

Kenosha**County****BOARD OF SUPERVISORS****RESOLUTION NO. _____**

Subject: Requesting approval of the formation of a Silver Lake Management District within Kenosha County pursuant to Wis. Stat. § 33.25.			
Original <input type="checkbox"/>	Corrected <input type="checkbox"/>	2nd Correction <input type="checkbox"/>	Resubmitted <input type="checkbox"/>
Date Submitted: August 17, 2021		Date Resubmitted:	
Submitted By: Planning, Development & Extension Education Committee			
Fiscal Note Attached <input type="checkbox"/>		Legal Note Attached <input type="checkbox"/>	
Prepared By: Joseph Cardamone Kenosha County Corporation Counsel		Signature: <small>DocuSigned by:</small> <i>Joseph M. Cardamone III</i> <small>A7F0C3E5C4DC41D...</small>	

WHEREAS, on July 21, 2021, pursuant to Chapter 33, Wis. Stats., a verified petition (the "Petition") requesting the formation of a public inland protection and rehabilitation district, to be known as the Silver Lake Management District (the "District"), was filed with the Kenosha County Clerk and was addressed to the Kenosha County Board of Supervisors; and

WHEREAS, pursuant to § 33.25, Wis. Stats., the Petition was signed by approximately 78 percent of the landowners within the proposed District; and

WHEREAS, the Petition included the name of the proposed District, a Statement of Necessity of the proposed District, a Statement of Health, Comfort, Convenience, Necessity and Public Welfare of the proposed District, a map of the proposed boundaries of the District, and a legal description of the proposed District. Attached hereto as Exhibit A is a true and correct copy of the Petition and its attachments; and

WHEREAS, on July 23, 2021, the Kenosha County Clerk confirmed that the Petition was signed by more than 51 percent of landowners within the proposed District; and

WHEREAS, on August 9, 2021, the Village of Salem Lakes approved the inclusion of its territory within the proposed District; and

WHEREAS, pursuant to § 33.26, Wis. Stats., on August 11, 2021, the Committee on Planning, Development & Extension Education (the "Committee") held a public hearing, in compliance with all relevant statutes, at which time all interested parties were permitted to offer their objections, criticisms or suggestions as to the necessity of the proposed District and to question whether their property would be benefited by the establishment of the proposed District; and

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WHEREAS, the Committee does hereby submit the following report and findings, as follows:

1. The Petition was filed on July 21, 2021 in conformance with Chapter 33, Wis. Stats.
2. A public hearing on the Petition was held on August 11, 2021 consistent with § 33.26, Wis. Stats.
3. The Kenosha County Clerk has determined, and the Committee has affirmed, that the Petition was signed by more than 51 percent of the landowners within the proposed District, in excess of the requirement set forth under § 33.25, Wis. Stats.
4. The Village of Silver Lake approved the inclusion of its territory within the boundaries of the proposed District on August 9, 2011.
5. The proposed District is necessary.
6. The proposed District will promote the public health, comfort, convenience, necessity, and public welfare.
7. The lands to be included within the proposed District will be benefited by the establishment of the proposed District.
8. The boundaries of the proposed District are consistent with and conformant to the boundaries described in Exhibit A, attached hereto, and Chapter 33, Wis. Stats.

NOW, THEREFORE, BE IT RESOLVED, that the Kenosha County Board of Supervisors (the “Board”) has reviewed and considered the Committee’s report, and does hereby accept and adopt the Committee’s report as its own; and

BE IT FURTHER RESOLVED, that the Board has reviewed and considered the Committee’s findings, and does hereby accept and adopt the Committee’s findings as its own; and

BE IT FURTHER RESOLVED, that pursuant to Chapter 33, Wis. Stats., the Board does hereby direct and order the formation of the Silver Lake Management District, as a body corporate and politic, with all the rights and obligations described thereunder, consistent with the boundaries set forth in Exhibit A; and

BE IT FURTHER RESOLVED, that the Board understands that pursuant to § 33.27, Wis. Stats., that the County is required, pursuant to the entry of this order, to appoint three individuals to serve as commissioners of the Silver Lake Management District until the first annual meeting of the District; and

BE IT FURTHER RESOLVED, that the Board understands that, pursuant to § 33.28, Wis. Stats., that the County is required to appoint one commissioner who is a member of, or nominated by, the County Land & Water Conservation Committee; and

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BE IT FURTHER RESOLVED, that the Board understands that these appointments will be made by the County Executive, follow the regular procedure for appointments, and will require approval by the County Board; and

BE IT FURTHER RESOLVED, that this order shall not take effect until such time that the County Board has approved those appointments required by § 33.27 and § 33.28, Wis. Stats; and

BE IT FURTHER RESOLVED, that upon such time and conditions as outlined in this resolution, County staff is hereby directed and authorized to take any and all steps necessary to effectuate the order.

