

CARLSON BLACK

CARLSON BLACK O'CALLAGHAN & BATTENBERG LLP

Dan O'Callaghan
222 W. Washington Ave., Ste. 705
Madison, WI 53703-2745
direct: 608.888.1685
dan.ocallaghan@carlsonblack.com

October 19, 2020

VIA U.S. MAIL

Attn: Municipal Boundary Review
Department of Administration
State of Wisconsin
PO Box 1645
Madison WI 53701

RECEIVED

October 22, 2020

Municipal Boundary Review
Wisconsin Dept. of Admin.

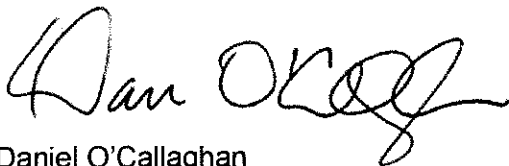
Re: Annexation Petition filed by Junction 138, LLC with the City of Stoughton

Dear Sir or Madam:

Enclosed please find a copy of the annexation petition recently filed with the City of Stoughton by Junction 138, LLC concerning property currently located within the Town of Rutland.

Very truly yours,

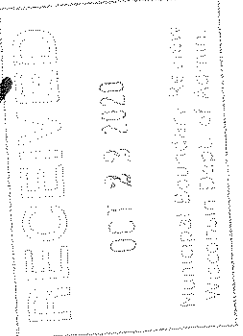
CARLSON BLACK O'CALLAGHAN & BATTENBERG LLP



Daniel O'Callaghan

Enclosure

COPY



**PETITION FOR DIRECT ANNEXATION BY UNANIMOUS CONSENT
PURSUANT TO § 66.0217(2) OF THE WISCONSIN STATUTES**

The undersigned, constituting the only owner of the real property described on the attached Exhibit A and depicted on the scale map attached as Exhibit B, which property is currently located within the Town of Rutland and is contiguous to the City of Stoughton, hereby petitions the Common Council of the City of Stoughton to annex said territory to the City of Stoughton.

The territory proposed for annexation from the Town of Rutland to the City of Stoughton includes the following tax parcel: 052/0510-121-8031-0. There are no electors residing within the territory to be annexed and the population of the territory to be annexed is zero. The territory to be annexed has no improvements.

The undersigned requests that this annexation be approved and take effect in the manner provided for by law and that the City of Stoughton may designate a temporary zoning classification which is consistent with City of Stoughton zoning ordinances.

Dated this 30th day of September, 2020.

OWNER:

JUNCTION 138, LLC

By: David M. Jenkins
David M. Jenkins, Manager

EXHIBIT A

LEGAL DESCRIPTION

Part of the Northeast Quarter of the Northeast Quarter of Section 12, Township 05 North, Range 10 East, Town of Rutland, Dane County, Wisconsin, more particularly described as follows:

Commencing at the Northeast corner of Section 12, aforesaid; thence North 87 degrees 05 minutes 45 seconds West along the North line of the Northeast Quarter, aforesaid, 294.30 feet to the Point of Beginning; thence South 02 degrees 53 minutes 47 seconds West, 250.87 feet; thence North 87 degrees 05 minutes 45 seconds West, 200.00 feet; thence North 02 degrees 53 minutes 47 seconds East, 250.87 feet to the North line of the Northeast Quarter; thence South 87 degrees 05 minutes 45 seconds East along said line, 200.00 feet to the Point of Beginning.

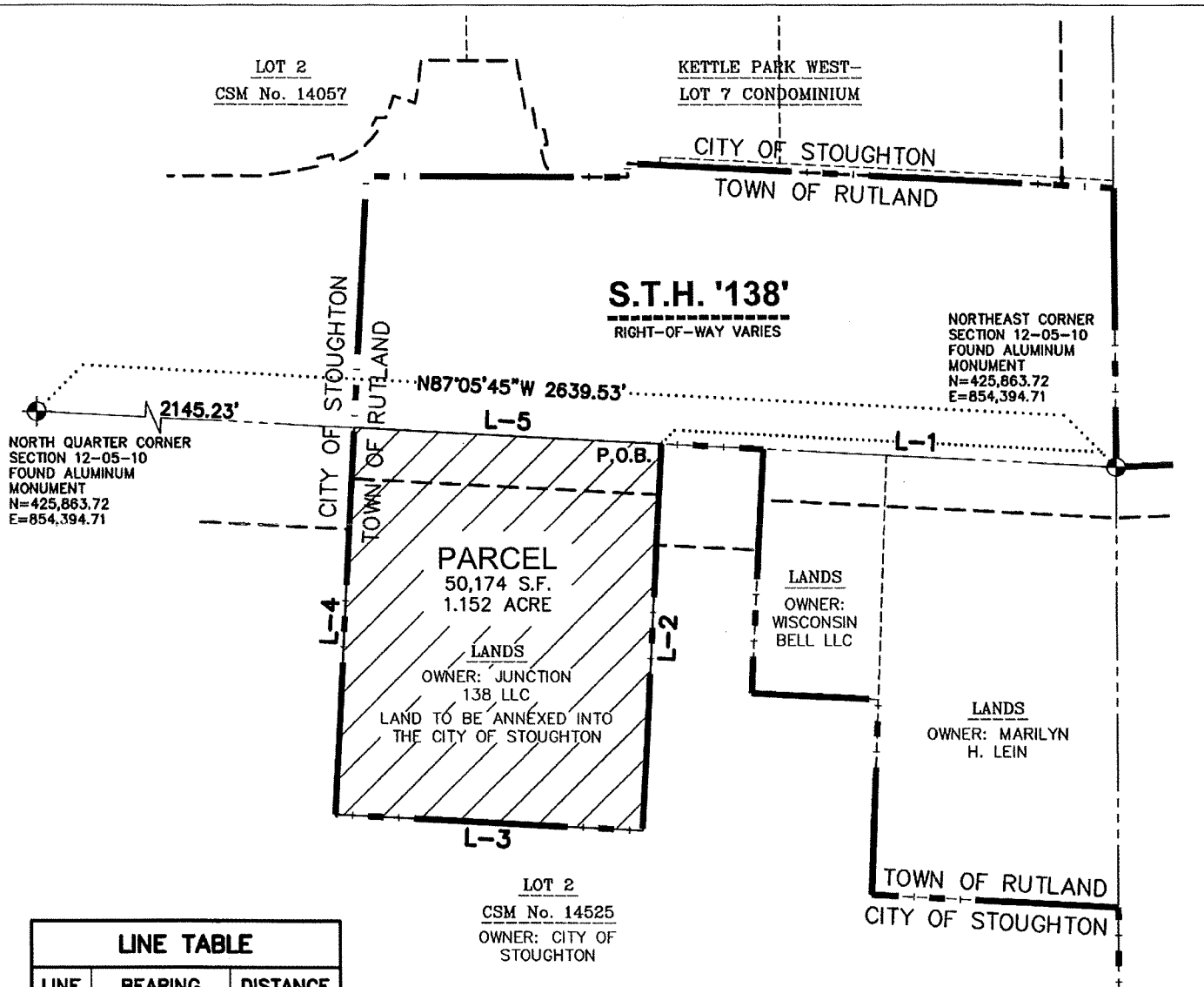
Containing 50,174 square feet or 1.152 acres.

EXHIBIT B

SCALE MAP

[Attached]

File: I:\2019\157019\DWG\Sheets\157019 Annexation.dwg Layout: Annexation User: k Plotted: Sep 30, 2020 - 2:38pm



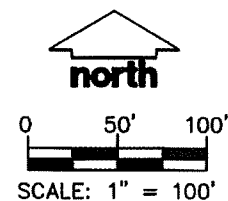
LINE TABLE		
LINE	BEARING	DISTANCE
L-1	N87°05'45"W	294.30'
L-2	S02°53'47"W	250.87'
L-3	N87°05'45"W	200.00'
L-4	N02°53'47"E	250.87'
L-5	S87°05'45"E	200.00'

LEGEND

- GOVERNMENT CORNER
- ANNEXATION BOUNDARY
- CORPORATE BOUNDARY
- CENTERLINE
- RIGHT-OF-WAY LINE
- SECTION LINE
- PLATTED LOT LINE

NOTES

1. BEARINGS FOR THIS MAP ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, DANE COUNTY. THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 12-05-10, RECORDED AS N87°05'45"W.



JSD Professional Services, Inc.
Engineers • Surveyors • Planners
MADISON REGIONAL OFFICE
161 HORIZON DRIVE, SUITE 101
VERONA, WISCONSIN 53593
P. 608.848.5060

PROJECT:
JUNCTION 138

TOWN OF RUTLAND, WI

SHEET TITLE:
ANNEXATION MAP

JSD PROJECT NUMBER:
15-7019
DRAWN BY: CHECKED BY:
JK TJB
DATE:
SEPT. 30, 2020

SHEET NUMBER:
1

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: **JUNCTION 138, LLC**

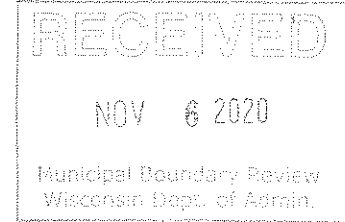
Address: **C/O FORWARD DEVELOPMENT GROUP, LLC**

161 HORIZON DR., STE. 101A

VERONA, WI 53593

Email: **DMJ@FORWARDDEVGROUP.COM**

Office use only:



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

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

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

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

5. Area (in acres) of the territory to be annexed: **1.152**

6. Tax parcel number(s) of territory to be annexed
(if the territory is part or all of an existing parcel): **052/0510-121-8031-0**

Petitioners phone:

608-848-9050

Town clerk's phone:

608-455-3925

City/Village clerk's phone:

608-873-6677

Contact Information if different than petitioner:

Representative's Name and Address:

ATTY. DAN O'CALLAGHAN

**CARLSON BLACK O'CALLAGHAN &
BATTENBERG, LLP**

222 W. WASHINGTON AVE., STE., 705

MADISON, WI 53703

Phone: **608-888-1685**

E-mail:

**DAN.OCALLAGHAN@CARLSONBLACK.CO
M**

Surveyor or Engineering Firm's Name & Address:
JSD PROFESSIONAL SERVIES, INC.

161 HORIZON DR.

VERONA, WI

Phone: **608-848-5060**

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

\$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)

Include check or money order, payable to: **Department of Administration**
Do not attach the check with staples, tape, ...

**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: 11-6-2020

Payee: Junction 138 LLC

Check Number: 1317

Check Date: 10-30-20

Amount: \$400⁰⁰

ANNEXATION SUBMITTAL GUIDE

s. 66.0217 (5) THE PETITION

- ☐ State the purpose of the petition:
- Direct annexation by unanimous approval; OR
 - Direct annexation by one-half approval; OR
 - Annexation by referendum.
- ☐ Petition must be signed by:
- All owners and electors, if by unanimous approval.
 - See 66.0217 (3) (a), if by one-half approval.
 - See 66.0217 (3) (b), if by referendum.
- ☐ State the population of the land to be annexed.

[It is beneficial to include Parcel ID or Tax numbers, the parcel area, and identify the annexee (Town) and annexor (Village or City) in the petition.]

s. 66.0217 (1) (c) THE DESCRIPTION

- ☐ The annexation petition must include a legal description of the land to be annexed. The land must be described by reference to the government lot, private claim, quarter-section, section, town and range in which the land lies. The land must be further described by metes and bounds commencing from a monumented corner of the section or quarter-section, or the monumented end of a private claim or federal reservation, in which the land lies; OR
- ☐ If the land is wholly and entirely within a lot or lots, or all of a block or blocks of a recorded subdivision plat or certified survey map, it must be described by reference to the lot (s) and/or block (s) therein, along with the name of the plat or the number, volume, page, and County of the certified survey map.
- ☐ The land may NOT be described only by:
- Aliquot part;
 - Reference to any other document (plat of survey, deed, etc.);
 - Exception or Inclusion;
 - Parcel ID or tax number.

s. 66.0217 (1) (g) THE MAP

- ☐ The map shall be an **accurate reflection** of the legal description of the parcel being annexed. As such, it must show:
- A tie line from the parcel to the monumented corner of the section or quarter-section, or the monumented end of a private claim or federal reservation, in which the parcel lies. The corner and monument must be identified.
 - Bearings and distances along all parcel boundaries as described.
 - All adjoining as referenced in the description.
- ☐ The map must include a **graphic scale**.
- ☐ The map must show and identify the existing municipal boundary, in relation to the parcel being annexed.

[It is beneficial to include a North arrow, and identify adjacent streets and parcels on the map.]

s. 66.0217 FILING

- ☐ The petition must be filed with the Clerk of the annexing City or Village and with the Clerk of the Town in which the land is located.
- ☐ If the annexation is by one-half approval, or by referendum, the petitioner must post notice of the proposed annexation as required by s. 66.0217 (4).
- ☐ If the lands being annexed are within a County of 50,000 or greater population, the petition must also be filed with the Department of Administration for review

[Note that no municipality within a County of 50,000 or greater population may enact an annexation ordinance prior to receiving a review determination from the Department of Administration.]

PETITION # _____

REAL PROPERTY LISTERS ANNEXATION REVIEW

1. Territory to be annexed:	From Town of:	To City/Village of:
1.152 acres	Rutland	Stoughton

2. Checklist: (Y) Yes; (N) No; (NA) Not applicable; (NC) Not checked

Location and Position

__Y__ (1) Location description by government lot, recorded private claim, ¼ - ¼ section, section, township, range and county

__Y__ (2) Contiguous with existing village/city boundaries

__N__ (3) Creates an island area in Township (completely surrounded by city)

__N__ (4) Creates an island area in City (completely surrounded by town)

Petition and Map Information

__Y__ (1) Identify owner(s) of annexed land

__Y__ (2) Identify parcel ID numbers included in annexation.

__NA__ (3) Identify parcel ID numbers being split by annexation

__Y__ (4) North arrow

__Y__ (5) Graphic Scale

__Y__ (6) Streets and Highways shown and identified

__Y__ (7) Legend

__Y__ (8) Total area/acreage of annexation

3. Other relevant information and comments:

Prepared by: Jim Czaplicki
Title: Land Records Review Analyst
Phone: (608) 267-3529
Date: 11/12/2020

Please **RETURN PROMPTLY** to:
Municipal Boundary Review
PO Box 1645
Madison WI 53701
(608) 264-6102 **FAX** (608) 264-6104
wimunicipalboundaryreview@wi.gov

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: Junction 138 LLC

Petition Number: 14356

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

2. Area (Acres): 1.152

3. Pick one: ☒ Property Tax Payments

OR ☐ Boundary Agreement

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

\$ 519.93

a. Title of boundary agreement _____

b. Year adopted _____

b. Total that will be paid to Town

(annual tax multiplied by 5 years): \$ 2,569.65

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: 100%

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

Residential: _____% Recreational: _____% Commercial: 65% Industrial: _____%

Other: 35%

Comments: About 35% will be used for right-of-way to create leg of roundabout.

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?

The City owns the land on the east, south & west side of the parcel. Commercial development exists to the north.

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.

1

An Urban Service Area Amendment is necessary before extension of services to this property.

Water Supply immediately

☐

☐

or, write in number of years.

1

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

This area has been factored into growth plans for the city. Sewer & water infrastructure will need to be extended to this property. once development plans are submitted the city will evaluate further.

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?

County Zoning RR-1

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

It will likely be zoned Planned Business

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 proposed annexation is included in the City's Comprehensive Plan to become part of the city. This parcel is contiguous to Stoughton Municipal Boundaries.

Prepared by: ☐ Town ☒ City ☐ Village

Name:

Rodney Scheel

Email:

rscheel@ci.stoughton.wi.us

Phone:

(608) 873-6619

Date:

11/18/2020

Please **RETURN PROMPTLY** to:

wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

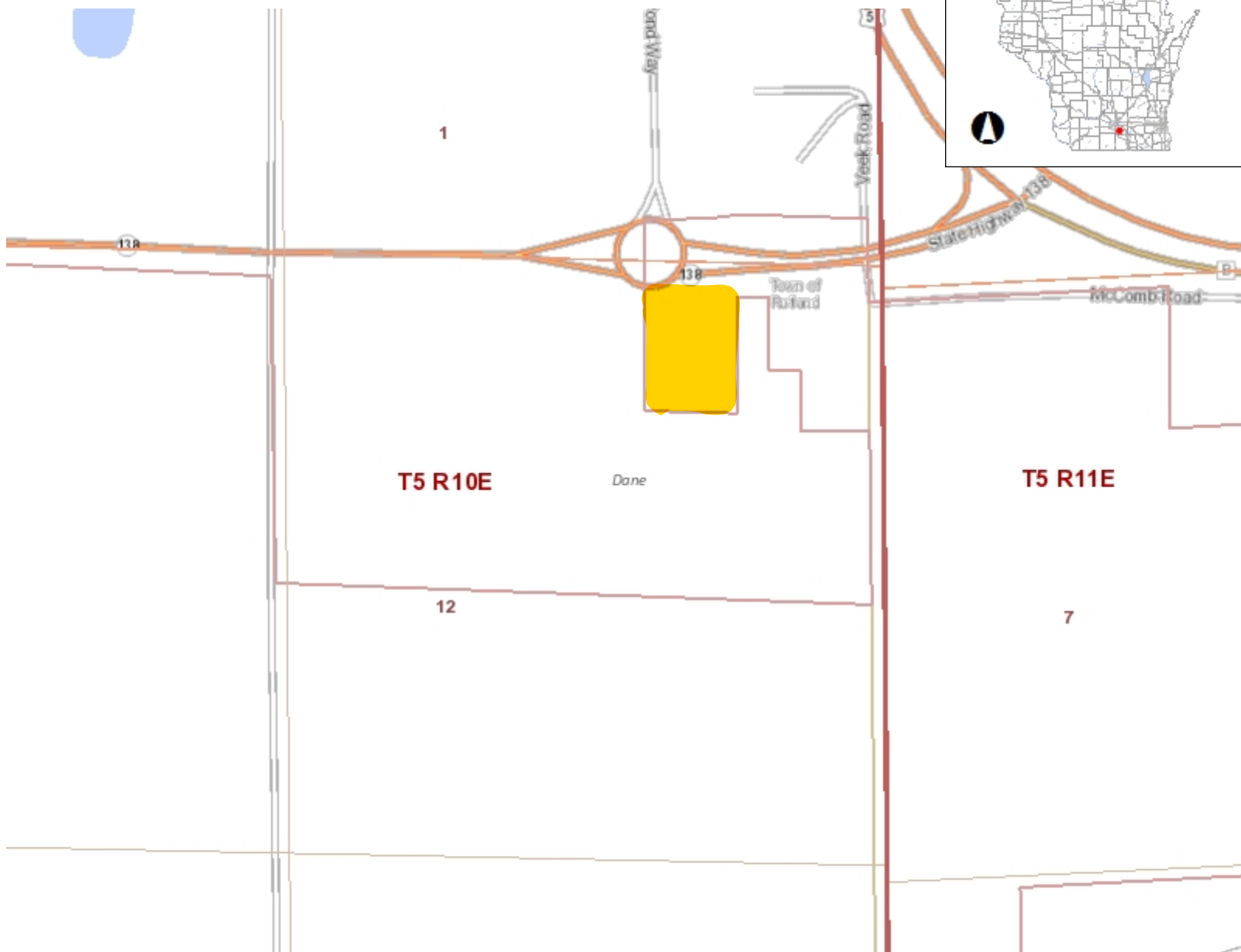
PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

(March 2018)



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

Notes

0.1 0 0.06 0.1 Miles

NAD_1983_HARN_Wisconsin_TM

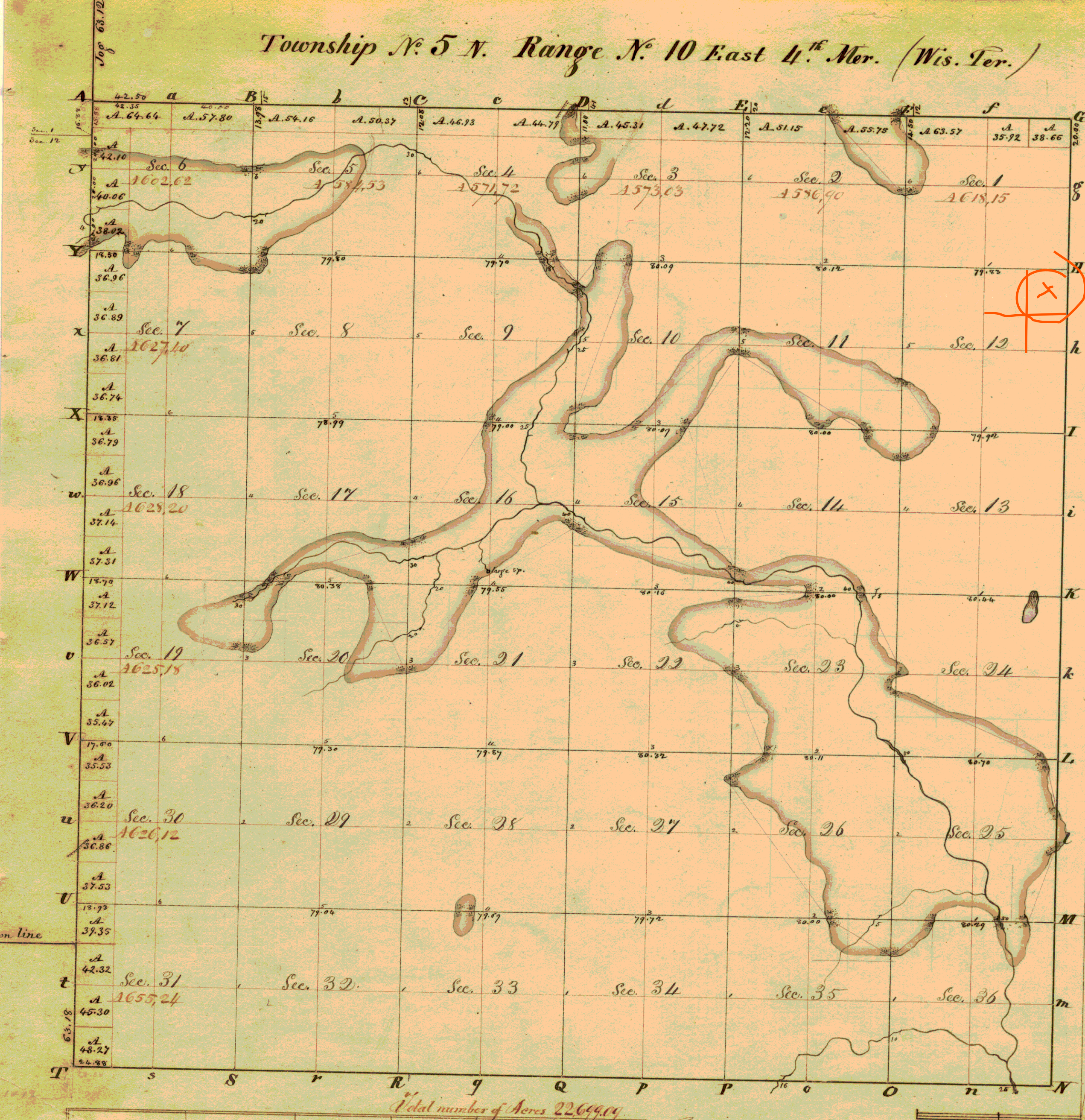
1: 3,960

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/>

Township N^o 5 N. Range N^o 10 East 4th Mer. (Wis. Ter.)

10-3

BL 2.
7 10



Total number of Acres 22,699.09

Township	John Mottet	17th July 1833	24.07.88	3 ^d of 1833	3 ^d of 1834
Subdivisions	Lorin Miller	18. Nov. 1833	61.56.41	4 ^d of 1833	3 ^d of 1835

The above Map of Township N^o 5, — of Range N^o 10 East of 4th Principal Meridian (N.W. Ter.) 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 March 30th 1835 } M. T. Williams
Sur. Genl.



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>

November 24, 2020

PETITION FILE NO. 14356

HOLLY LICHT, CLERK
CITY OF STOUGHTON
207 S FORREST ST
STOUGHTON, WI 53589-1724

DAWN GEORGE, CLERK
TOWN OF RUTLAND
4177 OLD STAGE RD
BROOKLYN, WI 53521-9473

Subject: JUNCTION 138 LLC ANNEXATION

The proposed annexation submitted to our office on November 06, 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 STOUGHTON**, 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 14356 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=2430>
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner