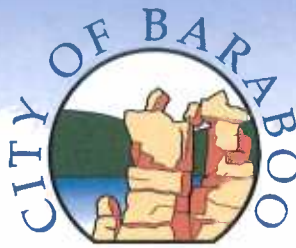


Office of the City Clerk



101 South Blvd., Baraboo, WI 53913

608-355-2700 • 608-356-9666 fax

May 14, 2021

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

ORD11321

RECEIVED

05/14/2021

Municipal Boundary Review
WI Dept. of Administration

ANNEXATION: ALT REVOCABLE LIVING TRUST ANNEXATION, MBR 14381

Enclosed please find documents for the recent annexation of tax parcel 002-1044-00000. The annexed territory is an area of 1.910 acres with a population of 5.

- Original annexation certificate with original signatures and seal
- Copy of annexation ordinance
- Copy of Plat annexed area
- Legal description of annexed area

Brenda M. Zeman,
City Clerk
City of Baraboo

Ordinance No. 2572

The City of Baraboo, Wisconsin

Background: Town of Baraboo residents Kenneth and Joyce Alt have petitioned for the annexation of their property on the north side of the 1200 block of Carpenter Street. The Alt parcel is occupied by a single-family home and garage. The Alts would like to have their property zoned as R-1A, Single-Family Residential upon annexation, which is consistent with the surrounding zoning classification.

On March 16, 2021, the City Plan Commission reviewed the proposed annexation and zoning thereof and recommends the adoption of this ordinance.

Fiscal Note: (check one) ☒ Not Required ☐ Budgeted Expenditure ☐ Not Budgeted **Comments:**

An Ordinance amending §§ 1.49(2), 8.01(3), and 17.18(4)(b) of the Municipal Code of the City of Baraboo thereby annexing certain lands in the Town of Baraboo to the City of Baraboo pursuant to a petition for annexation filed by Kenneth H & Joyce A Alt and permanently zoning the subject lands, located in the 1200 Block of Carpenter Street, upon annexation as R1-A, Single Family Residential, County Supervisory District 14.

THE COMMON COUNCIL OF THE CITY OF BARABOO, WISCONSIN, DO ORDAIN
AS FOLLOWS:

WHEREAS, a petition for direct annexation by unanimous consent, together with the attached scaled map, has been presented to the Common Council requesting annexation of the territory described below to the City of Baraboo from the Town of Baraboo and it having been represented to the City in a sworn affidavit that the petition has been signed by the owners of all the lands and area and assessed value within the territory to be annexed, and by all the electors residing in the territory to be annexed and that said territory lies contiguous to the City of Baraboo, and that the petition has been filed with the City Clerk of the City of Baraboo and the petition further requests that said parcel be permanently zoned as R1-A, Single-Family Residential, District 14, and the Plan Commission has reviewed the proposed annexation and zoning thereof and recommends the adoption of this ordinance, and, pursuant to § 66.0217, Wis. Stat., the City Clerk has filed with the Wisconsin Department of Administration a copy of the petition for direct annexation, the scaled map, and the legal description of the territory to be annexed, together with other pertinent information, and the Department of Administration has found that the annexation is in the public interest, and the Common Council has reviewed the advice of the Department of Administration and the Common Council accepts the petition as sufficient and hereby determines that the said annexation proceedings herein meet the requirements of the Wisconsin Statutes, and

WHEREAS, in the 2009 City of Baraboo Comprehensive Master Plan, the territory proposed to be annexed is designated as suitable for R1-A development and said lands are presently being used for single family residential purposes, and

WHEREAS, the territory proposed for annexation and zoning as R1-A is well-suited and being used for single family residential purposes, and said territory is reasonably suitable and adaptable to the City's need for single family residential development and said lands are suitable for the extension of police, fire, sewer, water, and other services, and

WHEREAS, satisfactory, adequate, and safe municipal water and municipal sanitary sewer facilities are reasonably acceptable and available for extension to serve the territory proposed for

annexation, and the proposed territory to be annexed is within the sanitary sewer growth area in the City's Sanitary Sewer Service Area Plan dated January 2016, and

WHEREAS, this Common Council has further reviewed and considered the staff reports filed with the City regarding this annexation and the staff reports are hereby adopted by reference and made a part hereof, and

WHEREAS, this Common Council finds that the territory to be annexed is contiguous to the City and its shape is unexceptional, and

WHEREAS, this Common Council has considered the recommendation of the Plan Commission that the territory described above proposed for annexation should be annexed to the City and that the annexed territory be permanently zoned R1-A, Single Family Residential District 8, and that the said zoning promotes the public health, safety, and general welfare of this community, and

WHEREAS, this Common Council has received and reviewed the advisory opinion of the Wisconsin Department of Administration issued pursuant to § 66.0217(6), Wis. Stat., and said opinion is on file in the office of the Baraboo City Clerk and is hereby adopted by reference as though fully set forth herein, and

WHEREAS, this Common Council further finds that it is appropriate that the owner of the territory proposed for annexation shall reimburse the City within thirty (30) calendar days after being invoiced therefore, the annual tax paid by the City to the Town of Baraboo for the period and to the extent required by § 66.0217(14), Wis. Stats. If the charge is not paid within thirty (30) days of the date of billing, such charge shall be extended upon the current or next tax roll as a special tax against the subject property.

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF BARABOO, SAUK COUNTY, WISCONSIN DO ORDAIN AS FOLLOWS:

1. In accordance with § 66.0217 of the Wisconsin Statutes and the petition for direct annexation by unanimous consent filed with the City Clerk and signed by all of the owners of all of the real estate located in the territory to be annexed, and further signed by all the electors equal to or at least a majority of the votes cast for governor in the territory proposed for annexation at the last gubernatorial election, the following described territory in the Town of Baraboo Sauk County, Wisconsin, is hereby annexed to the City of Baraboo, Wisconsin:

A portion of the SW ¼ of the SE ¼ of Section 34, Township 12 North, Range 6 East, Town of Baraboo, Sauk County, Wisconsin described as follows:

Commencing at the Southeast corner of Section 34; then North 89°11'39" West 1484.03 feet along the South line of Section 34 to the point of beginning; then continuing North 89°11'39" West, 103.95 feet along the South section line to the East line of Volume 249 of Deeds, page 331; then North 0°35'14" East, 553.22 feet along the East line of Volume 249 of Deeds, page 331 to the southerly Right-of-Way of the Chicago & Northwestern Railroad; then South 83°38' East, 130.49 feet along the railroad Right-of-Way to the West line of Volume 378 of Deeds, page 459; then South 0°35'14" West, 25.00 feet along the West line of Volume 378 of Deeds, page 459, which is parallel to the East line of the SW1/4 SE1/4, then South 83°38' East, 50.00 feet parallel to the southerly Right-of-Way of the railroad; thence South 0°35'14" West, 308.74 feet to the NE corner of C.S.M. #1085 of Register of Deeds; thence North

89°11'39" West, 75.50 feet along the North line of C.S.M. #1085; then South 0°35'14" West, 202.00 feet along the West line of C.S.M. #1085 to the South line of Section 34 to the point of beginning.

The petition for annexation of the above-described territory is hereby accepted as a sufficient and legal petition conforming to the requirements of § 66.0217, Wis. Stat., and it is determined that the annexation proceedings herein meet the requirements of the Wisconsin Statutes.

From and after the date of this ordinance, the territory described in Section 1 above shall be part of the City of Baraboo, Sauk County, Wisconsin, 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 Baraboo, Wisconsin.

2. Upon recommendation of the Plan Commission, the territory annexed to the City of Baraboo, by this ordinance shall be permanently zoned R1-A, Single Family Residential, Aldermanic District 6, Ward 8, County Supervisory District 14.
3. The territory described in Section 1 of this ordinance is hereby made a part of Aldermanic District 6, Ward 8 of the City of Baraboo, Sauk County, Wisconsin, subject to the ordinances, rules, and regulations of the City of Baraboo governing wards, and the City Engineer is directed to change the City's Official Map and the City's Master Plan and supplement thereto to reflect the terms of this ordinance.
4. The owner of the territory proposed for annexation shall reimburse the City within thirty (30) calendar days after being invoiced therefore, the annual tax paid by the City to the Town of Baraboo for the period and to the extent required by § 66.0217(14), Wis. Stats. If the charge is not paid within thirty (30) days of the date of billing, such charge shall be extended upon the current or next tax roll as a special tax against the subject property.
5. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances 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.
6. This Ordinance shall take effect upon passage and publication as provided by law.

Mayor's Approval:



Clerk's Certification:

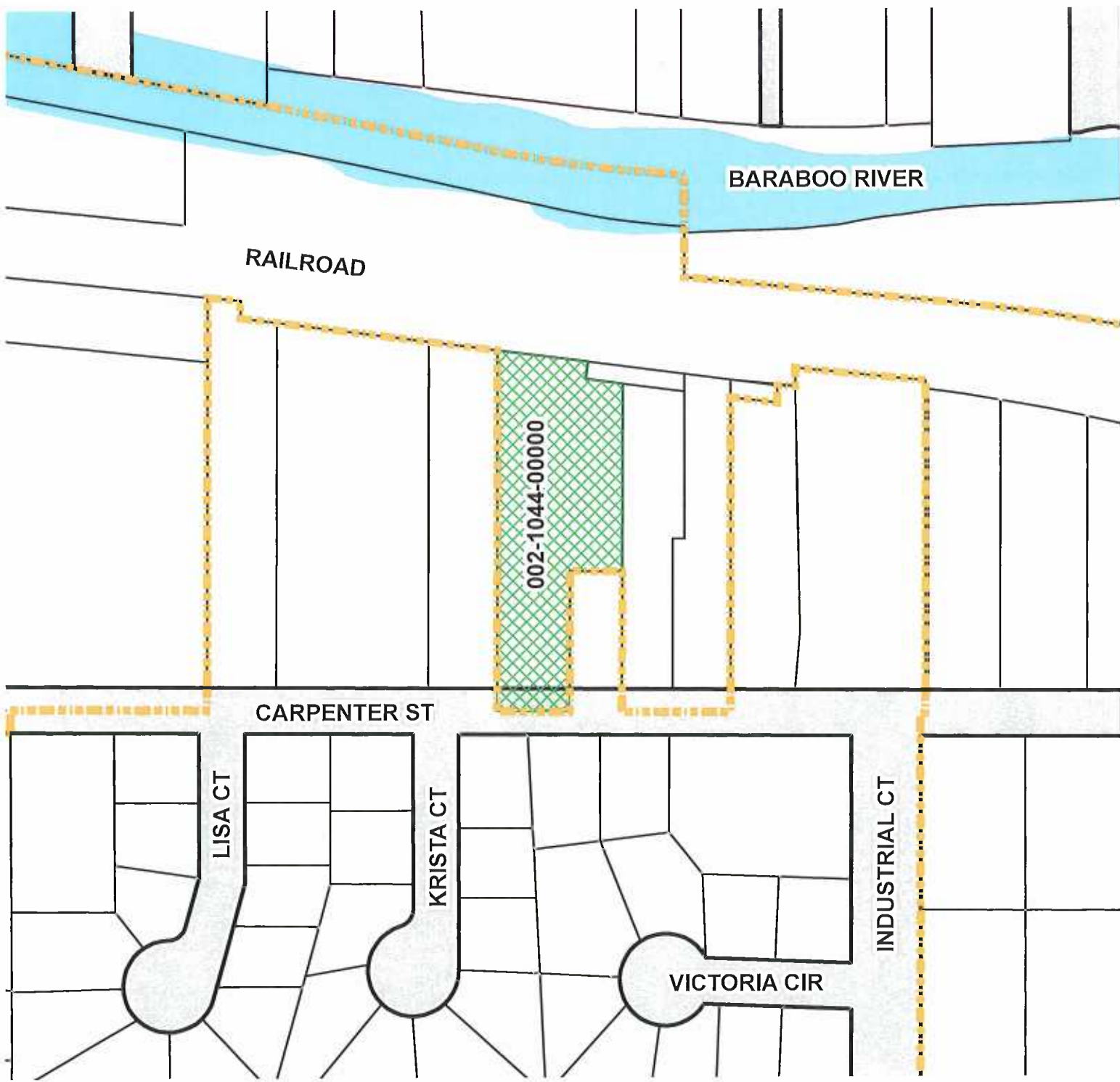


I hereby certify that the foregoing Ordinance was duly passed by the Common Council of the City of Baraboo on the 11th day of May 2021, and is recorded on page 251 of volume 43. A summary of the Ordinance was published in the local newspaper on the 18th day of May, 2021.





City Clerk:



KENNETH H & JOYCE A ALT ANNEXATION MAP



Legend

	CITY OF BARABOO
	CITY OF BARABOO CITY LIMITS
	AREA TO BE ANNEXED FROM TOWNSHIP OF BARABOO
	VILLAGE OF WEST BARABOO

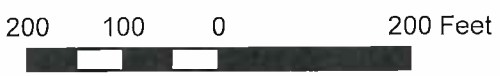


EXHIBIT "A"

LEGAL DESCRIPTION FOR PROPERTY TO BE ANNEXED TO THE CITY OF BARABOO FROM THE TOWN OF BARABOO, SAUK COUNTY, WISCONSIN.

Tax Parcel No. 002-1044-00000

Owner: Kenneth H & Joyce A Alt Revocable Living Trust

Parcel Address: E11182 Carpenter Street
Baraboo, WI 53913

A parcel of land located in the Southwest Quarter of the Southeast Quarter (SW1/4 SE1/4) of Section Thirty-four (34), Township Twelve (12) North of Range Six East (6), Town of Baraboo, bounded by a line described as follows:

Commencing at the Southeast corner of Section 34; then North 89°11'39" West 1484.03 feet along the South line of Section 34 to the point of beginning; then continuing North 89°11'39" West, 103.95 feet along the South section line to the East line of Volume 249 of Deeds, page 331; then North 0°35'14" East, 553.22 feet along the East line of Volume 249 of Deeds, page 331 to the southerly Right-of-Way of the Chicago & Northwestern Railroad; then South 83°38' East, 130.49 feet along the railroad Right-of-Way to the West line of Volume 378 of Deeds, page 459; then South 0°35'14" West, 25.00 feet along the West line of Volume 378 of Deeds, page 459, which is parallel to the East line of the SW1/4 SE1/4, then South 83°38' East, 50.00 feet parallel to the southerly Right-of-Way of the railroad; thence South 0°35'14" West, 308.74 feet to the NE corner of C.S.M. #1085 of Register of Deeds; thence North 89°11'39" West, 75.50 feet along the North line of C.S.M. #1085; then South 0°35'14" West, 202.00 feet along the West line of C.S.M. #1085 to the South line of Section 34 to the point of beginning.

Background: Town of Baraboo residents Kenneth and Joyce Alt have petitioned for the annexation of their property on the north side of the 1200 block of Carpenter Street. The Alt parcel is occupied by a single-family home and garage. The Alts would like to have their property zoned as R-1A, Single-Family Residential upon annexation, which is consistent with the surrounding zoning classification.

Due to recent legislative changes, because this parcel is located within County Supervisory District 21, it requires creation of a new ward. This parcel will now be located in Ward 15, Aldermanic District 6.

On March 16, 2021, the City Plan Commission reviewed the proposed annexation and zoning thereof and recommends the adoption of this ordinance.

Fiscal Note: (check one) ☒ Not Required ☐ Budgeted Expenditure ☐ Not Budgeted **Comments:**

An Ordinance amending §§ 1.49(2), 8.01(3), and 17.18(4)(b) of the Municipal Code of the City of Baraboo thereby annexing certain lands in the Town of Baraboo to the City of Baraboo pursuant to a petition for annexation filed by Kenneth H & Joyce A Alt and permanently zoning the subject lands, located in the 1200 Block of Carpenter Street, upon annexation as R1-A, Single Family Residential, County Supervisory District 21.

THE COMMON COUNCIL OF THE CITY OF BARABOO, WISCONSIN, DO ORDAIN
AS FOLLOWS:

WHEREAS, a petition for direct annexation by unanimous consent, together with the attached scaled map, has been presented to the Common Council requesting annexation of the territory described below to the City of Baraboo from the Town of Baraboo and it having been represented to the City in a sworn affidavit that the petition has been signed by the owners of all the lands and area and assessed value within the territory to be annexed, and by all the electors residing in the territory to be annexed and that said territory lies contiguous to the City of Baraboo, and that the petition has been filed with the City Clerk of the City of Baraboo and the petition further requests that said parcel be permanently zoned as R1-A, Single-Family Residential, District 21, and the Plan Commission has reviewed the proposed annexation and zoning thereof and recommends the adoption of this ordinance, and, pursuant to § 66.0217, Wis. Stat., the City Clerk has filed with the Wisconsin Department of Administration a copy of the petition for direct annexation, the scaled map, and the legal description of the territory to be annexed, together with other pertinent information, and the Department of Administration has found that the annexation is in the public interest, and the Common Council has reviewed the advice of the Department of Administration and the Common Council accepts the petition as sufficient and hereby determines that the said annexation proceedings herein meet the requirements of the Wisconsin Statutes, and

WHEREAS, in the 2009 City of Baraboo Comprehensive Master Plan, the territory proposed to be annexed is designated as suitable for R1-A development and said lands are presently being used for single family residential purposes, and

WHEREAS, the territory proposed for annexation and zoning as R1-A is well-suited and being used for single family residential purposes, and said territory is reasonably suitable and adaptable to the City's need for single family residential development and said lands are suitable for the extension of police, fire, sewer, water, and other services, and

WHEREAS, satisfactory, adequate, and safe municipal water and municipal sanitary sewer facilities are reasonably acceptable and available for extension to serve the territory proposed for annexation, and the proposed territory to be annexed is within the sanitary sewer growth area in the City's Sanitary Sewer Service Area Plan dated January 2016, and

WHEREAS, this Common Council has further reviewed and considered the staff reports filed with the City regarding this annexation and the staff reports are hereby adopted by reference and made a part hereof, and

WHEREAS, this Common Council finds that the territory to be annexed is contiguous to the City and its shape is unexceptional, and

WHEREAS, this Common Council has considered the recommendation of the Plan Commission that the territory described above proposed for annexation should be annexed to the City and that the annexed territory be permanently zoned R1-A, Single Family Residential District 15, and that the said zoning promotes the public health, safety, and general welfare of this community, and

WHEREAS, this Common Council has received and reviewed the advisory opinion of the Wisconsin Department of Administration issued pursuant to § 66.0217(6), Wis. Stat., and said opinion is on file in the office of the Baraboo City Clerk and is hereby adopted by reference as though fully set forth herein, and

WHEREAS, this Common Council further finds that it is appropriate that the owner of the territory proposed for annexation shall reimburse the City within thirty (30) calendar days after being invoiced therefore, the annual tax paid by the City to the Town of Baraboo for the period and to the extent required by § 66.0217(14), Wis. Stats. If the charge is not paid within thirty (30) days of the date of billing, such charge shall be extended upon the current or next tax roll as a special tax against the subject property.

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF BARABOO, SAUK COUNTY, WISCONSIN DO ORDAIN AS FOLLOWS:

1. In accordance with § 66.0217 of the Wisconsin Statutes and the petition for direct annexation by unanimous consent filed with the City Clerk and signed by all of the owners of all of the real estate located in the territory to be annexed, and further signed by all the electors equal to or at least a majority of the votes cast for governor in the territory proposed for annexation at the last gubernatorial election, the following described territory in the Town of Baraboo Sauk County, Wisconsin, is hereby annexed to the City of Baraboo, Wisconsin:

A portion of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 34, Township 12 North, Range 6 East, Town of Baraboo, Sauk County, Wisconsin described as follows:

Commencing at the Southeast corner of Section 34; then North 89°11'39" West 1484.03 feet along the South line of Section 34 to the point of beginning; then continuing North 89°11'39" West, 103.95 feet along the South section line to the East line of Volume 249 of Deeds, page 331; then North 0°35'14" East, 553.22 feet along the East line of Volume 249 of Deeds, page 331 to the southerly Right-of-Way of the Chicago & Northwestern Railroad; then South 83°38' East, 130.49 feet along the railroad Right-of-Way to the West line of Volume 378 of Deeds, page 459; then South 0°35'14" West, 25.00 feet along the West line of Volume 378 of Deeds, page 459, which is parallel to the East line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, then South 83°38' East, 50.00 feet parallel to the southerly Right-of-Way of the railroad; thence South 0°35'14" West,

308.74 feet to the NE corner of C.S.M. #1085 of Register of Deeds; thence North 89°11'39" West, 75.50 feet along the North line of C.S.M. #1085; then South 0°35'14" West, 202.00 feet along the West line of C.S.M. #1085 to the South line of Section 34 to the point of beginning.

The petition for annexation of the above-described territory is hereby accepted as a sufficient and legal petition conforming to the requirements of § 66.0217, Wis. Stat., and it is determined that the annexation proceedings herein meet the requirements of the Wisconsin Statutes.

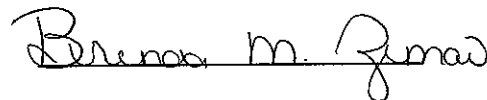
From and after the date of this ordinance, the territory described in Section 1 above shall be part of the City of Baraboo, Sauk County, Wisconsin, for any and all purposes provided by law, and all persons coming or residing within such territory shall be subject to all ordinances, rules, and regulations governing the City of Baraboo, Wisconsin.

2. Upon recommendation of the Plan Commission, the territory annexed to the City of Baraboo, by this ordinance shall be permanently zoned R1-A, Single Family Residential, Aldermanic District 6, Ward 15, County Supervisory District 21.
3. The territory described in Section 1 of this ordinance is hereby made a part of Aldermanic District 6, Ward 15 of the City of Baraboo, Sauk County, Wisconsin, subject to the ordinances, rules, and regulations of the City of Baraboo governing wards, and the City Engineer is directed to change the City's Official Map and the City's Master Plan and supplement thereto to reflect the terms of this ordinance.
4. The owner of the territory proposed for annexation shall reimburse the City within thirty (30) calendar days after being invoiced therefore, the annual tax paid by the City to the Town of Baraboo for the period and to the extent required by § 66.0217(14), Wis. Stats. If the charge is not paid within thirty (30) days of the date of billing, such charge shall be extended upon the current or next tax roll as a special tax against the subject property.
5. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances 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.
6. This Ordinance shall take effect upon passage and publication as provided by law.

Mayor's Approval:



Clerk's Certification:



I hereby certify that the foregoing Ordinance was duly passed by the Common Council of the City of Baraboo on the 25th day of May 2021, and is recorded on page 258 of volume 43. A summary of the Ordinance was published in the local newspaper on the 1st day of June, 2021.

City Clerk:

