

**ORDER DENYING PETITION
FOR REMOVAL OF LAND
DANE COUNTY DRAINAGE DISTRICT 25**

Return to John C. Mitby
33 East Main Street. Suite 400
Madison, WI 53703

**In the Matter of
DANE COUNTY DRAINAGE DISTRICT 25**

WHEREAS, the Village Board of the Village of DeForest submitted a petition to remove lands in accordance with Wis. Stat. 88.83(4) attached hereto as Exhibit A (the "Petition") from the jurisdiction of the Dane County Drainage Board (the "Board") and transfer said lands to the jurisdiction of the Village of DeForest ("Village");

WHEREAS, in accordance with Wis. Stat. 88.83(2) a public hearing was held at 6:30 p.m. on October 22, 2019, at the Village of DeForest Village Hall where the Board heard testimony from landowners with property located in District 25;

WHEREAS, the Board and Village did not enter into the agreement required under Wis. Stat. 88.83(2m) for proposed transfers of jurisdiction of less than an entire District; and

WHEREAS, the Board unanimously moved and approved to deny the Petition for the reasons put forth in the October 22, 2019 Hearing Minutes.

THEREFORE, IT IS ORDERED:

Pursuant to Section 88.83(4), Wis. Stats., the lands described on Exhibit A shall remain under the jurisdiction of the Dane County Drainage District 25 ("District") on the basis that the Board would lose control of lateral; the District

would be effectively divided into 3 chunks if the Petition was approved, making it difficult to ensure that the work required under Chapter 88 for the entire district could be maintained and that drainage benefits assigned to the lands can be maintained; interaction between the Board and Village this year has been decent but interactions over past work did not go as well; the Board is uncomfortable not knowing the mission of the Village; the way the Village assesses benefits on an equal basis is different for the rest of the District and, the Board disagrees with the third statement in the resolution included in the Petition stating that the land within the district, including its outlets, no longer benefits from the work or improvements provided by the District.

DANE COUNTY DRAINAGE BOARD

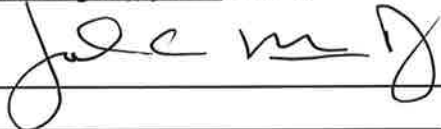
By: 
Name: Scott Ringelstetter
Dated: 12-10-2019

By: _____
Name: Leonard Massie
Dated: _____

By: _____
Name: Paul Maly
Dated: _____

AUTHENTICATION

Signatures of Scott Ringelstetter, Leonard Massie,
Paul Maly, _____ authenticated this 7 day
of December, 2019.



Title: Member of State Bar of Wisconsin

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DANE COUNTY DRAINAGE BOARD

By: _____
Name: Scott Ringelstetter
Dated: _____

By: Leonard R. Massie
Name: Leonard Massie
Dated: 12/17/2019

By: Paul Maly
Name: Paul Maly
Dated: Dec 3, 2019

AUTHENTICATION

Signatures of Scott Ringelstetter, Leonard Massie,
Paul Maly, _____ authenticated this 17 day
of December 2019.

[Signature]

Title: Member of State Bar of Wisconsin