

**ADOPTED: June 3, 2020**  
**PUBLISHED: June 8, 2020**  
Office of the City Clerk

**75-20**

**AN ORDINANCE AMENDING CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON AND THE OFFICIAL ZONING MAP WHICH IS A PART THEREOF, BY MAKING THE FOLLOWING CHANGES IN THE DISTRICT AS NOW PROVIDED.**

(City Plan Commission 06/03/2020)

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

**Section 1:** That Zoning Ordinance, Chapter 23 of the Municipal Code of the City of Appleton and the Official Zoning Map, which is a part thereof, is amended by making the following changes:

To rezone lands located in the general area of the new residential subdivision called the Third Addition to Clearwater Creek Subdivision along North Haymeadow Avenue and East Spartan Drive that includes:

Part of Tax Id #6-6201-00: From (AG) Agricultural District, (PD/R-2) Planned Development Two-family District and (PD/R-3) Planned Development Multi-family District to the (R-1B) Single-family District;

Part of Tax Id #6-6200-00: From (AG) Agricultural District to the (R-1B) Single-family District;

All of Tax Ids #6-6202-27 and 6-6202-28: From (PD/R-3) Planned Development Multi-family District to (R-1B) Single-family District;

Part of Tax Id #6-6202-29: From (P-I) Public Institutional District to the (R-1B) Single-family District; and

Part of Tax Id #6-6001-02: From (PD/R-3) Planned Development Multi-family District to the (R-1B) Single-family District, including the road right-of-way of Haymeadow Avenue and Spartan Drive.  
(Rezoning #1-20 – Clearwater Creek, LLC (Robert DeBruin))

**LEGAL DESCRIPTION:**

PART OF LOT 2 OF CERTIFIED SURVEY MAP NO. 3927 FILED IN VOLUME 21

OF CERTIFIED SURVEY MAPS ON PAGE 3927 AS DOCUMENT NO. 1388606, PART OF OUTLOT 2 CERTIFIED SURVEY MAP NO. 7315 FILED IN VOLUME 44 OF CERTIFIED SURVEY MAPS ON PAGE 7315 AS DOCUMENT NO. 2095051, PART OF OUTLOT 1 CERTIFIED MAP NO. 7827 FILED AS DOCUMENT NO. 2177075, BEING PART OF THE SOUTHWEST 1/4 OF THE FRACTIONAL NORTHEAST 1/4 AND ALSO BEING PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 2, TOWNSHIP 21 NORTH, RANGE 17 EAST, CITY OF APPLETON, OUTAGAMIE COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 15; THENCE NORTH 00 DEGREES 15 MINUTES 15 SECONDS EAST, ALONG THE WEST LINE OF THE SOUTHEAST 1/4 OF SECTION 2, A DISTANCE OF 1580.04 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 15 MINUTES 15 SECONDS EAST, CONTINUING ALONG THE WEST LINE OF SAID SOUTHEAST 1/4, A DISTANCE OF 1089.38 FEET TO THE CENTER OF SAID SECTION; THENCE SOUTH 89 DEGREES 40 MINUTES 21 SECONDS EAST, ALONG THE NORTH LINE OF THE SOUTHEAST 1/4 OF SAID SECTION, A DISTANCE OF 212.00 FEET; THENCE NORTH 00 DEGREES 15 MINUTES 15 SECONDS EAST, A DISTANCE OF 95.02 FEET; THENCE SOUTH 89 DEGREES 44 MINUTES 45 SECONDS EAST, A DISTANCE OF 127.75 FEET; THENCE NORTH 39 DEGREES 40 MINUTES 18 SECONDS EAST, A DISTANCE OF 113.31 FEET; THENCE NORTH 50 DEGREES 38 MINUTES 16 SECONDS EAST, A DISTANCE OF 563.50 FEET; THENCE SOUTH 00 DEGREES 19 MINUTES 45 SECONDS WEST, ALONG THE EAST LINE OF LOT 2 CERTIFIED SURVEY MAP NO. 3927, A DISTANCE OF 454.84; THENCE SOUTH 50 DEGREES 38 MINUTES 16 SECONDS WEST, A DISTANCE OF 290.53 FEET; THENCE SOUTH 43 DEGREES 34 MINUTES 56 SECONDS WEST, A DISTANCE OF 95.72 FEET; THENCE SOUTH 50 DEGREES 38 MINUTES 16 SECONDS WEST, A DISTANCE OF 190.00 FEET; THENCE SOUTH 73 DEGREES 01 MINUTES 34 SECONDS WEST, A DISTANCE OF 49.11 FEET; THENCE SOUTH 00 DEGREES 15 MINUTES 15 SECONDS WEST, A DISTANCE OF 100.20 FEET; THENCE SOUTH 39 DEGREES 21 MINUTES 44 SECONDS EAST, A DISTANCE OF 59.84 FEET; THENCE SOUTH 29 DEGREES 14 MINUTES 54 SECONDS EAST, A DISTANCE OF 60.95 FEET; THENCE SOUTH 50 DEGREES 38 MINUTES 16 SECONDS WEST, A DISTANCE OF 22.82 FEET; THENCE 88.74 FEET ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 280.00 FEET AND A CHORD THAT BEARS SOUTH 59 DEGREES 43 MINUTES 01.5 SECONDS WEST, A DISTANCE OF 88.37 FEET; THENCE NORTH 39 DEGREES 21 MINUTES 44 SECONDS WEST, A DISTANCE OF 31.78 FEET; THENCE 83.72 FEET ALONG A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 250.00 FEET AND A CHORD THAT BEARS SOUTH 80 DEGREES 39 MINUTES 38 SECONDS WEST, A DISTANCE OF 83.33 FEET; THENCE NORTH 89 DEGREES 44 MINUTES 45 SECONDS WEST, A DISTANCE OF 52.48 FEET TO A POINT ON THE CENTERLINE OF NORTH HAYMEADOW AVENUE; THENCE SOUTH 00 DEGREES 15 MINUTES 15 SECONDS WEST, ALONG THE CENTERLINE OF NORTH HAYMEADOW AVENUE, A DISTANCE OF 535.69; THENCE SOUTH 89 DEGREES 43 MINUTES 49 SECONDS WEST ALONG THE NORTH LINE OF LOT 121 SECOND ADDITION TO CLEARWATER CREEK, A

DISTANCE OF 182.01 FEET TO THE POINT OF BEGINNING. CONTAINING  
539,334 SQ.FT. [12.381 ACRES]

**COMMON DESCRIPTION:**

Generally located in the area of the new residential subdivision called the Third Addition to Clearwater Creek Subdivision along North Haymeadow Avenue and East Spartan Drive

**Section 2:** This Ordinance shall be in full force and effect from and after its passage and publication, and upon its passage and publication the Director of Community and Economic Development is authorized and directed to make the necessary changes to the Official Zoning Map in accordance with this Ordinance.

Dated: June 3, 2020

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Jacob A. Woodford, Mayor  
City Law A19-1150

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Kami Lynch, City Clerk

**ADOPTED: June 3, 2020**  
**PUBLISHED: June 8, 2020**  
Office of the City Clerk

**76-20**

**AN ORDINANCE ANNEXING TERRITORY  
TO THE CITY OF APPLETON, WISCONSIN.**

Plamann Park Annexation  
MBR No. 14303

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

**Section 1. Territory Annexed.** In accordance with §66.0217 of the Wisconsin Statutes for 2017 – 2018 and the *Unanimous Petition for Direct Annexation* filed with the City Clerk on April 22, 2020, the following described territory in the Town of Grand Chute, Outagamie County, Wisconsin, lying contiguous to the City of Appleton, is hereby annexed to the City of Appleton, Wisconsin:

*Part of the Fractional Northwest Quarter (NW ¼), the Fractional Northeast Quarter (NE ¼), the North One-Half (N ½) of the Southeast Quarter (SE ¼) and the North One-Half (N ½) of the Southwest Quarter (SW ¼) of Section One (1), Township Twenty-One (21) North, Range Seventeen (17) East, Town of Grand Chute, Outagamie County, Wisconsin containing 264 Acres of land more or less and described as follows:*

*Commencing at the Northwest corner of said Section 1 and being the point of beginning;*

*Thence South 89°22'34" East 876.10 feet coincident with the North line of the Fractional NW ¼ of said Section 1 to the Northeast corner of lands described in Volume 965 on Page 249 as Document No.689506 of the Outagamie County Register of Deeds Office;*

*Thence South 00°37'26" West 359.84 feet coincident with the East line of lands described in Volume 965 on Page 249 as Document No.689506 of the Outagamie County Register of Deeds Office;*

*Thence North 65°34'26" East 114.28 feet (recorded as N.65°32'E. 114.28 feet);*

*Thence North 88°29'26" East 335.01 feet (recorded as N.88°19'45"E. 335.00 feet);*

*Thence North 00°00'34" West 10.00 feet (recorded as N.00°10'15"W. 10.00 feet);*

*Thence South 89°22'34" East 666.37 feet (recorded as S.89°32'15"E. 666.00 feet);*

*Thence South 81°18'26" East 242.20 feet (recorded as S.81°29'15"E. 242.1 feet);*

*Thence North 00°02'58" West 323.00 feet (recorded as being the W/L of the E. 18.57 Acres of the NW ¼ Section 1) to the North line of the Fractional NW ¼ of Section 1;*

*Thence South 89°22'34" East 432.33 feet coincident with the North line of the Fractional NW ¼ of said Section 1 to the N ¼ Corner of said Section 1;*

*Thence South 89°33'20" East 2530.56 feet coincident with the North line of the Fractional NE ¼ of said Section 1 to the City of Appleton Corporate limits;*

*Thence South 00°26'40" West 33.00 feet coincident with the existing City of Appleton corporate limits;*

*Thence South 89°33'20" East 67.44 feet coincident with the existing City of Appleton corporate limits;*

*Thence South 00°06'49" East 755.52 feet coincident with the existing City of Appleton corporate limits;*

*Thence South 16°35'03" West 104.41 feet coincident with the existing City of Appleton corporate limits;*

*Thence South 00°06'49" East 412.49 feet coincident with the existing City of Appleton corporate limits to the Northwesterly line of Apple Creek Road;*

*Thence South 40°42'35" West 149.73 feet coincident with the Northwesterly line of Apple Creek Road to the most Easterly corner of Lot 1 of Parkview Terrace;*

*Thence North 13°31'25" West 783.40 feet, (recorded as North 12°45' West 783.40 feet) coincident with the Easterly line of Parkview Terrace to the most Easterly corner of Lot 7 of Parkview Terrace;*

*Thence North 76°49'25" West 984.00 feet, (recorded as North 76°03' West 984.00 feet) coincident with the Northerly line of Parkview Terrace and then the First Addition to Parkview Terrace to the Northwest corner of Lot 18 of the First Addition to Parkview Terrace;*

*Thence South 89°52'35" West 56.24 feet, (recorded as North 89°21' West 56.24 feet) coincident with the Northerly line of the First Addition to Parkview Terrace to the Northwest corner of Lot 19 of the First Addition to Parkview Terrace;*

*Thence South 00°07'25" East 902.00 feet, (recorded as South 00°39' West 902.0 feet) coincident with the West line of the First Addition to Parkview Terrace to the Southwest corner of Lot 24 of the First Addition to Parkview Terrace;*

*Thence North 89°52'35" East 56.24 feet, (recorded as South 89°21' East 56.24 feet) coincident with the South line of Lot 24 of the First Addition to Parkview Terrace;*

*Thence South 00°10' East 553.10 feet, coincident with the West line of the First Addition to Parkview Terrace and the extension thereof to the Northwest corner of the NE ¼ of the SE ¼ of Section 1, T.21N., R.17E, as surveyed and monumented;*

*Thence South 00°04' East 426.00 feet to the Southwest corner of a parcel of land in the North 3.5 Acres of the NE ¼ of the SE ¼ of said Section 1 as described in a Warranty Deed recorded as Document Number 2108886 of the Outagamie County Register of Deeds Office;*

*Thence North 89°56' East 150.09 feet coincident with the South line of a parcel of land in the North 3.5 Acres of the NE ¼ of the SE ¼ of said Section 1 as described*

*in a Warranty Deed recorded as Document Number 2108886 of the Outagamie County Register of Deeds Office to the Westerly line of Apple Creek Road;  
Thence South 33°16'52" West 96.32 feet coincident with the Westerly line of Apple Creek Road;  
Thence South 13°08'49" West 398.20 feet coincident with the Westerly line of Apple Creek Road to the North line of Certified Survey Map No.4591;  
Thence South 89°52'16" West 757.26 feet coincident with the North line of Certified Survey Map No.4591 to the Northwest corner thereof and also the East line of Parkview South;  
Thence North 01°11'22" East 350.75 feet coincident with the East line of Parkview South;  
Thence South 88°01'22" West 584.84 feet coincident with a North line of Parkview South;  
Thence North 00°12'38" West 547.40 feet coincident with a East line of Parkview South;  
Thence South 89°18'09" West 663.15 feet coincident with the North line of Parkview South to the Northwest corner thereof;  
Thence South 00°33'39" West 1323.45 feet coincident with the West line of Parkview South and the First Addition to Parkview South to the South line of the N ½ of the Southwest ¼ of said Section 1;  
Thence South 89°28'34" West 1749.24 feet coincident with the South line of the N ½ of the Southwest ¼ of said Section 1 to a point 217.70 feet North 89°28'34" East of the West line of the Southwest ¼ of said Section 1;  
Thence North 00°29'48" West 100.00 feet;  
Thence South 89°28'34" West 184.70 feet to the East line of Meade Street (33 foot ½ r/w);  
Thence North 00°29'48" West 1221.15 feet coincident with the East line of Meade Street to the North line of the Southwest ¼ of said Section 1;  
Thence North 89°23'14" East 270.30 feet coincident with the North line of the Southwest ¼ of said Section 1 to the Southeast corner of Certified Survey Map No.6277;  
Thence North 00°04'54" West 600.00 feet coincident with the East line of Certified Survey Map No.6277 to the Northeast corner thereof;  
Thence South 89°23'14" West 302.43 feet coincident with the North line of Certified Survey Map No.6277 to the West line of the Fractional Northwest ¼ of said Section 1;  
Thence North 00°00'05" East 1379.00 feet coincident with the West line of the Fractional Northwest ¼ of said Section 1  
to the Northwest corner thereof and being the point of beginning.*

**THE PETITIONERS HEREBY AGREE TO DEDICATE A PORTION OF LAND AS PUBLIC RIGHT OF WAY BEING DESCRIBED AS FOLLOWS:**

*The North 40 feet of the above described land area that is adjacent to the North line of the Fractional Northwest Quarter (NW ¼) and the Fractional Northeast Quarter (NE ¼) of Section One (1), Township Twenty-One (21) North, Range Seventeen (17) East, Town of Grand Chute, Outagamie County, Wisconsin*

AND

*The West 40 feet of the above described land area that is adjacent to the West line of the Fractional Northwest Quarter (NW ¼) and the Southwest Quarter (SW ¼) of Section One (1), Township Twenty-One (21) North, Range Seventeen (17) East, Town of Grand Chute, Outagamie County, Wisconsin.*

PARCEL: 101002000, 101000100, 101002800, 101002400, 101005200, 101004800, 101002200, 101000400, 101000600, 101000200, 101001000, 101000300, 101001500, 101001900, 101001600 and 101000700

*The current population of such territory is 0 people.*

**Section 2. Effect of Annexation.** 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, subject to the terms of a Pre-Annexation Agreement between the City of Appleton and Outagamie County dated as of March 13, 2020.

**Section 3. Ward Designation.** The territory described in Section 1 of this ordinance is hereby made a part of the Twenty-first (21<sup>st</sup>) Ward, attached to the Seventh (7<sup>th</sup>) 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.** The territory described in Section 1 is hereby zoned as follows, pursuant to §66.0217(7)(a), Stats., and §23-65(e), Appleton Municipal Code:

Temp AG (Temporary Agricultural District)

**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: June 3, 2020

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Jacob A. Woodford, Mayor  
City Law A20-0255 / A19-1150 (revised 05-27-2020)

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Kami Lynch, City Clerk