

## CHAPTER 4

### Annexations

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#### SEC. 13-4-1 ANNEXATION - JULY 3, 1962.

- (a) The Village of Merrilan is the owner of the following described real estate lying near to the Village of Merrilan, and now a part of the Town of Alma in Jackson County, State of Wisconsin, said territory being described as follows in Subsection (b).
- (b) All that territory known and described as the North West Quarter of the North East Quarter of Section 1, Township 22 North, Range 4 West, and the South East Quarter of the South East Quarter of Section 26, Township 23 North, Range 4 West, and the North East Quarter of the North East Quarter of Section 35, Township 23 North, Range 4 West, Jackson County, Wisconsin, and now comprising a part of the Town of Alma in Jackson County, State of Wisconsin, is hereby annexed to the Village of Merrilan and is included within the boundary of the Village of Merrilan and shall constitute a part of the body corporate as a part of such Village of Merrilan, and be governed by the general charter laws of this state.
- (c) A certified copy of this Chapter shall be filed by the Village Clerk-Treasurer in the office of the Secretary of State as provided by law, and recorded in the office of the Register of Deeds, and the Village Clerk-Treasurer shall obtain and preserve as part of the records of the Village proof of such filing and recording.

#### SEC. 13-4-2 ANNEXATION - DECEMBER 3, 1963.

- (a) The Village of Merrilan is now the owner of the following described real estate lying near to the Village of Merrilan, and now part of the Town of Alma in Jackson County, State of Wisconsin, said territory being described as follows in Subsection (b).
- (b) All that territory known and described as two (2) parcels of land located in the South West Quarter of the South East Quarter and in the South East Quarter of the South East Quarter, all in Section 26, Township 23 North, Range 4 West, and described as follows:

- (1) Commencing at a point on the north line of the South West Quarter of the South East Quarter of Section 26, 162 feet west of the northeast corner of said forty, thence southeasterly to a point on the south line of said South East Quarter of the South East Quarter 60 feet east of the southwest corner, thence west on south line of said South East Quarter of the South East Quarter to the southwest corner of said South East Quarter of the South East Quarter a distance of 60 feet, thence northwesterly and parallel with the first line described to a point on the north line of said forty which is 60 feet west of the point of beginning, thence east on the north line of said forty to the point of beginning; and
- (2) The north 60 feet of the South West Quarter of the South East Quarter of Section 26, in Township 23 North, Range 4 West, and lying west of the parcel first described, in Jackson County, Wisconsin, is hereby annexed to the Village of Merrillan and is included within the boundary of the Village of Merrillan and shall constitute a part of the body corporate as a part of such Village of Merrillan, and be governed by the general charter laws of this state.
- (c) A certified copy of this Chapter shall be filed by the Village Clerk-Treasurer in the office of the Secretary of State as provided by law and recorded in the office of the Register of Deeds, and the Village Clerk-Treasurer shall obtain and preserve as part of the records of the Village proof of such filing and recording.

#### SEC. 13-4-3 ANNEXATION - OCTOBER 6, 1964.

- (a) The Village of Merrillan is now the owner of the following described real estate lying near to the Village of Merrillan, and now a part of the Town of Alma in Jackson County, State of Wisconsin, said territory being described as follows in Subsection (b).
- (b) All that territory known and described as a triangular tract of land in the South West Quarter of the South East Quarter of Section 26, in Township 23 North, Range 4 West, described as follows: Commencing at a point on the east line of said forty 290 feet north of the southeast corner, thence west to the east line of highway running in a northwesterly and southeasterly direction, thence southeasterly on the east line of said highway to the intersection with the east line of said forty, thence north on the east line of said forty to the place of beginning, in Jackson County, Wisconsin, is hereby annexed to the Village of Merrillan and is included within the boundary of the Village of Merrillan and shall constitute a part of the body corporate as a part of such Village of Merrillan, and be governed by the general charter laws of this state.
- (c) A certified copy of this Chapter shall be filed by the Village Clerk-Treasurer in the office of the Secretary of State as provided by law, and recorded in the office of the Register of Deeds, and the Village Clerk-Treasurer shall obtain and preserve as part of the records of the Village proof of such filing and recording.

**SEC. 13-4-4 ANNEXATION - JANUARY 2, 1974.**

- (a) The real estate annexed by the Petition of Annexation, now being a part of the Town of Alma, Jackson County, Wisconsin, and being contiguous to the Village of Merrillan, Wisconsin is described as follows:

A part of the Out Lot Twenty-one of the Assessor's Plat of Out Lots lying and being in the South West Quarter of the South East Quarter of Section Twenty-six, Township Twenty-three North, Range Four West described as follows: Commencing on the North line of Out Lot Twenty-one where said line intersects with the West shore line of Lower Lake; thence West on the north line of said Out Lot 412 feet; thence South 100 feet; thence East parallel with the North line of said Out Lot to the West shore line of Lower Lake; thence in a northerly direction along the West shore line of Lower Lake to the place of beginning, meaning and intending to convey a parcel of land with approximately 100 feet of frontage on Lower Lake. Jackson County, Wisconsin.

- (b) A scale map of the territory herein before described as attached, made a part hereof by reference, and marked "Exhibit A", on file with the Clerk-Treasurer. The boundary of the territory is set forth thereon in color which is in contrast with the lines used on said scale map.

**SEC. 13-4-5 ANNEXATION - JANUARY 3, 1974.**

- (a) **Territory Annexed.** In accordance with Sec. 66.02(12), Wis. Stats., and the Petition for Direct Annexation filed with the Clerks of the Town of Alma and the Village of Merrillan on the 3rd day of January, 1974 signed by the owners and electors of the real property in such territory, the following described territory in the Town of Alma, Jackson County, Wisconsin, is annexed to the Village of Merrillan, Jackson County, Wisconsin:

A part of Out Lot Twenty-one of the Assessor's Plat of Out Lots lying and being in the South West Quarter of the South East Quarter of Section Twenty-six, Township Twenty-three North, Range Four West described as follows: Commencing on the North line of Out Lot Twenty-one where said line intersects with the West shore line of Lower Lake; thence West on the north line of said Out Lot 412 feet; thence South 100 feet; thence East parallel with the North line of said Out Lot to the West shore line of Lower Lake; thence in a northerly direction along the West shore line of Lower Lake to the place of beginning, meaning and intending to convey a parcel of land with approximately 100 feet of frontage on Lower Lake. Jackson County, Wisconsin.

- (b) **Effect of Annexation.** From and after the date of the passage of this Section, the territory described in Subsection (a) shall be a part of the Village of Merrillan 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 Village of Merrillan.

## SEC. 13-4-6 ANNEXATION - AUGUST 9, 1978.

- (a) (1) The Village Board of the Village of Merrilan has been presented with a Petition for direct annexation signed by all of the electors and owners of all real estate residing on the lands and premises hereinafter described petitioning to have such properties annexed to the Village of Merrilan; and,
- (2) The Petition has been reviewed by the head of the planning function in the State of Wisconsin, Department of Local Affairs and Development and there is no objection to such annexation; and,
- (3) It is deemed in the best interests of the Village that such lands and premises be so annexed to the Village of Merrilan.
- (b) In accordance with the provisions of Sec. 66.021(12), Wis. Stats., the territory hereinafter described lying contiguous to the Village of Merrilan is hereby annexed to said Village of Merrilan, Jackson County, Wisconsin:

All that part of the North 300 feet of the Southwest Quarter of the Southeast Quarter of Section Twenty-six, Township Twenty-three North, Range Four West, (Same being part of Outlot Twenty-one of the Assessor's Plat of Outlots) Jackson County, Wisconsin lying West of the West shore line of Lower Lake and East of the East line of the Village Street as now traveled and located.

A part of Outlot 21 of the Assessor's Plat of Outlots lying and being in the Southwest Quarter of the Southeast Quarter of Section Twenty-six in Township Twenty-three North, Range Four West described as follows: Commencing on the north line of Outlot 21 where said line intersects with the shoreline of Lower Lake, thence south 760 feet on the west line of Lower Lake to the point of beginning, thence west and parallel with the north line of said Outlot 21 approximately 140 feet to the village road traveling in a northerly and southerly direction, thence south on the west line of said village road a distance of 210 feet, thence east and parallel with the north line of said Outlot 21 a distance of approximately 140 feet to the west shoreline of Lower Lake, thence in a northerly direction along the west shoreline of Lower Lake to the place of beginning.

A part of Outlot 21 of the Assessor's Plat of Outlots lying and being in the Southwest Quarter of the Southeast Quarter of Section Twenty-six, Township Twenty-three North, Range Four West described as follows: Commencing on the North line of Outlot 21 where said line intersects with the shoreline of Lower Lake; thence South 760 feet on the West shoreline of Lower Lake to the point of beginning; thence West and parallel with the North line of said Outlot 21 approximately 140 feet to the Village Road traveling in a Northerly and Southerly direction; thence North along the West line of said Village Road a distance of 200 feet; thence East and parallel with the North line of said Outlot 21 approximately 200 feet to the shoreline of Lower Lake and South along said shoreline of Lower Lake 200 feet to the point of beginning.

- (c) Said territory hereby annexed to the Village of Merrilan, Jackson County, Wisconsin is detached from the Town of Alma, Jackson County, Wisconsin.

- (d) From and after the effective date of this Section, the territory herein annexed shall be part of the Village of Merrilan 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 Village of Merrilan.
- (e) The territory described herein and hereby annexed to the Village of Merrilan is deemed R-2 Residential District under the applicable provisions of the Zoning Code of the Village of Merrilan.
- (f) After this annexation ordinance has been appropriately passed by the Village Board of the Village of Merrilan, the Village Clerk-Treasurer shall immediately file with the Secretary of State for the State of Wisconsin, a certified copy of the ordinance which shall also contain a sketch of the properties hereby annexed. Furthermore, such Village Clerk-Treasurer shall also file with any company providing utility services to the area in question a copy of same and a copy should also be filed with the Register of Deeds for Jackson County, Wisconsin and the Clerk of the School District serving the properties hereby annexed.

#### SEC. 13-4-7 ANNEXATION - MAY 10, 1979.

- (a) (1) The Village Board of the Village of Merrilan has been presented with a Petition for direct annexation signed by all of the electors and owners of all real estate residing on the lands and premises hereinafter described petitioning to have such properties annexed to the Village of Merrilan; and,
  - (2) The Petition has been reviewed by the head of the planning function in the State of Wisconsin, Department of Local Affairs and Development and there is no objection to such annexation; and,
  - (3) It is deemed in the best interests of the Village that such lands and premises be so annexed to the Village of Merrilan.
- (b) In accordance with the provisions of Sec. 66.021(12), Wis. Stats., the territory hereinafter described lying contiguous to the Village of Merrilan is hereby annexed to said Village of Merrilan, Jackson County, Wisconsin:

The West 700 feet of that part of Out Lot Nine of the 1923 Assessor's Plat of Outlots of the Town of Alma, South and East of Merrilan, in Section Twenty-six, Township Twenty-three North, Range Four West, lying North and East of the town road as traveled and located in July of 1978. Subject to highways and easements of record.

- (c) Said territory hereby annexed to the Village of Merrilan, Jackson County, Wisconsin is detached from the Town of Alma, Jackson County, Wisconsin.
- (d) From and after the effective date of this Section, the territory herein annexed shall be part of the Village of Merrilan 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 Village of Merrilan.
- (e) The territory described herein and hereby annexed to the Village of Merrilan is deemed R-2 Residential District under the applicable provisions of the Zoning Ordinance of the Village of Merrilan.

- (f) After this annexation ordinance has been appropriately passed by the Village Board of the Village of Merrilan, the Village Clerk-Treasurer shall immediately file with the Secretary of State for the State of Wisconsin, a certified copy of the ordinance which shall also contain a sketch of the properties hereby annexed. Furthermore, such Village Clerk-Treasurer shall also file with any company providing utility services to the area in question a copy of same and a copy should also be filed with the Register of Deeds for Jackson County, Wisconsin and the Clerk of the School District serving the properties hereby annexed.

**SEC. 13-4-8 ANNEXATION - JANUARY 12, 1981.**

- (a) (1) The Village Board of the Village of Merrilan has been presented with a Petition for direct annexation signed by all of the electors and owners of all real estate residing on the lands and premises hereinafter described petitioning to have such properties annexed to the Village of Merrilan; and,  
 (2) The Petition has been reviewed by the head of the planning function in the State of Wisconsin, Department of Local Affairs and Development and there is no objection to such annexation; and,  
 (3) It is deemed in the best interests of the Village that such lands and premises be so annexed to the Village of Merrilan.
- (b) In accordance with the provisions of Sec. 66.021(12), Wis. Stats., the territory hereinafter described lying contiguous to the Village of Merrilan is hereby annexed to said Village of Merrilan, Jackson County, Wisconsin:

A part of the Northeast Quarter of the Southeast Quarter of Section 26, Township 23 North, Range 4 West, described as follows:

Beginning at the point of intersection of the south line of said Northeast Quarter of the Southeast Quarter of Section 26 with the northeastern shore of "Lower Lake", thence east on the south line of said Northeast Quarter Southeast Quarter 170 feet; thence north, parallel with the east line of Section 26, 250 feet; thence west parallel with the north line of Section 26 to the shore of Lower Lake; thence southeasterly along the lake shore to the point of beginning.

- (c) Said territory hereby annexed to the Village of Merrilan, Jackson County, Wisconsin is detached from the Town of Alma, Jackson County, Wisconsin.
- (d) From and after the effective date of this Section, the territory herein annexed shall be part of the Village of Merrilan 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 Village of Merrilan.
- (e) After this annexation ordinance has been appropriately passed by the Village Board of the Village of Merrilan, the Village Clerk-Treasurer shall immediately file with the Secretary of State for the State of Wisconsin, a certified copy of the ordinance which shall also contain a sketch of the properties hereby annexed. Furthermore, such Village Clerk-Treasurer shall also file with any company providing utility services to the area in question a copy of same and a copy should also be filed with the Register of Deeds for Jackson County, Wisconsin and the Clerk of the School District serving the properties hereby annexed.

- (f) (1) The Village Board of the Village of Merrillan has been presented with a Petition for annexation signed by the Village President and Village Clerk-Treasurer relating to the properties owned by the Village of Merrillan lying near but not necessarily contiguous to the Village of Merrillan; and,
- (2) The properties described in that Petition constitute lands presently operated by the Village of Merrillan as its sewage treatment lagoon system; and,
- (3) The usage of the territory contained in the Petition for annexation is not contrary to any town or county zoning regulation; and,
- (4) All statutory requirements for the enactment of the Ordinance as required by Sec. 66.025, Wis. Stats., have been met; and,
- (5) It is deemed in the best interests of the Village that such lands and premises be so annexed to the Village of Merrillan.
- (g) In accordance with the provisions of Sec. 66.025, Wis. Stats., the territory hereinafter described owned by the Village of Merrillan and lying near but not necessarily contiguous to the Village of Merrillan is hereby annexed to said Village of Merrillan, Jackson County, Wisconsin.

Lots One and Two of Jackson County Certified Survey Map No. 502 as recorded in Volume 3 of Surveys, page 2 as Document No. 230282 in the Office of the Register of Deeds for Jackson County, Wisconsin, being parts of Outlot Twelve of the 1919 Assessor's Plat of Outlots of the Village of Merrillan located on the South East Quarter of the North West Quarter; Outlot Eight of 1923 Assessor's Plat of Outlots of the Town of Alma South and East of Merrillan and located on the North West Quarter of the South East Quarter and the North East Quarter of the South West Quarter and other lands in the South West Quarter of the North East Quarter; the North West Quarter of the South East Quarter and the North East Quarter of the South West Quarter all in Section Twenty-six, Township Twenty-three North, Range Four West, Jackson County, Wisconsin.

- (h) Said territory hereby annexed to the Village of Merrillan, Jackson County, Wisconsin, is detached from the Town of Alma, Jackson County, Wisconsin.
- (i) From and after the effective date of this Section, the territory herein annexed shall be part of the Village of Merrillan for any and all purposes provided by law and such territory shall be subject to all ordinances, rules and regulations governing the Village of Merrillan.
- (j) After this annexation ordinance has been appropriately passed by the Village Board of the Village of Merrillan, the Village Clerk-Treasurer shall immediately file with the Secretary of State for the State of Wisconsin, five (5) certified copies of this Section together with five (5) copies of a Plat showing the boundaries of the properties attached to the Village of Merrillan.

#### SEC. 13-4-9 ANNEXATION - MARCH 12, 1985.

- (a) (1) The Village Board of the Village of Merrillan has been presented with a petition for direct annexation signed by all of the electors and owners of all real estate in relation to the lands and premises hereinafter described, petitioning to have such properties annexed to the Village of Merrillan; and,
- (2) It is deemed in the best interests of the Village that said lands and premises be so annexed to the Village of Merrillan.
- (b) In accordance with the provisions of Sec. 66.021(12), Wis. Stats., the territory hereinafter described lying contiguous to the Village of Merrillan is hereby annexed to said Village of Merrillan, Jackson County, Wisconsin:

All those parts of Lots Five, Six, Seven, Eight and Nine of Hall's Creek Heights of the Village of Merrilan, Jackson County, Wisconsin, located within the South West Quarter of the South West Quarter of Section Twenty-five, Township Twenty-three North, Range Four West.

- (c) Said territory hereby annexed to the Village of Merrilan, Jackson County, Wisconsin, is detached from the Town of Alma, Jackson County, Wisconsin.
- (d) From and after the effective date of this Section, the territory herein annexed shall be part of the Village of Merrilan 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 Village of Merrilan.
- (e) The territory described herein and hereby annexed to the Village of Merrilan is deemed R-2 Residential District under the applicable provisions of the Zoning Code of the Village of Merrilan.
- (f) After this Annexation Ordinance has been appropriately passed by the Village Board of the Village of Merrilan, the Village Clerk-Treasurer shall file with the Secretary of State for the State of Wisconsin, a certified copy of the ordinance, certificate and plat, shall file one (1) copy with each company that provides any utility service in the area annexed, shall file one such copy with the Register of Deeds for Jackson County, Wisconsin, and shall file one (1) copy with the clerk of any affected School District signed by the Village Clerk-Treasurer describing the territory which was annexed and the associated population of same.



**SEC. 13-4-10 ANNEXATION – OCTOBER 8, 2002**

- (a) (1) The Village Board of the Village of Merrilan has been presented with a Petition for direct annexation by unanimous approval, pursuant to the provisions of Wis. Stat. 66.0217(2) (1999-2000) and the petition was signed both by all the electors residing in the territory to be annexed and the owners of all real property in the territory to be annexed; and
- (2) The Petition has been reviewed by the Village of Merrilan Plan Commission and recommended annexation of the described property; and
- (3) The territory to be annexed is currently in the Town of Alma, Jackson County, Wisconsin, and the Town of Alma was served with notice of the annexation petition; and,
- (4) The petition states the purpose of the petition; contains a description of the territory proposed to be annexed, sufficiently accurate to determine its location; has attached thereto a scale map reasonably showing the boundaries of such territory and the relation of the territory to the municipalities involved; and specifies the current population of the territory.
- (b) It is found that the proper procedural requirements for direct, unanimous approval, annexation of the property described herein below have been met.
- (c) Pursuant to the legislative findings hereinabove, and the provisions of Wis. Stat. 66.0217(2)(1999-2000) the below described properties are hereby annexed to the Village of Merrilan, Jackson County, Wisconsin; and Chapter 13, Section 4-10 of the Code of Ordinances of the Village of Merrilan, Jackson County, Wisconsin is hereby amended to include the below described properties in the corporate limits of the Village of Merrilan, Jackson County, Wisconsin.
- (d) The territory annexed from the Town of Alma, Jackson County, Wisconsin, to the Village of Merrilan, Jackson County, Wisconsin, is described as follows:
- Lot 7 of Cyrus Subdivision, being part of Outlot 21 of the 1923 Assessor's Plat of Outlots in the Town of Alma, South and East of Merrilan, and a part of the Northwest Quarter of the Northwest Quarter of Section of Thirty-five, Township Twenty-Three North, Range Four West.
- (e) Pursuant to the provisions of Wis. Stat. 66.0217 (1999-2000) the annexed property is temporarily zoned a R-2, Single Family Residential Zone in accordance with the zoning ordinance of the Village of Merrilan, Jackson County, Wisconsin.
- (f) After this Annexation Ordinance has been appropriately passed by the Village Board of the Village of Merrilan, the Village Clerk-Treasurer shall file with the Secretary of State for the State of Wisconsin, a certified copy of the ordinance, certificate and plat, shall file one (1) copy with each company that provides any utility service in the area annexed, shall file one each copy with the Register of Deeds for Jackson County, Wisconsin, and shall file one (1) copy with the clerk of any affected School District signed by the Village Clerk-Treasurer describing the territory which was annexed and the associated population of the same.

**SEC. 13-4-11 ANNEXATION – FEBRUARY 12, 2013**

(a) **Territory Annexed.** In accordance with Sec. 66.0217 (2) Wis. Stat. and the Petition for Direct Annexation filed with the Clerks of the Town of Alma and the Village of Merrilan on the 12<sup>th</sup> day of February, 2013 signed by the owner of record and elector of the real property in such territory, the following described territory in the Town of Alma, Jackson County, Wisconsin is annexed to the Village of Merrilan, Jackson County, Wisconsin:

Lot Two of the Jackson County Certified Survey Map No. 574, as recorded in Volume 3 of Jackson County Certified Surveys, on page 109, as Document No. 233493, being part of Out Lot Nine of the 1923 Assessor's Plat of Outlots in the Town of Alma. South and East of Merrilan, in Section Twenty-six, Township Twenty-Three North, Range Four West.

(b) **Effect of Annexation.** From and after the date of the passage of this section, the territory described in Subsection (a) shall be part of the Village of Merrilan 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 Village of Merrilan.

1. The territory described herein and hereby annexed to the Village of Merrilan is deemed R-2 Residential District under applicable provisions of the Zoning Code of the Village of Merrilan.

2. That a scale map of the area, showing the boundaries of annexation territory and its relationship to the boundaries of the Village of Merrilan, is hereby adopted by reference.

3. determined in accordance with the definition under Section 66.0217(3), Wisconsin Statutes.

4. This Annexation Ordinance shall be effective upon its enactment by a two-thirds vote of the Village Board of Trustees of the Village of Merrilan.

5. The Village Clerk of the Village of Merrilan shall file with the Wisconsin Secretary of State a certified copy of this Annexation Ordinance and with each company providing utility services in the area annexed. One original copy of this Annexation Ordinance shall be provided to the Jackson County Register of Deeds for recording/filing purposes, and one certified copy shall be filed with the Clerk of each affected school district and township.

Approved and adopted: February 12, 2013.