

Memo

To: Plan Commission, Village Board

Fr: Trevor Fuller, Planning and Zoning Administrator

Re: ACTION RE: RESOLUTION 2019-03, IN SUPPORT OF MARTHA AVENUE VACATION REQUEST / SCHEDULE PUBLIC HEARING

Date: 15 March 2019

The property owner of 2551 Martha Avenue is seeking the vacation of a portion of the platted Martha Avenue cul-de-sac south of Pickard Circle. This proposed vacation would include 882 square feet of the "bulbed" area on the east and west sides of the cul-de-sac. The construction of the road and utilities are scheduled for this year (2019) in concurrence with the construction of the planned single family residential homes. Public Works does not plan on constructing a cul-de-sac at this location because the platted area is too small to accommodate the turning radii of village and rescue vehicles.

Attached is the resolution supporting the vacation, as well as a map depicting the area. In accordance with Section 66.1003 Wis. Stats., the Village Board shall introduce a resolution in support of the vacation, schedule a public hearing, and seek input from the Plan Commission to determine if the vacation is in the public interest. A notice of the public hearing will be served to the property owners abutting the portions of the street sought to be vacated at least thirty (30) days before such hearing, and the 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. Upon adoption of this resolution, the Village Attorney will cause a Lis Pendens to be prepared and filed with the Register of Deeds, Brown County, Wisconsin, pursuant to Section 840.11 Wisconsin Statutes.

The Village Board is asked to review the resolution and determine if a public hearing should be scheduled. The earliest a public hearing date would be May 7, 2019. Public Works and Planning Department staff support the proposed vacation.

RESOLUTION NO. 2019-03

**RESOLUTION REGARDING THE VACATION OF A
PORTION OF THE PLATTED MARTHA AVENUE CUL-DE-SAC
SOUTH OF PICKARD CIRCLE LOCATED IN THE
VILLAGE OF ALLOUEZ, BROWN COUNTY, WISCONSIN**

BY THE VILLAGE BOARD OF THE VILLAGE OF ALLOUEZ:

WHEREAS, the Village Board of the Village of Allouez has initiated the vacation, discontinuance, and abandonment of a portion of the platted Martha Avenue cul-de-sac south of Pickard Circle located in the Village of Allouez, Brown County, Wisconsin, in accordance with the requirements of Section 66.1003 Wis. Stats. and insomuch as the Village Board has found such vacation, discontinuance and abandonment in the public interest of the Village of Allouez and the Village Plan Commission having previously reviewed and recommended such vacation, discontinuance, and abandonment and the consequential amendment to the Official Village Street Map, and due notice of hearing having been given and a public hearing having been held on May 7, 2019 at 6:30 p.m., and due notice and all other applicable requirements of Section 66.1003 Wis. Stats. having been accomplished;

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Allouez, Wisconsin, as follows:

SECTION 1. The following described property as set forth and shown on the map attached hereto and incorporated by reference herein along with the legal description attached hereto and made part of this Resolution for the portion of the discontinued street, be and the same is hereby wholly abandoned, vacated and discontinued as a public thoroughfare and that all easements and rights incidental thereto belonging to the Village are wholly released, abandoned, vacated and discontinued.

SECTION 2. That ownership of such portion of the platted Martha Avenue cul-de-sac south of Pickard Circle vacated herein shall hereby revert as provided by law.

SECTION 3. That the Village Clerk is hereby authorized and directed to file and record a certified copy of this Resolution with the map and legal description attached in the Office of the Register of Deeds for Brown County and to amend the Official Map of the Village in conformity with this resolution.

Adopted by the Village Board of the Village of Allouez, Wisconsin, this 7th day of May, 2019.

James F. Rafter, Village President

ATTEST:

Debra M. Baenen, Village Clerk

