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09/14/2022

Municipal Boundary Review  
Wisconsin Dept. of Admin.

AN ORDINANCE ANNEXING  
TERRITORY FROM THE TOWN OF  
WILSON TO THE VILLAGE OF  
OOSTBURG  
PURSUANT TO WIS. STAT. § 66.0217(2)  
(MBR No. 14499)

Document Number

Ordinance No. 4 of 2022

**WHEREAS**, a Petition for direct annexation of the following territory in the Town of Wilson, Sheboygan County, Wisconsin, more particularly and legally described below and as shown on the scale map attached hereto as **Exhibit A**, to the Village of Oostburg, was filed with the Village Clerk/Treasurer on or about April 28, 2022.

Recording Area

Name and Return Address

Attorney J. Phil Mueller  
HOPP NEUMANN HUMKE LLP  
2124 Kohler Memorial Drive, Suite 310  
Sheboygan, WI 53081

Part of the Southwest 1/4 of the Southeast 1/4 of Section 31, T14N, R23E, Town of Wilson, Sheboygan County, Wisconsin described as follows:

BEGINNING at the South 1/4 Corner of said Section 31; thence N00°30'19"W 1,326.98 feet along the West line of the Southeast 1/4 of said Section 31; thence S89°39'38"E 1,331.69 feet along the North line of the Southwest 1/4 of the Southeast 1/4 of said Section 31; thence S00°12'06"E 1,161.04 feet along the East line of the Southwest 1/4 of the Southeast 1/4 of said Section 31; thence N89°41'52"W 128.33 feet; thence S00°12'06"E 165.00 feet; thence N89°41'52"W 1,196.32 feet along the South line of the Southeast 1/4 of said Section 31 to the point of beginning of this description.

Parcel No. 59030-463270

**WHEREAS**, a Petition for Direct Annexation of territory from Town of Wilson to Village of Oostburg was filed with the Town of Wilson Clerk and Village of Oostburg Clerk together with a scale map and legal description of the property to be annexed on or about April 28, 2022; and

**WHEREAS**, the Village Clerk/Treasurer has investigated the Petition and has advised that the Petition is in compliance with Wisconsin Statute § 66.0217(2), no electors reside within the territory, and the owner of all of the land in area within the territory has signed the Petition; that such Petition was properly filed with the Village Clerk/Treasurer together with a scale map and a legal description of the property showing the boundaries of the property to be annexed and its relationship to the Village; that copies were timely filed with the Town Clerk of the Town of Wilson; and that copies thereof were mailed to the Wisconsin Department of Administration; and

**WHEREAS**, prior to its action on the herein Ordinance, this Village Board has reviewed the advice of the Department of Administration finding that the annexation is in the public interest; and

**NOW, THEREFORE**, the Village Board of the Village of Oostburg does ordain as follows:

Section 1. **Adequacy of Petition.** That the above Petition for direct annexation of the property described was signed by the owner of all of the land in area within in the territory and that there are zero (0) electors residing in the territory; and therefore, it is a sufficient and legal Petition conforming to the requirements of Wisconsin Statute § 66.0217(2).

Section 2. **Annexation of Territory.** The territory described is hereby annexed to the Village of Oostburg. The Village Clerk/Treasurer is hereby instructed to file immediately with the Secretary of Administration a certified copy of the Ordinance, Certificate, and Map, and to send one copy to each company that provides any utility service in the area that is annexed. The Village Clerk/Treasurer shall also record the Ordinance with the Sheboygan County Register of Deeds and file a signed copy of the Ordinance with the Clerk of the Oostburg School District, all in accordance with Wisconsin Statute § 66.0217.

Section 3. **Zoning Designation.** Pursuant to Village Code § 1.04 D. upon annexation, the territory shall be placed in the Rural Development District until special action of the Governing Body shall definitely assign such land to another district.

Section 4. **Election Ward.** The territory described is hereby made a part of Election Ward 3 of the Village of Oostburg. In addition, the Village Clerk/Treasurer shall file with the County Clerk the report required by Wis. Stat. § 5.15(4)(b) confirming the boundaries of the Village and all election wards.

Section 5. **Population.** The current population of the annexed territory is zero (0).

Section 6. **Agreement to Pay Property Taxes.** Pursuant to Wis. Stat. § 66.0217(14), the Village of Oostburg does hereby agree to pay annually to the Town of Wilson, for five (5) years, an amount equal to the property taxes that the Town of Wilson levied on the herein described annexed territory, as shown by the Tax Roll under Wis. Stat. § 70.65, in the year in which the annexation is final.

Section 7. **Effective Date.** All ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict, and this Ordinance shall be in effect from and after its passage.

Enacted on this 11<sup>th</sup> day of July, 2022.

**VILLAGE OF OOSTBURG**

By: Allen Wrubbel  
Allen Wrubbel, President

Dated: July 11, 2022.

