

TOWN OF ROCK CREEK RESOLUTION 2023-03-23

**INTRODUCTION OF RESOLUTION REGARDING
THE DISCONTINUANCE OF A PUBLIC WAY**

WHEREAS, the Town Board of the Town of Rock Creek in Dunn County, Wisconsin, hereby introduces a resolution pursuant to Wis. Stat § 66.1003(4), to discontinue a selected public way laid in Certified Survey Map No. 3189, Volume 14, Page 169 in the Town of Rock Creek, as more particularly described below; and

WHEREAS, the public way proposed for discontinuance exists by virtue of a certified survey map recorded with the Register of Deeds office for Dunn County; and

WHEREAS, the final resolution shall contain the following language:

“The Town Board of the Town of Rock Creek, Dunn County, Wisconsin, by this resolution, adopted by a majority of the Town Board on a roll call vote with a quorum present and voting and proper notice having been given, resolves and declares as follows:

The public way contained in the parcel described below is vacated and discontinued under s. 66.1003 (4), Wis. Stats. It is in the public interest that the public way described below is vacated and discontinued under s. 66.1003 (4), Wis. Stats. The public way to be discontinued is described as the Right of Way from Certified Survey Map Number 3189, recorded in Volume 14 of Certified Survey Map Page 169, as Document Number 523902, located in the NW-NW, SW-NW, NE-NW, SE-NW, Section 14, T26N, R11W, Town of Rock Creek, Dunn County, Wisconsin.

The discontinuance of the above-described public way will not result in a landlocked property and no owner of property abutting the discontinued public way will be damaged by the discontinuance. The discontinued public way will be vacated and the land awarded to the following owners of real estate abutting the discontinued public ways:

Kevin W. Traun & Pauline L. Graham-Traun; and

Kenneth B. Davis and Lenita Davis.

The Town Clerk shall properly post or publish this resolution as required under s. 60.80, Wis. Stats.”

WHEREAS, scale maps of the lands that would be affected by the proposed discontinuance are attached hereto, marked as Exhibit “A” and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF ROCK CREEK, DUNN COUNTY, WISCONSIN, AS FOLLOWS:

1. That a public hearing shall be held at the Town Hall for the Town of Rock Creek to determine whether discontinuing the above-described public way is in the public interest. Said meeting shall not be held less 40 days after this resolution is introduced.

2. That notices of said public hearing required under Wis. Stat. § 66.1003(4)(b) shall be sent. At least 30 days prior to the hearing, said notices shall be served upon all owners of all lots fronting any of the roads proposed for discontinuance and a notice will be published as a class 3 notice under ch. 985. Any objection to the discontinuance by any owners must be made in writing and submitted to the Town Clerk for the Town of Rock Creek.

Introduced this 23rd day of March, 2023.

Harry Warden

Harry Warden, Town Board Chairman

ATTEST:

Kelly Boardman

Kelly Boardman, Town Clerk