

**CITY OF PORT WASHINGTON  
OZAUKEE COUNTY, WISCONSIN  
ORDINANCE NO. 2018 - 14**

**ANNEXING TERRITORY TO THE CITY OF PORT WASHINGTON, WISCONSIN**

The Common Council of the City of Port Washington, Wisconsin, do ordain as follows:

**SECTION 1. Territory Annexed.** In accordance with Wis. Stat. § 66.0217(2), based upon the affirmative vote of at least two-thirds (2/3) of the elected members of the Common Council, the following described territory in the Town of Port Washington, Ozaukee County, Wisconsin, is hereby annexed to the City of Port Washington, Ozaukee County, Wisconsin:

Commencing at the Southeast corner of the Northwest 1/4 of Section 32, Township 11 North, Range 22 East; thence S87°32'31"W along the South line of said Northwest 1/4, 829.22 feet to a point on the centerline of S. Spring St. - S.T.H. "32"; thence N33°24'57"E along said centerline, 1111.00 feet to the point of beginning of lands to be described; thence continuing N33°24'57"E along said centerline, 261.50 feet; thence S55°12'03"E, 379.07 feet to a point on the Westerly line of the Chicago Northwestern Railroad right of way; thence S34°26'24"W along said right of way, 261.43 feet; thence N55°12'03"W, 374.40 feet to the point of beginning.

Said parcel contains: 98,487 sq. ft. or 2.261 acres of land, more or less.  
Property address: 900-910 State Highway 32, Port Washington, WI 53074  
Tax Parcel No.: 07-032-03-008-00  
Municipal Boundary Review (MBR) No.: 14162

The current population of the annexed territory is zero (0) persons.

The annexed territory is depicted on the scale map attached hereto and incorporated herein as Exhibit A.

**SECTION 2. Effect of Annexation.** From and after the date of this ordinance the territory described in Section 1 of this ordinance shall be a part of the City of Port Washington for any and all purposes provided by law, and all persons coming or residing within said territory shall be subject to all ordinances, rules and regulations governing the City of Port Washington.

**SECTION 3. Temporary Zoning Classification.** Upon recommendation of the Plan Commission, and in accordance with Wis. Stat. § 66.0217(8)(a), the territory annexed to the City of Port Washington by this ordinance is temporarily zoned as RM-4 Medium Rise Apartments, pending a permanent classification of said annexed territory and amendment of the Zoning Ordinance pursuant to Wis. Stat. § 62.23(7)(d).


**SECTION 4. Ward and Aldermanic District Designation.** The territory described in Section 1 of this ordinance is hereby made a part of the 4th ward and 4th aldermanic district of the City of Port Washington, subject to the ordinances, rules and regulations of the City of Port Washington governing wards.

**SECTION 5. Annual Payment to Town.** In accordance with Wis. Stat. § 66.0225 and that certain “*Settlement Agreement Between the City of Port Washington and the Town of Port Washington, Ozaukee County, Wisconsin, to Provide for Orderly Land Development, Boundary Agreements and Shared Services*” dated November 23, 2004, the City Treasurer is hereby authorized to remit an annual payment to the Town, over the next succeeding five (5) year period commencing with the effective date of this ordinance, in 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. § 70.65, in the year this annexation is final, i.e., 2018.


**SECTION 6. 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 provision or application.

**SECTION 7. Effective Date.** This ordinance shall take effect upon passage and publication as provided by law.

Dated this 20th day of November, 2018.

  
\_\_\_\_\_  
Martin T. Becker, Mayor

ATTEST:

  
\_\_\_\_\_  
Susan L. Westerbeke, City Clerk

**EXHIBIT A**

**[Scale Map of the Annexed Territory]**



**LEGAL DESCRIPTION PER PORT ABSTRACT & TITLE, LLC COMMITMENT NO. 02356240:**

That part of the Southwest 1/4 of the Northeast 1/4 and that part of the Southeast 1/4 of the Northwest 1/4 of Section 32, Town 11 North, Range 22 East, in the Town of Port Washington, Ozaukee County, Wisconsin, described as follows, viz:

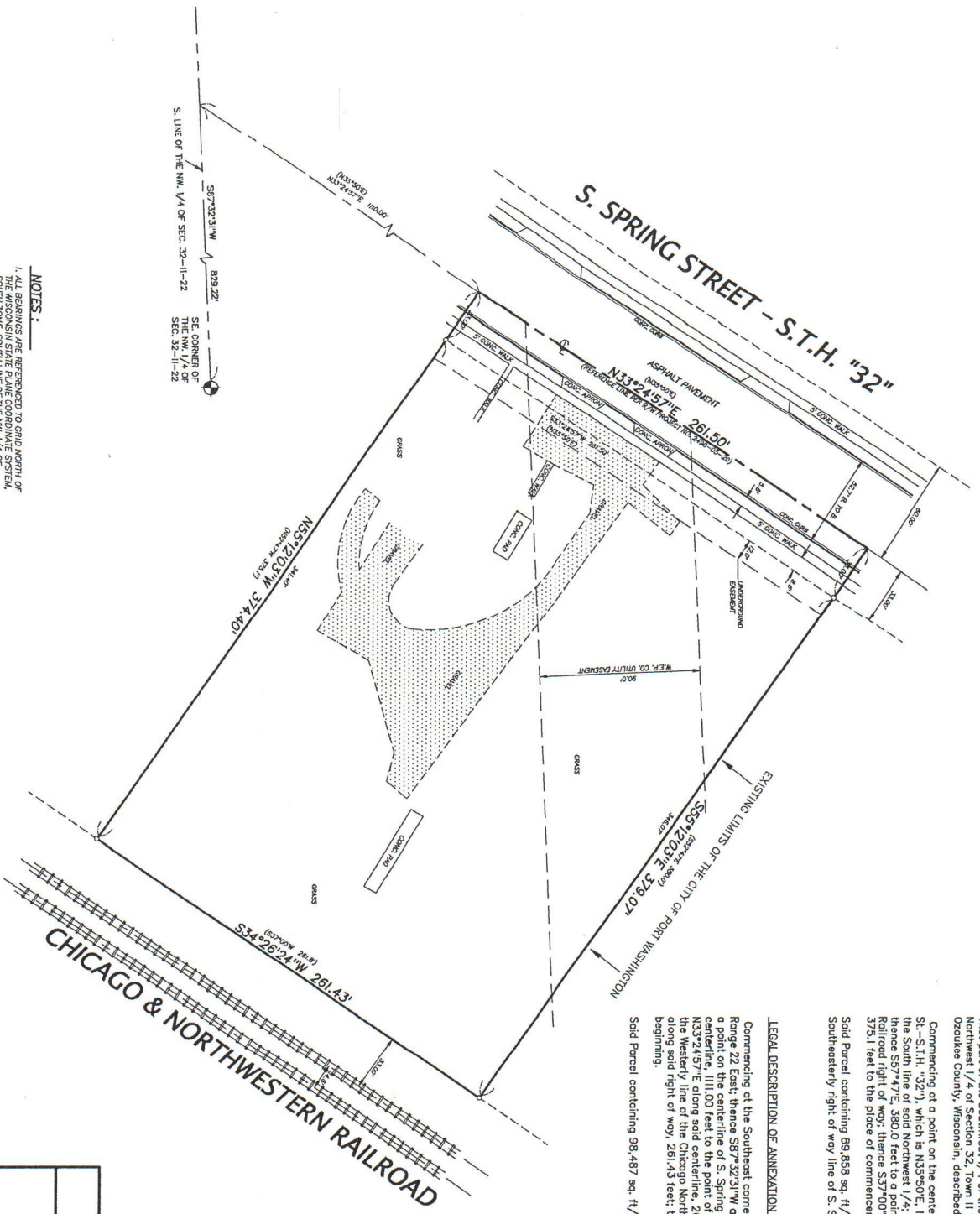
Commencing at a point on the center line of United State Highway 141 (h.k.a. S. Spring St.-S.T.H. "32"), which is N35°50'E, 1110.0 feet from the intersection of said center line with the South line of said Northwest 1/4; thence N35°50'E along said center line, 261.5 feet; thence S57°47'E, 380.0 feet to a point on the Western line of the Chicago Northwestern Railroad; thence S37°03'W along said right of way, 281.8 feet; thence N32°47'W, 375.1 feet to the place of commencement.

Said Parcel containing 89,858 sq. ft./2.063 Net acres of land, more or less, as measured to Southeasterly right of way line of S. Spring Street/S.T.H. "32".

**LEGAL DESCRIPTION OF ANNEXATION TERRITORY:**

Commencing at the Southeast corner of the Northwest 1/4 of Section 32, Township 11 North, Range 22 East; thence S97°23'31"W along the South line of said Northwest 1/4, 829.22 feet to the Northwest corner of said Northwest 1/4; thence S11°11'00"E along said center line, 1111.00 feet to the center line of the Chicago Northwestern Railroad; thence N33°24'57"E along said center line, 261.50 feet; thence S59°12'03"E, 375.07 feet containing N33°24'57"E along said center line, 261.50 feet; thence S59°12'03"E, 375.07 feet containing on the Western line of the Chicago Northwestern Railroad right of way; thence S34°26'24"W along said right of way, 281.43 feet; thence N59°12'03"W, 374.40 feet to the point of beginning.

Said Parcel containing 98,487 sq. ft./2.261 acres of land, more or less



- NOTES:**
1. ALL BEARINGS ARE REFERENCED TO GRID NORTH OF PORT WASHINGTON TOWNSHIP AND RANGE SYSTEM, SECTION 32-II--22, WHICH BEARS S87°52'31"W.
  2. ( ) DENOTES DIRECTION OR DISTANCE PER DEED.
  3. LOT IMPROVEMENTS PLOTTED FROM PROPERTY SURVEY DATED NOVEMBER 12, 2007.

**EXHIBIT A**



**"ANNEXATION EXHIBIT"**

FOR  
**THE CITY OF  
PORT WASHINGTON**

**900-910 S. Spring Street  
Port Washington, WI**

**NSSE**

**NORTH SHORE ENGINEERING, INC.**  
Consulting Engineers & Land Surveyors  
1443 N. Port Washington Rd., Jackson, Wisconsin, 53022  
Tel: 262.228.7800  
www.northshoreengineering.com

DATE:	SEPTEMBER 25, 2018	DRAWN BY:	ALR
FIELD CHECK:			