

Request for Annexation Review

Wisconsin Department of Administration

Division of Intergovernmental Relations
Municipal Boundary Review
101 E. Wilson Street, 10th Floor
Madison, WI 53702-0001

608-264-6102 Fax: 608-267-6917
Erich.Schmidtke@Wisconsin.gov

Petitioner Information

Name: Suburban Motors of Grafton, Inc.

Address: 139 N Main St.

Thiensville, WI 53092

Property to Annex: 753 Port Washington Rd, Grafton, WI

1. Town where property is located: Grafton

2. Petitioned City or Village: Grafton

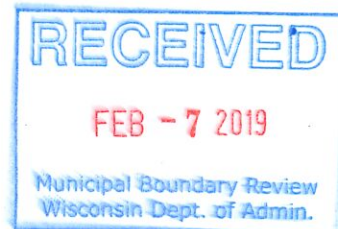
3. County where property is located: Ozaukee

4. Population of the territory to be annexed: _____

5. Area (in acres) of the territory to be annexed: 11.033 acres

6. Tax parcel number(s) of territory to be annexed (if the territory is part or all of an existing parcel): 06-030-04-004.00

Office use only:



262-242-2464
Petitioner's phone #

262-377-8500
Town Clerk's phone #

262-376-5300
City/Village Clerk's phone #

Contact Information if different than petitioner:

Representative's Name and Address:

Neumann Developments Inc.

N27 W24025 Paul Ct, Suite 100

Pewaukee, WI 53072

Phone

262-542-9200

E-mail

blindgren@neumanncompanies.com

Surveyor or Engineering Firm's Name and Address:

M Squared Engineering

W62 N215 Washington Ave

Cedarburg, WI 53012

Phone

262-376-4246

E-mail

JSchreiner@msquaredengineering.com

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

1. Legal Description meeting the requirements of s.66.0217 (c)..... ☒
2. Map meeting the requirements of s. 66.0217 (g)
 - Includes boundary of the annexing city of village & Territory is contiguous..... ☒
3. Signed Petition or Notice of Intent to Circulate is included ☒
4. Statutory method used?
 - Unanimous s. 66.0217 (2), or,..... ☒
 - Direct by one-half approval s. 66.0217 (3)..... ☐
5. Check or money order covering Department of Administration annexation fee..... ☒

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 acreage fee

Initial Filing Fee*		\$	<u>350</u>
2 acres or less	\$200		
2.01 acres or more	\$350		

*NOTE: The \$200 initial filing fee is required with the first submittal of the petition, only.

Acreage Fee		\$	<u>800</u>
2 acres or less.....	\$200		
2.01 to 10 acres.....	\$600		
10.01 to 50 acres.....	\$800		
50.01 to 100 acres.....	\$1,000		
100.01 to 200 acres.....	\$1,400		
200.01 to 500 acres.....	\$2,000		
Over 500 acres.....	\$4,000		

TOTAL FEE DUE (Add the Filing Fee to the Acreage Fee)..... \$ 1150

Attach check or money order here, payable to: Department of Administration

**THE DEPARTMENT IS PROHIBITED FROM PROCESSING
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**



TONY EVERS

GOVERNOR

JOEL BRENNAN

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 07, 2019

PETITION FILE NO. 14192

JESSICA WOLFF, CLERK
VILLAGE OF GRAFTON
860 BADGER CIRCLE
GRAFTON, WI 53024-9436

AMANDA SCHAEFER, CLERK
TOWN OF GRAFTON
PO BOX 143
GRAFTON, WI 53024-0143

Subject: SUBURBAN MOTORS GRAFTON INC 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 GRAFTON to the VILLAGE OF GRAFTON (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 27, 2019. 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
PO Box 1645
Madison WI 53701
608-264-6102 Fax: 608-264-6104
wimunicipalboundaryreview@wi.gov
<http://doa.wi.gov/municipalboundaryreview>

Petitioner: **Suburban Motors Grafton Inc**

Petition Number: **14192**

1. Territory to be annexed: From **TOWN OF GRAFTON** To **VILLAGE OF GRAFTON**

2. Area (Acres): **11,033**

3. Pick one: ☒ Property Tax Payments

OR ☐ Boundary Agreement

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

\$ **559.52**

a. Title of boundary agreement _____

b. Year adopted _____

b. Total that will be paid to Town

(annual tax multiplied by 5 years): **\$2,797.60**

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: **3,171** Total: **4,159**

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

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

Undeveloped: _____ %

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

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?

In the town?: **residential / rural 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. _____

N/A

Water Supply immediately

☐

☐

or, write in number of years. _____

N/A

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? N/A ☐ Yes ☐ No

b. How is the annexation territory now zoned? rural residential

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

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: _____

Prepared by: ☒ Town ☐ City ☐ Village

Name: Amanda L. Schaefer

Email: aschaefer@townofgrafton.org

Phone: 262.377.8500

Date: 2.14.2019

Please **RETURN PROMPTLY** to:

wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

(March 2018)

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: Suburban Motors Grafton Inc

Petition Number: 14192

1. Territory to be annexed: From TOWN OF GRAFTON

To VILLAGE OF GRAFTON

2. Area (Acres): 11.033

3. Pick one: ☒ Property Tax Payments

OR

☐ Boundary Agreement

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

\$ 559.52

a. Title of boundary agreement _____

b. Year adopted _____

b. Total that will be paid to Town

(annual tax multiplied by 5 years): \$ 2,797.60

c. Participating jurisdictions _____

c. Paid by: ☐ Petitioner ☐ City ☒ Village

d. Statutory authority (pick one)

☐ s.66.0307 ☐ s.66.0225 ☐ s.66.0301

☒ Other: Developer Agreement

4. Resident Population: Electors: 1 Total: _____

5. Approximate present land use of territory:

Residential: 50 % Recreational: _____ % Commercial: _____ % Industrial: _____ %

Undeveloped: 50 %

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

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

Other: _____ %

Comments: _____

7. Has a ☒ preliminary or ☐ final plat been submitted to the Plan Commission: ☒ Yes ☐ No

Plat Name: River Bend Meadows

8. What is the nature of land use adjacent to this territory in the city or village?

Residential and Undeveloped

In the town?: Residential and Undeveloped

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:

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: Water / Sewer; + 2 mi

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? A-2 (Town)

c. How will the land be zoned and used if annexed? R-2 (Village) Residential - single family

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:

Prepared by: ☐ Town ☐ City ☒ Village

Name: Jessica Wolff

Email: jwolff@village.grafton.wi.us

Phone: 262-375-5303

Date: 2.14.19

(March 2018)

Please RETURN PROMPTLY to:

wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

PETITION FOR ANNEXATION

The undersigned, constituting 100 percent of the owners of the following described territory located in the Town of Grafton, Ozaukee County, Wisconsin lying contiguous to the Village of Grafton, petition the Honorable President and Common Council of said village to annex the territory described below and shown upon the attached map, as permitted by Chapter 66 of the Wisconsin Statutes, to the Village of Grafton, Ozaukee County, Wisconsin.

LEGAL DESCRIPTION:

THAT PART OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 30, TOWNSHIP 10 NORTH, RANGE 22 EAST, IN THE TOWN OF GRAFTON, OZAUKEE COUNTY, STATE OF WISCONSIN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 30; THENCE N02°00'06"W ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 30, 80.00 FEET TO THE POINT OF BEGINNING; THENCE S88°29'06"W 533.94 FEET; THENCE N02°00'06"W PARALLEL WITH SAID EAST LINE 900.10 FEET; THENCE N88°29'06"E 533.94 FEET TO SAID EAST LINE; THENCE S02°00'06"E ALONG SAID EAST LINE 900.10 FEET TO THE POINT OF BEGINNING.

SAID PROPERTY CONTAINS 11.033 ACRES (480579 S.F.) TOTAL.
10.351 ACRES WITHOUT RIGHT OF WAY (450876 S.F.)

There is one month to month tenant residing in the territory.

Dated this 23 day of January, 2019

Wayne Haupt Pres

Suburban Motors of Grafton, Inc.

By: Wayne Haupt, Member

ANNEXATION MAP

LEGAL DESCRIPTION:

THAT PART OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 30, TOWNSHIP 10 NORTH, RANGE 22 EAST, IN THE TOWN OF GRAFTON, OZAUKEE COUNTY, STATE OF WISCONSIN. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

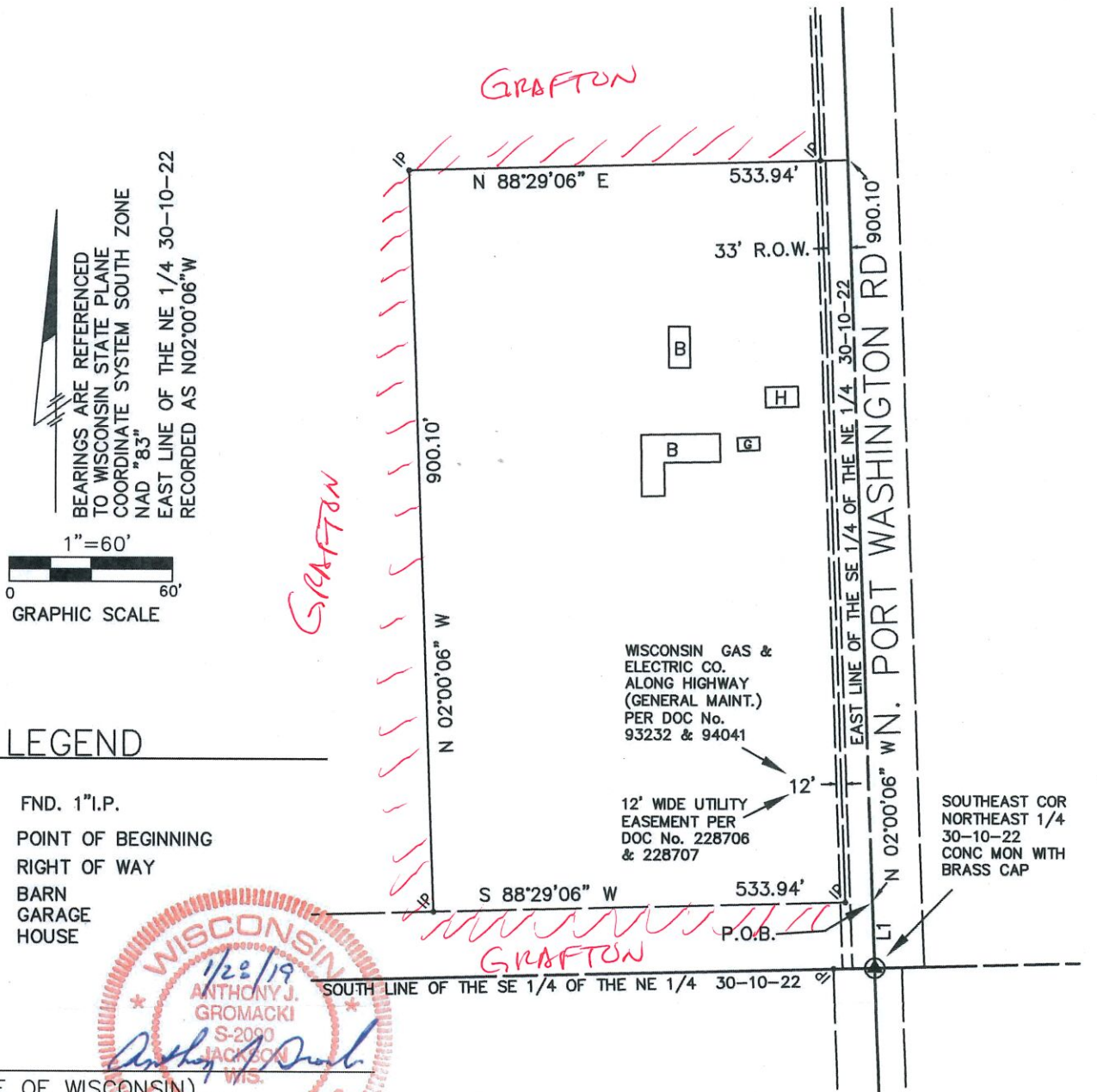
COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 30; THENCE N02°00'06"W ALONG THE EAST LINE OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 30, 80.00 FEET TO THE POINT OF BEGINNING; THENCE S88°29'06"W 533.94 FEET; THENCE N02°00'06"W PARALLEL WITH SAID EAST LINE 900.10 FEET; THENCE N88°29'06"E 533.94 FEET TO SAID EAST LINE; THENCE S02°00'06"E ALONG SAID EAST LINE 900.10 FEET TO THE POINT OF BEGINNING.

SAID PROPERTY CONTAINS 11.033 ACRES (480579 S.F.) TOTAL.

10.351 ACRES WITHOUT RIGHT OF WAY (450876 S.F.)

TAX KEY NO: 06-030-04-004.00

PROPERTY ADDRESS: 753 N. PORT WASHINGTON ROAD GRAFTON, WI 53024



STATE OF WISCONSIN)
OZAUKEE COUNTY) SS

I Anthony J. Gromacki Land Surveyor in the State of Wisconsin, do hereby certify that on January 28th, 2019 surveyed the above described property according to official records and the accompanying map is true and correct representation of the exterior boundaries of the land surveyed to the best of my belief and knowledge.

THIS INSTRUMENT WAS DRAFTED BY ANTHONY J. GROMACKI, R.L.S. 2090



M Squared Engineering, LLC

...where engineering solutions meet water quality...

W62N215 Washington Avenue
Cedarburg, WI 53012

Phone: (262)376-4246

www.msquaredengineering.com

Fax: (262)375-2274

NEUMANN

PROJECT: NEUMANN
PROJECT NO.: 18-153-034
DRAWN BY: AJG
DATE: 1/28/2019

PLAT OF SURVEY

SCALE: 1" = 200'

LEGAL DESCRIPTION:

THAT PART OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 30,
TOWNSHIP 10 NORTH, RANGE 22 EAST, IN THE TOWN OF GRAFTON, OZAUKEE
COUNTY, STATE OF WISCONSIN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE
NORTHEAST 1/4 OF SAID SECTION 30; THENCE N02°00'06"W ALONG THE EAST LINE
OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 30, 80.00 FEET
TO THE POINT OF BEGINNING; THENCE S88°29'06"W 533.94 FEET; THENCE
N02°00'06"W PARALLEL WITH SAID EAST LINE 900.10 FEET; THENCE N88°29'06"E
533.94 FEET TO SAID EAST LINE; THENCE S02°00'06"E ALONG SAID EAST LINE
900.10 FEET TO THE POINT OF BEGINNING.

SAID PROPERTY CONTAINS 11.033 ACRES (480579 S.F.) TOTAL.
10.351 ACRES WITHOUT RIGHT OF WAY (450876 S.F.)

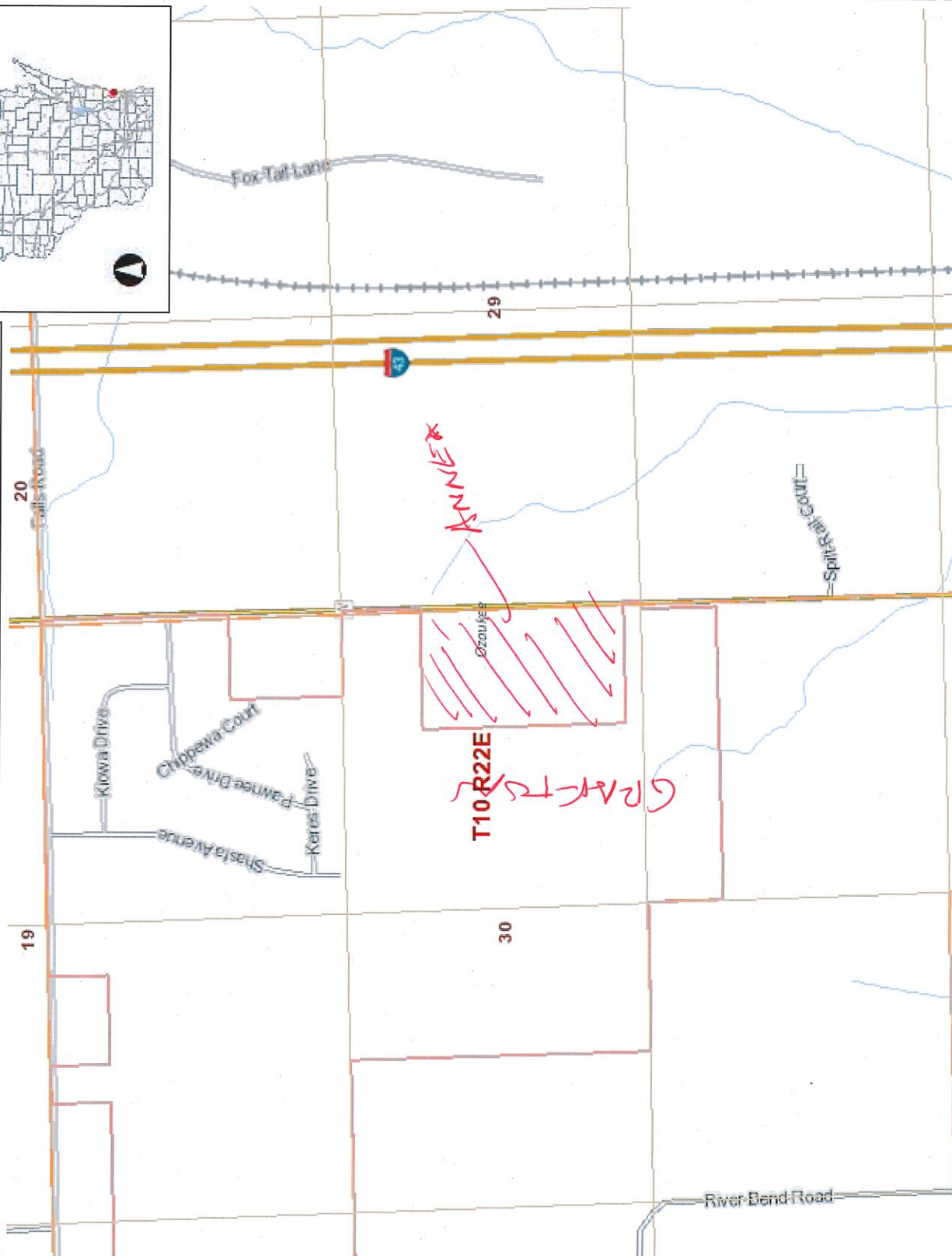


14192



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



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 Miles

0.13

0

NAD_1983_HARN_Wisconsin_TM

1: 7,920



MECHANICAL
Contractors — Engineers

Ph: (262) 284-5589



HOUSEMAN & FEIND LLP
ATTORNEYS AT LAW

262-377-0600
www.housemanlaw.com



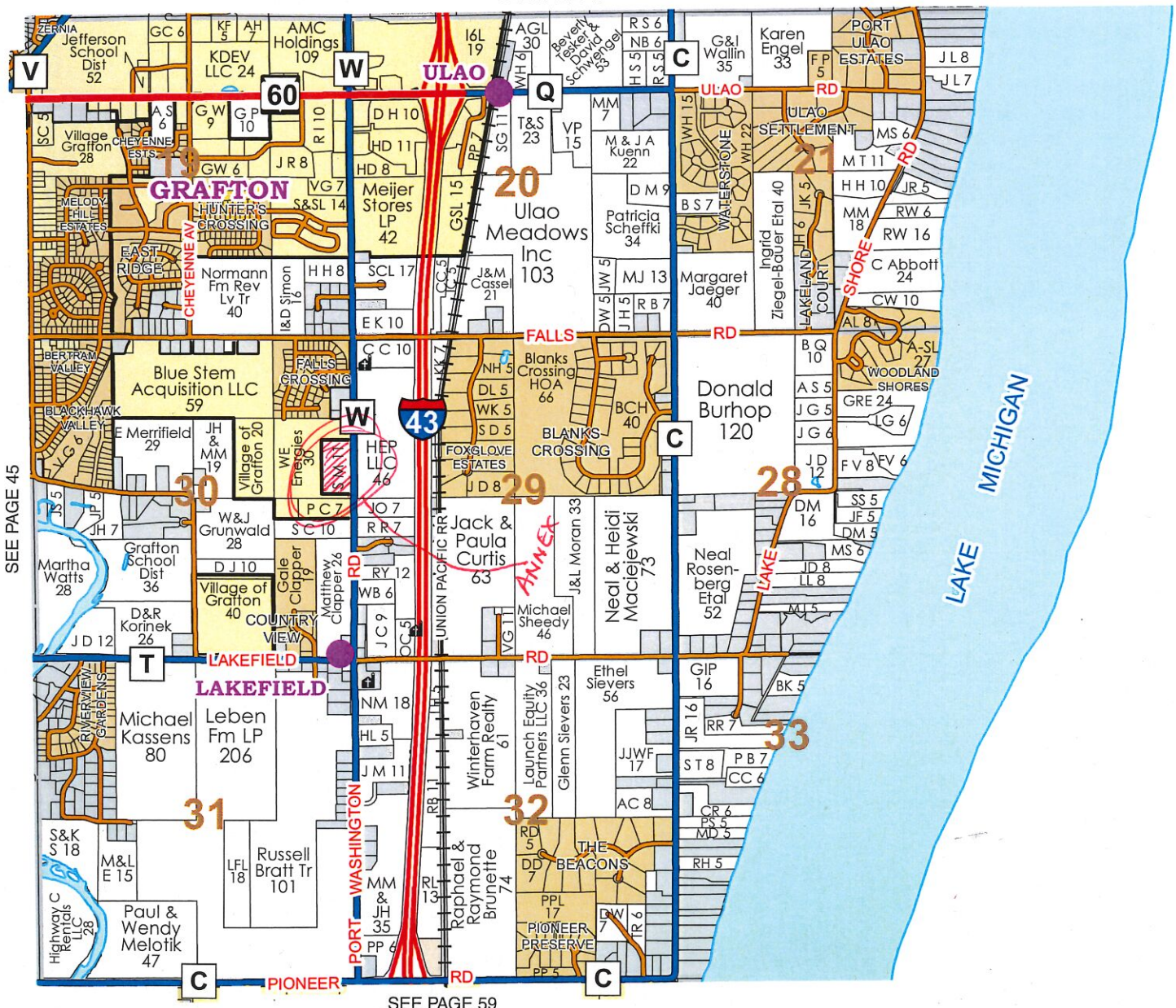
Grafton (SE)

1 in = 0.5 miles

Township 10N - Range 22E

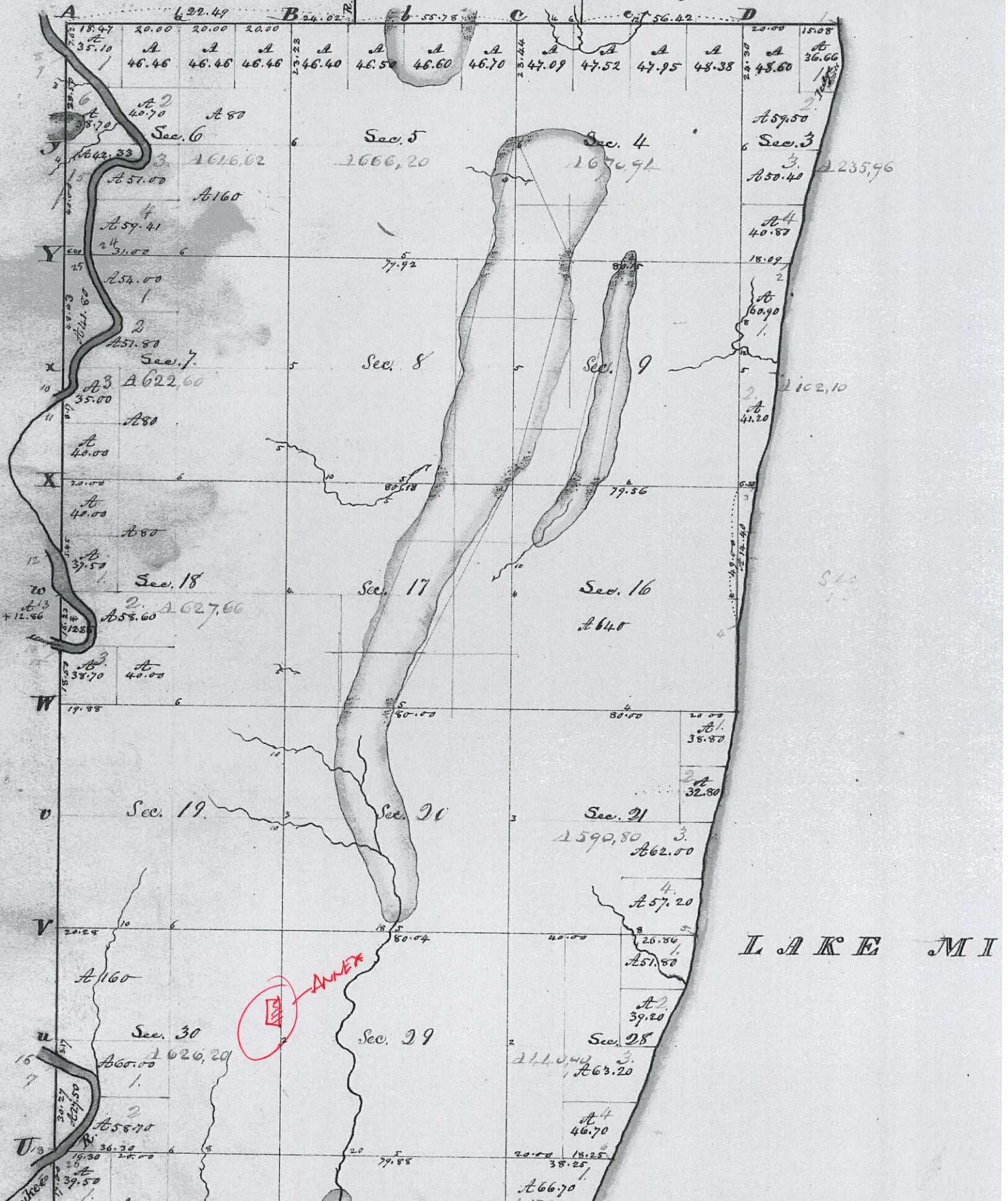
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SEE PAGE 47



SEE PAGE 59

Township N. 10, Range N. 22 East 4





TONY EVERS

GOVERNOR

JOEL BRENNAN

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 27, 2019

PETITION FILE NO. 14192

JESSICA WOLFF, CLERK
VILLAGE OF GRAFTON
860 BADGER CIRCLE
GRAFTON, WI 53024-9436

AMANDA SCHAEFER, CLERK
TOWN OF GRAFTON
PO BOX 143
GRAFTON, WI 53024-0143

Subject: SUBURBAN MOTORS GRAFTON INC ANNEXATION

The proposed annexation submitted to our office on February 07, 2019, 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 **VILLAGE OF GRAFTON**, which is able to provide needed municipal services.

Note:

-The existing municipal boundary must be clearly shown and identified on the scale map of the territory to be annexed (ref: s. 66.0217 (1) (g) Wis. Stats.). See the enclosed map and the red hatched marking as an example.

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 14192 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=2266>

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

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner