

**CITY OF PORT WASHINGTON
OZAUKEE COUNTY, WISCONSIN
ORDINANCE NO. 2019 - 9**

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 conditionally annexed to the City of Port Washington, Ozaukee County, Wisconsin:

Being a part of Government Lot 2, being part of the Southwest Quarter of the Northwest Quarter of Section 33, T. 11 N., R. 22 E., Town of Port Washington, Ozaukee County, Wisconsin containing 4.69 acres of land and described as: beginning at the W 1/4 corner of said Section 33; thence N 02°24'41" W., 305.23 feet; thence N 87°37'19" E., 804.99 feet; thence S 18°11'21" W., 194.64 feet; thence S 87°37'19" W., 219.03 feet; thence S 02°24'41" E., 123.00 feet; thence S 87°37'19" W., 517.48 feet to the point of beginning.

Said territory contains: 4.69 acres of land, more or less.

Property addresses: 2713-2715 County Road C, Port Washington, WI 53074 [Lot 1]
1872 Sunset Road, Port Washington, WI 53074 [Lot 2]

Tax Parcel Nos.: 07-033-07-014.00 [Lot 1]
07-033-07-015.00 [Lot 2]

Municipal Boundary Review (MBR) No.: 14203

The current population of the annexed territory is two (2) persons.

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

This annexation is conditioned upon the approval and execution of a Pre-Annexation Agreement between the City of Port Washington and Alan J. Victor, the owner of Lot 1 and Lot 2 of the annexed territory, by June 11, 2019. In the event that said conditions are not satisfied by June 11, 2019, then this annexation shall be null and void and the annexation territory shall remain a part of the Town of Port Washington.

SECTION 2. Effect of Annexation. If the conditions set forth in Section 1 of this ordinance are satisfied, then 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. If the conditions set forth in Section 1 of this ordinance are satisfied, then 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: RS-6 Single and Two Family Residence district [Lot 1]; and B-3 General Business district [Lot 2], pending a permanent classification of said annexed territory and amendment of the Zoning Ordinance pursuant to Wis. Stat. § 62.23(7)(d).

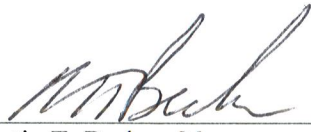
SECTION 4. Ward and Aldermanic District Designation. If the conditions set forth in Section 1 of this ordinance are satisfied, the territory described in Section 1 of this ordinance is hereby made a part of the 4th ward and 4th aldermanic district of the City of Port Washington, subject to the ordinances,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

SECTION 5. Annual Payment to Town. If the conditions set forth in Section 1 of this ordinance are satisfied, then 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., 2019.

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 4th day of June, 2019.



Martin T. Becker, Mayor

ATTEST:



Susan L. Westerbeke, City Clerk

3569

CERTIFIED SURVEY MAP
STATE OF WISCONSIN)
OZAUKEE COUNTY) SHEET 2 OF 2

BEING PART OF GOVERNMENT LOT 2, BEING PART OF THE
SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION
33, T.11 N., R.22 E., TOWN OF PORT WASHINGTON, OZAUKEE
COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

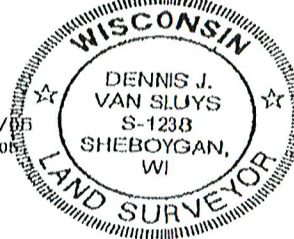
I, Dennis J. Van Sluys, Wisconsin Registered Land Surveyor of D & H Land Surveys LLC, certify that under the direction of ALAN VICTOR, I have surveyed, divided and mapped a part of GOVERNMENT LOT 2, BEING PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 33, T.11 N., R.22 E., TOWN OF PORT WASHINGTON, OZAUKEE COUNTY, WISCONSIN CONTAINING 4.69 ACRES OF LAND AND DESCRIBED AS: BEGINNING AT THE W 1/4 CORNER OF SAID SECTION 33; THENCE N 02°24'41" W., 305.23 FEET; THENCE N 87°37'19" E., 804.99 FEET; THENCE S 10°11'21" W., 194.64 FEET; THENCE S 87°37'19" W., 219.03 FEET; THENCE S 02°24'41" E., 123.00 FEET; THENCE S 87°37'19" W., 517.48 FEET TO THE POINT OF BEGINNING.

I, do further certify that I have complied with section 236.34 of the Wisconsin Statutes in surveying and mapping the same.

Dated this 19th day of August, 2005.

Dennis J. Van Sluys
Dennis J Van Sluys W.R.L.S. 5-1238
D & H Land Surveys
526 S. 8th ST.
Sheboygan, WI.
920-457-3092
OWNER'S CERTIFICATE

REVISED 9/29/05
REVISED 10/21/05



As Owner (s), I (We) hereby certify that I (We) caused the land described on this map to be surveyed, divided, mapped and dedicated as represented on this map TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: TOWN OF PORT WASHINGTON, CITY OF PORT WASHINGTON AND OZAUKEE COUNTY HIGHWAY DEPARTMENT.

Alan Victor
ALAN VICTOR

NOTARY CERTIFICATE

Personally came before me on 19th day of August, 2005 the above named to me known to be the persons who executed the foregoing instrument and acknowledge the same.

(Notary Seal) _____

Notary Public, Richard A. Beck

My commission expires 2009

TOWN BOARD RESOLUTION

Resolved, that the Certified Survey Map in the Town of Port Washington is hereby approved by the Town Board of the Town of Port Washington.

Dated 10/24/05 Approved 10/24/05
Town Chairman [Signature]

I hereby certify that the foregoing is a copy of a resolution adopted by the Town Board of the Town of Port Washington.

[Signature]
Town Clerk.