

**VILLAGE OF SPENCER**

**RESOLUTION 2013 – 06**

**A RESOLUTION CONDITIONALLY VACATING A PORTION OF SOUTH CHESTNUT 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**, this resolution was introduced to the Village Board of Trustees at a Special Meeting on the 24<sup>th</sup> day of June, 2013, at which time the Village Board directed that the required public hearing be held on the 5<sup>th</sup> day of August, 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, 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 S. Chestnut Street to facilitate the redevelopment of adjacent properties that will encourage the development of industrial projects in one of the Village's Industrial districts.

**NOW, THEREFORE, BE IT RESOLVED**, by the Village Board of the Village of Spencer that the following described portion of South Chestnut Street be vacated and discontinued, the legal description of the street being:

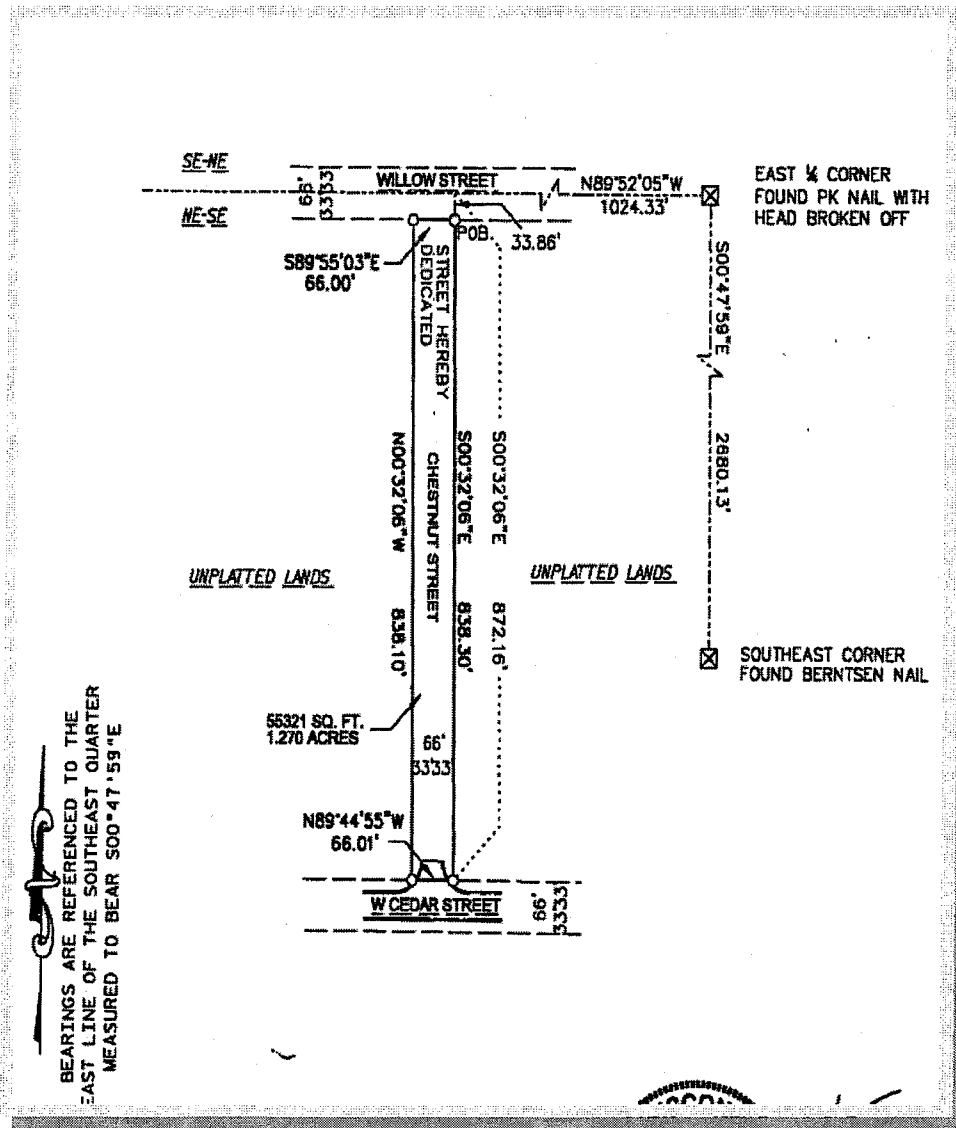
Commencing at the east one-quarter corner of said Section 7;  
Thence N89°52'05"W, 1024.33 feet along the north line of the southeast one-quarter;  
Thence S00°32'06"E, 33.86 feet to the southerly right-of-way line of Willow Street and the point of beginning;

Thence S00°32'06"E, 838.30 feet to the northerly right-of-way line of West Cedar Street;  
Thence N89°44'55"W, 66.01 feet along the northerly right-of-way line of West Cedar Street;  
Thence N00°32'06"W, 838.10 feet to the southerly right-of-way line of Willow Street;  
Thence S89°55'03"E, 66.00 feet along the southerly right-of-way line of Willow Street to the point of beginning.

EXHIBIT A

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**BE IT FURTHER RESOLVED**, that a notice of the public hearing will be published as a Class 3 notice on July 17<sup>th</sup>, 24<sup>th</sup> and 31<sup>st</sup>, under CH 985 and a public hearing will be held by the Village Board on August 5<sup>th</sup>, 2013 at 6:00 p.m., as required by Wisconsin Statute 66.1003(4)(b).

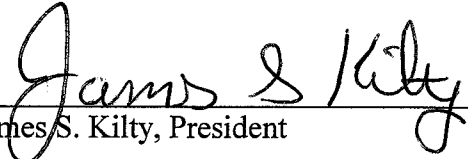
**BE IT FURTHER RESOLVED**, that the vacated street right-of-way shall be attached to the property located on the east side of South Chestnut Street based on the fact that this portion of right-of-way is adjacent and contiguous to that property and the owner of that property is supportive of the reversion of title being handled in such a manner by the Village of Spencer.

Date introduced: June 24th, 2013.

Date approved and adopted:

*August 5<sup>th</sup>, 2013*

VILLAGE OF SPENCER

  
James S. Kilty, President

ATTEST:

  
Thaddeus Kubisiak, Clerk