CITY OF STOUGHTON, 207 S. Forrest Street, Stoughton, WI 53589

ORDINANCE OF THE COMMON COUNCIL	
AN ORDINANCE PROVIDING FOR THE DIRECT ANNEXATION BY UNANIMOUS APPROVAL OF A PORTION OF THE TOWN OF DUNKIRK TO THE CITY OF STOUGHTON, DANE COUNTY, WISCONSIN Committee Action: Plan Commission recommends Council approval - Fiscal Impact: Unknown	
File Number: O - - 2022	**Date Introduced:**

RECITALS

A. Robert Hostrawser ("Owner") owns land in the Town of Dunkirk as described in Exhibit A and shown in Exhibit B (the "Territory") and is seeking to annex the Territory by unanimous approval to the City of Stoughton, pursuant to Wis. Stat. § 66.0217(2).

B. The City of Stoughton Plan Commission has recommended that the Territory be annexed to the City, and that the Territory be assigned a temporary zoning classification of RH - Rural Holding.

C. The proposed annexation will need to be reviewed by the Wisconsin Department of Administration to determine if the annexation is in the public interest.

D. The population of the proposed land is 0.

E. The annexation represents approximately 38.467 acres from the Town of Dunkirk.

NOW, THEREFORE, the Common Council of the City of Stoughton, Dane County, Wisconsin, does ordain as follows:

ORDINANCE

1. Recitals. The above recitals are material to and are incorporated in this Ordinance.

2. Territory Annexed. The Territory is annexed by unanimous approval to the City of Stoughton pursuant to Wis. Stat. § 66.0217(2).

3. Effect of Annexation. From and after the effective date of this ordinance, the Territory shall be a part of the City of Stoughton for any and all purposes provided by law, and all

persons coming or residing within such Territory shall be subject to all ordinances, rules, and regulations governing the City of Stoughton.

4. Temporary Zoning Designation. The Territory shall be temporarily zoned R-H Rural Holding.

5. Ward Designation. The Territory shall be added to Ward No.5 of the City of Stoughton.

6. Clerk Duties. The City Clerk is hereby directed to publish notice of and provide copies of this Ordinance in accordance with the applicable Wisconsin Statutes.

7. Effective Date. This ordinance shall take effect upon passage and publication as provided by law.

APPROVED:

By:_____
Tim Swadley, Mayor

ATTEST:

_____
Candee Christen, City Clerk

APPROVED: _____
PUBLISHED: _____

EXHIBIT A

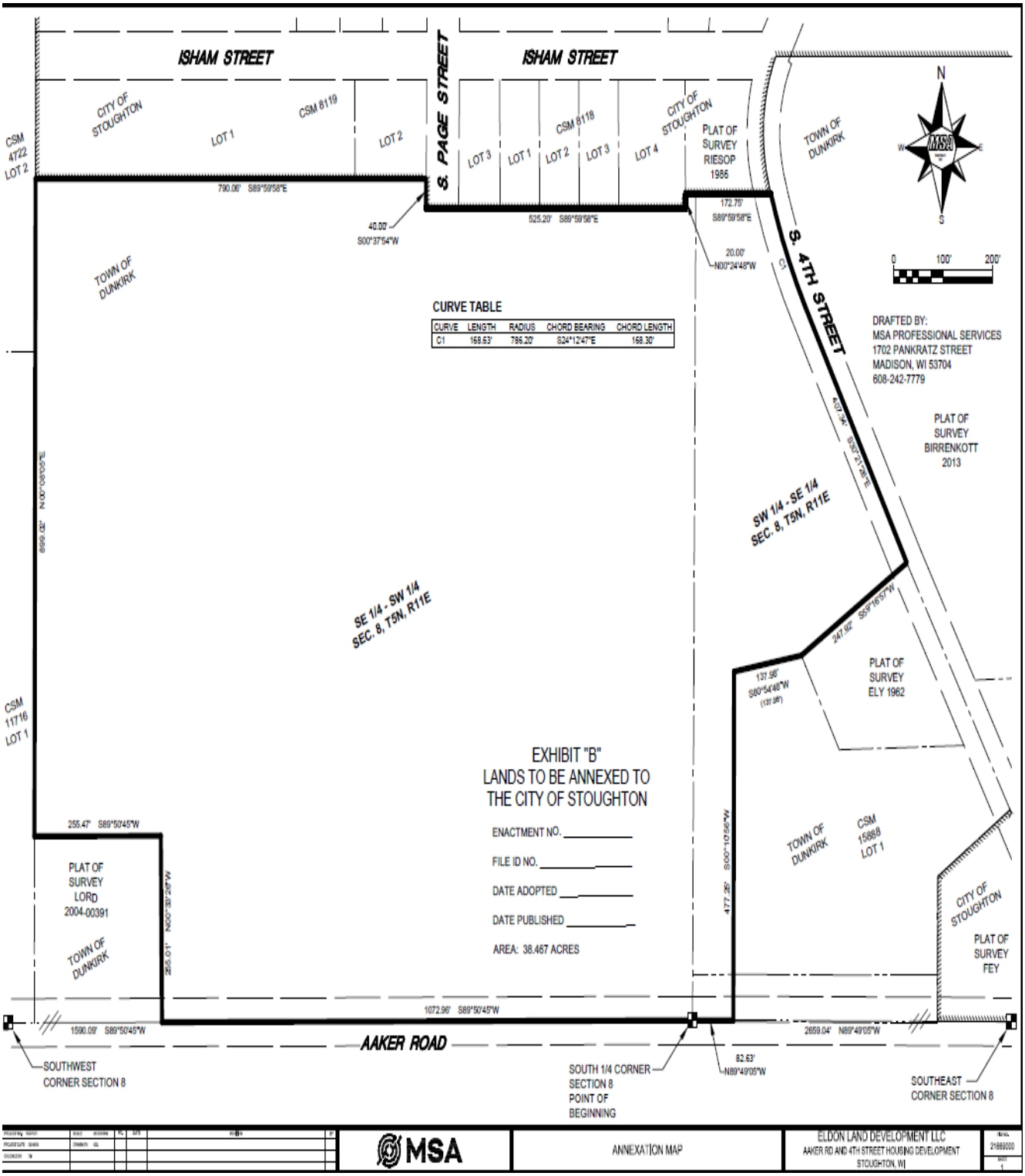
LEGAL DESCRIPTION

A part of the Southeast¼ of the Southwest¼ and the Southwest¼ of the Southeast¼ of Section 8, Township 5 North, Range 11 East in the Town of Dunkirk, Dane County, Wisconsin, more particularly described as follows:

Beginning at the South¼ corner of said Section 8; thence South 89°50'45" West along the South line of the Southeast¼ of the Southwest¼ of said Section 8, a distance of 1072.96 feet; thence North 00°33'26" West, a distance of 255.01 feet; thence South 89°50'45" West, a distance of 255.47 feet to a point on the West line of the said Southeast¼ of the Southwest¼; thence North 00°08'05" East along the said West line, a distance of 899.02 feet to the Southwest corner of Lot 1 of Certified Survey Map (CSM) No. 8119; thence South 89°59'58" East along the South line of said CSM No. 8119, a distance of 790.06 feet to a point on the West Right-of-Way line of S. Page Street; thence South 00°37'54" West along the said West Right-of-Way line, a distance of 40.00 feet; thence South 89°59'58" East along the South line of CSM No. 8119 and CSM No. 8118, a distance of 525.20 feet to the Southeast corner of Lot 4 of said CSM No. 8118; thence North 00°24'48" West along the West line of said Lot 4, a distance of 20.00 feet; thence South 89°59'58" East, a distance of 172.75 feet to the centerline of S. 4th Street; thence southeasterly 168.63 feet along the said centerline being a curve to the left having a radius of 786.20 feet, the chord of said curve bears South 24°12' 47" East a distance of 168.30 feet; thence South 30°21 '26" East along the said centerline, a distance of 407.34 feet; thence South 59°16'57" West, a distance of 247.92 feet to a northerly angle point of CSM No. 15888; thence South 80°54'48" West along the North line of said CSM No. 15888, a distance of 137.98 feet to the Northwest corner of said CSM No. 15888; thence South 00°10'56" West along the West line of said CSM No. 15888, a distance of 477.25 feet to a point on the South line of the Southwest¼ of the Southeast¼ of said Section 8; thence North 89°49'05" West along the said South line, a distance of 82.63 feet to the Point of Beginning.

Said parcel contains 1,675,642 square feet or 38.467 acres more or less including areas within S. 4th Street and Aaker Road.

EXHIBIT B


ISHAM STREET
ISHAM STREET
S. PAGE STREET
CITY OF STOUGHTON
CSM 8119
LOT 1
LOT 2
CSM 4722 LOT 2
790.06' S89°59'58"E
40.00' S00°37'54"W
LOT 3
LOT 1
LOT 2
LOT 3
LOT 4
CSM 8118
CITY OF STOUGHTON
PLAT OF SURVEY RIESOP 1986
525.20' S89°59'58"E
172.75' S89°59'58"E
20.00' N00°24'48"W
TOWN OF DUNKIRK
TOWN OF DUNKIRK
S. 4TH STREET
N
S
W
E
0 100' 200'
CURVE TABLE
CURVE LENGTH RADIUS CHORD BEARING CHORD LENGTH
C1 168.63' 786.20' S24°12'47"E 168.30'
DRAFTED BY:
MSA PROFESSIONAL SERVICES
1702 PANKRATZ STREET
MADISON, WI 53704
608-242-7779
PLAT OF SURVEY BIRRENKOTT 2013
SW 1/4 - SE 1/4 SEC. 8, T5N, R11E
SE 1/4 - SW 1/4 SEC. 8, T5N, R11E
247.92' S59°16'57"W
PLAT OF SURVEY ELY 1962
137.96' S80°54'48"W (137.96')
CSM 11716 LOT 1
EXHIBIT "B"
LANDS TO BE ANNEXED TO THE CITY OF STOUGHTON
ENACTMENT NO. _____
FILE ID NO. _____
DATE ADOPTED _____
DATE PUBLISHED _____
AREA: 38.467 ACRES
255.47' S89°50'45"W
PLAT OF SURVEY LORD 2004-00391
TOWN OF DUNKIRK
265.01' N00°38'26"W
477.26' S00°10'56"W
TOWN OF DUNKIRK
CSM 15888 LOT 1
CITY OF STOUGHTON
PLAT OF SURVEY FEY
1072.96' S89°50'45"W
1590.09' S89°50'45"W
2659.04' N89°49'05"W
AAKER ROAD
SOUTHWEST CORNER SECTION 8
SOUTH 1/4 CORNER SECTION 8 POINT OF BEGINNING
82.63' N89°49'05"W
SOUTHEAST CORNER SECTION 8
MSA
ANNEXATION MAP
ELDON LAND DEVELOPMENT LLC
AAKER RD AND 4TH STREET HOUSING DEVELOPMENT
STOUGHTON, WI

PETITION FOR ANNEXATION

The undersigned, constituting 100 percent of the owners of the following described territory located in the Town of Dunkirk, Dane County, Wisconsin, lying contiguous to the City of Stoughton, petition the Honorable Mayor and Common Council of said city to annex the territory described below and shown upon the attached map, as permitted by Chapter 66 of the Wisconsin Statutes, to the City of Stoughton, Dane County, Wisconsin.

A part of the Southeast ¼ of the Southwest ¼ and the Southwest ¼ of the Southeast ¼ of Section 8, Township 5 North, Range 11 East in the Town of Dunkirk, Dane County, Wisconsin, more particularly described as follows:

Beginning at the South ¼ corner of said Section 8; thence South 89°50'45" West along the South line of the Southeast ¼ of the Southwest ¼ of said Section 8, a distance of 1072.96 feet; thence North 00°33'26" West, a distance of 255.01 feet; thence South 89°50'45" West, a distance of 255.47 feet to a point on the West line of the said Southeast ¼ of the Southwest ¼; thence North 00°08'05" East along the said West line, a distance of 899.02 feet to the Southwest corner of Lot 1 of Certified Survey Map (CSM) No. 8119; thence South 89°59'58" East along the South line of said CSM No. 8119, a distance of 790.06 feet to a point on the West Right-of-Way line of S. Page Street; thence South 00°37'54" West along the said West Right-of-Way line, a distance of 40.00 feet; thence South 89°59'58" East along the South line of CSM No. 8119 and CSM No. 8118, a distance of 525.20 feet to the Southeast corner of Lot 4 of said CSM No. 8118; thence North 00°24'48" West along the West line of said Lot 4, a distance of 20.00 feet; thence South 89°59'58" East, a distance of 172.75 feet to the centerline of S. 4th Street; thence southeasterly 168.63 feet along the said centerline being a curve to the left having a radius of 786.20 feet, the chord of said curve bears South 24°12'47" East a distance of 168.30 feet; thence South 30°21'26" East along the said centerline, a distance of 407.34 feet; thence South 59°16'57" West, a distance of 247.92 feet to a northerly angle point of CSM No. 15888; thence South 80°54'48" West along the North line of said CSM No. 15888, a distance of 137.98 feet to the Northwest corner of said CSM No. 15888; thence South 00°10'56" West along the West line of said CSM No. 15888, a distance of 477.25 feet to a point on the South line of the Southwest ¼ of the Southeast ¼ of said Section 8; thence North 89°49'05" West along the said South line, a distance of 82.63 feet to the Point of Beginning.

Said parcel contains 1,675,642 square feet or 38.467 acres more or less including areas within S. 4th Street and Aaker Road.

There are no persons residing in the territory.

Dated this 21st day of February, 2022

Signed: _____

Robert Hostrawser, Owner
Rob Real Estate Brokerage & Builders, LLC
3092 Linnerud Drive
Stoughton, WI 53589

ISHAM STREET

ISHAM STREET

S. PAGE STREET

S. 4TH STREET

AAKER ROAD

CITY OF STOUGHTON

LOT 1

CSM 8119

LOT 2

CSM 4722 LOT 2

790.06' S89°59'58"E

40.00' S00°37'54"W

LOT 3

LOT 1

LOT 2

CSM 8118

LOT 3

LOT 4

CITY OF STOUGHTON

PLAT OF SURVEY RIESOP 1986

525.20' S89°59'58"E

172.75' S89°59'58"E

20.00' N00°24'48"W

TOWN OF DUNKIRK

TOWN OF DUNKIRK

N

W

E

S

MSA Madison WI

0 100' 200'

C1

407.34' S39°21'26"E

DRAFTED BY:
MSA PROFESSIONAL SERVICES
1702 PANKRATZ STREET
MADISON, WI 53704
608-242-7779

PLAT OF SURVEY BIRRENKOTT 2013

SW 1/4 - SE 1/4 SEC. 8, T5N, R11E

SE 1/4 - SW 1/4 SEC. 8, T5N, R11E

247.92' S59°16'57"W

137.98' S80°54'48"W (137.96')

PLAT OF SURVEY ELY 1962

CSM 11716 LOT 1

899.02' N00°08'05"E

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C1	168.63'	786.20'	S24°12'47"E	168.30'

EXHIBIT "B"
LANDS TO BE ANNEXED TO
THE CITY OF STOUGHTON

ENACTMENT NO. _____

FILE ID NO. _____

DATE ADOPTED _____

DATE PUBLISHED _____

AREA: 38.467 ACRES

255.47' S89°50'45"W

PLAT OF SURVEY LORD 2004-00391

TOWN OF DUNKIRK

255.01' N00°33'26"W

477.25' S00°10'56"W

TOWN OF DUNKIRK

CSM 15888 LOT 1

CITY OF STOUGHTON

PLAT OF SURVEY FEY

1072.96' S89°50'45"W

1590.09' S89°50'45"W

2659.04' N89°49'05"W

82.63' N89°49'05"W

SOUTHWEST CORNER SECTION 8

SOUTH 1/4 CORNER SECTION 8 POINT OF BEGINNING

SOUTHEAST CORNER SECTION 8

File Name: G:\21216669\21669000\CADD\Survey\Aaker Boundary.dwg

PROJECT NO.: 1959/001	SCALE: AS SHOWN	NO.	DATE	REVISION	BY
PROJECT DATE: 05/16/18	DRAWN BY: KCL				
CHECKED BY: TM					

MSA

ANNEXATION MAP

ELDON LAND DEVELOPMENT LLC
AAKER RD AND 4TH STREET HOUSING DEVELOPMENT
STOUGHTON, WI

FILE NO. 21669000

SHEET 1

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

RECEIVED
February 23, 2022
Municipal Boundary Review
Wisconsin Dept. of Admin.

Petitioner Information

Name: **Robert Hostrawser, Rob Real Estate Brokerage & Builders, LLC**

Phone: **(608) 213-1807**

Email: **build@parkercoleconstruction.com**

Contact Information if different than petitioner:

Representative's Name: **Jeffrey D. Thelen, MSA Professional Services, Inc**

Phone: **(608) 355-8911**

E-mail: **jthelen@msa-ps.com**

1. Town where property is located: **Town of Dunkirk**
2. Petitioned City or Village: **Stoughton**
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: **38.467**
6. Tax parcel number(s) of territory to be annexed (if the territory is part or all of an existing parcel): **026/0511-083-9651-3 & 026/0511-084-9652-0**

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]

(2021)

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

$1,150 **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: 2-23-2022

Payer: Eldon Land Development LLC

Check Number: 1002

Check Date: 2-18-22

Amount: 1150.00

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 adjoiners 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).