

**REVISED PROPOSAL BY THE TOWN OF MIDDLETON REGARDING
BOUNDARY PLAN AND AGREEMENT WITH THE CITY OF MIDDLETON**

Dated October 30, 2024

The Town of Middleton proposes the following as revised terms of a proposed boundary plan and agreement with the City of Middleton (revisions are noted in strike outs or underlining):

1. Preservation of Current Boundary. Continue current boundary between the Town of Middleton and the City of Middleton without change, except for the 10 acre Ziegler annexation which is now in progress and the Town does not object to. There will be no future annexations or attachments by the City of Middleton in the Town of Middleton without the approval of the Town. Proposals for annexation can be discussed between the parties in the future as the need arises.
2. Extraterritorial Subdivision Review. City of Middleton will not exercise any extraterritorial subdivision (plat and certified survey map) review powers under Chapter 236, Wis. Stats., or under local ordinances adopted under Chapter 236, within the Town of Middleton.
3. Extraterritorial Zoning (Under Chapter 62, Wis. Stats). City of Middleton will not exercise any extraterritorial zoning powers within the Town of Middleton under section 62.23(7a), Wis. Stats.
4. Airport Zoning (Under Aeronautics Chapter 114, Wis. Stats.). City of Middleton will not modify its current airport zoning ordinance or adopt any new airport zoning provisions under Chapter 114, without the approval of the Town Board, including the adoption of any new or additional restrictions, but waivers, amendments and variances to increase height limits generally, in certain areas or for specific buildings, are allowed without requiring Town Board approval.
5. Condemnation. City of Middleton will not condemn any interests in land within the Town of Middleton without the consent of the Town of Middleton. Requests for condemnation can be discussed between the parties in the future as the need arises for public works projects.
6. Land Acquisition. City of Middleton will not acquire any interests in land, either directly or indirectly, within the Town of Middleton without the consent of the Town

of Middleton. Requests for acquisition of interests in land within the Town can be discussed between the parties in the future as the need arises for public works projects.

7. Future Meetings. The Town Board and City Council will meet ~~bi-annually~~ annually to discuss issues of mutual interest that are impacted by the Boundary Plan and Agreement and to consider possible amendments to the Plan and Agreement, which discussions may include items in paragraphs 1 through 6 above.
8. Term of Agreement. The Boundary Agreement and Plan shall have a term of ~~50~~ 60 years.
9. Adoption. This is a proposal and is not legally binding unless formally adopted by the Town of Middleton and the City of Middleton in accordance with the boundary agreement provisions of section 66.0307, Wis. Stats., and approved by the Wisconsin Department of Administration. To the extent that the procedures for formal adoption of the Boundary Agreement and Plan cannot be completed by May 12, 2025 for any reason, the parties will put the agreement into effect by May 12, 2025 on an interim basis by adopting the agreement as an intergovernmental agreement under section 66.0301, Wis. Stats.