



CHAPTER 3: LAND

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CHAPTER 3: LAND

3.1 ANNEXATION - WILDWOOD POINT.

(1) The following described territory owned by, and lying contiguous to the Village in Waukesha County, Wisconsin, is hereby annexed to the Village:

That part of the South West one quarter and South East one quarter of Section 20, Town 8 North, Range 18 East, in the Town of Merton, Waukesha County, Wisconsin, bounded and described as follows: Commencing at a point in the north line of said south west 1/4 Section 20, which point is 200.00 feet West of the north east corner of said south west 1/4 Section 20; thence continuing West along the north line of said south west 1/4 Section 20 418.25 feet to its intersection with the west line of the east 1/2 of the east 1/2 of said south west 1/4 Section 20; thence S. 4° 19' W. along the west line of the east 1/2 of the east 1/2 of said south west 1/4 Section 20, 1071.85 feet to a point in the centerline of the present pavement of County Trunk Highway "K"; thence S. 72° 05' 30" E. along the centerline of the present pavement of said highway 79.00 feet to an angle point; thence S. 79° 34' 30" E. along the centerline of the present pavement of said highway 277.10 feet to an angle point; thence S. 76° 59' E. along the centerline of the present pavement of said highway 285.00 feet to a point in the east line of said south west 1/4 Section 20; thence N. 3° 24' E. along the east line of said south west 1/4 Section (west limits of the Village of Chenequa) 455.33 feet to a point; thence N. 84° 21' W. on a line 78.00 feet to a point; thence N. 67° 38' W. on a line 131.24 feet to a point; thence N. 20° 46' E. on a line 101.00 feet to the west corner of Lot 19, Wildwood Point, a subdivision; thence N. 36° 41' E. along the westerly line of Lots 19, 18, 17, and 16, 380.00 feet to a point; thence N. 36° 19' W. on a line 367.00 feet to the place of beginning, containing 15.02 acres of land, more or less.

(2) The name of the town from which said annexed territory is detached is Town of Merton.

Note: The annexation was approved by the Village on February 8, 1954.

3.2 ANNEXATION - BEAVER LAKE.

(1) The following territory lying contiguous to the Village in Waukesha County, Wisconsin, is hereby annexed to the Village:

Parcel A: - All that part of the Southeast 1/4 of Section 21, in Township 8 North, of Range 18 East, in the Town of Merton, Waukesha County, Wisconsin, bounded and described as follows: Commencing at a point in the boundary of the Village of Chenequa and in the South 1/16th line of said Section 21, which point is 697 feet West of the East 1/8th line of said Section 21; thence South 1° 15' West, along said boundary of said Village, 465 feet to a point; thence South 81° 15' East, along said boundary of said Village, 185 feet to a point; thence South 8° West, along said boundary of said Village, 329 feet, more or less, to a point which is 50 feet North 8° East from the center line of a public highway; thence Southeasterly along said boundary





of said Village on a line parallel to and 50 feet Northeast of the center line of said public highway, 107 feet, more or less, to a point in the West line of lands belonging to Charlotte H. Thomas; thence North 6° 50' East, along the West line of said lands belonging to Charlotte H. Thomas, 367 feet to a point; thence North 2½° East, along said West line of said lands belonging to Charlotte H. Thomas, 507 feet to a point in said boundary of said Village and in the South 1/16th line of said Section 21; thence West, along said boundary of said Village and along said South 1/16th line of said Section 21, 267 feet to the place of beginning.

Parcel B: - That part of Lots 7 and 8 in Subdivision of Lots 1 to 13 inclusive of Beaver Lake Hotel & Land co. Subdivision in the West 1/2 of the Southeast 1/4 of Section 21 and part of Government Lot 1 in Section 28, all in Township 8 North, of Range 18 East, in the Town of Merton, Waukesha County, Wisconsin, bounded and described as follows: Commencing at a point in the boundary of the Village of Chenequa, which point is the Southwesterly corner of said Lot 8; thence South 78° 43' East along said boundary of said Village and along said South line of said Lot 8 (being also the South line of Lot 13 in said Beaver Lake Hotel & Land Co. Subdivision) 484 feet to the shore of Beaver Lake; thence Northeasterly along the shore of Beaver Lake 54 feet, more or less, to the Southeasterly corner of lands conveyed to Ralph A. Salick and Hazel C. Salick, his wife, by a deed recorded in the office of the Register of Deeds in and for Waukesha County, Wisconsin, in Volume 705 of Deeds, on page 524, as Document No. 439246; thence North 74° 14' West along the Southerly line of said Salick lands 313.01 feet to a point; thence North 35° 46' West along the Southwesterly line of said Salick lands 110.11 feet to a point; thence North 72° 57' West along the Southerly line of said Salick lands 77.50 feet to a point in the Westerly line of said Lot 7 and in the said boundary of said Village, which point is also the Southwesterly corner of said Salick lands; thence South 25° 15' West along the Westerly lines of said Lots 7 and 8 and along said boundary of said Village 158 feet, more or less, to the place of beginning.

