

The Town of Cedarburg, Wisconsin

IN THE NAME AND BY THE AUTHORITY OF THE TOWN OF CEDARBURG, WISCONSIN

Resolution #2009-20

“Resolution, Notice, and Lis Pendens Notice to Discontinue a Portion of Hamilton Road.”

STATE OF WISCONSIN

Town of Cedarburg

Ozaukee County

WHEREAS, The Town Board has determined that a portion of the public right-of-way for Hamilton Road, does not parallel the existing alignment of the traveled way of Hamilton Road and,

WHEREAS, The Town Board has determined that the additional public right-of-way created by the non parallel alignment does not serve a public need and,

WHEREAS, The Town Board has determined that discontinuing that portion of public right-of-way of Hamilton Road that is not parallel with the existing traveled way is in the public interest,

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Cedarburg, Ozaukee County, Wisconsin, orders as follows:

A public hearing to discuss a proposed action to discontinue a portion of the public way of Hamilton Road in the Town of Cedarburg shall be held as provided in accordance with the following Notice of Hearing.

The Town Clerk shall publish the following Notice of Hearing as a class 3 notice under chapter 985, Wis. stats., and the Town Clerk shall cause the Notice of Hearing to be served on the owners of all of the frontage of lots and lands abutting upon the public way sought to be discontinued in the manner provided for the service of summons in circuit court at least 30 days before the hearing, except that when service cannot be made within the Town, a copy of the notice shall be mailed to the owner's last-known address at least 30 days before the hearing:

NOTICE OF HEARING - DISCONTINUANCE OF A PORTION OF THE PUBLIC WAY IN THE TOWN OF CEDARBURG,

A public hearing will held be held by the Town Board of the Town of Cedarburg at the Cedarburg Town Hall, 1293 Washington Avenue, Cedarburg, WI 53012 on January 20, 2010, at 6:30 p.m., to discuss a proposed action to commence discontinuance of a portion of Hamilton Road, initiated by introduction of resolution of the Town Board of the Town of Cedarburg under § 66.1003 (4), Wis. stats., specifically described as follows:

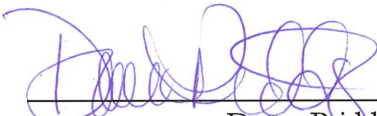
Being part of Lots 6 and 7 of Assessor's Plat No. 1 in section 35, T10N, R21E, Town of Cedarburg, Ozaukee County, Wisconsin containing 2,206 square feet of land and described as: commencing at the Northeast corner of Lot 5 of Assessor's Plat No. 1; thence S39°58'41"W, 107.63

feet along the east line of said Lot 5 to an Iron pipe found and the Point of Beginning; Thence S49°58'38"E, 143.76 feet along the north line of Hamilton Road; Thence S57°57'18"W, 34.36 feet to a point 24.75 feet north of the paved centerline of Hamilton Road; Thence northwesterly 136.72 feet along the arc of a 621.22 foot radius curve to the left having a chord of N37°24'02"W, 136.45 feet parallel with said paved centerline to its intersection with said east line of lot 5; Thence N39°58'41"E, 2.98 feet along said east line to the Point of Beginning.

The Town Clerk shall file in the Office of the Register of Deeds for Ozaukee County, Wisconsin, a lis pendens related to the proposed discontinuance of public way. The Town Clerk shall properly post or publish this resolution as required under § 60.80, Wis. stats. Adopted this 2nd day of December, 2009.

Passed and adopted this 2nd day of December, 2009.


David M. Valentine, Town Chairman

Attest:

Dawn Priddy, Town Clerk