

ORDINANCE NO. 321**AN ORDINANCE TO PROVIDE FOR THE DIRECT ANNEXATION OF CERTAIN CONTIGUOUS TERRITORY FROM THE TOWN OF OCONOMOWOC TO THE VILLAGE OF OCONOMOWOC LAKE, WAUKESHA COUNTY, WISCONSIN**

WHEREAS, the Village of Oconomowoc Lake Village Board of Trustees authorized an annexation petition (the “petition”) to be signed and filed by the Village Clerk on December 19, 2022, regarding the territory described on Exhibit A, attached hereto and incorporated herein by reference (the “territory”), and depicted on Exhibit B, attached hereto and incorporated herein by reference (the “map”); and

WHEREAS, the Village Board and Village Staff carefully reviewed the petition and found that the petition satisfied the requirements of Wisconsin Statutes Section 66.0217(2), and that all procedural requirements of such statute were met; and

WHEREAS, said petition was officially submitted by the Village Clerk to the State of Wisconsin Department of Administration (DOA) on January 19, 2023; and

WHEREAS, on or about February 7, 2023, the DOA provided to the Village Clerk its determination and findings letter pursuant to Wisconsin Statutes Section 66.0217(6), which contained no recommended comments; and

WHEREAS, the Village Board finds that it is in the best interests of the health, safety and welfare of the Village of Oconomowoc Lake that the petition be accepted, and that the public necessity, convenience, general welfare and good zoning practice require the temporary zoning classification as described herein.

NOW, THEREFORE, the Village Board of Oconomowoc Lake, Waukesha County, Wisconsin, do ordain as follows:

SECTION 1. Territory Annexed. (Direct Annexation) In accordance with Section 66.0217(2), Wisconsin Statutes and the petition for direct annexation filed on the 19th day of January, 2023, signed by all of the owners of the real estate in the territory, described on the attached Exhibit A, and depicted on the attached Exhibit B, in the Town of Oconomowoc, Waukesha County, Wisconsin, is annexed to the Village of Oconomowoc Lake, Waukesha County, Wisconsin. There are no electors residing in this 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 Oconomowoc Lake, Waukesha County, Wisconsin for any and all purposes provided by law, and all persons coming or residing in such territory shall be subject to all ordinances, rules and regulations governing the Village of Oconomowoc Lake, Waukesha County, Wisconsin, whenever adopted.

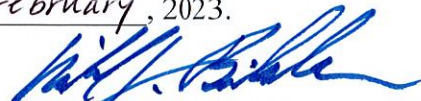
SECTION 3. Temporary Zoning Classification. Be it further provided, in accordance with Section 17.35(4) of the Village of Oconomowoc Lake Village Code, that the territory herein above described shall, for zoning purposes, be temporarily designated as B-1 Business District.

SECTION 4. **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 provisions or application.

SECTION 5. **Payment to Town.** Pursuant to Wis. Stat. sec. 66.0217(14), the Village Board agrees to pay annually to the Town of Oconomowoc, 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. Stat. sec. 70.65 in 2023, the year in which the annexation is final, albeit the property is exempt in 2023 so no taxes will be due.

SECTION 6. **Effective Date.** This Ordinance shall take effect upon passage and publication as provided by law.

PASSED AND ADOPTED by a vote of all of the elected members of the Village Board of the Village of Oconomowoc Lake on the 20th day of February, 2023.



Michael Bickler Sr., Village President



ATTEST:



Theresa Sayles, Village Clerk

EXHIBIT A
Legal Description of Territory

Being a part of Lot 1 of C.S.M. No. 4358 and a part of the SE 1/4 of the SE 1/4 of Section 34, T8N, RI 7E, Town of Oconomowoc, Waukesha County, Wisconsin, more fully described as follows:

Commencing at the Southeast corner of said Section 34; thence S89°51'28"W, along the South line of said SE 1/4, 100.00 feet to the point of beginning of the following described lands; thence S89°51'28"W, continuing along said South line; 310.00 feet to a point; thence N00°08'32"W, 206.66 feet to the southerly right-of-way line of S.T.H. 16; thence S78°30'40"E, along said southerly line, 316.50 feet to a point; thence S00°08'32"E, 142.85 feet to the place of beginning. Said lands containing 54,174 sq. ft.

ANNEXATION MAP

BEING A PART OF LOT 1 OF C.S.M. NO. 4358 AND PART OF THE SE 1/4 OF THE SE 1/4 OF SECTION 34, T.8N., R.17E., TOWN OF OCONOMOWOC, WAUKESHA COUNTY, WISCONSIN

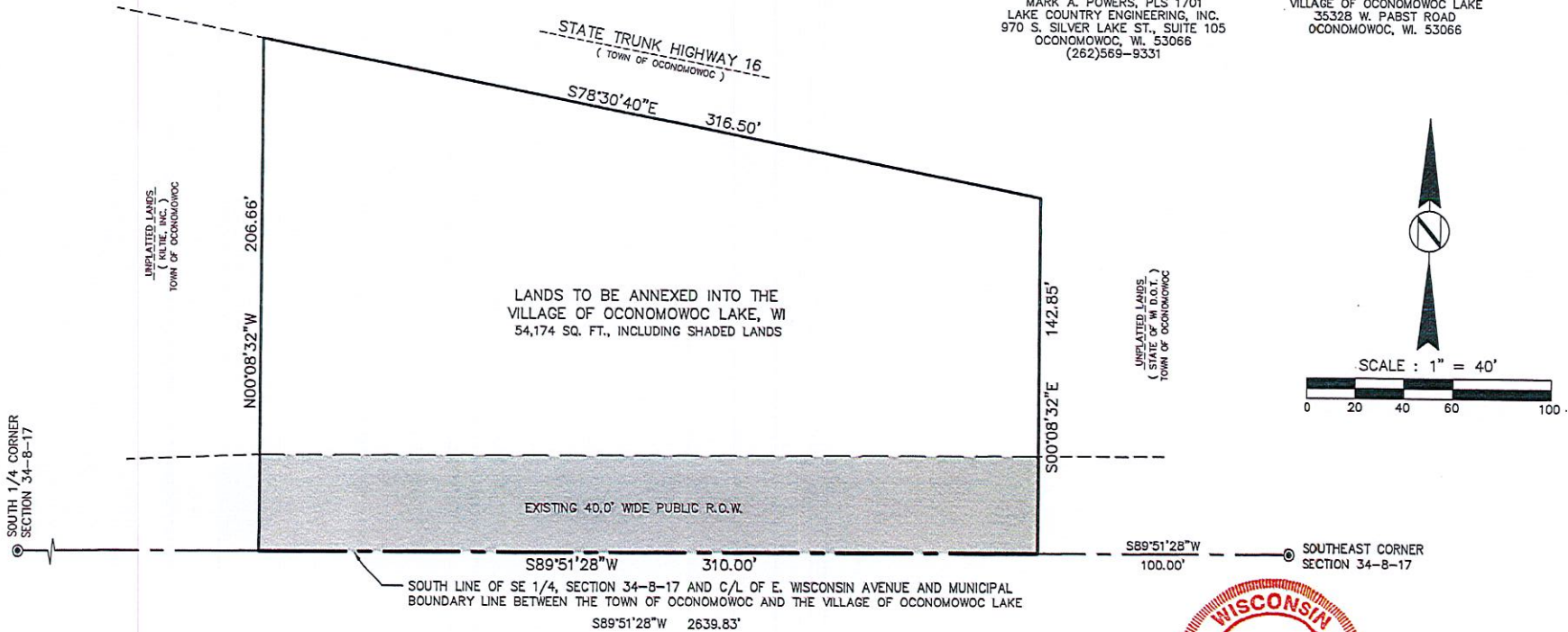
NOTE : THE SHADED AREA DENOTES LANDS THAT ARE INCLUDED IN THE ANNEXATION LEGAL DESCRIPTION, BUT ARE NOT PART OF THE PETITIONERS LANDS. THE SHADED LANDS ARE OWNED BY STATE OF WISCONSIN D.O.T.

PREPARED BY

MARK A. POWERS, PLS 1701
LAKE COUNTRY ENGINEERING, INC.
970 S. SILVER LAKE ST., SUITE 105
OCONOMOWOC, WI. 53066
(262)569-9331

PREPARED FOR

VILLAGE OF OCONOMOWOC LAKE
35328 W. PABST ROAD
OCONOMOWOC, WI. 53066



LANDS TO BE ANNEXED INTO THE VILLAGE OF OCONOMOWOC LAKE, WI
54,174 SQ. FT., INCLUDING SHADED LANDS

EXISTING 40.0' WIDE PUBLIC R.O.W.

SUGGESTED ANNEXATION LEGAL DESCRIPTION

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Mark A. Powers
December 14, 2022

EXHIBIT "B"