(2) The above described territory is owned by the Chenequa Country Club Realty Corporation and is detached from the Town of Merton, pursuant to Section 66.0217 Wisconsin Statutes, and pursuant to the petition for direct annexation duly executed and filed thereunder with the Village Clerk by the Chenequa Country Club Realty Corporation on January 25, 1963, and accepted by the Village Board on February 11, 1963.

3.3 ANNEXATION - OAKLAND HILLS.

(1) The following territory lying contiguous to the Village in Waukesha County, Wisconsin, is hereby annexed to the Village:

All that part of the Northwest 1/4 of Section 29, Town 8 North, Range 18 East, Town of Merton, Waukesha County, Wisconsin described as follows:

Commencing at the Northwest corner of said Section 29; thence East along the North line of said Section 1435.50 feet (87 rods); thence South 66.00 feet (4 rods); thence Southwesterly and along the Easterly line of lands described in Volume 182, page 414, Document #125950 of Deeds of Waukesha County records, 130.00 feet more or less to the West 1/8 Section line of





Section 29 and the present Village Limits boundary line of the Village of Chenequa and point of beginning of lands herein described; thence South along the West 1/8 Section and along the present Village Limits line, 1150.00 feet more or less to the North 1/16 line of said Section 29; thence West along said North 1/16 Section line and along the present Village of Chenequa limits line 980.00 feet more or less to the Easterly line of lands described in Volume 182, page 414, Document #125950 of Deeds of Waukesha County records; thence North 13° 0' East along said line to the South line of lands described in Volume 212, page 195, Document #157566 of Deeds of Waukesha County records; thence North 82° 0' East along the South line of lands described in Volume 212, page 195, Document #157566, 662.00 feet; thence North 13° 30' West along the Easterly line of lands described in Volume 212, page 195, Document #157566, 584.00 feet to the most Northerly corner of said lands; thence Northerly along the Easterly line of lands described in Volume 182, page 414, Document #125950, 620.00 feet more or less to the point of beginning of land herein described.

(2) The above described territory is owned by the Provident Realty Company and is detached from the Town of Merton, pursuant to Section 66.0217, Wisconsin Statutes, and pursuant to the petition for direct annexation filed thereunder with the Village Clerk-Treasurer by the Provident Realty Company on April 8, 1963.

3.4 ANNEXATION - HUBER PROPERTY.

(1) The following described territory owned by, and lying contiguous to, the Village in Waukesha County, Wisconsin, is hereby annexed to the Village:

That parcel of the South West 1/4 of Section 20 in Township 8 North, Range 18 East, in the Town of Merton, bounded and described as follows: Commencing at the South 1/4 corner of Section 20, the place of beginning of the parcel hereinafter described; thence North 03°20'03" East 1477.16 feet to a point on the centerline of County Trunk Highway "K"; thence North 76°59'00" West along said centerline 285.00 feet; thence North 79°34'30" West further along said centerline 277.10 feet; thence North 72°05'30" West further along said centerline 79.00 feet; thence South 4°19'00" West 1630.82 feet; thence North 88°53'00" East 662.35 feet to the place of beginning. RESERVING therefrom a strip of land 33 feet in width lying South and adjacent to the above-described centerline of County Trunk Highway "K", for highway purposes.

(2) The above-described property is annexed to the Village and zoned Residence District.

Note: The annexation was approved by the Village on February 9, 2004.

3.5 ANNEXATION - WILKEY PROPERTY.

(1) The following territory lying contiguous to the Village in Waukesha County, Wisconsin, is hereby annexed to the Village.

Being a part of the SE 1/4 of Section 33, T.8N., R.1SE., Town of Merton, Waukesha County, Wisconsin, more fully described as follows;





Commencing at the South 1/4 corner of said Section 33; thence N01°10'22"E, along the West line of said SE 1/4, 1862.35 feet to a point; thence S88°49'38"E, 194.71 feet to a point; thence N89°36'25"E, 255.38 feet to the Village Limits line of the Village of Chenequa, and the point of beginning of the hereinafter described lands; thence N01°10'22"E, along said Village Limits line, 394.50 feet to a point; thence N89°38'24"E, 296.91 feet to a point; thence S01°13'39"W, 394.34 feet to a point; thence S89°36'25"W, 296.54 feet to the Village Limits line and the place of beginning. Said lands containing 116,988 sq. ft. (2.685 acres).

(2) The above described territory is owned by Richard and Susan Wilkey and has a population of two (2). The above described territory was annexed from the Town of Merton pursuant to Section 66.0217(2) Wisconsin Statutes and pursuant to the petition for direct annexation duly executed and filed thereunder with the Village Clerk on May 7, 2008 and accepted by the Village Board on June 9, 2008.

3.6 ANNEXATION - DORNER PROPERTY.

(1) The following described territory lying contiguous to, the Village in Waukesha County, Wisconsin, is hereby annexed to the Village:

All that part of Lot 2 CSM 11860 and located in the NW ¼ of the SE ¼ of Section 33, all located in the T.8N., R18E., Town of Merton, Waukesha County, Wisconsin, more fully described as follows:

Commencing at the East ¼ Corner of Section 33, T.08N., R.18E.; Thence S89°43'40"W, along the North line of the SE ¼ of said Section 33, a distance of 1943.05 feet to a point on the East line of said Lot 2 and the point of beginning of the hereinafter description.

Thence S00°16'20"E, along said Lot 2, a distance of 132.49 feet; thence S89°42'16"W, along the south line of said Lot 2, a distance of 253.65 feet; thence N00°15'49"W, 132.59 feet; thence N89°43'40"E, 253.63 feet to the point of beginning

Said lands contain 33,671.88 Sq.Ft. (0.773 acres)

(2) The above-described property is owned by Wolfgang Dorner and is detached from the Town of Merton, pursuant to Section 66.0217(2), Wisconsin Statutes, and pursuant to the petition for direct annexation duly executed and filed thereunder with the Village Clerk-Treasurer and the Town of Merton on August 27, 2019 and accepted by the Village Board on October 14, 2019.

3.7 DETACHMENT - SWAN PROPERTY.

(1) The following territory lying in the Village in Waukesha County, Wisconsin, is hereby detached from the Village, provided that the Town of Merton accepts the terms of this Ordinance as provided in Section 66.0227 Wisconsin Statutes and the failure of the Town Board of Merton to adopt an ordinance as provided in Section 66.0227 Wisconsin Statutes shall make this ordinance void:





All that part of the Northeast One-quarter of Section 31, Town 8 North, Range 18 East, Waukesha County, Wisconsin, bounded and described as follows:

Commencing at the Northeast Corner of Section 31; thence South 87 degrees 57 minutes West, along the North line of said section, 80.00 feet; thence South 1 degree 29 minutes 50 seconds East, parallel to the East line of Section 31, 24.00 feet to the place of beginning of the parcel hereinafter described; thence continuing South 1 degree 29 minutes 50 seconds East, 418.76 feet; thence North 88 degrees 30 minutes 10 seconds East, 30.00 feet; thence South 1 degree 29 minutes 50 seconds East, 60.00 feet; thence South 88 degrees 30 minutes 10 seconds West, 30.00 feet; thence South 1 degree 29 minutes 50 seconds East, 956.01 feet; thence South 88 degrees 32 minutes West, 20.00 feet; thence North 1 degree 29 minutes 50 seconds West, 1434.57 feet; thence North 87 degrees 57 minutes East, parallel to the aforementioned North line of Section 31, 20.00 feet to the place of beginning containing 0.700 acres.

(2) The above described real estate is owned by E. Earling Swan and Henrietta J. Swan, whose petition for detachment of the same from the Village, was filed with the Village Clerk-Treasurer on May 6, 1965, pursuant to Section 66.0227 Wisconsin Statutes.

(3) Upon the adoption by the Town Board of Merton of an ordinance accepting the terms of this ordinance as provided in Section 66.0227 Wisconsin Statutes, the said real estate shall be exempt from further taxation and assessment by the Village and henceforth be subject to taxation and assessment, if any, as a part of the Town of Merton for any and all purposes provided by law.

(4) No adjustment of assets and liabilities between the Town of Merton and the Village shall be made pursuant to Section 66.0235 Wisconsin Statutes with respect to the detachment of the above described real estate, and the general real estate taxes and special assessments levied against said real estate for the year 1965 shall be collected by the Village and shall not be apportioned between the Village and the Town of Merton.

Note: The detachment was approved by the Village on June 14, 1965.

3.8 DETACHMENT - 32600 W. COUNTY HWY. K

(1) The following territory lying in the Village in Waukesha County, Wisconsin, is hereby detached from the Village and attached to the Town of Merton:

That part of the East One-Half of the East One-Half of the South West One Quarter of Section 20, and part of the South East One-Quarter of Section 20, all in Town 8 North, Range 18 East, in the Town of Merton, Waukesha County, Wisconsin, bounded and described as follows: Commencing at a point in the North line of said South West 1/4 Section 20, which point is 200.00 feet West of the North East corner of said 1/4 Section; thence continuing West along the North line of said South West 1/4 Section 20, 418.25 feet to a point in the West line of the East One-Half of the East One-Half of said South West 1/4 Section 20; thence S. 4°19' W. along the West line of the East One-Half of the East One-Half of said South West 1/4 Section 20, 1071.85 feet to a point in the center line of the present pavement of County Trunk Highway K; thence S.





72°05'30" E. along the center line of the present pavement of said Highway, 79.00 feet to an angle point; thence S. 79°34'30" E. along the center line of the present pavement of said Highway, 277.10 feet to a point; thence N. 10°42' E. on a line, 358.12 feet to a point; thence N. 22°20' E. on a line, 103.89 feet to a point; thence N. 20°46' E. on a line, 101.00 feet to the West corner of Lot 19 in Wildwood Point, a subdivision; thence N. 36°41' E. along the westerly lines of Lots 19, 18, 17, and 16, 380 feet to a point; thence N. 36°19' W. on a line, 367.00 feet to the place of beginning; and

Also: that part of the South West Quarter (S.W.1/4) of Section 20, Town 8 North, Range 18 East, in the Town of Merton, Waukesha County, Wisconsin, bounded and described as follows: Commencing at the intersection of the East line of said 1/4 Section and the centerline of the present pavement of County Trunk Highway "K"; thence North 4 Degrees 00 Minutes 30 Seconds West along the East line of said 1/4 Section, 425.33 feet to the place of beginning of the land to be described, which point is marked by a stone monument; thence continuing North 4 Degrees 00 Minutes 30 Seconds West, along the East line of said 1/4 Section, 30.00 feet to a point; thence North 83 Degrees 44 Minutes 30 Seconds West on a line, 78.00 feet to a point; thence North 67 Degrees 01 Minute 30 Seconds West on a line, 131.24 feet to a point; thence South 14 Degrees 56 Minutes West, on a line, 103.89 feet to a point; thence North 80 Degrees 32 Minutes East, on a line, 236.66 feet to the place of beginning; and

That part of the South West One-Quarter of Section 20, Town 8 North, Range 18 East, in the Town of Merton, Waukesha County, Wisconsin, bounded and described as follows: Commencing at the intersection of the East line of said 1/4 Section and the centerline of the present pavement of County Trunk Highway "K"; thence N. 4°00'30" W. along the East line of said 1/4 Section, 425.33 feet to a point marked by a stone monument; thence S. 80°32' W. on a line, 236.66 feet to a point; thence S. 3°18' W. on a line, 358.12 feet to a point in the centerline of the present pavement of said Highway; thence S. 84°23' E. along the centerline of the present pavement of said Highway, 285.00 feet to the place of beginning.

Note: The detachment was approved by the Village on October 8, 2012.

3.9 DETACHMENT - LAKE COUNTRY BIBLE CHURCH

(1) The following territory is hereby detached from the Village in Waukesha County, Wisconsin and attached to the Village of Nashotah:

All that part of the Northeast 1/4 of Section 5, Township 7 North, Range 18 East, formerly in the Village of Chenequa and now in the Village of Nashotah, Waukesha County, Wisconsin, lying North of the railroad right-of-way and South of U.S. Highway "16".

Excepting therefrom that part conveyed to Waukesha County by Deed Recorded May 6, 1939 in Volume 281, on Page 367, as Document No. 226422.

Note: The detachment was approved by the Village on May 13, 2013.





3.10 ANNEXATION – VILLAGE OWNED LAND IN THE TOWN OF MERTON.

(1) The following described territory owned by and lying continuous to the Village in Waukesha County, Wisconsin, is hereby annexed to the Village:

Being all that part of the following described lands currently lying within the boundaries of the Town of Merton, to-wit: All that part of the Northeast 1/4 of Section 33, Township 8 North, Range 18 East, Town of Merton and Village of Chenequa, Waukesha County, Wisconsin, bounded and described as follows:

Commencing at the Northeast corner of said Section 33; thence West along the North line of said Section, 618.14 feet to the point of beginning of the lands herein described; the continuing West along said Section line, 605.96 feet; thence South 01°29' West along the East line of the Village of Chenequa property, 188.50 feet; thence West along said Village property, 115.50 feet; thence South 01°29' West along said Village property, 141.50 feet; thence East and parallel to the North line of said Section, 730 feet; thence North and parallel to the East line of said Section, 329.88 feet to the point of beginning.

(2) The name of the Town from which said territory is detached is the Town of Merton.

Note: The annexation was approved by the Village on October 8, 2018.

3.11 GAS COMPANY LINES.

(1) The Village does hereby grant unto Wisconsin Natural Gas Company (the "Company"), its successors and assigns, a franchise under and pursuant to the terms of Section 66.0815 Wisconsin Statutes, as a public utility to engage in the distribution and sale to the public of manufactured or natural gas in, upon and under public streets, roads, highways and grounds within the corporate limits of the Village.

(2) Before laying any main or pipe or constructing any manhole under the provisions of this Section a plan showing the proposed location of the same shall be submitted to and approved by the Village Board or its duly authorized representative.

(3) All work under the authority of this Section shall be done in such manner as not to unnecessarily interfere with the ordinary use of the streets, alleys, parks or public grounds of the Village and the Company, in the performance of such work, shall conform to all reasonable regulations now or hereafter prescribed by the Village in regard thereto.

(4) All excavations made under the authority of this Section shall be made with due and reasonable dispatch and the same shall be suitably guarded and all excavations or trenches shall be adequately backfilled and the surface of any street, roads, highways or public ground shall be restored at the expense of the Company to as good or a better condition than that originally existing prior to the commencement of such excavation or trench.





(5) If the Company shall not suitably backfill any excavation or trench and restore the pavement or street surfacing or reconstruct the same so as to bring the excavation or trench to as good or a better condition than that existing prior to the opening of the same, the Village may remedy any defect occurring through the omission of the Company and the cost of so remedying the same shall be promptly paid by the Company to the Village.

(6) The Company shall furnish gas service from its distribution system within the Village to the public and to the Village without discrimination as between customers of any class, at rates and under rules and regulations filed with and approved by the Public Service Commission of Wisconsin.

(7) The Company, its successors and assigns, shall at all times in the construction and operation of the said pipe lines be liable for all acts of negligence on its part.

3.12 ELECTRIC COMPANY POLES.

(1) No person shall string wires or cables or erect poles or other electrical equipment upon or over any street, road, highway or public ground within the Village without first obtaining permission so to do from the Village Administrator.

(2) Any person contemplating any change in or the erection, construction or installation of any power, telephone or telegraph line, or any equipment connected therewith, upon any highway within the Village shall, before proceeding with any such work, submit detailed plans for such work to the Village Administrator and obtain a permit for such work from the Village Administrator.

(3) No permission shall be given to any public utility or other person to erect any poles for the purpose of carrying wires or cables or erecting any electrical equipment on any street, road, highway or public ground in the Village upon which poles now stand. Any such poles now or hereafter erected upon any highway within the Village may be used by any person other than the owner upon payment of a reasonable charge therefore to such owner.

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