

# st for exation 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: **Mr. LaVerne L. Stewart & Mr. Todd A. Hauge**

Phone: **715-559-3661** & **410-263-8356**

Email: **stewartlll@yahoo.com** & **tahauge@verizon.net**

**RECEIVED**

**May 3, 2022**

Municipal Boundary Review  
Wisconsin Dept. of Admin.

## Contact Information if different than petitioner:

Representative's Name: **Mark A. Erickson at Everyday Surveying and Engineering, LLC.**

Phone: **715-831-0654**

E-mail: **MARK@ESELLC.CO**

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

2. Petitioned City or Village: **City of Eau Claire**

3. County where property is located: **Eau Claire**

4. Population of the territory to be annexed: **2**

5. Area (in acres) of the territory to be annexed: **438.34**

6. Tax parcel number(s) of territory to be annexed (if the territory is part or all of an existing parcel):  
**See Attached Information**

## 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]

(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

**\$2,000 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

**\$2,350 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: 5-3-22

Payer: Everyday Surveying & Engineering LLC

Check Number: 002995

Check Date: 4-22-22

Amount: \$2350.00

## 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).

**Petition for Annexation  
under Wisconsin Statutes 66.0217 (2)**

To the City Council of the City of Eau Claire, Wisconsin:

1. The undersigned hereby petition for direct annexation of the territory legally described attached hereto the City of Eau Claire, Eau Claire County, State of Wisconsin.
2. Attached hereto is a scale map which accurately reflects the legal description of the property to be annexed and the boundary of the annexing the City.
3. The current population of the territory to be annexed is 1.
4. The petition has been signed by the owners of all of the land within the territory proposed to be annexed, and by all of the electors residing within the territory proposed to be annexed.

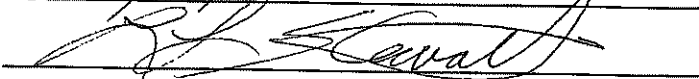
Owners of all Lands within the Territory

Proposed to be Annexed:

Name of the Owner: Laverne L. Stewart

Address of Owner: 5902 Mischler Road Eau Claire,

Date of Signing: 03/29/2022 WI 54701

Signature: 



**Petition for Annexation**  
**under Wisconsin Statutes 66.0217 (2)**

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4. The petition has been signed by the owners of all of the land within the territory proposed to be annexed, and by all of the electors residing within the territory proposed to be annexed.

Owners of all Lands within the Territory

Proposed to be Annexed:

Name of the Owner: TODD A. HAUGE

Address of Owner: 5551 S. LOWES CREEK RD.  
EAU CLAIRE, WI, 54701

Date of Signing: 3/29/2022

Signature: Todd A. Hauge

STEVEN FRANCIS  
Notary Public-Maryland  
Howard County  
My Commission Expires  
September 26, 2024

*St.*

## ANNEXATION PETITION NARRATIVE

Lands currently within the Town of Washington, Eau Claire County, Wisconsin.

Purpose:

The petitioners desire to annex 13 parcels of their ownership and 5 parcels of public land to the City of Eau Claire to allow a future residential development to have sanitary sewer and water main services when the City makes the services available.

This will be direct annexation by unanimous approval.

The total area of the 18 parcels of land requesting to be annexed is 438.34 acres and currently has two (2) residents. Eau Claire County has a total population of 104,646 as of 2019.

## Tax Parcels

Parcel Id	PIN	Alternate No	Name	Property Address	Acres
1802422609043100001	1802422609043100001	024113408000	EAU CLAIRE COUNTY		18.2500
1802422609044100002	1802422609044100002	024113506000	EAU CLAIRE COUNTY		9.8000
1802422609044200001	1802422609044200001	024113508000	EAU CLAIRE COUNTY		40.0000
1802422609044400002	1802422609044400002	024113602000	EAU CLAIRE COUNTY		31.3000
1802422609084300001	1802422609084300001	024115401000	STEWART, LAVERNE		21.5000
1802422609084400001	1802422609084400001	024115405000	STEWART, LAVERNE		39.3100
1802422609091100001	1802422609091100001	024115502000	EAU CLAIRE COUNTY		23.3300
1802422609091100003	1802422609091100003	024115503010	HAUGE, TODD		0.1950
1802422609091300001	1802422609091300001	024115510000	HAUGE, TODD		38.8000
1802422609091400003	1802422609091400003	024115601030	HAUGE, TODD		3.7200
1802422609091400004	1802422609091400004	024115601040	HAUGE, TODD		19.6610
1802422609091409000	1802422609091409000	024115601020	HAUGE, TODD	5551 S LOWES CREEK RD	1.5200
1802422609092300001	1802422609092300001	024115706000	STEWART, LAVERNE		8.7860
1802422609092400001	1802422609092400001	024115710000	STEWART, LAVERNE		5.5450
1802422609093100001	1802422609093100001	024115810000	STEWART, LAVERNE	5902 MISCHLER RD	40.0000
1802422609093200001	1802422609093200001	024115901000	STEWART, LAVERNE		40.0000
1802422609093300001	1802422609093300001	024115902000	STEWART, LAVERNE		40.0000
1802422609093400001	1802422609093400001	024115903000	STEWART, LAVERNE		40.0000
18 Total Records					

## ANNEXATION BOUNDARY

LOCATED IN PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, AND THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, SECTION 4, TOWNSHIP 26 NORTH, RANGE 9 WEST, AND PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER, THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, ALL OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, SECTION 9, TOWNSHIP 26 NORTH, RANGE 9 WEST, AND PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, SECTION 10, TOWNSHIP 26 NORTH, RANGE 9 WEST, AND PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, AND SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, SECTION 8, TOWNSHIP 26 NORTH, RANGE 9 WEST, ALL IN THE TOWN OF WASHINGTON, EAU CLAIRE COUNTY, WISCONSIN. INCLUDING PART OF CERTIFIED SURVEY MAP NUMBER 3570, RECORDED IN VOLUME 20 OF CERTIFIED SURVEY MAPS ON PAGE 141-145 AS DOCUMENT NUMBER 1191808, PART OF OAK RIDGE RECORDED IN VOLUME 9 OF PLATS ON PAGE 18 AS DOCUMENT NUMBER 352050, ALL OF CERTIFIED SURVEY MAP NUMBER 780, RECORDED IN VOLUME 4 OF CERTIFIED SURVEY MAPS, ON PAGE 122-123, AS DOCUMENT NUMBER 610963. THE PARCEL IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the East Quarter Corner of said Section 4;

Thence S88°42'51"W, 1294.31 feet along the East-West Quarter line of said Section 4 to the Point of Beginning;

Thence continuing along said East-West Quarter line S88°42'51"W, 1945.62 feet to the Northeast Corner of Certified Survey Map Number 1960, recorded in Volume 10 of Certified Survey Maps, on Pages 343-344, Document Number 837346;

Thence S01°14'06"W, 954.15 feet along the West line of said Certified Survey Map Number 1960 and a southerly extension thereof, to the North Corner of Lot 2, Certified Survey Map Number 1037, recorded in Volume 5 of Certified Survey Maps on Pages 274-275, as Document Number 665917, and the southwesterly right-of-way line of South Lowes Creek Road;

Thence S48°24'26"E, 306.50 feet along said right-of-way line;

Thence 394.93 feet along said right-of-way line and the arc of a curve, concave northeasterly, with a chord bearing of S63°15'10"E, a chord length of 390.53 feet, and a radius of 762.10 feet;

Thence S78°05'55"E, 96.46 feet along said right-of-way line;

Thence N88°41'18"E, 1204.62 feet along the southerly right-of-way line of South Lowes Creek Road;

Thence S52°50'23"E, 78.29 feet to the westerly right-of-way line of South Lowes Creek Road;

Thence S14°22'38"E, 657.70 feet along said westerly right-of-way line;

Thence S11°02'38"E, 602.62 feet along said westerly right-of-way line;

Thence S11°00'08"E, 469.77 feet along said westerly right-of-way line;

Thence N78°30'43"E, 392.91 feet;

Thence S11°00'17"E, 402.60 feet;

Thence S78°30'43"W, 392.93 feet to the westerly right-of-way line of South Lowes Creek Road;

Thence S11°00'08"E, 370.61 feet along said right-of-way line, to the northerly right-of-way line of Evergreen Terrace;



Thence S87°08'22"W, 1322.41 feet along said northerly right-of-way line; evergreen terrace?  
 Thence S57°32'56"W, 181.55 feet along the northwesterly right-of-way line of South Lowes Creek Road;  
 Thence 143.78 feet along said right-of-way line and the arc of a curve, concave northwesterly, with a chord bearing of S62°13'08"W, a chord length of 143.62 feet, and a radius of 882.00 feet;  
 Thence S66°53'20"W, 182.49 feet along said right-of-way;  
 Thence 88.98 feet along said centerline and the arc of a curve, concave southeasterly, with a chord bearing of S52°09'14"W, a chord length of 88.01 feet, and a radius of 173.00 feet to a point on the East line of said Southeast Quarter of the Northwest Quarter;  
 Thence S00°18'57"E, 550.20 feet along said East line, to a point on the easterly extension of the southerly right-of-way line of Rainetta Drive;  
 Thence S88°24'33"W, 307.21 feet along the southerly right-of-way line of Rainetta drive to the northeast corner of Certified Survey Map 2245, recorded in Volume 12 of Certified Survey Maps, on Page 143 as Document Number 919517;  
 Thence S01°34'32"E, 249.88 feet to the southeast corner of said Certified Survey Map Number 2245;  
 Thence S83°52'51"W, 252.46 feet along the southerly line of said Certified Survey Map Number 2245;  
 Thence S88°25'21"W, 726.08 feet to the southwest corner of said Certified Survey Map Number 2245 and the southeast corner of Certified Survey Map Number 999, recorded in Volume 5 of Certified Survey Maps, on Page 204-205 as Document Number 657951;  
 Thence S88°23'51"W, 683.18 feet to the Southwest corner of Certified Survey Map recorded in Volume 1, on Page 174 and the southeast corner of Wood Crest Highlands 2<sup>nd</sup> Addition recorded in Volume 11 of Plats, on Page 27 as Document Number 421167;  
 Thence S88°33'52"W, 633.86 feet to the Southwest Corner of said Wood Crest Highlands 2<sup>nd</sup> Addition and the West line of the Northwest Quarter of said Section 9;  
 Thence S00°06'08"W, 290.50 feet to the West Quarter Corner of Section 9;  
 Thence S00°37'33"W, 1322.67 feet to the southwest corner of said Northwest Quarter of the Southwest Quarter;  
 Thence S89°29'28"W, 1969.50 feet;  
 Thence S89°23'23"W, 665.26 feet to the West line of the Southeast Quarter of said Section 8;  
 Thence S00°56'51"W, 66.08 feet along said West line;  
 Thence N89°26'19"E, 495.22 feet;  
 Thence S00°58'53"W, 444.46 feet;  
 Thence N89°57'54"E, 212.07 feet;  
 Thence S01°07'29"E, 762.12 feet to the South line of the Southeast Quarter of said Section 8;  
 Thence S89°04'56"E, 1906.92 feet to the Southwest Corner of said Section 9;  
 Thence N88°02'22"E, 2642.12 feet to the South Quarter Corner of said Section 9;  
 Thence N00°18'57"W, 2647.28 feet along the East line of the Southwest Quarter of said Section 9;  
 Thence N87°57'41"E, 1894.05 feet along the South line of the Northeast Quarter of said Section 9;  
 Thence N00°53'58"E, 208.00 feet;  
 Thence N87°57'41"E, 194.52 feet to the westerly right-of-way line of South Lowes Creek Road;  
 Thence S16°43'11"E, 214.74 feet along said right-of-way line to the South line of said Northeast Quarter;  
 Thence N87°57'41"E, 379.00 feet to the East Quarter Corner of said Section 9;  
 Thence S87°23'19"E, 338.60 feet along the South line of the Northwest Quarter of said Section 10 to the easterly right-of-way line of South Lowes Creek;ROAD  
 Thence N53°07'37"W, 64.19 feet along said right-of-way;  
 Thence 213.17 feet along said right-of-way and the arc of a curve, concave southwesterly, with a chord bearing of N63°53'45"W, a chord length of 212.29 feet, and a radius of 676.62 feet;  
 Thence N72°55'17"W, 189.80 feet along said right-of-way;  
 Thence 564.42 feet along said right-of-way and the arc of a curve, concave northeasterly, with a chord bearing of N45°49'10"W, a chord length of 543.61 feet, and a radius of 596.62 feet;  
 Thence N23°20'44"W, 86.76 feet along said right-of-way;  
 Thence N16°28'50"W, 47.93 feet along said right-of-way;

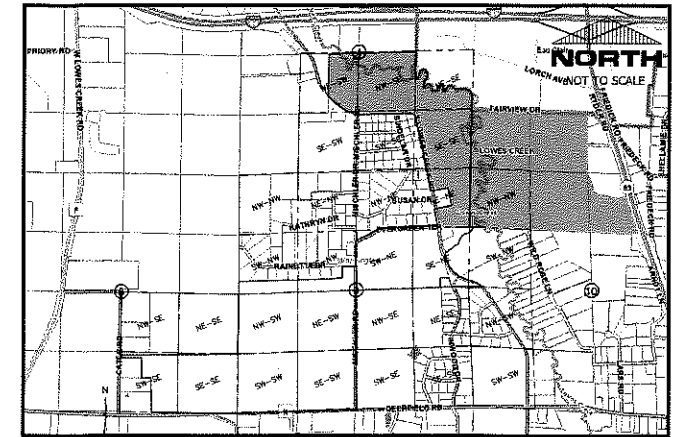
Thence N01°34'15"E, 106.62 feet along said right-of-way to a point lying 25 feet, more or less, northeasterly of the thread of an unnamed tributary to Lowes Creek and the beginning of a meander line;  
Thence N45°31'11"E, 757.83 feet along said meander line, to a point lying N87°39'09"W, 95 feet, more or less, along the North line of the Southwest Quarter of the Northwest Quarter, said Section 10, from the thread of an unnamed tributary to Lowes Creek and the end of said meander line;  
Thence N00°53'58"E, 1314.44 feet along the East line of the Northeast Quarter of said Section 9 to the Northeast Corner of said Section 9;  
Thence N01°24'55"E, 1590.65 feet along the East line of the Southeast Quarter of said Section 4 to a point lying 59 feet, more or less, southerly of the northerly ordinary high water mark of Lowes Creek and the beginning of a meander line;  
Thence N87°40'04"W, 1004.80 feet along said meander line;  
Thence N41°30'35"W, 422.90 feet along said meander line to the West line of the Northeast Quarter of the Southeast Quarter of said Section 4, and a point lying 60 feet, more or less, southerly of the said ordinary high water mark;  
Thence N01°23'53"E, 643.35 feet to the Point of Beginning.

Said parcel contains 19,094,359 square feet or 438.34 total acres, more or less, including those lands lying between the property line and meander line.

# ANNEXATION MAP

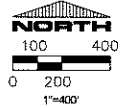
LOCATED IN PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER, THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, AND THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, ALL OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, SECTION 9, TOWNSHIP 26 NORTH, RANGE 9 WEST, AND PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, SECTION 10, TOWNSHIP 26 NORTH, RANGE 9 WEST, AND PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, AND SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, SECTION 8, TOWNSHIP 26 NORTH, RANGE 9 WEST, ALL IN THE TOWN OF WASHINGTON, EAU CLAIRE COUNTY, WISCONSIN. INCLUDING PART OF CERTIFIED SURVEY MAP NUMBER 3570, RECORDED IN VOLUME 20 OF CERTIFIED SURVEY MAPS ON PAGE 141-145 AS DOCUMENT NUMBER 1191808, PART OF OAK RIDGE RECORDED IN VOLUME 9 OF PLATS ON PAGE 18 AS DOCUMENT NUMBER 352050, ALL OF CERTIFIED SURVEY MAP NUMBER 780, RECORDED IN VOLUME 4 OF CERTIFIED SURVEY MAPS, ON PAGE 122-123, AS DOCUMENT NUMBER 610963.

## VICINITY MAP



BEARINGS ARE REFERENCED TO THE EAST-WEST QUARTER LINE OF SECTION 4 ASSUMED TO BEAR S88°42'51"W.

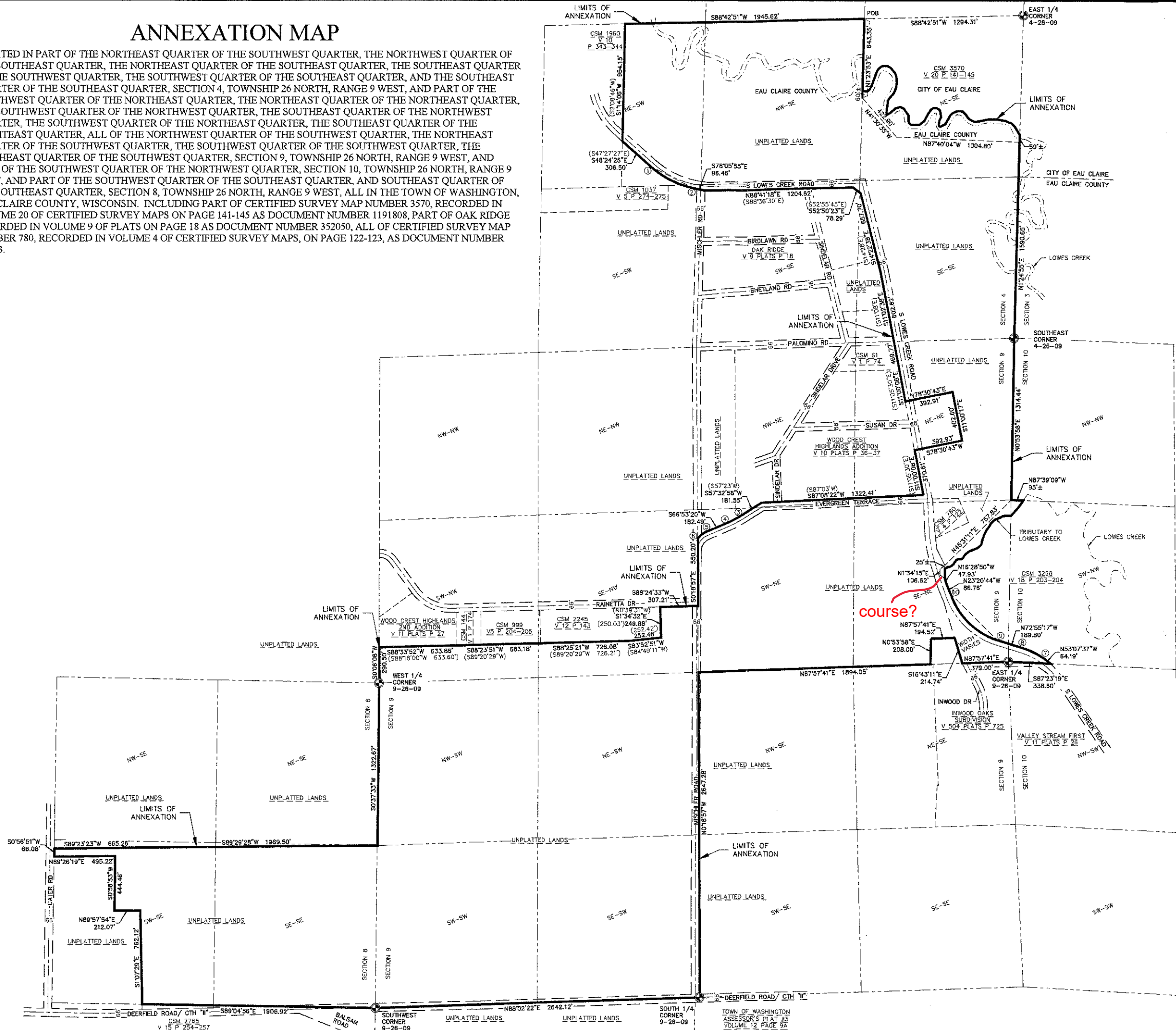
LEGEND  
 PUBLIC LAND SURVEY MONUMENT  
 POINT OF BEGINNING



## CURVE TABLE

CURVE	RADIUS	CHORD BEARING	CHORD	ARC	DELTA	TANGENT IN	TANGENT OUT
1-2	762.10'	S43°15'10"E	390.53'	394.93'	29°41'30"	S48°24'25"E	S78°05'55"E
3-4	882.00'	S62°13'08"W	143.62'	143.78'	09°20'25"	S66°53'20"W	S57°32'56"W
5-6	173.00'	S52°09'14"W	88.01'	88.98'	29°28'13"	S66°53'20"W	S37°25'07"W
7-8	676.62'	N63°53'43"W	212.25'	213.17'	18°03'04"	N54°52'13"W	N72°55'17"W
9-10	596.62'	N45°49'10"W	543.61'	564.42'	54°12'11"	N18°43'05"W	N72°55'17"W

\* Said parcel contains 19,094,359 square feet or 438.34 total acres, more or less.



EVERYDAY SURVEYING & ENGINEERING

1818 BRACKETT AVENUE • EAU CLAIRE, WI 54701

PH: (715) 831-0654 • EMAIL: INFO@ESELLC.CO





May 20, 2022

To: Erich Schmidtke, Municipal Boundary Review—Department of Administration  
From: Scott Allen, Director  
Re: Stewart-Hauge Annexation Petition

Please accept this memorandum as a formal addendum to the City of Eau Claire's Annexation Review Questionnaire for this annexation petition. The submitted unanimous annexation petition is consistent with state law and otherwise in the public interest.

Contiguous, Compact, Suitable for Development

The annexation is compact, reasonable in size and shape, and contiguous to the City. The annexation reflects the need for additional reasonably compact urban development on public utilities in an area of recognized future residential growth while maintaining existing and future public park and green space.

Land is annexed under Wisconsin law at the initiation of private property owners and at their timing. No annexation is perfectly anticipated or planned for by local governments absent a possible, but not mandatory, local boundary agreement, which does not exist in this instance. However, both City and Town of Washington have planned that the private lands petitioned for annexation are suitable for residential development. The Town having already approved a residential project on these lands, but one not gaining County of Eau Claire approval.

The private lands petitioned for annexation are properly and more sustainably and safely developed on public City sewer and water. Neighbors have raised concerns about the development of this property in the Town that would result in the addition of many more private septic systems and wells in an area already overly utilizing such private septic systems to the potential detriment of environmental and human health, safety and welfare. Approximately half of the lands petitioned for annexation are in the City's urban sewer service area (SSA) and the remainder of the lands are abutting the SSA on two sides. The current SSA border extends eastward along CTH II toward STH 93 with lands north of CTH II generally within the SSA, the petitioned lands are all north of CTH II. The Eau Claire City Council has approved to apply for an amendment to the SSA and that process is underway and is entitled to approval. The City has existing sewer and water utility infrastructure south of I94 currently in several locations including along STH 93 and extended westward along Lorch Avenue with multiple means to extend these trunk lines for the safe, efficient, affordable public utility service to the petitioned lands.

The condition and safe design and construction of public roads and trails has been raised as a concern by existing neighbors. The petitioners, future residents of petitioned private lands, existing neighbors, and the general public will be best served by the redesign and construction of the rights of way to a cross section that includes safe widths, sightlines, sidewalks, and multi-modal trails consistent with existing City design standards and construction requirements of developments within the City. The City is ready, able and committed to ensure safe, efficient and attractive transportation and pedestrian infrastructure is installed prior to or concurrent with the expected phased construction of residential housing on the private petitioned lands.

### Public Lands / Unanimous Annexation

Eau Claire County lands within the petition are held as rights of way or parkland for the public benefit of all. There is no expected change to the Eau Claire County Lowes Creek Park, and any change would only be at the decision of the County unrelated to the pending annexation petition. The County park is restricted in use by public ownership, deed restriction in part to educational use in addition to various public recreational uses, and by topography. The park is held in public trust for the benefit of all County residents currently with any potential change in future use speculative and again unrelated to the pending annexation. Wisconsin annexation law is greatly informed by the principle of self-determination by private property owners of useable acreage. The owners and residents of property initiate petitions based on preference of residence. Cities and villages decide whether to accept such petitions but neighbors, towns, and public owners of property held for the benefit of all do not. This is to avoid frustrating the sound development of useable land or obstructing the preference of what locality a resident prefers to live in. The rights of way and County parkland included in the pending unanimous annexation petition are not useable lands the legislature intended to be considered for determining necessary signatories. Doing otherwise would place the County in an untenable position of choosing between local governments equally in its jurisdiction and render an understandable reluctance to make such a choice into a default choice against annexation contrary to law and sound growth policies. As the courts have long informed us, excluding such public lands from consideration will avoid many problems and much litigation. The annexation petition is unanimous with all owners and electors of useable acres signing and requesting annexation to the City of Eau Claire.

### Town Boundaries & Access

The Town will not be improperly, illogically or illegally divided by the annexation. The annexation is a modest expansion of existing City boundaries and planned growth areas for our community. Such annexable lands are very limited in supply requiring they be continuous to the City and on lands along which utility services can be efficiently extended. The petitioned land is suited for urban sewered residential development. The Town is large and will remain so following this annexation with only about 1% of its current territory included. No town island is formed and there are direct county and local roads providing multiple means for access. Furthermore, the Town and City have long demonstrated that we are able to solve the challenge Wisconsin annexation law gives us in terms of jurisdictional changes for local roads. We know how to and have often entered into intergovernmental agreements to construct, repair, and maintain our local roads whether in the City or Town for the shared benefit of our community. The same is possible and expected in and around the lands petitioned for annexation in this instance.

### Public Interest & Comprehensive Plan Compliance

The annexation is in the public's interest. The Eau Claire community is growing, one of the fastest growing regions in the state and along with Dane County one of only two Counties in Wisconsin growing in working age populations. Our residents and the future residents we want to welcome need housing. The City's Comprehensive Plan calls for that growth to occur with a diversity of housing types and affordability, on relatively smaller lots for efficiency of provision of public services and preservation of open space elsewhere in and surrounding developed areas.

## **Chapter 2: Land Use & Growth Management Plan**

### **Objective 1 – Sustainable Growth**

#### Policy #10: Jurisdictional Changes

*Use boundary agreements and annexation to help create a compact, attractive, and sustainable urban area distinct from the rural areas of adjacent Towns. Consider future expansion areas within the surrounding area.*



Objective 3 – Perimeter & Regional Growth

Policy #5: Environmental Protection

*On land annexed to the City, protect or restore sensitive or unique natural resources such as flood plains, steep slopes, major wooded areas, streams, wetlands, water quality, shorelines, and riverbanks through regulation and/or City investment.*

If the petition private lands were developed on rural lots on up to 5 acre lots as sought by some neighbors there would be only about 80 homes built at a relatively high price point making them inaccessible financially to most. It would also require hundreds if not thousands of more acres to sprawl south of Eau Claire on similar large rural lots to meet the housing demand at the expense of open space for needed agriculture and green space for our rivers, wildlife, and shared benefit. This annexation is modest in size, reasonable in shape, efficiently served by the City, retains all public park and rights of way for continued public use and enjoyment, and will welcome many new residents to our community with much-needed quality housing while respecting the existing neighbors and neighborhood.



---

Scott H. Allen, AICP  
Director

# 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: **Stewart and Hauge**

Petition Number: **14502**

1. Territory to be annexed: From **TOWN OF WASHINGTON** To **CITY OF EAU CLAIRE**

2. Area (Acres): **4438**

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. Paid by: ☐ Petitioner ☒ City ☐ Village

c. Participating jurisdictions \_\_\_\_\_

☐ Other: \_\_\_\_\_

d. Statutory authority (pick one)

☐ s.66.0307 ☐ s.66.0225 ☐ s.66.0301

4. Resident Population: Electors: **2** Total: **2**

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

Residential: **5** % Recreational: **30** % Commercial: \_\_\_\_\_ % Industrial: \_\_\_\_\_ %

Undeveloped: **65** %

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

Residential: **60** % Recreational: **40** % 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?

**Vacant**

In the town?: **Park, Single Family Farmland**

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 \_\_\_\_\_

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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.

0.5 - 2

\_\_\_\_\_

Water Supply immediately

☐

☐

or, write in number of years.

0.5 - 2

\_\_\_\_\_

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: TBD

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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

*\* pending proposed/anticipated amendments*

b. How is the annexation territory now zoned? F2, RH, A2, A1

c. How will the land be zoned and used if annexed? R-1A

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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:

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Prepared by:    ☐ Town    ☒ City    ☐ Village

Name: Scott Allen

Email: planning@eauclaire.wi.gov

Phone: 715-839-4914

Date: 5-10-22

Please **RETURN PROMPTLY** to:

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

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

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

Petitioner: **Stewart and Hauge**

Petition Number: **14502**

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

To **CITY OF EAU CLAIRE**

2. Area (Acres): 421.72

3. Pick one: ☒ Property Tax Payments

OR ☐ Boundary Agreement

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

\$ 1,456.55

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

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

b. Total that will be paid to Town

(annual tax multiplied by 5 years): 7,282.76

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: 3 Total: 3

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

Residential: 1 % Recreational: 29 % Commercial: \_\_\_\_\_ % Industrial: \_\_\_\_\_ %

Undeveloped: 70 %

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

Residential: 58 % Recreational: 29 % Commercial: \_\_\_\_\_ % Industrial: \_\_\_\_\_ %

Other: 13 %

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?

Commercial

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 \_\_\_\_\_

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? County Park, Agricultural and Rural Housing

c. How will the land be zoned and used if annexed? County Park, City 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](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:

See attached Addendum.

Prepared by: ☒ Town ☐ City ☐ Village

Name: Aleta Kauffman

Email: Kauffman@townofwashington.wi.gov

Phone: 715-834-3257

Date: 5/9/2022

(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



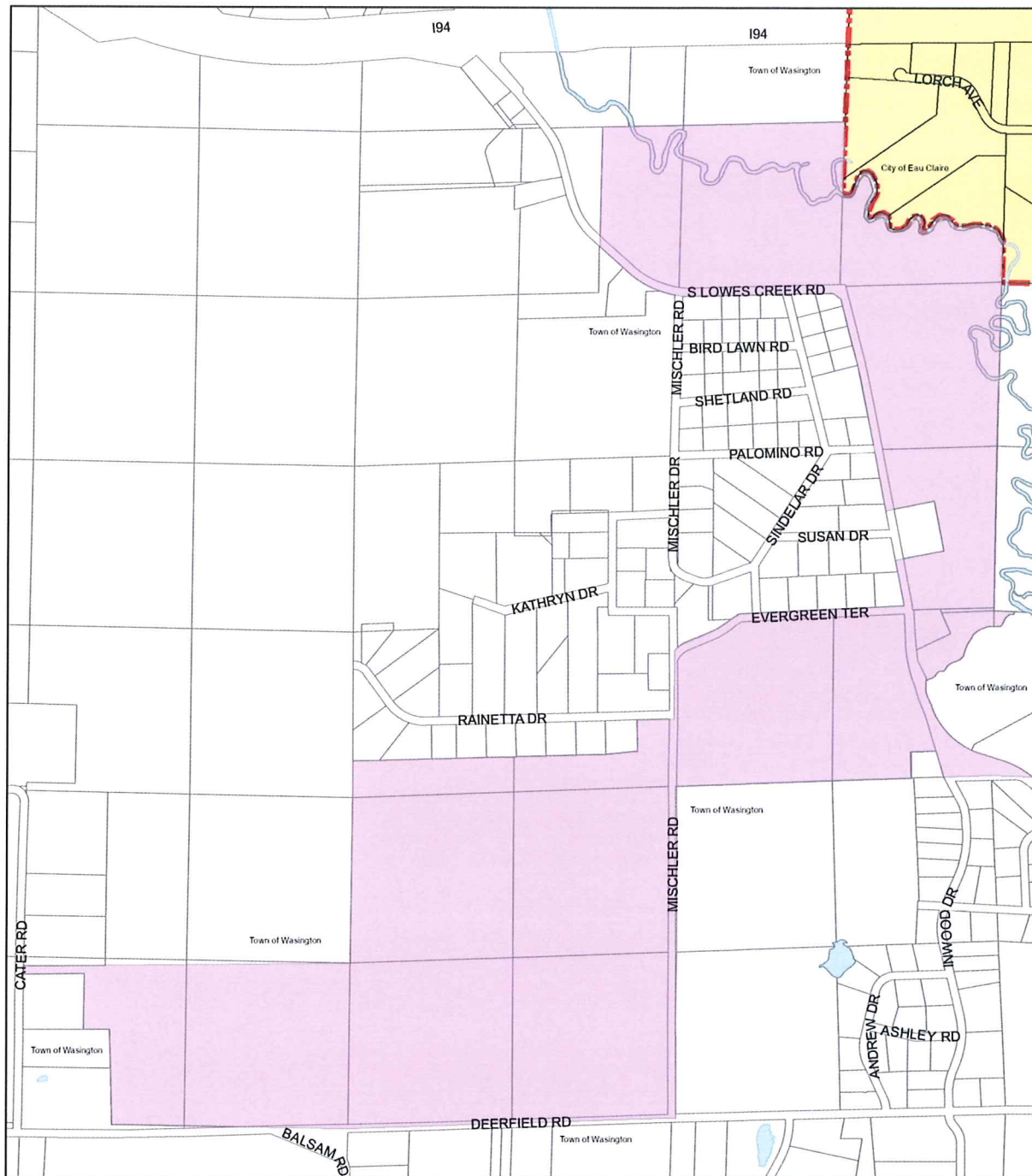
### **Addendum to Town of Washington's Response to Annexation Questionnaire**

The Town has significant concerns regarding the utilities servicing the proposed annexation. Currently, the annexed land is not located within the City of Eau Claire's sewer service area ("SSA"). This annexation is an attempt to annex lands not within the SSA and far removed from the City limits. Developers previously determined that any development in this area did not require City services, as the developer planned a residential subdivision that would not connect to City services. It was only after the County denied a rezoning request that an annexation petition came forward.

Furthermore, the annexation would include an Eau Claire County park. The petitioners are using a County park to create a balloon on a string for the purpose of creating a subdivision a mile from the City limits. The County park does not require any City services. The County has not signed the petition, and the park is fully functional without any City services. The annexation would actually disrupt County parkland and environmental sensitive areas (creek crossing) for the installation of City infrastructure.

By roadway the proposed subdivision/development land is 2.2 miles from the City of Eau Claire by the shortest route. For this reason alone, the Town is in a better position to provide fire protection and emergency medical services to the territory. Additionally, the shape of the annexation nearly severs a large portion of the Town isolating it from the larger portion of the Town. Numerous town residents have contacted the Town expressing grave concerns that this annexation will make it exponentially more difficult to deliver Town services to residents bisected by the annexation. The Town shares those concerns, as fire protection, emergency medical services, snowplowing, and road maintenance will become exponentially more difficult to deliver given the odd shape of this proposed annexation.

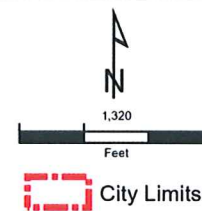
Indeed, annexation and the resulting development is not compatible with the City of Eau Claire Comprehensive Plan in terms of congruity, serviceability, and infrastructure requirements. These factors all decisively indicate the annexation is not in the public interest.



**DATE**  
05/05/2022

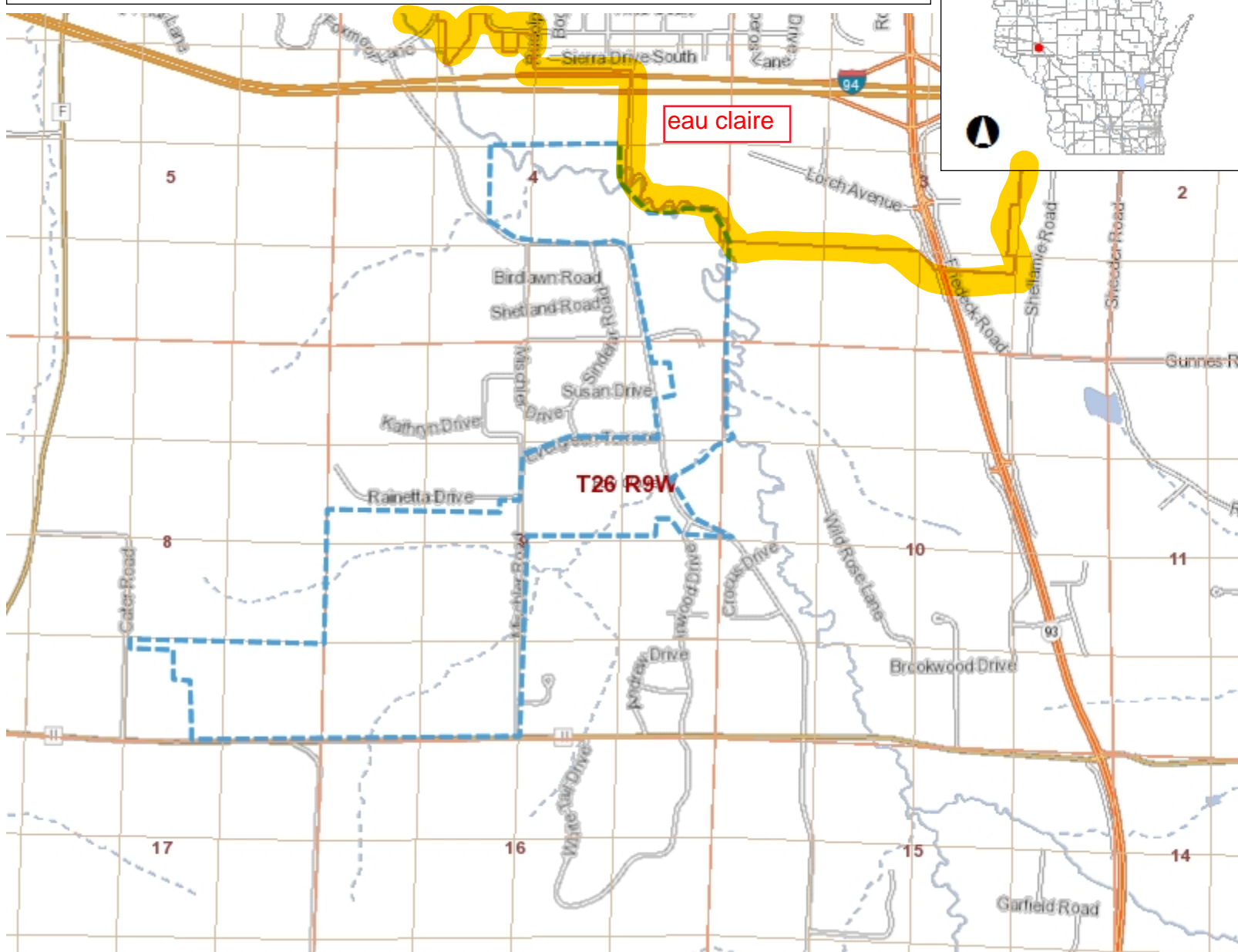
## ANNEXATION FILE # 2022-3A

Lands located in ~~189~~ Town of Washington  
Eau Claire County





# 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

0.8 0 0.38 0.8 Miles

NAD\_1983\_HARN\_Wisconsin\_TM

1: 23,760

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



Nov 25 1892 Sat - The West Mountain



Scale 40 Chains to an Inch.

The above Map of Township No 26 North of Range No 9 West of the 4<sup>th</sup> Principal Meridian Wisconsin 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. } C. M. Booth  
Dubuque May 5<sup>th</sup> 1850. } Sur: Genl

*Sur.<sup>re</sup> Gen.<sup>l</sup>*





**TONY EVERS**

GOVERNOR

**KATHY BLUMENFELD**

SECRETARY-Designee

**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>

May 23, 2022

PETITION FILE NO. 14502

CARRIE RIEPL, CLERK  
CITY OF EAU CLAIRE  
PO BOX 5148  
EAU CLAIRE, WI 54702-5148

JANELLE HENNING, CLERK  
TOWN OF WASHINGTON  
5750 OLD TOWN HALL ROAD  
EAU CLAIRE, WI 54701-8948

Subject: STEWART AND HAUGE ANNEXATION

The proposed annexation submitted to our office on May 03, 2022, has been reviewed and found to be against 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.

In this case, the shape of the proposed annexation is somewhat irregular. The proposed annexation is long and irregularly shaped, narrowing in places, and nearly bisects the Town. However, this shape appears to be similar to an annexation to the City of Sheboygan which was upheld in *Town of Wilson v. City of Sheboygan*, 2020 WI 16.

Regarding services, the Town appears better able to continue providing services to the annexation territory because the City appears to be in the early planning stages with services to this area. Only a portion of the proposed annexation is located within the City's approved sewer service area. The part of the annexation owned by Eau Claire County and used as parkland appears to be located within the approved sewer service area. The Eau Claire County parkland appear to be included in the annexation to gain contiguity to an area further to the south in Sections 8 and 9 which the Petitioners and the City propose to be developed with residential uses. Unfortunately, this area proposed for development currently lies outside of the sewer service area. This means that an amendment to the service area would be necessary. Furthermore, existing City sewer and water facilities are located more than a mile to the north, just off Interstate 94 along Lorch Avenue. Extending sewer and water facilities south to Sections 8 and 9 appears to be in the very early planning stages. Finally, it appears that the Town can better provide fire and EMS services because it is currently providing these services while the City is 2.2 miles away by roadway. The City did not address fire or EMS services in its questionnaire. As with sewer and water service, the City may be in the very early stages planning for fire protection and EMS services.

Notes: 1) It appears that the call in line 26 of the metes and bounds description to the northwesterly right of way line South Lowes Creek Road should be to Evergreen Terrace, and that the call in line 67 to South Lowes Creek should be to South Lowes Creek Road. 2) Petitioners state that this is a unanimous consent petition under s. 66.0217(2), Wis. Stats. However, it appears that Eau Claire County has not signed the petition, despite Eau Claire County parkland being included as part of this annexation as required by a unanimous consent petition.

Should the City decide to enact an ordinance accepting this annexation, 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 14502 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=2576>  
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

A handwritten signature in black ink, appearing to read "Erich Schmidtke", with a stylized flourish at the end.

Erich Schmidtke, Municipal Boundary Review

cc: petitioner