Request for Annexation Review Wisconsin Department of Administration	WI Dept. of Administration Municipal Boundary Review 101 E. Wilson Street, 9 <sup>th</sup> Floor Madison WI 53703 608-264-6102 Fax: 608-264-6104 <u>wimunicipalboundaryreview@wi.gov</u> <u>http://doa.wi.gov/municipalboundaryreview/</u>
Petitioner Information	Office use only:
Name: Menard, Inc.	
Address: 5101 Menard Drive, Eau Claire, WI 54703	
	February 29, 2024
Email: nbrenner@menard-inc.com	Municipal Boundary Review Wisconsin Dept. of Admin.
1. Town where property is located: Rice Lake	Petitioners phone:
2. Petitioned City or Village: City of Rice Lake	715-876-2177
3. County where property is located: Barron	
4. Population of the territory to be annexed: 2	Town clerk's phone: 715-234-8087
<ul> <li>5. Area (in acres) of the territory to be annexed: 0.87 Acres</li> <li>6. Tax parcel number(s) of territory to be annexed</li> <li>(if the territory is part or all of an existing parcel):<sup>038-3200-44-033</sup></li> </ul>	City/Village clerk's phone: 715-234-7089
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#### Contact Information if different than petitioner:

Representative's Name and Address:	Surveyor or Engineering Firm's Name & Address:
Nick Brenner, Real Estate Representative, Menard, Inc.	Everyday Surveying and Engineering, LLC
5101 Menard Drive, Eau Claire, WI 54703	711 S. Hillcrest Pkwy., Altoona, WI 54720
	Mark Erickson
Phone: 715-876-2177	Phone: 715-831-0654
E-mail: nbrenner@menard-inc.com	E-mail: mark@esellc.co

#### Required Items to be provided with submission (to be completed by petitioner):

- 1. Legal Description meeting the requirements of <u>s.66.0217 (1) (c)</u> [see attached annexation guide]
- 2. **x** Map meeting the requirements of <u>s. 66.0217 (1) (g)</u> [see attached annexation guide]
- 3. X Signed Petition or Notice of Intent to Circulate is included
- 4. Indicate Statutory annexation method used:
  - X Unanimous per <u>s. 66.0217 (2)</u>, or, OR
  - Direct by one-half approval per <u>s. 66.0217 (3)</u>
- 5. X Check or money order covering review fee [see next page for fee calculation]

## 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

- \$ 200 Initial Filing Fee (required with the first submittal of all petitions) \$200 - 2 acres or less \$350 - 2.01 acres or more
- \$ 200 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 acres4,000 - Over 500 acres

**<u>\$400</u>** TOTAL FEE DUE (Add the Filing Fee to the Review Fee)

Attach check or money order here, payable to: Department of Administration					
THE DEPARTMENT WILL NOT PROCESS AN ANNEXATION PETITION THAT IS NOT ACCOMPAN BY THE REQUIRED FEE.	lied				
THE DEPARTMENT'S 20-DAY STATUTORY REVIEW PERIOD COMMENCES UPON RECEIPT OF THE PETITION <u>AND</u> REVIEW FEE					
Date fee received: <u>2-29-24</u> Payee: <u>Manard</u> Inc	_ Check Number: <u>639/947</u> Check Date: <u>72-7-23</u> Amount: <u>4400,00</u>				

#### ANNEXATION SUBMITTAL GUIDE

#### s. 66.0217 (5) THE PETITION

X 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 <u>66.0217 (3) (a)</u> , if by one-half approval. -See <u>66.0217 (3) (b)</u> , 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 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

**X** 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 adjoiners as referenced in the description.

X 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

**X** 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).

If the lands being annexed are within a County of 50,000 or greater population, the petition must also be filed with the Department of Administration for review

[Note that no municipality within a County of 50,000 or greater population may enact an annexation ordinance prior to receiving a review determination from the Department of Administration.]



February 16, 2024

VIA US Mail

Wisconsin Department of Administration Municipal Boundary Review 101 E. Wilson Street, 9<sup>th</sup> Floor Madison, WI 53703

#### RE: Request for Annexation Review - City of Rice Lake, Barron County, Wisconsin

To Whom It May Concern,

Enclosed is a Request for Annexation Review for property currently located in the Town of Rice Lake, petitioning to be annexed into the City of Rice Lake, Barron County, Wisconsin. The property owner/petitioner is Menard, Inc. A copy of the signed petition, annexation map and legal description and review fee are all enclosed.

If there is anything else that is needed, please let me know. Thank you.

Sincerely, Menard, Inc.

Nick Brenner Real Estate Representative 5101 Menard Drive, Eau Claire, WI 54703 [P] 715-876-2177 [C] 715-577-0363 nbrenner@menard-inc.com

5101 MENARD DRIVE

EAU CLAIRE, WI 54703-9625

PHONE (715) 876-5911

FAX (715) 876-2868

### Petition for Direct Annexation by Property Owner by Unanimous Approval of Property Located in the Town of Rice Lake, Barron County, Wisconsin to the City of Rice Lake, Barron County, Wisconsin / Pursuant to Wis. Stat. §66.0217(2)

TO: City of Rice Lake Common Council 30 East Eau Claire St. Rice Lake, WI 54868

> Town of Rice Lake 1830 Macauley Ave. Rice Lake, WI 54868

We, the undersigned, constituting all the owners of real property in which two electors reside in the following described territory of the Town of Rice Lake, Barron County, Wisconsin, lying contiguous to the City of Rice Lake, Barron County, Wisconsin, petition the City Council of Rice Lake to annex the territory described below and shown on the attached map. The purpose for this annexation action is to facilitate future development of the subject premises.

#### Menard, Inc. Property:

Part of Outlot 2 of Certified Survey Map Number 2341, recorded in Volume 16 of Certified Survey Maps on Page 132 as Document Number 493128 and part of Lot 1 of Certified Survey Map Number 2080, recorded in Volume 15 of Certified Survey Maps on Page 10 as Document Number 47577, located in the Northeast Quarter of the Southeast Quarter, Section 32, Township 35 North, Range 11 West, Town of Rice Lake, Barron County, Wisconsin. More particularly described as follows:

Commencing at the East Quarter Corner of said Section 32; Thence S01°37'19"E, 794.35 feet; Thence S88°22'41"W, 1016.32 feet to the Southeast corner of said Outlot 2 and the Point of Beginning; Thence S88°44'18"W, 224.22 feet along the South line of said Outlot 2; Thence N01°22'21"W, 175.87 feet to the North line of said Lot 1; Thence N88°40'47"E, 205.53 feet along the North line of said Lot 1 and an easterly extension thereof, to the Northeast Corner of said Outlot 2; Thence S07°25'49"E, 177.10 feet along the easterly line of said Outlot 2 to the Point of Beginning.

Said parcel contains 37,812 square feet or 0.87 total acres, more or less. Tax Parcel #s: 038-3200-44-033

Dated this 25 day of January, 2024

**Property Owner:** 

Nick Brenner, Senior Real Estate Representative Menard, Inc.

Ryan Girilley Anastassiya Gvilley

Electors:

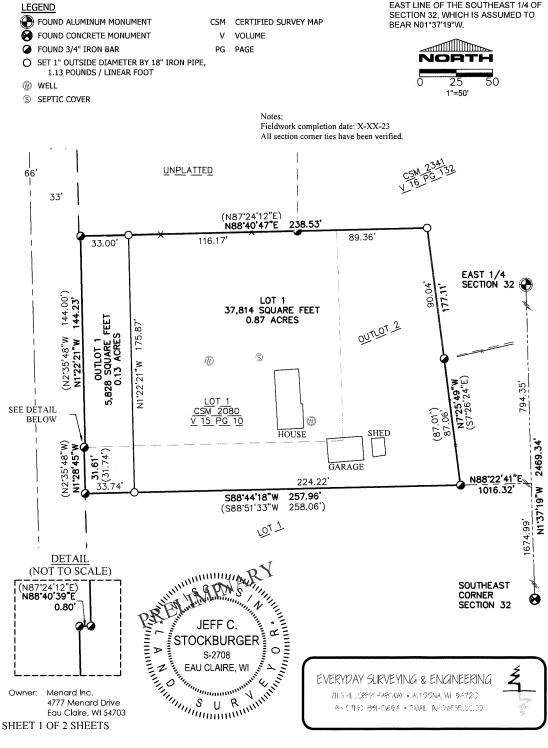
PRELIMINARY

#### Outlot 2 of Certified Survey Map Number 2341, recorded in Volume 16 of Certified Survey Maps on Page 132 as Document Number 493128 and Lot 1 of Certified Survey Map Number 2080, recorded in Volume 15 of Certified Survey Maps on Page 10 as Document Number 47577, located in the Northeast Quarter of the Southeast Quarter, Section 32, Township 35 North, Range 11 West, Town of Rice Lake, Barron County, Wisconsin.

PAGE

**CERTIFIED SURVEY MAP NO.** 

VOLUME



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BEARINGS ARE REFERENCED TO THE

#### **CERTIFIED SURVEY MAP NO.** VOLUME PAGE

PRELIMINARY

Outlot 2 of Certified Survey Map Number 2341, recorded in Volume 16 of Certified Survey Maps on Page 132 as Document Number 493128 and Lot 1 of Certified Survey Map Number 2080, recorded in Volume 15 of Certified Survey Maps on Page 10 as Document Number 47577, located in the Northeast Quarter of the Southeast Quarter, Section 32, Township 35 North, Range 11 West, Town of Rice Lake, Barron County, Wisconsin.

#### SURVEYOR'S CERTIFICATE:

I, Jeffrey C. Stockburger, Professional Land Surveyor in the State of Wisconsin, do hereby certify that by the order of Nicholas Brenner, I have surveyed Outlot 2 of Certified Survey Map Number 2341, recorded in Volume 16 of Certified Survey Maps on Page 132 as Document Number 493128 and Lot 1 of Certified Survey Map Number 2080. recorded in Volume 15 of Certified Survey Maps on Page 10 as Document Number 47577, located in the Northeast Quarter of the Southeast Quarter, Section 32, Township 35 North, Range 11 West, Town of Rice Lake, Barron County, Wisconsin. The parcel is more particularly described as follows:

Lot 2 and Outlot 2 of Certified Survey Map Number 2341, recorded in Volume 16 of Certified Survey Maps on Page 132 as Document Number 493128 and Lot 1 of Certified Survey Map Number 2080, recorded in Volume 15 of Certified Survey Maps on Page 10 as Document Number 47577.

Said parcel contains 43,640 square feet or 1.00 total acres, more or less.

I also certify that I have complied with the provisions of Chapter 236.34 of the Wisconsin Statutes, Wisconsin Administrative Code Chapter AE-7, the City of Rice Lake Subdivision Ordinance, the Barron County Subdivision Ordinance, and the Town of Rice Lake Subdivision Ordinance. I further certify to the best of my knowledge and belief that the accompanying map is a true and correct representation of the exterior boundaries of the land surveyed and the division thereof made.

\_day of \_\_\_\_\_\_, 2023. Dated this

Jeffrey C. Stockburger, Wisconsin Professional Land Surveyor, S-2708 Project Number: 23166

#### CITY OF RICE LAKE

Resolved that this land division is hereby approved by the City of Rice Lake Plan Commission.

Dated this day of , 2023.

Mayor, City of Rice Lake

TOWN OF RICE LAKE

Resolved that this land division is hereby approved by the Town of Rice Lake Plan Commission.

Dated this\_\_\_\_\_

\_\_\_\_\_day of\_\_\_\_\_

Mayor, City of Rice Lake

MILLISCON STR SCONST A ĴEFF C. EAU CLAIRE, WI STOCKBURGER

EVERYDAY SURVEYING & ENGINEERING 711 SHLUOREST PARKWAY + ALTOONA WI 54720 PH (715) 8月-0054 · EMAL: NFの研えしC.CO

, 2023.

SHEET 2 OF 2 SHEETS

#### **ANNEXATION BOUNDARY DESCRIPTION**

Part of Outlot 2 of Certified Survey Map Number 2341, recorded in Volume 16 of Certified Survey Maps on Page 132 as Document Number 493128 and part of Lot 1 of Certified Survey Map Number 2080, recorded in Volume 15 of Certified Survey Maps on Page 10 as Document Number 47577, located in the Northeast Quarter of the Southeast Quarter, Section 32, Township 35 North, Range 11 West, Town of Rice Lake, Barron County, Wisconsin. More particularly described as follows:

Commencing at the East Quarter Corner of said Section 32;

Thence S01°37'19"E, 794.35 feet;

Thence S88°22'41"W, 1016.32 feet to the Southeast corner of said Outlot 2 and the **Point of Beginning**;

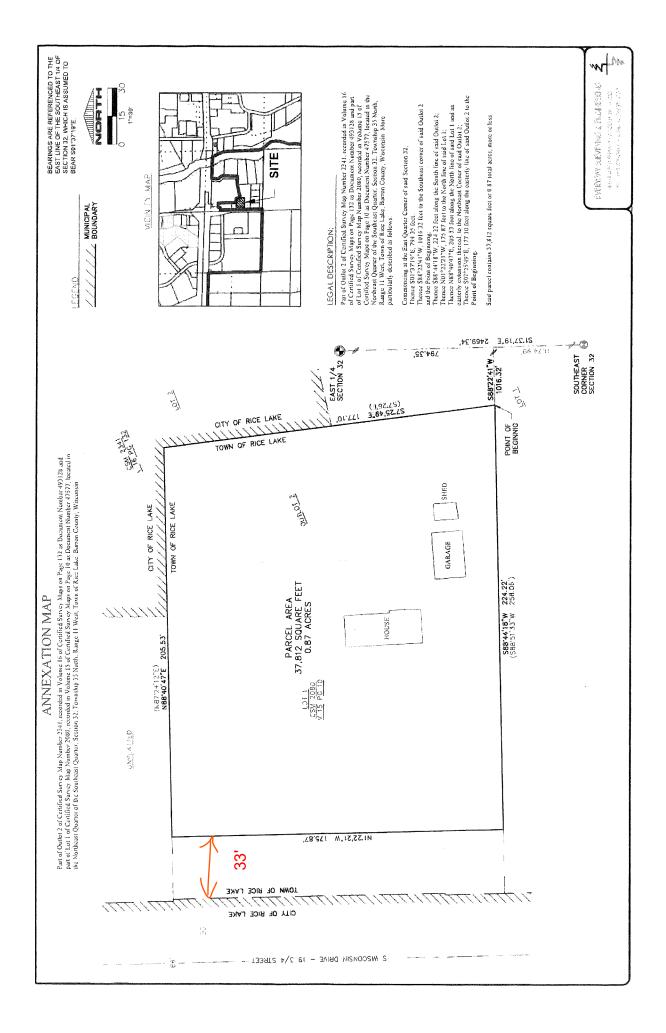
Thence S88°44'18"W, 224.22 feet along the South line of said Outlot 2;

Thence N01°22'21"W, 175.87 feet to the North line of said Lot 1;

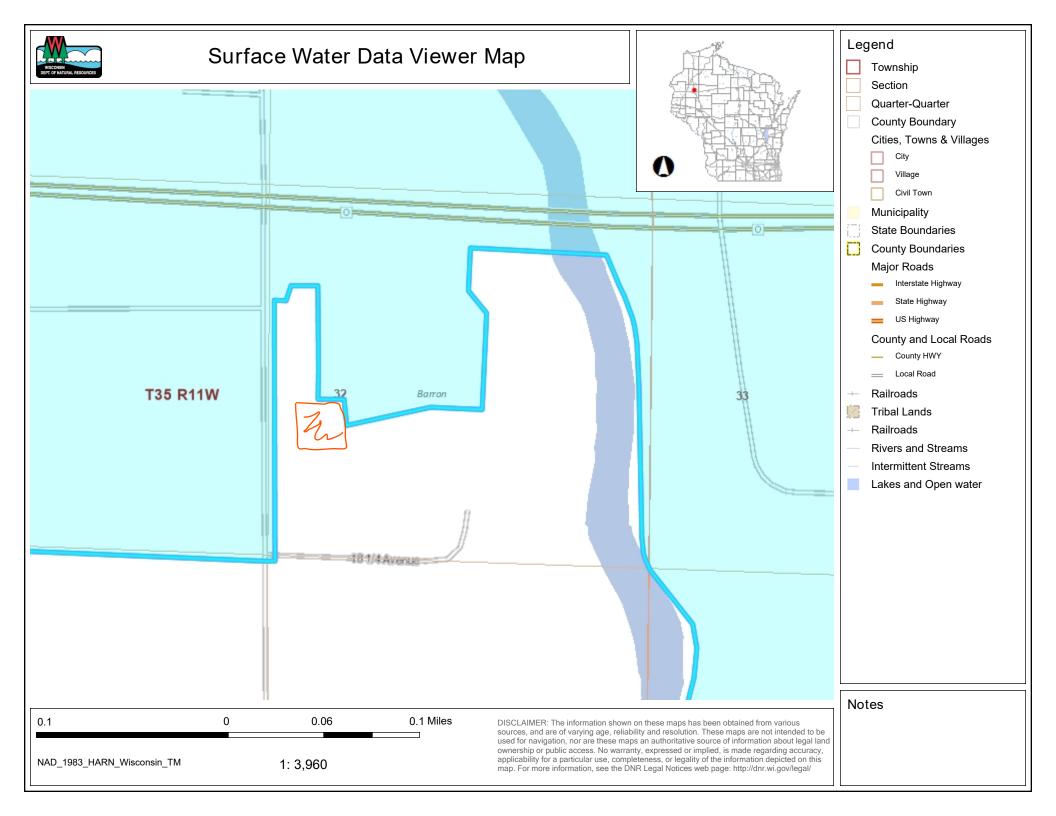
Thence N88°40'47"E, 205.53 feet along the North line of said Lot 1 and an easterly extension thereof, to the Northeast Corner of said Outlot 2;

Thence S07°25'49"E, 177.10 feet along the easterly line of said Outlot 2 to the **Point of Beginning.** 

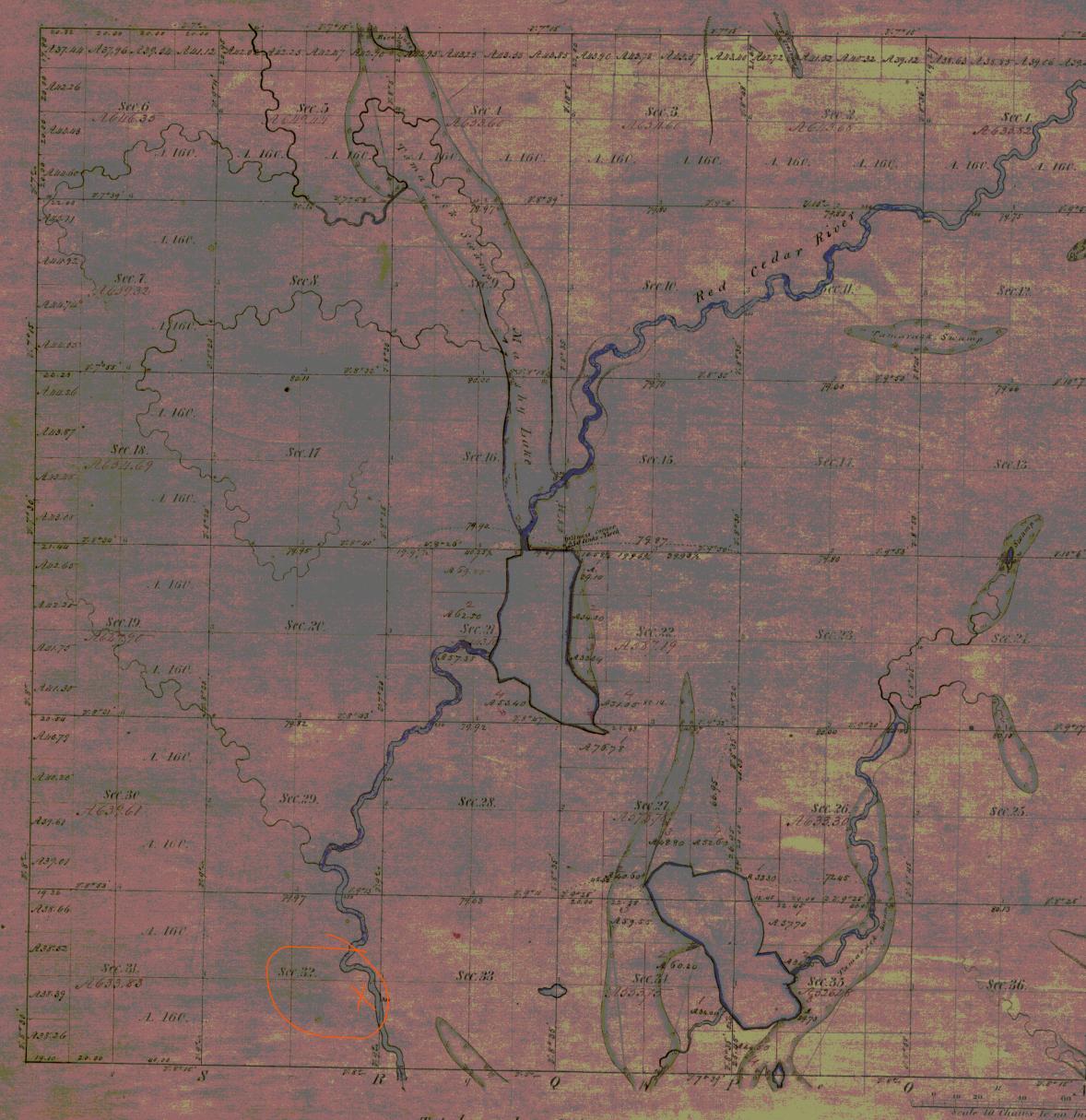
Said parcel contains 37,812 square feet or 0.87 total acres, more or less.



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# Township Nº 35 N. , Range Nº 11 West 4th. Mer.



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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 25, 2024

KATHLEEN V MORSE, CLERK CITY OF RICE LAKE 30 E EAU CLAIRE ST RICE LAKE, WI 54868-1782 DAWN M. NELSON, CLERK TOWN OF RICE LAKE 1830 MACAULEY AVE RICE LAKE, WI 54868-2909

Subject: MENARD INC ANNEXATION

The proposed annexation submitted to our office on February 29, 2024, 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 City of Rice Lake, which is able to provide needed municipal services.

Note: this annexation appears to create an isolated area of town territory.

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 14647 with your ordinance.** Ordinance filing checklist available at <u>http://mds.wi.gov/</u>, click on "Help on How to Submit Municipal Records". Email scanned copy of required materials (color scan maps with color) to <u>mds@wi.gov</u> 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: <u>http://mds.wi.gov/View/Petition?ID=2721</u> Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Gland Le

Erich Schmidtke, Municipal Boundary Review

PETITION FILE NO. 14647

cc: petitioner