

Request for Annexation Review

Wisconsin Department of Administration

WI Dept. of Administration
Municipal Boundary Review
101 E. Wilson Street, 9th Floor
Madison WI 53703
608-264-6102 Fax: 608-264-6104
wimunicipalboundaryreview@wi.gov
<http://doa.wi.gov/municipalboundaryreview/>

Petitioner Information

Name: HOERLER & HOERLER LLC
Address: 1303 S. MURPHY ROAD
JANESVILLE WI 53548
(608) 931-6563
Email: Willis.Hoerler.30@gmail.com

Office use only:

RECEIVED

August 26, 2022

Municipal Boundary Review
Wisconsin Dept. of Admin.

1. Town where property is located: PLYMOUTH
2. Petitioned City or Village: FOOTVILLE
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: 4.5
6. Tax parcel number(s) of territory to be annexed
(if the territory is part or all of an existing parcel): 6-15-41
6-15-34.01

Petitioners phone:

608-931-6563

Town clerk's phone:

608-879-4012

City/Village clerk's phone:

608-876-6116

Contact Information if different than petitioner:

Representative's Name and Address:

WILLIS HOERLER
1303 S. MURPHY ROAD
JANESVILLE WI 53548

Phone: (608) 931-6563

E-mail: Willis.Hoerler.30@gmail.com

Surveyor or Engineering Firm's Name & Address:

COMBS & ASSOCIATES
109 W. MILWAUKEE ST.
JANESVILLE WI 53548

Phone: (608) 752 0575

E-mail: jgarde@combsurvey.com

Required Items to be provided with submission (to be completed by petitioner):

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 is included
4. Indicate Statutory annexation method used:
 - ☐ Unanimous per s. 66.0217 (2), or,
 - OR
 - ☒ Direct by one-half approval per s. 66.0217 (3)
5. ☐ Check or money order covering review fee [see next page for fee calculation]

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

\$ 600 **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

\$ 950 **TOTAL FEE DUE** (Add the Filing Fee to the Review Fee)

Attach check or money order here, payable to: **Department of Administration**

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

Received: 8-25-22

Payer: Combst Associates Inc

4711
8-23-22
\$950.00

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 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 adjoiners 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).

☒ If the lands being annexed are within a County of 50,000 or greater population, the petition must also be filed with the Department of Administration for review

[Note that no municipality within a County of 50,000 or greater population may enact an annexation ordinance prior to receiving a review determination from the Department of Administration.]

UNANIMOUS PETITION FOR ANNEXATION

This petition is made for the purpose of annexing by unanimous approval to the Village of Footville, Rock County, Wisconsin, by detaching from Plymouth Township, Rock County, Wisconsin, the following described territory:

(Legal Description - See Attached)

Attached hereto and incorporated herein by reference is a map of the area to be annexed.

The undersigned, who are the owners of and electors in all of the above-described property, hereby petition the Village Board of the Village of Footville, Rock County, Wisconsin, to accept the above-described property and to annex it to the Village of Footville. The area described above has zero residents.

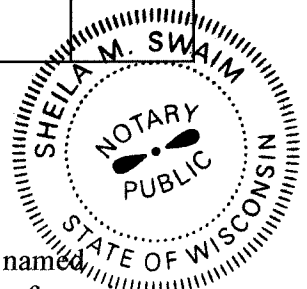
It is respectfully requested that the Village Board accept this annexation by ordinance and as otherwise as may be required by state statute as promptly after receipt of this petition.

Name	Date	Elector (voting age individual)	Owner	Parcel No.	Acres
(1) Print Name: Willis Hoerler Signature: <i>Willis Hoerler</i>	8-23-24	yes	yes	6-15-41 6-15-34.01	4.5
(2) Print Name: _____ Signature: _____		YorN	YorN		
(3) Print Name: _____ Signature: _____		YorN	YorN		
(4) Print Name: _____ Signature: _____		YorN	YorN		

STATE OF WISCONSIN)
) ss.
COUNTY OF ROCK)

Personally came before me this 23rd day of August, 2022, the above named Willis Hoerler to me known to be the persons who executed the foregoing instrument and acknowledged the same. Sheila M. Swaim

Notary Public, State of Wisconsin
My Commission expires May 8, 2025





- Land Surveying
- Land Planning
- Civil Engineering

DATE: August 11, 2022

TO: Hoerler & Hoerler, LLC

RE: Description for Annexation Purposes only

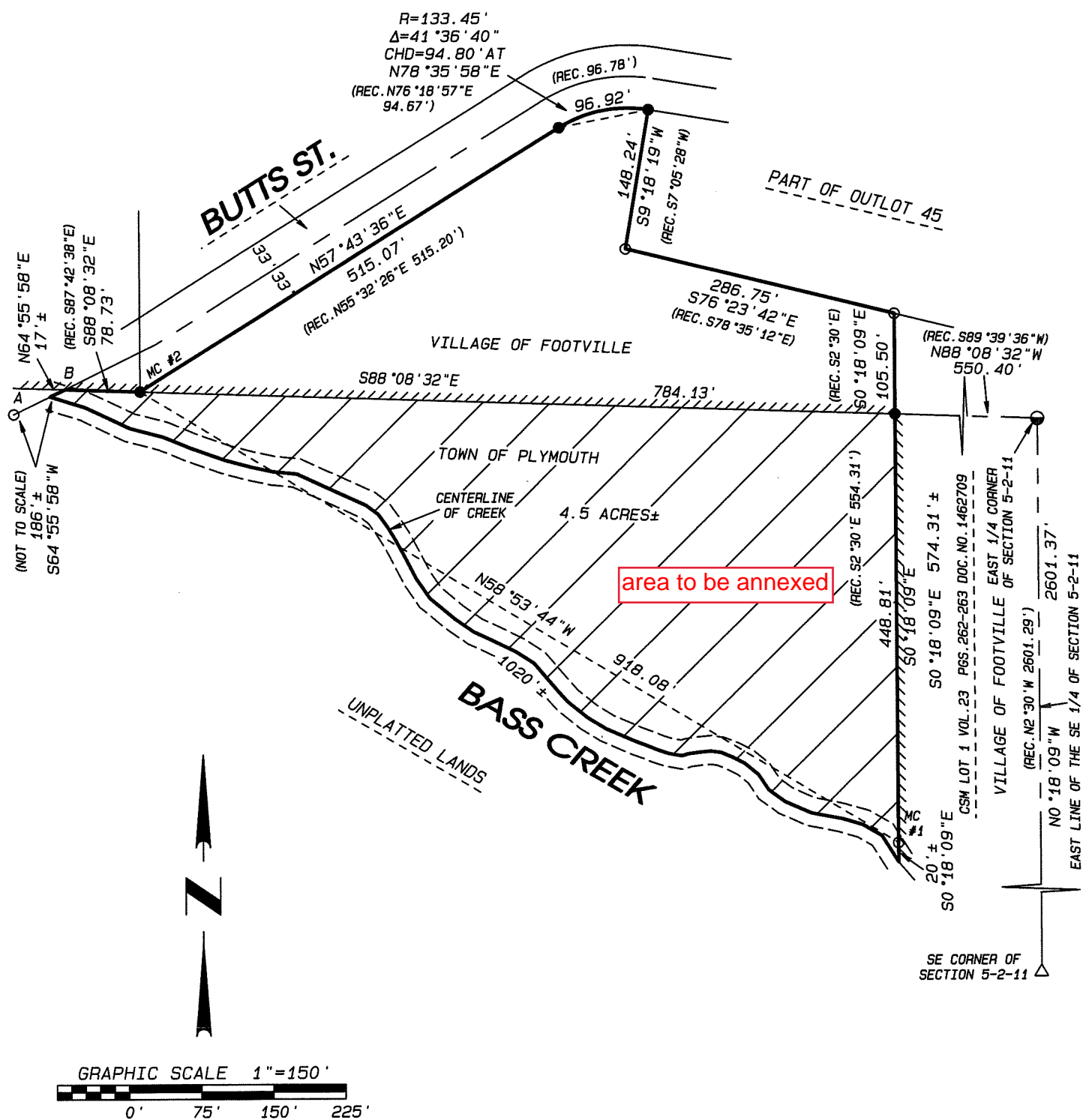
PART OF THE NE 1/4 OF THE SE 1/4 AND PART OF THE NW 1/4 OF THE SE 1/4 OF SECTION 5, T.2N., R.11E., OF THE 4TH P.M., TOWN OF PLYMOUTH, ROCK COUNTY, WISCONSIN.

DESCRIBED AS FOLLOWS: Commencing at the Southeast Corner of said Section 5; thence N00°18'09"W along the East Line of the SE 1/4 of said Section, 2601.37 feet to the East 1/4 Corner; thence N88°08'32"W 550.40 feet to a found iron pin at the Southeasterly corner of Lot 1 of a Certified Survey Map as recorded in Volume 24 on Pages 76 through 78 as Document Number 1482790 and being also the place of beginning for the land herein described; thence S01°18'09"E a distance of 448.81 feet to Meander Corner 1; thence continuing S01°18'09"E to the centerline of Bass Creek; thence Northwesterly and upstream 1020 feet more or less to a point on the Centerline of Butts Street; thence N64°55'58"E along said centerline 17 feet more or less, to the South line of Lot 1 aforesaid extended westerly; thence S88°08'32"E a distance of 78.73 feet to an iron pin at the westerly most corner of Lot 1 aforesaid also known as Meander Corner 2, being located N58°53'44"W a distance of 918.08 feet from Meander Corner 1; thence continuing S88°08'32"E a distance of 784.13 feet to the place of beginning. Parcel containing 4.5 acres, more or less.

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

Project No. 122-308 For: Hoerler & Hoerler LLC

ANNEXATION MAP



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

THE BASIS OF BEARINGS IS ASSUMED.

Project No. 122 - 308 For: HOERLER

Combs
& ASSOCIATES

- LAND SURVEYING
- LAND PLANNING
- CIVIL ENGINEERING

109 W. Milwaukee St.
Janesville, WI 53548
www.combsurvey.com

tel: 608 752-0575
fax: 608 752-0534

Schmidtke, Erich J - DOA

From: MICHELLE SCHULTZ <MICHELLE.SCHULTZ@co.rock.wi.us>
Sent: Friday, August 26, 2022 4:41 PM
To: Schmidtke, Erich J - DOA
Subject: RE: Proposed Footville Annexation

**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.

Have a good weekend!

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: Friday, August 26, 2022 11:39 AM
To: MICHELLE SCHULTZ <MICHELLE.SCHULTZ@co.rock.wi.us>
Subject: Proposed Footville Annexation

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.

Hello Michelle,
Here is a proposed annexation to Footville for your thoughts and comments.
Thank you for your help,
Erich



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>

Petitioner: **Hoerler & Hoerler LLC**

Petition Number: **14529**

1. Territory to be annexed:

From **TOWN OF PLYMOUTH**

To **VILLAGE OF FOOTVILLE**

2. Area (Acres): 4.0

3. Pick one: ☒ Property Tax Payments

OR

☐ Boundary Agreement

a. Annual town property tax on territory to be annexed:
\$ 442.03

a. Title of boundary agreement _____

b. Total that will be paid to Town
(annual tax multiplied by 5 years): \$2,210.15

b. Year adopted _____

c. Paid by: ☐ Petitioner ☐ City ☐ Village
☐ Other: _____

c. Participating jurisdictions _____

d. Statutory authority (pick one)
☐ s.66.0307 ☐ s.66.0225 ☐ s.66.0301

4. Resident Population: Electors: 0 Total: 0

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

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

Undeveloped: 100 %

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: _____

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

In the town?: Golf course, Agricultural, 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:	City/Village	Town
<u>Sanitary Sewers</u> immediately	<input type="checkbox"/>	<input type="checkbox"/>
or, write in number of years.	_____	_____
 <u>Water Supply</u> immediately	<input type="checkbox"/>	<input type="checkbox"/>
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? Agricultural 1 and Commercial 2

