

14072

Lee Martin

14072	Date Sent	Reply	Status
Town Quest	12/8		
Muni Quest	12/8		
Prop. Lister	12/8	12/11	SEES COMMENTS

TOWN OF WAUKESHA
CITY OF WAUKESHA
12/27/2017

OK 12-21-17
COMMENTS

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: 608-267-6917
wimunicipalboundaryreview@wi.gov
http://doa.wi.gov/municipalboundaryreview/

14072

Petitioner Information

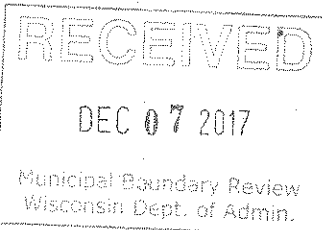
Name: LEE H. MARTIN

Address: W249 S3608 CENTER RD.

WAUKESHA, WI 53189

Email: LMARTIN843@WI.RR.COM

Office use only:



1. Town where property is located: WAUKESHA

2. Petitioned City or Village: WAUKESHA

3. County where property is located: WAUKESHA

4. Population of the territory to be annexed: 3

5. Area (in acres) of the territory to be annexed: .7604

6. Tax parcel number(s) of territory to be annexed WAKT 135594
(if the territory is part or all of an existing parcel): WAKT 135595

Petitioners phone:

262-347-9180

Town clerk's phone:

262-542-5030

City/Village clerk's phone:

262-524-3550

Contact Information if different than petitioner:

Representative's Name and Address:

N/A

Phone:

E-mail:

Surveyor or Engineering Firm's Name & Address:

N/A

Phone:

E-mail:

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

- ☐ Legal Description meeting the requirements of s.66.0217 (1) (c) [see attached annexation guide]
- ☐ Map meeting the requirements of s. 66.0217 (1) (g) [see attached annexation guide]
- ☐ Signed Petition or Notice of Intent to Circulate is included
- Indicate Statutory annexation method used:
 - ☐ Unanimous per s. 66.0217 (2), or
 - OR
 - ☐ Direct by one-half approval per s. 66.0217 (3)
- ☐ 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: 12/7

Payee: LEE MARTIN

Check Number: 1004

Check Date: 12/3

Amount: 400

DIRECT ANNEXATION PETITION

14072

Address to:

**The Honorable Mayor and Members of the Common Council
City of Waukesha, Waukesha County, Wisconsin**

Dear Council Members:

We, the undersigned, being the owner of all of the land within the area involved, hereby petition the City of Waukesha to annex the following described real estate presently located in the Town of Waukesha.

To wit:

Legal description and scale map attached

Legal Description

The Act defines "legal description" to mean "a complete description of land to be annexed without internal references to any other document, and shall be described in one of the following ways"

- 1) *By metes and bounds, or*
- 2) *If the land is located in a recorded subdivision or in an area subject to a certified survey map by reference as described in sec. 236.28 or sec. 236.34(3).*

Scale Map

"Scale map" means "a map that accurately reflects the legal description of the property to be annexed and the boundary of the annexing municipality, and that includes a graphic scale on the face of the map."

Area of territory to be annexed: .7604 acres

The number of people presently residing in the area to be annexed is 3.

A scale map of this area is attached to this petition.

(to be signed by all owners and electors of property)

Date: 6/25/17

Name: [Signature]

Spouse: [Signature]

Note: Prepare 4 copies – 4 maps & distribute by Certified Mail as follows:

- 1 City Clerk of Waukesha (original)
- 1 Town Clerk from which area is to be detached
- 1 Supervisor, Municipal Boundary Review
- 1 Petitioner

State Annexation Office
WI Dept. of Administration
Municipal Boundary Review
101 E. Wilson St., 9th Floor
Madison, WI 53703

Brookfield
Town Clerk
Town Hall
645 N. Janacek Road
Brookfield, WI 53045

Waukesha
Town Clerk
Town Hall
W250 S3567 Center Road
Waukesha, WI 53186

Plat of Survey

14072

JAHNKE & JAHNKE ASSOCIATES INC.

Consultants in Engineering, Planning, Subdivisions and Surveying

WAUKESHA, WISCONSIN

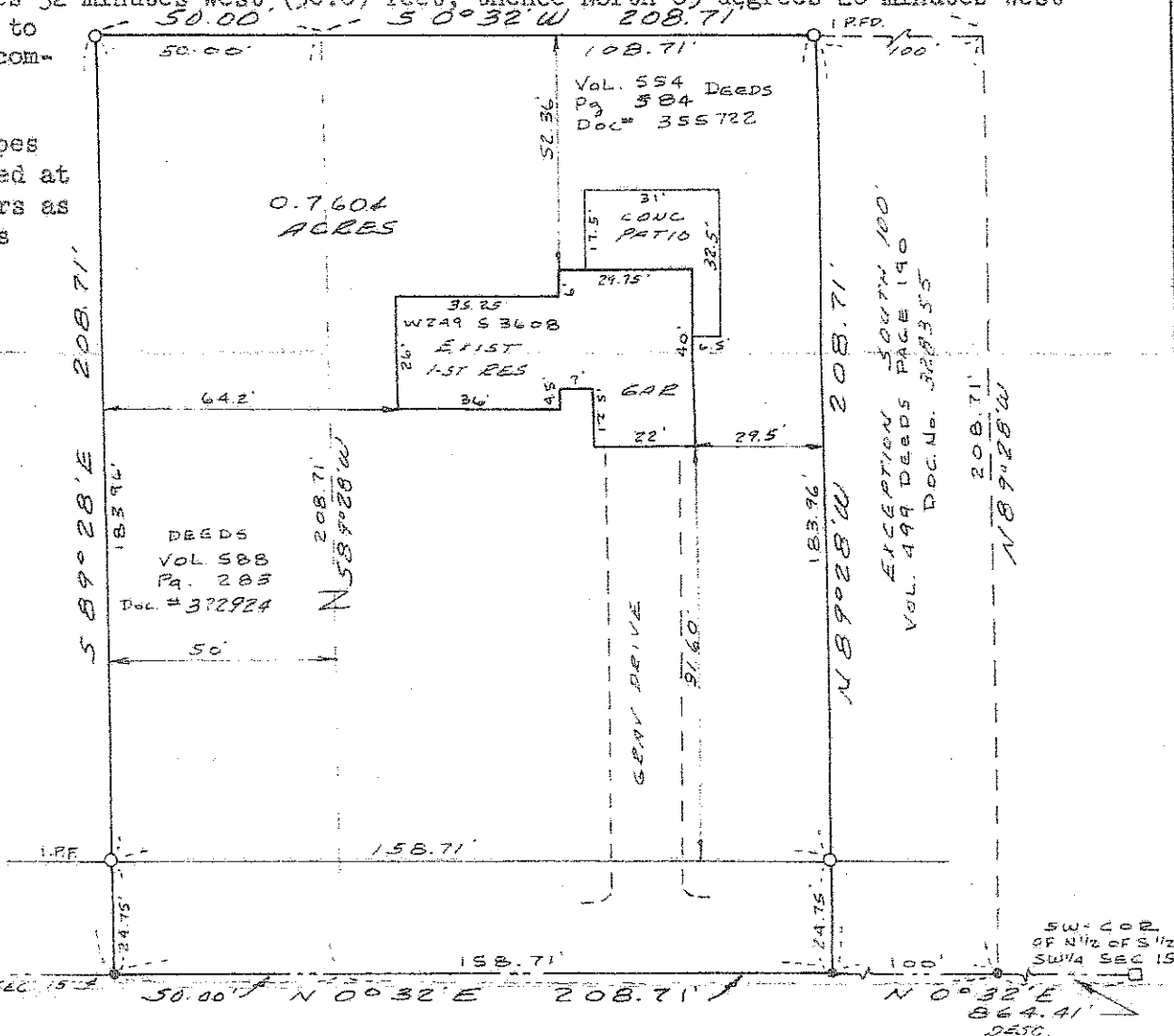
FOR: JOHN H. MARTIN

SCALE - 1"=30'

LEGAL DESCRIPTION: All that part of the South West Quarter (SW 1/4) of Section Number Fifteen (15), Township Number Six (6) North, Range Number Nineteen (19) East, in the Town of Waukesha, Waukesha County, Wisconsin, described as follows, to-wit: Commencing at the South West corner of the North half of the South half of the said South West Quarter and thence North Zero (0) degrees Thirty two (32) minutes East on the West line of said Section, 864.41 feet to the point of commencement of the area to be described. Thence North Zero (0) degrees Thirty two (32) minutes East, and along said Section Line, 208.71 feet; thence South Eighty nine (89) degrees Twenty eight (28) minutes East, 208.71 feet; thence South Zero (0) degrees Thirty two (32) minutes West, 208.71 feet; thence North 89 degrees 28 minutes West, 208.71 feet to the point of commencement, and containing one (1) acre of land. Bearings taken from the true meridian by Polaris reading. EXCEPT the South One hundred (100) feet heretofore deeded to Warren A. Marlow and Jane E. Marlow, his wife, recorded in Volume 499 of Deeds on page 130.

ALSO: All that part of the North One Half (N 1/2) of the South One Half (S 1/2) of the South West One Quarter (SW 1/4) of Section No. 15, township No. 6 North, range No. 19 East, described as follows, to-wit: Commencing at a point on the West line of the said quarter section, distant North 0 degrees 32 minutes East (1073.12) feet from the southwest corner of the said N 1/2 of S 1/2 of said SW 1/4 and thence North 0 degrees 32 minutes East on section line (60.0) feet; thence South 89 degrees 28 minutes East (208.71) feet; thence South 0 degrees 32 minutes West (50.0) feet; thence North 89 degrees 28 minutes West (208.71) feet to the point of commencement.

NOTE: Iron pipes were not placed at the lot corners as a part of this survey.



CENTER ROAD

66' R.O.W - BIT. GR. SURF

STATE OF WISCONSIN }
COUNTY OF WAUKESHA } ss.

WE, JAHNKE & JAHNKE ASSOCIATES INC., DO HEREBY CERTIFY THAT WE HAVE MADE THIS SURVEY AND THAT THE INFORMATION AS SHOWN ON THE ABOVE PLAT OF SURVEY IS A TRUE AND CORRECT REPRESENTATION THEREOF.

DATED THIS 2nd DAY OF September 1977

PLAT No. P.S. Waukesha 2246 ROCK Waukesha #60 PAGE 54

RICHARD E. JAHNKE - Wis. Reg. No. 8-318

JOHN W. JAHNKE - Wis. Reg. No. 8-317

Waukesha County GIS Map



Legend

Retired Plats

Assessor Plat

Condo Plat

CSM

Subdivision Plat

Simultaneous Conveyance

Assessor Plat

CSM

Condo Plat

Subdivision Plat

14072

Notes:

Printed: 8/29/2017

The information and depictions herein are for informational purposes and Waukesha County specifically disclaims accuracy in this reproduction and specifically admonishes and advises that if specific and precise accuracy is required, the same should be determined by procurement of certified maps, surveys, plats, Flood Insurance Studies, or other official means. Waukesha County will not be responsible for any damages which result from third party use of the information and depictions herein, or for use which ignores this warning.

0 100.00 Feet



**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/>

December 08, 2017

PETITION FILE NO. 14072

GINA KOZLIK, CLERK
CITY OF WAUKESHA
201 DELAFIELD ST
WAUKESHA, WI 53188-3646

KATHY NICKOLAUS, CLERK
TOWN OF WAUKESHA
W250 S3567 CENTER RD
WAUKESHA, WI 53189-7364

Subject: LEE MARTIN 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 WAUKESHA to the CITY OF WAUKESHA (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 December 27, 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: WAKT 1355 994 & WAKT 1355 995	From Town of: WAUKESHA	To City/Village of: WAUKESHA
--	---------------------------	---------------------------------

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, 1/4 - 1/4 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 – LEE H MARTIN

☐ Y (2) Identify parcel ID numbers included in annexation. – PETITION INCORRECTLY IDENTIFIES THE PARCEL ID NUMBERS AS WAKT 135594 & WAKT 135595 (ONE DIGIT MISSING – SEE CORRECT PARCEL ID AS SHOWN ABOVE)

☐ 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

☐ N (7) Legend

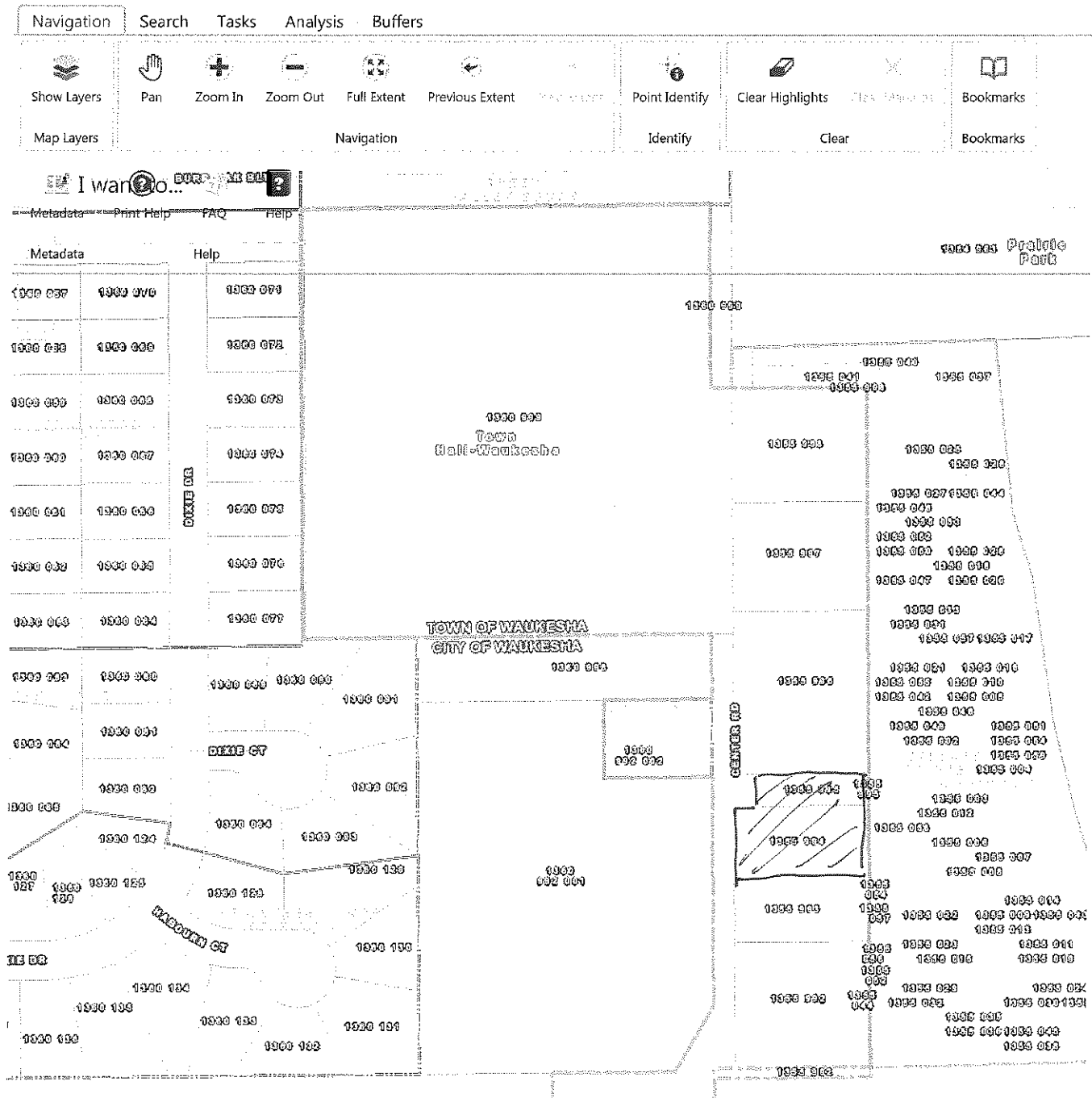
☐ Y (8) Total area/acreage of annexation - .7604 ACRES

3. Other relevant information and comments:

There is a measurement discrepancy in the legal description of the Plat of Survey which is attached to the Petition. The west lot line of WAKT 1355 995 is described as being 60 feet. However, the drawing on the Plat of Survey shows the west lot line is 50 ft. The last recorded conveyance document describes the west lot line as being 50 ft.

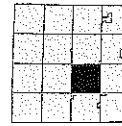
Prepared by: LAURA A DRESSEL
 Title: SR ADMIN SPECIALIST
 Phone: 262-548-7648
 Date: 12/8/2017

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



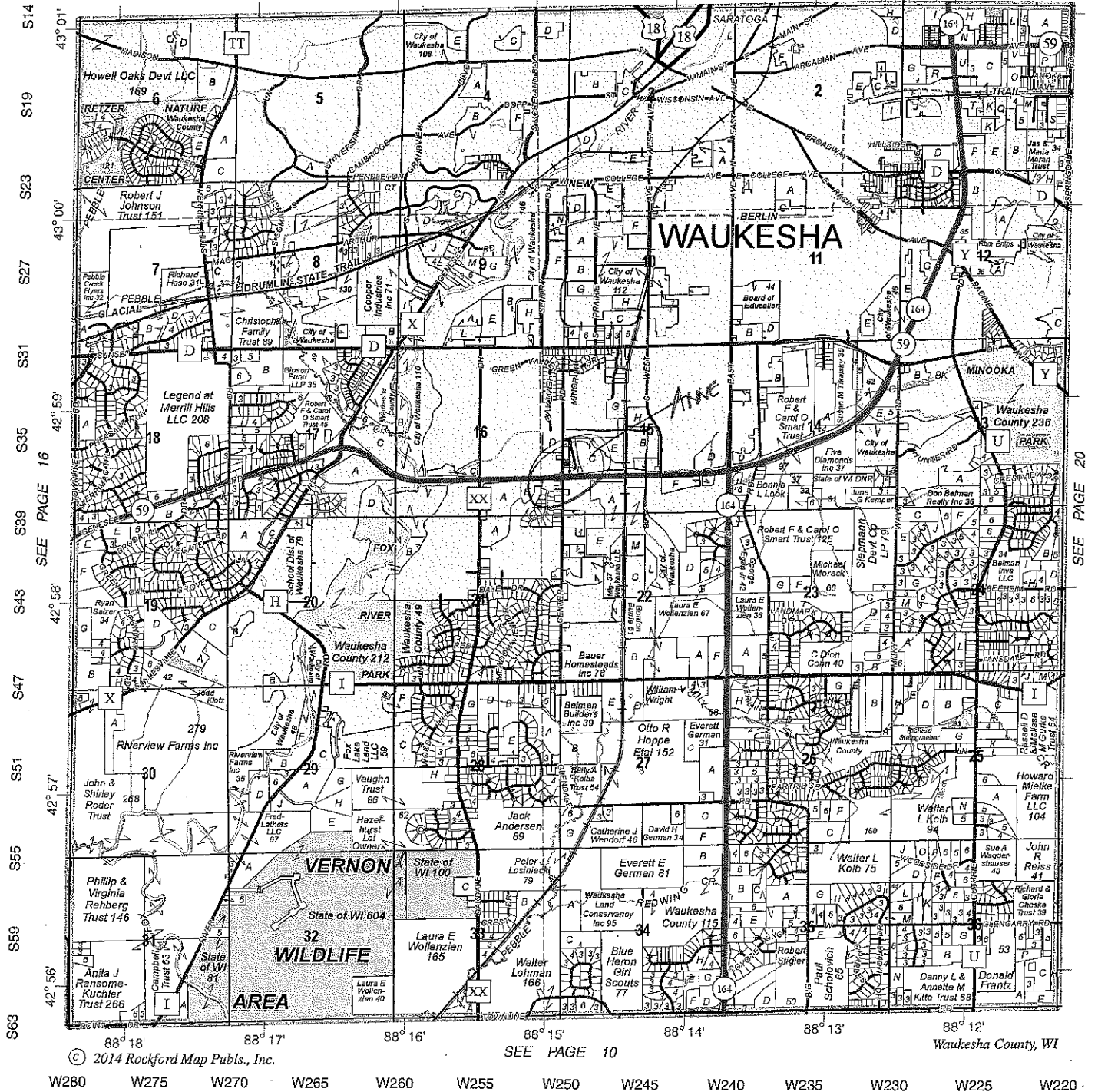
WAUKESHA

SEE PAGE 26

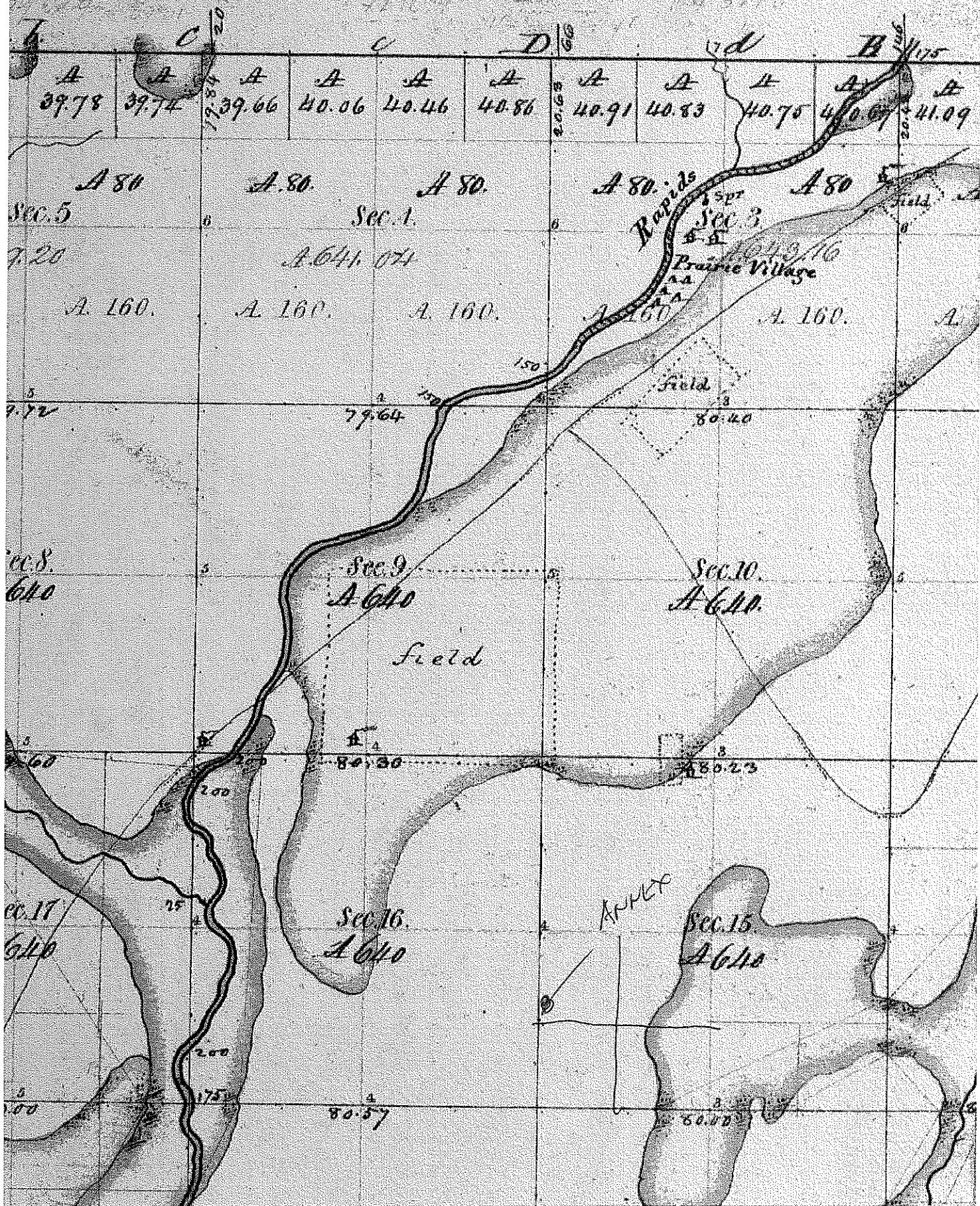


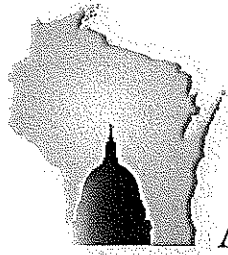
Refer to page 46 for keyed parcels

T.6N.-R.19E.



N.°VI N. Range N.°XIX E.





**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/>

December 21, 2017

PETITION FILE NO. 14072

GINA KOZLIK, CLERK
CITY OF WAUKESHA
201 DELAFIELD ST
WAUKESHA, WI 53188-3646

KATHY NICKOLAUS, CLERK
TOWN OF WAUKESHA
W250 S3567 CENTER RD
WAUKESHA, WI 53189-7364

Subject: LEE MARTIN ANNEXATION

The proposed annexation submitted to our office on December 07, 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 WAUKESHA**, which is able to provide needed municipal services.

Notes for the ordinance that annexes this territory:

- There is a discrepancy between the length of west line of parcel 1355995 as shown in the legal description (60') and that shown on the drawing (50') on the Plat of Survey used to represent the territory to be annexed. Be sure that the legal description of the territory to be annexed is correct in the ordinance.
- The representation of the territory to be annexed as shown on the aforementioned Plat of Survey does not match that shown on GIS parcel maps of the territory. Be sure that the scale map included in the annexation ordinance is an accurate representation of the territory to be annexed.

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 14072 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=2143>

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

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner

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: **Lee Martin**

Petition Number: **14072**

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

2. Area (Acres): **434 + 239**

3. Pick one: ☒ Property Tax Payments

OR ☐ Boundary Agreement

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

\$ **297.00**

a. Title of boundary agreement _____

b. Year adopted _____

b. Total that will be paid to Town

(annual tax multiplied by 5 years): **\$1485.00**

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: **3** Total: **3**

5. Approximate **present land use** of territory: **Wakt 135594**

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

Undeveloped: _____ %

6. If territory is undeveloped, what is the **anticipated use**? **Wakt 135595**

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

~~Multi-family~~ **Multi-family, Residential**

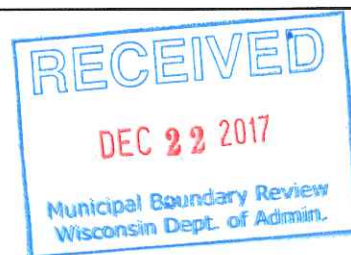
In the town?: **Single Family - Business**

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: _____

b. Annual appropriation for planning? \$ _____

c. How is the annexation territory now zoned? R-2

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

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

Prepared by: ☒ Town ☐ City ☐ Village

Name: Kathy Nickolas

Email: Clerk@townofwaubesa.us

Phone: 262-542-0300

Date: 12/1/17

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: **Lee Martin**

Petition Number: **14072**

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

2. Area (Acres): 0.76

3. Pick one: ☒ Property Tax Payments

OR ☐ Boundary Agreement

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

\$ 277.35

a. Title of boundary agreement _____

b. Year adopted _____

b. Total that will be paid to Town

(annual tax multiplied by 5 years): 1,386.75

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: 2 Total: 3

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

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

Undeveloped: _____ %

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

Residential: _____ % Recreational: _____ % Commercial: _____ % 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?

RESIDENTIAL

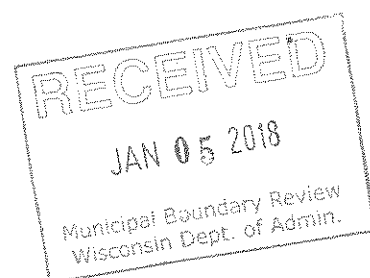
In the town?: RESIDENTIAL

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: _____

b. Annual appropriation for planning? \$ _____

c. How is the annexation territory now zoned? RESIDENTIAL

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

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

Prepared by: ☐ Town ☒ City ☐ Village

Name: DAUG KOEHLER

Email: DKOEHLER@WAUKESHA-WI.GOV

Phone: 262-524-3756

Date: 12/27/2017

Please **RETURN PROMPTLY** to:

wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Fax: (608) 264-6104