

**INTERGOVERNMENTAL AGREEMENT BETWEEN THE  
VILLAGE OF DEFOREST AND THE TOWN OF WINDSOR  
REGARDING ADOPTION OF COOPERATIVE BOUNDARY PLAN  
UNDER SECTION 66.0301 AND 66.0307 WISCONSIN STATUTES**

This Agreement is entered into by and between the Village of DeForest, a Wisconsin municipality with offices at 306 DeForest Street, DeForest, Wisconsin 53532 (hereinafter “DeForest”), and the Town of Windsor, a Wisconsin municipality with offices at 4084 Mueller Road, DeForest, Wisconsin 53532 (hereinafter “Windsor”). DeForest and Windsor may be referred to herein as “Party” or collectively as “Parties”.

**WHEREAS**, Sections 66.0301(6) and 66.0307 Wis. Stats. authorize municipalities to enter into various intergovernmental agreements, including agreements determining boundary lines between them; and

**WHEREAS**, the Parties have prepared a Cooperative Plan under Section 66.0307, Wis. Stats., a copy of which is attached hereto as Exhibit A (the “Plan”) and intend that the Plan be approved by the Wisconsin Department of Administration (WisDOA) as provided in that section; and

**WHEREAS**, the Parties have determined that it is in the public interest that the Plan be adopted at the earliest time permitted by statute; and

**WHEREAS**, the Plan contains provisions which are intended to remain in effect for either twenty (20) or thirty (30) years; and

**WHEREAS**, under Section 66.0301(6) Wis. Stats., the terms of the Plan may be implemented without the requirement of approval by WisDOA, but only for a period of ten (10) years from adoption; and

**WHEREAS**, the Parties have determined that it is in their mutual interest to approve the terms of the Plan in all respects, other than the length of the planning period as defined therein, to be effective pending approval by WisDOA;

**NOW THEREFORE**, the Parties agree as follows:

1. Adoption of Plan. The attached Plan shall become effective and binding on both Parties upon its effective date of this Agreement as provided in §3 hereof, in all respects, except that the term of the Plan shall be limited to ten (10) years as provided in that section.

2. Effect of WisDOA Approval of Plan. In the event that the Plan is approved by WisDOA in accord with the terms and conditions of Section 66.0307, Wis. Stats., this Agreement shall terminate.

3. Effective Date. Except as provided herein, the terms of the Plan shall become effective thirty-one (31) days after publication by both Windsor and DeForest of this Agreement as a Class 1 notice as required by Section 66.0301(6)(c)1, Wis. Stats. Neither Party shall publish this Agreement unless and until both Parties have done all of the following in compliance with §66.0301(6)(c), Stats:

- (a) Provided at least twenty (20) days written notice by certified mail to each owner of property that may be affected by the boundary change provisions contained herein, and the owners of all immediately adjacent properties;
- (b) Published a Class 1 notice of a public hearing on this Agreement under Ch. 985, Wis. Stats.;
- (c) Held a public hearing on this Agreement in accordance with the published notice;
- (d) Approved this Agreement by resolution adopted by its governing body following the public hearing as provided in par. (c).

Notwithstanding the foregoing, if, within thirty (30) days of the publication of this Agreement, a petition for referendum is filed in accordance with §66.0301(6)(c)2, Wis. Stats., this Agreement shall not be effective until the results of the election in favor of this Agreement are certified. In the event of a referendum whose results do not approve this Agreement, this Agreement shall be void.

Dated this \_\_\_\_\_ day of May, 2010.

VILLAGE OF DEFOREST

TOWN OF WINDSOR

By: \_\_\_\_\_  
Jeffrey N. Miller, President

By: \_\_\_\_\_  
Alan J. Harvey, Chairperson

Attest:

Attest:

By: \_\_\_\_\_  
Lu Ann Leggett, Clerk

By: \_\_\_\_\_  
Tina Butteris, Clerk-Treasurer