

FIRST AMENDMENT TO  
INTERGOVERNMENTAL AGREEMENT AMONG  
THE CITY OF NEENAH, THE TOWN OF NEENAH,  
TOWN OF NEENAH SANITARY DISTRICT # 1-1  
AND THE TOWN OF NEENAH SANITARY DISTRICT # 2  
TO PROVIDE FOR ORDERLY GROWTH AND DEVELOPMENT  
WITHIN AGREED-UPON MUNICIPAL BOUNDARIES

This First Amendment to Intergovernmental Agreement Among the City of Neenah, the Town of Neenah, Town of Neenah Sanitary District # 1-1, and the Town of Neenah Sanitary District # 2 to Provide for Orderly Growth and Development within Agreed-Upon Municipal Boundaries (“Amendment”) is entered into by the parties on the latest date set forth below.

**Recitals**

- A. The City of Neenah, the Town of Neenah, and the Town of Neenah Sanitary District # 2 are parties to an existing intergovernmental agreement providing for orderly growth and development within agreed-upon municipal boundaries (the “Boundary Agreement”).
- B. The general purpose of the Boundary Agreement, as described in additional detail within the Boundary Agreement, is to promote orderly, planned growth for the City and Town and the provision of appropriate and cost-effective municipal services.
- C. To those ends, the Boundary Agreement governs, among other things, the City’s authority to annex and attach property located within the Town.
- D. The parties wish to amend the Boundary Agreement to address a special case concerning the property located at 200 County Road CB, which is further identified on the map attached hereto as Exhibit 1.
- E. Specifically, the parties wish to allow for the City to attach that parcel to the City in consideration of the premises described in the Boundary Agreement and in consideration of the parties’ Shared Services Agreement.
- F. This Amendment is authorized by Section 5.5 of the Boundary Agreement, as well as Wis. Stat. §§ 66.0301(6).

NOW, THEREFORE, in consideration of the above recitals, which are contractual, and for other good and valuable consideration, the receipt and sufficiency of which is mutually acknowledged, the parties agree as follows:

- A. Section 5.4.1 of the Boundary Agreement is created to read:

5.4.1 Special Attachment Parcel. Attached hereto as Exhibit 1 is a map depicting the parcel located at 200 County Road CB. Notwithstanding anything to the contrary within this Agreement, the City may, by ordinance adopted pursuant to Wis. Stat. § 66.0301(6)(e), attach that parcel to the City at any time after the effective date of this Amendment.

The parties further agree that if at any time the City fails to make any payment due to the Town in accordance with the City-Town Shared Services Agreement, the Town may demand that the parcel be detached to the Town and may accomplish a detachment through adoption of an ordinance under Wis. Stat. § 66.0301(6)(e). In that event, the City shall take all action necessary to accomplish such a detachment.

All other provisions of the Boundary Agreement shall remain in full force and effect.

All City, Town, and Sanitary District officials are hereby authorized and directed to take all action necessary to implement this Amendment.

Dated this 16<sup>th</sup> day of November, 2020.

CITY OF NEENAH

By: Dean R. Kaufert  
Dean R. Kaufert, Mayor

Attest: Stephanie A. Cheslock  
Stephanie A. Cheslock, City Clerk

TOWN OF NEENAH

By: Robert F. Schmeichel  
Robert Schmeichel, Chairperson

Attest: Ellen Skerke  
Ellen Skerke, Clerk/Treasurer

SANITARY TWO

By: Dan Osero  
Dan Osero, President

Attest: Elizabeth Peterman  
Elizabeth Peterman,  
Deputy Clerk/Treasurer