

**ORDINANCE NO. 2259-11**  
by the Plan Commission

**ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF BROOKFIELD, WISCONSIN**

The Common Council of the City of Brookfield do ordain as follows:

PART I. In accordance with Section 66.0217 of the Wisconsin Statutes and unanimous approval petition for annexation filed with the City Clerk on the 29<sup>th</sup> day of June, 2011, the following described territory containing one parcel in the Town of Brookfield, Waukesha County, Wisconsin, is annexed to the City of Brookfield, Wisconsin:

Parcel Two (2) of Certified Survey Map No. 8308 recorded in the office of the Register of Deeds for Waukesha County on July 18, 1997, in Volume 72 of Certified Survey Maps, on Pages 298 to 300, inclusive as Document No. 2230717, being a Re-Division of Parcel One (1) of Certified Survey Map No. 3374 and land adjoining, being a part of the Southwest One-quarter (1/4) of the Northeast One-quarter (1/4) and Southeast One-quarter (1/4) of the Northwest One-quarter (1/4) of Section Seven (7), in Township Seven (7) North, Range Twenty (20) East, in the Town of Brookfield, Waukesha County, Wisconsin.

Total Annexation Area = 31,792 ± S.F., 0.73 ± Acres

PART II. EFFECT OF ANNEXATION. From and after the date of this ordinance the territory described in Part I shall be part of the City of Brookfield for any and all purposes provided by law and all persons coming within such territory shall be subject to all ordinances, rules and regulations governing the City of Brookfield.

PART III. ZONING CLASSIFICATION. Upon recommendation of the Plan Commission, the territory annexed to the City of Brookfield by this ordinance is temporarily zoned as follows, pursuant to Section 66.0217(8) of the Wisconsin Statutes:

Light Industrial/Commercial Mixed-Use District No. 1

BKFT 1034994

The Plan Commission is directed to prepare an amendment to the zoning ordinance setting forth permanent classifications and regulations for the zoning of the annexed area and to submit its recommendations to the Common Council.

PART IV. ALDERMANIC DISTRICT DESIGNATION. The territory described in Part I of this ordinance is hereby made a part of the 4<sup>th</sup> Aldermanic District, 11<sup>th</sup> Ward of the City of Brookfield, subject to the ordinances, rules and regulations of the City of Brookfield governing wards. The territory contains a population of zero (0).

PART V. CITY LIMITS. The City limits of the City of Brookfield, Wisconsin, are hereby changed and enlarged so as to include the real estate described in Part I of this ordinance, and shown on the attached Exhibit A\* and made a part of this ordinance, and the official map is amended to include said real estate.

PART VI. FILING. As required by Section 66.0217(9)(a), Wis. Stats., "The clerk of a city or village which has annexed shall file immediately with the secretary of state a certified copy of the ordinance, certificate and plat, and shall send one copy to each company that provides any utility service in the area that is annexed. The clerk shall record the ordinance with the register of deeds and file a signed copy of the ordinance with the clerk of any affected school district."

PART VII. TAX PAYMENT. In compliance with Section 66.0217(14)(a) Wis. Stats., the City of Brookfield acknowledges that it must pay annually the Town of Brookfield, for 5 years, an amount equal to the amount of property taxes that the town levied on the annexed territory, as shown by the 2010 tax roll under Section 70.65 Wis. Stats., said amount being approximately \$2,476.80 in total for said 5 years.

PART VIII. STATE REVIEW. The Common Council has reviewed the advice of the Wisconsin Department of Administration as outlined in a letter dated July 14, 2011, regarding the proposed annexation prior to adoption of this ordinance (MBR Number 13547).

PART IX. SEVERABILITY. If any provision of this ordinance is declared invalid or unconstitutional for any reason, such invalidity or unconstitutionality shall not affect the other provisions which can be given effect without the invalid or unconstitutional provision or application.

PART X. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed and shall take effect and be in force from and after its passage, publication, and upon filing with the Office of the Secretary of State.

ADOPTED AND APPROVED \_\_\_\_\_ August 16 \_\_\_\_\_, 2011

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Kristine A. Schmidt, City Clerk

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Steven V. Ponto, Mayor

Published: August 25, 2011

\* May be viewed in the City Clerk's Office.