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: Michael C. Davis

Email: mdavis@nowlan.com

Phone: 608-755-8100

Date: 9/13/2022

(March 2018)

Please **RETURN PROMPTLY** to:
wimunicipalboundaryreview@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: **Hoerler & Hoerler LLC**

Petition Number: **14529**

1. Territory to be annexed:	From TOWN OF PLYMOUTH	To VILLAGE OF FOOTVILLE
2. Area (Acres): <u>4.5</u>		
3. Pick one: <input checked="" type="checkbox"/> Property Tax Payments OR <input type="checkbox"/> Boundary Agreement		
a. Annual town property tax on territory to be annexed: \$ <u>2,700.00</u>		a. Title of boundary agreement _____
b. Total that will be paid to Town (annual tax multiplied by 5 years): <u>13,500</u>		b. Year adopted _____
c. Paid by: <input checked="" type="checkbox"/> Petitioner <input type="checkbox"/> City <input type="checkbox"/> Village		c. Participating jurisdictions _____
<input type="checkbox"/> Other: _____		d. Statutory authority (pick one) <input type="checkbox"/> s.66.0307 <input type="checkbox"/> s.66.0225 <input type="checkbox"/> s.66.0301
4. Resident Population:	Electors: _____	Total: <u>831</u>
5. Approximate present land use of territory:		
Residential: _____% Recreational: _____% Commercial: _____% Industrial: _____%		
Undeveloped: <u>100</u> %		
6. If territory is undeveloped, what is the anticipated use ?		
Residential: _____% Recreational: _____% Commercial: _____% Industrial: _____%		
Other: <u>100% Ag</u>		
Comments: _____		
7. Has a <input type="checkbox"/> preliminary or <input type="checkbox"/> final plat been submitted to the Plan Commission: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Plat Name: _____		
8. What is the nature of land use adjacent to this territory in the city or village?		
<u>Agricultural</u>		
In the town?: _____		
9. What are the basic service needs that precipitated the request for annexation?		
<input type="checkbox"/> Sanitary sewer <input type="checkbox"/> Water supply <input type="checkbox"/> Storm sewers		
<input type="checkbox"/> Police/Fire protection <input type="checkbox"/> EMS <input type="checkbox"/> Zoning		
Other <u>N/A</u>		

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.

____ N/A ____

Water Supply immediately

☐ ☒ ☐

or, write in number of years.

____ N/A ____

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

N/A

If yes, identify the nature of the anticipated improvements and their probable costs:

N/A

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?

Ag

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

Ag

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: Shawna March

Email: Village@Footvillewis.net

Phone: 608-876-6116

Date: 9-1-2022

(March 2018)

Please **RETURN PROMPTLY** to:

wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

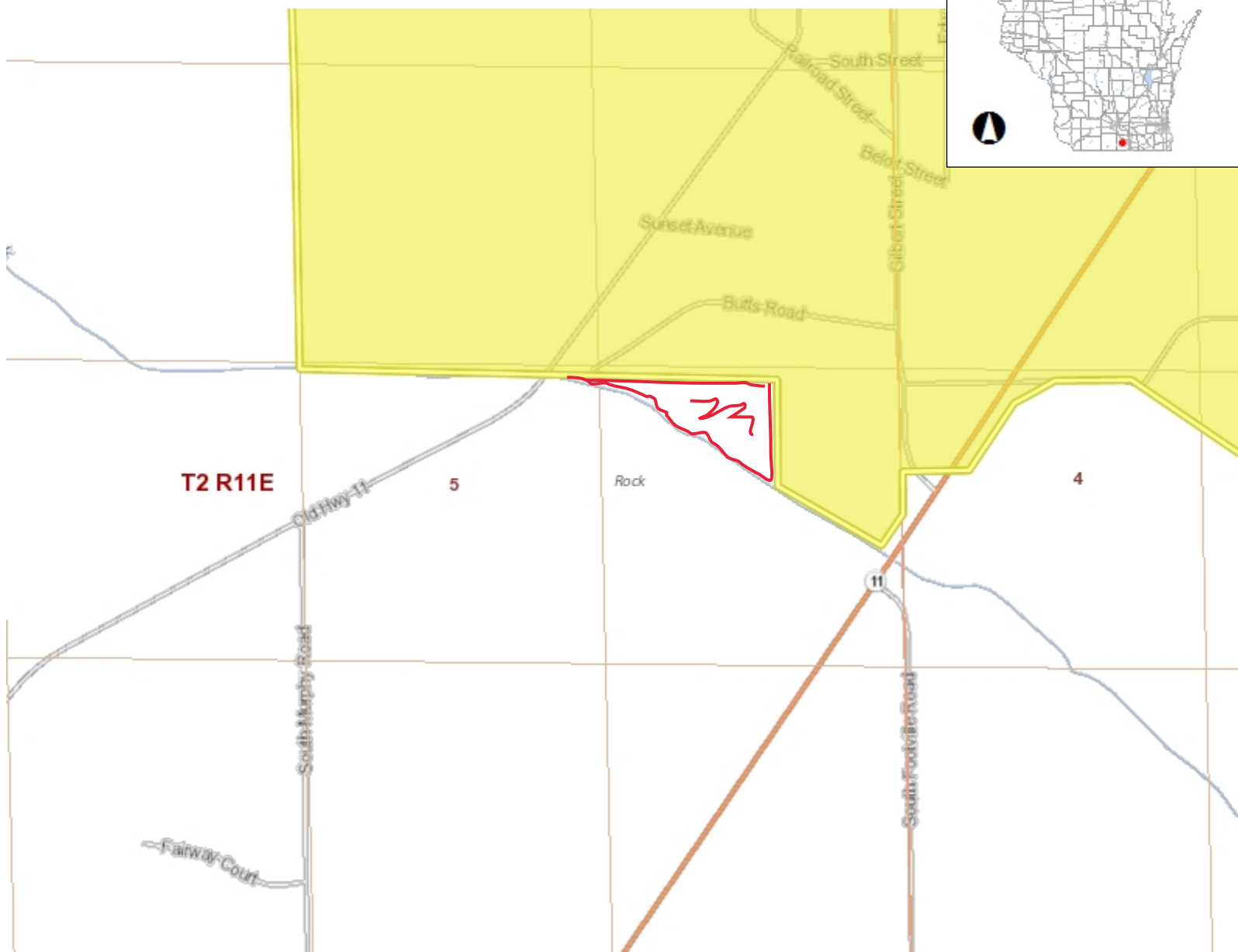


Surface Water Data Viewer Map



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



0.3 0 0.13 0.3 Miles

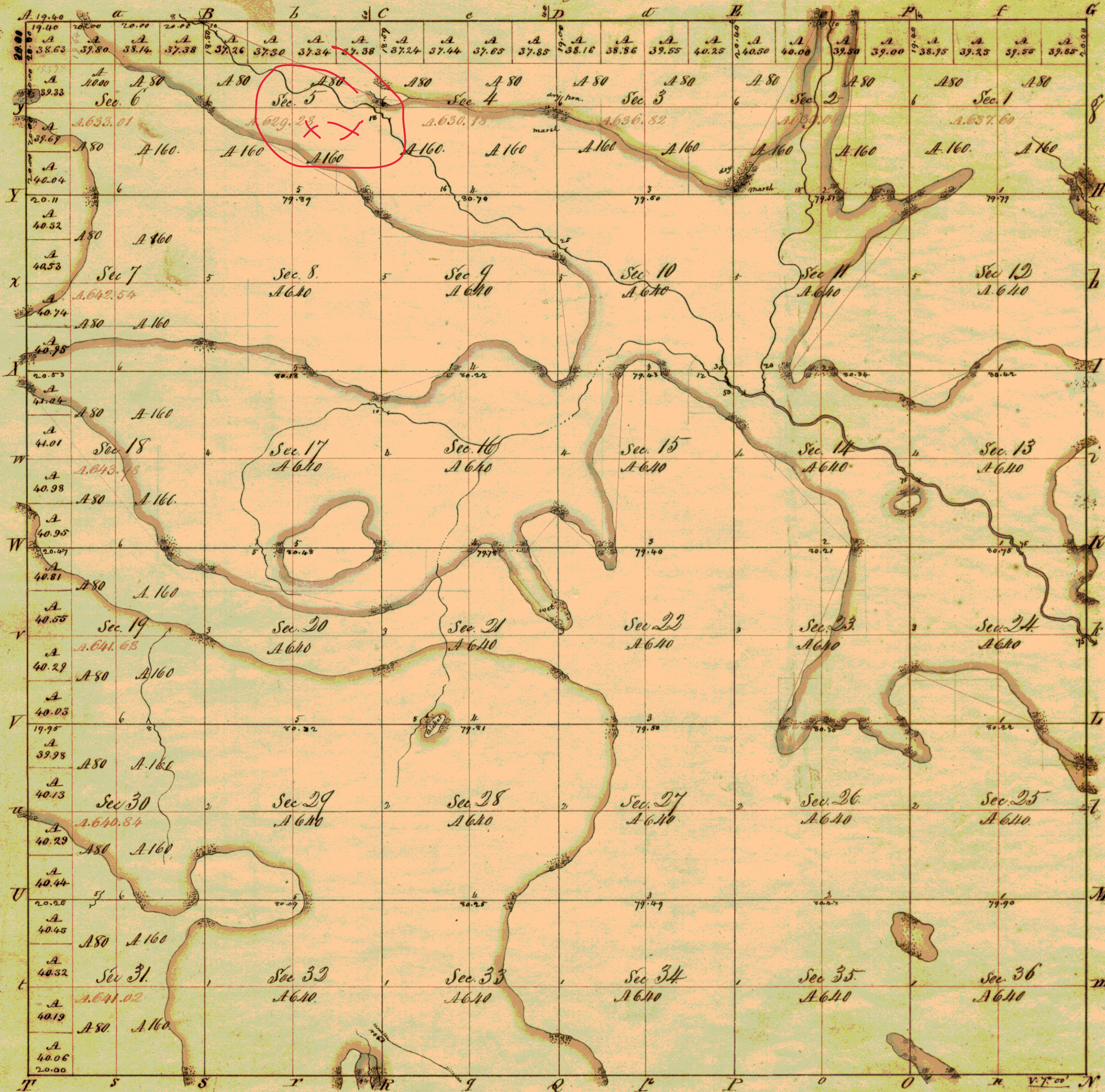
NAD_1983_HARN_Wisconsin_TM

1: 7,920

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 II N. Range N^o XI E. 4th Mer. Wis. Ter.



Total number of Acres 23,115.95

Scale 40 Chains to an inch.

Survey Designated	By whom Surveyed	Date of Contract	Amount of Sur.	When Surveyed	When Paid for
Town Lines	Mullet & Brink	7th July 1833	23,79.40	3 ^d of 1833	3 ^d of 1834
Subdivisions	Geo. W. Harrison	18th Nov. 1833	59.77.21	4 th of 1833	3 ^d of 1834

The above Map of Township N^o 2, of Range N^o 11 East of 4th Principal Meridian (NW. 1/4) 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 March 30 1835

M. T. Williams
Sur. 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>

September 15, 2022

PETITION FILE NO. 14529

SHAWNA MARCH, CLERK
VILLAGE OF FOOTVILLE
PO BOX 445
FOOTVILLE, WI 53537-0445

DEBBIE FINNEGAN, CLERK
TOWN OF PLYMOUTH
8219 W HIGH STREET
ORFORDVILLE, WI 53576-8716

Subject: HOERLER & HOERLER LLC ANNEXATION

The proposed annexation submitted to our office on August 26, 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 Footville, 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 14529 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=2603>
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner