

LAKE MASON MANAGEMENT DISTRICT
Adams and Marquette Counties, Wisconsin

Resolution 2024-01__
BOUNDARY CHANGES

WHEREAS, under certain circumstances the Board of Commissioners of Lake Mason Management District is authorized to detach territory from the District and attach additional property to the District pursuant to Section 33.33 of the Wisconsin Statutes, and

WHEREAS, the Board of Commissioners has determined to establish procedures and criteria for the consideration of motions or petitions to attach or detach territory in a manner consistent with Wisconsin law.

NOW THEREFORE, BE IT RESOLVED that the following procedures and criteria for the consideration of petitions to change the boundary by attaching contiguous property or detaching property from the District are hereby adopted as the policy of the Board of Commissioners.

I. WRITTEN REQUEST

A. **ATTACHMENT.** The owner or owners of any lot or parcel of property contiguous to District boundary may request the Board of Commissioners to initiate proceedings to attach such property pursuant to Section 33.33(2) of the Wisconsin Statutes, by filing a written petition with the District Secretary signed by each owner of the subject property setting forth:

1. The legal description and County Tax Identification Number of the property sought to be attached and a copy of the deed, land contract or other instrument of conveyance to the petitioner.
2. The name and address of each owner of record.
3. A statement explaining why the property should be attached.

B. **DETACHMENT.** The owner or owners of any lot or parcel of property within the District boundary may request the Board of Commissioners to initiate proceedings to detach such property pursuant to Section 33.33(3) of the Wisconsin Statutes, by filing a written petition with the District Secretary signed by each owner of the subject property filing setting forth:

1. The legal description and County Tax Identification Number of the property sought to be detached and a copy of the deed, land contract or other instrument of conveyance to the petitioner.
2. The name and address of each owner of record.

3. A statement explaining why the property should be detached.

II. MOTION OF THE BOARD

- A. **ATTACHMENT.** The board of commissioners may initiate proceedings to attach territory by a motion pursuant to Section 33.33(2)(b) of the Wisconsin Statutes. Following adoption of such a motion, the Secretary shall notify the owners of the territory contemplated for attachment and the board of supervisors of the county within which the territory is located to initiate proceedings on the proposed attachment.
- B. **DETACHMENT.** The board of commissioners detach territory by a motion pursuant to Section 33.33(3) of the Wisconsin Statutes upon a finding that such territory is not benefitted by continued inclusion in the District. Such detachment shall be effective upon the first day of January following the Board's decision.

III. HEARING AND DECISION.

Petitions for attachment or detachment will be considered at the next regular meeting of the Board of Commissioners which is at least 30 days following the filing of a complete petition as follows:

A. ATTACHMENT

1. The petitioner, a representative designated in writing by the petitioner, and any other interested person may present testimony and evidence relevant to whether the property is contiguous to the District boundary and would be benefitted by inclusion in the District.
2. The Commissioners may question the petitioner or any witness regarding the petition, testimony or evidence presented at the hearing.
3. The Board shall act on the petition within 30 days of the date of the hearing. If the Board finds that the subject property is contiguous to the District boundary and would be benefitted by inclusion in the District, it may grant the petition effective upon the first day of January following the Board's decision. If the Board finds that the subject property is not contiguous or would not be benefitted by inclusion in the District, it shall deny the petition.

B. DETACHMENT

1. The petitioner, a representative designated in writing by the petitioner, and any other interested person may present testimony and evidence relevant to whether the property would be benefitted by continued inclusion in the

District.

2. The Commissioners may question the petitioner or any witness regarding the petition, testimony or evidence presented at the hearing.
3. The Board shall act on the petition within 30 days of the date of the hearing. If the Board finds that the subject property is not be benefited by continued inclusion in the District, it shall grant the petition effective upon the first day of January following the Board's decision. If the Board finds that the subject property is benefited by inclusion in the District, it shall deny the petition.

III. CRITERIA FOR BOUNDARY CHANGE DECISIONS

In its consideration of whether the subject property is benefited by inclusion in the District, the Board may consider:

- A. The physical characteristics of the property.
- B. Its use (recreational, commercial, residential, etc.).
- C. Its relationship to the lake in terms of whether:
 1. It is riparian,
 2. It has private access rights to the lake,
 3. Its proximity to public access to the lake,
 4. It is within view of the lake, and
 5. It is within the watershed or groundwater table of the lake.
- D. Whether the value of the property would be enhanced if the lake were to be in reasonably clean, attractive and usable condition; or whether the value of the property would be diminished if the lake were to be in a degraded condition.
- E. Whether property proposed to be attached is contiguous to the District boundary or whether property proposed to be detached would result in any "hole" or "island" within the boundary of the District.
- F. Whether circumstances surrounding the property's inclusion in the District have changed.
- G. Any other factors relevant to whether the property is or would be benefited by inclusion in the District.

IV. APPEALS

Appeals of the Board's decisions on boundary changes may be taken under Section

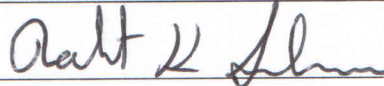
33.26(7) of the Wisconsin

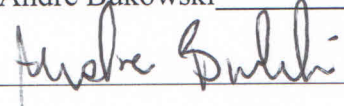
Passed and adopted this 23rd day of March, 2024 at a duly convened meeting of the Board of Commissioners of the Lake Mason Management District.

Roll Call on Resolution 2024--01

Ayes 5 ; Nays 0 ; Absent 1 ; Vacant 1 .

LAKE MASON MANAGEMENT DISTRICT

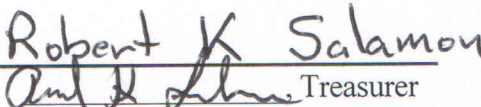
By: Robert K Salamon
 Treasurer

Attest: Andre Bukowski
 , Board of Commissioners Member

CERTIFICATION

The undersigned certifies that s/he is the Treasurer of the **LAKE MASON MANAGEMENT DISTRICT** and that the foregoing Resolution 2024-01 was duly adopted by the Board of Commissioners on the 23rd day of March, 2024, by a vote of 5 Ayes and 0 Nays.

Dated this 24 day of March, 2024.

Robert K Salamon
 Treasurer