

Document Number

**AN ORDINANCE ANNEXING
TERRITORY FROM THE TOWN OF
PLYMOUTH TO THE CITY OF
PLYMOUTH
(MBR No. 14075)**

Ordinance No. 7 of 2018

WHEREAS, a Petition for unanimous direct annexation of the following territory in the Town of Plymouth, Sheboygan County, Wisconsin, more particularly and legally described below and as shown on the scale map attached hereto as **Exhibit A**, to the City of Plymouth, was filed with the City Clerk/Treasurer on or about December 18, 2017.

That part of the Northeast 1/4 of Section 33, Township 15 North, Range 21 East, Town of Plymouth, Sheboygan County, Wisconsin, described as BEGINNING at the East 1/4 corner of said Section 33; thence N89°59'03"W, 2497.37 feet along the South line of said Northeast 1/4; thence N0°08'55"E, 290.40 feet; thence N89°59'03"W, 150.00 feet; thence N0°08'55"E, 1029.68 feet along the West line of said Northeast 1/4; thence S89°58'48"E, 2646.57 feet along the North line of the South 1/2 of said Northeast 1/4 ; thence S0°06'50"W, 219.88 feet along the East line of said

Northeast 1/4; thence N89°53'10"W, 354.37 feet perpendicular to said East line; thence S0°12'28"E, 891.26 feet to the northwesterly right-of-way line of S.T.H. "67"; thence northeasterly 521.70 feet along said northwesterly right-of-way line on a 766.51 foot radius curve to the left, the chord of which bears N33°08'48"E, 511.69 feet; thence S76°21'06"E, 12.00 feet; thence northerly 183.90 feet along the westerly right-of-way line of S.T.H. "67" on a 778.51 foot radius curve to the left, the chord of which bears N6°52'52"E, 183.47 feet; thence N 0°06'50"E, 217.64 feet along said West right-of-way line; thence S89°53'10"E, 40.00 feet perpendicular to the West line of said Northeast 1/4; thence S0°06'50"W, 1034.75 feet along the East line of said Northeast 1/4 to the point of beginning.

Tax Key Numbers: 59016-222190 and 59016-222210

WHEREAS, the City Clerk/Treasurer has investigated the Petition and has advised that the Petition is in compliance with Wisconsin Statute § 66.0217(2), in that all of the electors, if any, residing within such territory, and the owners of all of the real property in such territory have signed the Petition; that such Petition was properly filed with the City Clerk/Treasurer together with a scale map and a legal description of the property showing the boundaries of the property to be annexed and its relationship to the City; that copies were timely filed with the Town Clerk of the Town of Plymouth; and that copies thereof were mailed to the Wisconsin Department of Administration; and

WHEREAS, prior to its action on the herein Ordinance, this Common Council has reviewed the advice of the Department of Administration finding that the annexation is in the public interest; and

WHEREAS, pursuant to the City of Plymouth Zoning Code Section 13-1-21(b), the territory shall be placed in the Agricultural District (A) upon annexation and within one (1) year from the date of annexation, the Plan Commission shall evaluate and recommend a permanent zoning district classification to the Common Council.

NOW, THEREFORE, the Common Council of the City of Plymouth does ordain as follows:

Section 1. **Adequacy of Petition.** That the above Petition for the unanimous direct annexation of the property described was signed by all the owners of all of the real property in the territory and that there are no

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electors residing in the territory; and therefore, it is a sufficient and legal Petition conforming to the requirements of Wisconsin Statute § 66.0217(2).

Section 2. **Annexation of Territory.** The territory described is hereby annexed to the City of Plymouth and shall be included on the City Official Zoning Map and designated as Agricultural (A). The City Clerk/Treasurer is hereby instructed to file immediately with the Secretary of Administration a certified copy of the Ordinance, Certificate and Plat, and to send one copy to each company that provides any utility service in the area that is annexed. The City Clerk/Treasurer shall also record the Ordinance with the Sheboygan County Register of Deeds and file a signed copy of the Ordinance with the Clerk of the Plymouth School District, all in accordance with Wisconsin Statute § 66.0217.

Section 3. **Election Ward.** The territory described is hereby made a part of Election Ward 12 of the City of Plymouth. In addition, the City Clerk/Treasurer shall file with the County Clerk the report required by Wis. Stat. § 5.15(4)(bg) confirming the boundaries of the City and all election wards.

Section 4. **Population.** The current population of the annexed territory is zero (0).

Section 5. **Agreement to Pay Property Taxes.** Pursuant to Wis. Stat. § 66.0217(14), the City of Plymouth does hereby agree to pay annually to the Town of Plymouth, for five (5) years, an amount equal to the property taxes that the Town of Plymouth levied on the herein described annexed territory, as shown by the Tax Roll under Wis. Stat. § 70.65, in the year in which the annexation is final.

Section 6. **Effective Date.** All ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict, and this Ordinance shall be in effect from and after its passage.

Enacted on February 13, 2018.

CITY OF PLYMOUTH
DONALD O. POHLMAN, Mayor
PATRICIA HUBERTY, Clerk/Treasurer

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