

RESOLUTION NO. 77

RESOLUTION OF WILLINGNESS TO ANNEX THAT PORTION OF LALUMIERE SUBDIVISION LOCATED WITHIN THE TOWN OF SUMMIT

WHEREAS, the Village of Oconomowoc Lake ("the Village") has, for a period of years, planned for the complete annexation of the Lalumiere subdivision ("Lalumiere"); and

WHEREAS, a major portion of the Lalumiere Subdivision has to date, been either annexed to, or been owned by the Village; and

WHEREAS, a portion of the Lalumiere Subdivision described in the attached Exhibit A ("the Property") still remains in the Town of Summit; and

WHEREAS, the attached Exhibit B more fully sets forth the Village's intentions concerning the Property; and

WHEREAS, the Village Board of Trustees find that the annexation of the Property will result in a coordinated, adjusted and harmonious development of the Lalumiere Subdivision which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity or the general welfare as well as efficiency and economy in the process of development and delivery of municipal services;

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

- 1. That the Village of Oconomowoc Lake hereby reaffirms its willingness to annex the Property described in the attached Exhibit A and A-1 upon receipt of an otherwise valid annexation petition; and
2. That the Village Clerk file a certified copy of this Ordinance with the Clerk of the Circuit Court for Waukesha County in accordance with the provisions of Wis. Stat. § 66.021(11)(c)(1).

Passed and approved this 19th day of October, 1998.

VILLAGE OF OCONOMOWOC LAKE

Raymond Foster, Village President

Paul M. Fischer, Trustee

Joseph L. Birbaum, Trustee

Hilton Neal, Trustee

Richard Kneiser, Trustee

Michael Schinzer, Trustee

ATTEST:

absent
Joseph F. Owens, Trustee

Cheryl Wierdsma, Village Clerk/Treasurer

Project No. 4389.06
September 28, 1998

LEGAL DESCRIPTION FOR PHASE IV ANNEXATION:

Being all 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, along with all of Pabst Road, adjacent to said subdivision, all located in Sections 10 and 11, T7N, R17E, Town of Summit, Waukesha County, WI, excepting therefrom the following:

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 Sections 10 and 11, and lands in the North West 1/4 of Section 11, all in Township 7 North, Range 17 East, Town of Summit, Waukesha County, Wisconsin, more fully described as follows: Beginning at the North West corner of the Plat of Lalumiere, a recorded subdivision; thence Easterly along the North line of said plat, to the East line of said plat, as extended on the North line of the North West 1/4 of Section 11, Township 7 North, Range 17 East; thence Southerly, along said East line, and as extended, to the South East corner of Block 18; thence Westerly, along the Northerly line of Lalumiere Road (platted as Lakeview Drive) to the South East corner of Lot 17, Block 1; thence Northerly, to the North East corner of said Lot 17; thence Westerly, along the North line of Lot 17, to the Easterly line of the platted channel; thence Northwesterly, to the Southeasterly corner of Lot 15, Block 1, of said plat; thence westerly, along the Southerly line of Lots 7 through 15, inclusive, of said Block 1, to the South West corner of Lot 7; thence Southeasterly, along the East line of Cedar Drive, to a point on the South line of Lot 6, Block 1, said point being 24.3 feet West of the South East corner of said Lot 6; thence Southerly, to the South East corner of Lot 1, Block 10; thence Northwesterly, along the West line of Cedar Drive, to the North East corner of Lot 34, Block 10; thence Southerly, along the Easterly line of Lots 23 through 34, inclusive, Block 10, to the South East corner of said Lot 23; thence Southeasterly to the North West corner of Lot 11, Block 10; thence Southeasterly, along the common lot line between said Lots 10 and 11, and as extended, to a point on the Easterly right-of-way line of Lalumiere Road (platted as Ridgeway Drive); thence Northerly, along said Easterly line, to the South West corner of Lot 42, Block 4, of said subdivision; thence Northeasterly, to the North West corner of Lot 41, Block 4; thence Easterly, to the North East corner of Lot 12, Block 4; thence Southerly, to the South East corner of said Lot 12; thence Easterly to the South East corner of Lot 15, Block 4; thence Northerly to the North East corner of said Lot 15; thence Easterly, along the Southerly line of Sylvan Lane, to the South East corner of Lot 25, Block 4; thence Southwesterly, along the Westerly line of Lalumiere Road (platted as Park Drive), to the South East corner of Lot 23, Block 4; thence continuing Southwesterly along said line to the easternmost corner of Lot 24, Block 5; thence Southwesterly, along the Westerly right-of-way line of Lalumiere Road (platted as Park Drive), to the northernmost corner of Lot 1, Block 5, being the North East corner of said Lot 1; thence South 31°57' East, 49.1 feet; thence continuing Southwesterly along said Westerly right-of-way lines of Lalumiere Road (platted as Park Drive) and Crescent Drive (platted as Island Drive) as it abuts Lots 1 and 22, Block 5, to the southernmost corner of said Lot 22; thence Westerly and Northwesterly along the Southern line of Lots 2, 3, 21, 4, 20, 5, 19 and 6 to the South East corner of Lot 18, Block 5; thence Northeasterly, to the North East corner of said Lot 18; thence Northwesterly, and Southwesterly, along the Northerly line of Lots 18 through 13, inclusive, and the Westerly line of Lots 13 and 12, to the South West corner of Lot 12, Block 5; thence Northwesterly, to the South East corner of Lot 1, Block 4; thence Southerly, Westerly and Northwesterly, along the Southern line of said Lot 1, Block 4, to the westernmost corner of said Lot 1; thence Northerly, along the Easterly line of Lalumiere Road (platted as Ridgeway Drive), to the North West corner of Lot 4, Block 4; thence Northwesterly, to the South East corner of Lot 14, Block 10; thence Westerly, to the South West corner of said Lot 14; thence Southerly, along a platted channel to the South West corner of Lot 15, Block 4; thence Southwesterly, to the southernmost point of Lot 18, Block 10; thence Southwesterly, to the North West corner of Lot 13, Block 8; thence Northwesterly along the Southerly line of a platted channel to the North West corner of Lot 17, Block 8; thence Northwesterly to the North West corner of Lot 18, Block 8; thence Southerly, to the South West corner of said Lot 18; thence Northwesterly along the Northerly right-of-way line of Viewcrest Place and the South lines of Lots 19, 20 and 21 to the South West corner of Lot 21, Block 8; thence Southerly along the Easterly line of Block 19, to the Northerly right-of-way line of Lalumiere Road (platted as Ridgeway Drive); thence Westerly, along the Northerly line of Lalumiere Road, (platted as Ridgeway Drive), to the West line of the Plat of Lalumiere; thence Northerly, along said West line, to the North West corner of said subdivision and the place of beginning.

Also excepting the following:

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 Sections 10 and 11, Township 7 North, Range 17 East, Town of Summit, Waukesha County, Wisconsin, more fully described as follows: Beginning at the South East corner of Lot 15, Block 15, of the Plat of Lalumiere, a recorded subdivision; thence Westerly to the South West corner of said Lot 15; thence Southerly, along the West line of said Block 15, to a point on the extension of the South line of Lot 10, Block 14, of said Plat; thence Westerly, along said extended South line and along the South line of Lots 10 and 3, Block 14, to the South West corner of Lot 3, Block 14; thence Southerly, along the West line of Lot 2, Block 14, to the Northerly right-of-way line of Pabst Road (platted as Nashotah Road); thence Northwesterly, along said right-of-way, to the South East corner of Lot 1, Block 11, of said subdivision; thence Northerly and Northwesterly, along the Easterly and Northerly lines of Lots 1, 2 and 3, of Block 11, to the extension of the Southeasterly line of Lot 1, Block 12, of said subdivision; thence Northeasterly, along the Southeasterly line of said Lot 1, Block 12, and as extended, to the Northeasterly corner of said Lot 1, being a point of curvature on a platted channel; thence on and along the curve of said channel and Northwesterly, to the Northernmost corner of Lot 2, Block 12; thence Southwesterly to the Westernmost corner of said Lot 2; thence Southwesterly to the Northernmost corner of Lot 4, Block 11, of said subdivision; thence Southwesterly, to the Westernmost corner of said Lot 4; thence Northwesterly, along the Northerly right-of-way line of Pabst Road (platted as Nashotah Road) to the Westernmost corner of Lot 9, Block 11; thence Northeasterly, along the Easterly right-of-way line of Lalumiere Road (platted as Park Drive) to the Northernmost corner of Lot 6, Block 12, of said subdivision; thence Southeasterly, along the common lot line between Lots 6 and 7, of Block 12, to the Easternmost corner of said Lot 6; thence Southeasterly to the point of curvature on the Westerly line of Lot 4, Block 16, of said subdivision, said point being 80 feet Southwesterly of the Northernmost corner of said Lot 4; thence Northeasterly and Easterly, along the Northerly line of Lots 4 through 12, inclusive, of Block 16, to the North East corner of said Lot 12, said point being on the East line of Lalumiere Subdivision; thence Southerly, along said East line, to the South East corner of Lot 15, Block 15, and the place of beginning.

Also excepting the following:

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.

Village Limits

Southwood Drive

Village Limits

TOWN OF SUMMIT

EXHIBIT
A-1

Planning No. 0116

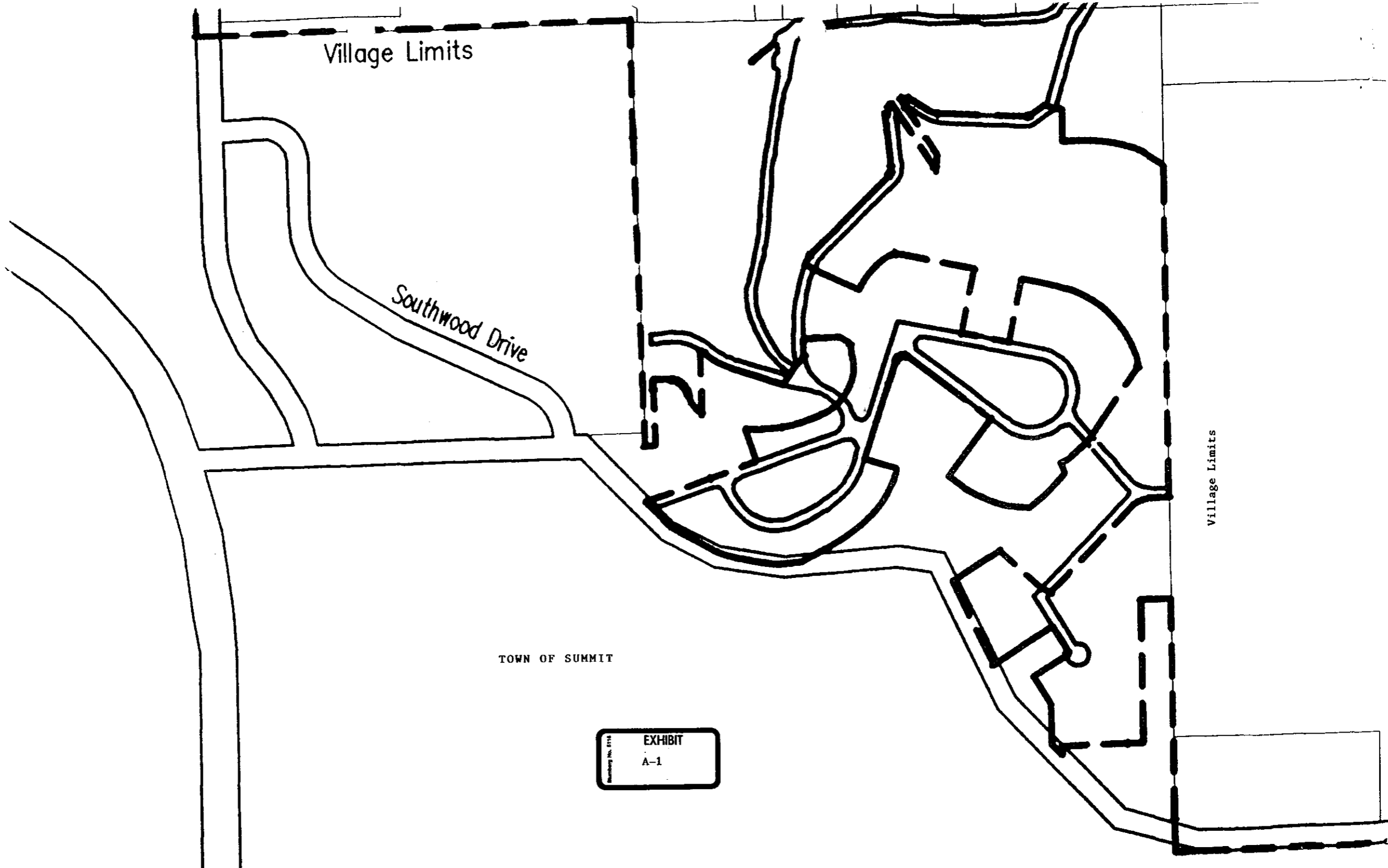


EXHIBIT B

The Village of Oconomowoc Lake submits the following information to clarify its interest in the annexation of that portion of Lalumiere still located within the Town of Summit depicted in Exhibit A and A-1.

1. The Village of Oconomowoc Lake has a unique relationship to the Lalumiere Subdivision.

a. In anticipation of its contemplated annexation, the Village purchased large portions of the subdivision in 1991.

b. Some of that territory was annexed into the Village in 1997 under the provisions of Wis. Stat. § 66.25.

c. Other territory purchased by the Village was sold to some Lalumiere residents—to facilitate for those residents their ultimate transition into the Village by cooperatively working with them to achieve lot sizes comparable to lot sizes within the Village as well as to enable them to achieve buildable lots capable of sustaining septic systems.

d. To ensure that the new lot sizes remained intact, the Village imposed deed restrictions on the transferred lots.

2. The Village also still owns a significant number of Lalumiere lots currently within the Town of Summit in contemplation of complete annexation of the Lalumiere Subdivision into the Village.

3. Comprised of other residents bordering Oconomowoc Lake, the Village shares common interests with Lalumiere residents in preserving the water quality of the lake and preventing types of development which could potentially harm this important lake drainage area.

4. The Village is prepared to provide Lalumiere with its sound planning judgment concerning development in a manner that preserves and promotes enjoyment of Oconomowoc Lake.

5. Town residents within Lalumiere already benefit from ground water monitoring by the Village.

6. With its Village Hall located approximately 3,000 feet away from the Lalumiere Subdivision, the Village is ideally situated to provide public works services and police protection to Lalumiere. Indeed, location of the Property in any other community would result in wasteful duplication of municipal services.