

**VILLAGE OF SPENCER**

**RESOLUTION 2013 – 02**

**A RESOLUTION CONDITIONALLY VACATING A PORTION OF EAST MAPLE STREET LOCATED IN THE VILLAGE OF SPENCER, MARATHON COUNTY, WISCONSIN**

**WHEREAS**, Section 66.1003(4) of the Wisconsin Statutes allows the discontinuous of a street, or portion of a street, to be initiated by a Village Board; and

**WHEREAS**, pursuant to Section 66.1003, Wisconsin Stats., five years have elapsed from the date of the recording of the plat by which said portion of street was dedicated, and the portion of road does not impede public travel; and

**WHEREAS**, this resolution was introduced to the Village Board on the 4<sup>th</sup> day of February, 2013, at which time the Village Board directed that the required public hearing be held on the 18<sup>th</sup> day of March, 2013, at 6:00 p.m., at the Village of Spencer Municipal Building, 105 South Park Street, Spencer, Wisconsin; and said hearing shall be noticed as a Class 3 notice, and served on the owners of all of the frontage of the lots and lands abutting upon the portion of street sought to be discontinued and the Wisconsin Department of Transportation, at least 30 days prior to the hearing; and

**WHEREAS**, the Spencer Board of Trustees has determined that the public interest is best served by the vacation and discontinuance of a portion of East Maple Street to facilitate the redevelopment of adjacent properties that will encourage the development of residential projects in one of the Village's multi-residential districts.

**NOW, THEREFORE, BE IT RESOLVED**, by the Village Board of the Village of Spencer that the following described portion of East Maple Street be vacated and discontinued:

**PART OF EAST MAPLE STREET RIGHT OF WAY LOCATED IN THE NORTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 8, TOWNSHIP 26 NORTH, RANGE 02 EAST, VILLAGE OF SPENCER, MARATHON COUNTY, WISCONSIN. LEGALLY DESCRIBED AS FOLLOWS:**

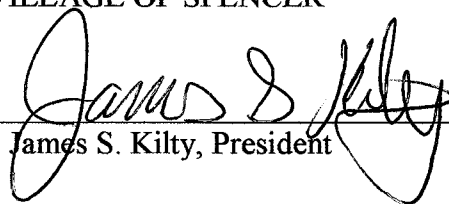
**PART OF EAST MAPLE STREET ROAD RIGHT OF WAY LYING ADJACENT TO LOT 1, BLOCK 3, CSM VOL 74 PG 148 (#16194) - OUTLOT 2 CSM VOL 76 PG 31 (#16382) (DOC# 1628310); AND**

**PART OF EAST MAPLE STREET ROAD RIGHT OF WAY LYING ADJACENT TO LOT 1, BLOCK 3, ORIGINAL PLAT OF SPENCER - OUTLOT 1 CSM VOL 76 PG 31 (#16382) (DOC# 1628310). SEE EXHIBIT A ATTACHED HERETO**


**BE IT FURTHER RESOLVED**, that the vacated street right-of-way shall be attached to the properties located on the north west side of Maple Street based on the fact that the this portion of right-of-way is adjacent and contiguous to the those properties and the owners of those properties are supportive of the reversion of title being handled in such a manner by the Village of Spencer.

Dated this 4th day of February, 2013.

VILLAGE OF SPENCER

  
James S. Kilty, President

ATTEST:

  
Thaddeus Kubisiak, Clerk

**EXHIBIT A**

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