

ORDINANCE NO. 2139-08
by the Plan Commission

AN ORDINANCE TO CONDITIONALLY ATTACH TERRITORY FROM THE CITY OF
PEWAUKEE TO THE CITY OF BROOKFIELD IN ACCORDANCE WITH SECTION
66.0227 OF THE WISCONSIN STATUTES

WHEREAS, the City of Pewaukee has recently purchased a parcel of land located in the Town of Brookfield, the “Gumina parcel”, for the sole purpose of constructing a municipal fire station on said parcel; and

WHEREAS, the Gumina parcel, at the time of purchase, was included in an annexation petition filed with the City of Brookfield; and

WHEREAS, Pewaukee requested and Brookfield did reject the aforementioned annexation petition in favor of a revised petition excluding the Gumina parcel so as to allow Pewaukee to annex the parcel into Pewaukee; and

WHEREAS, Brookfield was willing to acquiesce to Pewaukee’s request, subject to obtaining the right to purchase and reattach the Gumina parcel to Brookfield in the event that Pewaukee does not construct a fire station on the parcel within a reasonable time; and

WHEREAS, Pewaukee has granted Brookfield the option to purchase the Gumina parcel, allowing Brookfield to acquire the Gumina parcel in the event Pewaukee does not construct a fire station on the parcel within 15 years; and

WHEREAS, in order to protect the right to detach the Gumina parcel in the event Brookfield elects to purchase the parcel, Brookfield has filed a conditional petition for detachment of the Gumina parcel from Pewaukee to Brookfield, said petition having been prepared in accordance with section 66.0227 of the Wisconsin Statutes; and

WHEREAS, section 66.0227 of the Wisconsin Statutes provides that an ordinance detaching territory may be enacted within sixty days after filing of such petition by vote of three-fourths of all members of the Pewaukee Common Council, subject to acceptance, within sixty days, by ordinance of Brookfield adopted by a vote of three-fourths of all members of the Common Council; and

WHEREAS, the Common Council of the City of Pewaukee has determined, that in order to facilitate regular boundaries and in furtherance of the best interests of Pewaukee and Brookfield, the petition for detachment should be conditionally granted, and has adopted a detachment ordinance by a vote of three-fourths of all members of the Common Council; and

WHEREAS, the City of Brookfield Common Council has determined that in order to facilitate regular boundaries and in furtherance of the best interests of Pewaukee and Brookfield, it has filed a conditional detachment petition with Pewaukee.

NOW, THEREFORE, BE IT HEREBY ORDAINED that the City of Brookfield accepts the attachment of territory more particular described in the petition attached hereto and incorporated hereby by reference, and the subject parcel shall be attached to Brookfield effective only upon transfer of title from Pewaukee to Brookfield, all in accordance with section 66.0227(2) of the Wisconsin Statutes.

ADOPTED AND APPROVED _____ July 15 _____, 2008

Kristine A. Schmidt, City Clerk

Jeff R. Speaker, Mayor

Published: July 24, 2008