

NOTICE OF PUBLIC HEARING ON AREA-WIDE SPECIAL
ASSESSMENTS FOR WATER CAPACITY ASSESSMENT FOR
WATER SERVICE IN THE CITY OF MUSKEGO
WAUKESHA COUNTY, WISCONSIN

PLEASE TAKE NOTICE that the Common Council of the City of Muskego has declared its intention to exercise its police power under §66.0701, Wisconsin Statutes to levy area-wide water capacity assessments upon property within the following described territory located within the City for benefits conferred upon such properties as a result of debt service and retirement for water connections and other water improvements to provide water service to the entire territory described:

See attached Legal Description Marked Exhibit "A"
and
Attached Map Marked Exhibit "B"

PLEASE TAKE FURTHER NOTICE that the assessment proposed to be levied is to be levied against all lots and parcels of real estate located within the territory above described which are not presently, at the time of the final resolution levying the special assessment, actually connected to the public water and receiving the immediate benefit, and against all lots and parcels of real estate actually connected and receiving an immediate benefit.

PLEASE TAKE FURTHER NOTICE that the water capacity assessment (WCA) proposed to be levied is based upon the police power of the City of Muskego and is to be levied for the benefit given to all unconnected real estate in the City of Muskego for the benefit conferred upon that unconnected real estate for the availability of a capacity in the water system and against all connected real estate for the immediate capacity now to be utilized.

PLEASE TAKE FURTHER NOTICE that the water capacity assessment (WCA) proposed to be levied herein may be allowed to be paid in installments. The exact schedule of those properties immediately assessed and installments thereon shall be determined when the final resolution is adopted.

PLEASE TAKE FURTHER NOTICE that the water capacity assessment (WCA) will be used to pay back the financing incurred by the City of Muskego to create water service improvements as well as other expenses incurred for water service improvements.

PLEASE TAKE FURTHER NOTICE that a report specifically detailing all special assessments and properties affected is on file with the Clerk-Treasurer and may be inspected in her office on any work day between the hours of 8:00 A.M. and 4:30 P.M.

PLEASE TAKE FURTHER NOTICE that a public hearing will be held by the Common Council at 7:20 P.M. on March 11, 2003, in the Muskego City Hall, W182 S8200 Racine Avenue.

The Council will hear all persons interested, or their agents or attorneys, concerning the matters contained in the preliminary resolution authorizing said assessment. All objections will be considered at said hearing and the Council will make a final determination of said assessments. When a final determination of assessments has been made, a resolution will be passed, which resolution will be published as a Class 1 notice, and a notice of assessment will be mailed to each property owner affected.

Dated at Muskego, Wisconsin this 19th day of February, 2003.

CITY OF MUSKEGO

Jean K. Marendia, CMC
Clerk-Treasurer

EXHIBIT "A"

January 10, 2003

Tenth Amended Legal Description for the Water Connection Assessment (WCA) District

All that part of Section 11, and Section 12, and the Northwest $\frac{1}{4}$, Southwest $\frac{1}{4}$, and Southeast $\frac{1}{4}$ of Section 13, and the Northeast $\frac{1}{4}$, Southeast $\frac{1}{4}$ of Section 14, and the Northeast $\frac{1}{4}$ of Section 24, all in Town 5 North, Range 20 East, in the City of Muskego, Waukesha County, Wisconsin, bounded and described as follows:

Commencing at the Northeast corner of the Southeast $\frac{1}{4}$ of Section 12, said point also being the Northeast corner of Lake Brittany Estates, and also being the point of beginning; thence Southerly along the East line of the Southeast $\frac{1}{4}$ of said Section 12, a distance of 2659.10 feet to the Southeast corner of said Southeast $\frac{1}{4}$; thence Southerly along the east line of the Northeast $\frac{1}{4}$, of Section 13, a distance of 25.00 feet to the South right-of-way line of the Wisconsin Electric and Power Company; thence Westerly along said right-of-way line, 2662 feet more or less to the West line of said Northeast $\frac{1}{4}$; thence Continuing Westerly along said right-of-way, 1,330 feet more or less to the West line of the East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of said Section 13; thence Southerly along said West line 993 feet more or less to the Northwest corner of Parcel 1 Certified Survey Map No. 8915; thence continuing Southerly along said West line 802.11 feet; thence Easterly, 270.00 feet; thence Southerly 357.99 feet, to the North right-of-way line of Hi View Drive; thence continuing Southerly 60 feet more or less to the South right-of-way line of said Drive; thence Easterly along said right-of-way line 155 feet more or less to the Northwest corner of lands identified by Tax-key No. 2110-998; thence Southeasterly along the West line of said lands 490.67 feet to the South line of the Northwest $\frac{1}{4}$ of said Section 13; thence Easterly along said South line 631.17 feet to the Northwest corner of the Southeast $\frac{1}{4}$ of said Section 13; thence Easterly along the North line of said Southeast $\frac{1}{4}$, said line also being the South line of Highview Acres, an Unrecorded Plat, 1676.53 feet; thence Southerly 167.00 feet, to the North line of Parcel 2, Certified Survey Map No. 159; thence Westerly along said North line 143.89 feet, to the West line of said Parcel 2; thence Southerly along said West line 628.00 feet to the South right-of-way line of Schaefer Road; thence Southeasterly 122.27 feet along said South line and along the arc of a curve whose center is to the Southwest, with a radius of 190.00 feet, with a chord length of 120.17 feet; thence Southeasterly 199.49 feet along said South line and along the arc of a curve whose center is to the Northeast, with a radius of 310.00 feet, with a chord length of 196.06 feet; thence Easterly along said South line 133.36 feet to the Southwesterly right-of-way line of Northcape Road (C.T.H. "OO"); thence Southeasterly along said Southwest line 171.44 feet, to the Westerly right-of-way line of said Northcape Road; thence Southerly along said West line 497.88 feet; thence Westerly

251.33 feet; thence Southerly 250.00 feet; thence Westerly 383 feet more or less to the East line of the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of said Section 13, said line also being the East line of Parcel 1 Certified Survey Map No. 7155; thence Southerly along said East line 895.44 feet to the South line of the Southeast $\frac{1}{4}$ of said Section 13; thence Continuing Southerly 127 feet more or less to the Southerly right-of-way line of Durham Drive; thence Southeasterly along said right-of-way line 343 feet more or less to the Westerly right-of way line of said Northcape Road; thence Southeasterly along said right-of way line 77 feet more or less; thence Southwesterly along said right-of-way line 2,298 feet more or less, to the North right-of-way line of Boxhorn Drive; thence Westerly along said North line to the West line of the Northeast $\frac{1}{4}$ of said Section 24; thence Northerly along said West line 2,218 feet more or less to the South property line of Parcel 1, Certified Survey Map No. 3641; thence Easterly along said South line 175.00 feet to the East line of said Parcel 1; thence Northerly along said East line 373.77 feet to the South right-of-way line of Priegel Drive; thence Easterly along said South line 459 feet more or less to the East extended property line of Parcel 2, Certified Survey Map No. 1222; thence Northerly along said East line 360 feet more or less to the North property line of said Parcel 2; thence Westerly 400 feet along the North line of Parcel 2 and Parcel 1, of said Certified Survey Map No. 1222, to the West line of said Parcel 1; thence Southerly along said West line 45.35 feet to the North line of Certified Survey Map No. 708; thence Westerly along said North line 235.72 feet to the East line of the Southwest $\frac{1}{4}$ of said Section 13; thence Westerly along the North line of properties identified by Tax-key Numbers 2211-997-001, and 221-997, said line also being the South line of a property identified by Tax-key No. 2211-998 a distance of 2662 feet more or less, to the West line of said Southwest $\frac{1}{4}$ section; thence Westerly along the North line of Parcel "A" Certified Survey Map No. 268, a distance of 631 feet more or less to the shore line of Big Muskego Lake; thence Northerly, and Westerly along the shore line of Big Muskego Lake, to the Southerly line of a property identified by Tax-key No. 2213-980, said point being West, 135 feet more or less from the Southeast corner of said property; thence Easterly along the South line of said property, and also along property identified by Tax-key No. 2213-986, a distance of 268 feet more or less to the East property line of said Tax-key No.2213-986; thence Northerly along said East line 1163 feet more or less, to the South line of lands identified by Tax-key No. 2213-987; thence continuing Northerly along the East line of said parcel 2213-987, a distance of 483.50 feet to the South line of a property identified by Tax-key No. 2213-988; thence Westerly along said line 100 feet more or less, to the Easterly right-of-way line of Schultz Lane; thence Northerly along said East line, 222 feet more or less to the Southwesterly right-of-way line of Durham Drive; thence Northwesterly along said Southwesterly right-of-way line, 96 feet more or less, to the South line of a property identified by Tax-key No. 2213-985; thence 422.93 feet to the West line of said Parcel; thence Northerly 119.68 feet to the South right-of-way line of the Wisconsin Electric and Power Company; thence Westerly along said right-of-way line 931 feet more or less to the West line of the Northeast $\frac{1}{4}$ of said Section 14; thence Northerly along said West line 25 feet