NOW, THEREFORE, BE IT RESOLVED:

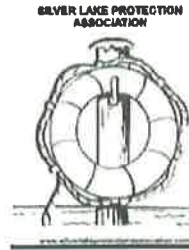
FIRST: That the Kenosha County Board of Supervisors recognizes and supports the efforts of the Silver Lake Protection Association.

SECOND: That the Kenosha County Board of Supervisors supports the formation of a Lake Management District as requested in aforementioned Petition dated July 12, 2021.

Dated this 11th day of August, 2021.

PLANNING, DEVELOPMENT
& EXTENSION EDUCATION
COMMITTEE

	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Excused</u>
 Daniel Gaschke, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Amy Maurer, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Sandra Beth	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Gabe Nudo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 Zach Rodriguez	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



Silver Lake Protection Association
P.O. Box 165
Silver Lake, WI 53170
www.silverlakeprotectionassociation.com

TO: Kenosha County Board of Supervisors
Kenosha County Planning, Development & Extension Education Committee
Kenosha County Clerk Regi Bachochin

FROM: David Zyer, Vice President
Silver Lake Protection Association ("SLPA")

DATE: July 12, 2021

RE: Silver Lake Management District

I, David Zyer, submit this Petition and request approval for the formation of the Silver Lake Management District (the "District") within Kenosha County pursuant to Wis. Stat. § 33.25. This Petition is submitted by me, as Vice President and representative of the Silver Lake Protection Association (the "Association") Board of Directors (the "Board"), along with 82 percent of the landowners of the lands within the proposed District.

In support of this Petition, we submit the following documents and information:

1. Landowner Signatures.

Approximately, 191 of the 233 (82 percent) landowners within the proposed District have signed the Petition to form the District. *See Exhibit 1.*

2. Name of the Proposed District.

The name of the proposed District is the "Silver Lake Management District."

3. Statement of Necessity for the Proposed District.

The Association is unable to meet its financial needs to address invasive species pervading the Lake; to adequately protect wildlife and wildlife habitats in and around the Lake; prevent the Lake from succumbing to pollution and aquatic species that present the potential to render the Lake inhospitable to residents, tourists, and businesses that depend upon the Lake for their recreational, economic, and environmental needs; and, conduct Lake management activities designed to protect the Lake, along with its aquatic resources, personal investments, and values, including

property values, that are greatly affected by the health of the Lake. The formation of the District will enable the acquisition of grants for lake projects and management plans, and assist in protection of the Lake habitat through restoration efforts. Absent coordinated efforts to protect the Lake, including the wildlife that depends on it, the economic and tourism businesses that rely on the Lake will be decimated, and the quality of life for property owners along the Lake will be substantially degraded.

4. Statement of Public Health, Comfort, Convenience, Necessity and Public Welfare.

The mission of the District is to preserve, protect, and enhance the waters and the shoreline of the Lake for current and future generations. Accordingly, it is necessary for the public health, comfort, convenience, necessity or public welfare that the District be formed for the protection of Silver Lake (the "Lake"). In addition, the lands to be included in the District will be benefitted by the establishment of the District. Formation of the District will assure that the lands located within, adjacent to, and reliant upon the Lake can depend on the Lake for its economic, recreational, and business needs for generations to come.

5. Map of the Proposed District.

See Exhibit 2.

6. Legal Description of the Proposed District.

See Exhibit 3.

These documents and information serve as the Petition to establish the District, and are genuine to the best of my knowledge.

SILVER LAKE PROTECTION ASSOCIATION

David Zyer

David Zyer, Vice President

Email: dave_zyer@yahoo.com

Phone: 708-227-2855

STATE OF WISCONSIN)
) ss
COUNTY OF KENOSHA)

On this 12 day of July, 2021, personally came before me David Zyer, to me known to be the Vice President of the Silver Lake Protection Association, and the person who executed the foregoing instrument on behalf of the Silver Lake Protection Association and acknowledged the same.

[Notarial Seal]



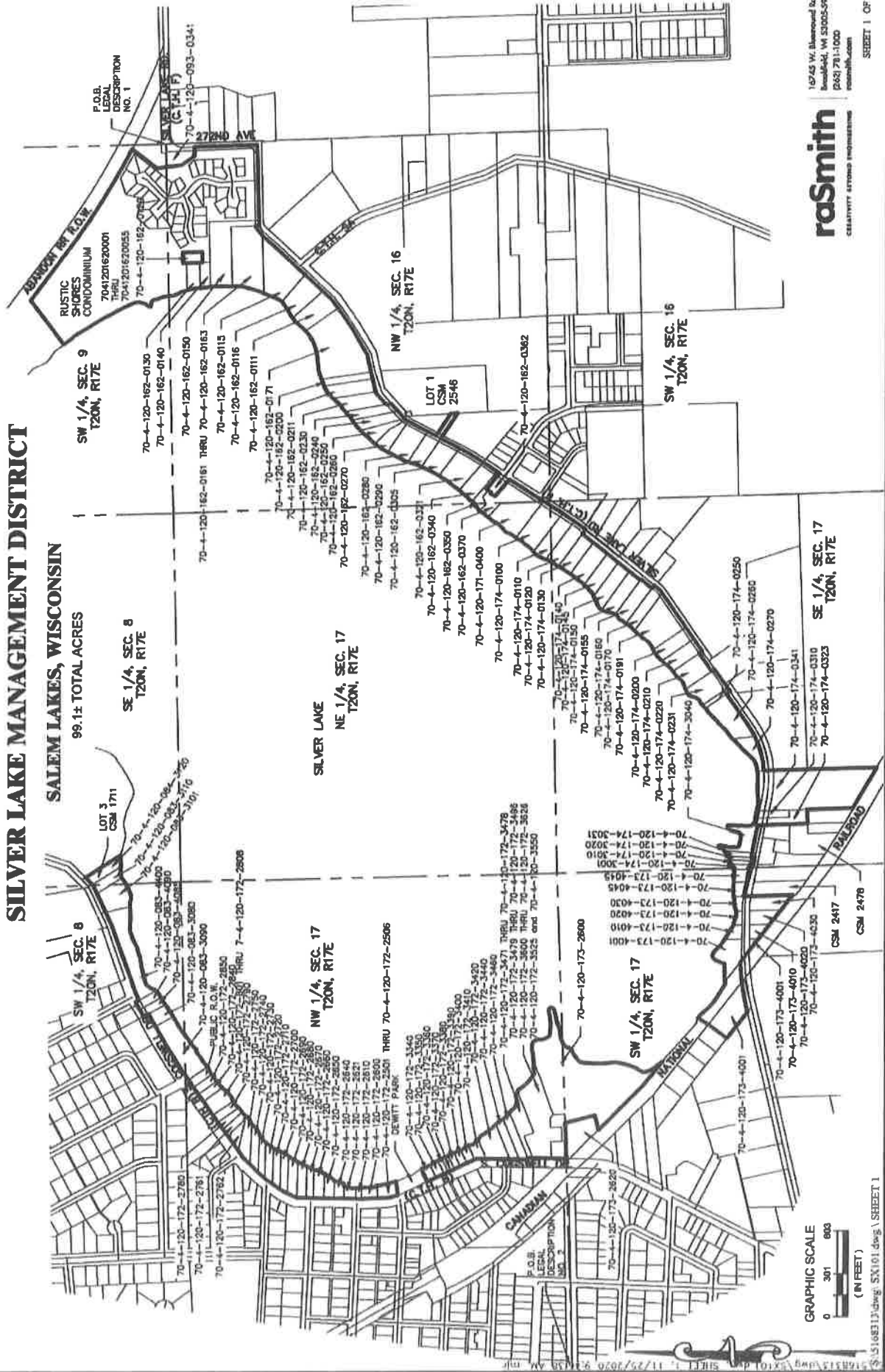
Diane L. Maki
Notary Public, State of Wisconsin

My Commission: 04-09-2023

SILVER LAKE MANAGEMENT DISTRICT

SALEM LAKES, WISCONSIN

99.1± TOTAL ACRES



GRAPHIC SCALE

0 301 603

(IN FEET)

