

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: **HEATHER KONICHEK**

Address: **2602 SHELBY ROAD**

LA CROSSE WI 54601

Email: **Konichekh@gmail.com**

Office use only:

RECEIVED

January 28, 2022

Municipal Boundary Review
Wisconsin Dept. of Admin.

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

2. Petitioned City or Village: **LA CROSSE**

3. County where property is located: **LA CROSSE**

4. Population of the territory to be annexed: **1**

5. Area (in acres) of the territory to be annexed: ~~.33~~ **0.39**

6. Tax parcel number(s) of territory to be annexed
(if the territory is part or all of an existing parcel): **11-1640-1**

Petitioners phone:

608-304-4202

Town clerk's phone:

608-788-1032

City/Village clerk's phone:

608-789-7510

Contact Information if different than petitioner:

Representative's Name and Address:

Surveyor or Engineering Firm's Name & Address:

Phone:

Phone:

E-mail:

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]

(2012)

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: 1-28-2022

Payee: HEATHER KONICHEK

Check Number:

1036

Check Date: 1-16-2022

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.]



LEGAL DEPARTMENT

City of La Crosse, Sixth Floor City Hall
400 La Crosse Street, La Crosse, WI 54601
Ph: 608.789.7511 Fax: 608.789.7390
Email: attorney@cityoflacrosse.org

Stephen F. Matty
City Attorney

Krista A. Gallagher
Deputy City Attorney

Ellen R. Atterbury
Assistant City Attorney

January 24, 2022

Wisconsin Department of Administration
Municipal Boundary Review
PO Box 1645
Madison, WI 53703-1645

RE: Petition for Direct Annexation
2602 Shelby Road

Dear Sir or Madam:

Enclosed herewith for filing you will find a copy of a Petition for Direct Annexation by Unanimous Approval along with legal description and scale map. The annexation petition was filed with the City of La Crosse Clerk on January 24, 2022. A check in the amount of \$400 is enclosed as the incorporation and annexation review fee, as well as the Request for Annexation Review Form.

Thank you.

Sincerely,

Brenda Buddenhagen
Paralegal

Enclosures

CC: Fortune Weaver – Clerk of Town of Shelby



PETITION FOR DIRECT ANNEXATION
BY UNANIMOUS APPROVAL
PURSUANT TO SEC. 66.0217(2), WIS. STATS

We, the undersigned, constituting all of the electors and all of the owners of real property in the following territory of the Town of Shelby, La Crosse County, Wisconsin, lying contiguous to the City of La Crosse, petition the Common Council of the City of La Crosse to annex the territory described below and shown on the attached scale map to the City of La Crosse, La Crosse County, Wisconsin.

Legal description of territory annexed is attached hereto as Exhibit "A."

We state the said territory has a population of 1.

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.

Signature of Petitioner	Date of Signing	Owner
<u>H. Konichek</u>	<u>01-16-2022</u>	<u>Heather Konichek</u>

Address or Description of Property:
2602 Shelby Road
La Crosse WI 54601

Annexation Description for 2602 Shelby Road

Part of Lot 6, Block 2 of Joseph Boschert's Suburban Addition and part of the NW ¼ of the NE ¼ of Section 21, Township 15 North, Range 7 West, Town of Shelby, La Crosse County, Wisconsin more particularly described as follows:

Commencing at the North ¼ Corner of said Section 21; thence S 3°30' E, 66' more or less to the Northwest corner of Lot 9, Block 2 of said Joseph Boschert's Suburban Addition; thence N 85° E, 240' to the Northwest corner of Lot 6 of said Block 2 and the Point of Beginning of this parcel description; thence S 3°30' E, 180' to a point 150' Northerly of the Southwest corner of said Lot 6; thence N 85° E, 80' to the East line of said Lot 6 being located 150' Northerly of the Southeast corner of said Lot 6; thence N 3°30' W, 180' to the Northeast corner of said Lot 6; thence continuing N 3°30' W, 33' more or less to the centerline of the 66' wide right of way line of Shelby Road; thence S 85° W, 80' along said centerline; thence S 3°30' E, 33' more or less to the Northwest corner of said Lot 6 and the Point of Beginning of this parcel description. Said parcel is 0.39 acres more or less.

Drafted by: jmc 12/15/2021

S:\PROJECTS\2021 MISC\2021-028 2602 Shelby Road Annexation Legal and Map\Annexation Legal Description for 2602 Shelby Road.docx

2602 SHELBY ROAD ANNEXATION

SECTION 16

POINT OF COMMENCEMENT
NORTH 1/4 CORNER
SECTION 21
T15N R7W
BERNSTEN MONUMENT

SW 1/4 - SE 1/4

NW 1/4 - NE 1/4

SHELBY ROAD

TOWN OF SHELBY

EXISTING CITY LIMITS

CITY OF LA CROSSE

9

80'

80'

7

2602

5

4

3

CSM
V.7 P. 54

BANK DRIVE

NE 1/4 - NW 1/4

NW 1/4 - NE 1/4

JOSEPH

SUBURBAN

ADDITION

BOSCHERT'S

BLOCK 2

WEST BURR OAK ST.

SECTION 21

0 50' 100' 200'



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: Konichek

Petition Number: 14479

1. Territory to be annexed: From TOWN OF SHELBY

To CITY OF LA CROSSE

2. Area (Acres): 33

3. Pick one: ☒ Property Tax Payments

OR ☐ Boundary Agreement

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

\$ 1,843.10

a. Title of boundary agreement

b. Year adopted

b. Total that will be paid to Town

(annual tax multiplied by 5 years) \$9,215.50

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: 1 Total: 1

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:

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?: Residential

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: Brn pick up

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

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? Residential A

c. How will the land be zoned and used if annexed? R1- Single Family - (Residential)

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: Tim Acklin

Email: acklin@cityoflacrosse.org

Phone: 608-789-791

Date: 2/14/22

(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: KONICHEK	From Town of: SHELBY	To City/Village of: CITY LACROSSE
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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

_____ (2) Identify parcel ID numbers included in annexation. HAS WRONG TAX PARCEL NO.

___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

___N/A___ (7) Legend

_____ (8) Total area/acreage of annexation SEE BELOW

3. Other relevant information and comments:

TAX PARCEL NO. IS 11-1640-0 & THE AC ONLY INCLUDES THE LOT & NOT THE ROAD R/W BEING ANNEX

Prepared by: _____

Title: _____

Phone: _____

Date: _____

Please **RETURN PROMPTLY** to:

Municipal Boundary Review

PO Box 1645

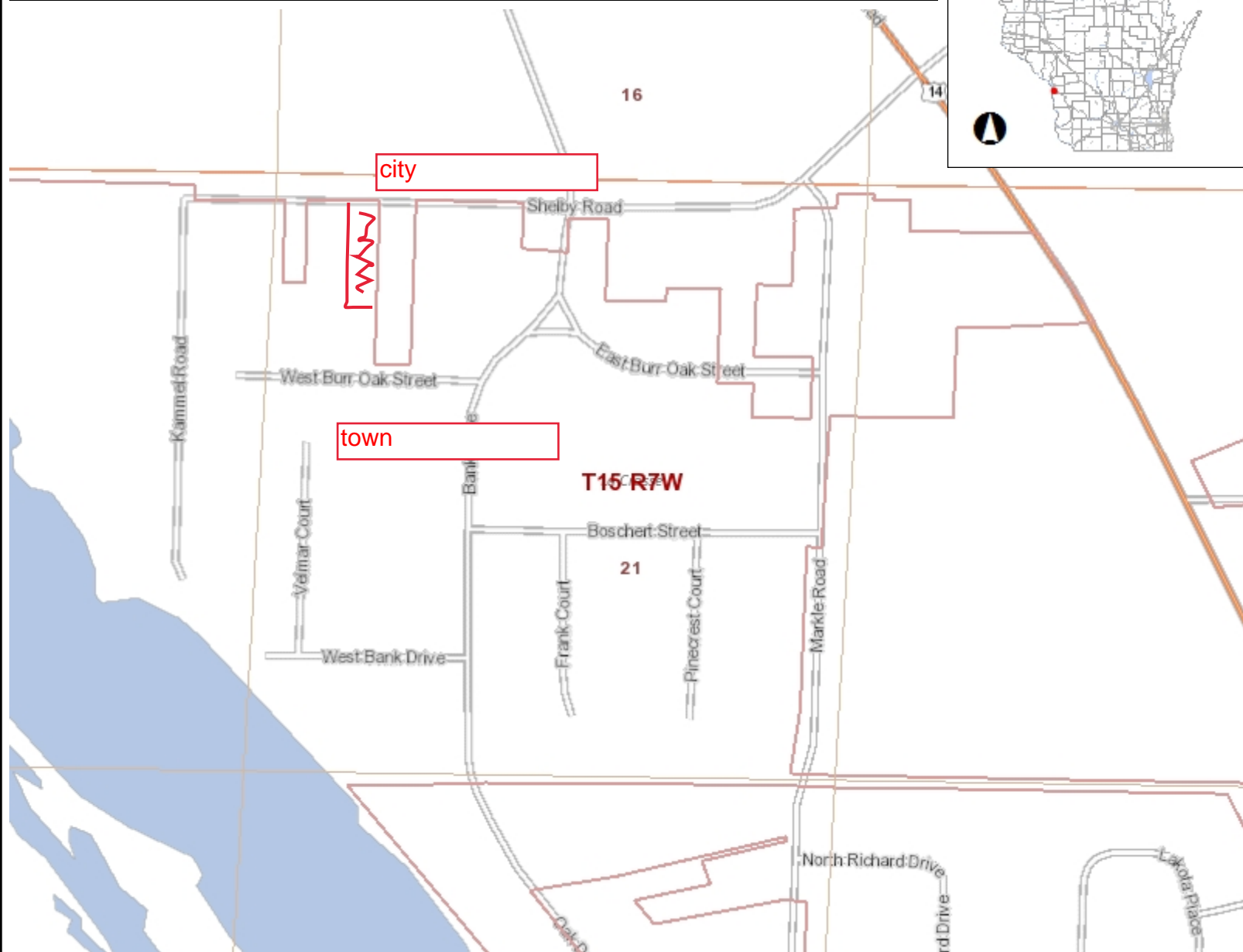
Madison WI 53701

(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
- Railroads
- Rivers and Streams
- Intermittent Streams
- Lakes and Open water

0.1 0 0.06 0.1 Miles

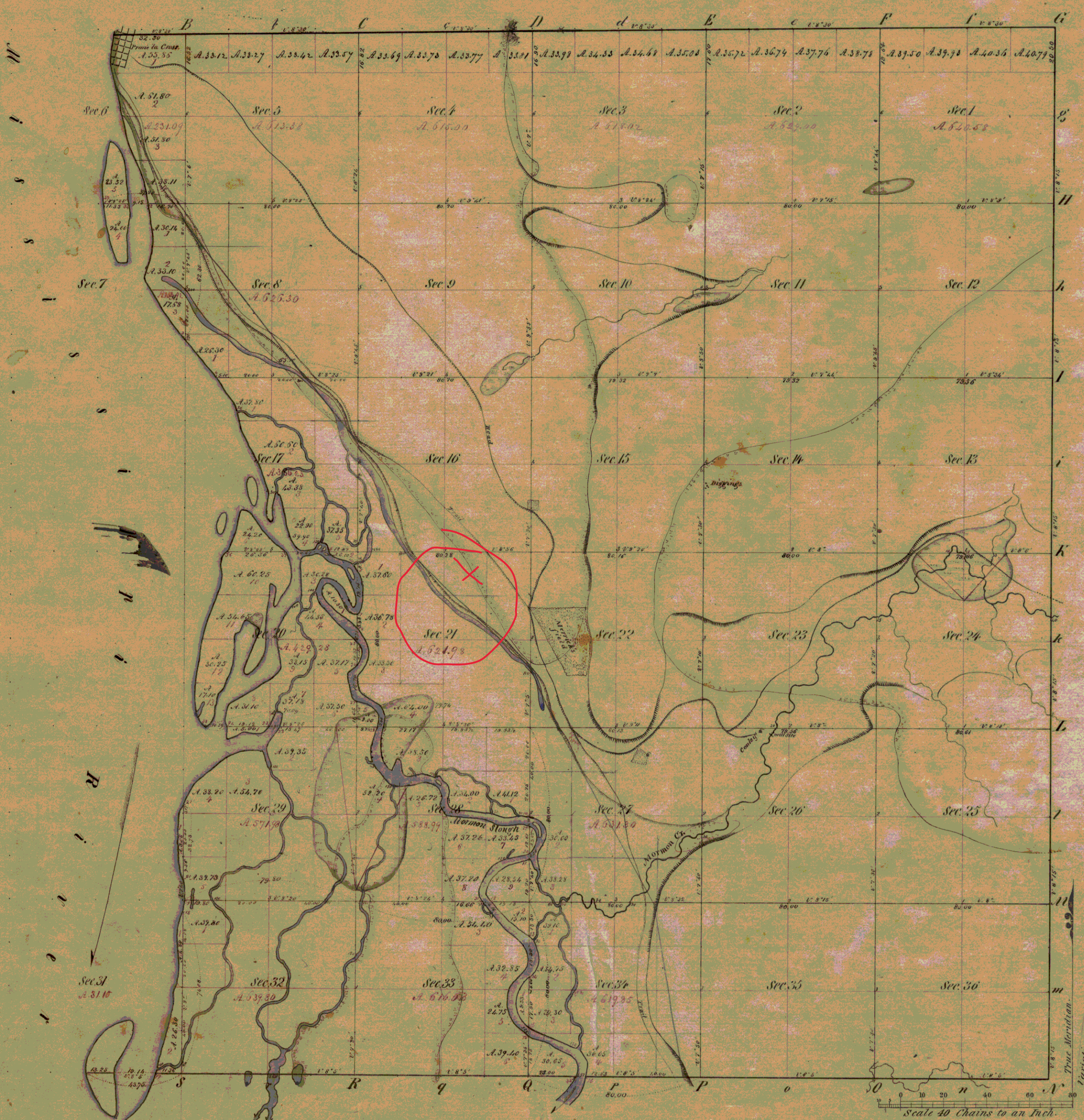
NAD_1983_HARN_Wisconsin_TM

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/>

Notes

Township N. 15. N; Range N. 7 West. 4th Mer.



Meanders of									
Posts	Courses	Ch ^s Lk ^s		Posts	Courses	Ch ^s Lk ^s			
Left bank of Miss ⁱ river				80	S. 54° E.	19.00			
Mormon Slough down stream									
1	S. 12° W.	6.00			S. 34° E.	8.00	Left bank main chan ^l Miss ⁱ r ^{iv}		
	S. 20° W.	6.50			S. 9° E.	4.00	and right bank Mormon.		
	S. 12° E.	13.00			S. 13° W.	7.00	Slough up stream		
	S. 13° E.	22.50			S. 34° W.	6.00			
	S. 21° E.	22.50			S. 4° E.	6.50	17	S. 14½° E.	33.28
	S. 15½° E.	5.00			S. 35° E.	13.50		S. 13½° E.	8.00
	S. 6° E.	2.50			S. 10° E.	5.00		S. 10° E.	3.50
	S. 10° E.	2.94		9	S. 6½° W.	3.7½		S. 1° E.	4.00
								S. 8° W.	5.00
	S. 12° E.	12.00			S. 1½° W.	1.50		S. 5° W.	4.50
	S. 1½° W.	14.00			S. 30½° E.	7.00		S. 2° W.	3.50
	S. 1½° W.	9.50			S. 7½° E.	1.50		S. 1° E.	9.00
	S. 3½° E.	7.50			S. 30° E.	6.00	18	S. 14° E.	2.50
	S. 3½° E.	12.00			S. 61° E.	1.00			
	S. 36° E.	12.50			S. 8° E.	6.00	19	S. 2° E.	6.00
	S. 45° E.	1.20			S. 30½° E.	2.50			
					S. 10½° E.	9.00	20	S. 1° W.	10.40
	S. 45° E.	12.00			S. 6½° E.	5.00			
	S. 37° E.	7.50			S. 65° E.	2.50		S. 8° W.	7.00
	S. 40½° E.	3.67			S. 41° E.	3.00		S. 4° W.	11.00
					S. 32° E.	5.00		S. 1° W.	5.00
	S. 33° E.	14.50			South	3.50		S. 3° E.	4.00
	S. 17° E.	12.00			S. 4° E.	3.50	21	S. 13° E.	6.00
	S. 22° E.	3.50			S. 45° E.	3.00			
	S. 28° E.	14.00			S. 35° E.	19.00		S. 19° E.	2.65
	S. 20° E.	14.50			S. 60° E.	4.50		S. 25° E.	8.00
	S. 6° W.	9.50			S. 60° E.	8.50		S. 61° E.	22.00
	S. 25° E.	4.00		10	S. 85° E.	3.79		S. 71° E.	7.50
	S. 65° E.	1.00						S. 19° E.	5.50
	North	5.00			S. 67° E.	4.00		S. 19° E.	4.50
	S. 12° E.	7.00			S. 37° E.	3.00		S. 15° E.	7.50
	S. 14° E.	1.00			S. 23° E.	5.00		East	1.50
	S. 24½° E.	6.00			S. 24° W.	6.50		S. 14° W.	9.00
	S. 10° E.	13.50			S. 2° E.	6.50		S. 24° E.	4.50
	S. 29° E.	7.50			S. 15½° W.	3.00	22	S. 40° E.	7.00
	S. 71° E.	4.50			S. 20° W.	5.00			
	S. 10° E.	3.50		11	S. 65° W.	0.77		S. 9° E.	2.50
	S. 34° E.	1.50						S. 1° W.	3.00
	S. 4½° E.	5.50			S. 7½° W.	7.50		West	2.50
	S. 18° E.	3.50			S. 35° W.	6.00	23	S. 26° W.	7.50
	S. 27° E.	3.00			S. 55° W.	5.00			
	S. 27° E.	12.6			S. 26° W.	6.50		S. 6½° W.	1.95
					S. 13° E.	1.50		S. 7½° W.	5.00
	S. 7° E.	1.50		12	S. 14° E.	3.02		S. 19° W.	5.00
	S. 53° E.	2.00			S. 41° E.	7.00		S. 2° E.	5.50
	S. 68½° E.	10.00			S. 48° E.	12.00	24	S. 17° W.	3.50
	S. 37° E.	3.10		13	S. 60° E.	4.35		S. 14° E.	7.00
								S. 60° E.	23.00
	S. 35° E.	1.00			S. 44° E.	3.00		S. 42° E.	6.50
	S. 11° E.	6.50			S. 25° E.	4.00		S. 8° W.	15.50
	S. 1° E.	9.50			S. 14° E.	4.00		S. 21° E.	7.50
	S. 30° W.	3.00			S. 6½° W.	3.50		S. 42° E.	8.50
	S. 6° W.	1.45			S. 25° W.	4.50		S. 60° E.	2.50
				14	S. 57° W.	2.92		S. 12° E.	3.00
	S. 7½° W.	2.00						South	16.50
	S. 40½° W.	1.50			S. 44° W.	4.00			
	S. 4½° W.	2.50			S. 29° W.	5.00		Mormon Slough, ½ mile down stream	
	S. 32½° W.	5.00			S. 5½° W.	6.50		S. 61° E.	2.00
	S. 36½° W.	4.50			S. 16° E.	4.50		S. 69½° E.	3.50
	S. 44½° W.	4.00			S. 29° E.	4.50		S. 70° E.	3.50
	S. 8½° W.	2.00			S. 50° E.	3.11		S. 50° E.	4.50
	S. 48½° W.	2.00		15				S. 16½° E.	6.00
	S. 48½° W.	2.00			S. 65° E.	25.00		S. 25° E.	10.50
					S. 37° E.	6.00			
	S. 7° W.	2.50							
	S. 26° E.	4.00							



TONY EVERS

GOVERNOR

KATHY BLUMENFELD

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>

February 22, 2022

PETITION FILE NO. 14479

NIKKI ELSER, CLERK
CITY OF LA CROSSE
400 LA CROSSE ST
LA CROSSE, WI 54601-3396

FORTUNE WEAVER, CLERK
TOWN OF SHELBY
2800 WARD AVE
LA CROSSE, WI 54601-7426

Subject: KONICHEK ANNEXATION

The proposed annexation submitted to our office on January 28, 2022, 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 LA CROSSE**, 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 14479 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=2553>
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner