STATE OF WISCONSIN CIRCUIT COURT CALUMET COUNTY

In the Matter of INCORPORATION OF PORTIONS OF LANDS COMPRISING THE TOWN OF HARRISON, Calumet County and THE TOWN OF BUCHANAN, Outagamie County, as a Village Pursuant to the Provisions of Ch. 66, Wisconsin Statutes.

PETITION FOR THE INCORPORATION OF THE VILLAGE OF HARRISON

No. _____

TO: Calumet County Circuit Court
206 Court Street
Chilton, WI 53014

Case #12-CV-38

JAN 19 2012

Calumet County Circuit Court

The undersigned, electors and freeholders, within the territory comprising the Town of Harrison, Calumet County, Wisconsin, respectfully petition the Circuit Court for Calumet County, Wisconsin, for incorporation of the territory comprising portions of the Towns of Harrison, Calumet County, Wisconsin, and Buchanan, Outagamie County, as the Village of Harrison, a body corporate and politic with powers and privileges of a municipal corporation at common law and conferred by the statutes of the State of Wisconsin.

In support of this Petition for Incorporation, Petitioners allege as follows:

1. The Petitioners are electors and freeholders in the territory proposed by this Petition for Incorporation as the Village of Harrison.

2. Fifty or more persons who are electors and freeholders of the territory to be incorporated hereby have signed and joined this Petition as required by Section 66.0203(2)(a), Stats.

3. Petitioners desire incorporation as a Village, organized under Ch. 61 of the Wisconsin Statutes, of portion of the lands comprising and located within the legal boundaries of

the Town of Harrison, Calumet County, Wisconsin, and Town of Buchanan, Outagamie County, pursuant to the procedures set forth in Ch. 66, Wis. Stats.

4. All of the territory proposed for incorporation lies within Calumet County, Wisconsin and Outagamie County, Wisconsin.

5. On Sept. 1st, 2011, a Notice of Intention to Circulate this Petition for Incorporation was published in the Chilton Times Journal and on Sept. 3rd, 2011 a second notice was published in the Appleton Post Crescent as required by Section 66.0203(1), Stats. A copy of said notice as published, together with a copy of the Publisher's Affidavit of Publication, is marked as Exhibit "A" attached hereto, and incorporated herein by reference as if fully set forth herein.

6. Petitioners commenced circulation of this Petition no earlier than September 14th, 2011.

7. Petitioners designate as their representative Celine Romenesko, N9598 County N, Appleton, WI 54915, an elector and freeholder in the territory to be incorporated; and Petitioners designate as their alternate representative Rick Kindschi, W6058 Hearthstone Dr., Appleton, Wisconsin 54915, an elector and freeholder in the territory to be incorporated.

8. The territory for which incorporation is proposed is a part of the territory comprising and currently located within the present legal boundaries of the Town of Harrison, Calumet County, Wisconsin, and the Town of Buchanan, Outagamie County, Wisconsin which territory is more particularly described in the legal description marked as Exhibit "B" attached hereto, and incorporated herein by reference as if fully set forth.

9. Attached hereto and marked as Exhibit "C" is a scale map reasonably showing the boundaries of the territory proposed for incorporation, as required by Section 66.0203(2)(c), Stats., and said Exhibit C is incorporated herein by reference as if fully set forth.

10. The territory proposed for incorporation as the Village of Harrison; contains a current resident population, as required by Section 66.0203(2)(c), Stats., of 7,373 persons as was derived by the Wisconsin Department of Administration's Demographic Services Center and the United States Census Bureau. Using the latest official estimate of the whole Town's population and proportionally disaggregating the proposed village's population, as certified as acceptable by the Department of Administration.

11. The territory proposed for incorporation is located within a metropolitan community; and such territory constitutes a metropolitan village as defined by Section 66.0203(2)(e), Wis. Stats.

12. The territory proposed for incorporation meets and exceeds the minimum requirements for incorporation of a metropolitan village as defined by Sections 66.0203(2)(e) and 66.0205(3), Stats., as follows:

a. The proposed metropolitan village has a resident population exceeding 2,500 persons in that it has a minimum of 7,373 resident persons.

b. The proposed metropolitan village has a minimum population density of at least 500 persons in any one square mile.

c. The proposed metropolitan village has a minimum area of 4 square miles in that it exceeds 4.6 square miles.

13. The territory of the proposed village meets the standards set forth in Section 66.0207(1), Stats., as follows:

a. The entire territory of the proposed village is reasonably homogeneous and compact, taking into consideration natural boundaries, natural drainage basins, soil conditions, present and potential transportation facilities,

previous political boundaries, boundaries of school districts, shopping and social customs.

b. The territory beyond the most densely populated square mile has the potential for residential or other urban land use development on a substantial scale within the next three (3) years.

14. The proposed incorporation is in the public interest considering the following criteria specified in Section 66.0207(2), Stats.:

a. The present and potential sources of tax revenue available to such territory to defray the present and anticipated costs of governmental services thereon at a local tax rate compare favorably with tax rates in similar areas for similar services.

b. The level of governmental services desired or needed by the residents of such territory compare favorably to the level of governmental services offered by the proposed village and the level available from any contiguous municipality which may file a certified copy of a resolution indicating a willingness to annex the territory designated in this Petition pursuant to Section 66.0203(6), Stats.

c. The proposed incorporation will not substantially hinder the solution of governmental problems and will facilitate the solution of governmental problems by providing an adequate social and economic base to meet the health, safety and welfare needs of the residents in the territory proposed for incorporation.

15. Petitioners respectfully request that the territory, when incorporated, be incorporated as the Village of Harrison.

16. Specimen affidavits of the attached as circulators of this Petition for Incorporation, are annexed hereto, marked as Exhibit "D" and made a part hereof as if fully set forth.

WHEREFORE, the undersigned Petitioners respectfully request the Court to issue an order requiring a referendum as provided for in Section 66.0211, Stats. and to certify the incorporation of the Village of Harrison when all requirements for the incorporation of the above-described territory as set forth in Ch. 66 of the Wisconsin Statutes have been met.

Dated and signed in the Town of Harrison in Calumet County, Wisconsin, as follows:

STATE OF WISCONSIN CIRCUIT COURT CALUMET COUNTY

In the Matter of INCORPORATION OF A PORTION OF LANDS COMPRISING THE TOWN OF HARRISON, Calumet County as a Village Pursuant to the Provisions of Ch. 66, Wisconsin Statutes.

Case No. 12-CV-28

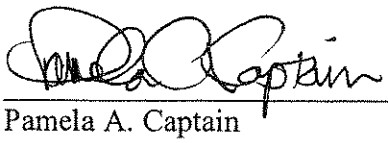
NOTICE OF APPEARANCE

To: Town of Harrison
c/o: Attorney Andrew J. Rossmeissl
Herrling Clark Law Firm Ltd.
800 North Lynndale Drive
Appleton, WI 54914

Town of Buchanan
Edgarton, St. Peter, Petak & Rosenfeldt
10 Forest Avenue, Suite 200
Fond du Lac, WI 54935

PLEASE TAKE NOTICE that the undersigned is retained by and appears for the City of Menasha in the above-entitled action and we hereby demand that a copy of all pleadings subsequent to the Petition for Incorporation be served upon us.

Dated this 23rd day of February, 2012.



Pamela A. Captain
City Attorney for the City of Menasha
State Bar Number 1023192

Mailing Address:
City of Menasha
140 Main Street
Menasha, WI 54952
Ph: (920) 967-3600
Fx: (920) 967-5273

STATE OF WISCONSIN CIRCUIT COURT CALUMET COUNTY

In the Matter of INCORPORATION OF A PORTION OF LANDS COMPRISING THE TOWN OF HARRISON, Calumet County as a Village Pursuant to the Provisions of Ch. 66, Wisconsin Statutes.

Case No. 12-CV-28

NOTICE OF INTERVENTION

PLEASE TAKE NOTICE that the City of Menasha, Wisconsin ("Menasha"), a Wisconsin city, does hereby intervene in the above-referenced incorporation proceedings. Menasha's intervention is as of right pursuant to Wis. Stat. § 66.0203(5) because (a) Menasha is a metropolitan municipality entitled to notice pursuant to Wis. Stat. § 66.0203(4), (b) Menasha did in fact receive notice, and (c) Menasha is a party in interest because it shares a common municipal boundary with the Town of Harrison.

PLEASE TAKE FURTHER NOTICE that Menasha does hereby request that all papers in this action should be served upon the undersigned at the address stated below.

Dated this 23rd day of February, 2012.

Pamela A. Captain
City Attorney for the City of Menasha
State Bar Number 1023192

Mailing Address:
City of Menasha
140 Main Street
Menasha, WI 54952
Ph: (920) 967-3600
Fx: (920) 967-5273