*[The rest of this page intentionally blank;  
Clerk's Certificate appears on the following page.]*

**CLERK'S CERTIFICATE OF ENACTMENT**

I hereby certify that the foregoing Ordinance was duly enacted by the Village of Oostburg Village Board on the date indicated above.

Dated: 7-11, 2022

  
\_\_\_\_\_  
Amy Wilterdink, Village Clerk/Treasurer

This Document Drafted By:

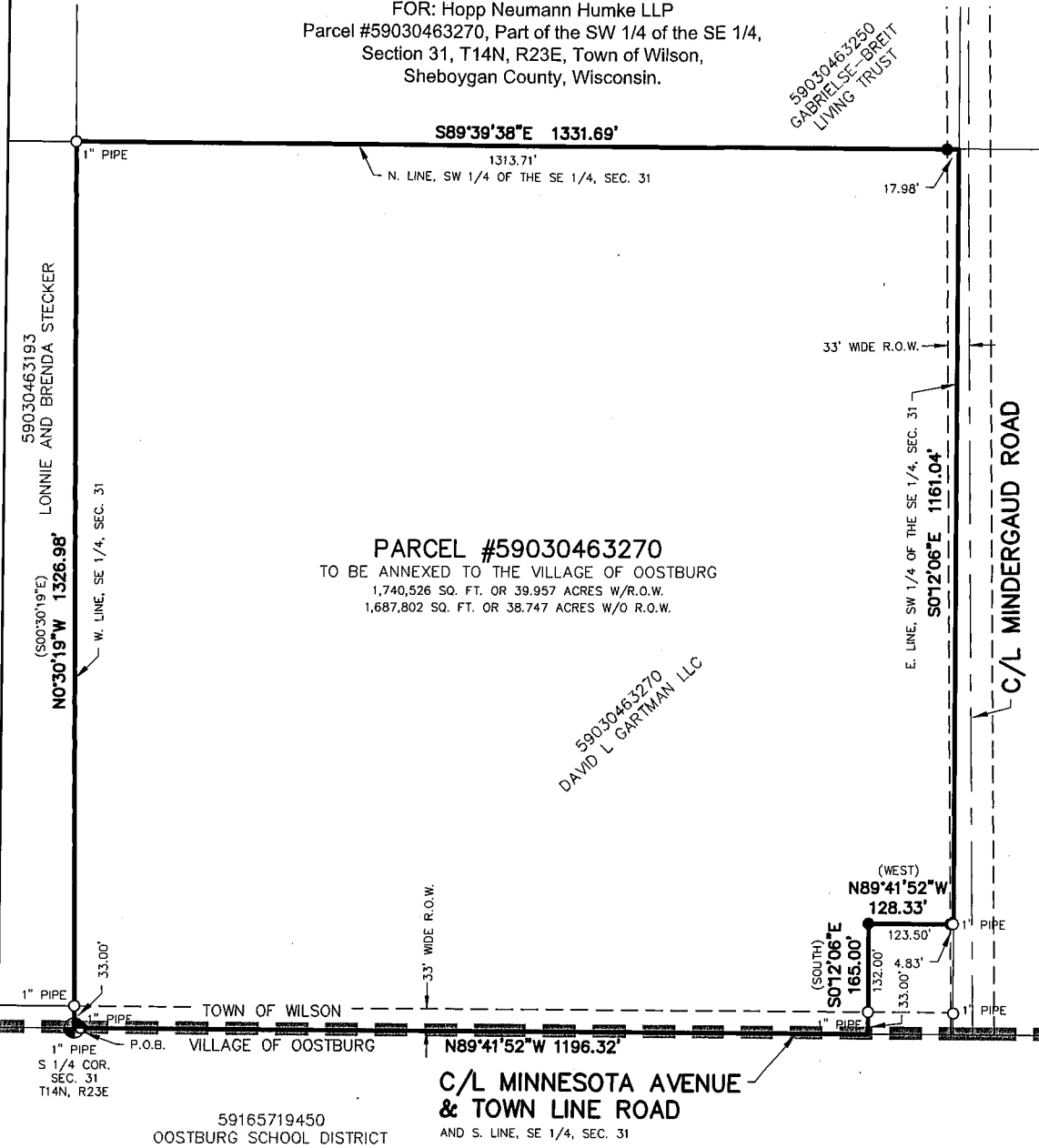
Attorney J. Phil Mueller  
HOPP NEUMANN HUMKE LLP  
2124 Kohler Memorial Drive, Suite 310  
Sheboygan, WI 53081  
T: (920) 457-8400  
F: (920) 457-8411

R:\CLIENT\11151\00008\00192736.DOCX

# PLAT OF SURVEY

FOR: Hopp Neumann Humke LLP  
 Parcel #59030463270, Part of the SW 1/4 of the SE 1/4,  
 Section 31, T14N, R23E, Town of Wilson,  
 Sheboygan County, Wisconsin.

59030463250  
 GABRIEL SE-BRETT  
 LIVING TRUST

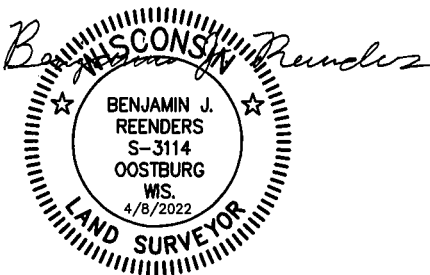


**Legal Description of Portion to be Annexed to the Village of Oostburg:**

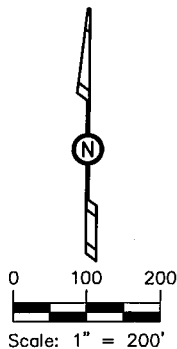
Part of the Southwest 1/4 of the Southeast 1/4 of Section 31, T14N, R23E, Town of Wilson, Sheboygan County, Wisconsin described as follows:

BEGINNING at the South 1/4 Corner of said Section 31; thence N0°30'19"W 1,326.98 feet along the West line of the Southeast 1/4 of said Section 31; thence S89°39'38"E 1,331.69 feet along the North line of the Southwest 1/4 of the Southeast 1/4 of said Section 31; thence S00°12'06"E 1,161.04 feet along the East line of the Southwest 1/4 of the Southeast 1/4 of said Section 31; thence N89°41'52"W 128.33 feet; thence S00°12'06"E 165.00 feet; thence N89°41'52"W 1,196.32 feet along the South line of the Southeast 1/4 of said Section 31 to the point of beginning of this description.

This parcel contains 1,740,526 square feet or 39.957 acres.



I Benjamin J. Reenders do hereby certify that this survey is correct to the best of my knowledge and belief.



## LEGEND

- ⊕ = County Monument
- = Iron Stake Found
- = Iron Stake Set
- (###) = Recorded Dimension

941 Center Avenue, Suite 1  
 Oostburg, WI 53070  
 920-547-0599

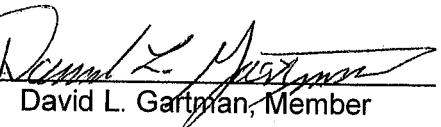
**CEDAR CREEK SURVEYING, LLC**  
 www.cedarcreeksurveying.com

FILE No.: 2022058 DATE: 4/8/2022 PAGE: 1 OF 1

**PETITION FOR DIRECT ANNEXATION BY UNANIMOUS APPROVAL**  
**PURSUANT TO WISCONSIN STATUTE § 66.0217(2)**

The undersigned, constituting all of the electors residing in the territory and all of the owners of real property in the following territory of the Town of Wilson, Sheboygan County, Wisconsin, lying contiguous to the Village of Oostburg, petition the Village Board of the Village of Oostburg to annex the territory described and as shown on the attached **Exhibit A**, legal description and scale map to the Village of Oostburg, Sheboygan County, Wisconsin:

The above-described territory contains a population of zero (0).

Signature of Petitioner	Date of Signing	Mark an "X" if Owner	Mark an "X" if Elector	Address or Description of Property
DAVID L. GARTMAN, LLC By:  David L. Gartman, Member	4-28-22	X		Agricultural Property on the north side of Town Line Road (PIN: 59030-463270)

# 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: **Gartman**

Petition Number: **14499**

1. Territory to be annexed: From **TOWN OF WILSON** To **VILLAGE OF OOSTBURG**

2. Area (Acres): 39.957

3. Pick one:  Property Tax Payments

OR  Boundary Agreement

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

\$ \_\_\_\_\_

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

b. Total that will be paid to Town

(annual tax multiplied by 5 years): \_\_\_\_\_

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

c. Paid by:  Petitioner  City  Village

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

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

d. Statutory authority (pick one)

s.66.0307  s.66.0225  s.66.0301

4. Resident Population: Electors: 0 Total: 0

5. Approximate **present land use** of territory:

Residential: 5.01% Recreational: \_\_\_\_\_% Commercial: \_\_\_\_\_% Industrial: \_\_\_\_\_%

Undeveloped: 94.09%

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

Residential: 5.01% Recreational: \_\_\_\_\_% Commercial: \_\_\_\_\_% Industrial: \_\_\_\_\_%

Other: 94.09%

Comments: Will be in Rural Development

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

Plat Name: David L. Gartman LLC

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

IPF - Public Facility

In the town?: \_\_\_\_\_

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 yr      \_\_\_\_\_

Water Supply immediately              
or, write in number of years.      1 yr      \_\_\_\_\_

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

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? Rural Development

c. How will the land be zoned and used if annexed? Rural Development

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>

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

NA

Prepared by:  Town  City  Village

Please **RETURN PROMPTLY** to:

Name: Allen Wrubbel / Amy Witterdink [wimunicipalboundaryreview@wi.gov](mailto:wimunicipalboundaryreview@wi.gov)

Email: amy.witterdink@oustburg.org Municipal Boundary Review

Phone: 920-564-3214 PO Box 1645, Madison WI 53701

Date: 5-3-22 Fax: (608) 264-6104