

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>

Online Submittal and Payment: Instead of this form go to <https://appengine.egov.com/apps/wi/dir/annexation>
This will speed up the process by eliminating the time it used to take to mail the check to us.

Petitioner Information

Name: **Kaltenberg Farm Partnership / Viola G. Kaltenberg Rev. Trust of 2007**

Phone: **(612) 282-0802**

Email: **dahlersmd@aol.com**

Contact Information if different than petitioner:

Representative's Name: **Robert C. Procter**

Phone: **608-283-6762**

E-mail: **rprocter@axley.com**

RECEIVED
December 19, 2022
Municipal Boundary Review
Wisconsin Dept. of Admin.

1. Town(s) where property is located: **Town of Westport**

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

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

4. Population of the territory to be annexed: **3**

5. Area (in acres) of the territory to be annexed: **324.408**

6. Tax parcel number(s) of territory to be annexed (if the territory is part or all of an existing parcel):
**080910281604; 080910286501; 080903397306; 080903395004; 080903390009; 080903380001; AND
080903385006**

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]

(November 2022)

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

\$2000 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

\$2350 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: 12-19-2022

Payer: Axley Brynson LLP

Check Number: 189395

Check Date: 12-15-22

Amount: 2,350⁰⁰

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 DIRECT ANNEXATION
BY UNANIMOUS CONSENT
(Wis. Stats. § 66.0217(2))

TO:	Village of Waunakee	Town of Westport
	Attn: Village Clerk	Attn: Town Clerk
	Village Hall	Kennedy Administration Building
	500 W. Main Street	5387 Mary Lake Road
	Waunakee, WI 53597	Waunakee, WI 53597

The undersigned electors residing in the Territory and the owners of all of the real property in the Territory, do hereby unanimously petition the Village of Waunakee for the purpose of annexing the Territory from the Town of Westport to the Village of Waunakee.

The "Territory" proposed for annexation from the Town of Westport to the Village of Waunakee is more particularly described on the attached Exhibit A and shown on the scale map attached as Exhibit B. The Territory is located in Dane County, Wisconsin.

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

There are 2 electors residing in the Territory. The population of the Territory is 3.

This Petition for Annexation is filed pursuant to Wis. Stats. § 66.0217(2).

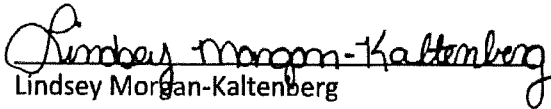
[SIGNATURES ON FOLLOWING PAGES]

ELECTORS



Garret Kaltenberg

Date: 12/13/22



Lindsey Morgan-Kaltenberg

Date: 12/13/2022

[BEING ALL OF THE ELCTORS RESIDING IN THE TERRITORY]

OWNERS

KALTENBERG FARM PARTNERSHIP

By: Diane Kaltenberg-Ahlers Date: 12/12/2022
Diane Kaltenberg-Ahlers, Manager *mgr.*

VIOLA G KALTENBERG REV. TRUST OF 2007

By: Diane Kaltenberg-Ahlers Date: 12/12/2022
Diane Kaltenberg-Ahlers, Trustee
Trustee

[BEING ALL OF THE OWNERS OF ALL THE REAL PROPERTY IN THE TERRITORY]

cc: Wisconsin Department of Administration

EXHIBIT "A"

LEGAL DESCRIPTION - LANDS TO BE ANNEXED TO THE VILLAGE OF WAUNAKEE

A parcel of land located in all 1/4's of the SW1/4 of Section 3, the East 1/2 of the SE1/4 of Section 4, the NE1/4 of the NE1/4 of Section 9 and in the North 1/2 of the NW1/4 Section 10, all in T8N, R9E, Town of Westport, Dane County, Wisconsin to-wit:

Beginning at the South 1/4 corner of said Section 3;

thence S00°23'02"W, 1337.00 feet along the East line of said NW1/4 to the Southeast corner of said North 1/2 of the NW1/4;

thence S88°45'56"W, 2676.02 feet along the South line of said North 1/2 of the NW1/4 to a point on the existing corporate limits of the Village of Waunakee;

thence N00°33'59"E, 145.19 feet along said existing corporate limits and the West line of said North 1/4 of the NW1/4;

thence S89°53'30"E, 25.47 feet along said existing corporate limits to a point on the East right-of-way line of Hogan Road;

thence N00°14'29"E, 500.26 feet along said existing corporate limits and East right-of-way line;

thence N09°48'57"E, 101.43 feet along said existing corporate limits and East right-of-way line ;

thence N00°10'03"E, 250.16 feet along said existing corporate limits and East right-of-way line;

thence N45°55'03"E, 160.40 feet along said existing corporate limits and East right-of-way line to a point on the South right-of-way line of State Highway 113-19;

thence N01°01'23"W, 258.02 feet along said existing corporate limits to a point on the North right-of-way line of State Highway 113-19;

thence S88°58'37"W, 143.53 feet along said existing corporate limits and North right-of-way line;

thence S89°10'40"W, 368.35 feet along said existing corporate limits and North right-of-way line;

thence N88°19'57"W, 500.00 feet along said existing corporate limits and North right-of-way line;

thence N84°05'30"W, 40.34 feet along said existing corporate limits and North right-of-way line;

thence S00°32'17"W, 213.48 feet along said existing corporate limits to a point on the South right-of-way line of State Highway 113-119;

thence N88°19'24"W, 432.08 feet along said existing corporate limits and North right-of-way line to a point on the Southerly extension of the of the West line of the East 1/2 of the SE1/4 of said Section 4;

thence N00°18'02"E, 2812.55 feet along said Southerly extension and West line to the Northwest corner of said East 1/2 of the SE1/4;

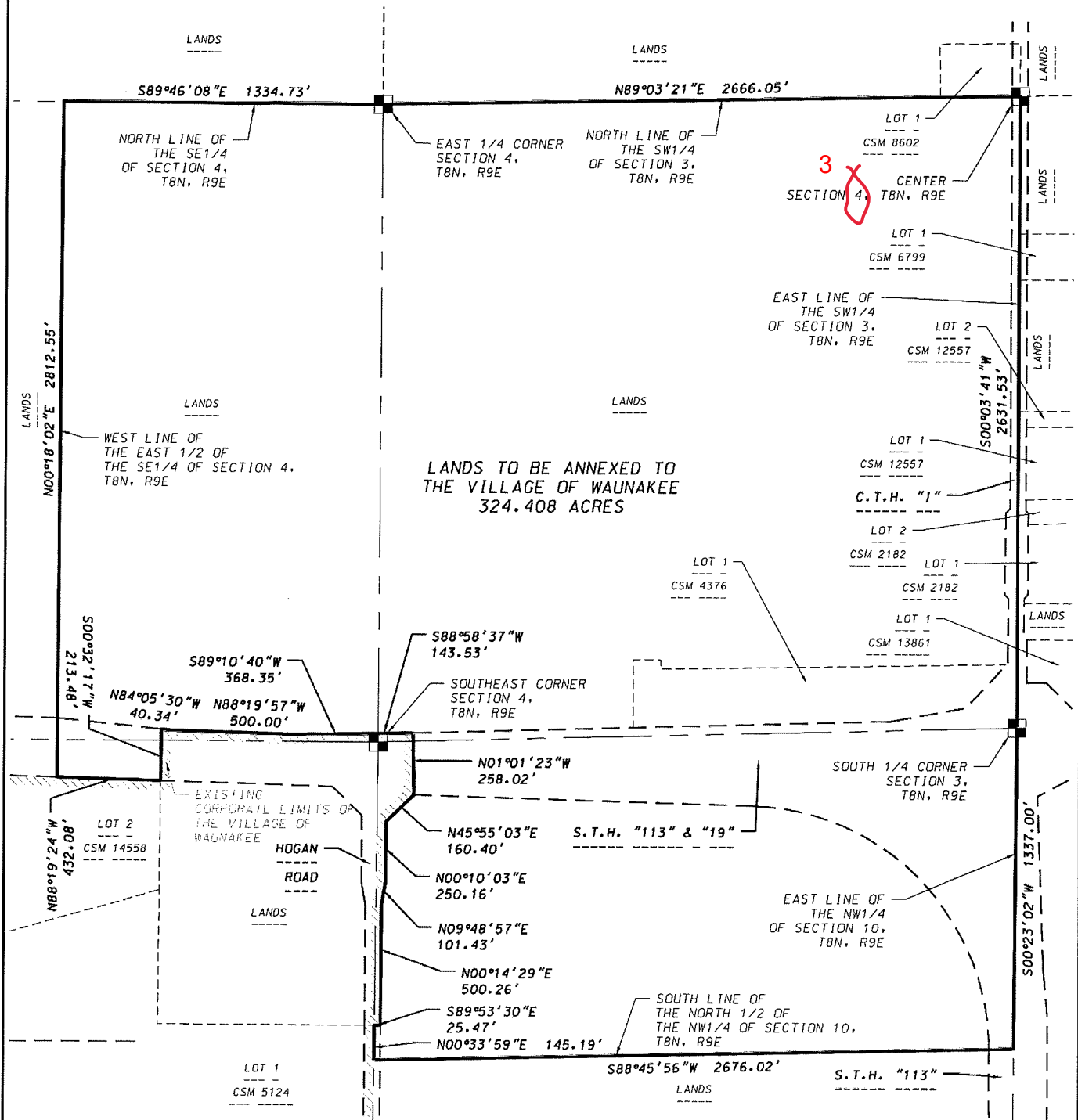
thence S89°46'08"E, 1334.73 feet along the North line of said SE1/4 to the East 1/4 corner of said Section 4;

