

ORD-10756



Fox Crossing Village Clerk's Office

2000 Municipal Drive Neenah, WI 54956-5663
Phone (920) 720-7103 Fax (920) 720-7112
www.foxcrossingwi.gov | Clerk@foxcrossingwi.gov

September 28, 2017

Wisconsin Department of Administration
Municipal Boundary Review
PO Box 1645
Madison, WI 53701-1645

RE: MICHAEL & ASHLEY PRINCE ANNEXATION

Per State Statute, please find enclosed Ordinance no. 170925-1:ORD which was approved at a regular meeting of the Village of Fox Crossing Board of Trustees on September 25, 2017. Also enclosed is the property description, a map, and completed Wisconsin Annexation Filing Checklist and Submittal Form.

Please feel free to call me if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Karen J. Backman", is written over a horizontal line.

Karen J. Backman
Village Clerk
VILLAGE OF FOX CROSSING

Enclosure



Village of Fox Crossing
Municipal Complex
2000 Municipal Drive
Neenah, WI 54956



Karen Backman, CMC
Village Clerk
(920) 720-7103
Fax (920) 720-7112

Email: kbackman@foxcrossingwi.gov

CERTIFICATE OF VILLAGE CLERK

STATE OF WISCONSIN)
)
COUNTY OF WINNEBAGO)

I, Karen J. Backman, hereby certify that I am duly appointed, qualified and acting VILLAGE CLERK of the VILLAGE OF FOX CROSSING, Winnebago County, State of Wisconsin, and as such have charge of the official records of the Village.

I further certify that this is a true and correct copy of Ordinance No. **170925-1:ORD** and the original is on file in the Village Clerk's office. The population of the territory being attached is zero (0) persons. The **MBR number is 14049**.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Village of Fox Crossing, this 29th day of September, 2017.

A handwritten signature in blue ink, appearing to read "Karen Backman", is written over a horizontal line.

Karen J. Backman, CMC
Village Clerk

RES#170925-1:ORD *First Reading, Second Reading & Adoption*

AN ORDINANCE ATTACHING CERTAIN LANDS FROM THE TOWN OF CLAYTON, WINNEBAGO COUNTY TO THE VILLAGE OF FOX CROSSING, WINNEBAGO COUNTY, WISCONSIN – PRINCE ANNEXATION

The Village Board of the Village of Fox Crossing does ordain as follows:

PART I. Territory Attached. In accordance with the Petition for Direct Annexation By Property Owners of at Least One-half Approval filed with the Village Clerk on or about the 28th day of August, 2017, which Petition was signed by property owners of at least one-half of all of the real property within the territory proposed to be attached; now, therefore, the territory described in Exhibit A, and shown in a scale map of the subject territory, Exhibit B, is hereby attached to the Village of Fox Crossing, Winnebago County, Wisconsin, and is detached from the Town of Clayton, Winnebago County, Wisconsin.

PART II. Effect of Annexation. From and after the date of the adoption of this Ordinance, as required by law, the territory described in Exhibit A shall be a part of the Village of Fox Crossing for any and all purposes provided by law and all persons coming and residing within such territories shall be subject to all ordinances, rules and regulations governing the Village of Fox Crossing.

PART III. Required Filings. The Village Clerk shall file immediately with the Secretary of Administration a certified copy of the Ordinance, with a copy of the legal description and map, and the Village Clerk shall send one copy to each company that provides any utility service in the area that is attached. The Village Clerk shall also record the Ordinance with the Register of Deeds and file a signed copy of the Ordinance with the Clerk of any affected school district. The Clerk's certificate shall include reference to the population of the territory being attached as set forth in the Petition, which population is zero (0) persons.

PART IV. Municipal Boundary Review. The Petition for Direct Annexation was found to be in the public interest by Wisconsin Department of Administration, Division of Intergovernmental Relations/Municipal Boundary Review, under **MBR number: 14049**.

PART V. 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 unconstitutionality shall not affect the other provisions or obligations of this Ordinance which can be given effect without the invalid or unconstitutional provision or application.


PART VI. Effective Date. This Ordinance shall be effective upon passage as required by law.

Date Introduced: September 25, 2017

Date Adopted: September 25, 2017

Requested by: Dale A. Youngquist, Village President
Submitted by: Dale A. Youngquist, Village President



Dale A. Youngquist, Village President

ATTEST: 
Karen Backman, Village Clerk

STATE OF WISCONSIN COUNTY OF Winnebago

Personally came before me this 28th day of September, 20 17 the above named
Dale A. Youngquist, Village President and Karen Backman, Village Clerk to me known to
be the persons who executed the foregoing instrument and acknowledged the same.





Sherrie Weston
Notary Public, Winnebago County, Wisconsin
My Commission Expires: 8-03-2019

EXHIBIT A

Annexation Description 1 -Town of Clayton to Village of Fox Crossing

A part of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ and a part of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 1, Township 20 North, Range 16 East, and all of Dedicated Prince Road, Lot 1 and part of Lot 2 of Certified Survey Map No. 7176, as recorded in the Winnebago County Register of Deeds in Volume 1 Page 7176 as Document No. 1730502 and a part of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ and the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 12, Township 20 North, Range 16 East, Town of Clayton, Winnebago County, Wisconsin containing 72.819 acres of land and described as:

Beginning at the North $\frac{1}{4}$ Corner of said Section 12;

Thence N00°27'26"W, 40.00 feet along the West line of the Southeast $\frac{1}{4}$ of said Section 1, to the North Right-of-Way of East Shady Lane;

Thence N89°04'46"E, 255.68 feet along said Right-of-Way;

Thence S00°55'14"E, 7.00 feet along said Right-of-Way;

Thence N89°04'46"E, 417.00 feet along said Right-of-Way;

Thence N00°55'14"W, 7.00 feet along said Right-of-Way;

Thence N89°04'46"E, 326.37 feet along said Right-of-Way;

Thence N88°21'15"E, 158.01 feet along said Right-of-Way;

Thence N88°30'23"E, 100.01 feet along said Right-of-Way;

Thence N89°04'46"E, 94.67 feet along said Right-of-Way to the Northerly extension of the East line of said Lot 1;

Thence S00°31'01"E, 573.00 feet along said East line, to the Southwest corner of Lot 1 of Certified Survey Map No. 5285, as recorded in the Winnebago County Register of Deeds in Volume 1 Page 5285 as Document No. 1261238;

Thence N89°04'46"E, 552.96 feet along the South line of Lot 1 of said Certified Survey Map No. 5285, to the Southeast corner thereof;

Thence N00°08'22"E, 575.08 feet along the east line of said Lot 1 and its Northerly extension, to the said North Right-of-Way of East Shady Lane;

Thence N89°04'46"E, 45.51 feet along said Right-of-Way;

Thence N89°39'09"E, 300.01 feet along said Right-of-Way;

Thence N89°04'46"E, 100.00 feet along said Right-of-Way;

Thence N89°42'23"E, 202.01 feet along said Right-of-Way;

Thence S89°27'57"E, 95.85 feet along said Right-of-Way and its Easterly extension thereof, to the East line of said Southeast $\frac{1}{4}$;

Thence S00°38'53"E, 37.36 feet along said East line to the Northeast Corner of said Section 12;

Thence S00°38'57"E, 1031.36 feet along the East line of the Northeast $\frac{1}{4}$ of said Section 12, to the Easterly extension of the North line of Lot 2 of Certified Survey Map No. 3651, as recorded in the Winnebago County Register of Deeds in Volume 1 Page 3651 as Document No. 962407;

Thence S82°50'20"W, 469.71 along said North line and its extension, to the Northwest corner thereof;

Thence S07°34'17"E, 244.49 feet along the West line of Lot 2 of said Certified Survey Map No. 3651, to the South line of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 12;

Thence S89°02'58"W, 879.43 feet along said South line to the Southeast corner of Lot 1 of said Certified Survey Map No. 7176;

Thence continuing S89°02'58"W, 1316.66 feet along the South line of said Lot 1 and its Westerly extension, to the West Right-of-Way of dedicated Prince Road, being the West line of said Northeast $\frac{1}{4}$;

Thence N01°34'23"W, 1326.47 feet along said West line, to the Point of Beginning.

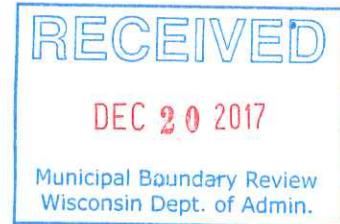


Fox Crossing Village Clerk's Office

2000 Municipal Drive Neenah, WI 54956-5663
Phone (920) 720-7103 Fax (920) 720-7112
www.foxcrossingwi.gov | clerk@foxcrossingwi.gov

December 13, 2017

WI Department of Administration
Secretary Scott Neitzel
101 E. Wilson Street, 10th Floor
Madison, WI 53703



Attention:

Per Wisconsin Statute 66.0231, I am enclosing four (4) copies of a Summons and Complaint received on December 11, 2017 from the Town of Clayton, who has filed a lawsuit against the Village of Fox Crossing due to a recent annexation of lands.

Please contact me at 920-720-7149 if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Karen Backman".

Karen Backman, Village Clerk
Village of Fox Crossing

Enclosure(s)

C: [unclear], atty,
myra, VB

FILED
12-07-2017
Clerk of Circuit Court
Winnebago County, WI
2017CV001027
Honorable Thomas J
Gritton
Branch 1

STATE OF WISCONSIN CIRCUIT COURT WINNEBAGO COUNTY

TOWN OF CLAYTON,
a Body Corporate and Politic,
8348 County Road T
Larsen, Wisconsin 54947,



Plaintiff,

vs.

Case No. 2017-CV-
Case Code 30701

VILLAGE OF FOX CROSSING,
a Wisconsin Municipality,
2000 Municipal Drive
Neenah, Wisconsin 54956,

Defendant.

Process Server [Signature]
Time 10:11 AM Date 12-11-2017
Address Served 2000 Municipal Drive
Neenah, WI 54956
Person Served Village of Fox Crossing

SUMMONS

THE STATE OF WISCONSIN, TO EACH DEFENDANT NAMED ABOVE:

You are hereby notified that the plaintiff named above has filed a lawsuit or other legal action against you. The Complaint, which is attached, states the nature and basis of the legal action.

Within twenty (20) days of receiving this Summons, you must respond with a written answer, as that term is used in chapter 802 of the Wisconsin Statutes, to the Complaint. The Court may reject or disregard an answer that does not follow the requirements of the statutes. The answer must be sent or delivered to the Court, whose address is Winnebago County Courthouse, 415 Jackson Street, Oshkosh, Wisconsin 54903, and to the plaintiff's attorney, Benjamin D. LaFrombois, whose address is 100 West Lawrence Street, Suite 106, Appleton, Wisconsin 54911. You may have an attorney help or represent you.

If you do not provide a proper answer within twenty (20) days, the Court may grant

judgment against you for the award of money or other legal action requested in the Complaint and you may lose your right to object to anything that is or may be incorrect in the Complaint. A judgment may be enforced as provided by law. A judgment awarding money may become a lien against any real estate you own now or in the future and may also be enforced by garnishment or seizure of property.

Dated this 7th day of December, 2017.

VON BRIESEN & ROPER, S.C.
Attorneys for Plaintiff,
Town of Clayton

Electronically signed by Benjamin D. LaFrombois
Benjamin D. LaFrombois
State Bar No. 1027910
Christopher T. Koehnke
State Bar No. 1076031

ADDRESS:

100 W. Lawrence Street, Suite 106
Appleton, WI 54911
Phone 920-233-4704
Fax 920-233-6055
Emails: blafrombois@vonbriesen.com
ckoehnke@vonbriesen.com

STATE OF WISCONSIN CIRCUIT COURT WINNEBAGO COUNTY

TOWN OF CLAYTON,
a Body Corporate and Politic,
8348 County Road T
Larsen, Wisconsin 54947,

Plaintiff,

vs.

VILLAGE OF FOX CROSSING,
a Wisconsin Municipality,
2000 Municipal Drive
Neenah, Wisconsin 54956,

Defendant.

Case No. 2017-CV-_____
Case Code 30701

FILED
12-07-2017
Clerk of Circuit Court
Winnebago County, WI
2017CV001027
Honorable Thomas J
Gritton
Branch 1



COMPLAINT

Plaintiff Town of Clayton, by its attorneys, von Briesen & Roper, s.c., as and for their complaint against the Defendant Village of Fox Crossing alleges as follows:

1. The Town of Clayton ("Clayton") is a body corporate and politic organized and existing under Chapter 60 of the Wisconsin Statutes, located in Winnebago County, Wisconsin, with its principal offices at 8348 County Road T, Larsen, Wisconsin 54947.
2. The Village of Fox Crossing ("Fox Crossing") is a municipal corporation organized and existing under the laws of the State of Wisconsin, located in Winnebago County, Wisconsin, with its principal offices located at 2000 Municipal Drive, Neenah, Wisconsin 54956.
3. On August 28, 2017, Michael and Ashley Prince ("Petitioners") submitted to Clayton, Fox Crossing, and the State of Wisconsin Department of Administration a "Petition for Direct Annexation by Property Owners of at Least One-Half of Territory Located in the Town of Clayton, Winnebago County, Wisconsin, to the Village of Fox Crossing, Winnebago County, Wisconsin, Pursuant to Wis. Stat. § 66.0217(3)(a)(2)," a copy of which is attached hereto as Exhibit A.
4. On September 25, 2017, Fox Crossing adopted an Annexation Ordinance entitled "An Ordinance Attaching Certain Lands from the Town of Clayton, Winnebago County to the Village of Fox Crossing, Winnebago County, Wisconsin – Prince Annexation" ("Annexation Ordinance"), a copy of which is attached hereto as Exhibit B.

5. The Annexation Ordinance purports to annex approximately 72.819 acres of property located in Clayton.
6. The annexation is invalid, void and of no legal effect because it is contrary to Wisconsin law in many respects including, among other things:

(a) The boundaries of the annexed area are unreasonable; they are arbitrary, capricious and an abuse of discretion, for many reasons, including the fact that at least two parcels will be indiscriminately divided between Fox Crossing and Clayton, to the great prejudice of such property owners.

(b) The boundaries of the annexed area are illogical and are carved out for no other purpose other than to guarantee that the Petitioners would own at least one-half (1/2) of the property located in the annexed area. The annexation fails to take into account the administrative and logistical consequences that Clayton and other impacted property owners will experience due to the new borders.

(c) The annexation violates the Wisconsin common law "Rule of Reason."

(d) The annexation is clearly against the public interest:

(i) The annexation creates an illogical and irrational border between Clayton and Fox Crossing.

(ii) Because most of the property in the annexed area is within or contiguous to Clayton Municipal Storm Water Management District #1, it would be irrational, wasteful and without any valid public purpose for Fox Crossing to extend utilities through the annexed lands, at great cost to and with no benefit whatsoever to the citizens of Fox Crossing.

(iii) Fox Crossing has no reasonable present or demonstrable future need for the subject property.

7. Plaintiff and the other owners of property located within the annexed area are adversely affected by the Annexation Ordinance annexing the subject property and are threatened with irreparable harm for which they have no adequate remedy at law unless the Court enjoins the annexation's effect during the pendency of this suit and thereafter.
8. On November 29, 2017, the Appleton Post-Crescent published a public notice indicating that Fox Crossing will be holding a public hearing on December 13, 2017 regarding the proposed rezoning of a lot located within the annexed area from A-2 (General Agriculture) to R-1 (Rural Residential), a copy of which is attached hereto as Exhibit C.
9. Plaintiff and the other owners of property located within the annexed area are threatened with irreparable harm, for which they have no adequate remedy at law unless the Court enjoins the rezoning effect during the pendency of this suit, as the rezoning of property located within the annexed area to R-1 (Rural Residential) will fundamentally change the

character and nature of property located within the annexed area and will negatively impact Plaintiff and other owners of property adjoining the area proposed to be rezoned.

WHEREFORE, Plaintiff hereby demands judgment from the Court as follows:

- (a) a Declaratory Judgment under Wis. Stats. § 806.04, that the Annexation Ordinance is invalid, void and of no legal effect;
- (b) an Injunction enjoining enforcement of the Annexation Ordinance in all respects during the pendency of this suit and thereafter;
- (c) an Injunction enjoining Defendant from rezoning property located within the annexed area during the pendency of this suit;
- (d) an Award of Plaintiff's costs, disbursements and attorneys' fees as provided by law; and
- (e) such other and further relief as the Court deems just and equitable.

Dated this 7th day of December, 2017.

VON BRIESEN & ROPER, S.C.
Attorneys for Plaintiff,
Town of Clayton

Electronically signed by Benjamin D. Lafrombois
Benjamin D. LaFrombois
State Bar No. 1027910
Christopher T. Koehnke
State Bar No. 1076031

ADDRESS:

100 W. Lawrence Street, Suite 106
Appleton, WI 54911
Phone 920-233-4704
Fax 920-233-6055
Emails: blafrombois@vonbriesen.com
ckoehnke@vonbriesen.com

HAND DELIVERED

August 28, 2017

TO: Clerk Richard Johnston
Town of Clayton
8348 County Road T
Larsen, WI 54947

Clerk Johnston,

Enclosed is an Annexation Petition to annex territory from the Town of Clayton to the Village of Fox Crossing. This letter satisfies the notification requirement pursuant to Chapter 66.0217 of the Wisconsin Statutes.

Sincerely,

Michael Prince
8089 Galaxy Drive
Neenah, WI 54956

Exhibit A

PETITION FOR DIRECT ANNEXATION BY PROPERTY
OWNERS OF AT LEAST ONE-HALF OF TERRITORY
LOCATED IN THE TOWN OF CLAYTON, WINNEBAGO COUNTY,
WISCONSIN, TO THE VILLAGE OF FOX CROSSING, WINNEBAGO COUNTY,
WISCONSIN,
PURSUANT TO WIS. STAT. § 66.0217(3)(a)(2)

TO: Village Board of Trustees of the Village of Fox Crossing,
Winnebago County, Wisconsin
c/o Karen Backman, Village Clerk
2000 Municipal Drive
Neenah, Wisconsin 54956

Town Board of the Town of Clayton,
Winnebago County, Wisconsin
c/o Richard Johnston, Town Clerk
8348 County Road T
Larsen, Wisconsin 54947

State of Wisconsin Department of Administration
Division of Intergovernmental Relations
101 East Wilson, 10th Floor
Madison, WI 53708

THIS PETITION of Michael and Ashley Prince ("Petitioner"), as the owner of record of at least one-half (1/2) of the real property in the territory sought to be annexed, such territory being more particularly described below, does respectfully state, represent, and show to the Village Board of Trustees as follows:

1. Petitioner, whose address is 8089 Galaxy Drive, Neenah, Wisconsin, is the sole owner of record of the portion of the real property in the territory sought to be annexed that is parcel number 006032702, approximately thirty-seven (37) acres south of East Shady Lane in the Town of Clayton.

2. Petitioner is the owner of at least one-half (1/2) of the land in area in the territory sought to be annexed, such property being located in the Town of Clayton, Winnebago County, Wisconsin, and more particularly described in the attached Exhibit A incorporated herein ("Subject Territory").

3. Petitioner respectfully requests that all of the Subject Territory be annexed to the Village of Fox Crossing, Winnebago County, Wisconsin.

4. Attached hereto as Exhibit B and incorporated herein by reference is a scale

Map of the Subject Territory, in accordance with the provisions of Wis. Stat. §§ 66.0217(4) and 66.0217(5) ("Scale map").

5. No electors reside in the Subject Territory. The current population of the Subject Territory is zero (0).

6. Petitioner has caused to be published in the subject Territory as a Class 1 notice under Wis. Stat. ch. 985 a Notice of Intent to Circulate Petition for Annexation of Territory to the Village of Fox Crossing ("Notice") not less than ten (10) and not more than twenty (20) days before the circulation of this Petition to Petitioner, pursuant to the provisions of Wis. Stat. §§ 66.0217(4) and 66.0217(5).

7. Petitioner has caused a copy of the Notice to be served upon each of the Village Clerk of the Village of Fox Crossing, Winnebago County, Wisconsin, the Town Clerk of the Town of Clayton, Winnebago County, Wisconsin, the Clerk of the Neenah Joint School District, Winnebago County, Wisconsin, each owner of land within the Subject Territory, and the State of Wisconsin, Department of Administration, within five (5) days after the date of the publication of the Notice, in accordance with the provisions of Wis. Stat. §§ 66.0217(4) and 66.0217(6).

8. Petitioner will cause this Petition, the legal description of the Subject Territory, and the Scale map to be filed with the Village Clerk of the Village of Fox Crossing, Winnebago County, Wisconsin, the Town Clerk of the Town of Clayton, Winnebago County, Wisconsin, and the State of Wisconsin, Department of Administration, in accordance with the provisions of Wis. Stat. §§ 66.0217(3) and 66.0217(6).

9. Petitioner believes this Petition and the Subject Territory meet all legal requirements for annexation, and that such annexation is in the public interest.

Dated this 28th day of August, 2017.

By: Michael Prince
Michael Alfred Prince

By: Ashley Prince
Ashley Marie Prince

EXHIBIT A

Annexation Description 1 -Town of Clayton to Village of Fox Crossing

A part of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ and a part of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 1, Township 20 North, Range 16 East, and all of Dedicated Prince Road, Lot 1 and part of Lot 2 of Certified Survey Map No. 7176, as recorded in the Winnebago County Register of Deeds in Volume 1 Page 7176 as Document No. 1730502 and a part of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ and the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 12, Township 20 North, Range 16 East, Town of Clayton, Winnebago County, Wisconsin containing 72.819 acres of land and described as:

Beginning at the North $\frac{1}{4}$ Corner of said Section 12;

Thence N00°27'26"W, 40.00 feet along the West line of the Southeast $\frac{1}{4}$ of said Section 1, to the North Right-of-Way of East Shady Lane;

Thence N89°04'46"E, 255.68 feet along said Right-of-Way;

Thence S00°55'14"E, 7.00 feet along said Right-of-Way;

Thence N89°04'46"E, 417.00 feet along said Right-of-Way;

Thence N00°55'14"W, 7.00 feet along said Right-of-Way;

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Thence N88°21'15"E, 158.01 feet along said Right-of-Way;

Thence N88°30'23"E, 100.01 feet along said Right-of-Way;

Thence N89°04'46"E, 94.67 feet along said Right-of-Way to the Northerly extension of the East line of said Lot 1;

Thence S00°31'01"E, 573.00 feet along said East line, to the Southwest corner of Lot 1 of Certified Survey Map No. 5285, as recorded in the Winnebago County Register of Deeds in Volume 1 Page 5285 as Document No. 1261238;

Thence N89°04'46"E, 552.96 feet along the South line of Lot 1 of said Certified Survey Map No. 5285, to the Southeast corner thereof;

Thence N00°08'22"E, 575.08 feet along the east line of said Lot 1 and its Northerly extension, to the said North Right-of-Way of East Shady Lane;

Thence N89°04'46"E, 45.51 feet along said Right-of-Way;

Thence N89°39'09"E, 300.01 feet along said Right-of-Way;

Thence N89°04'46"E, 100.00 feet along said Right-of-Way;

Thence N89°42'23"E, 202.01 feet along said Right-of-Way;

Thence S89°27'57"E, 95.85 feet along said Right-of-Way and its Easterly extension thereof, to the East line of said Southeast ¼;

Thence S00°38'53"E, 37.36 feet along said East line to the Northeast Corner of said Section 12;

Thence S00°38'57"E, 1031.36 feet along the East line of the Northeast ¼ of said Section 12, to the Easterly extension of the North line of Lot 2 of Certified Survey Map No. 3651, as recorded in the Winnebago County Register of Deeds in Volume 1 Page 3651 as Document No. 962407;

Thence S82°50'20"W, 469.71 along said North line and its extension, to the Northwest corner thereof;







Thence S07°34'17"E, 244.49 feet along the West line of Lot 2 of said Certified Survey Map No. 3651, to the South line of the Northeast ¼ of the Northeast ¼ of said Section 12;

Thence S89°02'58"W, 879.43 feet along said South line to the Southeast corner of Lot 1 of said Certified Survey Map No. 7175;

Thence continuing S89°02'58"W, 1316.66 feet along the South line of said Lot 1 and its Westerly extension, to the West Right-of-Way of dedicated Prince Road, being the West line of said Northeast ¼;

Thence N01°34'23"W, 1326.47 feet along said West line, to the Point of Beginning.

[illegible]

 Annexation Boundary
 (72.819 Acres)
 Municipal Boundary
 Quarter-Quarter Section Line
 Parcel Line
 Point of Beginning
 Section Corner



0 400

Source: Winebago County, 2015-17.

Disclaimer: This property does, right-of-way lines, and other property information on this drawing were developed or obtained as part of the County Geographic Information System or through the County property tax mapping function. MEMMON ASSOCIATES, INC. does not guarantee this information to be correct, complete, or compliant. The property and right-of-way information are only intended for use as a general reference and are not intended to be suitable for site-specific uses. Any use to the contrary of the above stated uses is the responsibility of the user and such use is at the user's own risk.

FIGURE 1
72.819 ACRE
ANNEXATION 1
VILLAGE OF FOX CROSSING
WINNEBAGO COUNTY, WISCONSIN

WFOJ051315F00571077064806CADDICIS1ANLEXADON_Beatings_WinnCo_Armed : August 11, 2017 10k

RES#170925-1:ORD *First Reading, Second Reading & Adoption*
AN ORDINANCE ATTACHING CERTAIN LANDS FROM THE TOWN OF
CLAYTON, WINNEBAGO COUNTY TO THE VILLAGE OF FOX CROSSING,
WINNEBAGO COUNTY, WISCONSIN – PRINCE ANNEXATION

The Village Board of the Village of Fox Crossing does ordain as follows:

PART I. Territory Attached. In accordance with the Petition for Direct Annexation By Property Owners of at Least One-half Approval filed with the Village Clerk on or about the 28th day of August, 2017, which Petition was signed by property owners of at least one-half of all of the real property within the territory proposed to be attached; now, therefore, the territory described in Exhibit A, and shown in a scale map of the subject territory, Exhibit B, is hereby attached to the Village of Fox Crossing, Winnebago County, Wisconsin, and is detached from the Town of Clayton, Winnebago County, Wisconsin.

PART II. Effect of Annexation. From and after the date of the adoption of this Ordinance, as required by law, the territory described in Exhibit A shall be a part of the Village of Fox Crossing for any and all purposes provided by law and all persons coming and residing within such territories shall be subject to all ordinances, rules and regulations governing the Village of Fox Crossing.

PART III. Required Filings. The Village Clerk shall file immediately with the Secretary of Administration a certified copy of the Ordinance, with a copy of the legal description and map, and the Village Clerk shall send one copy to each company that provides any utility service in the area that is attached. The Village Clerk shall also record the Ordinance with the Register of Deeds and file a signed copy of the Ordinance with the Clerk of any affected school district. The Clerk's certificate shall include reference to the population of the territory being attached as set forth in the Petition, which population is zero (0) persons.

PART IV. Municipal Boundary Review. The Petition for Direct Annexation was found to be in the public interest by Wisconsin Department of Administration, Division of Intergovernmental Relations/Municipal Boundary Review, under **MBR number: 14049.**

PART V. 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 unconstitutionality shall not affect the other provisions or obligations of this Ordinance which can be given effect without the invalid or unconstitutional provision or application.

PART VI. Effective Date. This Ordinance shall be effective upon passage as required by law.

Date Introduced: _____

Date Adopted: _____

Date Published: _____

Exhibit B

Requested by: Dale A. Youngquist, Village President
Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

ATTEST: _____
Karen Backman, Village Clerk

STATE OF WISCONSIN COUNTY OF _____

Personally came before me this _____ day of _____, 20____ the above named
Dale A. Youngquist, Village President and Karen Backman, Village Clerk to me known to
be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public, _____ County, Wisconsin
My Commission Expires: _____

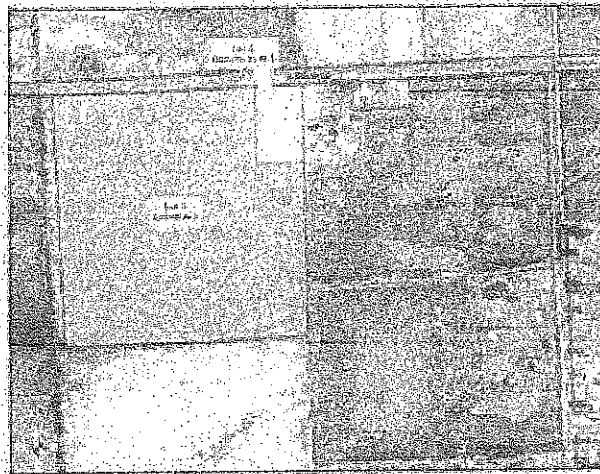
www.carepartners-countryterrace.com

150027, being a part of the Northwest
One-quarter (1/4) of the Southeast One-

VILLAGE OF FOX CROSSING RESIDENTS
PLANNING COMMISSION PUBLIC HEARING

A public hearing will be held in the Fox Crossing Municipal Complex Assembly Room, 2000 Municipal Drive, Neenah, WI on Wed., December 13, 2017 at 5:15 p.m. to solicit public input regarding a proposed rezoning from A-2 (General Agriculture) to R-1 (Rural Residential) for a part of parcel 006032702 on East Shady Lane. Call 920-720-7105 for information or attend the public hearing above. You may access the Planning Commission agenda, staff recommendations and related information on the Village's website calendar at www.foxcrossingwi.gov the Friday preceding their meeting.

Karen Backman, Village Clerk



RUN: Nov 29 &
Dec 6, 2017
WINXLP

WI-5902701551

Exhibit C