

Memo

To: Plan Commission

Fr: Trevor Fuller, Planning and Zoning Administrator

Re: ACTION RE: RESOLUTION 2017-03, FINAL RESOLUTION REGARDING THE VACATION OF A PORTION OF DAUPHIN ROAD

Date: 22 February 2017

The Village Board is seeking the input from the Plan Commission regarding the vacation of a portion of Dauphin Drive in the Village of Allouez. The platted right of way is 80' wide and extends north from the eastern terminus of Floral Drive roughly 133', terminating behind private property. Public Works does not plan on utilizing this road in the future because it is in the floodway and floodplain and cannot connect with another street. No trail or other public use is planned for the property at this time. If a trail were planned for this area, it would extend beyond the property, skirting the cul-du-sacs, and would need to be on board walk because of the floodplain and floodway.

Attached is the resolution supporting the vacation and a map depicting the area. The Village Board will make a determination on March 21st, regarding vacating approximately 10,640SF to the adjoining property owners at 901 Floral Drive. Should the Village Board choose to approve vacating a portion of the right-of-way, the approval shall be contingent on the recommendation by the Plan Commission.

The Plan Commission is asked to recommend to the Village Board to adopt or not to adopt Resolution 2017-03, supporting the village vacating a portion of Dauphin Drive.

RESOLUTION NO. 2017-03

**RESOLUTION REGARDING THE VACATION OF A PORTION
OF DAUPHIN DRIVE NORTH OF FLORAL DRIVE LOCATED IN THE
VILLAGE OF ALLOUEZ, BROWN COUNTY, WISCONSIN**

BY THE VILLAGE BOARD OF THE VILLAGE OF ALLOUEZ:

WHEREAS, the Village of Allouez has determined pursuant to Section 66.1003 Wis. Stats. that the public interest requires that a portion of Dauphin Drive north of Floral Drive, Village of Allouez, be abandoned, vacated and discontinued as a public street and the same is set forth and shown on the map attached hereto and incorporated by reference herein along with the legal description for that portion of the proposed discontinued street.

NOW, THEREFORE, BE IT RESOLVED that it appears to be in the public interest that a portion of Dauphin Drive north of Floral Drive be abandoned, vacated and discontinued by the Village of Allouez as a public street and that a hearing be held on the abandonment, vacation and discontinuance of the same on the 21st day of March, 2017 at 6:30 p.m. in the Village Board Chambers in the Allouez Village Hall located at 1900 Libal Street, in the Village of Allouez, Brown County, Wisconsin.

BE IT FURTHER RESOLVED that a notice of such hearing be served on the owners of the frontage of the lots and lands abutting on the portions of the street sought to be abandoned, vacated and discontinued at least thirty (30) days before such hearing, and that notice of such hearing be published in the official newspaper of the Village of Allouez once a week for three (3) successive weeks before the date of hearing; and

BE IT FURTHER RESOLVED that the Village Attorney, upon adoption of this resolution, cause a Lis Pendens to be prepared and filed with the Register of Deeds, Brown County, Wisconsin, pursuant to Section 840.11 Wisconsin Statutes.

Approved this 7th day of February, 2017.

James Rafter, Village President

ATTEST:

Debra M. Baenen, Village Clerk

Attachments

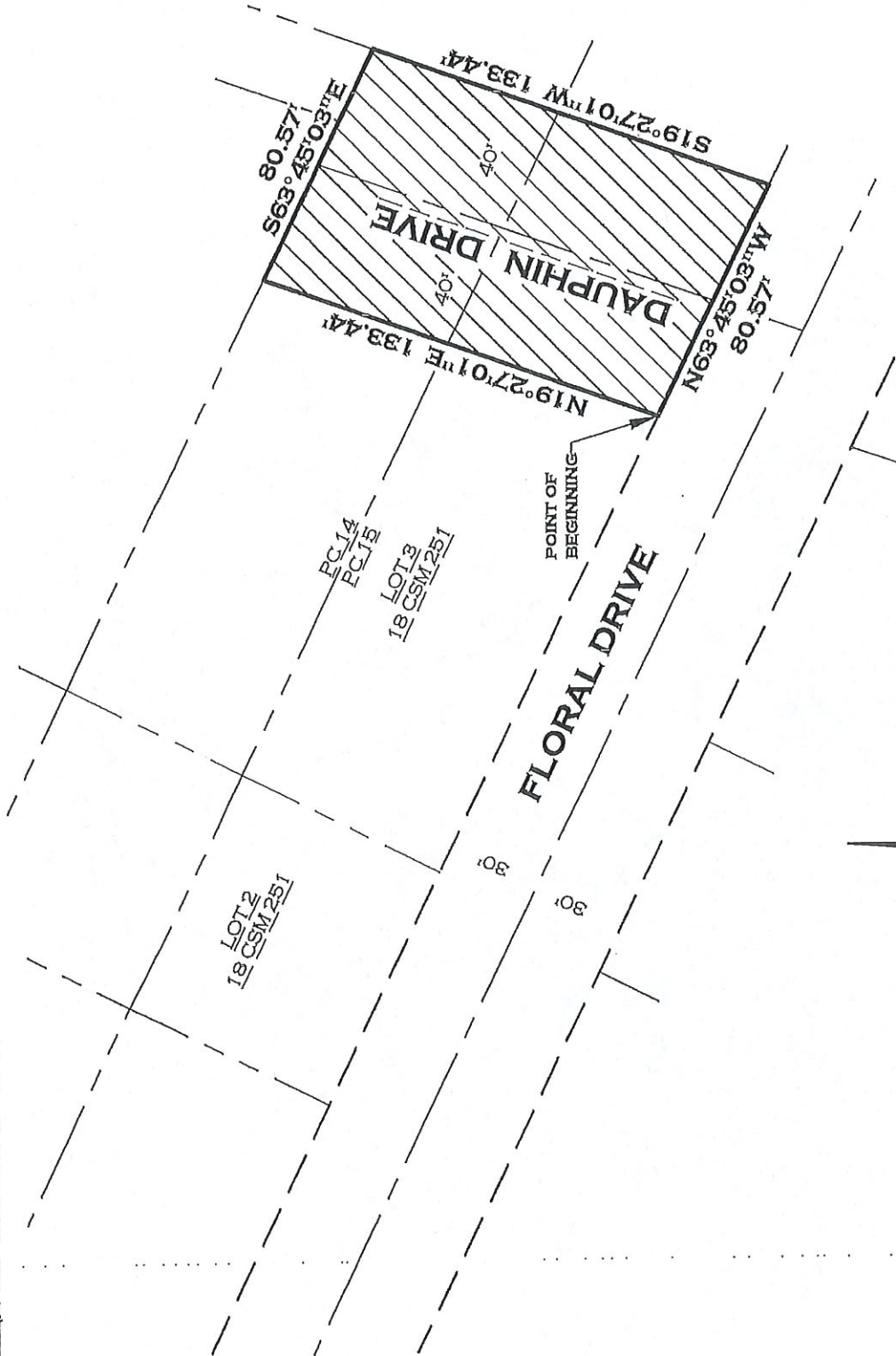
LEGAL DESCRIPTION OF DAUPHIN DRIVE VACATION

Part of Private Claims 14 and 15, East Side of Fox River, Village of Allouez, Brown County, Wisconsin more fully described as follows:

BEGINNING at the southeast corner of Lot 3, Volume 18 of Certified Survey Maps, Page 251, Map Number 3389, Document Number 1135062 (18CSM251);
thence N19°27'01"E, 133.44 feet on the easterly line of said Lot 3 also being the westerly right of way of Dauphin Drive to the northeast corner of said Lot 3;
thence S63°45'03"E, 80.57 feet on the southeasterly extension of the northerly line of said Lot 3 to the easterly right of way of Dauphin Drive;
thence S19°27'01"W, 133.44 feet on said easterly right of way to the northerly right of way of Floral Drive;
thence N63°45'03"W, 80.57 feet on the northwesterly extension of said northerly right of way to said southeast corner of Lot 3, the Point of Beginning.

Said parcel contains 10,675 Square Feet (0.245 Acres) of land more or less.

EXHIBIT A



Attachment to Resolution Vacating a
Portion of Dauphin Drive north of
Floral Drive, Village of Allouez

SCALE: 1"=50'



PREPARED BY:



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EXHIBIT A SHEET 1 OF 1

DRAFTED BY T. HEWITT ON 1/3/17





Wisconsin DNR Wetland Viewer



Legend

Wetland Class Points

- Dammed pond
- Excavated pond
- Filled excavated pond
- Filled/draind wetland
- Wetland too small to delineate

Filled Points

Wetland Class Areas

- Wetland
- Upland

Filled Areas

- NRCS Wetspots
- Wetland Indicators

Notes

DISCLAIMER: The information shown on these maps has been obtained from various sources, and are of varying age, reliability and resolution. These maps are not intended to be used for navigation, nor are these maps an authoritative source of information about legal land ownership or public access. No warranty, expressed or implied, is made regarding accuracy, applicability for a particular use, completeness, or legality of the information depicted on this map. For more information, see the DNR Legal Notices web page: <http://dnr.wi.gov/legal/>

0.1 Miles

0.06

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1: 3,960