\\s168313\dwg\SI\01.dwg\1 SHEET 1

15745 W. Shoreland Road
Burlington, WI 53005-5928
(262) 781-1000
rasmith.com

raSmith
CREATIVITY BEYOND ENGINEERING

SHEET 1 OF 2

SILVER LAKE MANAGEMENT DISTRICT

SALEM LAKES, WISCONSIN

LEGAL DESCRIPTION NO. 1

That part of the Southwest 1/4 of Section 9, the Northwest 1/4 of Section 16, the Northeast 1/4, Southeast 1/4, Southwest 1/4 and the Northwest 1/4 of Section 17 and the Southwest 1/4 and Southeast 1/4 of Section 8 in Township 20 North, Range 17 East in the Town of Salem Lakes, Kenosha County, WI, more particularly described as follows:

Commencing at the Northeast corner of Northwest 1/4 of said Section 16; thence Westerly, on and along the north line of said Northwest 1/4 to the west right of way line of Silver Lake Road; thence Southerly, on and along said west right of way line to the northeast corner of Rustic Shores Condominium Plat and the point of beginning; thence continuing Southerly on and along said west right of way line to the north right of way line of Silver Lake Road (CTH F); thence Westerly, on and along said north right of way line to the westerly right of said Silver Lake Road; thence Southerly, on and along said westerly right of way line to the northerly line of a parcel with the tax key no. of 70-4-120-162-0290; thence Southeasterly on and along said northerly line to the east line of said parcel and the west line of Lot 1 of Certified Survey Map (CSM) 2546; thence Southerly on and along said east line and said west line of Lot 1 to the south line of said parcel; thence Westerly on and along said south line to the west right of way line of Silver Lake Road; thence Southerly on and along said west right of way line to the east line of a parcel with the tax key no. of 70-4-120-174-0341; thence Southerly, on and along said east line to the north right of way line of the Canadian National Railroad; thence Northwesterly on and along the north right of way line to the west line of said parcel; thence Northerly on and along said west line to the southeast corner of a parcel with the tax key no. of 70-4-120-174-0323; thence Westerly on and along the south line of said parcel to the west line of said parcel and the east line of (CSM) No. 2478; thence Northerly, on and along the west line of said parcel to the north right of way line of Silver Lake Road; thence Northwesterly on and along said north right of way line to the east line of a parcel with a tax key no. of 70-4-120-173-4030 and the west line of CSM 2417; thence Southerly on and along said east line to the southeast corner of said parcel and the north right of way line of the Canadian National Railroad; thence Northwesterly on and along said north right of way line to the north right of way line of Silver Lake Road; thence Southerly, on and along said north right of way line to the southerly corner of a parcel with the tax key no. of 70-4-120-173-4001; thence Northwesterly on and along the southwest line of said parcel to the western most corner of said parcel; thence Northeasterly on and along the northwest line of said parcel and it's extension the southern shore of Silver Lake; thence Southeasterly and Northeasterly on and along the easterly shoreline of said Silver Lake to the Northwest corner of Rustic Shores Condominium Plat; thence Northeasterly on and along the northern line of said Plat to the northeast corner of said Plat and the southwestern line of an abandon railroad right of way; thence Southeasterly on and along the east line of said plat and said southwestern abandon right of way to the northeast corner of said Plat and the northern most corner of a parcel with the tax key no. of 70-4-120-093-0341; thence Southerly and Southeasterly on and along the east line of said Plat and the westerly line of said parcel to the west right of way line of Silver Lake Road and the point of beginning.

Except from the above description are 2 parcels with a tax key no. of 70-4-120-162-0362 and 70-4-120-162-0120

LEGAL DESCRIPTION NO. 2

Also, commencing at the southwest corner of Northwest 1/4 of said Section 17; thence Easterly on and along the south line of said Northwest 1/4 to the east right of way line of Cogswell Drive and the point of beginning; thence Northerly on and along said east right of way line to the northerly corner of Lot 3 of CSM 1711; thence Southeasterly on and along the easterly line of said Lot 3 to the southerly shore line of Silver Lake; thence Southwesterly and Southeasterly on and along the shore line of said Silver Lake to the Northeasterly right of way line of the Canadian National Railroad and the southernmost corner of a parcel with the tax key no. of 70-4-120-173-2600; thence Northwesterly on and along the southwesterly line of said parcel to the Southwest corner of a parcel with the tax key number of 70-4-120-173-2620; thence Northeasterly along the south line of said parcel to the east line of said parcel; thence Northwesterly on and along said east line to the south line of the Northwest 1/4 of said Section 17; thence Westerly on and along said south line point of beginning.

Except from the above description all land of DeWitt Park

November 25, 2020

Drawing No. 168313-RMK