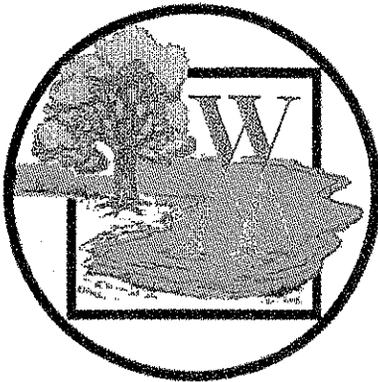


ORD 9089

C-82



## CITY OF WHITEWATER

Education - Industry - Agriculture

Office of City Clerk  
312 W. Whitewater Street  
Whitewater, Wisconsin 53190  
<http://www.ci.whitewater.wi.us>

Telephone: (262) 473-0500 ext. 202  
Fax: (262) 473-0509

July 20, 2007

Wisconsin Electric  
130 Janesville Avenue  
Fort Atkinson, WI 53538

Wisconsin Natural Gas  
130 Janesville Avenue  
Fort Atkinson, WI 53538

Charter Communications  
1348 Plainfield Avenue  
Janesville, WI 53545

Ameritech  
Operations Mgr - WI South  
316 W. Washington, Room 601  
Madison, WI 53703

TOWN OF COLD SPRING  
Lisa Griep, Clerk  
W3497 Vannoy Rd.  
Whitewater, WI 53190

Whitewater Department of Utilities  
P.O. Box 178  
Whitewater, WI 53190

Whitewater Unified School District  
Attn. School District Clerk  
401 S. Elizabeth Street  
Whitewater, WI 53190

Town of Whitewater  
Jayne Haskey, Clerk  
W8590 Willis Ray Rd.  
Whitewater, WI 53190

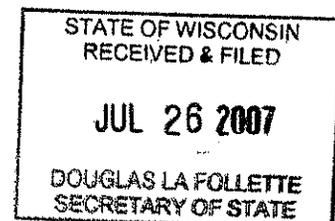
State of Wisconsin  
Secretary of State  
Annexations & Railroads  
P.O. Box 7848  
Madison, WI 53707-7848

As required by Wisconsin Statutes, please find enclosed for your information a copy of the Annexation Ordinance adopted by the City of Whitewater Common Council on June 19, 2007. This Ordinance annexes land located on the west side of Whitewater, in both Walworth and Jefferson Counties. The property is currently owned by DLK Enterprises, Inc., John J. Tincher Revocable Trust, and Dennis and Eva Stanton.

If you should need additional information, please let me know.

Sincerely,

Michele R. Smith, Clerk



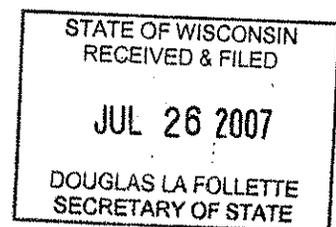
CERTIFICATE OF ANNEXATION

I, Michele R. Smith, City Clerk of the City of Whitewater, Walworth and Jefferson Counties, State of Wisconsin, do hereby certify that attached hereto is a true and correct copy of an Ordinance annexing territory to the City of Whitewater, Wisconsin; and that said Ordinance was duly adopted by the Common Council on June 19, 2007, and that the territory described therein and as shown on the map attached thereto was duly annexed to the City on June 19, 2007.

I further certify that the population of said annexed land described in the annexation ordinance attached hereto is zero (0).

Michele R. Smith  
Michele R. Smith, City Clerk

CORPORATE SEAL



JUL 26 2007

DOUGLAS LA FOLLETTE  
SECRETARY OF STATE

**AN ORDINANCE ANNEXING TERRITORY  
TO THE CITY OF WHITEWATER**

The Common Council of the City of Whitewater, Walworth and Jefferson Counties, Wisconsin, do hereby ordain as follows:

**SECTION 1: Territory Annexed.** In accordance with Section 66.0217(3)(a) of the Wisconsin Statutes, and the petition for direct annexation filed with the city clerk on the 23rd day of May, 2007, signed by the owners of at least ½ of the land in area in the territory to be annexed, the following territory described on the attachments describing parcels 1, 2, 3, 4, and 5, which are incorporated herein, in the Town of Whitewater, Walworth County, Wisconsin, and the town of Cold Spring, Jefferson County, Wisconsin, is annexed to the city of Whitewater, Wisconsin:

- Attachment 1 – Legal description Parcel 1 – DLK Enterprises, Inc., Jefferson County
- Attachment 2 – Legal description Parcel 2 – DLK Enterprises, Inc., Walworth County
- Attachment 3 – Legal description Parcel 3 – City of Whitewater Lift Station Parcel,  
Walworth County
- Attachment 4 – Legal description Parcel 4 – Tincher/Stanton, Walworth County
- Attachment 5 – Legal description Parcel 5 – State of Wisconsin, Department  
of Transportation, Walworth County

Said properties are also described on the attached four-page map.

