13650

Apostolic Life Church

13650	Date Sent	Reply	Status
Town Quest	122	26	
Muni Quest	1/22	1/29	
Prop. Lister	1/22	1/25	
		, ,	

Town of ONALASKA Village of HOLMEN 02/11/2013

NO 2/11/13

Request for Annexation Review

13650

Division of Intergovernmental Relations Municipal Boundary Review 101 E. Wilson Street, 10th Floor Madison, WI 53702-0001

Wisconsin Department of Administration

608-264-6102 Fax: 608-267-6917 Erich.Schmidtke@Wisconsin.gov

Petitioner's Name and Address		Office use only:	
Apostolic Life Church N5898 Hwy 35, Onalaska, WI 54650		JAN 2 2 2012 MUMCIPAL ROLLINGS REVIEW	
 Town where property is located Oralaska Petitioned City or Village Holmen County where property is located La Crosse Population of the territory to be annexed O 		608-317-5059 Petitioner's phone # Loos-780-5403 Town Clerk's phone #	
 5. Area (in acres) of the territory to be annexed 20.5 6. Tax parcel number(s) of territory to be annexed 10 (if the territory is part or all of an existing parcel) 		City/Village Clerk's phone #	
Contact Information if different than petitioner:		. TY 1 NT 1 A 1 June 1	
Representative's Name and Address:	Surveyor or Engine	ering Firm's Name and Address:	
mark Boyd, Pastor	Richard	A. Berg	
300 516		le 8t, P.O. Box 625	
·		wt 2416316	
Phone	Phone (at)S	- 526- 9248	
		,	
E-mail alcpastor @ centurytel, net	E-mail berg	ent c centurytel. net	
Required Items to be provided with submission (to be	completed by petitic	oner):	
1. Legal Description meeting the requirements of s.66.0217 (c)			
 3. Signed Petition or Notice of Intent to Circulate is included. 4. Statutory method used? • Unanimous s. 66.0217 (2), or, 			
 Direct by one-half approval s. 66.0217 (3) 5. Check or money order covering Department of Admi 			
(10/2007)			



Apostolic Life Church N5898 Hwy 35, Onalaska, WI 54650 608|783–4818 www.lifeinonalaska.org

Pastor Mark Boyd & Victoria Boyd 608|317-5059 ... 608|317-7077 alcpastor@centurytel.net vlboyd@centurytel.net

To whom it may concern:

73650

This letter is certifying Mark W. Boyd Pastor of the Apostolic Life Church has all Signatory authority of all business pertaining to the Apostolic Life Church located at N5898 Hwy 35, Onalaska WI.

Trustee Apostolic Life Church

Jeffery M Schaitel

State of Wisconsin County of La Crosse Jessica Expires June 19, 2016

Village of Holmen, Annexation Petition

"3650

JESSICA BOEHM

The undersigned, being all the electors and owners of all of the real property described below, (known as the **Apostolic Life Church**), do hereby petition the Village of Holmen for direct Annexation of said described properties now located in the Town of Onalaska in La Crosse County, Wisconsin, to said Village of Holmen pursuant to Wisconsin Statutes, Sec. 66.021. This land is contiguous to the Village of Holmen limits and is described as follows:

Description of property: As identified in attached Exhibit A.

Total Acreage: 6.05 of the property, excluding R.O.W. (April 20.5ac W R.O.W.)

Tax Parcel No: 10-445-000

The proposed Village zoning on this parcel shall be R-5 multiple-Family residential District; with the existing Religious facility permitted as a conditional use of the R-5 District.

The current population of the territory affected by this petition is 0.

Dated this 8th day of January, 2013

Apostolic Life Church Pastor Mark Boyd

Owners address: N5898 Hwy 35, Onalaska, WI 54650

State of Wisconsin }

}Ss.

County of La Crosse}

Personally came before me this 8th day of January, 2013,

Mark Bould and, to me known to be the person(s) who executed the fore

going instrument and acknowledged the same.

Notary Public, State of Wisconsin

Apostolic Life Church

Jeff Schaitel - Trustee

My Commission Expires Qune 19,3016

13650



Home | Help | Links



Parcel Search | Permit Search

N5898 STATE ROAD 35 ONALASKA

Parcel: Municipality: 10-445-0 Town of Onalaska Internal ID: Record Status;

13508 Current



<u>Parcel</u>

<u>Taxes</u>

Deeds

Permits

<u>History</u>

Maps

Outstanding Taxes

Assessments

Tax Information:

Tax Year: 2012

Billing Information:

Bill Number:

Billed To:

HOLMEN APOSTOLIC CHURCH C/O MARK BOYD N5898 STATE ROAD 35 ONALASKA WI 54650

\$0.00

Total Tax: 🕡 Payments Sch. 🕡

01-31-2013

\$0.00 \$0.00

07-31-2013

Tax Details:

		Land Val.	Improv Val.	Total Val.	Assessment Ratio	0.97318210
	Assessed:	\$0.0	\$0.0	\$0.0	Mill Rate	0.000000000
	Fair Market:	\$0.0	\$0.0	\$0.0	School Credit:	\$0.00
	Taxing Jurisdictio	<u>.</u> 0	2011	Net Tax	2012 Net Tax	% of Change
		Subtotal: \$0.0	0	\$0.00		
		<u>Credits</u>	<u>:</u>			
First Dollar Credit:				\$0.00		
Lottery Credit:				\$0.00		
	Additi	onal Charges	1			
Special Assessment:				\$0.00		
Special Charges:				\$0.00		
Special Delinquent:				\$0.00		
Managed Forest:				\$0.00		
Private Forest;				\$0.00		
		Total	Woodlands:		\$0.00	

Payments & Transactions

Grand Total: 0

Desc.

Rec. Date

Rec. #

Chk # <u>Totais:</u> Total Paid \$0.00

Balance: 0 \$0.00 Comment

Post Date

La Crosse County Land Records Information (Ver. 2013.1.3.1)

\$0.00

Site Disclalmer

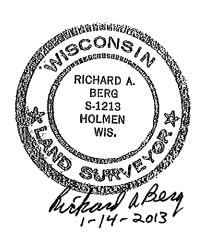
13650

PARCEL TO BE ANNEXED TO THE VILLAGE OF HOLMEN

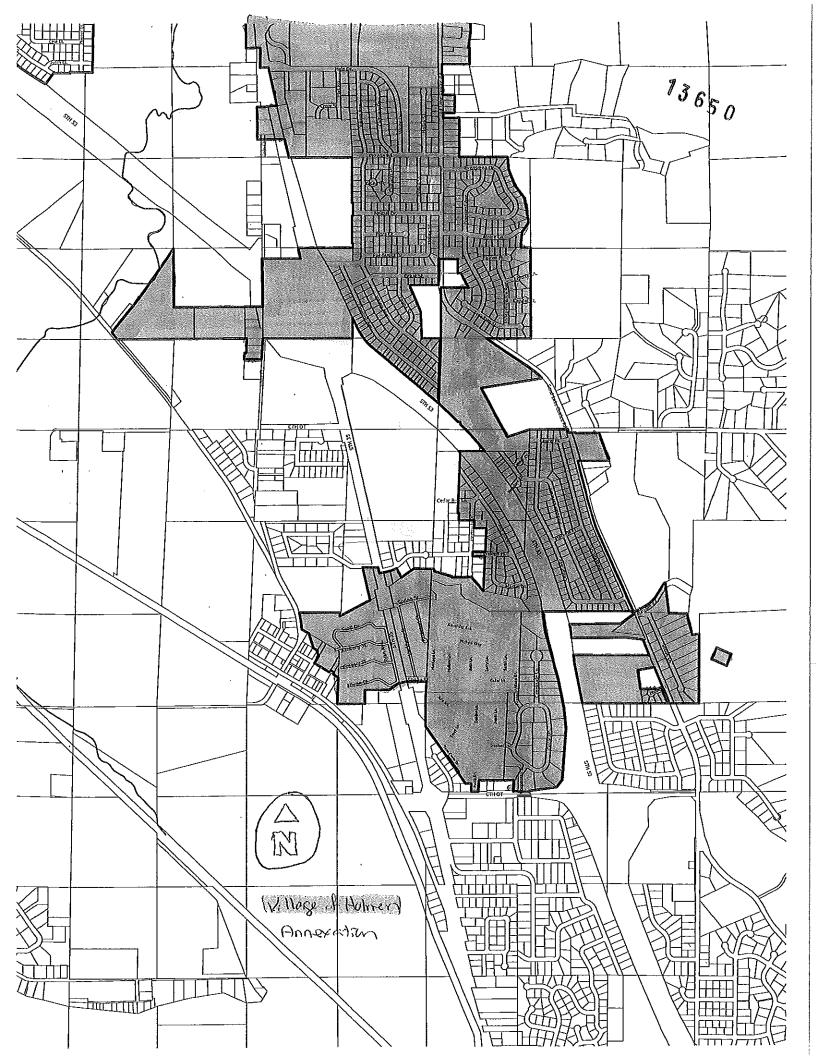
DESCRIPTION

Part of the NE1/4 of the SE1/4, and part of the SE1/4 of the NE1/4, and part of the SW1/4 of the NE1/4, and part of the NW1/4 of the NE1/4, and part of the NE1/4 of the NE1/4 of Section 19, T17N, R7W, described as follows: Commencing at the East Quarter Corner of Section 19, T17N, R7W, as the point of beginning of this description; Thence SO2°37′04″W, 300.00 feet along the east line of the NE1/4 of the SE1/4 of said Section 19, to the northeast corner of the recorded subdivision plat of WALDEN ACRES ADDITION; Thence S89°55'23"W, 907.73 feet along the north line of WALDEN ACRES ADDITION, and the westerly extension thereof, to the centerline of State Road 35; Thence N12°58'06"W, 2534.15 feet along said centerline, to the southwesterly right-of-way line of U.S. Highway 53; Thence N75°06'26"W, 688.75 feet along said southwesterly right-of-way line; Thence N74°44'41"W, 86.43 feet along said southwesterly right-of-way line; Thence N40°43'52"W, 363.20 feet along said southwesterly right-ofway line, to the north line of the NW1/4 of the NE1/4 of Section 19, T17N, R7W; Thence S89°53'10"E, 1270.45 feet along said north line, to the northeast corner of the NW1/4 of the NE1/4 of Section 19, T17N, R7W; Thence S02°20'03"W, 514.53 feet along the east line of the NW1/4 of the NE1/4 of said Section 19, to the southerly right-of-way line of U.S. Highway 53; Thence S62°49'27"W, 152.04 feet along said southerly right-of-way line, to the easterly right-of-way line of State Road 35; Thence S12°56'16"E, 98.17 feet along said right-of-way line; thence S77°01'54"W, 30.00 feet along said right-ofway line; Thence S12°58'06"E, 2007.56 feet along said easterly right-of-way line of State Road 35, to the south line of the SE1/4 of the NE1/4 of Section 19, T17N, R7W; Thence N89°55'23"E, 918.61 feet along said south line, to the East Quarter Corner of Section 19, T17N, R7W, and the point of beginning of this description.

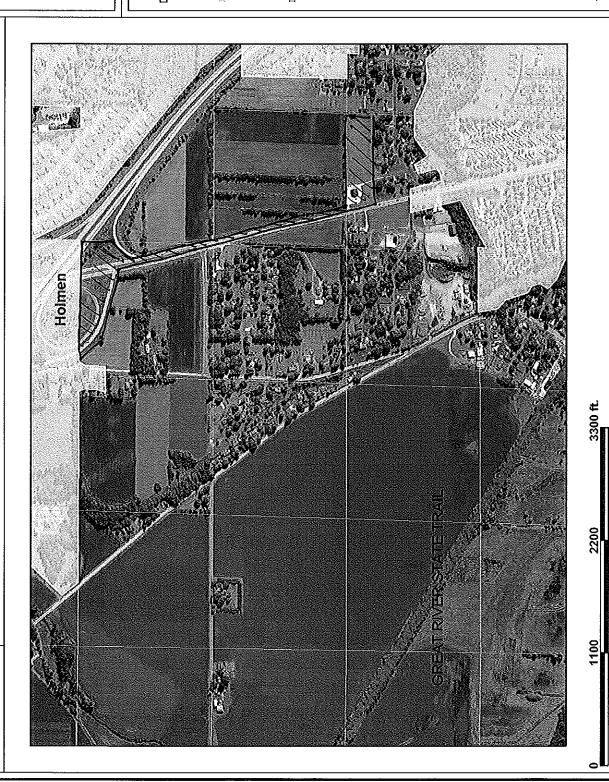
Drafted By: Richard A. Berg PLS #1213



04



annex 13650



Legend
County Boundaries
PLSS Q-Q Sections
Civil Towns
Civil Towns
Cities and Villages
Village
City
DNR Managed Lands
Fee

(1)

Scale: 1:11,267

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

Township Nº 17N; Range Nº 7 West, A.38.72 1.40 A. 160. A. 160. A. 160. A. 160 a too. Sen8. 1.37.19 238.12 À. 160 1.39.18 \$40.18: Sec.16. 240.15 **~4**, 260. 1.41.12 Sec. 21. 1.38.29 KHHEX



SCOTT WALKER GOVERNOR MIKE HUEBSCH SECRETARY

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/

January 22, 2013

PETITION FILE NO. 13650

SCOTT HEINIG, CLERK VILLAGE OF HOLMEN PO BOX 158 HOLMEN, WI 54636 SUE SCHULTZ, CLERK TOWN OF ONALASKA W7052 SECOND ST ONALASKA, WI 54650

Subject: APOSTOLIC LIFE CHURCH ANNEXATION

Section 66.0217 (6), Wis. Stats., provides that the annexation of lands to cities and villages within a county having a population of 50,000 or more shall be reviewed by the Department of Administration in order to determine if the proposed annexation is in the public interest or against the public interest. The proposed annexation from the Town of ONALASKA to the Village of HOLMEN (see attached description) must be reviewed pursuant to the statute.

To assist us in making this determination, we urge that you promptly supply the data requested on the enclosed questionnaire (where possible) and return the questionnaire to the department.

The purpose of this questionnaire is to assist the department in determining "Whether the governmental services, including zoning, to be supplied to the territory could clearly be better supplied by the town...."

The statute further stipulates that the department shall study the "shape of the proposed annexation and the homogeneity of the territory with the annexing municipality." In addition, we would appreciate receiving from you any comments or information bearing on governmental services or shape and homogeneity that would indicate whether the annexation is in or against the public interest.

Please return the questionnaire as soon as possible so that the information can be reviewed prior to the department's statutory deadline of February 11, 2013. Direct any questions and comments to Erich Schmidtke at (608) 264-6102. Thank you for your cooperation.

For additional information on annexation or other land use issues, visit our web site at http://doa.wi.gov/municipalboundaryreview/.

Sincerely,

Erich Schmidtke

Enclosures

REAL PROPERTY LISTERS ANNEXATION REVIEW

1. Territory to be annexed:	From Town of:	To City/Village of:
Holmen Apostolic Church	Town of Onalaska	Village of Holme
2. Checklist: (Y) Yes; (N) No; (NA) Not ap	plicable; (NC) Not checked	
Location and Position		
(1) A clear, concise description by govern	ment lot, recorded private claim, ¼ - ¼ section	, section, township, range and county.
(2) Alignment with orthophotography.		
(3) Contiguous with existing village/city bo	oundaries. by corridor on Plu	J
No (4) Creates an island area in Township (co		
No (5) Creates an island area in City (complet	tely surrounded by town).	
Description Information		
(1) New metes and bounds description. (1) New metes and bounds description. (2) (3) Closure within 1:3000. (3) (4) Commences with a corner of the cor		
	ptions ed plat or Certified Survey Map, by lot(s) and c iptions from existing surveys not on the same b	
Map Information		
N(C_(1) Previously recorded bearings and dista	ances if different and reference document.	
Yes (2) Section, 1/4 and 1/4-1/4 section lines 1	abeled.	
YES (3) Identify owner(s) of annexed land.	ax foll Shows. Holmen A	postolic Church
Yes (3) Identify owner(s) of annexed land. To Yes (4) Identify PIN numbers included in annexed (5) Identify PIN numbers being split by an Yes (6) North arrow.	not Apostolic lite (exation, -Did not Show pin)	#5 for Road R/W
(5) Identify PIN numbers being split by an	mexation Did not show Road	R/W's pin numbers
Yes (6) North arrow.	being Spl. t	
Ves (7) Scale	v	
Yes (8) Streets and road shown and identified.		
WA (9) Legend		
MA (10) Curve data.	•	

Meander line data.

No (12) Total area/acreage of annexation.

VES (13) Annexation to centerline of all streets and highway

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

Prepared by: Title:

Phone: Date:

Please RETURN PROMPTLY to:

Municipal Boundary Review 101 E. Wilson Street, 10th Floor Madison, WI 53702-0001

(608) 264-6102 (608) 267-6917 FAX

ANNEXATION REVIEW QUESTIONNAIRE WISCONSIN MUNICIPAL BOUNDARY REVIEW

1. Territory to be annexed:	From: TOWN OF ONALASKA	To: VILLAGE OF HOLMEN
2. Area (Acres): 20.5 Approx	x. Equalized (full) value: Land:\$	Improvements:\$
a. Annual town property tax on to to be annexed: b. Total that will be paid to Town (annual tax multiplied by 5 years. Paid by: Petitioner City/Village (content of the paid to Town)	rritory a. Title of bound b. Year adopted c. Participating j	urisdictions
4. Approximate present land use of te Undeveloped:% Commercial:% Industrial:%	rritory: Residential	Resident Population: Electors: O Total: O
5. If territory is undeveloped, what is t Commercial:% Industrial:% Comments:	ne anticipated use? Residential <u>\UD</u> % ((Recreational%	Church) Other:
6. Has a preliminary or final p 7. What is the nature of land use adjantation with a point of land use adjantation of		lage?:
,	ercial and residential	
8. What are the basic service needs the Sanitary sewer Water supply Storm sewers Other	Police/Fire protection	

ANNEXATION REVIEW QUESTIONNAIRE WISCONSIN MUNICIPAL BOUNDARY REVIEW

1. Territory to be annexed: 10 - 445-0	From: TOWN OF ONAL	NSKA	To: VILLAGE OF HO	OLMEN
2. Area (Acros): 20.5 Appro	ox. Equalized (full) val	ne: Land:\$ 0	Improvements:\$	0
3. Property Tax Payments	OR	Boundary A	Agreement (circle	e one)
 a. Annual town property tax on to be annexed:	b. c.	Title of boundary Year adopted Participating juri	agreementisdictions	
City/Village (e Other	pirele one) d.	Statutory authority 66.0307		66.0301
4. Approximate present land use of t	erritory:		Resident	Population:
Undeveloped:% Commercial:% Industrial:%	Residential Recreational Church	% %	Electo Total:	ors: <u>0</u>
5. If territory is undeveloped, what is	the anticipated use?	****	•	
Commercial:% Industrial:%	Residential Recreational		Other	<u>.</u>
Comments:			·•· •	
6. Has a preliminary or final	plat been submitted to	the Plan Commissi	on: Yes K No	
7. What is the nature of land use adj	acent to this territory is	n the city or village	e7: ´	
In the town?: Chuych				
8. What are the basic service needs the	nat precipitated the requ	test for annexation	1?	
Sanitary sewer Water supply Storm sewers Other	Police/Fire prote EMS Zoning	ection	······································	

9. Is tl	ne city/village or town capable of providing needed utilit City/VillageYesNo. Town	y services? YesNo		
		<u>ewers</u> immediately 1 number of years.	City/Village	Town
		oply immediately, i number of years.		
схр	ll provision of sanitary sewers and/or water supply to the enditures (i.e. treatment plant expansion, new lift station (esNo. If yes, identify the nature of the anticipated in	s, interceptor sewers, well	ls, water storage facilit	ics)?
10. Pe	arks and Recreation:		#A ## 1949 A P A	•
		rogram appropriation: \$_	25,000	
	Describe proximity of parks from annexation territory:			
	1 VVIICE			
	Chools: What school district(s) serve the territory to be annexed	17 Holmen Sc	hool Distr	<u>ict</u>
12. PI	anning: 1. Do you have a comprehensive plan for the City/Vill If yes, when was it prepared? 2005 Who prepared the plan?Av	age/Town? Vcs N When Updated? N		
	2. Annual appropriation for planning? \$ 5	000.00		·
	How is the annexation territory now zoned?	Ag A		
	4. How will the land be zoned and used if annexed?	U		
14 0	ther relevant information and comments bearing upon the	e nublic interest in the an	nevation:	
•	·	, , , , , , , , , , , , , , , , , , ,		
	Title: (10 / V) Phone: (00 / 78 > 110 / 8) Date: 2 \ \(\(\)	lease RETURN PROMP Municipal Boundary Review PO Box 1645 Madison, WI 53701 (608) 264-6102 (608) 264- wimunicipalboundaryreview	6104 FAX	



SCOTT WALKER
GOVERNOR
MIKE HUEBSCH
SECRETARY
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/

February 11, 2013

PETITION FILE NO. 13650

SCOTT HEINIG, CLERK VILLAGE OF HOLMEN PO BOX 158 HOLMEN, WI 54636 SUE SCHULTZ, CLERK TOWN OF ONALASKA W7052 SECOND ST ONALASKA, WI 54650

Subject: APOSTOLIC LIFE CHURCH ANNEXATION

The proposed annexation submitted to our office on January 22, 2013, has been reviewed and found to be against 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 and any other contiguous village or city..." so as unincorporated land transitions to city or village status, the resulting boundaries are rational and easy for jurisdictions and residents to follow. The subject petition is for territory that is not reasonably shaped, and is not directly contiguous to the **VILLAGE OF HOLMEN**.

Based on the petitioner's map and legal description, the subject territory is not contiguous to the Village under the plain language of the annexation statute and interpretative case law. "Contiguity" is a basic tenant of annexation found in s. 66.0217, Wis. Statutes, in order to prevent "leap frog" annexation and reduce crazy-quilt jurisdictional boundaries by facilitating orderly annexation of territory.

In this instance, contiguity of the primary 6 acre parcel owned by Apostolic Life Church is achieved only by including a 1/2 mile long strip of STH 35 road-right-of-way. This configuration is known as a "balloon on a string," and has been determined not to meet the minimum standard for contiguity established by the Wisconsin Supreme Court in *Town of Mt. Pleasant v. City of Racine*, 24 Wis.2d 41, 127 N.W.2d 757 (1964).

The Supreme Court has consistently held that this type of annexation does not coincide with the legislative intent of ch. 66, Wis. Stats., (see Mt. Pleasant v. Racine¹, Town of Fond du Lac v. City of Fond du Lac², and Incorporation of the Town of Pewaukee³) because it creates incoherent boundaries that are difficult for both the City and the Town to administer, for state, federal, and regional jurisdictions to follow, and for local residents and businesses to understand.

The shape of this annexation and its connection to the Village could be greatly improved by including the lands immediately to the north, along with the US Highway 53 right-of-way. Specifically, by including the Southeast and Northeast quarter quarter sections of the Northeast quarter of Section 19, along with the road right-of-way, this annexation could be compact and rational, and no longer an illegal balloon-on-astring annexation.

¹ Mt. Pleasant v. Racine, 24 Wis.(2d) 41 (1964). Town of Fond du Lac v. City of Fond du Lac, 22 Wis.(2d) 533 (1964).

² Town of Fond du Lac v. City of Fond du Lac, 22 Wis.(2d) 533 (1964).
³ Incorporation of the Town of Pewaukee, 186 Wis.(2d) 515 (1994)

Another alternative is for the Village and Town to develop a boundary agreement between themselves to address how this shared boundary line will eventually be made clear, compact, and orderly. Reviewing and approving boundary agreements is another function of this Department, therefore Department staff would be available to answer any questions regarding boundary agreement requirements or process, or any other technical assistance.

In the event that the City chooses to nonetheless adopt an annexation ordinance for this territory as it is currently configured, 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 state 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 Secretary of State. Please file a copy of your annexing ordinance, including a statement certifying the population of the annexed territory. Please also include the MBR number with your ordinance as this assists with record keeping. Your MBR number is: 13650 The address of the Office of the Secretary of State is:

Annexations and Railroads Division of Government Records Office of the Secretary of State PO Box 7848 Madison WI 53707-7848

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

Sincerely.

Erich Schmidtke, Municipal Boundary Review

cc: petitioner