

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: **ROBERT AND JANE EITING**

Address: **W941 COUNTY RD. CE**

KAUKAUNA, WI 54130

Email: **ROBERT.EITING@GMAIL.COM**

Office use only:

RECEIVED
August 23, 2021

Municipal Boundary Review
Wisconsin Dept. of Admin.

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

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

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

4. Population of the territory to be annexed: **2**

5. Area (in acres) of the territory to be annexed: **1.0**

6. Tax parcel number(s) of territory to be annexed
(if the territory is part or all of an existing parcel): **030020601**

Petitioners phone:

920-419-6527

Town clerk's phone:

920-734-8599

City/Village clerk's phone:

920-766-6300

Contact Information if different than petitioner:

Representative's Name and Address:
**CITY OF KAUKAUNA PLANNING
DEPARTMENT**

ATTN: ALLYSON BRUNETTE

144 W 2ND ST

KAUKAUNA, WI 54130

Phone: **920-766-6315**

E-mail: **ABRUNETTE@KAUKAUNA-WI.ORG**

Surveyor or Engineering Firm's Name & Address:
SCHULER & ASSOCIATES

2711 N MASON ST, STE F

APPLETON, WI 54914

Phone: **920-734-9107**

E-mail: **MJF@SCHULERASSOCIATES.NET**

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: 8-18-2021

Payee: ROBERT OR JANE EITING

Check Number: 6597

Check Date: 8/12/21

Amount: \$ 400

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.]

Rec'd 6.17.2021



CITY OF KAUKAUNA PLAN COMMISSION

PETITION FOR UNANIMOUS ANNEXATION

To the Common Council of the City of Kaukauna, Outagamie County, Wisconsin:

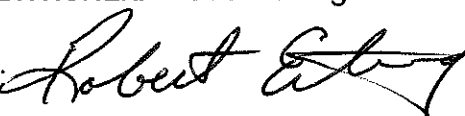
Petition is hereby made in accordance with the provisions of Section 66.0217(2) of the Wisconsin State Statutes for direct annexation to the City of Kaukauna, Wisconsin, from the Town of Buchanan, Wisconsin, of the real estate described on the attached map.

The attached map is in accordance with statutory requirements and is of a reasonable scale, showing the contiguous boundary with the City of Kaukauna of the territory to be annexed, and showing acreage and North arrow.

There are 2 residents residing within the territory under petition.

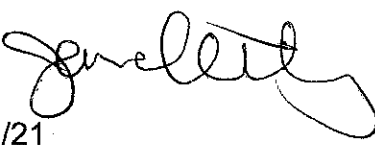
Signatures:

1. NAME OF PETITIONER: Robert Eiting

SIGNATURE: 

DATE: 6/14/21

2. NAME OF PETITIONER: Jane Eiting

SIGNATURE: 

DATE: 6/14/21

3. NAME OF PETITIONER:

SIGNATURE:

DATE:

4. NAME OF PETITIONER:

SIGNATURE:

DATE:

5. NAME OF PETITIONER:

SIGNATURE:

DATE:

6. NAME OF PETITIONER:

SIGNATURE:

DATE:

Additional Requirements: City of Kaukauna staff are able to assist you in map preparation to meet statutory regulations. Please contact us by email at abrunette@kaukauna-wi.org or by phone at (920) 766-6315 to begin the annexation process.

Fees: There are no locally assessed fees from the City of Kaukauna for annexation review, but the Wisconsin Department of Administration does assess fees for annexation.

Please Note: Annexation review and adoption requires action by multiple governmental bodies. Between multiple meetings and statutory requirements for public hearings and noticing of meetings, sometimes reviews and authorizations can take more than 30 days. Please let staff know of your request as early as possible if you have a specific deadline that you need Plan Commission authorization by.

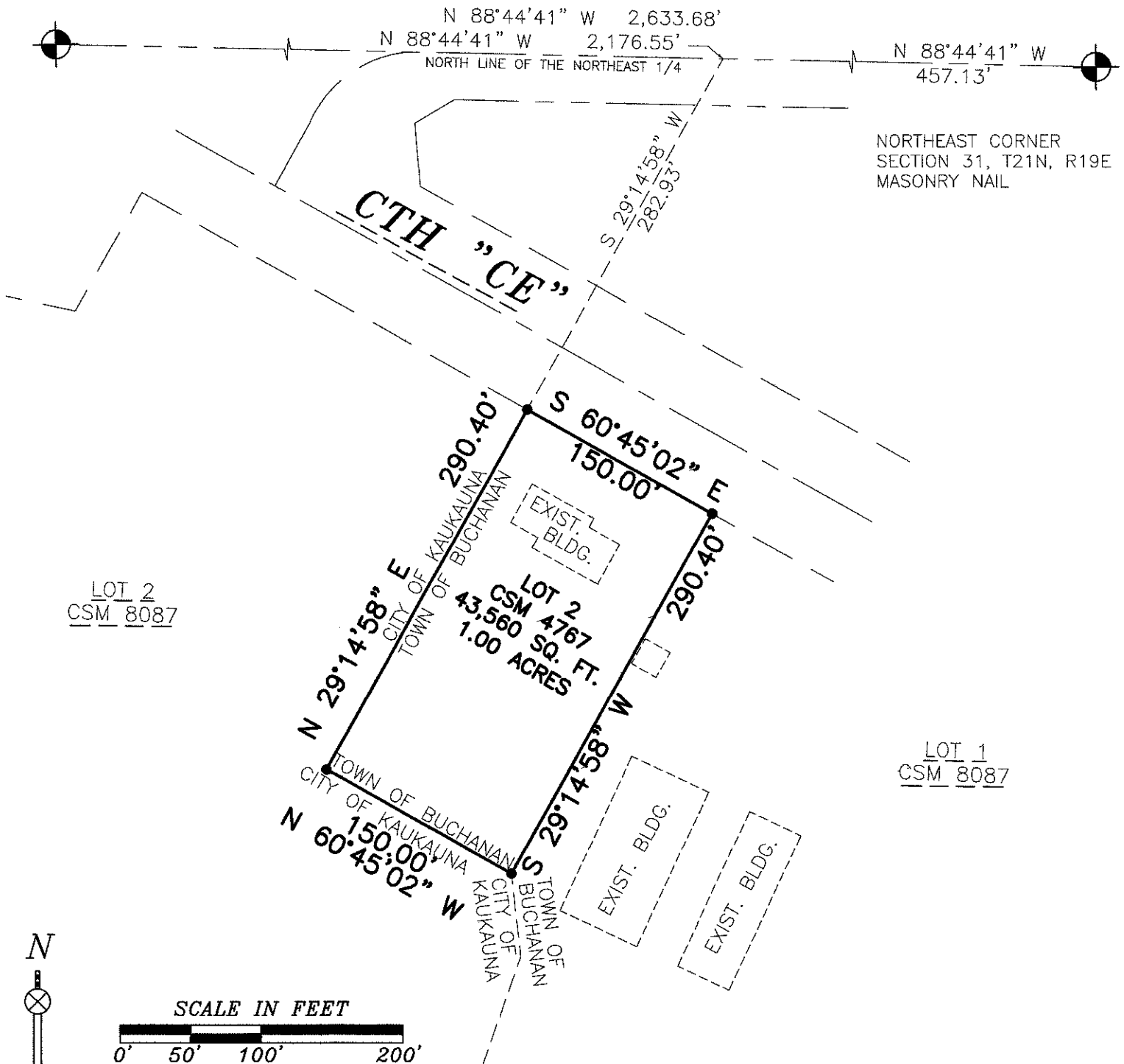
Please submit by email to abrunette@kaukauna-wi.org or by mail to City of Kaukauna, Attn: Plan Commission, P.O. Box 890, Kaukauna, WI 54130

Annexation Exhibit

ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 4767 AS RECORDED IN VOLUME 27 OF CERTIFIED SURVEY MAPS ON PAGE 4767 AS DOCUMENT NO. 1601065, BEING PART OF NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 21 NORTH, RANGE 19 EAST, TOWN OF BUCHANAN, OUTAGAMIE COUNTY, WISCONSIN.

NORTH 1/4 CORNER
SECTION 31, T21N, R19E
BERNTSEN MONUMENT

WIELER ROAD



LEGAL DESCRIPTION

ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 4767 AS RECORDED IN VOLUME 27 OF CERTIFIED SURVEY MAPS ON PAGE 4767 AS DOCUMENT NO. 1601065, BEING PART OF NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 21 NORTH, RANGE 19 EAST, TOWN OF BUCHANAN, OUTAGAMIE COUNTY, WISCONSIN DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 OF SAID SECTION 31; THENCE SOUTH 88 DEGREES 44 MINUTES 41 SECONDS EAST, ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 31, A DISTANCE OF 2,176.55 FEET; THENCE SOUTH 29 DEGREES 14 MINUTES 58 SECONDS WEST 282.93 FEET TO THE MOST NORTHERLY CORNER OF LOT 2 OF SAID CERTIFIED SURVEY MAP NO. 4767 AND THE POINT OF BEGINNING; THENCE SOUTH 60 DEGREES 45 MINUTES 02 SECONDS EAST, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF C.T.H "CE" , 150.00 FEET; THENCE SOUTH 29 DEGREES 14 MINUTES 58 SECONDS WEST, ALONG THE EASTERLY LINE OF SAID LOT 2, A DISTANCE OF 290.40 FEET; THENCE NORTH 60 DEGREES 45 MINUTES 02 SECONDS WEST, ALONG THE SOUTHERLY LINE OF SAID LOT 2, A DISTANCE OF 150.00 FEET; THENCE NORTH 29 DEGREES 14 MINUTES 58 SECONDS EAST, ALONG THE WESTERLY LINE OF SAID LOT 2, A DISTANCE OF 290.40 FEET TO THE POINT OF BEGINNING, CONTAINING 43,560 SQUARE FEET (1.00 ACRES) OF LAND, MORE OR LESS, AND SUBJECT TO ALL EASEMENTS 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
wimunicipalboundaryreview@wi.gov
<http://doa.wi.gov/municipalboundaryreview>

Petitioner: **Eiting**

Petition Number: **14433**

1. Territory to be annexed: From **TOWN OF BUCHANAN** To **CITY OF KAUKAUNA**

2. Area (Acres): 1.0

3. Pick one: ☒ Property Tax Payments

OR ☐ Boundary Agreement

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

\$ 672.96 (in 2020)

a. Title of boundary agreement _____

b. Year adopted _____

b. Total that will be paid to Town

(annual tax multiplied by 5 years): \$3,364.80

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: 2 Total: 2

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

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

Undeveloped: _____ %

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

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

Other: _____ %

Comments: N/A - use will remain the same

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?: Agricultural

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 _____

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

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? General Agriculture (AGD)

c. How will the land be zoned and used if annexed? Residential-Single Family (RSF)

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: Allyson Watson Brunette

Email: abrunette@kaukauna-wi.org

Phone: 920.766.6315

Date: 9.13.2021

(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

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: **Eiting**

Petition Number: **14433**

1. Territory to be annexed: From **TOWN OF BUCHANAN** To **CITY OF KAUKAUNA**

2. Area (Acres): 1

3. Pick one: ☒ Property Tax Payments

OR ☐ Boundary Agreement

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

\$ 3512.25

a. Title of boundary agreement _____

b. Year adopted _____

b. Total that will be paid to Town

(annual tax multiplied by 5 years): 17,561.25

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: 2 Total: 2

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

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

Undeveloped: _____ %

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

Residential: _____ % 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?

In the town?: Gen Ag

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 unsure as a home is currently on the parcel

10. Is the city/village or town capable of providing needed utility services?

City/Village ☐ Yes ☐ No

Town ☐ Yes ☐ No

*parcel has a home
so needed services
must already be provided*

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? _____

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: <http://elections.wi.gov/forms/el-100>

13. Other relevant information and comments bearing upon the public interest in the annexation:

Another small town that is getting smaller due to a city wanting to get larger and not a care for other municipalities.

Prepared by: ☒ Town ☐ City ☐ Village

Name: *Cynthia Sieracki*

Email: *Cynthias@townofbuchanan.org*

Phone: *920-734-8599*

Date: *9/3/2021*

Please **RETURN PROMPTLY** to:

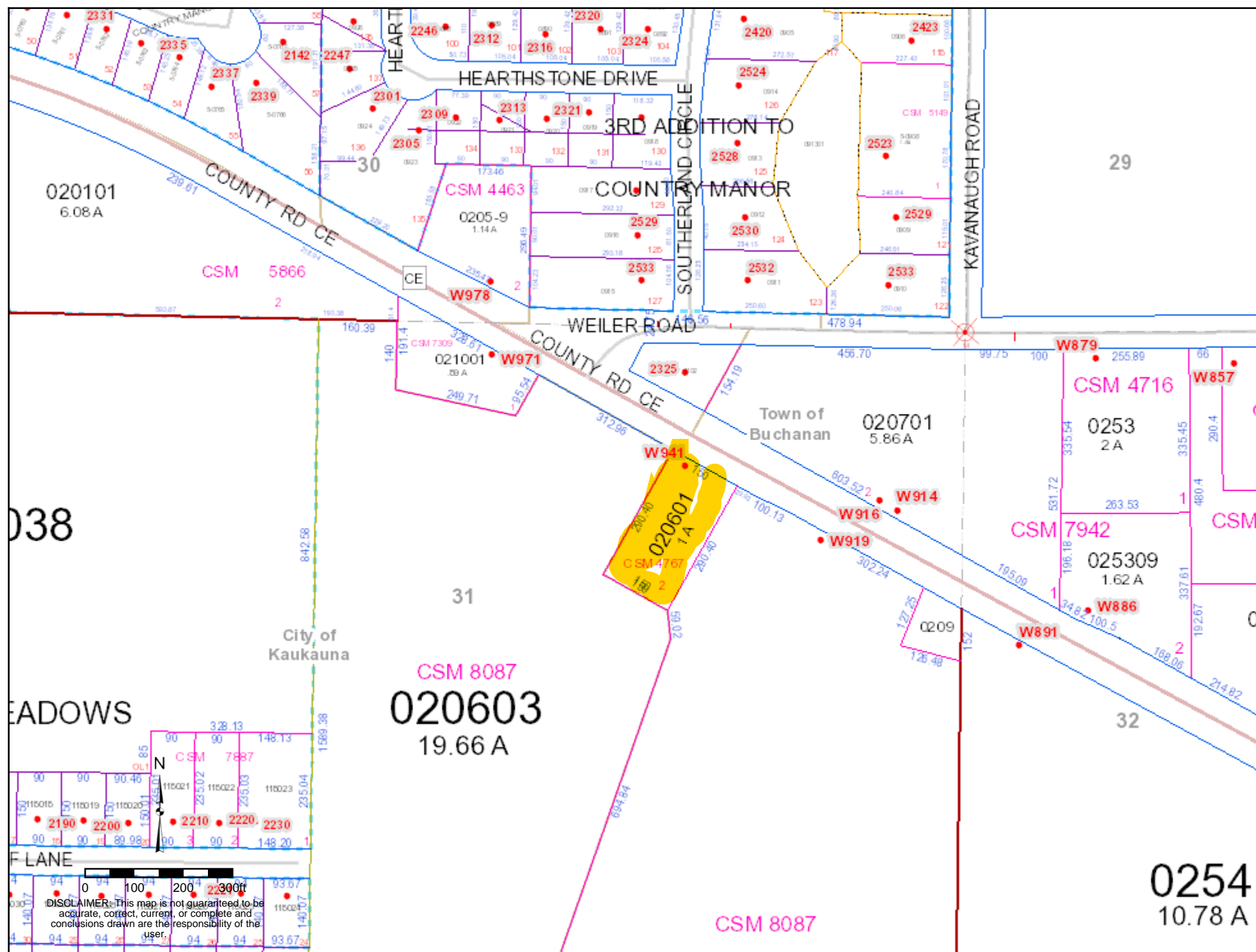
wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

(March 2018)





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>

September 13, 2021

PETITION FILE NO. 14433

SALLY KENNEY, CLERK
CITY OF KAUKAUNA
PO BOX 890
KAUKAUNA, WI 54130-0890

CYNTHIA SIERACKI, CLERK
TOWN OF BUCHANAN
N178 COUNTY RD N
APPLETON, WI 54915-9459

Subject: EITING ANNEXATION

The proposed annexation submitted to our office on August 23, 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 **CITY OF KAUKAUNA**, 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 14433 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=2507>
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner