

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

## Petitioner Information

Name: **CMJM PROPERTIES / CODY FILIPCZAK**

Address: **6176 SANDSTONE ROAD**

**EAU CLAIRE WI 54701**

Email: **CODY FILIPCZAK**  
**<CODY@CANDMHOMEBUILDERS.COM>**

Office use only:

**RECEIVED**

**April 24, 2020**

Municipal Boundary Review  
Wisconsin Dept. of Admin.

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

2. Petitioned City or Village: **CITY OF EAU CLAIRE**

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

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

5. Area (in acres) of the territory to be annexed: **.8**

6. Tax parcel number(s) of territory to be annexed  
(if the territory is part or all of an existing parcel): **22809-3132-0100-0000**

Petitioners phone:

**715-456-0548**

Town clerk's phone:

**715-874-5982**

City/Village clerk's phone:

**715-839-4912**

## Contact Information if different than petitioner:

Representative's Name and Address:

Surveyor or Engineering Firm's Name & Address:  
**REAL LAND SURVEYING LLC**

**PETER GARTMANN**

**1360 INTERNATIONAL DRIVE**

**EAU CLAIRE WI 54701**

Phone:

Phone: **715-514-4116**

E-mail:

E-mail: **PGARTMANN@RLS-AEC.COM**

## 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

**\$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: 4-23-2020

Payee: Real Land Surveying LLC

Check Number: 7447

Check Date: 4-20-2020

Amount: \$400.00

## Petition for Direct Annexation

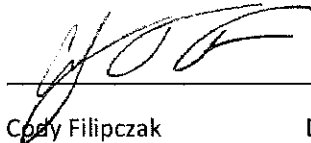
### Pursuant to Section 66.0217(2) WIS. STATS.

We, the undersigned, consulting all of the electors and all of the owners of the real property in the following territory of the Town of Wheaton, Chippewa County, Wisconsin, lying contiguous to the City of Eau Claire, petition the City of Eau Claire to annex the territory described in EXHIBIT A and show on scaled map in EXHIBIT B to the City of Eau Claire, Eau Claire County, Wisconsin.

Legal Description of the proposed territory to be annexed is attached (Exhibit A). Scaled map of proposed territory to be annexed is attached (Exhibit B) parcel #**22809-3132-01000000**

The current population of such territory is 0.

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



Cory Filipczak

4-26-2020  
Dated

April 20, 2020

Exhibit "A"

Land in the east half of the SW¼ of Section 31 to be obtained by C&M Properties between the centerline of CTH F and the west line of the east half.

Description of land to be acquired with a quiet title action:

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE¼ OF THE SW¼) AND IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE¼ OF THE SW¼), SECTION 31, TOWNSHIP 28 NORTH (T28N), RANGE 9 WEST (R9W), TOWN OF WHEATON, CHIPPEWA COUNTY, WISCONSIN BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

- COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION;
- THENCE S.89°41'02"E., ALONG THE NORTH LINE OF THE SW¼ OF SAID SECTION, 1156.66 FEET TO THE NORTHWEST CORNER OF SAID NE¼ OF THE SW¼;
- THENCE S.00°55'06"E., ALONG THE WEST LINE OF SAID NE¼ OF THE SW¼, 1154.77 FEET TO THE POINT OF BEGINNING;
- THENCE CONTINUING S.00°55'06"E., ALONG SAID WEST LINE AND THE WEST LINE OF SAID SE¼ OF THE SW¼, 400.05 FEET TO THE NORTHWEST CORNER OF THE PARCEL DESCRIBED IN VOLUME 391, PAGE 263 AS DOCUMENT #362957, SAID POINT BEING 14 RODS SOUTH OF THE NORTHWEST CORNER OF SAID SE¼ OF THE SW¼, ;
- THENCE S.50°39'17"E., ALONG THE NORTH LINE OF SAID PARCEL DESCRIBED IN VOLUME 391, PAGE 263, A DISTANCE OF 85.64 FEET TO ITS INTERSECTION WITH THE CENTERLINE OF COUNTY TRUNK HIGHWAY F;
- THENCE N.01°52'02"E., ALONG SAID CENTERLINE, 357.57 FEET;
- THENCE NORTHEASTERLY ALONG SAID CENTERLINE AND THE ARC OF A CURVE CONCAVE SOUTHEASTERLY, THE LONG CHORD WHICH BEARS N09°37'31"E. 67.93 FEET AND HAVING A RADIUS OF 251.61 FEET;
- THENCE N.72°37'00"W. 100.23 FEET TO THE POINT OF BEGINNING.

18319 Quiet-Quit Desc.docx

NW-SW

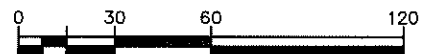
NE-SW

SW-SW

SE-SW

COUNTY ROAD F

AREA TO BE ANNEXED



SCALE: 1" = 60'

## ANNEXATION SKETCH-EXHIBIT A

# Map

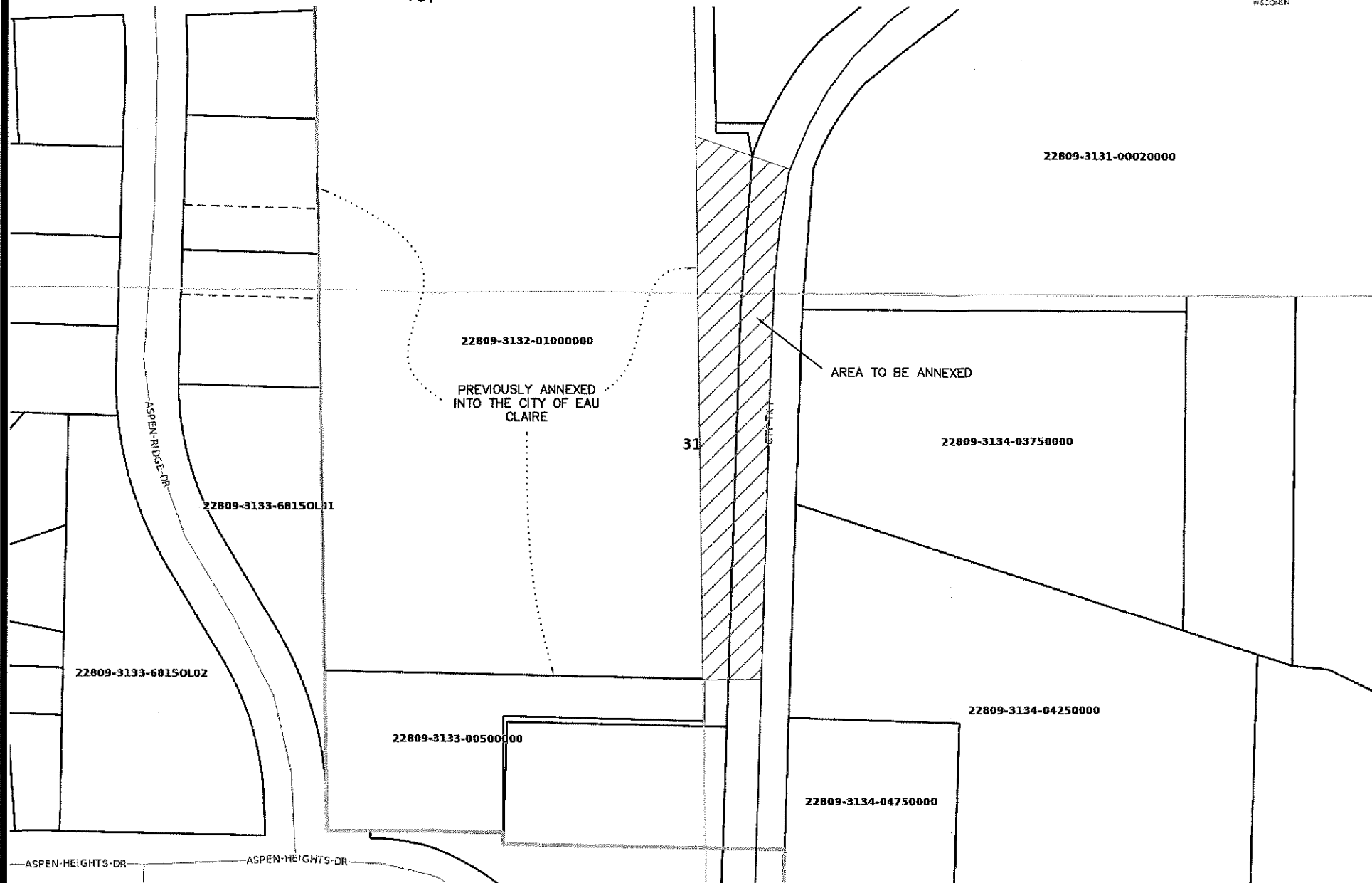
## EXHIBIT 'B'

CHIPPEWACOUNTY



Printed 04/20/2020

Scale = 1:137'



**Disclaimer:** This map is a compilation of records as they appear in the Chippewa County Offices affecting the area shown and is to be used only for reference purposes.

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

Petitioner: **CMJM Properties22**

Petition Number: **14302**

1. Territory to be annexed: From **TOWN OF WHEATON**

To **CITY OF EAU CLAIRE**

2. Area (Acres): 0.8

3. Pick one: ☐ Property Tax Payments

OR

☐ Boundary Agreement

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

\$ \_\_\_\_\_

a. Title of boundary agreement \_\_\_\_\_

b. Year adopted \_\_\_\_\_

b. Total that will be paid to Town

(annual tax multiplied by 5 years): \_\_\_\_\_

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: \_\_\_\_\_ Total: \_\_\_\_\_

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

Residential: \_\_\_\_\_% Recreational: \_\_\_\_\_% Commercial: \_\_\_\_\_% Industrial: \_\_\_\_\_%

Undeveloped: 100 %

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?

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 & 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? R-1L

c. How will the land be zoned and used if annexed? R-1

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](mailto: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: Ryan Petrie

Email: Ryan.Petrie@eauclairewi.gov

Phone: 715-839-4914

Date: 5/7/20

(March 2018)

Please **RETURN PROMPTLY** to:

[wimunicipalboundaryreview@wi.gov](mailto:wimunicipalboundaryreview@wi.gov)

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Fax: (608) 264-6104



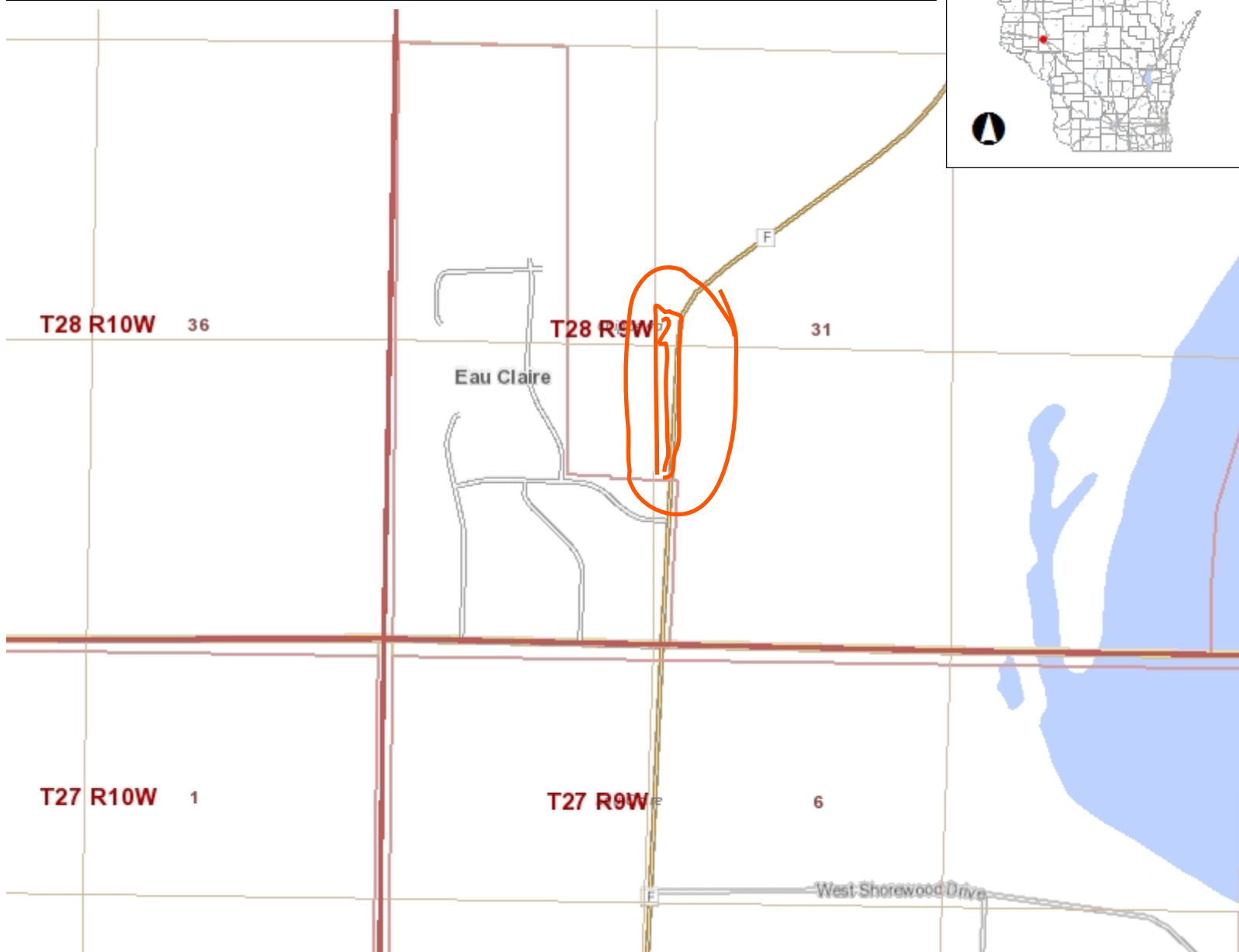


# Surface Water Data Viewer Map



## 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



0.3 0 0.13 0.3 Miles

NAD\_1983\_HARN\_Wisconsin\_TM

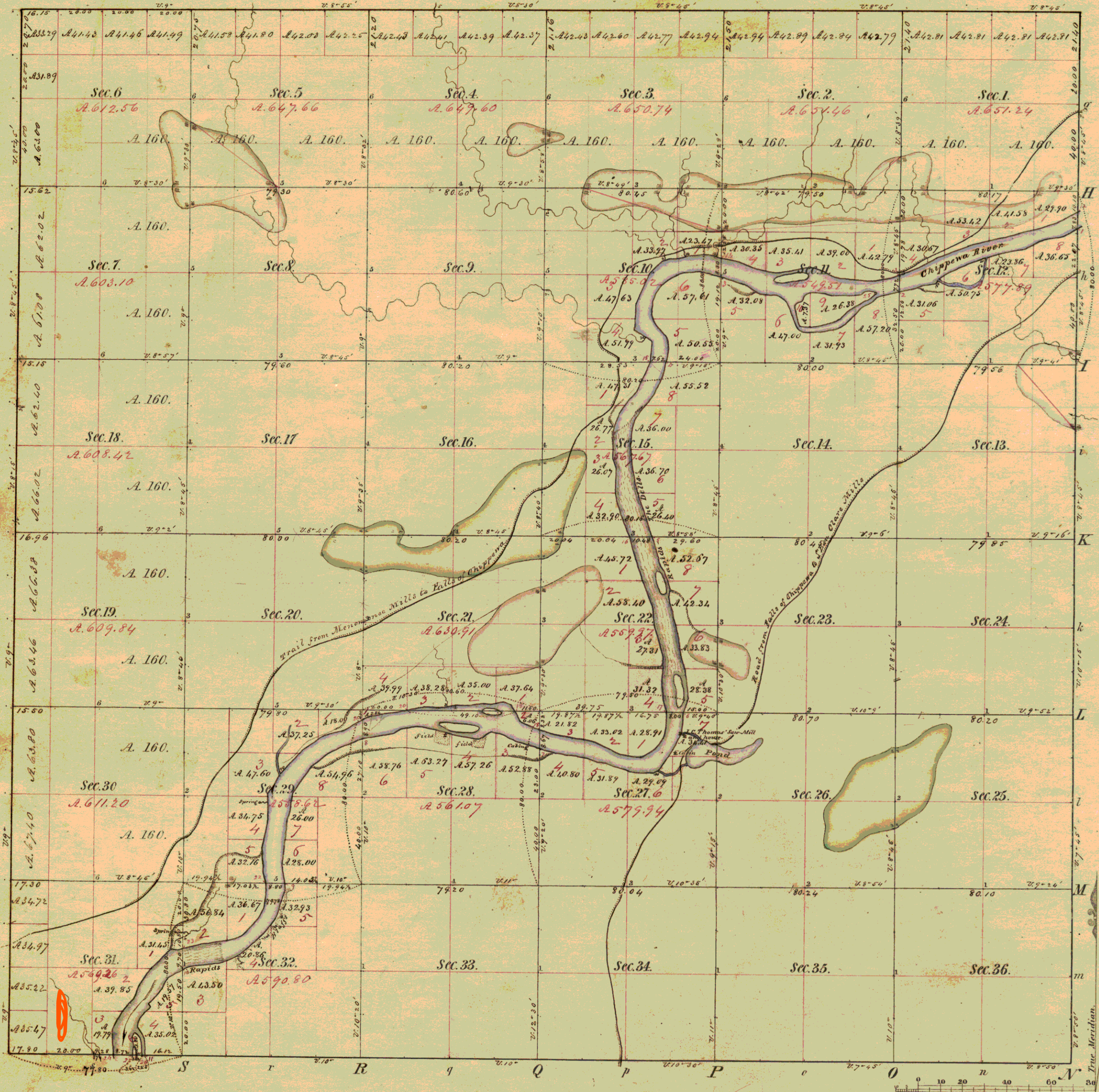
1: 7,920

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/>

## Notes



# Township N<sup>o</sup> 28 N, Range N<sup>o</sup> 9 West 4<sup>th</sup> Mer.



Total number of Acres. 22,226.48

Surveys Designated	By Whom Surveyed	Date of Contract	Amount of Surveys	When Surveyed	When paid for and ch <sup>d</sup> in the Sur. Gen <sup>l</sup> acc <sup>t</sup>
WN <sup>o</sup> E Township lines	John Mc Smith	Dec <sup>r</sup> of Dec <sup>r</sup> 1848	M. Ch <sup>s</sup> Lks.	October 1848	
Subdivisions	George R. Smith	July 18 <sup>th</sup> 1849	80.24.36	August 1849	
S Township done	Geo. Ord. Harris	July 18 <sup>th</sup> 1848	5.77.80	October 1848	

The above Map of Township N<sup>o</sup> 28 North of Range N<sup>o</sup> 9 West 4<sup>th</sup> Principal Meridian Wisconsin is strictly conformable to the field notes of the survey thereof on file in this Office, which have been examined and approved.

Surveyor General's Office.  
Dubuque, Feb<sup>y</sup> 25, 1850.

C. H. Booth Sur. Gen<sup>l</sup>

Meanders of Chippewa River and Islands.

Posts	Courses	Ch <sup>s</sup> Lks.	Posts	Courses	Ch <sup>s</sup> Lks.	Posts	Courses	Ch <sup>s</sup> Lks.
Chippewa river								
Left bank, down stream.								
1. 80 <sup>th</sup> N. 9.00								
2. 75 <sup>th</sup> N. 12.00								
3. 72 <sup>th</sup> N. 2.50								
4. 70 <sup>th</sup> N. 3.50								
5. 82 <sup>th</sup> N. 15.50								
6. 70 <sup>th</sup> N. 6.08								
7. 80 <sup>th</sup> N. 5.00								
8. 77 <sup>th</sup> N. 6.50								
9. 73 <sup>th</sup> N. 7.00								
10. 72 <sup>th</sup> N. 8.50								
11. 62 <sup>th</sup> N. 6.50								
12. 58 <sup>th</sup> N. 4.50								
13. 53 <sup>th</sup> N. 3.50								
14. 51 <sup>th</sup> N. 12.20								
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16. 46 <sup>th</sup> N. 14.70								
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4. 62 <sup>th</sup> N. 12.00								
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8. 68 <sup>th</sup> N. 18.00								
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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](mailto:wimunicipalboundaryreview@wi.gov)

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

May 22, 2020

PETITION FILE NO. 14302

CARRIE RIEPL, CLERK  
CITY OF EAU CLAIRE  
PO BOX 5148  
EAU CLAIRE, WI 54702-5148

SCOTT DEUTSCHER, CLERK  
TOWN OF WHEATON  
4975 COUNTY HIGHWAY T  
CHIPPEWA FALLS, WI 54729

Subject: CMJM PROPERTIES ANNEXATION

The proposed annexation submitted to our office on April 24, 2020, 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 EAU CLAIRE**, 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 14302 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=2376>  
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner