

The State of Wisconsin

Office of the Secretary of State

VILLAGE 10

VILLAGE OF MOUNT HOREB

COUNTY DANE

ANNEXATION ORDINANCE NUMBER 2004-31

FILED DECEMBER 8, 2004

V-10

Village of Mt. Horeb

138 E. Main Street/Mt. Horeb, WI 53572

Telephone (608) 437-6884/ Fax (608) 437-3190

Email address: vilmth@mhtc.net

December 7, 2004

Douglas LaFollette
Secretary of State
Attn: Government Records Division
30 W Mifflin Street
Madison, WI 53703

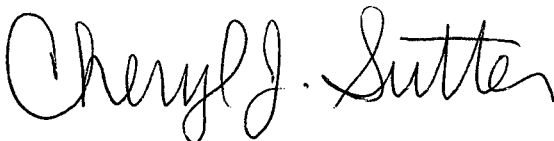
Re: Certificate of Population

Dear Mr. LaFollette:

This is to certify that no persons reside in the following territory:

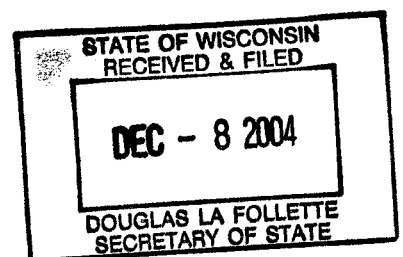
See Attached Legal Description and Map

Very truly yours,



Cheryl J. Sutter, Clerk/Treasurer
Village of Mt. Horeb

Attachment & Enclosures



CERTIFICATE

STATE OF WISCONSIN

COUNTY OF DANE

I, Cheryl J. Sutter, Village Clerk of the Village of Mount Horeb, Dane County, Wisconsin, certify that the attached Annexation Ordinance is a true and correct copy of the original on file in my office and has been compared by me.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Village this 7TH day of DECEMBER, 2004.

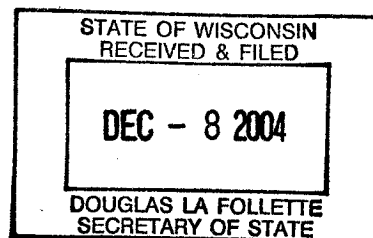
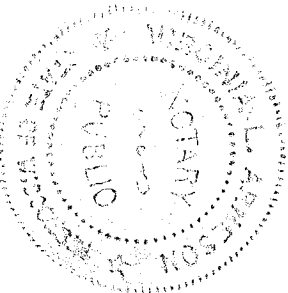
VILLAGE OF MOUNT HOREB

By: Cheryl J. Sutter
Cheryl J. Sutter, Village Clerk

Subscribed and sworn to before me
this 7 day of Dec., 2004.

Virginia L. Anson

Notary Public, State of Wisconsin
My commission expires 11-04-07



ORDINANCE NO. 2004-31
VILLAGE OF MOUNT HOREB

AN ORDINANCE PROVIDING FOR THE DIRECT
ANNEXATION OF A PORTION OF THE
TOWN OF SPRINGDALE TO THE
VILLAGE OF MOUNT HOREB,
DANE COUNTY, WISCONSIN

RECITALS

- A. On October 8, 2004, Duane R. Schroeder, Linda L. Schroeder, Elmer C. Baker, Norma J. Baker, Symdon Brothers LLC, County ID LLC, and the Village of Mount Horeb filed a petition with the Village Clerk of the Village of Mount Horeb seeking to annex the following described land (the "Territory") to the Village of Mount Horeb:

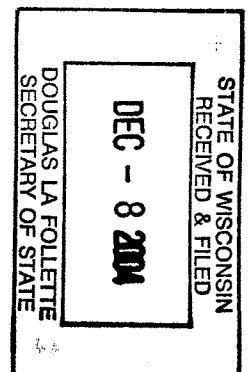
RETURN TO:

Village Clerk, Village of Mount Horeb
138 East Main Street
Mount Horeb, WI 53572-2138

P.I.N.

