

TO THE WINNEBAGO COUNTY BOARD SUPERVISORS

Your Planning and Zoning Committee begs leave to report:

WHEREAS, it has reviewed the Certificate of Incorporation filed with the Winnebago County Zoning Office by:

the Town of Menasha for a portion of the Town of Menasha, and

WHEREAS, a Planning Meeting was held on July 8, 2016, pursuant to meeting agenda notice as provided by as on the following:

PROPERTY INFORMATION:

Owner(s) of Property: Multiple owners in a portion of the Town of Menasha

Location of Premises Affected: All those parcels in the Town of Menasha lying west of the east shoreline of Little Lake Butte des Morts and the Fox Fiver

Legal Description: Multiple - see attached list of legal descriptions

WHEREAS,

Applicant is requesting Incorporation to the Village of Fox Crossing,

And

WHEREAS, we received notification from the Town of Menasha of a Certificate of Incorporation for the Incorporation of the Village of Fox Crossing referenced above,

And

WHEREAS, property has been incorporated to the Village of Fox Crossing as noted on the Certificate of Incorporation filed with the Wisconsin Department of Administration.

And

WHEREAS, said Certificate of Incorporation 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 Town of Menasha adopted said Incorporation of the subject property effective April 20, 2016,

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 incorporated to the Village of Fox Crossing as noted on the Certificate of Incorporation filed with the Wisconsin Department of Administration.

Findings were made in consideration of Section 66.0211(5).

NOW THEREFORE BE IT RESOLVED, that this committee hereby reports our findings for your consideration and is hereby recommending Approval by a vote of 4-0-1.

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

For the Planning and Zoning Committee

AMENDATORY ORDINANCE # 07-05-16

The Winnebago County Board of Supervisors do ordain the Incorporation of the Village of Fox Crossing as follows:

Multiple - see attached list of legal descriptions

FROM: a portion of the Town of Menasha

TO: the Village of Fox Crossing

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

County Board Supervisory district 28



Winnebago County

Zoning Department

The Wave of the Future

MEMO FOR P & Z PLANNING MEETING AGENDA OF JULY 8, 2016

TO: Planning & Zoning Committee

FM: Zoning Administrator

RE: Review of County Zoning Changes due to Annexation

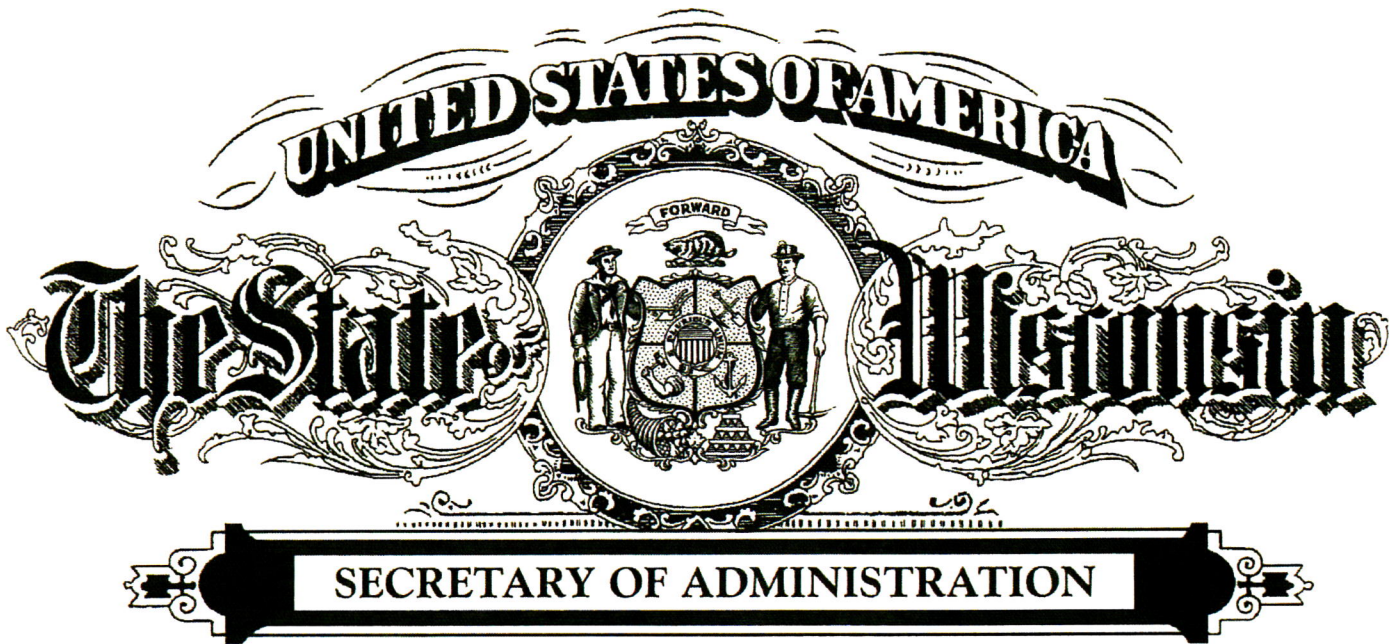
1. See attached list.

Pursuant to Chapter 23, Article 7, Division 2 of the Winnebago County Town / County Zoning Code, annexations must be approved by the Winnebago County Board of Supervisors in order to effectuate the amendment(s) to the official Town / County Zoning Map. The zoning office received notification from the City of Oshkosh and the Village of Fox Crossing approving annexations / attachments / incorporation as described in attachments as listed below.

1. Grota Voluntary Delayed Attachment – Doc. 1448325
2. Purtell Voluntary Attachment – Doc. 1692389
3. Storm Water Utility #3 Annexation – Doc. 1703329
4. Incorporation of Village of Fox Crossing – Winnebago County

RECOMMENDATION: Approval

Approved ⁴ 5-0-1



CERTIFICATE OF INCORPORATION

VILLAGE OF FOX CROSSING

WINNEBAGO COUNTY, WISCONSIN

I, Scott A. Neitzel, Secretary of Administration and Custodian of the Records relating to incorporations of villages and cities, **DO HEREBY CERTIFY THAT:**

WHEREAS, The Town Clerk of the Town of Menasha, Karen Backman, did, on the 14th day of April, 2016 submit to the Secretary of Administration documents pertaining to the incorporation of a portion of the Town of Menasha as a village under the provisions of §66.0211 Wisconsin Statutes, and the Town Clerk of the Town of Menasha certified on April 11, 2016 that pursuant to the return of votes cast at the election held on April 5, 2016 and canvassed on the 11th day of April 2016, on the question of whether a portion of the Town of Menasha should be incorporated as a village, a majority of the votes were cast in favor of a village as follows:

FOR the village: 3566

AGAINST the village: 589

The territory for incorporation as the Village of Fox Crossing has an estimated population of 10,649 persons.

NOW, THEREFORE, I, SCOTT A. NEITZEL, Secretary of Administration, pursuant to Wisconsin Statutes 66.0211, do hereby declare that the area, as described in the attached legal description and map, and situated in the County of Winnebago, State of Wisconsin, is duly incorporated as a village and that from henceforth the said village shall be known as the:

VILLAGE OF FOX CROSSING

and be governed by the provisions of Chapter 66 of the Wisconsin Statutes and Laws amendatory thereof and supplementary thereto.

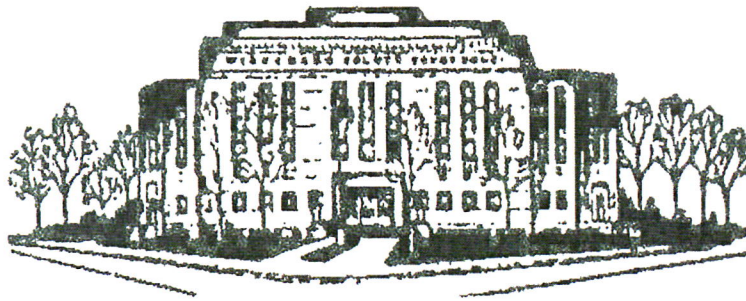
IN TESTIMONY WHEREOF, I have hereunto set my hand in the City of Madison, this 20th day of April, 2016.

