

RESOLUTION NO. 2007-15

**A RESOLUTION TO DISCONTINUE 17 FEET OF PUBLIC RIGHT-OF-WAY ALONG
CENTER DRIVE ABUTTING TAX KEY NO. VNT 2032.999.002**

WHEREAS, the Town of Vernon Town Board has received a petition from Randy D. and Patricia L. Wisniewski, the owners of property abutting Center Drive in the Town of Vernon; and

WHEREAS, the portion of Center Drive that is the subject of this resolution is a public way with currently fifty (50) feet of right-of-way located in the following legal description: Parcel 3 of CERTIFIED SURVEY MAP NO. 6254, being a part of the Northeast 1/4 of the Southeast 1/4 of Section 4, Township 5 North, Range 19 East, Town of Vernon, Waukesha County, Wisconsin; and

WHEREAS, that portion of Center Drive, which is the subject of the petition, is further depicted in attached Exhibit A; and

WHEREAS, the object of the petition is to obtain a resolution of the Town of Vernon Town Board discontinuing seventeen (17) feet of right-of-way abutting the west side of Center Drive and the petitioners' property; and

WHEREAS, the area that is the subject of this resolution has had the right-of-way reduced from one hundred (100) feet to sixty-six (66) feet, thereby requiring only thirty-three (33) feet of petitioners' land as public right-of-way, rather than the initial fifty (50) feet designated in 1990; and

WHEREAS, the area of Center Drive that is the subject of this resolution is not within 1/4 mile of a State Trunk Highway or connecting Highway; and

WHEREAS, due Notice of the Pendency of this petition has been filed in the Office of the Register of Deeds for Waukesha County; and

WHEREAS, upon receipt of the petition for this resolution, the Town Clerk properly provided Class 3 Notice of the date, time and location that the petition would be acted upon, and the Notice included a description of the public way that was being considered for discontinuance; and

WHEREAS, in addition to such Class 3 notice, petitioners did serve such notice consistent with Section 66.1003(4)(b) of the Wisconsin Statutes.

WHEREAS, the matter came before the Town of Vernon Town Board on October 4, 2007 for consideration and possible action, and all persons present at the Town Board meeting were provided an opportunity to speak to the issue; and

WHEREAS, the Town Board finds that there is no continuing need for the seventeen (17) feet of right-of-way abutting the petitioners' land for use as part of the public right-of-way and

WHEREAS, the resolution would allow the petitioners the full use and enjoyment of their land.

NOW, THEREFORE, be it resolved by the Town Board of the Town of Vernon, Waukesha County, Wisconsin, that the seventeen (17) feet of public right-of-way along Center Drive and abutting petitioners' land as described above and as depicted in attached Exhibit A, **IS HEREBY DISCONTINUED.**

BE IT FURTHER resolved that the Town Clerk shall record a certified copy of this Resolution with the Waukesha County Register of Deeds pursuant to Section 840.11(2) Wisconsin Statutes.

This resolution shall take effect immediately upon passage and posting or publication as provided by law.

Dated this 15th day of November, 2007.

TOWN OF VERNON

Brian Paff, Chairman

ATTEST:

Gina C. Gresch, MMC/WCMC
Town of Vernon Clerk
Waukesha County

Published and/or posted this 16th day of November, 2007.

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