

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

(Seville Properties Ballard & Werner Road Annexation)
MBR No. 14569

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 2021 – 2022 and the *Unanimous Petition for Direct Annexation* filed with the City Clerk on February 15, 2023, the following described territory in the Town of Center, Outagamie County, Wisconsin, lying contiguous to the City of Appleton, is hereby annexed to the City of Appleton, Wisconsin:

The Southeast ¼ of the Northeast ¼ of Section 36, Township 22 North, Range 17 East, Town of Center, Outagamie County, Wisconsin, containing 39.913 Acres of land and being further described as follows:

Commencing at the East Quarter (E ¼) corner of said Section 36 and being the point of beginning;

Thence North 89°36'25" West 1316.61 feet coincident with the South line of the NE ¼ of Section 36;

Thence North 00°08'57" East 1319.65 feet coincident with the West line of the Southeast ¼ of the Northeast ¼ of Section 36;

Thence South 89°43'44" East 1315.59 feet coincident with the North line of the Southeast ¼ of the Northeast ¼ of Section 36;

Thence South 00°06'21" West 1322.45 feet coincident with the East line of the Northeast ¼ of Section 36 to the point of beginning.

Town of Center Tax Parcel to be annexed: 040098200.

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.

Section 3. Ward Designation. The territory described in Section 1 of this ordinance is hereby made a part of the Thirty-eighth (38th) Ward, attached to the Thirteenth (13th) 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:

Temporary AG District (Temporary Agricultural District)

Section 5. Statutory Payments. Subject to the requirements of Wis. Stats. §66.0217(14), the Finance Director will pay annually to the Town of Center, for 5 years, an amount equal to the amount of property taxes that the town levied on the annexed territory, as shown by the tax roll under Wis. Stats. §70.65, in the year in which the annexation is final.

Section 6. 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 7. Effective Date. This ordinance shall take effect upon passage and publication.