

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: **Agnew Farms Inc.**

Phone: **608-751-2043**

Email: **bsagfarm@yahoo.com**

Contact Information if different than petitioner:

Representative's Name: **Timothy H. Lindau**

Phone: **608-755-8100**

E-mail: **tlindau@nowlan.com**

RECEIVED

July 27, 2022

Municipal Boundary Review
Wisconsin Dept. of Admin.

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

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

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

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

5. Area (in acres) of the territory to be annexed: **76.91**

6. Tax parcel number(s) of territory to be annexed (if the territory is part or all of an existing parcel):
026 036001 / 6-13-263

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)

2022-07-27
2022-07-27
2022-07-27

2022-07-27
2022-07-27
2022-07-27

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

\$1,000 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

\$1,350 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: 7-28-22

Payer: City of Milton

Check Number: 034708

Check Date: 7-21-22

Amount: \$1350.00

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 - LAND DESCRIPTION

(Section 66.0217(2), Wis. Stats)

TO: Clerk, Town of Milton
23 First Street
Milton, WI 53563

Clerk, City of Milton
710 S. Janesville Street
Milton, WI 53563

The undersigned, "Owner," being the sole owner of the Territory (described and defined below), hereby petition the Common Council of the City of Milton, a municipal corporation, located in Rock County, Wisconsin, to annex the Territory from the Town of Milton, located in Rock County, Wisconsin, to the City of Milton. There are no persons residing in such Territory. The Territory is contiguous to the City of Milton.

The territory proposed for direct annexation from the Town of Milton to the City of Milton is more particularly described on Exhibit A, and is shown on the scale map attached as Exhibit B (the "Territory").

The undersigned request that this annexation be approved and take effect in the manner provided for by law.

Agnew Farms, Inc.

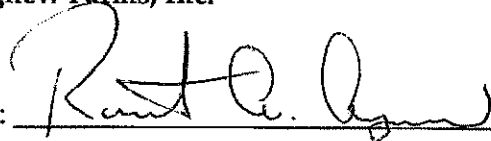
By: 
Robert A. Agnew, President

EXHIBIT A

Legal Description of the Territory:

PART OF THE NE 1/4 OF THE NE 1/4 AND PART OF THE SE 1/4 OF THE NE 1/4 OF SECTION 36, T.4N., R.13E. OF THE 4TH P.M., TOWN OF MILTON, ROCK COUNTY, WISCONSIN.

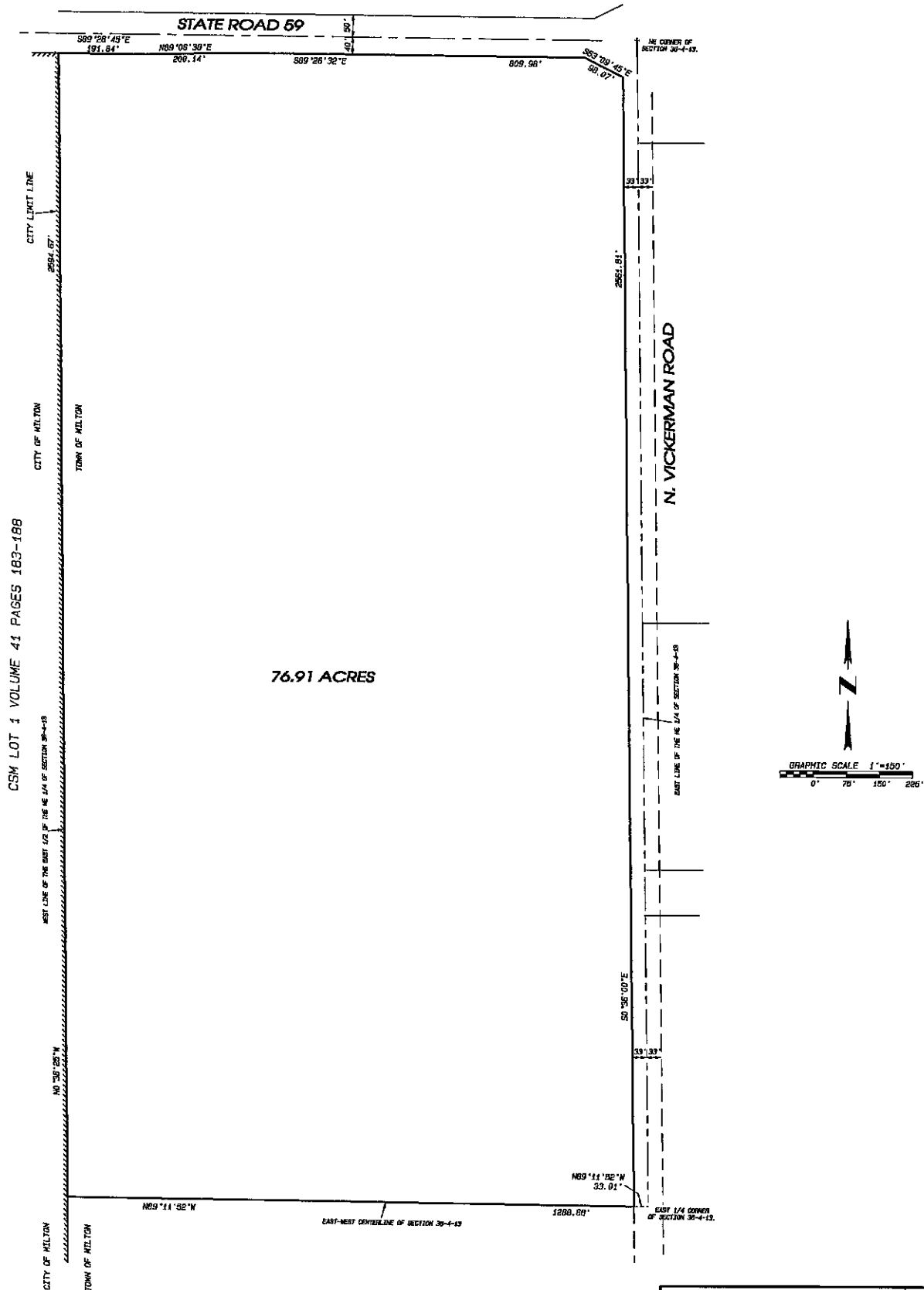
DESCRIBED AS FOLLOWS: Commencing at a cast iron monument at the East 1/4 corner of said Section; thence N89°11'52"W along the East-West Centerline of said Section, 33.01 feet to the west line of N. Vickerman Road, also being at the place of beginning for the land to be herein described; thence N89°11'52"W continuing along said East-West Centerline, 1288.88 feet to an iron pin at the SW corner of the East 1/2 of the NE 1/4 of said Section; thence N0°36'25"W along the West Line of said East 1/2 of the NE 1/4 of said Section, 2594.67 feet to an iron pin on the South Line of State Road "59"; thence S89°26'45"E along said South Line, 191.84 feet to an iron pin; thence N89°06'38"E continuing along said South Line, 200.14 feet to an iron pin; thence S89°26'32"E continuing along said South Line, 809.98 feet to an iron pin; thence S63°09'45"E continuing along said South Line, 98.07 feet to said West Line of N. Vickerman Road; thence S0°36'00"E along said West Line, 2561.81 feet to the place of beginning.

END OF EXHIBIT A

EXHIBIT B

[SEE ATTACHED ANNEXATION MAP CONSISTING OF 1 PAGE]

ANNEXATION MAP



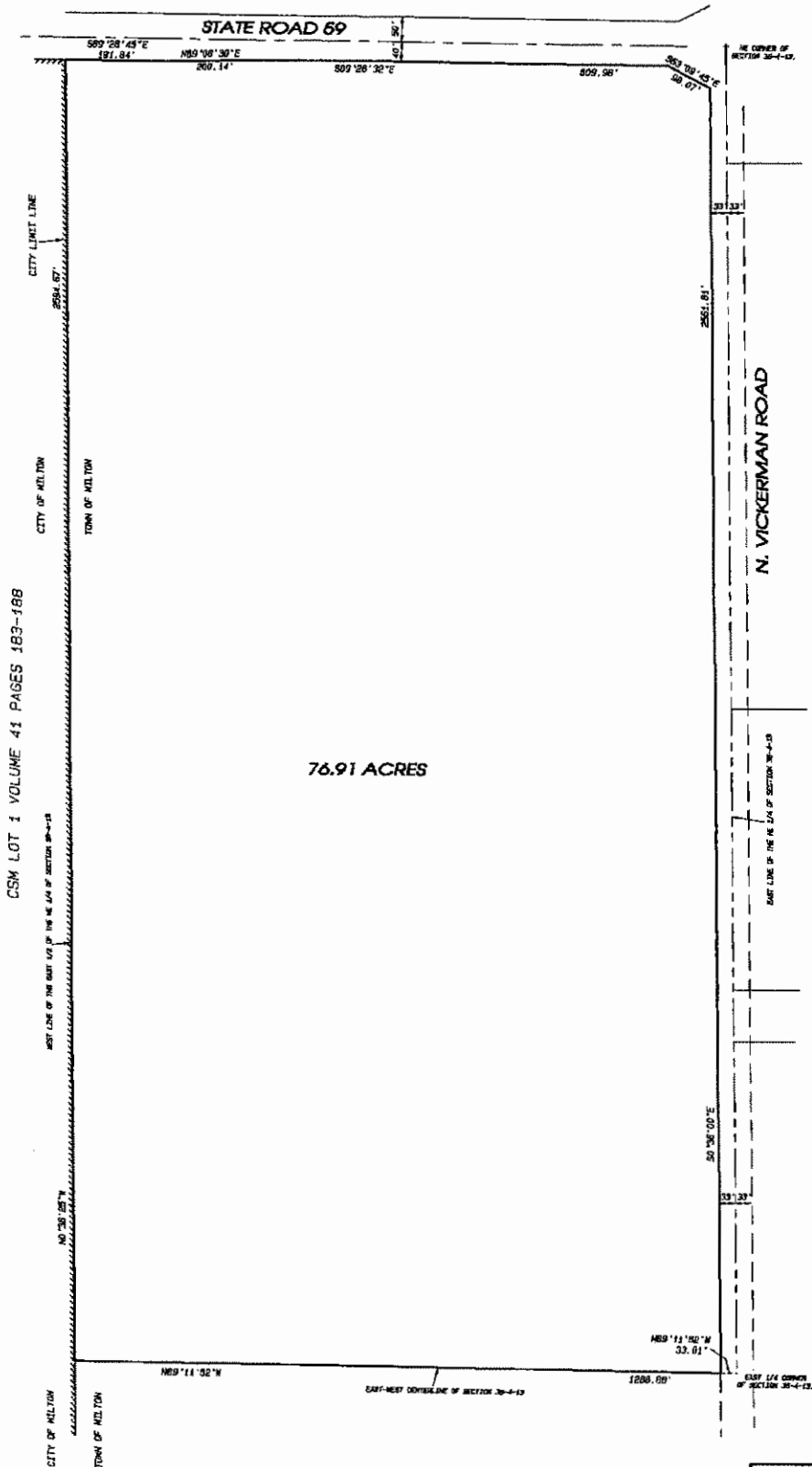
NOTES:
THIS MAP IS SUBJECT TO ANY AND ALL EASEMENTS
AND AGREEMENTS, RECORDED AND UNRECORDED.
THE BASIS OF HEARINGS IS ASSUMED.

Combs & Associates 100 N. Milwaukee St. Wauwatosa, WI 53226 WWW.COMBS&ASSOCIATES.COM	• LAND SURVEYING	DATE	07/14/22
	• LAND PLANNING	BY	811
	• CIVIL ENGINEERING	PROJECT NO.	122-324B
	CELL: 608 752-0875 FAX: 608 752-0834	CLIENT	CHARTER

EXHIBIT B

[SEE ATTACHED ANNEXATION MAP CONSISTING OF 1 PAGE]

ANNEXATION MAP



NOTES:
THIS MAP IS SUBJECT TO ANY AND ALL EASEMENTS AND AGREEMENTS, RECORDED AND UNRECORDED.
THE BASIS OF BEARINGS IS ASSUMED.

Combs & Associates
Professional Surveyors

- LAND SURVEYING
- LAND PLANNING
- CIVIL ENGINEERING

165 N. Milwaukee St.
Wauwatosa, WI 53090
www.combsandassociates.com

TEL: 508 755-0875
FAX: 508 755-0534

DATE	07/14/22
BY	811
PROJECT	122-324B
CLIENT	CHARTER



RECEIVED

July 29, 2022

Municipal Boundary Review
Wisconsin Dept. of Admin.

July 29, 2022

via email: townofmilton@charter.net

jsalvo@milton-wi.gov

Town of Milton
Town Clerk, Laura Siclovan
23 First Street
Milton, WI 53563

City of Milton
Attn: City Clerk, Jenny Salvo
710 South Janesville Street
Milton, WI 53563

Dear Ms. Siclovan and Ms. Salvo:

Enclosed herewith please find an amendment to the Exhibits to the Petition for Annexation-Land Description, which was submitted to you on or about July 18, 2022. The only revision was to amend Exhibits A and B, which are enclosed herewith. This legal description now provides that the east property boundary run to the center of the Vickerman Road Right-of-Way.

Should you have any questions or concerns, please feel free to contact me. Otherwise, we understand that this matter will be scheduled shortly for consideration.

Sincerely,

NOWLAN LAW LLP

Timothy H. Lindau
Direct: 608.755.8105
tlindau@nowlan.com

THL:WSS

Enclosures

cc: David Rehfeldt *via email*
Al Hulick *via email*
Mark Schroeder *via email*
Scott Brooks *via email*



P: 608.755.8100
F: 608.755.8110



NOWLAN.COM



100 S. MAIN STREET
JANESVILLE WI 53545



EXHIBIT A

- Land Surveying
- Land Planning
- Civil Engineering

DATE: July 28, 2022

TO: Charter Next Generation

RE: Description for Annexation Purposes only

PART OF THE NE 1/4 OF THE NE 1/4 AND THE SE 1/4 OF THE NE 1/4 OF SECTION 36, T.4N., R.13E. OF THE 4TH P.M., TOWN OF MILTON, ROCK COUNTY, WISCONSIN.

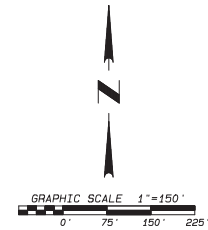
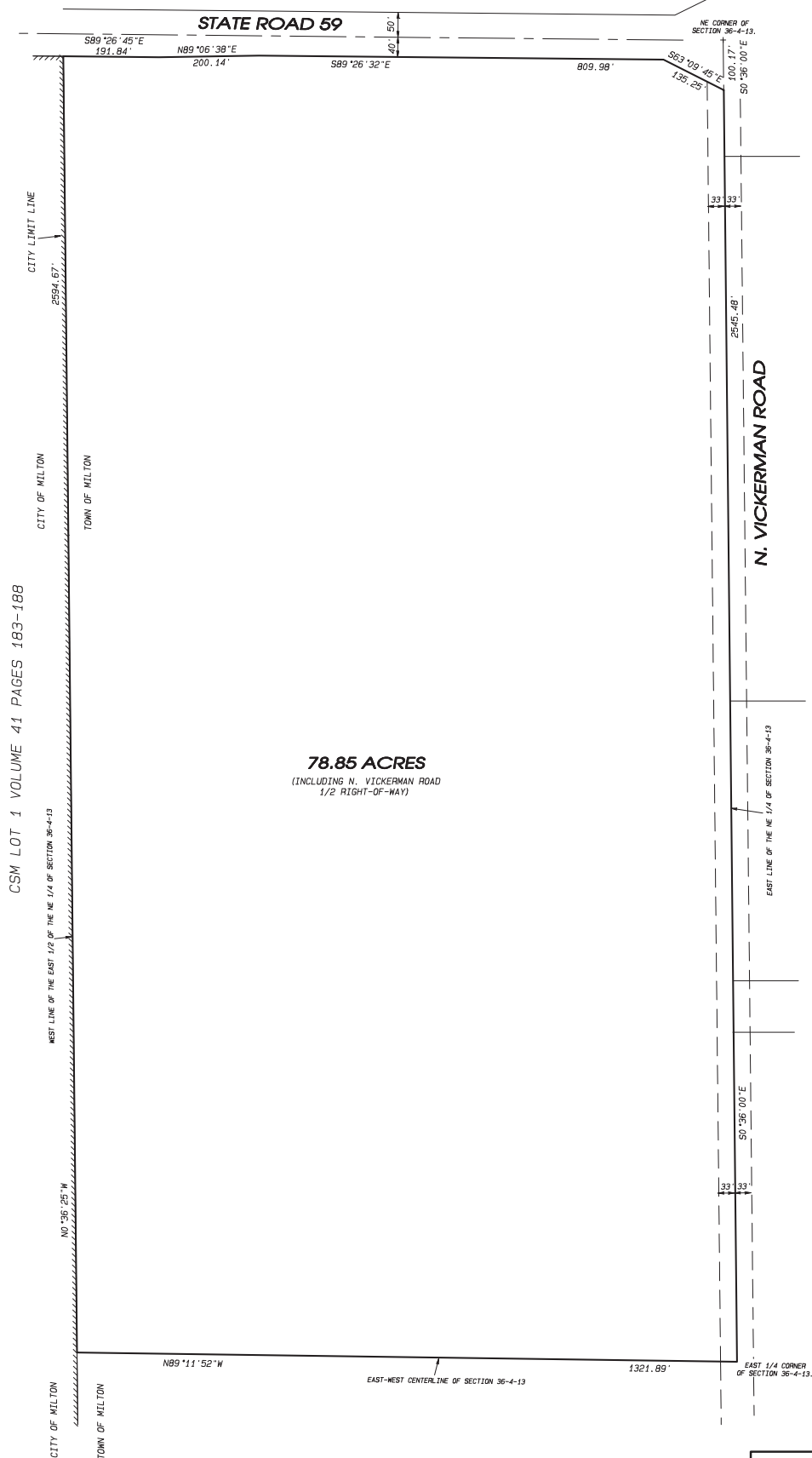
DESCRIBED AS FOLLOWS: Beginning at a cast iron monument at the East 1/4 corner of said Section; thence N89°11'52"W along the East-West Centerline of said Section, 1321.89 feet to an iron pin at the SW corner of the East 1/2 of the NE 1/4 of said Section; thence N0°36'25"W along the West Line of said East 1/2 of the NE 1/4 of said Section, 2594.67 feet to an iron pin on the South Line of State Road "59"; thence S89°26'45"E along said South Line, 191.84 feet to an iron pin; thence N89°06'38"E continuing along said South Line, 200.14 feet to an iron pin; thence S89°26'32"E continuing along said South Line, 809.98 feet to an iron pin; thence S63°09'45"E continuing along said South Line, 135.25 feet to the East Line of the NE 1/4 of said Section; thence S0°36'00"E along said East Line, 2545.48 feet to the place of beginning.

NOTE: The above description is subject to any and all easements and agreements, recorded or unrecorded.

Project No. 122-324A For: Charter Next Generation

ANNEXATION MAP

EXHIBIT B



NOTES:

THIS MAP IS SUBJECT TO ANY AND ALL EASEMENTS AND AGREEMENTS, RECORDED AND UNRECORDED.

THE BASIS OF BEARINGS IS ASSUMED.

 <p>109 N. Milwaukee St. Janesville, WI 53548 www.combsurvey.com</p>	• LAND SURVEYING	DATE	07/28/22
	• LAND PLANNING	BY	sll
	• CIVIL ENGINEERING	PROJECT NO.	122-324B
		CLIENT	CHARTER

Schmidtke, Erich J - DOA

From: MICHELLE SCHULTZ <MICHELLE.SCHULTZ@co.rock.wi.us>
Sent: Monday, August 1, 2022 4:39 PM
To: Schmidtke, Erich J - DOA
Subject: RE: Charter Next Generation

**CAUTION: This email originated from outside the organization.
Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Hi Erich,

Legal is good!

Thanks,

Michelle

Michelle Schultz
Rock County, State of Wisconsin
Real Property Lister / LIO
51 S. Main St.
Janesville, WI 53545
michelle.schultz@co.rock.wi.us
(608) 757-5607
She/Her/Hers

From: Schmidtke, Erich J - DOA [mailto:Erich.Schmidtke@wisconsin.gov]
Sent: Monday, August 01, 2022 4:32 PM
To: MICHELLE SCHULTZ <MICHELLE.SCHULTZ@co.rock.wi.us>
Subject: FW: Charter Next Generation

CAUTION: This email originated from outside the Rock County email domain. Do not click any links or attachments unless you recognize the sender and know the content is safe. If you feel this email is a potential phishing attempt, please submit it using the Phish Notify button. If you interacted with any links or attachments that you feel were malicious, please contact Rock-IT immediately.

Ok, here you go



Erich Schmidtke
Municipal Boundary Review - DOA
101 East Wilson Street
PO Box 1645, Madison, WI 53701
(608) 264-6102
erich.schmidtke@wisconsin.gov
<http://doa.wi.gov/municipalboundaryreview>

From: Jenny Salvo <jsalvo@milton-wi.gov>
Sent: Friday, July 29, 2022 9:52 AM
To: Schmidtke, Erich J - DOA <Erich.Schmidtke@wisconsin.gov>
Subject: FW: Charter Next Generation

**CAUTION: This email originated from outside the organization.
Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Please review the attached amendment to annexation and let me know if there are any questions.

Jenny Salvo, City Clerk

City of Milton | 710 S. Janesville St. | Milton, WI 53563
608.868.6900 ext. 2 | www.milton-wi.gov
[Facebook](#) | [Twitter](#)

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From: Wendy Schneider <wschneider@nowlan.com>
Sent: Friday, July 29, 2022 9:23 AM
To: townofmilton@charter.net; Jenny Salvo <jsalvo@milton-wi.gov>
Cc: Tim Lindau <TLindau@nowlan.com>; David.Rehfeldt@cnginc.com; Al Hulick <AHulick@milton-wi.gov>; Mark Schroeder <mschroeder@janesvillelaw.com>; sbrooks@kellerbuilds.com
Subject: Charter Next Generation

Ms. Siclovan and Ms. Salvo:

I am the legal assistant to Attorney Tim Lindau. I am attaching correspondence herewith.

Please do not hesitate to contact the office if you should have any questions or concerns.

Thank you.



WENDY S. SCHNEIDER

LEGAL ASSISTANT

Office: 608.755.8100

FAX: 608.755.8110

Email: wschneider@nowlan.com

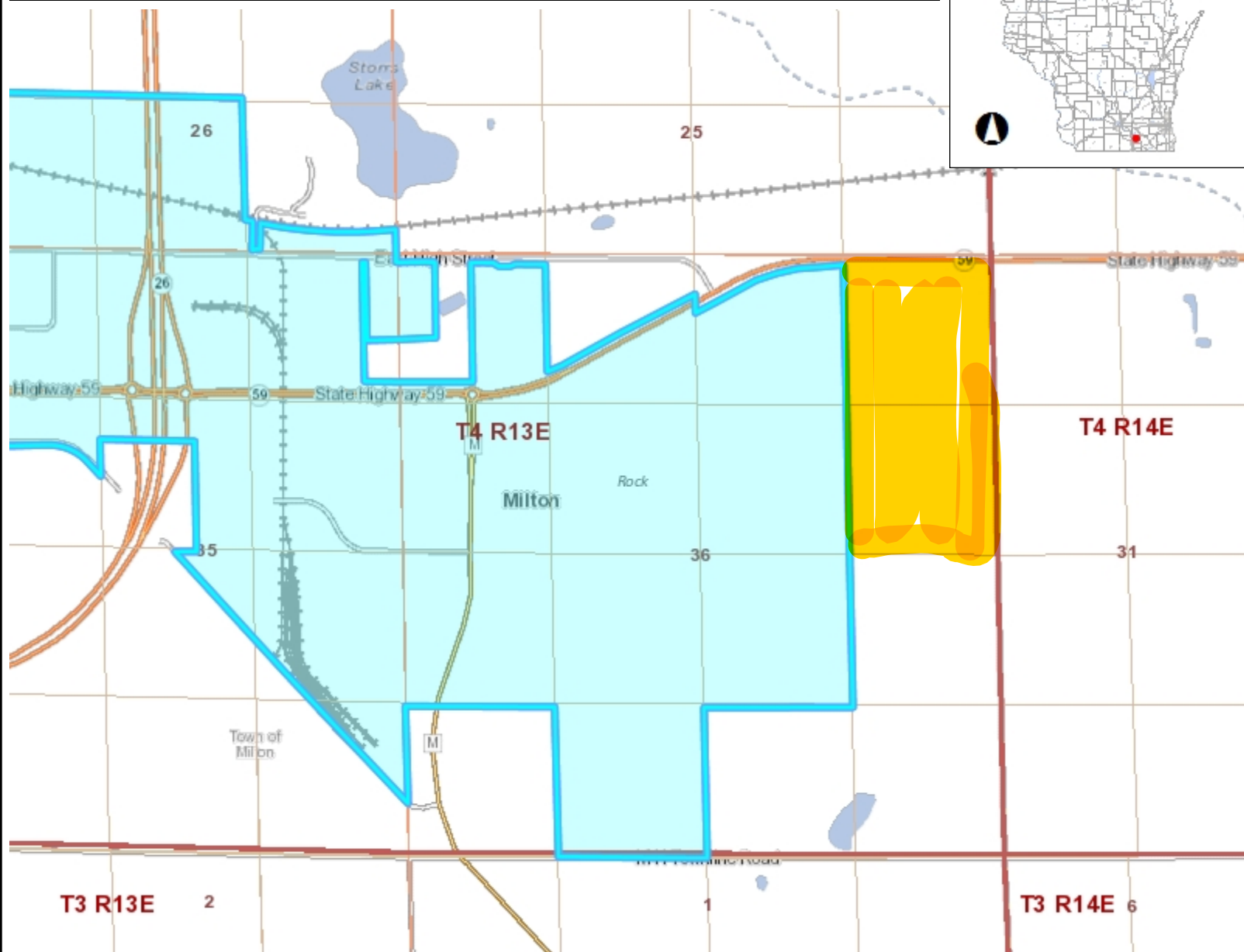
100 South Main Street
Janesville, WI 53545

nowlan.com

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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

0.5 0 0.25 0.5 Miles

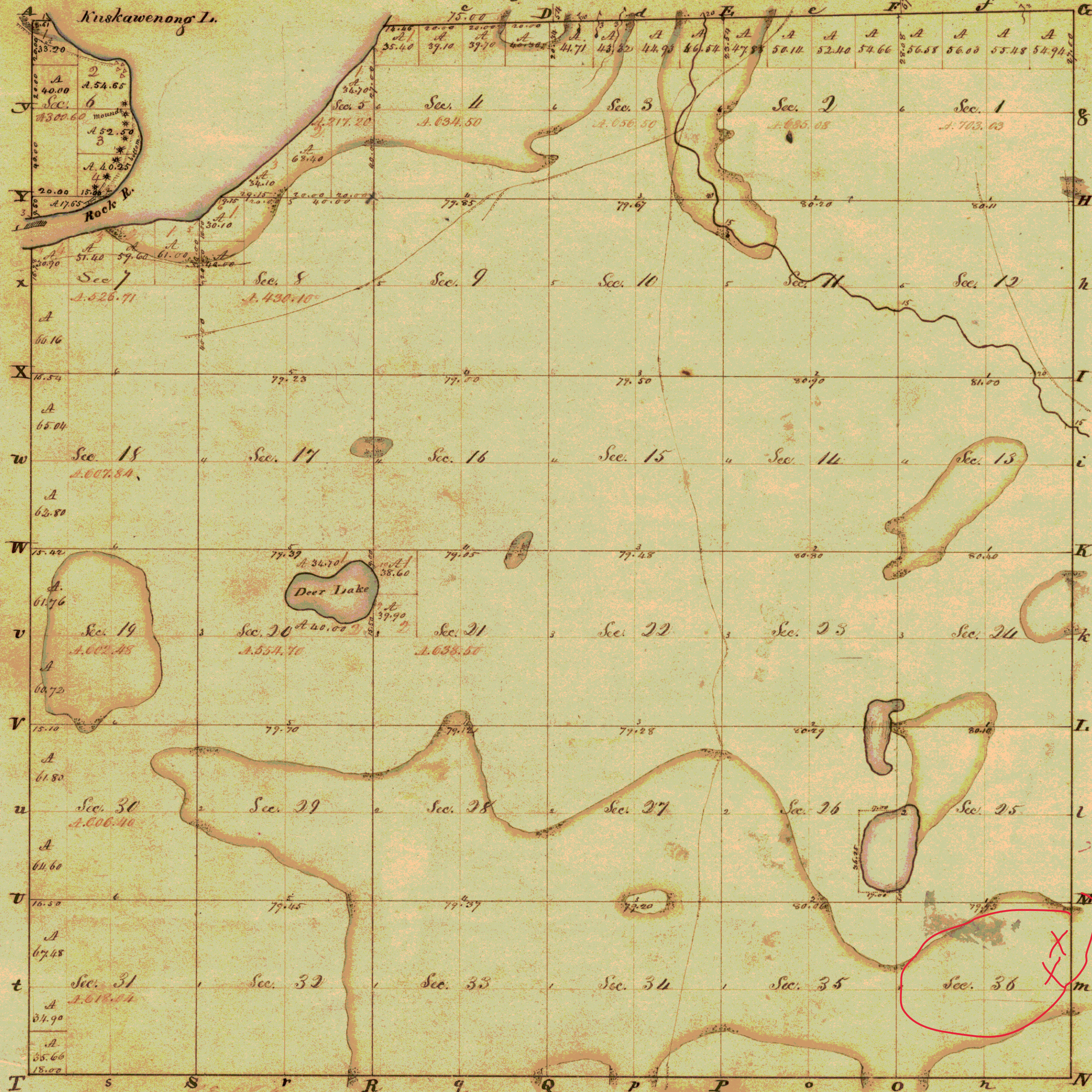
NAD_1983_HARN_Wisconsin_TM

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. 4 N. Range N. 13 East 4th Mer. (Wis. Ter.)



Meanders of Rock River & Kuskawenong L.		
Post	Course	Ch. & Lk.
1.	S 42 E	11.00
	S 49 E	5.50
	S 60 E	13.00
	N 88 E	9.50
	S 28 E	7.00
	S 3 E	19.00
	S 22 E	10.00
	S 27 W	30.00
2.	S 73 W	21.50
3.	S 77 W	14.47
East side		
4.	N 69 E	18.9
	N 53 E	13.77
	N 58 E	4.39
	N 56 E	5.27
	N 69 E	7.74
	N 79 E	5.43
	N 88 E	15.61
	S 43 E	6.05
	N 68 E	2.41
	S 58 E	5.35
5.	S 67 E	15.05
6.	N 40 E	14.10
	N 52 E	9.65
	N 48 E	21.84
	N 47 E	36.70
	N 3 E	2.35
	N 41 E	12.41
	N 47 E	1.34
	N 56 E	3.98
7.	N 55 E	8.25
	N 21 E	6.50
8.	N 34 E	7.30
Deer Lake		
10.	N 55 W	9.27
	S 70 W	8.93
	S 49 W	5.00
	S 77 W	6.12
	N 79 W	7.50
	S 52 W	6.34
	S 13 W	9.89
	S 49 E	10.00
	N 81 E	5.93
	S 59 E	7.00
	N 78 E	4.34
	S 56 E	6.12
	N 70 E	13.18
9.	N 6 E	2.40
	N 4 E	3.96
	N 16 E	8.13
	N 28 W	5.36

The above Map of Township N. 4 (S. E. of L. Kuskawenong) of Range N. 13 E of 4th Principal Meridian (Wis. Ter.) 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,
Cincinnati,

Survey designated	By Whom Surveyed	Date of Contract	Amount of Survey	When Surveyed	When Surveyed
Subdivision	Geo. W. Harrison	18th. Nov. 1833	2. 15. 87	1st. of 1834	3. 7. 1834
Township lines	Mullett & Brink	8th. July 1833	1. 18. 11	3. 7. 1833	3. 7. 1834
	Same	17th. Aug. 1833	20. 56. 78	11. 7. 1833	2. 7. 1836
Subdivision	N. Burnham	26 Dec "	61. 47. 80	3. 7. 1836	1. 7. 1837

The above Map of Township N. 4 of Range N. 13 East 4th Principal Meridian (Wis. Ter.) 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
Cincinnati 26. March 1835

M. T. Williams
Surv. Genl.



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

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

August 16, 2022

PETITION FILE NO. 14520

JENNY SALVO, CLERK
CITY OF MILTON
710 S JANESVILLE ST
MILTON, WI 53563-1748

LAURA SICLOVAN, CLERK
TOWN OF MILTON
23 FIRST STREET
MILTON, WI 53563-1122

Subject: AGNEW FARMS INC ANNEXATION

The proposed annexation submitted to our office on July 27, 2022 and as amended July 29, 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 Milton, which is able to provide needed municipal services.

The Department reminds clerks of annexing municipalities of the requirements of s. 66.0217 (9)(a), Wis. Stats., which states:

"The clerk of a city or village which has annexed shall file immediately with the secretary of administration a certified copy of the ordinance, certificate and plat, and shall send one copy to each company that provides any utility service in the area that is annexed. The clerk shall record the ordinance with the register of deeds and file a signed copy of the ordinance with the clerk of any affected school district..."

State and federal aids based on population and equalized value may be significantly affected through failure to file with the Department of Administration. Please file a copy of your annexing ordinance, including a statement certifying the population of the annexed territory. **Please include your MBR number 14520 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=2594>

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

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner