

RECEIVED CITY OF MADISON
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WISCONSIN DEPARTMENT OF
ADMINISTRATION

JIM DOYLE
GOVERNOR

STEPHEN BABLITCH
SECRETARY

Division of Intergovernmental Relations
101 E Wilson Street, 10th Floor
Madison, WI 53702-0001
(608) 264-6102, Fax (608) 267-6917
<http://www.doa.wi.gov/>

November 9, 2005

PETITION FILE NO. 12750

RAY FISHER, CLERK
C MADISON
210 MARTIN LUTHER KING JR BLVD
MADISON, WI 53703

JANE HOEPKER, CLERK
T BURKE
5365 REINER RD
MADISON, WI 53718

Subject: HOEPKER ET AL ANNEXATION

Section 66.0217 (6), Wis. Stats., provides that the annexation of lands to cities and villages within a county having a population of 50,000 or more shall be reviewed by the Department of Administration in order to determine if the proposed annexation is in the public interest or against the public interest. The proposed annexation from the Town of Burke to the C MADISON (see attached description) must be reviewed pursuant to the statute. As you may know, the property ~~you are petitioning~~ for annexation is included within the territory contained in a proposed cooperative boundary agreement (s. 66.0307, Wis Stats) currently underway between the Town of Burke and Village of De Forest. Because a joint public hearing on the agreement under s. 66.0307(4)(b), Wis. Stats. has already been held, the boundary freeze mechanism described in s. 66.0307(7) Wis. Stats. may apply to this annexation. Also, the Department is aware that the Cities of Madison and Sun Prairie have submitted comments on the proposed agreement and are engaged in discussions with the Village of DeForest and Town of Burke, and that these discussions may result in changes to the agreement.

To assist us in making this determination, we urge that you promptly supply the data requested on the enclosed questionnaire (where possible) and return the questionnaire to the department

The purpose of this questionnaire is to assist the department in determining "Whether the governmental services, including zoning, to be supplied to the territory could clearly be better supplied by the town. . ." The statute further stipulates that the department shall study the "shape of the proposed annexation and the homogeneity of the territory with the annexing municipality." In addition, we would appreciate receiving from you any comments or information bearing on governmental services or shape and homogeneity that would indicate whether the annexation is in or against the public interest.

Our reply must be prepared within a very limited statutory deadline. Please return the questionnaire no later than November 23, 2005 so that the information can be reviewed prior to the department's statutory deadline of November 28, 2005. Direct any questions and comments to Erich Schmidtke at (608) 264-6102 or George Hall at (608) 266-0683. Thank you for your cooperation.

For additional information on annexation or other land use issues, visit our web site at www.doa.wi.gov and type 'annexation' in the search box.

Sincerely,

Erich Schmidtke

**UNANIMOUS PETITION FOR DIRECT ANNEXATION
UNDER § 66.0217(2), WIS. STATS.**

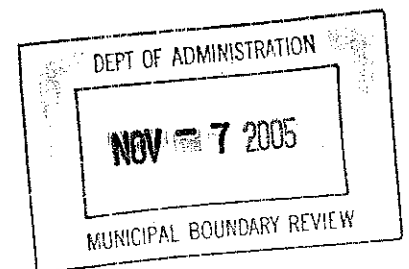
To the Mayor and Common Council of the City of Madison, Dane County, Wisconsin:

1. The undersigned hereby petition for direct annexation of the territory described on Exhibit A hereto to the City of Madison, Dane County, Wisconsin, whereby said territory would be detached from the Town of Burke, Dane County, Wisconsin, pursuant to § 66.0217(2), Wis. Stats.
2. Attached hereto as Exhibit B is a scale map which accurately reflects the legal description of the property to be annexed and the boundary of the annexing City and includes a graphic scale on the face of the map.
3. The current population of the territory proposed to be annexed is two.
4. This petition has been signed by the owners of all of the land in area within the territory proposed to be annexed, and by all of the electors residing within the territory proposed to be annexed.

Owners of All Lands Within the Territory Proposed to be Annexed:

Name of Owner: Helen G. Hoepker, a/k/a Helen Hoepker
Address of Owner: 656 Wood Violet Lane
Sun Prairie, WI 53590
Date of Signing: October 21, 2005

Signature: *Helen G. Hoepker*
Helen G. Hoepker



Name of Owner: Donald G. and Juanita M. Hoepker Trust
Address of Owner: 4035 Hoepker Road
Madison, WI 53718
Date of Signing: October 25, 2005

Signature: By: Donald G. Hoepker
Donald G. Hoepker, Co-Trustee

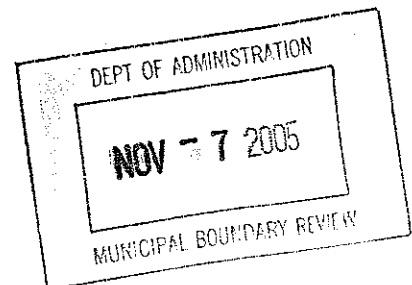
Signature: By: Juanita M. Hoepker
Juanita M. Hoepker, Co-Trustee

Name of Owner: Paulson Investments, LLC
Address of Owner: 4607 Oak Springs Circle
DeForest, WI 53532
Date of Signing: October 22, 2005

Signature: By: William M Paulson
William M. Paulson, Manager

Name of Owner: Robert H. Yelk
Address of Owner: 3829 Hoepker Road
Madison, WI 53718
Date of Signing: October 27, 2005

Signature: Robert H. Yelk
Robert H. Yelk



Name of Owner: Bernice E. Yelk Family Trust f/b/o Robert H. Yelk

Address of Owner: 3829 Hoepker Road
Madison, WI 53718

Date of Signing: October 27, 2005

Signature: By: Carol Kopmeyer
Carol Kopmeyer, Co-Trustee

Signature: By: Bank of Sun Prairie, Co-Trustee

By: Kurt Kniess
Kurt Kniess, Vice President and
Trust Officer

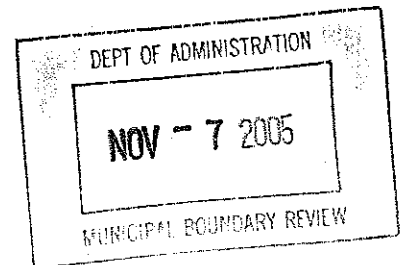
Electors on All Lands Within the Territory Proposed to be Annexed:

Name of Elector: Donald G. Hoepker

Address of Elector: 4035 Hoepker Road
Madison, WI 53718

Date of Signing: October 25, 2005

Signature: Donald G. Hoepker
Donald G. Hoepker



Name of Elector: Juanita M. Hoepker
Address of Elector: 4035 Hoepker Road
Madison, WI 53718
Date of Signing: October 25, 2005

Signature: Juanita M. Hoepker
Juanita M. Hoepker

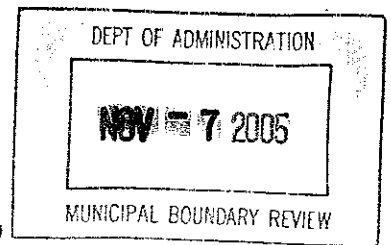


EXHIBIT "A"
LEGAL DESCRIPTION OF LANDS TO BE ANNEXED
FROM THE TOWN OF BURKE TO THE CITY OF MADISON

The following described lands located in the SE ¼ of Section 9, the SW ¼ of Section 10 and the NE ¼ of Section 16, T8N, R10E, Town of Burke, Dane County, Wisconsin:

BEGINNING at the Southeast corner of Section 9, thence N00°00'21"E, 296.21 feet along the east line of the SE ¼ of Section 9 to the southeast corner of CSM No. 8211; thence S86°52'22"W, 333.00 feet along the south line of CSM No. 8211 to the southwest corner of said CSM No. 8211; thence N00°00'21"E, 300.00 feet along the west line of CSM No. 8211 to the northwest corner of said CSM No. 8211; thence N86°52'22"E, 333.00 feet along the north line of CSM No. 8211 to the east line of the SE ¼ of Section 9; thence N00°00'22"E, 63.21 feet along said east line of the SE ¼ of Section 9 to the northwest corner of Lot 1, CSM No. 1835, thence N88°21'08"E, 659.64 feet along the north line of Lot 1, CSM No. 1835 to the northeast corner of said Lot 1; thence N00°07'06"E, 329.64 feet along the west line of Lot 2, CSM No. 1835 to the northwest corner of said Lot 2; thence N88°21'30"E, 330.14 feet along the north line of Lot 2, CSM No. 1835 to the northeast corner of said Lot 2; thence N00°10'28"E, 659.20 feet along the west line of Lot 3, CSM No. 1835 to the northwest corner of said Lot 3; thence N88°22'14"E, 330.78 feet along the north line of Lot 3 and Lot 4, CSM No. 1835 to the northeast corner of said Lot 4; thence S00°13'51"W, 1439.09 feet along the east line of Lot 4, CSM No. 1835 to the northwest corner of Lot 1, CSM No. 2224; thence N88°24'11"E, 208.75 feet along the north line of Lot 1, CSM No. 2224 to the northeast corner of said Lot 1; thence S00°17'40"W, 208.75 feet along the east line of Lot 1, CSM No. 2224 to the south line of the SW ¼ of Section 10; thence N88°24'11"E, 293.28 feet along the south line of the SW ¼ of Section 10 to the southwest corner of CSM No. 4004; thence N02°50'20"E, 258.23 feet along the west line of CSM No. 4004 to the northwest corner of Lot 1, CSM No. 4004; thence N73°34'16"E, 143.01 feet along the north line of Lot 1, CSM No. 4004; thence N60°28'13"E, 141.62 feet continuing along said north line of Lot 1, CSM No. 4004, to the northeast corner of said Lot 1; thence S05°54'35"E, 361.43 feet along the east line of CSM No. 4004 to the south line of the SW ¼ of Section 10; thence N88°24'11"E, 504.47 feet along the south line of the SW ¼ of Section 10 to the South Quarter Corner of Section 10; thence N00°40'00"E (recorded as N03°14'29"E), 2636.23 feet along the east line of the SW ¼ of Section 10 to the northeast corner of said SW ¼ of Section 10; thence S88°23'W, 2362.9 feet along the north line of the SW ¼ of Section 10 to the northeast corner of Lot 1, CSM No. 1339; thence S00°00'22"W, 175.00 feet along the east line of Lot 1, CSM No. 1339 to the southeast corner of said Lot 1; thence S88°23'W, 287.3 feet along the south line of Lot 1, CSM No. 1339 to the west line of the SW ¼ of Section 10; thence N00°00'22"E, 10.00 feet along the west line of the SW ¼ of Section 10 to a point lying S00°00'22"W, 165.00 feet from the East Quarter Corner of Section 9; thence S89°39'15"W, 180.00 feet; thence N00°00'21"E, 165.00 feet to the north line of the SE ¼ of Section 9; thence S89°39'15"W, 2437.50 feet along the north line of the SE ¼ of Section 9; thence S00°15'37"W, 1012.49 feet to the easterly right-of-way line of I 90-94-39; thence N27°05'23"W, 47.88 feet along said easterly right-of-way line to the west line of the SE ¼ of Section 9; thence S00°15'38"W, 391.8 feet to the reference line of I-90-94-39, as established on

WisDOT R/W Project No. I-90-2(12)122; thence S27°05'23"E, 1443.6 feet along said reference line of I-90-94-39 to the south line of the SE ¼ of Section 9; thence S89°15'32"W, 228.8 feet along the south line of the SE ¼ of Section 9; thence S27°04'53"E, 49.03 feet to the south right-of-way line of Hoepker Road; thence continuing S27°04'53"E, 437.76 feet along the southwest right-of-way line of I-90-94-39 to the east line of the West ½ of the NW ¼ of the NE ¼ of Section 16; thence N00°53'20"E, 170.57 feet along said east line of the West ½ of the NW ¼ of the NE ¼ and continuing along said southwesterly right-of-way of I-90-94-39; thence S27°04'53"E, 1388.37 feet continuing along said southwesterly right-of-way of I-90-94-39 to a point of curvature; thence continuing along said southwesterly right-of-way of I-90-94-39 and along the arc of a curve to the right with a radius of 7514.11 feet and a long chord of S26°59'16"E, 24.58 feet to the east line of the SW ¼ of the NE ¼ of Section 16; thence N00°53'11"E, 211.8 feet along the east line of the SW ¼ of the NE ¼ of Section 16 to the southwest corner of the NE ¼ of the NE ¼ of Section 16; thence N89°25'25"E, 179.2 feet to the southwest corner of Lot 2, CSM No. 10965; thence N89°25'25"E, 816.64 feet along the south line of Lot 2, CSM No. 10965; thence N00°52'59"E, 66.02 feet; thence N89°25'25"E, 329.89 feet along the south line of Lot 2, CSM No. 10965 to the east line of the NE ¼ of Section 16; thence N00°52'59"E, 808.16 feet along the east line of the NE ¼ of Section 16; thence S89°17'27"W, 798.50 feet along the south line of Lot 1, CSM No. 1598 to the southwest corner of said Lot 1; thence N00°55'40"W, 450.19 feet along the west line of Lot 1, CSM No. 1598 to the north line of the NE ¼ of Section 16; thence N89°15'56"E, 798.16 feet along the north line of the NE ¼ of Section 16 to the POINT OF BEGINNING. Containing 319.0 acres more or less. Subject to all easements of record.

This Description Prepared by:

PAULSON & ASSOCIATES, LLC

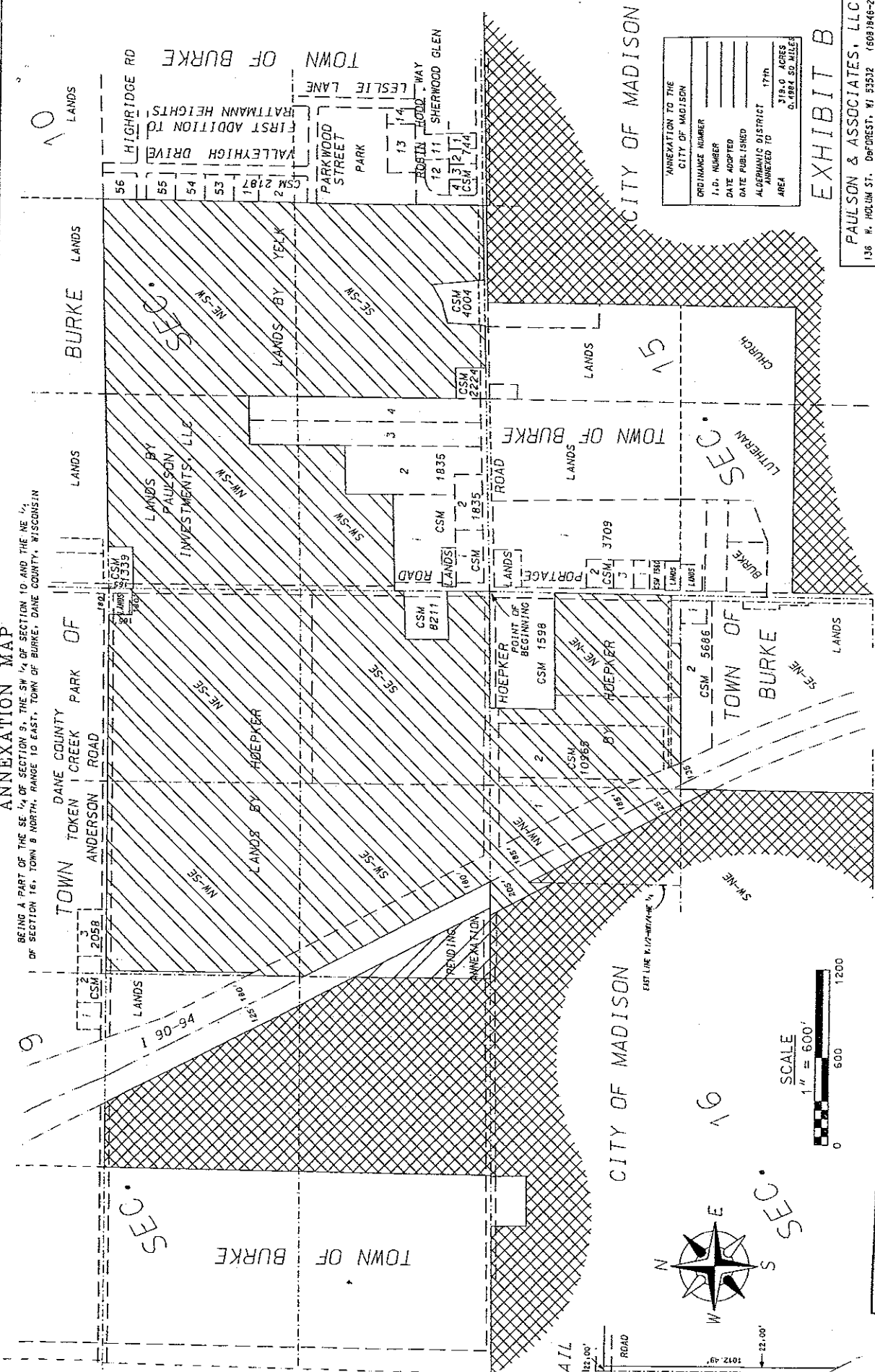
Daniel A. Paulson

Registered land Surveyor

October 19, 2005

ANNEXATION MAP

BEING A PART OF THE SE 1/4 OF SECTION 9, THE SW 1/4 OF SECTION 10 AND THE NE 1/4 OF SECTION 16, TOWN 8 NORTH, RANGE 10 EAST, TOWN OF BURKE, DANE COUNTY, WISCONSIN



ANNEXATION TO THE CITY OF MADISON
ORDINANCE NUMBER
J.D. NUMBER
DATE ADOPTED
DATE PUBLISHED
ALDERMANIC DISTRICT
ANNEXED TO
AREA
17TH
379.0 ACRES
0.0064 SQ. MILES

EXHIBIT B

PAULSON & ASSOCIATES, LLC
136 W. HOLM ST., DORFREST, WI 53532 (608) 846-2833

ANNEXATION MAP

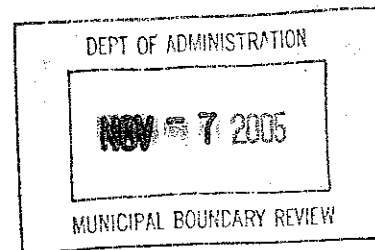
OCTOBER 19, 2005

DETAIL

DEPT OF ADMINISTRATION

NOV 7 2005

MUNICIPAL BOUNDARY REVIEW



Request for Annexation Review

November 4, 2005

Parcel Nos.

Helen G. Hoepker	014/0810-094-8502-0
Donald G. and Juanita M. Hoepker Trust	014/0810-094-9550-0 014/0810-161-8090-0 014/0810-161-8510-0
Paulson Investments, LLC	014/0810-103-8500-8 014/0810-103-9040-3
Robert H. Yelk	014/0810-103-9500-6 014/0810-103-8000-3

PEITION # 12750

ANNEXATION REVIEW QUESTIONNAIRE
MUNICIPAL BOUNDARY REVIEW

1 Territory to be annexed: _____ | From Town of: _____ | To City/Village of: _____

2 Area (Acres): _____ Approx. Equalized (full) value: Land:\$ _____ Improvements:\$ _____

3 Property Tax Payments **OR** Boundary Agreement (circle one)

a. Annual town property tax on territory to be annexed: _____	a. Title of boundary agreement _____
b. Total that will be paid to Town (annual tax multiplied by 5 years): _____	b. Year adopted _____
c. Paid by: Petitioner City/Village (circle one) Other _____	c. Participating jurisdictions _____
	d. Statutory authority (circle one) 66.0307 66.0225 66.0301

4 Approximate **present land use** of territory: _____ | Resident Population: _____

Undeveloped: _____%	Residential _____%	Electors: _____
Commercial: _____%	Recreational _____%	Total: _____
Industrial: _____%		

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

Commercial: _____%	Residential _____%	Other: _____
Industrial: _____%	Recreational _____%	

Comments: _____

6 Has a preliminary ___ or final ___ plat been submitted to the Plan Commission: ___ Yes ___ No

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

In the town?: _____

8. What are the **basic service needs** that precipitated the request for annexation?

Sanitary sewer _____	Police/Fire protection _____
Water supply _____	EMS _____
Storm sewers _____	Zoning _____
Other _____	

9 Is the city/village or town capable of providing needed utility services?
City/Village ___ Yes ___ No. Town ___ Yes ___ No

If yes, approximate time table for providing service:	City/Village	Town
<u>Sanitary Sewers</u> immediately	_____	_____
or, write in number of years.	_____	_____
<u>Water Supply</u> 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: _____

10. Parks and Recreation:

Total acreage: _____ Annual park program appropriation: \$ _____
Describe proximity of parks from annexation territory: _____

11. Schools:

What school district(s) serve the territory to be annexed? _____

12. Planning:

1. Do you have a comprehensive plan for the City/Village/Town? ___ Yes ___ No
If yes, when was it prepared? _____ When Updated? _____
Who prepared the plan? _____
2. Annual appropriation for planning? \$ _____
3. How is the annexation territory now zoned? _____
4. How will the land be zoned and used if annexed? _____

14 Other relevant information and comments bearing upon the public interest in the annexation:

Prepared by: _____
Title: _____
Phone: _____
Date: _____

Please **RETURN PROMPTLY** to:
Municipal Boundary Review
101 E. Wilson Street, 10th Floor
Madison, WI 53702-0001
(608) 264-6102 (608) 267-6917 **FAX**
erich.schmidtke@doa.state.wi.us **EMAIL**