**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 Whitewater 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 Whitewater.

**SECTION 3: Temporary Zoning Classification.** Upon recommendation of the plan commission, the territory annexed to the city of Whitewater by this ordinance is temporarily zoned as follows:

A. The portion of Parcel 4 (as more particularly described in the legal descriptions in Attachment 4) that lies northeasterly of Parcel 5 and former U.S. Highway 12, and westerly of the centerline of Cold Spring Road, shall be temporarily zoned as B-1 Community Business District. The balance of Parcel 4 shall temporarily be zoned AT, Agricultural Transition District.

B. Parcel 1 shall be temporarily zoned AT, Agricultural Transition District.

C. Parcel 2: That portion of Parcel 2 having a current tax parcel number of DW600001 shall be temporarily zoned R-3, Multi-Family Residential District. That portion of parcel 2 currently designated as tax parcel number DW600008 shall be temporarily zoned B-1, Community Business District. That portion of Parcel 2 described in the legal descriptions attached, currently designated as tax parcel number DW600002A shall be temporarily zoned B-1, Community Business District. That portion of Parcel 2 described in the legal descriptions attached, currently designated as part of tax parcel number DW600002 and which lies in the S ½ of the NE ¼ of

Section 6, Township 4 North, Range 15 East, shall be temporarily zoned B-1, Community Business District. The remaining portions of Parcel 2 shall be temporarily zoned AT, Agricultural Transition District.

D. All areas of this annexation not specifically granted a different temporary zoning designation shall be zoned AT, Agricultural Transition District.

**SECTION 4: 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.

**SECTION 5:** This ordinance shall take effect upon passage and publication as provided by law.

**SECTION 6:** Pursuant to Wis. Stats. 66.0217(14), The City of Whitewater shall pay annually to the Town of Whitewater and the Town of Cold Spring for five years, an amount required under said Section 66.0217(14).

Ordinance introduced by Councilmember Taylor, who moved its adoption.

Seconded by Councilmember Stauffer.

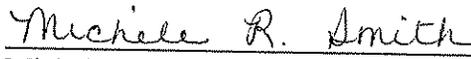
AYES: Kienbaum, Nosek, Singer, Stauffer, Stewart, Taylor.

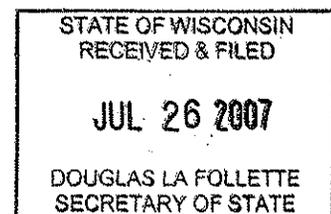
NOES: None

ABSENT: Hixson

ADOPTED: June 19, 2007

  
\_\_\_\_\_  
Kevin M. Brunner, City Manager

  
\_\_\_\_\_  
Michele R. Smith, City Clerk



LEGAL DESCRIPTION

PARCEL 1

D.L.K. ENTERPRISES, INC. - JEFFERSON COUNTY

Part of the SE 1/4 of the SE 1/4 of Section 31 and SW 1/4 of SW 1/4 of Section 32, T5N, R15E, Town of Cold Spring, Jefferson County, WI to-wit:

Beginning at the SE corner of said Section 31, thence westerly, along the south line of said SE 1/4 of the SE 1/4, 1330.84 feet to the SW corner thereof; thence northerly, along the west line of said SE 1/4 of the SE 1/4, 1330.52 feet to the NW corner thereof; thence easterly, along the north line of said SE 1/4 of the SE 1/4, 1319.75 feet to the NE corner thereof; thence easterly, along the north line of said SW 1/4 of the SW 1/4, 463.30 feet to a point 240 feet west of the centerline of C.T.H. "N"; thence southerly, 177.96 feet to a point 331.20 feet west of said centerline; thence easterly, parallel with said north line of the SW 1/4 of the SW 1/4, 325.60 feet more or less to a point 5 feet southwesterly of said centerline; thence southeasterly, parallel with said centerline, 441 feet more or less to the north line of Lot 1, Certified Survey Map recorded in Volume 2, Certified Survey Maps of Jefferson County at page 205; thence WEST, along the north line of said Lot 1, 1136.4 feet more or less to the NW corner thereof; thence SOUTH, along the west line of said Lot 1, 183.24 feet to the SW corner thereof; thence EAST, along the south line of said Lot 1, 149.80 feet to a point 10' west of the west line of said SW 1/4; thence S0°24'W, parallel with said west line, 260.00 feet; thence EAST 10.00 feet to said west line; thence S0°24'W, along said west line 292.85 feet to the point of beginning, containing 49.7 acres more or less and subject to a road right-of-way for C.T.H. "N".

(Parcel Numbers: 004-0515-3233-001 except east 5 feet along centerline of highway, and 004-0515-3144-000 except 10' X 260' strip on east side immediately south of Certified Survey Map, Volume 2, page 205)

STATE OF WISCONSIN  
RECEIVED & FILED

JUL 26 2007

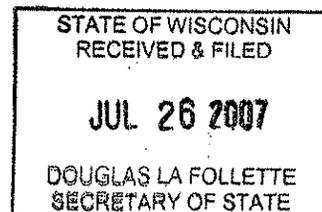
DOUGLAS LA FOLLETTE  
SECRETARY OF STATE

**LEGAL DESCRIPTION**  
**PARCEL 2**  
**D.L.K. ENTERPRISES, INC. - WALWORTH COUNTY**

A part of the NE 1/4 and the NW 1/4 of Section 6, T4N, R15E, Town of Whitewater, Walworth County, WI to-wit:

Commencing at the E 1/4 corner of said Section 6, thence northerly, along the east line of said NE 1/4, 990 feet to the point of beginning; thence westerly, along the north line of a parcel described in Volume 548 Deeds, Page 139, 2892 feet more or less to the centerline of Old Hwy. "12"; thence northwesterly, along said centerline, 1410 feet more or less to the south line of a parcel described in Volume 638, page 6488; thence easterly, along the south line of said parcel, 2017 feet more or less to the SE corner thereof; thence northerly, along the east line of said parcel, 990 feet more or less to the north line of said NE 1/4; thence easterly, along said north line, 1554 feet more or less to the SW corner of Section 32, T5N, R15E; thence southerly, along the west line of a parcel described in Volume 619, Page 773 (Jefferson County) and Volume 283, Page 922 (Walworth County), 251.46 feet more or less, to the SW corner thereof; thence easterly, along the south line of said parcel 365 feet more or less to said east line of the NE 1/4; thence southerly along said east line, 1630 feet more or less to the point of beginning, containing 112 acres more or less and subject to a road right-of-way for said Old Hwy. "12" EXCEPTING THEREFROM a parcel of land located in the Northeast 1/4 of Section 6, T4N, R15E, Walworth County, Wisconsin, described as follows, to-wit: Commence at the East 1/4 Section corner of said Section 6; thence North along the Section line 60 rods; thence West parallel to the East-West 1/4 Section line of said Section 6, 1230.6 feet; thence North 463.5 feet to the place of beginning; thence West 70 feet to the farm drain ditch; thence North 80 feet; thence East 80 feet; thence South 80 feet; thence West 10 feet to place of beginning.

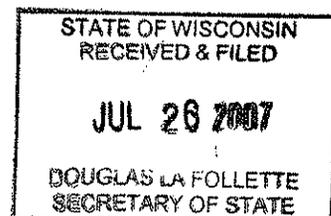
(Tax Parcel Numbers: DW600001, DW600008, DW600002A and that part of DW600002 east of centerline of highway)



**LEGAL DESCRIPTION**  
**PARCEL 3**  
**CITY OF WHITEWATER - LIFT STATION PARCEL**

A parcel of land located in the Northeast 1/4 of Section 6, T4N, R15E, Walworth County, Wisconsin, described as follows, to-wit: Commence at the East 1/4 Section corner of said Section 6; thence North along the Section line 60 rods; thence West parallel to the East-West 1/4 Section line of said Section 6, 1230.6 feet; thence North 463.5 feet to the place of beginning; thence West 70 feet to the farm drain ditch; thence North 80 feet; thence East 80 feet; thence South 80 feet; thence West 10 feet to place of beginning.

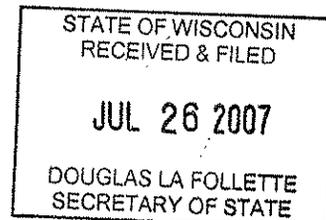
(Tax Parcel No. D W 600002E)



LEGAL DESCRIPTION  
PARCEL 4  
TINCHER/STANTON

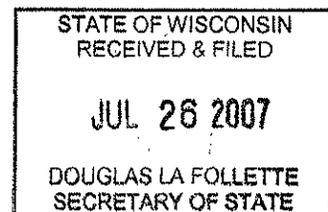
The following described lands, being part of the Northwest 1/4 and the Northeast 1/4 of Section 6, T4N, R15E, Town of Whitewater, Walworth County, Wisconsin, to-wit: Commencing at the Northwest corner of said Section 6 and running thence N 88°56'44" E, along the north line of said Section 6, 630.96 feet to a point on the northeast right-of-way line of former USH 12/STH 89 and the point of beginning; thence S 44°44'59" E, along said northeast right-of-way line, 768.24 feet; thence S 45°15'01" W, 66.00 feet to the southwest right-of-way line of former USH 12/STH 89; thence N 63°14'29" W, 144.36 feet; thence northwesterly 982.71 feet along the arc of a curve concave to the south having a radius of 2231.83 feet whose chord bears N 65°03'23" W, 974.79 feet; thence S 76°25'09" W, 80.25 feet to the east right-of-way line of Warner Road; thence S 89°30'39" W, 33.00 feet to the west line of said Section 6; thence southerly, along the west line of said Section 6, 866.51 feet more or less to the northwest corner of parcel described in Volume 669 of Deeds at page 374; thence easterly, along the northerly line of said parcel, 484 feet more or less to the northerly-most northwest corner of the parcel described in Volume 307 of Records at page 385; thence easterly, along the north line of said parcel, 325.75 feet more or less to the northwest corner of Lot 1 of Breidsan Hill subdivision (Subdivision Plat recorded as Document No. 334782); thence easterly, along the north line of said Lot 1, 195 feet more or less to the Northwest corner of Lot 2 of Certified Survey Map No. 1871 recorded in Volume 9 of Certified Surveys at page 33; thence easterly, along the north line of said Lot 2 of CSM 1871, 90.57 feet more or less to the Southwest corner of parcel described in Volume 652 of Records, page 8209; thence northwesterly, along the southwesterly line of said parcel, 230.16 feet to the westerly-most corner of said parcel; thence northeasterly, along the northwesterly line of said parcel, 171.04 feet more or less to the southwest right-of-way line of former USH 12/STH 89; thence southeasterly, along said southwest right-of-way line, 477.75 feet more or less to the north line of Lot 2 of Certified Survey Map No. 1871; thence easterly, along said north line, 46.12 feet more or less to the centerline of former USH 12/STH 89; thence continuing easterly, along the south line of the parcel described in Volume 638 of Records, page 6488, 2017 feet more or less to the southeast corner thereof; thence northerly, along the east line of said parcel, 990 feet more or less to the north line of Section 6, T4N, R15E; thence westerly, along said north line, 2934 feet more or less to the point of beginning, containing 74 acres of land more or less and subject to road right-of-ways for Cold Spring Road, Warner Road, and former USH 12/STH 89.

(Tax Parcel No. D W 600003)



LEGAL DESCRIPTION  
PARCEL 5  
STATE OF WISCONSIN DEPARTMENT OF TRANSPORTATION

The following described lands, being part of the Northwest 1/4 of Section 6, T4N, R15E, Town of Whitewater, Walworth County, Wisconsin, to-wit: Beginning at the Northwest corner of said Section 6 and running thence N 88°56'44" E, along the north line of said Section 6, 630.96 feet to a point on the northeast right-of-way line of former USH 12/STH 89; thence S 44°44'59" E, along said northeast right-of-way line, 768.24 feet; thence S 45°15'01" W, 66.00 feet to the southwest right-of-way line of former USH 12/STH 89; thence N 63°14'29" W, 144.36 feet; thence northwesterly 982.71 feet along the arc of a curve concave to the south having a radius of 2231.83 feet whose chord bears N 65°03'23" W, 974.79 feet; thence S 76°25'09" W, 80.25 feet to the east right-of-way line of Warner Road; thence S 89°30'39" W, 33.00 feet to the west line of said Section 6 and the center line of Warner Road; thence N 00°29'21" W, along said west line of Section 6, 123.49 feet to the northwest corner of said Section 6, containing 4.9 acres of land more or less, inclusive of road right-of-ways.

