

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: **David L. Gartman, LLC by David L. Gartman, Member**

Phone: **920-458-5577**

Email: **davidgartman@outlook.com**

Contact Information if different than petitioner:

Representative's Name:

Phone:

E-mail:

RECEIVED

April 27, 2022

Municipal Boundary Review
Wisconsin Dept. of Admin.

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

2. Petitioned City or Village: **Oostburg**

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

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

5. Area (in acres) of the territory to be annexed: **39.957 ACRES**

6. Tax parcel number(s) of territory to be annexed (if the territory is part or all of an existing parcel):
ALL OF PARCEL NUMBER 59030-463270

Include these required items with this form:

- ☒ 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 [see attached annexation guide]
- ☒ 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 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: 04/27/2022

Payer: David L Gartman Farms

Check Number: 3199

Check Date: 04/18/2022

Amount: \$1150.00

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).



HOPP NEUMANN HUMKE LLP

April 25, 2022

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

Re: Request for Annexation Review
Petitioner: DAVID L. GARTMAN, LLC
Town of Wilson, Wisconsin

To Whom It May Concern:

I am the attorney for the Petitioners, David L. Gartman, LLC and Mr. Gartman, and our office is assisting with a petition for annexation. Enclosed please find for review the *Request for Annexation Review* form, the *Petition for Direct Annexation by Unanimous Approval Pursuant to Wisconsin Statute § 66.0217(2)*, scale map with legal description, and check number 3199 in the amount of \$1,150.00 for the review and filing fee.

Please do not hesitate to contact me, should you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read 'J. Phil Mueller', written over a horizontal line.

J. Phil Mueller

e-mail: phil.mueller@hopplaw.com

JPM/cb
Enclosures

ec: Mr. David Gartman

R:\CLIENT\11151\00008\00190803.DOCX

www.hopplaw.com

Michael J. Bauer • J. Phil Mueller • Herbert C. Humke • Paul A. Dirksa • Crystal H. Fieber • Oliver M. Bauer • Kelly Del Ponte
OF COUNSEL: Carl K. Buesing • RETIRED: Roland M. Neumann • William W. Moir III
Alexander Hopp 1955-1999 • H.C. Humke 1963-2009

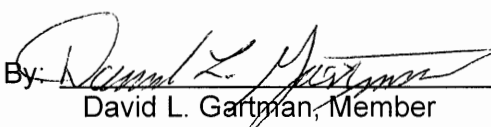
2124 Kohler Memorial Drive | Suite 310 | Sheboygan, WI 53081 | PH 920-457-8400 | FX 920-457-8411

RECEIVED**April 28, 2022**Municipal Boundary Review
Wisconsin Dept. of Admin.

PETITION FOR DIRECT ANNEXATION BY UNANIMOUS APPROVAL
PURSUANT TO WISCONSIN STATUTE § 66.0217(2)

The undersigned, constituting all of the electors residing in the territory and all of the owners of real property in the following territory of the Town of Wilson, Sheboygan County, Wisconsin, lying contiguous to the Village of Oostburg, petition the Village Board of the Village of Oostburg to annex the territory described and as shown on the attached **Exhibit A**, legal description and scale map to the Village of Oostburg, Sheboygan County, Wisconsin:

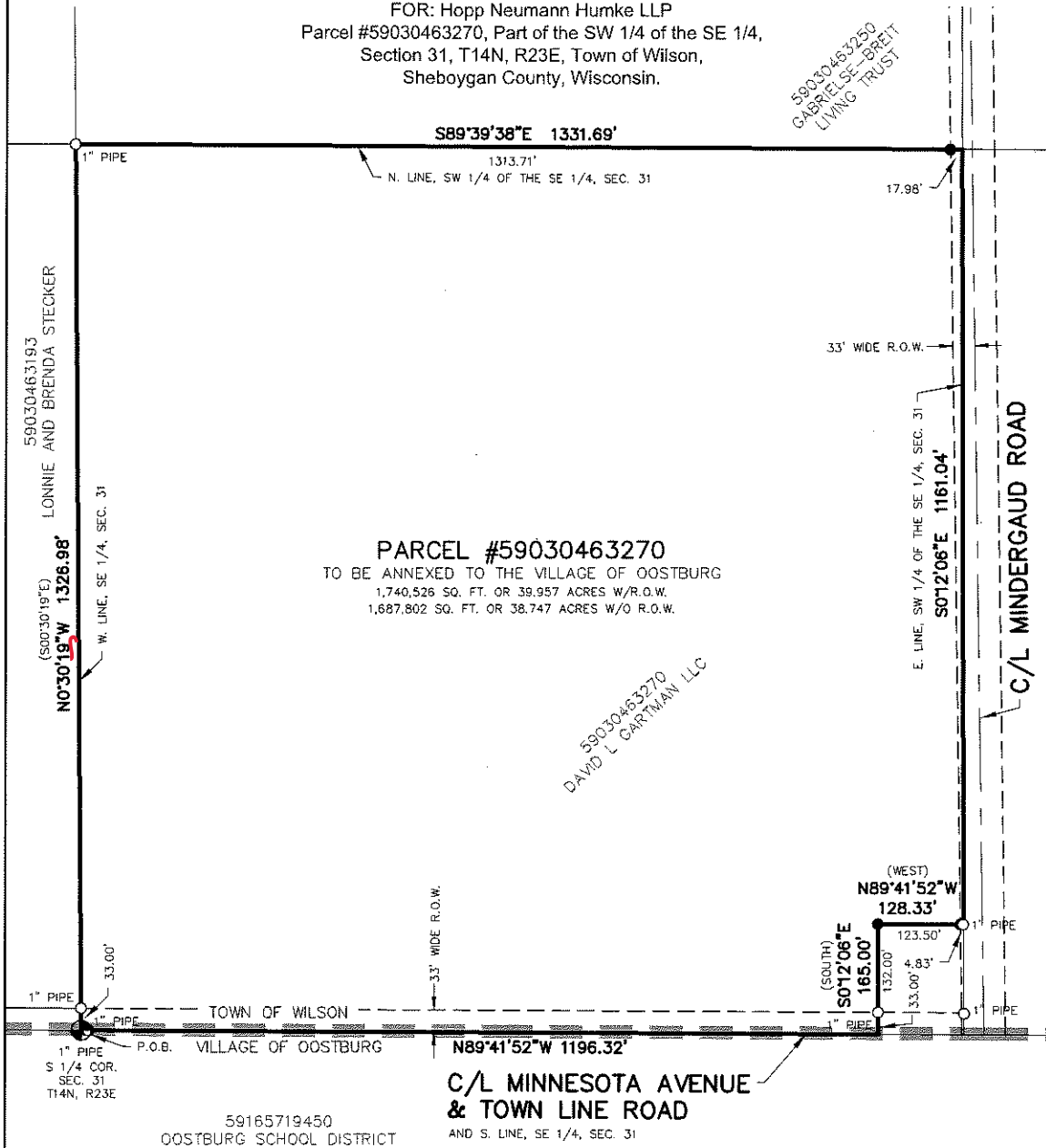
The above-described territory contains a population of zero (0).

Signature of Petitioner	Date of Signing	Mark an "X" if Owner	Mark an "X" if Elector	Address or Description of Property
DAVID L. GARTMAN, LLC  By: <u>David L. Gartman, Member</u>	4-28-22	X		Agricultural Property on the north side of Town Line Road (PIN: 59030-463270)

PLAT OF SURVEY

FOR: Hopp Neumann Humke LLP
Parcel #59030463270, Part of the SW 1/4 of the SE 1/4,
Section 31, T14N, R23E, Town of Wilson,
Sheboygan County, Wisconsin.

59030463250
GABRIELE SE-BREIT
LIVING TRUST

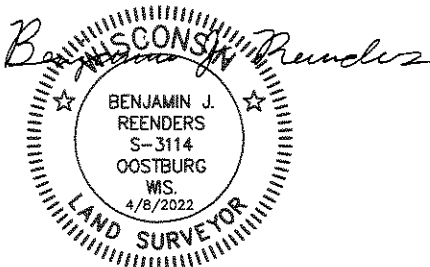


Legal Description of Portion to be Annexed to the Village of Oostburg:

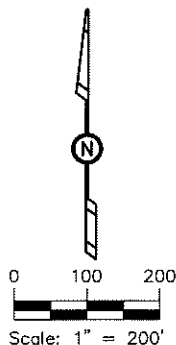
Part of the Southwest 1/4 of the Southeast 1/4 of Section 31, T14N, R23E, Town of Wilson, Sheboygan County, Wisconsin described as follows:

BEGINNING at the South 1/4 Corner of said Section 31; thence N00°30'18"W 1,326.98 feet along the West line of the Southeast 1/4 of said Section 31; thence S89°39'38"E 1,331.89 feet along the North line of the Southwest 1/4 of the Southeast 1/4 of said Section 31; thence S00°12'06"E 1,161.04 feet along the East line of the Southwest 1/4 of the Southeast 1/4 of said Section 31; thence N89°41'52"W 128.33 feet; thence S00°12'06"E 165.00 feet; thence N89°41'52"W 1,196.32 feet along the South line of the Southeast 1/4 of said Section 31 to the point of beginning of this description.

This parcel contains 1,740,526 square feet or 39.957 acres.



I Benjamin J. Reenders do hereby certify that
this survey is correct to the best of my
knowledge and belief.



941 Center Avenue, Suite 1
Oostburg, WI 53070
920-547-0599

CEDAR CREEK SURVEYING, LLC
www.cedarcreeksurveying.com

FILE No.: 2022058 DATE: 4/8/2022 PAGE: 1 OF 1

REAL PROPERTY LISTERS ANNEXATION REVIEW

1. Territory to be annexed: _____ | From Town of: **Wilson** | To City/Village of: **Oostburg**

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
- Y (2) Identify parcel ID numbers included in annexation.
- NA (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
- Y (7) Legend
- Y (8) Total area/acreage of annexation

3. Other relevant information and comments:

Prepared by: Riley Calaway
 Title: LDT III
 Phone: 920-459-3124
 Date: 05/06/2022

Please **RETURN PROMPTLY** to:
 Municipal Boundary Review
 PO Box 1645
 Madison WI 53701

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: **Gartman**

Petition Number: **14499**

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

2. Area (Acres): 39.52

3. Pick one: ☒ Property Tax Payments

OR ☐ Boundary Agreement

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

\$ 112.85

a. Title of boundary agreement _____

b. Year adopted _____

b. Total that will be paid to Town

(annual tax multiplied by 5 years): 564.25

c. Participating jurisdictions _____

c. Paid by: ☐ Petitioner ☐ City ☒ Village

d. Statutory authority (pick one)

☐ s.66.0307 ☐ s.66.0225 ☐ s.66.0301

☐ Other: _____

4. Resident Population: _____ Electors: _____ Total: _____

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

Residential: _____% Recreational: _____% Commercial: _____% Industrial: _____%

Undeveloped: 100% Farmland

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: N/A

8. What is the **nature of land use adjacent** to this territory in the city or village?

In the town?: Vacant Land

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? AZ - Agricultural

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: Julie Wicker

Email: jwicker@town.wilson.com

Phone: 920 208-2390

Date: 5/3/22

(March 2018)

Please RETURN TO: **Sign Here** PTLY to:

municipalboundaryreview@wi.gov

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

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: **Gartman**

Petition Number: **14499**

1. Territory to be annexed: From **TOWN OF WILSON**

To **VILLAGE OF OOSTBURG**

2. Area (Acres): **39.957**

3. Pick one: ☐ Property Tax Payments

OR ☐ Boundary Agreement

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

\$ _____

a. Title of boundary agreement _____

b. Total that will be paid to Town

(annual tax multiplied by 5 years): _____

b. Year adopted _____

c. Participating jurisdictions _____

c. Paid by: ☐ Petitioner ☐ City ☐ Village

d. Statutory authority (pick one)

☐ 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: **5.01** % Recreational: _____ % Commercial: _____ % Industrial: _____ %

Undeveloped: **94.09** %

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

Residential: **5.01** % Recreational: _____ % Commercial: _____ % Industrial: _____ %

Other: **94.09** %

Comments: **Will be in Rural Development**

7. Has a ☐ preliminary or ☐ final plat been submitted to the Plan Commission: ☒ Yes ☐ No

Plat Name: **David L. Gartman LLC**

8. What is the **nature of land use adjacent** to this territory in the city or village?

IPF - Public Facility

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 _____

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.

1 yr

Water Supply immediately

☒

☐

or, write in number of years.

1 yr

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? Rural Development

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

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:

NA

Prepared by: ☐ Town ☐ City ☒ Village

Please **RETURN PROMPTLY** to:

Name: Allen Wrubbel / Amy Witterdink

wimunicipalboundaryreview@wi.gov

Email: amy.witterdink@oostburg.org

Municipal Boundary Review

Phone: 920-564-3214

PO Box 1645, Madison WI 53701

Date: 5-3-22

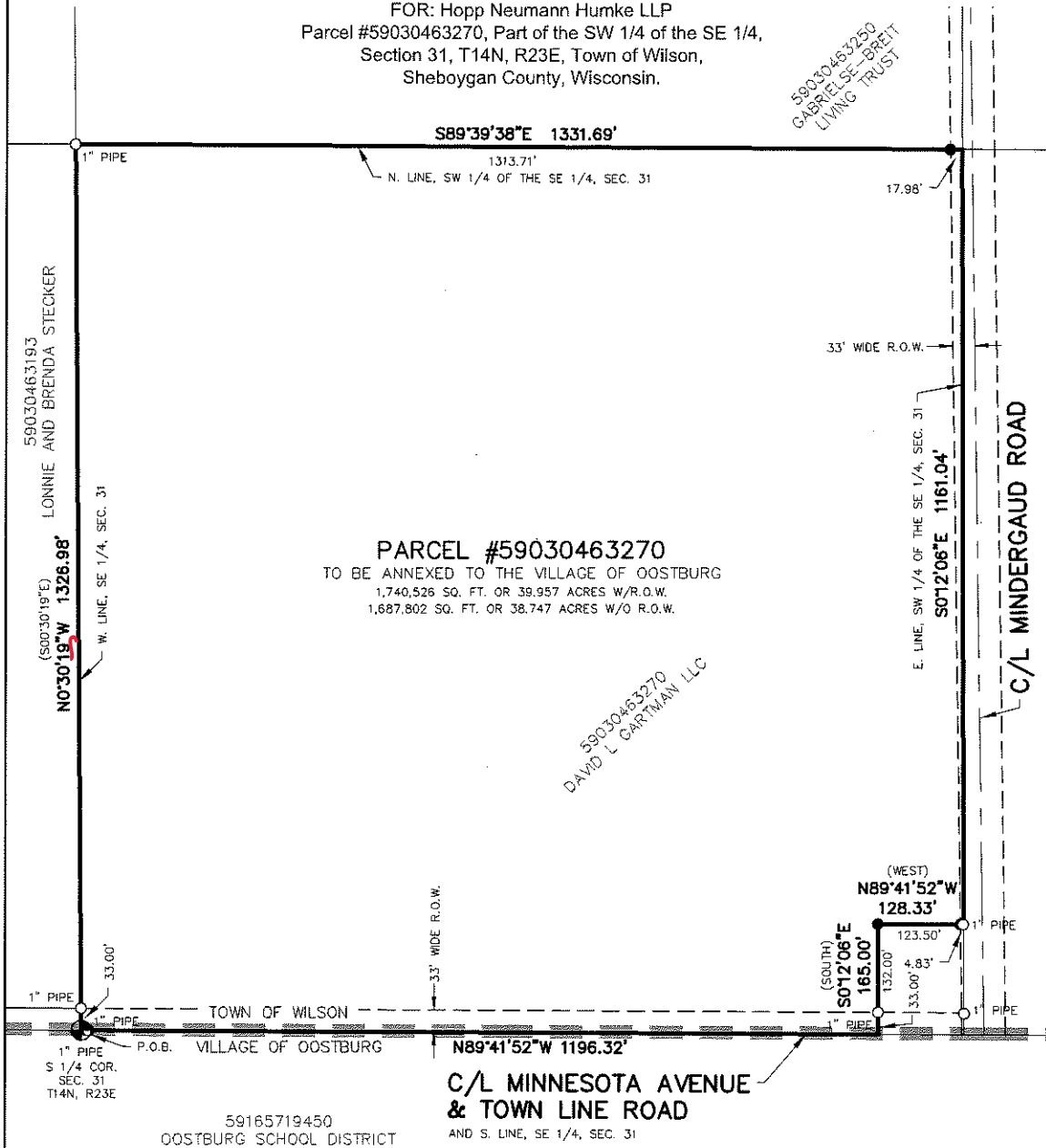
Fax: (608) 264-6104

(March 2018)

PLAT OF SURVEY

FOR: Hopp Neumann Humke LLP
Parcel #59030463270, Part of the SW 1/4 of the SE 1/4,
Section 31, T14N, R23E, Town of Wilson,
Sheboygan County, Wisconsin.

59030463250
GABRIELE SE-BREIT
LIVING TRUST

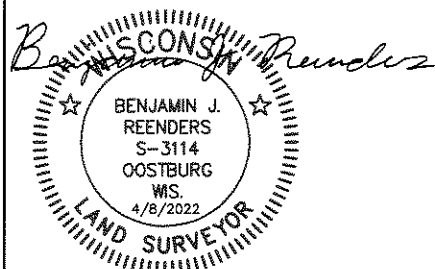


Legal Description of Portion to be Annexed to the Village of Oostburg:

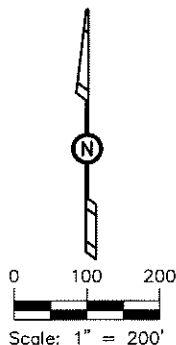
Part of the Southwest 1/4 of the Southeast 1/4 of Section 31, T14N, R23E, Town of Wilson, Sheboygan County, Wisconsin described as follows:

BEGINNING at the South 1/4 Corner of said Section 31; thence N00°30'18"W 1,326.98 feet along the West line of the Southeast 1/4 of said Section 31; thence S89°39'38"E 1,331.69 feet along the North line of the Southwest 1/4 of the Southeast 1/4 of said Section 31; thence S00°12'06"E 1,161.04 feet along the East line of the Southwest 1/4 of the Southeast 1/4 of said Section 31; thence N89°41'52"W 128.33 feet; thence S00°12'06"E 165.00 feet; thence N89°41'52"W 1,196.32 feet along the South line of the Southeast 1/4 of said Section 31 to the point of beginning of this description.

This parcel contains 1,740,526 square feet or 39.957 acres.



I Benjamin J. Reenders do hereby certify that
this survey is correct to the best of my
knowledge and belief.



941 Center Avenue, Suite 1
Oostburg, WI 53070
920-547-0599

CEAR CREEK SURVEYING, LLC
www.cedarcreeksurveying.com

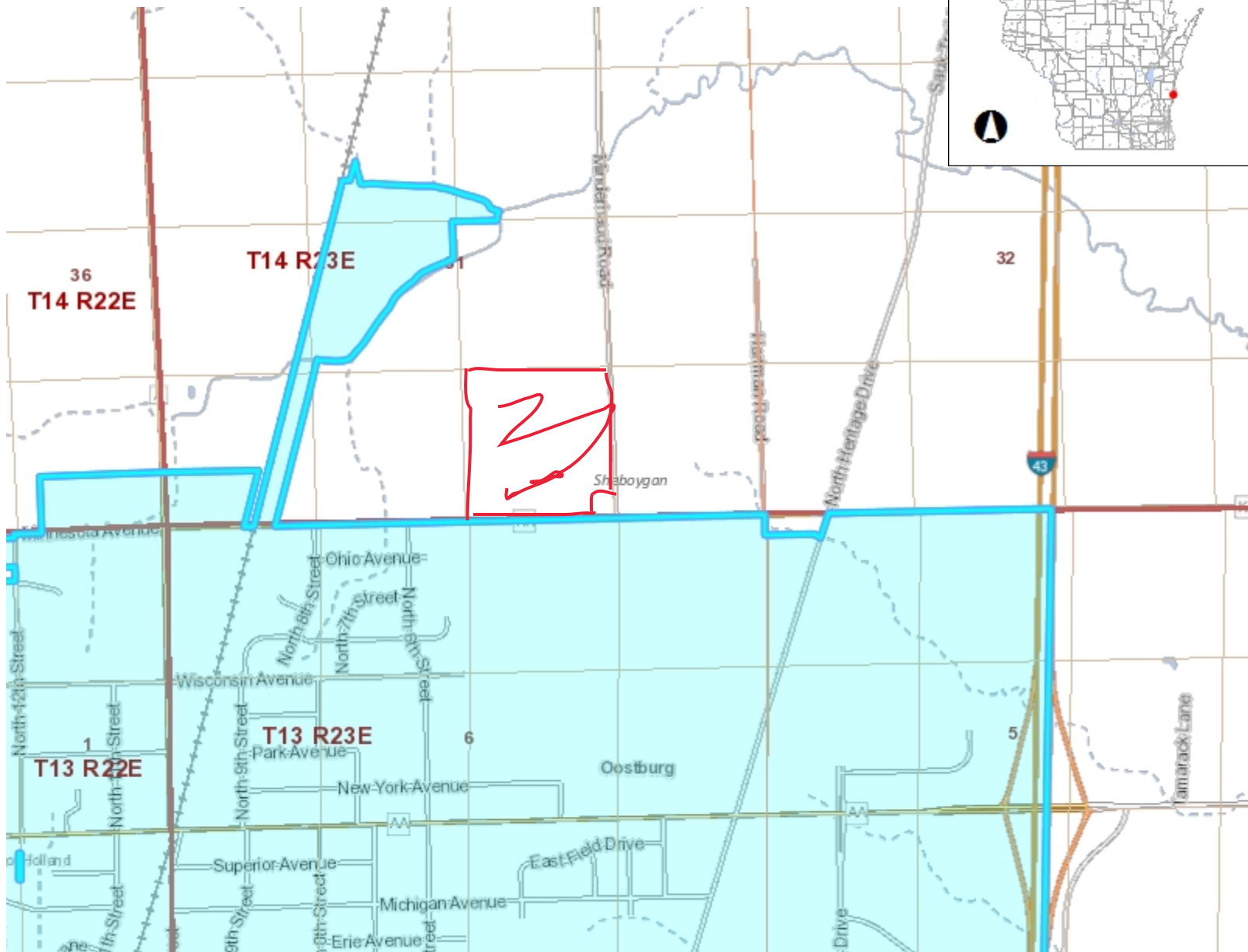
FILE No.: 2022058 DATE: 4/8/2022 PAGE: 1 OF 1



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



NAD_1983_HARN_Wisconsin_TM

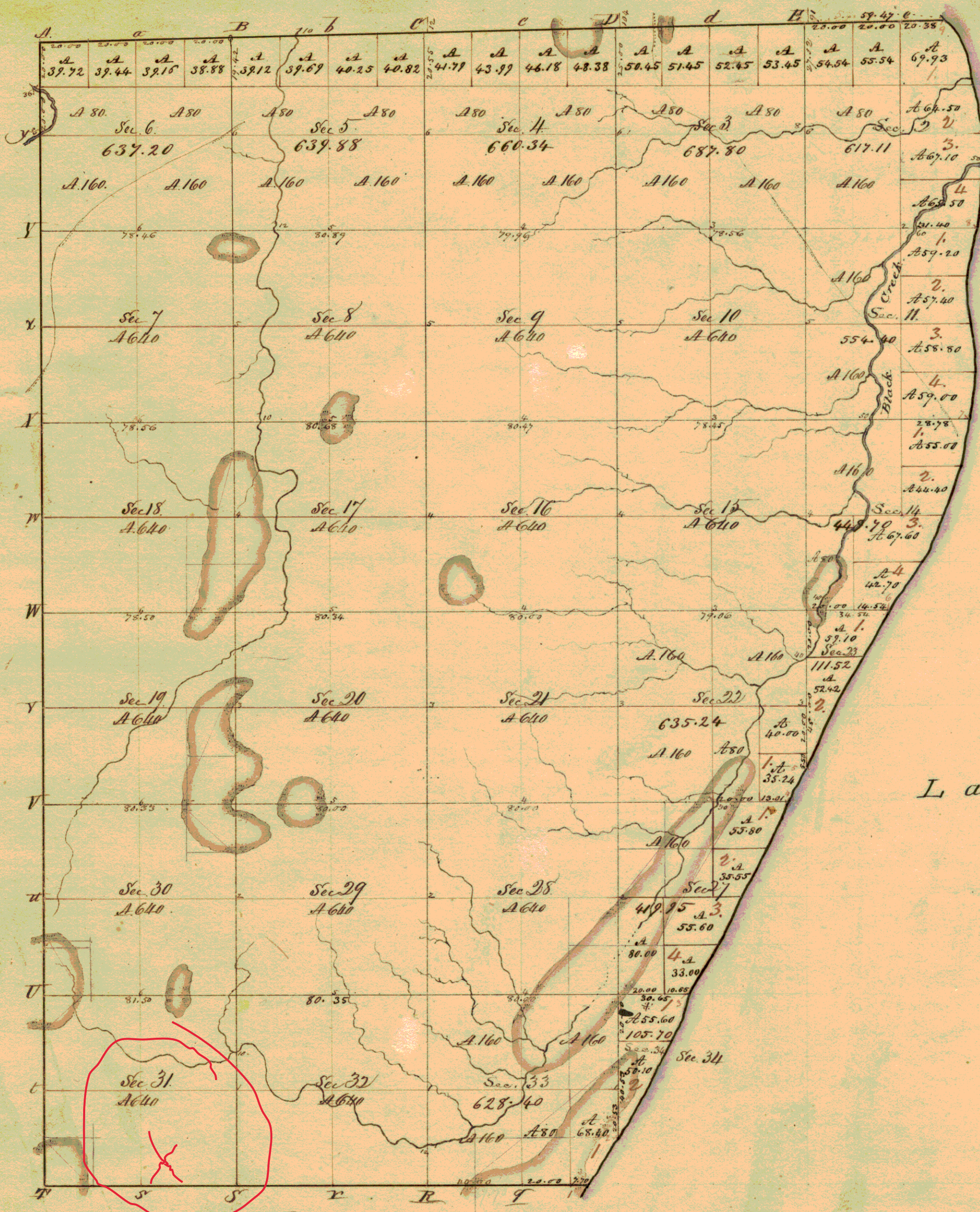
1: 15,840

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^o 14 North, Range N^o 23 East 4th Mer (N.W.T.)

4. Miller 174
57



Meanders of Lake Michigan					
Posts	Courses	Ch. M.	Posts	Courses	Ch. M.
1	N 30° E	8.66		N 10° E	2.57
2	N 35° E	13.89		N 8 E	9.73
	N 35° E	5.61		N 1 E	24.87
	N 38° E	5.00		N 44° W	5.78
3	N 18 E	11.42		N 50° W	5.19
	N 30° E	29.78		N 18 W	3.39
4	N 26 E	54.30		N 77° W	3.68
5	N 21 E	15.80		N 77° W	2.79
	N 25° E	26.84		N 13° W	3.35
	N 27° E	27.35		N 17° W	3.40
6	N 26° E	15.26		N 16° W	3.09
	N 34° E	29.00		N 20° W	4.50
	N 24° E	25.06		N 14° W	4.00
	N 17 E	18.28		N 18° W	2.58
7	N 8° E	15.25		N 29° W	3.16
	N 12° E	4.69	9	N 31° W	3.03
	N 3 E	13.32			
	N 32° W	43.53			
8	N 10° E	19.43			

Lake Michigan.

Total Number of Acres 16,387.24

Surveys Designated	By whom Surveyed	Date of Contract	Amount of Surveys	When Surveyed	Number of Acres
Town Lines	Mallett & Prink	9 th July 1833	M. Ch. Lk.	1 st of 1834	3 rd of 1834
Sub-division	Hiram Rumbau	22 nd Dec. 1834	49.22.42	2 nd of 1835	3 rd of 1835

The above Map of Township N. 14 N. of Range N. 23 E. of the 4th Meridian N.W. Cor. is truly conformable to the field notes of the Survey thereof on file in this office, which have been examined & approved.
Surveyor General's Office
Cincinnati, Sept. 14th 1835

Robt. Lytle S. G.



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 18, 2022

PETITION FILE NO. 14499

AMY S. WILTERDINK, CLERK
VILLAGE OF OOSTBURG
PO BOX 700227
OOSTBURG, WI 53070-0227

JULIE WICKER, CLERK
TOWN OF WILSON
5935 S BUSINESS DR
SHEBOYGAN, WI 53081-8930

Subject: GARTMAN ANNEXATION

The proposed annexation submitted to our office on April 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 Village of Oostburg, which is able to provide needed municipal services.

Note: A revision should be made to the legal description or scale map so that the bearing of the West line of the SE 1/4 as shown on the map matches that shown in the description.

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 14499 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=2573>
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner