State of Wisconsin

County of Dunn

**Resolution No. 2019-8**

**RESOLUTION TO VACATE AND DISCONTINUE**

**AN UNIMPROVED STREET IN THE TOWN OF RED CEDAR**

WHEREAS, the public interest requires that an unimproved street in the Town of Red Cedar, shown on the map attached hereto and incorporated herein by reference as Exhibit “A”, be discontinued and vacated; and

WHEREAS, this unimproved street is more particularly described as follows:

*The unimproved street (PIN 17024-2-281206-002-0035), consisting of part of Government Lot 2, Section 6, Township 28 North, Range 12 West, running East and West for a distance of 76.5 feet and North and South for a distance of 310.14 feet south of County Road BB.*

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 October 14, 2019; the Notice of Hearing was published in the Dunn County News on November 13, 2019, November 20, 2019, and November 30, 2019; 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 street to be discontinued; and a public hearing was held before the Town of Red Cedar on December 9, 2019; 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. That the portion of the unimproved street 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.
2. That the adoption of this Resolution affects the following described properties abutting the discontinued way: all those lands within the West ½ of the NW ¼ of Block 4, E L Harringtons Addition to Cedar Falls (as described within Doc. #517950/being PIN 17024-2-281206-002-0031 by Ottinger) and all those lands within the West ½ of the SW ¼ of Block 4, E L Harringtons Addition to Cedar Falls (described within Doc. #517950/being PIN 17024-2-281206-002-0032 by Ottinger); AND those lands contained within part of the NW ¼ of the SE ¼ as described within a metes and bounds description (See Map of Survey S-1520/Doc. #301249/being PIN 17024-2-281206-420-0005 by DeLong); and those lands contained within part of Government Lot 2 (Doc. #439732 plus vacated alley on Doc. #625772/being PIN 17024-2-281206-002-0038 by Holzhueter; Doc. #439732/being PIN 17024-2-281206-002-0006 by Holzhueter; and Map of Survey S-1497 Doc. #612759/being PIN 17024-281206-002-0039 by Grayless).
3. If necessary, any official Town Map shall hereby be amended to be consistent with this Resolution.
4. The Town Clerk shall record a certified copy of this Resolution with the Dunn County Register of Deeds.
5. 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 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2019.

APPROVED:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Town Board Chair

ATTEST:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Town Clerk

ADOPTED: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

POSTED: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_