

14043

Dyann Benson

14043	Date Sent	Reply	Status
Town Quest	7/31		
Muni Quest	7/31	7/18	
Prop. Lister	7/31	8/1	

TOWN OF FOND DU LAC
CITY OF FOND DU LAC
08/21/2017

OK - COMMENT 8/21/17

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

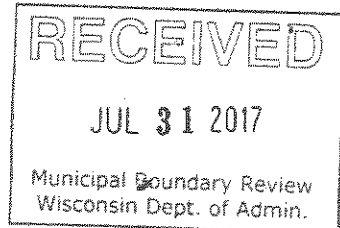
Name: **FOND DU LAC COUNTY**

Address: **160 SOUTH MACY STREET**

FOND DU LAC, WI 54935

Email: **TOM.JANKE@FDLCO.WI.GOV**

Office use only:



1. Town where property is located: **TOWN OF FOND DU LAC**

2. Petitioned City or Village: **CITY OF FOND DU LAC**

3. County where property is located: **FOND DU LAC**

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

5. Area (in acres) of the territory to be annexed: **39.92**

6. Tax parcel number(s) of territory to be annexed

(if the territory is part or all of an existing parcel):

T09-15-17-33-02-001-00 & T09-15-17-33-02-002-00

Petitioners phone:

920-929-3488

Town clerk's phone:

(920) 923-1327

City/Village clerk's phone:

(920) 322-3433

Contact Information if different than petitioner:

Representative's Name and Address:

DYANN BENSON

CITY OF FOND DU LAC

PO BOX 150

FOND DU LAC, WI 54936-0150

Phone: **(920) 322-3440**

E-mail: **DBENSON@FDL.WI.GOV**

Surveyor or Engineering Firm's Name & Address:

FOND DU LAC COUNTY SURVEYOR

FOND DU LAC COUNTY HWY

COMMISSION

301 DIXIE STREET

FOND DU LAC, WI 54935

Phone: **(920) 929-3492**

E-mail:

PETER.KUEN@FDLCOUNTY.WI.GOV

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

\$350 Initial Filing Fee (required with the first submittal of all petitions)

\$200 – 2 acres or less

\$350 – 2.01 acres or more

\$800 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

\$1150 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

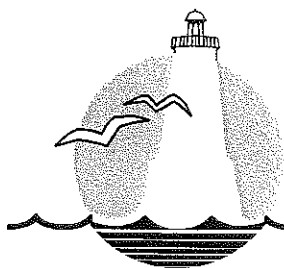
Date fee received: 7-31-17

Payee: Fond du Lac County

Check Number: 329845

Check Date: 7-27-17

Amount: 1150.00



City of Fond du Lac

First on the Lake

Website: www.fdl.wi.gov

City-County Government Center
160 S. Macy Street~P.O. Box 150~Fond du Lac, WI 54936-0150

July 28, 2017

WI Dept. Of Administration
Municipal Boundary Review
101 E Wilson Street, 9th Floor
Madison, WI 53703

Patti Supple, Clerk
Town of Fond du Lac
N5256 County Road V
Fond du Lac, WI 54937

Moraine Park Technical College
Mike Miller, Secretary
235 North National Avenue
Fond du Lac, WI 54935

Fond du Lac School District
72 West 9th Street
Fond du Lac, WI 54935

Re: Direct Annexation: Fond du Lac County

Dear Ladies and Gentlemen:

On behalf of and at the request of the petitioner I am forwarding herewith a copy of their petition in accordance with the provisions of s. 66.0217 (2), Wisconsin Statutes.

Should you have any questions regarding the annexation, you may call the Planning Department at 920-322-3440.

Margaret Hefter
City Clerk

Attachments

cc: Shelia Ruhland, Ph.D., President Moraine Park Technical College
Dr. James Sebert, Superintendent Of Schools
Dyann Benson, Director of Community Development

PETITION FOR DIRECT ANNEXATION

To: City Council
City of Fond du Lac, Wisconsin

We, the undersigned electors and/or landowners, pursuant to Chapter 66 of the Wisconsin Statutes, respectfully petition the City of Fond du Lac for direct annexation to the City of Fond du Lac of the following described territory which is presently in the Town of Fond du Lac, Fond du Lac County, Wisconsin.

Legal Description of Territory to be Annexed

See Exhibit A

A scale map of the territory to be annexed is attached hereto and marked Exhibit A.

In support of this petition, the petitioners say to the City Council:

1. The total number of residents in the territory proposed to be annexed is 0.
2. Your petitioners constitute the owners of all of the land in area within such territory, and in assessed value.
3. There is 0 dwelling unit(s) on the property being annexed.
4. The area will be located in the 29th Ward of the City upon annexation.

We, the undersigned, elect that this annexation shall take affect to the full extent consistent with outstanding priorities of other annexations, incorporation or consolidation proceedings, if any.

We, the petitioners herein, do affirm that we have filed a copy of this petition with the Town Clerk of the town in which this territory is located, together with a scale map of such territory and that within five (5) days of the filing of this petition we will mail a copy of said scale map and description of such territory to be annexed to the State of Wisconsin Department of Administration.

We further respectfully request that the subject property be zoned M-1.

SIGNATURE

DATE

OWNER

ELECTOR

Allen Buechel7/21/17X

Allen Buechel,
Fond du Lac County Executive

160 South Macy Street
ADDRESS

Fond du Lac, WI 54935
CITY, STATE, ZIP CODE

NAME

ADDRESS

CITY, STATE, ZIP CODE

NAME

ADDRESS

CITY, STATE, ZIP CODE

NAME

ADDRESS

CITY, STATE, ZIP CODE

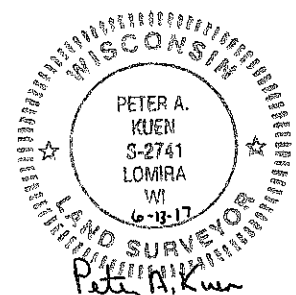
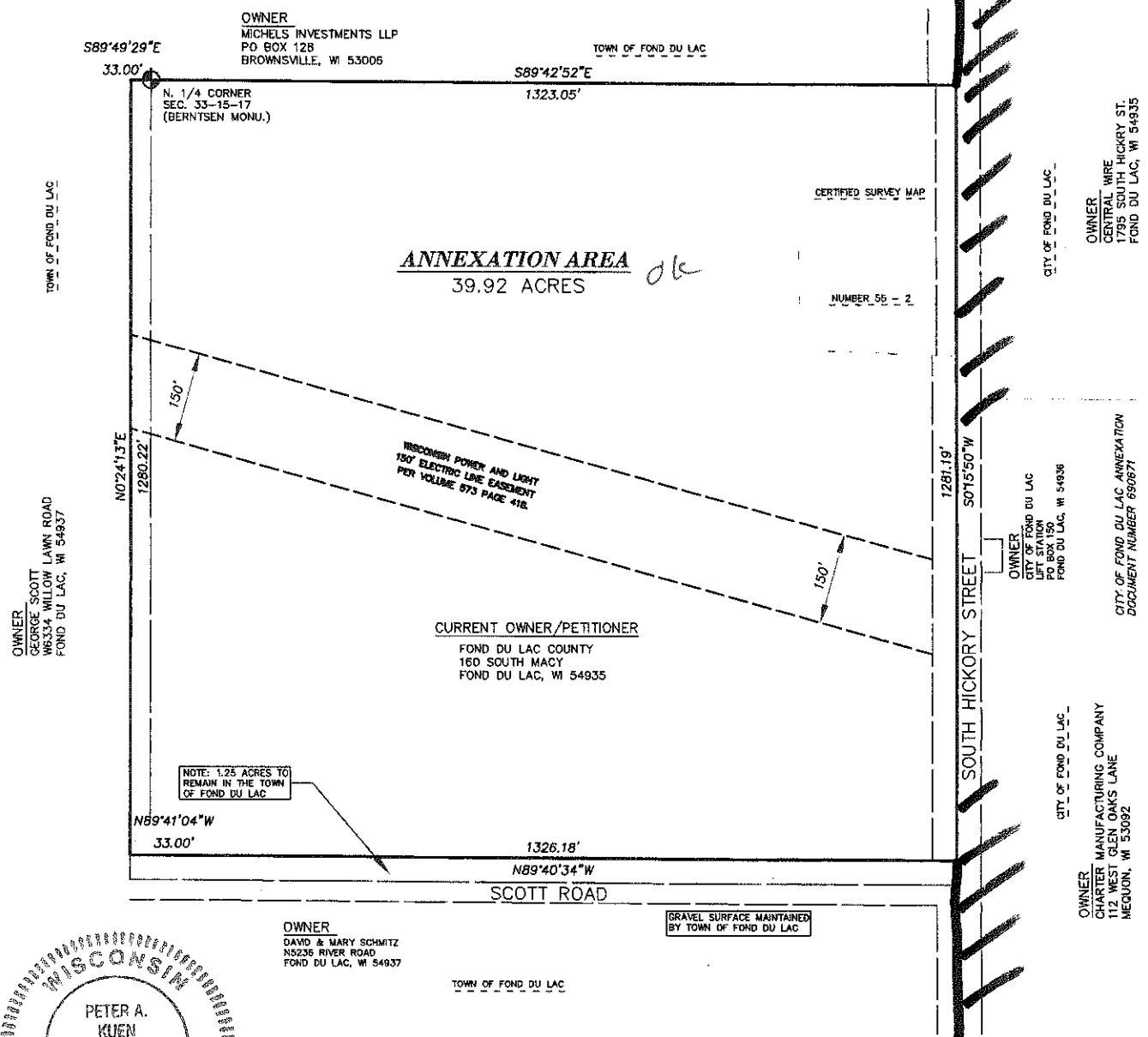
NAME

ADDRESS

CITY, STATE, ZIP CODE

ANNEXATION MAP

A PARCEL OF LAND BEING CERTIFIED SURVEY MAP NUMBER 55 OF VOLUME 2 OF CERTIFIED SURVEY MAPS PAGES 55 AND 55A AND ALSO PART OF THE N.W. 1/4 OF THE N.E. 1/4 AND PART OF THE N.E. 1/4 OF THE N.W. 1/4, ALL IN SECTION 33, TOWN 15 NORTH, RANGE 17 EAST, IN THE TOWN OF FOND DU LAC, FOND DU LAC COUNTY WISCONSIN.



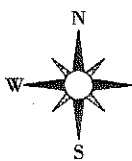
LEGAL DESCRIPTION

A PARCEL OF LAND BEING CERTIFIED SURVEY MAP NUMBER 55 OF VOLUME 2 OF CERTIFIED SURVEY MAPS PAGES 55 AND 55A AND ALSO PART OF THE N.W. 1/4 OF THE N.E. 1/4 AND PART OF THE N.E. 1/4 OF THE N.W. 1/4, ALL IN SECTION 33, TOWN 15 NORTH, RANGE 17 EAST, IN THE TOWN OF FOND DU LAC, FOND DU LAC COUNTY WISCONSIN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

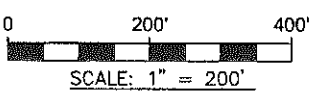
BEGINNING AT THE NORTH 1/4 CORNER OF SAID SECTION 33; THENCE SOUTH 89°42'52" EAST ALONG THE NORTH LINE OF THE N.E. 1/4 OF SAID SECTION, 1323.05 FEET; THENCE SOUTH 00°15'50" WEST ALONG THE EAST LINE OF THE N.W. 1/4 OF THE N.E. 1/4, 1281.19 FEET; THENCE NORTH 89°40'34" WEST 1326.18 FEET; THENCE NORTH 89°41'04" WEST 33.00 FEET; THENCE NORTH 00°24'13" EAST 1280.22 FEET; THENCE SOUTH 89°49'29" EAST ALONG THE NORTH LINE OF THE N.W. 1/4, 33.00 FEET TO THE POINT OF BEGINNING.

PARCEL DESCRIBED CONTAINS 39.92 ACRES MORE OF LESS.

SHEET 1 OF 1
JUNE 13, 2017



BEARINGS ARE REFERENCED TO THE NORTH LINE OF THE N.E. 1/4 OF SECTION 33, WHICH BEARS SOUTH 89°42'52" EAST ACCORDING TO THE FOND DU LAC COUNTY COORDINATE SYSTEM.

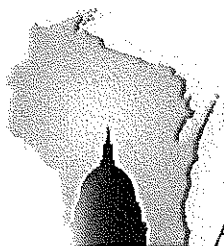


THIS DOCUMENT WAS DRAFTED BY PETER A. KUEN

**FOND DU LAC COUNTY
SURVEYOR**

PETER A. KUEN PLS NO. 2741

FOND DU LAC COUNTY
HIGHWAY COMMISSION
301 DIXIE ST.
FOND DU LAC, WI 54936
(920) 929-3492



**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 31, 2017

PETITION FILE NO. 14043

MARGARET HEFTER, CLERK
CITY OF FOND DU LAC
160 S MACY ST
FOND DU LAC, WI 54936-4241

PATTI S. SUPPLE, CLERK
TOWN OF FOND DU LAC
N5256 COUNTY RD V
FOND DU LAC, WI 54937-9096

Subject: DYANN BENSON 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 FOND DU LAC to the CITY OF FOND DU LAC (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 21, 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

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:

Petition Number:

Fond du Lac County

1. Territory to be annexed: From Town of: **Town of Fond du Lac** To City/Village of: **City of Fond du Lac**

2. Area (Acres): **39.92**

3. Pick one: ☐ Property Tax Payments

OR

☒ Boundary Agreement

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

\$ _____

a. Title of boundary agreement **Please see attached**

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
☐ Other:

d. Statutory authority (pick one)

☐ s. 66.0307

☐ s. 66.0225

☐ s. 66.0301

4. Resident Population: Electors: Total: **43381**

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

Residential: **10%**

Recreational: _____%

Commercial: _____%

Industrial: _____%

Undeveloped: **90%**

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

Residential: _____%

Recreational: _____%

Commercial: _____%

Industrial: _____%

Other: **Government/institutional use**

Comments: **The proposed zoning, M-1, allows for government/institutional use such as a highway garage.**

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? **Manufacturing to the East**

In the town?: **Agricultural**

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 time table for providing service:

Sanitary Sewers immediately
or, write in number of years. _____

City/Village

☒

Town

☐

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:

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

☒ Yes ☐ No

Is this annexation consistent with your comprehensive plan?

☒ Yes ☐ No

Describe: The Comprehensive Plan shows the land use as Manufacturing. The proposed zoning of M-1 Manufacturing allows for government/institutional use. The Zoning Code does not have a separate classification for such uses. The Comprehensive Plan document also references the Intergovernmental Agreement.

2. Annual appropriation for planning? \$ 347897

3. How is the annexation territory now zoned? Farmland Preservation

4. How will the land be zoned and used if annexed? Manufacturing

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

Please see attached.

Prepared by: ☐ Town ☒ City ☐ Village

Name: **Dyann Benson, Community Development Director**

Email: **dbenson@fdl.wi.gov**

Phone: **(920) 322-3440**

Date: **July 18, 2017**

(April 2013)

Please **RETURN PROMPTLY** to:

wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

Annexation Review Questionnaire

3. Boundary Agreement

a. Title of Boundary Agreement: Intergovernmental Agreement Among the City of Fond du Lac and the Towns of Fond du Lac, Empire, Taycheedah, and Friendship and the Respective Town sanitary Districts to Provide for the Orderly Growth and Development within Agreed-Upon Municipal Boundaries

In April 2017, the participating jurisdictions (Town of Byron, Town of Empire, Town of Fond du Lac, Town of Friendship and City of Fond du Lac), approved a Cooperative Plan under Section 66.03.07. Approval from the Department of Administration is pending and anticipated in July 2017.

b. Year Adopted : 1996

c. Participating Jurisdictions: City of Fond du Lac, Town of Fond du Lac, Town of Empire, Town of Taycheedah, Town of Friendship and the Respective Town Sanitary Districts.

d. Statutory authority: s. 66.0301

12. Other Relevant Information

Attached please find a map that shows the territory to be annexed into the City in relation to the municipal boundary. As you can see by the map, the parcel is surrounded by City parcels.

PETITION # _____

REAL PROPERTY LISTERS ANNEXATION REVIEW

1. Territory to be annexed: Part of: T09-15-17-33-02-001-00 and T09-15-17-33-02-002-00	From Town of: Fond du Lac	To <u>City</u> /Village of: Fond du Lac
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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.

N (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

N (7) Legend

Y (8) Total area/acreage of annexation

3. Other relevant information and comments:

No additional notes at this time.

Prepared by: Lisa Vercauteren
Title: GIS Technician
Phone: 920-929-7021
Date: 08/01/2017

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

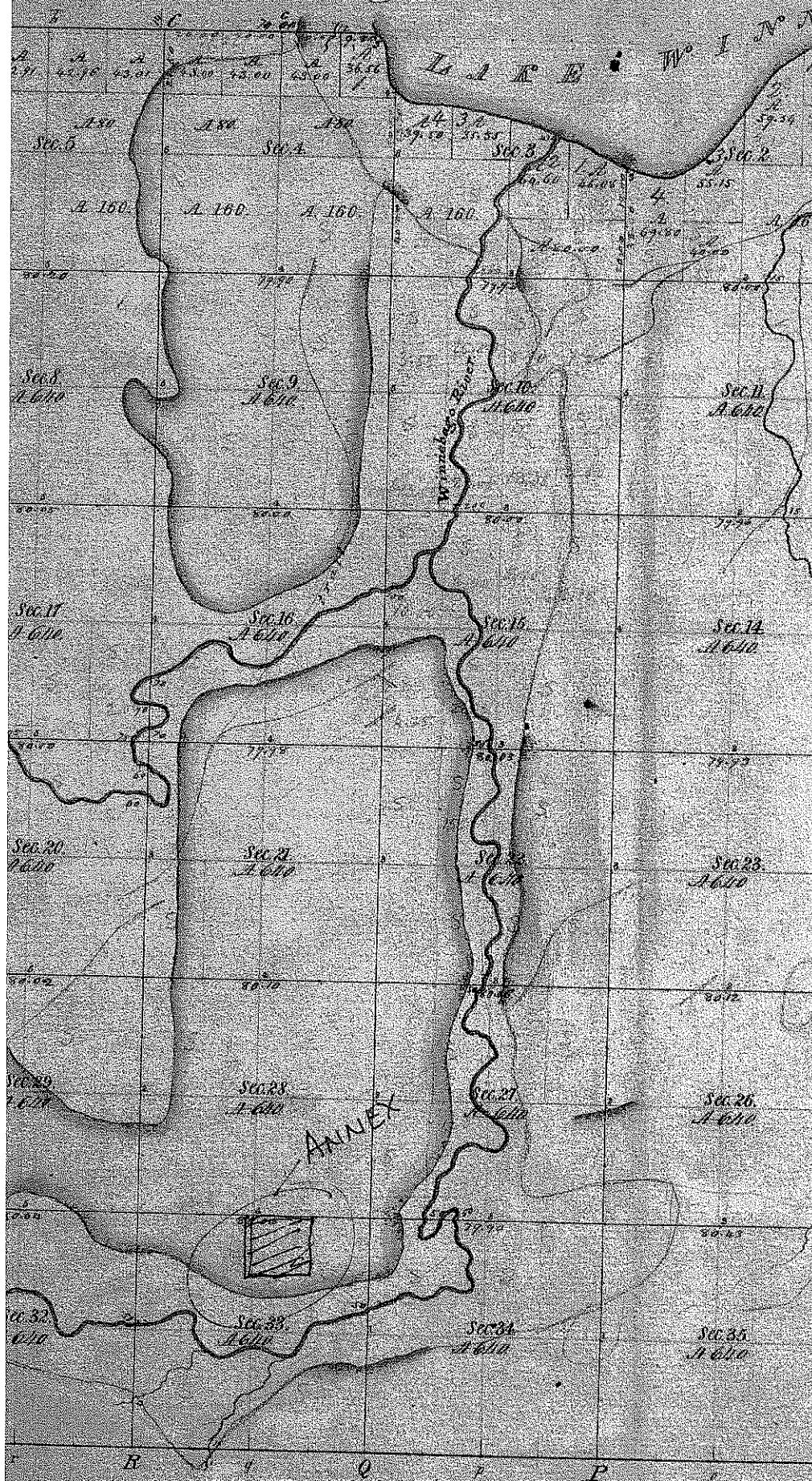
14043



Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.

Map Scale
1 inch = 400 feet
8/21/2017

N^o XIV. Range N^o XVII E. 4th Me



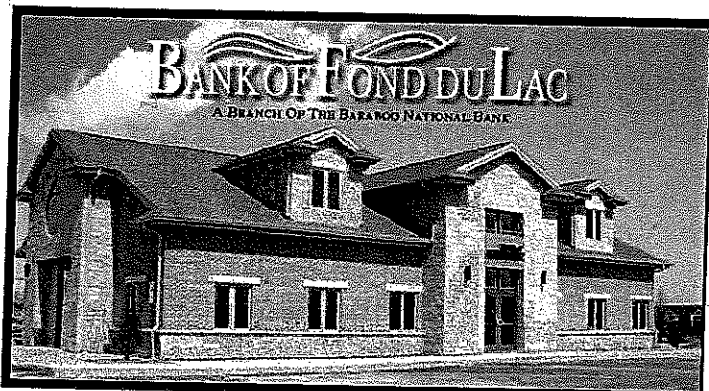
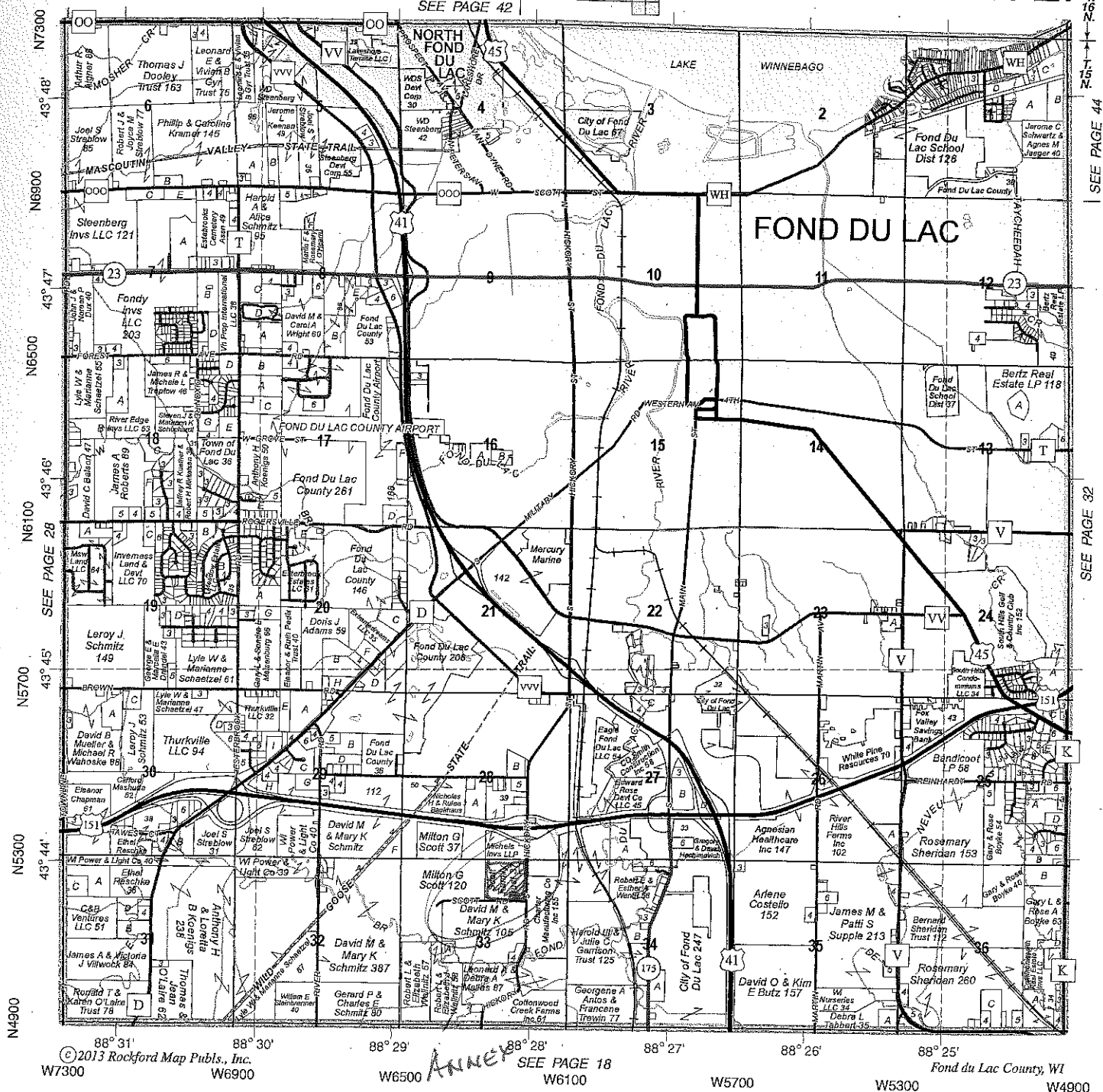
Total number of Acres 22751.54

FOND DU LAC

Refer to page 61 for keyed parcels
T.15-16N.-R.17E.



SEE PAGE 42



BANK OF FOND DU LAC
BRANCH OF THE BARABOO NATIONAL BANK

1207 W. Johnson Street
Fond du Lac, WI 54937
920-907-0269

www.baraboonational.com

Making it happen for you,
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FDIC





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 21, 2017

PETITION FILE NO. 14043

MARGARET HEFTER, CLERK
CITY OF FOND DU LAC
160 S MACY ST
FOND DU LAC, WI 54936-4241

PATTI S. SUPPLE, CLERK
TOWN OF FOND DU LAC
N5256 COUNTY RD V
FOND DU LAC, WI 54937-9096

Subject: FOND DU LAC COUNTY ANNEXATION

The proposed annexation submitted to our office on July 31, 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 FOND DU LAC**, which is able to provide needed municipal services.

Note: The existing municipal boundary must be clearly shown and identified on the scale map included with the annexation ordinance (ref: s. 66.0217(1)(g) Wis. Stats.).

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 14043 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=2114>
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner