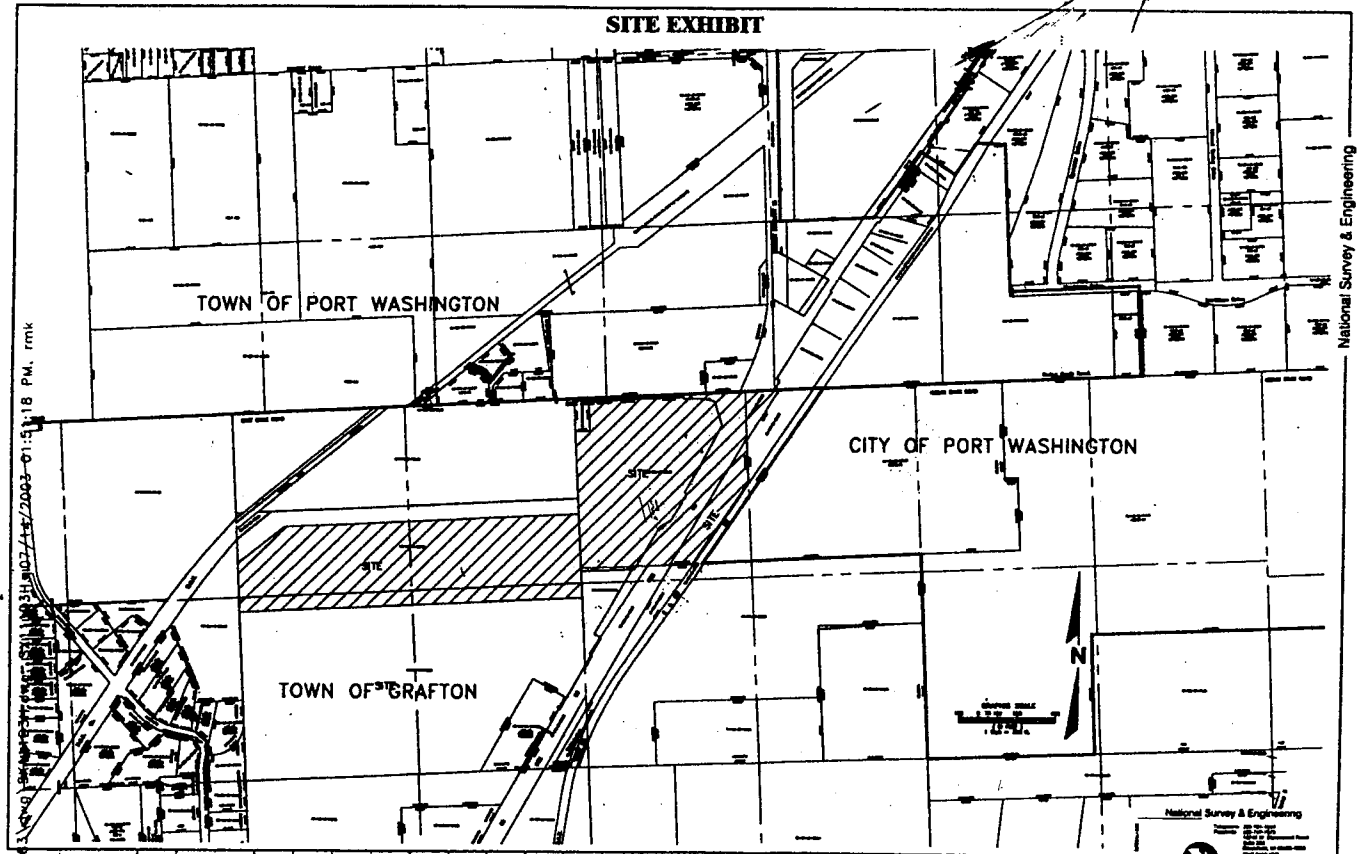
Contact:

Bruce A. McInay

101 Falls Road, Suite 603

Grafton, WI 53024

SITE EXHIBIT



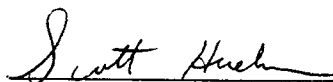
16956 1 1/2" = 100' 3/16/03 11:18 PM. rmk

STATE OF WISCONSIN
RECEIVED & FILED
DEC 15 2003
DOUGLAS LA FOLLETTE
SECRETARY OF STATE

National Survey & Engineering

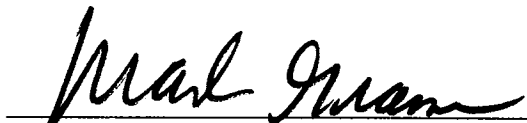
National Survey & Engineering

SECTION 6. Effective Date. This ordinance shall take effect upon passage and publication as provided by law.



Scott Huebner, Mayor

ATTEST:

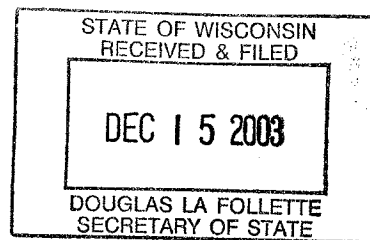


Mark E. Grams, City Clerk/Administrator

Date Adopted: 12/02/03

Date Published: 12/11/03

Effective Date: 12/11/03



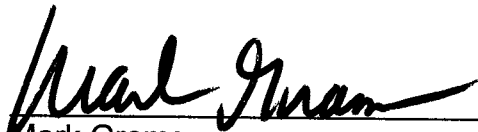
CERTIFICATION

IN RE: City of Port Washington Ordinance No. 2003-18

STATE OF WISCONSIN)
) ss.
COUNTY OF OZAUKEE)

I, Mark Grams, hereby certify that I am the duly appointed Clerk of the City of Port Washington, Ozaukee County, Wisconsin; that by law I have custody of the records, books, documents and papers of or pertaining to the City of Port Washington; that I hereby certify that the copy of Ordinance No. 2003-18 attached hereto has been compared by me with the original document(s) on file in my office and that said copy is a true copy thereof, including any attachments or exhibits thereto. Population of said annexed area in Ordinance 2003-18 is zero.

In testimony whereof, I have hereunto set my hand and affixed the seal of the City of Port Washington, at Port Washington, Wisconsin, this 2nd day of December 2003.



Mark Grams
Clerk, City of Port Washington

[AFFIX CITY SEAL]

