# 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 https://doa.wi.gov/municipalboundaryreview

#### **Petitioner Information**

Name: Stone Lake Development, Inc

Phone: (262) 402-6220

Email: ccaliendo@kingswayhomes.com

**Contact Information if different than petitioner:** 

Representative's Name: Craig Caliendo, President

Phone: (262) 402-6220

E-mail: ccaliendo@kingswayhomes.com

1. Town where property is located: Cedarburg

2. Petitioned City or Village: Cedarburg

3. County where property is located: Ozaukee

4. Population of the territory to be annexed: 0

5. Area (in acres) of the territory to be annexed: 41.03

6. Tax parcel number(s) of territory to be annexed (if the territory is part or all of an existing parcel): 03-022-14-003.00 03-022-14-006.00 -03-022-14-001.00 03-022-03-001.00

#### Include these required items with this form:

- 1. X Legal Description meeting the requirements of s.66.0217 (1) (c) [see attached annexation guide]
- 2. X 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]

(2021)

# 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 Admin DON'T attach the check with staples, tape, …	nistration
THE DEPARTMENT WILL NOT PROCESS AN ANNEXATION PETITION THAT IS NOT ACCOMPANI BY THE REQUIRED FEE.	ED
THE DEPARTMENT'S 20-DAY STATUTORY REVIEW PER COMMENCES UPON RECEIPT OF THE PETITION AND REVI	RIOD EW FEE
Shaded Area for Office Use Only	
Date fee & form received: 3-4-2022	
Payer: Stone Lake Development Inc	600-0000003 Check Number:
	Check Date: 2-1-22
	Amount: <u>1,15000</u>

:

#### 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 <u>66.0217 (3) (a)</u> , if by one-half approval. -See <u>66.0217 (3) (b)</u> , 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.]

#### <u>s. 66.0217 (1) (c)</u> 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.

#### <u>s. 66.0217 (1) (g)</u> 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.

"In adjoinors as received 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  $\underline{s}$ , <u>66.0217 (4)</u>.

#### PETITION FOR DIRECT ANNEXATION PURSUANT TO SECTION 66.0217(2), WISCONSIN STATUTES WHERE OWNERS DO NOT RESIDE IN TERRITORY

We, the undersigned, constituting all of the owners not residing in the territory to be annexed and all of the owners of the real property in the territory described below currently located in the Town of Cedarburg, Ozaukee County, Wisconsin, lying contiguous to the City of Cedarburg, Ozaukee County, Wisconsin, petition the City of Cedarburg to annex to the City of Cedarburg the territory described as follows:

A portion of property located in the Southwest 1/4 of the Northeast 1/4 and the Northwest 1/4 of the Southeast 1/4 of Section 22, Township 10 North, Range 21 East, Ozaukee County, Wisconsin, and being more particularly described as follows:

COMMENCING at the East 1/4 Corner of Section 22, said Township and Rauge; thence S.87°12'56"W., 1330.23 feet along the South line of the Northeast 1/4 of said Section 22 to the POINT OF BEGINNING, being the Southeast Corner of the Southwest 1/4 of the Northeast 1/4 of Section 22 and the Northwest Corner of Lot 1, Certified Survey Map No. 3797; thence S.02°07'38"E., 509.11 feet to Southwest Corner of said Lot 1; thence S.02°11'37"E., 152.42 feet to the Southeast Corner of the North 1/2 of the Northwest 1/4 of the Southeast 1/4 of Section 22 and the Northeast Corner of Lot 2, Certified Survey Map No. 341; thence S.87°04'54"W., 150.33 feet to the Northeast Corner of Lot 5, Hidden Grove Subdivision; thence S.87°19'19"W., 481.39 feet to the Northwest Corner of Lot 3, Hidden Grove Subdivision; thence S.02°15'59"E., 341.01 feet to the Southwest Corner of Lot 1, Hidden Grove Subdivision; thence S.87°17'44"W, along the North Right of Way line of Susan Lane, 210.98 feet; thence N.02°47'59"W., 340.80 feet; thence S.87°14'27"W., 473.76 feet to a point, from which the Southwest corner of the North 1/2 of the Northwest 1/4 of the Southeast 1/4 said Section 22 bears S.87°14'27"W., 10.00 feet; thence N.02°11'35"W. parallel to the West line of the said Southeast 1/4, 660,57 feet to a point, from which the Center 1/4 Corner of Section 22 bears S.87°50'49'W., 10.00 feet; thence N.02°06'48"W. parallel to the West line of the said Northeast 1/4, 638.31 feet to a point, from which the Southwest corner of Lot 3, Certified Survey Map No. 4117, bears N.47°26'59"W., 14.06 feet; thence N.87°12'50"E., parallel to the south line of said Lot 3, 1319.46 feet to a point, from which the Southeast Corner of said Lot 3 bears N.02°10'57"W., 10.00 feet; thence S.02°10'57"E., 638.22 feet to the POINT OF BEGINNING, and containing 41.03 acres (1,787,330 square feet), more or less.

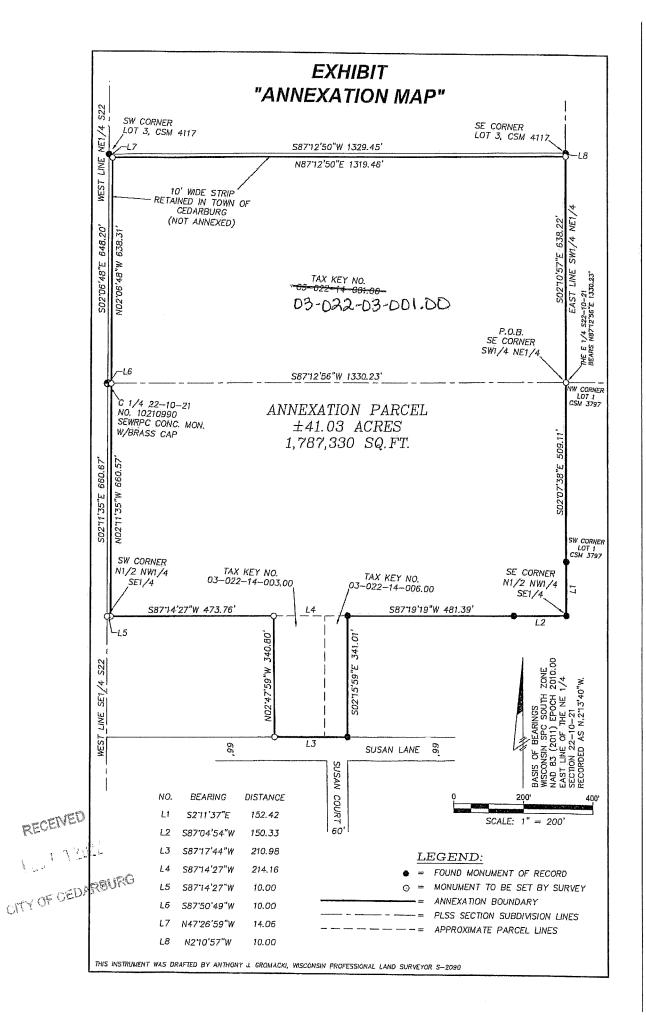
And as shown on the attached scale map, marked Exhibit "ANNEXATION MAP", and incorporated herein by reference.

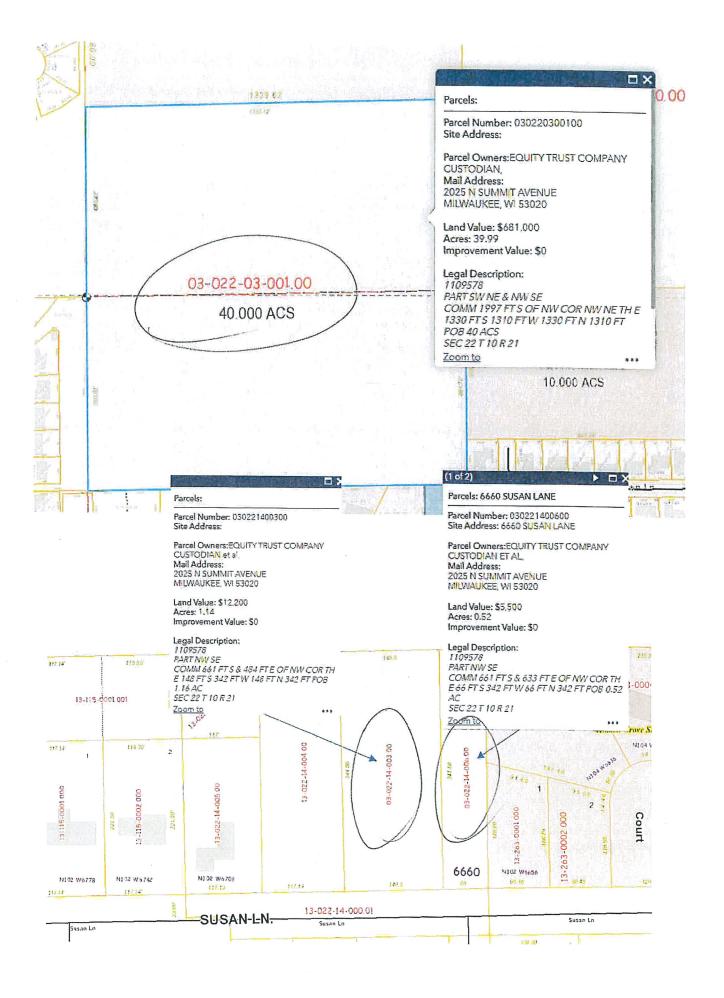
The current population of such territory is zero (0).

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.

STONE LAKE DEVELOPMENT, INC. 211/2022 Conig Caliendo, President

By: \_\_\_\_





# 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: Stone Lake Development Inc	Petition Number: 14491
1. Territory to be annexed: From TOWN OF CEDARBURG	To CITY OF CEDARBURG
2. Area (Acres):41.66	
3. Pick one:  Property Tax Payments	DR 🕅 Boundary Agreement
a. Annual town property tax on territory to be annexed:	a. Title of boundary agreement <u>XX</u> <u>Below</u>
\$	b. Year adopted <u>2021</u>
b. Total that will be paid to Town	c. Participating jurisdictions <u>Town + City of Ce</u> darbo
(annual tax multiplied by 5 years):	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: Total:	0
5. Approximate present land use of territory:	
Residential:% Recreational:% Cor	nmercial:% Industrial:%
Undeveloped: 100 %	
6. If territory is undeveloped, what is the anticipated use?	
Residential:% Recreational:% Con	nmercial:% Industrial:%
Other:%	
Comments:	and the state of the second state of the secon
7. Has a □ preliminary or □ final plat been submitted to the Pla	an Commission:  Ves  No
Plat Name:	
8. What is the nature of land use adjacent to this territory in t	he city or village?
and the second	A CARLER AND A CARLE
In the town?: Under loped	
9. What are the <b>basic service needs</b> that precipitated the requ	uest for annexation?
□ Sanitary sewer □ Water supply □ S	torm sewers
□ Police/Fire protection □ EMS □ Z	oning
Other	
XX Intergovernmental Agreement Between Civ	y at Codabing and Town of Codarbing
Paral for Dedate Gant + Ma	alument and for the Connection
to FINA the order of the list	
to Provide for Orderly Growth + Der of Formard Way to Hilltop Driv	· · ·
1	

10. Is the city/village or town capable of providing needed utili	
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.	NA
Water Supply immediately	
or, write in number of years.	<u></u>
expenditures (i.e. treatment plant expansion, new lift statio	
11. Planning & Zoning:	
a. Do you have a comprehensive plan for the City/Village/	Fown? 🗹 Yes 🗆 No
Is this annexation consistent with your comprehensive p	lan? 🖾 Yes 🗆 No
	03-001.00: M2- Planned Inscherted District CU6.00 & 03-022-14-003.00: R-3 Single Fumily Residential District
c. How will the land be zoned and used if annexed?	
12. Elections:  New ward or  Existing ward? Will the anr more information, please contact the Wisconsin Election Con annexation checklist here: <u>http://elections.wi.gov/forms/el-</u>	nmission at (608) 266-8005, <u>elections@wi.gov</u> or see their
13. Other relevant information and comments bearing upon t	he public interest in the annexation:
Town dues not contest annexat:	or por Town ( City IGA from 2021
Prepared by: 🛛 Town 🗆 City 🗆 Village	Please <b>RETURN PROMPTLY</b> to:
Name: Jack Johnston	 wimunicipalboundaryreview@wi.gov
Email: jjohnston @town. Cedarburg. wi.US	— Municipal Boundary Review
Phone: 262.377, 4569 ext. 3	PO Box 1645, Madison WI 53701
Date: 3/10/2022	—— Fax: (608) 264-6104
(March 2018)	

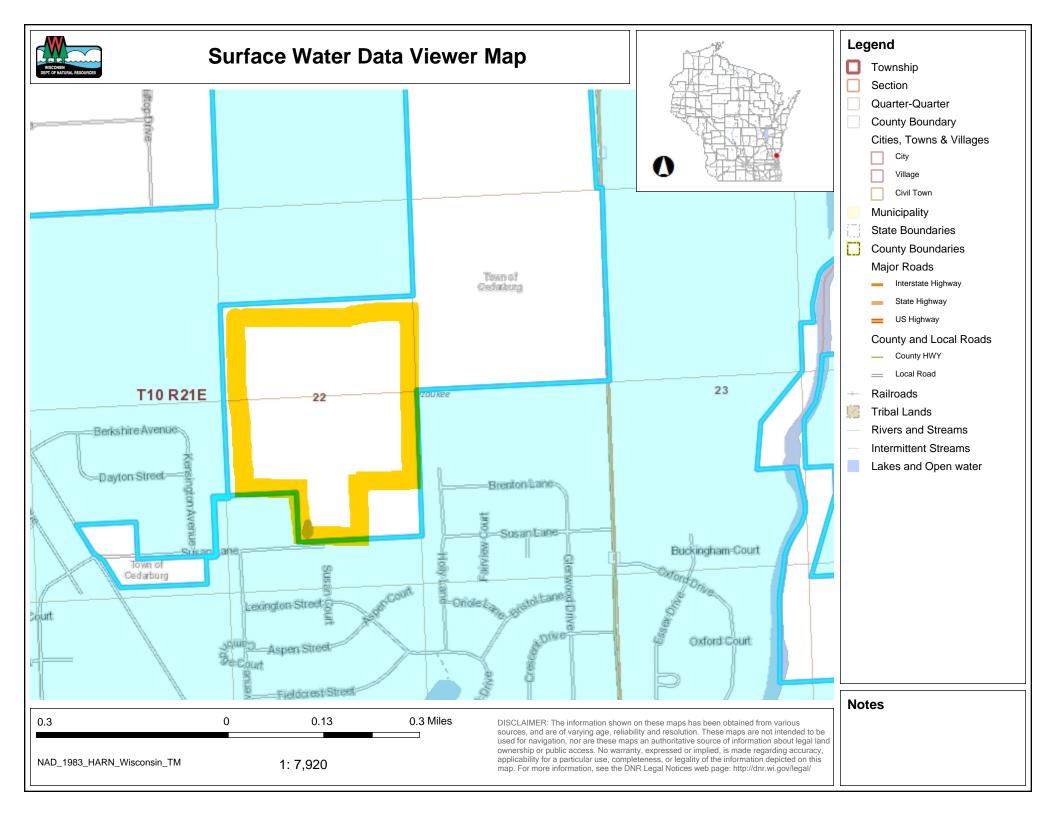
# Annexation Review Questionnaire

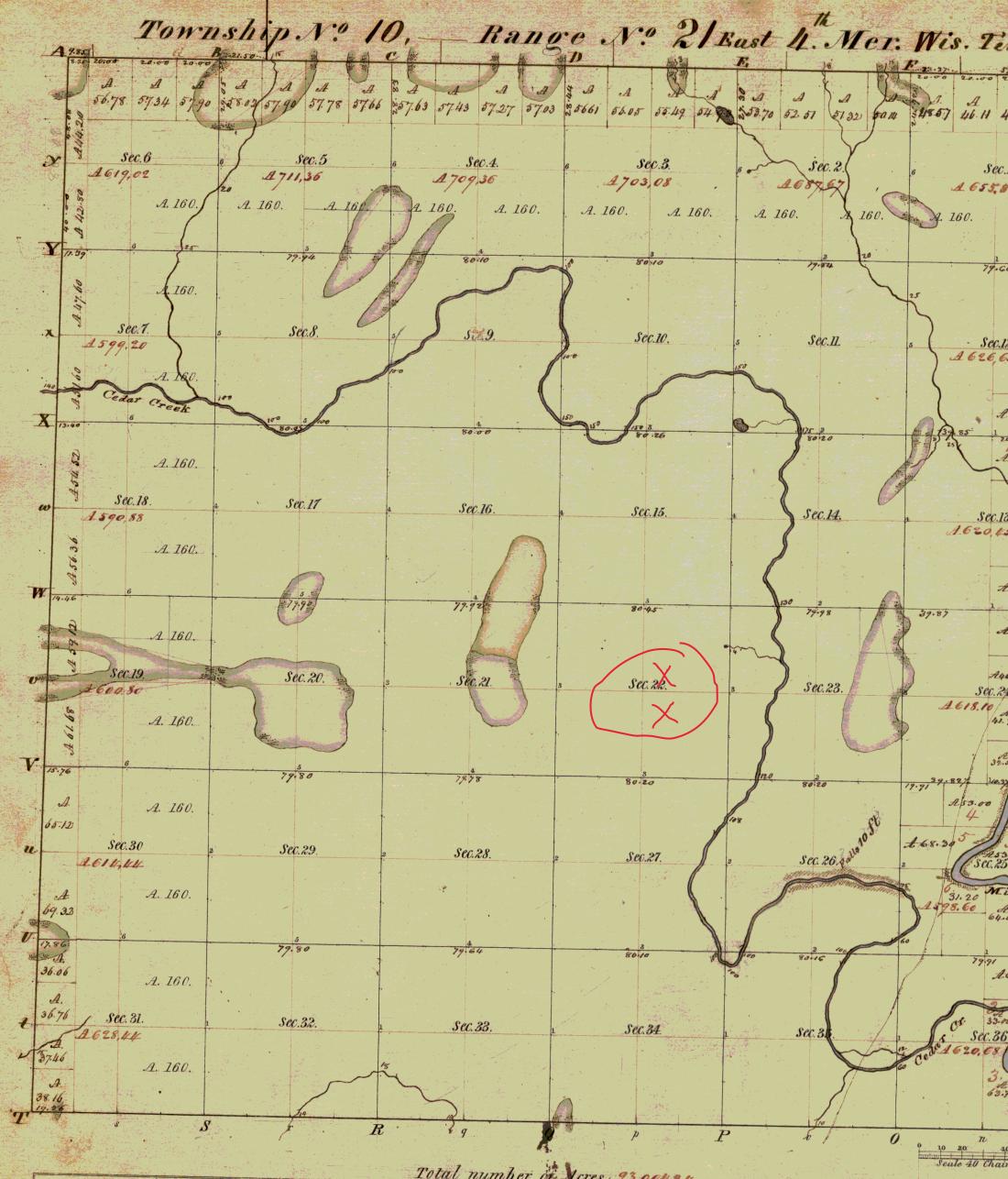
## **Wisconsin Department of Administration**

#### 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: Stone Lake Deve	lopment Inc		Pei	tition Number: 14491
1. Territory to be annexed:	From TOWN OF CEDARI	BURG	To CITY OF CEDARBUR	G
2. Area (Acres): 41.68			L	
3. Pick one: 🖄 Property Tax	Payments	OR 🗆 E	oundary Agreement	
a. Annual town property tax of	on territory to be annexed:	a. Title	of boundary agreement	
\$ <u>9383.92</u>		b. Yea	adopted	
b. Total that will be paid to To	own	c. Part	cipating jurisdictions	
(annual tax multiplied by 5	years): \$446,919.60	d. Stat	utory authority (pick one)	
c. Paid by:  Petitioner	City 🛛 Village		.66.0307 🗆 s.66.0225	□ s.66.0301
□ Other:				
4. Resident Population:		tal:		
5. Approximate present land	use of territory:			
Residential:%	Recreational:%	6 Commercial: _	% Industrial:	%
Undeveloped: <u>100</u> %				
6. If territory is undeveloped,	what is the <b>anticipated us</b>	e?		
Residential: 100_%	Recreational:%	6 Commercial: _	% Industrial:	%
Other:%				
Comments:				
7. Has a 🕅 preliminary or 🗆		8	sion: 🗆 Yes 🗆 No	
Plat Name: <u>Stone</u>	ake Development			
8. What is the nature of land Residential	I use adjacent to this territo	ory in the city or v	illage?	
In the town?: Undev	eloped			
9. What are the basic servic	e needs that precipitated the	he request for anr	exation?	
🕅 Sanitary sewer	M Water supply	🕱 Storm sewe	rs	
Police/Fire protection	🖄 EMS	🔟 Zoning		
Other		-		

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10. Is the city/villag	ge or town o	apable	of providing	needed uti	lity services	s?				
City/Village 🗖 Yes 🗆 No 🛛 Town 🗆 Yes 🕅 No										
If yes, approx	kimate time	table fo	r providing se	ervice:	City/Villa	ge	Town			
	<u>Sanita</u>	ry Sew	<u>ers</u> immediate	əly						
	or, writ	e in nu	mber of years	5.	1 year	n.				
					,					
	Water	Supply	immediately							
	or, writ	e in nu	mber of years	S.	Iyear					
					anne					
Will provision of	sanitary se	wers a	nd/or water s	upply to the	e territory p	ropos	ed for a	nnexation require capital		
expenditures (i.e	e. treatment	plant e	expansion, ne	w lift statio	ons, interce	ptor se	wers, v	wells, water storage facilities)?		
🗆 Yes 🕅	No									
If yes, identify th	ne nature of	the an	ticipated impr	ovements	and their p	robabl	e costs	n/a		
11. Planning & Zor	ning:									
a. Do you have	a comprehe	ensive p	olan for the C	ity/Village/	Town?	XY	es 🗆	] No		
Is this annexa	ation consist	tent wit	h your compr	ehensive p	olan?		′es [	□ No		
b. How is the ar 03 - 022 -	nexation te 14 - 0 <i>06</i> .	rritory i	now zoned? _ nd 03-02	03-07 Da-14-	<u>-2-03</u> 003.00	-00 = R-	<u>). 00</u> 3 Sii	= M2 Planned Industrial ngle Famity Residential		
c. How will the l	and be zone	ed and	used if annex	ed? time	orarily	olar	edin	RS-1 until permanent zoning		
	and the second se	and the second sec	with a second his of the second se		a contract of the second se			ard or join an existing ward? For		
more information, annexation checkl	please cont	act the	Wisconsin E	lection Cor	nmission a	t (608)	266-80	005, <u>elections@wi.gov</u> or see their		
will be reque	sting the	Com	nty to rec	onsider	r redn	iwin	g Coi	inty Supervisory lines.		
13. Other relevant	information	and co	omments bea	ring upon t	he public in	iterest	in the	annexation: -		
								· · · · · · · · · · · · · · · · · · ·		
Prepared by:	Town 🛛	City	□ Village		Plea	se <b>R</b> I	ETURN	<b>PROMPTLY</b> to:		
Name: Tr	acie Se	tte			wim	unicip	albour	ndaryreview@wi.gov		
Email: tse	He@ci.c	edar	burg. wi. 1	IS	Mun	icipal I	Bounda	ry Review		
Phone: 26	2-375	-76			POE	Box 16	45, Ma	dison WI 53701		
Date: 3	16/2022	2			Fax:	(608)	264-61	04		
(March 2018	8									





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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

March 29, 2022

TRACIE SETTE, CLERK CITY OF CEDARBURG P.O. BOX 49 CEDARBURG, WI 53012-0049 JACK JOHNSTON, CLERK TOWN OF CEDARBURG 1293 WASHINGTON AVE CEDARBURG, WI 53012-9304

#### Subject: STONE LAKE DEVELOPMENT INC ANNEXATION

The proposed annexation submitted to our office on March 09, 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 CEDARBURG**, which is able to provide needed municipal services.

Note: The scale map of the territory to be annexed included with the petition and ordinance must clearly show and identify the existing City of Cedarburg municipal boundary (ref: s. 66.0217 (1) (g), Wis. Stats.).

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 14491 with your ordinance.** Ordinance filing checklist available at <u>http://mds.wi.gov/</u>, click on "Help on How to Submit Municipal Records". Email scanned copy of required materials (color scan maps with color) to <u>mds@wi.gov</u> 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: <u>http://mds.wi.gov/View/Petition?ID=2565</u> Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Gland Le

Erich Schmidtke, Municipal Boundary Review

PETITION FILE NO. 14491