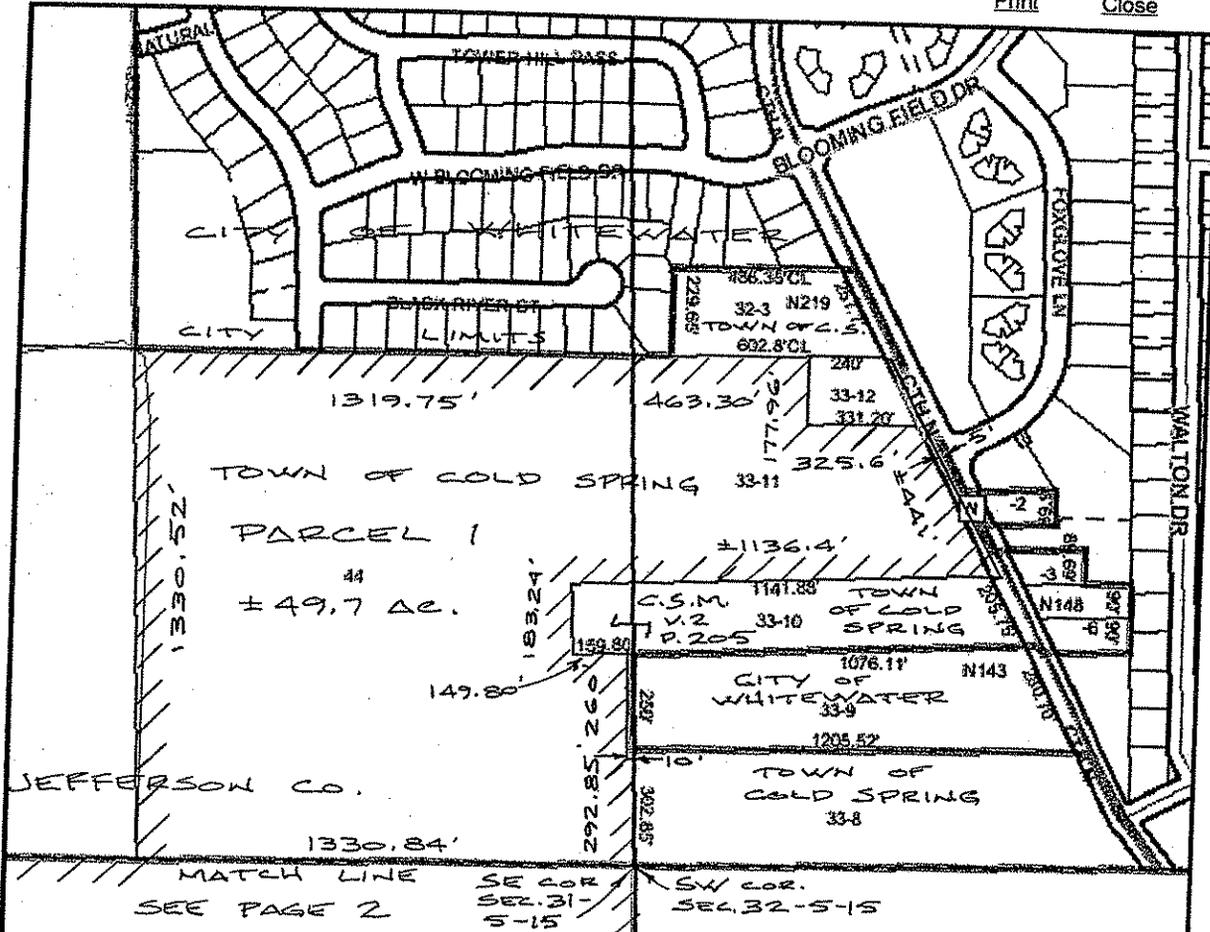


SCALE DRAWING FOR ANNEXATION PURPOSES

3-13-07

Jefferson County Geographic Information System

Print Close



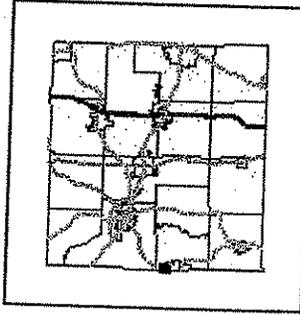
WALWORTH CO. PARCEL 2

Copyright (c)2004 Jefferson County, WI

SCALE = 1" = 500'

NOTE: THIS PROPOSED ANNEXATION GOES TO A LINE 5' SW OF THE CENTERLINE OF C.T.H. "N" AND 10' WEST OF PARCEL NOS. 33-8 & 33-9 IN ORDER TO MAINTAIN CONTIGUITY WITH TOWNSHIP PARCELS.

	SELECTION	Minor Hydro Names	Major Road Centerlines
	Major Hydro Names	Road Centerline	County (cont)



varion systems

**DISCLAIMER**  
 This map is not a substitute for an actual field survey or on sight investigation. The accuracy of this map is limited by the quality of the records from which it was assembled. Other inherent inaccuracies occur during the composition process. Jefferson County makes no warranty whatsoever concerning this information.

STATE OF WISCONSIN  
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 SECRETARY OF STATE



SE 1/4-SW 1/4

THE REFERENCE LINE OF TR-COUNTY ROAD IS THE CENTERLINE OF A 24 FOOT WIDE PAVEMENT IN A TYPICAL FINISHED SECTION.

GN SCALE DRAWING FOR ANNEXATION PURPOSES



TOWN OF GOLD SPRING

JEFFERSON COUNTY  
WALWORTH COUNTY

# 2934'

ENTRANCE TO ELECTRIC COMPANY DOC#663390  
POLE/SEGMENT WISCONSIN NATURAL GAS COMPANY V. 512 P. 387 DOC#534592

CURVE 530

PC STA 82+45.07 TC  
N = 309.558.51  
E = 297.090.02  
Δ = 44°42'55"  
D = 2730'00"  
T = 942.64'  
L = 1788.67'  
R = 2291.83'  
PT STA 73+02.46 TC  
PC STA 90+91.07 TC  
LCB = S 67°07'22" E  
LC = 1743.56'

NE 1/4-NW 1/4

PARCEL A

Vol. 638 Pa. 6488

STATE OF WISCONSIN  
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JUL 26 2007  
  
DOUGLAS LA FOLLETTE  
SECRETARY OF STATE

SEE PAGE A  
MATCH LINE

± 46.12

TOWN OF WHITEWATER

± 2017'

PARCEL 2 - SEE PAGE 2

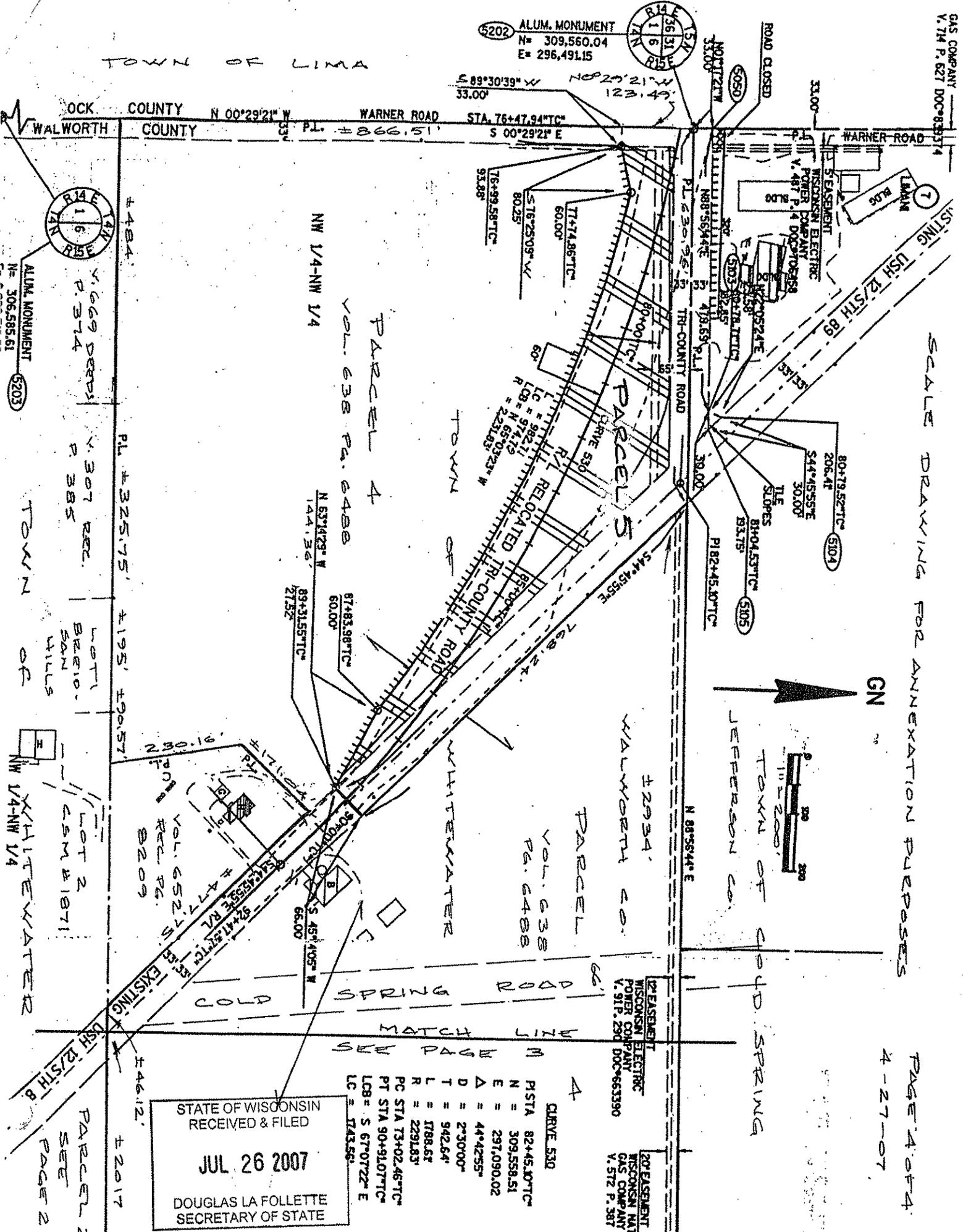
WHITEWATER

# 990'

PARCEL 1 - SEE PAGE 1

SCALE DRAWING FOR ANNEXATION PURPOSES

GN



5202 ALUM. MONUMENT  
N = 309,560.04  
E = 296,491.15

S 89°30'39" W 33.00'  
N 02°29'21" W 123.43'

OCK COUNTY N 00°29'21" W  
WALWORTH COUNTY P.L. # 866.51  
WARNER ROAD STA. 76+47.94 TC  
S 00°29'21" E

ALUM. MONUMENT 5203  
N = 306,585.61  
V. 669 DEEDS P. 374  
V. 307 REC. P. 385  
TOWN OF  
LOT 1  
BRID.  
SAN  
HILLS

PL # 325.75' 4195' 490.57'  
TOWN OF  
LOT 2  
SM # 1871  
NW 1/4-NW 1/4

PARCEL 2  
SEE  
PAGE 2

PARCEL 4  
VOL. 638 P.A. 6488  
NW 1/4-NW 1/4  
N 63°14'29" W 60.00'  
N 14°1'36" 144.136'  
87°43'38" TC 60.00'  
89°31'55" TC 27.52'

TOWN OF  
WHITEWATER

PARCEL 5  
VOL. 638 P.A. 6488  
N 88°58'44" E 229.34'  
WALWORTH CO.

PARCEL 2  
VOL. 652 P.A. 8209  
COLD SPRING ROAD  
EXISTING  
446.12' 420.17'

4

PC	STA 73+02.46 TC
PT	STA 90+91.07 TC
LCB	= S 67°07'22" E
LC	= 1743.58'
PC	STA 73+02.46 TC
R	= 2291.85'
L	= 1788.67'
T	= 2°30'00"
D	= 2°30'00"
E	= 297,090.02
N	= 309,558.51
PC	STA 82+45.07 TC
PT	STA 90+91.07 TC
LCB	= S 67°07'22" E
LC	= 1743.58'

STATE OF WISCONSIN  
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**JUL 26 2007**  
DOUGLAS LA FOLLETTE  
SECRETARY OF STATE

20' EASEMENT  
WISCONSIN ELECTRIC  
POWER COMPANY  
V. 91 P. 290 DOC#653390

20' EASEMENT  
WISCONSIN NATL  
GAS COMPANY  
V. 572 P. 387 D