

**VILLAGE OF GERMANTOWN
WASHINGTON COUNTY**

RESOLUTION NO. 08-2020

AN INITIAL RESOLUTION FOR THE DISCONTINUANCE OF A PORTION OF THE 66 FOOT PUBLIC ROAD DEDICATION SHOWN ON CSM NO. 455 LOCATED NORTH OF COUNTY LINE ROAD APPROXIMATELY 640 FEET EAST OF FOND DU LAC AVENUE

WHEREAS, Certified Survey Map No. 455 contains a 66-foot wide public road dedication along the eastern property line; and

WHEREAS, Waste Management of Wisconsin, the owner of all land abutting said public road dedication, has petitioned for the vacation of said right-of-way; and

WHEREAS, the Village Board has determined that the public interest requires the discontinuation of the following described right of way which is illustrated in Exhibit A:

All except of southern-most 50-feet of that 66-foot wide right-of-way dedication commencing at the southwest corner of Section 36, thence N 87 54' 53" E on the south line of said Section 36, 781.0 feet to the point of beginning; thence N 02 05' 07" W, 445.89 feet to a point; thence N 87 54' 53" E, 66.0 feet to a point; thence S 02 05' 07" E, 445.89 feet to a point; thence S 87 54' 53" W, 66.0 feet to the point of beginning as originally platted Certified Survey Map No. 455 recorded in the Office of the Register of Deeds for Washington County, Wisconsin, on November 11, 1971, in Volume 2 on Page 362 as Document No. 326687, being located in and part of the Southwest 1/4 of the Southwest 1/4 of Section 36, Town 9 North of Range 20 East, Village of Germantown, Washington County, Wisconsin; and

WHEREAS, the public road right of way which is hereby to be discontinued lies within one-quarter mile of a state trunk highway or connecting highway, and does not contain a railroad crossing within its boundaries; and

WHEREAS, Sec. 66.1003 of the Wisconsin Statutes requires a public hearing on any proposed discontinuance not less than 40 days following the introduction of a discontinuance resolution;

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Germantown, Wisconsin, that the Discontinuance Resolution attached hereto as Exhibit B is hereby introduced as that term is used in Wis. Stat. § 66.1003(4).

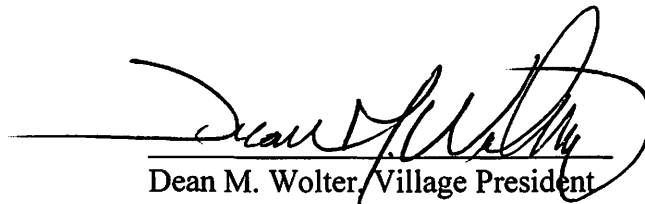
BE IT FURTHER RESOLVED, that a public hearing on the discontinuance resolution is hereby scheduled for March 16, 2020 at 7:00 p.m. or as soon thereafter as the Village Board may hear the matter.

BE IT FURTHER RESOLVED that the Village Clerk is hereby directed to deliver a copy of this resolution to the Wisconsin Secretary of Transportation.

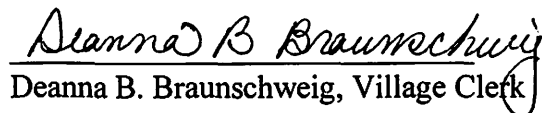
Introduced by Trustee Baum, at the Village Board Meeting of the Village of Germantown on February 3, 2020.

Adopted: February 3, 2020

Vote: Ayes: 9 Nays: 0


Dean M. Wolter, Village President

ATTEST:


Deanna B. Braunschweig, Village Clerk

**BUSINESS OF THE VILLAGE BOARD
GERMANTOWN, WI**

MEETING DATE: February 3, 2020

AGENDA ITEM: Public Hearing and New Business

ITEM TITLE: Resolution 08-20 Introducing the Request to Discontinue the 66' Public Right-of-Way Reservation Shown on CSM No 455

SUBMITTED BY: Lawrence W Ratayczak, P.E., Director of Public Works

SUMMARY EXPLANATION:

The Village was approached by Waste Management having a 66' Public Road Right-of-Way Reservation with a request to Discontinue (Vacate) the Public Road Right-of-Way Reservation. Pursuant to State Statutes the Request was taken to the Plan Commission on September 9, 2019 and received a unanimous vote to Discontinue the 66' wide public street right-of-way reservation.

The next procedural item will be to take the Discontinuance (vacation) of right-of-way to the Village Board for a Hearing. The Hearing requires a Type 3 Notice which is the legal publication of the Notice of Hearing for three (3) consecutive weeks. The first of three advertisements for the Hearing will take place on February 12, 2020. The Hearing will be at a future Village Board meeting.

ATTACHMENT: ORDINANCE____ RESOLUTION____ OTHER X

- Resolution

RECOMMENDATION:

Staff recommends that the Village Board approve the Resolution Introducing Discontinuance of the 66' Public Road Right-Of-Way Reservation.

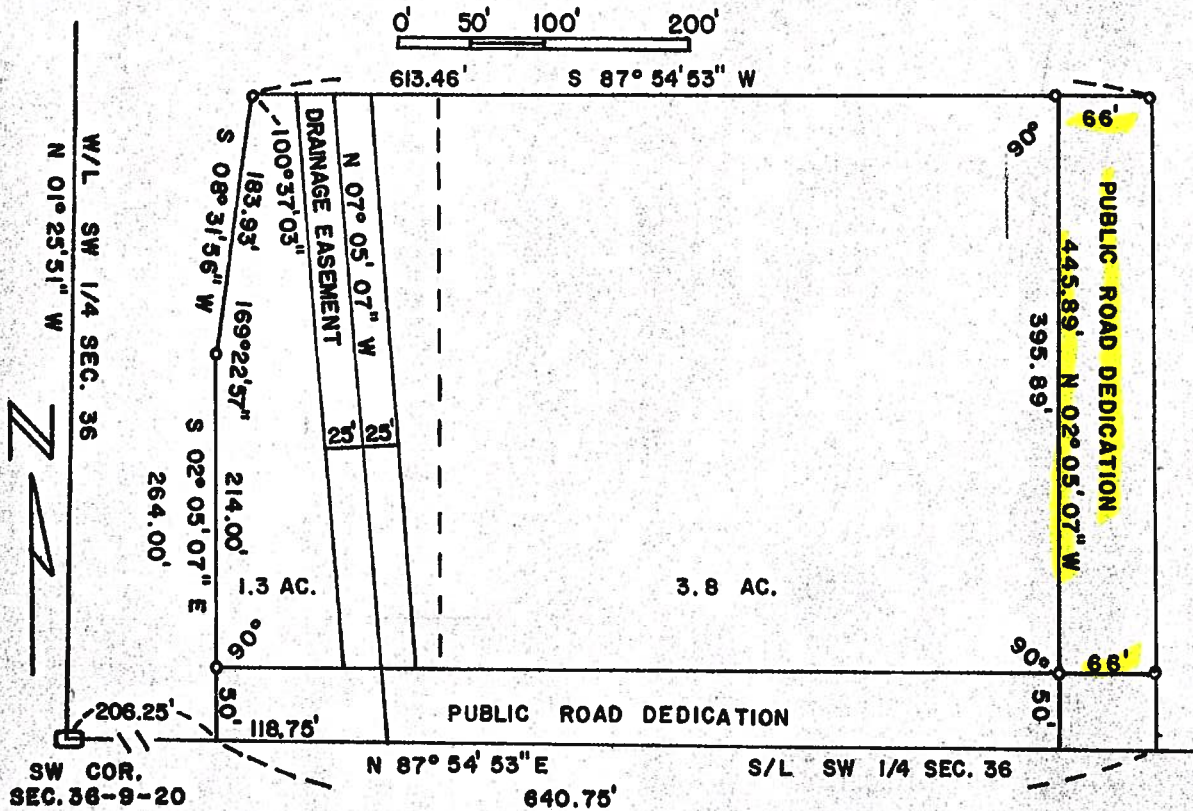
COMMITTEE ACTION:

Proper parliamentary procedure to deny a request is to have a motion made in the affirmative and by voting NAY would deny the request if a majority vote.

EXHIBIT "A"

326687

CERTIFIED SURVEY MAP
SW 1/4 OF SW 1/4 SEC. 36-9-20
VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, WISC.



o Denotes 3/4" x 36" iron rod, 1.502 lbs./ft.

SCALE 1"=100'

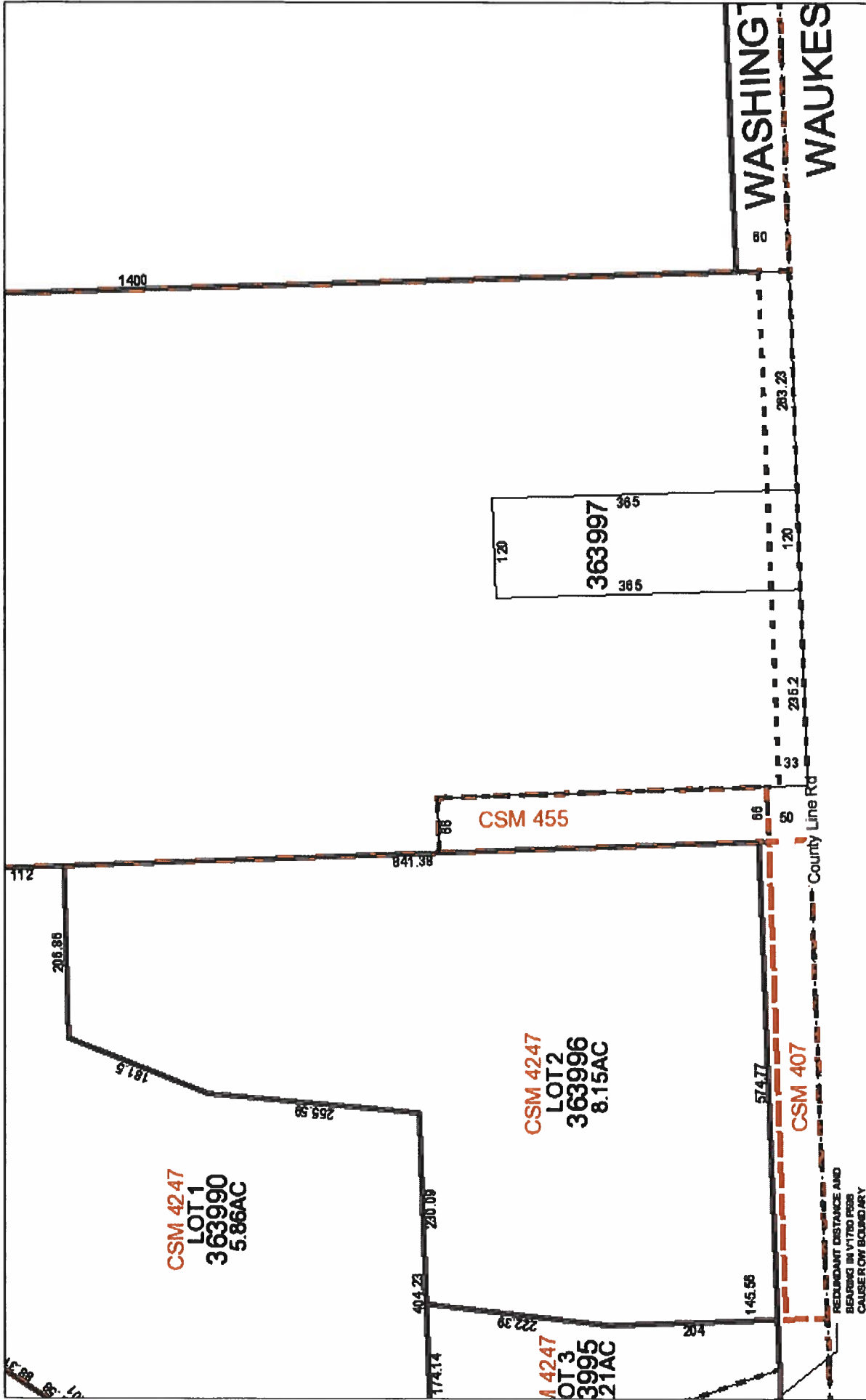
SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)
 WASHINGTON COUNTY) SS

I, Robert H. Packee, registered land surveyor, do hereby certify:
 That I have surveyed and mapped a part of the SW 1/4 of the SW 1/4 of Section 36 T 9 N, R 20 E, Village of Germantown, Washington County, Wisconsin, bounded and described as follows;
 Commencing at the SW corner of said Section 36; thence N 87 54' 53" E on the south line of said Section 36, 781.00 feet to the point of beginning of this description; thence N 02 05' 07" W, 445.89 feet to a point; thence N 87 54' 53" E, 66.0 feet to a point; thence S 02 05' 07" E, 445.89 feet to a point; thence S 87 54' 53" W, 66.0 feet to the point of beginning of this description, the entire parcel to be a public road dedication.

Map No. 455 Vol. 2 Page 360

Web AppBuilder for ArcGIS



January 23, 2020

⊕ PLSS Monument Road Centerline I, USH Road Centerline STH, CTH
⊕ Road Centerline TWN, CVS, PVT
⊕ Landhook
⊕ Trails
⊕ Public Open Spaces
⊕ Current Parcel
⊕ Meander Line
⊕ PLSS Boundary
⊕ Plat
⊕ Lot
⊕ Washington County GIS
⊕ Washington County



Village of Germantown GIS

Village of Germantown
 N112 W17001 Mequon Road
 Germantown, WI 53022
 262-250-4700



DISCLAIMER:

This map is not a survey of the actual boundary of any property this map depicts.

The Village of Germantown Does not guarantee the accuracy of the material contained here in and is not responsible for any misuse or misrepresentation of this information or its derivatives.



SCALE: 1 = 132'

Print Date: 2/4/2020