

DOUGLAS W. PLIER

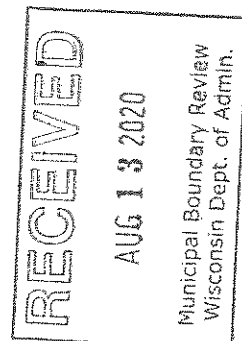
FAX (920) 485-4346

Attorney-at-Law

318 EAST LAKE STREET  
HORICON, WISCONSIN 53032  
TELEPHONE (920) 485-4345  
EMAIL [dougplierlaw@gmail.com](mailto:dougplierlaw@gmail.com)

August 6, 2020

ATTN: Erich Schmidtke  
WI Dept of Administration  
Municipal Boundary Review  
PO Box 1645  
Madison, WI 53701



RE: Petition for Direct Annexation by Unanimous Approval of lands  
adjacent to the City of Horicon

Dear Mr. Schmidtke:

The enclosed Petition for Annexation by Unanimous Approval has been signed by the sole owner of the 1.542-acre parcel proposed to be annexed to the City of Horicon. It has been filed with the Clerks of the City of Horicon and the Town of Oak Grove. The petition proposes to remove a single parcel from the Town of Oak Grove and add it to the City of Horicon. The proposed annexation area, beyond its historic use for agricultural purposes, is otherwise undeveloped except for a portion consisting of a paved parking area serving the same owner's business on the adjoining parcel already within the city limits. The current property owner and the City have cooperated to satisfy all statutory requirements of the annexation process to this point, and it is hereby requested that the Department of Administration render a formal opinion as to whether the proposed annexation is in keeping with the public interest.

Enclosed is a check for \$400 for the Department's initial filing and review fees. If I can provide any further information regarding the enclosed petition, please do not hesitate to contact me at (920) 485-4345 or [dougplierlaw@gmail.com](mailto:dougplierlaw@gmail.com).

Yours very truly,

Douglas W. Plier  
Horicon City Attorney

DWP/amw

Enclosure

Cc: Kristen Jacobson, Horicon City Clerk

**PETITION FOR DIRECT ANNEXATION BY UNANIMOUS APPROVAL**

Pursuant to Section 66.0217(2) of the Wisconsin State Statutes, this petition is made for the purpose of annexing by unanimous approval to the City of Horicon, Dodge County, Wisconsin, by detaching from the Town of Oak Grove, Dodge County, Wisconsin, the territory described in the attached legal description (Exhibit A). Also attached hereto and incorporated herein by reference is a map of the area to be annexed (Exhibit B).

The undersigned, who is the owner of the above described property, hereby petitions the Common Council of the City of Horicon, Dodge County, Wisconsin, to accept the above-described property and to annex it to the City of Horicon. The area described above has no electors.

It is respectfully requested that the Common Council accept this annexation by ordinance adopted by a two-thirds vote of the Council and as otherwise may be required by state statute as promptly after receipt of this petition as possible.

Print Name: Malesevich Revocable Trust dated March 18, 1997 by Thomas E. Malesevich	
Signature: <i>Thomas E. Malesevich</i>	Date: 7/31/2020
Elector (Y/N): No	Owner (Y/N): Yes
Parcel No.: 034033400000	Acres: 1.542

RECEIVED  
AUG 13 2020  
Municipal Boundary Review  
Wisconsin Dept. of Admin.

Exhibit "A"

Territory Legal Description:

A part of the North East 1/4 of the North East 1/4 of Section 12, Township 11 North of Range 15 East, Dodge County, Wisconsin, described as follows, to-wit: Commencing at the North East corner of said Section 12; thence South 89 degrees 59 minutes West, along the North line of said section 12, being also the centerline of State Trunk Highway #33, a distance of 1008.25 feet to the point of real beginning; thence continuing South 89 degrees 59 minutes West, along said North Section line, a distance of 100.00 feet; thence South 0 degrees 01 minutes East, a distance 248.21 feet; thence North 89 degrees 59 minutes East, a distance of 556.22 feet; thence North 12 degrees 11 minutes 50 seconds East, a distance of 96.45 feet; thence South 89 degrees 59 minutes West, a distance of 6.48 feet; thence North 0 degrees 01 minutes West, a distance of 3.94 feet; thence South 89 degrees 59 minutes West, a distance of 470.00 feet; thence North 0 degrees 01 minutes West, a distance of 150.00 feet to the point of real beginning.







## CITY OF HORICON

CHECK NO.: 94,043

094043

Payee: WI DEPARTMENT OF ADMINISTRATION  
MUNICIPAL BOUNDARY REVIEW  
101 E WILSON ST, 9TH FLOOR  
MADISON WI 53703

RECEIVED

AUG 13 2020

Municipal Boundary Review  
Wisconsin Dept. of Admin.

Check Issue Date: 08/06/2020

Check Amount: 400.00

VENDOR NO.: 77752

INV DATE	INVOICE NO	INVOICE DESCRIPTION	GENERAL LED. ACCT.	NET AMOUNT
08/06/2020	62934	TID #4 BOUNDRY REVIEW - SURE FIRE AMEDEMMENTT	404-511520-211	400.00

TOTAL AMOUNT:

400.00

# 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: **Malesevich Revocable Trust**

Petition Number: **14331**

1. Territory to be annexed: From **TOWN OF OAK GROVE** To **CITY OF HORICON**

2. Area (Acres): 1.62

3. Pick one: ☒ Property Tax Payments

OR ☐ Boundary Agreement

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

\$ 126.02

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

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

b. Total that will be paid to Town

(annual tax multiplied by 5 years): \$630.10

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: 0 Total: 0

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

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

Undeveloped: 100 %

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

Residential: \_\_\_\_\_% Recreational: \_\_\_\_\_% Commercial: 100 % 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?

Commercial property belonging to the same owner that is proposed for expansion onto annexation property.

In the town?: Agriculture

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 TIF assistance

---

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?   Agriculture \_\_\_\_\_

c. How will the land be zoned and used if annexed?   Commercial \_\_\_\_\_

---

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:

Property owner has an adjacent parcel already in the city that houses his business. Annexation parcel currently is used for parking and is proposed for additional improvements as part of an expansion of the business. The parcel and surrounding unincorporated area are shown as future commercial area in the City's comprehensive plan.

---

Prepared by:   ☐ Town       ☒ City       ☐ Village

Name:   Kristen Jacobson

Email:   kjacobson@cityhoriconwi.us

Phone:   920-485-3500 ext 3504

Date:   August 25, 2020

---

Please **RETURN PROMPTLY** to:

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

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

---

(March 2018)



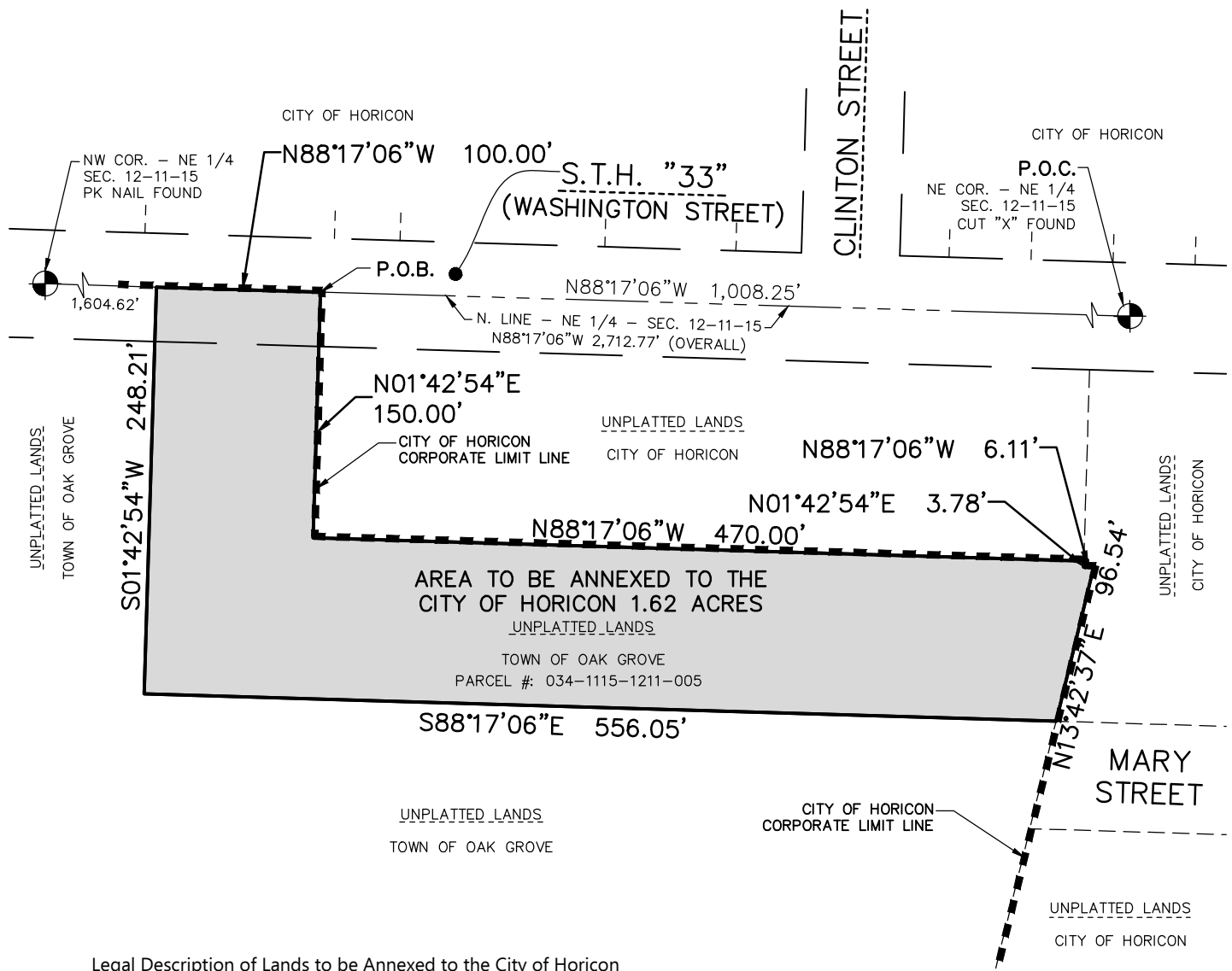


**Legal Description of Lands to be Annexed to the City of Horicon**

Part of the Northeast 1/4 of the Northeast 1/4 of Section 12, Township 11 North, Range 15 East, Town of Oak Grove, Dodge County, Wisconsin being more particularly described as follows:

Commencing at the Northeast corner of the Northeast 1/4 of said Section 12; thence North 88°-17'-06" West along the North line of said Northeast 1/4, a distance of 1,008.25 feet to the point of beginning; thence continuing North 88°-17'-06" West along said North line, a distance of 100.00 feet; thence South 01°-42'-54" West, a distance of 248.21 feet; thence South 88°-17'-06" East, a distance of 556.05 feet; thence North 13°-42'-37" East, a distance of 96.54 feet; thence North 88°-17'-06" West, a distance of 6.11 feet; thence North 01°-42'-54" East, a distance of 3.78 feet; thence North 88°-17'-06" West, a distance of 470.00 feet; thence North 01°-42'-54" East, a distance of 150.00 feet to the point of beginning and containing 1.62 acres of land more or less.

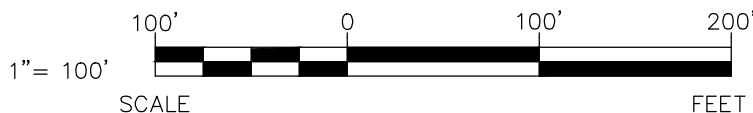
# ANNEXATION EXHIBIT



## Legal Description of Lands to be Annexed to the City of Horicon

Part of the Northeast 1/4 of the Northeast 1/4 of Section 12, Township 11 North, Range 15 East, Town of Oak Grove, Dodge County, Wisconsin being more particularly described as follows:

Commencing at the Northeast corner of the Northeast 1/4 of said Section 12; thence North 88°-17'-06" West along the North line of said Northeast 1/4, a distance of 1,008.25 feet to the point of beginning; thence continuing North 88°-17'-06" West along said North line, a distance of 100.00 feet; thence South 01°-42'-54" West, a distance of 248.21 feet; thence South 88°-17'-06" East, a distance of 556.05 feet; thence North 13°-42'-37" East, a distance of 96.54 feet; thence North 88°-17'-06" West, a distance of 6.11 feet; thence North 01°-42'-54" East, a distance of 3.78 feet; thence North 88°-17'-06" West, a distance of 470.00 feet; thence North 01°-42'-54" East, a distance of 150.00 feet to the point of beginning and containing 1.62 acres of land more or less.





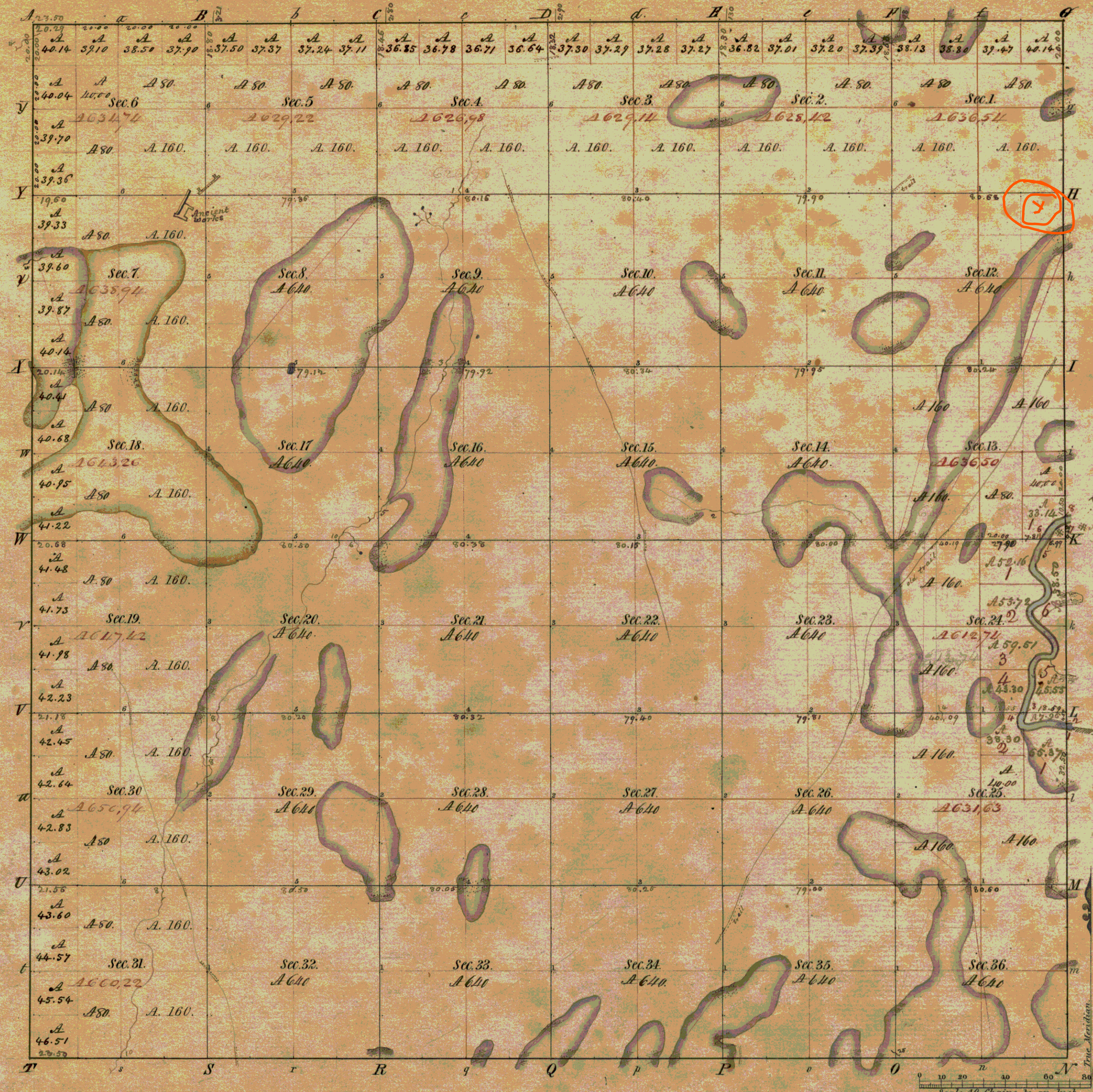
**EXCEL**  
ARCHITECTS • ENGINEERS • SURVEYORS  
**Always a Better Plan**

100 Camelot Drive  
Fond Du Lac, WI 54935  
Phone: (920) 926-9800  
www.EXCELENGINEER.com

**JOB NO. 1950160**



# Township N<sup>o</sup> XI N Range N<sup>o</sup> XV E 4<sup>th</sup> Mer. Wis. Ter.



Meanders of Rock River							
Posts	Courses	Ch <sup>o</sup> Lk <sup>o</sup>	Posts	Courses	Ch <sup>o</sup> Lk <sup>o</sup>	Posts	Courses
1	N 66 W	4.50	1	N 40 E	7.00		
2	N 79 W	11.50	2	N 65 E	6.50		
3	N 46 W	3.50	3	N 80 E	4.50		
4	N 52 W	4.50	4	N 59 W	4.50		
5	N 14 W	3.50	5	N 57 W	5.18		Left Bank
6	N 13 E	3.04	6	N 39 W	5.50		
7	N 21 E	13.50	7	N 31 W	5.50		
8	N 3 W	6.50	8	N 35 E	4.50		
9	N 13 E	6.50	9	N 24 E	9.50		
10	N 54 E	5.00	10	N 10 W	5.50		
11	N 85 W	5.00	11	N 56 W	9.50		
12	N 25 E	4.50	12	N 46 E	10.00		
13	N 36 W	8.50	13	N 32 E	11.00		
14	N 54 W	10.00	14	N 15 W	5.00		
15	N 5 E	4.00	15	N 68 W	10.50		
16	N 61 E	9.00	16	N 1 W	12.50		
17	N 3 W	4.50	17	N 25 W	12.50		
18	N 24 W	5.50	18	N 26 W	4.00		
19	N 40 W	7.00	19	N 72 E	3.00		
20	N 15 E	6.00	20	N 85 E	13.50		
21	N 30 E	5.00	21	N 67 E	4.70		

Total number of Acres. 22,986.69

Surveys Designated	By Whom Surveyed	Date of Contract	Amount of Surveys	When Surveyed	When paid for and ch <sup>o</sup> in the Sur <sup>o</sup> Gen <sup>l</sup> acc <sup>t</sup>
Township lines	Mullet & Trimb	July 9, 1833	M. Ch <sup>o</sup> Lks.	2 <sup>d</sup> of 1834	3 <sup>d</sup> of 1834
Subdivisions	G. W. Harrison	Sep. 16, 1834	63. 40. 64	4 <sup>th</sup> of 1834	2 <sup>d</sup> of 1835

The above Map of Township N<sup>o</sup> 11 North of Range N<sup>o</sup> 15 East of the 4<sup>th</sup> Principal Meridian N.W. Territory is strictly conformable to the field notes of the survey thereof on file in this Office, which have been examined and approved.

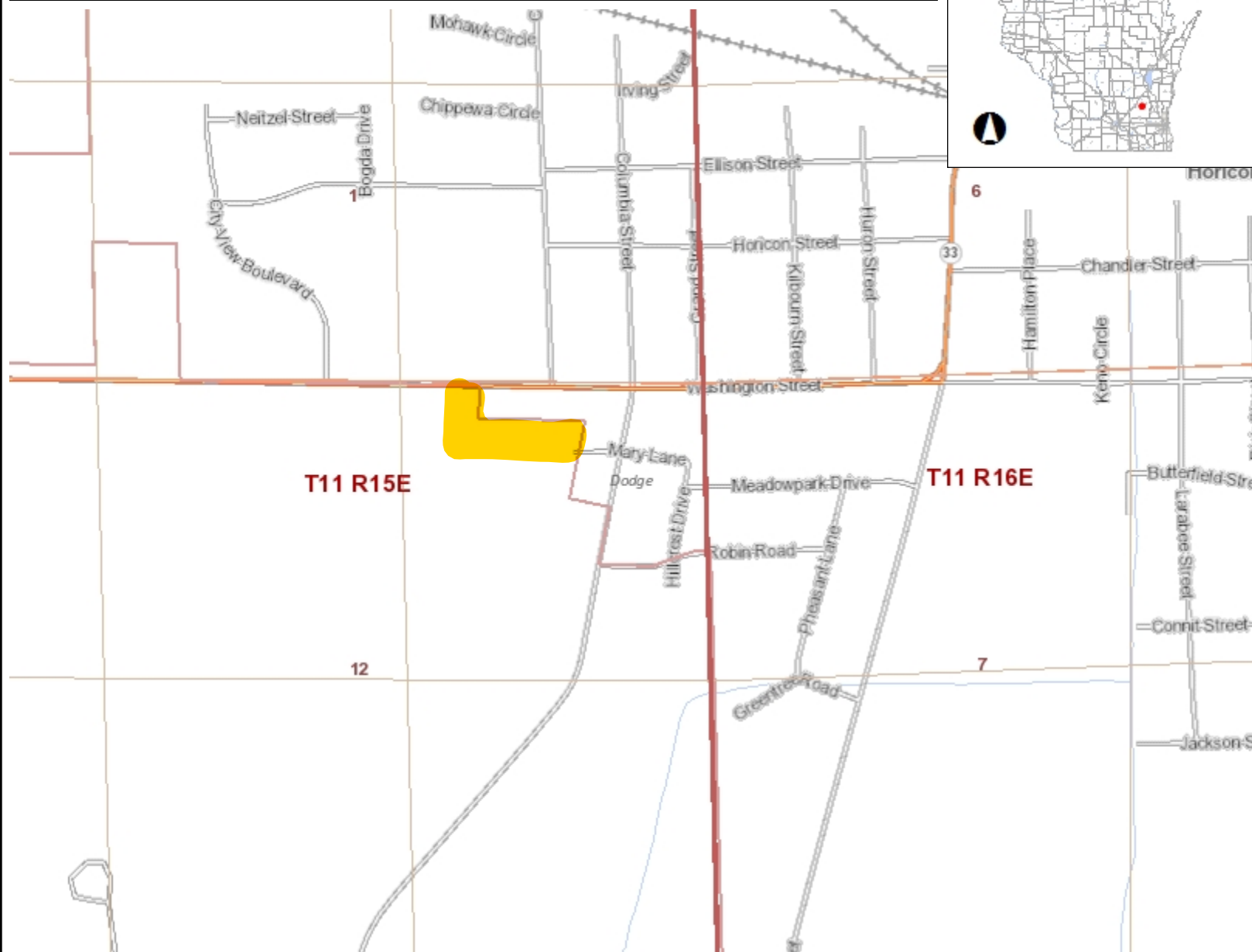
Surveyor General's Office,  
Cincinnati, Oct. 25, 1835

*Robert Lytle* Sur. Gen<sup>l</sup>





# 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





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>

September 03, 2020

PETITION FILE NO. 14331

KRISTEN JACOBSON, CLERK  
CITY OF HORICON  
404 E LAKE ST  
HORICON, WI 53032-1245

LAURA MAERTZ, CLERK  
TOWN OF OAK GROVE  
W5601 COUNTY RD S  
JUNEAU, WI 53039

Subject: MALESEVICH REVOCABLE TRUST ANNEXATION

The proposed annexation submitted to our office on August 14, 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 HORICON**, 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 14331 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=2405>  
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner