

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: **Pilot Travel Centers LLC**

Phone: **865-474-2248**

Email: **stacy.stanley@pilottravelcenters.com**

RECEIVED

February 14, 2023

Municipal Boundary Review
Wisconsin Dept. of Admin.

Contact Information if different than petitioner:

Representative's Name: **CSMS Management, LLC**

Phone: **979-388-3237**

E-mail: **stan.beard@buc-ees.com**

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: **APPROXIMATELY 54.32 ACRES OF LAND**

6. Tax parcel number(s) of territory to be annexed (if the territory is part or all of an existing parcel):
0909-133-9083-0; 0909-133-9133-0.

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]

(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: 2-13-2023

Payer: Reinhart Van

Reinhart Boerner VanDeuren SC

Check Number: 470200

Check Date: 2-9-23

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).



Reinhart Boerner Van Deuren s.c.
P.O. Box 2965
Milwaukee, WI 53201-2965

1000 North Water Street
Suite 1700
Milwaukee, WI 53202-3197

Telephone: 414.298.1000
Fax: 414.298.8097
Toll Free: 800.553.6215
reinhartlaw.com

February 9, 2023

Tomás Clasen, Esq.
Direct Dial: 414-298-8391
tclasen@reinhartlaw.com

CERTIFIED MAIL -
RETURN RECEIPT REQUESTED

Wisconsin Department of Administration
Municipal Boundary Review
P.O. Box 1645
Madison, WI 53701

Dear Sir or Madam:

Re: Proposed Annexation of lands in the
Town of Vienna to the Village of
DeForest, Dane County, Wisconsin

Pilot Travel Centers LLC ("Owner") desires to annex its property from the Town of Vienna to the Village of DeForest, Dane County, Wisconsin.

Accordingly, on Owner's behalf, I enclose:

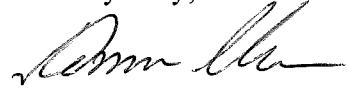
1. The Completed Request for Annexation Review form;
2. A check in the amount of \$1,350 to cover all review fees;
3. A copy of the Petition for Direct Annexation By Unanimous Approval signed by the sole owner (there are no electors); and
4. The legal description and scale map of the lands proposed to be annexed.

We believe that the proposed annexation is in the public interest because it will enable the territory to access the public services from the Village necessary to facilitate the property's development. Note, on the date of this letter, the petition will be filed with both the Clerk of the Village of DeForest and the Clerk of the Town of Vienna.

Wisconsin Department of Administration
Municipal Boundary Review
February 9, 2023
Page 2

Thank you for your attention to this request. Please feel free to contact me at 414-298-8391 with any questions or comments.

Yours very truly,

A handwritten signature in black ink, appearing to read 'Tomas Clasen', written in a cursive style.

Tomas Clasen

48829464

Enc.

cc Mr. Stan Beard
Deborah C. Tomczyk (via e-mail)

PETITION FOR DIRECT ANNEXATION BY UNANIMOUS APPROVAL

The undersigned being the sole owner of all of the real property in the territory located in the Town of Vienna, Dane County, Wisconsin, lying contiguous to the Village of DeForest, Dane County, Wisconsin and legally described on the attached Exhibit A and depicted on the scale map attached hereto as Exhibit B, hereby petition the Honorable Village President and the Village Board of the Village of DeForest to annex such territory to the Village of DeForest ("Village"), pursuant to Wisconsin Statute section 66.0217(2). The purpose of this petition for direct annexation of the territory is to obtain public services for the territory from the Village.

Population

The population in the territory that is the subject of this petition is 0.

Owner

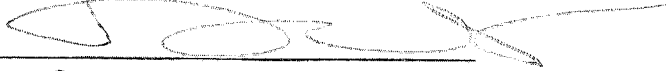
The owner of the real property is Pilot Travel Centers LLC, as successor by merger to CFJ Properties.

Zoning

The undersigned also petitions the Village to zone the property B-3-Highway Business District consistent with Wisconsin Statute sections 66.0217(8)(a) and 62.23(7) upon annexation into the Village.

[Signature Page Follows]

The undersigned, owner of the real property:
Pilot Travel Centers LLC, successor by merger to
CFJ ~~CJP~~ Properties

By: 

Name: DAVID CLONINGER

Title: Authorized Representative

Dated as of this 30th day of January, 2023.

[SIGNATURE PAGE TO PETITION FOR DIRECT ANNEXATION BY UNANIMOUS APPROVAL]

EXHIBIT A

LEGAL DESCRIPTION OF TERRITORY TO BE ANNEXED

EXHIBIT A

LEGAL DESCRIPTION

All of Lot 1 and part of Lot 2 of Certified Survey Map No. 9961 and lands located in the Northwest 1/4, Southwest 1/4 and Southeast 1/4 of the Southwest 1/4 of Section 13, Town 9 North, Range 9 East, in the Town of Vienna, Dane County, Wisconsin which is bounded and described as follows:

Beginning at the Northwest corner of the Southwest 1/4 of Section 13; thence South 89°00'03" East along the North line of said Southwest 1/4 Section 133.30 feet to a point on the East line of Interstate Highway "39", "90" and "94"; thence South 33°11'11" East along said East line 39.32 feet to a point of curve; thence Southeasterly 1708.13 feet along said East line and arc of a curve whose center lies to the Southwest, whose radius is 8774.40 feet, and whose chord bears South 27°39'18" East 1705.43 feet to a point; thence South 37°53'26" East along said East line 531.00 feet to a point; thence South 44°59'14" East along said East line 226.63 feet to a point; thence South 41°29'41" East along said East line 199.17 feet to a point; thence South 00°55'11" West 399.84 feet to a point on the South line of the Southwest 1/4 of Section 13; thence North 89°04'49" West along said South line 1537.36 feet to a point marking the Southwest corner of the Southwest 1/4 of Section 13; thence North 00°27'21" West along the West line of the Southwest 1/4 of Section 13 a distance of 2649.55 feet to the point of beginning.

Containing 2,365,987 square feet or 54.3156 acres of land.

DATE: February 6, 2023

CHAPUT
LAND SURVEYS

234 W. Florida Street
Milwaukee, WI 53204
414-224-8068
www.chaputlandsurveys.com
Drawing No. 4300-grb

EXHIBIT B

SCALE MAP OF TERRITORY TO BE ANNEXED

SCALE MAP

Located in the Northwest 1/4, Southwest 1/4 and Southeast 1/4 of the Southwest 1/4 of Section 13, Town 9 North, Range 9 East, in the Town of Vienna, Dane County, Wisconsin

DATE: February 6, 2023

Horizontal Datum: NAD 83 (2011)

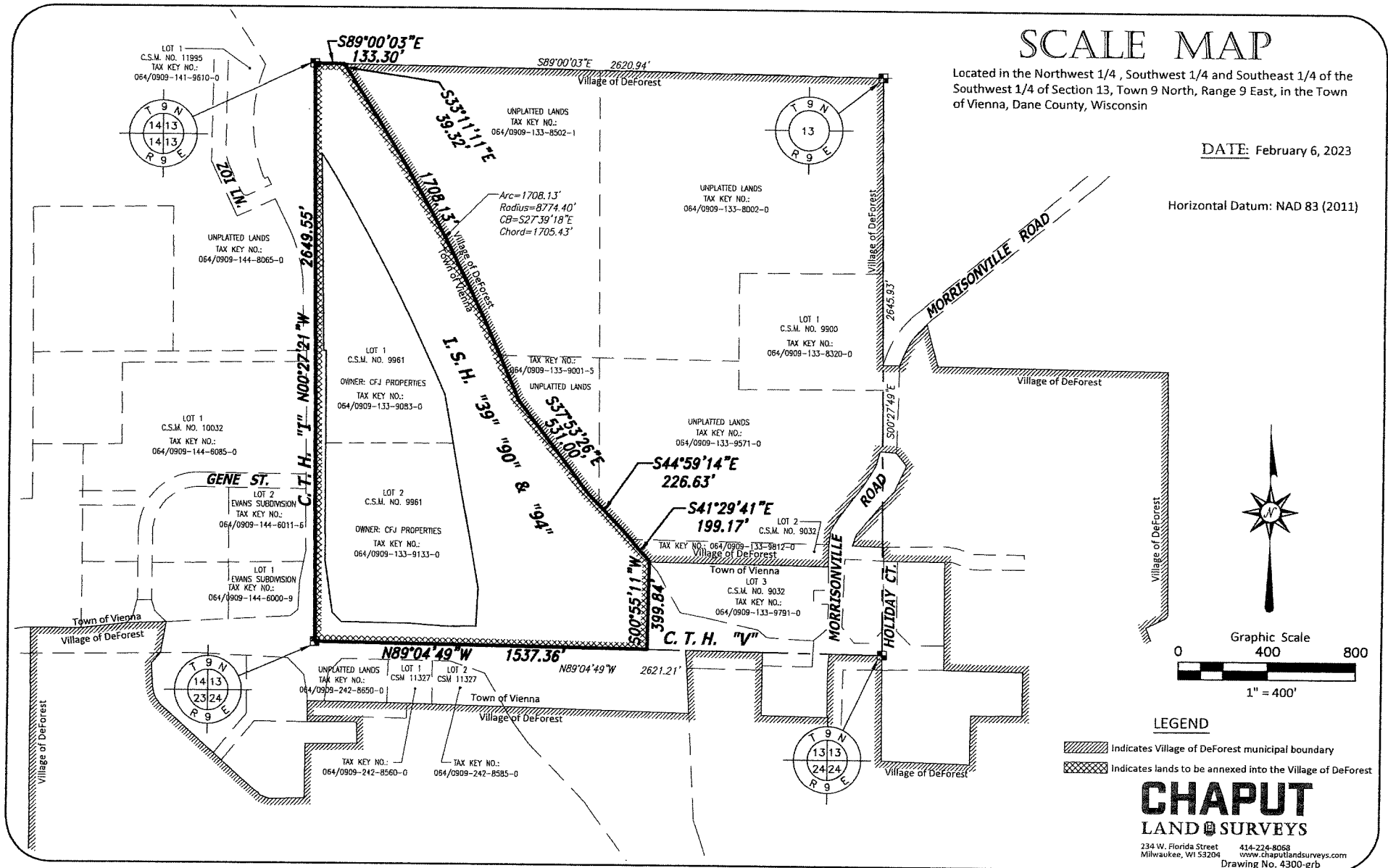


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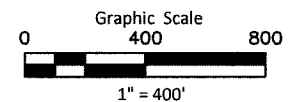
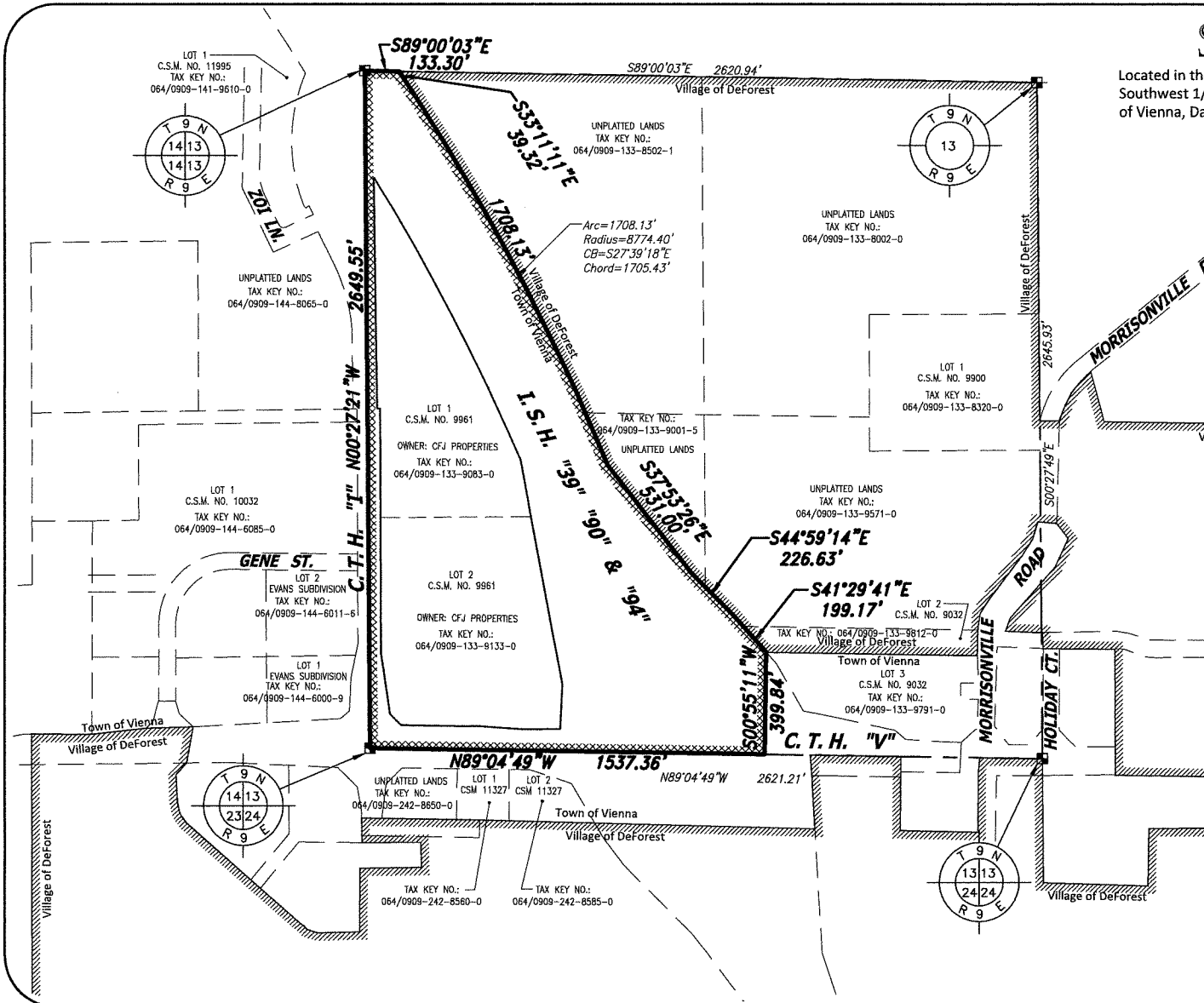
Drawing No. 4300-grb

SCALE MAP

Located in the Northwest 1/4, Southwest 1/4 and Southeast 1/4 of the Southwest 1/4 of Section 13, Town 9 North, Range 9 East, in the Town of Vienna, Dane County, Wisconsin

DATE: February 6, 2023

Horizontal Datum: NAD 83 (2011)



LEGEND

- Indicates Village of DeForest municipal boundary
- Indicates lands to be annexed into the Village of DeForest

CHAPUT
LAND SURVEYS

234 W. Florida Street
Milwaukee, WI 53204
414-224-8068
www.chaputlandsurveys.com
Drawing No. 4300-grb

REAL PROPERTY LISTERS ANNEXATION REVIEW

1. Territory to be annexed:	From Town of: Vienna	To City/Village of: V of Deforest
-----------------------------	-------------------------	--------------------------------------

2. Checklist: (Y) Yes; (N) No; (NA) Not applicable; (NC) Not checked

Location and Position

___y___ (1) Location description by government lot, recorded private claim, 1/4 - 1/4 section, section, township, range and county

___y___, but lands adjacent are being annexed as well___ (2) Contiguous with existing village/city boundaries

___maybe, if other annexation doesn't process first___ (3) Creates an island area in Township (completely surrounded by city)

___n___ (4) Creates an island area in City (completely surrounded by town)

Petition and Map Information

___y___ (1) Identify owner(s) of annexed land

___y___ (2) Identify parcel ID numbers included in annexation.

___na___ (3) Identify parcel ID numbers being split by annexation

___y___ (4) North arrow

___y___ (5) Graphic Scale

___y___ (6) Streets and Highways shown and identified

___y___ (7) Legend

___y___ (8) Total area/acreage of annexation

3. Other relevant information and comments:

As it stands, this would create an island in the town. There is an area to the east that is proposed for annexation as well

Prepared by: _Troy Everson_____
 Title: _Land Records Administrator_
 Phone: _608-261-9750_____
 Date: _2/15/23_____

Please **RETURN PROMPTLY** to:
 Municipal Boundary Review
 PO Box 1645
 Madison WI 53701
 (608) 264-6102 **FAX** (608) 264-6104
wimunicipalboundaryreview@wi.gov

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: **Pilot Travel Centers LLC**

Petition Number: **14568**

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

To **VILLAGE OF DEFOREST**

2. Area (Acres): 54.32

3. Pick one: ☒ Property Tax Payments

OR

☐ Boundary Agreement

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

\$ 3,914.42

a. Title of boundary agreement _____

b. Year adopted _____

b. Total that will be paid to Town

(annual tax multiplied by 5 years): 19,572.10

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: 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: _____% Recreational: _____% Commercial: 100 % 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?: COMMERCIAL AND AGRICULTURE

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: VILLAGE NEEDS SEWER

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? GENERAL INDUSTRIAL

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

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: KATHLEEN L. CLARK

Email: CLERK@VIENNANE.GOV

Phone: 608-546-3800

Date: 3/3/2023

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: **Pilot Travel Centers LLC**

Petition Number: **14568**

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

2. Area (Acres): 54.32

3. Pick one: ☒ Property Tax Payments

OR ☐ Boundary Agreement

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

\$ 3914.42

a. Title of boundary agreement _____

b. Total that will be paid to Town

(annual tax multiplied by 5 years): 19,572.10

b. Year adopted _____

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: 100% Industrial: _____%

Undeveloped: _____%

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

Residential: _____% Recreational: _____% Commercial: 100% 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?

Commercial, Residential

In the town?: Commercial

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

☒

City/Village

☐

or, write in number of years.

1 year

Water Supply immediately

☒

☐

or, write in number of years.

1 year

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? Commercial

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

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@vi.deforest.wi.us

Phone: 608-846-6751

Date: 2/22/2023

(March 2018)

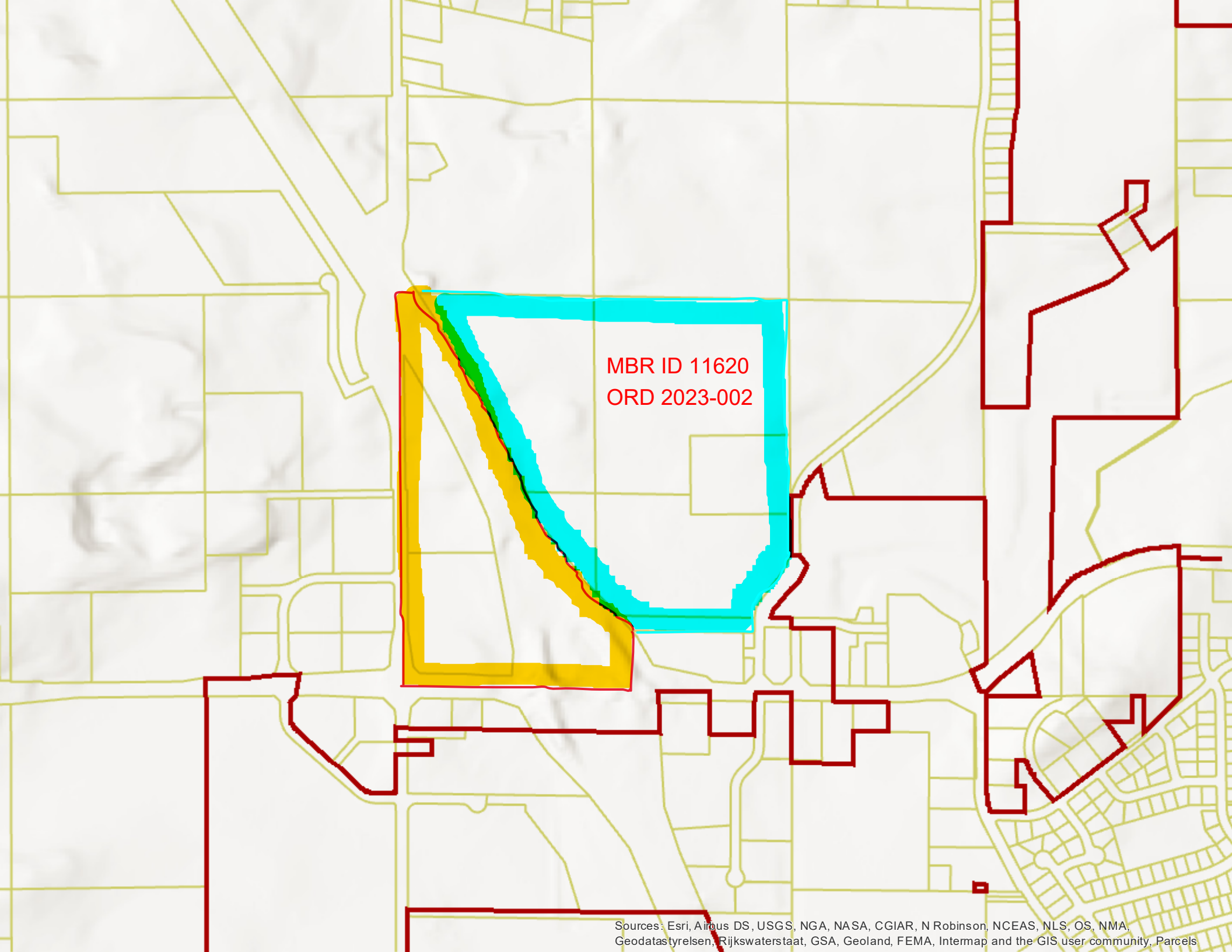
Please **RETURN PROMPTLY** to:

wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

PO Box 1645, Madison WI 53701

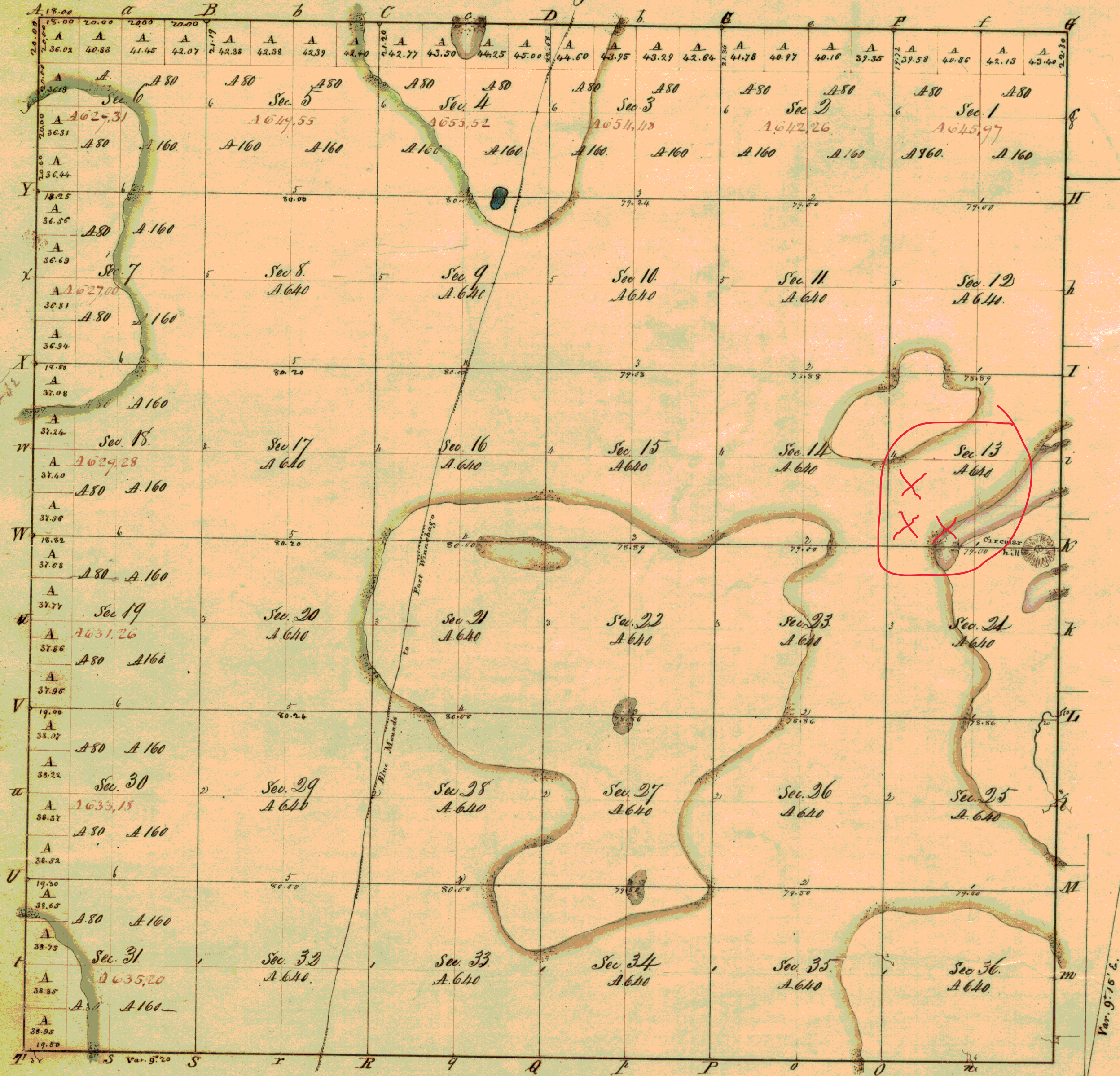
Fax: (608) 264-6104



MBR ID 11620
ORD 2023-002

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 y. el ^d .
Town Boundary	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
T. 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

Noted the 10th Sept 1834



TONY EVERS

GOVERNOR

KATHY BLUMENFELD

SECRETARY

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>

March 06, 2023

PETITION FILE NO. 14568

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: PILOT TRAVEL CENTERS LLC ANNEXATION

The proposed annexation submitted to our office on February 14, 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 14568 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=2642>
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner