

The State of Wisconsin

Office of the Secretary of State

CITY 152

CITY OF WISCONSIN DELLS

COUNTY OF SAUK

ANNEXATION ORDINANCE NUMBER A-565

FILED NOVEMBER 19, 2004

C-152

CITY OF WISCONSIN DELLS

DALE D. DARLING
CLERK/TREASURER

300 LaCrosse St.
Wisconsin Dells, WI 53965
608-254-2012
FAX 608-254-7329

November 17, 2004

Mr. Douglas LaFollette
Secretary of State
PO Box 7848
Madison, WI 53707-7848

RE: Annexation to City of Wisconsin Dells from Town of Delton

Enclosed please find a copy of City of Wisconsin Dells Ordinance No. A-565 which passed on November 15, 2004, together with related documents pertaining to the annexation into the City of Wisconsin Dells, real property previously located in the Town of Delton, Sauk County, Wisconsin as described in aforesaid Ordinance No. A-565. Said population of this land is seven (7). Please contact this office should you have any questions.

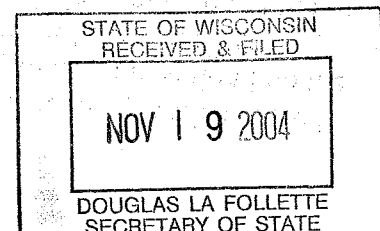
Respectfully,
CITY OF WISCONSIN DELLS



Nancy R. Holzem
Admin. Deputy Clerk-Treasurer

Enclosures

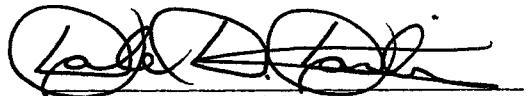
cc: Brent Bailey, Sauk County Register of Deeds
Jolene M. Crowley, Sauk County Treasurer
Beverly J. Mielke, Sauk County Clerk
Deborah Kowalke, Delton Town Clerk
Tony Robley-Associated Appraisal
Verizon-Service Manager
Wisconsin Dells School District
Wisconsin Power & Light
Attorney Joseph Hasler



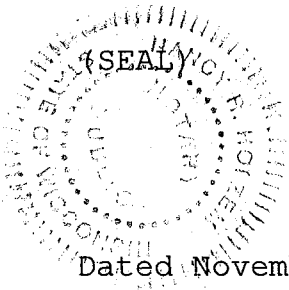
CERTIFICATE

CITY OF WISCONSIN DELLS)
COUNTIES OF COLUMBIA, SAUK, JUNEAU & ADAMS)SS
STATE OF WISCONSIN)

I, Dale D. Darling, duly appointed City Clerk/Treasurer of the City of Wisconsin Dells, County of Columbia, Sauk, Juneau & Adams, State of Wisconsin, **DO HEREBY CERTIFY** that the attached is a true and accurate copy of **ORDINANCE NO. A-565** that was adopted by the Common Council of the City of Wisconsin Dells on November 15, 2004 and became effective upon the publication date of November 24, 2004.

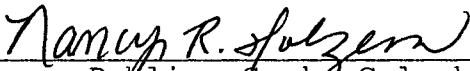


Dale D. Darling
City Clerk/Treasurer
City of Wisconsin Dells

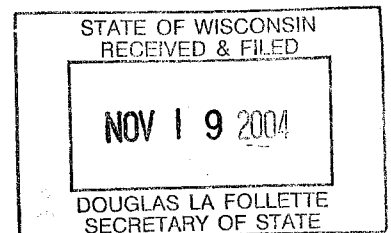


Dated November 17, 2004

Subscribed and sworn to before me
this 17th day of November, 2004.



Notary Public, Sauk, Columbia, Juneau and Adams
Counties, State of Wisconsin.
My Commission expires 11-26-07



ORDINANCE NO. A-565
(Parkerst & Trappers Turn Annexation)

The City of Wisconsin Dells, Columbia, Sauk, Juneau and Adams Counties, Wisconsin, does hereby ordain as follows:

SECTION I: PURPOSE

The zoning map as set forth in section 19.03(2) of the City of Wisconsin Dells Code is hereby permanently amended to include the property set forth below as petitioned for Direct Annexation by Unanimous Consent of property owners Parkerst, LLC and Trappers Turn Inc.

SECTION II: PROVISION AMENDED

Wisconsin Dells Code sec. 19.03(2) is amended.

SECTION III: PROPERTY ANNEXED

Pursuant to Wis. Stat. sec. 66.0217, the following described property is hereby annexed to the City of Wisconsin Dells from the Town of Delton, Sauk County, Wisconsin. Said parcel contains 69 acres, more or less, and has a said population of seven (7):

A parcel of land located in the Fractional NW $\frac{1}{4}$ - NW $\frac{1}{4}$, SE $\frac{1}{4}$ - NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ - NW $\frac{1}{4}$, Section 4, and the Fractional NE $\frac{1}{4}$ - NE $\frac{1}{4}$ and Fractional NW $\frac{1}{4}$ - NE $\frac{1}{4}$, Section 5, all in the T13N, R6E, Town of Delton, Sauk County, Wisconsin.
(Complete legal description is attached as Exhibit "A")

SECTION IV: VALIDITY

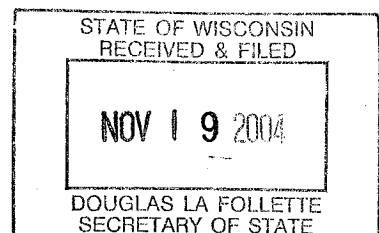
Should any section, clause or provision of the ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION V: CONFLICTING PROVISIONS REPEALED

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

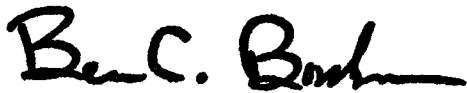
SECTION VI: EFFECTIVE DATE

The provisions of this ordinance shall be in force from and after their introduction and publication as provided by statute.



SECTION VII:

This ordinance becomes a part of the Zoning Map for the City of Wisconsin Dells.



Ben C. Borchers, Mayor

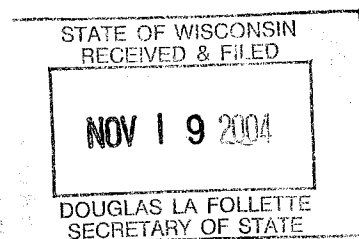


Dale D. Darling, City Clerk/Treasurer

Introduced: October 18, 2004

Passed: November 15, 2004

Published: November 24, 2004



MURPHY DESMOND

L A W Y E R S

Manchester Place
2 East Mifflin Street, Suite 800
Madison, Wisconsin 53703-4217

Mailing Address:
P.O. Box 2038
Madison, Wisconsin 53701-2038

Telephone (608) 257-7181
www.murphydesmond.com

Lawrence E. Bechler
Direct Line (608) 268-5601
Facsimile (608) 257-4333
lbechler@murphydesmond.com

27 August 2004

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Mr. Dale Darling
City Clerk/Treasurer
City of Wisconsin Dells
300 LaCrosse Street
Wisconsin Dells, WI 53965

Dear Mr. Darling:

I enclose a Petition for Direct Annexation by Unanimous Approval of Parkerst, LLC and Trappers Turn, Inc., the owners of the lands legally described in the Petition and shown on the attached scale map. The property is contiguous to the City limits.

A copy of this Petition is being furnished to the Town of Delton (Sauk County), in which the property is located. I am also furnishing a copy of this Petition to City Attorney Joe Hasler, who is aware of this proposed annexation.

As required by Wis. Stats. § 66.0217(6)(a), we are taking responsibility for service of a copy of the Petition upon the Wisconsin Department of Administration. As you may be aware, the City must review the advice of the Department of Administration before taking action on any Petition for Annexation, provided the Department review is completed within 20 days after receipt of the Petition.

If you have any questions, please let me know.

Very truly yours,

Lawrence E. Bechler
ka

Lawrence E. Bechler

LEB:bjg

202085

Wis Dells Clk lt2

Enclosure

cc: Attorney Joseph J. Hasler (w/enc.)
Town of Delton (w/enc.) via certified mail
Department of Administration (w/enc.)
Trappers Turn, Inc. (w/enc.)

**A PARCEL OF LAND
LOCATED IN
THE FRAC. NW ¼ -NW ¼, SE ¼ -NW ¼ AND THE SW ¼ -NW ¼, SECTION 4,
AND THE FRAC. NE ¼ -NE ¼, FRAC. NW ¼ -NE ¼, SECTION 5,
ALL IN T13N, R6E,
TOWN OF DELTON, SAUK COUNTY, WISCONSIN**

**AS GIVEN BY
MSA PROFESSIONAL SERVICES, INC.
BARABOO, WI 53913
May 2004
Project #11685**

Boundary Description of Proposed Annexation into the City of Wisconsin Dells

A parcel of land located in the Fractional NW ¼ -NW ¼, SE ¼ -NW ¼ and the SW ¼ -NW ¼, Section 4, and the Fractional NE ¼ -NE ¼ and Fractional NW ¼ -NE ¼, Section 5, all in T13N, R6E, Town of Delton, Sauk County, Wisconsin, Which is bounded by a line described as follows:

Beginning at the W ¼ corner of said Section 4; thence N1°03'24"W, 1314.96 feet along the west line of the SW ¼ -NW ¼ of said Section 4 to the southeast corner of the Fractional NE ¼ -NE ¼ of Section 5; thence N89°58'22"W, 1793.10 feet along the south line of said Fractional NE ¼ -NE ¼ and the south line of the Fractional NW ¼ -NE ¼ of said Section 5; thence N8°29'29"W, 310.32 feet; thence N39°56'01"E, 250.45 feet; thence N84°01'26"E, 154.59 feet; thence S88°29'19"E, 216.27 feet; thence N69°53'41"E, 236.92 feet; thence N63°55'16"E, 136.04 feet; thence S82°09'19"E, 112.10 feet; thence S64°00'19"E, 153.28 feet; thence S30°36'19"E, 120.00 feet; thence N52°54'41"E, 103.70 feet; thence N75°57'01"E, 98.47 feet; thence S75°53'29"E, 119.94 feet; thence N77°37'11"E, 52.56 feet to a point on the west line of Lands recorded on Reel 130, Image 690, said point also being the northwesterly corner of lands recorded on Reel 708, Image 916; Thence N77°37'11"E, 104.84 feet along the westerly line of said lands recorded on Reel 130, Image 690; thence N13°26'51"E, 105.80 feet along said westerly line; thence N2°24'09"W, 66.74 feet, more or less, along said westerly line to a point on the southwesterly right-of-way of U. S. H. "12 & 16"; thence southeasterly along said southwesterly right-of-way to a point on the south line of the SE ¼ -NW ¼, Section 4, T13N, R6E; thence west along said south line of said SE ¼ -NW ¼ and the south line of the SW ¼ -NW ¼ of said Section 4 to the point of beginning.

Said parcel contains 69 acres, more or less.

