

**RESOLUTION TO DISCONTINUE
KEN DALE DRIVE IN THE TOWN
OF BUCHANAN**

Document No.

**TOWN OF BUCHANAN RESOLUTION TO
DISCONTINUE KEN DALE DRIVE PURSUANT TO
SECTION 66.1003 WIS. STATS.**

WHEREAS, the Town of Buchanan, Outagamie County, Wisconsin desires to discontinue its interest, if any, in Ken Dale Drive as shown on Exhibit 1;

WHEREAS, Ken Dale Drive has never been improved or maintained by the Town of Buchanan and the Town has always understood Ken Dale Drive to be a private road;

WHEREAS, the property owners abutting Ken Dale Drive have purportedly reserved 33 feet of their respective properties by deed for a future roadway;

WHEREAS, Ken Dale Drive has never been accepted by the Town of Buchanan and that this Resolution shall not be evidence of the acceptance of the road as public at any time by the Town of Buchanan pursuant to Wis. Stat. sec. 82.19;

WHEREAS, the property owners abutting Ken Dale Drive have historically understood the road to be private and have entered into easement agreements with one another allowing for access to their properties;

WHEREAS, the Town Board of the Town of Buchanan has determined that discontinuance of Ken Dale Drive is in the public interest; and

WHEREAS, the abutting owners of record shall be given title to the portion of Ken Dale Drive subject to any easements and restrictions of record as follows:

The southern 33 feet of Ken Dale Drive shall be given to the owners of tax parcel numbers 030063904 & 030063902, subject to the easements and restrictions of record.

The northern 33 feet of Ken Dale Drive shall be given to the owners of tax parcel numbers 030063905 & 030063903, subject to the easements and restrictions of record.

NOW THEREFORE, BE IT RESOLVED as follows:

Recording Area

Return to:

Ashley Lehocky
Town Counsel Law & Litigation, LLC
940 E. Evergreen Drive
Kaukauna, WI 54130

Tax parcel numbers:


1. Ken Dale Drive, as shown on Exhibit 1, be and is hereby discontinued pursuant to Section 66.1003 Wis. Stats.

2. The abutting lots of record shall be given title to that portion which is discontinued.


3. A public hearing be held not less than 40 days from the date of filing or introduction of this Resolution and the Town Clerk directed to give notice of hearing by a Class 3 notice under Chapter 985, Wis. Stats., and to personally serve this Resolution on the owner of property fronting or abutting the above-described right-of-way at least 30 days prior to the date of the public hearing.

Presented for filing this 26th day of April, 2022, and for hearing on the 19th day of July, 2022.

Adopted this 19th day of July, 2022.



Greg Sprangers, Town Chair



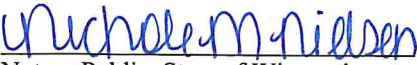
Cynthia Sieracki, Town Clerk

I, Cynthia Sieracki, Clerk of the Town of Buchanan, Outagamie County, Wisconsin do hereby certify that the above Resolution to Discontinue Ken Dale Drive in the Town of Buchanan Pursuant to Section 66.1003 Wis. Stats., is a true and correct copy of Resolution No. 2022-05 adopted on the 19th day of July, 2022, by the Town Board for the Town of Buchanan.

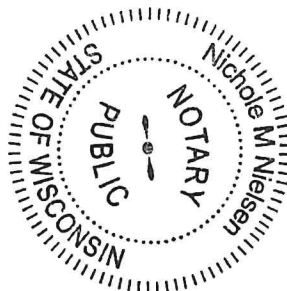


Cynthia Sieracki, Town Clerk

Personally came before me this
25th day of July, 2022,
GREG SPRANGERS AND CYNTHIA SIERACKI
to me known to be the person(s) who
executed the foregoing instrument and
acknowledge the same.



Notary Public, State of Wisconsin
My Commission Expires: 11/9/2024



Drafted by:
Ashley Lehocky, Town Counsel Law & Litigation, LLC
940 E Evergreen Drive, Kaukauna, WI 54130