

RESOLUTION 11-20A

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF JEFFERSON TO VACATE AND DISCONTINUE A PORTION OF RIVER ROAD RIGHT OF WAY

WHEREAS, pursuant to Wis. Stat. § 66.1003, the Town Board has statutory authority to vacate and discontinue Town roads within its jurisdiction; and

WHEREAS, the public interest requires vacation of a portion of river road right of way as depicted and described in Exhibit 1, as this is a segment of road that has no utility in this location and the right-of-way can be used by an abutting owner, provided an alternative satisfactory river access is provided; and

WHEREAS, this Resolution was introduced in this form before the Town Board of the Town of Jefferson on November 5, 2020; and

WHEREAS, following introduction of this Resolution, the Town Board set a date for a public hearing which was not less than forty (40) days after the date on which this Resolution was introduced, specifically on December 17, 2020; and

WHEREAS, notice of public hearing stating when and where this Resolution would be acted upon and stating what public way is proposed to be discontinued was published as a Class 3 Notice under Chapter 985, Wisconsin Statutes, and in addition was served on the owners of all of the frontage of the lots and lands abutting upon the public way sought to be discontinued (said properties described in Exhibit 2) in a manner provided for the service of Summons in Circuit Court at least 30 days before the hearing; and

WHEREAS, no written objections to the proposed discontinuance have been filed with the Town Clerk by any of the owners abutting on the public way sought to be discontinued, or by the owners of more than one-third of the frontage of the lots and lands abutting on the remainder of the public way which lies within 2,650 feet from the ends of the public way proposed to be discontinued or which lies within that portion of the 2,650 feet that is within the Town limits; or if such objection has been filed, two-thirds of the members of the Town Board voting on the proposed discontinuance have voted in favor of the discontinuance; and

WHEREAS, no landlocked parcel will be created by the proposed discontinuance; and

WHEREAS, the owners of all of the lands abutting a portion of river road right of way have submitted, or will submit prior to this Resolution taking effect, a certified survey map for approval under Chapter 236 of the Wisconsin Statutes, which will dedicate certain alternative river access road right-of-way to the Town; and

WHEREAS, the Town board has conducted such public hearing on December 17, 2020, pursuant to such notice; and

WHEREAS, following due consideration of all information received from Owners, the Town Engineer, the recommendation of the Town Plan Commission, and all information received in the course of the public hearing of this matter and being duly advised, the Town Board, by this Resolution, does hereby declare the public interest requires the vacation and discontinuance of a portion of river road right of way as specifically described and identified on

Exhibit 1, provided alternative river road right of way is dedicated as contemplated herein, and the Town Board further finds that the vacation and discontinuance of a portion of river road right of way will not land lock any property.

NOW THEREFORE, BE IT RESOLVED by the Town Board of the Town of Jefferson, Jefferson County, Wisconsin, that a portion of river road right of way depicted in the attached Exhibit 1 is hereby discontinued pursuant to Wis. Stat. § 66.1003, subject to the approval and delivery to the Town Clerk for recording, a certified survey map which dedicates an alternative river road right of way, and subject to the certified survey map being approved by the Town Board which

describes the resulting lot lines, in a manner that is approved by the Town Board and recording the certified survey map with the Jefferson County Register Deeds.

BE IT FURTHER RESOLVED, that upon receipt by the Town of the original certified survey map bearing approval of all necessary governmental bodies and parties-in-interest, the Town Clerk shall record a certified copy of this Resolution together with said certified map with the Jefferson County Register of Deeds.

PASSED AND ADOPTED by the Town Board of the Town of Jefferson, Jefferson this day of , 2020.

TOWN BOARD, TOWN OF JEFFERSON

Michael Hollinger, Chair

Curtis Backlund, Supervisor

Gregg Hill, Supervisor

Jim Mode, Supervisor

Tracie Stammer, Supervisor

ATTEST TO:

Tina Barnes, Clerk