

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: **Gene C. Evans and Karen A. Evans**

Phone: **608-212-0375**

Email: **chris_e@evcoplastics.com**

Contact Information if different than petitioner:

Representative's Name:

Phone:

E-mail:

RECEIVED

January 18, 2023

Municipal Boundary Review
Wisconsin Dept. of Admin.

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

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

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

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

5. Area (in acres) of the territory to be annexed: **93.187**

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

0909-133-9812-0, 0909-133-9571-0, 0909-133-9001-5, 0909-133-8502-1, 0909-133-8002-0, 0909-133-8320-0

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

\$1000 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

\$1350 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: 1-17-2023

Payer: Gene Evans

Check Number: 1106

Check Date: 1-11-23

Amount: 1,350⁰⁰

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).



VILLAGE OF DEFOREST

120 S STEVENSON STREET
DEFOREST, WI 53532
PHONE (608) 846-6751
WWW.VI.DEFOREST.WI.US

January 11, 2023

WI Dept. of Administration
Municipal Boundary Review
PO Box 1645
Madison WI 53701

Greetings,

Enclosed is the original of the Petition for direct Annexation by Unanimous Approval of Gene C. Evans and Karen A. Evans. A copy has also been emailed to the Town Clerk of the Town of Vienna. Also enclosed is a check in the amount of \$1350, \$350 for initial filing fee and \$1000 for the review fee.

Please contact me with any questions regarding the enclosed.

Thank you,

Calli Lundgren

Calli Lundgren
Village Clerk
608-846-6751
lundgrenc@vi.deforest.wi.us

PETITION FOR DIRECT ANNEXATION BY UNANIMOUS APPROVAL

TO: The Honorable Village Board of the Village of DeForest, Wisconsin

c/o Calli Lundgren
Village Clerk
120 S. Stevenson Street
DeForest, WI 53532

Gene C. Evans and Karen A. Evans (together, the "Petitioner") hereby respectfully petitions the Village Board of the Village of DeForest, Dane County, Wisconsin, pursuant to §66.0217(2) of the Wisconsin Statutes, for the direct annexation to the Village of DeForest, Dane County, Wisconsin (the "Village"), and the detachment from the Town of Vienna, Dane County, Wisconsin (the "Town"), of the territory described below in Paragraph 6 (the "Territory").

In support of this petition, the Petitioner alleges and represents the following:

1. The Petitioner is the sole owner of all the land within the Territory.
2. There are no electors residing in the Territory.
3. The population of the Territory is zero.
4. The purpose of this petition for direct annexation of the Territory to the Village is to obtain public services, including without limitation municipal water service from the Village. The Petitioner believes it to be their best interests and the best interests of the affected communities to have the Territory annexed to the Village for the stated purposes.
5. The Territory is contiguous to the Village.

6. The legal description of the Territory is as follows:

See attached Exhibit A

7. Attached to this Petition as Exhibit B is a scale map that reasonably shows the boundaries of the Territory.

8. The filing of this Petition was duly authorized by the undersigned.

Dated: 12-23, 2022

Dated: 12/23, 2022


Gene C. Evans


Karen A. Evans

EXHIBIT A

LEGAL DESCRIPTION OF TERRITORY

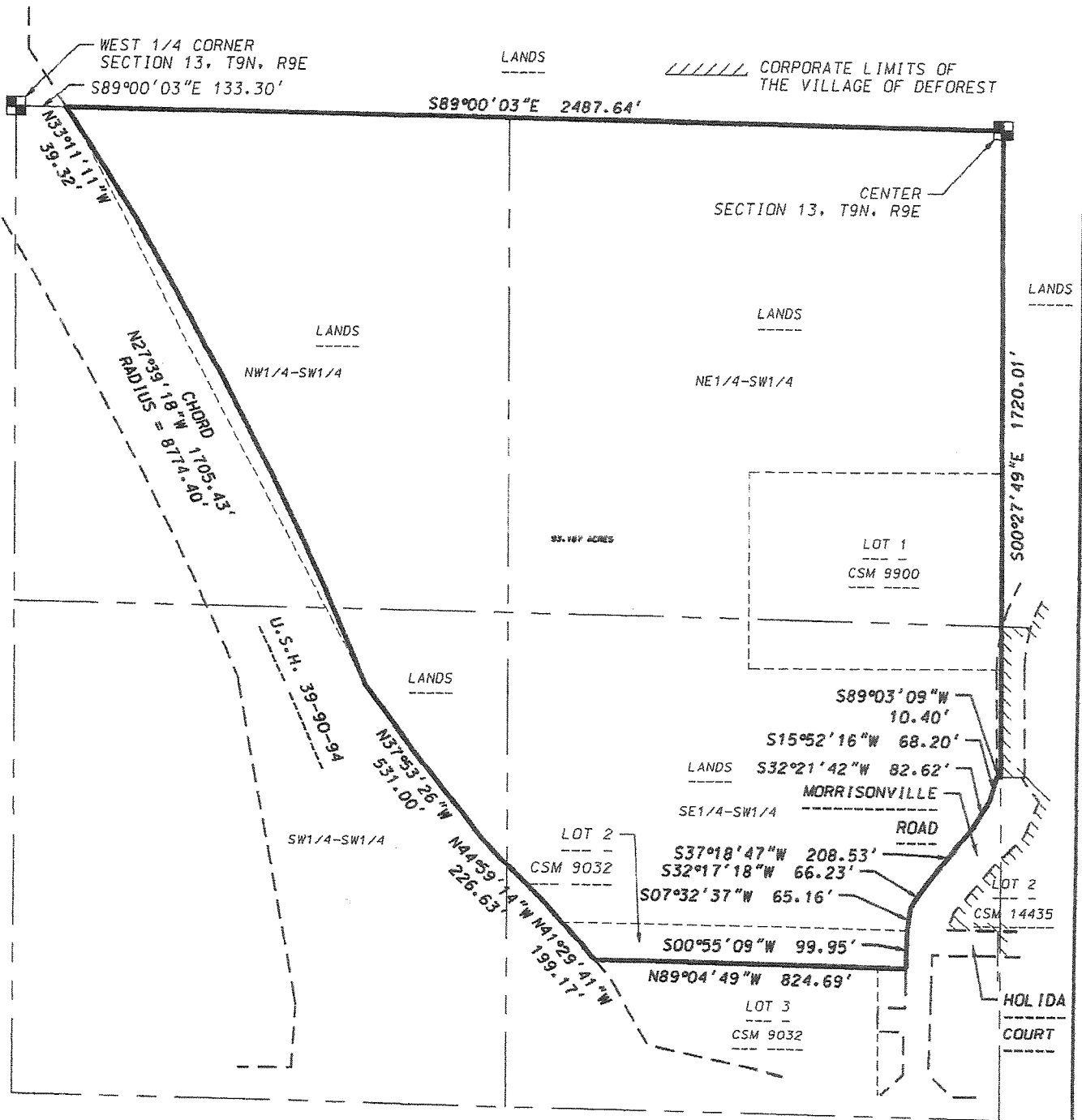
Lot 1, Certified Survey Map No. 9900, part of Lot 2, Certified Survey Map No. 9032, and lands, located in all 1/4's of the SW1/4 of Section 13, T9N, R9E, Town of Vienna, Dane County, Wisconsin to-wit: Commencing at the West ¼ corner of said Section 13; thence S89°00'03"E, 133.30 feet along the North line of said SW1/4, to a point on the Northeasterly right-of-way line of U.S.H. 39-90-94, also being the point of beginning; thence S89°00'03"E, 2487.64 feet along the North line of said SW1/4 to the Center of said Section 13; thence S00°27'49"E, 1720.01 feet along the East line of said SW1/4; thence S89°03'09"W, 10.40 feet to a point on the Westerly right-of-way line of Morrisonville Road; thence S15°52'16"W, 68.20 feet along said Westerly right-of-way line; thence S32°21'42"W, 82.62 feet along said Westerly right-of-way line; thence S37°18'47"W, 208.53 feet along said Westerly right-of-way line; thence S32°17'18"W, 66.23 feet along said Westerly right-of-way line; thence S07°32'37"W, 65.16 feet along said Westerly right-of-way line; thence S00°55'09"W, 99.95 feet along said Westerly right-of-way line to a point on the Easterly extension of the North line of line of Lot3, Certified Survey Map No. 9032; thence N89°04'49"W, 824.69 feet along said Easterly extension and North line to a point on the Northeasterly right-of-way line of U.S.H. 39-90-94 ; thence N41°29'41"W, 199.17 feet along said Northeasterly right-of-way line ; thence N44°59'14"W, 226.63 feet along said Northeasterly right-of-way line ; thence N37°53'26"W, 531.00 feet along said Northeasterly right-of-way line to a point of curve; thence Northwesterly along said Northeasterly right-of-way line on a curve to the left which has a radius of 8774.40 feet and a chord which bears N27°39'18"W, 1705.43 feet; thence N33°11'11"W, 39.32 feet along said Northeasterly right-of-way line to the point of beginning. Containing 93.187 acres.

