

ANNEXATION ORDINANCE 2020-02

AN ORDINANCE ANNEXING TERRITORY FROM THE TOWN OF NEW DENMARK TO THE VILLAGE OF DENMARK, BROWN COUNTY, WISCONSIN

WHEREAS, a petition for direct annexation by unanimous approval has been filed with the Clerk of the Village of Denmark requesting the annexation of the hereinafter-described territory, heretofore located in the Town of New Denmark, Brown County, Wisconsin, to the Village of Denmark, Brown County, Wisconsin, pursuant to Wis. Stats. §66.0217(2); and

WHEREAS, the petition was referred to the Village Plan Commission for review; the Village Plan Commission finding that the territory is contiguous to the Village of Denmark and the annexation is not contrary to the public interest, and recommending approval of the petition; and

WHEREAS, the Village Board finds that (a) the hereinafter-described territory is contiguous to the Village of Denmark; (b) the petition for direct annexation herein is a petition for direct annexation by unanimous approval filed pursuant to Wis. Stats. §66.0217(2); (c) there are two (2) electors residing in such territory; (d) the petitioners constitute all of the electors residing in such territory and the owners of all of the real property in such territory; (e) the procedural requirements of Wis. Stats. §66.0217(2) have been complied with; and (f) upon review and consideration of the findings of the Wisconsin Department of Administration regarding such annexation (as required by Wis. Stats. §66.0217(6)), the annexation is not against the public interest.

NOW, THEREFORE, the Village Board of the Village of Denmark, Brown County, Wisconsin, do ordain as follows:

SECTION 1. Territory Annexed. In accordance with Wis. Stats. §66.0217(2) and the petition for direct annexation by unanimous approval filed with the Village Clerk on the 17th day of December, 2019, signed by all of the electors residing in the territory and the owner of all of the real property in the territory, the following described territory in the Town of New Denmark, Brown County, Wisconsin, is annexed to the Village of Denmark, Brown County, Wisconsin:

A parcel of land being part of the Southeast 1/4 of the Northwest 1/4 of Section 28, Township 22 North, Range 22 East, Town of New Denmark, Brown County, Wisconsin, containing 43,585 square feet (1.001 acres) and described as follows: Commencing at the North 1/4 corner of said Section 28; thence S00°10'57"W, 1337.04 feet along the East line of said Northwest 1/4 to the Northeast corner of said Southeast 1/4 of the Northwest 1/4; thence S89°15'32"W, 421.41 feet along the North line of said Southeast 1/4 of the Northwest 1/4; thence S40°05'32"W, 162.48 feet to the Point of Beginning; thence the following five courses along the Village of Denmark Corporate Limits; thence S40°05'32"W, 295.35 feet; thence 182.06 feet along the arc of a 1,572.02 foot radius curve to the left, having a central angle of 06° 38'08" and a chord which bears S41°01'34"E, 181.96 feet; thence

S45°39'22"W, 15.00 feet; thence S44°20'38"E, 114.52 feet; thence N00°10'57"E, 455.61 feet to the Point of Beginning.

An Annexation Map containing an accurate reflection of the legal description of the annexed territory is attached hereto and incorporated herein by reference.

The annexed territory consists of 1.001 acres and is currently identified as Tax Parcel Number ND-595. There are two (2) people living in the annexed territory.

SECTION 2. Effect of Annexation. From and after the date of this ordinance the territory described in section 1 shall be a part of the Village of Denmark 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 Village of Denmark.

SECTION 3. Temporary Zoning Classification.

(a) Upon recommendation of the Village Plan Commission, the territory annexed to the Village of Denmark by this ordinance is temporarily zoned as follows, pursuant to Wis. Stats. §66.0217(8)(a): Rural Development (RD-1) District.

(b) The Village Plan Commission is directed to prepare an amendment to the zoning ordinance setting forth permanent classifications and regulations for the zoning of the annexed area and to submit its recommendations to the Village Board not later than May 4, 2020.

SECTION 4. Ward Designation. The territory annexed to the Village of Denmark by this ordinance is added to existing Ward Number 1, subject to the ordinances, rules and regulation of the Village of Denmark governing wards. The annexed territory is comprised of the same Assembly, Congressional and County Supervisory district boundaries and is contiguous to that ward.

SECTION 5. Payment to Town. Pursuant to Wis. Stats. §66.0217(14), the Village Board agrees to pay annually to the Town of New Denmark, for 5 years, an amount equal to the amount of property taxes that the town levied on the annexed territory, as shown by the tax roll under Wis. Stats. §70.65 in 2020 (the year in which the annexation is final).

SECTION 6. Required Filings. The Village Clerk shall file immediately with the Wisconsin Department of Administration a certified copy of this ordinance, with a copy of the Annexation Map, and shall send one copy to each company that provides any utility service in the area that is annexed. The Village Clerk shall also file with the county clerk or board of election commissioners the report required by Wis. Stats. §5.15(4)(b). The Village Clerk shall record this ordinance with the Brown County Register of Deeds and file a signed copy of this ordinance with the clerk of any affected school district. The Village Clerk is further directed to give written notice of acceptance of such annexation petition to the Clerk of the Town of New Denmark by personal service or by certified mail with return receipt requested.

SECTION 7. Municipal Boundary Review. The petition for direct annexation by unanimous approval was found to be in the public interest by the Wisconsin Department of Administration, Municipal Boundary Review, under MBR Number 14282.

SECTION 8. Severability. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application.

SECTION 9. Effectiveness. The annexation described above shall be effective upon enactment of this ordinance by a two-thirds vote of the elected members of the Village Board as provided in Wis. Stats. §66.0217(2) and §66.0217(8).

VILLAGE OF DENMARK

By: Gregory D. Mleziva
Gregory D. Mleziva, Village President

Attest: Sherri M. Konkol
Sherri M. Konkol, Village Clerk

Date Adopted: 02-03-2020

Date Published: 02-14-2020

Effective Date: 02-15-2020

