

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: David W. Luety, Vickie L. Hanson, Michael C. &

Address: 9226 S. Creek Road Diana K. Schaefer
Beloit, WI 53511

Email: vickie@pacbeloit.com (Vickie Hanson)

Office use only:

RECEIVED

November 8, 2021

Municipal Boundary Review
Wisconsin Dept. of Admin.

1. Town where property is located: Turtle

2. Petitioned City or Village: City of Beloit

3. County where property is located: Rock

4. Population of the territory to be annexed: 0

5. Area (in acres) of the territory to be annexed: 40.1

6. Tax parcel number(s) of territory to be annexed
(if the territory is part or all of an existing parcel): 038 00119601,

Petitioners phone:

Town clerk's phone:

City/Village clerk's phone:

038 001195, 038 001194 & 038 001193

Contact Information if different than petitioner:

Representative's Name and Address:

Phone:

E-mail:

Surveyor or Engineering Firm's Name & Address:

Kristin Belongia - R.H. Batterman & Co., Inc.

2857 Bartells Drive

Beloit, WI 53511

Phone: 608-365-4464

E-mail: kbelongia@rhbatterman.com

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

\$ 800 **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

\$ 1150 **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

11-8-21
RH Batterman & CO

67369
11-2+21
\$1150.00

November 1, 2021

Mrs. Deborah Bennett, Clerk-Treasurer
Town of Turtle
6916 S. County Road J
Beloit, WI 53511

Mrs. Lori Stottler, Clerk-Treasurer
City of Beloit
100 State Street
Beloit, WI 53511

Re: Petition for Annexation to the City of Beloit
RHB Project #34050

Dear Town of Turtle and City of Beloit:

Please accept the enclosed signed Petition for Annexation to the City of Beloit, along with any known submittal fees. The request is for four tax parcel located at northwest corner of Murphy Woods Road and Shopiere Road, being adjacent to the City of Beloit corporate limits. The statutory annexation method being used is Unanimous per Wisconsin Statutes s.66.0217(2).

Also included with the Petition is the Legal Description and Map meeting the requirements of Wisconsin Statutes s.66.0217(1). This map is also required to be submitted simultaneously to the Department of Administration for their review and comment.

If you have any questions on any of the submittal materials or need additional information or copies, please give us a call. Thank you.

R. H. BATTERMAN & CO., INC.
Engineers - Surveyors - Planners

Kristin Belongia

Kristin J. Belongia, PLS

pc: Department of Administration
David W. Luety II, Vickie Hanson, Michael C. Schafer and Diana K. Schaefer.

PETITION FOR ANNEXATION AND/OR ATTACHMENT TO THE CITY OF БЕЛОИТ

Address of Property: Vacant - 40 acres Northwest corner of Murphy Wood Road & Shopiere Road

Property is located in (circle one):

Town of Turtle

Town of Beloit

If applicable, please circle the Town of Turtle island in which the property is located:

Lindale Place

Turtle Ridge

Sherwood Drive

N/A

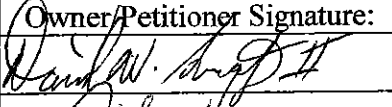
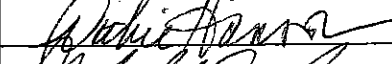
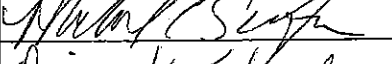
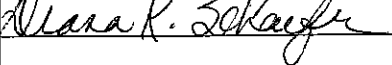
If this property is located within the Town of Turtle, is it located within the **Boundary Adjustment Area** as outlined in the Cooperative Boundary Agreement between the City of Beloit and Town of Turtle? (If you are not sure, please leave blank for Planning staff to answer.) YES NO

The current population or territory to be annexed and/or attached is 0 persons.

We the undersigned, constituting all of the owners of the real property in Rock County, Wisconsin, lying contiguous to the City of Beloit, or lying in a town island, respectfully petition the City Council of the City of Beloit to annex the territory described and shown on the attached scale map to the City of Beloit, Rock County, Wisconsin. (Plat of Annexation or Attachment must include a legal description of the subject property.)

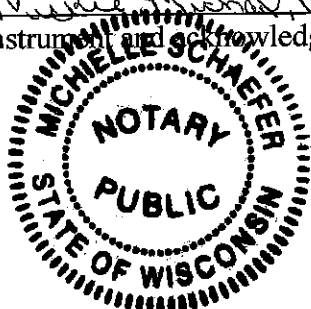
We the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexation, incorporation or consolidation proceedings, if any.

We further respectfully request that this property be zoned _____.

Owner/Petitioner Signature:	Print Name:	Address:	Date:
	David W. Luety II	9226 S. Creek Road	
	Vickie Hanson	Beloit, WI 53511	11/1/2021
	Michael C. Schaefer		
	Diana K. Schaefer		11/1/2021

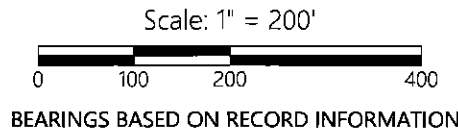
Personally came before me this 15th day of November, 2021, the above named,
(day) (month) (year)

David, Vickie, Michael, Diana to me known to be the persons who executed the foregoing instrument and acknowledged the same.




Notary Public, Rock County, Wisconsin (SEAL)

My Commission is permanent or expires on: 6-2-2023

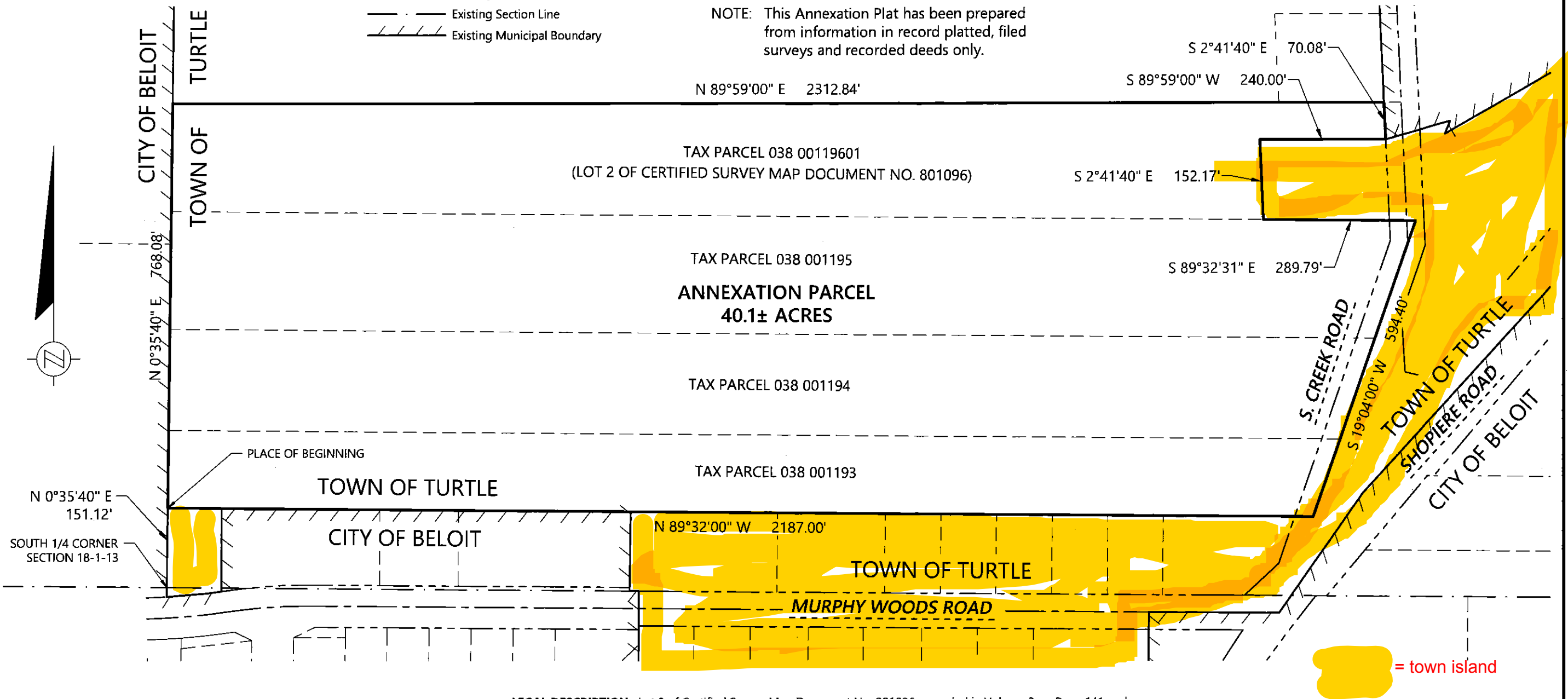


- LEGEND
- Annexation Boundary
 - Existing Right-of-Way
 - Existing Adjacent Property
 - Existing Centerline
 - Existing Section Line
 - Existing Municipal Boundary

PLAT SHOWING TERRITORY ANNEXED TO THE CITY OF BELOIT

LOT 2 OF CERTIFIED SURVEY MAP DOCUMENT NO. 801096 AND ALSO LANDS BEING PART OF THE SW 1/4 OF THE SE 1/4 AND PART OF THE SE 1/4 OF THE SE 1/4 OF SECTION 18, T. 1 N., R. 13 E., OF THE 4TH P.M., TOWN OF TURTLE, ROCK COUNTY, WISCONSIN.

NOTE: This Annexation Plat has been prepared from information in record platted, filed surveys and recorded deeds only.



State of Wisconsin } ss.
County of Rock }

I, _____, Clerk of the City of Beloit, Rock County, Wisconsin, do hereby certify that the above described parcel of real estate has by ordinance duly adopted by the City of Beloit, Rock County, Wisconsin, been annexed from the Town of Turtle, Rock County, Wisconsin, to the City of Beloit, Rock County, Wisconsin. That the Plat hereon drawn is a correct representation of the annexation of said territory.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the official seal of the City of Beloit, Rock County, Wisconsin this ____ day of _____, 2021.

_____, Clerk

LEGAL DESCRIPTION: Lot 2 of Certified Survey Map Document No. 801096, recorded in Volume 3 on Page 141 and also lands located in part of the Southwest 1/4 of the Southeast 1/4 and part of the Southeast 1/4 of the Southeast 1/4 of Section 18, T. 1 N., R. 13 E., of the 4th P.M., Town of Turtle, Rock County, Wisconsin.

DESCRIBED AS FOLLOWS: Commencing at the South 1/4 corner of Section 18 (T. 1 N., R. 13 E.); thence North 0°35'40" East along the center-line of aforesaid Section 18 a distance of 151.12 feet to the point of beginning; thence continue North 0°35'40" East a distance of 768.08 feet to the Northwest corner of Lot 2 of aforesaid Certified Survey Map Document No. 801096; thence North 89°59'00" East a distance of 2312.84 feet to the Northeast corner of aforesaid Lot 2; thence South 2°41'40" East a distance of 70.08 feet to the Northeast corner of Lot 1 of aforesaid Certified Survey Map Document No. 801096; thence South 89°59'00" West a distance of 240.00 feet to the Northwest corner of aforesaid Lot 1; thence South 2°41'40" East a distance of 152.17 feet to the Southwest corner of aforesaid Lot 1; thence South 89°32'31" East along the South line of aforesaid Lot 1 a distance of 289.79 feet, to the centerline of Shopiere Road extended; thence South 19°04'00" West along the centerline of aforesaid Shopiere Road a distance of 594.40 feet; thence North 89°32'00" West parallel with the South line of aforesaid Section 18, a distance of 2187.00 feet to the point of beginning. Containing 40.1 acres, more or less.

State of Wisconsin } ss.
County of Rock }

That I hereby certify that the Plat of Annexation as described and hereon drawn correctly represents said territory as described and said Plat is true and correct.

Dated this ____ day of _____, 2021.

Kristin J. Belongia, PLS 2943

engineers surveyors planners
2857 Barrells Drive
Beloit, Wisconsin 53511
608.365.4464
www.batterman.com

ANNEXATION PLAT

FOR THE EXCLUSIVE USE OF:
VICKIE HANSON
9226 S. CREEK ROAD
BELOIT, WI 53511

ORDER NO: 34050
BOOK: SEE FILE
FIELD CREW: TBD
DRAWN BY: LMB
SHEET 1 OF 1

File Name: J:\34000-34999\34050 - Vickie Hanson - Annex Murphy Woods\SURVEY\RI-B DRAWING FILES

Schmidtke, Erich J - DOA

From: MICHELLE SCHULTZ <MICHELLE.SCHULTZ@co.rock.wi.us>
Sent: Tuesday, November 9, 2021 4:56 PM
To: Schmidtke, Erich J - DOA
Subject: RE: Proposed Annexation to Beloit

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside the organization.
Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Erich,

Legal is good.

Thank you,

Michelle

Michelle Schultz
Rock County, State of Wisconsin
Real Property Lister / LIO
51 S. Main St.
Janesville, WI 53545
michelle.schultz@co.rock.wi.us
(608) 757-5607

From: Schmidtke, Erich J - DOA [mailto:Erich.Schmidtke@wisconsin.gov]
Sent: Tuesday, November 09, 2021 11:29 AM
To: MICHELLE SCHULTZ <MICHELLE.SCHULTZ@co.rock.wi.us>
Subject: Proposed Annexation to Beloit

CAUTION: This email originated from outside the Rock County (Rock-IT) network. Do not click links or attachments unless you recognize the sender and know the content is safe. If you feel this email is a potential phishing attempt, please forward to @PhishingAlerts@co.rock.wi.us for review.

Hello Michelle,
Here's a proposed annexation to Beloit for your review and thoughts and comments.
Thank you,
Erich



Erich Schmidtke

Municipal Boundary Review - DOA

101 East Wilson Street

PO Box 1645, Madison, WI 53701

(608) 264-6102

erich.schmidtke@wisconsin.gov

<http://doa.wi.gov/municipalboundaryreview>

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: **Luetz et al**

Petition Number: **14461**

1. Territory to be annexed: From **TOWN OF TURTLE** To **CITY OF BELOIT**

2. Area (Acres): 40.1

3. Pick one: ☐ Property Tax Payments

OR

☒ Boundary Agreement

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

\$ _____

a. Title of boundary agreement Cooperative Bdry Plan

b. Year adopted 1998

c. Participating jurisdictions Between City of Beloit & Town of Turtle

d. Statutory authority (pick one)

☐ s.66.0307

☐ s.66.0225

☐ s.66.0301

b. Total that will be paid to Town

(annual tax multiplied by 5 years): _____

c. Paid by: ☐ Petitioner ☐ City ☐ Village

☐ 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: _____% 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?: Residential & 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. _____

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 / (Exclusive)

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:

Prepared by: ☒ Town ☐ City ☐ Village

Name: Deborah Bennett

Email: townofturtle@charter.net

Phone: 608-365-0655

Date: 11-22-21

(March 2018)

Please **RETURN PROMPTLY** to:

wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Fax: (608) 264-6104



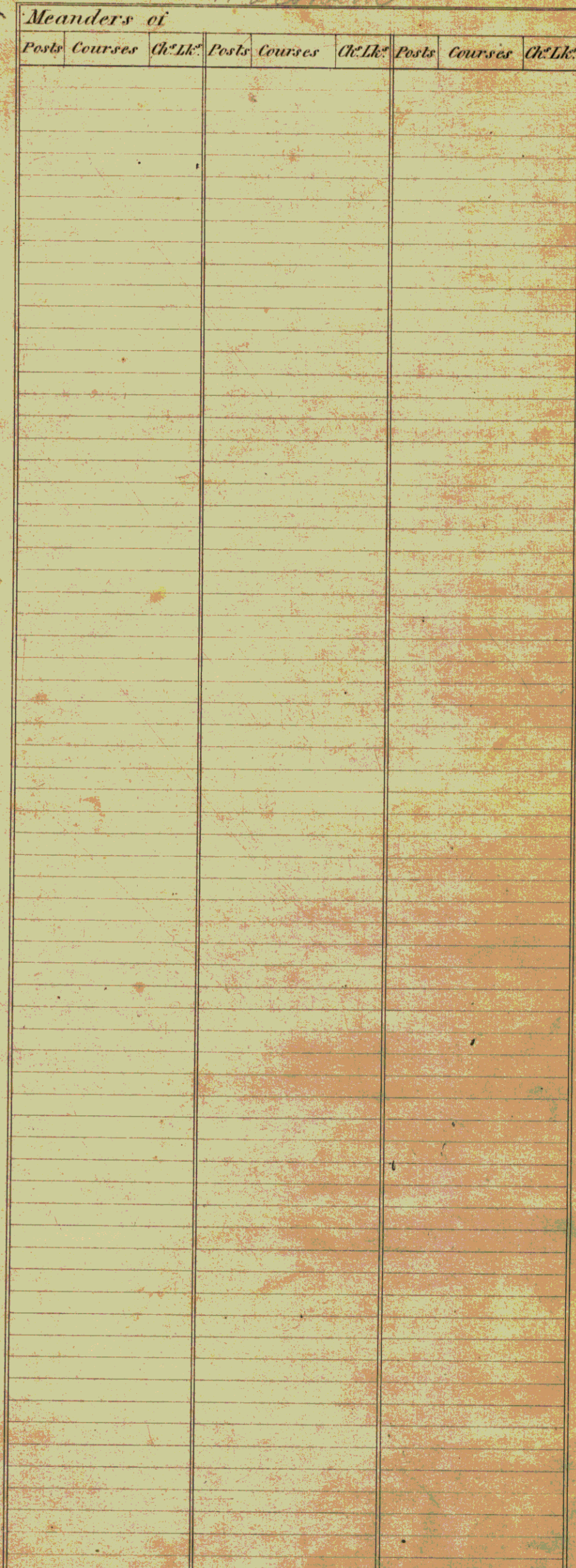
TOWN OF TURTLE

6916 South Cty Trk J • Beloit, WI 53511 • Phone 608-362-0655 • Fax 608-364-1151

ADDENDUM TO QUESTIONNAIRE

The City of Beloit and the Town of Turtle entered in a boundary agreement in 1999. Pursuant to the agreement, the only land that the City may annex is land within the boundary adjustment area. Any other requests for annexation must be approved by the Town Board. This particular request for annexation is on the agenda for the December Town Board meeting.

Deborah Bennett
Clerk / Treasurer



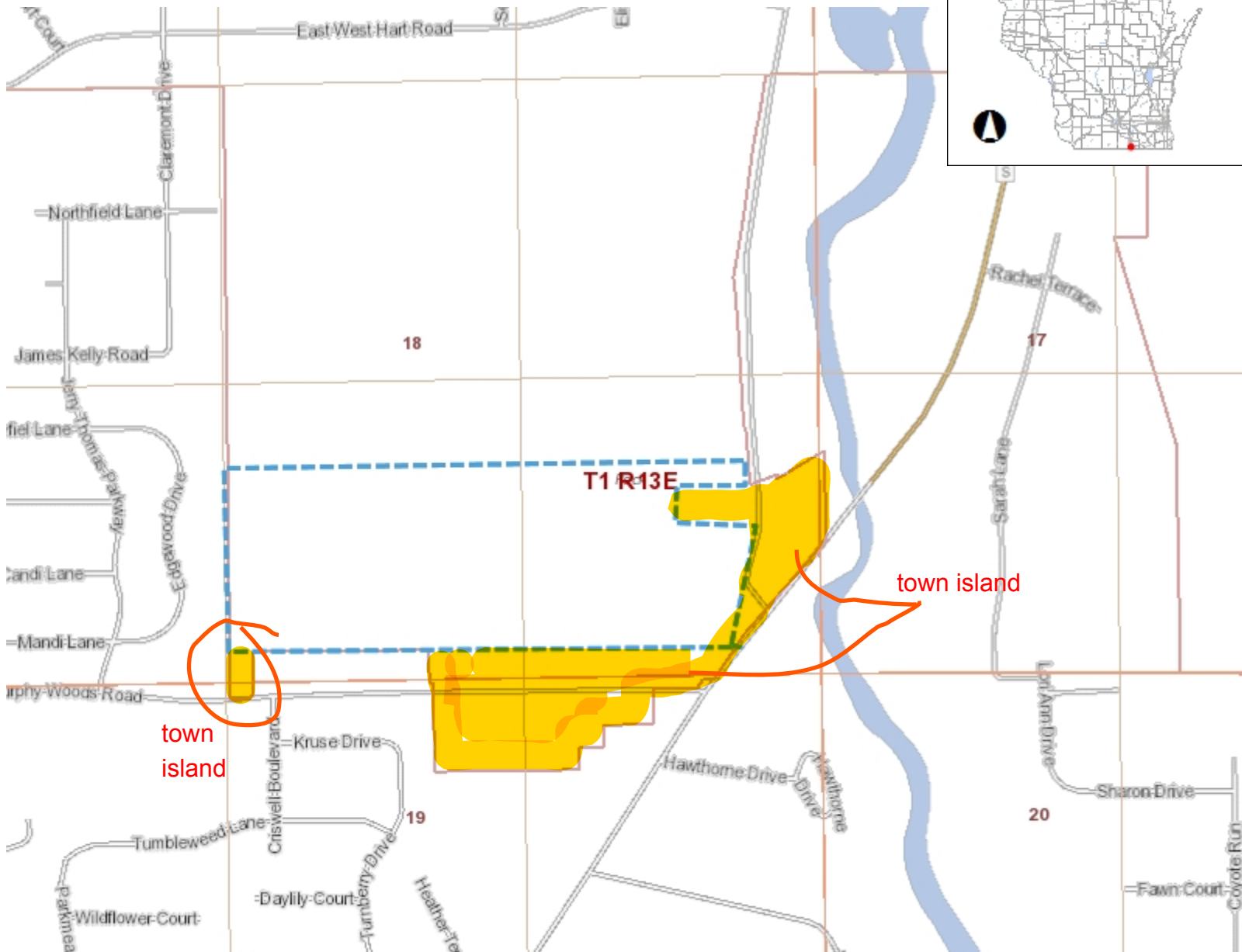
Scale 40 Chains to an Inch

The above Map of Township No 1. North of Range No 13 E. of the 14th Principal Meridian Wisconsin 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, Jan'y. 17. 1837. } R. S. Lytle Sur: Genl.



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

Web: <http://doa.wi.gov/municipalboundaryreview>

November 25, 2021

PETITION FILE NO. 14461

MARCY GRANGER, CLERK
CITY OF BELOIT
100 STATE STREET
BELOIT, WI 53511-6234

DEBORAH BENNETT, CLERK
TOWN OF TURTLE
6916 COUNTY RD J
BELOIT, WI 53511-8964

Subject: LUETY ET AL ANNEXATION

The proposed annexation submitted to our office on November 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 Beloit, which is able to provide needed municipal services.

Note: this annexation would create an island of Town territory which is prohibited by s. 66.0221, Wis. Stats. However, an exception to this prohibition is where a city and town have developed a boundary agreement between themselves. In this case, the City of Beloit and Town of Turtle developed a cooperative plan boundary agreement under s. 66.0307, Wis. Stats. in 1999. In addition to a town island issue, this 1999 agreement may also impact this proposed annexation because it provides that any annexation requests for territory outside of a designated *Boundary Adjustment Area* must be approved by the Town Board. The Town indicates that this annexation falls outside of the *Boundary Adjustment Area* and therefore must have Town approval. In its completed questionnaire, the Town indicates that this annexation is on the agenda for its December Town Board meeting.

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 14461 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=2535>

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Erich Schmidtke', with a stylized, flowing script.

Erich Schmidtke, Municipal Boundary Review

cc: petitioner



TOWN OF TURTLE

December 15, 2021

6916 South Cty Trk J • Beloit, WI 53511 • Phone 608-362-0655 • Fax 608-364-1151

Municipal Boundary Review

PO Box 1645

Madison, WI 53701

RE: Luety ET AL Annexation

RECEIVED

December 16, 2021

Municipal Boundary Review
Wisconsin Dept. of Admin.

The Town of Turtle Town Board denied the annexation request for Luety ET AL, Petition File No. 14461 at their Town Board meeting on December 8, 2021.

Sincerely,

Deborah Bennett-WCMC

Clerk/Treasurer