

14131

Ariens Company

14131	Date Sent	Reply	Status
Town Quest	7-12		
Muni Quest	7-12	7/24	
Prop. Lister	7-18		

TOWN OF BRILLION
CITY OF BRILLION
07/31/2018

OK 7/31/18

Request for Annexation Review

Wisconsin Department of Administration

WI Dept. of Administration
Municipal Boundary Review
PO Box 1645, Madison WI 53701
608-264-6102 Fax: 608-264-6104
wimunicipalboundaryreview@wi.gov
<http://doa.wi.gov/municipalboundaryreview>

Petitioner Information

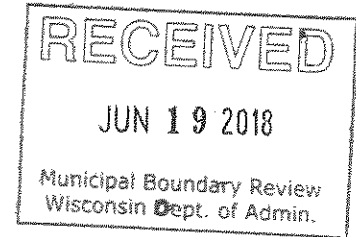
Name: **ARIENS COMPANY**

Address: **655 W RYAN ST**

BRILLION, WI 54110

Email: **MOLSEN@ARIENS.COM**

Office use only:



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

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

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

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

5. Area (in acres) of the territory to be annexed: **45**

6. Tax parcel number(s) of territory to be annexed
(if the territory is part or all of an existing parcel): **1823, 1829, 1828,
1830**

Petitioners phone:

Town clerk's phone:

City/Village clerk's phone:

Contact Information if different than petitioner:

Representative's Name and Address:

MARK R. OLSEN

ARIENS COMPANY

655 W RYAN ST

BRILLION, WI 54110

Phone: **(920) 756-4649**

E-mail: **MOLSEN@ARIENS.COM**

Surveyor or Engineering Firm's Name & Address:

Phone:

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

\$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)

Include check or money order, 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**

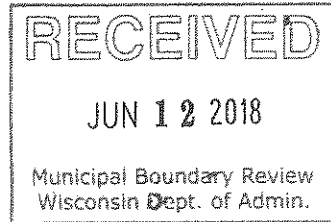
Shaded Area for Office Use Only

Date fee received: _____

Payee: _____ Check Number: _____

Check Date: _____

Amount: _____



City of Brillion
130 Calumet Street
Brillion, Wisconsin 54110-1199

June 7, 2018

Wisconsin Secretary of State
30 W. Mifflin Street, 10th Floor
PO Box 7848
Madison, WI 53707-7847

RE: ANNEXATION OF PROPERTY

Dear Sir:

Enclosed is the information regarding the annexation of the Ariens Company property to the City of Brillion. This parcel of land was annexed from the Town of Brillion with no electors residing on this parcel of land. This parcel has been zoned Heavy Industry (I-2).

The attached documents are true and correct copies of the originals. My signature certified this letter.

If you need additional information please contact me at (920) 756-2250.

Sincerely,

Lori M. Gosz
City Administrator/Clerk/Treasurer

Encl.

cc: Calumet County Register of Deeds
Brillion School District
Town of Brillion
Wisconsin Public Service
Frontier

**PETITION FOR DIRECT ANNEXATION BY UNANIMOUS APPROVAL PURSUANT TO SECTION 66.0217(12),
WISCONSIN STATUTES WHERE NO ELECTORS RESIDE IN TERRITORY**

We, the undersigned, constituting all of the owners of the real property in which no electors reside in the following territories of the Town of Brillion, Calumet County, Wisconsin, lying contiguous to the City of Brillion, petition the Common Council of the City of Brillion to annex the territories described below and shown on the attached scale map to the City of Brillion.

The legal descriptions of the territories to be annexed are:

1. Parcel # 1823, W682 Center Rd – 2.980 acres
Sec. 26, T20N, R20E
383-773, J1757-20, J4911-62 NW ¼ NE ¼ SEC. 36-20-20 LOT 1 CSM 4-86 & ALSO COM SW/C NW-NE, N280', SELY 320', W150' TO POB
2. Parcel # 1829, Center Rd – 34.020 acres
Sec. 26, T20N, R20E
J3274-15, J4187-47 NW ¼ NW ¼ SEC. 26-20-20, EX RR & EX CSM #1619 VOL.11-145 5.73 AC
3. Parcel # 1828, W716 Center Rd – 2.010 acres
Sec. 26, T20N, R20E
162-354, J844-40, J4911-23 TRACT 1 CSM 4-113, PT OF NE ¼ NW ¼ SEC. 26-20-20
4. Parcel # 1830, W850 Center Rd – 5.730 acres
Sec. 26, T20N, R20E
J2797-38, J2797-39 NW ¼ NW ¼ SEC. 26-20-20 LOT 1 CSM #1619 VOL. 11-145 COM 1323.94'S & 340'E NW/C, E971.21', N279', W775.73', SW346.87' TO POB

The current population of such territory is zero.

The purpose of this annexation petition is simplification for use in the future.

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.

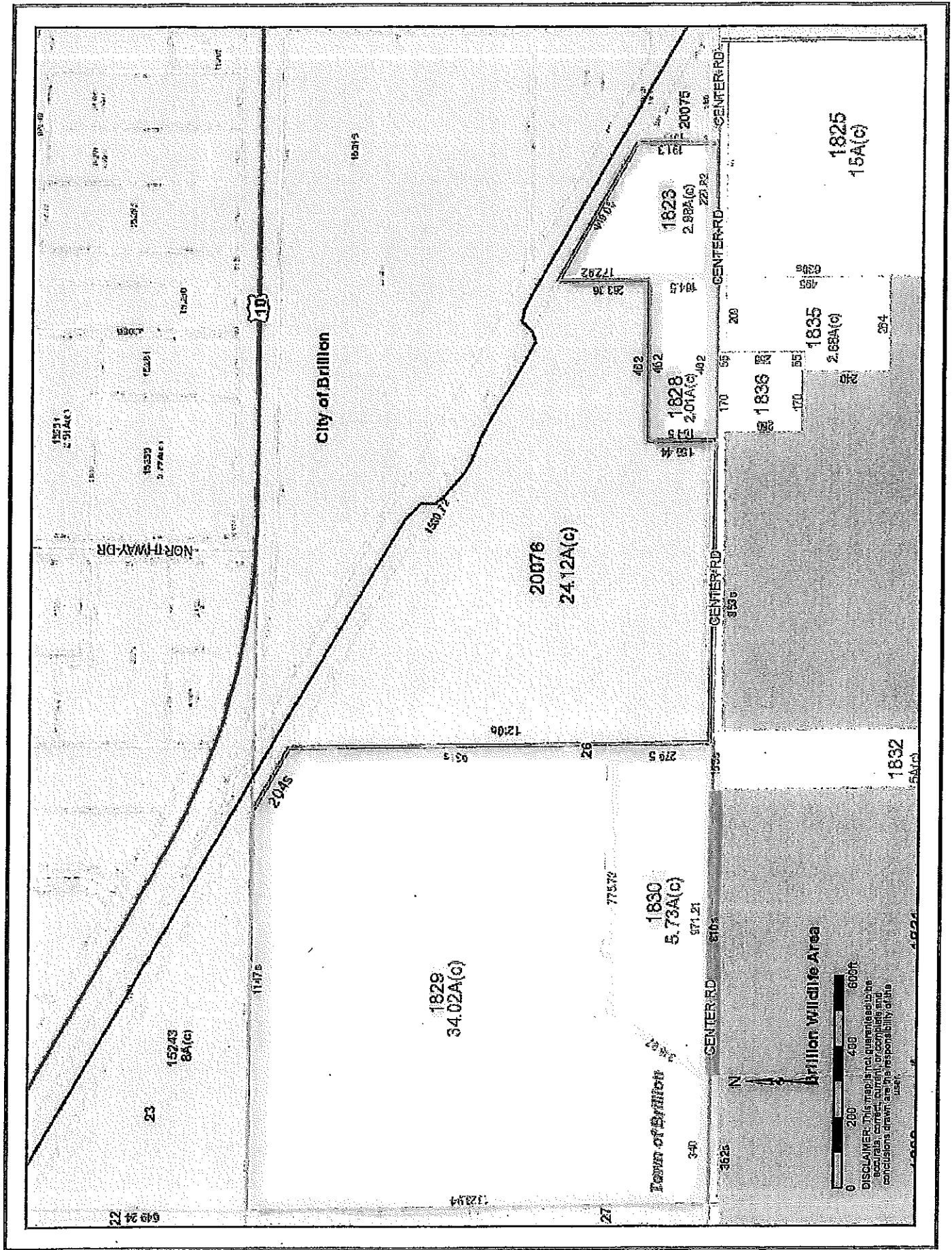
Signature of Petitioner	Date of Signing	Owner	Address or Description of Property
<i>Mark R. Olsen</i>	4/4/18	Ariens Company	W682 Center Road, Parcel # 1823
<i>Mark R. Olsen</i>	4/4/18	Ariens Company	W716 Center Road, Parcel # 1828
<i>Mark R. Olsen</i>	4/4/18	Ariens Company	Center Road, Parcel # 1829
<i>Mark R. Olsen</i>	4/4/18	Ariens Company	W850 Center Road, Parcel # 1830

670/TREASURER

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<u>PIN</u>	<u>Address</u>	<u>Legal Description</u>	<u>Vesting Deed</u>
1823	W682 Center Rd	<p>PARCEL 1: Parcel One (1) of Certified Survey Map Number 567, recorded on November 16, 1977, at 2:22 P.M., in Vol. 4 of Survey Maps on page 86, as Document No. 145916, in the office of the Calumet County Register of Deeds, being a part of the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) of Section Twenty-six (26), T20N, R20E, Town of Brillion, Calumet County, Wisconsin.</p> <p>PARCEL 2: Commencing at the Southwest corner of the Northwest quarter of the Northeast quarter (NW 1/4 of NE 1/4) of Section Number Twenty Six (26), in Township Number Twenty (20), North of Range Number Twenty (20) East, thence running due east one hundred fifty (150) feet, said place to be the place of real beginning; thence running due West one hundred fifty (150) feet, thence due North two hundred Eighty (280) feet, thence in a southeasterly direction three hundred twenty (320) feet, more or less, to the point of real beginning, being a triangular parcel of land in the southwest corner of the northwest quarter of the northeast quarter (NW 1/4 of NE 1/4) of section number twenty six (26) Town and Range aforesaid, Town of Brillion, Calumet County, Wisconsin.</p>	11/22/1999 Jacket 4911, Image 62, # 298752
1828	W716 Center Rd	<p>Tract No. 1 of Certified Survey Map No. 577 Recorded January 3, 1978, at 3:33 P.M., in Volume 4 of Certified Survey Maps on page 113, Document No. 146449, being a part of the NE 1/4 of the NW 1/4 of Section 26, T20N, R20E, Town of Brillion, Calumet County, Wisconsin.</p>	11/22/1999 Jacket 4911, Image 23, # 298739
1829	Center Rd	<p>Commencing at the Southeast corner of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4), Section 26, Township 20 North, Range 20 East, Town of Brillion, Calumet County, Wisconsin, running thence North to the Northwestern Railway about 80 rods, thence in a Northwesterly direction along said Railway Right-of-Way, Westerly 10 rods, thence South 80 rods, thence East 10 rods to the place of beginning.</p>	7/6/2007 # 419127 (Parcel 2)





SCOTT WALKER
GOVERNOR
ELLEN NOWAK
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 12, 2018

PETITION FILE NO. 14131

LORI GOSZ, CLERK
CITY OF BRILLION
130 CALUMET ST
BRILLION, WI 54110-1199

KAREN JANETTE, CLERK
TOWN OF BRILLION
PO BOX 216
FOREST JCT, WI 54123-0216

Subject: ARIENS COMPANY 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 BRILLION to the CITY OF BRILLION (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 July 31, 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

Schmidtke, Erich J - DOA

From: Marissa Heimerl <Marissa.Heimerl@calumetcounty.org>
Sent: Wednesday, July 18, 2018 9:20 AM
To: Schmidtke, Erich J - DOA
Subject: RE: annexation

Hi Erich

Everything looks good on my end.

Thanks
Marissa Heimerl
Real Property Lister
Calumet County

From: Schmidtke, Erich J - DOA [mailto:Erich.Schmidtke@wisconsin.gov]
Sent: Thursday, July 12, 2018 3:38 PM
To: Marissa Heimerl
Subject: annexation

**** This message was sent from an external source. ONLY open attachments or click on links from known senders. ****

Hello Marissa,

Here is a proposed annexation from the town of Brillion to the city of Brillion for your review and comments.

Thank you, Erich



Erich Schmidtke
Municipal Boundary Review - DOA
101 East Wilson Street
PO Box 1645, Madison, WI 53701
(608) 264-6102
erich.schmidtke@wisconsin.gov
<http://doa.wi.gov/municipalboundaryreview>

Annexation Review Questionnaire

Wisconsin Department of Administration

WI Dept. of Administration
Municipal Boundary Review
PO Box 1645
Madison WI 53701
608-264-6102 Fax: 608-264-6104
wimunicipalboundaryreview@wi.gov
<http://doa.wi.gov/municipalboundaryreview>

Petitioner: Ariens Company

Petition Number: 14131

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

2. Area (Acres): 44.74

3. Pick one: ☒ Property Tax Payments

OR ☐ Boundary Agreement

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

\$ 360.14

a. Title of boundary agreement _____

b. Total that will be paid to Town

(annual tax multiplied by 5 years): \$1,800.70

b. Year adopted _____

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: _____%

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

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

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?

Industrial

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: _____

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 & Zoning:

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

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

b. How is the annexation territory now zoned? _____

c. How will the land be zoned and used if annexed? Industrial

12. Elections: ☐ New ward or ☒ Existing ward? Will the annexation create a new ward or join an existing ward? For more information, please contact the Wisconsin Election Commission at (608) 266-8005, elections@wi.gov or see their annexation checklist here: <http://elections.wi.gov/forms/el-100>

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

The annexation is requested by the owner so that all of the owners property is in the City limits. The described parcels are contiguous to parcels the owner owns in the City of Brillion.

Prepared by: ☐ Town ☒ City ☐ Village

Name: LORI GOSZ

Email: admin@ci.brillion.wi.us

Phone: 920-756-2250

Date: 7-23-2018

Please RETURN PROMPTLY to:

wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

PO Box 1645, Madison WI 53701

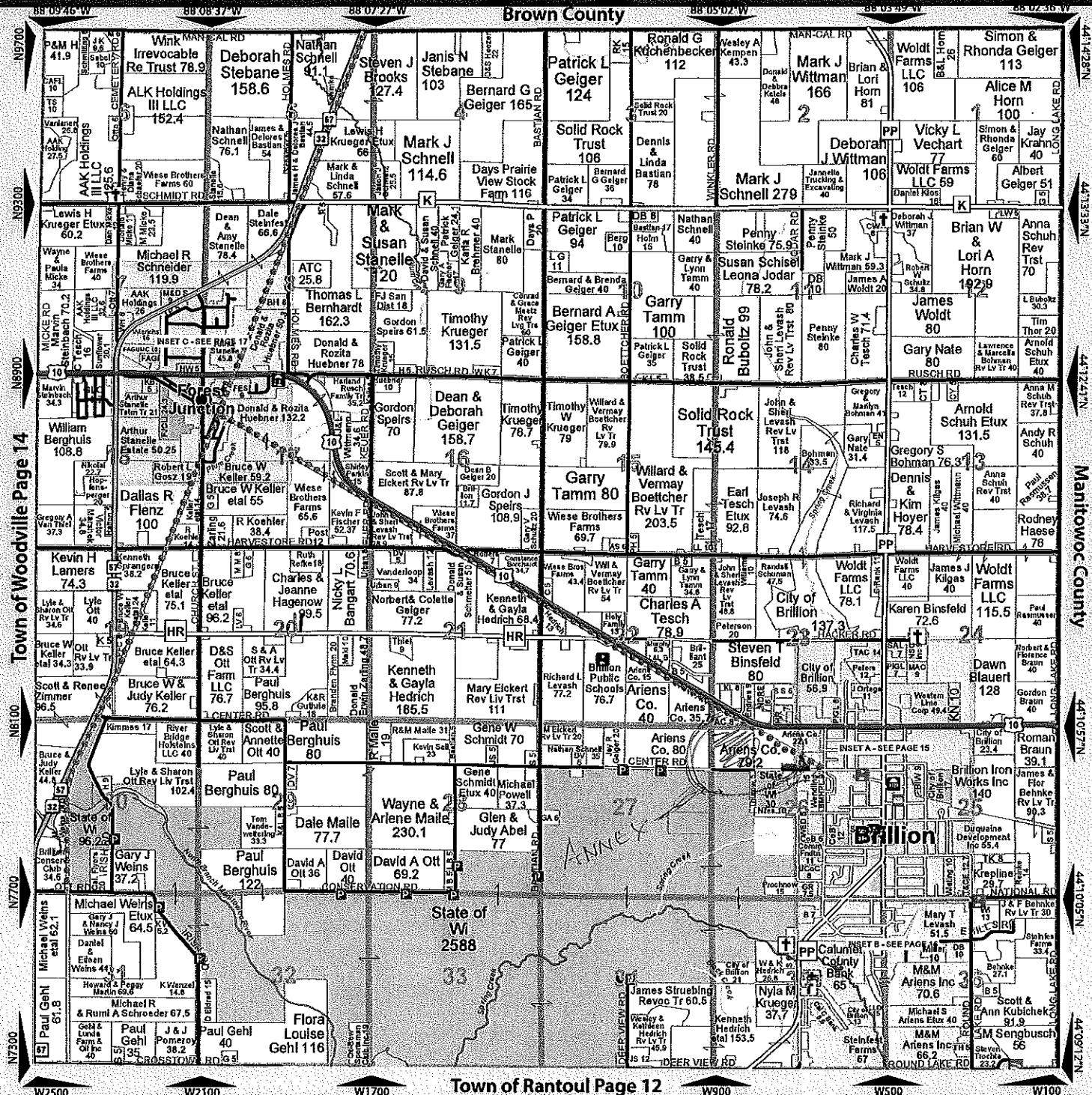
Fax: (608) 264-6104

(March 2018)



Town of Brillion

T.20N. R.20E.



We create designs that enhance, preserve, and transform our communities.

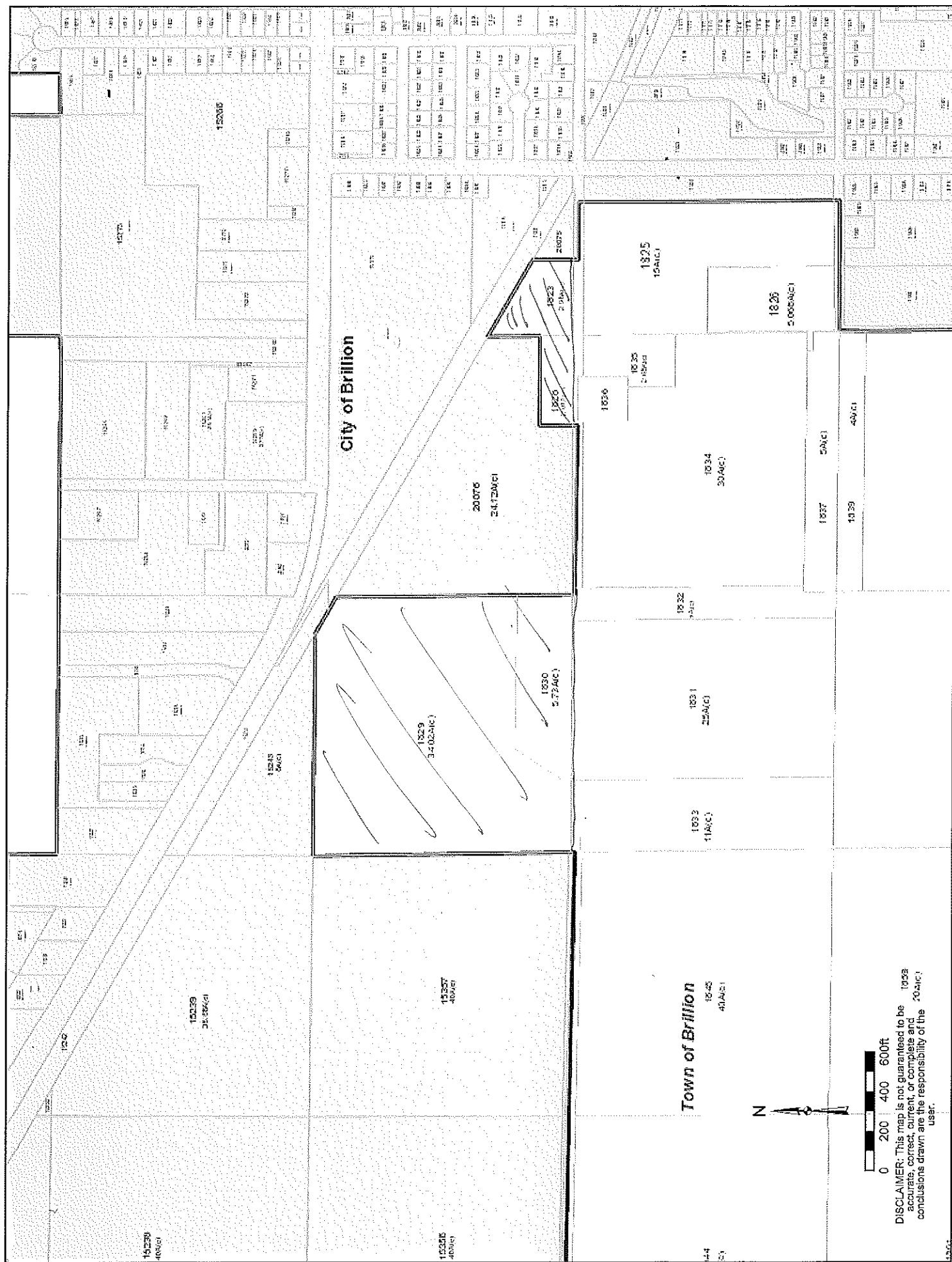


OMNi

ASSOCIATES

ENGINEERING • SURVEYING
ARCHITECTURE • ENVIRONMENTAL
GEOTECHNICAL • SITE DEVELOPMENT

Appleton 920-735-6900 www.omni.com





14131



- 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

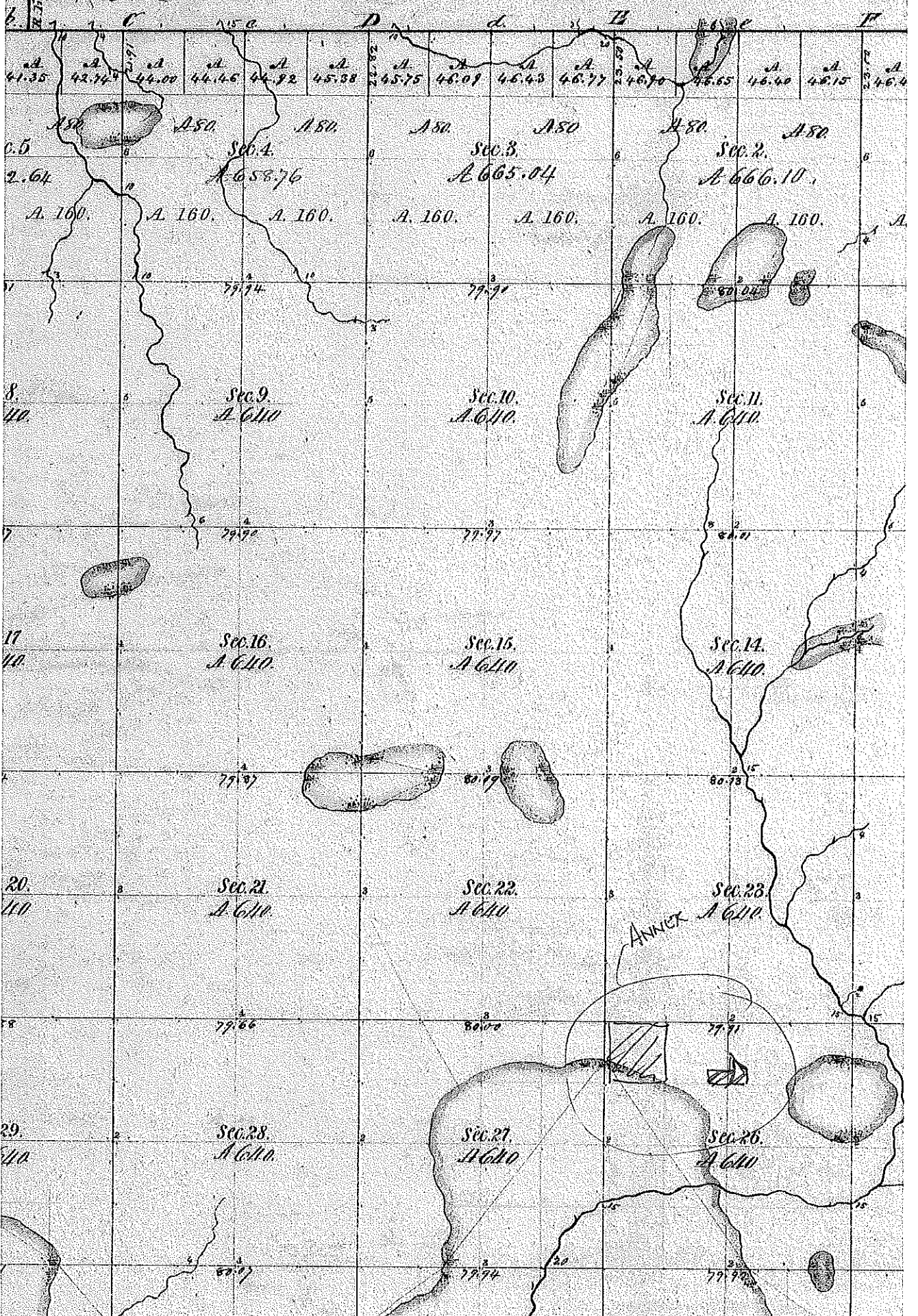
DISCLAIMER: The information shown on these maps has been obtained from various sources, and are of varying age, reliability and resolution. These maps are not intended to be used for navigation, nor are these maps an authoritative source of information about legal land ownership or public access. No 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/>

0.3 0 0.13 0.3 Miles

1: 7,920

NAD_1983_HARN_Wisconsin_TM

N^o 20 North, Range N^o 20 East 4th Mer. (W)





SCOTT WALKER

GOVERNOR

ELLEN NOWAK

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, 2018

PETITION FILE NO. 14131

LORI GOSZ, CLERK
CITY OF BRILLION
130 CALUMET ST
BRILLION, WI 54110-1199

KAREN JANETTE, CLERK
TOWN OF BRILLION
PO BOX 216
FOREST JCT, WI 54123-0216

Subject: ARIENS COMPANY ANNEXATION

The proposed annexation submitted to our office on July 11, 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 BRILLION**, 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 14131 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=2204>
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner