

ADOPTED: December 2, 2020
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Office of the City Clerk

131-20

**AN ORDINANCE MODIFYING THE BOUNDARIES
INCLUDED IN THE AGREEMENT WITH
THE TOWN OF BUCHANAN**

The Common Council of the City of Appleton does ordain as follows:

Section 1. Territory Modified. In accordance with §66.0301(6)(c) of the Wisconsin Statutes and the intergovernmental cooperation agreement between the Town of Buchanan and the City of Appleton, the Town and the City hereby establish the boundary line separating the Town and the City, in Outagamie County, Wisconsin, lying contiguous to both the City of Appleton and the Town of Buchanan:

All of Lot 1 and part of Lot 2 of Certified Survey Map No. 1716 and part of Government Lots 1, 2, 3, 4 and 5 of Section 29, Township 21 North, Range 18 East, Town of Buchanan, Outagamie County, Wisconsin, containing 8.0 Acres m/l and being further described by:

Commencing at a meander corner in the East line of Section 29 said corner located in Newberry Street (aka Kimberly Avenue, aka C.T.H. "Z") and the Northerly extension of the centerline of Marcella Street;

Thence South 00°14'00" West 35.58 feet along a Southerly extension of the East line of Section 29 to the Northeasterly extension of the Southerly line of Newberry Street;
Thence South 68°15'53" West 43.11 feet m/l along the Northeasterly extension of the Southerly line of Newberry Street to the West line of Marcella Street and being the point of beginning;

Thence continue South 68°15'53" West 365.13 feet m/l along said extension and said Southerly line to the East line of Outagamie County Certified Survey Map No.494;
Thence South 00°00'00" East 331.23 feet along the East line of Outagamie County Certified Survey Map No.494 to the Southeast corner thereof;

Thence South 68°15'53" West 380.50 feet along the Southerly line of Outagamie County Certified Survey Map No.494 to the West line thereof and also the East line of lands described in 316d105 of the Outagamie County Register of Deeds Office;

Thence North 00°00'00" East 171.76 feet m/l along the West line of Certified Survey Map No. 494, to a point lying 195.00 feet Southerly of the centerline of Newberry Street;

Thence South 68°15'53" West 131.00 feet m/l parallel to the centerline of said Newberry Street to the East line of Government Lot 3 of said Section 29;
Thence North 00°00'00" East 159.47 feet m/l along the East line of Government Lot 3 of said Section 29 to the Southerly line of Newberry Street;
Thence South 68°15'53" West 1332.61 feet m/l along the Southeasterly line of Newberry Street to its intersection with the East line Government Lot 6, said Section 29;
Thence South 00°13'19" East 570.19 feet m/l along said East line to the South line of the Wisconsin Central Railway Limited;
Thence North 83°21'14" East 260.77 feet m/l along the South line of the Wisconsin Central Railway Limited to its intersection with a line lying 150.00 feet West of and parallel to the West line of Government Lot 4;
Thence North 00°05'36" East 100.70 feet m/l along said parallel line to the North line of the Wisconsin Central Railway Limited;
Thence South 83°21'14" West 6.38 feet along the North line of the Wisconsin Central Railway Limited;
Thence North 00°05'36" East 302.28 feet m/l parallel to Kensington Drive to the Southwesterly extension of a Northerly line of Lot 2 of Certified Survey Map No. 1716;
Thence North 68°20'36" East 136.02 feet to a Northerly line of Lot 2 of Certified Survey Map No. 1716 and then along said Northerly line and also being parallel to Newberry Street to the West line of Kensington Drive;
Thence North 87°28'35" East 60.07 feet to the East line of Kensington Drive;
Thence North 83°17'14" East 160.00 feet;
Thence North 00°05'36" East 124.73 feet parallel to Kensington Drive;
Thence North 68°15'53" East 45.56 feet m/l parallel to Newberry Street to the Southwest corner of lands described In Jacket 11476, Image 14;
Thence North 00°05'36" East 181.15 feet m/l along the West line of said lands to the Southeasterly line of Newberry Street;
Thence North 68°15'53" East 424.21 feet m/l along said Southeasterly line to the East line of lands described in Document No. 999489;
Thence South 00°00'43" West 208.70 feet along said East line to the Northerly line of Certified Survey Map No. 382;
Thence North 68°15'53" East 215.49 feet m/l along the North line of said Certified Survey Map No. 382 to the East line of Government Lot 3 of Section 29, Township 21 North, Range 18 East;
Thence South 00°00'00" West 122.53 feet along said East line to the extended South line of Certified Survey Map No. 494;
Thence North 68°15'53" East 101.00 feet along said extension;
Thence South 21°44'07" East 30.00 feet to a line lying 30.00 feet South of and parallel to said Certified Survey Map No. 494;
Thence North 68°15'53" East 429.33 feet m/l along said parallel line to a line lying 30.00 feet East of and parallel to Certified Survey Map No. 494;
Thence North 00°00'00" West 331.73 feet m/l along said parallel line to a line lying 30.00 feet South of and parallel to the South line of Newberry Street;
Thence North 68°15'53" East 332.79 feet m/l along said parallel line to the West line of Marcella Street;

Thence North 00°12'51" East 32.34 feet along the West line of Marcella Street to the point of beginning.

Being all of Tax parcels 030046101, 030046300, 030046200, 030046100, 030046102, 030045700, 030045800, 030043900, 030044300, 030044800, 030044900, 030045000, part of Wisconsin Central Railroad Ltd. lands adjacent to parcel 030046101 that is not currently within the City of Appleton corporate limits and that part of Kensington Drive not currently within the City of Appleton corporate limits.

The above-described properties shall be included within the boundaries of the City of Appleton, Outagamie County, Wisconsin.

Section 2. Effect of Boundary Modification. From and after the date of this ordinance, the territory described in Section 1 shall be a part of the City of Appleton 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 City of Appleton.

Section 3. Ward Designation. The territory described in Section 1 of this ordinance Area 1 is hereby made a part of the Sixty-third (63rd) Ward, attached to this Third (3rd) Aldermanic District and Area 2 is hereby made a part of the Fifty-ninth (59th) Ward, attached to the Third (3rd) Aldermanic District of the City of Appleton, Outagamie County, subject to the ordinances, rules and regulations of the City governing wards.

Section 4. Zoning Classification (pursuant to attached zoning map). The territory described in Section 1 is hereby zoned as follows, pursuant to §66.0301(6)(e), Stats., and §23-65(e), Appleton Municipal Code:

AREA 1: R-1A Single-Family District, R-1B Single-Family District, M-2 General Industrial District, as identified on the attached map.

AREA 2: R-1B Single-Family District, M-2 General Industrial District, as identified on the attached map.

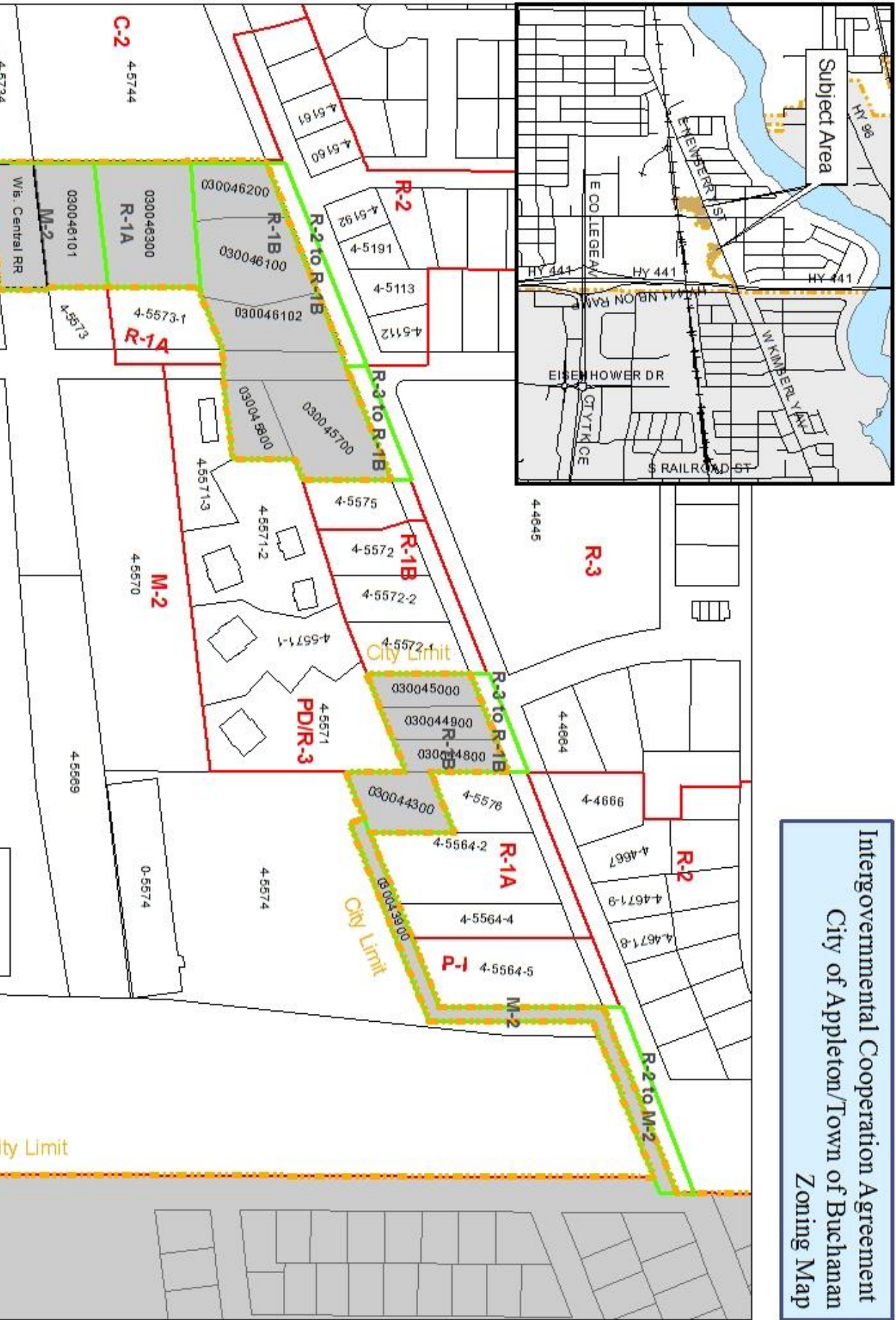
Section 5. Severability. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this ordinance, which can be given without the invalid or unconstitutional provision or application.

Section 6. Effective Date. This ordinance shall take effect upon passage and publication.

Dated: December 2, 2020

Jacob A. Woodford, Mayor
CityLaw A20-0249/19-1150

Kami Lynch, City Clerk



Intergovernmental Cooperation Agreement
 City of Appleton/Town of Buchanan
 Zoning Map

