

VILLAGE OF FOOTVILLE
ORDINANCE #2022-14

AMENDED ORDINANCE NO. 2022-12

RECEIVED
12/05/2022

Municipal Boundary Review
Wisconsin Dept. of Administration

AN ORDINANCE ANNEXING LAND FROM THE TOWN OF PLYMOUTH, ROCK COUNTY, WISCONSIN TO THE VILLAGE OF FOOTVILLE, ROCK COUNTY, WISCONSIN.

WHEREAS, the Village of Footville received a unanimous petition for direct annexation of land in the Town of Plymouth from Hoerler & Hoerler LLC, Willis Hoerler, Member, (hereafter the "Petition") dated August 23, 2022; and

WHEREAS, the Petition has been reviewed by the Village of Footville Plan Commissioner at its meeting on October 6, 2022 and the Plan Commission has made recommendations for temporarily zoning of the territory included in the Petition to the A-1 District; and

WHEREAS, the Petition meets the requirements of Wis. Stat. § 66.0217(2); and

WHEREAS, the Petition was reviewed by the Municipal Boundary Review Division of the Wisconsin Department of Administration and found to be in the public interest; and

WHEREAS, the Village Board has determined that it is in the best interest of the Village of Footville to annex the territory described in the Petition.

NOW THEREFORE, the Village Board of the Village of Footville hereby enacts the following ordinance:

SECTION 1: Territory Annexed.

The Village Clerk received a petition for direct annexation on the 23 day of August 2022, signed by the owner of all real property in the territory and there being no electors residing in the territory. That the territory described in the Petition which is attached to this ordinance as Exhibit A and incorporated as if fully set forth herein is hereby annexed to the Village of Footville in accordance with Wis. Stat. § 66.0217(2).

SECTION 2: Effect of Annexation.

From and after the date of this ordinance the territory described in Section 1 shall be part of the Village of Footville for any and all purposes provided by law and all persons doing or residing within such territory shall be subject to all ordinances, rules, and regulations governing the Village of Footville.

SECTION 3: TEMPORARY ZONING

Upon recommendation of the Village of Footville Plan Commissioner, the territory annexed to the Village of Footville by this ordinance is temporarily zoned as A-1 District, pursuant to Wis. Stat. § 66.0217(8)(a).

SECTION 4: PAYMENT TO TOWN AS REQUIRED BY STATUTE.

The Village of Footville agrees to pay annually to the Town of Plymouth, for five (5) years, an amount equal to the amount of property taxes that the town levied on the annexed territory, as shown by real estate property tax bill for 2021 tax roll, under Wis. Stat. § 70.65, pursuant to Wis. Stat. § 66.0217(14)(a)1.

SECTION 5: WARD DESIGNATION.

The territory described in Section 1 of this ordinance is hereby made a part of Ward 2 of the Village of Footville.

SECTION 6: SEVERABILITY.

The several sections of this ordinances are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections, or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinance whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms and conflict.

SECTION 7: EFFECTIVE DATE.


This amended ordinance shall take effective upon enactment pursuant to Wis. Stat. § 66.0217(8)(c).

Adopted by the Village Board of the Village of Footville, Rock County, Wisconsin, on this 1 day of December, 2022 on a roll call vote: 5 Ayes 0 Nays

VILLAGE OF FOOTVILLE



Gary Selck, Village President

ATTEST:


Shawna March, Village Clerk

CERTIFICATION


I hereby certify that the above Ordinance number 2022-14 was adopted by the Village Board of the Village of Footville on the 15th day of December, 2022, and that on the 2nd day of December, 2022, a copy of the above Ordinance was posted in three places in the Village as follows:

261 North Gilbert Street, Footville, Wisconsin 53537

212 Depot Street, Footville, Wisconsin 53537

509 South Gilbert Street, Footville, Wisconsin 53537

The population for this territory is zero.



Shawna March

Shawna March, Village Clerk,
Village of Footville
Rock County, Wisconsin

Subscribed and sworn to before me this
2nd day of December, 2022.

Kate L. Corbit

Notary Public, Rock County, Wisconsin

My Commission expires: March 29, 2024

This document was drafted by:

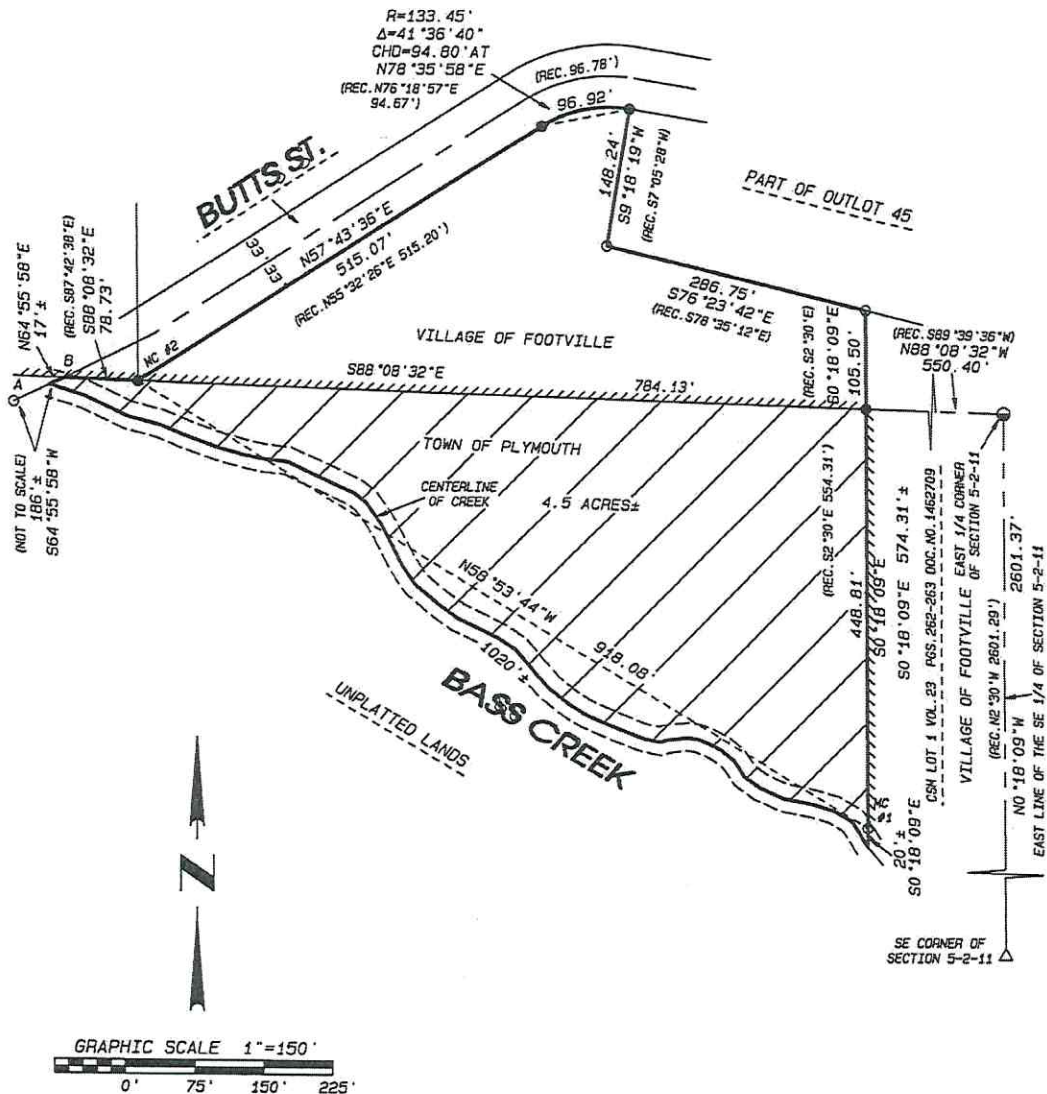
Attorney Brooke Joos

COLLINS & HENDERSON LLP

Post Office Box 777Beloit, Wisconsin

53512-0777

ANNEXATION MAP



NOTE: THIS MAP IS SUBJECT TO ANY AND ALL EASEMENTS AND AGREEMENTS, RECORDED AND UNRECORDED.

THE BASIS OF BEARINGS IS ASSUMED.

Project No: 122-300 For: HOERLER

Combs & Associates

- LAND SURVEYING
- LAND PLANNING
- CIVIL ENGINEERING

109 W. Milwaukee St.
Janesville, WI 53548
www.combsurvey.com

tel: 608 752-0575
fax: 608 752-0534



- Land Surveying
- Land Planning
- Civil Engineering

DATE: August 17, 2022

TO: Hoerler & Hoerler, LLC

RE: Description for Annexation Purposes only

PART OF THE NE 1/4 OF THE SE 1/4 AND PART OF THE NW 1/4 OF THE SE 1/4 OF SECTION 5, T.2N., R.11E., OF THE 4TH P.M., TOWN OF PLYMOUTH, ROCK COUNTY, WISCONSIN.

DESCRIBED AS FOLLOWS: Commencing at the Southeast Corner of said Section 5; thence N00°18'09"W along the East Line of the SE 1/4 of said Section, 2601.37 feet to the East 1/4 Corner; thence N88°08'32"W 550.40 feet to a found iron pin at the Southeasterly Corner of Lot 1 of a Certified Survey Map as recorded in Volume 24 on Pages 76 through 78 as Document Number 1482790 and being also the place of beginning for the land herein described; thence S0°18'09"E a distance of 448.81 feet to Meander Corner 1; thence continuing S0°18'09"E to the centerline of Bass Creek; thence Northwesterly and upstream 1020 feet more or less to a point on the Centerline of Butts Street; thence N64°55'58"E along said centerline 17 feet more or less, to the South line of Lot 1 aforesaid extended westerly; thence S88°08'32"E a distance of 78.73 feet to an iron pin at the westerly most corner of Lot 1 aforesaid also known as Meander Corner 2, being located N58°53'44"W a distance of 918.08 feet from Meander Corner 1; thence continuing S88°08'32"E a distance of 784.13 feet to the place of beginning. Parcel containing 4.5 acres, more or less.

NOTE: The above description is subject to any and all easements and agreements, recorded or unrecorded.

Project No. 122-308 For: Hoerler & Hoerler LLC

RECEIVED
10/17/2022Municipal Boundary Review
WI Dept. of Administration

CERTIFICATION

I hereby certify that the above Ordinance number #2022-12 was adopted by the Village Board of the Village of Footville on the 6th day of October, 2022, and that on the 7th day of October, 2022, a copy of the above Ordinance was posted in three places in the Village as follows:

261 North Gilbert Street, Footville, WI 53537

212 Depot Street, Footville, WI 53537

509 South Gilbert Street, Footville, WI 53537

The population for this territory is zero.



Shawna March, Village Clerk,
Village of Footville
Rock County, Wisconsin

Subscribed and sworn to before me this
7th day of October, 2022.



Notary Public, Rock County, Wisconsin
My Commission expires: 3/29/2024



VILLAGE OF FOOTVILLE
ORDINANCE NO. #2022-12

AN ORDINANCE ANNEXING LAND FROM THE TOWN OF PLYMOUTH, ROCK COUNTY, WISCONSIN TO THE VILLAGE OF FOOTVILLE, ROCK COUNTY, WISCONSIN.

WHEREAS, the Village of Footville received a unanimous petition for direct annexation of land in the Town of Plymouth from Hoerler & Hoerler LLC, Willis Hoerler, Member, (hereafter the "Petition") dated August 23, 2022; and

WHEREAS, the Petition has been reviewed by the Village of Footville Planning Commission at its meeting on October 6th, and the Planning Commission has made recommendations for temporarily zoning of the territory included in the Petition to the A-1 District; and

WHEREAS, the Petition meets the requirements of Wis. Stat. § 66.0217(2); and

WHEREAS, the Petition was reviewed by the Municipal Boundary Review Division of the Wisconsin Department of Administration and found to be in the public interest; and

WHEREAS, the Village Board has determined that it is in the best interest of the Village of Footville to annex the territory described in the Petition.

NOW THEREFORE, the Village Board of the Village of Footville hereby enacts the following ordinance:

SECTION 1: Territory Annexed.

The Village Clerk received a petition for direct annexation on the 23rd day of August 2022, signed by the owner of all real property in the territory and there being no electors residing in the territory. That the territory described in the Petition which is attached to this ordinance as Exhibit A and incorporated as if fully set forth herein is hereby annexed to the Village of Footville in accordance with Wis. Stat. § 66.0217(2).

SECTION 2: Effect of Annexation.

From and after the date of this ordinance the territory described in Section 1 shall be part of the Village of Footville for any and all purposes provided by law and all persons doing or residing within such territory shall be subject to all ordinances, rules, and regulations governing the Village of Footville.

SECTION 3: TEMPORARY ZONING

Upon recommendation of the Village of Footville Plan Commissioner, the territory annexed to the Village of Footville by this ordinance is temporarily zoned as A-1 District, pursuant to Wis. Stat. § 66.0217(8)(a).

SECTION 4: PAYMENT TO TOWN AS REQUIRED BY STATUTE.

The Village agrees to pay annually to the Town of Plymouth, for 5 years, an amount equal to the amount of property taxes that the town levied on the annexed territory, as shown by real estate property tax bill for 2021 tax roll, under Wis. Stat. § 70.65, pursuant to Wis. Stat. § 66.0217(14)(a)1.

SECTION 5: SEVERABILITY

The several sections of this ordinances are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections, or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinance whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms and conflict.

SECTION 6: EFFECTIVE DATE.

This Ordinance shall take effective upon enactment pursuant to Wis. Stat. § 66.0217(8)(c).

Adopted by the Village Board of the Village of Footville, Rock County, Wisconsin, on this 6th day of October 2022 on a roll call vote: 6 Ayes 0 Nays

VILLAGE OF FOOTVILLE



Gary Selck, Village President

ATTEST:



Shawna March, Village Clerk



- Land Surveying
- Land Planning
- Civil Engineering

DATE: August 17, 2022

TO: Hoerler & Hoerler, LLC

RE: Description for Annexation Purposes only

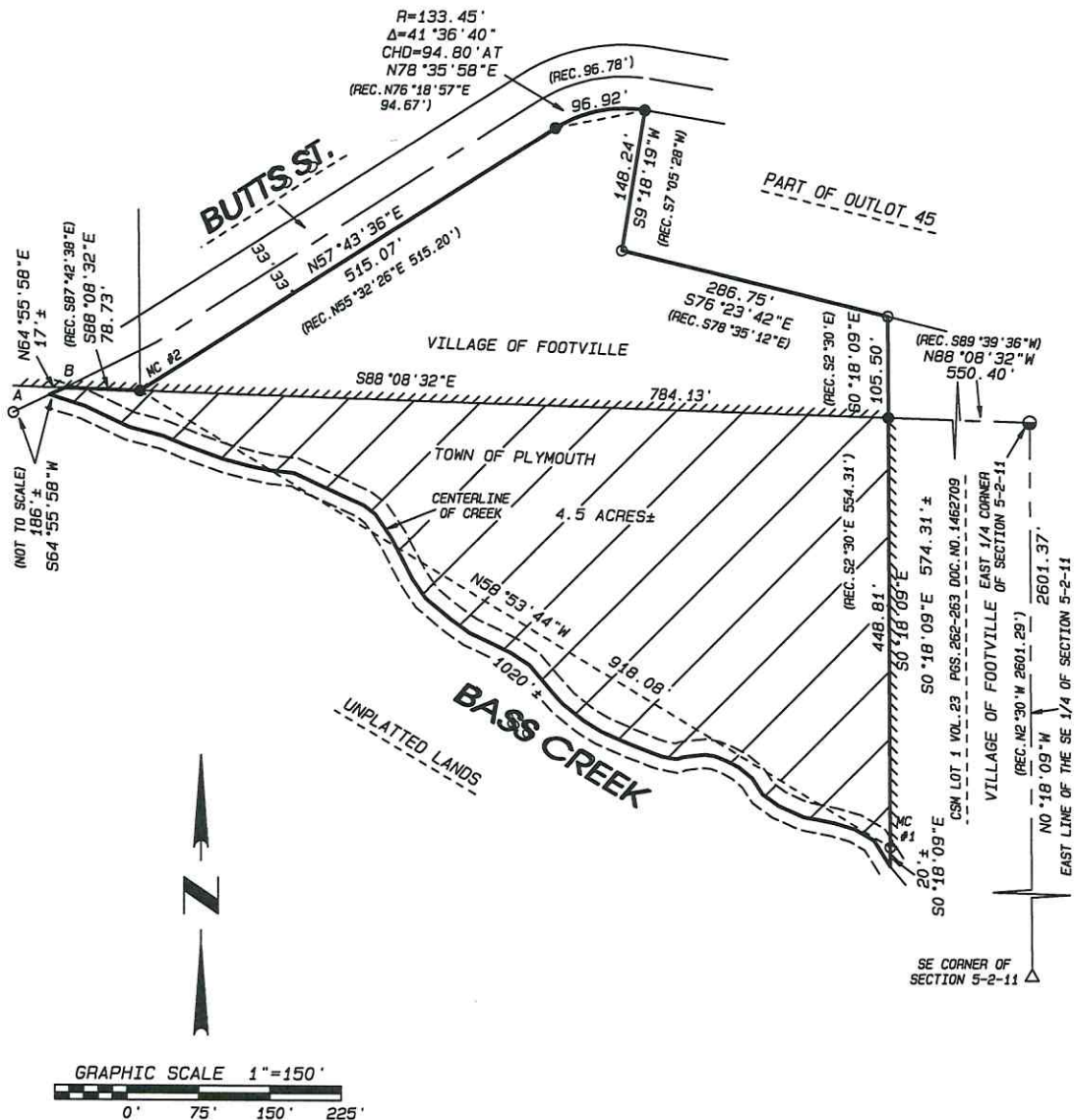
PART OF THE NE 1/4 OF THE SE 1/4 AND PART OF THE NW 1/4 OF THE SE 1/4 OF SECTION 5, T.2N., R.11E., OF THE 4TH P.M., TOWN OF PLYMOUTH, ROCK COUNTY, WISCONSIN.

DESCRIBED AS FOLLOWS: Commencing at the Southeast Corner of said Section 5; thence N00°18'09"W along the East Line of the SE 1/4 of said Section, 2601.37 feet to the East 1/4 Corner; thence N88°08'32"W 550.40 feet to a found iron pin at the Southeasterly Corner of Lot 1 of a Certified Survey Map as recorded in Volume 24 on Pages 76 through 78 as Document Number 1482790 and being also the place of beginning for the land herein described; thence S0°18'09"E a distance of 448.81 feet to Meander Corner 1; thence continuing S0°18'09"E to the centerline of Bass Creek; thence Northwesterly and upstream 1020 feet more or less to a point on the Centerline of Butts Street; thence N64°55'58"E along said centerline 17 feet more or less, to the South line of Lot 1 aforesaid extended westerly; thence S88°08'32"E a distance of 78.73 feet to an iron pin at the westerly most corner of Lot 1 aforesaid also known as Meander Corner 2, being located N58°53'44"W a distance of 918.08 feet from Meander Corner 1; thence continuing S88°08'32"E a distance of 784.13 feet to the place of beginning. Parcel containing 4.5 acres, more or less.

NOTE: The above description is subject to any and all easements and agreements, recorded or unrecorded.

Project No. 122-308 For: Hoerler & Hoerler LLC

ANNEXATION MAP



NOTE: THIS MAP IS SUBJECT TO ANY AND ALL EASEMENTS AND AGREEMENTS, RECORDED AND UNRECORDED.

THE BASIS OF BEARINGS IS ASSUMED.

Project No. 122-308 For: HOERLER

• LAND SURVEYING
• LAND PLANNING
• CIVIL ENGINEERING

109 W. Milwaukee St.
Janesville, WI 53548
www.combsurveying.com

tel: 608 752-0575
fax: 608 752-0534



TONY EVERS

GOVERNOR

KATHY BLUMENFELD

SECRETARY-DESIGNEE

Municipal Boundary Review

PO Box 1645, Madison WI 53701

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

Email: wimunicipalboundaryreview@wi.gov

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

September 15, 2022

PETITION FILE NO. 14529

SHAWNA MARCH, CLERK
VILLAGE OF FOOTVILLE
PO BOX 445
FOOTVILLE, WI 53537-0445

DEBBIE FINNEGAN, CLERK
TOWN OF PLYMOUTH
8219 W HIGH STREET
ORFORDVILLE, WI 53576-8716

Subject: HOERLER & HOERLER LLC ANNEXATION

The proposed annexation submitted to our office on August 26, 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 Village of Footville, 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 14529 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 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=2603>
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner

Request for Annexation Review

Wisconsin Department of Administration

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

Petitioner Information

Name: HOERLER & HOERLER LLC
Address: 1303 S. MURPHY ROAD
JANESVILLE WI 53548
(608) 931-6563
Email: Willis.Hoerler.30@gmail.com

Office use only:

RECEIVED

August 26, 2022

Municipal Boundary Review
Wisconsin Dept. of Admin.

1. Town where property is located: PLYMOUTH
2. Petitioned City or Village: FOOTVILLE
3. County where property is located: ROCK
4. Population of the territory to be annexed: -0-
5. Area (in acres) of the territory to be annexed: 4.5
6. Tax parcel number(s) of territory to be annexed
(if the territory is part or all of an existing parcel): 6-15-41
6-15-34.01

Petitioners phone:

608-931-6563

Town clerk's phone:

608-879-4012

City/Village clerk's phone:

608-876-6116

Contact Information if different than petitioner:

Representative's Name and Address:

WILLIS HOERLER
1303 S. MURPHY ROAD
JANESVILLE WI 53548
Phone: (608) 931-6563
E-mail: WillisHoerler.30@gmail.com

Surveyor or Engineering Firm's Name & Address:

COMBS & ASSOCIATES
109 W. MILWAUKEE ST.
JANESVILLE WI 53548
Phone: (608) 752 0575
E-mail: jgarde@combsurvey.com

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

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