

Ordinance Number 750

AN ORDINANCE ANNEXING TERRITORY TO THE CITY OF MINERAL POINT, WISCONSIN

WHEREAS, the sole owner of a 2-acre portion of real property located within the Town of Mineral Point has initiated a petition for direct annexation by unanimous approval of said territory to the city of Mineral Point, pursuant to Section 66.021 7(2) of the Wisconsin Statutes; and

WHEREAS, the population of said territory is 0; and

WHEREAS, the Wisconsin Department of Administration, by letter dated October 11th, 2011 advised that the annexation include the southwestern portion of Barreltown Road and a portion of CTH YD; and

WHEREAS, the City Planning Commission, at a meeting on October 27, 2011 advised that the annexation include those same portions of Barreltown Road and CTH YD; and

WHEREAS, the Wisconsin Supreme Court in *International Paper Co v Fond Du Lac* and subsequent case law has determined that the signatures of the owners of public streets are not required for direct annexation by unanimous approval under Section 66.0217(2) of the Wisconsin Statutes;

NOW, THEREFORE, the Common Council of the City of Mineral Point, Iowa County, Wisconsin, does hereby obtain as follows:

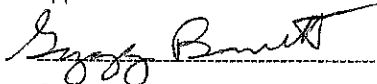
Section 1. Territory Annexed. In accordance with Section 66.01217(2) of the Wisconsin Statutes, and the petition for direct annexation filed with the City Clerk on the 19th day of September, 2011, signed by all the electors residing in the territory and the owners of all of the real property in the territory, the following described territory in the Town of Mineral Point, Iowa County, Wisconsin, is annexed to the City of Mineral Point, Wisconsin:

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 Mineral Point 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 Mineral Point.

Section 3. Severability. If any provision of this Ordinance is invalid or unconstitutional, or if the application of this Ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid or unconstitutional provision or application.

Section 4. Effective Date. This Ordinance shall take effect upon passage and publication, as provided by law.

Approved



Greggory Bennett

Mayor

Attest



Debi Heisner

City Administrator/Clerk Treasurer

Dated

November 1, 2011