

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 7:15 P.M. on December 9, 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 20th day of November, 2003.

CITY OF MUSKEGO

Jean K. Marena, CMC  
Clerk-Treasurer

# EXHIBIT "A"

September 5, 2003

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

### Parcel 1

All that part of Southeast 1/4 of Section 13, and the Northeast 1/4 Southeast 1/4, and Southwest 1/4 of Section 24, and the Northeast 1/4, Southwest 1/4, and Northwest 1/4 of Section 25, and the Northeast 1/4, and Southeast 1/4 of Section 26, all in Town 5 North, Range 20 East, in the City of Muskego, Waukesha County, Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of Outlot 1, in North Cape Farms, a subdivision in the City of Muskego, said point located on the East line of the Southeast 1/4 of said Section 13, said point also being the point of beginning; thence Southerly along said East line 741.72 feet, to the Southeast corner of the Southeast 1/4, of said Section 13; thence Southerly along the East line of the Northeast 1/4, and Southeast 1/4 of said Section 24, a distance of 5,314.38 feet, to the Northeast corner of the Northeast 1/4 of said Section 25; thence Southerly along the East line of said Northeast 1/4 a distance of 1,007 feet more or less to the Northwest line of a 100 feet wide Wisconsin Electric right-of-way; thence Southwesterly along said Northwest right-of-way line 6,925 feet more or less to the North line of Parcel 2, Certified Survey Map No. 8412; thence Westerly along the North lines of Parcel 2, Parcel 1, and Outlot 1, of said Certified Survey Map No. 8412, a distance of 1904.64 feet, to the West line of the Southeast 1/4 of said Section 26; thence Northerly along said West line 1331.69 feet, to the Northwest corner of said Southeast 1/4 Section; thence Northerly along the West line of the Northeast 1/4 of said Section 26, a distance of 1336 feet more or less to the South line of a property identified by Tax-key No. 2261-980; thence Easterly along said South line and along the South line of a property identified by Tax-key No. 2261-991, a distance of 1332 feet more or less, to the West line of the Northeast 1/4 of the Northeast 1/4 of said Section 26; thence Northerly along said West line 1,164 feet more or less to the South line of Parcel 2, Certified Survey Map No. 8229; thence Easterly along the South line of said Parcel 2, and Parcel 1 of said Certified Survey Map No. 8229, a distance of 250.00 feet to the East line of said Parcel 1; thence Northerly along said East line, 174.30 feet to the centerline of Ryan Road right-of-way; thence Easterly along said centerline, 1070 feet more or less to the Centerline of Boxhorn Drive right-of-way; thence Northerly along said centerline 990.00 feet to the South extended property line of a parcel of land identified by Tax-key No. 2255-985; thence Easterly along said South line 990.00 feet, to the West line of a parcel identified by Tax-key No. 2255-981; thence Northerly along said West line 331 feet more or less to the North line of said parcel; thence Easterly along said North line and also the North line of a parcel identified by Tax-key No. 2255-980, a distance of 341.48 feet; thence Easterly 125.64 feet, to the Southwest corner of a parcel of land identified by Tax-key No. 2255-999; thence Easterly along said South line 1,206.09 feet to the West line of Parcel 1 Certified Survey Map No. 3189, said line also being the West line of the Southeast 1/4 of said Section 24; thence Northerly along said West line 1335.52 feet to the Northwest corner of said Southeast 1/4; thence Northerly along the West line of the Northeast 1/4, a

distance of 30 feet more or less to the North right-of-way line of Boxhorn Drive; thence Easterly along said North line 1,415 feet more or less, to the Westerly right-of-way line of Northcape Road; thence Northeasterly along said West line 2,298 feet more or less, thence Northwesterly along said West line 77 feet more or less to the Southerly right-of-way line of Durham Drive; thence Northwesterly along said Southerly line 343 feet more or less, to the extended East line of Parcel 1, Certified Survey Map No. 7155; thence Northerly along extended East line 127 feet more or less to the Southeast corner of said Parcel 1; thence continuing Northerly along the East line of said Parcel 1 a distance of 895.44 feet, to the Northeast corner of said Parcel 1; thence Easterly along the North line of a property identified by Tax-key No. 2212-999-001, a distance of 383 feet more or less, to the Westerly line of a property identified by Tax-key No. 2212-995; thence Northerly along said West line 250.00 feet, to the North line of said Parcel; thence Easterly along said North line, 251.33 feet, to the centerline of Northcape Road right-of-way; thence Southwesterly along said centerline 589 feet more or less, to the extended South line of said North Cape Farms; thence Easterly along said South line 509 feet more or less, to the Southeast line of said Subdivision; thence Northeast along said Southeast line, 321.00 feet to the point of beginning.

## **Parcel 2**

All that part of Southeast 1/4 and Southwest 1/4 of Section 13, and the Northeast 1/4, and Northwest 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:

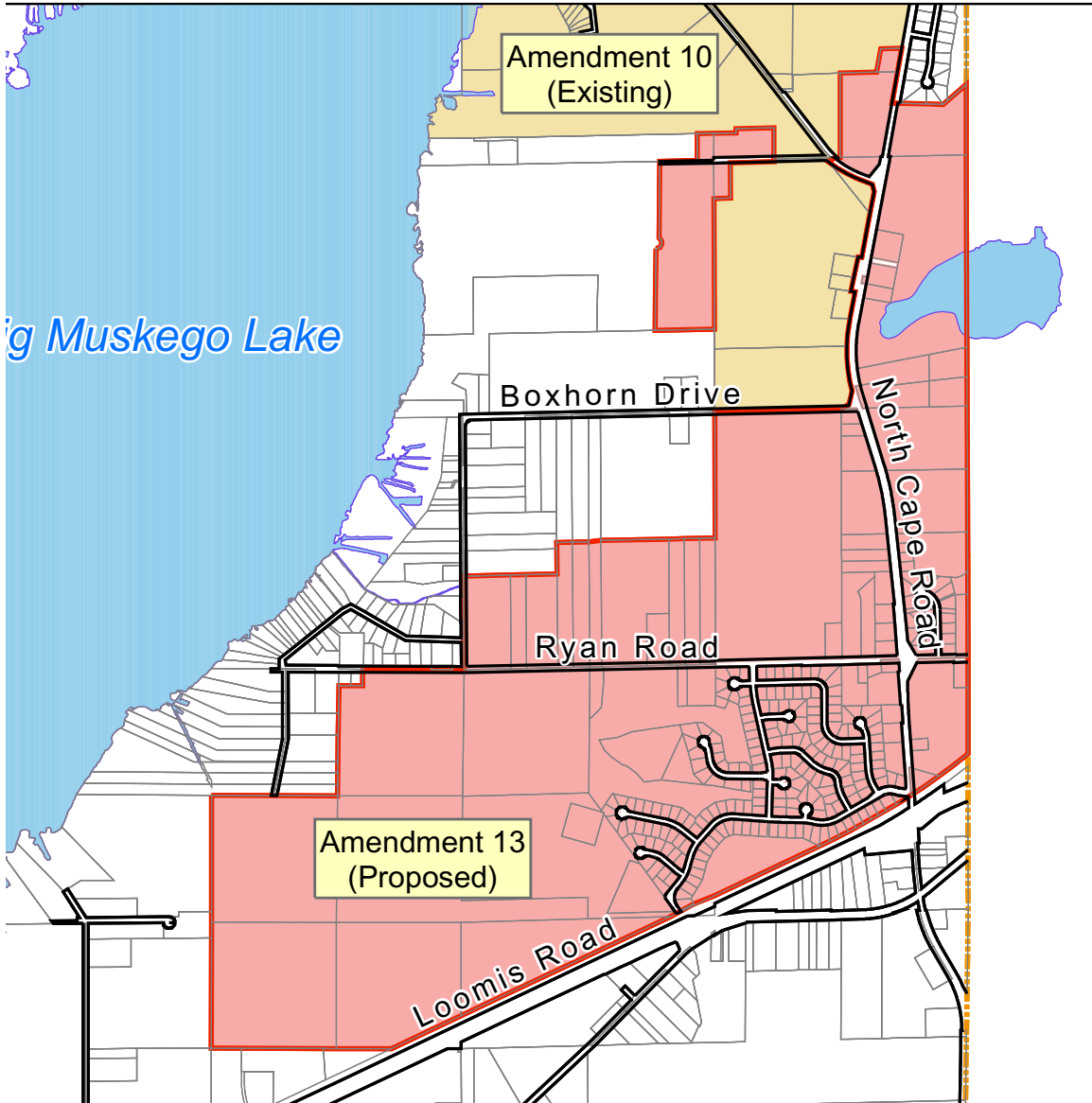
Commencing at the Southwest corner of Parcel 1, of Certified Survey Map No. 3641, said point also being the point of beginning; thence Southerly along the West line of the Northeast 1/4 of said Section 24 a distance of 1380 feet more or less, to the South line of a property identified by Tax-key No.2254-999-002; thence Westerly along said South line 622.50 feet to the West line of said Parcel; thence Northerly along said West line 865.34 feet; thence Northeasterly 157.08 feet along the arc of curve said center lying to the Northwest, having a radius of 60 feet; thence Northerly along the West line of said Parcel, 809 feet more or less to the North right-of-way line of Priegel Drive; thence Easterly along said North line 396 feet more or less to the West line of a property identified by Tax-key No.2211-997-001; thence Northerly along said West line, 284 feet more or less to the South line of a property identified by Tax-key No. 2211-998; thence Easterly along said South line 175.00 feet to the Northwest corner of Certified Survey Map No. 708; thence Easterly along the North line of said Certified Survey Map a distance of 235.72 feet, to the West line of Parcel 1, Certified Survey Map No. 1222; thence Northerly along said West line 45.34 feet to the North line of said Parcel 1; thence Easterly along the North line of Parcel 1, and Parcel 2, of said Certified Survey Map No. 1222, a distance of 400.00 feet, to the East line of said Parcel 2; thence Southerly along said East line 360 feet more or less to the South right-of-way line of said Priegel Drive; thence Westerly along said South line, 459 feet more or less to the East line of Parcel 1, Certified Survey Map No. 3641; thence Southerly along said East line 373.77 feet, to the South line of said Parcel 1; thence Westerly along said South line 175.00 feet to the point of beginning.

(See Attached Map)

Daniel Flamini, RLS #2486

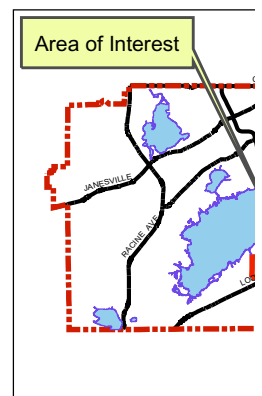
# Exhibit E

## 13th Amend WCA District I



### LEGEND

- Proposed WCA Ame
- Existing WCA Distric
- Property
- Right-of-Way



Prepared by City of Muskego  
 Planning Department  
 09/05/03