more or less to the Southwest corner of the Southeast $\frac{1}{4}$ of Section 11; thence Northerly along the West line of the Southeast $\frac{1}{4}$ of Section 11, a distance of 1332 feet more or less to the South line of Baylawn Addition No. 3; thence Westerly along said South line 1133 feet more or less to the East line of Lot 75, Block 6, in said Subdivision; thence Northerly along said East line 175.00 feet, to the North line of said Lot 75; thence Westerly along said North line 25.00 feet to the East line of Lot 74, Block 6, in said Subdivision; thence Northerly 186.30 feet to the Northeast corner of said Lot 74; thence Northeasterly 101 feet more or less to the Southeast corner of Lot 24, Block 4, in Baylawn Addition No. 2; thence Northwesterly along the Westerly line of said Lot 24, a distance of 174.60 feet, to the North line of said Lot 24; thence Northeasterly along said North line 80.00 feet, to the Southwesterly line of Lot 21, Block 4, in said Subdivision; thence Northwesterly along said Southwest line 158.00 feet to the Southerly right-of-way line of Woods Road; thence Northerly along said right-of-way line 825.23 feet, to the South line of a property identified by Tax-key No. 2202-997; thence Southwesterly 32 feet more or less to said Southerly right-of-way line; thence Northerly along said right-away line 317 feet more or less; thence Northeasterly along said Woods Road right-of-way line 38 feet more or less; thence Southeasterly along said right-of-way line, 17 feet; thence Northeasterly along said right-of-way line 432.36 feet; thence Northwesterly along said right-of-way 17.00 feet; thence Northeasterly along said right-of-way 223 feet more or less; thence Southeasterly along said right-of-way 17 feet more or less; thence Northeasterly along said Woods road right-of-way, 563 feet more or less to the Southwest line of Parcel 1, Certified Survey Map No.8888; thence Southeasterly along said Southwest line 210.00 feet to the Southeast line of said Parcel 1; thence Northeasterly along said Southeast line 110.06 feet, to the West line of Lot 27, Durhamswood Addition No. 1; thence Southerly along the West line of lots 27, 26, and 25 of said Subdivision, 488.07 feet to the North line of Lot 2, Block "A", Freedom Acres Subdivision; thence Westerly 7.00 feet to the West line of said Lot 2; Thence Southerly along said West line 179.52 feet to the Southwest corner of said Lot 2; thence Southeasterly 80 feet more or less, to the Northwest corner of Lot 9, Block "B", of said Subdivision; thence Southerly along the West line of said Lot 9, a distance of 150.88 feet, to the Southerly line of said Lot 9; thence Southeasterly along said South line 120.00 feet to the Northern most corner of Lot 2, Block "B", of said subdivision; thence Southwesterly 92.00 feet, to the West line of said Lot 2; thence Southerly along said West line 164.77 feet, to the Southwest corner of said Lot 2; thence Southeasterly 96 feet more or less to the Northwest corner of Lot 1, Block "C" in said Freedom Acres Subdivision; thence Southerly along the West line of said Lot 1 a distance of 165.01 feet to the South line of said Lot 1; thence Easterly along the South line of Lots 1, 2, and 3 in said Block "C", a distance of 351.70 feet; thence Southerly along the West line of Lots 4 and 6 in said Block "C", a distance of 259.00 feet to the North line of Lot 7, in said Block "C"; thence Easterly along said North line, 160.34 feet to the Northeast corner of said Lot 7; thence Northeast 91 feet more or less to the Southwest corner of Lot 8, Block "E", in said Freedom Acres Subdivision; thence Southeasterly along the Southwesterly line of said Lot 8, a

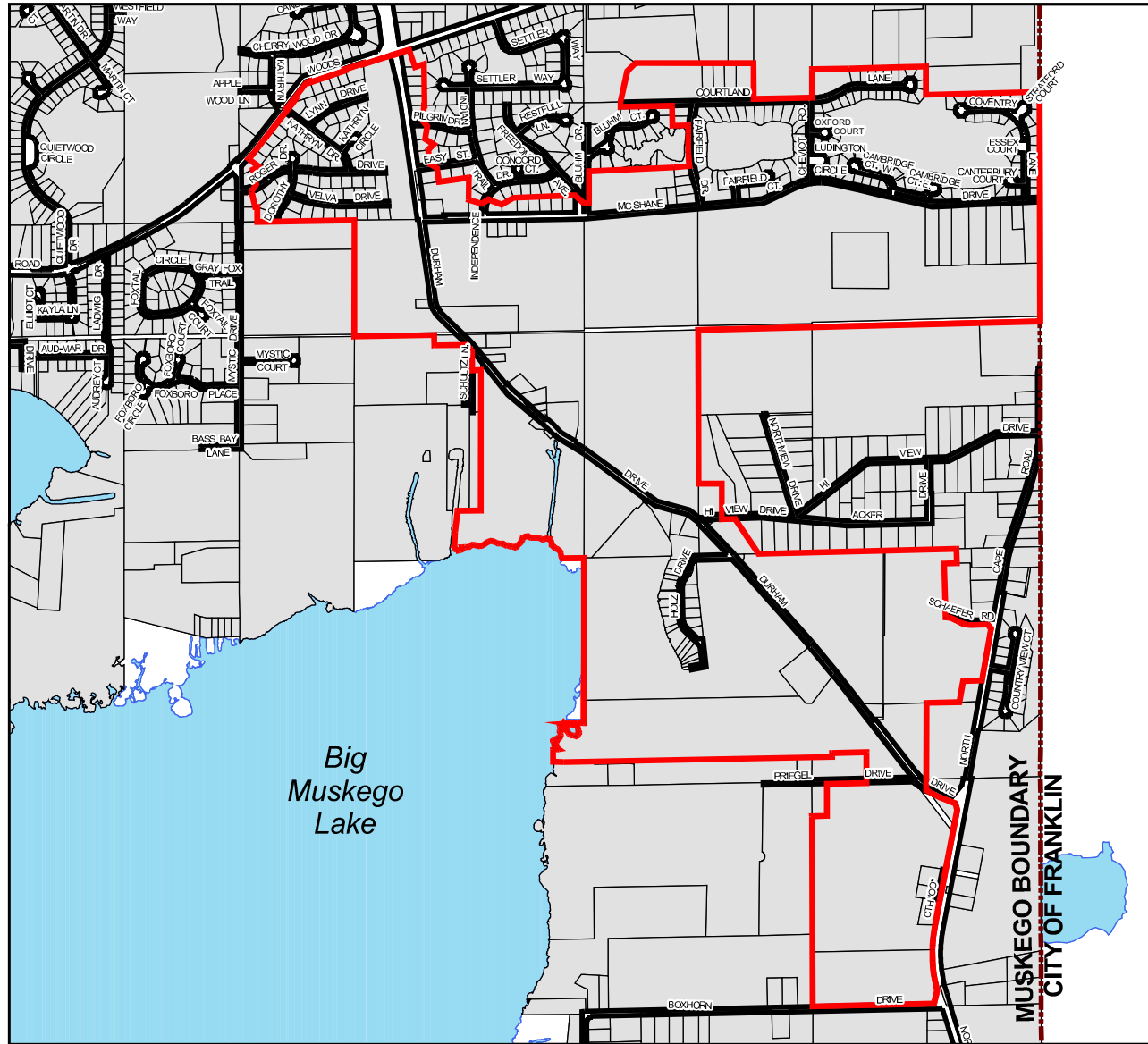
distance of 168.20 feet, to the Northwesterly line of Lot 6; thence Northeasterly along said Northwesterly line, 157.67 feet to the North line of said Block "E"; thence Easterly along the North line of Block "E", in said Freedom Acres Subdivision 716.10 feet, to the Westerly right-of-way of Freedom Avenue; thence Southeasterly 138 feet more or less to the Southerly most corner of Lot 1, Block "F", Freedom Acres Addition No. 1; thence Easterly 60 feet more or less to the East line of Bluhm Drive, said line also being the West line of Lot 2, Certified Survey Map No. 5709; thence Northerly along said right-of-way line, 372 feet more or less to the South line of West Lake Estates; thence Easterly along said South line 1,176.63 feet more or less to the West right-of-way line of Fairfield Drive; thence Northerly along said West line 481.75 feet to the South line of Lot 2, Certified Survey Map No. 5280; thence Westerly along said South line 185.31 feet to the West line of said Lot 2; thence Northerly along the West line of Lot 2, and 1 of said Certified Survey Map No. 5280, a distance of 230.00 feet, to the North line of said West Lake Estates; thence Westerly along said North line 603.30; thence Northerly 60 feet more or less to the Southwest corner of Parcel 1, Certified Survey Map No. 5545; thence Northerly along the West line of said Parcel 1, a distance of 370.00 feet; thence Northeasterly 134.52 feet to the North line of said Parcel 1; thence Easterly along said North line 770.33 feet to the Northwest corner of Certified Survey Map No. 9057; thence continuing Easterly along the North line of said Certified Survey Map No. 9057, a distance of 398.32 feet to the Northwest corner of Parcel 1, Certified Survey Map No. 8847; thence continuing Easterly along the north line of said Parcel , a distance of 206.35 feet to the East line of said Parcel 1; thence Southerly along said East line 420.00 feet to the North right-of-way line of Courtland Lane; thence Easterly along said North line 681 feet more or less, to the West line of Outlot 5, Lake Brittany Estates Addition No. 1; thence Northerly along said West line 331.93 feet to the North line of said Outlot 5; thence Easterly along the North line of Lake Brittany Estates Addition No. 1 and No. 2, a distance of 1328.07 feet to the East line of said Lake Brittany Estates Addition No. 1; thence Southerly along said East line 332.27 feet to the North line of the Southeast ¼ of said Section 12; thence Easterly along said North line 1327.51 feet to the Northeast corner of the Southeast ¼ of said Section 12, said point also being the point of beginning.

(See Attached Map)





Daniel Flamini, RLS #2486


Exhibit B

Tenth Amended WCA District

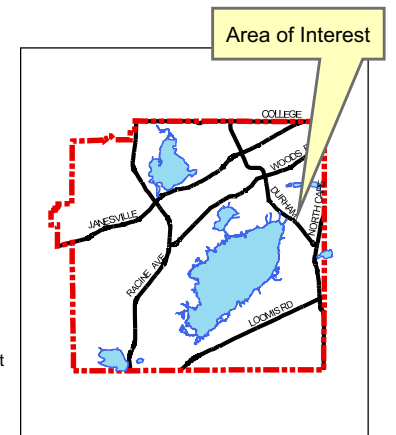


LEGEND

-  WCA 10th Amended Boundary
-  Property
-  Right-of-way
-  Hydrography



N



Scale: 0 1,450 2,900 5,800 Feet



Prepared by City of Muskego
 Planning Department
 01/16/2003