Request for Annexation Review

Wisconsin Department of Administration

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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

Phone: 715-830-9771 Email: bnodolf@nfattorneys.com	RECEIVED April 19, 2022
Contact Information if different than petitioner: Representative's Name: Attorney Brian M. Nodolf	Municipal Boundary Review Wisconsin Dept. of Admin.
Phone: 715-830-9771 E-mail: bnodolf@nfattorneys.com	

- 1. Town where property is located: Town of Wheaton
- 2. Petitioned City or Village: City of Eau Claire
- 3. County where property is located: Chippewa County
- 4. Population of the territory to be annexed: 0
- 5. Area (in acres) of the territory to be annexed: APPROX. 166 ACRES WITH RIGHT OF WAY, APPROX. 158 WITHOUT RIGHT OF WAY
- 6. Tax parcel number(s) of territory to be annexed (if the territory is part or all of an existing parcel): 044-1564 (22810-3511-00000000); 044-1565 (22810-3512-00000000); 044-1566 (22810-3513-00000000); 044-1567 (22810-3514-00000000)

Include these required items with this form:

- 1. \square Legal Description meeting the requirements of <u>s.66.0217 (1) (c)</u> [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]

(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

\$1400 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

\$1750 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
ACC AL III				

Date fee & form received: 4-19-2022

Payer: NODOLF FLORY LLP Check Number: 21435

Check Date: 4-14-22

Amount: 17.50.



April 14, 2022

VIA FEDEX PRIORITY OVERNIGHT

Wisconsin Dept. of Administration Municipal Boundary review 101 E Wilson St FL 9 Madison WI 53703

RE: Request for Annexation Review

Dear Sir/Madam:

Enclosed please find a Request for Annexation Review form, the required fee, and a copy of the Petition for Direct Annexation by Unanimous Approval including a scale map of the property to be annexed.

Thank you for your assistance in this matter. Please contact me if you have any questions.

Sincerely,

NODOLF FLORY, LLP

Brian M. Nodolf

BMN:amr Enclosure

PETITION FOR DIRECT ANNEXATION BY UNANIMOUS APPROVAL PURSUANT TO SECTION 66.0217(2), WISCONSIN STATUTES

Highway T Property, LLC, a Wisconsin limited liability company, the undersigned, being the sole owner of the real property, in which no electors reside, in the following territory of the Town of Wheaton, Chippewa County, Wisconsin, lying contiguous to the City of Eau Claire, Chippewa County, Wisconsin, petitions the Common Council of the City of Eau Claire to annex the territory described below, and shown on the attached scale map, to the City of Eau Claire:

Legal Description and Map Attached Hereto as Exhibit A

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

Highway T Property, LLC elects that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexation, incorporation, or consolidation proceedings, if any.

Signature

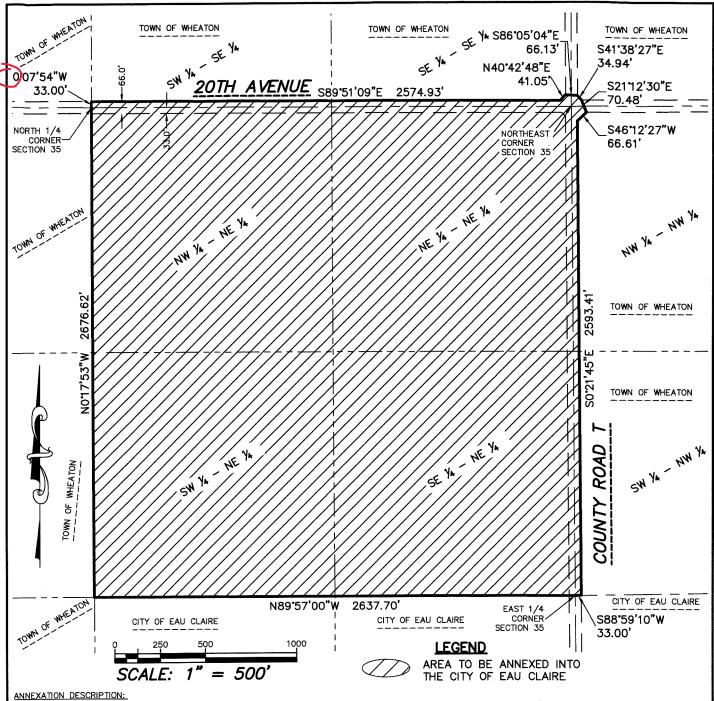
Owner Elector Address

Highway T Property, LLC

X

1711 S. Hastings Way
Eau Claire WI 54701

Authorized Member



BEGINNING AT THE NORTH 1/4 CORNER OF SECTION 35; THENCE N.00'07'54"W., ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF SECTION 26, A DISTANCE OF 33.00 FEET TO THE NORTH RIGHT OF WAY LINE OF 20TH AVENUE; THENCE S.89'51'09'E., ALONG THE NORTH RIGHT OF WAY OF 20TH AVENUE AND AN EXTENSION OF SAID NORTH RIGHT OF WAY, A DISTANCE OF 2574.93 FEET; THENCE N.40'42'48'E., A DISTANCE OF 41.05 FEET; THENCE S.86'05'04'E., A DISTANCE OF 66.13 FEET; THENCE S.41'38'27'E., A DISTANCE OF 34.94 FEET; THENCE S.21'12'30'E., A DISTANCE OF 70.48 FEET; THENCE S.46'12'27'W., A DISTANCE OF 66.61 FEET; THENCE S.00'21'45'E., ALONG THE EAST ROAD RIGHT OF WAY OF COUNTY ROAD T, A DISTANCE OF 2593.41 FEET TO THE SOUTH LINE OF THE NORTHWEST 1/4 OF SECTION 36; THENCE S.88'59'10'W., ALONG SAID SOUTH LINE, A DISTANCE OF 33.00 FEET TO THE EAST 1/4 CORNER OF SECTION 35; THENCE N.89'57'00'W., ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF SECTION 35; THENCE N.00'17'53'W., ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 35, A DISTANCE OF 2676.62 FEET TO THE POINT OF BEGINNING.

<u>ANNEXATION EXHIBIT</u>

LOCATED IN THE NE¼-NE¼, NW¼-NE¼, SW¼-NE¼, THE SE¼-NE¼, SECTION 35, SW¼-SE¼ & SE¼-SE¼ OF SECTION 26, SW ¼-SW ¼ OF SECTION 25, AND THE SW ¼ - NW ¼ & NW ¼ - NW ¼ OF SECTION 36, ALL IN TOWNSHIP 28 NORTH, RANGE 10 WEST, TOWN OF WHEATON. CHIPPEWA COUNTY, WISCONSIN

CADD No. 21480 ANNEXATION

EXHIBIT

Α

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: Highway T Prope	rty LLC		Petit	ion Number: 14498
1. Territory to be annexed:	From TOWN OF WHEATO	N	To CITY OF EAU CLAIRE	
2. Area (Acres): +/-)66				
3. Pick one: ⊠ Property Tax	Payments	OR 🗆 I	Boundary Agreement	
a. Annual town property tax of	on territory to be annexed:	a. Title	of boundary agreement	
\$		b. Yea	r adopted	
b. Total that will be paid to To	own	c. Part	icipating jurisdictions	
(annual tax multiplied by 5	years):	_ d. Stat	utory authority (pick one)	
c. Paid by: ☐ Petitioner 🏻 🖂	City □ Village		s.66.0307 🗆 s.66.0225	□ s.66.0301
□ Other:		_		
4. Resident Population:	Electors: Tota	d:		
5. Approximate present land	use of territory:			
Residential:%	Recreational:%	Commercial: _	% Industrial:	%
Undeveloped: <i>/t/)0</i> %				
6. If territory is undeveloped,	what is the anticipated use	?		
Residential:%	Recreational: <u>25</u> %	Commercial: _	56 % Industrial: 2	<u>\$</u> _%
Other:%				
Comments:				MARAMAN AND AND AND AND AND AND AND AND AND A
7. Has a □ preliminary or □ f	inal plat been submitted to t	he Plan Commis	sion: 🗆 Yes 🎾 No	
Plat Name:				
8. What is the nature of land	use adjacent to this territor	ry in the city or v	illage?	
Industrial / Va	canet			
In the town?: Reside	untial Agricultural			
9. What are the basic service	e needs that precipitated the	e request for ann	nexation?	
☑ Sanitary sewer	图 Water supply	∜□ Storm sewe	rs	
Police/Fire protection	⊠ EMS	☑ Zoning		
Other				

10. Is the city/village o	r town c	apable of provid	ling needed ut	tility services	?	
City/Village	Yes	□ No	Town	□ Yes	囟	No
If yes, approxima	ate timet	able for providin	ng service:	City/Villag	е	Town
	Sanitar	<u>y Sewers</u> imme	diately	120		
	or, write	e in number of y	ears.			
	Water :	<u>Supply</u> immedia	itely	N N		
	or, writ	e in number of y	ears.			
•	_					d for annexation require capital
expenditures (i.e. tro	eatment	plant expansior	n, new lift stati	ons, intercep	tor se	wers, wells, water storage facilities)?
□ Yes 124 No						
If yes, identify the n	ature of	the anticipated	improvements	and their pro	obable	e costs:
11. Planning & Zoning	:					
a. Do you have a co	mprehe	ensive plan for th	ne City/Village	/Town?	⊠ Ye	es □ No
Is this annexation	consist	tent with your co	omprehensive	plan?	Ø Y	′es □ No
				41	,	
b. How is the annex	ation te	rritory now zone	id? Town	of Wheat	on /	Agriculture
						/
c. How will the land	be zone	ed and used if a	nnexed? <i></i>	-3P/I	-18	
12. Elections: ™ New	ward or	· □ Existing war	d? Will the ar	nnexation cre	ate a	new ward or join an existing ward? For
more information, plea annexation checklist h	se cont	act the Wiscons	in Election Co	mmission at	(608)	266-8005, elections@wi.gov or see their
annexation checklist n	ere. <u>IIII</u>	p.//elections.wi	i.gov/ioriiis/e	<u>1-100</u>		
13. Other relevant info	rmation	and comments	bearing upon	the public in	terest	in the annexation:
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Prepared by: Tov	vn 🗷	City □ Villa	ge	Pleas	se RE	ETURN PROMPTLY to:
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-		-4914		—— РО В	lox 16	45, Madison WI 53701
	2/20			Fax:	(608)	264-6104
(March 2018)	5100	00				



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COMMENTS

Included is the Annexation Review Questionnaire. Petition Number 14498

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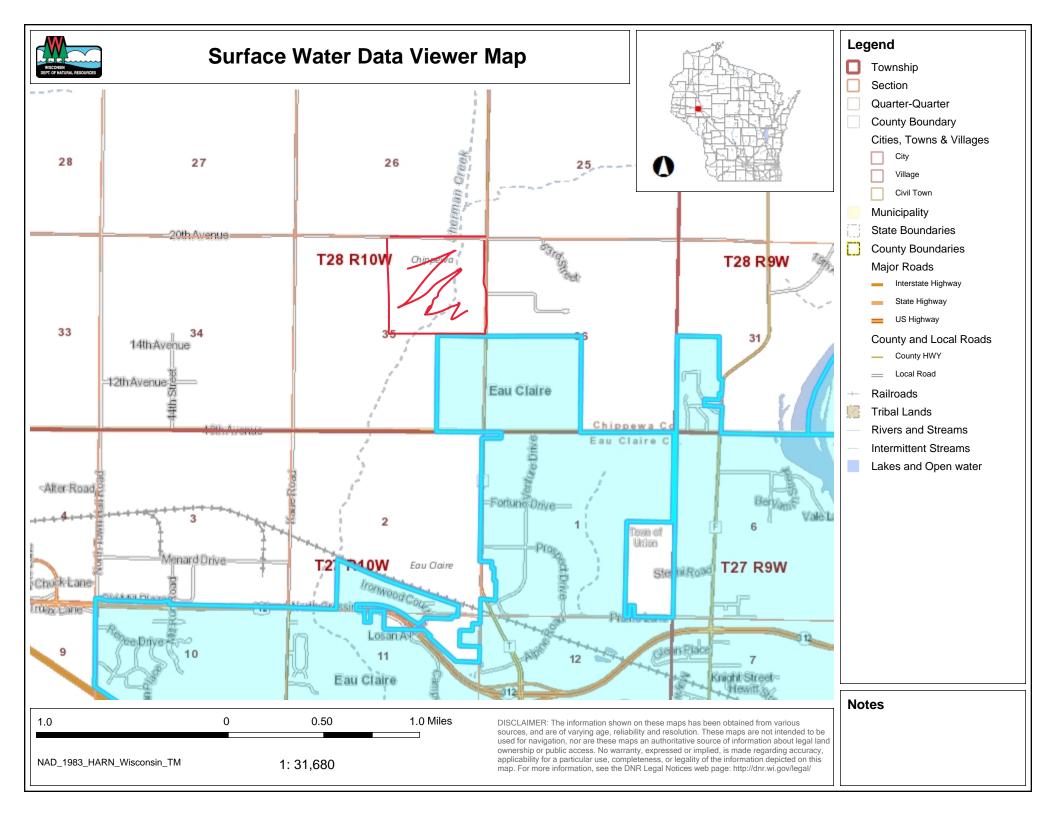
Annexation Review Questionnaire

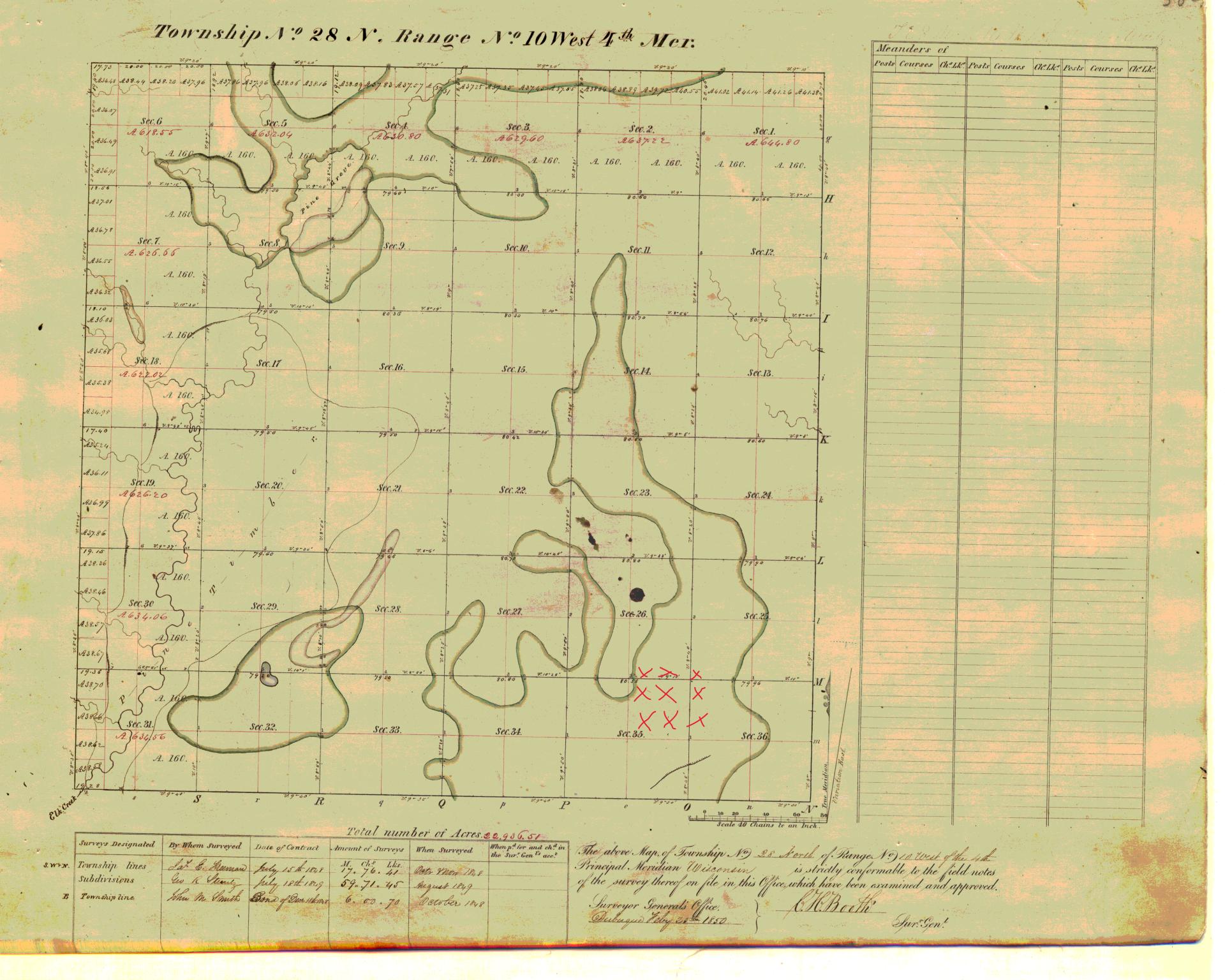
Wisconsin Department of Administration

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PO Box 1645
Madison WI 53701
608-264-6102 Fax: 608-264-6104
winnshirinalboundaryreview@wl.gov

Petitoper Highway T Property LLC	Pettor Number 144
1 Territory to be emexed: From TOWN OF WHEATON	To CITY OF EAU CLAIRE
2. Area (Acres); 1/2/2	
3 Pick one: W Property for Foundate	OR C Bourday Agreem at Y
a Annual town property text on ferritory to be amberted.	a. Title of boundary agreement b. Year adopted
b. Total that will be baid to Town	c. Participating jurisdictions
(annual tax multiplied by 5 years):	d Statutory authomy (pick one)
5 Paid by El Petitioner El City El Village	[] s.66.0307 [] s:66.0225 [] s.66.0301
dither:	
4 Resident Population: Elegrors Total:	
5. Approximate present land use of territory: Residential ** Recreational* ** C	ommerdal <u>v</u> industrial
a if territory is undeveloped what is the anticipated use?	
Residental: 7 Recreations	ommercia: 1/42° % industrial
Comments:	
7. Has a C preliminary or E final plat been submitted to Mo	Plan Ситтивыси. Ж. 165 — NC
s. What is the nature of land use adjacent to this terminal.	n the cary or muchos
trythe town?	
9. What are the basic service needs that procephaled the re-	arunyasi kok amanaokationy?
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10. Is the city/village or town capable of provid	And the state of t		eri santar ingkir jepania danada erinda erenda eper		-
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City/Village [] Yes [] Mo.	Town II Y	es 👸 No	Caladyda Geberarayda Caladyda Geberarayda	The last out the the held with the	
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ii yes. approximate timetable for providing		/il/age Tow	A Wilmichicalianenian	50300000 000000000000000000000000000000	
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If yes, identify the nature of the anticipated in	CONTRACTOR CONTRACTOR AND A CONTRACTOR A	i prosent con			er van van de
11. Planning & Zoning				ian an arawan manan an an an arawan arawan arawan an arawan an arawan arawan arawan arawan arawan arawan arawan arawan arawan araw	icanienienie Lintinitaritaritaritaritari Migripari
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b How is the annexation territory now zoned					
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12. Elections: Cl New werd or III Existing ward more information please connective Wisconsin	i Juli den semeseken Elector Commission				e rina ingan Parahasa
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 Other relevant information and comments 9 	eergapor bid bubb	c interest in the		Personal Control of the Control of t	English Charles (FFE) (F
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Prepared by M. Town C. Oily D. Village	<u> </u>	Variation in Subsect the Section 2019	Perfect Bushings (CA)	- its dan kolar be its its its it with	
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Phone: 7/5-519-8474		and the second	4.4.4.4))))))))))))))))))))))
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Phone: 17/5 579 - 24/74 Date: 4/2/4/2/22 (March 2018)		24 (6474) 264-60	D4		
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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

May 09, 2022

PETITION FILE NO. 14498

cc: petitioner

CARRIE RIEPL, CLERK CITY OF EAU CLAIRE PO BOX 5148 EAU CLAIRE, WI 54702-5148 SCOTT DEUTSCHER, CLERK TOWN OF WHEATON 4975 COUNTY HIGHWAY T CHIPPEWA FALLS, WI 54729

Subject: HIGHWAY T PROPERTY LLC ANNEXATION

The proposed annexation submitted to our office on April 19, 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 EAU CLAIRE**, which is able to provide needed municipal services.

Note: There is a typo in the bearing of the 33.00' course of the west parcel boundary as shown on the scale map.

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 14498 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=2572
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review