

**FIRST AMENDMENT TO
THE CITY OF JANESVILLE/TOWN OF ROCK
COOPERATIVE BOUNDARY PLAN**

This First Amendment to the City of Janesville/Town of Rock Cooperative Boundary Plan (hereinafter the "Amendment") by and between the City of Janesville (hereinafter the "City"), a Wisconsin municipal corporation, and the Town of Rock (hereinafter the "Town"), a Wisconsin unincorporated municipality, shall, following the adoption of resolutions pursuant to and in accordance with the requirements of section 66.0307(4)(d), Wis. Stats., and approval by the Wisconsin Department of Administration (hereinafter the "DOA") pursuant to and in accordance with the requirements of section 66.0307(4)(f), Wis. Stats., be effective as of May 16, 2016 (the "Effective Date").

RECITALS

- A. In 1996, the City and the Town entered into The City of Janesville/Town of Rock Cooperative Boundary Plan (hereinafter the "Plan"), which among other things, provided for the orderly and contiguous attachment of properties that were located within the Plan's boundary (hereinafter the "Plan Area"). A map showing the properties that are included within the Plan Area is attached hereto as Attachment A.
- B. The Plan's term commenced upon approval by the DOA on May 16, 1996, and the Plan term is scheduled to expire on May 16, 2016.
- C. The City and the Town believe that it is in their respective best interests to amend the Plan, as permitted by section 66.0307, Wis. Stats., and Section X of the Plan, to, among other things, extend the term of the Plan to December 31, 2046, subject to the terms and conditions set forth herein.

AMENDMENT

SECTION 1. RECITALS.

The Recitals set forth above are true and correct and are incorporated into this Amendment as though fully set forth.

SECTION 2. GOALS AND OBJECTIVES OF THE PLAN AND AMENDMENT.

The City and the Town, on page 6, Section II of the Plan, laid out their goals and objectives with regard to the Plan. The goal of the Plan, as affirmed in this Amendment, was and continues to be the facilitation of orderly, efficient development within the Plan Area through the phased provision of City sewer and water services and related boundary changes.

As the Plan has been implemented over the last twenty (20) years, however, the objectives required to achieve the goal have slightly changed. Therefore, as of May 16, 2016, the following objectives are directed towards the above-stated goal:

Objective 1: Supply municipal sewer and water services to owners of properties within the Plan Area requesting such service, provided that it is technically and financially feasible.

Objective 2: Require property owners within the Plan Area who have requested and received City sewer and/or water service to attach said properties to the City either immediately or in the future consistent with the provisions of Section 5 of this Amendment.

Objective 3: Prohibit attachment to the City, prior to December 31, 2046, of properties within the Plan Area for which owners have not consented to attachment through a request for City sewer or water service or otherwise.

Objective 4: Require all properties within the Plan Area that did not otherwise attach during the term of the Plan, to attach to the City on December 31, 2046.

Objective 5: Provide financial reimbursement from the City to the Town for lost property taxes and/or state shared revenues resulting from the attachment of properties within the Plan Area to the City.

SECTION 3. AUTHORIZATION FOR AND ADOPTION OF THIS AMENDMENT.

Section 66.0307, Wis. Stats., requires municipalities that enter into a cooperative boundary plan, or in certain circumstances, amendments to a cooperative boundary plan, adopt two resolutions. The first resolution authorizes the municipalities to begin the plan development process, or in the case of an amendment to a plan, the amendment process. The second resolution approves a completed plan or amendment to a plan, which will then be forwarded to the DOA for review and approval.

Authorizing Resolutions

The Town Board of the Town (the “Town Board”) and City Council of the City (the “City Council”) approved nearly identical authorizing resolutions to amend the Plan on September 8, 2015 and September 14, 2015, respectively. These resolutions are included in Attachment B to this Amendment.

Notice Requirements

Attachment B to this Amendment also includes the transmittal memorandums and affidavits evidencing that notice of the adoption of the authorizing resolutions were mailed within five (5) days to the agencies set forth in Attachment G to this Amendment.

Adoption Resolutions

This Amendment was approved by both the City Council and the Town Board in separate resolutions on February 22, 2016, and March 7, 2016, respectively. The resolutions also direct the transmittal of this Amendment to the DOA for review. These resolutions are included in Attachment B to this Amendment.

SECTION 4. CONSISTENCY WITH COMPREHENSIVE PLANS.

The City and the Town agree that, pursuant to section 66.0307(3)(c), the Plan and this Amendment are consistent with their respective Comprehensive Plans, which are required by section 66.1001, Wis. Stats.

SECTION 5. BOUNDARY CHANGES.

FROM AND AFTER THE EFFECTIVE DATE OF THIS AMENDMENT, SECTION V OF THE PLAN SHALL READ AS FOLLOWS:

This Section describes the timeframes, conditions, and scenarios under which boundary changes may occur over the Plan Term, which pursuant to this Amendment, has been extended to December 31, 2046. According to section 66.0307(6), Wis. Stats., this entire Section is binding on both the City and the Town and it shall have the full force and effect of a contract.

The implementation of a cooperative boundary plan is an *alternative* to annexation as a means to change municipal boundaries. Section 66.0307(7)(b), Wis. Stats. states that “no other procedure for altering a municipality’s boundaries may be used to alter a boundary that is included in the cooperative plan.” Boundary changes under a cooperative boundary plan take place upon the occurrence of dates, events, and conditions specified in the cooperative boundary plan, *without having to follow traditional annexation processes under sections 66.0217, 66.0219, 66.0221 and 66.0223, Wis. Stats.*

To reflect the difference between annexations under sections 66.0217, 66.0219, 66.0221 and 66.0223, Wis. Stats., and boundary changes under section 66.0307, Wis. Stats., the term “annexation” has been purposely omitted from the text that follows. Instead, the terms “boundary change,” “attachment,” and “detachment” are used. A boundary change shall be defined as an alteration in the shared municipal boundary between the City and Town within the Plan Area. A boundary change which involves the

incorporation of Town lands into the City shall be an attachment, while the opposite occurrence shall be a detachment.

Framework for Boundary Changes

The boundary changes outlined in the Plan reflect and clarify provisions of the 1992 intergovernmental agreement between the City, the Town, and the Town of La Prairie. The 1992 Agreement secured the joint City and Town support of the State Hwy. 11 Bypass, which was constructed through the Town and the Town of LaPrairie in 2002.

The Plan describes how municipal sewer and water service would be made available to Town properties located within the Plan Area. It also provides for the timing of attachment of properties provided with sewer and water services. Finally, the Plan and this Amendment regulate the direction and pace of attachments, as well as when properties that have not consented to attachment will attach to the City after May 16, 2016.

During the original term of the Plan, numerous properties within the Plan Area signed attachment agreements because said property owners either (i) requested to be served by City water and sewer services; (ii) applied for a land division; or (iii) chose to develop their property. Some of the properties that signed attachment agreements are contiguous to the City's boundary and, pursuant to the Plan, could be attached to the City. Other property owners that signed attachment agreements are not contiguous to the City's boundary and, pursuant to the Plan, cannot be attached to the City. This mixture of properties subject to attachment agreements, a vast majority of which are developed and receiving sewer and water services from the City, and properties that are not subject to attachment agreements, creates uncertainty regarding how the City and the Town should provide municipal services to those properties located within the Plan Area. This Amendment clarifies when all of the properties located within the Plan Area will attach to the City.

Plan Term

The provisions of the Plan, as amended by this Amendment (the Plan and this Amendment are hereinafter collectively referred to as the "Amended Plan"), shall remain in effect through December 31, 2046. This period is the "Plan Term."

General Provisions for Boundary Changes Pursuant to the Amended Plan

A. Prior Annexation Agreement Applies

The City has entered into annexation agreements with owners of property desiring to subdivide land within City growth areas. Those agreements provide that property owners will apply for annexation upon the occurrence of one or more specified events (e.g. City

becomes contiguous to property). The City has entered into an annexation agreement with one property owner in the Plan Area (Merdon Corporation). That agreement was included as Attachment H to the original Plan.

B. “Attachment Agreements” Required with Requests

Owners of properties within the Plan Area may request sewer and water services and/or certified survey or subdivision plat approval. Under the provisions of this Amended Plan, City approval of these requests prompt the immediate or future attachment of such properties. The City shall require owners of land within the Town to sign “Attachment Agreements” as a condition of receiving approval for sewer and/or water services or land subdivision where attachment of affected properties is not concurrent. The content of said Attachment Agreements will reflect the potential for future attachment as described in this Amended Plan. All Attachment Agreements shall be recorded in the Office of the Register of Deeds for Rock County, Wisconsin at the owner’s expense. No more than one Attachment Agreement may be executed for any one property, unless the City otherwise agrees.

C. Boundary Changes May Include Rights-of-Way and Rock River

To facilitate boundary changes provided in this Amended Plan, any boundary change may include portions of public rights-of-way or the Rock River.

D. Limits on Attachments without Property Owner’s Consent

Properties shall be “consenting properties” if their owners have requested in writing and have not been denied City approval of attachment, sewer and/or water service, or a subdivision plat or survey. Under the provisions of this Plan, such owners have consented to the immediate or future attachment of their properties to the City.

Any attachment allowed by this Amended Plan prior to December 31, 2046 will include only “consenting properties.” As of December 31, 2046, all properties within the Plan Area that have not been previously attached to the City shall be attached to the City irrespective of whether or not said properties constitute consenting properties.

E. Attachment of New Development

New Development occurring on property within the Plan Area shall be subject to immediate attachment following development review and approval by the City. Said property shall be immediately attached regardless of contiguity to the City Limits.

“New Development” shall be defined as (i) the creation of any new development site as established through the land division process (new lots created by Certified Survey Map or Subdivision Plat); (ii) substantial redevelopment of any existing non-residential structure that requires additional water or wastewater services that cannot be provided by an existing onsite septic system or existing well; or (iii) new construction on vacant lots of both residential and non-residential structures.

F. Detachments Permitted

With written consent from the property owner, the City Council and Town Board may agree to detach from the City any property within the Plan Area.

Attachment of Residential Properties

Residential properties shall be defined as properties containing Single or Two-Family residential structures existing within the Plan Area as of May 16, 2016. Boundary changes involving residential properties within the Plan Area are described below.

Residential properties for which the owner requests sanitary sewer and/or water service and for which the owner executes an Attachment Agreement whereby the City agrees to provide such service, or for which the property owner has received land division approval any time prior to or after May 16, 2016 shall be attached to the City under one of the following timeframes/conditions/scenarios:

1. No residential property shall be attached to the City sooner than December 31, 2031, unless said property meets the definition of “New Development.”
2. All residential properties with Attachment Agreements that were signed and recorded on or before December 31, 2031 and that are contiguous to the City or are made contiguous to the City by other consenting properties shall be attached to the City on December 31, 2031.
3. All residential properties with Attachment Agreements that were signed and recorded before, on, or after December 31, 2031 and that are not contiguous to the City on December 31, 2031 shall be attached to the City immediately upon becoming contiguous thereto or on December 31, 2046, whichever is the first to occur.

Residential properties for which the owner does not request or is not supplied with sanitary sewer and/or water service, or for which the property owner does not receive land division approval during the Plan Term, or which are not otherwise subject to an Attachment Agreement

shall be attached to the City on December 31, 2046. Nothing herein shall preclude a property owner within the Plan Area from requesting attachment to the City, which attachment may occur upon mutual agreement between the City and the Town.

Attachment of Non-Residential Properties

Non-residential properties shall be defined as all other properties within the Plan Area not meeting the definition of residential properties. Boundary changes involving non-residential properties within the Plan Area are described below.

Non-residential properties for which the owner requests sanitary sewer and/or water service and for which the owner executes an Attachment Agreement whereby the City agrees to provide such services, or for which the property owner has received land division approval any time prior to or after May 16, 2016 shall be attached to the City under one of the following timeframes/conditions/scenarios:

1. All non-residential properties with Attachment Agreements that were signed and recorded on or before May 16, 2016 that are contiguous to the City or are made contiguous to the City by other consenting properties shall be attached to the City on December 31, 2016 as set forth on the Map attached hereto as Attachment E.
2. All non-residential properties with Attachment Agreements that were signed and recorded before, on, or after May 16, 2016 that are not contiguous to the City shall be attached to the City immediately upon becoming contiguous to the City or being made contiguous to the City by other consenting properties, or on December 31, 2046, whichever is the first to occur.

Non-residential properties for which the owner does not request or is not supplied with sanitary sewer and/or water service, or for which the property owner does not receive land division approval during the Plan Term, or which are not otherwise subject to an Attachment Agreement shall be attached to the City on December 31, 2046.

Attachment of Development Sites

Newly created development sites (i.e. platted or surveyed lots) established through the land division process will require immediate attachment of property within the survey or plat area regardless of contiguity to the City Limits. Existing residential or non-residential development on any lot or lots within the survey or plat area will be attached according to the schedule provided herein relating to Attachment of Residential Properties and Attachment of Non-residential Properties.

Final Attachment

As of December 31, 2046, all residential properties and non-residential properties within the Plan Area that have not been previously attached to the City shall be attached to the City irrespective of whether or not said properties constitute consenting properties.

Consistency with Applicable Laws and Administrative Rules

The boundary changes described above are consistent with all known state and federal laws and administrative rules.

SECTION 6. PARTICIPATION.

The City and the Town solicited and received comments regarding this Amendment from the public, surrounding municipalities, Rock County, and state agencies.

Public Meetings

On October 27, 2015, the City and Town invited all owners of properties within the Plan Area to a public informational meeting to discuss the Plan and the concept of amending the same. Approximately 125 people attended that meeting, with others contacting members of the Town Board and City staff by telephone and/or email. At that meeting, the Plan and the concept of amending the Plan were discussed. The primary topic of consideration was when the properties located within the Plan Area would be attached to the City. Many residents voiced their desire not to be attached to the City. Minutes from that meeting are provided in Attachment C to this Amendment.

As required by section 66.0307, Wis. Stats., a joint public hearing was conducted by the City Council and Town Board on January 12, 2016. Minutes from that meeting are also provided in Attachment C to this Amendment.

Rock County Planning and Development Agency Comment

Section 66.0307, Wis. Stats., requires written comment from the Rock County Planning and Development Agency on the effect of the Plan and this Amendment on the County's Development Plan, the delivery of municipal services, and any other issues of interest. The County has been provided a copy of the draft plan on which to comment, and its comments will be included as Attachment D to this Amendment.

Consideration of Comments

The City and the Town must demonstrate that they considered all comments from the public and from the appropriate county and state agencies regarding this Amendment. As indicated above, there were two (2) public meetings regarding amendment to the Plan. The minutes of each of these meetings are included in Attachment C to this Amendment. In addition, the City's Planning Department kept a log on public comments which they received either by phone, email, or by personal contact. That log is also reproduced in Attachment C to this Amendment.

The City and the Town incorporated into this Amendment several of the concerns expressed by property owners in the Plan Area. Most notably, the Plan Term extends beyond what was initially presented at the October 27th public informational meeting. This extended Plan Term reflects the desire expressed by Town residents and property owners to remain in the Town for as long as possible. Additionally, this Amendment seeks to minimize the immediate impact of the Plan and this Amendment, specifically as it relates to residential property owners, by delaying attachment to the City for those residential property owners not characterized as "consenting properties" for a minimum of fifteen (15) years.

SECTION 7. SEVERABILITY.

This Amendment is the result of negotiations between the City and Town. It was jointly drafted by the City and the Town and the parties agree that this Amendment should not be construed against any one party in the event of ambiguity.

SECTION 8. INCONSISTENCY WITH PLAN.

To the extent that any term or provision of this Amendment is inconsistent with or contradicts the Plan, the terms and conditions of this Amendment shall supersede and govern in all respects. All terms of the Plan, unless specifically modified or amended herein, shall remain in full force and effect and are binding upon the parties hereto.

SECTION 9. RECORDATION.

The City and the Town agree that it is important to provide notice of the Plan and this Amendment to the current and future owners of all properties located within the Plan Area. As a result, the parties agree to record in the Office of the Register of Deeds for Rock County, Wisconsin, a Notice of the City of Janesville/Town of Rock Cooperative Boundary Plan. Said Notice will be in a form substantially similar to that attached hereto as Attachment F.

IN WITNESS WHEREOF, the City and Town certify that this Amendment has been duly approved by their respective governing bodies in accordance with State and local laws, rules and regulations, and each has caused their duly authorized officers to execute this Amendment.

THE CITY OF JANESVILLE
A Wisconsin Municipal Corporation

By: Mark Freitag
Mark Freitag, City Manager

Date: 4/8/16

By: David Godek
David Godek, City Clerk

Date: 4/8/16

TOWN OF ROCK
A Wisconsin Municipality

By: Mark P. Gunn
Mark Gunn, Town Chairman

Date: 4-4-16

By: Deborah Bennett
Deborah Bennett, Town Clerk

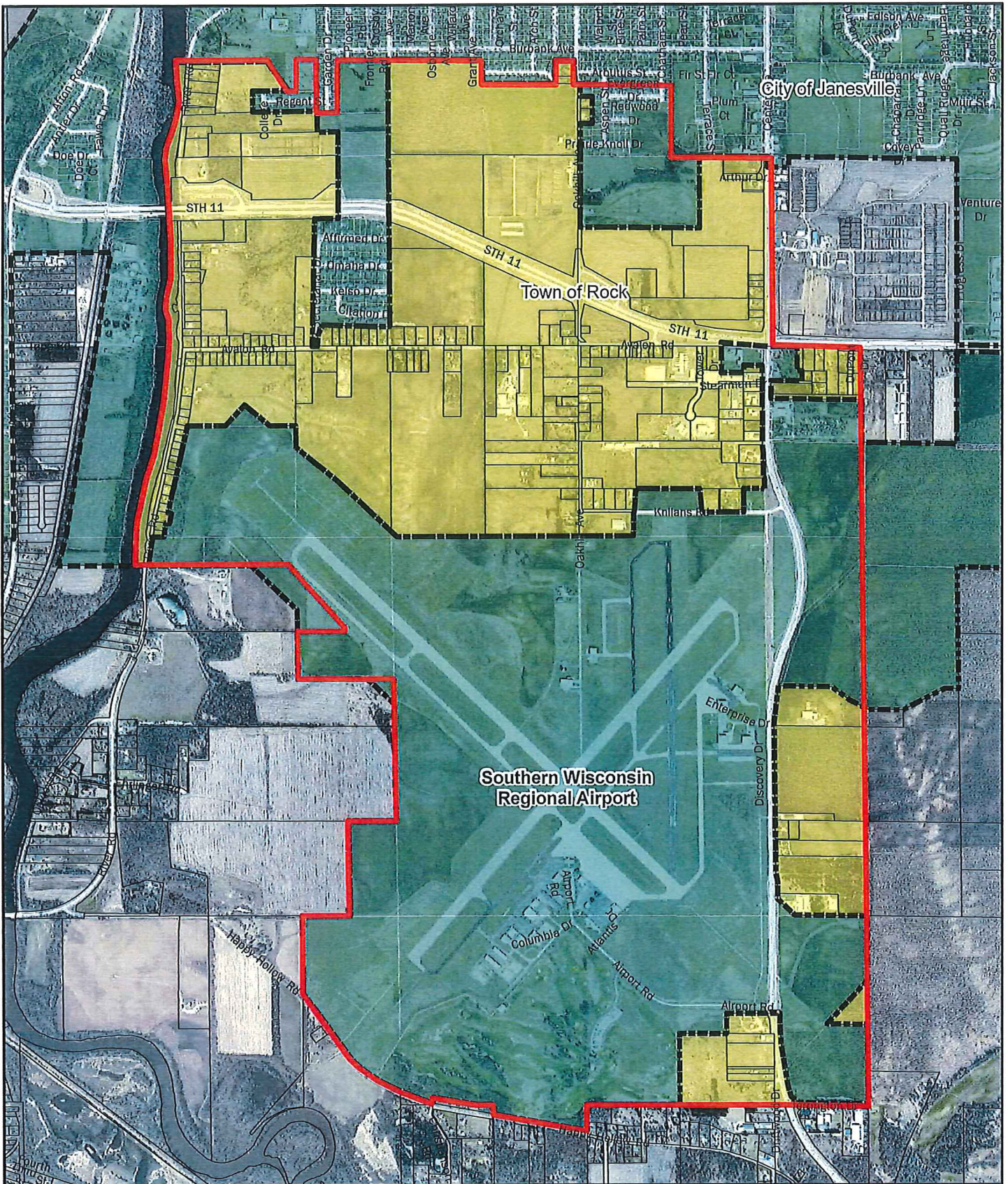
Date: 4-4-16

SECTION 10. ATTACHMENTS.

The following is a complete list of attachments referenced throughout this Amendment:


- A. Map of properties located within the Plan Area.
- B. Authorizing resolutions, affidavits of mailing to local jurisdictions and state agencies entitled to notice, and adoption resolutions.
- C. Minutes from public informational meeting and joint public hearing and City log.
- D. Comments from the Rock County Planning Department regarding this Amendment.
- E. Map of Plan Area properties to be attached to the City as of December 31, 2016.
- F. Notice of the City of Janesville/Town of Rock Cooperative Boundary Plan.
- G. Mailing List for Notice of the Adoption of the Authorizing Resolutions.



Amendment One to CBP - Revised by TOR as of 02082016 - Clean-581419.docx



1 in = 1,800 ft

Legend

- Cooperative Boundary
- Plan Area
-  City of Janesville

-  Township Lands within Plan Area
-  Town of Rock Parcels

Cooperative Boundary Plan Area

City of Janesville/Town of Rock
Cooperative Boundary Plan

**TOWN OF ROCK
RESOLUTION NO. 2015-02**

A resolution authorizing the Town Chairman or Designee(s) to participate, pursuant to § 66.0307, Wisconsin Statutes, in the preparation of an amendment to the Cooperative Boundary Plan between the Town of Rock and the City of Janesville, which was made effective as of May 16, 1996 and is scheduled to terminate on May 16, 2016 ("Boundary Plan"), with the objective of continuing the purpose of the Boundary Plan, which among other things, determined municipal boundary changes and how land located in the Boundary Plan would be provided with municipal services.

WHEREAS, § 66.0307, Wisconsin Statutes, authorizes two or more adjacent municipalities to enter into and amend a cooperative boundary plan.

WHEREAS, the Boundary Plan determines future boundary changes, provides for a transition into the provision of municipal services, and guides the orderly development of the area covered by the Plan; and

WHEREAS, the Town Board of the Town of Rock and the City of Janesville entered into the Boundary Plan in May 1996, which plan is scheduled to terminate in May 2016; and

WHEREAS, the Town Board of the Town of Rock believes that an amendment to the Boundary Plan that allows for the attachment of land located in the Boundary Plan to be phased in over 20 years, as opposed to immediately as of May 2016 as currently set forth in the Boundary Plan, may be in the best interests of the Town of Rock;

WHEREAS, the amendment to the Boundary Plan shall become effective only after a joint public hearing of the Town Board of the Town of Rock and the Janesville Common Council, approval by both the Town Board of the Town of Rock and the Janesville Common Council, approval by the Wisconsin Department of Administration, and compliance with all other procedures set forth in § 66.0307, Wisconsin Statutes.

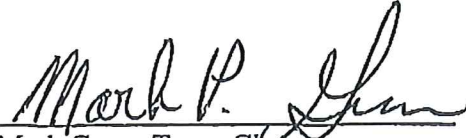
NOW THEREFORE BE IT RESOLVED by the Town Board of the Town of Rock, that the Town Chairman and/or one or more Designees, are hereby authorized to participate, on behalf of the Town, with representatives of the City of Janesville, in an effort to negotiate and prepare an amendment to the Boundary Plan, until such time as participation and development of a mutually agreeable amendment to the Boundary Plan is no longer productive and/or the Town Board terminates or limits this authorization.

BE IT FURTHER RESOLVED the Town Chairman and/or his Designee shall keep the Town Board apprised of the effort to amend the Boundary Plan, and shall seek, as appropriate, the advice and guidance of the Town Board, particularly regarding matters of policy.

BE IT FURTHER RESOLVED that the Town Clerk shall provide notice of this Resolution to each of the parties specified in § 66.0307(4)(a), Wisconsin Statutes, not later than five (5) days after adoption of this Resolution by the Town Board.

Adopted at the regular Town Board meeting of the Town of Rock on this 8th day of September, 2015.

APPROVED:


Mark Gunn, Town Chairman

ATTEST:


Deborah Bennett, Town Clerk

RESOLUTION NO. 2015-1226

A Resolution authorizing the City Manager or designee(s) to participate, pursuant to §66.0307, Wisconsin Statutes, in the preparation of an amendment to the Cooperative Boundary Plan between the City of Janesville and the Town of Rock, which was made effective as of May 16, 1996 and is scheduled to terminate on May 16, 2016 ("Boundary Plan"), with the objective of continuing the purpose of the Boundary Plan, which among other things, determined municipal boundary changes and how land located within the Boundary Plan would be provided with municipal services.

WHEREAS, §66.0307, Wisconsin Statutes, authorizes two or more adjacent municipalities to enter into a Cooperative Boundary Plan.

WHEREAS, The Boundary Plan determines future municipal boundary changes, provides for transition of municipal services, and guides the orderly development of the area covered by the Plan; and

WHEREAS, the City Council of City of Janesville and the Town of Rock entered into the Boundary Plan in May 1996, which is scheduled to terminate in May 2016; and

WHEREAS, the City Council of the City of Janesville believes an amendment to the Boundary Plan that allows for the attachment of land located within the area located in the Boundary Plan to be phased in over 20 years, as opposed to immediately as of May 2016 as currently set forth in the Boundary Plan, is in the best interests of the City of Janesville; and

WHEREAS, such an amendment to the Plan shall become effective only after a joint public hearing of the Janesville Common Council and the Rock Town Board, approval by both the Common Council and the Town Board, approval by the Wisconsin Department of Administration, and compliance with other procedures set forth in §66.0307, Wisconsin Statutes.

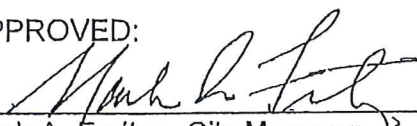
NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Janesville that the City Manager and/or one or more designees are hereby authorized to participate, on behalf of the City, with representatives of the Town of Rock, in an effort to prepare a Plan, until such times as participation in development of a mutually agreeable Plan is no longer productive and/or the Common Council terminates or limits this authorization.

BE IT FURTHER RESOLVED that the City Manager and/or designees shall keep the Common Council apprised of the effort to develop a Plan, and shall seek, as appropriate, the advice and guidance of the Common Council and/or City Plan Commission, particularly regarding matters of policy.

BE IT FURTHER RESOLVED that the City Clerk shall provide notice of this Resolution, in writing, to each of the parties specified in §66.0307(4)(a), Wisconsin Statutes, not later than five days after the adoption of this Resolution by the Common Council.

ADOPTED: September 14, 2015

APPROVED:


Mark A. Freitag, City Manager

ATTEST:


David Godek, City Clerk-Treasurer

APPROVED AS TO FORM:


Wald Klimczyk, City Attorney

Proposed by: Planning Services Division

Prepared by: Planning Services Division

| Motion by: Marklein | | | | |
|---------------------|-----|-----|------|--------|
| Second by: Tidwell | | | | |
| Councilmember | Aye | Nay | Pass | Absent |
| Bobzien | X | | | |
| Deupree | X | | | |
| Farrell | X | | | |
| Gruber | X | | | |
| Liebert | X | | | |
| Marklein | X | | | |
| Tidwell | X | | | |

**TOWN OF ROCK
RESOLUTION NO. 2016- 01**

A resolution authorizing the Town of Rock, pursuant to § 66.0307(8), Wisconsin Statutes, to enter into the First Amendment to the City of Janesville Town of Rock Cooperative Boundary Plan and to continue participating in said plan for the purposes of determining future municipal boundary changes, providing municipal services, and guiding orderly development of the area covered by said plan.

WHEREAS, on or about May 16, 1996, the Town of Rock and the City of Janesville entered into the City of Janesville/Town of Rock Cooperative Boundary Plan (hereinafter the "Plan") in order to determine future municipal boundary changes, provide for municipal services, and guide the orderly development of the area covered by the plan; and

WHEREAS, the Town Board of the Town of Rock believes that extending the term of the Plan pursuant to the terms and conditions set forth in the First Amendment to the City of Janesville/Town of Rock Cooperative Boundary Plan (hereinafter the "Amendment") is in the best interests of the Town of Rock; and

WHEREAS, as a result of extensive negotiations between representatives of the Town of Rock and the City of Janesville, the attached Amendment has been drafted and submitted to both municipalities for approval; and

WHEREAS, pursuant to § 66.0304, Wis. Stats., the Town Board of the Town of Rock and the City Council of the City of Janesville held a joint public hearing regarding the Amendment on January 12, 2016; and

WHEREAS, the Town Board of the Town of Rock has considered all comments made at said public hearing, as well as all comments made prior or subsequent to said public hearing; and

WHEREAS, the Town Board of the Town of Rock has submitted for comment the Amendment to the Rock County Planning, Economic & Community Development Agency regarding the Amendment's impact on the County's master development plan; and

WHEREAS, the Town of Rock Planning and Zoning Committee, by motion on February 29, 2016, unanimously recommended that the Town Board of the Town of Rock approve and authorize the Amendment; and

WHEREAS, the Town Board of the Town of Rock determines that the Amendment is consistent with the Town of Rock's comprehensive plan.

NOW THEREFORE BE IT RESOLVED by the Town Board of the Town of Rock, that it hereby approves and authorizes the Town of Rock to enter into and participate in the Amendment with the City of Janesville conditioned upon approval of the Amendment by the Wisconsin Department of Administration as required by § 66.0307, Wis. Stats.

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Adopted at the regular Town Board meeting of the Town of Rock on this 7th day of March, 2016.

APPROVED:


Mark Gunn, Town Chairman

ATTEST:


Deborah Bennett, Town Clerk

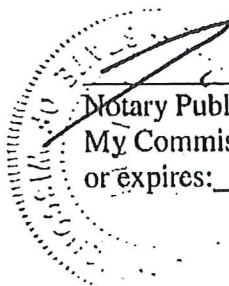
CERTIFICATION

I hereby certify that the above Resolution No. 2016- 01 was adopted by the Town Board of the Town of Rock on the 7th day of March, 2016, and that on the 8th day of March, 2016, copies of the above resolution were posted by me in three places in the Town of Rock, Rock County, Wisconsin, as follows:

Post Office
Rock Town Hall
5110 Harris Bank, Center Ave

Deborah Bennett
Deborah Bennett, Town Clerk/Treasurer
Town of Rock, Rock County, Wisconsin

Subscribed and sworn to before me this
8th day of March, 2016.

 [Signature]
Notary Public, Rock County, Wisconsin
My Commission is permanent
or expires: _____



CITY OF JANESVILLE

Wisconsin's Park Place

I, David Godek, City Clerk-Treasurer for the City of Janesville, a Wisconsin Municipal Corporation, do hereby certify that I am the legal custodian of the original document, that I have compared the copy attached hereto with the original, and that the copy attached hereto is a true and correct copy of the original document, to wit:

RESOLUTION NO. 2016-1278

A resolution authorizing the City of Janesville, pursuant to § 66.0307(8), Wisconsin Statutes, to enter into the First Amendment to the *City of Janesville/Town of Rock Cooperative Boundary Plan* and to continue participating in said plan for the purposes of determining future municipal boundary changes, providing municipal services, and guiding orderly development of the area covered by said plan.

Certified to and sealed this 21st day of March, 2016.

OFFICE OF THE CITY OF JANESVILLE
CITY CLERK-TREASURER

David Godek, City Clerk-Treasurer



CLERK-TREASURER'S OFFICE

MUNICIPAL BUILDING • 18 N. JACKSON ST., P.O. BOX 5005 • JANESVILLE, WI 53547-5005 • (608) 755-3070 • FAX: (608) 755-3196
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RESOLUTION NO. 2016-1278

A resolution authorizing the City of Janesville, pursuant to § 66.0307(8), Wisconsin Statutes, to enter into the First Amendment to the *City of Janesville/Town of Rock Cooperative Boundary Plan* and to continue participating in said plan for the purposes of determining future municipal boundary changes, providing municipal services, and guiding orderly development of the area covered by said plan.

WHEREAS, on or about May 16, 1996, the City of Janesville and the Town of Rock entered into the *City of Janesville/Town of Rock Cooperative Boundary Plan* (hereinafter the "Plan") in order to determine future municipal boundary changes, provide for municipal services, and guide the orderly development of the area covered by the plan; and

WHEREAS, the Common Council of the City of Janesville believes that extending the term of the Plan pursuant to the terms and conditions set forth in the First Amendment to the *City of Janesville/Town of Rock Cooperative Boundary Plan* (hereinafter the "Amendment") is in the best interests of the City of Janesville; and

WHEREAS, as a result of extensive negotiations between representatives of the City of Janesville and the Town of Rock, the attached Amendment has been drafted and submitted to both municipalities for approval; and

WHEREAS, pursuant to § 66.0304, Wis. Stats., the Common Council of the City of Janesville and the Town Board of the Town of Rock held a joint public hearing regarding the Amendment on January 12, 2016; and

WHEREAS, the Common Council of the City of Janesville has considered all comments made at said public hearing, as well as all comments made prior or subsequent to said public hearing; and

WHEREAS, the Common Council of the City of Janesville has considered the written comments of the Rock County Planning, Economic & Community Development Agency regarding the Amendment's impact on the County's master development plan; and

WHEREAS, the Common Council of the City of Janesville determines that the Amendment is consistent with the City of Janesville's Comprehensive Plan.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Janesville, that it hereby approves and authorizes the City of Janesville to enter into and participate in the Amendment with the City of Janesville conditioned upon approval of the Amendment by the Wisconsin Department of Administration as required by § 66.0307, Wis. Stats.

ADOPTED: February 22, 2016

APPROVED:



Mark A. Freitag, City Manager

ATTEST:



David Godek, City Clerk-Treasurer

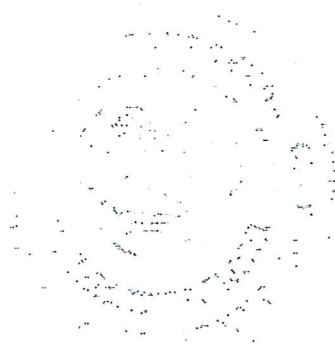
APPROVED AS TO FORM:



Wald Klimczyk, City Attorney

Proposed by: Planning Services Division
Prepared by: Planning Services Division

| Motion by: Gruber | | | | |
|---------------------|-----|-----|------|--------|
| Second by: Marklein | | | | |
| Councilmember | Aye | Nay | Pass | Absent |
| Bobzien | X | | | |
| Deupree | X | | | |
| Farrell | X | | | |
| Gruber | X | | | |
| Liebert | X | | | |
| Marklein | X | | | |
| Tidwell | X | | | |



NOTES
PUBLIC INFORMATIONAL MEETING
COOPERATIVE BOUNDARY PLAN
TOWN OF ROCK HALL

October 27, 2015

Chairman Mark Gunn opened the public information meeting. Present were Supervisor Dubanowich, Supervisor Parker, Attorney Fred Wesner, Attorney Tim Lindau, City of Janesville Representatives, Duane Cherek, Paul Woodard, Doug Marklein, Mark Freitag, Ryan Krzos, Jeff Muelver, Richard Haviza, Mark Bobzien, Kay Deupree, Sam Liebert.

Chairman Gunn explained the Town of Rock and the City of Janesville have a cooperative boundary agreement that expires in May 2016. The Town and the City are considering an amendment to the agreement. Duane Cherek, City of Janesville Planning gave a presentation of the areas that could be affected. Attorney Wesner spoke regarding conversation that was had with Department of Administration. On August 14, a representative in the Department of Administration stated all properties in the area would have to attach at the end of the agreement. Since that conversation, the DOA representative has retracted the statement and states only parcel that have signed attachment agreement would be required to attach if no amendment. There are approximately 85 signed attachment agreements.

Those present were given the opportunity to speak. Those that took this opportunity were:

Dennis Williams, 2917 W. Avalon Rd - Asked what Jacobs had to with the agreement? Dennis stated the City could not maintain parks and services that they have now. He stated "we appreciate what we have"

Sue Puntney, 2534 S. Oakhill - Asked how much of the red zone was farmland. Duane Cherek stated when property is attached it would be reviewed if the zoning was proper for the comprehensive plan. Ag use is permitted in residential; and the use of the property is grandfathered until such time as the property is developed.

Bill Niemuth, 2443 S. Oakhill - Asked what the tax increase would be and when he would pay Janesville taxes. The following January after attachment the property would be reassessed.

Dave Heider, 2739 S. River Rd - Is zoned Agriculture District 1; has a pole building wanted to know how the property would be assessed. He has a buffalo herd. City Assessor stated buildings would be assessed as classified.

Duane Cherek stated MacFarlane Pheasant Farm would be grandfathered in, the zoning code would be amended.

Tom Van Ert, 1110/1112 Knilans - Has horse breeding operation, in the spring he has more animals. Concerned if he could continue his business.

David Miser, 3330 S. Oakhill Ave - Questioned the Department of Administration change. Attorney Wesner answered if no attachment agreement was signed, the plan expired there would be no attachment.

Ken Bachenkeller, 3138 Center - Stated he was forced to sign the attachment agreement upon the closing of the purchase of his property.

Robert Hart, 3331 S. Oakhill - Stated he was told he had to connect to the City and was forced to sign attachment agreement.

Attorney Wesner stated if attachment agreement was signed, owners were obligated to attach when the City determines they need to.

Ruby Bladorn, 4327 Highway 51 S - Bought her property in 1995 claims she knew nothing of the attachment agreement. On a fixed income.

Attorney Wesner stated required legal notices were given. When laterals are installed land owner has to pay for them.

Dave Schmidtke, 2819 S. River - Stated he did sign the attachment agreement, the Town has excellent garbage service, he asked what the City's service was.

There were questions regarding how services were paid for - landfill access, water and waste charges. Duane Cherek stated service would start immediately, current ordinance if water/sewer is available attachment must be within 1 year of receiving the service.

Kathy Blaser, 5104 S. Driftwood - Stated the City tax is higher, wheel tax would be required, and Waste Management would lose the revenue from the attachments. She asked to have the line on the map moved. Stated they don't need City water and sewer.

Laura Oswald, 3149 US Highway 51 S - Wants to retire, doesn't want the tax increase. Asked if it was worth it for the City to take two homes where she lives. The neighbor wants to be attached to the City. Duane Cherek stated the City attempts to provide the services where it is available to others. Laura stated she would be taxed out of her home.

Jeremy Winke, 5008 S. Driftwood - Stated the septic was only 6 years old and wants to use the system longer. Duane Cherek explained the different colored zones and when each zone would possibly be attached. Winke wants to be able to have chickens.

LouAnn Genz, 835 W. State Rd 11 - Stated she was confused after listening, she doesn't remember a letter previously, her husband passed away in 2012, and she wants to live where she is. Attorney Wesner stated she is not in the area that would've signed.

Dennis Coleman, 2515 W. Avalon Road - Asked how many in attendance want to stay in the town-there was a show of hands (it looked to be unanimous wanting to stay in the Town).

John Chrobak, 3142 S. Dupont - Bought property in 99, septic and well is good.

Frank Gordon, 2525 W Avalon Rd - Wants to stay with Town of Rock, does not want to be forced, and wants the option to hook up or not.

Carol Wenzel, 2813 W. Avalon Rd - Owns 4 acres, the home is 100 yards off the road, recently put in a new well. She feels it would cost \$30,000 to hook to City sewer and water. She stated she would tear down the house, fill in the basement and let the grass grow.

Dan Stillmank, 2926 Highway 51 - Asked about assessment of property and taxes. Asked why some parcels in gray were not in the plan.

Duane Cherek stated connection to the Town needs to be maintained.

Melissa Crider, 3018 W. Avalon Rd - Bought in 2010 because of no restriction on pets, she has 6 dogs and 7 cats. Wants to know if attached they are grandfathered. Duane Cherek-not animal control have to follow up.

Melissa Crider - stated she loves her well water, does not want the City water, she asked if there was any assistance available for connection.

Duane Cherek stated City policy is to connect to both water and sewer. Existing wells could only be used for non-potable use.

John Chesmore, 2833 W. Avalon Rd - His septic went bad a few years ago, the DNR wouldn't allow a mound system, he

had to go into City. He felt he wasn't told when the laterals were put in.

Ashley Bent, 3153 Highway 51 - Asked why they couldn't have an option to attach or not, she doesn't want to be in the City. Feels property value will/has decreased and will more.

Duane Cherek explained properties were required to connect to the City within 1 year if the service is available. The plan amendment provides the opportunity to look at extending this timeframe.

Cheaper to repair septic, can't afford if annexed.

John Zastoupil, 731 W. State Rd 11 - South of Highway 11 Bypass.

Donna Quinn, 3501 S. River Rd - Bought in 2000, did not sign an attachment agreement wanted to know if her property is one of the 85, asked if they would fall under sidewalks, curb and gutter. Duane Cherek stated that was not on the master sidewalk plan.

Terry Burdick, 3230 Highway 51 - Owns commercial property, asked what zones 1, 2 and 3 are. Mark Gunn explained the reason for the breakdown was breakdown in assessed values. Attorney Wesner stated there is no decision on the order or priority. The existing plan is orderly; from the north.

Duane Cherek stated septic systems don't last forever.

LaVerne Fuchs, 1923 W. Avalon Rd - When the airport went into the City they were told they wouldn't be forced to attach, he doesn't want to go into the City. LaVerne asked if there was an agreement with the City for Avalon Road.

Mark Gunn-The Town did improvements last year, the City didn't have funds in their budget to do this.

LaVerne Fuchs - It is his property he should be able to do what he wants.

Kevin Chesebro, 2514 W. Avalon Rd - Asked about programs for those with limited income. Duane Cherek - council has policy for special assessment, to defer payment over 5 years. Kevin questioned trash collection, what could be done with grass clippings because can't burn in the City. Duane Cherek-Grass clippings can be taken to the landfill.

Dennis Williams - If septic is maintained it will last. He has a system for 23 years without failure.

Mark Gunn - Thanked all for their comments and coming; the agreement was implemented 20 years ago. Stated that Council and Town Board will have to agree on the ultimate course of action.

There were 92 people that signed in other than Town Board, City of Janesville Representatives and Town Attorneys.

Respectfully Submitted,

Deborah Bennett-WCMC
Clerk/Treasurer

Town of Rock
Rock County, Wisconsin
www.tn.rock.wi.gov

January 12, 2016

Doug Marklein called the joint public hearing to order. Mark Gunn was nominated to be the Chair of the hearing. Mark Gunn reviewed steps that had been taken for the Boundary Agreement to date.

Attorney Tim Lindau gave a presentation explaining different scenarios that would prompt the requirement of attaching to the City. There are 85 parcels that the owners have signed attachment agreements; the amendment will delay attachment.

Mark Gunn opened the public hearing for public comment.

Mike Krafjack, 2935 S. Oakhill had questions regarding this parcel south of Highway 11 Bypass. Duane Cherek stated the cost is froze at the amount at the time of the installation; if it connected to a new line the cost would be at today's cost.

Brian King, 3203 S Oakhill asked if he didn't need sewer and water was there any reason to sign attachment agreement.

Dave Heider, 2739 S River Rd, has 2 wells, one is used for Ag and 1 is for his resident Mr. Heider wants to continue to use wells. Paul Woodard, City DPW answered can redrill as long as the parcel is still in the Town.

John Malinowski, 2423 S River Rd, stated utilities are responsible for lines to homes, Paul Woodard, DPW, stated it is the owner's responsibility for the expense.

Patrick Nowak, 2934 S River Rd, stated he is not contiguous now, what is the process if the neighbor is; if the plan is approved they should not have to attach before 2031.

Lisa Dahlgren, 2714 W Avalon Rd, asked how she could find out the cost for lines that are installed. Duane Cherek told her the City has the amount.

John Myszewski, 2536 W Avalon Rd, system failed 8-10 years ago, when he hooked up he paid the expense of the plumber and excavating.

Francis Gordon, 2525 W Avalon Rd, has been hooked up for about 10 years.

Dawn Chrobak, 3140 Dupont Dr, did not know about the agreement.

Margie Retzlaff, 2339 S River Rd-asked about using the well if attached. Duane Cherek stated the well can be used for non-potable use, if it passes the City water test.

John Chrobak, 3140 S Dupont, stated he does not have a signed attachment agreement.

Duane Cherek stated upon hooking up to City water the septic and well need to be properly abandoned.

Jim Kraft, 3232 S Oakhill, stated upon sale of home the lateral had to be paid for before sale could be completed. When parcels are sold there is a title search done to check for any special assessments for possible deferred costs. 1 year following attachment to the City, parcels are required to hook up to City facilities.

Brian King, thanked members for the work done on the agreement.

All persons that wished to speak were given the opportunity. No further comments Mark Gunn closed the public hearing.

Attorney Tim Lindau closed with covering the additional action that needs to be taken to finalize approval of the Amended Boundary Plan. Both the City and the Town need to take formal action at their February meetings to approve the amended plan, then submit it to the Department of Administration for approval.

Dou Marklein called for adjournment of the public hearing for the City of Janesville.

Supervisor Parker moved to adjourn the Town of Rock public hearing. Second by Supervisor Dubanowich. The meeting was adjourned at 7:40 pm.

Respectfully Submitted,

Deborah Bennett-WCMC
Clerk/Treasurer

**NOTICE OF JOINT PUBLIC HEARING ON
FIRST AMENDMENT TO THE CITY OF JANESVILLE/TOWN OF ROCK
COOPERATIVE BOUNDARY PLAN**

Public notice is hereby given by the Town of Rock and City of Janesville that the Town Board and City Council will hold a joint public hearing on Tuesday, January 12, 2016 at 6:00 PM at the University of Wisconsin-Rock County, Williams Hall, Lecture Hall #W130, 2909 Kellogg Avenue, Janesville, Wisconsin. The hearing is being called to present information and receive comments on the proposed First Amendment to the City of Janesville/Town of Rock Cooperative Boundary Plan. The Proposed Plan Amendment addresses attachment of property and the provision of City sewer and water services within an approximate 1,000 acre area in the Town north of the Southern Wisconsin Regional Airport.

At the public hearing, all interested individuals will be allowed a reasonable opportunity to express their views on the proposed Amendment to the Cooperative Boundary Plan. For City residents, copies of the Plan Amendment are available for review at the Hedberg Public Library reference desk (316 S. Main St.) and the Janesville Planning Services Division (18 N. Jackson St.). For Town residents, a copy of the proposed Plan Amendment will be available to review at the offices of Nowlan & Mouat LLP, 100 S. Main Street, Janesville, Wisconsin, from December 26, 2015, through Monday, January 11, 2016, between the hours of 8 a.m. and 5 p.m., or at the residence of Deborah Bennett, Town Clerk, 5814 S. Duggan Road, Beloit, Wisconsin, by appointment at 362-0598.

If you would like further information, please call the Janesville Planning Services Division at 755-3085.

Public 3 Times: December 22, 2015; December 29, 2015; and January 5, 2016.

Affidavit - Proof of Publication

STATE OF WISCONSIN

☒ **Rock County**

☐ **Walworth County**

SS.

Roxane Espland being duly sworn deposes and says that he/she is the principal clerk of the printer of Bliss Communications, Inc., publishers of The Gazette, a newspaper published in the City of Janesville, in said county, and that a notice, printed copy of which taken from said newspaper, is hereunto attached, was published in said newspaper on the following dates:

12/22/15, 12/29/15, 01/05/16

Publishing Fees: **\$157.83**

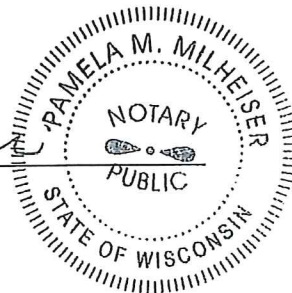
Signature:

Roxane Espland

Subscribed and sworn to before me
this **4th day of February, A.D. 2016**

Notary Public

Pamela M. Milheiser



My Commission Expires:

MY COMMISSION EXPIRES APRIL 17, 2016

**NOTICE OF JOINT PUBLIC HEARING ON
FIRST AMENDMENT TO THE CITY OF JANESVILLE/TOWN OF ROCK
COOPERATIVE BOUNDARY PLAN**

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If you would like further information, please call the Janesville Planning Services Division at 755-3085.
December 22, 29, 2015
January 5, 2016:

WNAXLP

First Amendment to the City of Janesville / Town of Rock Cooperative Boundary Plan
Public Comments on Plan

| Date of Contact | Name | Location | | | Residential/ Nonresidential | Nature of Comment |
|-----------------|----------------------------|-------------------|---------------|---------------------|--------------------------------|--|
| | | Property Address | In Plan Area? | Contiguous to City? | | |
| 12/17/2015 | Michael & Sheila Kraftjack | 2935 S OAKHILL RD | Y | N | Residential | Requested general information as it pertained to their property and potential future uses |
| 1/5/2016 | Ruby Bladhorn | 4327 S US HWY 51 | Y | Y | Residential | Inquired into when a connection to sewer and water is required. As long as well and septic system still functioning, would not be required to connect until system fails, or in 30 years |
| 1/6/2016 | Chris Dodge | | | | | Inquired into details relating to new development within the cooperative plan area |
| 1/8/2016 | Lu Ann Genz | State Road 11 | Y | | Residential | Residential property owner requesting information on plan amendment provision relating to her residence. Provided details on dates and circumstance relating to attachment of residential properties to the City |

ROCK COUNTY, WISCONSIN



Planning, Economic & Community
Development Agency
51 South Main Street
Janesville, WI 53545
Phone: 608-757-5587
Fax: 608-757-5586
Website: www.co.rock.wi.us

DUANE CHEREK
MANAGER OF PLANNING SERVICES
CITY OF JANESVILLE
18 N JACKSON ST
JANESVILLE WI 53548

Dear Duane,

The Rock County Planning, Economic & Community Development Agency has reviewed the First Amendment to the City of Janesville/Town of Rock Cooperative Boundary Plan and has the following comments:

1. The Cooperative Boundary Plan Amendment's effect on the Rock County Comprehensive Plan 2035.

The County has no jurisdiction over land uses within municipal boundaries of Cities and Villages. Additionally, Towns were granted the authority to adopt and administer their own local zoning ordinances rather than countywide zoning. This situation is not unique in Wisconsin but, there is a long history in which Cities, Villages and Towns have pursued common land use decisions.

Most Cities and Villages in Rock County have planned future land uses that are outside of their current municipal boundaries. The Rock County Future Land Use Map delineates the furthest extent of those areas that have been planned by each of the urban municipalities. These planned land uses may be different than the land uses that the underlying Towns have planned. These areas have potential conflict but, the City of Janesville and the Town of Rock have determined a joint boundary agreement managing the future development is in the best interest of both parties.

This is reflected on the Rock County Comprehensive Plan's Future Land Use Map as an "Urban Transition" area. In this regard the proposed First Amendment to the City of Janesville/Town of Rock Cooperative Boundary Plan is wholly consistent with goals for environmentally sensitive, economically viable and efficient growth.

2. The Cooperative Boundary Plan Amendment's effects on the delivery of municipal services within Rock County.

Currently, Rock County provides local road maintenance for the Town of Rock on a contracted basis. As area roads are attached to the City of Janesville those responsibilities will shift to the City's Public Works Department. Equally important is the provision of water and sewer. The Cooperative Boundary Plan Amendment is consistent with the 208 Water Quality Plan approved by the Wisconsin Department of Natural Resources and furthers a long standing effort to provide water and sewer to developed and potential development areas.

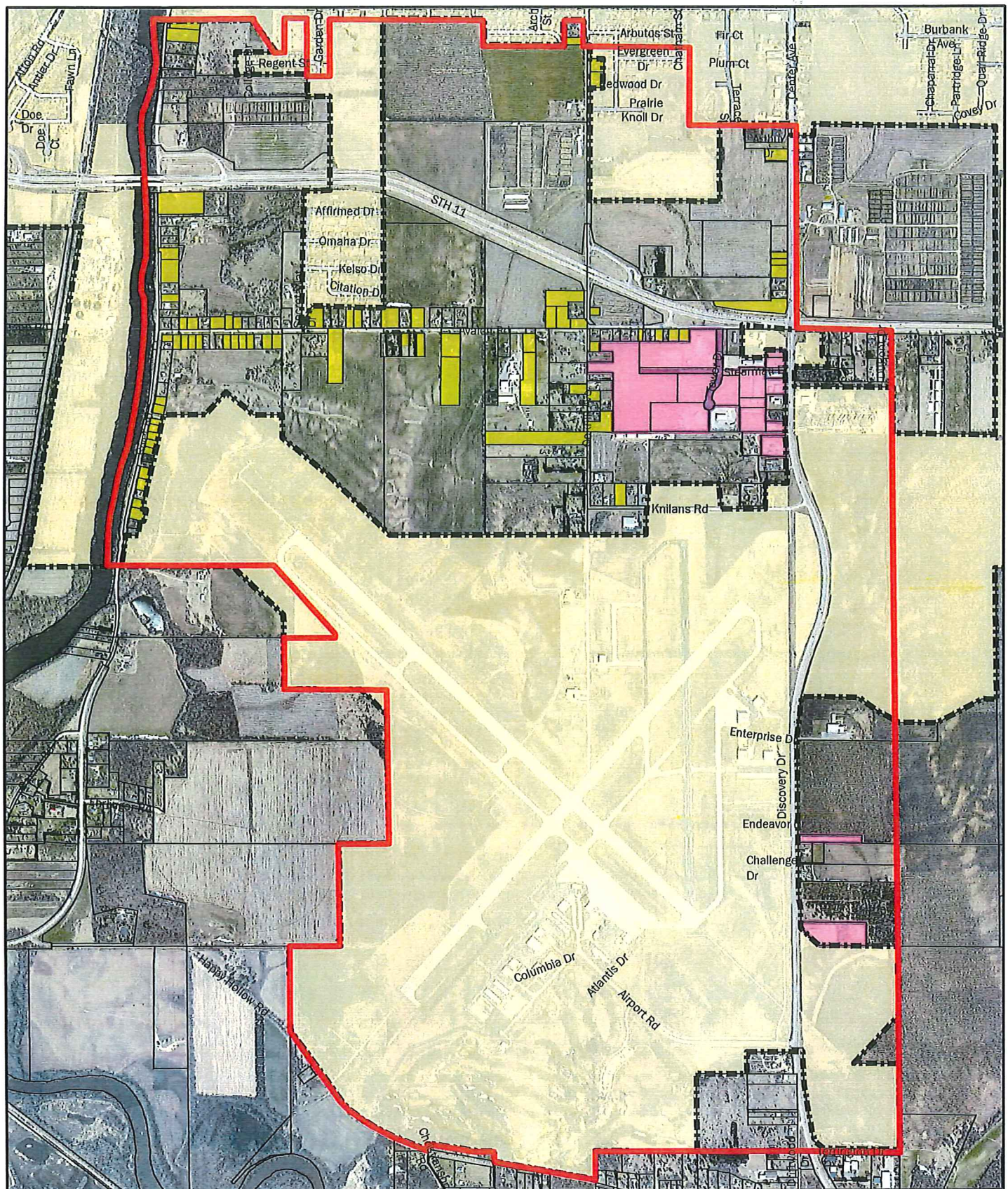
3. General Comments on the Plan Amendment.

The First Amendment to the City of Janesville/Town of Rock Cooperative Boundary Plan fine tunes and rejuvenates an already successful collaboration between two local government units positioned effectively manage development so as to benefit both parties and the County.

Sincerely,

A handwritten signature in cursive script, reading "Colin Byrnes". The signature is written in dark ink and is positioned above the printed name and title.


Colin Byrnes - Director
Rock County Planning, Economic & Community Development Agency





1 in = 1,667 ft

Legend

 Cooperative Boundary Plan Area

 City of Janesville

 Properties to be Attached to the City as of 12/31/16

 Properties with Signed Attachment Agreements

Plan Area Properties to be Attached to the City as of December 31, 2016

City of Janesville/Town of Rock Cooperative Boundary Plan

**NOTICE OF COOPERATIVE BOUNDARY
PLAN AND AMENDMENT**

Document Number

Document Title

In re. those parcels identified on the attachment hereto, all of which are located within the boundary legally described as follows:

SE 1/4 and SW 1/4 of Section 10; SE 1/4 and SW 1/4 of Section 11; SW 1/4 of Section 13; Section 14; Section 15; NW 1/4 and SW 1/4 of Section 24; NW 1/4 of Section 25; and NE 1/4 of Section 26, Town 2 North, Range 12 East, Town of Rock, Rock County, Wisconsin.

NOTICE OF COOPERATIVE BOUNDARY PLAN AND AMENDMENT

PLEASE TAKE NOTICE that your property may be subject to and bound by the terms and conditions of the City of Janesville/Town of Rock Cooperative Boundary Plan dated May 16, 1996, as amended by the City of Janesville and the Town of Rock on _____, 2016 (hereinafter the "Plan").

Should you have any questions regarding the Plan or if you are unaware as to whether your property is included within the Plan's boundary, please contact the City of Janesville Planning Services Department.

Recording Area

Name and Return Address

Attorney Timothy H. Lindau
Nowlan & Mouat LLP
P.O. Box 8100
Janesville, WI 53547-8100

See Attached

Parcel Identification Number (PIN)

Town of Rock

Mark Gunn, Chairman of the Town
Board of the Town of Rock

Subscribed and sworn to before me
this ____ day of May, 2016.

Notary Public, Rock County, Wisconsin
My commission is permanent

This document was drafted by:
Attorney Timothy H. Lindau
Nowlan & Mouat LLP
P.O. Box 8100
Janesville, WI 53547-8100

THIS PAGE IS PART OF THIS LEGAL DOCUMENT – DO NOT REMOVE.

This information must be completed by submitter: document title, name & return address, and PIN (if required). Other information such as the granting clause, legal description, etc., may be placed on this first page of the document or may be placed on additional pages of the document.

WRDA Rev. 12/22/2010

INFO-PRO® www.infoproforms.com

Parcel Identification Numbers (as of the date of recording) for Parcels included in the Plan's boundary:


| | | |
|--------------|----------------|--------------|
| 6-17-65.1 | 6-17-128.3 | 6-17-129.3 |
| 6-17-65.2A | 6-17-128.6 | 6-17-129.4 |
| 6-17-65.2B | 6-17-128.7 | 6-17-129.5 |
| 6-17-65.2C | 6-17-128.8 | 6-17-129.6 |
| 6-17-65.2D | 6-17-128A | 6-17-129.6A |
| 6-17-65B | 6-17-128A1 | 6-17-129.7A |
| 6-17-70 | 6-17-128B | 6-17-129.7B |
| 6-17-70.1 | 6-17-129 | 6-17-129.7C |
| 6-17-70.2 | 6-17-129.01 | 6-17-129.8 |
| 6-17-71 | 6-17-129.12 | 6-17-129.9 |
| 6-17-71.1 | 6-17-129.12.01 | 6-17-129A |
| 6-17-89 | 6-17-129.12.1 | 6-17-129B.1 |
| 6-17-90.01 | 6-17-129.12A | 6-17-129C |
| 6-17-90.03 | 6-17-129.12B | 6-17-129E |
| 6-17-90.1 | 6-17-129.13 | 6-17-130 |
| 6-17-91.1 | 6-17-129.13A | 6-17-130.1A |
| 6-17-91.2 | 6-17-129.14 | 6-17-130.1B |
| 6-17-123.11A | 6-17-129.16 | 6-17-130.1C |
| 6-17-123.11D | 6-17-129.17 | 6-17-130.1D |
| 6-17-123.11E | 6-17-129.18 | 6-17-130.2 |
| 6-17-123.13 | 6-17-129.19 | 6-17-131 |
| 6-17-123.13A | 6-17-129.1A | 6-17-131.1 |
| 6-17-123.13B | 6-17-129.1B | 6-17-131.2 |
| 6-17-123.13C | 6-17-129.1C | 6-17-131.3 |
| 6-17-123.14 | 6-17-129.1E | 6-17-131.3AA |
| 6-17-123.15 | 6-17-129.1G | 6-17-131.4 |
| 6-17-123.16 | 6-17-129.2 | 6-17-131.5 |
| 6-17-123.5 | 6-17-129.20 | 6-17-131.5A |
| 6-17-123.9 | 6-17-129.21 | 6-17-132 |
| 6-17-123A | 6-17-129.22 | 6-17-133.1 |
| 6-17-127 | 6-17-129.23 | 6-17-133.10 |
| 6-17-127.1 | 6-17-129.24 | 6-17-133.11 |
| 6-17-127.2 | 6-17-129.2A | 6-17-133.12 |
| 6-17-127.3 | 6-17-129.2A1 | 6-17-133.13 |
| 6-17-127.4 | 6-17-129.2AA | 6-17-133.14 |
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| 6-17-127C | 6-17-129.2C | 6-17-133.3 |
| 6-17-128 | 6-17-129.2D1 | 6-17-133.3A |
| 6-17-128.01 | 6-17-129.2E | 6-17-133.4 |
| 6-17-128.02 | 6-17-129.2F | 6-17-133.5 |
| 6-17-128.03 | 6-17-129.2G | 6-17-133.5C |
| 6-17-128.04 | 6-17-129.2H | 6-17-133.5E |

| | | |
|--------------|-------------|-------------|
| 6-17-133.6 | 6-17-140.23 | 6-17-215.1 |
| 6-17-133.7 | 6-17-140.24 | 6-17-216 |
| 6-17-133.9 | 6-17-140.25 | 6-17-216.1 |
| 6-17-133A | 6-17-140.26 | 6-17-217 |
| 6-17-133B | 6-17-140.2A | 6-17-217.1 |
| 6-17-133C | 6-17-140.3C | 6-17-217.2 |
| 6-17-134 | 6-17-140.3D | 6-17-217.3 |
| 6-17-134.1 | 6-17-140.5 | 6-17-217A |
| 6-17-134.2 | 6-17-140.6 | 6-17-217B |
| 6-17-134.3 | 6-17-140.7 | 6-17-220A |
| 6-17-134.4 | 6-17-140.9 | 6-17-230.1 |
| 6-17-134.4A | 6-17-140B | 6-17-231 |
| 6-17-134.5A | 6-17-140B1 | 6-17-231.1 |
| 6-17-136 | 6-17-140C | 6-17-231.2 |
| 6-17-138 | 6-17-140D | 6-17-244.2 |
| 6-17-138.01 | 6-17-140E | 6-17-244.5 |
| 6-17-138.02A | 6-17-140F | 6-17-244.6 |
| 6-17-138.02B | 6-17-140G | 6-17-550.1 |
| 6-17-138.03 | 6-17-140H | 6-17-550.10 |
| 6-17-138.1A | 6-17-140I | 6-17-550.11 |
| 6-17-138.4 | 6-17-140J | 6-17-550.12 |
| 6-17-139 | 6-17-144 | 6-17-550.13 |
| 6-17-139.2 | 6-17-144.1 | 6-17-550.14 |
| 6-17-140 | 6-17-144.1A | 6-17-550.15 |
| 6-17-140.1 | 6-17-144.2 | 6-17-550.16 |
| 6-17-140.10 | 6-17-144.3 | 6-17-550.17 |
| 6-17-140.11 | 6-17-145 | 6-17-550.18 |
| 6-17-140.12 | 6-17-145.1 | 6-17-550.19 |
| 6-17-140.13 | 6-17-145.10 | 6-17-550.2 |
| 6-17-140.13A | 6-17-145.11 | 6-17-550.20 |
| 6-17-140.14 | 6-17-145.2 | 6-17-550.3 |
| 6-17-140.15 | 6-17-145.3 | 6-17-550.4 |
| 6-17-140.17 | 6-17-145.4 | 6-17-550.5 |
| 6-17-140.18 | 6-17-145.5 | 6-17-550.6 |
| 6-17-140.2 | 6-17-145.6 | 6-17-550.7 |
| 6-17-140.20 | 6-17-145.7 | 6-17-550.8 |
| 6-17-140.21 | 6-17-145.8 | 6-17-550.9 |
| 6-17-140.22 | 6-17-145.9 | 6-17-550.9A |

**NOTICE
OF
TOWN OF ROCK AND CITY OF JANESVILLE
INTENT TO PARTICIPATE IN AND PURSUE AMENDMENT
OF
EXISTING COOPERATIVE BOUNDARY PLAN**

In accordance with the requirements of Section 66.0307(4)(a) of the Wisconsin Statutes (2013-14), notice is hereby given that the Town Board of the Town of Rock, Rock County, Wisconsin, adopted the attached Resolution No. 2015-02 on September 8, 2015, authorizing the Town Chairman and/or his Designee to participate, on behalf of the Town of Rock, with representatives of the City of Janesville, in the negotiation and preparation of an amendment to the Cooperative Boundary Plan between the Town of Rock and the City of Janesville, which was made effective as of May 16, 1996.

Dated this 10th day of September, 2015.


Deborah Bennett, Town of Rock Clerk

**TOWN OF ROCK
ROCK COUNTY, WISCONSIN**

STATE OF WISCONSIN)
) SS.
COUNTY OF ROCK)

I do hereby certify that the attached is a list of all of the departments, clerks, agencies and other governmental and/or municipal offices or entities which were mailed a copy of NOTICE OF TOWN OF ROCK AND CITY OF JANEVILLE INTENT TO PARTICIPATE IN AND PURSUE AMENDMENT OF EXISTING COOPERATIVE BOUNDARY PLAN and a copy of TOWN OF ROCK RESOLUTION NO. 2015-02 on September 10, 2015, by the undersigned, in my capacity as the Town Clerk of the Town of Rock, Rock County, Wisconsin.

Dated this 10th day of September, 2015.


Deborah Bennett, Town of Rock Clerk

CITY OF JANESVILLE
ATTN: CLERK
18 N JACKSON ST
JANESVILLE, WI 53548

CITY OF MILTON
ATTN: CLERK
710 S JANESVILLE ST
MILTON, WI 53563

CITY OF BELOIT
ATTN: CLERK
100 STATE ST
BELOIT, WI 53511

FOOTVILLE VILLAGE
ATTN: CLERK
BOX 445
FOOTVILLE, WI 53537

TOWN OF CENTER
ATTN: CLERK
7416 W MINERAL PT RD
JANESVILLE, WI 53548

TOWN OF FULTON
ATTN: CLERK
2738 W FULTON CENTER DR
EDGERTON, WI 53534

TOWN OF JANESVILLE
ATTN: CLERK
5647 W FENRICK RD
JANESVILLE, WI 53548

TOWN OF PLYMOUTH
ATTN: CLERK
10714 W WELSH RD
JANESVILLE, WI 53548

TOWN OF NEWARK
ATTN: CLERK
9502 S COUNTY ROAD H
BELOIT, WI 53511

TOWN OF BELOIT
ATTN: CLERK
2871 S AFTON RD
BELOIT, WI 53511

TOWN OF TURTLE
ATTN: CLERK
5814 S DUGGAN RD
BELOIT, WI 53511

TOWN OF LAPRAIRIE
ATTN: CLERK
6215 E CREEK RD
JANESVILLE, WI 53546

TOWN OF ROCK
ATTN: DEBORAH BENNETT
5814 S DUGGAN RD
BELOIT, WI 53511

TOWN OF BRADFORD
ATTN: CLERK
1110 E CTY TRUNK MM
AVALON, WI 53505

TOWN OF JOHNSTOWN
ATTN: CLERK
17 S SCHARINE RD
AVALON, WI 53505

TOWN OF HARMONY
ATTN: CLERK
5818 N KENNEDY RD
MILTON, WI 53563

TOWN OF LIMA
ATTN: CLERK
9504 DEMPSEY DR
WHITEWATER, WI 53190

TOWN OF MILTON
ATTN: CLERK
23 FIRST STREET
MILTON, WI 53563

EVANSVILLE SCHOOL DISTRICT
ATTN: CLERK
420 SOUTH FOURTH ST
EVANSVILLE, WI 53536

PARKVIEW SCHOOL DISTRICT
ATTN: CLERK
11247 S MERLET RD
BELOIT, WI 53511

BELOIT-TURNER SCHOOL DISTRICT
ATTN: CLERK
1231 E INMAN PARKWAY
BELOIT, WI 53511

BELOIT SCHOOL DISTRICT
ATTN: CLERK
1768 GATEWAY BLVD #614
BELOIT, WI 53511

CLINTON SCHOOL DISTRICT
ATTN: CLERK
P.O. BOX 566
CLINTON, WI 53525

MILTON SCHOOL DISTRICT
ATTN: CLERK
448 S HIGH ST
MILTON, WI 53563

EDGERTON SCHOOL DISTRICT
ATTN: CLERK
200 ELM HIGH DRIVE
EDGERTON, WI 53534

JANESVILLE SCHOOL DISTRICT
ATTN: CLERK
527 S FRANKLIN ST
JANESVILLE, WI 53548

JANESVILLE MPO
TERRY NOLAN
18 N JACKSON ST
JANESVILLE, WI 53548

SLATS MPO - CITY OF BELOIT
TJ NEE
100 STATE ST
BELOIT, WI 53511

CITY OF JANESVILLE
DAVE BOTTS
123 E DELAVAN DR
JANESVILLE, WI 53545

CITY OF BELOIT
PUBLIC WORKS DIRECTOR
2400 SPRINGBROOK CT
JANESVILLE, WI 53545

CITY OF MILTON
UTILITY DIRECTOR
150 NORTHSIDE CT
MILTON, WI 53563

VILLAGE OF FOOTVILLE
PUBLIC WORKS DIRECTOR
P.O. BOX 445
FOOTVILLE, WI 53537

TOWN OF BELOIT
PUBLIC WORKS DIRECTOR
3629 S WALTERS RD
BELOIT, WI 53511

TOWN OF PLYMOUTH-HANOVER
ATTN: TOWN CHAIR
10714 W WELSH RD
JANESVILLE, WI 53548

BLACKHAWK TECHNICAL COLLEGE
ATTN: CLERK
6004 PRAIRIE RD
JANESVILLE, WI 53545

COLIN BYRNES
ROCK COUNTY PLANNING
ROCK COUNTY COURTHOUSE
51 S MAIN ST
JANESVILLE, WI 53545

JEFF GUST
WI DEPT OF TRANSPORTATION
SW REGION PLANNING CHIEF
2101 WRIGHT ST
MADISON, WI 53704

ERIC SCHMIDTKE
WI DEPT OF ADMINISTRATION
MUNICIPAL BOUNDARY REVIEW
101 E WILSON ST, 9TH FLOOR
MADISON, WI 53703

WI DEPT OF TRANSPORTATION
HILL FARMS STATE
TRANSPORTATION BUILDING
4802 SHEBOYGAN AVE
P.O. BOX 7999
MADISON, WI 53707-7999

WI DEPT OF NATURAL RESOURCES
101 S WEBSTER ST
MADISON, WI 53707

WI DEPT OF AGRICULTURE,
TRADE & CONSUMER PROTECTION
2811 AGRICULTURE DR,
P.O. BOX 8911
MADISON, WI 53708-8911

DNR SERVICE CENTER - JANESVILLE
2514 MORSE ST
JANESVILLE WI 53545

NOTICE
OF
CITY OF JANESVILLE AND TOWN OF ROCK
INTENT TO PARTICIPATE IN AND PURSUE AMENDMENT
OF
EXISTING COOPERATIVE BOUNDARY PLAN

In accordance with the requirements of Section 66.0307(4)(a) of the Wisconsin Statutes (2013-14), notice is hereby given that the City Council of the City of Janesville, Rock County, Wisconsin, adopted the attached Resolution on September 14, 2015, authorizing the City Manager and/or his Designee to participate, on behalf of the City of Janesville, with representatives of the Town of Rock, in the negotiation and preparation of an amendment to the Cooperative Boundary Plan between the Town of Rock and the City of Janesville, which was made effective as of May 16, 1996.

Dated this 15th day of September, 2015.

A handwritten signature in black ink, appearing to read 'David Godek', written over a horizontal line.


David Godek, City of Janesville Clerk

**CITY OF JANESVILLE
ROCK COUNTY, WISCONSIN**

STATE OF WISCONSIN)
) SS.
COUNTY OF ROCK)

I do hereby certify that the attached is a list of all of the departments, clerks, agencies and other governmental and/or municipal offices or entities which were mailed a copy of NOTICE OF CITY OF JANEVILLE AND TOWN OF ROCK INTENT TO PARTICIPATE IN AND PURSUE AMENDMENT OF EXISTING COOPERATIVE BOUNDARY PLAN and a copy of CITY OF JANESVILLE FILE RESOLUTION NO. 2015-1226 on September 14, 2015, by the undersigned, in my capacity as the City Clerk of the City of Janesville, Rock County, Wisconsin.

Dated this 15th day of September, 2015.



David Godek, City of Janesville Clerk

Cooperative Boundary Amendment - 5 mile jurisdiction listing

| | | | |
|---|--|----------------------------|------------------------|
| CITY OF JANESVILLE | ATTN: CLERK | 18 N JACKSON ST | JANESVILLE, WI 53548 |
| CITY OF BELLOIT | ATTN: CLERK | 710 S JANESVILLE ST | MILTON, WI 53563 |
| FOOTVILLE VILLAGE | ATTN: CLERK | 100 STATE ST | BELOIT, WI 53511 |
| TOWN OF CENTER | ATTN: CLERK | BOX 445 | FOOTVILLE, WI 53537 |
| TOWN OF FULTON | ATTN: CLERK | 7416 W MINERAL PT RD | JANESVILLE, WI 53548 |
| TOWN OF JANESVILLE | ATTN: CLERK | 2738 W FULTON CENTER DR | EDGERTON, WI 53534 |
| TOWN OF PLYMOUTH | ATTN: CLERK | 5647 W FENRICK RD | JANESVILLE, WI 53548 |
| TOWN OF NEWARK | ATTN: CLERK | 10714 W WELSH RD | JANESVILLE, WI 53548 |
| TOWN OF BELLOIT | ATTN: CLERK | 9502 S COUNTY ROAD H | BELOIT, WI 53511 |
| TOWN OF TURTLE | ATTN: CLERK | 2871 S AFTON RD | BELOIT, WI 53511 |
| TOWN OF LAPRAIRIE | ATTN: CLERK | 5814 S DUGGAN RD | BELOIT, WI 53511 |
| TOWN OF ROCK | ATTN: CLERK | 6215 E CREEK RD | JANESVILLE, WI 53546 |
| TOWN OF BRADFORD | ATTN: DEBORAH BENNETT | 5814 S DUGGAN RD | BELOIT, WI 53511 |
| TOWN OF JOHNSTOWN | ATTN: CLERK | 1110 E CITY TRUNK MM | BELOIT, WI 53511 |
| TOWN OF HARMONY | ATTN: CLERK | 17 S SCHARINE RD | BELOIT, WI 53511 |
| TOWN OF LIMA | ATTN: CLERK | 5818 N KENNEDY RD | BELOIT, WI 53511 |
| EVANSVILLE SCHOOL DISTRICT | ATTN: CLERK | 9504 DEMPSEY DR | BELOIT, WI 53511 |
| PARKVIEW SCHOOL DISTRICT | ATTN: CLERK | 23 FIRST STREET | CLINTON, WI 53525 |
| BELOIT-TURNER SCHOOL DISTRICT | ATTN: CLERK | 420 SOUTH FOURTH ST | MILTON, WI 53563 |
| BELOIT SCHOOL DISTRICT | ATTN: CLERK | 11247 S MERLET RD | EVANSVILLE, WI 53536 |
| CLINTON SCHOOL DISTRICT | ATTN: CLERK | 1231 E INMAN PARKWAY | BELOIT, WI 53511 |
| MILTON SCHOOL DISTRICT | ATTN: CLERK | 1768 GATEWAY BLVD #614 | BELOIT, WI 53511 |
| EDGERTON SCHOOL DISTRICT | ATTN: CLERK | P.O. BOX 566 | CLINTON, WI 53525 |
| JANESVILLE SCHOOL DISTRICT | ATTN: CLERK | 448 S HIGH ST | MILTON, WI 53563 |
| JANESVILLE MPO | ATTN: CLERK | 200 ELM HIGH DRIVE | EDGERTON, WI 53534 |
| SLATS MPO - CITY OF BELLOIT | ATTN: CLERK | 527 S FRANKLIN ST | JANESVILLE, WI 53548 |
| CITY OF JANESVILLE | TERRY NOLAN | 18 N JACKSON ST | JANESVILLE, WI 53548 |
| CITY OF BELLOIT | TJ NEE | 100 STATE ST | BELOIT, WI 53511 |
| CITY OF MILTON | DAVE BOTTS | 123 E DELAVAN DR | JANESVILLE, WI 53545 |
| VILLAGE OF FOOTVILLE | PUBLIC WORKS DIRECTOR | 2400 SPRINGBROOK CT | JANESVILLE, WI 53545 |
| TOWN OF BELLOIT | UTILITY DIRECTOR | 150 NORTHSIDE CT | MILTON, WI 53563 |
| TOWN OF PLYMOUTH-HANOVER | PUBLIC WORKS DIRECTOR | P.O. BOX 445 | FOOTVILLE, WI 53537 |
| BLACKHAWK TECHNICAL COLLEGE | PUBLIC WORKS DIRECTOR | 3629 S WALTERS RD | BELOIT, WI 53511 |
| COUN BYRNES | ATTN: TOWN CHAIR | 10714 W WELSH RD | JANESVILLE, WI 53548 |
| JEFF GUST | ATTN: CLERK | 6004 PRAIRIE RD | JANESVILLE, WI 53545 |
| ERIC SCHMIDTKE | ROCK COUNTY PLANNING | ROCK COUNTY COURTHOUSE | JANESVILLE, WI 53545 |
| WI DEPT OF TRANSPORTATION | WI DEPT OF TRANSPORTATION | 51 S MAIN ST | JANESVILLE, WI 53545 |
| WI DEPT OF NATURAL RESOURCES | WI DEPT OF ADMINISTRATION | SW REGION PLANNING CHIEF | MADISON, WI 53704 |
| WI DEPT OF AGRICULTURE, TRADE & CONSUMER PROTECTION | HILL FARMS STATE TRANSPORTATION BUILDING | MUNICIPAL BOUNDARY REVIEW | MADISON, WI 53703 |
| DNR SERVICE CENTER - JANESVILLE | 101 S WEBSTER ST | 101 E WILSON ST, 9TH FLOOR | MADISON, WI 53707-7999 |
| | 2811 AGRICULTURE DR, P.O. BOX 8911 | P.O. BOX 7999 | |
| | 2514 MORSE ST | | |



**WISCONSIN DEPARTMENT OF
ADMINISTRATION**

SCOTT WALKER
GOVERNOR
SCOTT A NEITZEL
SECRETARY

Municipal Boundary Review
PO Box 1645, Madison WI 53701
Voice (608) 264-6102 Fax (608) 264-6104
Email: wimunicipalboundaryreview@wi.gov
Web: <http://doa.wi.gov/municipalboundaryreview/>

May 4, 2016

Mark Gunn, Chair
Town of Rock
1915 S Hayner Road
Janesville, WI 53548

Mark Freitag, Manager
City of Janesville
18 North Jackson Street, 4th Floor
Janesville, WI 53547-5005

**RE: Approval of First Amendment to the City of Janesville and Town of
Rock Cooperative Boundary Plan Amendment**

Gentlemen:

The Department of Administration has received your request for review and approval of the First Amendment to the City of Janesville/Town of Rock Cooperative Boundary Plan, which was originally approved by the Department on May 16, 1996. Hereinafter this First Amendment is referred to as the "First Amendment" while the original cooperative boundary plan agreement is referred to as the "Cooperative Plan". With this letter the Department is approving your First Amendment.

Section 66.0307 (8), Wis. Stats., enables parties to amend a cooperative boundary plan agreement and submit it to the Department for approval. This First Amendment was adopted by resolution by the City of Janesville on February 22, 2016 and by the Town of Rock on March 7, 2016. It was submitted to the Department for review and approval on March 22, 2016.

The City and Town held a joint public hearing on the Amendment on January 12, 2016 and additionally held a public informational meeting on October 27, 2015. Public turnout at these events was strong, with residents within the Amendment territory indicating their preference to remain in the Town. In response to these comments, the City and Town further extended the date upon which residents must attach their lands to the City.

The purpose of this First Amendment is to clarify how and when certain Town territory will transfer to the City, and to extend the term of the Cooperative Plan, which was set to expire May 16, 2016. Specifically, the original Cooperative Plan envisioned the ultimate transfer to the City of an expansive area of Town territory which is entirely surrounded by the City. Some of this territory has already transferred to the City, but much of the territory remains within the Town. This Amendment extends the Cooperative Plan term in order to enable Town residents to remain in the Town longer, and it also clarifies how and when territory will transfer. The Amendment provides that ultimately all territory not already transferred to the City by December 31, 2046 will transfer upon that date.

The Rock County Planning and Development department has reviewed the Amendment as required by s. 66.0307(4)(c) Wis. Stats. and comments that it is consistent with all area plans, policies, and programs and should be a benefit to both communities as well as the county.

The language of this First Amendment is clear and unambiguous, and does not disturb the Department's approval of the original Cooperative Plan. Therefore, pursuant to authority granted under s. 66.0307(5)(a), Wis. Stats., the Department of Administration hereby

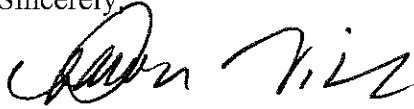
May 4, 2016

Page 2 of 2

APPROVES this First Amendment to the City of Janesville and Town of Rock Cooperative Boundary Plan Agreement.

If we can be of any further assistance to you, or should you have any questions concerning this approval letter, please feel free to call me at (608) 266-7043. Congratulations on a successful conclusion of your efforts.

Sincerely,

A handwritten signature in black ink, appearing to read "Dawn Vick", written over a horizontal line.

Dawn Vick, Administrator
Division of Intergovernmental Relations

cc://

Tim Lindau, Town Attorney

Deborah Bennett, Town Clerk

Dave Godek, City Clerk

Duane Cherek, City Planning Manager

Ryan Krzos, City Planner

Wald Klimczyk, City Attorney

Colin Byrne, Rock County Planning & Dev.