

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

Office use only:

RECEIVED

February 17, 2021

Municipal Boundary Review
Wisconsin Dept. of Admin.

Name: **VILLAGE OF CROSS PLAINS**

Address: **2417 BREWERY ROAD**

P.O. BOX 97

CROSS PLAINS, WI 53528

Email: **BOBBI@CROSS-PLAINS.WI.US**

Petitioners phone:

608-798-3241 X 106

Town clerk's phone:

608-767-4152

City/Village clerk's phone:

608-798-3241 X 106

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

2. Petitioned City or Village: **CROSS PLAINS**

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: **51.063**

6. Tax parcel number(s) of territory to be annexed
(if the territory is part or all of an existing parcel): **004/0807-351-
9125-0,004/0807-354-8510-0**

Contact Information if different than petitioner:

Representative's Name and Address:

Surveyor or Engineering Firm's Name & Address:
D'ONOFRIO KOTTKE AND ASSOCIATES

7530 WESTWARD WAY

MADISON, WI 53717

Phone: **608-268-5580**

Phone: **608-833-7530**

E-mail: **VJESSE@MURPHYDESMOND.COM**

E-mail:

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

- ☒ Legal Description meeting the requirements of s.66.0217 (1) (c) [see attached annexation guide]
- ☒ Map meeting the requirements of s. 66.0217 (1) (g) [see attached annexation guide]
- ☒ Signed Petition or Notice of Intent to Circulate is included
- Indicate Statutory annexation method used:
 - ☒ Unanimous per s. 66.0217 (2), or,
OR
 - ☐ Direct by one-half approval per s. 66.0217 (3)
- ☒ 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

\$350 Initial Filing Fee (required with the first submittal of all petitions)
\$200 – 2 acres or less
\$350 – 2.01 acres or more

\$1,000 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

\$1,350 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: 2-17-2021

Payee: Village of Cross Plains

Check Number: 49788

Check Date: 2-8-2021

Amount: \$1,350⁰⁰

**PETITION FOR DIRECT ANNEXATION
UNDER WIS. STATS. § 66.0217(2)**

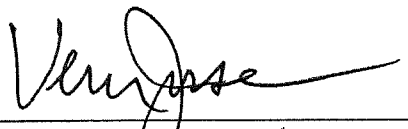
To the Village Board of the Village of Cross Plains:

1. The undersigned hereby petitions for direct annexation of the territory described on Exhibit A attached hereto to the Village of Cross Plains, Dane County, Wisconsin, whereby said territory would be detached from the Town of Berry, Dane County, Wisconsin, pursuant to Wis. Stats. § 66.0217(2).
2. Attached hereto as Exhibit B is a scale map which accurately reflects the legal description of the property to be annexed and the boundary of the annexing Village and includes a graphic scale on the face of the map.
3. The current population of the territory proposed to be annexed is zero (0).
4. This Petition is signed by the owner of all of the real property within the territory proposed to be annexed.
5. There are no electors residing in the territory proposed to be annexed.
6. This is a unanimous Petition.
7. The owners of property proposed to be annexed request that said property be zoned RH-35 under the applicable Village of Cross Plains ordinances.

Owner of All Lands Within the Territory Proposed to be Annexed:

Creek Crossing at Saint Francis, Inc.
2947 Thinnes Street
Cross Plains, WI 53528

Date of Signing: 2/7/21

By: 
VERN JESSE, Authorized Agent

Date of Signing: _____

By: _____

Exhibit A- Property to be Annexed
Exhibit B – Scale Map

4837-0974-6375, v. 1

EXHIBIT "A"

LEGAL DESCRIPTION

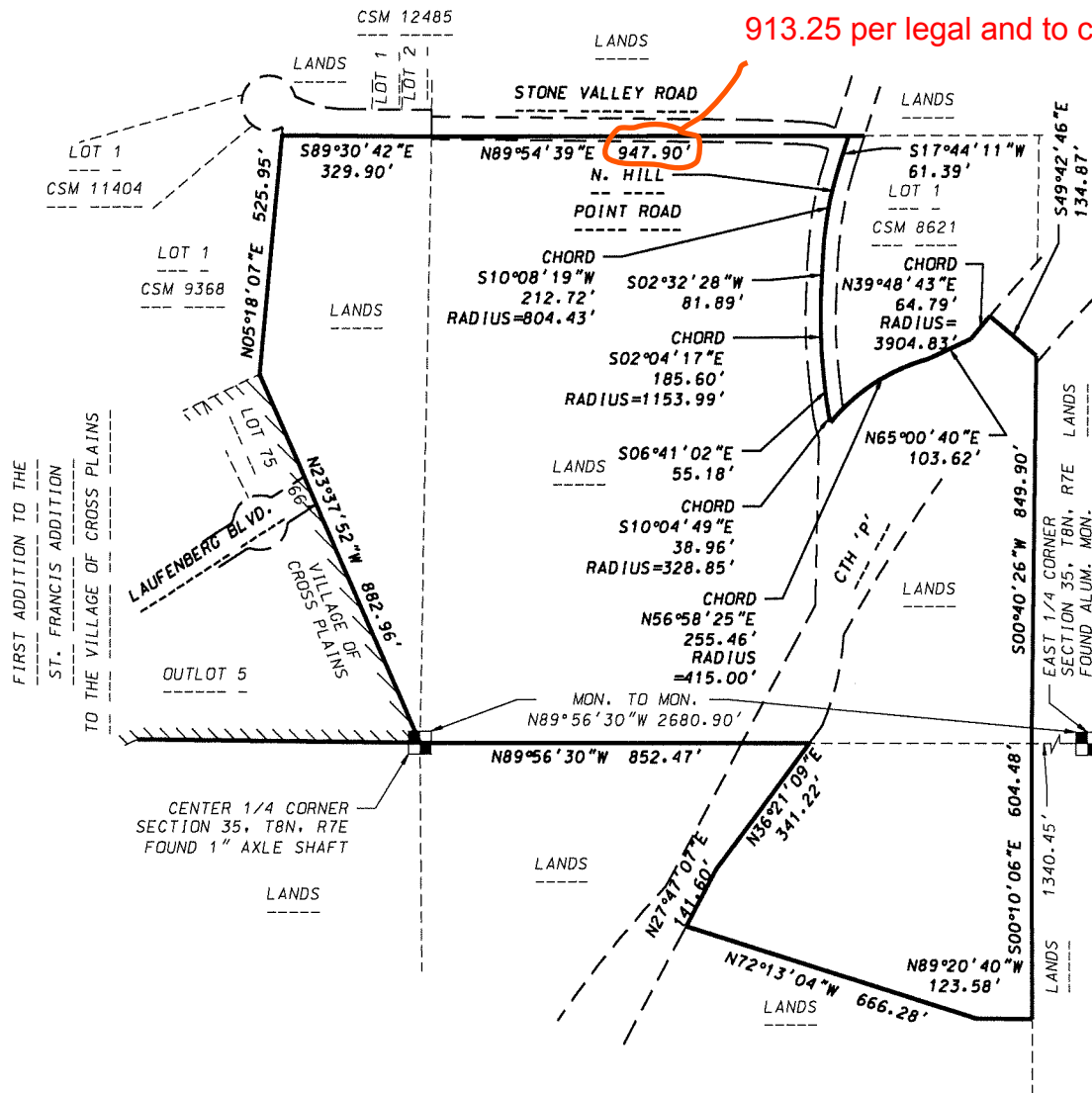
Lands and portions of County Highway "P", N. Hill Point Road and Stone Valley Road, located in the SE1/4 of the NW1/4, SW1/4 of the NE1/4 and the NW1/4 of the SE1/4 of Section 35, T8N, R7E, Town of Berry, Dane County, Wisconsin to-wit:

Commencing at the East 1/4 corner of said Section 35; thence N89°56'30"W, 1340.45 feet along the North line of said SE1/4, to the Northeast corner of said NW1/4 of the SE1/4, also being the point of beginning; thence S00°10'06"E, 604.48 feet along the east line of said NW1/4 of the SE1/4; thence N89°20'40"W, 123.58 feet; thence N72°13'04"W, 666.28 feet to a point on the Southeast right-of-way line of County Highway "P"; thence N27°47'07"E, 141.60 feet along said Southeast right-of-way line; thence N36°21'09"E, 341.22 feet, to a point on the North line of said SE1/4; thence N89°56'30"W, 852.47 feet along said North line to the Center of said Section 35; thence N23°37'52"W, 882.96 feet along the Easterly lines of Outlot 5 and Lot 75, First Addition to the St. Francis Addition to the Village of Cross Plains and the Easterly right-of-way line of Laufenberg Boulevard to the Northeast corner of said Lot 75 also being the Southeast corner of Lot 1, Certified Survey Map No. 9368; thence N05°18'07"E, 525.95 feet along the East line of said Lot 1 to a point on the South right-of-way line of Stone Valley Road; thence S89°30'42"E, 329.90 feet along said South right-of-way line to the Northwest corner of the SW1/4 of the NE1/4 of said Section 35; thence N89°54'39"E, 913.25 feet along the North line of said SW1/4 of the NE1/4 to the centerline of N. Hill Point Road; thence S17°44'11"W, 61.39 feet along said centerline to a point of curve; thence Southerly along said centerline line on a curve to the left which has a radius of 804.43 feet and a chord which bears S10°08'19"W, 212.72 feet; thence S02°32'28"W, 81.89 feet along said centerline to a point of curve; thence Southerly along said centerline on a curve to the left which has a radius of 1153.99 feet and a chord which bears S02°04'17"E, 185.60 feet; thence S06°41'02"E, 55.18 feet along said centerline to a point of curve; thence Southerly along said centerline along a curve to the left which has a radius of 328.85 feet and a chord which bears S10°04'49"E, 38.96 feet to a point of curve; thence Northeasterly along the Southerly line of Lot 1, Certified Survey Map No. 8621 on a curve to the right which has a radius of 415.00 feet and a chord which bears N56°58'25"E, 255.46 feet; thence N65°00'40"E, 103.62 feet along said Southerly line to a point of curve; thence Northeasterly along said Southerly line along a curve to the right which has a radius of 3904.83 feet and a chord which bears N39°48'43"E, 64.79 feet; thence S49°42'46"E, 134.87 feet to a point on the East line of the SE1/4 of the NE1/4 of said Section 35; thence S00°40'26"W, 849.90 feet along said East line to the point of beginning. Containing 51.063 acres.

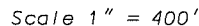
947.90
dwg
legal
closes

SW?

LANDS TO BE ANNEXED TO THE VILLAGE OF CROSS PLAINS



7530 Westward Way, Madison, WI 53717
Phone: 608.833.7530 • Fax: 608.833.1089
YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT



F.N.: 17-07-128

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: **Creek Crossing at Saint Francis Inc**

Petition Number: **14373**

1. Territory to be annexed: From **TOWN OF BERRY** To **VILLAGE OF CROSS PLAINS**

2. Area (Acres): _____

3. Pick one: ☒ Property Tax Payments

OR ☐ Boundary Agreement

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

\$ 200.67

a. Title of boundary agreement _____

b. Total that will be paid to Town

(annual tax multiplied by 5 years): 1003.35

b. Year adopted _____

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

Other: _____%

Comments: _____

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

Plat Name: Creek Crossing at Saint Francis

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

Residential homes

In the town?: agricultural and undeveloped land

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? A-1Ex

c. How will the land be zoned and used if annexed? RH-35

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: Brenda Kahl

Email: twnberry@chorus.net

Phone: 608-767-4152

Date: 2/25/2021

(March 2018)

Please **RETURN PROMPTLY** to:

wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

Annexation Review Questionnaire

Wisconsin Department of Administration

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Municipal Boundary Review
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Petitioner: **Creek Crossing at Saint Francis Inc**

Petition Number: **14373**

1. Territory to be annexed: From **TOWN OF BERRY** To **VILLAGE OF CROSS PLAINS**

2. Area (Acres): **51.063**

3. Pick one: ☒ Property Tax Payments

OR ☐ Boundary Agreement

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

\$ **200.67**

a. Title of boundary agreement _____

b. Total that will be paid to Town

(annual tax multiplied by 5 years): **1,003.35**

b. Year adopted _____

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

Other: _____%

Comments: _____

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

*At March 1st Plan
commission meeting*

Plat Name: **Creek Crossing at St. Francis**

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

Residential

In the town?: **Agriculture / 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. _____

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 *Developer will pay the costs to extend sewer and water. No cost to the Village.*

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? A - 1 Ex

c. How will the land be zoned and used if annexed? RH-35, residential subdivision

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: Bobbi Zanner

Email: bobbi@cross-plains.wi.us

Phone: 608-798-3241 x106

Date: 2/24/2021

(March 2018)

Please **RETURN PROMPTLY** to:

wimunicipalboundaryreview@wi.gov

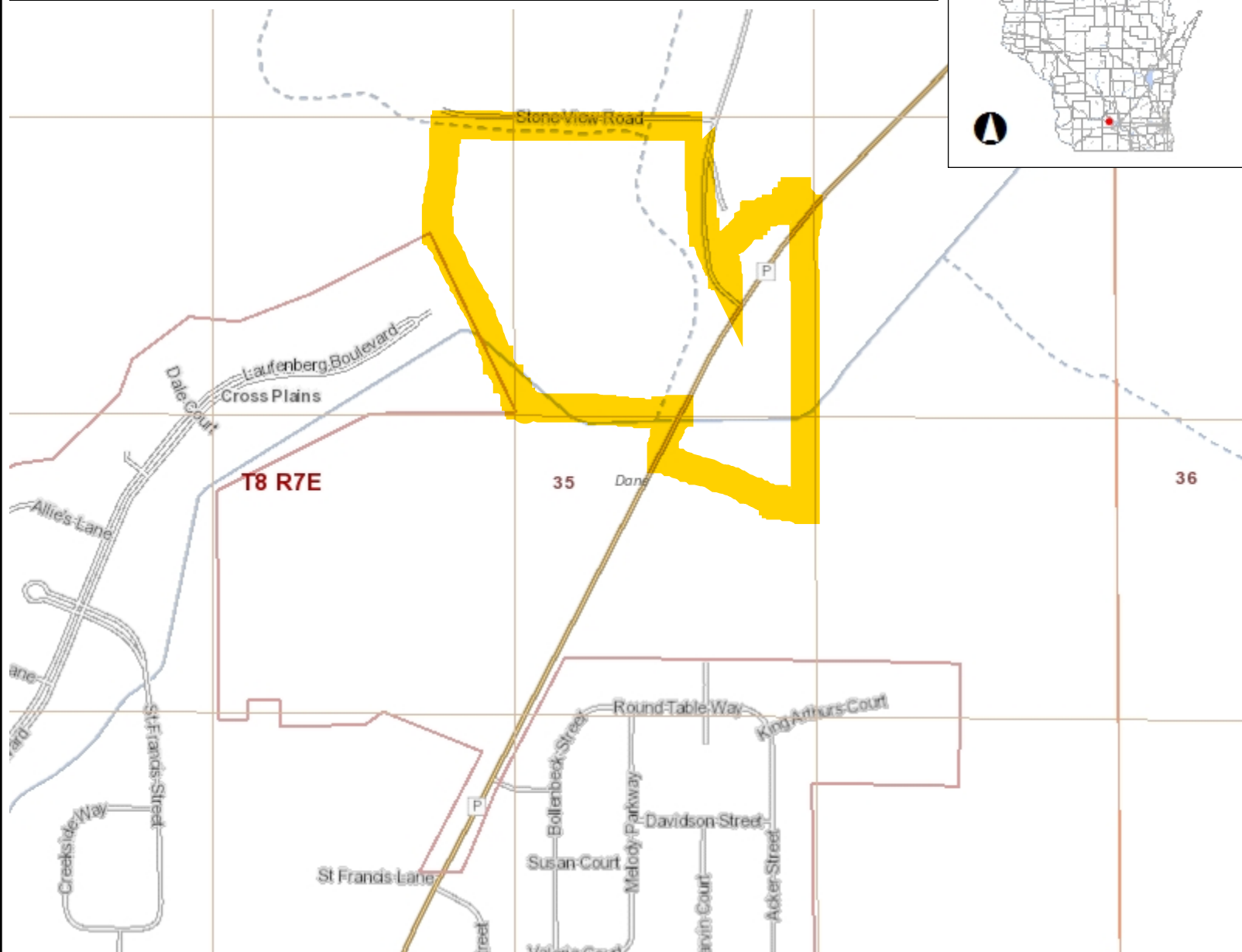
Municipal Boundary Review

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. 8 N. Range N. 7 East 4th Mer. (Wis. Ter.)

[43]

43-4



Total number of Acres 23,032.49

Survey Designated	By whom Surveyed	Date of Contract	amt. of Survey	when Surveyed	when p'd. & ch. in Sur. Gen. acct.
Town Boundaries	John Mullett	4 th 1831	m. ch. lks	1 st 1833	3 ^d 1833
Sub-divisions	John Mullett	16 th Feb. 1832	59.79.39	1 st 1833	3 ^d 1833

The above Map of Township N. 8, Range N. 7 East, 4th Meridian North West 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 M. T. Williams



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>

March 10, 2021

PETITION FILE NO. 14373

BOBBI ZAUNER, CLERK
VILLAGE OF CROSS PLAINS
PO BOX 97
CROSS PLAINS, WI 53528-0097

BRENDA KAHL, CLERK
TOWN OF BERRY
9046 STATE RD 19
MAZOMANIE, WI 53560

Subject: CREEK CROSSING AT SAINT FRANCIS INC ANNEXATION

The proposed annexation submitted to our office on February 17, 2021, 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 CROSS PLAINS**, which is able to provide needed municipal services.

Note: The 947.90' length along the south line of Stone Valley Road as shown on the map should be changed to 913.25' to agree with the legal description; It appears that reference to the East line of the SE 1/4 of the NE 1/4 should be changed to the SW 1/4 of the NE 1/4 in the last call of the legal description.

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 14373 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=2447>
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner