Request for Annexation Review

WI Dept. of Administration Municipal Boundary Review PO Box 1645, Madison WI 53701 608-264-6102 wimunicipalboundaryreview@wi.gov

Wisconsin Department of Administration

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

	r outdoner informati	1011
Name:	Gene C. Evans and Karen A. Evans/Vienna Bu	usiness Center, LLC
Phone: Email:	608-212-0375	
LIIIaII.	chrise@evcoplastics.com	·
Contact Inf	formation if different than petitioner:	RECEIVED
Represent	ative's Name:	
Phone:		March 10, 2023
E-mail:		Municipal Boundary Review Wisconsin Dept. of Admin.
<u>1. Town(s)</u>	where property is located: Vienna	
2. Petitione	ed City or Village: DeForest	
3. County	where property is located: Dane	
4. Populati	on of the territory to be annexed: 0	
5. Area (in	acres) of the territory to be annexed: 55.731	
6. Tax pard	cel number(s) of territory to be annexed (if the territory	vis part or all of an existing parcel):
0909-242-	7006-0, 0909-242-9652-0, PART OF 0909-243-8061-	2, PART OF 0909-243-8503-0
Include the	ese required items with this form:	•
1. ⊠ Lega	al 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 a	ttached annexation guide]
3. ⊠ Sign	ed Petition or Notice of Intent to Circulate [see attache	ed annexation guide]
4. □ Ched	ck or money order covering review fee [see next page	for fee calculation]
	Market and the second of the s	

(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:	
Payer:	Check Number:
	Check Date:
	Amount:

ANNEXATION SUBMITTAL GUIDE

<u>s. 66.0217 (5)</u> 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 approvalSee <u>66.0217 (3) (a)</u> , if by one-half approvalSee <u>66.0217 (3) (b)</u> , if by referendum.
\square State the population of the land to be	annexed.
[It is beneficial to include Parcel ID or Ta annexor (Village or City) in the petition.]	ax numbers, the parcel area, and identify the annexee (Town) and
described by reference to the governme which the land lies. The land must be full	TION a legal description of the land to be annexed. The land must be nt lot, private claim, quarter-section, section, town and range in ther described by metes and bounds commencing from a arter-section, or the monumented end of a private claim or federal
plat or certified survey map, it must be d	n a lot or lots, or all of a block or blocks of a recorded subdivision escribed by reference to the lot (s) and/or block (s) therein, along volume, page, and County of the certified survey map.
☐ The land may NOT be described only	 -Aliquot part; -Reference to any other document (plat of survey, deed, etc.); -Exception or Inclusion; -Parcel ID or tax number.
it must show: -A tie line from the parcel to the monumented end of a private claim or fe monument must be identified.	ion of the legal description of the parcel being annexed. As such, monumented comer of the section or quarter-section, or the ederal reservation, in which the parcel lies. The comer and all parcel boundaries as described.
☐ The map must include a graphic sca	le.
$\hfill\Box$ The map must show and identify the annexed.	existing municipal boundary, in relation to the parcel being
[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 Cle in which the land is located.	erk of the annexing City or Village and with the Clerk of the Town
☐ If the annexation is by one-half appro	val, or by referendum, the petitioner must post notice of the

OFFOREST

VILLAGE OF DEFOREST

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

February 27, 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. This new petition is the same lands as previously submitted with file number 14563. A small typo was located in the legal description. The error was regarding the distance of the bearing along the east right of way of the interstate, which was listed as 1009.66 feet, when in fact it is 1009.65 feet. The correction has been made in the attached legal description.

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, and Vienna Business Center, LLC (together, the "Petitioners") hereby respectfully petition the Village Board of the Village of DeForest, Dane County, Wisconsin, pursuant to §66.0217(2) of the Wisconsin Statutes, for the direct annexation by unanimous consent 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 Petitioners are 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 Petitioners believe 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 the Petition was duly authorized by the undersigned.

Karen A. E

VIENNA BUSINESS CENTER, LLC

Gene C. Evans, Member

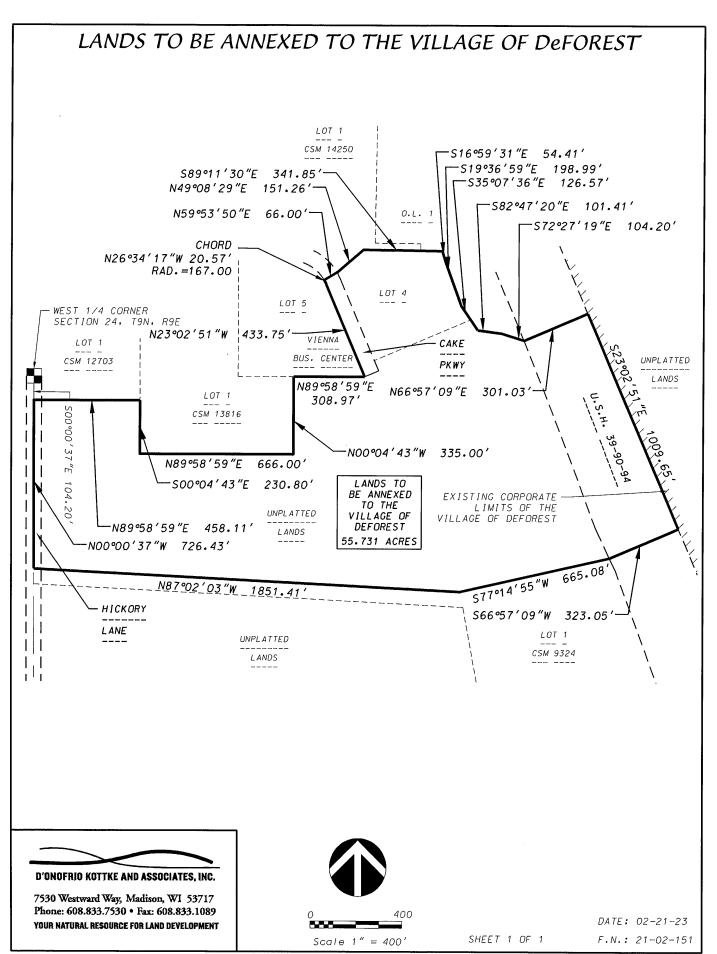
Karen A. Evans, Member

EXHIBIT "A"

LEGAL DESCRIPTION

Located in the SW1/4 of the NW1/4, SE1/4 of the NW1/4, NW1/4 of the SW1/4, and the NE1/4 of the SW1/4 of Section 24, T9N, R9E, Town of Vienna, Dane County, Wisconsin to-wit:

Commencing at the West 1/4 corner of said Section 24; thence S00°00'37"E, 104.20 feet along the West line of said SW1/4 to the point of beginning; thence N89°58'59"E, 458.11 feet to the Southeast corner of Lot 1, Certified Survey Map No. 12703, also being on the West line of Lot 1, Certified Survey Map No. 13816; thence S00°04'43"E, 230.80 feet to the Southwest corner of said Lot 1; thence N89°58'59"E, 666.00 feet to the Southeast corner of said Lot 1; thence N00°04'43"W, 335.00 feet along the East line of said Lot 1 to a point on the South line of Lot 5, Vienna Business Center; thence N89°58'59"E, 308.97 feet along the South line of said Lot 5 to a point on the West right-of-way line of Cake Parkway; thence N23°02'51"W, 433.75 feet along said West right-of-way line to a point of curve; thence Northerly along said West right-of-way line along a curve to the left which has a radius of 167.00 feet and a chord which bears N26°34'17"W, 20.57 feet; thence N59°53'50"E, 66.00 feet to a point on the East right-of-way line of Cake Parkway, also being South corner of Lot 1, Certified Survey Map No. 14250; thence N49°08'29"E, 151.26 feet along the South line of said Lot 1; thence S89°11'30"E, 341.85 feet along said South line and a Southerly line of Outlot 1, Vienna Business Center; thence S16°59'31"E, 54.41 feet along said Southerly line; thence S19°36'59"E, 198.99 feet along said Southerly line; thence S35°07'36"E, 126.57 feet along said Southerly line, thence S82°47'20"E, 101.41 feet along said Southerly line; thence S72°27'19"E, 104.20 feet along said Southerly line to a point on the Westerly right-of-way line of U.S.H 39-90-94; thence N66°57'09"E, 301.03 feet to a point on the Easterly right-of-way line of U.S.H. 39-90-94 and the existing corporate limits of the Village of DeForest; thence S23°02'51"E, 1009.65 feet along said Easterly right-of-way line and existing corporate limits; thence S66°57'09"W, 323.05 feet to a point on the Westerly right-of-way line of U.S.H. 39-90-94, also being the Northeast corner of Lot 1, Certified Survey Map No. 9324; thence S77°14'55"W, 665.08 feet along the North line of said Lot 1; thence N87°02'03"W, 1851.41 feet along said North line to a point on the West line of said SW1/4; thence N00°00'37"W, 726.43 feet along said West line to the point of beginning. Containing 55.731 acres.





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 31, 2023

PETITION FILE NO. 14571

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 24, 2023 and as amended on March 10, 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. In this case, Petitioners desire water service in particular which the Village indicates it can provide.

Note: in its submitted questionnaire the Town believes that a town island area may be created by this annexation and contrary to s. 66.0221, Wis. Stats. While this annexation does isolate roughly six Town parcels, there is still adequate connection at a point between these parcels and the larger Town at the annexation's western side along Hickory Lane, thereby preventing creation of a Town island under Wisconsin law.

The Department reminds clerks of annexing municipalities of the requirements of s. 66.0217 (9)(a), Wis. Stats., which states that 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 14571 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/, click on "Help on How to Submit Municipal Records". Email scanned copy of Required materials (color scan maps with color) to 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/, click on "Help on How to Submit Municipal Records". Email scanned copy of Required materials (color scan maps with color) to mds.wi.gov/, click on "Help on How to Submit Municipal Records". Email scanned copy of Reduired materials (color scan maps with color) to mds.wi.gov/, click on "Help on How to Submit Municipal Records". Email scanned copy of Reduired materials (color scan maps with color) to mds.wi.gov/, click on "Help on How to Submit Municip

The petition file is available for viewing at: http://mds.wi.gov/View/Petition?ID=2637
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

Spanshie

cc: petitioner

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

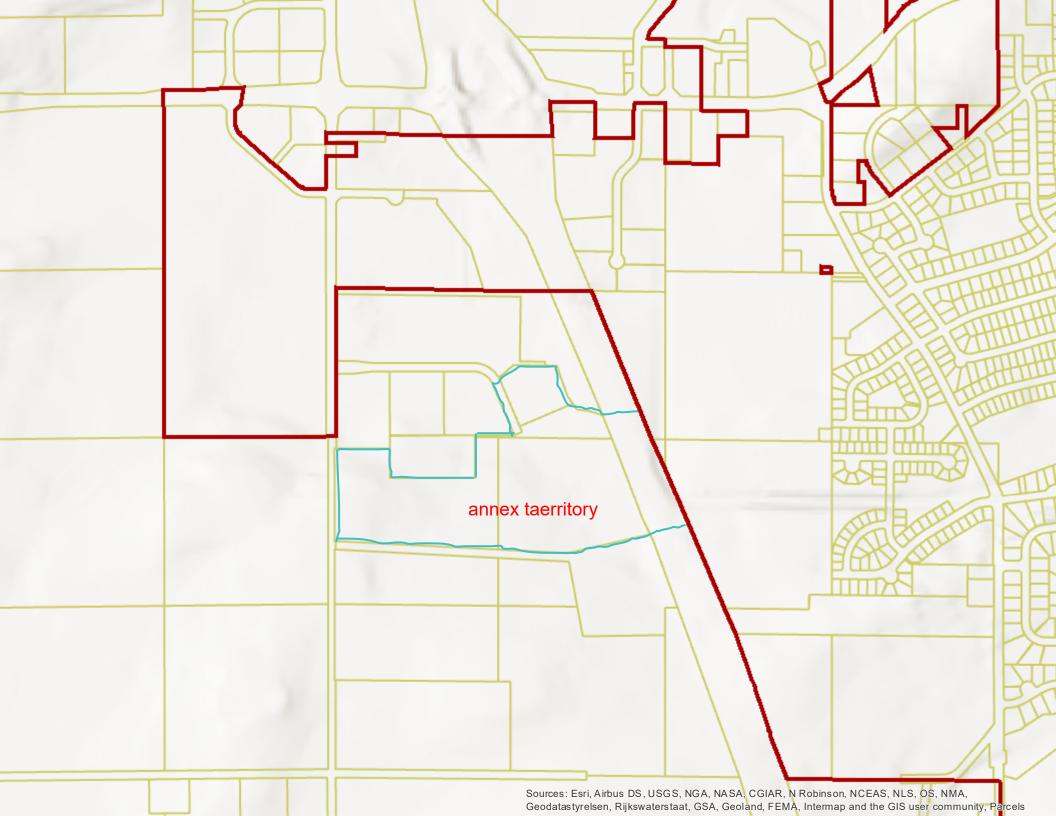
608-264-6102 Fax: 608-264-6104 wimunicipalboundaryreview@wi.gov http://doa.wi.gov/municipalboundaryreview

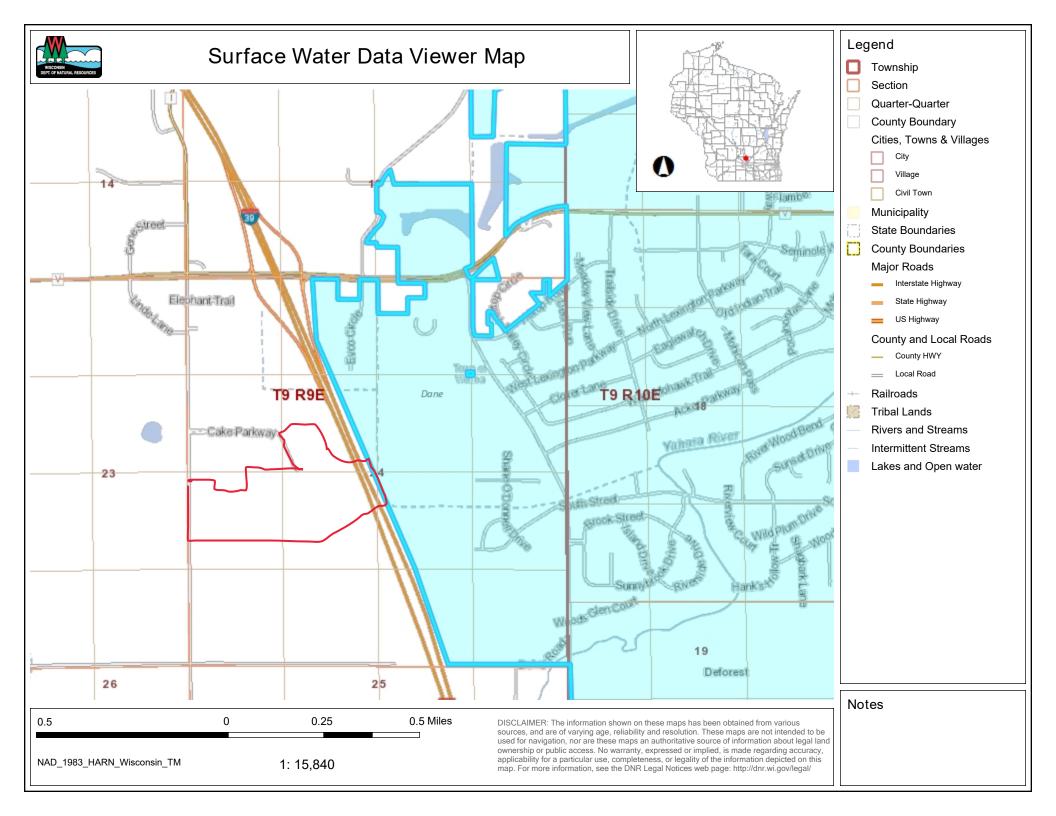
Petitioner: Evans				Petition Number: 14571		
1. Territory to be annexed:	From TOWN OF VIENNA		ľ	To VILLAGE OF DEFOREST		
2. Area (Acres): <u>55.73</u>			•			
3. Pick one: 💢 Property Tax	Payments	OR	□ Во	oundary Agreement		
a. Annual town property tax or	n territory to be annexed:		a. Title o	of boundary agreement		
\$ 486.07			b. Year adopted			
b. Total that will be paid to To	wn		c. Participating jurisdictions			
(annual tax multiplied by 5	years): <u># 2, 430.35</u>		d. Statu	tory authority (pick one)		
c. Paid by: \square Petitioner \square	City		□ s.6	66.0307 🗆 s.66.0225 🗆 s.66.0301		
☐ Other:						
4. Resident Population:	Electors: Total:	:				
5. Approximate present land	use of territory:					
Residential:%	Recreational:%	Comm	ercial:	% Industrial:%		
Undeveloped: //OO_%						
6. If territory is undeveloped, v	•			-		
Residential:%	Recreational:%	Comm	ercial:	50_% Industrial:50_%		
Other:%						
Comments: <u>Based on</u>	Zonne Map for	r Vu	llage	of Deforest		
7. Has a □ preliminary or □ fi	nal plat been submitted to the	e Plan	Commiss	ion: ☐ Yes 🛣 No		
Plat Name:						
8. What is the nature of land	use adjacent to this territory	in the	city or vill	age?		
BUSINESS O	R GENERAL AGRK	LULTE	ERAL			
In the town?:						
9. What are the basic service	needs that precipitated the	reques	t for anne	exation?		
☐ Sanitary sewer	₩ Water supply □	□ Stor	m sewers			
☐ Police/Fire protection	□ EMS □	□ Zoni	ing			
Other				_		

10. Is the city/village or town capable of providing need	ed utility services?
City/Village □ Yes □ No	wn
If yes, approximate timetable for providing service	e: City/Village Town .
Sanitary Sewers immediately	WITHOUT ANNEXIATION OR WITH AGRESS MENT
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
	stations, interceptor sewers, wells, water storage facilities)?
YA Yes □ No	
,	
If yes, identify the nature of the anticinated improvem	nents and their probable costs: VILLAGE NEEDS SANITARY + ETND WATER
11. Planning & Zoning:	WATEL
a. Do you have a comprehensive plan for the City/Vil	llag€/Town?
Is this annexation consistent with your comprehen-	sive plan? ☐ Yes ☒ No
	Constant There's A Administration
b. How is the annexation territory now zoned?	
	INBUSTRIAL OR COMMERCIAL
	ne annexation create a new ward or join an existing ward? For n Commission at (608) 266-8005, elections@wi.gov
annexation checklist here: http://elections.wi.gov/forn	
13. Other relevant information and comments bearing u	pon the public interest in the annexation:
THE TOWN CANNOT UNDERSTAND H	on This LOES NOT CREATE AN ISLAND.
,	· · · · · ·
Prepared by: ឪ Town □ City □ Village	Please RETURN PROMPTLY to:
Name: Lath Dean (lock	wimunicipalboundaryreview@wi.gov
Email: CIECKO VIENNAWI, GOV	Municipal Boundary Review
Phone: 608-846-3800	PO Box 1645, Madison WI 53701
Date: 3/31/23	Fax: (608) 264-6104
(March 2018)	

LANDS TO BE ANNEXED TO THE VILLAGE OF DEFOREST LOT 1 CSM 14250 S16°59'31"E 54.41' S19°36'59"E 198.99' S89°11'30"E 341.85' S35°07'36"E 126.57' N49°08'29"E 151.26'-S82°47'20"E 101.41' N59°53'50"E 66.00'-0.L. 1 S72°27'19"E 104.20' CHORD N26°34' 17"W 20.57' RAD. =167.00 LOT 4 LOT 5 WEST 1/4 CORNER SECTION 24, T9N, R9E N23°02'51"W 433.75'-VIENNA LOT 1 CAKE BUS. CENTER UNPLATTED CSM 12703 PKWY LANDS N89°58′59″E N66°57'09"E 301.03 LOT 1 308.97' ,00000 CSM 13816 137"E NOO°04'43"W 335.00' N89°58'59"E 666.00' LANDS TO BE ANNEXED 104.20 S00°04' 43"E 230.80' EXISTING CORPORATE TO THE VILLAGE OF LIMITS OF THE VILLAGE OF DEFOREST UNPLATTED N89°58'59"E 458.11' DEFOREST LANDS 55.731 ACRES NOO°OO'37"W 726.43' 665.08 S77°14′55″W _____N87°02′03″W_1851.41′ ı HICKORY L S66°57'09"W 323.05 LANE LOT 1 UNPLATTED ||1|CSM 9324 LANDS D'ONOFRIO KOTTKE AND ASSOCIATES, INC. 7530 Westward Way, Madison, WI 53717 Phone: 608.833.7530 • Fax: 608.833.1089 400 DATE: 02-21-23 YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT SHEET 1 OF 1 F.N.: 21-02-151

Scale 1" = 400'





or fines

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TONY EVERS
GOVERNOR
KATHY BLUMENFELD
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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 31, 2023

PETITION FILE NO. 14571

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

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The petition file is available for viewing at: http://mds.wi.gov/View/Petition?ID=2637
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

Sand Le

cc: petitioner