

14088

Ron Viaene

14088	Date Sent	Reply	Status
Town Quest	2/6		
Muni Quest	2/6		
Prop. Lister	2/6		

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

No 2/23/18

# Request for Annexation Review

14088

Wisconsin Department of Administration

WI Dept. of Administration  
Municipal Boundary Review  
101 E. Wilson Street, 9<sup>th</sup> Floor  
Madison WI 53703  
608-264-6102 Fax: 608-264-6104  
[wimunicipalboundaryreview@wi.gov](mailto:wimunicipalboundaryreview@wi.gov)  
<http://doa.wi.gov/municipalboundaryreview/>

## Petitioner Information

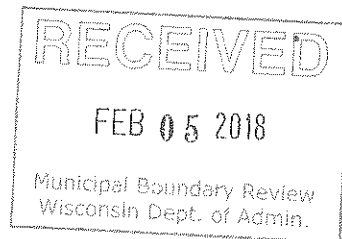
Name: **RON VIAENE - APPLEWOOD PROPERTIES, LLC**

Address: **1712 E. EDGEWOOD DRIVE**

**APPLETON, WI 54913**

Email: **RONINWIS2@AOL.COM**

## 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: **2**

5. Area (in acres) of the territory to be annexed: **0.83 ACRES M/L**

6. Tax parcel number(s) of territory to be annexed  
(if the territory is part or all of an existing parcel): **101006406**

Petitioners phone:

**920-850-1810**

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:

Surveyor or Engineering Firm's Name & Address:  
**TOM KROMM, CITY SURVEYOR**

**100 N. APPLETON STREET**

**APPLETON, WI 54911**

Phone:

Phone: **920-832-6480**

E-mail:

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

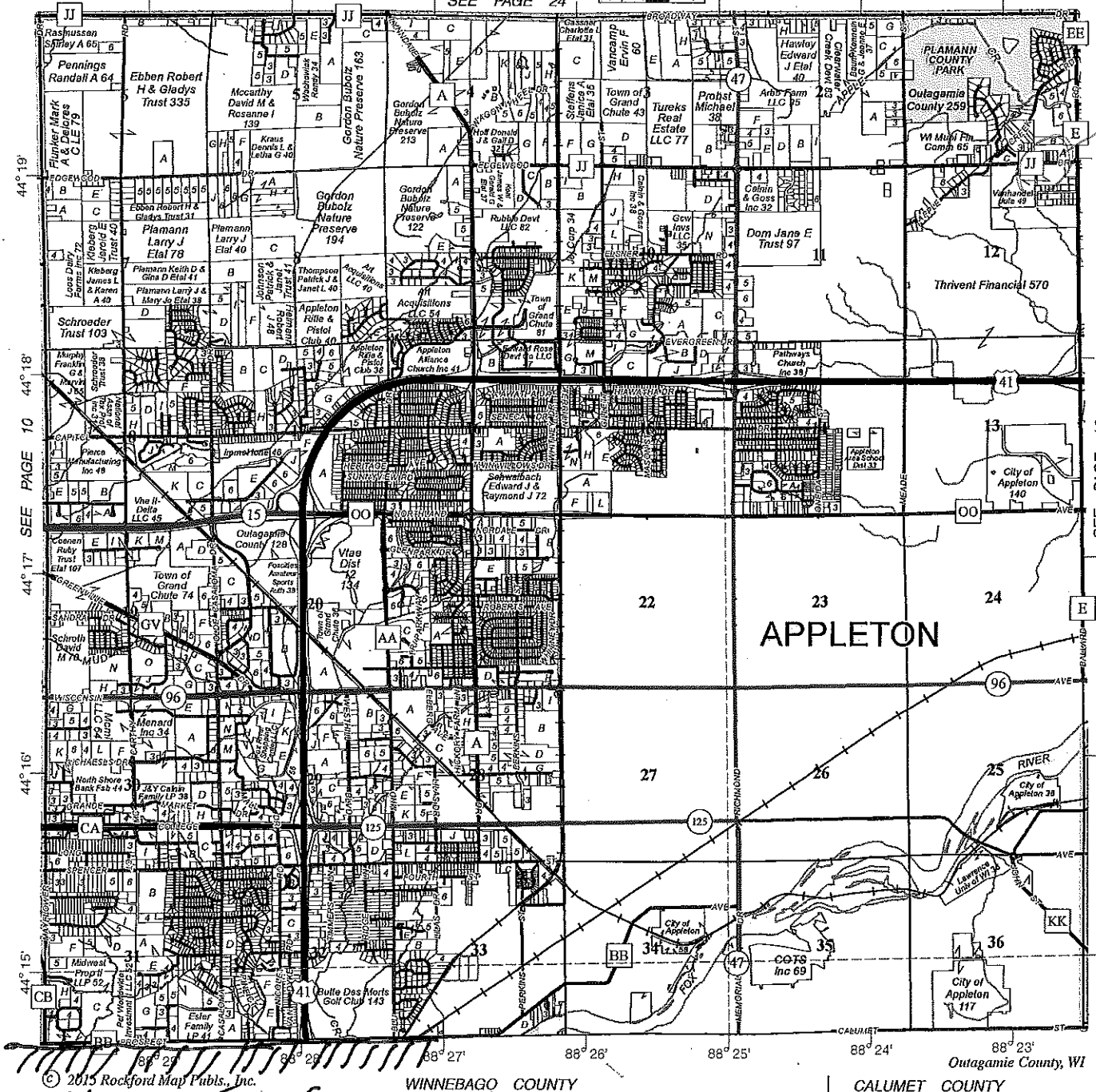
## Required Items to be provided with submission (to be completed by petitioner):

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]

WEST PART **GRAND CHUTE**

Refer to page 54 for keyed parcels  
**T.21N.-R.17E.**

SEE PAGE 24



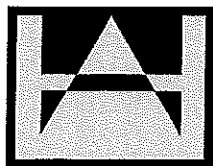
ANNEX

© 2015 Rockford Map Pubs., Inc.

WINNEBAGO COUNTY

CALUMET COUNTY

**Village Fox Crossing ET**



**HARRIS & ASSOCIATES, INC.**

*Since 1957*

**CONSULTING ENGINEERS  
AND LAND SURVEYORS**

2718 N. Meade St., Appleton, Wisconsin

920-733-8377 • Fax 920-733-4731

[www.harrisinc.net](http://www.harrisinc.net)



14088



# Legend

- County Boundary
- Cities, Towns & Villages
  - City
  - Village
  - Civil Town
- Rivers and Streams
- Intermittent Streams
- Lakes and Open water

TOWN

CITY

Outagamie

ANGEL

CITY

CITY

0.3 Miles

0.13

0

0.3

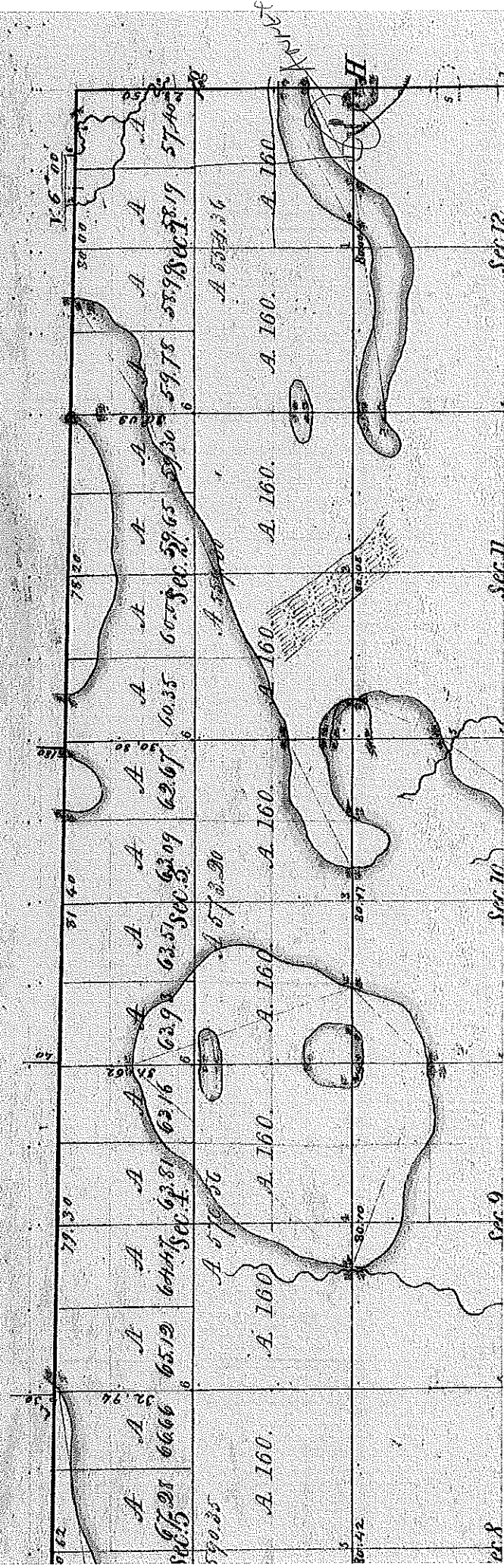
1: 7,920

NAD\_1983\_HARN\_Wisconsin\_TM

## Notes

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 used for navigation, nor are these maps an authoritative source of information about legal land ownership or public access. No warranty, expressed or implied, is made regarding accuracy, applicability for a particular use, completeness, or legality of the information depicted on this map. For more information, see the DNR Legal Notices web page: <http://dnr.wi.gov/legal/>

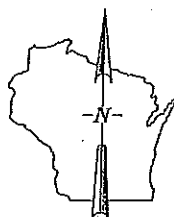
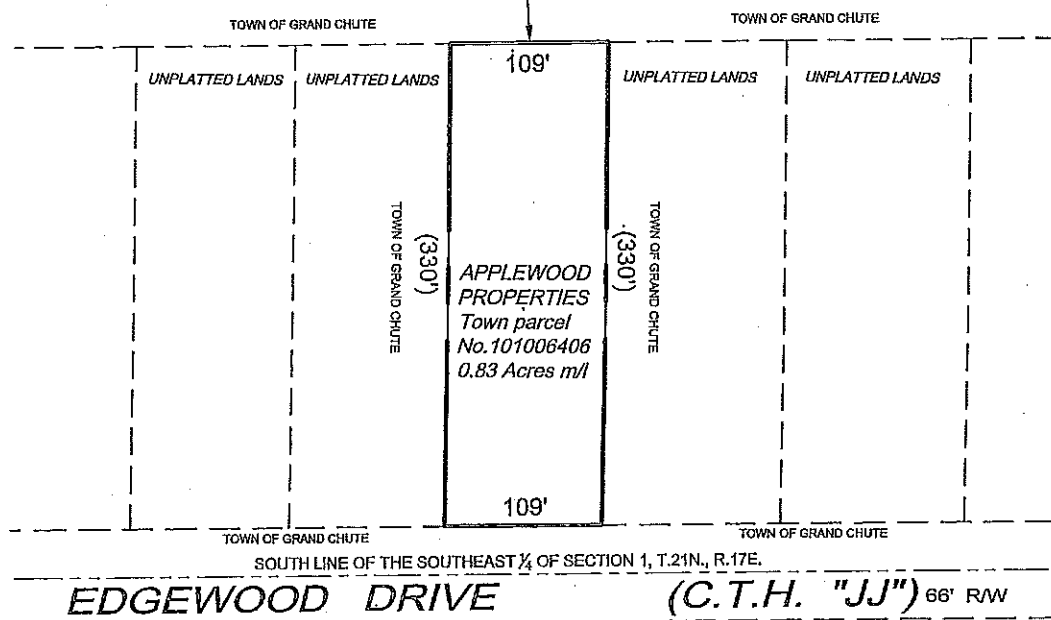
# No 21 N, Range No 17 East, 4<sup>th</sup> Mer.



# ANNEXATION EXHIBIT

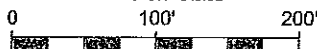
### UNPLATTED LANDS

## ANNEXATION AREA



BEARINGS ARE REFERENCED TO THE  
WISCONSIN COUNTY COORDINATE SYSTEM,  
OUTAGAMIE COUNTY, SOUTH LINE OF SE 1/4  
SECTION 1, T.21N., R.17E.; recorded to baar  
N89°14'49"E  
H:\Acad\Annex\2018\Applewood\_1712E\_Edgewood  
Drive\_0108\_2018

SCALE IN FEET



CITY OF APPLETON

DEPT. OF PUBLIC WORKS  
ENGINEERING DIVISION  
100 NORTH APPLETON STREET  
APPLETON, WI 54911  
920-832-6474  
DRAFTED BY: T. KROMM

## ANNEXATION

14088

**Owner:** Applewood Properties LLC

### Legal description

The East 109 feet of the West 578 feet of the South 11 acres of the Southeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 1, Township 21 North, Range 17 East, Town of Grand Chute, Outagamie County, Wisconsin, less and excepting premises conveyed and/or used for highway purposes.

Intending to annex to the City of Appleton all those lands of the owner contained within Warranty Deed Document Number 2076853.

# 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: 2/5

Payee: RONALD VIGENE

Check Number: 1139

Check Date: 1/11

Amount: 4000



## ANNEXATION SUBMITTAL GUIDE

14080

### 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."

14088

## 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, 9<sup>th</sup> Floor  
Madison, WI 53703

**Certified Mail –  
Return Receipt Requested**

Re: Annexation

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 1712 East Edgewood Drive 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



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](mailto:wimunicipalboundaryreview@wi.gov)  
Web: <http://doa.wi.gov/municipalboundaryreview/>

February 06, 2018

PETITION FILE NO. 14088

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: RON VIAENE 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

**ANNEXATION REVIEW QUESTIONNAIRE**  
**MUNICIPAL BOUNDARY REVIEW**

1. Territory to be annexed: Applewood Properties, LLC Property	From Town of: Grand Chute	To City of: Appleton
---	------------------------------	-------------------------

2. Area (Acres): 0.83 m/l      Approx. Equalized (full) value: Land: \$36,600    Improvements: \$148,800

3. Property Tax Payments  a. Annual town property tax on territory to be annexed: _____ b. Total that will be paid to Town (annual tax multiplied by 5 years): _____ c. Paid by:    Petitioner City/Village Other: N/A	<b>OR</b>	Boundary Agreement (yes)  a. Title of boundary agreement: <u>Intermunicipal Agreement</u> b. Year adopted: <u>1992</u> c. Participating jurisdictions: <u>City of Appleton and Town of Grand Chute</u> d. Statutory authority: <u>66.027 &amp; 66.30</u>
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4. Approximate <b>present land use</b> of territory:		Resident Population:
Undeveloped: _____%      Residential <u>100%</u> Commercial: _____%      Recreational _____% Industrial: _____%		Electors: 2 Total: 2

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

Commercial: _____%	Residential _____%	Other: _____
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?:

No City of Appleton property is adjacent to this property.

In the town?: Residential and light industrial

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

Sanitary sewer _____	Police/Fire protection _____
Water supply <u>X</u>	EMS _____
Storm sewers _____	Zoning _____
Other _____	

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

City ☒ Yes ☐ No      Town ☐ Yes ☒ No

If yes, approximate time table for providing service:

Sanitary Sewers immediately  
 or, write in number of years.

City

Town

\_\_\_\_\_

X

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 ☒ 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: 0.9 mile southeast of Plamann Park, 1.6 miles northwest of Providence 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? ☒ 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 District)

4. How will the land be zoned and used if annexed? R-1B Single Family District

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

Prepared by: Don Harp  
 Title: Principal Planner, City of Appleton  
 Phone: 920-832-6466  
 Date: 1-10-18

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



14088

**PETITION FOR DIRECT ANNEXATION BY UNANIMOUS APPROVAL  
PURSUANT TO SECTION 66.0217(2), WISCONSIN STATUTES**

I/We, the undersigned, constituting all of the sole owner of the real property and all of the electors that reside in the following territory of the Town of Grand Chute, Outagamie County, Wisconsin, 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.

The East 109 feet of the West 578 feet of the South 11 acres of the Southeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 1, Township 21 North, Range 17 East, Town of Grand Chute, Outagamie County, Wisconsin, less and excepting premises conveyed and/or used for highway purposes.

Intending to annex to the City of Appleton all those lands of the owner contained within Warranty Deed Document Number 2076853.



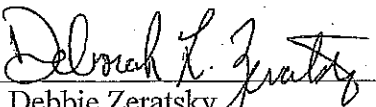
The current population of such territory is 2. The number of electors that reside on the lands to be annexed is 2.

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 R-1B Single-Family District.

Area of lands to be annexed contains 0.83 acres m/l.

Tax Parcel number of lands to be annexed: 101006406

Signature of Petitioner	Owner/Elector	Date of Signing	Address of Petitioner (Include Zip Code)
 Ronald Viaene	Owner, Applewood Properties, LLC	1-11-18	N1254 River Drive Greenville, WI 54942
 Dan Zeratsky	Elector	1-11-18	1712 E. Edgewood Drive Appleton, WI 54913
 Debbie Zeratsky	Elector	1-11-18	1712 E. Edgewood Drive Appleton, WI 54913



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](mailto:wimunicipalboundaryreview@wi.gov)

Web: <http://doa.wi.gov/municipalboundaryreview/>

February 23, 2018

PETITION FILE NO. 14088

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: RON VIAENE ANNEXATION

The proposed annexation submitted to our office on February 05, 2018, has been reviewed and found to be against the public interest for lack of contiguity to the City. In determining whether an annexation is in the public interest, s. 66.0217 (6), Wis. Stats. requires the Department to examine the shape of the proposed annexation and the homogeneity and contiguity of the territory with the annexing village or city 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.

Although non-contiguous, the proposed annexation is located within an area bounded to the east, south, west, and north by the City. Additionally, the City and Town have developed a boundary agreement which may help facilitate the eventual infill of this Town area to ultimately result in compact boundaries.

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 14088 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](mailto: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=2159>  
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner