

14042

Kenney Rentals LLC + Kenney & Ellis LLC

14042	Date Sent	Reply	Status
Town Quest	7-27	8/15	
Muni Quest	7-27		
Prop. Lister			

TOWN OF FENNIMORE
CITY OF FENNIMORE
08/16/2017

OK 8/15/17

Request for Annexation Review

14042

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: **KENNEY RENTALS, LLC AND KENNEY & ELLIS, LLC**

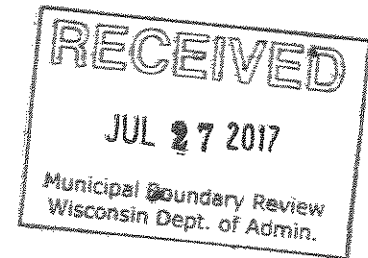
Address: **C/O THOMAS G. KENNEY**

P. O. BOX 81

FENNIMORE, WI 53809

Email: **TOMKENNEY@EMCCONTROLS.COM**

Office use only:



1. Town where property is located: **FENNIMORE**

2. Petitioned City or Village: **FENNIMORE**

3. County where property is located: **GRANT**

4. Population of the territory to be annexed: **0**

5. Area (in acres) of the territory to be annexed: **.36**

6. Tax parcel number(s) of territory to be annexed
(if the territory is part or all of an existing parcel): **016-00394-0000**

Petitioners phone:

608-778-4803

Town clerk's phone:

608-822-6841

City/Village clerk's phone:

608-822-6119

Contact Information if different than petitioner:

Representative's Name and Address:

Surveyor or Engineering Firm's Name & Address:

Phone:

Phone:

E-mail:

E-mail:

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]

Annexation Review Fee Schedule

A Guide for Calculating the Fee Required by ss.16.53 (4) and 66.0217, Wis. Stats.

Required Fees

There is an initial filing fee and a variable review fee

\$200 Initial Filing Fee (required with the first submittal of all petitions)

\$200 – 2 acres or less

\$350 – 2.01 acres or more

\$200 Review Fee (required with all annexation submittals except those that consist ONLY of road right-of-way)

\$200 – 2 acres or less

\$600 – 2.01 to 10 acres

\$800 – 10.01 to 50 acres

\$1,000 – 50.01 to 100 acres

\$1,400 – 100.01 to 200 acres

\$2,000 – 200.01 to 500 acres

\$4,000 – Over 500 acres

\$400 TOTAL FEE DUE (Add the Filing Fee to the Review Fee)

Attach check or money order here, payable to: **Department of Administration**

**THE DEPARTMENT WILL NOT PROCESS
AN ANNEXATION PETITION THAT IS NOT ACCOMPANIED
BY THE REQUIRED FEE.**

**THE DEPARTMENT'S 20-DAY STATUTORY REVIEW PERIOD
COMMENCES UPON RECEIPT OF THE PETITION AND REVIEW FEE**

Shaded Area for Office Use Only

Date fee received: 7-27-17

Payee: City of Fennimore

Check Number: 33344

Check Date: 7-24-17

Amount: 400⁰⁰

s. 66.0217 (5) THE PETITION

- ☒ State the purpose of the petition:
- Direct annexation by unanimous approval; OR
 - Direct annexation by one-half approval; OR
 - Annexation by referendum.
- ☒ Petition must be signed by:
- All owners and electors, if by unanimous approval.
 - See 66.0217 (3) (a), if by one-half approval.
 - See 66.0217 (3) (b), if by referendum.
- ☒ State the population of the land to be annexed.

[It is beneficial to include Parcel ID or Tax numbers, the parcel area, and identify the annexee (Town) and annexor (Village or City) in the petition.]

s. 66.0217 (1) (c) THE DESCRIPTION

☒ The annexation petition must include a legal description of the land to be annexed. 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 by:

- Aliquot part;
- Reference to any other document (plat of survey, deed, etc.);
- Exception or Inclusion;
- Parcel ID or tax number.

s. 66.0217 (1) (g) THE MAP

☒ The map shall be an *accurate reflection* of the legal description of the parcel being annexed. 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 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 annexed.

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

s. 66.0217 FILING

☒ The petition must be filed with the Clerk of the annexing City or Village and with the Clerk of the Town in which the land is located.

☐ If the annexation is by one-half approval, or by referendum, the petitioner must post notice of the proposed annexation as required by s. 66.0217 (4).

☒ If the lands being annexed are within a County of 50,000 or greater population, the petition must also be filed with the Department of Administration for review

[Note that no municipality within a County of 50,000 or greater population may enact an annexation ordinance prior to receiving a review determination from the Department of Administration.]

CITY OF FENNIMORE

"The City On The Move!"

860 Lincoln Avenue, P.O. Box 17 ~ Fennimore, WI 53809-0017

Website: www.fennimore.com ~ Fax (608) 822-6007



City Clerk - Treasurer
Zoning Administrator
(608) 822-6119
cityclerk@fennimore.com

Director of Public Works
(608) 822-6501
dpw@fennimore.com

Fennimore Utilities
Business Office
(608) 822-6110
utilityclerk@fennimore.com

July 24, 2017

Wisconsin Department of Administration
Municipal Boundary Review
101 E. Wilson Street, 9th Floor
Madison, WI 53703

RE: City of Fennimore/Town of Fennimore Annexation

Dear Madam or Sir:

Enclosed please find an annexation review request related to an annexation petition filed with the City of Fennimore.


The purpose of this annexation relates to the petitioners' planned sale of the property to be annexed to a commercial developer. The City of Fennimore is working with the developer to eliminate blight by developing this real estate and adjoining real estate.

In 2016, a petition for annexation was filed by Rollo Govier (Petition ID #13980) and that annexation was determined to be in the public interest. As the annexation of this parcel is part of the same project, the City anticipates that the same determination will be made.

If you have any questions, please do not hesitate to contact me.

By copy of this letter, a copy of the review request form, petition and map are being mailed this date to Ms. Rhonda Hubbard, Town Clerk of the Town of Fennimore. Thank you.

Sincerely,


Margaret Sprague, City Clerk

Enclosures

cc: Ms. Rhonda Hubbard, 14452 Ideal Road, Fennimore, WI 53809

PETITION FOR ANNEXATION

TO: The City Clerk of the City of Fennimore, Grant County, Wisconsin and

TO: The Town Clerk of the Town of Fennimore, Grant County, Wisconsin:

The undersigned, constituting 100% of the owners of and electors residing in the following described territory located in the Town of Fennimore, Grant County, Wisconsin, lying contiguous to the City of Fennimore, petition the Common Council of the City of Fennimore to annex the territory described below and shown upon the attached map as permitted under Wis. Stat. sec. 66.0217(2), to the City of Fennimore, Grant County, Wisconsin.

The Territory proposed to be annexed is particularly described as follows:

Part of the Southwest Quarter (S.W.1/4) of the Southeast Quarter (S.E.1/4) of Section Eighteen (18), Township Six (6) North, Range Two (2) West of the 4th P.M., Grant County, Wisconsin, described as follows:

Commencing at a point 143 feet North and 333 feet East of the Southwest corner of the S.W.1/4 of the S.E.1/4 of Section 18, T6N, R2W of the 4th P.M., Grant County, Wisconsin;
thence running North 130 feet;
thence East 120 feet;
thence South 130 feet;
thence West 120 feet to the place of beginning.

Parcel contains .36 acres, more or less. ✓

This petition is executed in duplicate for filing one copy with the City Clerk of the City of Fennimore, Grant County, Wisconsin, and one copy with the Town Clerk of the Town of Fennimore, Grant County, Wisconsin. **Attached to each copy is a scale map showing the boundary of the above-described property and showing the relationship of such territory to the City of Fennimore, Grant County, Wisconsin.**

There are -0- persons residing in the territory.

Dated this 14th day of July 2017.

KENNEY RENTALS, LLC

By:

Kelley Adam
Kelley Adam, Member

Jason Kenney
Jason Kenney, Member

Kevin Kenney
Kevin Kenney, Member

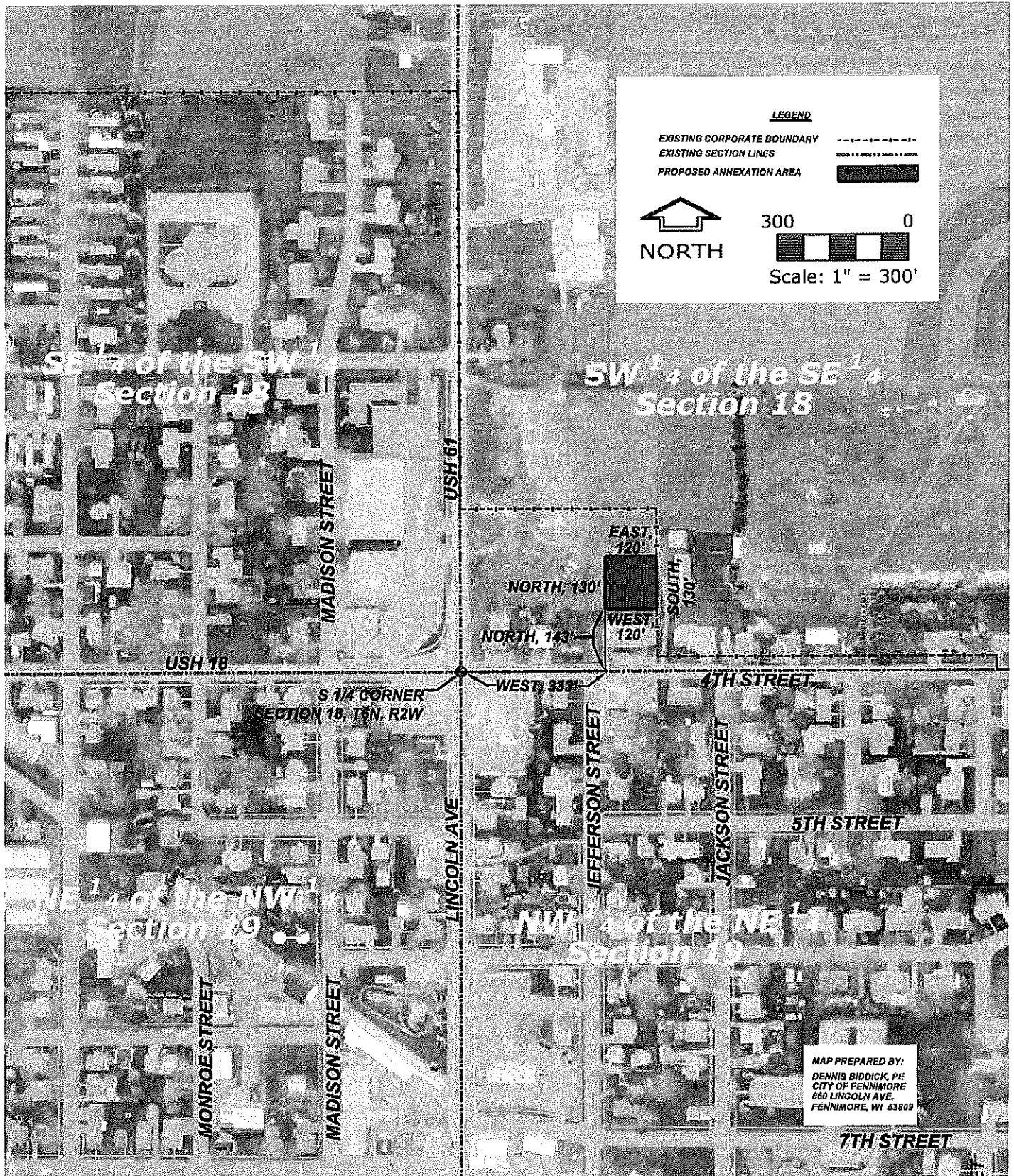
KENNEY & ELLIS, LLC

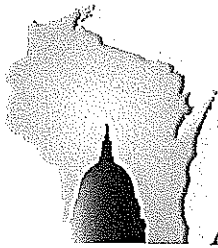
By:

Thomas Kenney
Thomas Kenney, Sole Member

****All owners and residents (if any) of the territory to be annexed must sign. If the owner is a business entity, all appropriate officers or members of the business entity must sign.**

ANNEXATION MAP





**WISCONSIN DEPARTMENT OF
ADMINISTRATION**

SCOTT WALKER

GOVERNOR

SCOTT A. NEITZEL

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/>

July 27, 2017

PETITION FILE NO. 14042

MARGARET SPRAGUE, CLERK
CITY OF FENNIMORE
860 LINCOLN AVE
FENNIMORE, WI 53809

RHONDA HUBBARD, CLERK
TOWN OF FENNIMORE
14452 IDEAL RD
FENNIMORE, WI 53809

Subject: KENNEY RENTALS LLC + KENNEY & ELLIS LLC 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 FENNIMORE to the CITY OF FENNIMORE (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 August 16, 2017. 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: Part SW SE Section 18	From Town of: Fennimore	To City/Village of: Fennimore
--	----------------------------	----------------------------------

2. Checklist: (Y) Yes; (N) No; (NA) Not applicable; (NC) Not checked

Location and Position

__Y__ (1) Location description by government lot, recorded private claim, ¼ - ¼ section, section, township, range and county

__Y__ (2) Contiguous with existing village/city boundaries

__N__ (3) Creates an island area in Township (completely surrounded by city)

__N__ (4) Creates an island area in City (completely surrounded by town)

Petition and Map Information

__Y__ (1) Identify owner(s) of annexed land

__N__ (2) Identify parcel ID numbers included in annexation.

__NA__ (3) Identify parcel ID numbers being split by annexation

__Y__ (4) North arrow

__Y__ (5) Graphic Scale

__Y__ (6) Streets and Highways shown and identified

__Y__ (7) Legend

__Y__ (8) Total area/acreage of annexation

3. Other relevant information and comments:

Prepared by: Tammy Hampton_____
 Title: Real Property Specialist_____
 Phone: 608-723-2666_____
 Date: 8-1-17_____

Please **RETURN PROMPTLY** to:
 Municipal Boundary Review
 PO Box 1645
 Madison WI 53701
 (608) 264-6102 FAX (608) 264-6104
wimunicipalboundaryreview@wi.gov

Annexation Review Questionnaire

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: **Kenney Rentals LLC + Kenney & Ellis LLC**

Petition Number: **14042**

1. Territory to be annexed: **From TOWN OF FENNIMORE To CITY OF FENNIMORE**

2. Area (Acres): **36**

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. Year adopted _____

b. Total that will be paid to Town

(annual tax multiplied by 5 years): _____

c. Participating jurisdictions _____

c. Paid by: ☐ Petitioner ☒ City ☐ Village

d. Statutory authority (pick one)

☐ s.66.0307 ☐ s.66.0225 ☐ s.66.0301

☐ Other: _____

4. Resident Population: Electors: **0** Total: **0**

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

Residential: _____% Recreational: _____% Commercial: _____% Industrial: _____%

Undeveloped: **100** %

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

Residential: _____% Recreational: _____% Commercial: **100** % Industrial: _____%

Other: _____%

Comments: **part of project related to Govier Annexation (Petition ID # 13980)**

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

Plat Name: **com to be done by city as part of TIF project**

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

CD-4 Highway Commercial

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 **blight elimination - TIF project**

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.

☒ for 2017 sale to developer, spring construction
_____ ☐ _____

Water Supply immediately
or, write in number of years.

☒ for 2017 sale to developer, spring construction
_____ ☐ _____

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

Water and sewer main extensions part of
TIF project

If yes, identify the nature of the anticipated improvements and their probable costs: _____

11. Planning:

a. Do you have a comprehensive plan for the City/Village/Town?

☒ Yes ☐ No

joint City/
Township

Is this annexation consistent with your comprehensive plan?

☐ Yes ☒ No

Describe: Plan Commission / Community Development Authority in process of
updating comprehensive plan - joint with Township

b. Annual appropriation for planning? \$ 7,000

c. How is the annexation territory now zoned? _____

d. How will the land be zoned and used if annexed? Commercial

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

City of Fennimore is working with Vierbicher Associates to create TIF
District for this property and adjoining lots to create building site for
current grocery store owner. Current grocery store site is under sized.
New store to be more than double current store size. New site to be approx

Prepared by: ☐ Town ☒ City ☐ Village

Name: Margaret Sprague

Email: cityclerk@fennimore.com

Phone: 608-822-6119

Date: 8/1/2017

Please **RETURN PROMPTLY** to:

wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

Annexation Review Questionnaire

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: **Kenney Rentals LLC + Kenney & Ellis LLC**

Petition Number: **14042**

1. Territory to be annexed: From **TOWN OF FENNIMORE** To **CITY OF FENNIMORE**

2. Area (Acres): **36**

3. Pick one: ☒ Property Tax Payments

OR ☐ Boundary Agreement

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

\$ **42.67**

a. Title of boundary agreement _____

b. Year adopted _____

b. Total that will be paid to Town

(annual tax multiplied by 5 years): **213.35**

c. Participating jurisdictions _____

d. Statutory authority (pick one)

c. Paid by: ☐ Petitioner ☐ City ☐ Village

☐ s.66.0307 ☐ s.66.0225 ☐ s.66.0301

☐ Other: _____

4. Resident Population: Electors: **0** Total: **0**

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

Residential: _____% Recreational: _____% Commercial: _____% Industrial: _____%

Undeveloped: **100** %

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

Residential: _____% Recreational: _____% Commercial: **100** % Industrial: _____%

Other: _____%

Comments: _____

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

Plat Name: _____

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

In the town?: **residential**

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.

Water Supply immediately

☐

☐

or, write in number of years.

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:

a. Do you have a comprehensive plan for the City/Village/Town? ☒ Yes ☐ No

Is this annexation consistent with your comprehensive plan? ☐ Yes ☐ No

Describe: We will be updating our comprehensive plan to make it consistent with the annexation.

b. Annual appropriation for planning? \$? We will be updating the plan with the city. So guessing will pay half of the cost.

c. How is the annexation territory now zoned? _____

d. How will the land be zoned and used if annexed? That will be up to the City of Fennimore

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

Prepared by: ☒ Town ☐ City ☐ Village

Name: Rhonda Hubbard

Email: clerk@fennimorewi.gov

Phone: 608-823-6841

Date: 8/15/2017

Please RETURN PROMPTLY to:

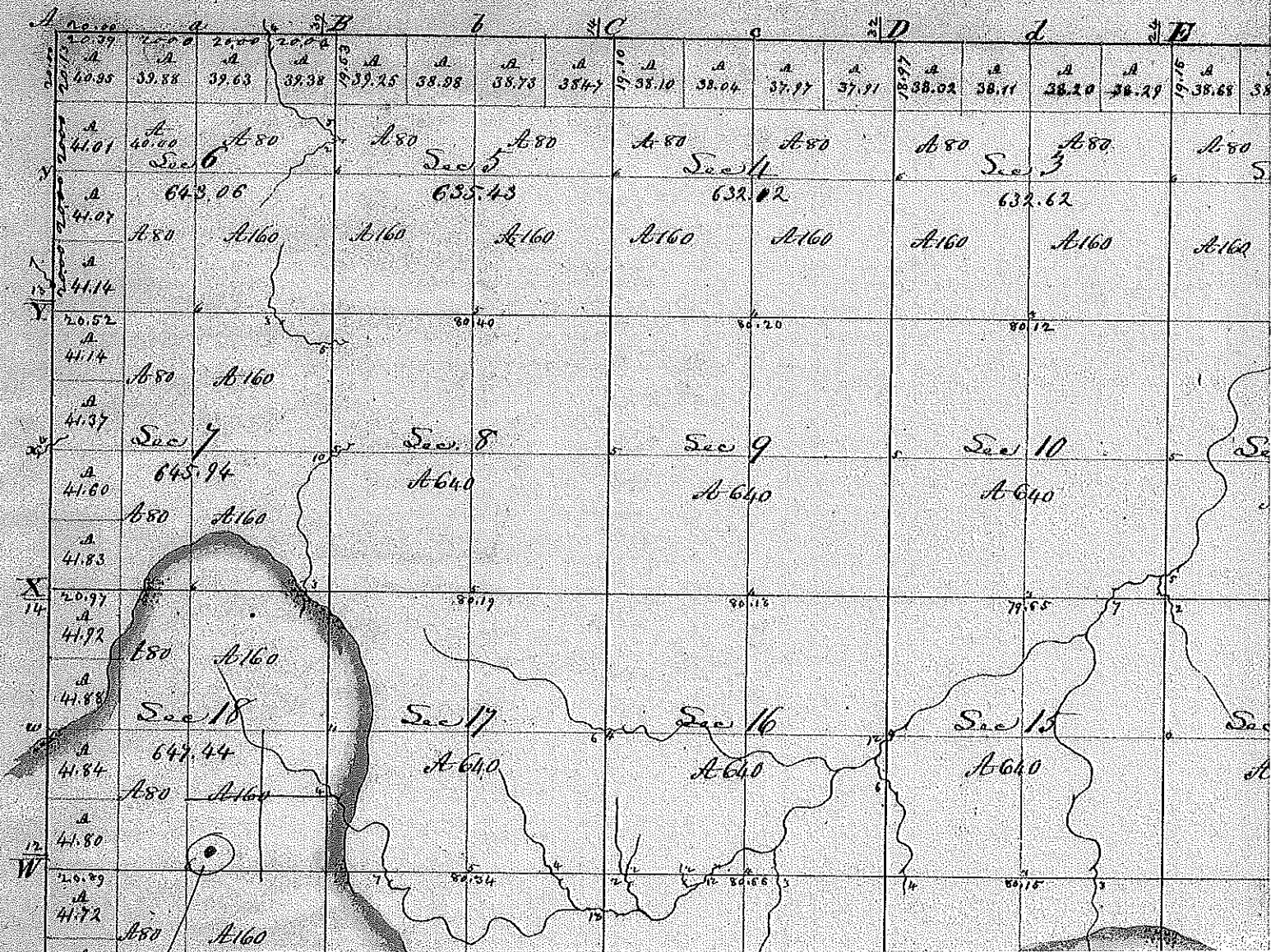
wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

Township N^o 6. Range N^o 2. West



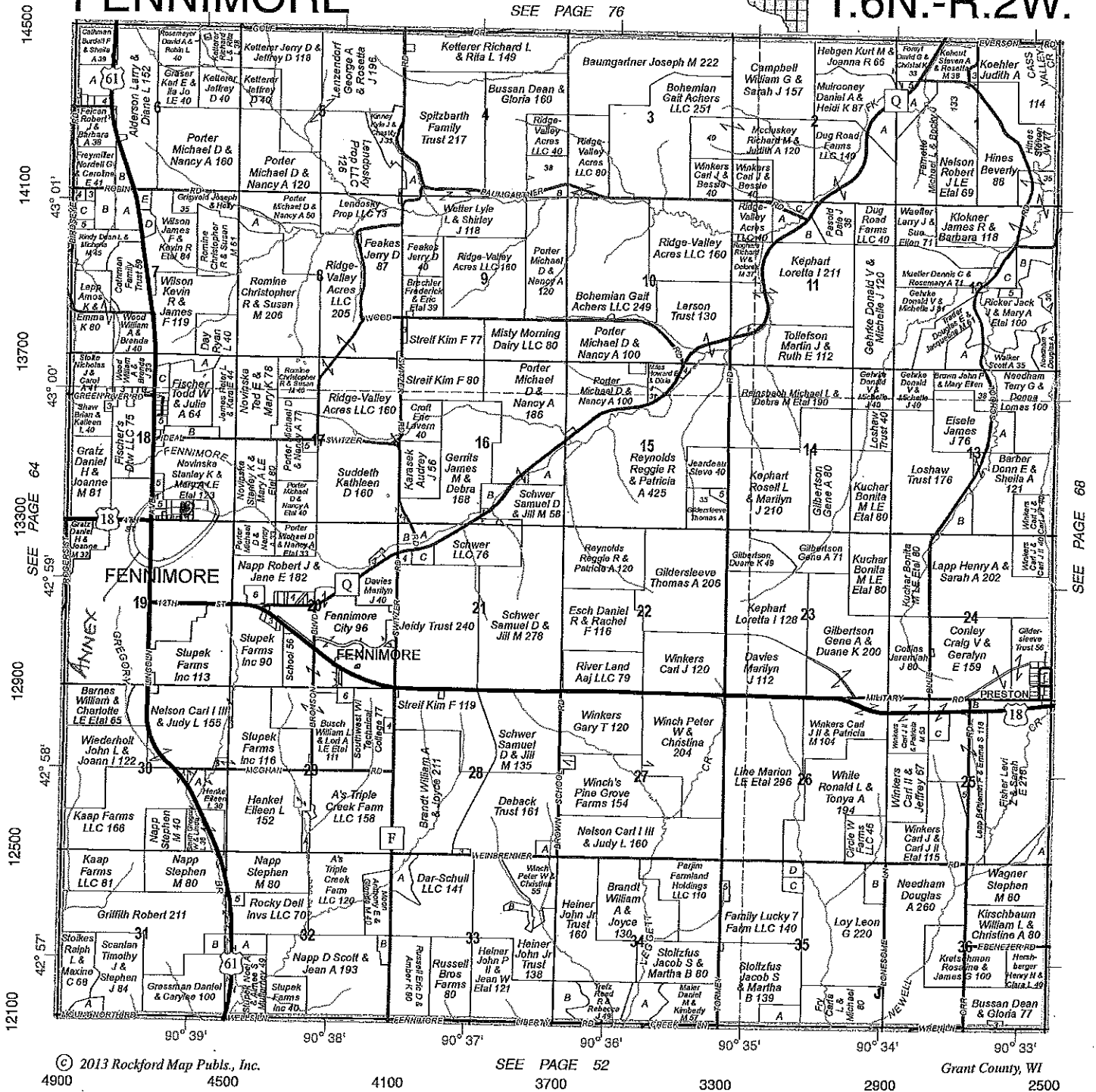
Annex

FENNIMORE

SEE PAGE 76

Refer to page 97 for keyed parcels

T.6N.-R.2W.



BUILDING CENTER, INC.

4427 Hwy. 18 East - Fennimore, WI 53809

John Kohlenberg, Owner

Office: 608/822-3741 • Fax: 822-3740 • Email: jbkjohn@tds.net

www.jimsbuildingcenter.com



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Land Information Explorer Grant County Land Information





**WISCONSIN DEPARTMENT OF
ADMINISTRATION**

SCOTT WALKER
GOVERNOR
SCOTT A. NEITZEL
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/>

August 15, 2017

PETITION FILE NO. 14042

MARGARET SPRAGUE, CLERK
CITY OF FENNIMORE
860 LINCOLN AVE
FENNIMORE, WI 53809

RHONDA HUBBARD, CLERK
TOWN OF FENNIMORE
14452 IDEAL RD
FENNIMORE, WI 53809

Subject: KENNEY RENTALS LLC + KENNEY & ELLIS LLC ANNEXATION

The proposed annexation submitted to our office on July 27, 2017, 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 **CITY OF FENNIMORE**, 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 14042 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=2113>
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner