

CITY OF DARLINGTON

627 MAIN STREET

MAYOR
POLICE DEPARTMENT
ASSESSOR

CITY CLERK-TREASURER
MUNICIPAL WATER & SEWER DEPT.
BUILDING INSPECTOR

PUBLIC WORKS DIRECTOR
PARKS & RECREATION DIRECTOR
WELLNESS CENTER DIRECTOR

DARLINGTON MUNICIPAL BUILDING

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P.O. Box 207
Darlington, WI 53530-0207
<http://www.darlingtonwi.org>

August 26, 2022

ORD11542

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

RECEIVED

09/02/2022

Municipal Boundary Review
Wisconsin Dept. of Admin.

Re: Annexation Ordinance

Dear Folks:

Enclosed please find copies of the following documents for your review and processing:

- Certificate of Annexation with attached map.
- Ordinance 01-2022, An Ordinance Annexing Lands from the Town of Darlington to the City of Darlington.

These documents are the result of a Petition for Direct Annexation of Territory to the City of Darlington, Lafayette County, Wisconsin by Unanimous Approval Pursuant to Section 66.0217 (2) of the Wisconsin Statutes. (copy enclosed) The Certificate of Annexation has been recorded with the Lafayette County Register of Deeds.

This information was also forwarded to representatives of Darlington Community School District and Alliant Energy.

If you need anything further from our office, please let me know.

CITY OF DARLINGTON


Philip A. Risseeuw
Clerk-Treasurer

Enc.

PC: Mayor Mike McDermott (letter only)



DocId:8126287

Tx:4034971

Document Number: 371049

LAFAYETTE COUNTY, WI

CATHY J. PAULSON

REGISTER OF DEEDS

08/25/2022 12:49 PM

PAGES: 3

CERTIFICATE OF ANNEXATION

Document Number

Document Title

Name and Return Address

McDaniel Stauffacher Law, LLC

PO Box 209

Darlington, WI 53530

DRAFTED BY:

Atty. Aaron J. Stauffacher

McDaniel Stauffacher Law, LLC

434 Main Street, PO Box 209

Darlington, WI 53530

CERTIFICATE OF ANNEXATION

I, Philip A. Risseeuw, City Clerk-Treasurer of the City of Darlington, Lafayette County, Wisconsin do hereby certify that the following territory was detached from the Town of Darlington, Lafayette County, Wisconsin and was annexed to the City of Darlington, Lafayette County, Wisconsin pursuant to Section 66.0217(2) of the Wisconsin Statutes, by an ordinance adopted by the Common Council of the City of Darlington at a special meeting held on the 23rd day of August, 2022.

Legal Description attached as Annexation Description.

Tax Parcel Numbers: 33.010.0052.2010(P), 33.010.0055.1100(P), &
33.010.0054.0000(P)

I further certify that the total population of the territory to be annexed to the City of Darlington is zero (0) persons.

Dated: August 25th, 2022.



Philip A. Risseeuw
City Clerk-Treasurer

ORDINANCE NO. 01-2022

**AN ORDINANCE ANNEXING LANDS FROM THE
TOWN OF DARLINGTON TO THE CITY OF DARLINGTON**

WHEREAS, a proper petition has been presented to and filed with the City of Darlington, Wisconsin, seeking direct annexation, pursuant to Wis. Stat. § 66.0217(2), of the property legally described in Exhibit “A”, attached hereto; and

WHEREAS, a scale map of the land proposed for annexation is attached hereto as Exhibit “B”, and the land proposed for annexation is contiguous to the City; and,

WHEREAS, the signatories on the petition constitute all the owners of the real property within the territory legally described in Exhibit “A”; and

WHEREAS, there are no electors residing within the territory legally described in Exhibit “A”; and

WHEREAS, pursuant to Wis. Stat. § 66.0217(8)(a), the City may designate temporary zoning for the annexed area, and a recommendation to do so has been made by the Plan Commission.

NOW, THEREFORE, THE CITY COUNCIL OF DARLINGTON, WISCONSIN, DOES ORDAIN AS FOLLOWS:

1. The property legally described in Exhibit “A” and as depicted on “Exhibit B” is hereby annexed from the Town of Darlington to the City of Darlington, into Ward 1.
2. The City shall pay to the Town of Darlington an amount equal to five (5) years of property taxes that the Town of Darlington would levy on the annexed territory identified in Exhibit “A” and as depicted in Exhibit “B”, consistent with and pursuant to Wis. Stat. § 66.0217(14)(a)1.
3. Pursuant to Wis. Stat. § 66.0217(8)(a), the area depicted and described on the preliminary certified survey map attached hereto as Exhibit “C” is placed in the B-1 Central Business District for zoning. All other territory in the annexed property not so zoned in the B-1 Central Business District is placed in the A Agricultural District.
4. If any provision of this ordinance shall be held invalid, such invalidity shall not affect the remaining provisions hereof.

Adopted at a Council Meeting this 23rd day of August, 2022



Mike McDermott, Mayor

Attest: 
Phil Risseuw, Clerk-Treasurer

Date Adopted: 8-23-22 Vote: 6-0 in favor

Vote to enact must be made by at least two-thirds of the
City Council pursuant to Wis. Stat. § 66.0217(2)

Effective Date: 8-23-22

Date Published: 9-1-22

CITY OF DARLINGTON, WISCONSIN
Annexation Description
August 19, 2022

Part of the Southeast Quarter and Southwest Quarter of the Southeast Quarter of Section 4 and part of the Northeast Quarter of the Northeast Quarter of Section 9, T2N, R3E, Town of Darlington, Lafayette County, Wisconsin

Beginning at the Southeast Corner of Section 4, T2N, R3E;

Thence, S00°04'W, 77.0 feet, more or less, to the south right-of-way line of Wisconsin State Trunk Highway 81;

Thence, N89°51'W, along the said south right-of-way line of Wisconsin State Trunk Highway "81", (WI STH "81"), 655.8 feet, more or less;

Thence, N00°12'E, 76.8 feet, more or less, to its intersection with the south line of said Section 4, T2N, R3E;

Thence, N89°52'W, along the said south line of said Section 4, T2N, R3E, 1911.0 feet;

Thence, N01°27'W, along a line that is 70 feet perpendicular distant and east of the west line of the Southeast Quarter of said Section 4, T2N, R3E, 583.0 feet;

Thence, S89°53'E, 1848.3 feet, more or less, to the east right-of-way line of Tama Run Lane;

Thence, S62°50'E, along the said east right-of-way line of Tama Run Lane, 341.1 feet, more or less, to the beginning of a curve to the right;

Thence, 180.4 feet, more or less, continuing along the said east right-of-way line of Tama Run Lane, being a curve having a radius of 166.0 feet, more or less, an included angle of 62°15', (a chord of 171.6 feet, more or less, which bears S31°42'E), to the end of said curve;

Thence, S00°34'E, continuing along the said east right-of-way line of Tama Run Lane, 164.3 feet;

Thence, S67°03'E, continuing along the said east right-of-way line of Tama Run Lane, 167.4 feet, more or less, to the north right-of-way line of said Wisconsin State Trunk Highway "81";

Thence, S89°52'E, along the said north right-of-way line of said Wisconsin State Trunk Highway "81", 182.4 feet, more or less, to its intersection with the east line of the Southeast Quarter of said Section 4;

Thence, S01°22'E, along the said east line of the Southeast Quarter of Section 4, 53.1 feet, more or less, returning to the point of beginning;

Lands to be annexed into the City of Darlington contain 30.64 Ac., 1,334,972 Sq. Ft., (24.07 Ac., 1,048,272 Sq. Ft., excluding rights-of-way) and is subject to all other easements and rights-of-way of record.

ANNEXATION EXHIBIT
PART OF THE SOUTHEAST QUARTER AND SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4 AND PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, TOWN OF DARLINGTON, LAFAYETTE COUNTY, WISCONSIN

Annexation Description

Part of the Southeast Quarter and Southwest Quarter of the Southeast Quarter of Section 4 and Part of the Northeast Quarter of the Northeast Quarter of Section 9, T2N, R3E, Town of Darlington, Lafayette County, Wisconsin

Beginning of the Southeast Corner of Section 4, T2N, R3E:

Thence, S00°04'W, 77.0 feet, more or less, to the south right-of-way line of Wisconsin State Trunk Highway "B1";

Thence, N89°51'W, along the said south right-of-way line of Wisconsin State Trunk Highway "B1", (M 5TH "B1"), 855.8 feet, more or less;

Thence, N00°12'E, 78.8 feet, more or less, to its intersection with the south line of said Section 4, T2N, R3E;

Thence, N89°52'W, along the said south line of said Section 4, T2N, R3E, 1911.0 feet;

Thence, N01°27'W, along a line that is 70 feet perpendicular distant and east of the west line of the Southeast Quarter of said Section 4, T2N, R3E, 583.0 feet;

Thence, S89°53'E, 1848.3 feet, more or less, to the east right-of-way line of Tama Run Lane;

Thence, S82°30'E, along the said east right-of-way line of Tama Run Lane, 341.1 feet, more or less, to the beginning of a curve to the right;

Thence, 180.4 feet, more or less, continuing along the said east right-of-way line of Tama Run Lane, being a curve having a radius of 185.0 feet, more or less, an included angle of 92°15', (a chord of 171.8 feet, more or less, which bears S31°42'E), to the end of said curve;

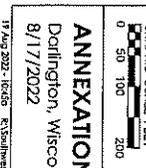
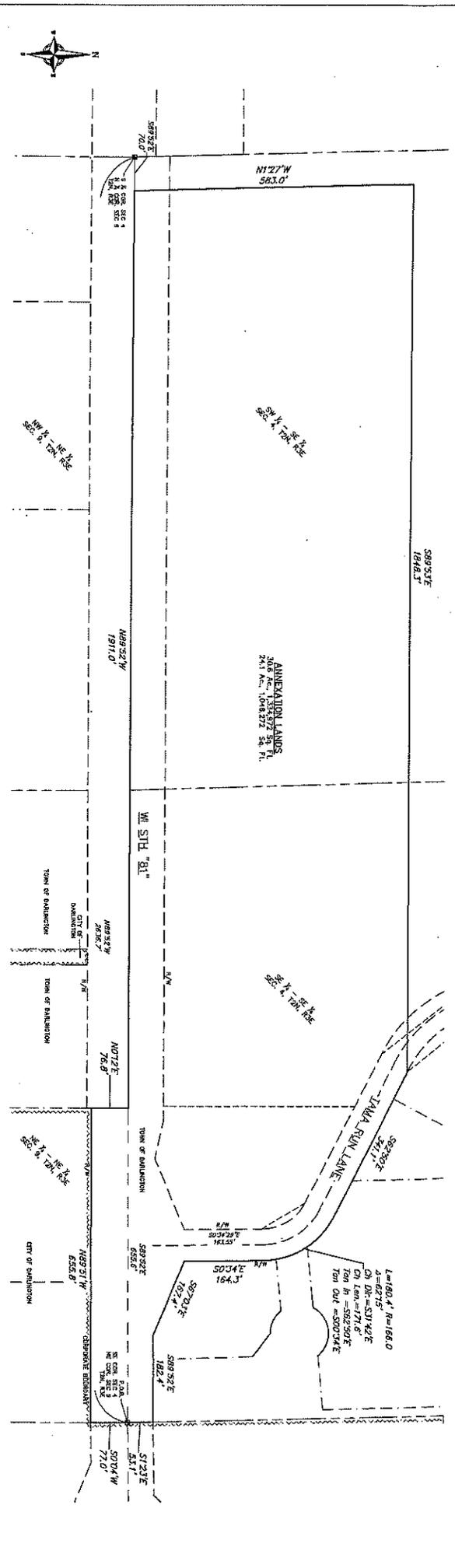
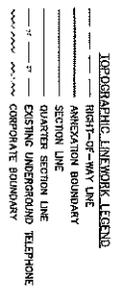
Thence, S00°34'E, continuing along the said east right-of-way line of Tama Run Lane, 184.3 feet;

Thence, S87°03'E, continuing along the said east right-of-way line of Tama Run Lane, 187.4 feet, more or less, to the north right-of-way line of said Wisconsin State Trunk Highway "B1";

Thence, S89°52'E, along the said north right-of-way line of said Wisconsin State Trunk Highway "B1", 182.4 feet, more or less, to its intersection with the east line of the Southeast Quarter of said Section 4;

Thence, S01°22'E, along the said east line of the Southeast Quarter of Section 4, 53.1 feet, more or less, returning to the point of beginning;

lands to be annexed into the City of Darlington contain 30.64 Ac., 1,334,972 Sq. Ft., (24.07 Ac., 1,048,272 Sq. Ft., excluding rights-of-way) and is subject to all other easements and rights-of-way of record.



ANNEXATION EXHIBIT
 Darlington, Wisconsin
 8/17/2022

vierbichler
 planners | engineers | advisors

Wisconsin Annexation/Attachment/Detachment Ordinance Filing Checklist
(This form is NOT the statute, it is a guide to the filing requirements in the statute.)

Email a **legible PDF** of required materials to mds@wi.gov

If scanning use color for pages and maps containing color. Also, scan large maps at full size.

*If emailing a pdf of materials is not possible,
mail one copy of the required materials to the address below.
Please do not send both pdf and mailed materials.*

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

Please include the following information with your ordinance filing.
(Missing items may cause a delay in filing. Contact us if you have questions)

List type of Land Transfer and associated statute number on your submittal:

See Section 1:

Annexation by: Unanimous Approval (s. 66.0217 (2) Wis.Stats.)
One-half Approval ([s. 66.0217 \(3\) \(a\) Wis.Stats.](#))
Referendum ([s. 66.0217 \(3\) \(b\) Wis.Stats.](#))

See Section 2:

Annexation of Territory Owned by a City or Village ([s. 66.0223 Wis.Stats.](#))
Detachment ([s. 66.0227 Wis. Stats.](#))
Annexation/Attachment resulting from Cooperative Boundary Plan [s. 66.0307 Wis. Stats.](#)
Annexation/Attachment resulting from Boundary Agreement [s. 66.0301 Wis. Stats.](#)
Annexation resulting from court stipulations and orders ([s. 66.0225 Wis. Stats.](#))
Annexation by City or Village Initiated Referendum ([s. 66.0219 Wis.Stats.](#))
Annexation of Town Islands ([s. 66.0221 Wis. Stats.](#))

See Section 3 for additional filing requirements for all land transfers:

Wisconsin Elections Commission Requirements
Filing with County Clerk Requirements

Wisconsin Annexation/Attachment/Detachment Ordinance Filing Checklist
(This form is NOT the statute, it is a guide to the filing requirements in the statute.)

Section 1

In addition to the type of land transfer, the following items **MUST** be included with your filed ordinance:

Clerk's certification of documents with original signature. (see example)

Copy of the ordinance and Ordinance Effective Date.

Population: Include the number of all people living on the transferred land. If transferring from more than one municipality, include population for each affected municipality. *2620*

Complete Legal Description which includes the following:

- The ordinance must include a legal description of the land to be transferred. The land must be described by reference to the government lot, private claim, quarter-section, section, town, and range in which the land lies. The land must be further described by metes and bounds commencing from a monumented corner of the section or quarter-section, or the monumented end of a private claim or federal reservation, in which the land lies; OR
- If the land is wholly and entirely within a lot or lots, or all of a block or blocks of a recorded subdivision plat or certified survey map, it must be described by reference to the lot (s) and/or block (s) therein, along with the name of the plat or the number, volume, page, and County of the certified survey map.
- The land may NOT be described only by:
 - Aliquot part;
 - Reference to any other document (plat of survey, deed, etc.);
 - Exception or Inclusion;
 - Parcel ID or tax number.

Map. The scale map shall be an **accurate reflection** of the legal description of the parcel being transferred. As such, it must show:

- A tie line from the parcel to the monumented corner of the section or quarter-section, or the monumented end of a private claim or federal reservation, in which the parcel lies. The corner and monument must be identified.
- Bearings and distances along all parcel boundaries as described.
- All adjoining parcels/land as referenced in the description.
- The map must include a **graphic scale**.
- **The map must show and identify the existing municipal boundary, in relation to the parcel being transferred.**

[It is beneficial to include a North arrow, and identify adjacent streets and parcels on the map.]

See Section 3 for additional filing requirements for all land transfers.

Please include the following information with your filed ordinance:

Municipal Boundary Review (MBR) Number assigned to petition when reviewed by DOA.

Square feet or acres- please list the area of the land transferred. If land comes from multiple municipalities show separate areas for each. *30.6 Acres*

Parcel Number(s), if available (if only part of a tax parcel is being transferred, include the number of that parcel)

Wisconsin Annexation/Attachment/Detachment Ordinance Filing Checklist
(This form is NOT the statute, it is a guide to the filing requirements in the statute.)

Section 2

In addition to the type of land transfer, the following items **MUST** be included with your filed ordinance:

- Clerk's certification of documents with original signature. (see example *link*)
- Copy of the ordinance and Ordinance Effective Date
- Population:** Include the number of all people living on the transferred land. If transferring from more than one municipality, include population for each affected municipality
- Accurate Legal Description** of the territory being transferred.
- Map of the territory** being transferred that reflects the legal description.
- See Section 3 for additional filing requirements for all land transfers.

Please include the following information with your filed ordinance:

- Square feet or acres-** please list the area of the land transferred. If land comes from multiple municipalities show separate areas for each.
- Parcel Number(s)**, if available (if only part of a tax parcel is being transferred, include the number of that parcel)

Section 3

The following items **MUST** be also be filed:

Additional filing requirements for all land transfers:

Wisconsin Elections Commission Requirements

- Will the annexation territory join an existing ward or necessitate the creation of a new ward? For more information, please contact the Wisconsin Elections Commission at (608) 266-8005 or elections@wi.gov or see their annexation checklist here: [WEC Annexation Checklist http://elections.wi.gov/forms/el-100](http://elections.wi.gov/forms/el-100).

Added to Ward 1,
CITY OF DARLINGTON,
WISCONSIN

Filing with County Clerk Requirements

- The city or village shall also file with the county clerk or board of election commissioners the report required by s.5.15(4)(b). ([s.66.0217\(9\) Wis. Stats.](#)) [See s.5.15(4)(b) below.]

[Within 5 days after adoption or enactment of an ordinance or resolution under this section or any amendment thereto, the municipal clerk shall transmit one copy of the ordinance or resolution or the amendment to the clerk of each county in which the municipality is contained, accompanied by the list and map specified in par. (a), together with a report confirming the boundaries of the municipality and all of the wards in the municipality.] ([s.5.15\(4\)\(b\) Wis. Stats](#))