

Ordinance # 165

LALUMIERE
ANNEXATION NO. 3

AN ORDINANCE ANNEXING CERTAIN LANDS
LOCATED IN THE TOWN OF SUMMIT, WAUKESHA COUNTY, WISCONSIN
TO THE VILLAGE OF OCONOMOWOC LAKE, WAUKESHA COUNTY, WISCONSIN

WHEREAS, the Village of Oconomowoc Lake, Waukesha County, Wisconsin, is the owner of certain territory located in the Town of Summit, Waukesha County, Wisconsin which territory is hereinafter described and which territory is near but not necessarily contiguous to the Village of Oconomowoc Lake.

The Village Board of the Village of Oconomowoc Lake, Waukesha County, Wisconsin, does ordain pursuant to Section 66.025, WISCONSIN STATUTES, as follows:

SECTION 1. Wisconsin Statutes, Section 66.025 provides as follows:

"66.025 **Annexation of owned territory.** In addition to other methods provided by law and subject to ss. 59.692(7) and 66.023 (7), territory owned by and lying near but not necessarily contiguous to a village or city may be annexed to a village or city by ordinance enacted by the board of trustees of the village or the common council of the city, provided that in the case of noncontiguous territory the use of the territory by the city or village is not contrary to any town or county zoning regulation. The ordinance shall contain the exact description of the territory annexed and the names of the towns from which detached, and shall operate to attach the territory to the village or city upon the filing of 6 certified copies thereof in the office of the secretary of state, together with 6 copies of a plat showing the boundaries of the territory attached. Two copies of the ordinance and plat shall be forwarded by the secretary of state to the department of transportation, one copy to the department of natural resources, one copy to the department of revenue and one copy to the department of public instruction."

SECTION 2. The Village of Oconomowoc Lake is the owner of all of the territory to wit: the annexed territory hereinafter

described, located in the Town of Summit, Waukesha County, Wisconsin, and said territory lies near but not necessarily contiguous to the Village of Oconomowoc Lake, Waukesha County, Wisconsin.

SECTION 3. In accordance with Section 66.025 of the Wisconsin Statutes, the following described territory owned by the Village of Oconomowoc Lake, Waukesha County, State of Wisconsin, and located in the Town of Summit, Waukesha County, State of Wisconsin, is hereby annexed to and made part of the Village of Oconomowoc Lake, Waukesha County, Wisconsin, to wit:

The legal description of the annexed territory is attached hereto, made a part hereof, and incorporated herein by reference and has been marked Exhibit 1.

The population of the annexed territory is described as follows: The land is vacant; The population is zero; and there are no electors and no persons in said territory. The attached map shows the boundaries of said territory attached to the Village of Oconomowoc Lake by this annexation and the boundary of the Village of Oconomowoc Lake, Waukesha County, Wisconsin.

SECTION 4. Pursuant to the provisions of Wis. Stats. §66.025, the use of such of the above territory as is not contiguous to the Village of Oconomowoc Lake shall not be contrary to any Town of Summit or Waukesha County zoning regulations.

SECTION 5. The annexation is proper, necessary, and reasonable in that the Village has reasonable present and demonstrable future need for the annexed territory.

SECTION 6. The annexed territory is reasonably suitable

for and adaptable to the needs of the Village of Oconomowoc Lake to wit: orderly and reasonable municipal planning and other uses consistent with the nature and location of the annexed territory, and the Village of Oconomowoc Lake Planning Commission has recommended this annexation

SECTION 7. The Village is able to provide municipal services to the annexed territory, including but not limited to police, fire, rescue, and other applicable Village services.

SECTION 8. The annexed territory described in attached Exhibit 1 is an exact description of the annexed territory located in the Town of Summit, Waukesha County, Wisconsin, which territory is owned by and lying near but not necessarily contiguous to the Village of Oconomowoc Lake, Waukesha County, Wisconsin.

SECTION 9. This annexation does not create a Town island within the meaning of Wis. Stats. §66.021 (15).

SECTION 10. The Village Clerk shall file six (6) certified copies of this Ordinance in the office of the Secretary of State, together with six (6) copies of a Plat, (which is attached hereto), showing the boundaries of the territory attached to the Village of Oconomowoc Lake by means of this Ordinance. Two copies of the Ordinance and Plat shall also be forwarded by the Secretary of State to the Department of Transportation, one copy to the Department of Natural Resources, one copy to the Department of Revenue, and one copy to the Department of Public Instruction.

SECTION 11. The annexed territory is annexed for all municipal purposes including annexation for school purposes and is

hereby made a part of the Oconomowoc School District and shall be subject to laws governing the same.

SECTION 12. The Village limits of the Village of Oconomowoc Lake, Waukesha County, Wisconsin, are hereby changed and enlarged so as to include the annexed territory described in this Ordinance and the Official Map is amended to include said annexed territory.

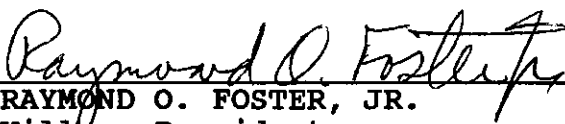
SECTION 13. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remainder shall not be affected thereby and shall remain in full force and effect.

SECTION 14. All ordinances or parts of ordinances inconsistent with or contravening the provisions of this Ordinance are hereby repealed to the extent of said inconsistency.

SECTION 15. This Ordinance shall take effect immediately upon passage and posting or publication as provided by law and upon compliance with the filing requirements of Wis. Stats. §66.025.

Passed and adopted this 15th day of December, 1997.

**BY ORDER OF THE VILLAGE BOARD
OF THE VILLAGE OF OCONOMOWOC LAKE,
WAUKESHA COUNTY, WISCONSIN**



RAYMOND O. FOSTER, JR.
Village President

ATTEST:



CERYL WIERDSMA
Village Clerk

TRUSTEES VOTING AYE:

Joseph Birbaum

Richard Kneiser

Hilton Neal

Joseph Owens

Michael Schinzer

Paul Fischer

TRUSTEES VOTING NAY:

Published or posted on the 17th day of December, 1997

Lawyers Title Insurance Corporation

LEGAL DESCRIPTION OF ANNEXATION TERRITORY

Being a part of the Plat of Lalumiere, a subdivision recorded in the Office of the Register of Deeds, Waukesha County, Wisconsin on April 5, 1928, in Volume 9 of Plats, page 80, as Document No. 156898 and located in Section 10, Township 7 North, Range 17 East, Town of Summit, Waukesha County, Wisconsin, more fully described as follows: Beginning at the southernmost corner of Lot 1, Block 8, of the Plat of Lalumiere, a recorded subdivision; thence Easterly, along the South line of Lots 1 through 8, inclusive, of said Block 8, to the South East corner of said Lot 8; thence Northerly along the East line of said Lot 8 to the North East corner of said Lot 8; thence Easterly, along the Southerly right-of-way line of Lalumiere Road (platted as Ridgeway Road) to the westernmost corner of Lot 1, Block 4, of said Plat; thence Southeasterly and Easterly and Northeasterly, to a point of curvature at the South East corner of said Lot 1, said point being 45 feet Southerly from the Northeasterly corner of said Lot 1; thence Southeasterly, to the westernmost corner of Lot 12, Block 5, of said Plat; thence Southwesterly, along the Easterly line of a platted channel, to the Northwesterly corner of Lot 1, Block 7, of said plat; thence Southeasterly, to the Northeasterly corner of said Lot 1; thence Southwesterly, Westerly and Northwesterly, along the Westerly right-of-way line of platted Crescent Drive and the Northerly right-of-way line of Pabst Road (platted as Nashotah Road) to the southernmost corner of Lot 1, Block 8, and the place of beginning.

EXHIBIT No. 1

LaLumiere Annexation Ordinance
No. 3
Village of Oconomowoc Lake,
Waukesha County, Wisconsin

Document Number

Document Title

Legal Description attached
as Exhibit No. 1

Recording Area

Name and Return Address
VILLAGE OF OCONOMOWOC LAKE
35328 W. PABST ROAD
OCONOMOWOC, WI 53066

Parcel Identification Number (PIN)

STATE OF WISCONSIN)
COUNTY OF WAUKESHA)

AFFIDAVIT OF POSTING

ORD 165- Lattimore
Annex

The undersigned, being first duly sworn, on oath deposes and states that on 17 Dec, 1997 at the direction of the Clerk of the Village of Oconomowoc Lake, he posted copies of the foregoing proceedings of the Village Board in the following public places in said Village.

to-wit:

- (1) Opposite the entrance to the Oconomowoc Lake Club on the northern side of the road in front of the Club;
- (2) At the entrance to the Village Hall on West Pabst Road;
- (3) At the northern corner of the junction of West Beach Road and the private drive (South Beach Road) leading into the Borisch, Fischer, Lowry, et al properties.

James R. Fabian

Subscribed and sworn to before me

this 17th day of December, 1997

Cheryl A. Weerdman

Notary Public, Waukesha County, Wisconsin

My commission expires: 11-14-99