A handwritten signature in blue ink that reads 'Scott A. Neitzel'.

Scott A. Neitzel

Secretary of Administration

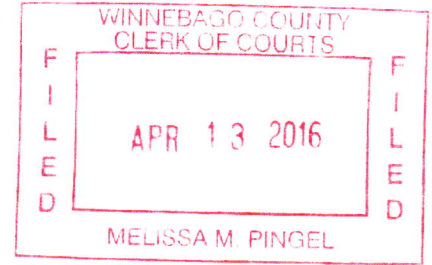
Melissa M. Pingel
Clerk of Court



Telephone

Oshkosh (920) 236-4848
Neenah (920) 727-2880
Fax (920) 424-7780

Winnebago County Clerk of Court
415 Jackson St - PO Box 2808
Oshkosh WI 54903-2808



April 13, 2016

Mr. Scott Neitzel
Secretary of Administration
10th Floor, 101 E. Wilson Street
P.O. Box 7864
Madison, WI 53707-7864

RE: Incorporation of the Village of Fox Crossing
Case No. 15 CV 452

Dear Secretary Neitzel:

On February 1, 2016, the Wisconsin Department of Administration issued its Determination allowing for a portion of the Town of Menasha in Winnebago County to be incorporated as a Village to be known as the Village of Fox Crossing. The decision was subject to an Incorporation Referendum, which was held within the area to be incorporated on April 5, 2016. Of the 4,155 votes cast, there were 3,566 in favor of the Village and 589 votes in opposition.

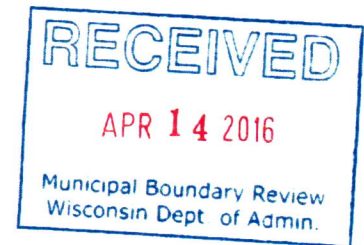
Pursuant to sec. 66.0211(5), enclosed please find Certification of the election results and population which I am submitting to your office. Attached as exhibits to the Certification is a copy of the description of the legal boundaries of the Village, and a copy of the plat of the Village.

I am further enclosing four additional signed copies of the Certification and the attachments so as to enable your office to provide two such copies to the Department of Transportation and one copy each to the Department of Administration and the Department of Revenue.

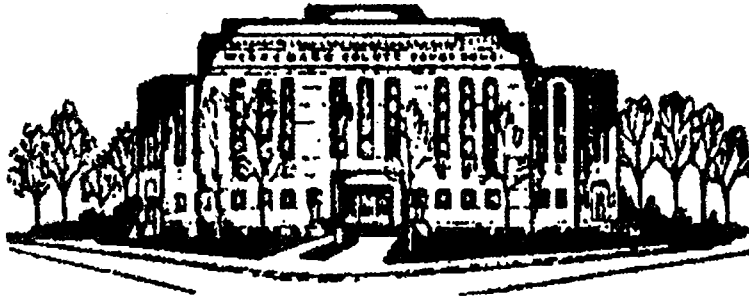
It has been requested by representatives of the Village that your office issue the Certificate of Incorporation on April 20, 2016. The County Clerk has already set a date for the first Village election, which must occur between 40 and 50 days after the Certificate of Incorporation is filed.

APR 14 2016

Secretary's Office
Department of Administration



Melissa M. Pingel
Clerk of Court

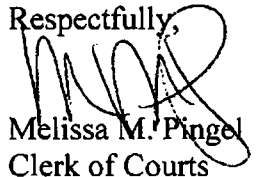


Telephone
Oshkosh (920) 236-4848
Neenah (920) 727-2880
Fax (920) 424-7780

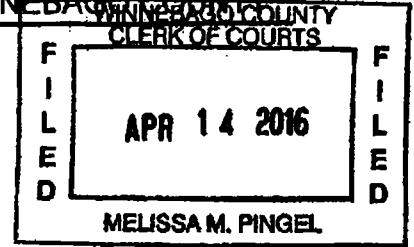
Winnebago County Clerk of Court
415 Jackson St - PO Box 2808
Oshkosh WI 54903-2808

If there is further information or documentation needed, please do not hesitate to contact me at 920-236-4849.

Respectfully,


Melissa M. Pingel
Clerk of Courts
Winnebago County
Encls.

cc: Atty. Andrew J. Rossmeissl
Karen Backman, Town of Menasha Clerk
Clerk of Courts (Case file, Winnebago County Case No. 15-CV-452)



In the Matter of INCORPORATION
OF A PORTION OF LANDS COMPRISING
THE TOWN OF MENASHA, Winnebago County,

As a village Pursuant to the Provisions of
Ch. 66, Wisconsin Statutes.

Case No. 15-CV-452

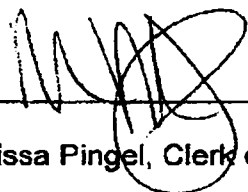
**AMENDED CERTIFICATION THAT MAJORITY OF VOTES IN INCORPORATION
REFERENDUM CAST IN FAVOR OF VILLAGE**

I, Melissa Pingel, Clerk of Courts for Winnebago County, Wisconsin, by the powers vested in me pursuant to Wisconsin Statute 66.0211(5), do hereby certify that the majority of the votes cast in an Incorporation Referendum were in favor of a Village. The population of the Village of Fox Crossing is 10,649. Said Incorporation Referendum occurred on April 5, 2016, in the Town of Menasha pursuant to an Order filed on February 11, 2016, in Winnebago County Circuit Court under Case No. 15-CV-452.

3,566 votes were cast in favor of a village and 589 votes were cast against a village.

Attached hereto, is a certification of the Board of Canvassers and a Summary Statement of the Board of Canvassers pertinent to the subject referendum.

Dated: April 14, 2016

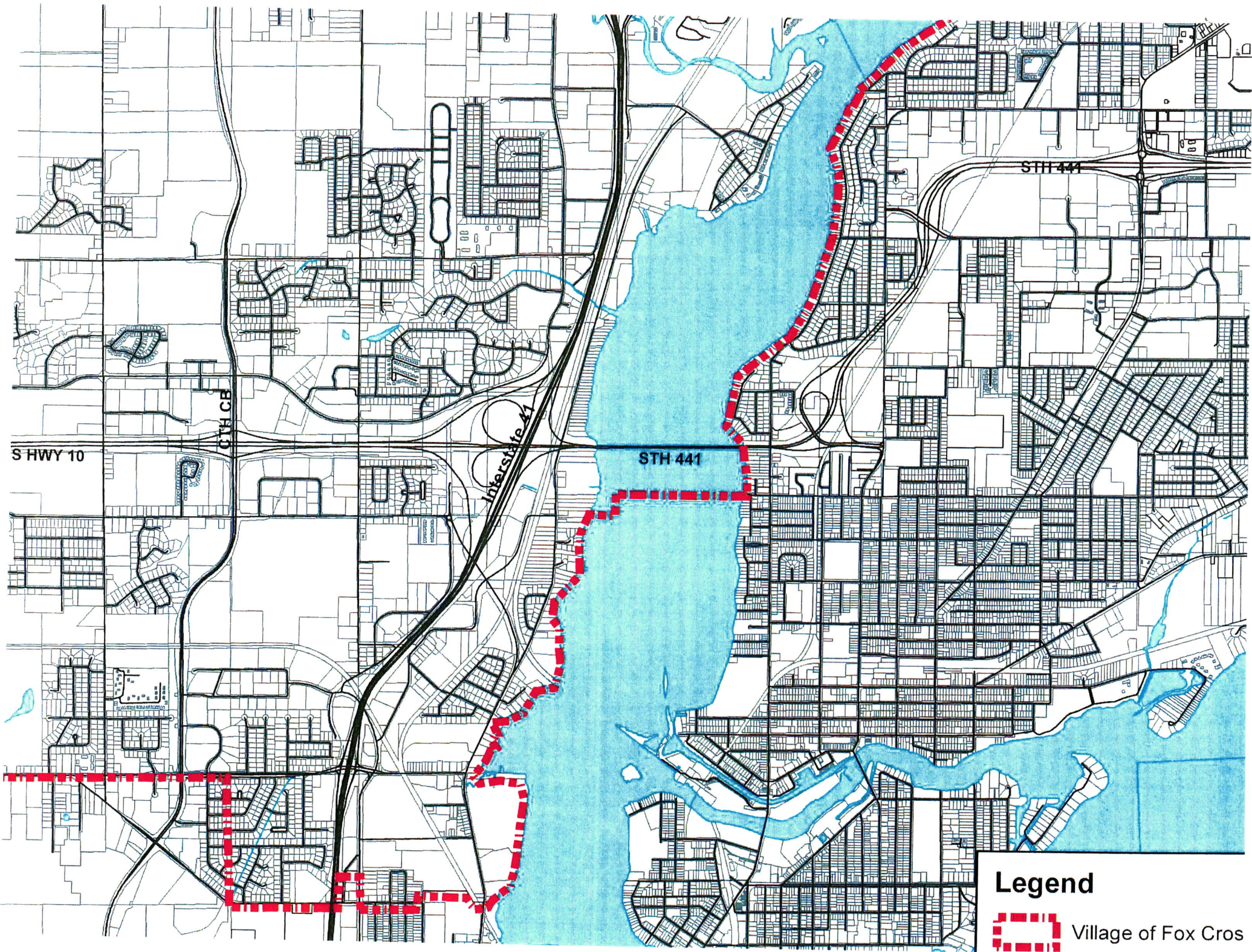


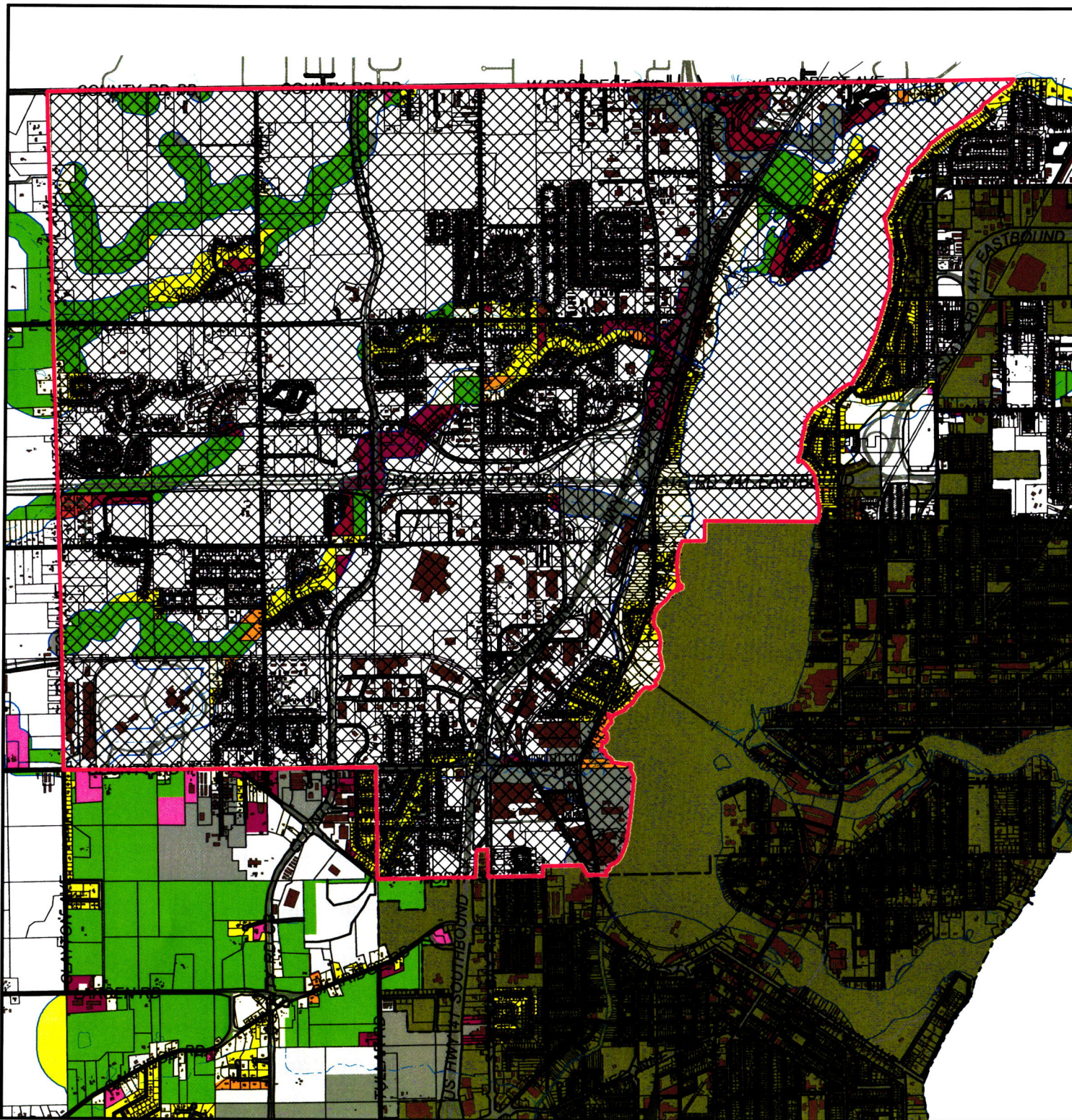
Melissa Pingel, Clerk of Courts

**A LEGAL DESCRIPTION FOR THE VILLAGE OF FOX CROSSING
TOWN OF MENASHA'S INCORPORATION OF LANDS WEST OF THE EAST SHORE OF THE FOX
RIVER AND WEST OF THE EAST SHORE OF LITTLE LAKE BUTTE DES MORTS**

A PARCEL OF LAND BEING PART OF SECTIONS 2, 3, 10, 16, 20 AND 21 AND ALL OF SECTIONS 4, 5, 6, 7, 8, 9, 17 AND 18, ALL IN TOWNSHIP 20 NORTH, RANGE 17 EAST, TOWN OF MENASHA, WINNEBAGO COUNTY, WISCONSIN, BEING MORE FULLY DESCRIBED AS FOLLOWS:

**BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID SECTION 2 WITH THE LOW WATERLINE OF THE EASTERLY SHORE OF THE FOX RIVER;
THENCE WESTERLY, 24,000 FEET MORE OR LESS ALONG THE NORTH LINES OF SECTIONS 2 THRU 6 TO THE NORTHWEST CORNER OF SAID SECTION 6;
THENCE SOUTHERLY, 16,095.12 FEET ALONG THE WEST LINES OF SECTIONS 6, 7 AND 18 TO THE SOUTHWEST CORNER OF SAID SECTION 18;
THENCE EASTERLY 7,492.38 FEET ALONG THE SOUTH LINE OF SAID SECTION 18 AND THE NORTH LINE OF SECTION 20 TO THE NORTHWEST CORNER OF THE NORTHEAST ¼ OF SAID SECTION 20;
THENCE SOUTHERLY ALONG THE WEST LINE OF SAID NORTHEAST ¼ OF SECTION 20 TO THE SOUTHWEST CORNER THEREOF;
THENCE EASTERLY ALONG THE SOUTH LINE OF SAID NORTHEAST ¼ OF SECTION 20 TO THE EASTERLY RIGHT-OF-WAY OF U.S.H. "41";
THENCE NORTHERLY ALONG THE EASTERLY RIGHT-OF-WAY LINE OF U.S.H. "41" AND THE WESTERLY RIGHT-OF-WAY LINE OF RIDGEWAY ROAD TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF RIDGEWAY ROAD WHICH IS 654.00 FEET NORTH OF SAID SOUTH LINE OF THE NORTHEAST ¼ OF SECTION 20;
THENCE EASTERLY ALONG A LINE BEING 654.00 FEET NORTH OF AND PARALLEL WITH SAID SOUTH LINE OF THE NORTHEAST ¼ OF SECTION 20 TO THE EAST LINE OF SAID SECTION 20;
THENCE SOUTHERLY 654.00 FEET ALONG THE EAST LINE OF SAID SECTION 20 TO THE SOUTHEAST CORNER OF SAID NORTHEAST ¼ OF SECTION 20;
THENCE EASTERLY, 1271.69 FEET ALONG THE SOUTH LINE OF THE NORTHWEST ¼ OF SECTION 21 TO A POINT 30 FEET WEST OF THE SOUTHEAST CORNER OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SAID SECTION 21;
THENCE NORTHERLY, 235.62 FEET ALONG A LINE 30 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 21;
THENCE EASTERLY ALONG A LINE BEING 235.62 FEET NORTH OF AND PARALLEL WITH SAID SOUTH LINE OF THE NORTHWEST ¼ OF SECTION 21 TO THE WESTERLY RIGHT-OF-WAY LINE OF THE WISCONSIN CENTRAL RAILROAD;
THENCE SOUTHEASTERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE TO THE SOUTH LINE OF SAID NORTHWEST ¼ OF SECTION 21;
THENCE EASTERLY 500 FEET MORE OR LESS ALONG THE SOUTH LINE OF SAID NORTHWEST ¼ AND THE SOUTH LINE OF THE NORTHEAST ¼ OF SAID SECTION 21 TO THE LOW WATERLINE OF THE WESTERLY SHORE OF LITTLE LAKE BUTTE DES MORTS;
THENCE NORTHERLY ALONG SAID LOW WATERLINE OF THE WESTERLY SHORE OF LITTLE LAKE BUTTE DES MORTS TO THE NORTH LINE OF SAID SECTION 16;
THENCE EASTERLY ALONG THE NORTH LINE OF SAID SECTION 16 TO THE NORTHEAST CORNER OF SECTION 16;
THENCE CONTINUING EASTERLY ALONG THE SOUTH LINE OF SAID SECTION 10 TO THE LOW WATERLINE OF THE EASTERLY SHORE OF SAID LITTLE LAKE BUTTE DES MORTS;
THENCE NORTHERLY ALONG SAID LOW WATERLINE OF THE EASTERLY SHORE OF LITTLE LAKE BUTTE DES MORTS AND THE LOW WATERLINE OF THE EASTERLY SHORE OF THE FOX RIVER TO THE POINT OF BEGINNING.**



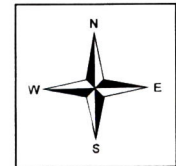


Request to Remove Incorporated Area from Town/County Zoning Map

Village of Fox Crossing Incorporation

Subject Parcel(s):

All those parcels in the Town of Menasha lying west of the east shoreline of Little Lake Butte des Morts and the Fox River



Winnebago County
WINGS Project

Scale
1 inch : 3,300 feet

County Zoning Districts

R-1	PDD	B-1
R-2	A-1	B-2
R-3	A-2	B-3
R-4	I-1	M-1
R-8	I-2	Town Zoning

City of Oshkosh Extraterritorial Zoning Jurisdiction

Incorporated Area

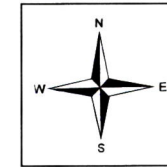
○ = SITE

Request to Remove Incorporated Area from Town/County Zoning Map

Village of Fox Crossing Incorporation

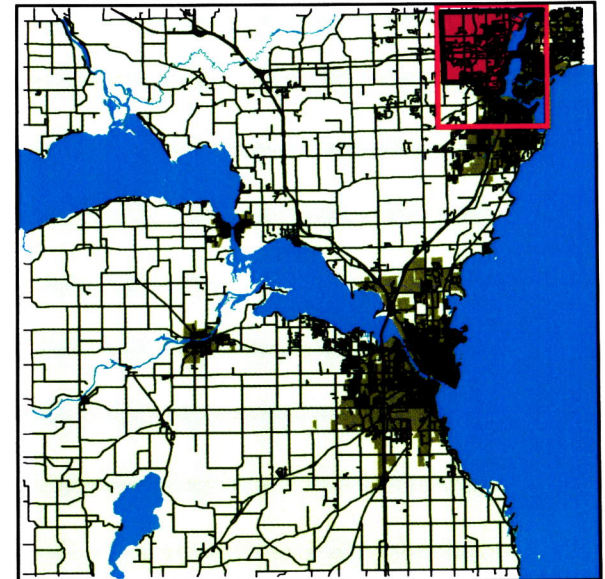
Subject Parcel(s):

All those parcels in the Town of Menasha lying west of the east shoreline of Little Lake Butte des Morts and the Fox River

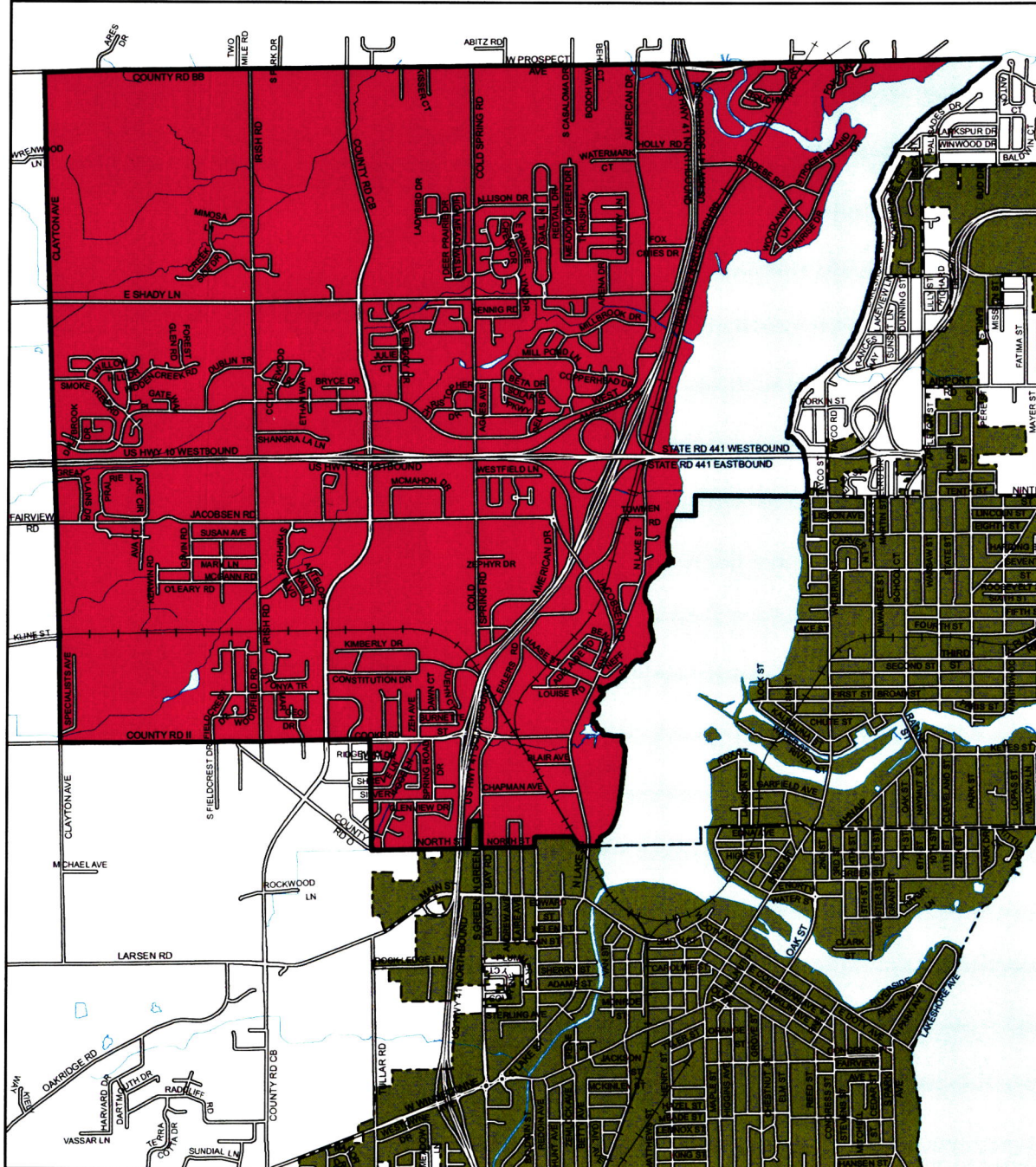


Winnebago County
WINGS Project

● = SITE



WINNEBAGO COUNTY



1 inch : 4,000 feet