

I intend to file the following petition:

12/6/2024

Petition to file for direct annexation by  
unanimous approval for tax numbers:

OCOT 0535995005 and OCOT  
0535995006

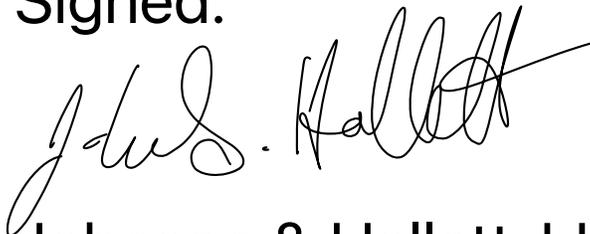
approx. 1 acre

Annexee: Town of Oconomowoc

Annexor: City of Oconomowoc

Population of land to be annexed: 1

Signed:



Johnson & Hallett, LLC

John S. Hallett, member LLC



CINQ, LLC

John S. Hallett, member LLC

Johnson & Hallett, LLC

LOT 2 CERT SURV 4888 VOL 39/299 PT SW1/4 SEC 26 T8N R17E ::  
ALSO PT LOT 1 CERT SURV 4888 VOL 39/299 COM SW COR LOT 1  
N 18.00 FT S89°35'E 157.00 FT S 18.00 FT N89°35'W 157.00 FT TO  
BGN R2576/587

CINQ, LLC

LOT 1 CSM #4888 VOL 39/299 PT SW1/4 SEC 26 T8N R17E :: EX  
COM NW COR OF SAID LOT 1 CSM #4888; S 24 FT; E 78 FT; S TO  
LOT LI OF LOT 1 2 FT; E 79 FT; N 26 FT TO NE COR LOT 1; W 157 FT  
TO BGN :: EX COM SW COR LOT 1; N 18.00 FT; S89°35'55"E 157.00  
FT; S 18.00 FT; N89°35'55"W 157.00 FT TO BGN



# 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: **Hallett**

Petition Number: **14721**

1. Territory to be annexed: From **TOWN OF OCONOMOWOC** To **CITY OF OCONOMOWOC**

2. Area (Acres): 0.966

3. Pick one:  Property Tax Payments

OR  Boundary Agreement

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

\$ 1,645.45 & 683.51 (Two parcels)

a. Title of boundary agreement \_\_\_\_\_

b. Year adopted \_\_\_\_\_

b. Total that will be paid to Town

(annual tax multiplied by 5 years): 11,644.80

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: 0 Total: 0

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: \_\_\_\_\_% Industrial: \_\_\_\_\_%

Other: \_\_\_\_\_%

Comments: \_\_\_\_\_

7. Has a  preliminary or  final plat been submitted to the Plan Commission:  Yes  No

Plat Name: CEM WAS FILED IN OCTOBER - NEVER RECORDED

8. What is the **nature of land use adjacent** to this territory in the city or village?

VACANT FARMLAND

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 LETTER FROM CITY OF OCONOMOWOC

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? B-2 Local Business District

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

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](mailto: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:

This is actually two (2) properties. A CSM was submitted & approved, but never signed or recorded. CSM was to combine the properties. There are no properties on the east side of CTH P that are currently in the city. This will be a cut out from the town and does not provide a good boundary line and is not in the

Prepared by:  Town  City  Village

Name: JEFFREY HEZMANN

Email: Jhermann@TownofOconomowoc-WI.gov

Phone: 920-474-4449

Date: 12/29/2024

Please **RETURN PROMPTLY** to: Public's BEST Interest.  
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  
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[wimunicipalboundaryreview@wi.gov](mailto:wimunicipalboundaryreview@wi.gov)  
<http://doa.wi.gov/municipalboundaryreview>

Petitioner: **Hallett**

Petition Number: **14721**

1. Territory to be annexed: From **TOWN OF OCONOMOWOC** To **CITY OF OCONOMOWOC**

2. Area (Acres): 0.966 (42,097 SF)

3. Pick one:  Property Tax Payments **OR**  Boundary Agreement

a. Annual town property tax on territory to be annexed:  
\$ 2328.96

a. Title of boundary agreement \_\_\_\_\_

b. Total that will be paid to Town  
(annual tax multiplied by 5 years): \$ 11,644.80

b. Year adopted \_\_\_\_\_

c. Paid by:  Petitioner  City  Village  
 Other: \_\_\_\_\_

c. Participating jurisdictions \_\_\_\_\_

d. Statutory authority (pick one)  
 s.66.0307  s.66.0225  s.66.0301

4. Resident Population: \_\_\_\_\_ Electors: \_\_\_\_\_ Total: 1

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

Residential: 10 % Recreational: \_\_\_\_\_ % Commercial: 90 % 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?

VACANT LANDS

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:      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? 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](mailto: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: JASON GALLO / CITY PLANNER / ZONING ADMINISTRATOR

Email: jgallo@ocodmowoc-wi.gov

Phone: (262) 569-2166

Date: DECEMBER 17, 2024

(March 2018)

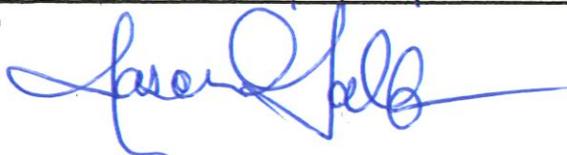
Please RETURN PROMPTLY to:

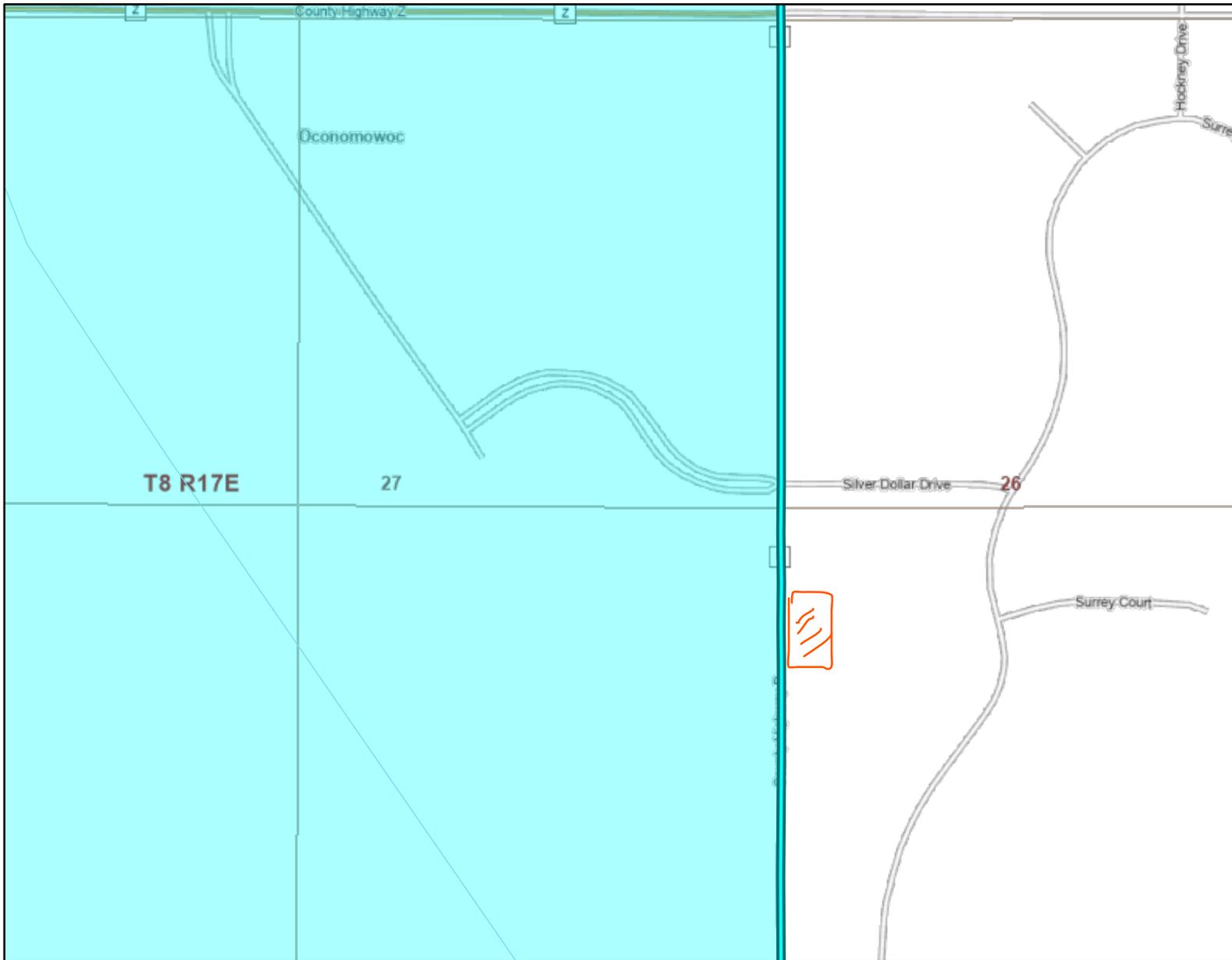
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Municipal Boundary Review

PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

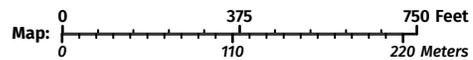




**Legend:** (some map layers may not be displayed)

-  24K Streams and Rivers
-  Township
-  Section
-  Quarter-Quarter
- Cities, Towns & Villages
-  City
-  Civil Town
-  City or Village
-  State Boundaries
-  County Boundaries
- Major Roads
-  Interstate Highway
-  State Highway
-  US Highway
- County and Local Roads
-  County HWY

**Notes:**



Service Layer Credits:  
EN Basic Basemap WTM Ext. , Cadastral:

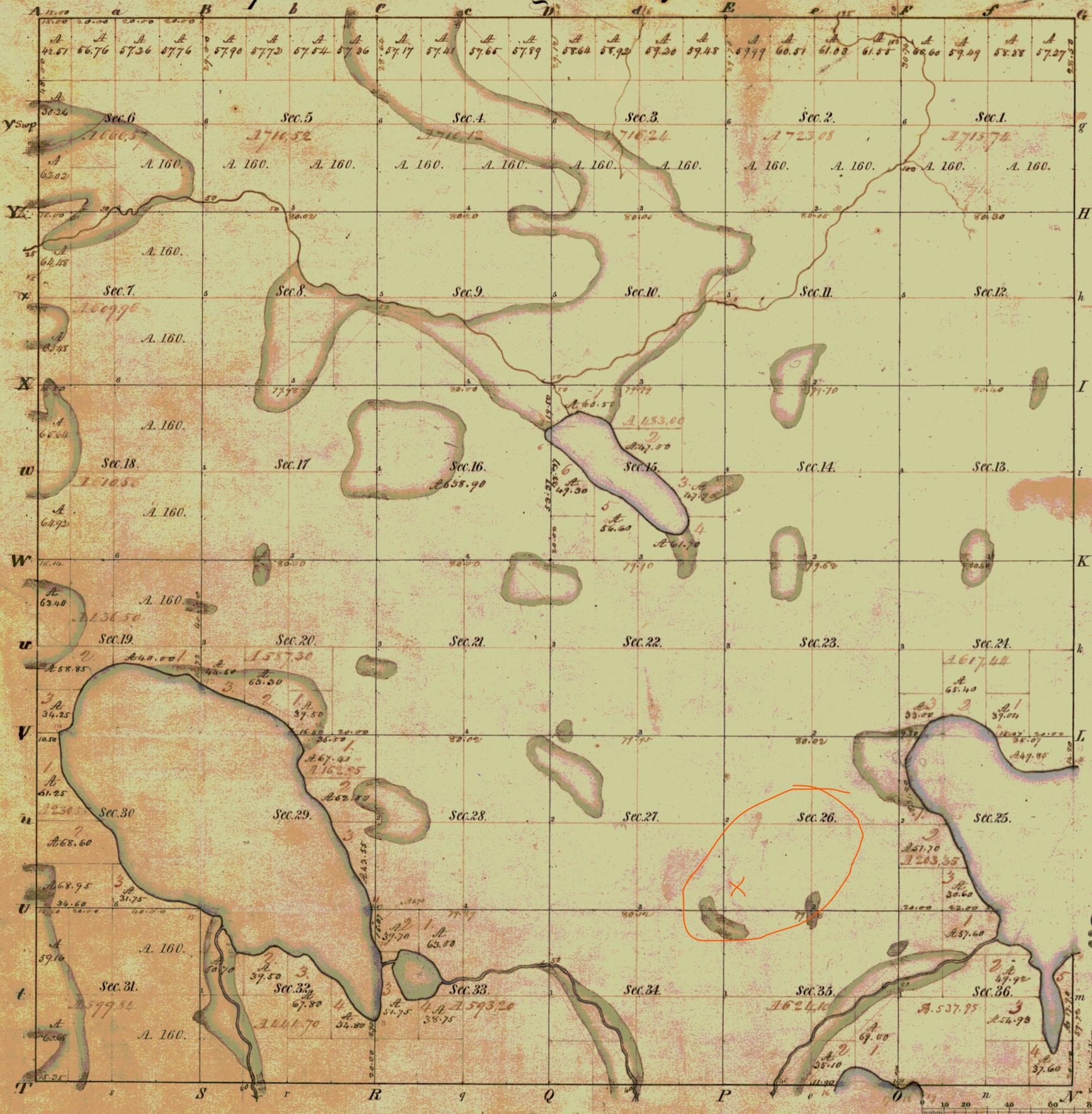
Map projection: NAD 1983 HARN Wisconsin TM

**This map is a product generated by a DNR web mapping application.**

This map is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. The user is solely responsible for verifying the accuracy of information before using for any purpose. By using this product for any purpose user agrees to be bound by all disclaimers found here: <https://dnr.wisconsin.gov/legal>

Date Printed: 1/3/2025 3:23 PM

Township No 8, Range No 17 East 4<sup>th</sup> Mer. Wis. Ter.



Total number of Acres 21,222.57

Surveys Designated	By Whom Surveyed	Date of Contract	Amount of Surveys	When Surveyed	When p <sup>d</sup> for and ch <sup>d</sup> in the Sur. Gen. ac <sup>t</sup>
Township lines	Mullett & Runk	17. Aug. 1835	M. Ch. Lks.	1 <sup>st</sup> of 1836	2 <sup>d</sup> of 1836
Subdivisions	James H. Mullett	13. April 1836	70. 66. 57	4 <sup>th</sup> of 1836	1 <sup>st</sup> of 1837

The above Map of Township No 8 of Range No 17 E of the 4<sup>th</sup> Principal Meridian Wisconsin Terr. 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,  
Cincinnati, Oct. 1<sup>st</sup> 1836

Robt. S. Lytle Sur. Gen.

Meanders of Lakes			
Posts	Courses	Ch. Lk.	Posts
Lake in Section 17	178 E	1.50	156 E
	180 E	5.00	144 E
	197 E	3.00	172 E
	141 E	1.50	157 E
	125 E	9.00	124 E
	112 E	4.50	119 E
	157 E	6.00	157 E
	189 E	9.00	124 E
	171 E	10.00	172 E
Lake in Section 16	161 E	5.00	150 E
	152 E	5.00	159 E
	188 E	4.00	South
	153 E	2.50	151 E
	131 E	5.50	
	163 E	10.50	
	130 E	3.50	
	139 E	10.50	
	153 E	9.10	
	18 E	16.50	
	12 E	10.50	
	124 E	2.00	
	114 E	10.00	
	170 E	8.00	
	190 E	14.00	
	117 E	8.50	
	127 E	11.00	
	115 E	9.50	
	129 E	9.50	
	112 E	11.80	
	144 E	4.00	
	126 E	1.50	
	127 E	2.00	
	113 E	1.50	
	119 E	1.00	
	127 E	1.50	
	118 E	2.00	
	136 E	2.50	
	141 E	2.00	
	115 E	5.00	
	186 E	4.00	
	150 E	4.00	
	137 E	2.50	
	124 E	7.50	
	177 E	7.50	
	177 E	12.00	
	South	11.50	
	132 E	13.00	
	117 E	17.50	
	121 E	11.50	
	126 E	11.50	
	140 E	12.30	
Lake in Section 25	125 E	9.50	
	157 E	11.00	
	145 E	10.50	
	121 E	7.50	
	137 E	8.00	
	110 E	4.00	
	147 E	3.00	
	19 E	4.00	
	130 E	7.50	
	135 E	22.00	
	147 E	10.00	
	14 E	10.00	
	135 E	9.50	
	150 E	12.00	
	152 E	15.00	
	166 E	8.50	
	156 E	2.50	
Lake in Section 30	125 E	9.50	
	157 E	11.00	
	145 E	10.50	
	121 E	7.50	
	137 E	8.00	
	110 E	4.00	
	147 E	3.00	
	19 E	4.00	
	130 E	7.50	
	135 E	22.00	
	147 E	10.00	
	14 E	10.00	
	135 E	9.50	
	150 E	12.00	
	152 E	15.00	
	166 E	8.50	
	156 E	2.50	

153] 53-4



**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](mailto:wimunicipalboundaryreview@wi.gov)

Web: <http://doa.wi.gov/municipalboundaryreview>

January 7, 2025

PETITION FILE NO. 14721

GINA KOZLIK, CLERK  
CITY OF OCONOMOWOC  
PO BOX 27  
OCONOMOWOC, WI 53066-0027

LORI OPITZ, CLERK  
TOWN OF OCONOMOWOC  
W359 N6812 BROWN ST  
OCONOMOWOC, WI 53066-1108

Subject: HALLETT ANNEXATION

The proposed annexation submitted to our office on December 06, 2024, has been reviewed and as configured is found to be against the public interest.

In determining whether an annexation is in the public interest, § 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. However, the territory does not appear to be contiguous with the City because road right-of-way from the adjacent County Highway P was not included as part of the annexation. As a result, there is no touching, or contiguity, between the proposed annexation territory and the City of Oconomowoc.

Notes:

- 1) The territory to be annexed must be described by metes and bounds commencing from a monumented corner of the 1/4 Section in which the territory lies, or by reference to a RECORDED certified survey map, document number, volume, page.
- 2) In its completed questionnaire, the Town contends that a portion of the proposed annexation territory is owned by CINQ Investments, LLC, which should have signed the petition but did not do so.
- 3) In its completed questionnaire, the Town also points out that this annexation, if approved, would become the only property on the east side of CTH P located within the City of Oconomowoc. The town contends that the proposed annexation territory is better served by the Town of Oconomowoc since the entire east side of CTH P is currently served with Town of Oconomowoc services. However, in its completed questionnaire the City indicates that the landowner desires municipal sewer and water services which the City can provide immediately and which the Town cannot.
- 4) The Department is aware of a pending intergovernmental cooperation agreement between the Town of Oconomowoc, Town of Oconomowoc Utility District No. 1, and the Village of Lac La Belle that includes boundary change provisions permitted under Wis. Stat. § 66.301(6). At the time this petition was filed with the Department, the pending intergovernmental agreement has not yet impacted the Town's status as unincorporated territory. While the common law doctrine in this area of the law referred to as the Rule of Prior Precedent may at some point sort out these potential boundary conflicts, the Department is required by Wis. Stat. § 66.0217(6) to review and apply the statutory standards to petitions proposed within populous counties, such as Waukesha, and determine if the petition is found to be "in the public interest" or "against

the public interest” based on the specific definition contained in Wis. Stat. § 66.0217(6)(c).

- 5) The Town asks the Department to apply the Rule of Reason test to this annexation to determine whether the City of Oconomowoc abused its discretion in soliciting this annexation. However, the Rule of Reason is a creation and test applied by Wisconsin Courts over many years of caselaw. It is not a test found within the Department’s statutory review criteria in § 66.0217(6), Wis. Stats. Therefore, the Department declines to apply the Rule of Reason test.

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 14721 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](mailto: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=2795>  
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,



Erich Schmidtke, Municipal Boundary Review

cc: petitioner