

14086

City of Appleton

14086	Date Sent	Reply	Status
Town Quest	2/5		
Muni Quest	INCLUDED		
Prop. Lister	2/5		

TOWN OF GRAND CHUTE
CITY OF APPLETON
02/23/2018

OK 2/23/18

Request for Annexation Review

Wisconsin Department of Administration

14086

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

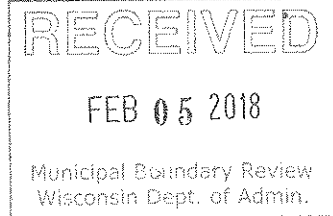
Name: **CITY OF APPLETON**

Address: **100 N. APPLETON STREET**

APPLETON, WI 54911

Email: **JESSICA.TITEL@APPLETON.ORG**

Office use only:



1. Town where property is located: **TOWN OF GRAND CHUTE**

2. Petitioned City or Village: **CITY OF APPLETON**

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

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

5. Area (in acres) of the territory to be annexed: **11.3366 ACRES**
M/L

6. Tax parcel number(s) of territory to be annexed
(if the territory is part or all of an existing parcel): **102009900**

Petitioners phone:

920-832-6476

Town clerk's phone:

920-832-5644

City/Village clerk's phone:

920-832-6443

Contact Information if different than petitioner:

Representative's Name and Address:

JESSICA TITEL

CITY OF APPLETON

100 N. APPLETON STREET

APPLETON, WI 54911

Phone: **920-832-6476**

E-mail: **JESSICA.TITEL@APPLETON.ORG**

Surveyor or Engineering Firm's Name & Address:

TOM KROMM, CITY SURVEYOR

100 N. APPLETON STREET

APPLETON, WI 54911

Phone: **920-832-6480**

E-mail: **TOM.KROMM@APPLETON.ORG**

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

14086

\$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: 2/5

Payee: ASPLETON

Check Number: 533617

Check Date: 1/24

Amount: 1150

ANNEXATION SUBMITTAL GUIDE

14086

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 only 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 adjoiners 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.]



"...meeting community needs...enhancing quality of life."

14086

LEGAL SERVICES DEPARTMENT

Office of the City Attorney

100 North Appleton Street
Appleton, WI 54911-4799

Phone: 920/832-6423

Fax: 920/832-5962

February 1, 2018

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

**Certified Mail –
Return Receipt Requested**

Re: Annexation
Our File No. A18-0098

To Whom It May Concern:

Enclosed please find a copy of the *Unanimous Petition of Property Owners for Direct Annexation* to the City of Appleton, along with a scale map of the same. This is being referred to as the Leona Pond Annexation.

Also enclosed please find a completed Request for Annexation Review form along with a draft in the appropriate amount.

If you have any questions or concerns, please do not hesitate to contact me. Thank you for your assistance in this matter.

Sincerely,

James P. Walsh
City Attorney

Enclosure

JPW:jljg



14086

**PETITION FOR DIRECT ANNEXATION BY UNANIMOUS APPROVAL
PURSUANT TO SECTION 66.0217(2), WISCONSIN STATUTES
WHERE NO ELECTORS RESIDE IN TERRITORY**

I/We, the undersigned, constituting all of the owners of the real property in which no electors reside in the following territory of the Town of Grand Chute, Outagamie County, Wisconsin, lying contiguous to the City of Appleton, petition the Common Council of the City of Appleton to annex the territory described below and shown on the attached scale map to the City of Appleton, Outagamie County, Wisconsin.

Part of Lot Nine (9), Lot Ten (10) and Lot Eleven (11) of **ROWE'S SUBDIVISION**, and part of Lot One (1) of **CERTIFIED SURVEY MAP NUMBER 6101** filed in Volume 36 of Certified Survey Maps on Page 6101 as Document Number 1866751 in the Outagamie County Register of Deeds Office, located in the Fractional Southwest Quarter (SW ¼) of Section 19, Township 21 North, Range 18 East, Town of Grand Chute, Outagamie County, Wisconsin, containing 11.3366 Acres of land m/l and being described by:

Commencing at the Southwest corner of said Section 19;

Thence North 00° 22' 42" East 1353.51 feet along the West line of the SW ¼ of said Section 19;

Thence North 76° 51' 35" East 33.94 feet to the Northwest corner of Lot 1 of said Certified Survey Map No. 6101 and being coincident with the Southerly line of the Wisconsin Central Ltd. Railroad right of way and being the Point of Beginning;

Thence continue North 76° 51' 35" East 1321.82 feet along the Southerly line of the Wisconsin Central Ltd. Railroad right of way and being coincident with the Northerly line of Lot 1 of said Certified Survey Map No. 6101;

Thence South 00° 44' 00" West 503.74 feet;

Thence South 66° 58' 00" West 829.60 feet;

Thence South 00° 47' 05" West 550.34 feet to the Northwesterly line of Wisconsin Avenue (a.k.a. S.T.H. 96);

Thence South 65° 57' 11" West 27.55 feet and being coincident to the Northwesterly line of Wisconsin Avenue to the East line of Bell Air Subdivision;

Thence North 00° 47' 05" East 1154.90 feet and being coincident to the East line of said Bell Air Subdivision to the Northerly line of Richard Street;

Thence South 76° 51' 35" West 514.22 feet and being coincident with the Northerly line of Richard Street to the East line of Ballard Road;

Thence North 00° 22' 42" East 51.42 feet and being coincident with the East line of Ballard Road to the Point of Beginning.

The current population of such territory is 0.

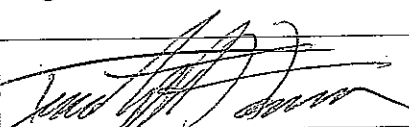
I/We, the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexation, incorporation, or consolidation proceedings, if any.

I/We further respectfully request that the City Plan Commission initiate a rezoning for the subject property, from temporary AG Agricultural District to a permanent zoning classification of P-I Public Institutional District.

Area of lands to be annexed contains 11.3366 acres m/l.

Tax Parcel number of lands to be annexed: 102009900

14086

Signature of Petitioner	Owner/Elector	Date of Signing	Address of Petitioner (Include Zip Code)
	Owner	1-19-18	100 N. Appleton Street Appleton, WI 54911
Mayor Timothy Hanna			

ANNEXATION "LEONA" POND

14086

PART OF PARCEL: 102009900

Owner: City of Appleton

AOD Document #2124074

Part of Lot Nine (9), Lot Ten (10) and Lot Eleven (11) of **ROWE'S SUBDIVISION**, and part of Lot One (1) of **CERTIFIED SURVEY MAP NUMBER 6101** filed in Volume 36 of Certified Survey Maps on Page 6101 as Document Number 1866751 in the Outagamie County Register of Deeds Office, located in the Fractional Southwest Quarter (SW ¼) of Section 19, Township 21 North, Range 18 East, Town of Grand Chute, Outagamie County, Wisconsin, containing 11.3366 Acres of land m/l and being described by:

Commencing at the Southwest corner of said Section 19;

Thence North 00° 22' 42" East 1353.51 feet along the West line of the SW ¼ of said Section 19;

Thence North 76° 51' 35" East 33.94 feet to the Northwest corner of Lot 1 of said Certified Survey Map No.6101 and being coincident with the Southerly line of the Wisconsin Central Ltd. Railroad right of way and being the Point of Beginning;

Thence continue North 76° 51' 35" East 1321.82 feet along the Southerly line of the Wisconsin Central Ltd. Railroad right of way and being coincident with the Northerly line of Lot 1 of said Certified Survey Map No.6101;

Thence South 00° 44' 00" West 503.74 feet;

Thence South 66° 58' 00" West 829.60 feet;

Thence South 00° 47' 05" West 550.34 feet to the Northwesterly line of Wisconsin Avenue (a.k.a. S.T.H. 96);

Thence South 65° 57' 11" West 27.55 feet and being coincident to the Northwesterly line of Wisconsin Avenue to the East line of Bell Air Subdivision;

Thence North 00° 47' 05" East 1154.90 feet and being coincident to the East line of said Bell Air Subdivision to the Northerly line of Richard Street;

Thence South 76° 51' 35" West 514.22 feet and being coincident with the Northerly line of Richard Street to the East line of Ballard Road;

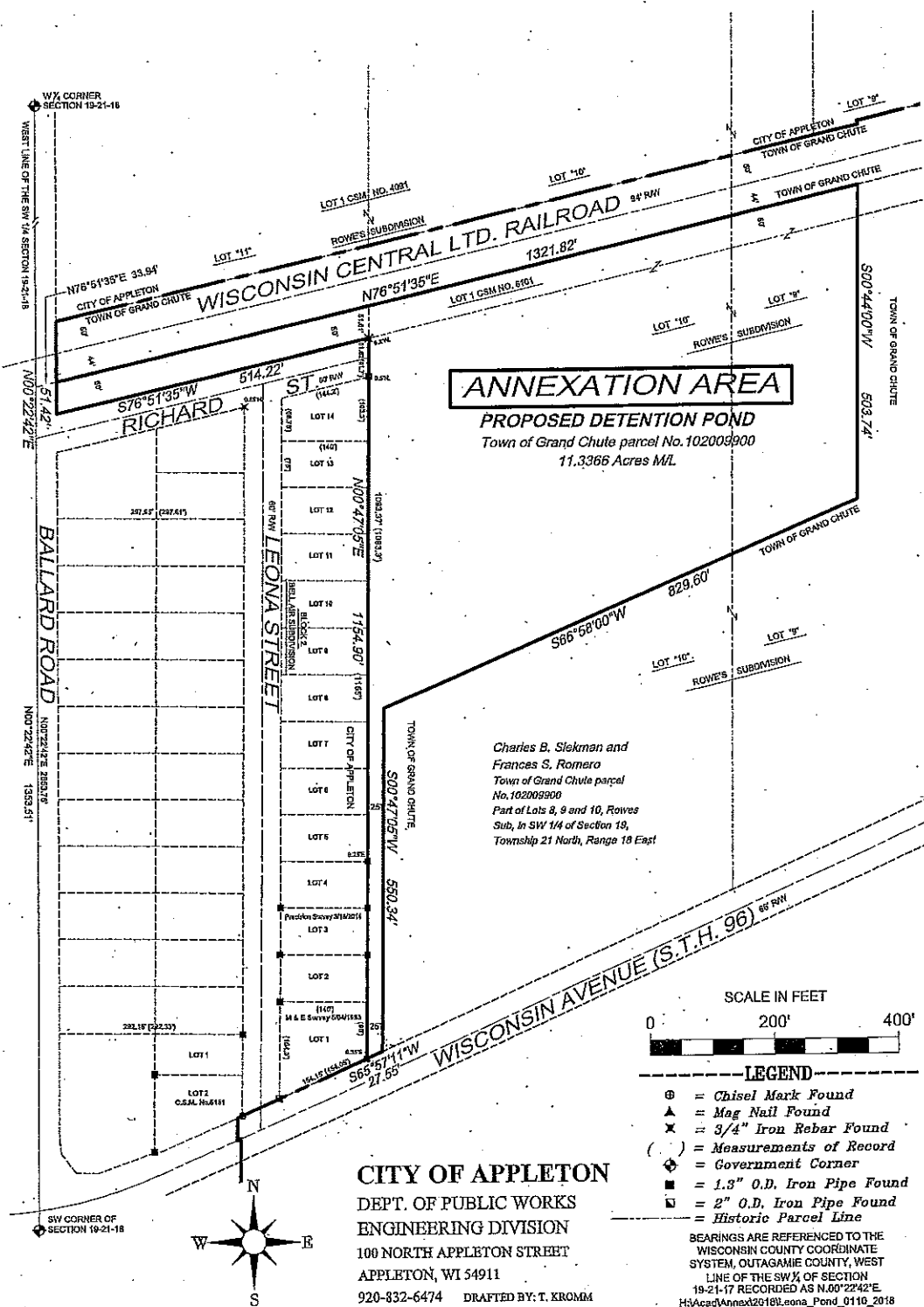
Thence North 00° 22' 42" East 51.42 feet and being coincident with the East line of Ballard Road to the Point of Beginning.

OK

14086

ANNEXATION EXHIBIT

Part of Lot 9, Lot 10 and Lot 11 of Rowe's Subdivision and Part of Lot 1 of Certified Survey Map No. 6101, being located in the Southwest 1/4 of Section 19, Township 21 North, Range 18 East, Town of Grand Chute, Outagamie County, Wisconsin.





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/>

February 05, 2018

PETITION FILE NO. 14086

KAMI LYNCH, CLERK
CITY OF APPLETON
100 N APPLETON ST
APPLETON, WI 54911-4702

KAREN WEINSCHROTT, CLERK
TOWN OF GRAND CHUTE
1900 GRAND CHUTE BLVD
GRAND CHUTE, WI 54913-9613

Subject: CITY OF APPLETON 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 GRAND CHUTE to the CITY OF APPLETON (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 23, 2018. 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

PETITION # 14086

ANNEXATION REVIEW QUESTIONNAIRE
MUNICIPAL BOUNDARY REVIEW

1. Territory to be annexed: Leona Pond	From Town of: Grand Chute	To City of: Appleton
---	------------------------------	-------------------------

2. Area (Acres): 11.3366 m/l Approx. Equalized (full) value: Land: \$31,550 Improvements: \$ 0

3. Property Tax Payments	OR	Boundary Agreement (yes)
a. Annual town property tax on territory to be annexed: _____		a. Title of boundary agreement: <u>Intermunicipal Agreement</u>
b. Total that will be paid to Town (annual tax multiplied by 5 years): _____		b. Year adopted: <u>1992</u>
c. Paid by: Petitioner City/Village Other: <u>N/A</u>		c. Participating jurisdictions: <u>City of Appleton and Town of Grand Chute</u>
		d. Statutory authority: <u>66.027 & 66.30</u>

4. Approximate present land use of territory:	Resident Population:
Undeveloped: <u>100%</u>	Electors: 0
Commercial: _____%	Total: 0
Industrial: _____%	
Residential _____%	
Recreational _____%	

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

Commercial: _____%	Residential _____%	Other: <u>Stormwater Pond</u>
Industrial: _____%	Recreational _____%	

Comments: N/A

6. Has a preliminary ___ or final ___ plat been submitted to the Plan Commission: ___ Yes X No

7. What is the **nature of land use adjacent** to this territory in the city?:
Single family residential and industrial land uses

In the town?: Single family residential

8. What are the **basic service needs** that precipitated the request for annexation?

Sanitary sewer _____	Police/Fire protection _____
Water supply _____	EMS _____
Storm sewers _____	Zoning _____
Other: <u>City of Appleton plans to construct a stormwater management facility on this land.</u>	

PETITION # 14086

9. Is the city/village or town capable of providing needed utility services?

City X Yes ___ No Town ___ Yes ___ No

If yes, approximate time table for providing service:

Sanitary Sewers immediately
or, write in number of years.

City

X

Town

Water Supply immediately,
or, write in number of years.

X

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 X No. If yes, identify the nature of the anticipated improvements and their probable costs: _____

10. Parks and Recreation:

Total acreage: 633 acres Annual park program appropriation: \$ 3,732,631

Describe proximity of parks from annexation territory: 1 mile south of Memorial Park and 1.5 miles east of Erb Park

11. Schools:

What school district(s) serve the territory to be annexed? Appleton Area School District

12. Planning:

1. Do you have a comprehensive plan for the City/Village/Town? X Yes ___ No

If yes, when was it prepared? 2009 When Updated? 2016/2017

Who prepared the plan? R.A. Smith National, Inc., Short Elliott Hendrickson, Inc. and the City of Appleton Staff

2. Annual appropriation for planning? \$280,414

3. How is the annexation territory now zoned? RSF (Single Family Residential)

4. How will the land be zoned and used if annexed? P-I Public Institutional District

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

Prepared by: Jessica Titel
Title: Principal Planner, City of Appleton
Phone: 920-832-6476
Date: 1-17-18

Please **RETURN PROMPTLY** to:
Municipal Boundary Review
101 E. Wilson Street, 10th Floor
Madison, WI 53702-0001
(608) 264-6102 (608) 267-6917 **FAX**
erich.schmidtke@wisconsin.gov **EMAIL**
























DISCLAIMER: The information shown on these maps has been obtained from various sources, and are of varying age, reliability and resolution. These maps are not intended to be authoritative source of information about legal land ownership or public access. No warranty, expressed or implied, is made regarding accuracy, completeness, or legality of the information depicted on this map. For more information, see the DNR Legal Notices web page: <http://dnr.gov/legal/>

NAD 1983 HARN WisconsinTM

1: 7.920

Legend

- | | |
|---|--------------------------|
|  | Township |
|  | Section |
|  | Quarter-Quarter |
|  | County Boundary |
| | Cities, Towns & Villages |
|  | City |
|  | Village |
|  | Civil Town |
| | Municipality |
|  | State Boundaries |
|  | County Boundaries |
| | Major Roads |
|  | Interstate Highway |
|  | State Highway |
|  | US Highway |
| | County and Local Roads |
|  | County HWY |
|  | Local Road |
|  | Railroads |
|  | Tribal Lands |
|  | Rivers and Streams |
|  | Intermittent Streams |
|  | Lakes and Open water |
|  | Index to |
| | EN_Image_Basemap_Leaf_ |
|  | Off |

Notes

Township N.º 21 N, Range N.º 18 East.



VANDENBROEK

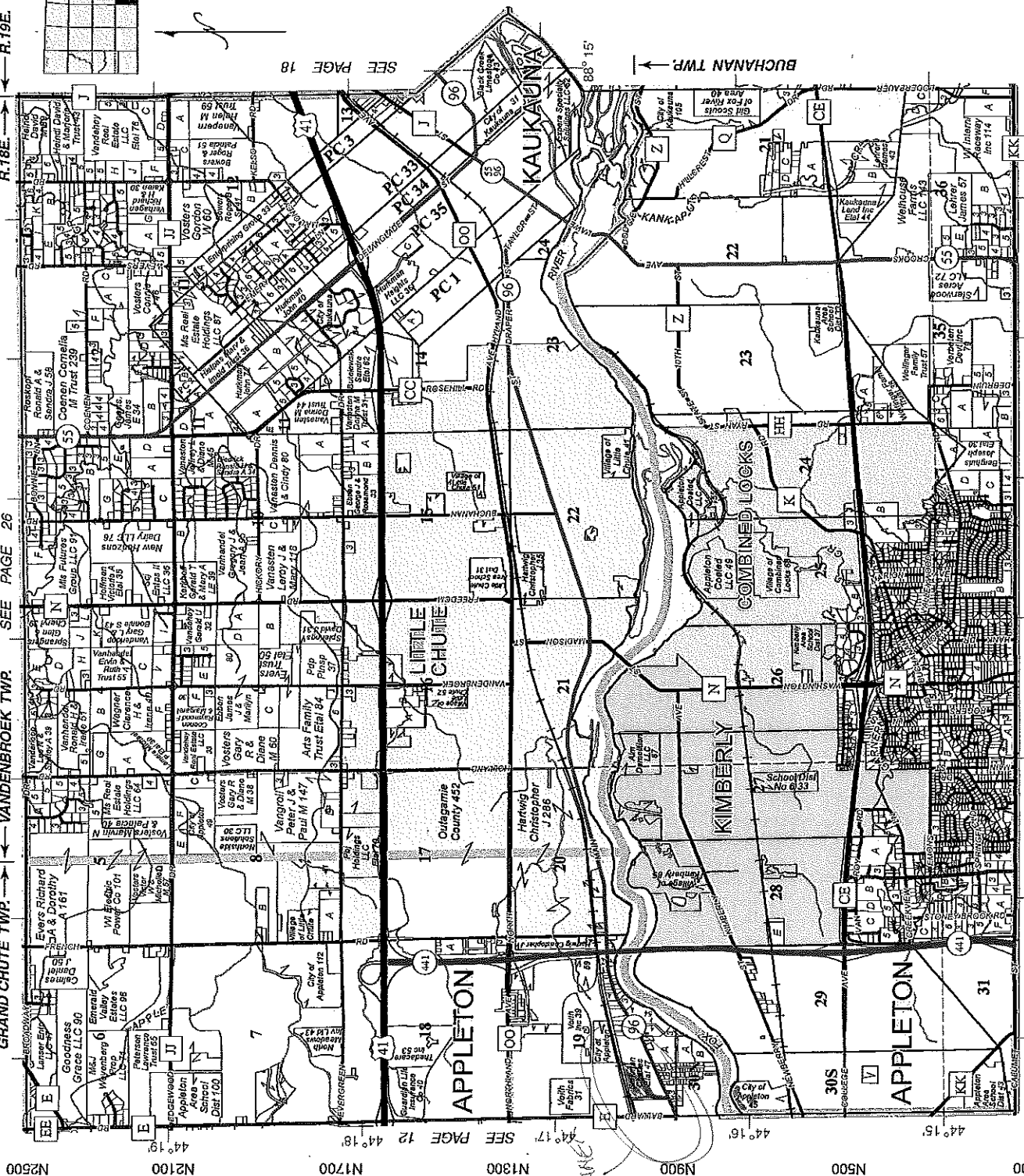
WEST BUCHANAN EAST PART

GRAND CHUTE TWP. → SEE PAGE 26

T.21N.-R.18-19E.

← R.18E → R.19E.

Refer to page 55 for keyed parcels



88° 22' 88° 21' 88° 20' 88° 19' 88° 18' 88° 17' 88° 16' 88° 15'

W3700 W3300 W2900 W2500 W2100 W1700 W1300

Calumet County WI Outagamie County WI

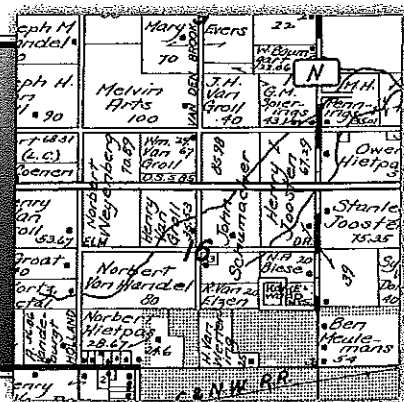
© 2015 Rockford Map Publs., Inc.

The Legacy Collection.

Visit rockfordmap.com to buy past editions dating back to 1944.



ROCKFORD MAP PUBLISHERS





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/>

February 23, 2018

PETITION FILE NO. 14086

KAMI LYNCH, CLERK
CITY OF APPLETON
100 N APPLETON ST
APPLETON, WI 54911-4702

KAREN WEINSCHROTT, CLERK
TOWN OF GRAND CHUTE
1900 GRAND CHUTE BLVD
GRAND CHUTE, WI 54913-9613

Subject: CITY OF APPLETON ANNEXATION

The proposed annexation submitted to our office on February 05, 2018, 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 APPLETON**, 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 14086 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=2157>

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

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner