

Request for Annexation Review

Wisconsin Department of Administration

WI Dept. of Administration
Municipal Boundary Review
101 E. Wilson Street, 9th Floor
Madison WI 53703
608-264-6102 Fax: 608-264-6104
wimunicipalboundaryreview@wi.gov
<http://doa.wi.gov/municipalboundaryreview/>

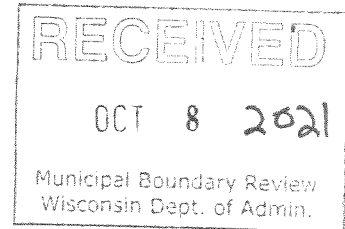
Petitioner Information

Name: **JACOB A. WOODFORD, MAYOR**

Address: **100 NORTH APPLETON STREET**
APPLETON, WI 54911

Email: **jake.woodford@appleton.org**

Office use only:



1. Town where property is located: **TOWN OF GRAND CHUTE**

2. Petitioned City or Village: **CITY OF APPLETON**

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

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

5. Area (in acres) of the territory to be annexed: **3.9468**

6. Tax parcel number(s) of territory to be annexed
(if the territory is part or all of an existing parcel): **PART OF**
101006900

Petitioners phone:

920-832-6400

Town clerk's phone:

920-832-5644

City/Village clerk's phone:

920-832-6443

Contact Information if different than petitioner:

Representative's Name and Address:
JESSICA TITEL, PRINCIPAL PLANNER

CITY OF APPLETON

100 N. APPLETON STREET

APPLETON, WI 54911

Phone: **920-832-6476**

E-mail: **JESSICA.TITEL@APPLETON.ORG**

Surveyor or Engineering Firm's Name & Address:
TOM KROMM, CITY SURVEYOR

CITY OF APPLETON

100 N. APPLETON STREET

APPLETON, WI 54911

Phone: **920-832-6480**

E-mail: **TOM.KROMM@APPLETON.ORG**

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

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

\$600 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

\$950 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: 10-8-21

Payee: City of Appleton

Check Number: 5503³74

Check Date: 9-22-21

Amount: \$950⁰⁰

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 adjoiners 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.]



"...meeting community needs...enhancing quality of life."

LEGAL SERVICES DEPARTMENT

Office of the City Attorney

100 North Appleton Street

Appleton, WI 54911-4799

Phone: 920/832-6423

Fax: 920/832-5962

October 5, 2021

WI Department of Administration
Municipal Boundary Review
P.O. Box 1645
Madison, WI 53701

**Certified Mail –
Return Receipt Requested**

Re: Annexation
Our File No. A21-0775

To Whom It May Concern:

Enclosed please find a copy of the *Unanimous Petition of Property Owners for Direct Annexation* to the City of Appleton, along with a scale map of the same. This is being referred to as the Spartan Drive (Right-of-Way) Annexation.

Also enclosed please find a completed Request for Annexation Review form along with a draft in the appropriate amount.

If you have any questions or concerns, please do not hesitate to contact me. Thank you for your assistance in this matter.

Sincerely,

Christopher R. Behrens
City Attorney

Enclosure

CRB:jljg



**PETITION FOR DIRECT ANNEXATION BY UNANIMOUS APPROVAL
PURSUANT TO SECTION 66.0217(2), WISCONSIN STATUTES
WHERE NO ELECTORS RESIDE IN TERRITORY**

I, the undersigned, constituting all of the owners of the real property in which no electors reside in the following territory of the Town of Grand Chute, Outagamie County, Wisconsin, lying contiguous to the City of Appleton, petition the Common Council of the City of Appleton to annex the territory described below and shown on the attached scaled map to the City of Appleton, Outagamie County, Wisconsin.

A part of Lot 1 of Certified Survey Map No. 4027, located in and being a part of the South $\frac{1}{2}$ the Fractional Northeast $\frac{1}{4}$ of Section 2, Township 21 North, Range 17 East, Town of Grand Chute, Outagamie County, Wisconsin, containing 171,926 Square Feet (3.9468 Acres) of land and described as follows:

Commencing at the East $\frac{1}{4}$ corner of said Section 2;

Thence North $89^{\circ}40'21''$ West 839.03 feet along the South line of the Fractional NE $\frac{1}{4}$ of said Section 2 and being coincident with the South line of Certified Survey Map No.4431 to the point of beginning;

Thence continue North $89^{\circ}40'21''$ West 234.71 feet along the South line of the Fractional NE $\frac{1}{4}$ of said Section 2

Thence North $39^{\circ}21'44''$ West 331.88 feet;

Thence North $28^{\circ}42'55''$ East 170.75 feet;

Thence Westerly 443.68 feet along the arc of a curve to the left having a radius of 365.00 feet and the chord of which bears South $85^{\circ}27'40''$ West 416.86 feet;

Thence South $50^{\circ}38'16''$ West 177.69 feet to the West line of Lot 1 of Certified Survey Map No.4027;

Thence North $00^{\circ}19'45''$ East 90.97 feet along the West line of Lot 1 of Certified Survey Map No.4027;

Thence North $50^{\circ}38'16''$ East 119.60 feet;

Thence Easterly 644.99 feet along the arc of a curve to the right having a radius of 435.00 feet and the chord of which bears South $86^{\circ}53'06''$ East 587.51 feet;

Thence South $44^{\circ}24'28''$ East 175.81 feet;

Thence North $45^{\circ}35'32''$ East 47.78 feet;

Thence South $44^{\circ}24'28''$ East 119.08 feet to the East line of Lot 1 of Certified Survey Map No.4027;

Thence South $01^{\circ}03'01''$ West 219.70 feet along the East line of Lot 1 of Certified Survey Map No.4027 to the Point of Beginning.

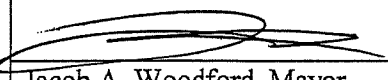
Part of Tax Parcel number of land to be annexed: #101006900

I, the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexation, incorporation, or consolidation proceedings, if any.

I further respectfully request that the City Plan Commission initiate a rezoning for the subject property from temporary AG Agricultural District to the zoning classification of P-I Public Institutional District.

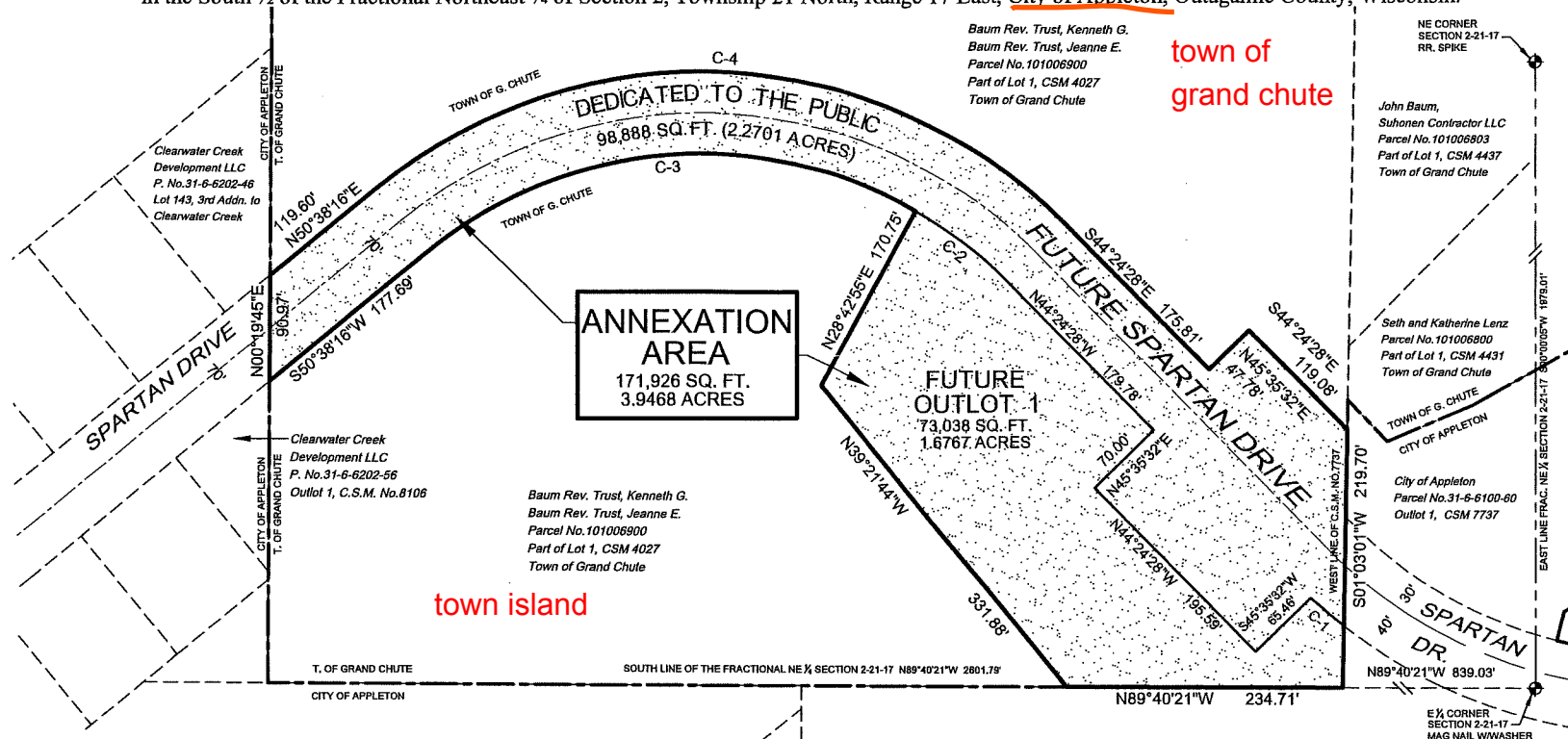
Area of lands to be annexed contains 3.9468 acres.

The current population of such territory is 0.

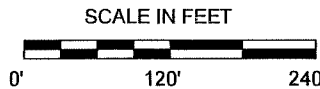
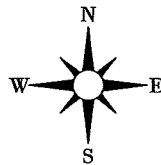
Signature of Petitioner	Owner	Date of Signing	Address of Petitioner (Include Zip Code)
 Jacob A. Woodford, Mayor City of Appleton	City of Appleton	9/22/21	100 N. Appleton Street Appleton, WI 54911

ANNEXATION EXHIBIT

Part of Lot 1 of Certified Survey Map No. 4027 filed in Volume 22 of Certified Survey Maps on Page 4027 as Document No.1402877, being located in the South ½ of the Fractional Northeast ¼ of Section 2, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin.



CURVE DATA TABLE				
CURVE	RADIUS	LENGTH	LC	LCB
C1	440.00'	36.89'	36.88'	N49°24'52\"W
C2	365.00'	97.52'	97.27'	N52°03'42\"W
C3	365.00'	443.68'	416.86'	S85°27'40\"W
C4	435.00'	644.99'	587.51'	S86°53'06\"E



BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, OUTAGAMIE COUNTY, SOUTH LINE OF THE FRACTIONAL NE 1/4 SECTION 2, T.21N., R.17E.; WHICH BEARS N89°40'21\"W
 Cloud:\Acad\Annex2021\Spartan_Baum_0915_2021

CITY OF APPLETON
 DEPT. OF PUBLIC WORKS
 ENGINEERING DIVISION
 100 NORTH APPLETON STREET
 APPLETON, WI 54911
 920-832-6474
 DRAFTED BY: T. KROMM

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>

Spartan Drive (Right-of-Way) Annexation

Petitioner: Jacob A. Woodford, Mayor, City of Appleton

Petition Number:

1. Territory to be annexed: From **TOWN OF GRAND CHUTE** To **CITY OF APPLETON**

2. Area (Acres): 3.9468 acres

3. Pick one: ☐ Property Tax Payments

OR ☒ Boundary Agreement

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

\$ _____

b. Total that will be paid to Town

(annual tax multiplied by 5 years): _____

c. Paid by: ☐ Petitioner ☐ City ☐ Village

☐ Other: _____

a. Title of boundary agreement: "Intermunicipal Agreement".

b. Year adopted: 1992.

c. Participating jurisdictions: "City of Appleton and Town of Grand Chute".

d. Statutory authority: 66.027 and 66.30.

4. Resident Population: 0 Electors: 0 Total: 0

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

Agricultural

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

City street/public right-of-way and stormwater ponds.

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

Plat Name: N/A

8. What is the **nature of land use adjacent** to this territory in the city? Undeveloped agricultural, commercial land and farm house with agricultural accessory buildings.

In the town?: Undeveloped agricultural 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: The property owner initiated the annexation to extend a public street, utilities and construct a stormwater pond.

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

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. 4

Water Supply immediately ☒ ☐
 or, write in number of years. 4

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: Sewer & Water Main Extensions in 2025+/- Estimated cost: \$1,100,000

11. Planning & Zoning:

a. Do you have a comprehensive plan for the City/Village/Town? X Yes ☐ No

Is this annexation consistent with your comprehensive plan? X Yes ☐ No

b. How is the annexation territory now zoned? (Town of Grand Chute Zoning, AGD – General Agricultural District).

c. How will the land be zoned and used if annexed? P-I Public Institutional District.

12. Elections: ☐ New ward or ☐ Existing ward?

Will the annexation create a new ward or join an existing ward? Per the City Clerk, under the advice of the Legislative Technology Services Bureau, it is best to wait on such annexations until we have our ward plan in place. Therefore, she cannot assign it a ward number at this time. Other aspects of the annexation process can continue, then when tentative plans are available, a ward number will be assigned. It would not create a new ward under our existing plan and would most likely join Aldermanic District 7.

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: N/A

Prepared by: ☐ Town ☒ City ☐ Village

Name: Jessica Titel, Principal Planner

Email: jessica.titel@appleton.org

Phone: 920-832-6476

Date: 9/22/21

(March 2018)

Please **RETURN PROMPTLY** to:

wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

PETITION # _____

REAL PROPERTY LISTERS ANNEXATION REVIEW

1. Territory to be annexed: 101006999	From Town of: TOWN OF GRAND CHUTE 	To City/Village of: CITY OF APPLETON
--	--	---

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. *see comments below

___N/A___ (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:

UPDATED PARCEL NUMBER TO 101006999 AS PER SPLIT TO CITY OF APPLETON

Prepared by: TERRI A LISON
Title: REAL PROPERTY LISTER
Phone: 920-832-5665
Date: 10/13/2021

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

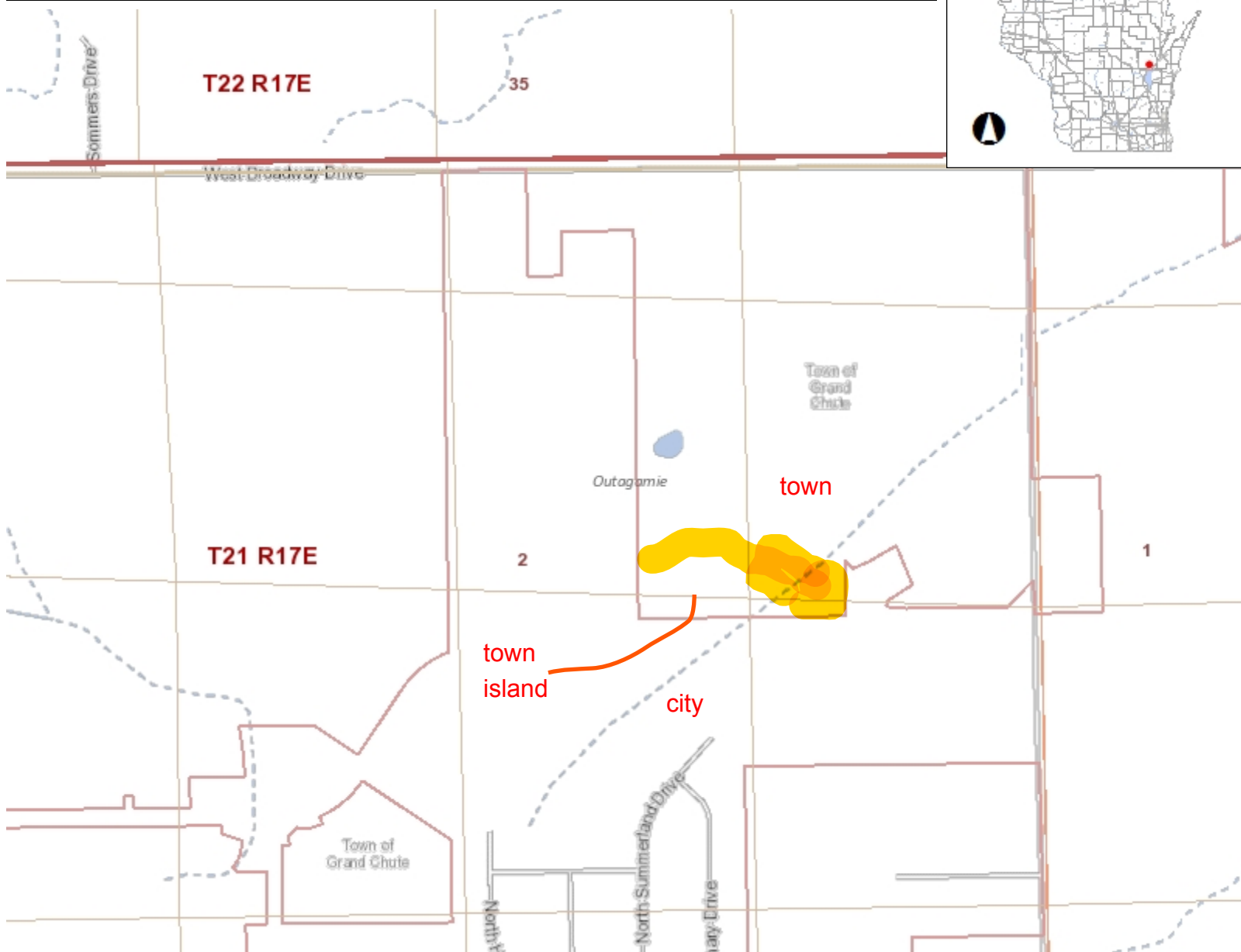


Surface Water Data Viewer Map



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

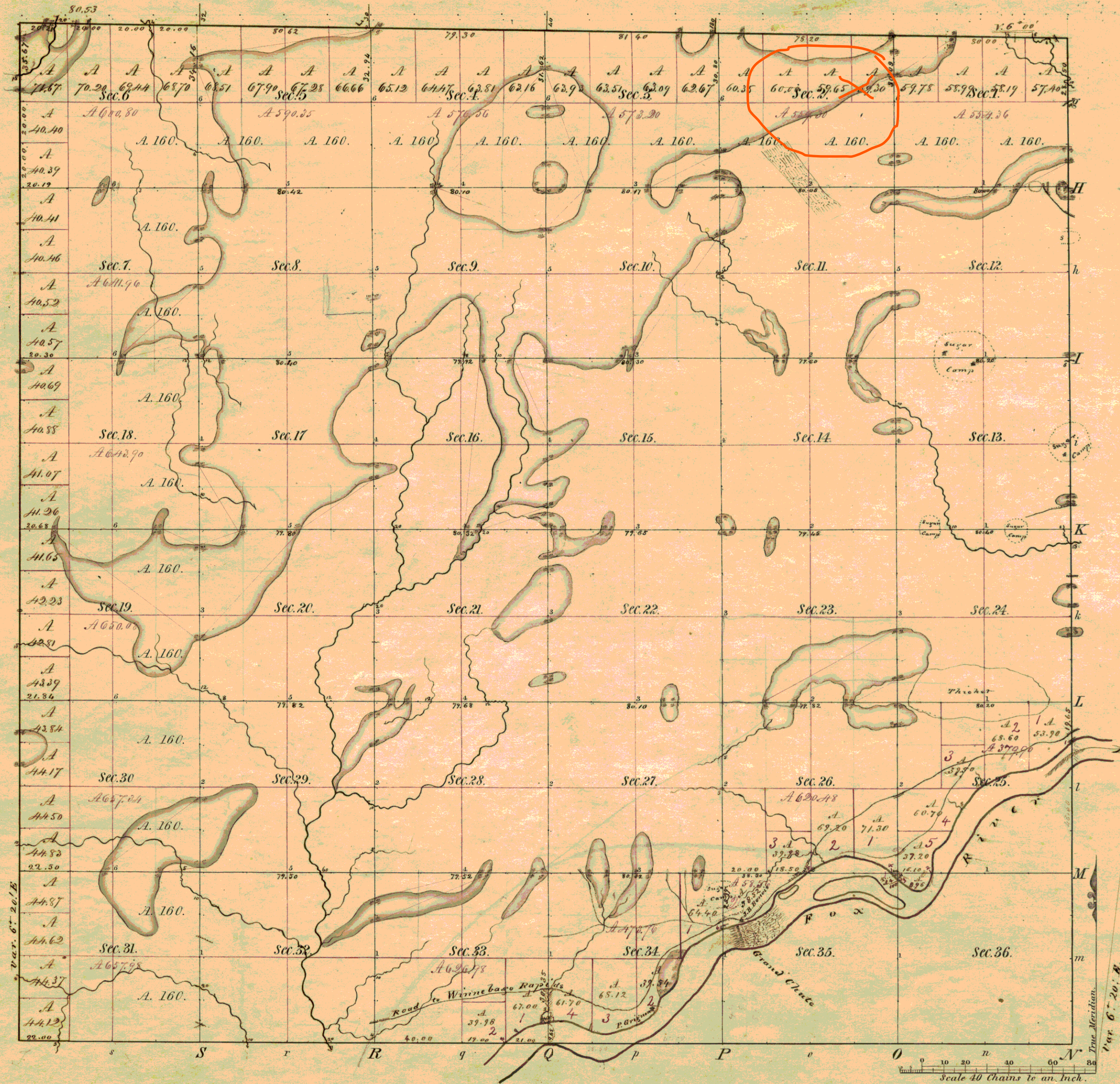
NAD_1983_HARN_Wisconsin_TM

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^o 21 N, Range N^o 17 East, 4th Mer.



Total number of Acres 2102.47

Surveys Designated	By Whom Surveyed	Date of Contract	Amount of Surveys	When Surveyed	When p ^d for and ch ^d in the Sur ^r Gen ^l acc ^t
Township line	Carret Vliet	May 19 1838	M. Ch ^s Lks.	January 1839	2 nd Q ^r 1839
Subdivisions	Theodore Conkey	Aug. 8, 1843	60. 58. 58	November 1843	4 th Q ^r 1844
Township lines.	A. G. Ellis	May 18, 1843	16. 16. 20	2d. q ^r 1843	1 st Q ^r 1844

The above Map of Township N^o 21 North of Range N^o 17 East, 4th Principal Meridian Wisconsin 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,
Dubuque, December 31, 1844

James Willou
Sur. Gen^l

Meanders of Fox River							
Posts	Courses	Ch ^s Lk ^s	Posts	Courses	Ch ^s Lk ^s	Posts	Courses
Left bank up stream							
1	S. 51 st W.	16.80					
	S. 72 nd W.	7.00					
	S. 80 th W.	11.20					
	S. 69 th W.	9.20					
	S. 49 th W.	2.00					
	S. 41 st W.	8.50					
	S. 32 nd W.	12.50					
	S. 26 th W.	8.50					
	S. 21 st W.	7.14					
	South	9.24					
2	S. 16 th W.	2.00					
	S. 31 st W.	1.50					
	S. 53 rd W.	2.90					
	S. 86 th W.	2.00					
	S. 68 th W.	2.00					
	S. 47 th W.	7.12					
	S. 43 rd W.	2.13					
3	S. 56 th W.	1.23					
4	S. 56 th W.	8.10					
	S. 78 th W.	15.50					
	S. 71 st W.	10.15					
	S. 59 th W.	8.78					
	S. 73 rd W.	1.20					
5	S. 53 rd W.	12.50					
	S. 68 th W.	2.50					
	S. 26 th W.	9.25					
	S. 60 th W.	7.40					
	S. 70 th W.	6.86					
	S. 70 th W.	8.70					
6	S. 59 th W.	17.10					
	S. 49 th W.	5.50					
	S. 19 th W.	2.80					
	S. 74 th W.	1.50					
	S. 61 st W.	2.00					
	S. 25 th W.	4.50					
	S. 44 th W.	9.20					
	S. 12 th W.	5.50					
	S. 40 th W.	6.55					
	S. 56 th W.	7.20					
	S. 65 th W.	5.50					
	S. 80 th W.	8.65					
	S. 82 nd W.	3.50					
	S. 69 th W.	16.00					
	S. 80 th W.	5.00					
	S. 73 rd W.	2.60					
7	S. 82 nd W.	5.00					
	S. 68 th W.	6.50					
	S. 55 th W.	11.00					
8	S. 59 th W.	9.89					



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>

October 28, 2021

PETITION FILE NO. 14451

KAMI LYNCH, CLERK
CITY OF APPLETON
100 N APPLETON ST
APPLETON, WI 54911-4702

ANGIE CAIN, CLERK
TOWN OF GRAND CHUTE
1900 GRAND CHUTE BLVD
GRAND CHUTE, WI 54913-9613

Subject: SPARTAN DRIVE ANNEXATION

The proposed annexation submitted to our office on October 08, 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 APPLETON**, which is able to provide needed municipal services.

Note: 1) It appears that City of Appleton should be changed to Town of Grand Chute in the general location description under the annexation scale map heading, because currently the territory lies within the Town.
2) It appears that this annexation will create a town island contrary to s. 66.0221, Wis. Stats. However, the City and Town have developed a boundary agreement between themselves, which is an exception to the statutory prohibition.

The Department reminds clerks of annexing municipalities of the requirements of s. 66.0217 (9)(a), Wis. Stats., which states that 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 14451 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=2525>
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner