

Resolution No. 2017-16
A RESOLUTION TO VACATE A PORTION OF AN
UNPAVED ALLEY IN THE TOWN OF RED CEDAR

WHEREAS, the public interest requires that a portion of an unpaved alley in the Town of Red Cedar, shown on the maps attached hereto and incorporated herein by reference as Exhibit "A", be discontinued and vacated; and

WHEREAS, this portion of the unpaved alley is more particularly described as follows:

That portion of the unpaved alley (PIN 17024-2-281206-002-0024), consisting of part of Government Lot 2, Section 6, Township 28 North, Range 12 West, running East and West for a distance of 260 feet and North and South for a distance of 35 feet along the South lot lines of E5434 County Road BB (PIN 17024-2-281206-002-0007) and E5440 County Road BB (PIN 17024-2-281206-002-0013). (See attached maps)

WHEREAS, Wis. Stats. 66.1003(4) allows proceedings initiated by the Town Board by an introduction of a Resolution declaring that since the public interest requires it, the whole or any part of any road, street, or unpaved alley in the Town may be vacated pursuant to the procedures therein; and

WHEREAS, this Resolution was introduced before the Town Board of the Town of Red Cedar on September 11, 2017; the Notice of Hearing was published in the Dunn County News on October 4, 2017, October 11, 2017, and October 15, 2017; a copy of said Notice was served or mailed not less than 30 days prior to the hearing in the manner prescribed by law on the owners of all the frontage lots and lands abutting upon the portion of said unpaved alley to be discontinued; and a public hearing was held before the Town of Red Cedar Planning Commission on October 23, 2017.; and

WHEREAS, the discontinuance of the above-described public way will not result in a landlocked property, no owner of property abutting the discontinued public way will be damaged by the discontinuance, and no written objection to said discontinuance and vacation in accordance with Sec. 66.296, Wis. Stats., was filed with the Town Clerk.

NOW, THEREFORE, in accordance with the authority vested in the Town Board by Section 66.296, Wis. Stats., the Town Board of the Town of Red Cedar, Dunn County, hereby resolves as follows:

1. The portion of the unpaved alley in the Town of Red Cedar as shown on Exhibit "A" attached hereto and incorporated by reference, and more particularly described above, is hereby vacated and discontinued, and the land is awarded to the following owners of real estate abutting the discontinued way:
 - a. that portion of the vacated alley running East and West for a distance of 94 feet and North and South for a distance of 17.5 feet along the South lot line of E5440 County Road BB to Jonathon R. Grayless, E5440 County Road BB, Menomonie, WI (PIN 17024-2-281206-002-0013); and
 - b. the remainder of the vacated alley running East and West and North and South along the South Lot lines of E5434 County Road BB and E5440 County Road BB to Michael D. Holzhueter, E5434 County Road BB, Menomonie, WI (PIN 17024-2-281206-002-0007).
2. If necessary, any official Town Map shall hereby be amended to be consistent with this Resolution.
3. The Town Clerk shall record a certified copy of this Resolution with the Dunn County Register of Deeds.
4. The Town Clerk shall properly post or publish this Resolution as required under Sec. 60.80, Wis. Stats.

The above Resolution was duly adopted at the regular meeting of the Town Board of the Town of Red Cedar this 13th day of November, 2017.

APPROVED:

Town Board Chair

ATTEST:

Town Clerk

ADOPTED: _____

POSTED: _____