

V-228

ORD-9393

CERTIFICATE AS TO ANNEXATION  
VILLAGE OF BENTON  
LAFAYETTE COUNTY, WISCONSIN

STATE OF WISCONSIN

COUNTY OF LAFAYETTE

Re: Unanimous Direct Annexation Petition

I, Darnell Hendricks, Village Clerk of the Village of Benton, Lafayette County, Wisconsin, certify that the following annexation documents are true and correct copies of the originals. I further certify that the population of the annexed territory is zero. The described territory was detached from the Town of Benton, Lafayette County, Wisconsin, and was annexed to the Village of Benton, Lafayette County, Wisconsin, pursuant to sec. 66.021, Stats., by Ordinance No. 2008-001 adopted by the Village of Benton in a meeting held on April 16, 2008.

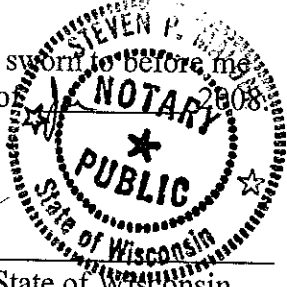
The legal description of the annexed territory is:

SEE EXHIBITS A REFERRED TO AND INCORPORATED HEREIN

Dated: June 11, 2008.

VILLAGE OF BENTON

By: Darnell Hendricks  
Darnell Hendricks, Village Clerk

Subscribed and sworn to before me  
This 11 day of June, 2008.  
  
[Signature]  
Notary Public, State of Wisconsin  
My commission expires: 01-31-10.

DOUGLAS LA FOLLETTE  
SECRETARY OF STATE

JUN 16 2008

STATE OF WISCONSIN  
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Village of Benton  
244 Ridge Avenue  
Benton, WI 53803

.....  
**Village of Benton**

June 11, 2008

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

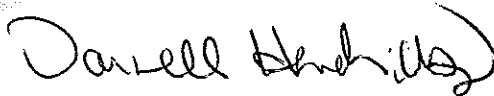
Re: Certificate of Population

Dear Mr. LaFollette:

This is to certify that zero persons reside in the following territory:

See Attached Legal Description and Map

Very truly yours,



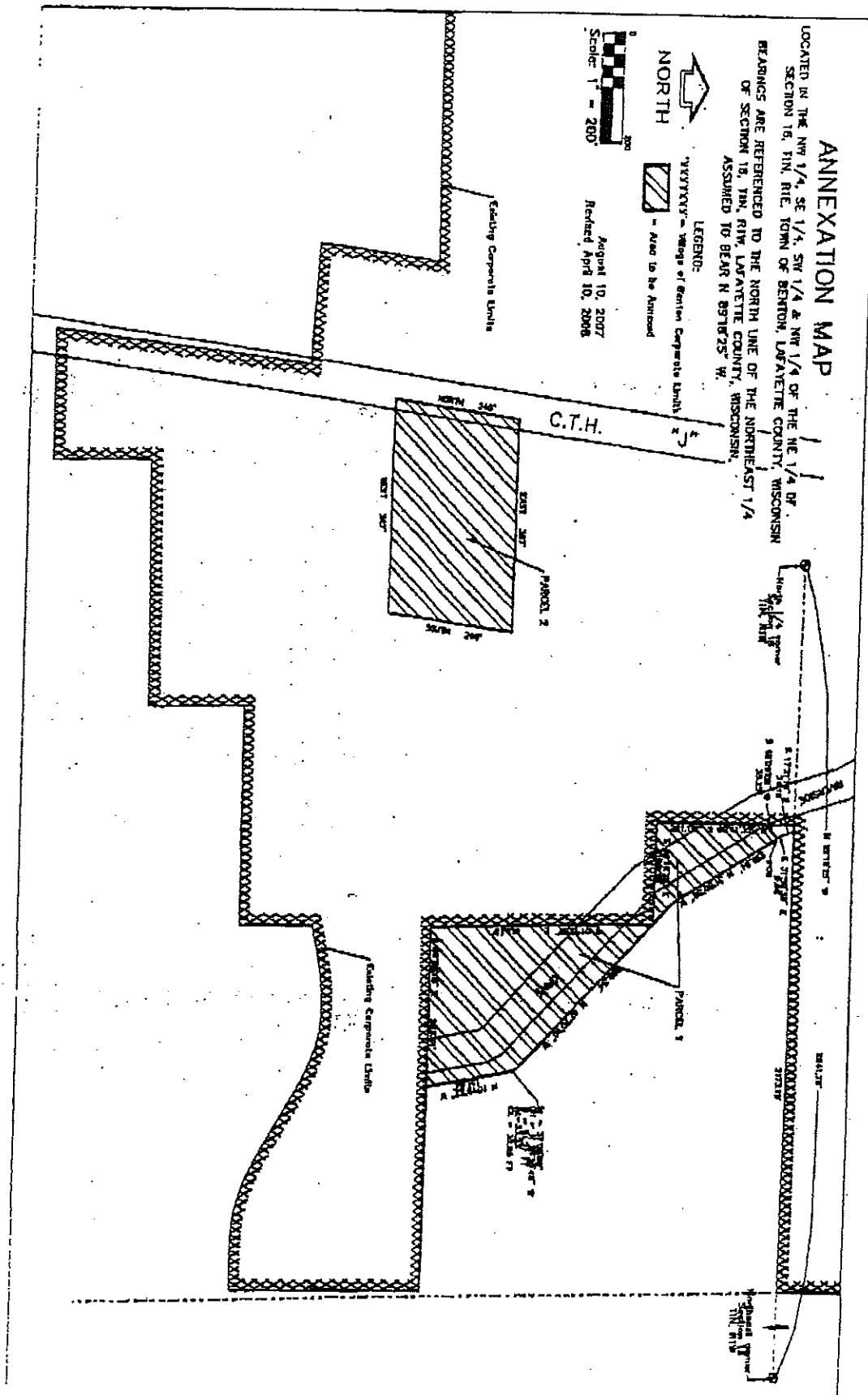
Darnell Hendricks  
Village Clerk/Treasurer  
Village of Benton

DOUGLAS LA FOLLETTE  
SECRETARY OF STATE  
.....

*Benton-Building for the Future*

JUN 16 2008

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DOUGLAS LA FOLLETTE  
 SECRETARY OF STATE

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*CERTIFICATE AS TO ANNEXATION  
VILLAGE OF BENTON  
LAFAYETTE COUNTY, WISCONSIN*

STATE OF WISCONSIN

COUNTY OF LAFAYETTE

Re: Unanimous Direct Annexation Petition

I, Darnell Hendricks, Village Clerk of the Village of Benton, Lafayette County, Wisconsin, certify that the following described territory was detached from the Town of Benton, Lafayette County, Wisconsin, and was annexed to the Village of Benton, Lafayette County, Wisconsin, pursuant to sec. 66.021, Stats., by Ordinance No. 2008-001 adopted by the Village of Benton in a meeting held on April 16, 2008.

The legal description of the annexed territory is:

SEE EXHIBITS A REFERRED TO AND INCORPORATED HEREIN

Dated: 4/17, 2008.

VILLAGE OF BENTON

By: Darnell Hendricks  
Darnell Hendricks, Village Clerk

Subscribed and sworn to before me  
This 17th day of April, 2008.

Cheryl R. Johnson  
Notary Public, State of Wisconsin  
My commission expires: July 10, 2011

DOUGLAS LA FOLLETTE  
SECRETARY OF STATE

JUN 16 2008

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ORDINANCE NO. 2008-01  
VILLAGE OF BENTON

vol 238 ~~page~~ 840

315813

AN ORDINANCE PROVIDING  
FOR THE DIRECT ANNEXATION OF A  
PORTION OF THE TOWN OF BENTON IN  
LAFAYETTE COUNTY, WISCONSIN, TO  
THE VILLAGE OF BENTON,  
LAFAYETTE COUNTY, WISCONSIN

(Village of Benton and Strang Annexation)

WHEREAS, on the tenth day of  
April, 2008 a Petition for Direct Annexation  
of the following described territory was filed  
in the office of the Village Clerk of the  
Village of Benton:

SEE EXHIBITS A REFERRED TO AN  
INCORPORATED HEREIN

JOSEPH G. BOLL  
LAFAYETTE COUNTY, WI  
REGISTER OF DEEDS  
315813

05/19/2008 8:00 AM

RECORDING FEE 15.00

Pages 3

Return to: Darnell Hendricks  
Village of Benton  
244 Ridge Avenue  
Benton, WI 53803

Parcel Identification Nos.

06.269.2000 & 06.269.5000

WHEREAS, it appears by a certified copy of the petition on file herein that the petitioner caused a  
Unanimous Petition For Direct Annexation to be posted in four public places on April 10th, 2008; and

WHEREAS, it further appears by affidavit on file herein that the petitioner caused a copy of said  
notice and a scale map of the territory proposed to be annexed to be served upon the clerk of each  
municipality and school district affected, upon each owner of land described in the Notice, within five (5)  
days of the date of posting of said notice, by registered mail with return receipt requested; and

WHEREAS, it further appears that said Petition for Direct Annexation has been signed by all  
owners of the land in area within the territory, and

WHEREAS, it further appears that secs. 66.021(3), (4) and (11), Stats, have been fully complied  
with; and

WHEREAS, the Village Board of the Village of Benton finds that the territory proposed to be  
annexed is contiguous to the Village of Benton. Further, the Village Board of the Village of Benton finds  
that:

- a. The annexation will contribute to and facilitate the orderly growth and development of  
both the Village of Benton and the territory proposed to be annexed;
- b. The annexation will facilitate the proper and orderly layout, design and construction of  
the streets and other public improvements within the Village of Benton and the territory  
proposed to be annexed; and

ordinanceforstrangvillageofbentonannexation,04/18/08.1:01 PM

DOUGLAS LA FOLLETTE  
SECRETARY OF STATE

JUN 16 2008

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- c. The annexation will provide and facilitate overall planning and zoning in the Village and within the territory proposed to be annexed in a manner conducive to the welfare of the Village of Benton.

*NOW, THEREFORE, the Village Board of the Village of Benton, Lafayette County, Wisconsin, does ordain as follows:*

1. *Territory Annexed.* In accordance with sec. 66.021, Stats., and the Petition for Direct Annexation filed with the Village Clerk on the tenth day of April, 2008, signed by all of the owners of the land in area within the territory, the following described territory in the Town of Benton, Lafayette County, Wisconsin, is annexed to the Village of Benton, Lafayette County, Wisconsin:

SEE EXHIBITS A REFERRED TO AND INCORPORATED HEREIN

2. *Effect of Annexation.* From and after the date of the adoption of this ordinance, the territory described in Section 1 shall be a part of the Village of Benton 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 Benton.
3. *Notice of Acceptance.* The Clerk of the Village of Benton is hereby directed, pursuant to the provisions of sec. 66.021(5)(a), Stats., to give notice of the acceptance of the annexation petition to the Town of Benton.
4. *Other Clerk Duties.* The Clerk of the Village of Benton is hereby directed, pursuant to the provisions of sec 66.021(8)(a) , Stats., to immediately file certain documents (a) certified copy of this ordinance, a certificate describing the territory which was annexed and its associated population, and a plat, if any, with the following: the Wisconsin Secretary of State; each company that provides any utility service in the area annexed; the Register of Deeds, the clerk of any affected school district; and the Town Clerk of the Town of Benton.
5. *Effective Date.* This ordinance shall become effective upon passage and posting pursuant to law.
6. *Severability and Conflict.* If any section or part of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

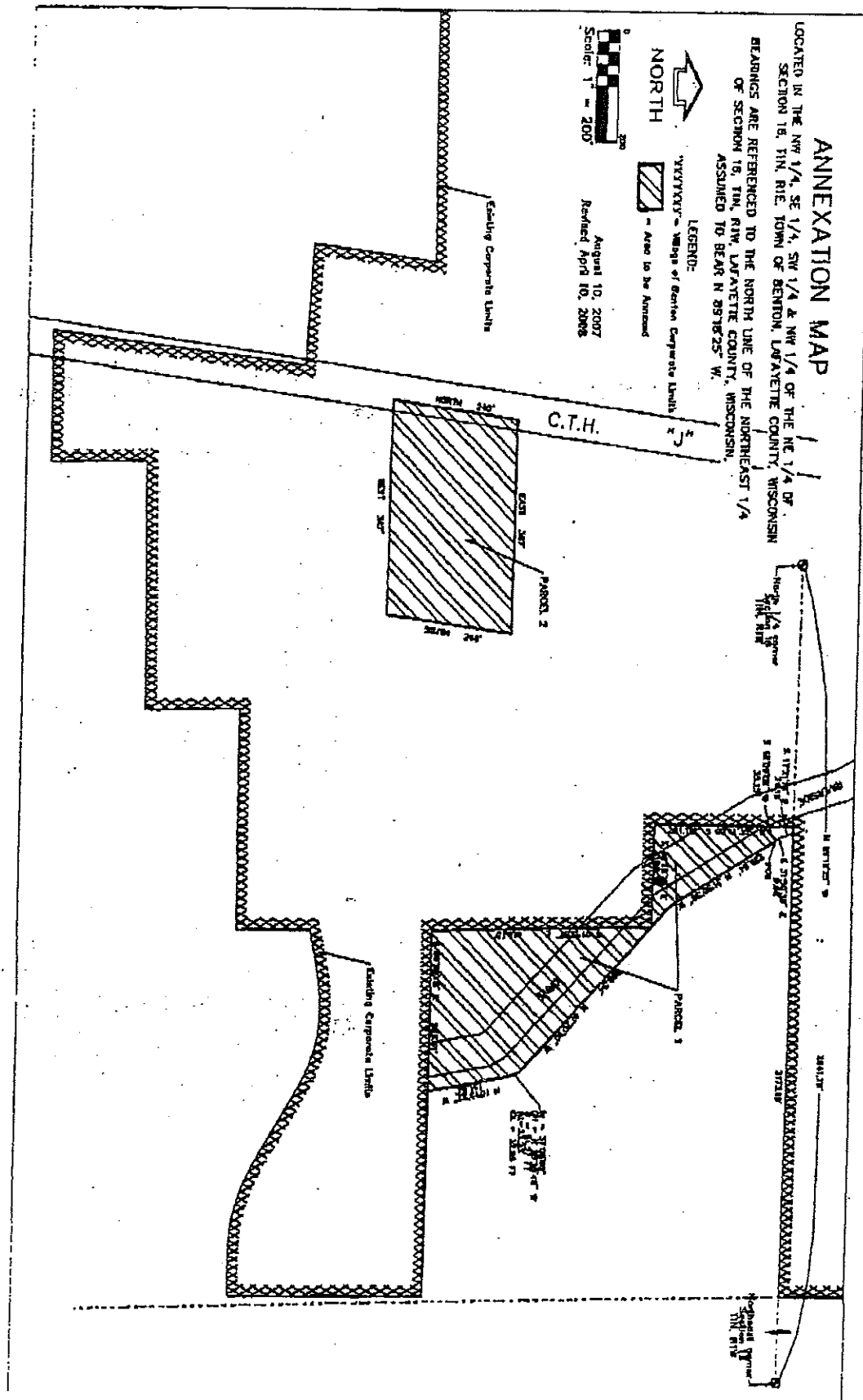
*The above and foregoing ordinance was duly adopted by the Village Board of the Village of Benton at a regular meeting held on April 16, 2008.*

APPROVED:

By: Gary McCrea  
Gary McCrea, Village President

Attest: Darnell Hendricks  
Darnell Hendricks, Village Clerk

APPROVED DATE: 4/16/08  
POSTED DATE: 4/17/08

DOUGLAS LA FOLLETTE  
SECRETARY OF STATE

JUN 16 2008

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**2008-005**  
**VILLAGE OF BENTON**  
**LAFAYETTE COUNTY**  
**BENTON, WI**

**RESOLUTION OF BENTON VILLAGE BOARD**  
**ACCEPTING PETITION FOR ANNEXATION**

WHEREAS, a petition for direct annexation of the following territory of the town of Benton, Lafayette County, Wisconsin, lying contiguous to the village of Benton, Wisconsin, was filed with the Village clerk on tenth day of April, 2008:

**DESCRIPTION OF ANNEXATION PARCEL #1:**

A parcel of land located in the Northwest 1/4 of the Northeast 1/4 of Section 16, T 1 N, R 1 E, Town of Benton, Lafayette County, Wisconsin described as follows:

Commencing at the Northwest corner of the said Section 16; thence N 01°05'03" W, 2161.20' along the North line of said 16; thence S 17°21'16" E, 24.19' along the West line of lot 1 CSM #35; thence S 31°50'38" E, 9.66' along the West line of said lot 1 of CSM #35 to the Point of Beginning; thence S 45°09'06" W, 35.25' to a point on the East line of a parcel described in Volume 164, Page 262 at the Register of Deeds and a point on the Village of Benton Corporate Limits; thence S 00°41'35" W, 201.19' along the Village of Benton Corporate Limits to the Southeast corner of said parcel described in Volume 164, Page 262 at the Register of Deeds; thence S 89°18'25" E, 186.35' along the Village of Benton Corporate Limits to the Northeast corner of a parcel described in Volume 179, Page 342 of Lafayette County Registry; thence S 01°11'57" E, 410.10' along the Village of Benton Corporate Limits to the North line of a parcel of land described in Volume 140, Page 79 of Lafayette County Registry; thence S 89°29'18" W, 288.31' along the Village of Benton Corporate Limits and the North line of said parcel of land described in Volume 140, Page 79 of Lafayette County Registry; thence N 10°15'22" W, 151.56' along the East line a parcel of land described in Volume 219, Page 548 of Lafayette County Registry; thence 33.23' along the arc of a curve concave to the West having a radius of 51.27', a Central Angle of 37°08'02", a Chord Bearing of N 28°35'46" E and a Chord Length of 32.65'; thence N 47°20'10" W, 399.34'; thence N 31°50'38" W, 226.54' to the Point of Beginning.

DOUGLAS LA FOLLETTE  
SECRETARY OF STATE

JUN 16 2008

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Said parcel contains 2.28 acres and is subject to any and all easements and right-of-ways of record.

**DESCRIPTION OF ANNEXATION PARCEL #2:**

Part of the North One-half (N-1/2) of Section 16, Township 1 north, Range 1 East of the 4th P.M. In Lafayette County, Wisconsin, described as follows:

Commencing at a point 3.07 chains West of the Northeast corner of the NW-1/4 of said Sec. 16, thence East 9.32 chains, thence South 10.0 chains, thence East 3.75 chains, thence South 3.41 chains, thence West 14.93 chains thence Northeasterly along the Benton-New Diggings highway 112 feet to the place of beginning, thence continuing Northeasterly along said highway 240 feet, thence East 387 feet, thence South 240 feet, thence West 387 feet to the place of beginning.

Said parcel contains 2.13 acres and is subject to any and all easements and right-of-ways of record.

WHEREAS, the village clerk has investigated the petition and certified to the village board that it was signed by all property owners of the land in the territory proposed for annexation as of the date of filing of the petition and that the territory to be annexed is properly described in the petition and shown on the scale map attached thereto, is contiguous to the village of Benton and is unincorporated;

NOW THEREFORE, the village board of the village of Benton, Wisconsin determines that the petition for annexation of the above-described territory is a sufficient and legal petition conforming with the requirements of sec. 66.0217 of the Wisconsin Statutes; and

FURTHER RESOLVES, that pursuant to Wis. Stat. sec. 66.0217 (14) (a) that the village will pay annually to the Town of Benton, for 5 years, an amount equal to the amount of property taxes that the Town of Benton levied on the annexed territory, as shown by the tax roll under Wis. Stat. sec 70.65 in 2007.

Motion made by Village Trustee Terry Sheffer seconded by Village Trustee Rose Walton. Motion passed by a (majority) (unanimous) vote of the Benton Village Board on April 16<sup>th</sup>, 2008.

Gary McLean  
Village President

Dated: 4/17/08

Attest: Danell Hendricks  
Village Clerk

DOUGLAS LA FOLLETTE  
SECRETARY OF STATE

JUN 16 2008

STATE OF WISCONSIN  
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