

Document Number

**AN ORDINANCE ANNEXING
TERRITORY FROM THE TOWN OF
PLYMOUTH TO THE CITY OF
PLYMOUTH
(MBR No.14156)**

Ordinance No. 13 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 September 19, 2018, and .

That part of the Southeast 1/4 of Section 25, Township 15 North, Range 21 East, Town of Plymouth, Sheboygan County, Wisconsin, described as: Commencing at the East 1/4 corner of the said Section 25; thence S0°12'56"W, 33 feet along the East line of said Southeast 1/4 to the POINT OF BEGINNING of this description;

thence S0°12'56"W, 302.47 feet along said East line; thence S89°41'04"W, 1332.54 feet along the North line of the South 70 acres of the East 1/2 of said Southeast 1/4; thence N0°06'05"E, 8.53 feet along the West line of the East 1/2 of said Southeast 1/4; thence S89°45'08"W, 474.14 feet along the South line North 5 acres of the East 1/2 of the West 1/2 of said Southeast 1/4; thence N0°06'36"E, 295.51 feet; thence N89°45'08"E, 1807.23 feet parallel with the North line of said Southeast 1/4 to the point of beginning.

This parcel contains 544,279 square feet or 12.49 acres including highway right-of-way and is subject to highway right-of-way over the easterly 33 feet thereof.

Parcel No. 59016-219650 and "gap parcel"

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, the owner of Territory has submitted a request to have the territory designated into the Heavy Industrial District (HI) upon annexation; such request has been reviewed by the Plan Commission and a public hearing thereon has been held before the Common Council; and

WHEREAS, the Heavy Industrial District (HI) designation for the territory consistent with the City of Plymouth Comprehensive Plan Planned Land Use Map.

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

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property described was signed by all the owners of all of the real property in the territory and that there are no 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 Heavy Industrial District (HI). 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 7 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 December 11, 2018.

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