



CITY OF STOUGHTON  
207 S. Forrest Street  
Stoughton, WI 53589

ORD11492

RECEIVED

05/18/2022

Municipal Boundary Review  
Wisconsin Dept. of Admin.

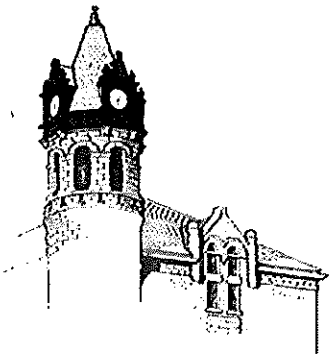
**CERTIFICATE OF ANNEXATION**

I, Candee J. Christen, City Clerk of the City of Stoughton, County of Dane, State of Wisconsin, DO HEREBY CERTIFY that the following described territory was detached from the Town of Dunkirk County of Dane, and was annexed to the City of Stoughton, pursuant to § 66.0217(2), Wis. Stats., by an ordinance adopted by the Common Council at a regular meeting held on April 26, 2022.

See attached for map and legal description.

Dated this 10<sup>th</sup> day of May, 2022.

  
Candee J. Christen, City Clerk



## CITY OF STOUGHTON

*207 S. Forrest Street  
Stoughton, WI 53589*

### **ORDINANCE O-10-2022**

I certify that the current population of the territory to be annexed as described in Ordinance O-10-2022 is zero.

A handwritten signature in cursive script that reads "Candee J. Christen". The signature is written in black ink and has a long, sweeping tail that extends to the right.

---

Candee J. Christen, City Clerk



DocId:10185657

Tx:9399712

MAY 16 2022

# ANNEXATION

Use black ink

KRISTI CHLEBOWSKI  
DANE COUNTY  
REGISTER OF DEEDS

DOCUMENT #  
5832551  
05/10/2022 03:18 PM  
Trans Fee:  
Exempt #:  
Rec. Fee: 30.00  
Pages: 15

WHEREAS, the City of Stoughton in Dane County, Wisconsin, hereby gives notice that the following parcels of real property have been annexed from the Town of Dunkirk, Dane County, Wisconsin, to the City of Stoughton, Dane County, Wisconsin. The land is described as follows.

Please see attached legal description.

Recording area

Name and return address:

City of Stoughton  
Candee J. Christen  
207 S. Forrest Street  
Stoughton, WI. 53589

I, Candee J. Christen, hereby certify that I am the duly appointed, qualified and acting CITY CLERK of the CITY OF STOUGHTON, Dane County, State of Wisconsin, and such have charge of the official records of the City:

I further certify that this a true and correct copy of Ordinance 0-10-2022 and the original is on file in the City Clerk's Office. The population of the territory being attached is zero (0) persons.

5-10-2022

Signature of City/Village/Town official

Date

A copy of the ordinance is attached.

Candee J. Christen

Name printed

City Clerk

Title

15

This document was drafted by:  
(print or type name below)

Candee J. Christen

Names of persons signing in any capacity must be typed or printed below their signature.  
DCROD 3/1/2002

Tammy L. Nimmo  
Notary Public, State of Wisconsin

EXP 12.20.2024

STATE OF WISCONSIN, County of Dane

Subscribed and sworn to before me on 5-10-2022 by the above named person(s).

Signature of notary or other person authorized to administer an oath (as per s. 706.06, 706.07)

Print or type name: Tammy L Nimmo

**ORDINANCE OF THE COMMON COUNCIL**

AN ORDINANCE PROVIDING FOR THE DIRECT ANNEXATION BY UNANIMOUS APPROVAL OF A PORTION OF THE TOWN OF DUNKIRK TO THE CITY OF STOUGHTON, DANE COUNTY, WISCONSIN

Committee Action: Plan Commission unanimously recommends Council approval on April 11, 2022.

Fiscal Impact:

**File Number:** O -10- 2022

**Date Introduced:** April 12, 2022

April 26, 2022

**RECITALS**

- A. Robert Hostrawser (“Owner”) owns land in the Town of Dunkirk as described in Exhibit A and shown in Exhibit B (the “Territory”) and is seeking to annex the Territory by unanimous approval to the City of Stoughton, pursuant to Wis. Stat. § 66.0217(2).
- B. The City of Stoughton Plan Commission has recommended that the Territory be annexed to the City, and that the Territory be assigned a temporary zoning classification of RH - Rural Holding.
- C. The proposed annexation will need to be reviewed by the Wisconsin Department of Administration to determine if the annexation is in the public interest.
- D. The population of the proposed land is 0.
- E. The annexation represents approximately 38.467 acres from the Town of Dunkirk.

*NOW, THEREFORE, the Common Council of the City of Stoughton, Dane County, Wisconsin, does ordain as follows:*

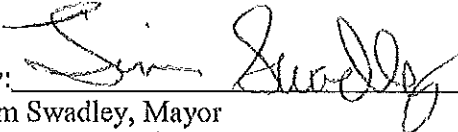
**ORDINANCE**

- 1. Recitals. The above recitals are material to and are incorporated in this Ordinance.
- 2. Territory Annexed. The Territory is annexed by unanimous approval to the City of Stoughton pursuant to Wis. Stat. § 66.0217(2).
- 3. Effect of Annexation. From and after the effective date of this ordinance, the Territory shall be a part of the City of Stoughton 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 Stoughton.

4. Temporary Zoning Designation. The Territory shall be temporarily zoned R-H Rural Holding.
5. Ward Designation. The Territory shall be added to Ward No.5 of the City of Stoughton.
6. Clerk Duties. The City Clerk is hereby directed to publish notice of and provide copies of this Ordinance in accordance with the applicable Wisconsin Statutes.
7. Effective Date. This ordinance shall take effect upon passage and publication as provided by law.

APPROVED:

By:   
Tim Swadley, Mayor

ATTEST:

  
Candee Christen, City Clerk

APPROVED: 4/26/2022  
PUBLISHED: 5/5/2022

## EXHIBIT A

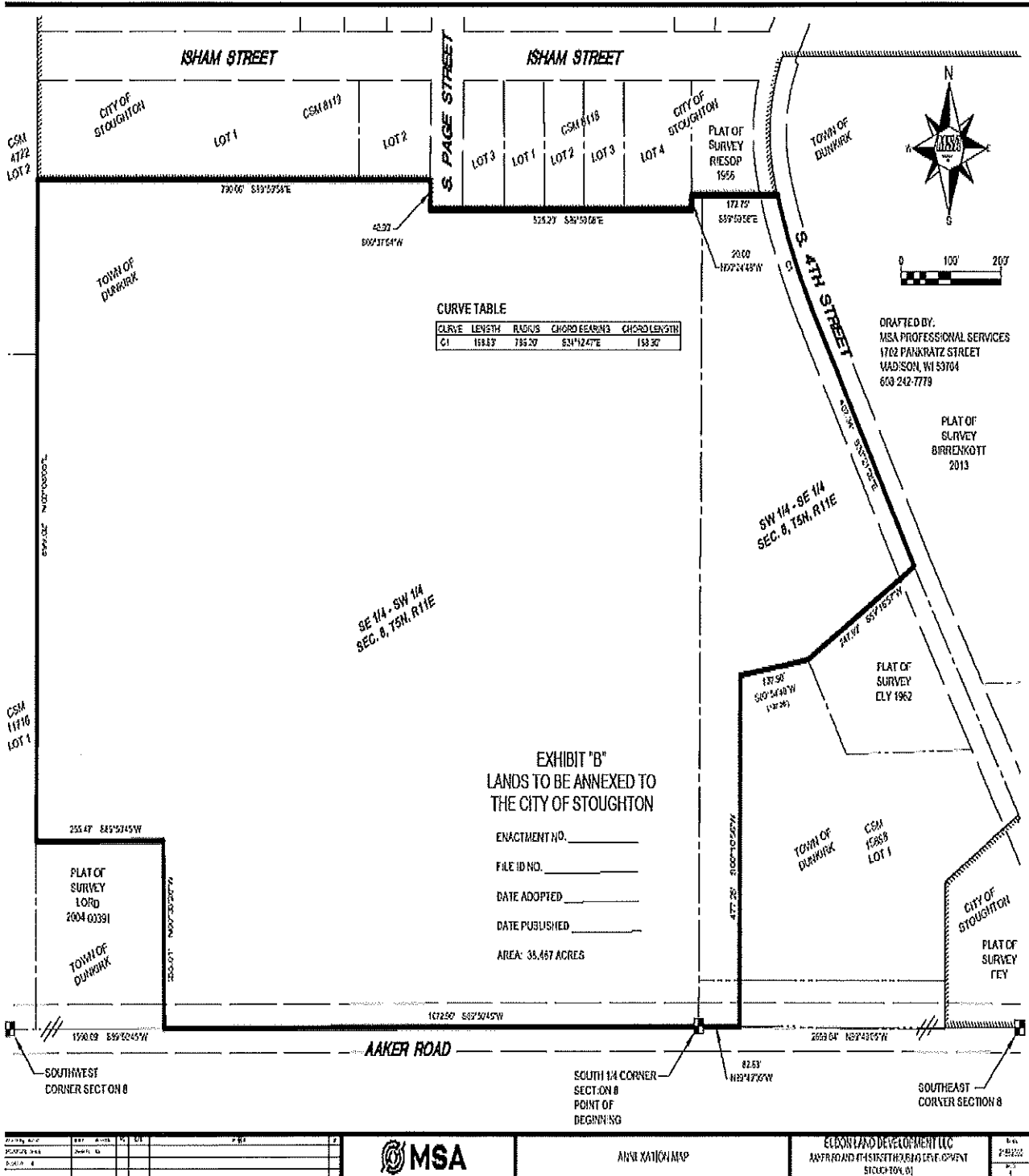
### LEGAL DESCRIPTION

A part of the Southeast $\frac{1}{4}$  of the Southwest $\frac{1}{4}$  and the Southwest $\frac{1}{4}$  of the Southeast $\frac{1}{4}$  of Section 8, Township 5 North, Range 11 East in the Town of Dunkirk, Dane County, Wisconsin, more particularly described as follows:

Beginning at the South $\frac{1}{4}$  corner of said Section 8; thence South 89°50'45" West along the South line of the Southeast $\frac{1}{4}$  of the Southwest $\frac{1}{4}$  of said Section 8, a distance of 1072.96 feet; thence North 00°33'26" West, a distance of 255.01 feet; thence South 89°50'45" West, a distance of 255.47 feet to a point on the West line of the said Southeast $\frac{1}{4}$  of the Southwest $\frac{1}{4}$ ; thence North 00°08'05" East along the said West line, a distance of 899.02 feet to the Southwest corner of Lot 1 of Certified Survey Map (CSM) No. 8119; thence South 89°59'58" East along the South line of said CSM No. 8119, a distance of 790.06 feet to a point on the West Right-of-Way line of S. Page Street; thence South 00°37'54" West along the said West Right-of-Way line, a distance of 40.00 feet; thence South 89°59'58" East along the South line of CSM No. 8119 and CSM No. 8118, a distance of 525.20 feet to the Southeast corner of Lot 4 of said CSM No. 8118; thence North 00°24'48" West along the West line of said Lot 4, a distance of 20.00 feet; thence South 89°59'58" East, a distance of 172.75 feet to the centerline of S. 4th Street; thence southeasterly 168.63 feet along the said centerline being a curve to the left having a radius of 786.20 feet, the chord of said curve bears South 24°12' 47" East a distance of 168.30 feet; thence South 30°21 '26" East along the said centerline, a distance of 407.34 feet; thence South 59°16'57" West, a distance of 247.92 feet to a northerly angle point of CSM No. 15888; thence South 80°54'48" West along the North line of said CSM No. 15888, a distance of 137.98 feet to the Northwest corner of said CSM No. 15888; thence South 00°10'56" West along the West line of said CSM No. 15888, a distance of 477.25 feet to a point on the South line of the Southwest $\frac{1}{4}$  of the Southeast $\frac{1}{4}$  of said Section 8; thence North 89°49'05" West along the said South line, a distance of 82.63 feet to the Point of Beginning.

Said parcel contains 1,675,642 square feet or 38.467 acres more or less including areas within S. 4th Street and Aaker Road.

# EXHIBIT B



PETITION FOR ANNEXATION

The undersigned, constituting 100 percent of the owners of the following described territory located in the Town of Dunkirk, Dane County, Wisconsin, lying contiguous to the City of Stoughton, petition the Honorable Mayor and Common Council of said city to annex the territory described below and shown upon the attached map, as permitted by Chapter 66 of the Wisconsin Statutes, to the City of Stoughton, Dane County, Wisconsin.

A part of the Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  and the Southwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 8, Township 5 North, Range 11 East in the Town of Dunkirk, Dane County, Wisconsin, more particularly described as follows:

Beginning at the South  $\frac{1}{4}$  corner of said Section 8; thence South  $89^{\circ}50'45''$  West along the South line of the Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of said Section 8, a distance of 1072.96 feet; thence North  $00^{\circ}33'26''$  West, a distance of 255.01 feet; thence South  $89^{\circ}50'45''$  West, a distance of 255.47 feet to a point on the West line of the said Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ ; thence North  $00^{\circ}08'05''$  East along the said West line, a distance of 899.02 feet to the Southwest corner of Lot 1 of Certified Survey Map (CSM) No. 8119; thence South  $89^{\circ}59'58''$  East along the South line of said CSM No. 8119, a distance of 790.06 feet to a point on the West Right-of-Way line of S. Page Street; thence South  $00^{\circ}37'54''$  West along the said West Right-of-Way line, a distance of 40.00 feet; thence South  $89^{\circ}59'58''$  East along the South line of CSM No. 8119 and CSM No. 8118, a distance of 525.20 feet to the Southeast corner of Lot 4 of said CSM No. 8118; thence North  $00^{\circ}24'48''$  West along the West line of said Lot 4, a distance of 20.00 feet; thence South  $89^{\circ}59'58''$  East, a distance of 172.75 feet to the centerline of S. 4th Street; thence southeasterly 168.63 feet along the said centerline being a curve to the left having a radius of 786.20 feet, the chord of said curve bears South  $24^{\circ}12'47''$  East a distance of 168.30 feet; thence South  $30^{\circ}21'26''$  East along the said centerline, a distance of 407.34 feet; thence South  $59^{\circ}16'57''$  West, a distance of 247.92 feet to a northerly angle point of CSM No. 15888; thence South  $80^{\circ}54'48''$  West along the North line of said CSM No. 15888, a distance of 137.98 feet to the Northwest corner of said CSM No. 15888; thence South  $00^{\circ}10'56''$  West along the West line of said CSM No. 15888, a distance of 477.25 feet to a point on the South line of the Southwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of said Section 8; thence North  $89^{\circ}49'05''$  West along the said South line, a distance of 82.63 feet to the Point of Beginning.

Said parcel contains 1,675,642 square feet or 38.467 acres more or less including areas within S. 4th Street and Aaker Road.

There are no persons residing in the territory.

Dated this 21<sup>st</sup> day of February, 2022

Signed: 

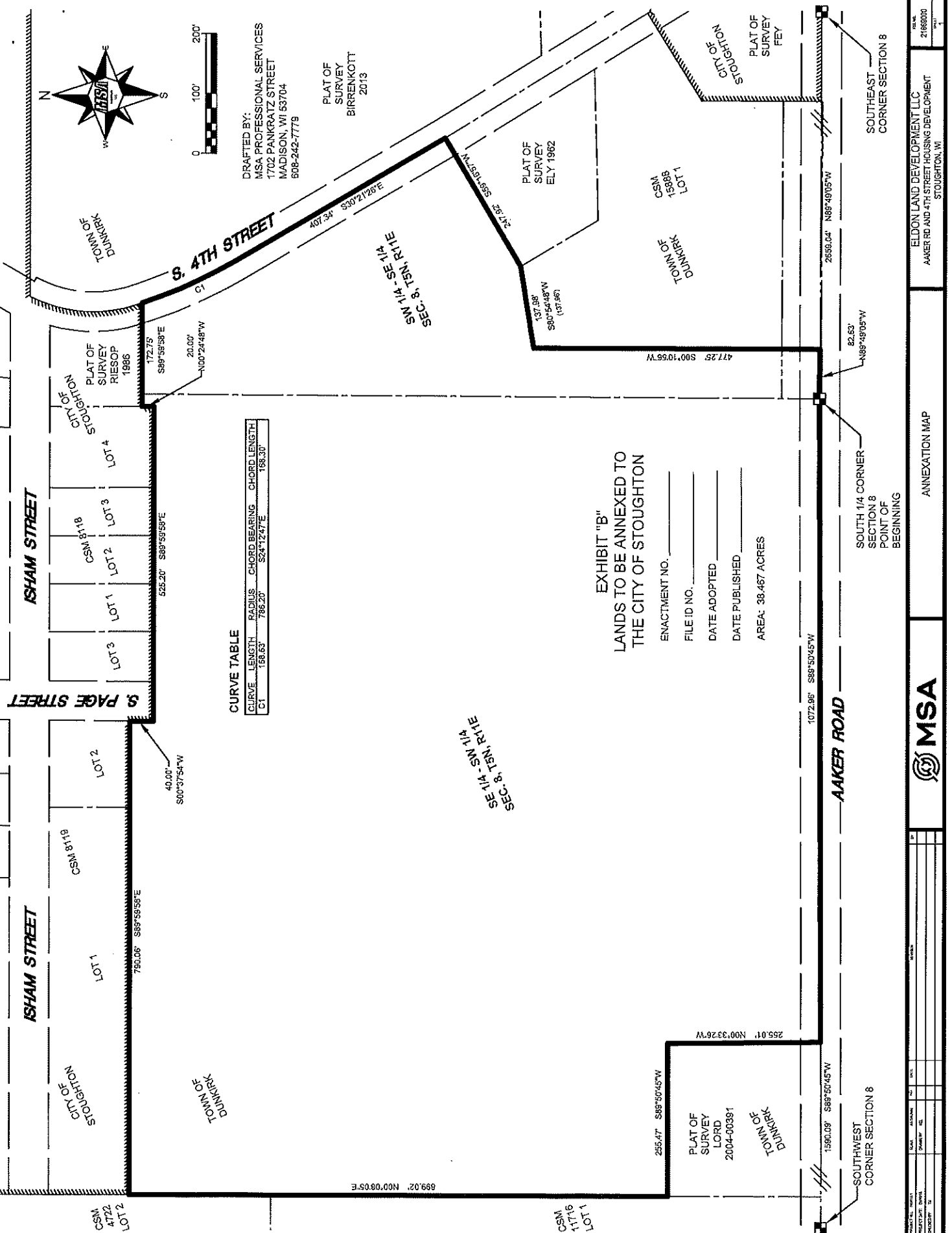
Robert Hostrawser, Owner  
Rob Real Estate Brokerage & Builders, LLC  
3092 Linnerud Drive  
Stoughton, WI 53589





DRAFTED BY:  
MSA PROFESSIONAL SERVICES  
1702 PANKRATZ STREET  
MADISON, WI 53704  
608-242-7779

PLAT OF  
SURVEY  
BIRRENKOTT  
2013



**CURVE TABLE**

CURVE	LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C1	158.63'	786.20'	S2°41'24.7"E	168.30'

EXHIBIT "B"  
LANDS TO BE ANNEXED TO  
THE CITY OF STOUGHTON

ENACTMENT NO. \_\_\_\_\_  
FILE ID NO. \_\_\_\_\_  
DATE ADOPTED \_\_\_\_\_  
DATE PUBLISHED \_\_\_\_\_  
AREA: 38.487 ACRES

ELDON LAND DEVELOPMENT LLC  
AAKER RD AND 4TH STREET HOUSING DEVELOPMENT  
STOUGHTON, WI

ANNEXATION MAP



NO.	DATE	BY	REVISION

PLAT OF SURVEY LORD 2004-00391

# Request for Annexation Review

Wisconsin Department of Administration

WI Dept. of Administration  
Municipal Boundary Review  
PO Box 1645, Madison WI 53701  
608-264-6102  
[wimunicipalboundaryreview@wi.gov](mailto:wimunicipalboundaryreview@wi.gov)  
<https://doa.wi.gov/municipalboundaryreview>

## Petitioner Information

Name: **Robert Hostrawser, Rob Real Estate Brokerage & Builders, LLC**

Phone: **(608) 213-1807**

Email: **build@parkercoleconstruction.com**

Contact Information if different than petitioner:

Representative's Name: **Jeffrey D. Thelen, MSA Professional Services, Inc**

Phone: **(608) 355-8911**

E-mail: **jthelen@msa-ps.com**

**RECEIVED**

February 23, 2022

Municipal Boundary Review  
Wisconsin Dept. of Admin.

1. Town where property is located: **Town of Dunkirk**

2. Petitioned City or Village: **Stoughton**

3. County where property is located: **Dane**

4. Population of the territory to be annexed: **0**

5. Area (in acres) of the territory to be annexed: **38.467**

6. Tax parcel number(s) of territory to be annexed (if the territory is part or all of an existing parcel):  
**026/0511-083-9651-3 & 026/0511-084-9652-0**

### Include these required items with this form:

- Legal Description meeting the requirements of s.66.0217 (1) (c) [see attached annexation guide]
- Map meeting the requirements of s. 66.0217 (1) (g) [see attached annexation guide]
- Signed Petition or Notice of Intent to Circulate [see attached annexation guide]
- Check or money order covering review fee [see next page for fee calculation]

(2021)

# Annexation Review Fee Schedule

A Guide for Calculating the Fee Required by ss.16.53 (4) and 66.0217, Wis. Stats.

## Required Fees

There is an initial filing fee and a variable review fee

**\$350 Initial Filing Fee** (required with the first submittal of all petitions)

\$200 – 2 acres or less

\$350 – 2.01 acres or more

**\$800 Review Fee** (required with all annexation submittals except those that consist ONLY of road right-of-way)

\$200 – 2 acres or less

\$600 – 2.01 to 10 acres

\$800 – 10.01 to 50 acres

\$1,000 – 50.01 to 100 acres

\$1,400 – 100.01 to 200 acres

\$2,000 – 200.01 to 500 acres

\$4,000 – Over 500 acres

**\$1,150 TOTAL FEE DUE** (Add the Filing Fee to the Review Fee)

Include check or money order, payable to: Department of Administration

DON'T attach the check with staples, tape, ...

THE DEPARTMENT WILL NOT PROCESS  
AN ANNEXATION PETITION THAT IS NOT ACCOMPANIED  
BY THE REQUIRED FEE.

THE DEPARTMENT'S 20-DAY STATUTORY REVIEW PERIOD  
COMMENCES UPON RECEIPT OF THE PETITION AND REVIEW FEE

Shaded Area for Office Use Only

Date fee & form received: 2-23-2022

Payer: Eldon Land Development LLC

Check Number: 1002

Check Date: 2-18-22

Amount: 1150<sup>00</sup>



TONY EVERS

GOVERNOR

KATHY BLUMENFELD

SECRETARY

**Municipal Boundary Review**

PO Box 1645, Madison WI 53701

Voice (608) 264-6102 Fax (608) 264-6104

Email: [wimunicipalboundaryreview@wi.gov](mailto:wimunicipalboundaryreview@wi.gov)

Web: <http://doa.wi.gov/municipalboundaryreview>

February 23, 2022

PETITION FILE NO. 14486

CANDEE CHRISTEN, CLERK  
CITY OF STOUGHTON  
207 S FORREST STREET  
STOUGHTON, WI 53589-1724

MELANIE HUCHTHAUSEN, CLERK  
TOWN OF DUNKIRK  
654 COUNTY ROAD N  
STOUGHTON, WI 53589

Subject: HOSTRAWSER ANNEXATION

Section 66.0217 (6), Wis. Stats., provides that the annexation of lands to cities and villages within a county having a population of 50,000 or more shall be reviewed by the Department of Administration in order to determine if the proposed annexation is in the public interest or against the public interest. The proposed annexation from the TOWN OF DUNKIRK to the CITY OF STOUGHTON (see attached description) must be reviewed pursuant to the statute.

To assist us in making this determination, we urge that you promptly supply the data requested on the enclosed questionnaire (where possible) and return the questionnaire to the department.

The purpose of this questionnaire is to assist the department in determining "Whether the governmental services, including zoning, to be supplied to the territory could clearly be better supplied by the town...." The statute further stipulates that the department shall study the "shape of the proposed annexation and the homogeneity of the territory with the annexing municipality." In addition, we would appreciate receiving from you any comments or information bearing on governmental services or shape and homogeneity that would indicate whether the annexation is in or against the public interest.

Please return the questionnaire as soon as possible so that the information can be reviewed prior to the department's statutory deadline of March 15, 2022. Direct any questions and comments to Erich Schmidtke at (608) 264-6102. Thank you for your cooperation.

For additional information on annexation or other land use issues, visit our web site at <http://doa.wi.gov/municipalboundaryreview/>.

Sincerely,

Erich Schmidtke

Enclosures

# Annexation Review Questionnaire

Wisconsin Department of Administration

WI Dept. of Administration  
Municipal Boundary Review  
PO Box 1645  
Madison WI 53701  
608-264-6102 Fax: 608-264-6104  
[wimunicipalboundaryreview@wi.gov](mailto:wimunicipalboundaryreview@wi.gov)  
<http://doa.wi.gov/municipalboundaryreview>

Petitioner: **Hostrawser**

Petition Number: **14486**

1. Territory to be annexed: From **TOWN OF DUNKIRK** To **CITY OF STOUGHTON**

2. Area (Acres): 38.467

3. Pick one:  Property Tax Payments

OR  Boundary Agreement

a. Annual town property tax on territory to be annexed:

\$ 84.56

a. Title of boundary agreement \_\_\_\_\_

b. Year adopted \_\_\_\_\_

b. Total that will be paid to Town

(annual tax multiplied by 5 years): \$ 422.80

c. Participating jurisdictions \_\_\_\_\_

d. Statutory authority (pick one)

c. Paid by:  Petitioner  City  Village

s.66.0307  s.66.0225  s.66.0301

Other: \_\_\_\_\_

4. Resident Population: Electors: 0 Total: 0

5. Approximate present land use of territory:

Residential: \_\_\_\_\_% Recreational: \_\_\_\_\_% Commercial: \_\_\_\_\_% Industrial: \_\_\_\_\_%

Undeveloped: 100%

6. If territory is undeveloped, what is the anticipated use?

Residential: 95% Recreational: 5% Commercial: \_\_\_\_\_% Industrial: \_\_\_\_\_%

Other: \_\_\_\_\_%

Comments: Concept Plans for residential, with parkland has been submitted to the City

7. Has a  preliminary or  final plat been submitted to the Plan Commission:  Yes  No

Plat Name: \_\_\_\_\_

8. What is the nature of land use adjacent to this territory in the city or village?

Residential

In the town?: Agricultural & Residential

9. What are the basic service needs that precipitated the request for annexation?

Sanitary sewer  Water supply  Storm sewers

Police/Fire protection  EMS  Zoning

Other \_\_\_\_\_

10. Is the city/village or town capable of providing needed utility services?

City/Village  Yes  No Town  Yes  No

If yes, approximate timetable for providing service: City/Village Town

Sanitary Sewers immediately

or, write in number of years. 1     

Urban Service Area Amendment is necessary before extension of services to this property but water & sanitary is available to the north of this site.

Water Supply immediately

or, write in number of years. 1     

Will provision of sanitary sewers and/or water supply to the territory proposed for annexation require capital expenditures (i.e. treatment plant expansion, new lift stations, interceptor sewers, wells, water storage facilities)?

Yes  No The developer is exploring options to avoid installing a lift station

If yes, identify the nature of the anticipated improvements and their probable costs: \_\_\_\_\_

11. Planning & Zoning:

a. Do you have a comprehensive plan for the City/Village/Town?  Yes  No

Is this annexation consistent with your comprehensive plan?  Yes  No

b. How is the annexation territory now zoned? County AT-35 - Ag Transition

c. How will the land be zoned and used if annexed? Likely Single-Family Residential & Town Residential

12. Elections:  New ward or  Existing ward? Will the annexation create a new ward or join an existing ward? For more information, please contact the Wisconsin Election Commission at (608) 266-8005, [elections@wi.gov](mailto:elections@wi.gov) or see their annexation checklist here: <http://elections.wi.gov/forms/el-100>

City Clerk is evaluating this now

13. Other relevant information and comments bearing upon the public interest in the annexation:

The proposed annexation is included in the City Comprehensive Plan Future Land Use to become part of the City.

Prepared by:  Town  City  Village

Name: Rodney Scheel

Email: rj.scheel@ci.stoughton.wi.us

Phone: (608) 873-6619

Date: 2/28/2022

Please RETURN PROMPTLY to:

[wimunicipalboundaryreview@wi.gov](mailto:wimunicipalboundaryreview@wi.gov)

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

(March 2018)



TONY EVERS  
GOVERNOR  
KATHY BLUMENFELD  
SECRETARY

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

March 15, 2022

PETITION FILE NO. 14486

CANDEE CHRISTEN, CLERK  
CITY OF STOUGHTON  
207 S FORREST STREET  
STOUGHTON, WI 53589-1724

MELANIE HUCHTHAUSEN, CLERK  
TOWN OF DUNKIRK  
654 COUNTY ROAD N  
STOUGHTON, WI 53589

Subject: HOSTRAWSER ANNEXATION

The proposed annexation submitted to our office on February 23, 2022, has been reviewed and found to be in the public interest. In determining whether an annexation is in the public interest, s. 66.0217 (6), Wis. Stats. requires the Department to examine "[t]he shape of the proposed annexation and the homogeneity of the territory with the annexing village or city...." so as, to ensure the resulting boundaries are rational and compact. The statute also requires the Department to consider whether the annexing city or village can provide needed municipal services to the territory. The subject petition is for territory that is reasonably shaped and contiguous to the **CITY OF STOUGHTON**, which is able to provide needed municipal services.

The Department reminds clerks of annexing municipalities of the requirements of s. 66.0217 (9)(a), Wis. Stats., which states:

"The clerk of a city or village which has annexed shall file immediately with the secretary of administration a certified copy of the ordinance, certificate and plat, and shall send one copy to each company that provides any utility service in the area that is annexed. The clerk shall record the ordinance with the register of deeds and file a signed copy of the ordinance with the clerk of any affected school district..."

State and federal aids based on population and equalized value may be significantly affected through failure to file with the Department of Administration. Please file a copy of your annexing ordinance, including a statement certifying the population of the annexed territory. **Please include your MBR number 14486 with your ordinance.** Ordinance filing checklist available at <http://mds.wi.gov/>, click on "Help on How to Submit Municipal Records". Email scanned copy of required materials (color scan maps with color) to [mds@wi.gov](mailto:mds@wi.gov) or mail to: Wisconsin Department of Administration, Municipal Boundary Review, PO Box 1645, Madison WI 53701-1645.

The petition file is available for viewing at: <http://mds.wi.gov/View/Petition?ID=2560>  
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner