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



Darla M. Fink Village Clerk (920) 720-7103 Fax (920) 720-7112

Email: dfink@foxcrossingwi.gov

ORD11520

CERTIFICATE OF VILLAGE CLERK

RECEIVE	D
07/15/2022	

STATE OF WISCONSIN)
COUNTY OF WINNEBAGO)

Municipal Boundary Review Wisconsin Dept. of Admin.

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

I further certify that this is a true and correct copy of Ordinance No. 220711-1 and the original is on file in the Village Clerk's office with an effective date of July 12, 2022. The population of the territory being attached is zero (0) persons.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Village of Fox Crossing, this 15th day of July, 2022.

OF OF CROSSING WISCOMMING

Darla M. Fink Village Clerk ORD #220711-1:ORD First Reading, Second Reading & Adoption

AN ORDINANCE ATTACHING CERTAIN LANDS FROM THE CITY OF MENASHA, WINNEBAGO COUNTY, TO THE VILLAGE OF FOX CROSSING, WINNEBAGO COUNTY, WISCONSIN – HABITAT FOR HUMANITY ATTACHMENT

WHEREAS, the City of Menasha Clerk's office coordinated with the petitioner, Habitat for Humanity, to publish a Class 1 Notice of their Intention to Circulate a Petition of Detachment, which was published on April 14, 2022.

WHEREAS, the petitioner filed a Petition for Detachment with a legal description, exhibit map, and GIS maps with the Menasha City Clerk on May 10, 2022.

WHEREAS, the Menasha City Administration Committee met and recommended approval of the Petition for Detachment on June 6, 2022.

WHEREAS, the Menasha City Council adopted a detachment ordinance on June 20, 2022, which was published on June 27, 2022.

WHEREAS, the Village wishes to attach the subject land and complete the detachment and attachment process in accordance Wis. Stat. §66.0227 via this Ordinance.

NOW THEREFORE, the Village Board of the Village of Fox Crossing does ordain as follows:

<u>Part 1</u>: <u>Territory Attached</u>. In accordance with Section 66.0227(2) of the Wisconsin Statutes for 2020 – 2021, the following described territory in the City of Menasha, Winnebago County, Wisconsin, lying contiguous to the Village of Fox Crossing, is hereby attached to the Village of Fox Crossing, Wisconsin.

A parcel of land located in and being a part of government Lot 3, Section 10, Township 20 North, Range 17 East, Village of Fox Crossing, Winnebago County, Wisconsin, Bounded and described as follows; commencing at the South ¼ corner of Section 10; thence N00°22'23"E, 1376.45 feet along the West line of the Southeast ¼ of Section 10; thence S89°37'37"E, 355.62 feet to a Northerly right-of-way line of U.S.H 10/S.T.H. 441 as described in Document No. 1675559 and the Point of Beginning; thence S45°58'01"E, 82.17 feet along said Northerly line; thence Southeasterly, 63.84 feet along the arc of a 1085.92 foot radius curve to the left of said Northerly right-of-way line, having a chord which bears N85°53'12"E and is 63.83 feet in length to the end of said curve; thence S35°41'55"E, 1.41 feet; thence S86°10'57"W, 123.67 feet to the Southerly extension of the East right-of-way line of Tayco Road; thence N00°09'44"W, 61.92 feet along said extension to the point of beginning.

Area of Property to be attached contains 0.04 acres m/l.

Winnebago County Parcel Id Number: D1866192 (also identified as a portion of #72-00803-00).

The population of such territory is 0.

<u>Part 2</u>: <u>Effect of Attachment</u>. From and after the date of this ordinance the territory described in Part 1 shall be a part of the Village of Fox Crossing 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 Village of Fox Crossing.

<u>Part 3</u>: <u>Severability</u>. If any provisions of this ordinance are 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 application of this ordinance which can be given without the invalid or unconstitutional provision or application.

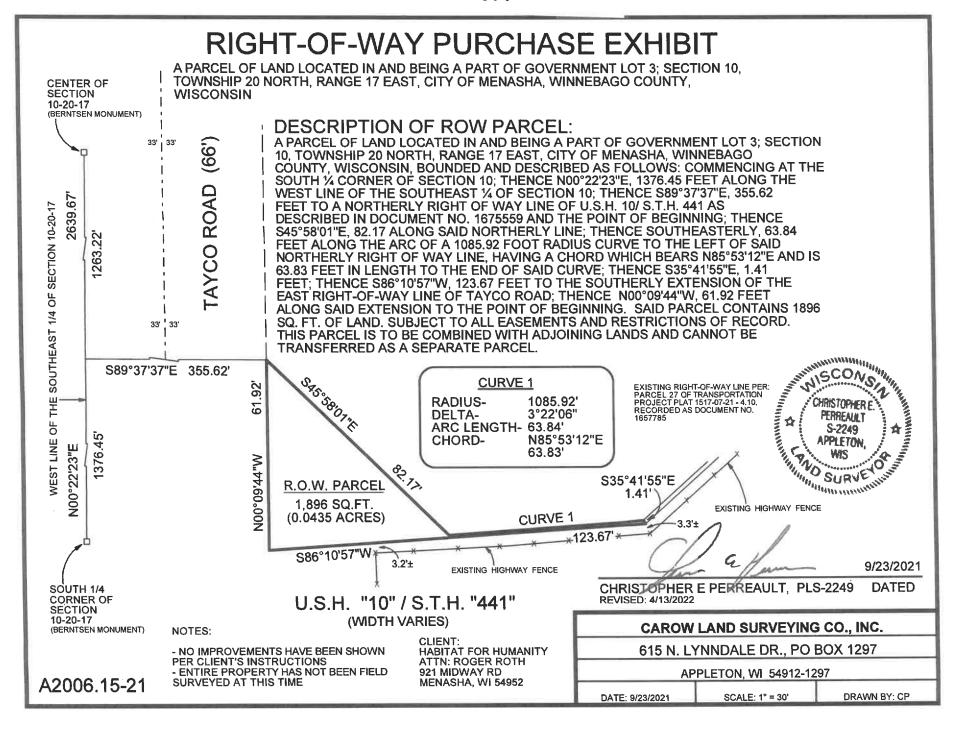
<u>Part 4</u>: <u>Effective Date</u>. This ordinance shall take effect upon passage and posting.

Date Introduced: July 11, 2022
Date Adopted: July 11, 2022

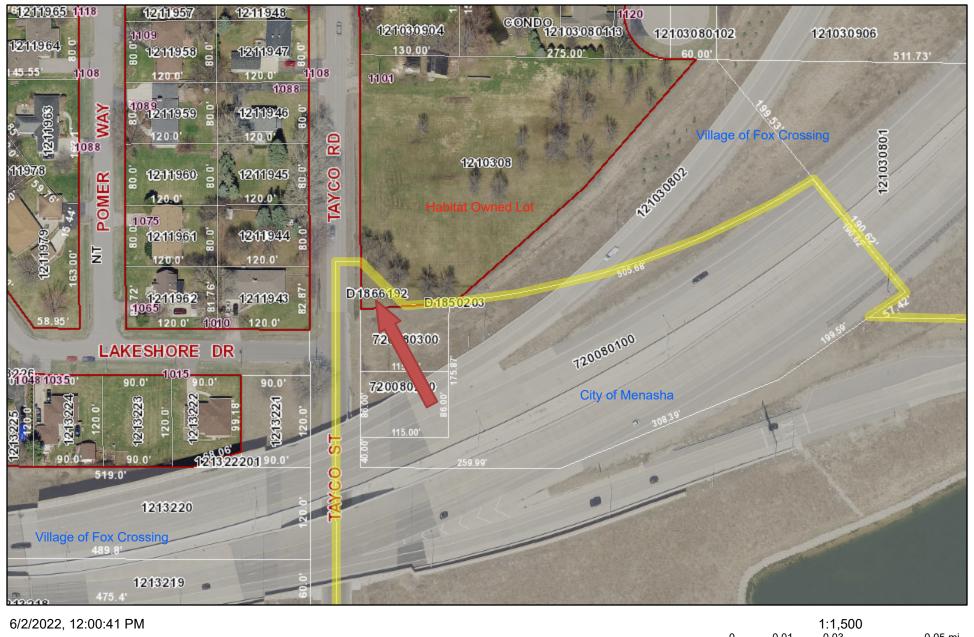
Requested by: Jeffrey Sturgell, Village Manager Submitted by: Dale A. Youngquist, Village President

Dale A. Youngquist, Village President

Attest: Darla M. Fink, Village Clerk



Site Map







CERTIFICATE OF CITY CLERK

STATE OF WISCONSIN)
COUNTY OF WINNEBAGO)
COUNTY OF CALUMET)

I, Haley Krautkramer, herby certify that I am duly appointed, qualified and acting CITY CLERK of the CITY OF MENASHA, Winnebago and Calumet Counties, State of Wisconsin, and as such have charge of the official records of the City. I further certify that the attached is a true and correct copy of Ordinance O-13-22 entitled, published on June 27, 2022:

An Ordinance Related to Approving the Detachment of Territory from the City of Menasha to the Village Of Fox Crossing Owned by Greater Fox Cities Area Habitat for Humanity

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City of Menasha, this 15th day of July, 2022.

Haley Krautkramer
Haley Krautkramer

City Clerk



MEMORANDUM

Date: June 6, 2022

To: Administration Committee

From: Community Development Department/SS

RE: Petition for Detachment from the City of Menasha/Attachment to the Village of Fox

Crossing – Tayco Street (Portions of Parcel #2-00803-00) – Ordinance O-13-22

The Greater Fox Cities Area Habitat for Humanity (Habitat), property owners of a portion of parcel 2-00803-00, located along the east side of Tayco Street just north of 441, has petitioned to detach said property from the City of Menasha and is requesting to attached the parcel to the Village of Fox Crossing. Said property is currently a small, vacant, triangular shaped property and approximately 0.04 acres.

The property was originally purchased by the Wisconsin DOT in 2014 in preparation of the HWY 441 project. While a majority of the property will remain as public right of way, the small remnant piece of property was acquired by Habitat. Habitat owns the larger vacant land in the Village of Fox Crossing and intends to develop the property. If detached from the City of Menasha and attached to the Village of Fox Crossing and ultimately the larger piece of property, Habitat will be able to develop an additional single family lot. This property is disconnected from the City of Menasha and is undevelopable due to its size.

Per Wisconsin State Statutes Section 66.0227, the City would have to approve a detaching ordinance by three-fourths majority vote. If approved, the Village would then also have to approve an attaching ordinance, accepting the territory. If both approved, the ordinances would be filed with the state and become official.

Recommendation

Staff recommends the Administration Committee recommend approval of Ordinance O-13-22 to the Common Council relating to the Detachment of vacant lands being portions of Parcel 2-00803-00 from the City of Menasha to the Village of Fox Crossing.



ORDINANCE 0-13-22

AN ORDINANCE APPROVING THE DETACHMENT OF TERRITORY FROM THE CITY OF MENASHA TO THE VILLAGE OF FOX CROSSING OWNED BY GREATER FOX CITIES AREA HABITAT FOR HUMANITY

INTRODUCED BY Ald. Sevenich

WHEREAS, the City has received a petition on May 10, 2022 for the detachment of land from the City of Menasha in Winnebago County, Wisconsin to the Village of Fox Crossing in Winnebago County, Wisconsin for the subject property; and

WHEREAS, a scale map reasonably showing the boundaries of said territory and relation of said territory to the municipalities involved is attached as Exhibit A; and

WHEREAS, the legal description of the subject territory is as follows:

A parcel of land located in and being a part of government Lot 3, Section 10, Township 20 North, Range 17 East, Village of Fox Crossing, Winnebago County, Wisconsin, Bounded and described as follows; commencing at the South ¼ corner of Section 10; thence N00°22'23"E, 1376.45 feet along the West line of the Southeast ¼ of Section 10; thence S89°37'37"E, 355.62 feet to a Northerly right-of-way line of U.S.H 10/S.T.H. 441 as described in Document No. 1675559 and the Point of Beginning; thence S45°58'01"E, 82.17 feet along said Northerly line; thence Southeasterly, 63.84 feet along the arc of a 1085.92 foot radius curve to the left of said Northerly right-of-way line, having a chord which bears N85°53'12"E and is 63.83 feet in length to the end of said curve; thence S35°41'55"E, 1.41 feet; thence S86°10'57"W, 123.67 feet to the Southerly extension of the East right-of-way line of Tayco Road; thence N00°09'44"W, 61.92 feet align said extension to the point of beginning.

WHEREAS, said territory contains approximately 0.04 acres with a current population of zero (0) persons as defined in Wisconsin Statutes Section 66.0227, and no electors reside in the territory to be detached; and

WHEREAS, the detachment petition has been signed by the owners of the property within such territory, and is attached as Exhibit B; and

WHEREAS, the property owners published their intent to circulate a petition of detachment on April 14, 2022 in the Appleton *Post-Crescent*, a copy of which is attached as Exhibit C; and

WHEREAS, the territory is currently zoned R-2 Two Family Residential District; and

WHEREAS, it appears to be in the best interest of the City of Menasha that the afore described City of Menasha territory be detached from the City of Menasha.

NOW, THEREFORE, BE IT ORDAINED, by at least a three-fourths majority of the City of Menasha Common Council does hereby ordain, as follows:

- 1. That the afore described territory situated in the City of Menasha be hereby detached by the City of Menasha, Winnebago County, Wisconsin and attached to the Village of Fox Crossing, Winnebago County, Wisconsin subject to the Village of Fox Crossing attaching said property to the Village, and;
- 2. That the City Clerk is hereby directed to provide the Ordinance to the Village of Fox Crossing so that the Village of Fox Crossing may act upon the Ordinance within the time period as set forth in Section 66.0227 Wisconsin Statutes. The City Clerk is further directed to make the mailings pursuant to Wisconsin Statutes, section 66.0217(9)(a), i.e., to mail a copy of the Ordinance of Detachment to the Village Clerk of the Village of Fox Crossing, to the Secretary of Administration, the Clerk of the City of Menasha School District, one copy to any company that provides any utility service to the area detached, and a copy to the Register of Deeds of Winnebago County, Wisconsin. All mailings shall occur within thirty (30) days of the date hereof, pursuant to Wisconsin Statutes section 66.03.

If any provision of this Ordinance is invalid or unconstitutional, or if the application of this Ordinance to any person or circumstance is invalid or unconstitutional, such 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.

This Ordinance shall become effective upon its passage and publication as provided by law.

Passed and approved this 20th day of June, 2022.

Recommended by: Common Council

Motion/Second:

Ald. Sevenich / Ald. Ropella

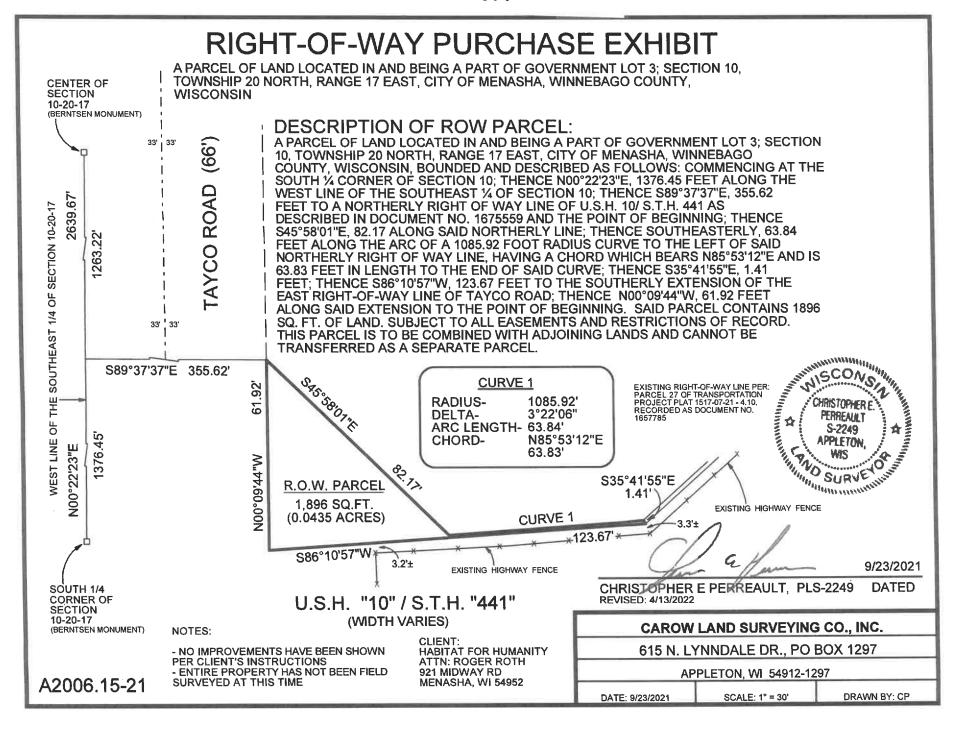
Passed: 8-0

Requires: Majority Vote

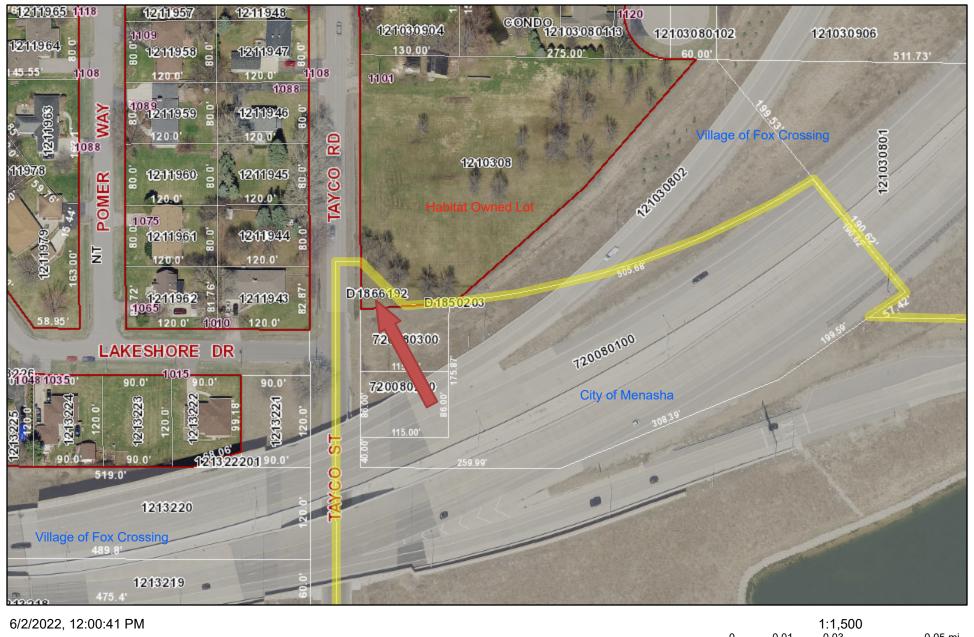
Donald Merkes, Mayor

ATTEST:

Haley Krautkramer, City Clerk



Site Map





May 9, 2022

City of Menasha 100 Main Street Menasha, WI 54952

To Whom It May Concern,

I am writing to ask that the City of Menasha consider the following request to detach two small parcels of vacant property located on Tayco Road and Lake Breeze Court Menasha, Wisconsin. These parcels were purchased by Greater Fox Cities Area Habitat for Humanity, Inc. from the Wisconsin DOT and were formerly excess ROW land for Highway 441.

The Tayco Road Parcel is described as 1,896 square feet (0.0435 acres) being part of Government Lot 3; Section 10, Township 20 North, Range 17 East, City of Menasha, Winnebago County, Wisconsin. (*Please see the accompanying surveyors legal description, map and Quit Claim Deed marked as Exhibits A&B*). The property consists of a small triangular piece and abuts Tayco Road on the West, Highway 441 ROW on the South and vacant property owned by GFCA Habitat for Humanity, Inc., on the North and East. We are desiring to combine this piece with our existing property in order to better utilize the property for residential building lots.

The Lake Breeze Ct. Parcel is described as 579 square feet (0.0133 acres) being part of Government Lot 3; Section 10, Township 20 North, Range 17 East, City of Menasha, Winnebago County, Wisconsin. (*Please see the accompanying surveyors legal description map and Quit Claim Deed marked Exhibits C&D*). The property is a narrow piece of land that follows the chain link boundary fence starting at Lake Breeze Road and following the Easterly fence line of HWY 441 ROW. It is approximately 3.3 feet wide and abuts only the Hwy ROW and vacant property owned by the GFCA Habitat for Humanity, Inc. We are desiring to combine this piece with our existing property in order to better utilize the property for residential building lots.

Please consider this letter as an official petition to detach these parcels from the City of Menasha.

Sincerely,

John Weyenberg (President and CEO

GFCA Habitat for Humanity, Inc.

921 Midway Road Menasha, WI 54952



STATE OF WISCONSIN BROWN COUNTY

GFCA HABITAT FOR HUMANITY, INC. 921 MIDWAY ROAD MENASHA, WI 54952

Being duly sworn, doth depose and say that she/he is an authorized representative of the Oshkosh Northwestern, a daily newspaper published in the city of Oshkosh, in Winnebago County, Wisconsin, and that an advertisement of which the annexed is a true copy, taken from said paper, which was published therein on

Account Number: 9202773189

Order Number: 0005201121

No. of Affidavits: 1 Total Ad Cost: \$76.01 Published Dates: 4/14/2022

Legal Clerk

State of Wisconsin County of Brown

Subscribed and sworn to before on May 9, 2022

Notary Public State of Wisconsin, County of Brown

My Commission Expires

of Affidavits 1
This is not an invoice

KATHLEEN ALLEN Notary Public State of Wisconsin

NOTICE OF INTENTION TO CIRCULATE A PETITION OF DETACHMENT PLEASE TAKE NOTICE, that the Owner of the two Properties described herein will petition the City of Menasha, WI and the Village of Fox Crossing, WI for an Order to detach the following described real estate from the City of Menasha, WI in order that it will then become a part of the Village of Fox Crossing, WI The properties consist of an 1896 sq. ft. and 579 sq. ft. parcels as described in the following legal descriptions

A PARCEL OF LAND LOCATED IN AND BEING A PART OF GOVERNMENT LOT 3; SECTION 10, TOWNSHIP 20 NORTH, RANGE 17 EAST, CITY OF MENASHA, WINNEBA-GO COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTH ½ CORNER OF SECTION 10; THENCE S00°22'23"E, 1376 45 FEET ALONG THE WEST LINE OF THE SOUTHEAST ¼ OF SECTION 10; THENCE S89°37'37"E, 355.62 FEET TO A NORTHERLY RIGHT OF WAY LINE OF USH 10½ ST. H. 441 AS DESCRIBED IN DOCUMENT NO 1675559 AND THE POINT OF BEGINNING; THENCE S45°58'01"E, 82 17 ALONG SAID NORTHERLY LINE; THENCE SOUTHEASTERLY, 63 84 FEET ALONG THE RICH TO THE LEFT OF SAID NORTHERLY LINE; THENCE SOUTHEASTERLY, 63 84 FEET ALONG THE RICH TO THE LEFT OF SAID NORTHERLY LINE; THENCE SOUTHEASTERLY, 63 84 FEET ALONG THE RICH TO THE LEFT OF SAID NORTHERLY LINE; THENCE SOUTHEASTERLY, 63 84 FEET ALONG THE RICH TO THE END OF SAID CURVE; THENCE S35°41'55'E. 1 41 FEET; THENCE S86°10'57'W, 123 67 FEET TO THE END OF SAID CURVE; THENCE S35°41'55'E. 1 41 FEET; THENCE S86°10'57'W, 123 67 FEET TO THE END OF SAID CURVE; THENCE S35°41'55'E. 1 41 FEET; THENCE S66'10'57'W, 123 67 FEET TO THE END OF SAID CURVE; THENCE S35°41'55'E. 1 41 FEET; THENCE S66'10'57'W, 123 67 FEET TO THE END OF SAID CURVE; THENCE SOUTHERLY EXTENSION OF THE END OF SAID CURVE; THENCE ON THE POINT OF BEGINNING. SAID PARCEL CONTAINS 186 SQ FT OF LAND SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD THIS PARCEL IS TO BE COMBINED WITH ADJOINING LANDS AND CANNOT BE TRANSFERRED AS A SEPARATE PARCEL A PARCEL OF LAND LOCATED IN AND BEING A PART OF

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TO BE COMBINED WITH ADJOINING LANDS AND CANNOT BE SOLD AS A SEPARATE PARCEL PLEASE TAKE NOTICE that these Properties are owned in their entirety by the Greater Fox Valley Area Habital For Humanily, Inc Dated this 8th day of April, 2022 By: John Weyenberg, President and CEO CEO Greater Fox Cities Area Habitat for Hu-manity, Inc. 921 Midway Road Menasha, WI 54952 Run: April 14, 2022 wnaxlp