

The State of Wisconsin

Office of the Secretary of State

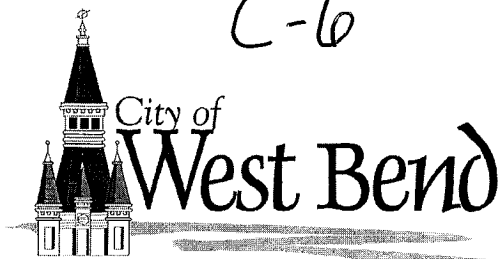
CITY 6

CITY OF WEST BEND

COUNTY OF WASHINGTON

ANNEXATION ORDINANCE NUMBER 2566

FILED AUGUST 1, 2005



STATE OF WISCONSIN
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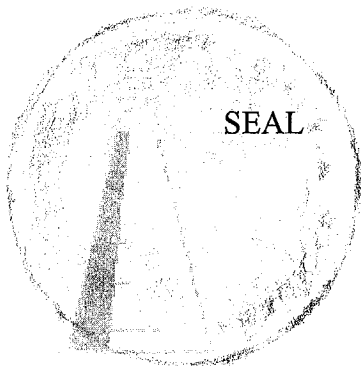
AUG - 1 2005


DOUGLAS LA FOLLETTE
SECRETARY OF STATE

CERTIFICATION

I, Amy Reuteman, Deputy City Clerk of the City of West Bend, Wisconsin, do hereby certify that the attached is a true and correct copy of Ordinance No. 2566, An Ordinance Attaching property within the Area D portion of the Boundary Agreement Area under the Cooperative Boundary Plan between the City of West Bend and the Town of West Bend (the Estate of Ira A. Oelhafen – 66.848 Acres West of S. River Road and South of Rusco Road) introduced and approved at a meeting of the Common Council held on June 27, 2005, and recorded in the minutes of said meeting. The annexed area has a population of zero.

In testimony thereof, I hereunto set my hand and the seal of the City of West Bend, Wisconsin this 18th day of July, 2005.




Amy Reuteman, Deputy City Clerk

AUG - 1 2005

DOUGLAS LA FOLLETTE
SECRETARY OF STATE

**ORDINANCE NO. 2566
2005 – 2006 COMMON COUNCIL**

**ATTACHING PROPERTY WITHIN THE AREA D PORTION OF
THE BOUNDARY AGREEMENT AREA
UNDER THE COOPERATIVE BOUNDARY PLAN BETWEEN
THE CITY OF WEST BEND AND THE TOWN OF WEST BEND
(THE ESTATE OF IRA A. OELHAFEN - 66.848 ACRES WEST OF S. RIVER ROAD
AND SOUTH OF RUSCO ROAD)**

RECITALS:

WHEREAS, the Town of West Bend and the City of West Bend entered into a Cooperative Boundary Plan on October 29, 2001, pursuant to Section 66.0307, Wis. Stats., and;

WHEREAS, the Wisconsin Department of Administration approved the Cooperative Boundary Plan on May 23, 2002, which is the Plan's effective date, and;

WHEREAS, the Cooperative Boundary Plan provides in Section 4, a process by which property owners within Area D of the Boundary Adjustment Area may detach from the Town of West Bend and attach to the City of West Bend, and;

WHEREAS, the City of West Bend Clerk received a petition from the owner of the vacant properties located west of S. River Road and south of Rusco Road with the following Town of West Bend Tax Key numbers:

T13-0930-800

T13-0931

petitioning for attachment to the City of West Bend as shown on the attached petition and map, and;

WHEREAS, the City of West Bend Clerk reviewed the petition and the property description and verified that the subject property is within the portion of the Boundary Adjustment Area eligible for detachment during the duration of the Plan, and;

WHEREAS, the Common Council of the City of West Bend has submitted the petition for attachment to the City Plan Commission for its review, consideration and recommendation.

WHEREAS, the Plan Commission of the City of West Bend recommended approval of the attachment with M-1 Light Industrial District, M-2 Heavy Industrial District and NSW Non-Shoreland Wetland District as temporary zoning.

WHEREAS, the petition is signed by the personal Representative of the owner of the territory to be annexed and no population or electors reside in the territory.

ORDINANCE:

THEREFORE, the Common Council of the City of West Bend, Washington County, Wisconsin, do ORDAIN as follows:

1. The above described territory is annexed to the City of West Bend.
2. The 8th Ward is being expanded to contain the territory annexed by this ordinance.
3. The territory is added to the 4th Aldermanic District.
4. The annexed territory is assigned temporary zoning classifications of M-1 Light Industrial District, M-2 Heavy Industrial District and NSW Non-Shoreland Wetland District zoning as recommended by the City Plan Commission.

Passed by a vote of at least two-thirds (2/3) of the entire Common Council and approved the 27th day of June, 2005.

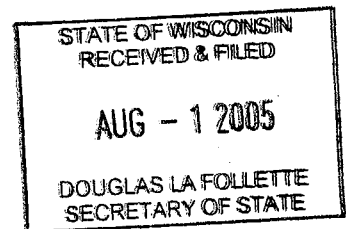
Introduced by Alderperson King Riffel on the 27th day of June, 2005.

Douglas L. Bade, Mayor
City of West Bend

Attest: Barbara A. Barringer, City Clerk

Published the 8th day of July, 2005.




Approved as to legality: Mary L. Schanning, City Attorney



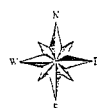
AX-05-002



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-  Subject Area
-  Corporate Limits
-  Parcel

800 400 0 800 Feet



GIS Services
Dept. of Community Development
S:\Projects\DCD\LandDevelopment\LocationMaps\
Annexation\AX05002_LocMap.mxd
5/13/2005

**TOWN OF WEST BEND - CITY OF WEST BEND
PETITION FOR DETACHMENT AND ATTACHMENT
OF PROPERTY WITHIN THE G-2, A, B, C & D AREAS OF
BOUNDARY ADJUSTMENT AREA**

TO: The Town of Board of the Town of West Bend, Washington County, Wisconsin, and the Common Council of the City of West Bend, Washington County, Wisconsin.

We the undersigned, being the owners of the land described within this petition, hereby petition the Town of West Bend for detachment and the City of West Bend for attachment of the real estate described on the attached Exhibit A presently located within the Town of West Bend, the tax key numbers of which are as follows:

The Estate of Ira A. Oelhafen
By: Jack A. Enea, Personal Representative
Tax Key No's. T13 0930 800 & T13 0931
West Bend, WI 53095

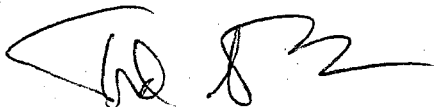
Pursuant to the Cooperative Boundary Agreement dated October 19, 2001, and effective May 23, 2002.

The total area of the land to be detached is 66.848 acres, more or less.

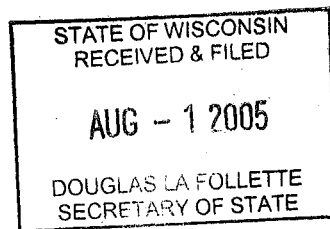
The number of people residing on the land to be detached is **NONE**.

A legal description and scale map of the property is attached to this petition. Additional documents attached include the following, if any:

Dated this 3 day of May, 2005.



Jack A. Enea, Personal Representative
The Estate of Ira A. Oelhafen



Accurate Surveying

Land Surveying, Developing, Consulting

4483 Hwy. 33 W. West Bend, WI 53095 Phone(262)338-6885 Fax(262)629-1624

March 24, 2005

Legal description of the boundary for Annexation to the City of West Bend, Section 36, Township 11 North, Range 19 East, Town of West Bend, WI.

Part of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and all of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 36, Township 11 North, Range 19 East, Town of West Bend, Washington County, Wisconsin, which is bounded and described as follows:

Beginning at the East quarter corner of said Section 36; thence S $01^{\circ}34'36''$ E, along the east line of said SE $\frac{1}{4}$, 693.90 feet; thence N $88^{\circ}48'35''$ W, along the easterly extension and the northerly line of lands described in Volume 789 of Deeds recorded in the Washington County Registry on pages 299-300, 867.28 feet, to a point in the easterly right-of-way line of Fox Valley & Western LTD Railroad; thence S $03^{\circ}55'50''$ W, along said easterly right-of-way line, 666.45 feet, to the south line of the N $\frac{1}{2}$ of said SE $\frac{1}{4}$; thence S $89^{\circ}00'27''$ W, along said south line of the N $\frac{1}{2}$ of the SE $\frac{1}{4}$, 1720.79 feet, to the southwest corner of said N $\frac{1}{2}$ of the SE $\frac{1}{4}$; thence N $01^{\circ}11'01''$ W, along the west line of said SE $\frac{1}{4}$, 1315.66, to the Center of said Section 36; thence N $88^{\circ}48'31''$ E, along the north line of said SE $\frac{1}{4}$, 2641.96 feet, to the point of beginning.

Containing 66.848 acres (2,911,915 square feet) more or less.

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