thence N89°03'21"E, 2666.05 feet along the North line of said SW1/4 to the East 1/4 corner of said Section 4; 3 center

thence S00°03'41"W, 2631.53 feet along the East line of said SW1/4 to the point of beginning.

Containing 324.408 acres

LANDS TO BE ANNEXED TO THE VILLAGE OF WAUNAKEE



F.N.: 22-02-170

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: **Kaltenberg**

Petition Number: **14549**

1. Territory to be annexed: From **TOWN OF WESTPORT** To **VILLAGE OF WAUNAKEE**

2. Area (Acres): ± 324

3. Pick one: ☐ Property Tax Payments

OR ☐ Boundary Agreement

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

\$ 6,555.62

a. Title of boundary agreement _____

b. Year adopted _____

b. Total that will be paid to Town

(annual tax multiplied by 5 years): 32,778.10

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: ± 20% Industrial: _____%

Undeveloped: ± 90%

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?: Ag

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? AI-Ex, AI, I1 (Industrial)

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: Robert Anderson

Email: banderson@townofwestford.org

Phone: 608 849 4372

Date: 12/28/2022

Please **RETURN PROMPTLY** to:

wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

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

Petitioner: **Kaltenberg**

Petition Number: **14549**

1. Territory to be annexed: From **TOWN OF WESTPORT** To **VILLAGE OF WAUNAKEE**

2. Area (Acres): **324.408**

3. Pick one: ☐ Property Tax Payments

OR

☒ Boundary Agreement

*Boundary Stipulation &
Intergovernmental
Cooperation Agreement*

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

\$ _____

a. Title of boundary agreement

b. Year adopted **1996**

b. Total that will be paid to Town

(annual tax multiplied by 5 years): _____

c. Participating jurisdictions **Waunakee / Westport**

c. Paid by: ☐ Petitioner ☐ City ☐ Village

d. Statutory authority (pick one)

☐ s.66.0307 ☐ s.66.0225 ☐ s.66.0301

☐ Other: _____

☒ s. 66.027

4. Resident Population: Electors: **2** Total: **3**

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

Residential: **1** % Recreational: _____ % Commercial: _____ % Industrial: **5** %

Undeveloped: **94** %

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

Residential: **24** % Recreational: _____ % Commercial: _____ % Industrial: **66** %

Other: **10** %

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 and Agricultural

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: City/Village Town

Sanitary Sewers immediately ☐ ☐
or, write in number of years. 1-2 _____

Water Supply immediately ☐ ☐
or, write in number of years. 1-2 _____

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: Unknown

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? A-1 EX and A-2

c. How will the land be zoned and used if annexed? A-1 (Ag holding) Business Park and 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 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: Karla Endres

Email: kendres@waunakee.com

Phone: (608) 850-2827

Date: 1-3-2023

(March 2018)

Please **RETURN PROMPTLY** to:

wimunicipalboundaryreview@wi.gov

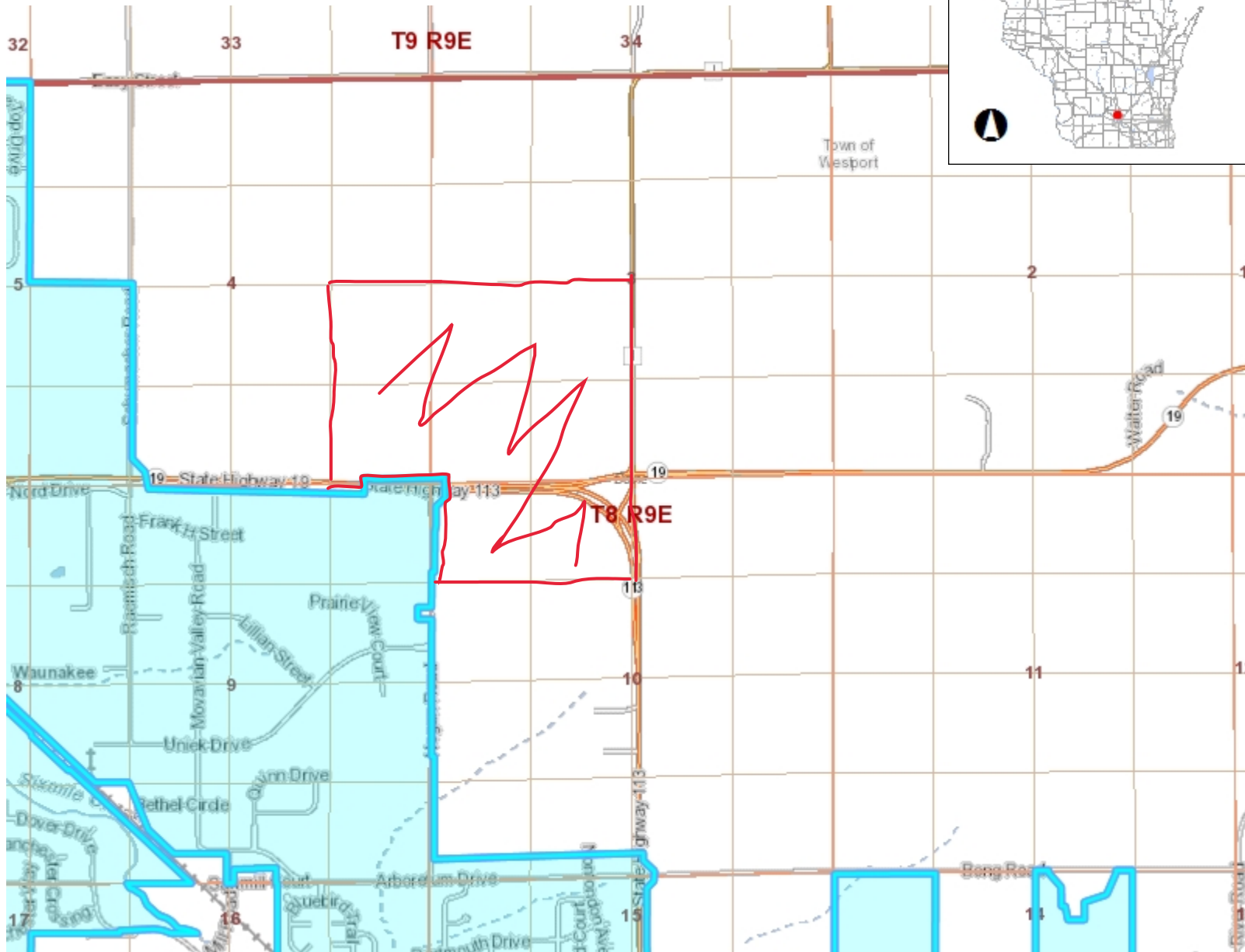
Municipal Boundary Review

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

0.8 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

Township N^o VIII — Range N^o IX E. 4th Mer. Wis. Ter



Standards of 4th Lake

Post	Course	Ch. Lk.
7.	N 16 E	4.50
	N 42 E	5.00
	N 38 E	17.00
	N 6 W	6.00
	N 29 W	17.00
	N 46 W	22.00
	N 84 W	4.85
6.	S 80 W	15.00
	S 78 W	33.00
	S 72 W	6.00
	S 31 W	31.50
	S 33 W	7.00
	S 37 W	5.50
	N 6 1/2 W	3.30
5.	N 44 W	7.00
	N 53 E	4.50
	N 10 W	7.50
	N 57 W	32.00
	N 4 E	10.00
	N 47 1/2 W	10.75
4.	N 55 W	10.00
	N 14 W	25.00
	S 79 1/2 W	13.75
3.	S 66 W	18.00
	S 68 W	10.22
2.	S 51 W	12.00
	S 75 1/2 W	30.00
	S 34 W	40.00
1.	S 23 1/2 W	13.34

Total number of acres 21,497.25

Survey Designated	By whom Surveyed	Date of Contract	Acres of Survey	When Surveyed	When Surveyed
Lower Boundaries	John Mallett	4 th of 1831	20. 4. 16	3 rd of 1832	1 st of 1833
Subdivisions	John Mallett	16 th of 1832	15. 07. 14	2 nd of 1833	3 rd of 1833
2 nd East Road	Orson Lyon	8 th Feb. 1834	47. 03. 53	3 rd of 1834	1 st of 1835
2 nd East Road	Mallett & Brink	7 th July 1833	14. 69. 66	4 th of 1835	3 rd of 1834

The above Map of Township N^o 8, Range N^o 9 East, 4th Meridian North West Territory, is thieftly conformable to the field notes of the Survey thereof on file in this Office, which have been examined and approved.

Surveyor General's Office

Robert L. Lytle Surveyor

Scale 40 Ch to an inch

Var. 8th 00' E.



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>

January 09, 2023

PETITION FILE NO. 14549

KARLA ENDRES, CLERK
VILLAGE OF WAUNAKEE
PO BOX 100
WAUNAKEE, WI 53597-0100

DEAN A. GROSSKOPF, CLERK
TOWN OF WESTPORT
5387 MARY LAKE RD
WAUNAKEE, WI 53597-9128

Subject: KALTENBERG ANNEXATION

The proposed annexation submitted to our office on December 19, 2022, has been reviewed and found to be in the public interest. In determining whether an annexation is in the public interest, s. 66.0217 (6), Wis. Stats. requires the Department to examine "[t]he shape of the proposed annexation and the homogeneity of the territory with the annexing village or city..." so as, to ensure the resulting boundaries are rational and compact. The statute also requires the Department to consider whether the annexing city or village can provide needed municipal services to the territory. The subject petition is for territory that is reasonably shaped and contiguous to the Village of Waunakee, which is able to provide needed municipal services.

Note: The Center of Section 3 is mislabeled as Section 4 on the scale map; The 432.08' course of the legal description should call to the South right-of-way line of State Highway 113/19; The 2666.05' course of the legal description should call to the Center of Section 3.

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 14549 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=2623>
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner