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AUG 10 2018

KAREN L. SCHUH
CLERK, TOWN OF VERNON

SCOTT WALKER

GOVERNOR

ELLEN NOWAK

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>

August 08, 2018

PETITION FILE NO. 14132

BRADLEY CALDER, CLERK
VILLAGE OF BIG BEND
W230S9185 NEVINS ST
BIG BEND, WI 53103-9722

KAREN L SCHUH, CLERK
TOWN OF VERNON
W249 S8910 CENTER DR
BIG BEND, WI 53103

Subject: LUCKOW-LENT ANNEXATION

The proposed annexation submitted to our office on July 19, 2018, has been reviewed and found to be against 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...." 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.

Based on the petitioner's map and legal description, the subject territory is not contiguous to the Village under the plain language of the annexation statute and interpretative case law. "Contiguity" is a basic tenant of annexation found in s. 66.0217, Wis. Statutes, to prevent leap frog annexations and reduce confusing jurisdictional boundaries and to instead facilitate orderly annexation of territory. In this instance, contiguity of the 11-acre annexation parcel to the Village is achieved only via I-43 road right-of-way. This configuration is known as a "balloon on a string" and has been determined not to meet the minimum standard for contiguity established by the Wisconsin Supreme Court in *Town of Mt. Pleasant v. City of Racine*¹. Furthermore, this type of "balloon on a string" configuration does not coincide with the legislative intent of Chapter 66, Wis. Stats. because it creates incoherent boundaries that are difficult for both the City and the Town to administer, for state, federal, and regional jurisdictions to follow, and for residents and businesses to understand.

It is also not apparent whether the City can better provide services to the proposed annexation territory than can the Town. In its completed annexation review questionnaire, the City indicates that it cannot provide sewer or water facilities to the territory, but that it does have police, fire, and EMS services as well as zoning. However, the busy I-43 expressway separates the annexation territory from the Village to the north and Town neighborhoods separate the territory from the Village to the east, south, and west. The territory's isolation may make service delivery less efficient. For example, the Town points out that its fire department is less than a quarter-mile from the territory, while the Village's fire department is over 2-miles away.

To address municipal boundary and service issues, the Village and Town may want to consider developing an intergovernmental boundary agreement between themselves. Reviewing and approving municipal boundary agreements is another function of the Department, therefore Department staff

¹ *Town of Mt. Pleasant v. City of Racine*, 24 Wis.2d 41, 127 N.W.2d 757 (1964).

would be available to answer any questions regarding boundary agreement requirements or process, or any other technical assistance.

Should the Village choose to adopt an ordinance for this annexation, the ordinance is required to comply with the mapping and legal description requirements contained in s. 66.0217(1) Wis. Stats. This section requires description by metes and bounds commencing from a monumented corner of a 1/4 section in which the territory lies. In this case, as currently written, the petition's legal description is not a complete metes and bounds description and does not comply with the statutory requirement.

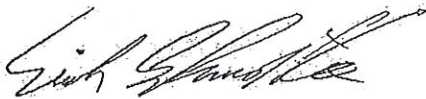
Finally, the Department reminds clerks of annexing municipalities of the requirements of s. 66.0217 (9)(a), Wis. Stats., which states:

"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 14132 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=2205>
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,



Erich Schmidtke, Municipal Boundary Review

cc: petitioner

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KAREN L. SCHUH
CLERK, TOWN OF VERNON



August 5, 2018

Mr. Erich Schmidtke
Department of Administration
Municipal Boundary Review
101 E. Wilson Street, 9th Floor
Madison, WI 53703

Dear Mr. Schmidtke,

The Vernon Town Board asked that I provide the Department of Administration some additional information regarding the Richard Luckow and Elizabeth Lent memo requesting annexation to the Village of Big Bend, received in my mailbox on July 16, 2018.

This annexation violates the rule of reason.

- This is an 11-acre parcel completely surrounded by the Town of Vernon, with the exception of the I-43 corridor to the North.
- There is no direct vehicular or pedestrian access from this parcel to the Village of Big Bend.
- It is approximately one mile from this parcel to the closest point a pedestrian or vehicle can gain legal access into the Village of Big Bend.
- The I-43 corridor which ostensibly connects this parcel to the Village of Big Bend is nothing more than a string that connects to this balloon. This parcel is not contiguous to the Village in any practical sense.
- These petitioners are not in need of services that the Town cannot provide, or that the Village can.
- There are no utility services available to this parcel from the Village of Big Bend.
- The property owners have shown no need for the annexation. They say in their filed document that they seek to build a single-family home, which is a permitted use in the Town.
- The Town of Vernon Fire Department is less than a quarter of a mile to the parcel requesting annexation, which provides the highest level of Advanced Life Support and Fire Service and is staffed twenty-four hours a day, seven days a week, three hundred sixty-five days a year; whereas the Village of Big Bend's Fire Department is over two miles away, has only EMS and Fire Service and is struggling to service calls in a timely response.
- There is no way for emergency services to access the subject parcel without traveling at least the last mile on Town roads.
- The Village does not have a reasonable present or demonstrable future need for the annexed territory.


I am also concerned about the process of this application for annexation. The document was left at Town Hall but not properly filed or served on me. The document includes a notary stamp, but the notary does not satisfy the Uniform Laws on Notarial Acts requirements of Wisconsin Statutes Section 706.07, because, among other defects, the notary fails to identify the signatories. The signatures are illegible, which coupled with the inadequate notarial acts, fails to demonstrate that this represents approval of the parcel owners. The document, moreover, does not assert that it is made upon unanimous approval, nor that these are these sole owners of the parcel.

As additional background I want you to be aware of the following:

- The Vernon Town Board of Supervisors are very close to completing a border agreement with the Village of Mukwonago and are actively working with all the municipalities that surround the Town of Vernon on intermunicipal agreements and border agreements. The Village of Mukwonago is a community that can provide sewer and water to areas of the Town of Vernon; whereas the Village of Big Bend does not have an active plan to provide sewer or water to any community, including its own Village of Big Bend.
- In April of 2018, the Village of Big Bend Finance Committee formally requested a proposal from the Town of Vernon, for the Town to serve the Village of Big Bend with emergency medical services and fire department services. The Town Board and members of the Village of Big Bend Board are currently working on a proposal to present to the full Village of Big Bend Board. My personal concern is that this annexation will damage any type of working relationship the Town Board and members of the Village Board have recently created.
- There is a serious question as to the legality of the first Right of Way Annexation submitted in March of 2012, (Exhibit A). It is my understanding, that the Town Clerk and Town Chairman never distributed the petition for annexation as submitted as (Exhibit A), to the Vernon Town Board of Supervisors.

Thank you for your attention to this issue. I trust that you will agree that this annexation should be rejected, and that you will advise the Village of Big Bend accordingly. I also look forward to working with you regarding the Vernon Town Board's attempt to secure border agreements. If you need any additional documentation to confirm any of the information I have provided to you, please contact me at the Town of Vernon at 262-662-2039 or email me at clerk@townofvernon.org.

Respectfully Submitted,



Karen L. Schuh, Clerk
Town of Vernon

Enclosures: Annexation Review Questionnaire and Exhibit A
Cc: Vernon Town Board of Supervisors

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: Luckow-Lent

Petition Number: 14132

1. Territory to be annexed:	From TOWN OF VERNON	To VILLAGE OF BIG BEND
2. Area (Acres):	UNSURE by legal description	
3. Pick one: <input type="checkbox"/> Property Tax Payments	OR	<input type="checkbox"/> Boundary Agreement
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: <input type="checkbox"/> Petitioner <input type="checkbox"/> City <input type="checkbox"/> Village		c. Participating jurisdictions
<input type="checkbox"/> Other:		d. Statutory authority (pick one) <input type="checkbox"/> s.66.0307 <input type="checkbox"/> s.66.0225 <input type="checkbox"/> s.66.0301
4. Resident Population:	Electors: 2	Total: 2
5. Approximate present land use of territory: Residential: 100% Recreational: % Commercial: % Industrial: % Undeveloped: %		
6. If territory is undeveloped, what is the anticipated use? Residential: % Recreational: % Commercial: % Industrial: % Other: % Comments:		
7. Has a <input type="checkbox"/> preliminary or <input type="checkbox"/> final plat been submitted to the Plan Commission: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Plat Name:		
8. What is the nature of land use adjacent to this territory in the city or village? The Interstate / Freeway In the town?:		
9. What are the basic service needs that precipitated the request for annexation? <input type="checkbox"/> Sanitary sewer <input type="checkbox"/> Water supply <input type="checkbox"/> Storm sewers <input type="checkbox"/> Police/Fire protection <input type="checkbox"/> EMS <input type="checkbox"/> Zoning Other: UNKNOWN		

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:

Sanitary Sewers immediately ☐

or, write in number of years.

not applicable →

Water Supply immediately ☐

or, write in number of years.

City/Village

Town

Neither the Town or the Village provide public sewer or water.

No Public utilities are needed for proposed single family use

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 The Village of Big Bend is over 5 million in debt.

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 Single family use

Is this annexation consistent with your comprehensive plan?

☐ Yes ☒ No

The land use Plan calls for the property to be in the Town.

b. How is the annexation territory now zoned? A-5 with an EC overlay

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:

Please see the important letter attached

Prepared by: ☒ Town ☐ City ☐ Village

Name: Karen L. Schuch

Email: clerk@townofvernon.org

Phone: 262 662 2039

Date: August, 6, 2018

(March 2018)

Please **RETURN PROMPTLY** to:

wimunicipalboundaryreview@wi.gov

Municipal Boundary Review

PO Box 1645, Madison WI 53701

Fax: (608) 264-6104

EXHIBIT A

AREA 1

LEGAL DESCRIPTION OF LANDS SUBJECT TO ANNEXATION

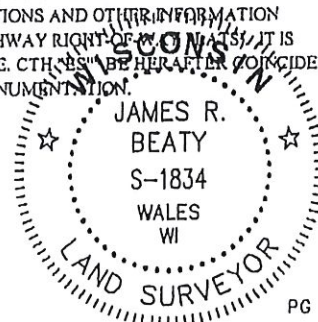
Being all of Tax Key Parcel VNT 2058 995 001 and a part of Interstate Highway. "I-43" ROW (right-of-way) as defined by WIDOT ROW Project Plat T 015-2(15) and STH "164" ROW. Being also a part of the Southeast 1/4 of the Northeast 1/4 of Section 10, the Northeast 1/4 and Northwest 1/4 of the Southeast 1/4 of Section 10, the Southeast 1/4 and Southwest 1/4 of the Northwest 1/4 of Section 11, and the Northwest 1/4 of the Southwest 1/4 of Section 11, all in Township 5 North, Range 19 East, Town of Vernon, Waukesha County, Wisconsin. Said lands to be annexed are bounded and described as follows;

Commencing at the Southwest corner of the Northwest 1/4 of said Section 11; thence N01°36'22"W a distance of 36.58 feet along the west line of the Northwest 1/4 of said Section 11 to a point on the north ROW line of Interstate "IH-43" and the point of beginning; THENCE N67°21'59"E a distance of 1509.39 feet along the municipal boundary of the Village of Big Bend as established and described per Ordinance 2007-04 to a point; THENCE N73°04'37"E a distance of 100.50 feet along the north ROW line of Interstate "IH-43" and the municipal boundary of the Village of Big Bend as established and described per Ordinance 2007-04 to a point; THENCE N67°21'59"E a distance of 100.00 feet along the north ROW line of Interstate "IH-43" and the municipal boundary of the Village of Big Bend as established and described per Ordinance 2007-04 to a point; THENCE N57°52'55"E a distance of 60.69 feet along the north ROW line of Interstate "IH-43" and the municipal boundary of the Village of Big Bend as established and described per Ordinance 2007-04 to a point; THENCE N67°21'59"E a distance of 691.57 feet along the north ROW line of Interstate "IH-43" and the municipal boundary of the Village of Big Bend as established and described per Ordinance 2007-04 to a point; THENCE N40°53'05"E a distance of 587.40 feet along the north ROW line of Interstate "IH-43" and the municipal boundary of the Village of Big Bend as established and described per Ordinance 2007-04 to a point; THENCE N33°56'26"W a distance of 386.16 feet along the west ROW line of STH "164" and the municipal boundary of the Village of Big Bend as established and described per Ordinance 2007-04 to a point; THENCE N55°30'26"E a distance of 29.41 feet to a point on the municipal boundary of the Village of Big Bend as established and described per Ordinance 98-3; THENCE southerly a distance of 132.73 feet along said municipal boundary and the arc of a curve whose center lies to the southwest, whose radius is 23,175.68 feet and whose chord bears S34°05'54"E a distance of 132.73 feet. to a point; THENCE S33°56'04"E a distance of 245.55 along the municipal boundary of the Village of Big Bend as established and described per Ordinance 98-3; THENCE S34°17'26"E a distance of 803.76 feet along the municipal boundary of the Village of Big Bend as established and described per Ordinance 98-3 to a point on the south ROW line of Interstate "IH-43"; THENCE S85°59'32"W a distance of 630.59 feet along the south line of Interstate "IH-43"; THENCE S67°21'59"W a distance of 929.17 feet along the south line of Interstate "IH-43"; THENCE S01°52'36"E a distance of 348.22 feet along the east line of lands known as Tax PIN #VNT 2058 995 002 and west line of lands known as Tax PIN #VNT 2058 998 001 to a point on the south line of the Northwest 1/4 of Section 11 and the north line of Vernon Meadows Add NO. 1, a recorded subdivision plat. THENCE S88°42'23"W a distance of 894.78 feet along the south line of the Northwest 1/4 of Section 11 and the north line of Vernon Meadows Add NO. 1 to a point on the south ROW line of Interstate "IH-43"; THENCE S67°21'59"W a distance of 383.55 feet along the south ROW line of Interstate "IH-43" and north line of Vernon Meadows Add NO. 1, a recorded subdivision plat to a point; THENCE S62°47'53"W a distance of 439.79 feet along the south ROW line of Interstate "IH-43" and north line of Vernon Meadows Add NO. 1 and north line of CSM 6677 to a point; THENCE S67°20'37"W a distance of 761.19 feet along the south ROW line of Interstate "IH-43" to a point; THENCE S73°59'53"W a distance of 302.03 feet along the south ROW line of Interstate "IH-43" and north line of CSM 2376 to a point; THENCE S67°20'36"W a distance of 1015.19 feet along the south ROW line of Interstate "IH-43" and north lines of CSM 2377 and CSM 2375 to a point on the centerline of Evergreen Drive; THENCE N01°35'05"W a distance of 332.21 feet along the centerline of Evergreen Drive and the to the north ROW line of Interstate "IH-43"; THENCE N67°20'36"E a distance of 2086.02 feet along the north ROW line of Interstate "IH-43" and south lines of unplatted lands and CSM 9230 and CSM 10648 to the point of beginning. Said described lands containing 1,972,061 s.f. (45.2723 acres) more or less of land.

NOTE: THE ABOVE LEGAL DESCRIPTION WAS PREPARED FROM DOCUMENTS OF RECORD WITHOUT FIELD VERIFICATION & MAY NOT EXACTLY MATCH RECORD DISTANCES OR BEARING CALLS CONTAINED IN ADJOINING DOCUMENTS OF RECORD. NUMEROUS DISCREPANCIES EXIST BETWEEN SEWRPC SECTION LINE CONTROL NETWORK, LEGAL DESCRIPTIONS AND OTHER INFORMATION CONTAINED IN DOCUMENTS OF RECORD (INCLUDES: DEEDS, CSM'S, SUBDIVISION PLATS & HIGHWAY RIGHT-OF-WAY PLATS). IT IS INTENDED THAT THE MUNICIPAL BOUNDARY AND RIGHT OF WAY LINE OF "WEST NATIONAL AVE. CTH "B" BE HEREAFTER COINCIDENT WITH THE BOUNDARY OF PRIVATE LANDS ADJACENT THERETO, SUBJECT TO SURVEYS AND MONUMENTATION.

PREPARED BY:
HORIZON LAND DEVELOPMENT SERVICES, LLC
JAMES R. BEATY, JLS PLS
W313 S2562 PENNY LN.
WALES, WI 53183
1-262-349-1575
www.horizonlanddevelopmentservices.com

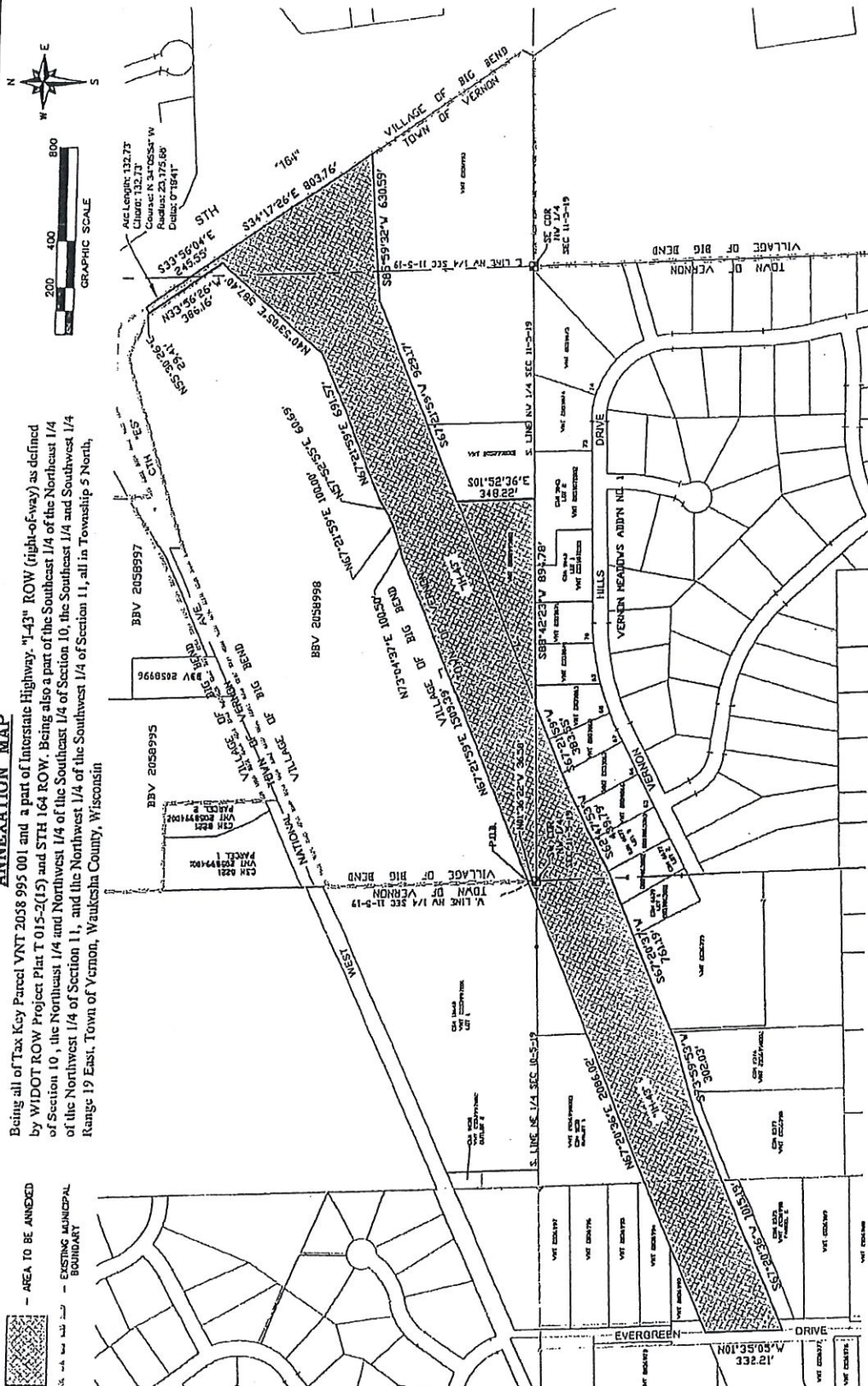
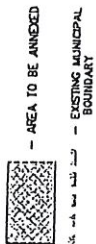
James R. Beaty
DATED: NOVEMBER 10, 2011



PG 2 OF 2

ANNEXATION MAP

Being all of Tax Key Parcel VNT 2038 995 001 and a part of Interstate Highway, "I-43" ROW (right-of-way) as defined by WIDOT ROW Project Plat T 015-2(13) and STH 164 ROW. Being also a part of the Southeast 1/4 of the Northeast 1/4 of Section 10, the Northwest 1/4 and Northwest 1/4 of the Southeast 1/4 of Section 10, the Southeast 1/4 and Southwest 1/4 of the Northwest 1/4 of Section 11, and the Northwest 1/4 of the Southwest 1/4 of Section 11, all in Township 5 North, Range 19 East, Town of Vernon, Waushara County, Wisconsin



AREA 2

LEGAL DESCRIPTION OF LANDS SUBJECT TO ANNEXATION

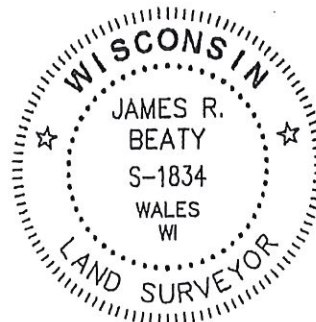
Being all that part of Interstate I-43 ROW as defined by ROW Project Plat T 015-2(15) being also a part of the Northeast 1/4, the Southeast 1/4 and the Southwest 1/4 of the Southwest 1/4 of Section 1, Township 5 North, Range 19 East, Town of Vernon, Waukesha County, Wisconsin
Said lands to be annexed are bounded and described as follows;

Commencing at the Southeast corner of the Southwest 1/4 of Section 1; THENCE N00°48'15"W, a distance of 867.17 feet along the east line of the Southeast 1/4 of said Section 1 to the point of beginning of the lands hereinafter described, THENCE S89°11'45"W, a distance of 60.00 feet; THENCE N00°48'15"W, a distance of 114.98 feet to a point on the southeasterly right-of-way line of ISH-43; THENCE S51°16'16"W, a distance of 1630.77 feet along said southeasterly line of ISH-43 (Interstate Highway I-43) and the northwesterly boundary of lands described in Reel 2558 Image 0812 and Reel 1711 Image 979 to a point on the south line of the Southwest 1/4 of Section 1 and existing municipal boundary line, (said point lies S88°20'16"W, 1346.53 feet from the Southeast corner of the Southwest 1/4 of said Section 1 along the south line of said Section 1). THENCE S88°20'16"W a distance of 164.00 feet along the south line of said Southwest 1/4 of Section 1 to an angle point in the existing municipal boundary; THENCE N36°06'19"W a distance of 226.17 feet along said municipal boundary line to the north right-of-way line of ISH-43 and southwest corner of Lot 2 of CSM 9889; THENCE a distance of 779.34 feet along said north right-of-way line, (being also the south lines of Lot 2 of CSM 9889 and Parcel 1 of CSM 6782, and the gap existing between said CSM 9889 and CSM 6782 as described) along the arc of a curve, whose center lies to the northwest, whose radius is 11,339.16 feet and whose chord bears N51°45'54"E, a distance of 779.18 feet to a point of tangency per CSM 6782; THENCE N49°48'35"E a distance of 1322.72 feet along the north right-of-way line of ISH-43 and southeasterly lines of Parcel 1 of CSM 6782 and Lot 2 of CSM 6060 to a point on the East line of the Southwest 1/4 of said Section 1; THENCE S00°48'15"E a distance of 607.70 feet along said east line to the point of beginning. Said described lands containing 645,637 s.f. (14.8218 acres) more or less of land.

NOTE: THE ABOVE LEGAL DESCRIPTION WAS PREPARED FROM DOCUMENTS OF RECORD WITHOUT FIELD VERIFICATION & MAY NOT EXACTLY MATCH RECORD DISTANCES OR BEARING CALLS CONTAINED IN ADJOINING DOCUMENTS OF RECORD. NUMEROUS DISCREPANCIES EXIST BETWEEN SEWRPC SECTION LINE CONTROL NETWORK, LEGAL DESCRIPTIONS AND OTHER INFORMATION CONTAINED IN DOCUMENTS OF RECORD (INCLUDES: DEEDS, CSM'S, SUBDIVISION PLATS & HIGHWAY RIGHT-OF-WAY PLATS). IT IS INTENDED THAT THE MUNICIPAL BOUNDARY AND RIGHT OF WAY LINE OF "INTERSTATE-43" BE HEREAFTER COINCIDENT WITH THE BOUNDARY OF PRIVATE LANDS ADJACENT THERETO, SUBJECT TO SURVEYS AND MONUMENTATION.

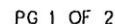
PREPARED BY:
HORIZON LAND DEVELOPMENT SERVICES, LLC
JAMES R. BEATY, RLS PLS
W313 S2562 PENNY LN.
WALES, WI 53183
1-262-349-1575
www.horizonlanddevelopmentsservices.com

James R. Beaty
DATED: NOVEMBER 10, 2011



ANNEXATION MAP

Being also a part of the Northeast 1/4, the Southeast 1/4 and the Southwest 1/4 of the Southwest 1/4 of Section 1, Township 5 North, Range 19 East, Town of Vernon, Waukesha County, Wisconsin



AREA 3

LEGAL DESCRIPTION OF LANDS SUBJECT TO ANNEXATION

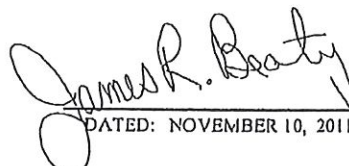
Being a part of National Ave. and STH "164" right-of way and also being a part of the Northeast 1/4, the Northwest 1/4 and the Southwest 1/4 of the Northwest 1/4 of Section 11, Township 5 North, Range 19 East, Town of Vernon, Waukesha County, Wisconsin

Said lands to be annexed are bounded and described as follows;

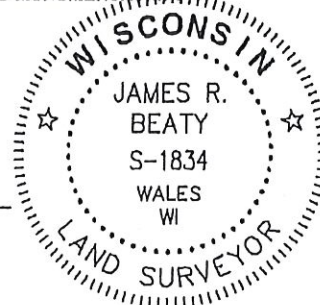
Commencing at the Southwest corner of the Northwest 1/4 of Section 11; thence N01°36'22"W a distance of 915.31 feet along the west line of the Northwest 1/4 of said Section 11 to a point on the south right of way line of West National Ave. (C.T.H. "ES") as defined by Village of Big Bend Ordinance ORD 2007-04; THENCE N01°36'22"W a distance of 109.01 feet along the west line of the Northwest 1/4 of said Section 11 to a point on the north line of West National Ave. (C.T.H. "ES") and the southwest corner of Parcel 1 of CSM 8221 as described; THENCE N65°53'38"E a distance of 405.00 feet along the north line of West National Ave. (C.T.H. "ES") and the south line of CSM 8221 to the southeast corner of Parcel 2 of CSM 8221; THENCE N05°22'09"E a distance of 4.10 feet to the north line of West National Ave. (C.T.H. "ES") as defined in legal description establishing the Municipal boundary of the Village of Big Bend as Ordinance ORD 2007-03; thence THENCE N65°15'22"E a distance of 487.76 feet continuing along said municipal boundary and the north line of West National Ave. (C.T.H. "ES") to a point; THENCE N66°02'14"E a distance of 659.73 feet continuing along said municipal boundary and the north line of West National Ave. (C.T.H. "ES") to a point; THENCE N59°45'36"E a distance of 307.09 feet continuing along said municipal boundary per Ordinance ORD 2007-03 and the north line of West National Ave. (C.T.H. "ES") to a point on the municipal boundary of the Village of Big Bend as established and described per Ordinance ORD 98-3; THENCE S01°17'02"E a distance of 98.24 feet along the municipal boundary of the Village of Big Bend as established and described per Ordinance ORD 98-3 to the centerline of West National Ave. (C.T.H. "ES"); THENCE N66°09'34"E a distance of 561.27 feet along the municipal boundary of the Village of Big Bend as established and described per Ordinance ORD 98-3 to a point; THENCE S23°50'26"E a distance of 60.50 feet along the municipal boundary of the Village of Big Bend as established and described per Ordinance ORD 98-3 to a point; THENCE S88°24'14"E a distance of 186.14 feet along the municipal boundary of the Village of Big Bend as established and described per Ordinance ORD 98-3 to a point; THENCE southerly a distance of 149.89 feet along the arc of a curve, whose center lies to the west, whose radius is 23,175.68 feet and whose chord bears S34°26'52"E a distance of 149.89 feet to a point along the municipal boundary of the Village of Big Bend as established and described per Ordinance ORD 98-3 to a point; THENCE S55°30'26"W a distance of 29.41 feet along the municipal boundary of the Village of Big Bend as established and described per Ordinance ORD 98-3 to the west right-of way line of S.T.H. "164" and a point on the municipal boundary of Village of Big Bend as established and described per Ordinance ORD 2007-04; THENCE N65°00'42"W a distance of 207.36 feet along the west line of S.T.H. "164" and the municipal boundary of Village of Big Bend as established and described per Ordinance ORD 2007-04 to a point on the south line of West National Ave. (C.T.H. "ES"); THENCE S72°23'11"W a distance of 869.54 feet along the south line of West National Ave. (C.T.H. "ES") as established and described per Ordinance ORD 2007-04 to a point; THENCE S66°02'14"W a distance of 654.69 feet along the south line of West National Ave. (C.T.H. "ES") as established and described per Ordinance ORD 2007-04; THENCE S65°15'22"W a distance of 935.73 feet along the south line of West National Ave. (C.T.H. "ES") as established and described per Ordinance ORD 2007-04 to the point of beginning. Said described lands containing 269,166 s.f. (6.1792 acres) more or less of land.

NOTE: THE ABOVE LEGAL DESCRIPTION WAS PREPARED FROM DOCUMENTS OF RECORD WITHOUT FIELD VERIFICATION & MAY NOT EXACTLY MATCH RECORD DISTANCES OR BEARING CALLS CONTAINED IN ADJOINING DOCUMENTS OF RECORD. NUMEROUS DISCREPANCIES EXIST BETWEEN SEWRPC SECTION LINE CONTROL NETWORK, LEGAL DESCRIPTIONS AND OTHER INFORMATION CONTAINED IN DOCUMENTS OF RECORD (INCLUDES: DEEDS, CSM'S, SUBDIVISION PLATS & HIGHWAY RIGHT-OF-WAY PLATS). IT IS INTENDED THAT THE MUNICIPAL BOUNDARY AND RIGHT OF WAY LINE OF "WEST NATIONAL AVE. CTH "ES"" BE HEREAFTER COINCIDENT WITH THE BOUNDARY OF PRIVATE LANDS ADJACENT THERETO, SUBJECT TO SURVEYS AND MONUMENTATION.

PREPARED BY:
HORIZON LAND DEVELOPMENT SERVICES, LLC
JAMES R. BEATY, RLS PLS
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WALES, WI 53183
1-262-349-1375
www.horizonlanddevelopmentservices.com


DATED: NOVEMBER 10, 2011

DATED: NOVEMBER 10, 2011

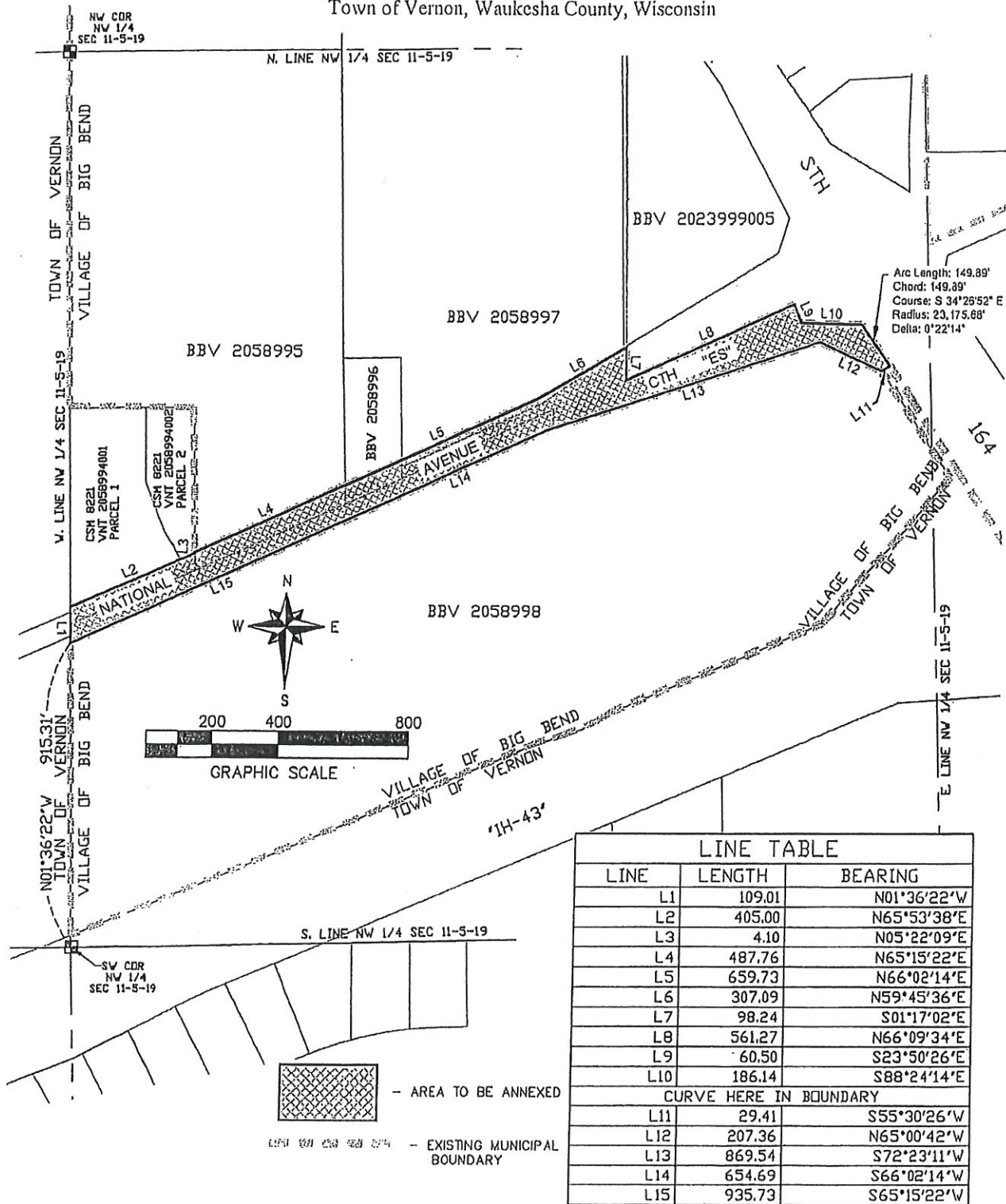


PG 2 OF 2

AREA 3

ANNEXATION MAP

Being a part of National Ave. and STH "164" right-of-way and also being a part of the Northeast 1/4, the Northwest 1/4 and the Southwest 1/4 of the Northwest 1/4 of Section 11, Township 5 North, Range 19 East, Town of Vernon, Waukesha County, Wisconsin



DATED: NOVEMBER 10, 2011

PG 1 OF 2



SCOTT WALKER

GOVERNOR

ELLEN NOWAK

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>

July 19, 2018

PETITION FILE NO. 14132

BRADLEY CALDER, CLERK
VILLAGE OF BIG BEND
W230S9185 NEVINS ST
BIG BEND, WI 53103-9722

KAREN L SCHUH, CLERK
TOWN OF VERNON
W249 S8910 CENTER DR
BIG BEND, WI 53103

Subject: LUCKOW-LENT 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 VERNON to the VILLAGE OF BIG BEND (see attached description) must be reviewed pursuant to the statute.

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.

Please return the questionnaire as soon as possible so that the information can be reviewed prior to the department's statutory deadline of August 08, 2018. Direct any questions and comments to Erich Schmidtke at (608) 264-6102. Thank you for your cooperation.

For additional information on annexation or other land use issues, visit our web site at <http://doa.wi.gov/municipalboundaryreview/>.

Sincerely,

Erich Schmidtke

Enclosures