

ORDINANCE O - 13 - 2015

AN ORDINANCE RELATING TO THE ANNEXATION OF CERTAIN PROPERTY TO THE CITY OF MENASHA, WISCONSIN (Kwik Trip, Inc.)

Introduced by Mayor Merkes at the recommendation of the Plan Commission.

The Common Council of the City of Menasha does ordain as follows:

SECTION 1: Territory Annexed. (Majority Annexation) In accordance with Sec. 66.0217(3)(a) Wis. Stats., and the Petition for Annexation filed with the City Clerk on the 22nd day of May, 2015, signed by the majority of owners of land in the following described territory in the Town of Menasha, Winnebago County, Wisconsin, is annexed to the City of Menasha, Winnebago County, Wisconsin.

Legal description:

Parcel "A"

All that part of the South East one-quarter (1/4) of the South East one-quarter (1/4) of Section Ten (10), Township Twenty (20) North, Range Seventeen (17) East, in the Town of Menasha, Winnebago County, Wisconsin, and described as follows: to-wit: Beginning at a point on the South line of Section Ten (10), one hundred fifty-three (153) feet West of the South East corner of said Section Ten (10), thence North one hundred fifty-three (153) feet, thence West one hundred twenty (120) feet, thence South one hundred fifty-three (153) feet to the South line of Section Ten (10) thence East one hundred twenty (120) feet to the place of beginning. Containing 0.42 acres.

Parcel No. 008-0324

Parcel "B"

A parcel of land being part of the Southwest 1/4 of the Southwest 1/4 of Section 11, and part of the Southeast 1/4 of the Southeast 1/4 of Section 10, all in Township 20 North, Range 17 East, Town of Menasha, Winnebago County, Wisconsin, bounded and described as follows: Commencing at the Southwest corner of Section 11; thence N89°34'49"E, 308.61 feet (Recorded as 309.00 feet) along the South line of the Southwest 1/4 of Section 11 to the Southerly extension of the West right-of-way line of Appleton Street and the point of beginning; thence N00°02'47"E, 32.59 feet along the extended West right of way line of Appleton Street to the North right-of-way line of Ninth Street; thence continuing North along said West right of way line, 540 feet, more or less, to the South right of way line of Eleventh Street; thence West along said South right of way line, 342 feet, more or less, to the West right of way line of Warsaw Street; thence South along said West right of way line, 573 feet, more or less, to the South line of the Southeast 1/4 of said Section 10; thence East along said South line of said Sections 10 and 11 342 feet, more or less, to the point of beginning. Containing 4.50 acres.

Parcel No. 008-0355 and part of parcels 008-0323, 008-0328, and 008-0328-01

Parcel "C"

All that part of the Southeast 1/4 of the Southeast 1/4 of Section 10, Township Twenty (20) North Range Seventeen (17) East, Town of Menasha, Winnebago County, Wisconsin described as follows: Commencing at a point that is 684 feet north of and 660 feet west of the Southeast corner of said Section 10 and the point of beginning; thence East 517.69 feet, more or less, to the Westerly right of way line of CTH P, thence Northerly along said Westerly line 242.58 feet , more or less, to a point that

is North 89 degrees, 52 minutes 49 seconds West 75.49 feet of a point on the East line of said Southeast 1/4, said point on said East line being 1742.23 South of the East 1/4 corner of said Section; thence North 89 degrees 52 minutes 49 seconds West 583.06 feet to a point; thence South 0 degrees 19 minutes 48 seconds West, 230.99 feet to the point of beginning. Containing 3.1 Acres.

Parcel No. 008-0332, 008-0329-03

Parcel "D"

That part of Lot 1 of Certified Survey Map 1619 recorded as Document No. 665262 and corrected by affidavit as Document No. 667192 being part of Government Lot 4 and the Southeast ¼ of the Southeast ¼ of Section 10, Township 20 North, Range 17 East, Town of Menasha, Winnebago County, Wisconsin, commencing at the Southeast corner of said Section 10; thence N89° 52' 30"W, along the south line of said Section 10, 1409.34 ft. to the west right of way line of the C. M. St. Paul and Pacific Rail Road; thence N00° 29' 29"W, along the said right of way line 45.80 ft. to the point of curvature; thence northerly along said right of way line, 545.53 ft. along the arc of a 1942.86 ft. radius curve to the right, the chord of which bears N07° 33' 09"E, 543.74 ft.; thence S89° 24' 28"W, 359.75 ft. to the previous right of way line of the Tri-County Expressway; thence N32° 52' 52"W, along the said right of way line, 226.93 ft.; thence N74° 07' 22"W, along the said right of way line, 87.00 ft. to a point of intersection at the new right of way line of the Tri-County Expressway; thence N89° 10' 41"E, parallel with the Tri-County Reference Line, and also being the new right of way line for the Tri-County Expressway, 580 ft., more or less, to the City of Menasha corporate boundary and the point of beginning; thence N89° 10' 41"E, 62.51 ft., more or less, to the westerly right of way line of the C. M. St. Paul and Pacific Rail Road; thence southerly along said right of way line, 181 ft., more or less, along the arc of a 1942.86 ft. radius curve to the left, the chord of which bears S19° 01' 41"W, to a point of intersection with said corporate boundary; thence northerly along said corporate boundary 170 ft., more or less, to the point of beginning. Said parcel contains .10 acres.

Parcel No. 008-0334-01-01

Parcel "E"

Part of the NW 1/4 of the NW1/4 of Section 12, Township 20 North, Range 17 East in the Town of Menasha, Winnebago County, Wisconsin described as follows, viz: Commencing at the Northwest corner of said Section 12 and the point of beginning; thence South 89° 48' 00" East, along the North section line, 198 feet; thence South 00° 16' 31" West, parallel with the West line of said Section 12, a distance of 165 feet; thence North 89° 48' 0": West, parallel with the North line of said section, 198 feet more or less to the West line of said Section 12, thence Northerly along the West line of said Section 12, 165 feet more or less to the point of beginning. Containing 0.76 Acres.

Parcel No. 008-0381-02 and 008-0381-00

Parcel "F"

That part of the Southwest quarter of Section 1, Township 20 North, Range 17 East, Town of Menasha, Winnebago County, Wisconsin commencing at the Southwest corner of said Section 1; thence North 01°17'59" West along the West line of said Section 1, 1,123.94 feet to a point; thence North 88°41' 56" East, 140.33 feet to the point of beginning; thence North 67°51'39" east along the Northerly line of CSM 2503, recorded as Document Number 793929 Winnebago County R.O.D., 147 feet, more or less, to a point 140 feet South of the North line of the Southwest 1/4 of the Southwest 1/4 of said Section 1; thence Westerly along a line 140 feet South of and parallel to the North line of the Southwest 1/4 of the Southwest 1/4 of said Section 1, 278 feet, more or less, to the West line of said

Section 1; thence South 1°17'59" East along the West line of said Section 1 to a point 250 feet south of the Northwest corner of the Southwest 1/4 of the Southwest 1/4 of said Section 1; thence Easterly along a line 250 feet South of and parallel to the North line of the Southwest 1/4 of the Southwest 1/4 of said Section 1, 134 feet, more or less, to the Westerly line of said CSM 2503; thence North 5°38'27" East along the westerly line of said CSM, 55 feet , more or less, to the point of beginning. Containing 0.33 acres.

Parcel No. 008-0029-02

Parcel "G"

That part of the Northeast 1/4 of Section 11, Town 20 North, Range 17 East, in the Town of Menasha, Winnebago County, Wisconsin, described as follows, viz:- Commencing at the Southwest corner of said Northeast 1/4; thence North 89 degrees 25 minutes East, along the South line of said Northeast 1/4, 750 feet; thence North 0 degrees 35 minutes West, 1,054.65 feet, to the point of curvature of an 897.47 foot radius curve to the right, having a 356.67 foot long chord bearing North 10 degrees 52 minutes 42 second East and a 22 degree 55 minutes 24 second central angle; thence North 4 degrees 29 minutes east, 158.52 feet, along a subchord of the said curve which has a 10 degree 8 minutes central angle, to the place of beginning (said point also being 764 feet North 89 degrees 25 minutes East and 1,212.55 feet North 0 degrees 35 minutes West of the point of commencement); thence Northeasterly, along an arc of the above described curve having a 199.92 foot chord bearing North 15 degrees 56 minutes 42 second East and a 12 degree 47 minutes 24 second central angle to the point of curvature of an 897.47 foot radius curve to the left; thence continuing Northeasterly along an arc of said curve to the left to a point on the North right-of-way line of Wittmann Drive that is 1,558 feet North of (measured at right angles to) the South line and 865.11 feet East of the North-South 1/4 line of said Section 11; thence East along said North right-of-way line 493.46 feet, more or less to a point that is 1,358.57 feet East of the North-South 1/4 line of said Section 11; thence Northerly parallel with the North-South line of said Northeast 1/4, 194.3 feet to a point on the City of Menasha corporate boundary; thence Easterly 578.38 feet, more or less, to the Easterly right-of-way line of Parkside Drive; thence Southerly 344 feet, more or less, along said Easterly right-of-way line extended Southerly to the South right-of-way line of Wittmann Drive thence; Westerly 256.78 feet along said South right-of-way line to a point; thence South 0 degrees 35 minutes East, 285.45 feet; thence South 89 degrees 25 minutes West 736.55 feet to the point of beginning. Said parcel containing 7.73 acres.

Parcel No. Part of 008-0336-04, 008-0336-04-01, 008-0340-01 and part of 008-0336-05.

The population of the described parcels is 0.

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 City of Menasha 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 City of Menasha.

SECTION 3: Pursuant to the recommendation of the Plan Commission, the temporary zoning classification for the annexed territory is as follows: Parcel A, C-1 General Commercial, Parcel B, R-1 Single Family, Parcel C C-1 General Commercial, Parcel D C-1 General Commercial, Parcel E C-4 Business Park District, Parcel F C-1 General Commercial, and Parcel G R-1 Single Family Residential

SECTION 4: Aldermanic District Designation. The territory described in Section 1 of this Ordinance as Parcel A is hereby made a part of Aldermanic District 4, Ward 32. The territory described in Section 1 of this Ordinance as Parcel B is hereby made a part of Aldermanic District 4, Ward 33. The territory described in Section 1 of this Ordinance as Parcel C is hereby made a part of Aldermanic District 4, Ward 34. The territory described in Section 1 of this Ordinance as Parcel D is hereby made a part of Aldermanic District 4, Ward 35. The territory described in Section 1 of this Ordinance as Parcel E is hereby made a part of Aldermanic District 7, Ward 36. The territory described in Section 1 of this

Ordinance as Parcel F is hereby made a part of Aldermanic District 7, Ward 37. The territory described in Section 1 of this Ordinance as Parcel G is hereby made a part of Aldermanic District 3, Ward 38. All subject to the ordinances, rules and regulations of the City governing wards and aldermanic districts.

SECTION 5: Severability. If any provision of this Ordinance is invalid or unconstitutional, or if the application of this Ordinance to any person or circumstance 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 6: This Ordinance shall become effective upon its passage and publication as provided by law.

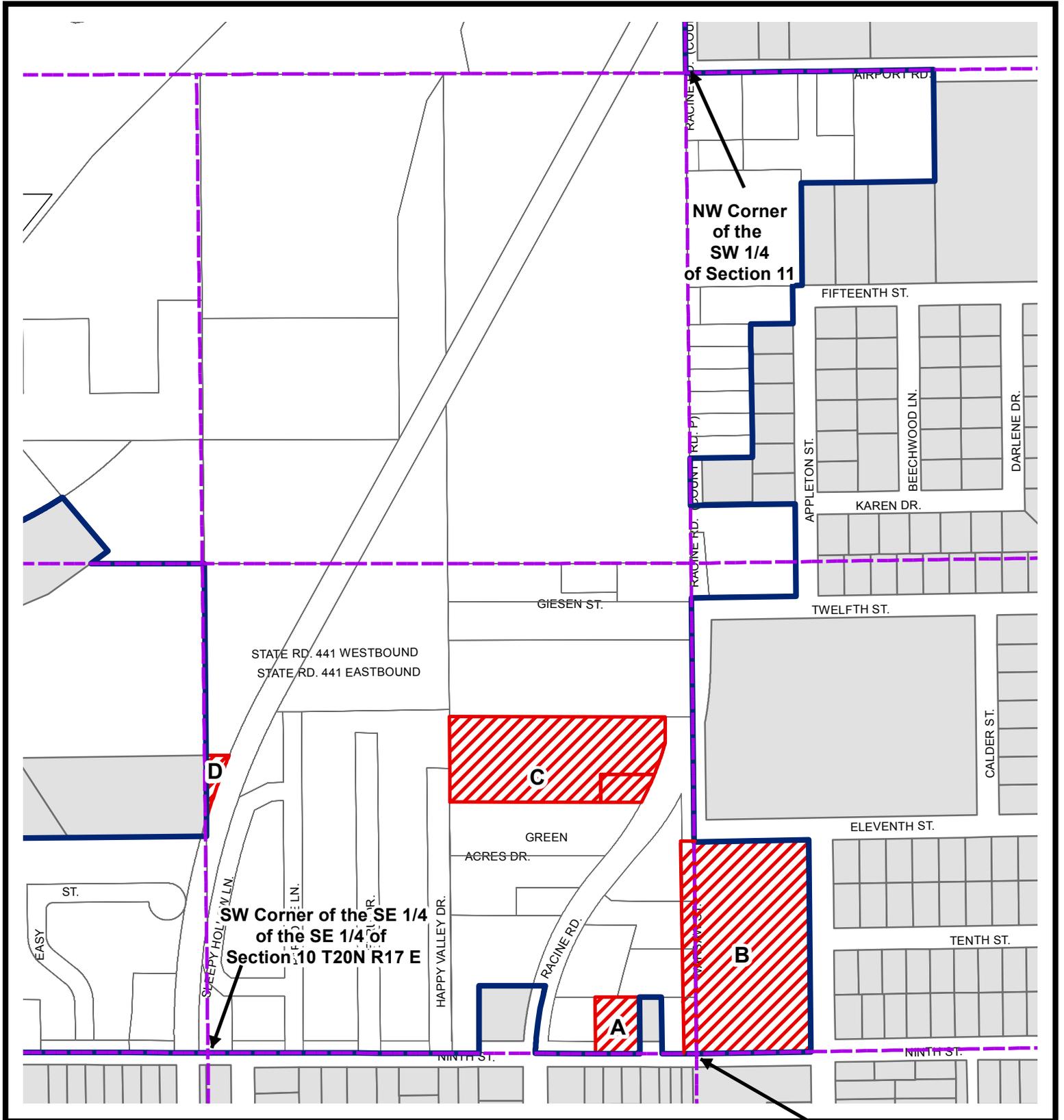
Passed and approved this ____ day of June, 2015.

Donald Merkes, Mayor

ATTEST:

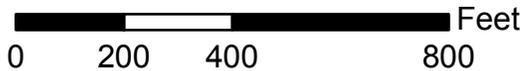
Deborah A. Galeazzi, City Clerk

Proposed Annexation - Map 1



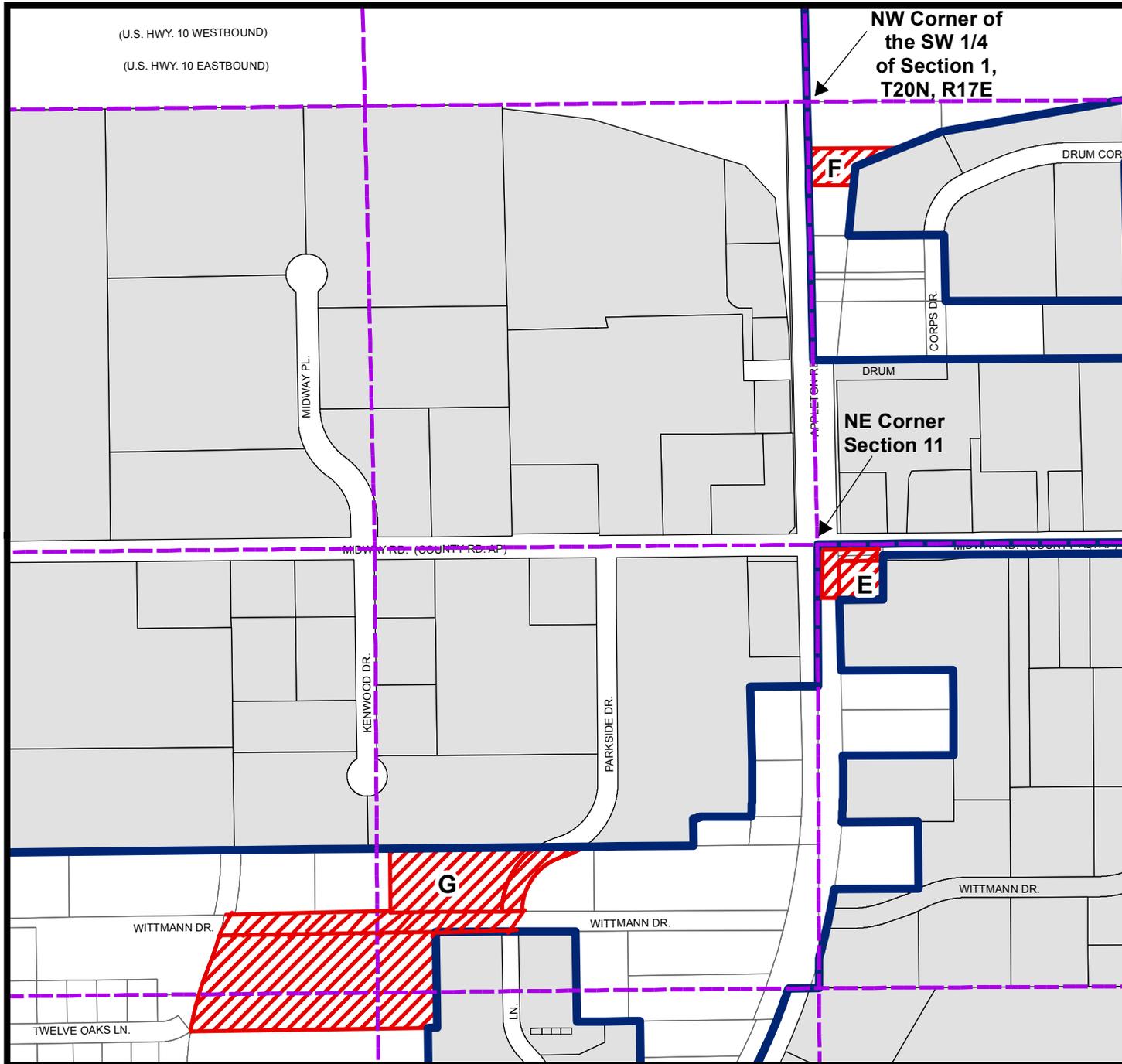
Legend

-  Section Lines
-  City of Menasha Corporate Limits
-  Parcels Proposed for Annexation



SW Corner of Section 11
T20N R17E

Proposed Annexation - Map 2



Legend

- Section Lines
- City of Menasha Corporate Limits
- Parcels Proposed for Annexation

