

RECEIVED

09/07/2022

Municipal Boundary Review  
Wisconsin Dept. of Admin.

State Bar of Wisconsin Form 00-2011  
CORRECTION INSTRUMENT

Under Wis. Stat. § 706.085

Document Number

Document Name

Undersigned hereby states that a certain document ("conveyance") titled as Ordinance 1230 (type of document), and executed between City of Lake Mills, Grantor, and \_\_\_\_\_, Grantee, was recorded in Jefferson County, Wisconsin, on March 10, 2022, in volume \_\_\_\_\_, page \_\_\_\_\_, as document number 1459875, and contained the following error:

Scriveners errors: recorded Ordinance 1230 annexation certificate provided the wrong jurisdiction from which the subject property was annexed to the City of Lake Mills; failed to include that the ordinance was published and became effective on March 10, 2022; the legal description failed to indicate the parcel is located in the NW1/4 of Section 18, and failed to clearly show the 108' dimension of the southern boundary of the subject property.

Undersigned makes this Correction Instrument for the purpose of correcting the conveyance as follows:

The scrivners errors were corrected by: 1. identifying the jurisdiction from which the property was annexed as "Town of Aztalan", 2. inclusion of statement: "The ordinance was published and became effective on March 10, 2022.", 3. the legal description was corrected to indicate that the subject parcel is located in the NW 1/4 of Section 18, and 4. the map was corrected to clearly show the 108' dimension of the southern boundary of the subject property.

The basis for Undersigned's personal knowledge is (check one):

- ☐ Undersigned is the Grantor/Grantee of the property described in the conveyance.  
☐ Undersigned is the drafter of the conveyance that is the subject of the Correction Instrument  
☐ Undersigned is the settlement agent in the transaction that is the subject of this Correction Instrument  
☒ Other (Explain):

Undersigned is the Clerk for the City of Lake Mills and processed the petitioners application for annexation, managed presentation of the ordinance to the City Council and adoption of the same by the City Council, and prepared, distributed, and published required public notice documents.

A copy of the conveyance (in part or whole) ☒ is ☐ is not attached to this Correction Instrument (if a copy of the conveyance is not attached, attach the legal description).

Undersigned has sent notice of the execution and recording of this Correction Instrument by 1<sup>st</sup> class mail to all parties to the transaction that was the subject of the conveyance at their last known addresses.

Dated August 18, 2022

Melissa Quest (SEAL)  
\* Melissa Quest, Lake Mills City Clerk

AUTHENTICATION

Signature of Melissa Quest  
authenticated on August 18, 2022

\* Daniel A. Drescher SBN 1083157  
TITLE: MEMBER STATE BAR OF WISCONSIN  
(If not, \_\_\_\_\_  
authorized by Wis. Stat. §706.06)

THIS INSTRUMENT DRAFTED BY:

Daniel A. Drescher  
Attorney for the City of Lake Mills SBN 1083157

ACKNOWLEDGMENT

STATE OF WISCONSIN )  
 ) ss  
\_\_\_\_\_ COUNTY )

Personally came before me on \_\_\_\_\_,  
the above-named \_\_\_\_\_  
to me known to be the person who executed the foregoing  
instrument and acknowledged the same.

\* \_\_\_\_\_  
Notary Public, State of Wisconsin  
My Commission (is permanent) (expires: \_\_\_\_\_)

(Signatures may be authenticated or acknowledged. Both are not necessary.)

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATIONS TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.

CORRECTION INSTRUMENT

STATE BAR OF WISCONSIN

\* Type name below signatures.

FORM NO. 00-2011



DocId:8181537  
Tx:4126209

COPY

1466206

Office of Register of Deeds  
Jefferson County, WI  
RECEIVED FOR RECORD  
08/19/2022 10:26:51 AM  
Staci M. Hoffman  
Total Pages: 21  
REC FEE: 30.00  
TRANSFER FEE:  
EXEMPT #

Recording Area

Name and Return Address

City Clerk Melissa Quest  
City of Lake Mills  
200D Water St.  
Lake Mills, WI 53551

246-0714-1822-007  
Parcel Identification Number (PIN)

17  
Document Number  
Ordinance 1230  
Document Title



DocId:8159466  
Tx:4107352

**1459875**

Office of Register of Deeds  
Jefferson County, WI  
RECEIVED FOR RECORD  
03/10/2022 11:50:35 AM  
Staci M. Hoffman  
Total Pages: 17  
REC FEE: 30.00  
TRANSFER FEE:  
EXEMPT #

Recording Area

Name and Return Address

City of Lake Mills  
200 Water St  
Lake Mills, WI 53551

246-0714-1822-007

Parcel Identification Number (PIN)

**ORD11519**

**RECEIVED**

**09/07/2022**

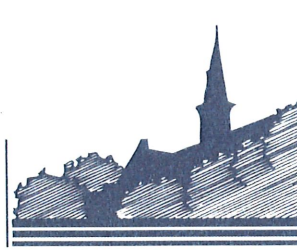
Municipal Boundary Review  
Wisconsin Dept. of Admin.

**THIS PAGE IS PART OF THIS LEGAL DOCUMENT – DO NOT REMOVE.**

This Information must be completed by submitter: document title, name & return address, and PIN (if required). Other Information such as the granting clause, legal description, etc., may be placed on this first page of the document or may be placed on additional pages of the document.  
WRDA Rev. 12/22/2010

# City Of Lake Mills

200D Water Street  
Lake Mills, WI 53551  
(920) 648-2344  
FAX: (920) 648-2347  
www.ci.lake-mills.wi.us



ORD11519

RECEIVED  
07/07/2022

Municipal Boundary Review  
WI Dept. of Administration

## (AMENDED) ANNEXATION CERTIFICATE

I, Melissa Quest, City Clerk of the City of Lake Mills, County of Jefferson, State of Wisconsin, DO HEREBY CERTIFY that the following described territory was detached from the Town of Aztalan, County of Jefferson, and was annexed to the City of Lake Mills, pursuant to § 66.0217, Wis. Stats., by Ordinance 1230, as adopted by unanimous vote of the City Council (5-0), at a regular meeting held February 15, 2022, and which is now on file in the Office of the City Clerk of the City of Lake Mills, County of Jefferson, State of Wisconsin, which was published and became effective on March 10, 2022. The total population of this area is two (2).

See attached Ordinance, Petition, Legal description, and Map.

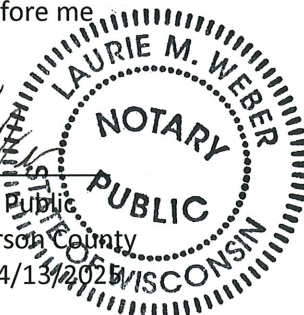
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the City of Lake Mills, County of Jefferson, State of Wisconsin, this 7th day of July, 2022.

Melissa Quest, City Clerk

Subscribed and sworn before me

this 7th day of July, 2022.

Laurie M. Weber, Notary Public  
State of Wisconsin, Jefferson County  
My commission expires: 4/13/2025





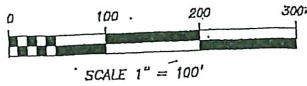
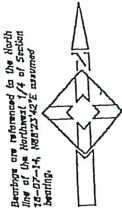
All that part of NW  $\frac{1}{4}$  of Section 18, Township 7 North, Range 14 East, Town of Aztalan, Jefferson County, Wisconsin, bounded and described as follows:

Commencing at the Section stone at the Northwest Corner of said Section 18, Township 7 North, Range 14 East, thence South 1060.30 feet along the West line of said Section, to the center line of CTH B, thence South 79° 49' East 417.45 feet along the center line of said highway to a point which point is the place of beginning, continue thence South 78° 57' East along the center line of said CTH B 108.00 feet to a point thence North 1° 21' East, 216.50 feet to a point, thence North 78° 57' West 108.00 feet to a point, thence South 1° 21' West, 216.50 feet to the place of beginning.

# ADDIT

PART 0

NW 1/4 AND NE 1/4



## LEGEND

- = 1 1/4" x 18" solid round iron rebar placed, 4.30 lbs/ft.
- ▣ = 3/4" solid round iron rebar found, 1.50lbs/ft.
- ▤ = 1 1/4" solid round iron rebar found, 4.30lbs/ft.
- ▲ = 1.375" Outside diameter iron pipe found.
- ⋈ = 1.675" Outside diameter iron pipe found.
- ⊙ = Section corner.
- ⑦ = Tangent bearing.
- ③ = Non-tangent curve tangent bearing.
- ⌈⌋ = Existing structures.

All other lot and outlet corners are marked with a 3/4" x 18" solid iron rebar 1.50 lbs/ft.

All distances, lengths and widths are measured to the nearest hundredth of a foot.

Distances shown along curves are chord lengths.

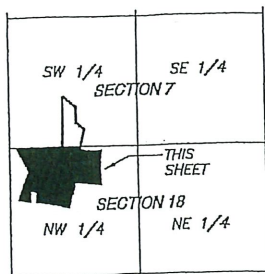
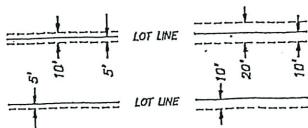
All bearings are measured to the nearest 00°00'05".

UTILITY EASEMENTS - No Poles or buried Cables are to be placed such that the installation would disturb any stake or obstruct vision along any street line.

The disturbance of any survey stake is a violation of Section 236.32, Wisconsin Statute.

Arrows indicate the direction of drainage flows in various commonest resulting from site grading and the construction of required public improvements. The drainage flow components located in easements shall be maintained and preserved by the property owner, unless approved by the Director of Public Works.

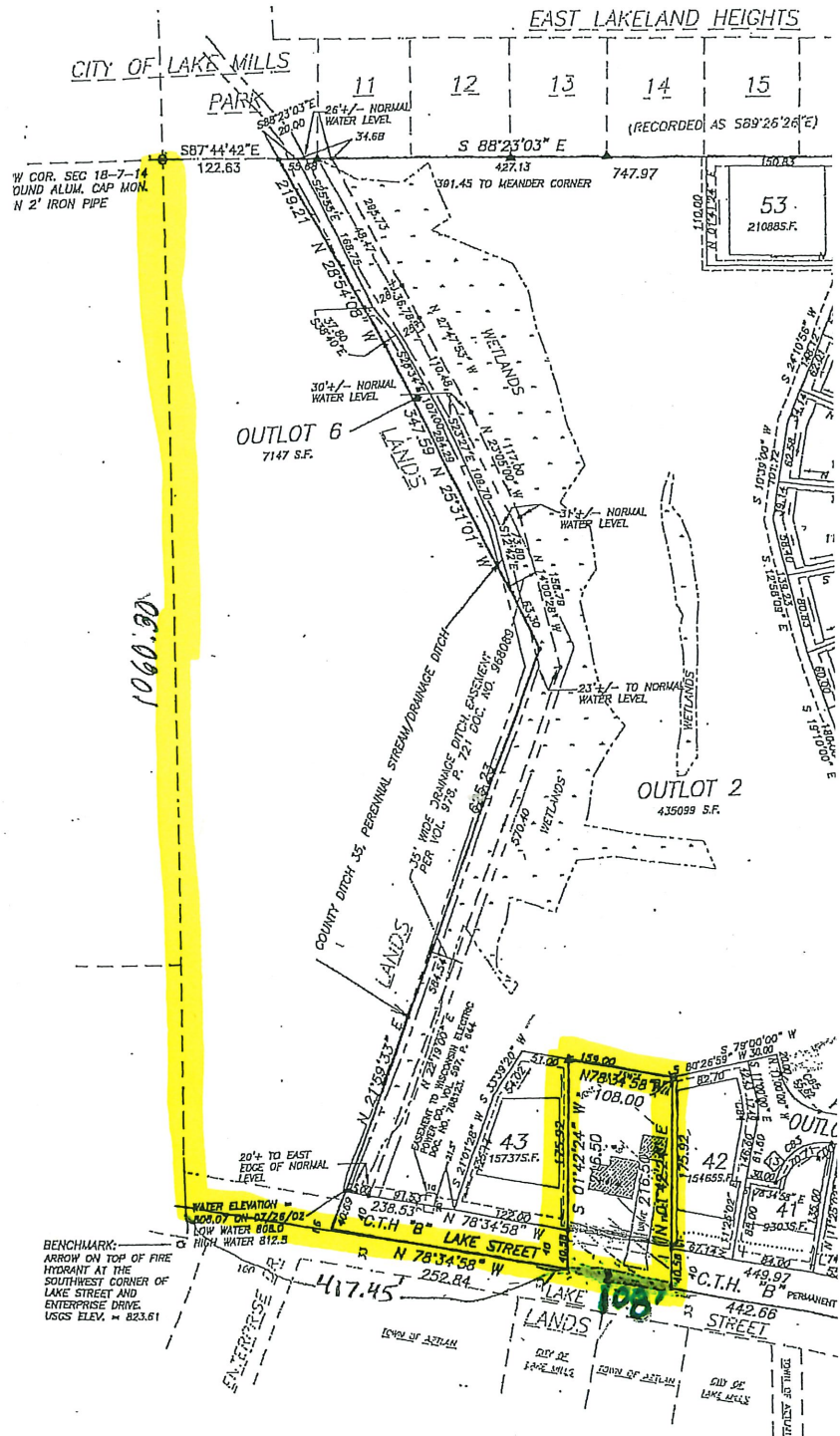
## UTILITY EASEMENTS UNLESS OTHERWISE SHOWN



LOCATION MAP

1-92  
1, AND  
STREET

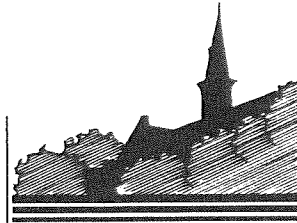
SHEET 1 OF 3 SHEETS



MBR Received: 3-15-22

# City Of Lake Mills

200D Water Street  
Lake Mills, WI 53551  
(920) 648-2344  
FAX: (920) 648-2347  
www.ci.lake-mills.wi.us



ORD11519

RECEIVED  
03/15/2022

Municipal Boundary Review  
WI Dept. of Administration

Tuesday, March 08, 2022

Municipal Boundary Review  
Department of Administration  
P.O. Box 1645  
Madison, WI 53701-1645

RE: Annexation into City of Lake Mills

To Whom It May Concern:

Please find enclosed a true and exact copy of the following:

Annexation Certificate with attached Ordinance 1230, MBR 14465, annexing land from the Town of Aztalan into the City of Lake Mills.

Please feel free to contact me with any questions.

Sincerely,  
**City of Lake Mills**

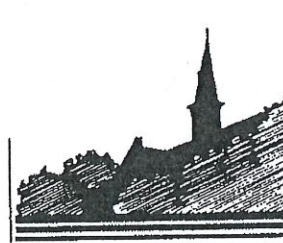
  
Melissa Quest  
City Clerk

Enclosures

cc:  
Town of Aztalan Clerk  
City Building Inspector  
City Assessor  
Lake Mills Area School District  
Jefferson County Land Information  
Lake Mills Postal Office  
Frontier  
John's Disposal Inc.  
Lake Mills Light & Water  
Charter Communications  
WE Energies  
Lake Mills Police Department  
Lake Mills Fire Department  
Department of Public Works  
Lake Mills EMS  
Applicant

# City Of Lake Mills

200D Water Street  
Lake Mills, WI 53551  
(920) 648-2344  
FAX: (920) 648-2347  
www.ci.lake-mills.wi.us

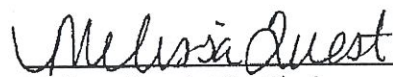


## ANNEXATION CERTIFICATE

I, Melissa Quest, City Clerk of the City of Lake Mills, County of Jefferson, State of Wisconsin, DO HEREBY CERTIFY that the following described territory was detached from the Town of Lake Mills, County of Jefferson, and was annexed to the City of Lake Mills, pursuant to § 66.0217, Wis. Stats., by Ordinance 1230, as adopted by unanimous vote of the City Council (5-0), at a regular meeting held February 15, 2022, and which is now on file in the Office of the City Clerk of the City of Lake Mills, County of Jefferson, State of Wisconsin. The total population of this area is two (2).

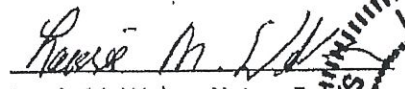
See attached Ordinance, Petition, Legal description, and Map.

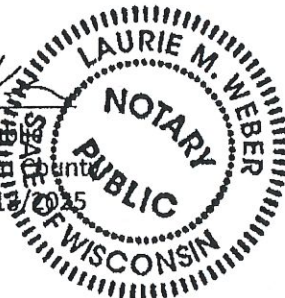
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the City of Lake Mills, County of Jefferson, State of Wisconsin, this 8th day of March, 2022.

  
Melissa Quest, City Clerk

Subscribed and sworn before me

this 8th day of March, 2022

  
Laurie M. Weber, Notary Public  
State of Wisconsin, Jefferson County  
My commission expires: 4/13/2025



**Ordinance 1230**

**AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF LAKE MILLS,  
JEFFERSON COUNTY, WISCONSIN**

Parcel Identification Number: 002-0714-1822-007

**THE CITY COUNCIL OF THE CITY OF LAKE MILLS, JEFFERSON COUNTY,  
WISCONSIN, DOES ORDAIN AS FOLLOWS:**

Section 1. Territory Annexed. In accordance with § 66.0217, Wisconsin Statutes, and the attached and incorporated Petition for Direct Annexation, signed by the owners of the property proposed to be annexed and filed with the City Clerk on October 1, 2021, the following territory in the Town of Aztalan, Jefferson County, Wisconsin, is annexed to the City of Lake Mills, Jefferson County, Wisconsin.


Section 2. Effect of Annexation. From and after the date of this ordinance, the territory described in Section 1 shall be part of the City of Lake Mills, Jefferson 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 Lake Mills.

Section 3. Ward Designation. The territory described in Section 1 of this ordinance is hereby made a part of Ward 4 of the City of Lake Mills, subject to the ordinances, rules and regulations of the City of Lake Mills governing wards.

Section 4. Severability. If any provision of this ordinance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance that can be given effect without the invalid or unconstitutional provision or application.

Section 5. Effective Date. This ordinance shall take effect upon passage and publication as provided by law.

Adopted this 15 day of February, 2022.

  
\_\_\_\_\_  
Gregory Waters, Council President

Attest:

  
\_\_\_\_\_  
Melissa Quest, City Clerk



# Request for Annexation Review

Wisconsin Department of Administration

WI Dept. of Administration  
Municipal Boundary Review  
101 E. Wilson Street, 9<sup>th</sup> Floor  
Madison WI 53703  
608-264-6102 Fax: 608-264-6104  
[wimunicipalboundaryreview@wi.gov](mailto:wimunicipalboundaryreview@wi.gov)  
<http://doa.wi.gov/municipalboundaryreview/>

## Petitioner Information

Name: JAMES W. SCHMIDT

Address: W7234 COUNTY ROAD B  
LAKE MILLS, WI 53551

Email: t\_weinland@hotmail.com

Office use only:

1. Town where property is located: Aztalan

2. Petitioned City or Village: LAKE MILLS

3. County where property is located: JEFFERSON

4. Population of the territory to be annexed: 2

5. Area (in acres) of the territory to be annexed: 0.52

6. Tax parcel number(s) of territory to be annexed 002-0714-  
(if the territory is part or all of an existing parcel): 1822-007

Petitioners phone:

608.235.4313  
920.720.1177

Town clerk's phone:

920.674.3450

City/Village clerk's phone:

(920)648-2344

## Contact Information if different than petitioner:

Representative's Name and Address:

TERESA WEINLAND

W7234 County Road B

LAKE MILLS WI 53551

Phone: 608-235-4313

E-mail: t\_weinland@hotmail.com

Surveyor or Engineering Firm's Name & Address:

Phone:

E-mail:

## Required Items to be provided with submission (to be completed by petitioner):

- ☒ Legal Description meeting the requirements of s.66.0217 (1) (c) [see attached annexation guide]
- ☒ Map meeting the requirements of s. 66.0217 (1) (d) [see attached annexation guide]
- ☒ Signed Petition or Notice of Intent to Circulate is included
- Indicate Statutory annexation method used:
  - ☐ Unanimous per s. 66.0217 (2), or,
  - OR
  - ☐ Direct by one-half approval per s. 66.0217 (3)
- ☒ Check or money order covering review fee [see next page for fee calculation]

# Annexation Review Fee Schedule

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


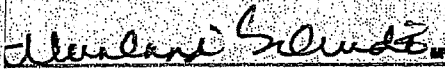
## Required Fees

There is an initial filing fee and a variable review fee

\$200 **Initial Filing Fee** (required with the first submittal of all petitions)  
\$200 – 2 acres or less  
\$350 – 2.01 acres or more

\$200 **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

\$400 **TOTAL FEE DUE** (Add the Filing Fee to the Review Fee)

T W L G  Pay Or  s  Ed  Date  Payee.	<div>4165 79-7903/2759</div> <div>09.30.21 Date</div> <div>petition — \$ 400<sup>00</sup></div> <div>Dollars</div> <div> Security Features Details on Back</div> <div></div> <div>4165</div>	
	EE	
	Check Number: _____	
	Check Date: _____	
Amount: _____		

# ANNEXATION APPLICATION PACKET

## CITY OF LAKE MILLS

NOTE: YOU MUST ALSO SUBMIT AN ANNEXATION PETITION  
IN ACCORDANCE WITH WISCONSIN STATUTES 66.0217

Property Owner (Please Type or Print)

Name JAMES W SUMMIST

Address W7234 COUNTY ROAD B

City LAKE MILLS WI 53551

Telephone(s) 608.235.4313

Mobil No. 920-728-1177

Fax No. N/A

E-Mail t\_w\_cinland@hotmail.com

Owner's Agent (Please Type or Print)

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

Telephone(s) \_\_\_\_\_

Mobil No. \_\_\_\_\_

Fax No. \_\_\_\_\_

E-Mail \_\_\_\_\_

1. Attach the Annexation petition (with legal description) and scaled map to this application.

Annexations (attachments) From the Town of Lake Mills.

All proposed annexations from the Town of Lake Mills are required to comply with the procedures contained in the Municipal Boundary Agreement between the City of Lake Mills and the Town of Lake Mills.

Annexations From the Town of Aztalan and Town of Milford.

Pursuant to Wisconsin Statutes 66.0217(14), the City of Lake Mills is required to pay annually to these towns, for 5 years, an amount equal to the amount of property taxes that the town levied on the annexed territory, as shown by the tax roll under §70.65, in the year in which the annexation is final. As a condition of annexation, the City of Lake Mills requires that the petitioner inform the City of the property taxes liability.

List the Town tax key number, acreage and equalized (full) value of each parcel as last assessed by the township.

Parcel	Town Tax Key #	Acreage	Equalized (full) value		(Total) (Value)	Current Year Taxes
			(land)	(Improvements)		
1	002-0714-	0.52	33,500	119,000	152,500	<del>2207.18</del>
2	1822-007					2457.12
3						
4						
Annual Total						\$ 2457.12
5 X Total \$						12,285.60

3. List the population of the parcel(s) proposed to be annexed.

Adults (18 years and over) 2

Children (5-17 years) \_\_\_\_\_

Children (1-4 years) \_\_\_\_\_

Total 2

4. List the current use(s) of the land which is proposed to be annexed. If more than one general use, record the acreage of each use.

RESIDENCE

5. List the requested temporary zoning district(s) pursuant to the City Zoning Code.

RD

6. List the existing town or extraterritorial zoning district(s) of the parcel(s).

Aztalan

7. Does this property contain Jefferson County Shoreland or Wetland zoning?

☐ yes ☒ no If yes, the required Annexation map is required to identify all County Shoreland or Wetland boundaries.

8. Does the property contain floodplain? ☐ yes ☒ no

9. Is this land zoned "exclusive agriculture" by the Town and has the property owner participated in a Farmland Preservation Program?

☐ yes ☒ no If yes, see acknowledgements

#### ACKNOWLEDGEMENTS

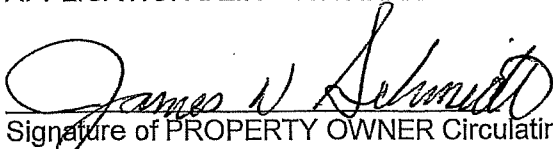
1. It is City of Lake Mills policy to require of all landowners filing an annexation petition to provide prior to City Council action on the petition, A) the dedication by deed of any required street or highway right-of-way in accordance with the City's Official Map, B) the payment of any existing special assessments and, C) the submission of a Certified Survey Map consistent with city code. These requirements may be incorporated into an Annexation Agreement.

2. Pursuant to the Wisconsin Department of Agriculture, Trade and Consumer Protection, when land zoned for exclusive agricultural use is rezoned, tax credits paid out must be paid back to the State of Wisconsin. You are required to complete and submit to the Department of Agriculture a Notice of Rezoning or Conditional Use/Special Exception.

3. The required annexation application fee is payable to "The Wisconsin Department of Administration" which covers the required state review costs.

4. The applicant will need to file a separate zoning amendment application for permanent zoning.

5. I ACKNOWLEDGE THAT THE ATTACHED ANNEXATION PETITION AND MAP HAVE BEEN PREPARED IN ACCORDANCE WITH WISCONSIN STATUTES 66.0217, AND THAT I HAVE READ AND UNDERSTAND THE ANNEXATION PROCEDURES AND THAT FAILURE TO PROVIDE ALL REQUIRED MATERIALS AND FEES IN ACCORDANCE WITH THE ANNEXATION PROCEDURES AND WISC. STATS. 66.0217 MAY RESULT IN THIS APPLICATION BEING WITHHELD FOR CONSIDERATION BY THE CITY.



Signature of PROPERTY OWNER Circulating the Petition

Date

10/1/21

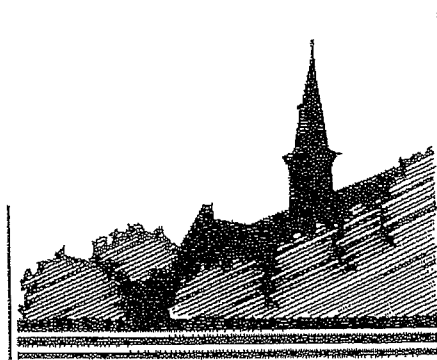
JAMES W SCHMIDT

Print name



# City Of Lake Mills

200D Water Street  
Lake Mills, WI 53551  
(920) 648-2344  
FAX: (920) 648-2347  
website: ci.lake-mills.wi.us



## PETITION OF ELECTORS AND PROPERTY OWNERS TO THE CITY OF LAKE MILLS, JEFFERSON COUNTY

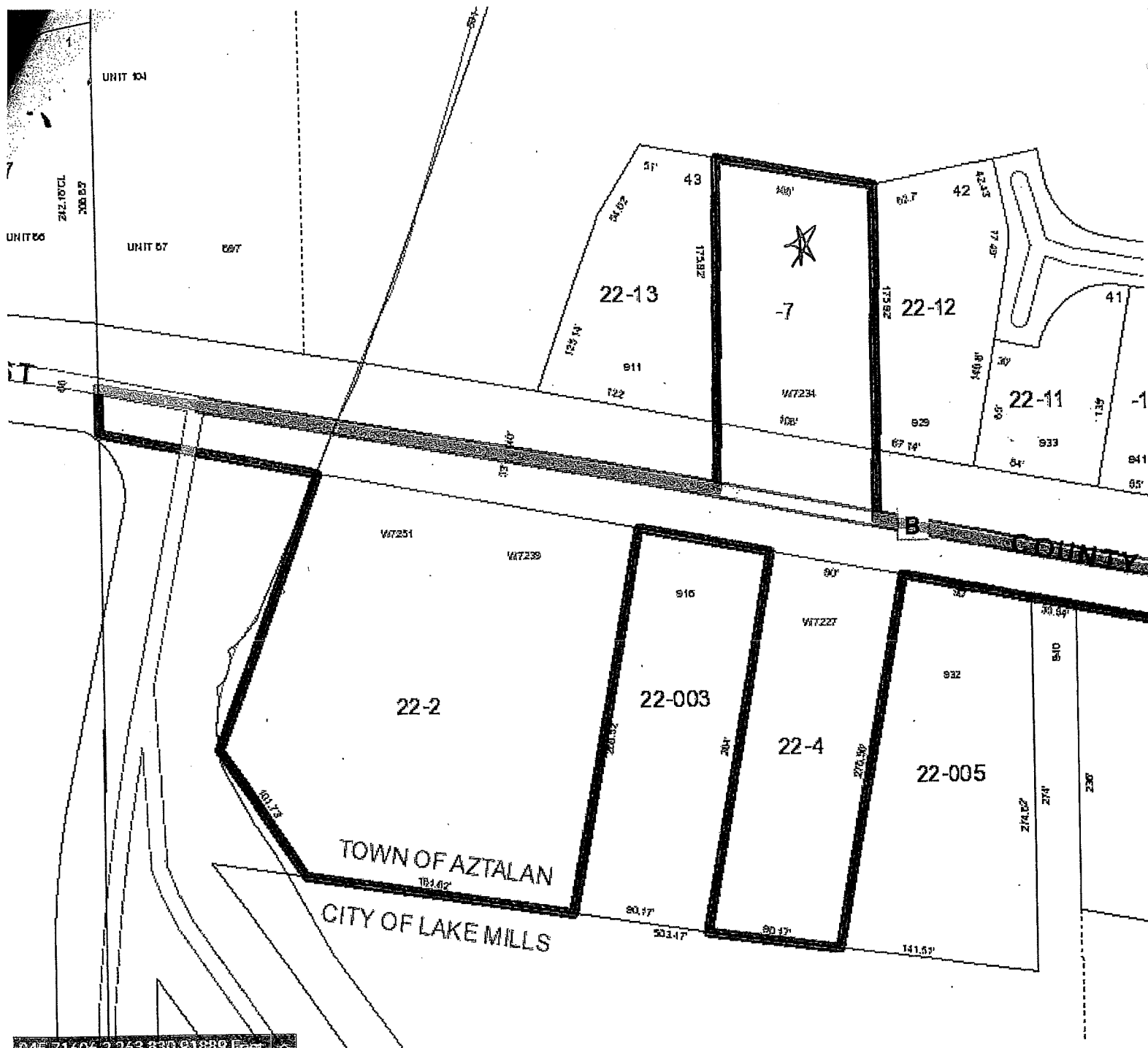
We, the undersigned, constituting all of the electors and all of the owners of real property in the following territory of the Town of Lake Mills, Jefferson County, Wisconsin, lying contiguous to the City of Lake Mills petition the honorable Common Council of the said City to annex the said territory described in the attached legal description document, and shown on the attached scale map to the City of Lake Mills, Jefferson County, Wisconsin.

We, the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities or other annexation, incorporation or consolidation proceedings, if any.

Signature of Petitioner	Date of Signing	Owner Elector (Mark with X)	Address or Description of Property
<i>James W. Schmidt</i>	10/1/11	<input checked="" type="checkbox"/> JAMES W SCHMIDT	W 234 County Road B Lake Mills, WI 53551
<i>James Weinland</i>	09.30.21	<input checked="" type="checkbox"/> THERESA WEINLAND	W 234 County Road B Lake Mills, WI 53551

All that part of Section 18, Township 7 North, Range 14 East, Town of Azalan, Jefferson County, Wisconsin, bounded and described as follows:

Commencing at the Section stone at the Northwest Corner of said Section 18, Township 7 North, Range 14 East, thence South 1060.30 feet along the West line of said Section, to the center line of CTH B, thence South 79° 49' East 417.45 feet along the center line of said highway to a point which point is the place of beginning, continue thence South 78° 57' East along the center line of said CTH B 108.00 feet to a point thence North 1° 21' East, 216.50 feet to a point, thence North 78° 57' West 108.00 feet to a point, thence South 1° 21' West, 216.50 feet to the place of beginning.



White = Town of Axtalan  
Yellow = City of Lake Mills  
\* = W7234 Cty Rd B

1157458

Document No.

RECEIVED FOR RECORD  
at 10:30 o'clock A M

AUG 02 2004

Register of Deeds  
Jefferson County, WI**RIGHT-OF-WAY  
AGREEMENT**

Return to:  
James E. Heilman  
City of Lake Mills  
200D Water Street  
Lake Mills, WI  
53551

Parcel Number

002-0714-1822-007

THIS RIGHT-OF-WAY AGREEMENT (Agreement) is granted by Russell P. Schmidt (the Owner), to City of Lake Mills, Jefferson, Wisconsin (the City).

**R E C I T A L S :**

A. The Owner is the fee holder of the real property with tax parcel number 002-0714-1822-007, which is a parcel of real property located in the Town of Aztalan, Jefferson County, State of Wisconsin, as more particularly described on the attached and incorporated Exhibit A (the Property).

B. The City has requested that the Owner grant a permanent right-of-way (the RIGHT-OF-WAY) over a certain portion of the Property as such portion is described on Exhibit A, and is shown on the attached map (Exhibit B), both of which have been attached and incorporated herein by reference.

**AGREEMENT**

For good and valuable consideration, the receipt and sufficiency of which are acknowledged, the parties agree as follows:

1. **Grant of Right-of-Way.** The Owner grants to the City, and its successors and assigns, a perpetual easement and right-of-way to construct, reconstruct and maintain a street and its appurtenances, and grants to the City



the right to hold said right-of-way open to the public for any and all right-of-way purposes.

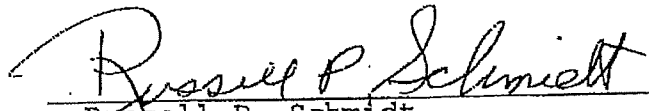
2. **Grant of Temporary Easement.** The Owner grants to the City, and its successors and assigns, a temporary easement for the purpose of constructing a street and its appurtenances in the Right-of-Way. Said Temporary Easement is described and shown on the attached Exhibits A and B.
3. **Restoration of Surface.** The City shall restore to the condition prior to the construction or maintenance any surface disturbed within the temporary easement area by such construction or maintenance of any facilities located within the Right-of-Way.
4. **Covenants Run with Land.** All of the terms and conditions in this Agreement, including the benefits and burdens, shall run with the land and shall be binding upon, inure to the benefit of, and be enforceable by the Owner and the City and their respective successors and assigns. The party named as Owner in this Agreement and any successor or assign to the Owner as fee simple owner of the Property shall cease to have any liability under this Agreement with respect to facts or circumstances arising after the party has transferred its fee simple interest in the Property.
5. **Non-Use.** Non-use or limited use of the rights granted in this Agreement shall not prevent the benefiting party from later use of the Right-of-Way or Temporary Construction Easement rights to the fullest extent authorized in this Agreement.
6. **Governing Law.** This Agreement shall be construed and enforced in accordance with the internal laws of the State of Wisconsin.
7. **Entire Agreement.** This Agreement sets forth the entire understanding of the parties and may not be changed except by a written document executed and acknowledged by all parties to this Agreement and duly recorded in the office of the Register of Deeds of Jefferson County, Wisconsin.
8. **Notices.** All notices to either party to this Agreement shall be delivered in person or sent by certified mail, postage prepaid, return receipt requested, to the other party at that party's last known address. If the other party's address is not known to the party desiring to send a notice, the party sending the notice may use the address to which the other party's property tax bills

are sent. Either party may change its address for notice by providing written notice to the other party.

9. **Invalidity.** If any term or condition of this Agreement, or if the application of this Agreement to any person or circumstance, shall be deemed invalid or unenforceable, the remainder of this Agreement, or the application of the term or condition to persons or circumstances other than those to which it is held invalid or unenforceable, shall not be affected thereby, and each term and condition shall be valid and enforceable to the fullest extent permitted by law.
10. **Waiver.** No delay or omission by any party in exercising any right or power arising out of any default under any of the terms or conditions of this Agreement shall be construed to be a waiver of the right or power. A waiver by a party of any of the obligations of the other party shall not be construed to be a waiver of any breach of any other terms or conditions of this Agreement.
11. **Enforcement.** Enforcement of this Agreement may be by proceedings at law or in equity against any person or persons violating or attempting or threatening to violate any term or condition in this Agreement, either to restrain or prevent the violation or to obtain any other relief. If a suit is brought to enforce this Agreement, the prevailing party shall be entitled to recover its costs, including reasonable attorney fees, from the non-prevailing party.

Dated this 25<sup>th</sup> day of <sup>May</sup> ~~January~~, 2004.

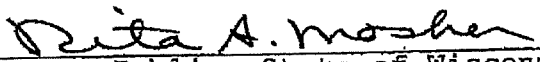
By: **OWNER**

  
Russell P. Schmidt

#### ACKNOWLEDGMENT

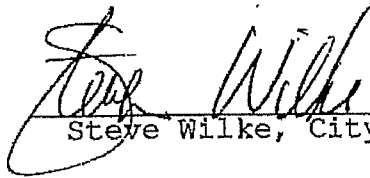
STATE OF WISCONSIN  
COUNTY OF JEFFERSON

This instrument was acknowledged before me on 5-25, 2004, by Russell P. Schmidt, owner.

  
Notary Public, State of Wisconsin  
My commission expires: 8-8-04

000207

By: CITY OF LAKE MILLS



Steve Wilke, City Manager

**ACKNOWLEDGMENT**

STATE OF WISCONSIN

COUNTY OF JEFFERSON

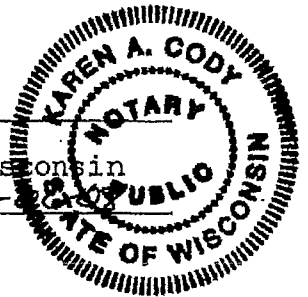
This instrument was acknowledged before me on May 25, 2004,  
by Steven Wilke, City Manager for the City of Lake Mills.



Karen A. Cody

Notary Public, State of Wisconsin

My commission expires: 01-01-2008



This document was drafted by  
Vickie L. Schmidt  
City of Lake Mills  
200D Water Street  
Lake Mills, WI 53551

000208

EXHIBIT A

Permanent Right-of-Way  
Property Parcel Number: 002-0714-1822-007

Owner: Russell P. Schmidt

A parcel of land for right-of-way purposes being part of all that land of the owner in the NW 1/4 of the NW 1/4 of Section 18, T7N, R14E, all in the Town of Aztalan, Jefferson County, Wisconsin described in Volume 708, Page 220 of the register of deeds, also described as Document Number 0835755 and further described as:

Commencing at the Section stone at the Northwest corner of Section 18, Township 7 North, Range 14 East, thence South 1060.30 feet along the West line of said Section, to the center line of County Trunk Highway B, thence South 79°49' East 417.45 feet along the center line of said highway to a point which point is the place of beginning, continue thence South 78°57' East along the center line of said County Trunk Highway B 108.00 feet to a point, thence North 01°21' East, 216.50 feet to a point, thence North 78°57' West, 108.00 feet to a point, thence South 01°21' West, 216.50 feet to the place of beginning.

Said parcel is subject to a 33-foot highway right-of-way along the south side thereof.

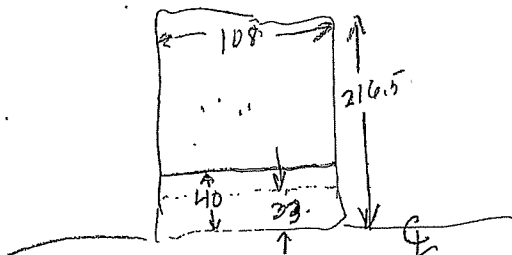
Said new right-of-way shall be further described as the southerly 40 feet of said parcel, bounded by the westerly and easterly property lines of said parcel.

Said new right-of-way contains 4320 square feet (0.10 acres) of land, more or less.

A temporary construction easement shall be provided for the purposes of constructing a street and appurtenances, including but not necessarily limited to sidewalk, curb, gutter and stormsewer on said right-of-way. Said temporary easement shall be 10-feet wide, parallel, adjacent and north of the right-of-way described above.

Said temporary construction easement contains 1080 square feet (0.02 acres) of land, more or less.

Said temporary easement shall end following construction of the street and appurtenances.





000209

Exhibit B

22-001

1024.44'

884.21' CL

591.17'

C06-137

1

77  
7

242.18' CL  
208.85'

177.02'

Temporary Easement  
417.45'

Right-of-Way

108'  
062'-0714-1522  
501-187 007  
216.50'  
W7234  
108'  
40'

WAKEMAN RD

W7251  
22-2  
W7239

22-003

W7227  
22-4

22-6

101.73'

181.62'

90.17'

90.17'

141.51'

289.52'

264'

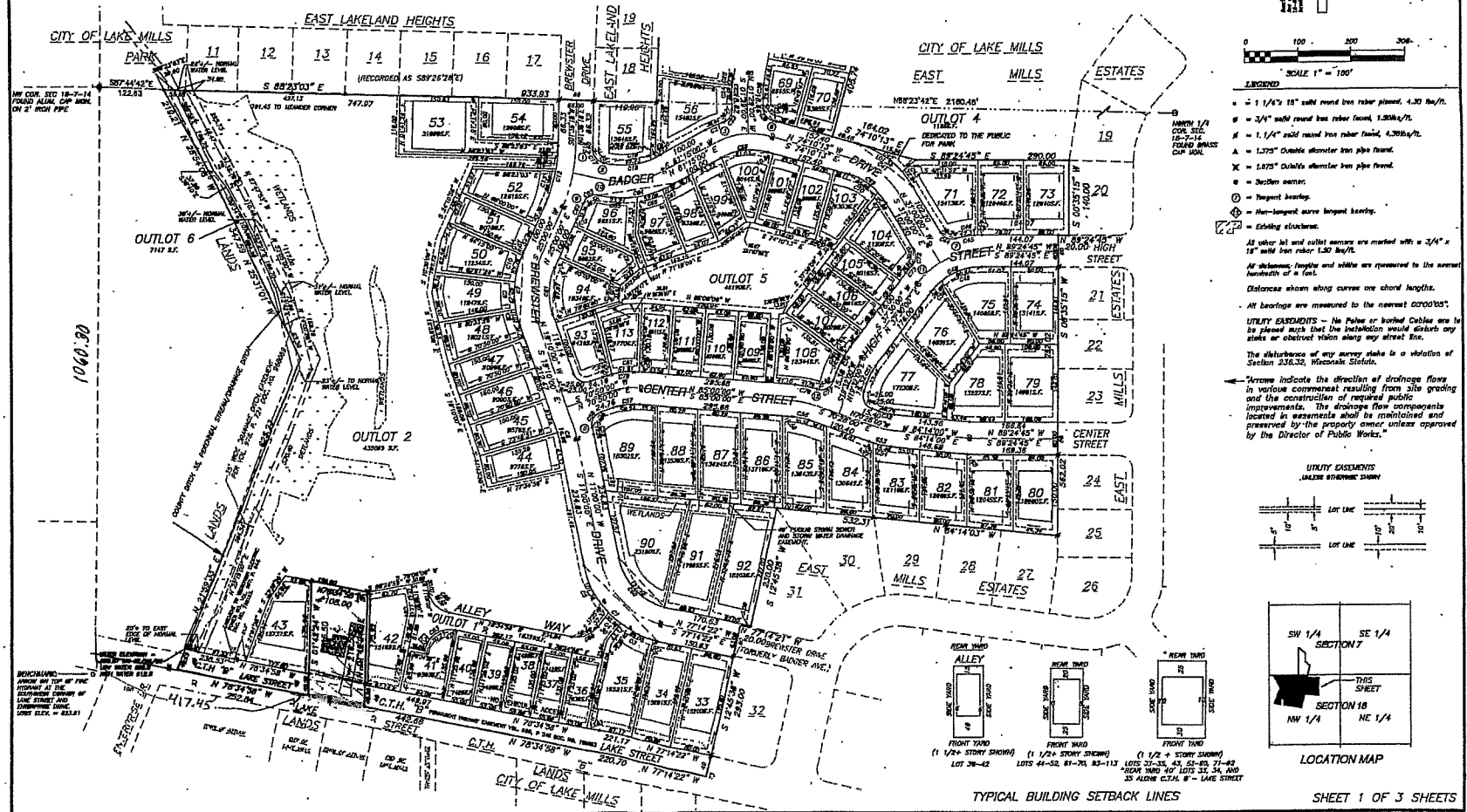
278.66'

90'

# ARBOR CREEK ADDITION TO EAST MILLS ESTATES

PART OF THE SW 1/4 AND SE 1/4 OF THE SW 1/4 OF SECTION 7, T7N, R14E AND PART OF  
NW 1/4 AND NE 1/4 OF THE NW 1/4 OF SECTION 18, T7N, R14E, CITY OF LAKE MILLS, JEFFERSON COUNTY, WISCONSIN

HELD AND ASSOCIATES, INC. 2003





TONY EVERS

GOVERNOR

JOEL BRENNAN

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>

December 29, 2021

PETITION FILE NO. 14465

MISTY QUEST, CLERK  
CITY OF LAKE MILLS  
200D WATER ST  
LAKE MILLS, WI 53551-1632

KATHLEEN PITZNER, CLERK  
TOWN OF AZTALAN  
N5070 MARTIN RD  
JEFFERSON, WI 53549-9649

Subject: SCHMIDT ANNEXATION

The proposed annexation submitted to our office on December 10, 2021, 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 LAKE MILLS**, which is able to provide needed municipal services.

Note: The maps provided with the petition must include a graphic scale and clearly show and dimension the southern boundary of the parcel being annexed; The legal description must indicate that the parcel is located in the Northwest Quarter of Section 18 (ref: s. 66.0217 (1) (c) & (g), Wis. Stats.).

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 14465 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=2539>  
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner