

RESOLUTION NO. 05-1-19
CITY OF NIAGARA

RESOLUTION DISCONTINUING A PORTION OF JACKSON STREET

WHEREAS, the City Council of the City of Niagara has determined that the public interest requires the discontinuance of a portion of a public way (a portion of Jackson Street) pursuant to Wis. Stat. § 66.1003 (4)(a)) and,

WHEREAS, the notice provisions of Wis. Stat § 66.1003 (8)(b) and Wis. Stat § 66.1003 (9) have been complied with and,

WHEREAS, a Lis Pendens was filed pursuant to Section 840.11 of the Wis. Stats. in the Office of the Register of Deeds for Marinette County and,

WHEREAS, the discontinued public way was a part of the Ruelle Addition to the Village (now City of Niagara) according to recorded plat thereof, and as of the date of this date of this Resolution, the public interest requires the discontinuance of a portion of a public way (a portion of Jackson Street) pursuant to Wis. Stat. § 66.1003 (4)(a), and,

WHEREAS, the Common Council finds that it is in the public interest to discontinue a portion of Jackson Street,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Niagara that that the following public way hereinafter described and depicted in a scale map marked Exhibit 'A' which map is attached hereto and made a part of this document is hereby discontinued:

DISCONTINUED PUBLIC WAY

The entire 50ft. Wide Platted Right of Way of Jackson Street adjacent to Lot C of Blocks 13 and Lot A of Block 14 in the Plat of The Ruelle Addition to the Village (now City) of Niagara, Marinette County, Wisconsin more particularly described as follows; Beginning at a point where Jackson Street intersects the South Line of Jefferson Street, thence running South along Jackson Street for a distance of 264 feet to a point where Jackson Street intersects the South Line of the Plat of The Ruelle Addition.

BE IT FURTHER RESOLVED that pursuant to Wis. Stat. § 66.1003 (4)(a), the City Council of the City of Niagara may by resolution discontinue a public way where the public interest requires it,

BE IT FURTHER RESOLVED that pursuant to Wis. Stat. § 66.1003 (4) (a) of Wis. Stats., this discontinuance does not create a landlocked parcel of property and,

BE IT FURTHER RESOLVED that pursuant to Section 66.1005 (1) of Wis. Stats., title of said discontinued portion of Jackson Street as described shall belong to the owner or owners of the adjoining lands. If the highway or public ground is located between the lands of different owners, it shall be annexed to the lots to which it originally belonged if that can be ascertained. If the lots to which the land originally belonged cannot be ascertained, the land shall be equally divided between the owners of the lands on each side of the highway or public ground. The owners of the adjoining lands shall bear the costs of any legal fees or land survey that may arise out of the discontinuance and,

BE IT FURTHER RESOLVED that pursuant to Wis. Stat. § 66.1005 (2) (a) of Wis. Stats., all easements and rights incidental to the easements that belong to any county, school district, town, village, city, utility, or person that relate to any underground or overground structures, improvements, or services and all right of entrance, maintenance, construction, and repair of the structures, improvements, or services shall continue and,

BE IT FURTHER RESOLVED that the City Clerk shall file a copy of this Resolution with the Marinette County Register of Deeds.

The City Council for the City of Niagara, upon proper notice and by a majority vote with a quorum present, on the 28 day of May, 2019 adopted and approved the Resolution set forth above.

Dated as of the 28 day of May, 2019.

George Bousley
George Bousley
Mayor

Audrey Fredrick
Audrey Fredrick
Clerk

SUBSCRIBED and SWORN to before me on this 28 day of May, 2019 by
GEORGE BOUSLEY and AUDREY FREDRICK.

Audrey Fredrick

Notary Public, State of Wisconsin
My Commission Expires: July 10, 2022

Stacy Headmark

Notary Public, State of Wisconsin
My Commission Expires ~~1-20-20~~ 1-2-2023

Drafted by:
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