#### **PETITION FOR ANNEXATION**

TO: City Clerk	TO: City Clerk
City of Onalaska	Town of Onalaska
415 Main Street	W7052 Second Street
Onalaska, WI 54650	Onalaska, WI 54650
We, the undersigned, Marcella Left Mason Lepper (Printed I	Pert, Kraig Leppert
do hereby respectively petition the City of On	nalaska, Wisconsin, to annex the real estate described is to be detached from the Township of Onalaska, nalaska and that the subject property be zoned
The property, which is the subject of this petitio Onalaska. A complete and accurate legal desc and incorporated herein.	n, is contiguous to the current boundaries of the City of tription and a scaled map of the area is attached hereto
This instrument constitutes a Petition for direct The number of electors residing within the bounders the sole owners and fee title holders to this/66.0217(4), Wis. Stats., no notice or publication is	ct annexation pursuant to Sec. 66.0217(2), Wis. Stats undaries of this property is and the undersigned these property(ies). Therefore, pursuant to Sec. s required.
A copy of this Petition is being mailed to the State as required by Sec. 66.0217(6), Wis. Stats., Administration Annexation Fee.	e of Wisconsin, Department of Administration, for review along with the requisite Wisconsin Department of
application in order for it to be placed on the	d map must accommodate this petition at the time of e Plan Commission Meeting agenda. Short forms or epted. Maps must be to scale and dimensioned.
	SS OF PROPERTY  UNDERSTAND  DATE OF SIGNATURE  7/2/2020
MUSCLE CAPITY (16 50 Close) Oping Legendre (10 750 Close)	104/All AL Chapter 7/2/2020 104/All AL Chapter 7/2/2020 104/All Al Chapter 7-2-2020
//	
Tax Parcel Identification Numbers: 10 - 230	0- la
Contact Person: Marcella Leppert	Telephone (1908) 317-1422
Address: Will SO Cloverdale 12d	Email: marcile pertegnail. com
Braiaska WI 54650	

# Request for Annexation Review

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

		//municipalboundaryreview/
Petitioner Information		use only:
		-CEIVED
Address: W6 950 Cloverdale Rd.	Ki	
_ Onalaska WI 54650	l li	ne 6, 2020
	II <u> </u>	
Email: Marcileppertegmail.		cipal Boundary Review
Email: Triara (1917 a 10 ) Way 1. C	VVISC	onsin Dept. of Admin.
_1. Town where property is located: Town of Onalaska	Petition	ner's phone:
2. Petitioned City or Village: City of Onalaska		317-1422
	1000	711 7 100
3. County where property is located: La Crosse	Town o	f Onalaska Clerk's phone:
4. Population of the territory to be annexed:	608-	783-4958
5. Area (in acres) of the territory to be annexed: 5		
6. Tax parcel number(s) of territory to be appeared	City of	Onalaska City Clerk's phone:
(if the territory is part or all of an existing parcel): 10	2363-0 608-7	781-9530
Representative's Name and Address:	O	Fig. 1. N
	Surveyor or Engineering	Firm's Name & Address:
Sampetitionel	Corol Donie 1	16
- The at the	Coulee Kegion La	ind Surveyors
Sa Per	917 5.45	St
	1 1	
City State Zip	Lacrosse	WI 54001
Phone:	Phone: 608 -784 -	State Zip
Priorie.	Phone: 600 - 107 -	1019
E-mail:	E-mail: Collect egion la	asurveyors, com
Required Items to be provided with Submission:		
1. Legal Description meeting requirements of Sec.66.0217 (1) (c), Wis. Stats, (see attached checklist).		
2. Map meeting the requirements of Sec. 66.0217 (1) (g), Wis. Stats. (see attached checklist).		
Indicate Statutory annexation method used:     Unanimous per Sec. 66.0217 (2), Wis, Stats.	OP	
Direct by one-half approval per Sec. 66.0217	(3), Wis. Stats.	
<ol> <li>Review Fees (see next page for Fee Calculations)</li> </ol>		

## 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

Initial Filing Fee (required with the first submittal of all petitions)

\$200 - 2 acres or less

\$350 - 2.01 acres or more

s 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

\$\frac{\mathcal{H}\hat{O}}{\mathcal{O}}\rightarrow\$ 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

### Legal Description for Annexation

All of Lot 4, Block 1, Strawberry Commons, located in the NE 1/4 of the SW 1/4, Section 29, T17N-R7W, Town of Onalaska, La Crosse County, Wisconsin described as follows:

Commencing at the West 1/4 corner of Section 29, thence S 87°30'42" E 2065.85 feet to the southwest corner of Lot 4, Block 1, Strawberry Commons, the North right—of—way line of Cloverdale Road and the point of beginning of this description:

thence N 01°05'05" W 133.50 feet to the northwest corner of said Lot 4:

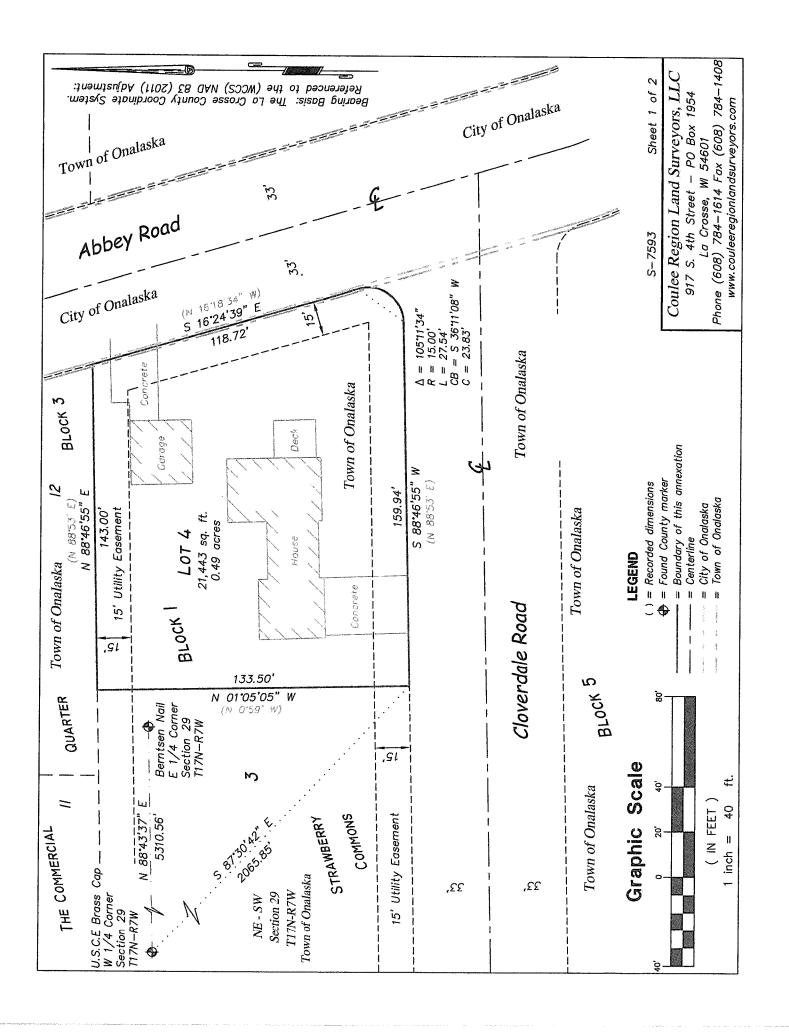
thence N 88°46'55" E 143.00 feet to the northeast corner of said Lot 4 and the West right-of-way line of Abbey Road; thence, along said West right-of-way line, S 16°24'39" E

nence, along sala west right—of—way line, S 118.72 feet;

thence, continuing along said West right—of—way line, on the arc of a 15.00 foot radius curve, concave to the northwest, the chord of which bears, S 36°11'08" W 23.83 feet to said North right—of—way line of Cloverdale Road;

right—of—way line of Cloverdale Road; thence S 88\*46'55" W 159.94 feet to the point of beginning of this description.

Subject to any easements, covenants and restrictions of record.



# **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
wimunicipal boundary review@wi.gov

wimunicipalboundaryreview@wi.gov http://doa.wi.gov/municipalboundaryreview

Petitioner: Leppert	Petition Number: 14318
1. Territory to be annexed: From TOWN OF ONALASKA	To CITY OF ONALASKA
2. Area (Acres): <u>.5\</u>	
3. Pick one: ☐ Property Tax Payments	OR Boundary Agreement Chan Angle We Village
a. Annual town property tax on territory to be annexed:  \$  b. Total that will be paid to Town	a. Title of boundary agreement Holman, Town of Over b. Year adopted 2016  Boundary Agreement Holman, Town of Over adopted 2016  Boundary Agreement Holman, Town of Over adopted Agreement
(annual tax multiplied by 5 years):	c. Participating jurisdictions (140+0 Malaska, Village d. Statutory authority (pick one)
c. Paid by: ☐ Petitioner ☐ City ☐ Village ☐ Other:	□ s.66.0307 □ s.66.0225 ☒ s.66.0301
4. Resident Population: Electors: 4 Total:	4
5. Approximate <b>present land use</b> of territory:  Residential: \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\	ommercial:% Industrial:%
6. If territory is undeveloped, what is the anticipated use?	
Residential:% Recreational:% Co Other:% Comments:	
7. Has a □ preliminary or □ final plat been submitted to the P	
8. What is the nature of land use adjacent to this territory in restdential, nath-of-way In the town?: residential, commercial, public	
9. What are the <b>basic service needs</b> that precipitated the rec	
<b>X</b>	Storm sewers
☐ Police/Fire protection ☐ EMS ☐ 2 Other	Zoning

10. Is the city/villag	ge or town c	apable of provid	ling needed ut	tility ser	vices?		
City/Village	X Yes	. No	Town			X	No
If yes, approx	kimate timet	able for providin	g service:	City/	Village		Town
	Sanitar	y Sewers imme	diately	×			
	or, write	e in number of y	ears.				
	Water 9	Supply immedia	tely	X			
	or, write	e in number of y	ears.	-	-		
expenditures (i.€	e. treatment No	plant expansion	n, new lift stati	ons, int	ercepto	or sev	d for annexation require capital wers, wells, water storage facilities)?
If yes, identify th		the anticipated i	mprovements	and the	eir prob	able	costs:
11. Planning & Zor	•		- 0:4-0 (:11		٧.	<i>k</i> v	
a. Do you have		•				( Ye	
is this annexa	ition consist	tent with your co	mprenensive	plan?	9	( Y	es 🗆 No
b. How is the annexation territory now zoned? Residential A							
c. How will the la	and be zone	ed and used if ar	nnexed? L0	n Den	sity	Res	idential (R-1)
12. Elections: ☐ N more information, annexation checkli	please conta	act the Wiscons	in Election Co	mmissi	n creat on at (6	te a r 808)	new ward or join an existing ward? For 266-8005, elections@wi.gov or see their
13. Other relevant N/A	information	and comments	bearing upon	the pub	lic inte	rest	in the annexation:
Prepared by: □	Town 💢	City U Villag	ge		Please	RE	TURN PROMPTLY to:
Name: Ka	tic Asix	enson			wimun	icipa	alboundaryreview@wi.gov
Email: Kas		) Onalaskawi	VOD.		Munici	oal B	oundary Review
Phone: 60	5-181-95		J	-	PO Box	x 164	5, Madison WI 53701
Date: 7/	2/2021				Fax: (6	08) 2	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

0707	Municipal Boundary Review Wisconsin Dept. of Admin.
=======================================	Municipal Be Wisconsin E

Petitioner: Leppert		Petition Number	er: <b>14318</b>
1. Territory to be annexed:	From TOWN OF ONALASKA	To CITY OF ONALASKA	
2. Area (Acres): •5			
3. Pick one: ☐ Property Tax	x Payments	OR Boundary Agreement	
a. Annual town property tax	on territory to be annexed:	a. Title of boundary agreement	
\$		b. Year adopted March 34, 8016	
b. Total that will be paid to To	own	c. Participating jurisdictions City of Mo d. Statutory authority (pick one) 1880 n	iliska
(annual tax multiplied by	5 years):	d. Statutory authority (pick orle)	Holmen FoneJaski
c. Paid by: ☐ Petitioner ☐	l City □ Village	□ s.66.0307 □ s.66.0225 🎉 s.66.0	301
☐ Other:			
4. Resident Population:	Electors: Total:		
5. Approximate present land	l use of territory:		
Residential: \\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	Recreational:% Co	mmercial:% Industrial:%	
Undeveloped:%			
6. If territory is undeveloped,	what is the anticipated use?		
Residential:% Recreational:% Commercial:% Industrial:%			
Other:%			
Comments:			
7. Has a □ preliminary or □	final plat been submitted to the F	rlan Commission: □ Yes     No	
Plat Name:		-	
8. What is the nature of land	duse adjacent to this territory in	the city or village?	Vaccini i i i i i i i i i i i i i i i i i
In the town?: Residen	Lial		
9. What are the basic service	e needs that precipitated the rec	quest for annexation?	_
☐ Sanitary sewer	☐ Water supply ☐	Storm sewers	
☐ Police/Fire protection	□ EMS □	Zoning	
Other tun knows			

10. Is the city/village or town capable of providing needed util	lity 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.	<u></u> <u>NA.</u>			
<u>Water Supply</u> immediately				
or, write in number of years.	<u># 4</u>			
Will provision of sanitary sewers and/cr water supply to the expenditures (i.e. treatment plant expansion, new lift statio  Yes No  If yes, identify the nature of the anticipated improvements a	ns, interceptor sewers, wells, water storage facilities)?			
11. Planning & Zoning:				
a. Do you have a comprehensive plan for the City/Village/I	「own? 🕱 Yes □ No			
Is this annexation consistent with your comprehensive plan? ☐ Yes ☐ No				
b. How is the annexation territory now zoned? Residential 61				
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: <a href="http://elections.wi.gov/forms/el-100">http://elections.wi.gov/forms/el-100</a>				
13. Other relevant information and comments bearing upon the public interest in the annexation:				
Prepared by: No Town ☐ City ☐ Village	Please RETURN PROMPTLY to:			
Name: Mary Rinchart	wimunicipalboundaryreview@wi.gov			
Email Mary . sinehart @ townofona	Municipal Boundary Review			
Phone: (0 N8 - 783 - 4963	PO Box 1645, Madison WI 53701			
Date: June 29, 2020	Fax: (608) 264-6104			
(March 2018)				



JUL 1 0 2020

Municipal Boundary Review Wisconsin Dept. of Admin.



## Town of Onalaska

N5589 Commerce Road Onalaska, WI 54650 Telephone (608) 783-4958 Fax (608) 779-9605

www.townofonalaska.org

June 29, 2020

VIA E-Mail wimunicipalboundaryreview@wi.gov and Regular U. S. Mail

Erich Schmidtke Department of Administration P. O. Box 1645 Madison, WI 53701

RE: Leppert Annexation/Petition File No. 14318

Dear Mr. Schmidtke:

Please be advised that the Town of Onalaska has received your correspondence dated June 22, 2020, relative to the proposed Leppert Annexation to the City of Onalaska dated June 12, 2020. At your request we are enclosing herewith the completed Annexation Review Questionnaire that has been completed by the undersigned.

At this time, the Town of Onalaska is objecting to the Leppert Annexation as it is not compliant with Wisconsin Stat. Section 66.0217(2) and is also subject to the enclosed Boundary Agreement dated March 24, 2016.

Specifically, the area that is proposed to be annexed away from the Town of Onalaska falls within one of the "Sensitive Areas" referred to in paragraph 4.2 of the Boundary Agreement. As such, an annexation of the subject property can only be made by unanimous consent petition consistent with Wisconsin Stat. Section 66.0217(2).

Towards that end, the Petition for Annexation is defective in as much as there are four (4) electors identified in the Petition for Annexation, however, the Petition has only been signed by two (2) of the electors.

As such, the Petition on its face fails and we are asking at this time that the Department of Administration issue a directive to that effect consistent with the Wisconsin Stat. Section 66.0217(2). Consistent with your request, we are providing this response to you with all due haste so that you may meet the Department Statutory Deadline of July 9, 2020.

Please direct any further questions to the undersigned.

Very truly yours,

Mary Rinehart Town Clerk

Town of Onalaska

Enclosure

cc: Caroline L. Burmaseter, Clerk City of Onalaska

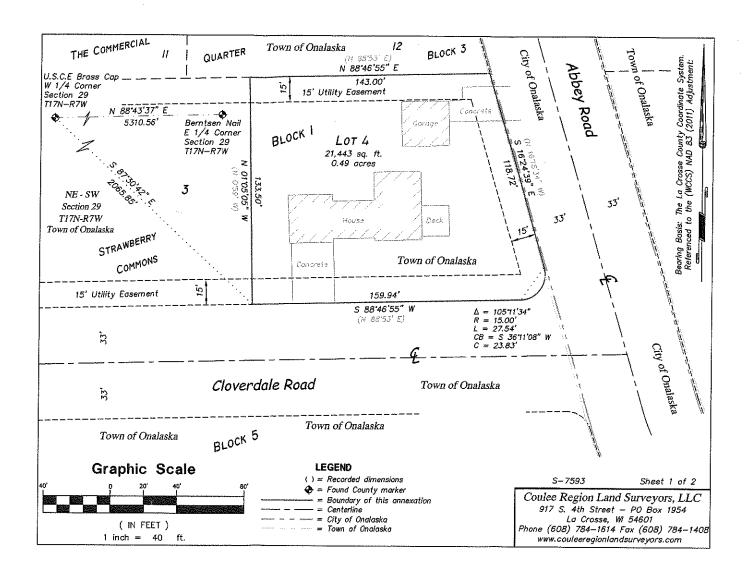
Kraig and Marcella Leppert

## Request for **Annexation Review**

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 http://doa.wi.gov/municipalboundaryreview/

Petitioner Information  Name: Kvaig and Marcella Leppert  Address:  WGTSD Cloverdale Rd.  Onalaska WI 54650  Email: mari Leppert @g Mail. Com	Office use only:  RECEIVED  JUN 1 9 2020  Municipal Boundary Review Wisconsin Dept. of Admin.			
1. Town where property is located: Town of Onalaska  2. Petitioned City or Village: City of Onalaska  3. County where property is located: La Crosse  4. Population of the territory to be annexed:	Petitioners phone: (208 - 317 - 14 > - )  Town clerk's phone: 608-783-4958			
6. Tax parcel number(s) of territory to be annexed (if the territory is part or all of an existing parcel): 10-23(05-0)	City/Village clerk's phone: 608-781-9530			
Contact Information if different than petitioner:  Representative's Name and Address:  Surveyor or  Coulog (Address)  917 5	Suland Survey DVS  Hth St.			
Phone:	se WI 54(e0) 8-784-1614 Heeregionlandsurveyors.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 (2012)	calculation]			



### Legal Description for Annexation

All of Lot 4, Block 1, Strawberry Commons, located in the NE 1/4 of the SW 1/4, Section 29, T17N—R7W, Town of Onalaska, La Crosse County, Wisconsin described as follows:

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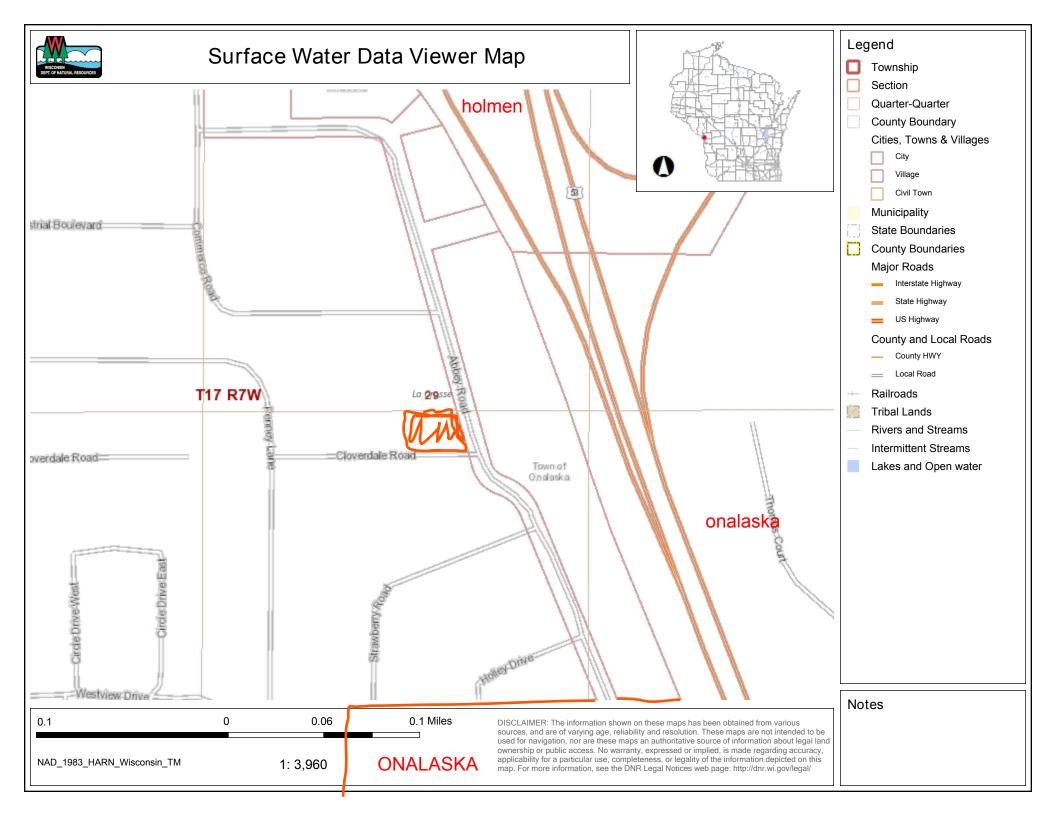
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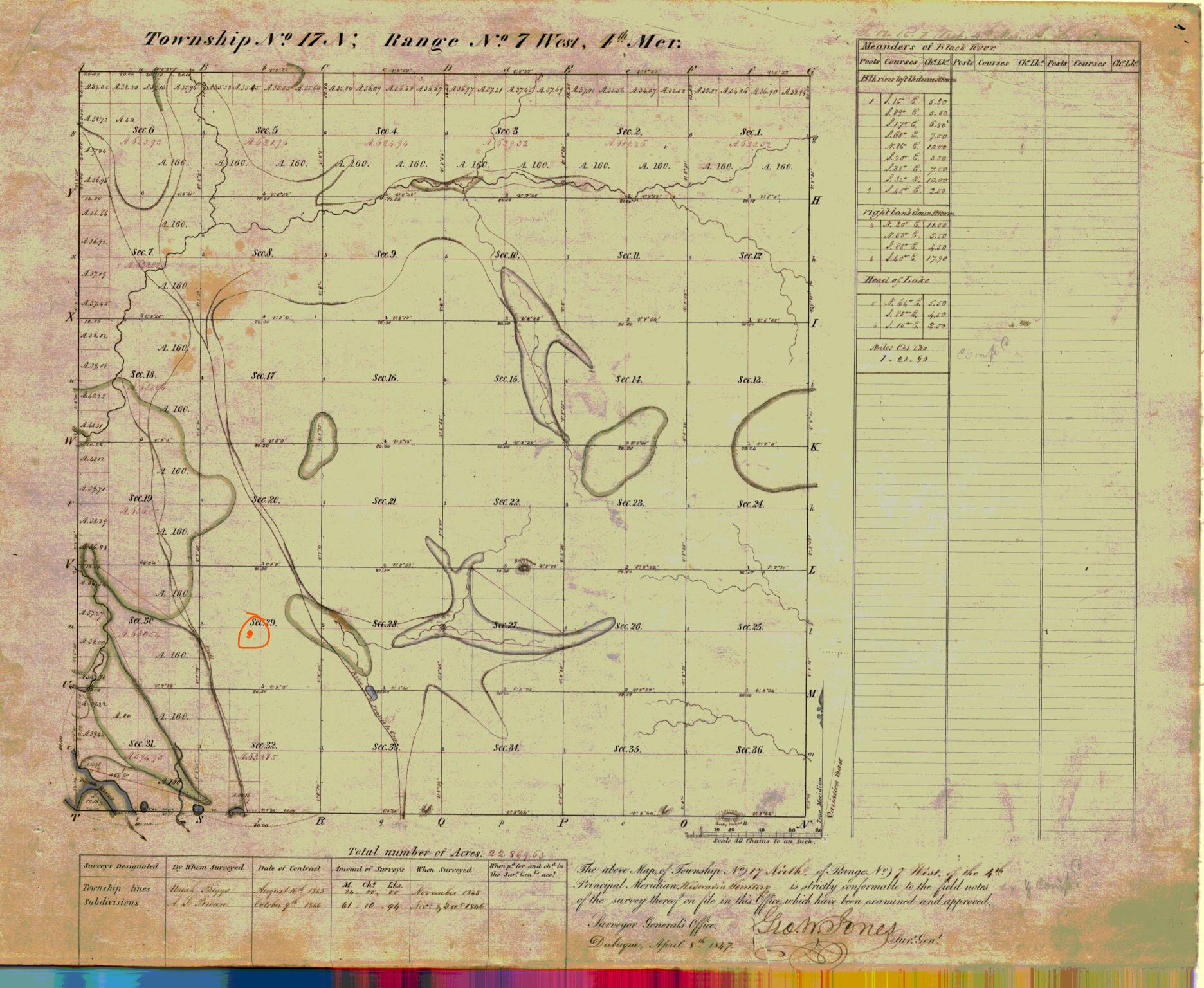
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right—of—way line of Cloverdale Road; thence S 88'46'55" W 159.94 feet to the point of beginning of this description.

Subject to any easements, covenants and restrictions of record.







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

July 27, 2020

PETITION FILE NO. 14326

CAROLINE L. BURMASTER, CLERK CITY OF ONALASKA 415 MAIN ST ONALASKA, WI 54650-2953 MARY RINEHART, CLERK TOWN OF ONALASKA N5589 COMMERCE ROAD ONALASKA, WI 54650-9266

Subject: LEPPERT ANNEXATION

The proposed annexation submitted to our office on July 6, 2020, has been reviewed and found to be against 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.

Based on the petitioner's map and legal description, the subject territory is not contiguous to the City under the plain language of the annexation statute and interpretative case law. In this instance, contiguity of the annexation parcel is achieved only via right-of-way constituting Abbey Road. This configuration is known as a "balloon on a string," and has been determined not to meet the minimum standard for contiguity according to caselaw because it creates irregular boundaries that are difficult for both the City and the Town to administer, for state, federal, and regional jurisdictions to follow, and for local residents and businesses to understand.

This situation is mitigated by the fact that the City has developed boundary agreements with the Town of Onalaska and the neighboring Village of Holmen which will result in municipal boundary lines within this area ultimately becoming compact and rational. These two boundary agreements are the *Onalaska*, *Village of Holmen*, *and Town of Onalaska Boundary Agreement*, and the *City of Onalaska and Village of Holmen Cooperative Boundary Plan*. However, the fact that these boundary agreements transfer territory via annexation rather than attachment pursuant to ss. 66.0301(6) or 66.0307(10), Wis. Stats. means that annexation requirements must be adhered to. This means that transfer of Town territory into the City will need to occur sequentially in a step-by-step fashion extending outwards from the City's boundaries. Alternatively, the Communities could amend their boundary agreements to utilize attachment instead, which would provide greater flexibility in how Town territory transfers.

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 14326 with your ordinance.** Ordinance filing checklist available at <a href="http://mds.wi.gov/">http://mds.wi.gov/</a>, click on "Help on How to Submit Municipal Records". Email scanned copy of required materials (color scan maps with color) to <a href="mds@wi.gov">mds@wi.gov</a> 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: <a href="http://mds.wi.gov/View/Petition?ID=2400">http://mds.wi.gov/View/Petition?ID=2400</a>
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

with affinished

cc: petitioner