

# Request for Annexation Review

Wisconsin Department of Administration

WI Dept. of Administration  
Municipal Boundary Review  
PO Box 1645, Madison WI 53701  
608-264-6102  
[wimunicipalboundaryreview@wi.gov](mailto:wimunicipalboundaryreview@wi.gov)  
<https://doa.wi.gov/municipalboundaryreview>

## Petitioner Information

Name: **Dumas Cousins, LLC - Jeremy Griesbach**

Phone: **414-870-7539**

Email: **ygriesbach@brimarkbuilders.com**

## Contact Information if different than petitioner:

Representative's Name: **Attorney Ian Prust, O'Meara Law Firm, LLC**

Phone: **262-673-7700**

E-mail: **prust@omearalawfirm.com**

1. Town where property is located: **Town of Fremont**

2. Petitioned City or Village: **Village of Fremont**

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

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

5. Area (in acres) of the territory to be annexed: **15.00 ACRES**

6. Tax parcel number(s) of territory to be annexed (if the territory is part or all of an existing parcel):  
**06 30 31 1**

## Include these required items with this form:

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 [see attached annexation guide]
4. ☒ 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)

**Include** check or money order, payable to: **Department of Administration**

**DON'T attach the check with staples, tape, ...**

**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 & form received: 3-1-2022

Payer: O'Meara Law Firm LLC

Check Number: 1,150<sup>00</sup>

Check Date: 2-24-22

Amount: 1,150<sup>00</sup>

## 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**.

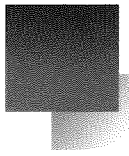
☒ The map must show and identify the existing municipal boundary, in relation to the parcel being annexed.

*[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).



# O'Meara Law Firm, LLC

*Washington County's Oldest Law Firm, Established 1870*

**TIMOTHY J. ALGIERS**

*Owner*

*Court Commissioner*

**IAN PRUST**

**ANDREW D. KLOPFENSTEIN**

**KAREN M. CHRISTIANSON**

*Of Counsel*

February 25, 2022

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

**RECEIVED**

**March 1, 2022**

Municipal Boundary Review  
Wisconsin Dept. of Admin.

Subject: Request for Annexation Review

To Whom It May Concern,

Please find enclosed a Request for Annexation Review along with the required documents and payment. Please contact my office if you have any questions or concerns.

Sincerely,

O'Meara Law Firm, LLC

Ian Prust

E-mail: [prust@omearalawfirm.com](mailto:prust@omearalawfirm.com)

IAP/hmp  
Enc.  
File No. g823-1



**Hartford**  
124 E. Sumner Street  
262-673-7700

**West Bend**  
120 N. Main St., Suite 260  
262-334-2331

**Web** [www.omearalawfirm.com](http://www.omearalawfirm.com)  
**Fax** 262-673-7087

**Mailing Address**  
P. O. Box 270468  
Hartford, WI 53027-0468

## PETITION FOR DIRECT ANNEXATION BY UNANIMOUS APPROVAL

TO: Village Clerk/Treasurer  
Village of Fremont  
PO Box 278  
Fremont, WI 54940

Town Clerk  
Town of Fremont  
PO Box 450  
Fremont, WI 54940

The undersigned members of Dumas Cousins, LLC, do hereby respectively petition the Village of Fremont, Wisconsin, to annex the real estate described hereinafter (the "Property") to the Village of Fremont, which is to be detached from the Township of Fremont, County of Waupaca, Wisconsin to the Village of Fremont and that the subject property be zoned C-2 Highway Commercial upon annexation.

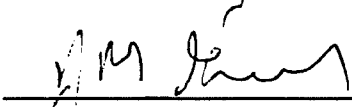
The Property, which is the subject of this petition, is contiguous to the current boundaries of the Village of Fremont. A complete and accurate legal description and scaled map of the Property is attached hereto and incorporated herein.

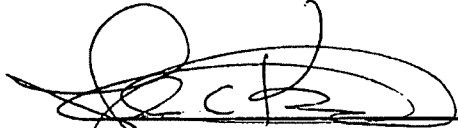
The Property, which is the subject of this petition, currently has a "Class B" license from the Town of Fremont. If annexed to the Village, the Village's quota would not otherwise allow for a "Class B" or reserve "Class B" license for the Property. Pursuant to § 125.51(4)(c), Wis. Stats., the Village of Fremont's quota is increased to include the one "Class B" license in the annexed territory.

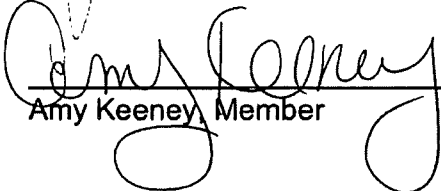
This instrument constitutes a Petition for direct annexation pursuant to § 66.0217(2), Wis. Stats. There are no electors residing within the boundaries of the property and the undersigned are all of the members of Dumas Cousins, LLC which is the sole owner and fee title holder to the Property. Pursuant to § 66.0271(4), Wis. Stats., no notice or publication is required.

A copy of this Petition is being mailed to the State of Wisconsin, Department of Administration, for review as required by § 66.0217(6), Wis. Stats., along with the requisite Wisconsin Department of Administration Annexation

Dumas Cousins LLC, By:

  
Jeremy Griesbach, Member

  
Josh Keeney, Member

  
Amy Keeney, Member

# Annexation Site Plan

Located in part of the Northeast 1/4 of the Southwest 1/4 of Section 30,  
Township 21 North, Range 14 East in the Town of Fremont, Waupaca County,  
Wisconsin

## **Legal Description (Parcel "A"):**

A parcel of land located in part of the Northeast 1/4 of the Southwest 1/4 of Section 30, Township 21 North, Range 14 East in the Town of Fremont, Waupaca County, Wisconsin and is described by a line as follows:

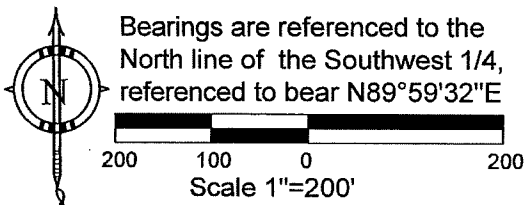
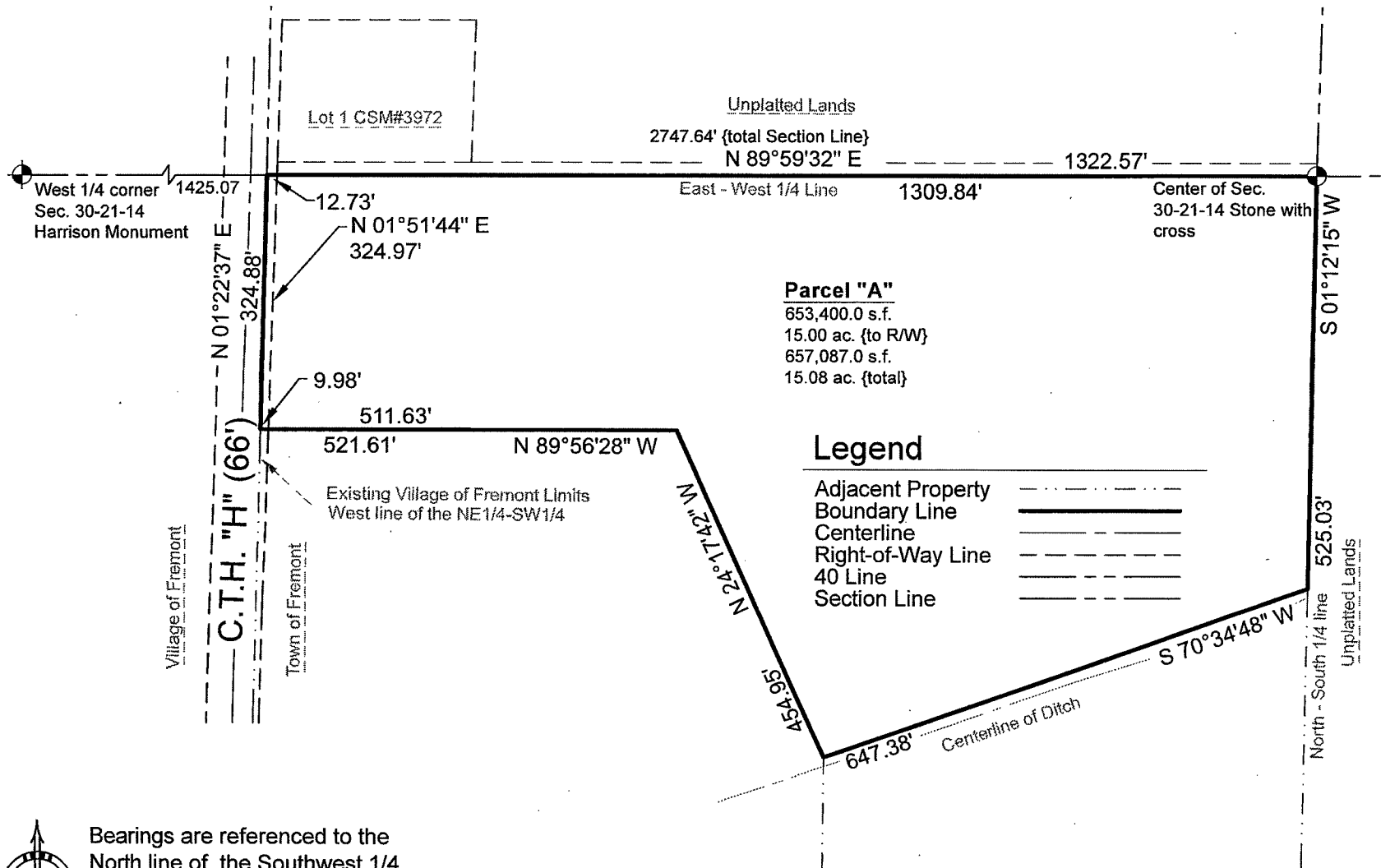
commencing at the West 1/4 of said Section 30 thence N 89°59'32" E along the North line of the Southwest 1/4 of said Section 30, a distance of 1425.07 feet to the Northwest corner of the Northeast 1/4 of the Southwest 1/4 of said Section 30 and the Point of Beginning of the following described parcel; thence N 89°59'32" E along the North line of said Northeast 1/4 of the Southwest 1/4, a distance of 1,322.57 feet to the center of said Section 30; thence S 01°12'15" W along the East line of said Northeast 1/4 of the Southwest 1/4, a distance of 525.03 feet to a 3/4" rebar; thence S 70°34'48" W, a distance of 647.38 feet to a 3/4" rebar; thence N 24°17'42" W, a distance of 454.95 feet to a 3/4" rebar; thence N 89°56'28" W, a distance of 521.61 feet to the West line of the Northeast 1/4 of the Southwest 1/4 of said Section 30; thence N 01°22'37" E along said East line, a distance of 324.88 feet; to the point of beginning. Said parcel is subject to all easements and rights-of-way of record.



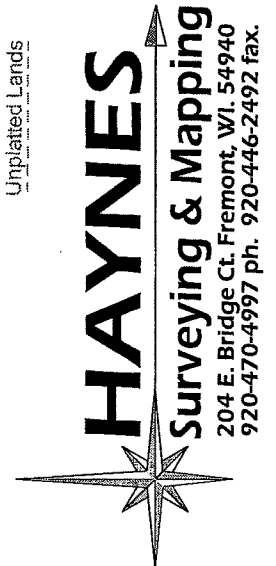
Drawing: 22-1882-Misc	Sheet: 2 of 2
Project: 22-1882-Gr	Date: 02/16/2022

# Annexation Site Plan

Located in part of the Northeast 1/4 of the Southwest 1/4 of Section 30, Township 21 North, Range 14 East in the Town of Fremont, Waupaca County, Wisconsin



Drawing: 22-1882-Misc	Sheet: 1 of 2
Project: 22-1882-Gr	Date: 02/16/2022





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](mailto:wimunicipalboundaryreview@wi.gov)

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

March 03, 2022

PETITION FILE NO. 14489

MEGAN WUNDERLICH, CLERK  
VILLAGE OF FREMONT  
P.O. BOX 278  
FREMONT, WI 54940-0278

NIKOLE GAIGG, CLERK  
TOWN OF FREMONT  
PO BOX 450  
FREMONT, WI 54940-0450

Subject: DUMAS COUSINS, LLC ANNEXATION

Section 66.0217 (6), Wis. Stats., provides that the annexation of lands to cities and villages within a county having a population of 50,000 or more shall be reviewed by the Department of Administration in order to determine if the proposed annexation is in the public interest or against the public interest. The proposed annexation from the TOWN OF FREMONT to the VILLAGE OF FREMONT (see attached description) must be reviewed pursuant to the statute.

To assist us in making this determination, we urge that you promptly supply the data requested on the enclosed questionnaire (where possible) and return the questionnaire to the department.

The purpose of this questionnaire is to assist the department in determining "Whether the governmental services, including zoning, to be supplied to the territory could clearly be better supplied by the town...." The statute further stipulates that the department shall study the "shape of the proposed annexation and the homogeneity of the territory with the annexing municipality." In addition, we would appreciate receiving from you any comments or information bearing on governmental services or shape and homogeneity that would indicate whether the annexation is in or against the public interest.

Please return the questionnaire as soon as possible so that the information can be reviewed prior to the department's statutory deadline of March 21, 2022. Direct any questions and comments to Erich Schmidtke at (608) 264-6102. Thank you for your cooperation.

For additional information on annexation or other land use issues, visit our web site at <http://doa.wi.gov/municipalboundaryreview/>.

Sincerely,

Erich Schmidtke

Enclosures



# 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](mailto:wimunicipalboundaryreview@wi.gov)  
<http://doa.wi.gov/municipalboundaryreview>

Petitioner: **Dumas Cousins, LLC**

Petition Number: **14489**

1. Territory to be annexed: From **TOWN OF FREMONT** To **VILLAGE OF FREMONT**

2. Area (Acres): 15

3. Pick one: ☒ Property Tax Payments

OR ☐ Boundary Agreement

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

\$ 683.21

a. Title of boundary agreement \_\_\_\_\_

b. Year adopted \_\_\_\_\_

b. Total that will be paid to Town

(annual tax multiplied by 5 years): 3,416.05

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: 0 Total: 0

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

Residential: 0 % Recreational: 0 % Commercial: 25 % Industrial: 0 %

Undeveloped: 75 %

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

Residential: \_\_\_\_\_ % Recreational: \_\_\_\_\_ % Commercial: 100 % 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?

The waste water treatment facility is across County Road H in the Village of Fremont.

In the town?: \_\_\_\_\_

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 Sanitary Sewer is provided by the Sewer district.

Town of Fremont zoning does not allow campgrounds with a bar and restaurant.

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.

☐

☐

N/A

N/A

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? Community commercial

c. How will the land be zoned and used if annexed? commercial

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](mailto: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: Megan Wunderlich

Email: clerk@villageofgremontwi.gov

Phone: (920) 446-2411

Date: 3/09/2022

(March 2018)

Please **RETURN PROMPTLY** to:

[wimunicipalboundaryreview@wi.gov](mailto:wimunicipalboundaryreview@wi.gov)

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

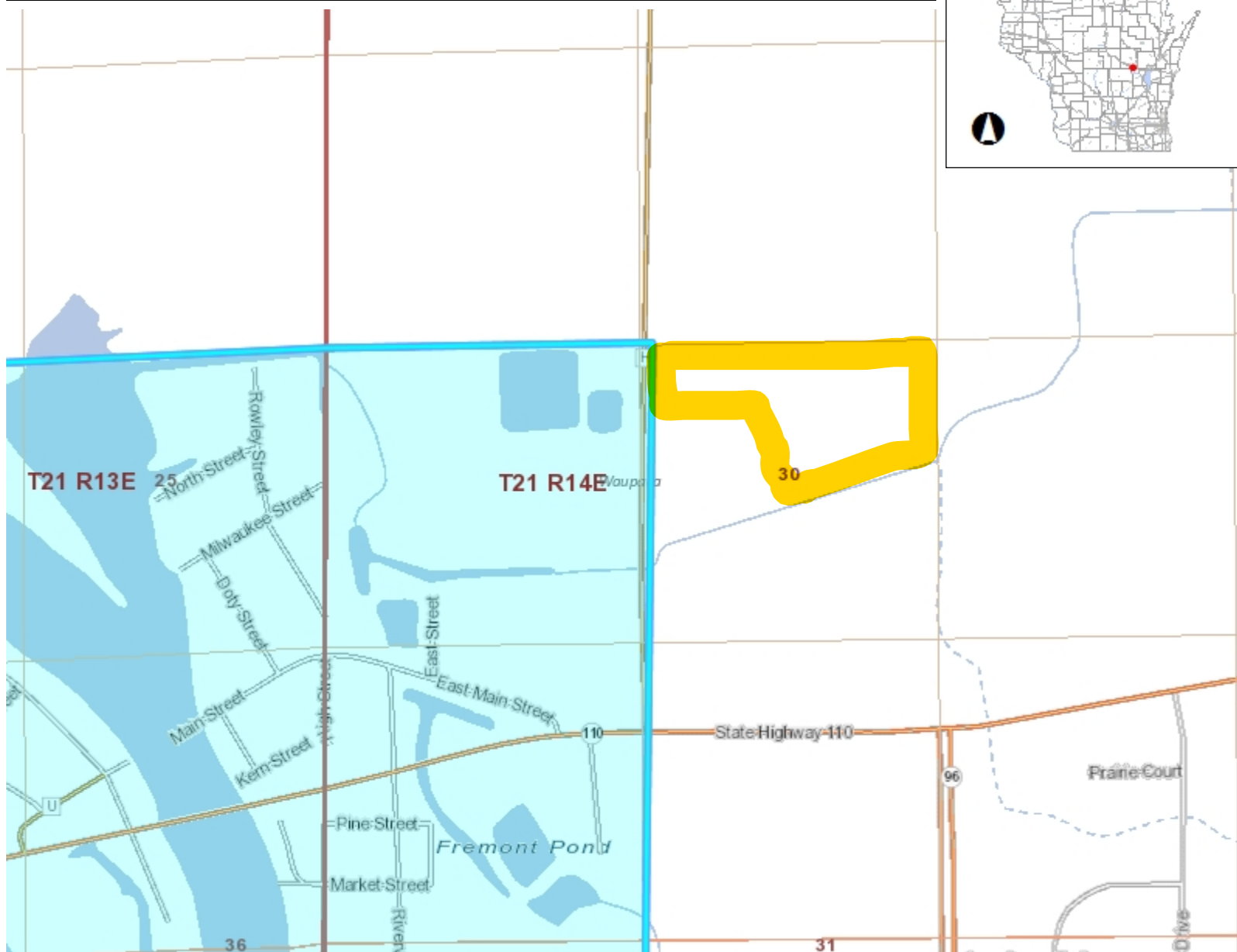


# Surface Water Data Viewer Map



## 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

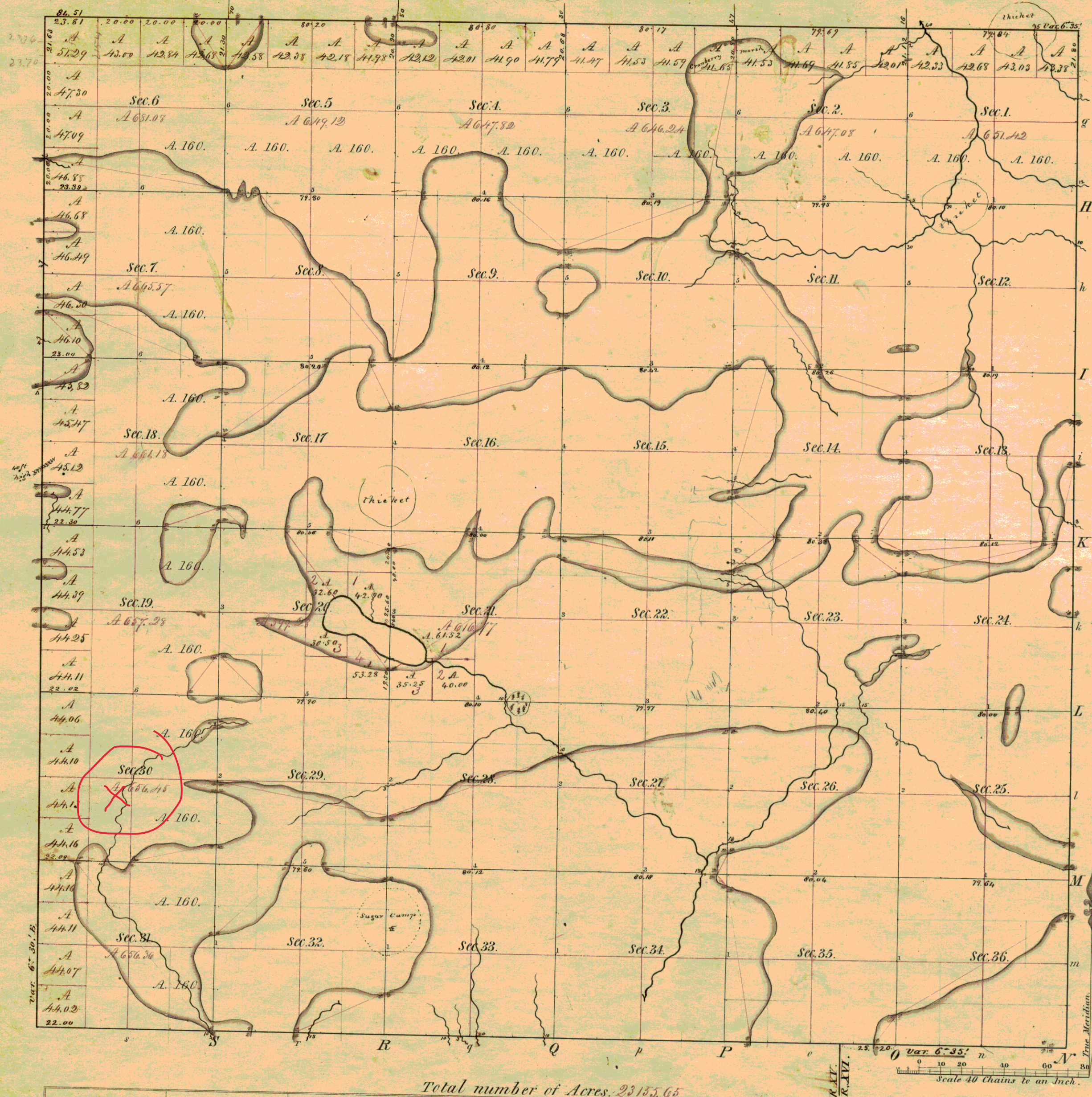
1: 7,920

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<sup>o</sup> 21N, Range N<sup>o</sup> 15 East, 4<sup>th</sup> Mer.



Total number of Acres 23155.65

Meanders of a Lake in Sec. 20 & 21											
Posts	Courses	Ch.	Lk.	Posts	Courses	Ch.	Lk.	Posts	Courses	Ch.	Lk.
2	S. 86° 12' W.	2.00									
	N. 77° W.	9.00									
	N. 87° W.	11.00									
	N. 63° 1/2' W.	7.50									
	S. 58° W.	6.50									
	S. 12 1/2' W.	10.50									
	S. 32° E.	3.00									
	S. 81° E.	10.00									
	N. 88° E.	14.00									
	S. 65 1/2' E.	5.50									
	S. 29 1/2' E.	2.00									
	S. 55 1/2' E.	10.00									
1	S. 67° E.	7.00									
	S. 80° E.	5.50									
	N. 76° E.	11.50									
	N. 53 1/2' E.	1.00									
	N. 2° W.	5.50									
	N. 27 1/2' W.	5.50									
	N. 66° W.	14.00									
2	N. 59 1/2' W.	1.75									

Surveys Designated	By Whom Surveyed	Date of Contract	Amount of Surveys	When Surveyed	When p <sup>d</sup> for and ch <sup>d</sup> in the Sur <sup>g</sup> Gen <sup>l</sup> 's acc <sup>t</sup>
Township line	David Giddings	January 24, 1839	M. Ch <sup>s</sup> Lks.	March & April 1839	3 <sup>rd</sup> Q <sup>r</sup> 1839
Subdivisions	Theodore Conkey	Aug. 8, 1843	61. 51. 43	4 <sup>th</sup> Q <sup>r</sup> 1843	4 <sup>th</sup> Q <sup>r</sup> 1844
Township lines	A. C. Ellis	May 18, 1843	18. 07. 94	September 1843	1 <sup>st</sup> Q <sup>r</sup> 1844

The above Map of Township N<sup>o</sup> 21 North, of Range N<sup>o</sup> 15 East, 4<sup>th</sup> 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 Wilson Sur<sup>g</sup> Gen<sup>l</sup>





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](mailto:wimunicipalboundaryreview@wi.gov)

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

March 21, 2022

PETITION FILE NO. 14489

MEGAN WUNDERLICH, CLERK  
VILLAGE OF FREMONT  
P.O. BOX 278  
FREMONT, WI 54940-0278

NIKOLE GAIGG, CLERK  
TOWN OF FREMONT  
PO BOX 450  
FREMONT, WI 54940-0450

Subject: DUMAS COUSINS, LLC ANNEXATION

The proposed annexation submitted to our office on March 01, 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 Village of Fremont, 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 14489 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](mailto: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=2563>  
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner