

**TO THE WINNEBAGO COUNTY BOARD SUPERVISORS**

Your Planning and Zoning Committee begs leave to report:

WHEREAS, it has reviewed the Petition for Annexation filed with the Winnebago County Zoning Office by:

City of Oshkosh for Gabert and Rusch, Town of Nekimi, and

WHEREAS, a Planning Meeting was held on October 6, 2014, pursuant to meeting agenda notice as provided by as on the following:

**PROPERTY INFORMATION:**

*Owner(s) of Property:* Gabert and Rusch

*Location of Premises Affected:* Parcel(s) #012-0160, 012-0160-01, 012-0179, 012-0180, 012-0180-01 and 012-0181-01(P)

*Legal Description:* NW 1/4 of Section 10, and SE 1/4 of the NE 1/4 of Section 9, all being in the Township 17 North, Range 16 East, Town of Nekimi, Winnebago County, Wisconsin

WHEREAS,

Applicant is requesting Annexation to the City of Oshkosh,

And

WHEREAS, we received notification from the City of Oshkosh approving ordinance 13-64 for attachment referenced above,

And

WHEREAS, said ordinance is recorded in the Winnebago County Register of Deeds Office as document number 1630367,

And

WHEREAS, said ordinance must be approved by the Winnebago County Board of Supervisors to effectuate the amendment to the official Town / County Zoning Map – Winnebago County, Wisconsin, And

WHEREAS, the City of Oshkosh adopted said annexation of the subject property on February 12, 2013,

And

WHEREAS, your Planning and Zoning Committee, being fully informed of the facts, and after full consideration of the matter, making the following finding:

- 1) Subject property has been annexed to the City of Oshkosh as noted in document number 1630367 recorded in the Winnebago County Register of Deeds Office.

*Findings were made in consideration of Section 23.7-24.*

NOW THEREFORE BE IT RESOLVED, that this committee hereby reports our findings for your consideration and is hereby recommending Approval by a vote of 5-0.

AND BE IT FURTHER RESOLVED, by the Winnebago County Board of Supervisors, that the enclosed Ordinance is hereby  ADOPTED OR  DENIED.

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For the Planning and Zoning Committee

**AMENDATORY ORDINANCE # 101014**

The Winnebago County Board of Supervisors do ordain the Annexation # 1630367 as follows:

NW 1/4 of Section 10, and SE 1/4 of the NE 1/4 of Section 9, all being in the Township 17 North, Range 16 East, Town of Nekimi, Winnebago County, Wisconsin

FROM: Town of Nekimi

TO: City of Oshkosh

Adopted/ Denied this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

David Albrecht, Chairperson

ATTEST:

Susan T. Ertmer, Clerk

APPROVED BY WINNEBAGO COUNTY EXECUTIVE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ .

\_\_\_\_\_  
Mark Harris  
County Executive

010  
#32



8 0 7 7 2 8 8

Tx:4053324

**1630367**

**REGISTER'S OFFICE  
WINNEBAGO COUNTY, WI  
RECORDED ON**

**02/27/2013 09:03 AM**

**JULIE PAGEL  
REGISTER OF DEEDS**

**RECORDING FEE 30.00**

<p>Ordinance 13-64 Document Number</p>	<p>GABERT &amp; RUSCH #1 ATTACHMENT Document Title</p>
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City Hall  
City Clerk's Office  
215 Church Ave  
Oshkosh WI  
54903

February 25, 2013

Winnebago County  
Register of Deeds  
Julie Pagel  
PO Box 2808  
Oshkosh WI 54903-2808

**Name and Return Address**

City Hall  
City Clerk's Office  
Attn: Pamela Ubrig  
PO Box 1130  
Oshkosh WI 54903-1130 *charge*

Dear Ms. Pagel:

We are herewith enclosing a copy of the certified ordinance with an attached map showing the GABERT & RUSCH #1 ATTACHMENT to the City of Oshkosh, which became effective February 12, 2013.

Sincerely,

Pamela R. Ubrig  
City of Oshkosh, City Clerk  
Winnebago County, Wisconsin

Enclosures

Drafted by: Darryn Burich, Community Development

*App'd 5-0*

*0-5*

JANUARY 22, 2013  
FIRST READING

FEBRUARY 12, 2013  
SECOND READING

13-42 13-64

ORDINANCE  
CONT'D

(CARRIED 6-0 LOST \_\_\_\_\_ LAID OVER \_\_\_\_\_ WITHDRAWN \_\_\_\_\_)

PURPOSE: APPROVE VOLUNTARY ATTACHMENT REQUEST FROM  
TOWN OF NEKIMI / GABERT & RUSCH #1 ATTACHMENT –  
WEST & EAST OF USH 41, SOUTH OF WEST RIPPLE AVENUE

INITIATED BY: GABERT & RUSCH

A GENERAL ORDINANCE OF THE CITY OF OSHKOSH ATTACHING CERTAIN  
TERRITORY TO THE CITY OF OSHKOSH AND SPECIFICALLY TO THE 13TH WARD  
OF SAID CITY.

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

WHEREAS, the City of Oshkosh and Town of Nekimi have adopted a Cooperative Plan as set forth in s. 66.0307, Wis. Stats., and approved by the Wisconsin Department of Administration, that identifies areas within the Town of Nekimi as expansion areas to attach to the City of Oshkosh; and

WHEREAS, a voluntary attachment petition duly circulated has heretofore been signed by the owners of all the real property within such territory to be attached to the City of Oshkosh from the Town of Nekimi; and

WHEREAS, the proposed territory to be attached is located within the designated Expansion Area of the Town of Nekimi to the City of Oshkosh; and

WHEREAS, the property owners have requested temporary zoning of M-1 Light Industrial with a Planned Development Overlay; and

WHEREAS, the Town Clerk for the Town of Nekimi has been provided with written notice regarding the attachment in the time period specified by the approved Cooperative Plan; and

WHEREAS, the Town of Nekimi has not filed an objection to the attachment with the City.

NOW, THEREFORE, the Common Council of the City of Oshkosh do ordain as follows:

SECTION 1. The following described territory, pursuant to a duly filed voluntary attachment petition is hereby attached to and made part of the City of Oshkosh, a municipal corporation located in Winnebago County, more specifically to the 13th Ward of said City and subject to Wisconsin Statutes and the amendments thereto:



JANUARY 22, 2013  
FIRST READING

FEBRUARY 12, 2013  
SECOND READING

13-42 13-64

ORDINANCE  
CONT'D

ALL OF THE NORTHEAST ¼ OF THE NORTHWEST ¼ AND ALL OF THE NORTHWEST ¼ OF THE NORTHWEST ¼ AND PART OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 10 AND PART OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 9, ALL BEING IN TOWNSHIP 17 NORTH, RANGE 16 EAST, TOWN OF NEKIMI, WINNEBAGO COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 10; THENCE SOUTH 88°22'22" EAST, 2,620.81 FEET ALONG THE NORTH LINE OF THE NORTHWEST ¼ OF SAID SECTION 10; THENCE SOUTH 00°34'53" WEST, 1,328.57 FEET ALONG THE EAST LINE OF THE NORTHWEST ¼ OF SAID SECTION 10; THENCE NORTH 88°21'23" WEST, 2,386.40 FEET ALONG THE SOUTH LINE OF THE NORTH ½ OF THE NORTHWEST ¼ OF SAID SECTION 10 TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF POBEREZNY ROAD; THENCE SOUTH 00°28'50" WEST, 208.88 FEET ALONG THE EAST RIGHT-OF-WAY LINE OF POBEREZNY ROAD; THENCE SOUTH 00°57'05" EAST, 200.06 FEET ALONG THE EAST RIGHT-OF-WAY LINE OF POBEREZNY ROAD; THENCE SOUTH 00°28'58" WEST, 187.94 FEET ALONG THE EAST RIGHT-OF-WAY LINE OF POBEREZNY ROAD; THENCE NORTH 89°07'53" WEST, 248.85 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 10; THENCE CONTINUING NORTH 89°07'53" WEST, 450.00 FEET, THENCE NORTH 00°50'00" EAST, 600.00 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SAID SECTION 9; THENCE SOUTH 89°07'53" EAST, 450.00 FEET ALONG SAID NORTH LINE TO THE NORTHEAST CORNER OF SAID SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SAID SECTION 9, ALSO BEING A POINT ON THE WEST LINE OF SAID SECTION 10; THENCE NORTH 00°50'00" EAST, 1,327.73 FEET ALONG THE WEST LINE OF SAID SECTION 10 TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 3,900,397 SQUARE FEET OR 89.5408 ACRES, MORE OR LESS.

SECTION 2. Sections 1-28 and 1-29 of the Oshkosh Municipal Code pertaining to Boundaries, Wards, Polls, Benchmarks are hereby amended so as to reflect the provisions of this Ordinance and the proper City officials are hereby authorized and directed to make such changes.

SECTION 3. The proper City officials are hereby authorized and directed to comply with the following requirements of Section 66.0217(9)(a) and 66.0307(10) of the Wisconsin Statutes and the City Clerk shall give written notice to the Secretary of State.

SECTION 4. Said property hereinabove described is hereby zoned M-1 Light Industrial with a Planned Development Overlay.

SECTION 5. This Ordinance shall be in full force and effect on the Sunday after its passage and publication.


SECTION 6. Publication Notice. Please take notice that the City of Oshkosh enacted Ordinance #13-64 APPROVE VOLUNTARY ATTACHMENT REQUEST FROM TOWN OF NEKIMI / GABERT & RUSCH #1 ATTACHMENT – WEST & EAST OF USH 41, SOUTH OF WEST RIPPLE AVENUE on February 12, 2013. The full text of the Ordinance may be obtained at the Office of the City Clerk, 215 Church Ave. and on the City's website at [www.ci.oshkosh.wi.us](http://www.ci.oshkosh.wi.us). Clerk's phone: (920) 236-5011.

STATE OF WISCONSIN     )  
COUNTY OF WINNEBAGO   ) SS  
CITY OF OSHKOSH         )

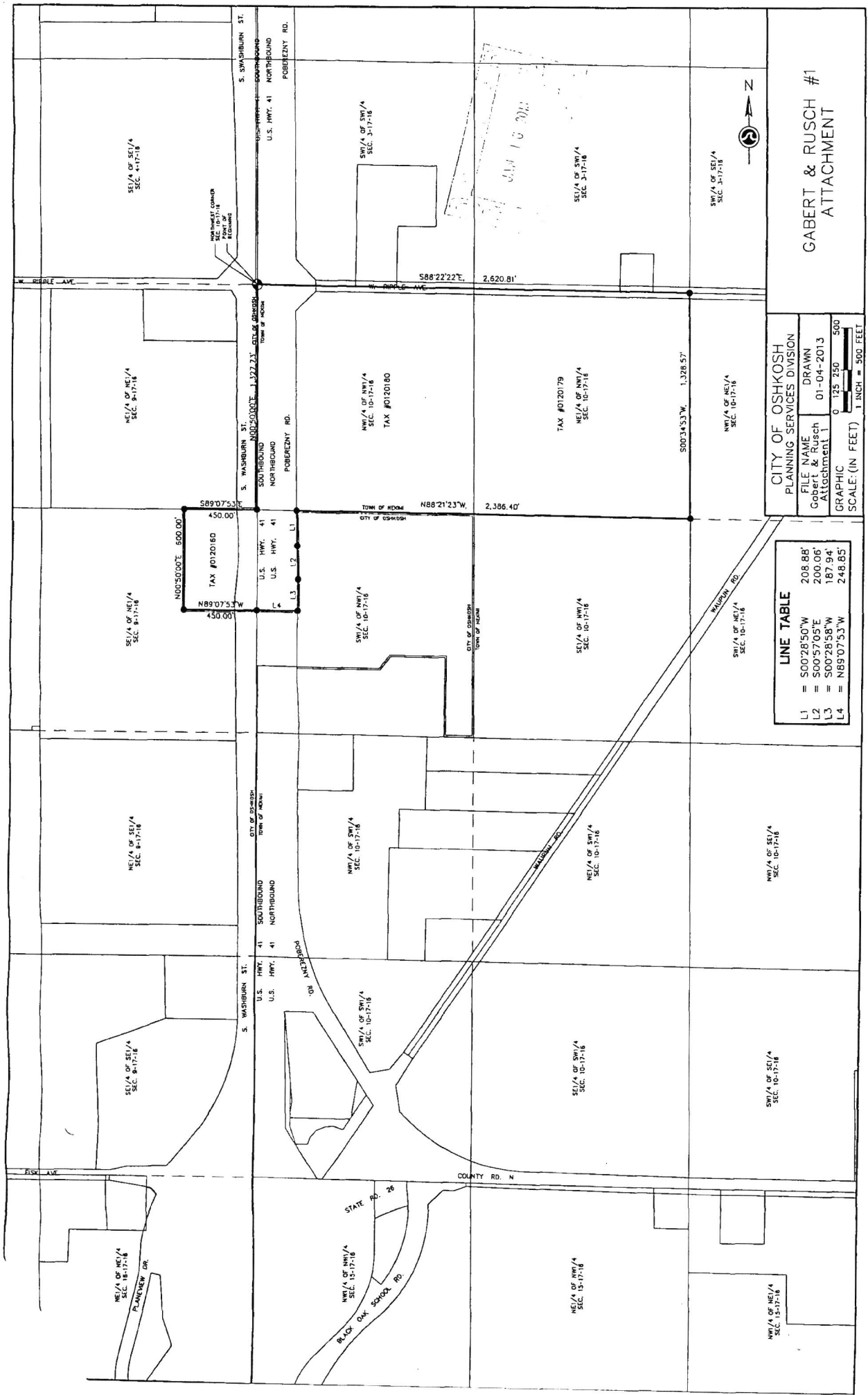
I, PAMELA R. UBRIG, City Clerk for the City of Oshkosh, Winnebago County, Wisconsin, do hereby certify that the foregoing ordinance (13-64) is a true and correct copy of the original on file in my office, adopted by the Common Council of the City of Oshkosh, Wisconsin at the meeting held on February 12, 2013.

Witness my hand and the Corporation seal of the City of Oshkosh, Wisconsin.

DATED:     February 25, 2013



City Clerk of the City of Oshkosh,  
Winnebago County, Wisconsin



CITY OF OSHKOSH  
 PLANNING SERVICES DIVISION  
 FILE NAME DRAWN  
 Gabert & Rusch 01-04-2013  
 Attachment  
 GRAPHIC SCALE: (IN FEET) 1 INCH = 500 FEET

**LINE TABLE**

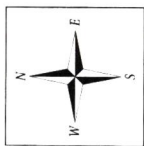
L1	=	S00°28'50"W	208.88'
L2	=	S00°57'05"E	200.06'
L3	=	S00°28'58"W	187.94'
L4	=	N89°07'53"W	248.65'

GABERT & RUSCH #1  
 ATTACHMENT



# Request to Remove Attached/Annexed Area from Town/County Zoning Map

City of Oshkosh  
 Ordinance #13-64  
 Subject Parcel(s):  
 0120160 / 012016001 /  
 0120179 / 0120180 /  
 012018001 / 012018101(P)



Winnebago County  
 WINGS Project

Scale  
 1 inch : 500 feet

Chapter 23 Zoning Districts			
R-1	PDD	B-1	I-1
R-2	R-8	B-2	I-2
R-3	A-1	B-3	M-1
R-4	A-2		

Chapter 17 Zoning Districts			
R-1	MH-1	B-1	B-4
R-2	A-1	B-2	B-5
R-3	A-2	B-3	M-1
R-4	A-2 (ADD)	B-3 (HB)	M-2
R-5	P-1	B-3 (HB-AEO)	EXT

INCORPORATED AREA





**Request to Remove Attached/Annexed  
Area from Town/County Zoning Map**

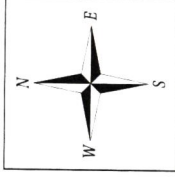
**City of Oshkosh: Ordinance #13-64**

**Subject Parcel(s):**

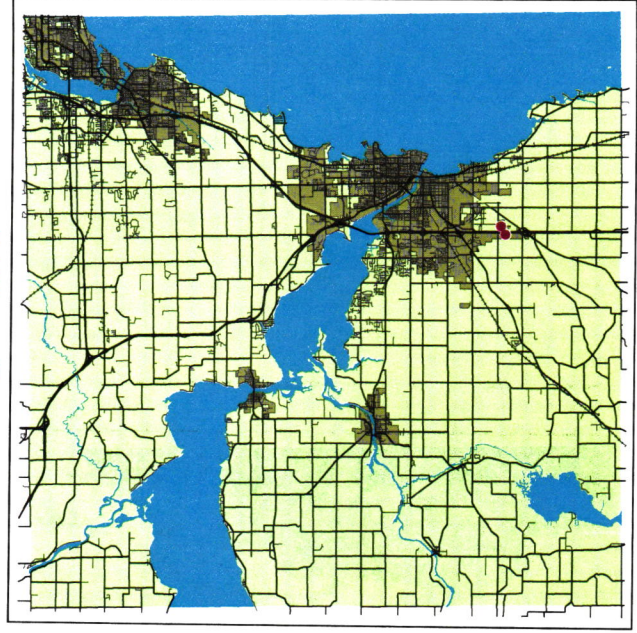
**0120160 / 012016001 / 0120179 /**

**0120180 / 012018001 / 012018101(P)**

*Winnebago County  
WINGS Project*

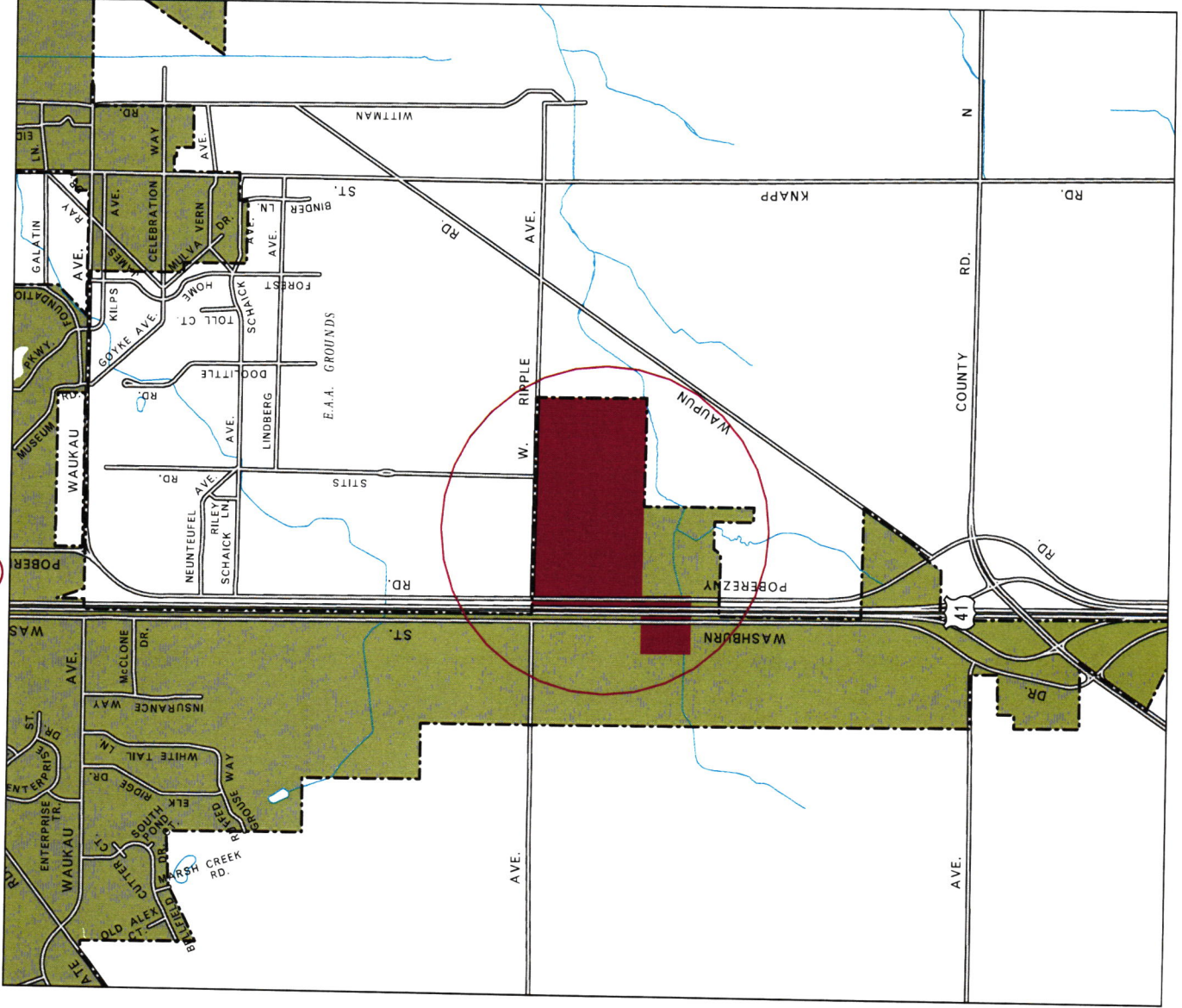


● = SITE



WINNEBAGO COUNTY

○ = SITE



Scale 1 inch : 2000 feet