

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: **HEP LLC**

Phone: **(262) 853-9390**

Email: **jbpape@mac.com**

RECEIVED

May 9, 2023

Municipal Boundary Review
Wisconsin Dept. of Admin.

Contact Information if different than petitioner:

Representative's Name: **James B. Pape (Please cc Joseph Tierney IV)**

Phone: **(262) 853-9390**

E-mail: **jbpape@mac.com (cc jtierney@amundsendavislaw.com)**

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

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

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

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

5. Area (in acres) of the territory to be annexed: **PARCEL A - 43.4270, PARCEL B - 1.02, PARCEL C - 1.01**

6. Tax parcel number(s) of territory to be annexed (if the territory is part or all of an existing parcel):
PARCEL A - 06-029-06-007-00; PARCEL B - 06-029-06-001-00; PARCEL C - 06-029-06-002-00

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

\$800 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

\$1150 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: 5/8/2023

Payer: Fiduciary Real Estate Development Inc

Check Number: 32551

Check Date: 4/25/2023

Amount: \$1,150.00

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 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).



789 N. Water Street, Suite 500, Milwaukee, Wisconsin 53202
Phone 414.226.4535 • Fax 414.226.4523 • www.fred-inc.com

May 4, 2023

Wisconsin Department of Administration
Municipal Boundary Review
Attn: Erich Schmidtke
PO Box 1645
Madison, WI 53701

Re: Grafton Annexation

Mr. Schmidtke:

Enclosed herein please find a Request for Annexation Review and related attachments. Should you have any questions, please contact myself (414-274-8252, twitzel@fred-inc.com) and Joseph Tierney IV (jtierney@amudsendavislaw.com).

Very truly yours,

A handwritten signature in dark ink, appearing to read "Tom Witzel", with a long horizontal flourish extending to the right.

Thomas E. Witzel
Corporate Counsel

Petition for Annexation

The undersigned, constituting 100 percent of the owners of the following described territory located in the Town of Grafton, Ozaukee County, Wisconsin, lying contiguous to the Village of Grafton, petition the Village President and Common Council of said village to annex the territory described below and shown upon the attached map, as permitted by Chapter 66 of the Wisconsin Statutes, to the Village of Grafton, Ozaukee County, Wisconsin.

PARCEL A:

LOT TWO (2) OF CERTIFIED SURVEY MAP NO. 3330 RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR OZAUKEE COUNTY, WISCONSIN ON DECEMBER 19, 2001, IN VOLUME 23 OF CERTIFIED SURVEY MAPS, PAGE 268 AS DOCUMENT NO. 696793, SAID CERTIFIED SURVEY MAP BEING A PART OF

THE NORTHWEST 1/4 AND THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 29, TOWN 10 NORTH, RANGE 22 EAST, IN THE TOWN OF GRAFTON, OZAUKEE COUNTY, WISCONSIN. EXCEPTING THEREFROM THAT PORTION DESCRIBED IN WARRANTY DEED RECORDED MAY 24, 2006 AS DOCUMENT NO. 0842218. FURTHER EXCEPTING THEREFROM THAT PORTION OF LAND CONVEYED IN

WARRANTY DEED RECORDED JULY 26, 2021 AS DOCUMENT NO. 1122343.

FOR INFORMATIONAL PURPOSES ONLY:

PROPERTY ADDRESS: 754 PORT WASHINGTON ROAD, GRAFTON, WI 53024

TAX PARCEL NO. 06-029-06-007.00

PARCEL B:

THAT PART OF THE NORTH WEST OF SECTION 29, TOWNSHIP 10 NORTH, RANGE 22 EAST, IN THE TOWN OF GRAFTON, OZAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION; THENCE S. 0° 41' 17" E. ALONG THE

WEST LINE OF SAID SECTION 966.00 FEET TO A POINT; THENCE N. 89° 18' 43" E. ON A LINE AT RIGHT ANGLES TO THE WEST LINE OF SAID SECTION 150.00 FEET TO A POINT OF CURVE; THENCE NORTHEASTERLY ON A CURVED LINE (WHOSE CENTER LIES TO THE NORTH, HAVING A RADIUS OF

1000.00 FEET, WITH A CHORD OF 317.72 FEET, BEARING N. 80° 10' 16" E.) A DISTANCE OF 319.08 FEET TO A POINT; THENCE S. 18° 58' 11" E. ALONG THE RADIAL LINE OF SAID CURVE 33.00 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED; THENCE SOUTHWESTERLY ON A CURVED

LINE (WHOSE CENTER LIES TO THE NORTHWEST, HAVING A RADIUS OF 1033.00 FEET, WITH A CHORD OF 111.95 FEET, BEARING S. 74° 08' 11" W.) A DISTANCE OF 112.00 FEET TO A POINT; THENCE S. 0° 41' 17" E. ON A LINE PARALLEL TO THE WEST LINE OF SAID SECTION 300.00 FEET TO A

POINT; THENCE N. 69° 40' E. ON A LINE 208.00 FEET TO A POINT; THENCE N. 19° 23' 57" W. ON A LINE 273.85 FEET TO THE POINT OF BEGINNING.

FOR INFORMATIONAL PURPOSES ONLY:

PROPERTY ADDRESS: 824 PORT WASHINGTON ROAD, GRAFTON, WI 53024

TAX PARCEL NO. 06-029-06-001.00

PARCEL C:

THAT PART OF THE NORTH WEST OF SECTION 29, TOWNSHIP 10 NORTH, RANGE 22 EAST, IN THE TOWN OF GRAFTON, OZAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION; THENCE S. 0° 41' 17" E. ALONG THE WEST LINE OF SAID SECTION 966.00 FEET TO A POINT; THENCE N. 89° 18' 43" E. ON A LINE AT RIGHT ANGLES TO THE WEST LINE OF SAID SECTION 150.00 FEET TO A POINT OF CURVE; THENCE NORTHEASTERLY ON A CURVED LINE (WHOSE CENTER LIES TO THE NORTH, HAVING A RADIUS OF 1000.00 FEET, WITH A CHORD OF 317.72 FEET, BEARING N. 80° 10' 16" E.) A DISTANCE OF 319.08 FEET TO A POINT; THENCE S. 18° 58' 11" E. ALONG THE RADIAL LINE OF SAID CURVE 33.00 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED; THENCE NORTHEASTERLY ON A CURVED LINE (WHOSE CENTER LIES TO THE NORTHWEST, HAVING A RADIUS OF 1033.00 FEET, WITH A CHORD OF 139.89 FEET, BEARING N. 67° 08' 52" E.) A DISTANCE OF 140.00 FEET TO A POINT; THENCE S. 27° 37' E. ON A LINE 282.24 FEET TO A POINT; THENCE S. 69° 40' W. ON A LINE 180.00 FEET TO A POINT; THENCE N. 19° 23' 57" W. ON A LINE 273.85 FEET TO THE POINT OF BEGINNING.

FOR INFORMATIONAL PURPOSES ONLY:
TAX PARCEL NO. 06-029-06-002.00

Said parcels contain 43.4270 acres, 1.02 acres, and 1.01 acres, respectively (45.457 acres in total).

There are four tenants residing in the territory and those tenants have consented to and executed this petition for annexation.

Dated this 27 day of April, 2023.

OWNER: HEP LLC

ELECTOR:

By: James B. Pape
James B. Pape, its AUTHORIZED AGENT

Address:
1990 Night Pasture Road
Cedarburg, WI 53012

Address:
824 Port Washington Road
Grafton, WI 53024

ELECTOR:

ELECTOR:

Address:
824 Port Washington Road
Grafton, WI 53024

Address:
754 Port Washington Road
Grafton, WI 53024

ELECTOR:

Address:
754 Port Washington Road
Grafton, WI 53024

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION; THENCE S. 0° 41' 17" E. ALONG THE WEST LINE OF SAID SECTION 966.00 FEET TO A POINT; THENCE N. 89° 18' 43" E. ON A LINE AT RIGHT ANGLES TO THE WEST LINE OF SAID SECTION 150.00 FEET TO A POINT OF CURVE; THENCE NORTHEASTERLY ON A CURVED LINE (WHOSE CENTER LIES TO THE NORTH, HAVING A RADIUS OF 1000.00 FEET, WITH A CHORD OF 317.72 FEET, BEARING N. 80° 10' 16" E.) A DISTANCE OF 319.08 FEET TO A POINT; THENCE S. 18° 58' 11" E. ALONG THE RADIAL LINE OF SAID CURVE 33.00 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED; THENCE NORTHEASTERLY ON A CURVED LINE (WHOSE CENTER LIES TO THE NORTHWEST, HAVING A RADIUS OF 1033.00 FEET, WITH A CHORD OF 139.89 FEET, BEARING N. 67° 08' 52" E.) A DISTANCE OF 140.00 FEET TO A POINT; THENCE S. 27° 37' E. ON A LINE 282.24 FEET TO A POINT; THENCE S. 69° 40' W. ON A LINE 180.00 FEET TO A POINT; THENCE N. 19° 23' 57" W. ON A LINE 273.85 FEET TO THE POINT OF BEGINNING.

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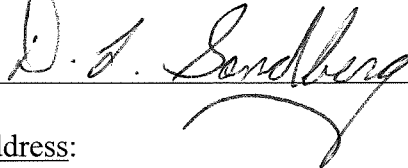
Dated this 27 day of April, 2023.

OWNER: HEP LLC

By: _____
James B. Pape, its _____

Address:
1990 Night Pasture Road
Cedarburg, WI 53012

ELECTOR:

 _____

Address:
824 Port Washington Road
Grafton, WI 53024

ELECTOR:

Address:
754 Port Washington Road
Grafton, WI 53024

ELECTOR:

 _____

Address:
824 Port Washington Road
Grafton, WI 53024

ELECTOR:

Address:
754 Port Washington Road
Grafton, WI 53024

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION; THENCE S. 0° 41' 17" E. ALONG THE WEST LINE OF SAID SECTION 966.00 FEET TO A POINT; THENCE N. 89° 18' 43" E. ON A LINE AT RIGHT ANGLES TO THE WEST LINE OF SAID SECTION 150.00 FEET TO A POINT OF CURVE; THENCE NORTHEASTERLY ON A CURVED LINE (WHOSE CENTER LIES TO THE NORTH, HAVING A RADIUS OF 1000.00 FEET, WITH A CHORD OF 317.72 FEET, BEARING N. 80° 10' 16" E.) A DISTANCE OF 319.08 FEET TO A POINT; THENCE S. 18° 58' 11" E. ALONG THE RADIAL LINE OF SAID CURVE 33.00 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED; THENCE NORTHEASTERLY ON A CURVED LINE (WHOSE CENTER LIES TO THE NORTHWEST, HAVING A RADIUS OF 1033.00 FEET, WITH A CHORD OF 139.89 FEET, BEARING N. 67° 08' 52" E.) A DISTANCE OF 140.00 FEET TO A POINT; THENCE S. 27° 37' E. ON A LINE 282.24 FEET TO A POINT; THENCE S. 69° 40' W. ON A LINE 180.00 FEET TO A POINT; THENCE N. 19° 23' 57" W. ON A LINE 273.85 FEET TO THE POINT OF BEGINNING.

FOR INFORMATIONAL PURPOSES ONLY:
TAX PARCEL NO. 06-029-06-002.00

Said parcels contain 43.4270 acres, 1.02 acres, and 1.01 acres, respectively (45.457 acres in total).

There are four tenants residing in the territory and those tenants have consented to and executed this petition for annexation.

Dated this 22 day of April, 2023.

OWNER: HEP LLC

ELECTOR:

By: _____
James B. Pape, its _____

Address:
1990 Night Pasture Road
Cedarburg, WI 53012

Address:
824 Port Washington Road
Grafton, WI 53024

ELECTOR:

ELECTOR:

Lindsey Baum

Address:
824 Port Washington Road
Grafton, WI 53024

Address:
754 Port Washington Road
Grafton, WI 53024

ELECTOR:

Robert Todd

Address:
754 Port Washington Road
Grafton, WI 53024

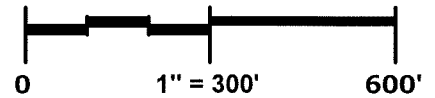
NW CORNER, NW 1/4
SEC. 29, T10N, R22E

(REMNANT)
PARCEL 1
C.S.M. NO. 3330

TAX KEY
#06-029-06-006.00



GRAPHICAL SCALE (FEET)



TAX KEY
#06-029-06-000.02

TAX KEY
#06-029-06-002.00

TAX KEY
#06-029-06-001.00

(REMNANT)
PARCEL 2
C.S.M. NO. 3330

TAX KEY
#06-029-06-007.00

LANDS TO BE
ANNEXED TO THE
VILLAGE OF GRAFTON

ROW
79,801 SQ. FT.
1.8320 ACRES

LAND
1,980,496 SQ. FT.
45.4659 ACRES

INTERSTATE HIGHWAY "43"

TAX KEY
#06-029-06-000.02

DRAFTED BY: ST

ANNEXATION EXHIBIT SHEET 1 OF 2

PINNACLE ENGINEERING GROUP

20725 WATERTOWN ROAD | SUITE 100 | BROOKFIELD, WI 53186

WWW.PINNACLE-ENGR.COM

05/03/2023

PLAN | DESIGN | DELIVER

PEG JOB#3148.00

LEGAL DESCRIPTION:

Being a part of Parcel 2 of Certified Survey Map No. 3330, as recorded in the Register of Deeds office for Ozaukee County as Document No. 696793, and additional lands in the Southwest 1/4 and Northwest 1/4 of the Northwest 1/4 of Section 29, Township 10 North, Range 22 East, Town of Grafton, Ozaukee County, Wisconsin, described as follows:

Beginning at the southwest corner of the Northwest 1/4 of said Section 29; thence North 02°00'10" West along the west line of said Northwest 1/4, 1330.08 feet; thence North 87°59'50" East, 60.00 feet to the west line of said Parcel 2; thence North 02°00'10" West along said west line, 822.20 feet to the south line of Parcel 1 of Certified Survey Map No. 3330; thence North 87°52'49" East along said south line, 924.86 feet; thence South 01°39'42" East, 250.86 feet; thence South 06°51'32" West, 168.74 feet; thence South 01°39'42" East, 269.70 feet; thence South 05°57'16" East, 667.97 feet; thence South 01°39'42" East, 370.52 feet; thence South 03°30'30" West, 277.43 feet; thence South 01°39'42" East, 151.77 feet to the south line of said Parcel 2; thence South 87°52'24" West along said south line, 972.05 feet to the Point of Beginning.

Said land containing 79,801 square feet (1.8320 acres) of land in the right of way of Port Washington Road and 1,980,496 square feet (45.4659 acres) of land to be annexed to the Village of Grafton.



From: [Tom Witzel](#)
To: [Schmidtke, Erich J - DOA](#)
Subject: RE: [External] Map review
Date: Tuesday, May 16, 2023 9:46:05 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[3148.00-WI EXHIBIT annex.pdf](#)

**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:

The Village of Grafton just requested that we also annex the small portion of the ROW that is north of the Town of Grafton parcel. As such, an updated map and legal description is attached. Sorry for the change, hope it does not delay things on your end.

Have you heard back from the Village and Town regarding the forms they need to fill out?

Thanks,

Thomas Witzel
Corporate Counsel

Fiduciary Real Estate Development, Inc.
789 N. Water Street, Suite 500
Milwaukee, WI 53202
Phone: (414) 274-8252
twitzel@fred-inc.com
Living The Difference



From: Schmidtke, Erich J - DOA <Erich.Schmidtke@wisconsin.gov>
Sent: Tuesday, May 9, 2023 9:25 AM
To: Tom Witzel <twitzel@fred-inc.com>
Subject: RE: [External] Map review

Hello Tom,
FYI, Your annexation has arrived. We will start our review. Let us know if you have any questions, I will keep you posted on things as they progress or any issues that may arise.
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>

From: Tom Witzel <twitzel@fred-inc.com>
Sent: Monday, May 8, 2023 11:51 AM
To: WI Municipal Boundary Review <wimunicipalboundaryreview@wisconsin.gov>
Subject: RE: [External] Map review

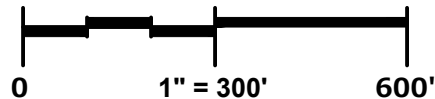
NW CORNER, NW 1/4
SEC. 29, T10N, R22E

(REMNANT)
PARCEL 1
C.S.M. NO. 3330

TAX KEY
#06-029-06-006.00



GRAPHICAL SCALE (FEET)



PAWNEE DRIVE

N02°00'10"W
322.08'

N87°52'49"E 984.86'

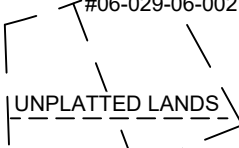
S01°39'42"E
250.86'

S87°59'50"W
60.00'

S06°51'32"W
168.74'

TAX KEY
#06-029-06-000.02

TAX KEY
#06-029-06-002.00



TAX KEY
#06-029-06-001.00

PORT WASHINGTON
ROAD (CTHW)

N02°00'10"W 500.00'

N87°59'50"E
60.00'

(REMNANT)
PARCEL 2
C.S.M. NO. 3330

TAX KEY
#06-029-06-007.00

LANDS TO BE
ANNEXED TO THE
VILLAGE OF GRAFTON

ROW

99,130 SQ. FT.
2.2757 ACRES

LAND

1,980,496 SQ. FT.
45.4659 ACRES

269.70'

S01°39'42"E

S05°57'16"E 667.97'

370.52'
S01°39'42"E

INTERSTATE HIGHWAY "43"

TAX KEY
#06-029-06-000.02

S01°39'42"E
151.77'

S87°52'24"W 972.05'

P.O.B.

DRAFTED BY: ST

ANNEXATION EXHIBIT SHEET 1 OF 2

05/16/2023

PINNACLE ENGINEERING GROUP

20725 WATERTOWN ROAD | SUITE 100 | BROOKFIELD, WI 53186

WWW.PINNACLE-ENGR.COM

PLAN | DESIGN | DELIVER

PEG JOB#3148.00

LEGAL DESCRIPTION:

Being a part of Parcel 2 of Certified Survey Map No. 3330, as recorded in the Register of Deeds office for Ozaukee County as Document No. 696793, and additional lands in the Southwest 1/4 and Northwest 1/4 of the Northwest 1/4 of Section 29, Township 10 North, Range 22 East, Town of Grafton, Ozaukee County, Wisconsin, described as follows:

Beginning at the southwest corner of the Northwest 1/4 of said Section 29; thence North 02°00'10" West along the west line of said Northwest 1/4, 1330.08 feet; thence North 87°59'50" East, 60.00 feet to the west line of said Parcel 2; thence North 02°00'10" West along said west line, 500.00 feet; thence South 87°59'50" West, 60.00 feet to the aforesaid west line of said Northwest 1/4; thence North 02°00'10" West along said west line of said Northwest 1/4, 322.08 feet; thence North 87°52'49" East and along the south line Parcel 1 of Certified Survey Map No. 3330, 984.86 feet; thence South 01°39'42" East, 250.86 feet; thence South 06°51'32" West, 168.74 feet; thence South 01°39'42" East, 269.70 feet; thence South 05°57'16" East, 667.97 feet; thence South 01°39'42" East, 370.52 feet; thence South 03°30'30" West, 277.43 feet; thence South 01°39'42" East, 151.77 feet to the south line of said Parcel 2; thence South 87°52'24" West along said south line, 972.05 feet to the Point of Beginning.

Said land containing 99,130 square feet (2.2757 acres) of land in the right of way of Port Washington Road and 1,980,496 square feet (45.4659 acres) of land to be annexed to the Village of Grafton.



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: HEP LLC

Petition Number: 14592

1. Territory to be annexed: From TOWN OF GRAFTON To VILLAGE OF GRAFTON

2. Area (Acres): 45.457 total

3. Pick one: ☒ Property Tax Payments

OR

☐ Boundary Agreement

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

\$ 8245.79 total

a. Title of boundary agreement _____

b. Year adopted _____

b. Total that will be paid to Town

(annual tax multiplied by 5 years): 41,228.95

c. Participating jurisdictions _____

d. Statutory authority (pick one)

c. Paid by: ☐ Petitioner ☐ City ☒ Village

☐ s.66.0307 ☐ s.66.0225 ☐ s.66.0301

☐ Other: _____

4. Resident Population: Electors: 4 Total: 4

5. Approximate present land use of territory:

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

Undeveloped: 95 %

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

Residential: _____ % Recreational: 100 % 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?: RESIDENTIAL & 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: 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? _____

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: SARA JACOBY

Email: Sjacoby@townofgraton.wi.gov

Phone: 262-377-8500

Date: 5/11/2023

(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: HEP LLC

Petition Number: 14592

1. Territory to be annexed: From TOWN OF GRAFTON To VILLAGE OF GRAFTON

2. Area (Acres): 4.6

3. Pick one: ☒ Property Tax Payments

OR ☐ Boundary Agreement

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

\$ 8,245.79

a. Title of boundary agreement _____

b. Year adopted _____

b. Total that will be paid to Town

(annual tax multiplied by 5 years): 41,228.95

c. Participating jurisdictions _____

d. Statutory authority (pick one)

c. Paid by: ☒ Petitioner ☐ City ☐ Village

☐ s.66.0307 ☐ s.66.0225 ☐ s.66.0301

☐ Other: _____

4. Resident Population: Electors: 4 Total: 4

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

Residential: 5 % Recreational: % Commercial: % Industrial: %

Undeveloped: 95 %

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

Residential: 75 % Recreational: 25 % 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?

Residential

In the town?: 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

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? A2 Ag/Rural Residential

c. How will the land be zoned and used if annexed? MF20 - Multi-family 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: Kaitly Olsen

Email: kolsen@village.graffon.wi.us

Phone: 262-375-5300 x. 115

Date: 12th May, 2023

(March 2018)

Please **RETURN PROMPTLY** to:

wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

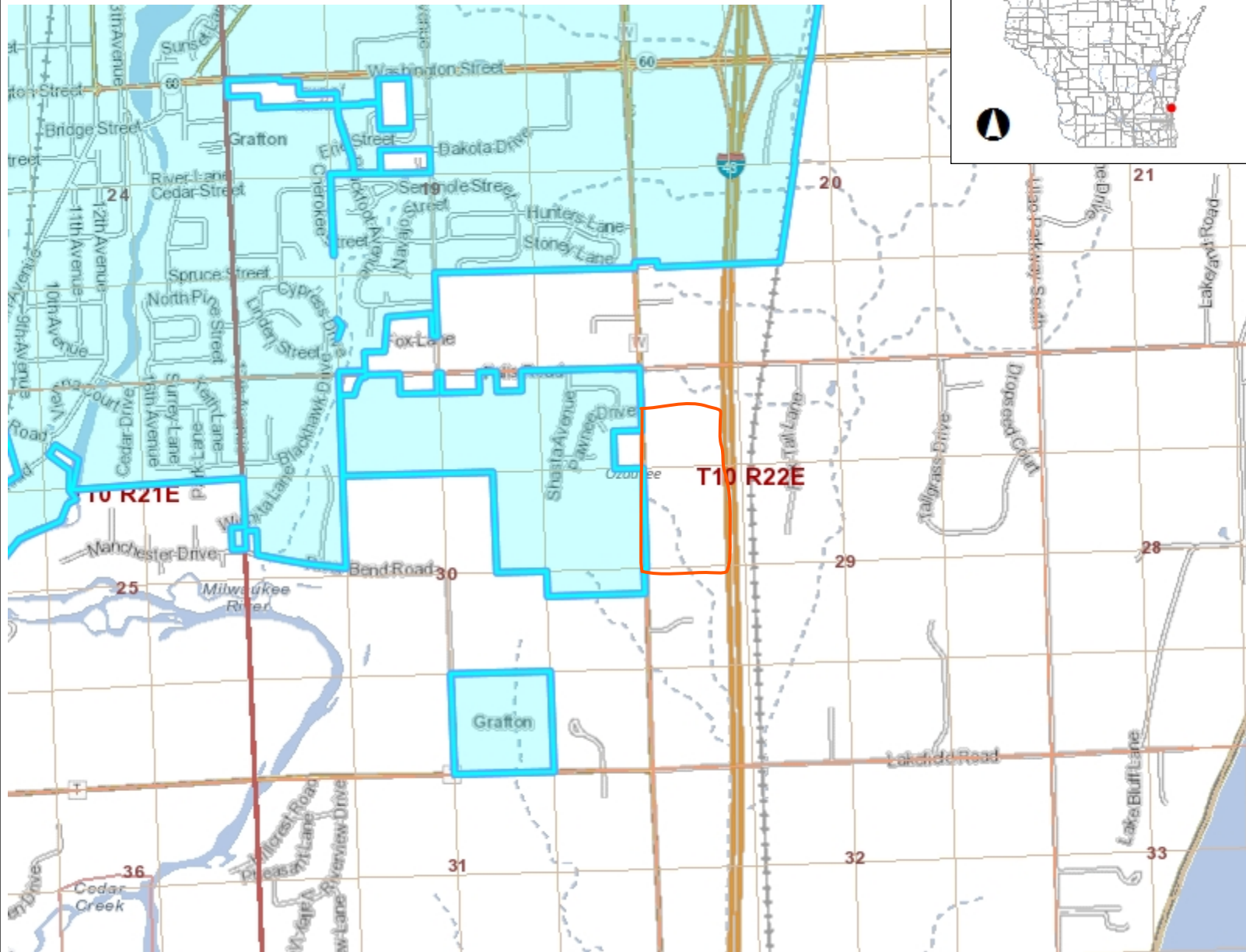
PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

Main parcel	\$ 3,911.45	\$	19,557.25
House	\$ 3,495.84	\$	17,479.20
Vacant lot	\$ 838.50	\$	4,192.50
	\$ 8,245.79	\$	41,228.95



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

1. List 10-22-50
4. Mr. J. W. C.
53-5

The above Map of Township N. 10. N. of Range N. 22. E. of the 4. th. Mer. (1st Mer.) is fully 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, July 21st. 1835

Robt. S. Lytle Sur. Genl.



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>

May 30, 2023

PETITION FILE NO. 14592

KAITY OLSEN, CLERK
VILLAGE OF GRAFTON
860 BADGER CIRCLE
GRAFTON, WI 53024-9436

SARA JACOBY, CLERK
TOWN OF GRAFTON
PO BOX 143
GRAFTON, WI 53024-0143

Subject: HEP LLC ANNEXATION

The proposed annexation submitted to our office on May 09, 2023 and as revised on May 16, 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 Grafton, which is able to provide needed municipal services.

Note: this annexation appears to create an isolated island area of Town of Grafton territory, which is prohibited by s. 66.0221, Wis. Stats.

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 14592 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=2666>
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner