

ORDINANCE NO. 247

**AN ORDINANCE TO ATTACH
PROPERTY FROM THE TOWN OF SUMMIT
TO THE VILLAGE OF OCONOMOWOC LAKE
PURSUANT TO THE COOPERATIVE BOUNDARY PLAN WITH THE
TOWN OF SUMMIT**

WHEREAS, the Town of Summit and the Village of Oconomowoc Lake entered into a Cooperative Boundary Plan on or about May 28, 2009 pursuant to Section 66.0307, Wisconsin Statutes, which was approved by the State of Wisconsin Department of Administration on or about October 2, 2009, and therefore the Cooperative Boundary Plan is in effect and is binding upon the Town of Summit and the Village of Oconomowoc Lake; and

WHEREAS, the Cooperative Boundary Plan provides a process by which certain property located within in the Town of Summit will detach from the Town of Summit and attach to the Village of Oconomowoc Lake; and

WHEREAS, the Village of Oconomowoc Lake has received a petition from the Town of Summit to detach from the Town and attach to the Village property that they own which is identified in attached Exhibit A; and

WHEREAS, pursuant to the Cooperative Boundary Plan entered into between the Village of Oconomowoc Lake and Town of Summit the property identified in attached Exhibit A will be detached from the Town of Summit and attached to the Village of Oconomowoc Lake; and

WHEREAS, the Village of Oconomowoc Lake hereby intends to exercise its right pursuant to the Cooperative Boundary Plan to attach the subject property to the Village of Oconomowoc Lake.

NOW, THEREFORE, the Village Board of the Village of Oconomowoc Lake, Waukesha County, Wisconsin DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1:

That the subject property located within the Town of Summit as described in the legal description and map attached as Exhibit "A" is hereby detached from the Town of Summit and attached to the Village of Oconomowoc Lake, immediately upon the Town of Summit adopting an ordinance detaching the property from the Town of Summit,

within 45 days from the date of this ordinance, as described in the Cooperative Boundary Plan.

SECTION 2: SEVERABILITY.

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE.

This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Dated this 16th day of November, 2009.

VILLAGE OF OCONOMOWOC LAKE



Richard J. Kneiser, Village President

ATTEST:



Cindy J. Schlieve, Village Clerk

Published and/or posted this 10th day of November, 2009.

PETITION TO DETACH PROPERTY

Town of Summit Town Clerk

Village of Oconomowoc Lake Village Clerk

Pursuant to the Municipal Boundary Agreement between the Town of Summit and the Village of Oconomowoc Lake, the undersigned, representing the owners of the property described in the attached Exhibit A, which includes both a legal description and map, hereby petition the Town of Summit Town Board and Village of Oconomowoc Lake Village Board to detach the identified property from Summit and attach it to Oconomowoc Lake.

A duplicate original of the Petition shall be filed with both the Village of Oconomowoc Lake and the Town of Summit. The property subject to this Petition is within the area subject to detachment from Summit and attachment to Oconomowoc Lake, as described in Section 8.6(B) of the Municipal Boundary Agreement between the Town of Summit and the Village of Oconomowoc Lake.

The total land area to be detached is 16.00 acres

There are no residents or electors residing within the area to be detached from the Town of Summit and attached to the Village of Oconomowoc Lake.

The legal description of the property and map of the property are attached to this Petition as Exhibit A.

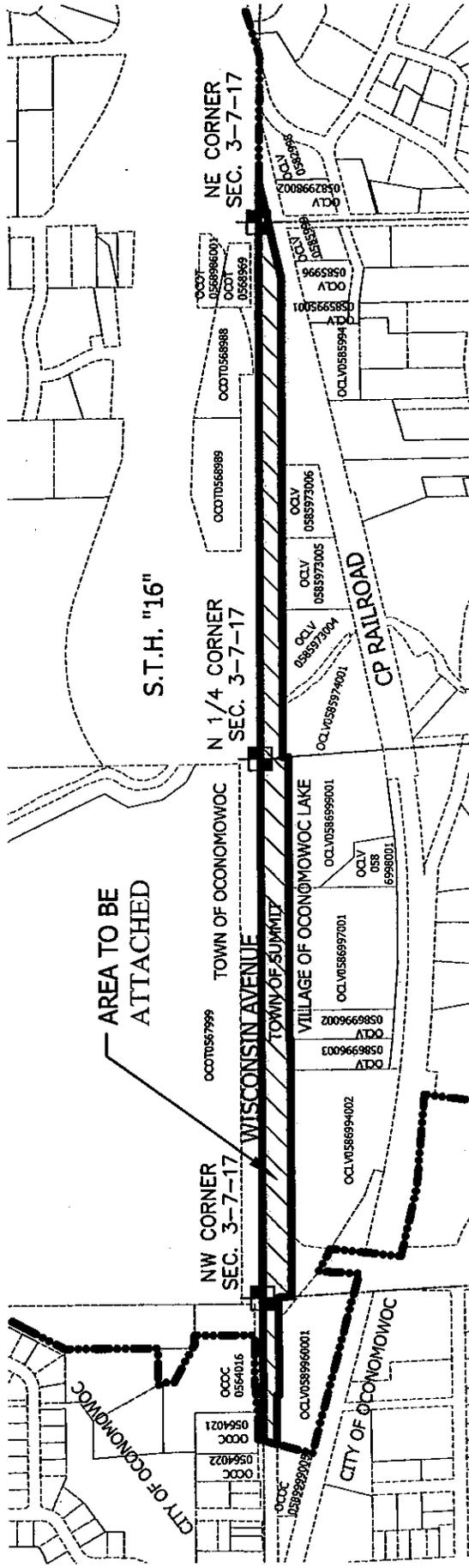
Dated this 11th day of November, 2009



Henry J. Elling, Town Manager/Planner

ATTACHMENT - EXHIBIT A

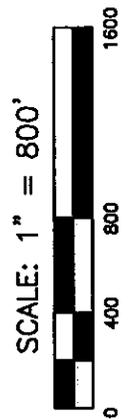
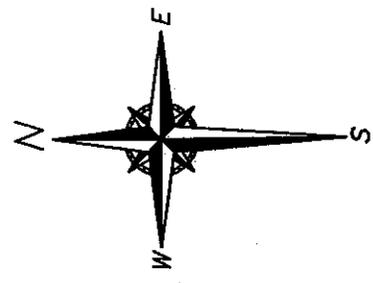
BEING A PART OF THE NORTHWEST 1/4 OF SECTION 2, THE NORTHEAST 1/4 AND NORTHWEST 1/4 OF SECTION 3 AND THE NORTHEAST 1/4 OF SECTION 4, ALL IN TOWNSHIP 7 NORTH, RANGE 17 EAST, TOWN OF SUMMIT, WAUKESHA COUNTY, WISCONSIN



**YAGGY
COLBY
ASSOCIATES**

ENGINEERS • ARCHITECTS
SURVEYORS • PLANNERS
LANDSCAPE ARCHITECTS
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PROJECT #3308.245



MAP 28a

LEGAL DESCRIPTION FOR LAND TRANSFERRED
TO VILLAGE OF OCONOMOWOC LAKE

Being a part of the Northwest 1/4 of Section 2 the Northeast 1/4 and Northwest 1/4 of Section 3 and the Northeast 1/4 of Section 4, all in Township 7 North, Range 17 East, Town of Summit, Waukesha County, Wisconsin, more particularly described as follows:

Beginning at the Northeast corner of said Section 3; thence S.89°35'28"E., along the north line of the Northwest 1/4 of said Section 2, 193.15 feet to the northerly right-of way line of the Canadian Pacific Railroad and the northerly boundary of the Village of Oconomowoc Lake; thence S.76°41'54"W., along said northerly right-of-way and the northerly boundary of said Village of Oconomowoc Lake, 475.11 feet to the southerly right-of-way of S.T.H. "16"; thence S.89°51'33"W., along said northerly boundary of the Village of Oconomowoc Lake and said southerly right-of-way, 2,339.26 feet; thence S.03°52'49"E., along said northerly boundary of the Village of Oconomowoc Lake and said southerly right-of-way, 25.09 feet; thence S.89°51'18"W., along said northerly boundary of the Village of Oconomowoc Lake and said southerly right-of-way, 1,384.60 feet; thence S.00°04'44"E., along said northerly boundary of the Village of Oconomowoc Lake and said southerly right-of-way, 5.02 feet; thence S.89°51'16"W., along said northerly boundary of the Village of Oconomowoc Lake and said southerly right-of-way, 1,252.52 feet to the west line of the Northwest 1/4 of said Section 3; thence N.03°12'45"W., along the west line of the Northwest 1/4 of said Section 3, the northerly boundary of the Village of Oconomowoc Lake and the southerly right-of-way of S.T.H. "16", 62.10 feet; thence S.89°44'10"W., along said northerly boundary of the Village of Oconomowoc Lake and said southerly right-of-way, 470.04 feet; thence N.00°15'50"W., along said northerly boundary of the Village of Oconomowoc Lake and said southerly right-of-way, 12.00 feet; thence S.89°44'48"W., along said northerly boundary of the Village of Oconomowoc Lake and said southerly right-of-way, 236.12 feet; thence N.14°57'13"E., 68.40 feet to the north line of the Northeast 1/4 of said Section 4; thence N.89°44'05"E., along said north line, 656.10; thence N.89°51'16"E., along said north line, 28.09 feet to the Northeast corner of said Section 4 and the Northwest corner of said Section 3; thence N.89°51'16"E., along the north line of the Northwest 1/4 of said Section 3, 2,611.79 feet; thence N.89°51'28"E., along the north line of the Northwest 1/4 of said Section 3 24.03 feet to the North 1/4 corner of said Section 3; thence N.89°51'28"E., along the north line of the Northeast 1/4 of said Section 3, 2,615.93 feet to the point of beginning.

Containing 697,117 square feet or 16.00 acres, more or less.



VILLAGE OF OCONOMOWOC LAKE

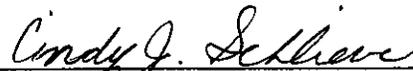
35328 W. Pabst Road, Oconomowoc, Wisconsin 53066

STATE OF WISCONSIN }
WAUKESHA COUNTY } ss.
VILLAGE OF
OCONOMOWOC LAKE }

I, Cindy J. Schlieve, Village Clerk of the Village of Oconomowoc Lake, Waukesha County, Wisconsin, do hereby certify that this is an original copy of Ordinance Number 247, which is on file in the Village Clerk's Office.

I hereby certify that said ordinance was adopted by the Village Board of Trustees for the Village of Oconomowoc Lake, Wisconsin, at a regular meeting there of held on November 16, 2009.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Village of Oconomowoc Lake, Wisconsin, this 1st day of December, 2009.



Cindy J. Schlieve, Village Clerk
Village of Oconomowoc Lake
Waukesha County, WI



STATE OF WISCONSIN)
)
COUNTY OF WAUKESHA)

AFFIDAVIT OF POSTING

Ordinance No. 247 re: To Attach
Property from the Town of Summit to
The Village of Oconomowoc Lake Pursuant
To the Cooperative Boundary Plan with the
Town of Summit

The undersigned, being first duly sworn, on oath deposes and states that on Nov. 20, 2009, 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 Village Boat Launch located at 35622 E. Wisconsin Avenue.

T. Ansen Mygale
Posting Officer

Subscribed and sworn to before me

This 20th day of November, 2009

Cindy J. Schlieve
Notary Public, Waukesha County, Wisconsin
My Commission expires: 07/03/2011

