



November 15, 2016

Erich Schmidtke
Wisconsin Department of Administration
Municipal Boundary Review
101 East Wilson Street, 9th Floor
P.O. Box 1645
Madison, WI 53701-1645

RE: City of Menasha – Attachment
1462 Appleton Road, Menasha

Dear Erich:

Enclosed please find the documents for the attachment of 1462 Appleton Road to City of Menasha.

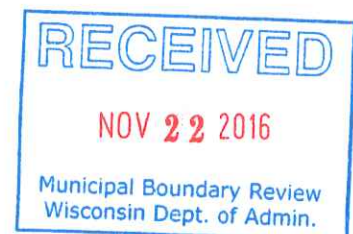
I understand these are all the documents required. Please let me know if there is anything missing.

Sincerely,

Deborah A. Galeazzi
City Clerk

Enc.

cc: CDD David Buck



PETITION FOR DETACHMENT

William G. Lewis and Rebecca Lewis, constituting all of the owners of all the land in area in the following territory of the Village of Fox Crossing, Winnebago County, Wisconsin, Petitions the Village Board of said Village of Fox Crossing to detach the territory described below and shown on the attached scale map to the City of Menasha, Winnebago County, Wisconsin:

Legal Description:

Parcel "A"

All that part of the North Twenty-seven (27) acres of the Northeast ¼ of the Northeast ¼ Section 11, Township 20 North, Range 17 East, in the Village of Fox Crossing, Winnebago County, Wisconsin, described as follows:

Commencing at the Northeast corner of said Section 11; thence S89° 40' W along the North line of said Section 60.0 feet; thence S01° 39' E, 423.5 feet to the point of beginning; thence S89° 40' W, 150.0 feet; thence S01° 39' E, 220.0 feet; thence N89° 40' E, 150.0 feet; thence N 01° 39' W, 220.0 feet to the point of beginning. Said parcel containing 0.7500 acres.

Parcel No. 008-0337-01

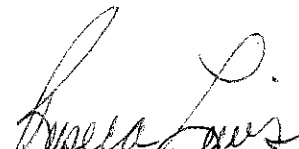
No electors reside on this property.

William G. Lewis and Rebecca Lewis, elect that this detachment shall take effect to the full extent consistent with outstanding priorities of other annexation, detachment, incorporation, or consolidation proceedings, if any.

Dated this 19 day of October, 2016.



William G. Lewis, Owner/Member
R. Lewis & R. Lewis LLC
1702 Scheuring Road
DePere, WI 54115



Rebecca Lewis, Owner/Member
R. Lewis & R. Lewis LLC
1702 Scheuring Road
DePere, WI 54115

NOTICE OF INTENT TO CIRCULATE A PETITION FOR DETACHMENT OF TERRITORY
FROM THE VILLAGE OF FOX CROSSING TO THE CITY OF MENASHA

PLEASE TAKE NOTICE the undersigned owners in the territory described below intend to petition in accordance with Section 66.0227 of Wisconsin Statutes for DETACHMENT of the following territory in the Village of Fox Crossing, Winnebago County, Wisconsin, to the City of Menasha, Winnebago County, Wisconsin.

Legal Description:

Parcel "A"

All that part of the North Twenty-seven (27) acres of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ Section 11, Township 20 North, Range 17 East, in the Village of Fox Crossing, Winnebago County, Wisconsin, described as follows:

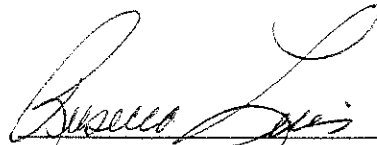
Commencing at the Northeast corner of said Section 11; thence S89° 40' W along the North line of said Section 60.0 feet; thence S01° 39' E, 423.5 feet to the point of beginning; thence S89° 40' W, 150.0 feet; thence S01° 39' E, 220.0 feet; thence N89° 40' E, 150.0 feet; thence N 01° 39' W, 220.0 feet to the point of beginning. Said parcel containing 0.7500 acres.

Parcel No. 008-0337-01

Dated this 19 day of October, 2016.



William G. Lewis, Owner/Member
R. Lewis & R. Lewis LLC
1702 Scheuring Road
DePere, WI 54115



Rebecca Lewis, Owner/Member
R. Lewis & R. Lewis LLC
1702 Scheuring Road
DePere, WI 54115

ORD #161026-1:ORDV First Reading, Second Reading & Adoption
AMEND VILLAGE OF FOX CROSSING MUNICIPAL CODE CHAPTER 1
COMPOSITION AND DUTIES OF GENERAL GOVERNMENT BY ADDING
CHAPTER 1.14 ORDINANCE DETACHING PARCEL 008-0337-01 FROM VILLAGE
OF FOX CROSSING TO CITY OF MENASHA, AND ENTERING INTO A
STIPULATION AGREEMENT REGARDING COURT CASE 16CV983

WHEREAS, a “Notice of Intention to Circulate a Petition for Detachment,” a copy of which is attached hereto as **Exhibit A**, was published in the Appleton Post-Crescent on Saturday, October 22, 2016; and,

WHEREAS, a “Petition for Detachment,” a copy of which is attached hereto as **Exhibit B**, was thereafter received and filed by the Clerk of the Village of Fox Crossing; and,

WHEREAS, pursuant to said Intergovernmental Cooperation Agreement, the Village of Fox Crossing adopted Ordinance No. 160922-1:ORDV, transferring land from the Town of Menasha to the Village of Fox Crossing on or about September 22, 2016; a copy of said Ordinance is attached hereto as **Exhibit C**; and,

WHEREAS, on or about October 17, 2016, the City of Menasha adopted annexation ordinance number O-16-16, a copy of which is attached hereto as **Exhibit D**, purporting to annex the territory described in **Exhibit D** (hereinafter the “subject land”), which was previously transferred from the Town of Menasha to the Village of Fox Crossing by virtue of Ordinance No. 160922-1:ORDV; and,

WHEREAS, there exists a dispute between the City of Menasha and the Village of Fox Crossing as to whether the transfer of the subject land from the Town of Menasha to the Village of Fox Crossing or the City of Menasha’s annexation of the subject land was first commenced; and,

WHEREAS, it is to both parties’ benefit to establish clear and certain boundaries by settling the above-referenced dispute without litigation.

NOW THEREFORE, the Village of Fox Crossing Board of Trustees does hereby ordain:

Part I. Chapter 1, Composition and Duties of General Government, is hereby amended to add Section 1.14, as follows.

1. Provided the City of Menasha Common Council adopts a consistent and corresponding attachment ordinance on or before Monday, November 7, 2016, the Village of Fox Crossing does hereby detach the below-described territory for possible attachment to the City of Menasha:

Parcel "A"

All that part of the North Twenty-seven (27) acres of the Northeast ¼ of the Northeast ¼ Section 11, Township 20 North, Range 17 East, in the Village of Fox Crossing, Winnebago County, Wisconsin, described as follows:

Commencing at the Northeast corner of said Section 11; thence S89° 40' W along the North line of said Section 60.0 feet; thence S01° 39' E, 423.5 feet to the point of beginning; thence S89° 40' W, 150.0 feet; thence S01° 39' E, 220.0 feet; thence N89° 40' E, 150.0 feet; thence N 01° 39' W, 220.0 feet to the point of beginning. Said parcel containing 0.7500 acres.

2. If the City of Menasha fails to adopt a corresponding attachment ordinance on or before November 7, 2106, this detachment ordinance shall expire.

3. By the adoption of this Ordinance, the Village Clerk and Village President are hereby authorized to enter into the stipulation attached hereto as **Exhibit E**.


Part II. All ordinances or parts of ordinances contradicting the provisions of this ordinance are hereby repealed.

Date Introduced: October 26, 2016

Date Adopted: October 26, 2016

Requested by: Dale A. Youngquist, Village President

Submitted by: Dale A. Youngquist, Village President


Dale A. Youngquist, Village President


Attest: Karen Backman, Village Clerk

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EX: A

NOTICE OF INTENT TO CIRCULATE A PETITION FOR DETACHMENT OF TERRITORY
FROM THE VILLAGE OF FOX CROSSING TO THE CITY OF MENASHA

PLEASE TAKE NOTICE the undersigned owners in the territory described below intend to petition in accordance with Section 66.0227 of Wisconsin Statutes for DETACHMENT of the following territory in the Village of Fox Crossing, Winnebago County, Wisconsin, to the City of Menasha, Winnebago County, Wisconsin.

Legal Description:

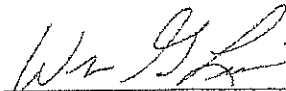
Parcel "A"

All that part of the North Twenty-seven (27) acres of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ Section 11, Township 20 North, Range 17 East, in the Village of Fox Crossing, Winnebago County, Wisconsin, described as follows:

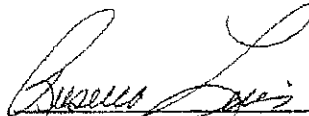
Commencing at the Northeast corner of said Section 11; thence S89° 40' W along the North line of said Section 60.0 feet; thence S01° 39' E, 423.5 feet to the point of beginning; thence S89° 40' W, 150.0 feet; thence S01° 39' E, 220.0 feet; thence N89° 40' E, 150.0 feet; thence N 01° 39' W, 220.0 feet to the point of beginning. Said parcel containing 0.7500 acres.

Parcel No. 008-0337-01 1462 Appleton Road.

Dated this 19 day of October, 2016.



William G. Lewis, Owner/Member
R. Lewis & R. Lewis LLC
1702 Scheuring Road
DePere, WI 54115



Rebecca Lewis, Owner/Member
R. Lewis & R. Lewis LLC
1702 Scheuring Road
DePere, WI 54115

EXHIBIT B

EXHIBIT C

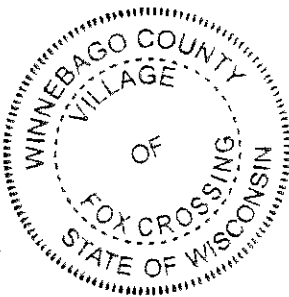
VILLAGE OF FOX CROSSING
Village Clerk's Office
2000 Municipal Drive
Neenah, WI 54956-5665

CLERK'S CERTIFICATION

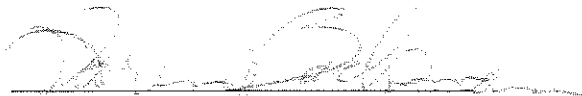
I, Karen Backman, Village Clerk of the Village of Fox Crossing, Winnebago County, Wisconsin, hereby certify that the attached is a true and correct copy of Ordinance #160922-1 ORDV entitled:

AMEND VILLAGE OF FOX CROSSING MUNICIPAL CODE CHAPTER 1-
COMPOSITION AND DUTIES OF GENERAL GOVERNMENT, BY ADDING
CHAPTER 1.13- ORDINANCE TO ACCOMPLISH BOUNDARY LINE CHANGE
REFERENCED IN INTERGOVERNMENTAL COOPERATION AGREEMENT
ENTERED INTO ON AUGUST 17, 2016

which was ADOPTED at the special Village Board of Trustees meeting of September 22, 2016 at 7:04 a.m.



Dated this 27th day of September, 2016


Karen Backman, Village Clerk



ORDINANCE O-17-16

AN ORDINANCE APPROVING THE ATTACHMENT OF TERRITORY TO THE CITY OF MENASHA FROM THE VILLAGE OF FOX CROSSING OWNED BY R. LEWIS & R. LEWIS, LLC

Introduced by Mayor Merkes.

The Common Council of the City of Menasha does hereby ordain as follows:

SECTION 1: Territory Attached. In accordance with Section 66.0227 of the Wisconsin Statutes and the Petition to Detach 0.75 acre parcel of land from the Village of Fox Crossing and Attach to the City of Menasha filed with the Village Clerk of the Village of Fox Crossing and received by City Clerk of the City of Menasha, Wisconsin, on October 19, 2016, signed by the owners of all the real property in the territory (there are no electors residing in the territory), the following described territory in the Village of Fox Crossing, Winnebago County, Wisconsin, is attached to the City of Menasha, Winnebago County, Wisconsin:

All that part of the North Twenty-seven (27) acres of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 11, Township 20 North, Range 17 East, in the Town of Menasha, Winnebago County, Wisconsin, described as follows:

Commencing at the Northeast corner of said Section 11; thence S89° 40' W along the North line of said Section 60.0 feet; thence S01° 39' E, 423.5 feet to the point of beginning; thence S89° 40' W, 150.0 feet; thence S01° 39' E, 220.0 feet; thence N89° 40' E, 150.0 feet; thence N 01° 39' W, 220.0 feet to the point of beginning. Said parcel containing 0.7500 acres. Parcel No. 008-0337-01

SECTION 2: Effect of Attachment. From and after the date of this ordinance, the territory described in Section 1 shall be a part of the City of Menasha 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 Menasha.

SECTION 3: Zoning Classification. The territory attached to the City of Menasha by this ordinance is zoned as follows, pursuant to Sec. 66.0227(4) of the Wisconsin Statutes: C-1 General Commercial.

SECTION 4: Aldermanic District and Ward Designation. The territory described in Section 1 of this Ordinance is hereby made a part of Aldermanic District 3, Ward 39, subject to the ordinances, rules and regulations of the City governing wards and aldermanic districts.



SECTION 5: Severability. If any provision of this Ordinance is invalid or unconstitutional, or if the application of this Ordinance to any person or circumstance 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 6: Effective Date. This Ordinance shall become effective upon its passage and publication as provided by law.

Passed and approved this 7th day of November, 2016.

Recommended by: Mayor Merkes

Motion/Second:
Ald. Benner/Ald. Keehan

Passed: 7-0.

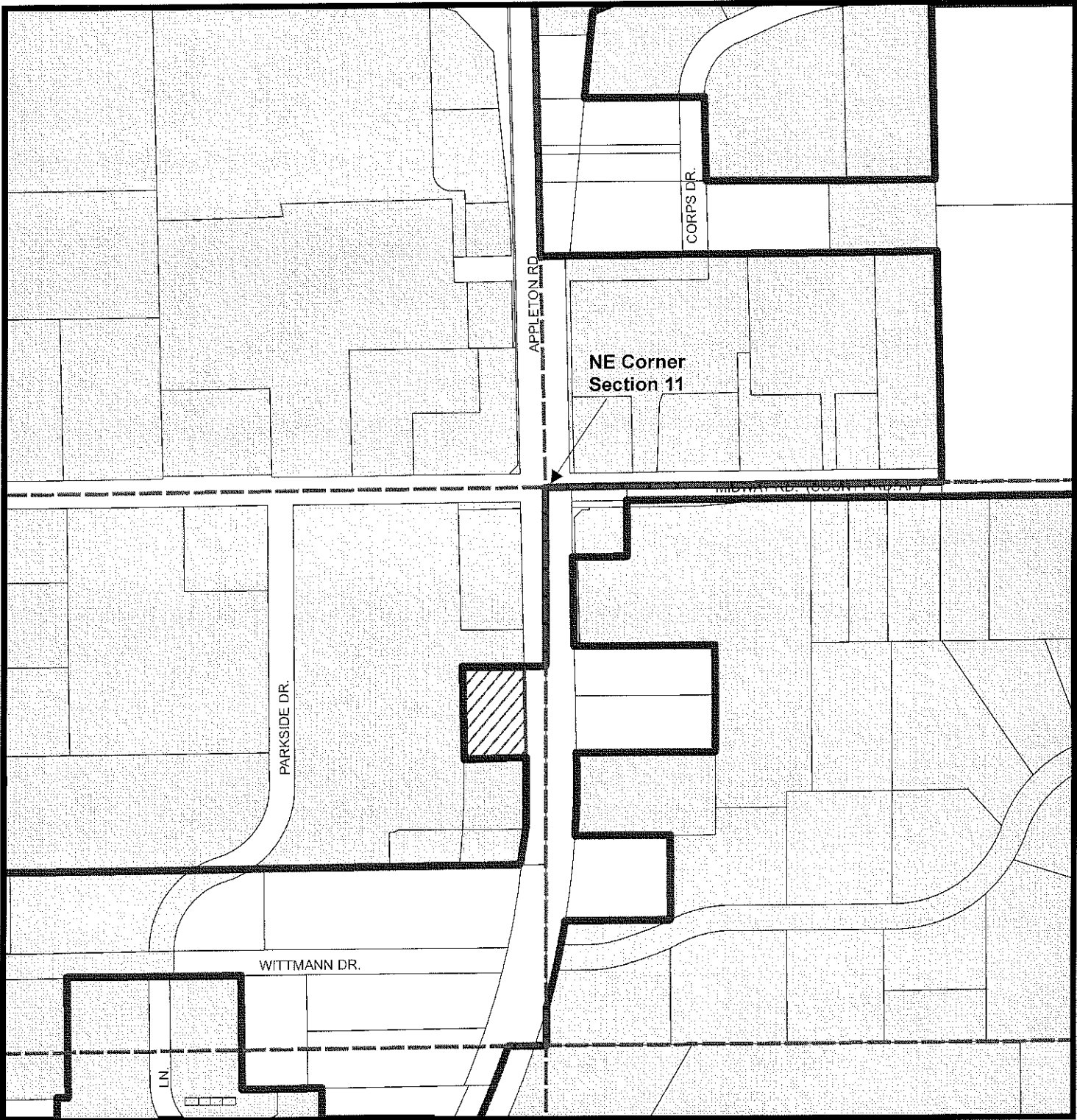
Requires: Majority Vote

Donald Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk

Proposed Attachment



Legend



Parcel Proposed for Attachment



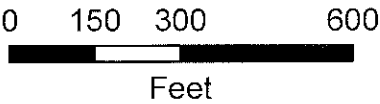
win_parc selection



Section Lines



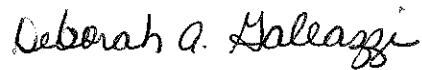
City of Menasha Corporate Limits



CERTIFICATION OF CLERK

I, Deborah A. Galeazzi, duly appointed City Clerk of the City of Menasha, Winnebago and Calumet Counties, Wisconsin, **DO HEREBY CERTIFY** that the attached Ordinance O-17-16 is a true and compared copy of the Ordinance adopted by the Common Council of the City of Menasha, Winnebago and Calumet Counties, at a regular meeting held on November 7, 2016.

Dated at Menasha, Wisconsin this 11th day of November, 2016.



Deborah A. Galeazzi
City Clerk

(City Seal)

CERTIFICATE OF ATTACHMENT

I, Deborah A. Galeazzi, City Clerk of the City of Menasha, Winnebago and Calumet Counties, State of Wisconsin, **do hereby certify** that the following described properties were attached from the Village of Fox Crossing/Town of Menasha, County of Winnebago, to the City of Menasha, Winnebago County pursuant to Section 66.021(3)(a) of the Wisconsin Statutes by an ordinance (Ordinance O-17-2016) adopted by the Common Council of the City of Menasha at a regular meeting held November 7, 2016.

Legal description:

Parcel "A"

All that part of the North Twenty-seven (27) acres of the Northeast ¼ of the Northeast ¼ of Section 11, Township 20 North, Range 17 East, in the Town of Menasha, Winnebago County, Wisconsin, described as follows:

Commencing at the Northeast corner of said Section 11; thence S89° 40' W along the North line of said Section 60.0 feet; thence S01° 39' E, 423.5 feet to the point of beginning; thence S89° 40' W, 150.0 feet; thence S01° 39' E, 220.0 feet; thence N89° 40' E, 150.0 feet; thence N 01° 39' W, 220.0 feet to the point of beginning. Said parcel containing 0.7500 acres.

Parcel No. 008-0337-01

The population of the described parcels is 0.

I further certify that the plat attached hereto is a true and correct plat of the territory attached and that the territory of Parcel A is hereby made a part of Aldermanic District 3, Ward 39; subject to the ordinances, rules and regulations of the City governing ward and aldermanic district.

Dated at Menasha, Wisconsin this 11th day of November, 2016

Deborah A. Galeazzi
Deborah A. Galeazzi, City Clerk