054-0607-074-8520-1
054-0607-074-8540-0
054-0607-074-8001-9

Part of the NE, NW & SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and part of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 7, T6N, R7E, Township of Springdale, Dane County, Wisconsin, described as follows: Commencing at the Southeast corner of said Section 7; thence N00°00'08"E along the east line of the SE $\frac{1}{4}$ of said Section 7, 1003.72 feet; thence N90°00'00"W, 243.08 feet a point on the right-of-way line of USH 18-151 and the point of beginning of this description; thence S68°55'24"W, 390.73 feet to a point on the westerly right-of-way line of said Highway 18-151; thence N18°45'12"E along said right-of-way line, 118.50 feet; thence N20°48'49"W along said right-of-way line, 82.99 feet to a point of curve; thence northwesterly along the arc of a curve to the left on said right-of-way line which has a radius of 1342.39 feet and a chord which bears N28°09'14"W, 343.01 feet; thence continuing on said right-of-way line, N36°27'23"W, 188.24 feet to a point of curve; thence continuing northwesterly along said right-of-way line along the arc of a curve to the left which has a radius of 1352.39 feet and a chord which bears N55°01'57"W, 541.02 feet; thence leaving said right-of-way line and along the southerly right-of-way line of C.T.H. "ID," N63°48'14"W, 278.89 feet to a point of curve; thence continuing northwesterly along said right-of-way line along



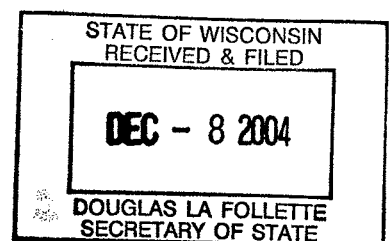
the arc of a curve to the left which has a radius of 7559.49 feet and a chord which bears N71°12'46"W, 1192.98 feet; thence N00°01'08"E, 175.27 feet to the northerly right-of-way line of said C.T.H. "ID," said point being on a curve; thence southeasterly along the arc of a curve to the right which has a radius of 7729.49 feet and a chord which bears S73°25'24"E, 710.59 feet; thence N19°26'15"E along a line of Certified Survey Map No. 3298, 223.00 feet; thence N79°13'06"E, 633.56 feet; thence S68°02'10"E, 251.52 feet; thence S06°45'50"W, 239.58 feet; thence N67°37'40"W, 64.19 feet; thence S25°44'50"W, 336.18 feet to the northerly right-of-way line of said C.T.H. "ID;" thence S65°52'03"E along the northerly right-of-way line of said C.T.H. "ID" and USH 18-151, 899.65 feet; thence S51°41'48"W, 193.02 feet to a point on the easterly right-of-way line of USH 18-151; thence S29°29'36"E along said right-of-way line, 520.19 feet; thence S64°33'08"E continuing along said right-of-way line, 165.78 feet to the point of beginning of this description. This parcel contains 20.857 acres, 0.0326 square miles.

- B. There are no electors residing in the Territory proposed to be annexed, and Duane R. Schroeder, Linda L. Schroeder, Elmer C. Baker, Norma J. Baker, Symdon Brothers LLC, County ID LLC, and the Village of Mount Horeb constitute all of the owners of the land included in the petition.
- C. A copy of the petition, together with a scale map and a legal description of the Territory, has been filed with the Wisconsin Department of Administration and the Clerk of the Town of Springdale.
- D. The Village has considered the recommendations, if any, that the Department of Administration has proposed as to the annexation.

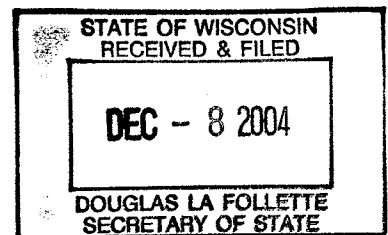
NOW, THEREFORE, the Village Board of the Village of Mount Horeb, Dane County, Wisconsin, do ordain as follows:

ORDINANCE

1. Territory Annexed. In accordance with sec. 66.0217, Wis. Stats., the Village Board hereby annexes the above-described Territory to the Village of Mount Horeb.



2. Scale Map. The scale map, attached hereto as Exhibit A, shows the Territory to be annexed and its relationship to the boundaries of the Village of Mount Horeb and the Town of Springdale.
3. Effect of Annexation. From and after the effective date of this ordinance, the Territory shall be a part of the Village of Mount Horeb 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 Village of Mount Horeb.
4. Ward Designation. The Territory annexed by this Ordinance is added to the 3rd ward of the Village.
5. Clerk Duties. The Village Clerk is hereby directed, pursuant to the provisions of sec. 66.0217(9)(a), Wis. Stats., to immediately file and record as appropriate, certain documents (a certified copy of this ordinance, a certificate of population, a legal description of the Territory, a scale map) with the following: the Wisconsin Secretary of State, each company that provides any utility service in the Territory, the Register of Deeds, the clerk of any affected school district, and the Town Clerk of the Town of Springdale.
6. Severability. If any provision in 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.
7. Effective Date. This ordinance shall take effect upon passage and publication as provided by law.



The above ordinance was duly adopted by a two thirds (2/3) majority vote of the elected members of the Village Board of the Village of Mount Horeb at a regular meeting held on DECEMBER 1, 2004.

APPROVED:

By: John A. Zimmer
John A. Zimmer, Village President

ATTEST:

By: Cheryl J. Sutter
Cheryl J. Sutter, Village Clerk

APPROVED: 12/01/2004

PUBLISHED: 12/03/04
(POSTED)

STATE OF WISCONSIN

COUNTY OF DANE

Personally came before me this 3rd day of December, 2004, the above named John A. Zimmer and Cheryl J. Sutter, to me known to be the persons who executed the foregoing instrument and acknowledged the same with authority from the Village of Mount Horeb.

Carol A. Peterson

Notary Public, State of Wisconsin

My commission expires: 6-11-06

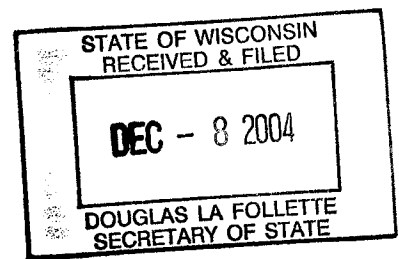
This instrument drafted by:

Matthew P. Dregne

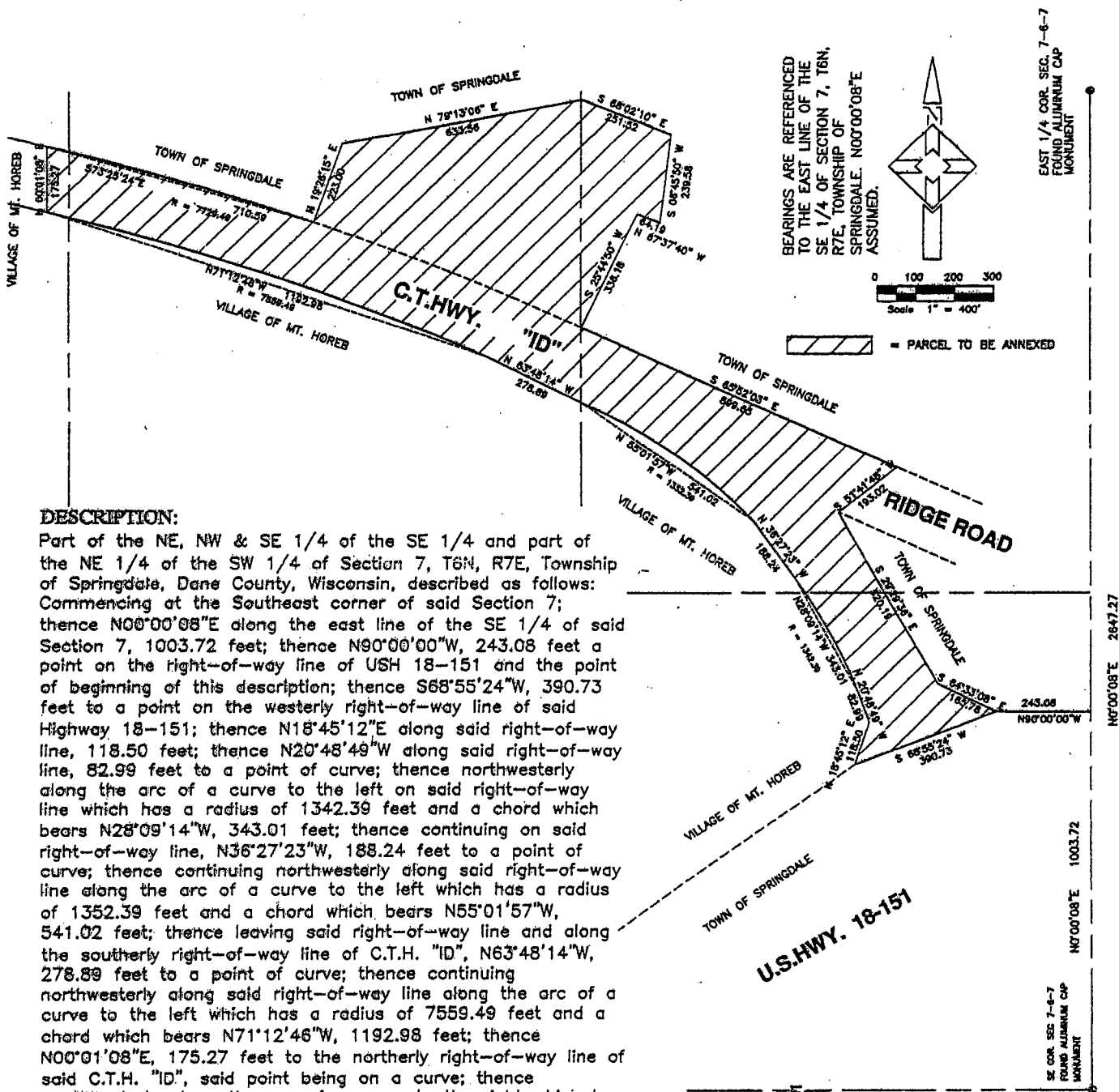
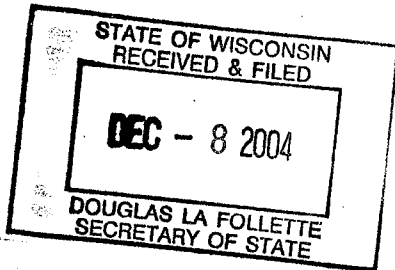
Stafford Rosenbaum LLP

3 S. Pinckney Street, Suite 1000

Madison, WI 53703



ANNEXATION MAP



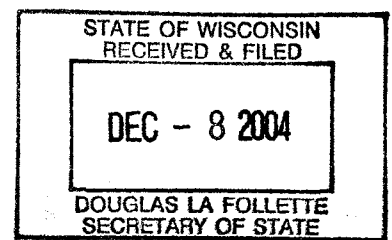
DESCRIPTION:

Part of the NE, NW & SE 1/4 of the SE 1/4 and part of the NE 1/4 of the SW 1/4 of Section 7, T6N, R7E, Township of Springdale, Dane County, Wisconsin, described as follows: Commencing at the Southeast corner of said Section 7; thence N00°00'08"E along the east line of the SE 1/4 of said Section 7, 1003.72 feet; thence N90°00'00"W, 243.08 feet to a point on the right-of-way line of USH 18-151 and the point of beginning of this description; thence S68°55'24"W, 390.73 feet to a point on the westerly right-of-way line of said Highway 18-151; thence N18°45'12"E along said right-of-way line, 118.50 feet; thence N20°48'49"W along said right-of-way line, 82.99 feet to a point of curve; thence northwesterly along the arc of a curve to the left on said right-of-way line which has a radius of 1342.39 feet and a chord which bears N28°09'14"W, 343.01 feet; thence continuing on said right-of-way line, N36°27'23"W, 188.24 feet to a point of curve; thence continuing northwesterly along said right-of-way line along the arc of a curve to the left which has a radius of 1352.39 feet and a chord which bears N55°01'57"W, 541.02 feet; thence leaving said right-of-way line and along the southerly right-of-way line of C.T.H. "ID", N63°48'14"W, 278.89 feet to a point of curve; thence continuing northwesterly along said right-of-way line along the arc of a curve to the left which has a radius of 7559.49 feet and a chord which bears N71°12'46"W, 1192.98 feet; thence N00°01'08"E, 175.27 feet to the northerly right-of-way line of said C.T.H. "ID", said point being on a curve; thence southwesterly along the arc of a curve to the right which has a radius of 7729.49 feet and a chord which bears S73°25'24"E, 710.59 feet; thence N19°26'15"E along a line of Certified Survey Map No. 3298, 223.00 feet; thence N79°13'08"E, 633.56 feet; thence S68°02'10"E, 251.52 feet; thence S06°45'50"W, 239.58 feet; thence N67°37'40"W, 64.19 feet; thence S25°44'50"W, 336.18 feet to the northerly right-of-way line of said C.T.H. "ID"; thence S65°52'03"E along the northerly right-of-way line of said C.T.H. "ID" and USH 18-151, 899.65 feet; thence S51°41'48"W, 193.02 feet to a point on the easterly right-of-way line of USH 18-151; thence S29°29'36"E along said right-of-way line, 520.19 feet; thence S64°33'08"E continuing along said right-of-way line, 165.78 feet to the point of beginning of this description. This parcel contains 20.857 acres, 0.0326 square miles.

For:
Village of Mt Horeb
138 E. Main Street
Mt. Horeb, WI 53572

SCALE: 1" = 400
DATE: 08/24/04
HELD & ASSOCIATES, INC
ENGINEERS & SURVEYORS
Madison, Wisconsin
Sheet 1 of 1 Sheets
Job No. _____
Office Map No. 4-11527

CERTIFICATE AS TO ANNEXATION
VILLAGE OF MOUNT HOREB,
DANE COUNTY, WISCONSIN



STATE OF WISCONSIN

COUNTY OF DANE

Re: Direct Annexation Petition

I, Cheryl J. Sutter, Village Clerk of the Village of Mount Horeb, Dane County, Wisconsin, certify that the following described territory was detached from the Town of Springdale, Dane County, Wisconsin, and was annexed to the Village of Mount Horeb, Dane County, Wisconsin, pursuant to sec. 66.0217(2), Stats., by Ordinance No. 31 adopted by the Village of Mount Horeb in a meeting held on DECEMBER 1, 2004.

The legal description of the annexed territory is:

Part of the NE, NW & SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and part of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 7, T6N, R7E, Township of Springdale, Dane County, Wisconsin, described as follows:
Commencing at the Southeast corner of said Section 7; thence N00°00'08"E along the east line of the SE $\frac{1}{4}$ of said Section 7, 1003.72 feet; thence N90°00'00"W, 243.08 feet a point on the right-of-way line of USH 18-151 and the point of beginning of this description; thence S68°55'24"W, 390.73 feet to a point on the westerly right-of-way line of said Highway 18-151; thence N18°45'12"E along said right-of-way line, 118.50 feet; thence N20°48'49"W along said right-of-way line, 82.99 feet to a point of curve; thence northwesterly along the arc of a curve to the left on said right-of-way line which has a radius of 1342.39 feet and a chord which bears N28°09'14"W, 343.01 feet; thence continuing on said right-of-way line, N36°27'23"W, 188.24 feet to a point of curve; thence continuing northwesterly along said right-of-way line along the arc of a curve to the left which has a radius of 1352.39 feet and a chord which bears N55°01'57"W, 541.02 feet; thence leaving said right-of-way line and along the southerly right-of-way line of C.T.H. "ID," N63°48'14"W, 278.89 feet to a point of curve; thence continuing northwesterly along said right-of-way line along

the arc of a curve to the left which has a radius of 7559.49 feet and a chord which bears N71°12'46"W, 1192.98 feet; thence N00°01'08"E, 175.27 feet to the northerly right-of-way line of said C.T.H. "ID," said point being on a curve; thence southeasterly along the arc of a curve to the right which has a radius of 7729.49 feet and a chord which bears S73°25'24"E, 710.59 feet; thence N19°26'15"E along a line of Certified Survey Map No. 3298, 223.00 feet; thence N79°13'06"E, 633.56 feet; thence S68°02'10"E, 251.52 feet; thence S06°45'50"W, 239.58 feet; thence N67°37'40"W, 64.19 feet; thence S25°44'50"W, 336.18 feet to the northerly right-of-way line of said C.T.H. "ID;" thence S65°52'03"E along the northerly right-of-way line of said C.T.H. "ID" and USH 18-151, 899.65 feet; thence S51°41'48"W, 193.02 feet; to a point on the easterly right-of-way line of USH 18-151; thence S29°29'36"E along said right-of-way line, 520.19 feet; thence S64°33'08"E continuing along said right-of-way line, 165.78 feet to the point of beginning of this description. This parcel contains 20.857 acres, 0.0326 square miles.

Dated this 7TH day of DECEMBER, 2004.

VILLAGE OF MOUNT HOREB

By: Cheryl J. Sutter
Cheryl J. Sutter, Village Clerk

Subscribed and sworn to before me
this 7 day of December, 2004.

Virginia L. Ameson

Notary Public, State of Wisconsin

My commission expires: 11-04-07