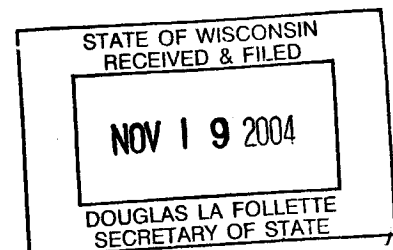
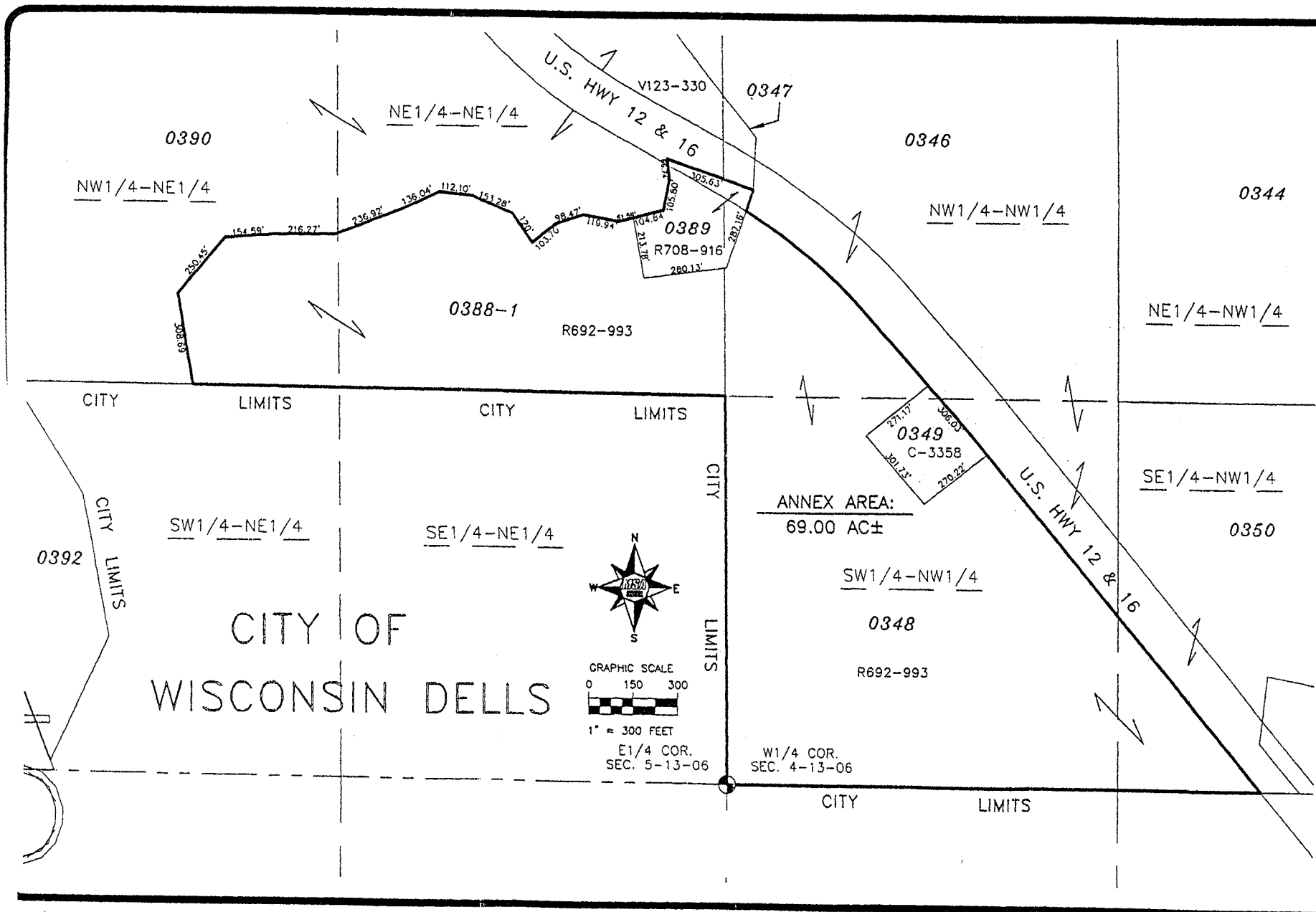


EXHIBIT A



TRANSPORTATION • MUNICIPAL • REMEDIATION
DEVELOPMENT • ENVIRONMENTAL

1230 South Boulevard, Beresford, SD 57003
605-356-2771 T-800-362-4505 Fax: 605-356-2770

MSA
PROFESSIONAL SERVICES

PROJECT NO.: 11685
DATE: 5-10-03
SCALE: 1" = 300'

F.B.:
DRAWN BY: MTS
CHECKED BY: JLR

ANNEXATION MAP
LOCATED IN THE NW1/4-NW1/4, SE1/4-NW1/4, &
SW1/4-NW1/4, SECTION 4 AND THE NE1/4-NE1/4
& NW1/4-NE1/4, SECTION 5, ALL IN T13N, R9E,
TOWN OF DELTON, SAUK COUNTY, WISCONSIN

FILE NO.: 38-4-722
SHEET: 1 of 1

EXHIBIT **B**

STATE OF WISCONSIN
RECEIVED & FILED

NOV 19 2004


DOUGLAS LA FOLLETTE
SECRETARY OF STATE


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

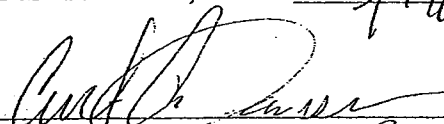
To the City Council of the City of Wisconsin Dells:

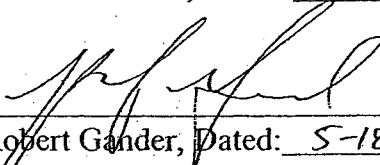
1. The undersigned hereby petitions for direct annexation of the territory described on Exhibit A attached hereto to the City of Wisconsin Dells, Sauk County, Wisconsin, whereby said territory would be detached from the Town of Delton, Sauk County, Wisconsin, pursuant to Wis. Stats. § 66.0217(2).
2. Attached hereto as Exhibit B is a scale map which accurately reflects the legal description of the property to be annexed and the boundary of the annexing City and includes a graphic scale on the face of the map.
3. The current population of the territory proposed to be annexed is seven.
4. This Petition is signed by all of the electors residing within the territory proposed to be annexed, as well as the owners of all of the real property within the territory proposed to be annexed. This is a unanimous Petition.

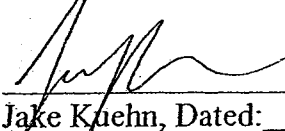
Resident Electors and Owners of All Lands Within the Territory Proposed to be Annexed:


Dale Morrison, Dated: 3/19/04


Alice Morrison, Dated: 5-19-04



Curt Janssen, Dated: 5-18-04

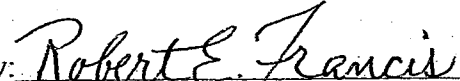

Robert Gander, Dated: 5-18-04

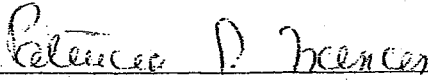

Jake Kuehn, Dated: 5-18-04

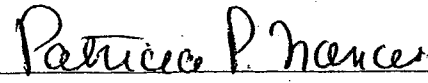
PARKERST, LLC

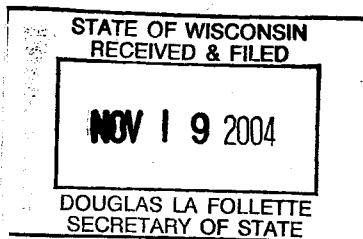
TRAPPERS TURN, INC.

By: 
Robert E. Francis, Member

By: 
Robert E. Francis, President

By: 
Patricia P. Francis, Member

By: 
Patricia P. Francis, Secretary



EXHIBIT 

MURPHY DESMOND^{JD}
L A W Y E R S

Manchester Place
2 East Mifflin Street, Suite 800
Madison, Wisconsin 53703-4217

Mailing Address:
P.O. Box 2038
Madison, Wisconsin 53701-2038

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Direct Line (608) 268-5601
Facsimile (608) 257-4333
lbechler@murphydesmond.com

3 September 2004

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Mr. Dale Darling
City Clerk/Treasurer
City of Wisconsin Dells
300 LaCrosse Street
Wisconsin Dells, WI 53965

Dear Mr. Darling:

I enclose a Supplemental Petition for Direct Annexation relating to the Petition for Direct Annexation by Unanimous Approval of Parkerst, LLC and Trappers Turn, Inc. forwarded to you on or about August 30, 2004.

A copy of this Supplemental Petition is being furnished to the Town of Delton (Sauk County), City Attorney Joe Hasler and the Wisconsin Department of Administration. The initial fee and filing fee has been paid to the Department as of September 1, 2004.

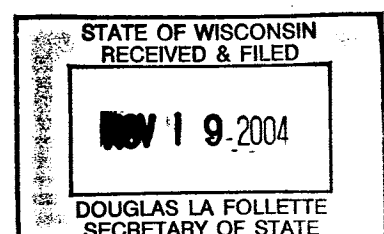
If you have any questions, please let me know.

Very truly yours,


Lawrence E. Bechler

LEB:kka
202085
Wis Dells Clk lt3
Enclosure

cc: Attorney Joseph J. Hasler (w/enc.)
Town of Delton (w/enc.) via certified mail
Department of Administration (w/enc.)
Trappers Turn, Inc. (w/enc.)



**SUPPLEMENTAL PETITION FOR DIRECT ANNEXATION
UNDER WIS. STATS. § 66.0217(2)**

To the City Council of the City of Wisconsin Dells:

1. The undersigned, constituting a resident elector of the property since August 23, 2004, hereby petitions for direct annexation of the territory described on Exhibit A attached hereto to the City of Wisconsin Dells, Sauk County, Wisconsin, whereby said territory would be detached from the Town of Delton, Sauk County, Wisconsin, pursuant to Wis. Stats. § 66.0217(2).
2. Attached hereto as Exhibit B is a scale map which accurately reflects the legal description of the property to be annexed and the boundary of the annexing City and includes a graphic scale on the face of the map.
3. The current population of the territory proposed to be annexed is seven.
4. This Petition supplements the Petition attached as Exhibit C and incorporated herein, in that the ownership of the property remains as specified, but the undersigned is now a resident elector on the property instead of Curt Janssen.

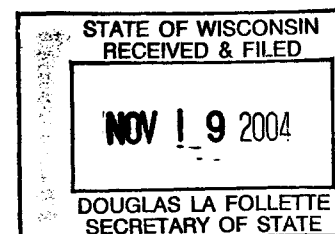
New Resident Elector Within the Territory Proposed to be Annexed:

Dated: _____

9.2.04



Robin Burton





**WISCONSIN DEPARTMENT OF
ADMINISTRATION**

JIM DOYLE
GOVERNOR

MARC J. MAROTTA
SECRETARY

Division of Intergovernmental Relations
Municipal Boundary Review
101 E. Wilson Street, 10th Floor
Madison, WI 53702-0001
(608) 264-6102, Fax (608) 266-5519
<http://www.doa.wi.gov/>

7/23/04 ec: MIKO
Nancy
JOE HASLER
FYI
DALE

September 21, 2004

DOA PETITION FILE NO. 12405

DALE DARLING, CLERK
CITY OF WISCONSIN DELLS
PO BOX 655
WIS DELLS, WI 53965-0655

DEBORAH L KOWALKE, CLERK
TOWN OF DELTON
PO BOX 148
LAKE DELTON, WI 53940-0148

Subject: PARKERST & TRAPPERS TURN ANNEXATION

The proposed annexation submitted to our office on September 1, 2004, has been reviewed and found to be in the public interest.

The subject petition is for territory that is reasonably shaped and contiguous to the City of Wisconsin Dells. However, a portion of the territory proposed for annexation extends into the right-of-way of US Highway 12 and 16, where adjoining right-of-way remains with the Town, thereby introducing prospective public safety/emergency medical assistance and other issues. For purposes of uniform law enforcement and reducing confusion for public safety personnel, we would recommend omitting this "wedge" from the annexation petition. (Actually having an underlying property easement within a federal highway right-of-way would be unusual. Is this a mistake?)

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 state 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 Secretary of State. Please file a copy of your annexing ordinance, including a statement certifying the population of the annexed territory. The address of the Office of the Secretary of State is:

Annexations and Railroads
Division of Government Records
Office of the Secretary of State
P.O. Box 7848
Madison, WI 53707-7848

Please call me at (608) 266-0683, should you have any questions concerning this annexation review letter. I am enclosing a copy of Act 317, as this legislation may affect the passage of any annexation ordinance.

Sincerely,


George Hall
Municipal Boundary Review

Cc: Attorney Larry Bechler

