

**CITY OF APPLETON
and
VILLAGE OF LITTLE CHUTE**

**Amendment to Intergovernmental Cooperation Agreement
Wisconsin State Statute §66.30**

PARTIES: The City of Appleton, a duly organized and established Wisconsin Municipal Corporation, located within the counties of Outagamie, Winnebago and Calumet, hereinafter referred to as APPLETON,

and

The Village of Little Chute, a duly organized and established Wisconsin Corporation, located within the County of Outagamie, hereinafter referred to as LITTLE CHUTE,

WHEREAS, Little Chute and Appleton are a party to an Intergovernmental Cooperation Agreement dated March 28, 1996 as to the City of Appleton and April 1, 1996 as to the Village of Little Chute; and

WHEREAS, the parties have worked cooperatively on matters pursuant to said Cooperation Agreement; and

WHEREAS, the City of Appleton has been requested to annex a portion of the town of Grand Chute into the city of Appleton for the purpose of development; and

WHEREAS, the property owner in the area described in Exhibit A wishes to annex to the city of Appleton for the purposes of receiving municipal services; and

WHEREAS, the Village of Little Chute does not currently have municipal services to said area; and

WHEREAS, the City of Appleton will be able to provide municipal utility services to said described area in the near future; and

WHEREAS, the City of Appleton has constructed Cherryvale Avenue and Golden Gate Drive within the city limits of the city of Appleton; and

WHEREAS, the City has installed sewer and water infrastructure into the Cherryvale Avenue and Golden Gate Drive street rights-of-way, which said services provide service into adjacent areas of the village of Little Chute; and

WHEREAS, the Village of Little Chute, pursuant to Public Service Commission regulations is required to own the water infrastructure in Cherryvale Avenue and Golden Gate Drive; and

WHEREAS, the City of Appleton is willing to transfer ownership of said infrastructure to the Village of Little Chute at no cost to the Village;

NOW, THEREFORE, pursuant to mutual consideration, the parties heretofore agree to amend the City of Appleton and Village of Little Chute Intergovernmental Cooperation Agreement dated March 28, 1996 and April 1, 1996 as follows:

1. The mutually agreeable future common municipal boundary between the municipalities of Appleton and Little Chute within the towns of Grand Chute and Vandebroek, Outagamie County, shall be defined and established by the parties in concept as shown on Exhibit A. Actual new boundary description to be determined at the time property is platted and mutually agreed upon by both parties.
2. Appleton shall not provide municipal services to any property east of amended boundary, without prior approval from Little Chute.
3. Appleton agrees to take all steps necessary to transfer ownership of the water and sanitary sewer infrastructure located within the right-of-way of Cherryvale Avenue from a point where the city of Appleton corporate limits intersect with the village of Little Chute corporate limits and Apple Creek Corridor; and Golden Gate Drive from Cherryvale Avenue east to the Little Chute corporate limits. In addition, Appleton shall grant Little Chute a permanent occupancy permit located within the rights-of-way of Cherryvale Avenue and Golden Gate Drive for the purpose of maintaining said infrastructure.
4. All other terms and conditions of the Intermunicipal Agreement between Appleton and Little Chute shall remain in full force and effect.

ACCEPTANCE CONTINUES ON THE FOLLOWING PAGE

ACCEPTANCE

Dated this _____ day of November, 2019, as to the **City of Appleton:**

By: _____
Timothy M. Hanna, Mayor

Attest: _____
Kami Lynch, City Clerk

Approved as to form and content:

James P. Walsh, City Attorney

Dated this _____ day of November, 2019, as to the **Village of Little Chute:**

By: _____
Michael Vanden Berg, Village President

Attest: _____
James Fenlon, Village Administrator

Approved as to form and content:

Village Attorney
City Law A19-0785
Updated: 11/11/2019

Exhibit A