EXHIBIT B

SCALE MAP OF TERRITORY

(SEE ATTACHED SHEET)

LANDS TO BE ANNEXED TO THE VILLAGE OF DeFOREST



D'ONOFRIO KOTTKE AND ASSOCIATES, INC.

7530 Westward Way, Madison, WI 53717
Phone: 608.833.7530 • Fax: 608.833.1089
YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT



0 400

Scale 1" = 400'

DATE: 12-22-21

F.N.: 21-02-151

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: **Evans**

Petition Number: **14559**

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

To **VILLAGE OF DEFOREST**

2. Area (Acres): **93.187**

3. Pick one: ☒ Property Tax Payments

OR ☐ Boundary Agreement

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

\$ **90.43**

a. Title of boundary agreement _____

b. Year adopted _____

b. Total that will be paid to Town

(annual tax multiplied by 5 years): **\$ 452.15**

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: **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: **50**% Industrial: **50**%

Other: _____%

Comments: **THIS IS BASED ON ALLOWABLE USES**

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 AGRICULTURE

In the town?: **SAME**

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.

City/Village

☐

Town

☐

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: SANITARY EXTENSION

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? AGRICULTURE & AGRICULTURE TRANSITION

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

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: KATHALEEN L. CLARK

Email: CLARK@VIENNA.WI.GOV

Phone: 608-846-3800

Date: 2/1/23

(March 2018)

Please **RETURN PROMPTLY** to:

wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

PO Box 1645, Madison WI 53701

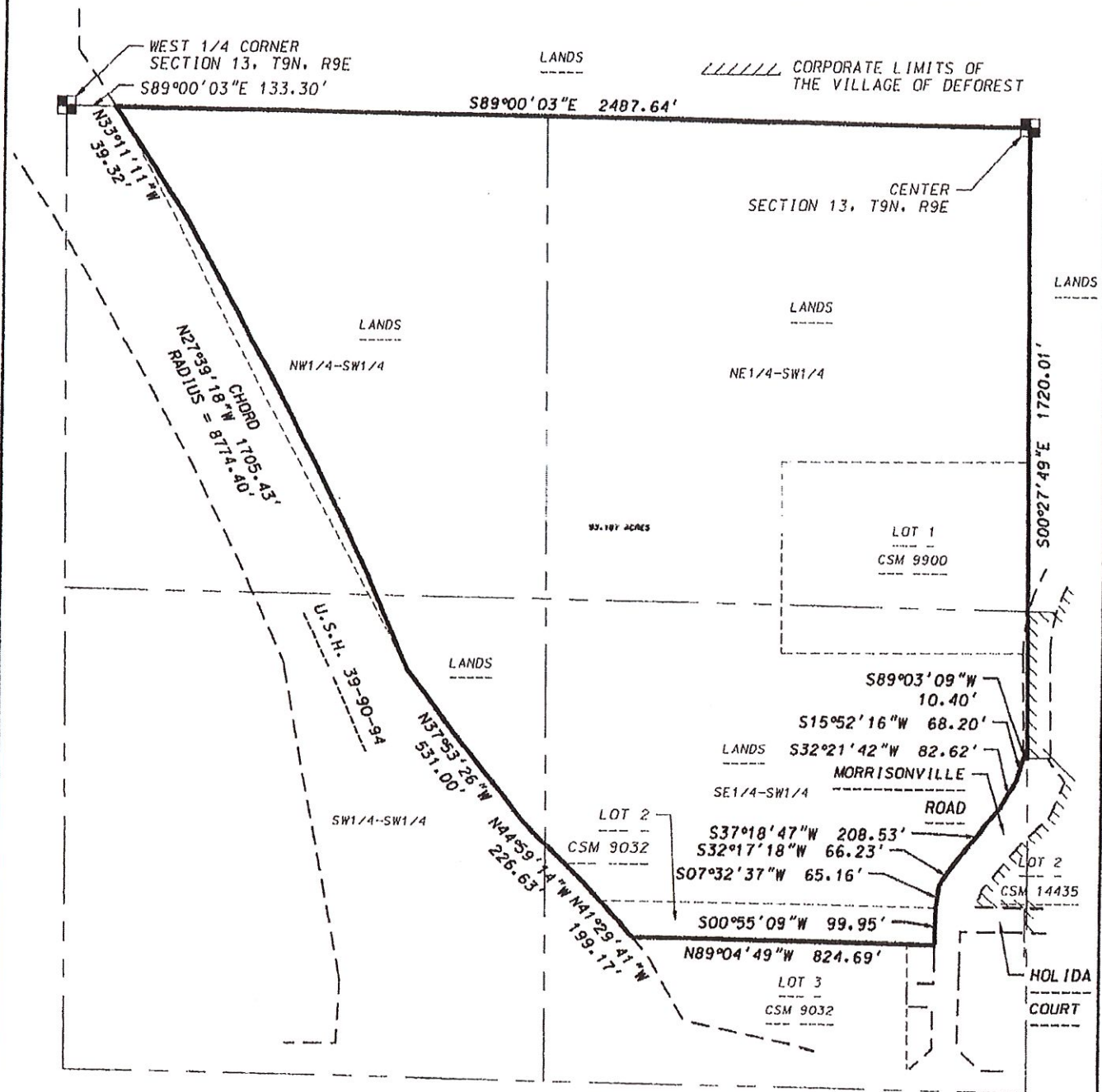
Fax: (608) 264-6104

EXHIBIT A

LEGAL DESCRIPTION OF TERRITORY

Lot 1, Certified Survey Map No. 9900, part of Lot 2, Certified Survey Map No. 9032, and lands, located in all 1/4's of the SW1/4 of Section 13, T9N, R9E, Town of Vienna, Dane County, Wisconsin to-wit: Commencing at the West ¼ corner of said Section 13; thence S89°00'03"E, 133.30 feet along the North line of said SW1/4, to a point on the Northeasterly right-of-way line of U.S.H. 39-90-94, also being the point of beginning; thence S89°00'03"E, 2487.64 feet along the North line of said SW1/4 to the Center of said Section 13; thence S00°27'49"E, 1720.01 feet along the East line of said SW1/4; thence S89°03'09"W, 10.40 feet to a point on the Westerly right-of-way line of Morrisonville Road; thence S15°52'16"W, 68.20 feet along said Westerly right-of-way line; thence S32°21'42"W, 82.62 feet along said Westerly right-of-way line; thence S37°18'47"W, 208.53 feet along said Westerly right-of-way line; thence S32°17'18"W, 66.23 feet along said Westerly right-of-way line; thence S07°32'37"W, 65.16 feet along said Westerly right-of-way line; thence S00°55'09"W, 99.95 feet along said Westerly right-of-way line to a point on the Easterly extension of the North line of line of Lot3, Certified Survey Map No. 9032; thence N89°04'49"W, 824.69 feet along said Easterly extension and North line to a point on the Northeasterly right-of-way line of U.S.H. 39-90-94 ; thence N41°29'41"W, 199.17 feet along said Northeasterly right-of-way line ; thence N44°59'14"W, 226.63 feet along said Northeasterly right-of-way line ; thence N37°53'26"W, 531.00 feet along said Northeasterly right-of-way line to a point of curve; thence Northwesterly along said Northeasterly right-of-way line on a curve to the left which has a radius of 8774.40 feet and a chord which bears N27°39'18"W, 1705.43 feet; thence N33°11'11"W, 39.32 feet along said Northeasterly right-of-way line to the point of beginning. Containing 93.187 acres.

LANDS TO BE ANNEXED TO THE VILLAGE OF DeFOREST



D'ONOFRIO KOTTKE AND ASSOCIATES, INC.

7530 Westward Way, Madison, WI 53717
Phone: 608.833.7530 • Fax: 608.833.1089
YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT



0 400

Scale 1" = 400'

DATE: 12-22-21

E.N. : 21-02-151

Annexation Review Questionnaire

Wisconsin Department of Administration

WI Dept. of Administration
Municipal Boundary Review
PO Box 1645
Madison WI 53701
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wimunicipalboundaryreview@wi.gov
<http://doa.wi.gov/municipalboundaryreview>

Petitioner: **Evans**

Petition Number: **14559**

1. Territory to be annexed: From **TOWN OF VIENNA** To **VILLAGE OF DEFOREST**

2. Area (Acres): 93.187

3. Pick one: ☒ Property Tax Payments

OR ☐ Boundary Agreement

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

\$ \$90.43

a. Title of boundary agreement _____

b. Total that will be paid to Town

(annual tax multiplied by 5 years): \$452.15

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: 0 Total: _____

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

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

Undeveloped: 100 %

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

Residential: 20 % Recreational: 10 % Commercial: 70 % 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?

Agricultural

In the town?: Agricultural

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 year _____

Water Supply immediately

☒ ☐

or, write in number of years.

immediately _____

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: Sanitary Extension

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? Agriculture

c. How will the land be zoned and used if annexed? Commercial, Residential, Recreational

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: Calli Lundgren

Email: LundgrenC@vr.deforest.wi.us

Phone: 608-846-6751

Date:

Please **RETURN PROMPTLY** to:

wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

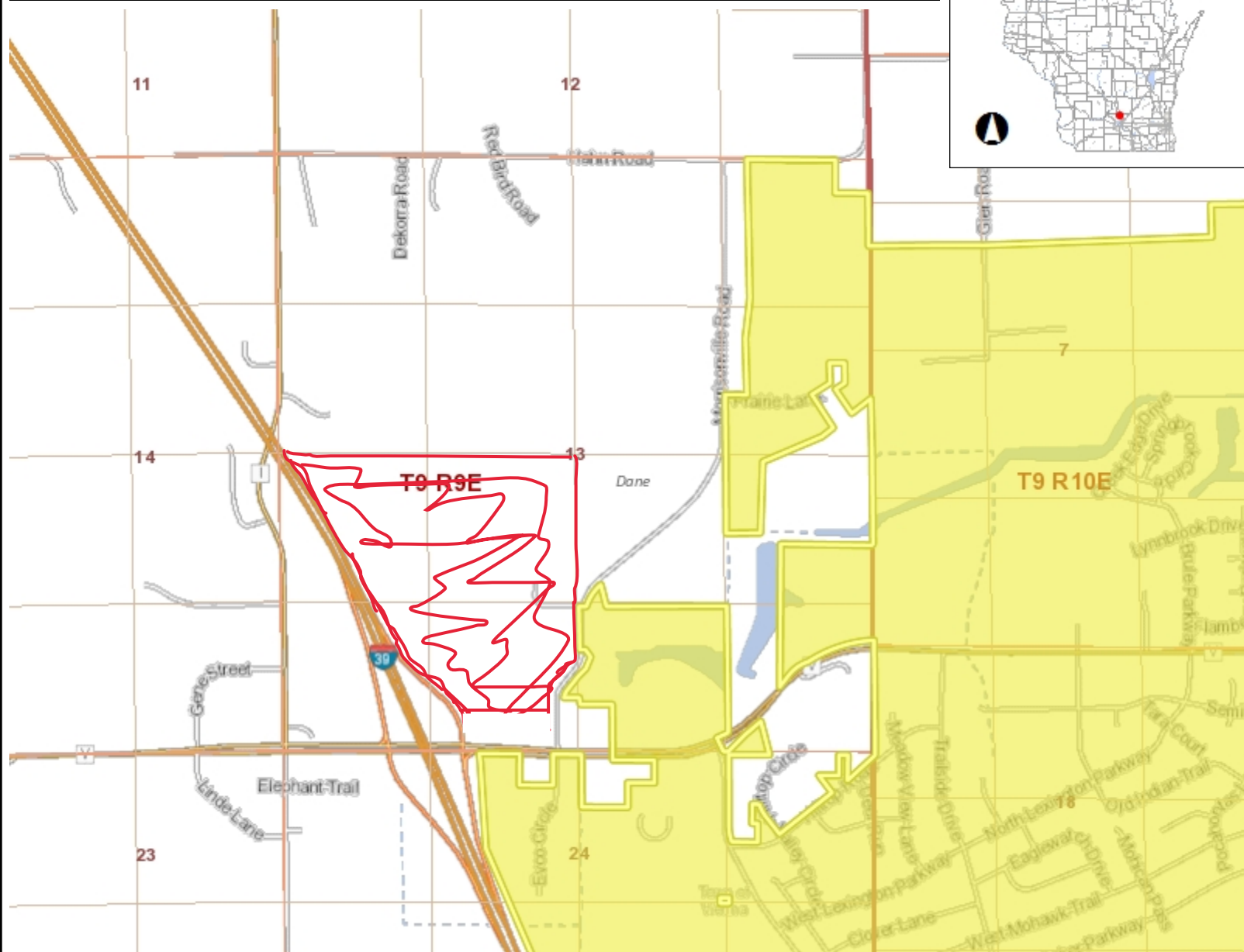
PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

(March 2018)



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

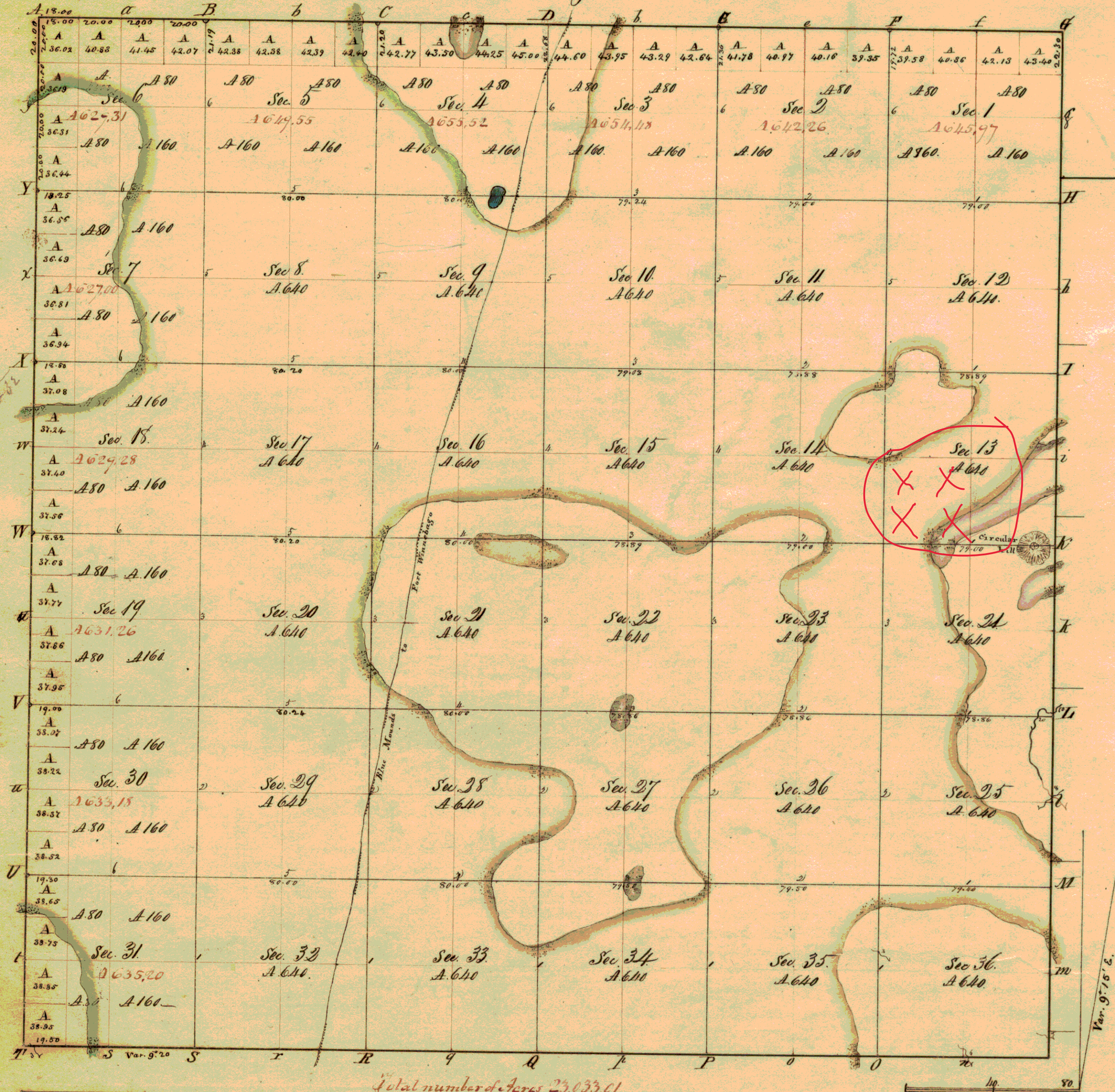
1: 15,840

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

Mullett 7-7
10-5



Total number of Acres 23,033.01

Survey Designated	By whom Surveyed	Date of Contract	amt. of Survey when Surveyed	when p ^d for 4 th sec.
Lower Boundaries of Road	John Mullett	10 th Oct 1831	10. 64. 75	4 th q ^r 1832 1 st q ^r 1833
Subdivisions	John Mullett	16 th Feb 1832	22. 37. 98	2 ^d q ^r 1833 3 ^d q ^r 1833
C. of Road	Orson Lyon	8 th Feb 1834	36. 45. 98	4 th q ^r 1834 1 st q ^r 1835
E. Lines, East of Road	Mullett & Brink	9 th July 1833	13. 21. 05	4 th q ^r 1833 3 ^d q ^r 1834

The above Map of Township N^o 9, Range N^o 9 East, 4th Meridian North West Territory, 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

Robert J. Smith



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>

February 06, 2023

PETITION FILE NO. 14559

CALLI LUNDGREN, CLERK
VILLAGE OF DEFOREST
120 S STEVENSON STREET
DE FOREST, WI 53532-1505

KATHLEEN CLARK, CLERK
TOWN OF VIENNA
7161 COUNTY HWY I
DE FOREST, WI 53532-1946

Subject: EVANS ANNEXATION

The proposed annexation submitted to our office on January 18, 2023, 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 DeForest, 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 14559 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=2633>
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner