

Ordinance OR-2018-01

Ordinance For The Attachment
Of All Lands Of The Village of Brokaw
To The Village of Maine

Document Number

Document Title

STATE OF WISCONSIN - MARATHON COUNTY

RECORDED

September 28, 2018 4:22 PM

DEAN J. STRATZ, REGISTER OF DEEDS

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1767168



Recording Area

Name and Return Address

Village of Maine
6111 N. 44th Avenue
Wausau, WI 54401

Parcel Identification Number (PIN)

Village of Maine
6111 N. 44th Avenue
Wausau, WI 54401

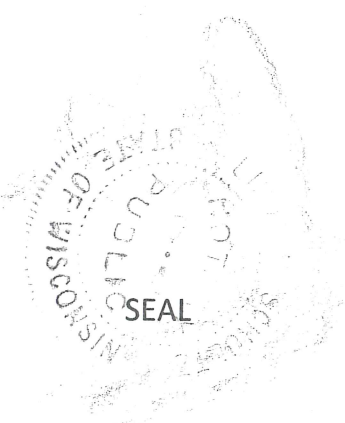
CERTIFICATION

STATE OF WISCONSIN)
) ss.
COUNTY OF MARATHON)

The undersigned, Cindy Bailey, Clerk of the Village of Maine, Marathon County, Wisconsin, hereby certifies that the attached **Ordinance OR-2018-01 For The Attachment Of All Lands Of The Village Of Brokaw To The Village Of Maine Area** is a signed original copy. The Ordinance was approved by the Village of Maine Board at their September 10, 2018 Board of Trustees Meeting. The Ordinance is also on file at the Maine Municipal Center, 6111 N. 44th Avenue, Wausau WI 54401.

Dated this 28th day of September 2018.

VILLAGE OF MAINE


Cindy Bailey
Cindy Bailey, Village of Maine Clerk

Subscribed and sworn to before me on
this 28th day of September 2018.

Linda M. Schultz
LINDA M Schultz, Notary Public

My Commission expires: 12-20-2019

ORDINANCE NO: OR-2018-01
VILLAGE OF MAINE, MARATHON COUNTY, WISCONSIN
AN ORDINANCE FOR THE ATTACHMENT OF ALL LANDS
OF THE VILLAGE OF BROKAW TO THE VILLAGE OF MAINE,
PURSUANT TO THE VILLAGE OF BROKAW, TOWN OF TEXAS AND
VILLAGE OF MAINE COOPERATIVE PLAN AND PERMANENT
BOUNDARY AGREEMENT PURSUANT TO WIS. STATS. §66.0307,
DATED AUGUST 30, 2016

The Village Board of the Village of Maine, Marathon County, Wisconsin, do ordain as follows:

WHEREAS, the Village of Maine, Town of Texas, and Village of Brokaw adopted a Cooperative Plan and Permanent Boundary Agreement pursuant to Wis. Stats. §66.0307 dated August 30, 2016 and approved by the Wisconsin Department of Administration on September 16, 2016 ("Cooperative Plan"); and

WHEREAS, pursuant to paragraph 11.4 of the Cooperative Plan, upon the written petition of the Oversight Commission filed with the Maine Village Clerk, the Village of Maine, with ten (10) days advance written notice to the Town Clerk of Texas, the Oversight Commission and Village Clerk of Brokaw, without review by the Maine Plan Commission or any other committee or commission of Maine, and without further review or approval of the Plan Commission or any other committee or commission of the Village of Maine, or Village Brokaw or Town of Texas, shall adopt an Ordinance attaching territory in the Village of Brokaw to be considered the "Final Attachment Area" as legally described and mapped on Exhibit D of the Cooperative Plan; and

WHEREAS, the Village Clerk of the Village of Maine and the Village Clerk of the Village of Brokaw and the Town Clerk of the Town of Texas have been provided the requisite notices; and

NOW THEREFORE, the Village Board of the Village of Maine do ordain as follows:

SECTION 1: In accordance with the Cooperative Plan the territory described on Exhibit A and incorporated herein by reference as if fully set forth, in the Village of Brokaw, Marathon County, Wisconsin, as identified in said Cooperative Plan entitled the Final Attachment and which constitutes all of the land within the corporate limits of the Village of Brokaw boundaries is hereby attached to the Village of Maine, pursuant to Wis. Stats. §66.0307 and the Cooperative Plan. A map depicting the described property to be attached to the Village of Maine is attached hereto and incorporated herein by reference as Exhibit A.

SECTION 2: All road right-of-ways and other public right-of-ways which are contained within corporate limits of the Village of Brokaw which legal description is attached as Exhibit A, whether the half or the whole which of any said right-of-way, shall be included and hereby are attached to the Village of Maine.

SECTION 3: Any territory and/or improvements thereon titled in the name of the Village of Brokaw shall further be transferred to and titled in the Village of Maine through such documents as from time to time determined appropriate by the Village of Maine to attain the same degree of ownership as that which was held by the Village Brokaw.

SECTION 4: The attached territory is hereby made a part of the First Ward of the Village of Maine and is attached for all municipal purposes including attachment for school purposes and is hereby made a part of the School District of Wausau and subject to laws governing the same. The population of the territory being attached is 241.

SECTION 5: The Village limits of the Village of Maine, Wisconsin, are hereby changed and enlarged as so to include the real property described in Section 1 of this Ordinance and the official map of the Village is amended to include said real property.

SECTION 6: Upon passage and posting/publication of this Ordinance and effective October 1st, 2018, the corporate existence of the Village of Brokaw shall cease with all corporate authority hereby terminated.

SECTION 7: The Village Clerk of the Village of Maine shall file immediately with the State of Wisconsin Department of Administration a certified copy of this Ordinance with a copy of the scale map and legal description. The Maine Village Clerk shall send one copy to each company that provides utility service in the area that is attached. The Maine Village Clerk also shall record the Ordinance with the Marathon County Register of Deeds and file a signed copy of the Ordinance with the Clerk of any affected school district.

SECTION 8: If any provision of this Ordinance is invalid or unconstitutional or if the application of this Ordinance to any person or circumstances is found invalid or unconstitutional by a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the provisions or application of this Ordinance which can be given effect without the invalid or unconstitutional provision or application.

SECTION 9: All Ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 10: This Ordinance shall take effect and be in full force and effect from and after its passage and publication as required by law, effective October 1st, 2018.

Adopted this 10th day of September 2018 and effective the 1st day of October 2018.

VILLAGE BOARD, VILLAGE OF MAINE

BY: Betty Hoenisch
Betty Hoenisch, Village of Maine President

ATTEST:

Cindy Bailey
Cindy Bailey, Village of Maine Clerk

ADOPTED: September 10, 2018

PUBLISHED: September 21, 2018 and September 23, 2018



Exhibit A: Intermediate Attachment Area (Brokaw)

A portion of the South half of fractional Sections 34 and 35, Township 30 North, Range 7 East and a portion of the Northeast quarter of the Southeast quarter of Section 4 and a portion of fractional Sections 2 and 3, Township 29 North, Range 7 East, Marathon County, Wisconsin, described as:

Commencing at the quarter section corner stone between Section 35, Township 30 North, Range 7 East, and Section 2, Township 29 North, Range 7 East;

thence South along the quarter section line, a distance of 2721.32 feet to the North boundary line of the C.M. & St. P.R.R. right of way, this point being marked by a 5" oak post and a 2" iron pipe, this being the Point of Beginning;

thence in a Northwesterly direction along aforesaid North boundary line, a distance of 1430.8 feet to a point where said boundary line intersects with the East boundary line of Government Lot 4 of Section 2, this point being marked by a 5" oak post and 2" iron pipe;

thence North along the aforesaid East boundary line of Government Lot 4 and the East boundary line of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 2, Township 29 North, Range 7 East, and the East boundary line of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$, and the East boundary line of Government Lot 6, Section 35, Township 30 North, Range 7 East, a distance of 4845.2 feet, to the Northeast corner of Government Lot 6, Section 35, Township 30 North, Range 7 East, this point being marked by a 4" oak post and a 2" iron pipe;

thence West along the East and West quarter section line of Section 35; Township 30 North, Range 7 East, a distance of 745 feet to a point where said quarter section line intersects with the meander line of the left bank of the Wisconsin River, this point being marked by a 4" oak post and a 2" iron pipe;

thence in a Southwesterly direction, following the U.S. Government Survey meander lines of the left bank of the Wisconsin River to a point where aforesaid meander line intersects with the Township line between Township 30 North, Range 7 East, and Township 29 North, Range 7 East, said point being the original meander corner (U.S. Govt. Survey);

thence West along aforesaid Township and section line, a distance of 307.56 feet to a point where the U.S. Government Survey meander line of the right bank of the Wisconsin River intersects with the aforesaid Township and Section line, this point being marked by a 5" oak post and a 2" iron pipe;

thence continuing West along said Township and Section line, a distance of 167.5 feet to the West boundary line of a strip or belt of land described in Volume 286 of Deeds on page 200, in the office of the Register of Deeds, Marathon County, Wisconsin, this point being marked by a 5" oak post and a 2" iron pipe;

thence in a Southeasterly direction, 165 feet distant and parallel with the U.S. Government Survey Meander line of the right bank of the Wisconsin River to the Northeast corner of Government Lot 7, being the ordinary high water mark on the Wisconsin River;

thence Westerly along the North line of said Government Lot 7 to Northwest corner of said Government Lot 7;

thence Southerly along the West line of said Government Lot 7 to the Southwest corner of said Government Lot 7;

thence Westerly along the east-west quarter line of Section 3 to its intersection of the centerline of County Trunk Highway "WW";

thence Westerly along said centerline of CTH "WW" to its intersection with the centerline of 32nd Avenue;

thence Southerly along said centerline of 32nd Avenue to the Southwest corner of the NE ¼ - SE ¼ of said Section 4;

thence Easterly along the South line of the NE ¼ - SE ¼ of said Section 4 to the Northwest corner of Lot 2 Certified Survey Map #11062 recorded in the office of the Register of Deeds for Marathon County, Wisconsin, in Volume 46 of Certified Survey Maps on page 114 as Document Number 1193589;

thence Southerly along a West line of said Lot 2 a recorded S 0°46' 56"W, 297.00 feet;

thence Westerly along an extended North line of said Lot 2 recorded N89°39'31 "E, 265.57 feet to the Easterly line of 32nd Avenue;

thence Southerly along said Easterly line of 32nd Avenue to the north line of lands described in Volume 513, Page 433 of Deed Records as Document Number 570850 in the office of the Marathon County Register of Deeds;

thence Westerly along said North line of lands described in Volume 513, Page 433 to said centerline of 32nd Avenue;

thence southerly along said centerline of 32nd Avenue to the extended South line of said lands described in Volume 513, Page 433;

thence Easterly along said south line of lands described in Volume 513, Page 433 to the Westerly line of said Lot 2 Certified Survey Map #11062;

thence Southerly along the West line of said Lot 2 to the Southwest corner thereof;

thence Easterly and Northeasterly along the Southerly line of said Lot 2 to the Southwest corner of said Lot 2 to the Southeast corner thereof;

thence Northerly along the Easterly line of said Lot 2, and Westerly right of way S.T.H. 51 and 1-39 to the South line of the NW ¼ - SW ¼ of said Section 3;

thence Easterly along the said South line of NW ¼ - SW ¼ to the Southeast corner of said NW ¼- SW ¼;

thence Easterly along the South line of the NE ¼ - SW ¼ to the East line of the West one-half of the NE¼- SW¼ of said Section 3;

thence Northerly along the East line of the West one-half of the NE $\frac{1}{4}$ - SW $\frac{1}{4}$ of said Section 3 to the Northeast corner of the West half of the NE $\frac{1}{4}$ - SW $\frac{1}{4}$ of Section 3;

thence Easterly along the North line of said NE $\frac{1}{4}$ - SW $\frac{1}{4}$ to the Northeast corner of the NE $\frac{1}{4}$ - SW $\frac{1}{4}$ Section 3;

thence Northerly along said East line of Government Lot 7 to its intersection with a line being 165 feet Southwesterly of and parallel with the U.S. Government Survey meander line of the right bank of the Wisconsin River;

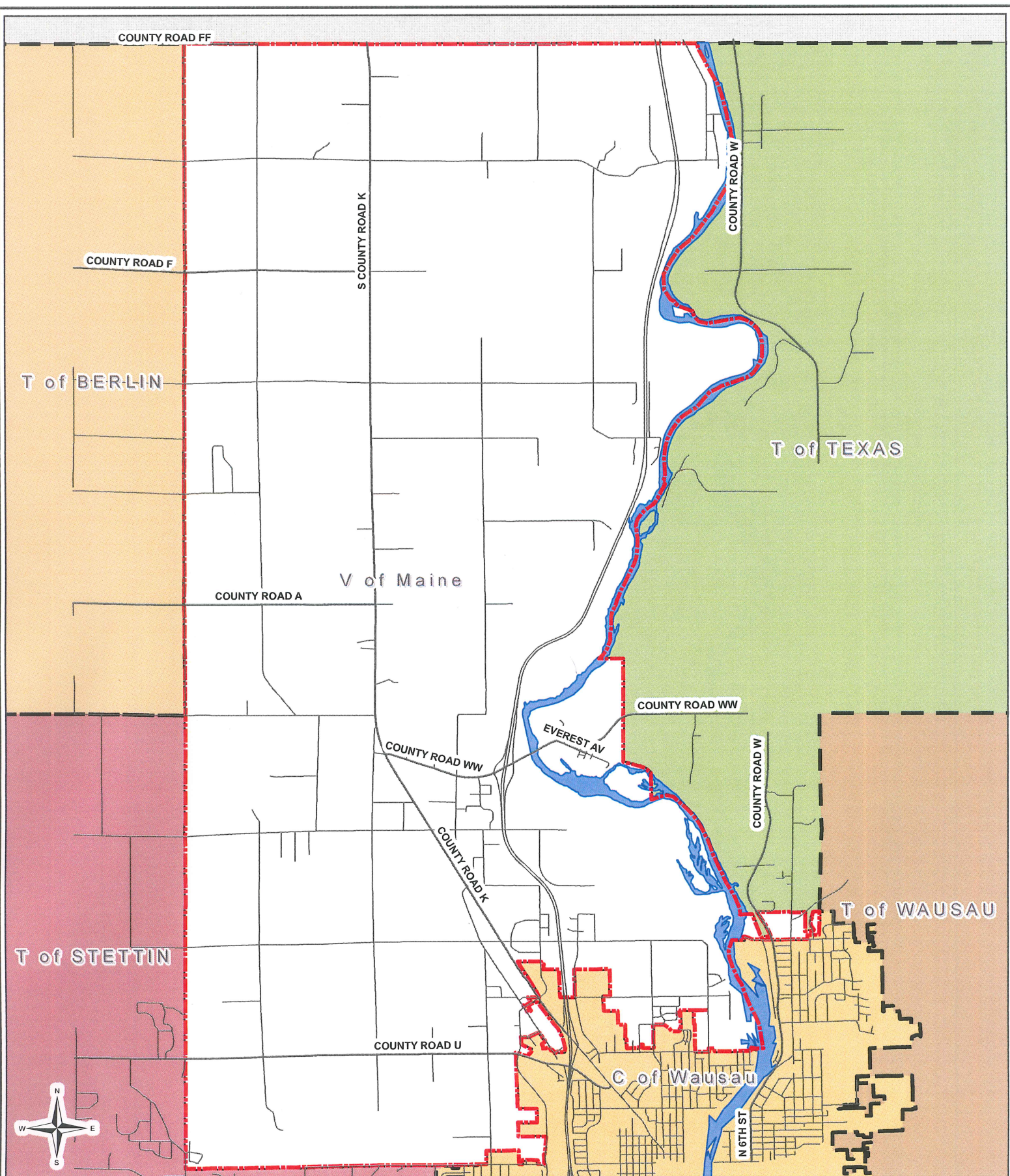
thence in a Southeasterly direction, 165 feet distant and parallel with the U.S. Govt. Survey meander line of the right bank of the Wisconsin River to a point 170 feet South of boundary line of Government Lot 6, Section 2, Township 29 North, Range 7 East, this point being marked by a 4" oak post and a 2" iron pipe;

thence North along aforesaid East boundary line of Govt. Lot 6, a distance of 170 feet to a point where said Government meander line intersects with said boundary line, this point being marked with a 5" oak post and a 2" iron pipe;

thence in an Easterly direction, following the course of the U.S. Govt. Survey meander line of the right bank of the Wisconsin River to a point where said meander line of the right bank of the Wisconsin River to a point where said meander line intersects with the North and South Quarter Section line of Section 2, and a 2" iron pipe;

thence North along said quarter section line, a distance of 1,520 feet to the point of beginning;

The land embraced within the above described boundaries contains 647 acres more or less according to the Government Surveys, County of Marathon, State of Wisconsin.



Final Boundary Map

Village of Maine

0 0.5 1 2
Miles

vierbicher
planners | engineers | advisors



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