

TOWN OF SPRINGDALE | DANE COUNTY
RESOLUTION NO. 2024-3-1

A RESOLUTION TO VACATE AND DISCONTINUE A PORTION OF THE BEN FRANKLIN AND E. 3RD ST. AND A PORTION OF AVENUE "B" IN THE TOWN OF SPRINGDALE, DANE COUNTY, WISCONSIN

RECITALS

- A. That portion of the public right-of-way known as Ben Franklin Street and E. 3rd Street in the Town of Springdale, Dane County, Wisconsin, shown and described on the map and description attached hereto and incorporated herein (the "Right-of-Way"), is no longer needed as public right-of-way due to being left over from the original Mt. Vernon plat and as a result of a new plat for the lands.
- B. That portion of the public right-of-way known as Avenue "B" in the Town of Springdale, Dane County, Wisconsin, shown and described on the map and description attached hereto and incorporated herein (the "Right-of-Way"), is no longer needed as public right-of-way due to being left over from the original Mt. Vernon plat and as a result of a new plat for the lands.
- C. This Resolution was introduced before the Town Board of the Town of Springdale on March 19, 2024. A Notice of Pendency of Application to Vacate the Right-of-Way was filed with the Register of Deeds for Dane County on March 15, 2024. A Notice of Hearing was published as a class 3 notice under Chapter 985 of the Wisconsin Statutes. A copy of the Notice of Hearing was served or mailed more than 30 days prior to the hearing (on April 10, 2024) in the manner prescribed by law on the owners of all the frontage of the lots and lands abutting upon the Rights-of-Way. A public hearing was held before the Town Board on May 21, 2024.
- D. This matter was referred for consideration and report to the Town of Springdale Plan Commission which considered and reported on the matter.
- E. No proper written objection to the discontinuance of the Rights-of-Way was filed with the Town Clerk.
- F. There are no utility facilities within the Rights-of-Way.
- G. The discontinuance of the Rights-of-Way does not result in a landlocked parcel of property or deprive a landowner or public school of all access to a highway.
- H. The public interest requires that the Rights-of-Way be discontinued.

NOW, THEREFORE, based on the above, and pursuant to section 66.1003(4) of the Wisconsin Statutes, the Town Board of the Town of Springdale, Dane County hereby resolves as follows:

1. **Discontinuance of Rights-of-Way.** The Rights-of-Way are hereby vacated and discontinued. The Town Clerk is instructed to record a certified copy of this Resolution with the Dane County Register of Deeds.
2. **Official Map Amendment.** The Town's official map shall hereby be amended with this resolution.

Dated this 21st day of May, 2024.

TOWN OF SPRINGDALE | DANE COUNTY
RESOLUTION NO. 2024-3-1

Wayne Hefty
Wayne Hefty, Supervisor 1

ATTEST: Jackie Arthur
Jackie Arthur, Administrator/Clerk

STATE OF WISCONSIN
COUNTY OF DANE

This instrument acknowledged before me on July 9th, 2024, by Wayne Hefty, Town Supervisor, and Jackie Arthur, Town Administrator/Clerk, of the Town of Springdale, Dane County, Wisconsin.

Crystal Carpenter
Notary Public, State of Wisconsin
My commission expires: 09/21/2025



Posted: 7/9/24

Attachments: Legal Description and Map of Right-of-Way

TOWN OF SPRINGDALE | DANE COUNTY
RESOLUTION NO. 2024-3-1

LEGAL DESCRIPTION

A portion of Ben Franklin Street and E. 3rd Street within Byam's Addition to Mount Vernon, located in the NE1/4 of the SW1/4 and the NW1/4 of the SW1/4 of Section 34, T6N, R7E, Town of Springdale, Dane County, Wisconsin to-wit:

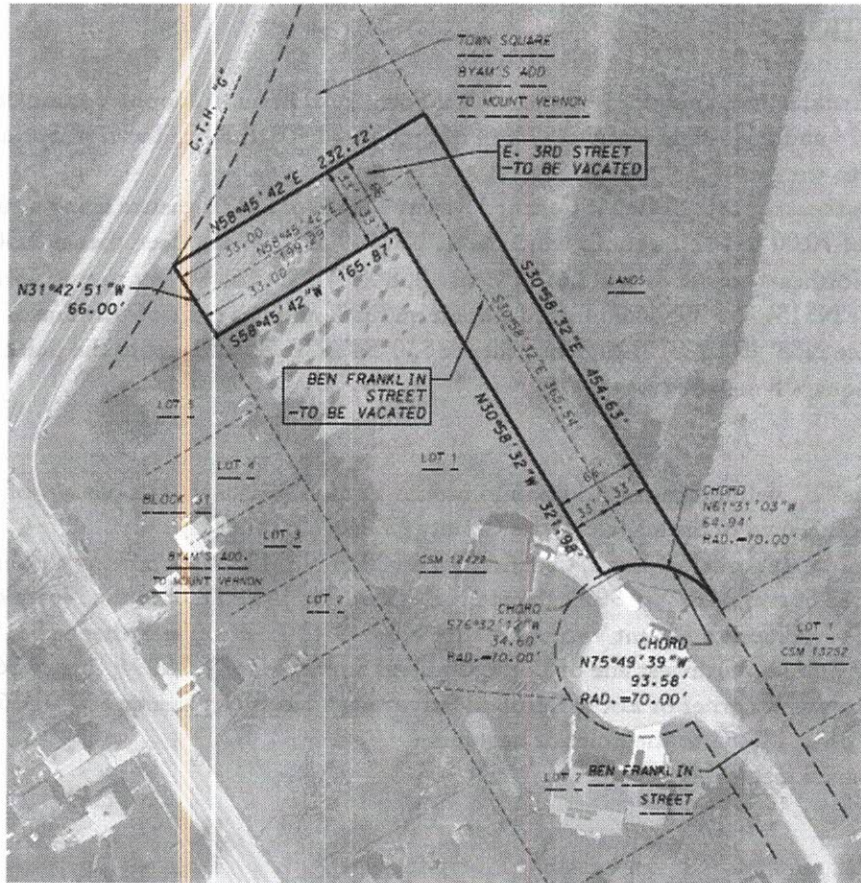
Beginning at the Southeast corner of Lot 1, Certified Survey Map No. 12422; thence along a curve to the left which has a radius of 70.00 feet and a chord which bears N75°49'39"W, 93.58 feet; thence N30°58'32"W, 321.98 feet to the Northeast corner of said Lot 1; thence S58°45'42"W, 165.87 feet to the Northwest corner of said Lot 1; thence N31°42'51"W, 66.00 feet to a point on the Southeast right-of-way line of County Highway "G"; thence N58°45'42"E, 232.72 feet; thence S30°58'32"E, 454.63 feet to the point of beginning. Containing 37,630 square feet (0.864 acres).

A portion of Avenue "B" within Byam's Addition to Mount Vernon, located in the NE1/4 of the SW1/4 of Section 34, T6N, R7E, Town of Springdale, Dane County, Wisconsin to-wit:

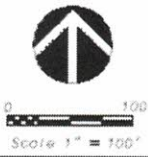
Beginning at the Northeast corner of Lot 2, Certified Survey Map No. 13252, also being a point on the West line of Lot 1, Certified Survey Map No. 9094; thence N31°10'38"W, 151.25 feet to the North corner of Lot 10, Block 38, Byam's Addition to Mount Vernon; thence N58°49'22"E, 66.00 feet; thence S31°10'38"E, 61.05 feet to a point on the Northwest line of Lot 4, Certified Survey Map No. 9094; thence S61°34'18"W, 11.17 feet to the Northwest corner of Lot 1, Certified Survey Map No. 9094; thence S00°01'36"E, 106.02 feet along the West line of said Lot 1 to the point of beginning. Containing 6,485 square feet (0.149 acres).

TOWN OF SPRINGDALE | DANE COUNTY
RESOLUTION NO. 2024-3-1

EXHIBIT "A"



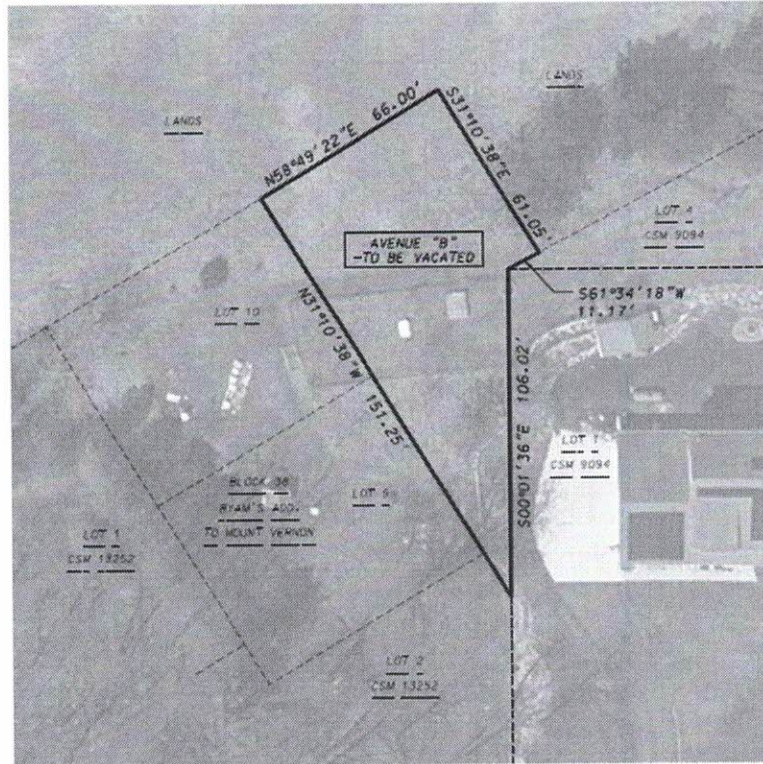
D'ONOFRIO KOTTKE AND ASSOCIATES, INC.
 7590 Whetwood Way, Madison, WI 53717
 Phone: 608.833.7330 • Fax: 608.833.1089
 YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT



DATE: 02-01-24
 SHEET 1 OF 2
 P.N.: 23-07-105

TOWN OF SPRINGDALE | DANE COUNTY
RESOLUTION NO. 2024-3-1

EXHIBIT "A"



D'ONOFRIO KOTTKE AND ASSOCIATES, INC.
 7590 Wisconsin Way, Madison, WI 53717
 Phone: 608.833.7530 • Fax: 608.839.1089
 YOUR NATURAL RESOURCES FOR LAND DEVELOPMENT



0 40
 Scale 1" = 40'

SHEET 2 OF 2
 D4TR: 02-07-24
 F.N.: 25-07-105

LEGAL DESCRIPTION

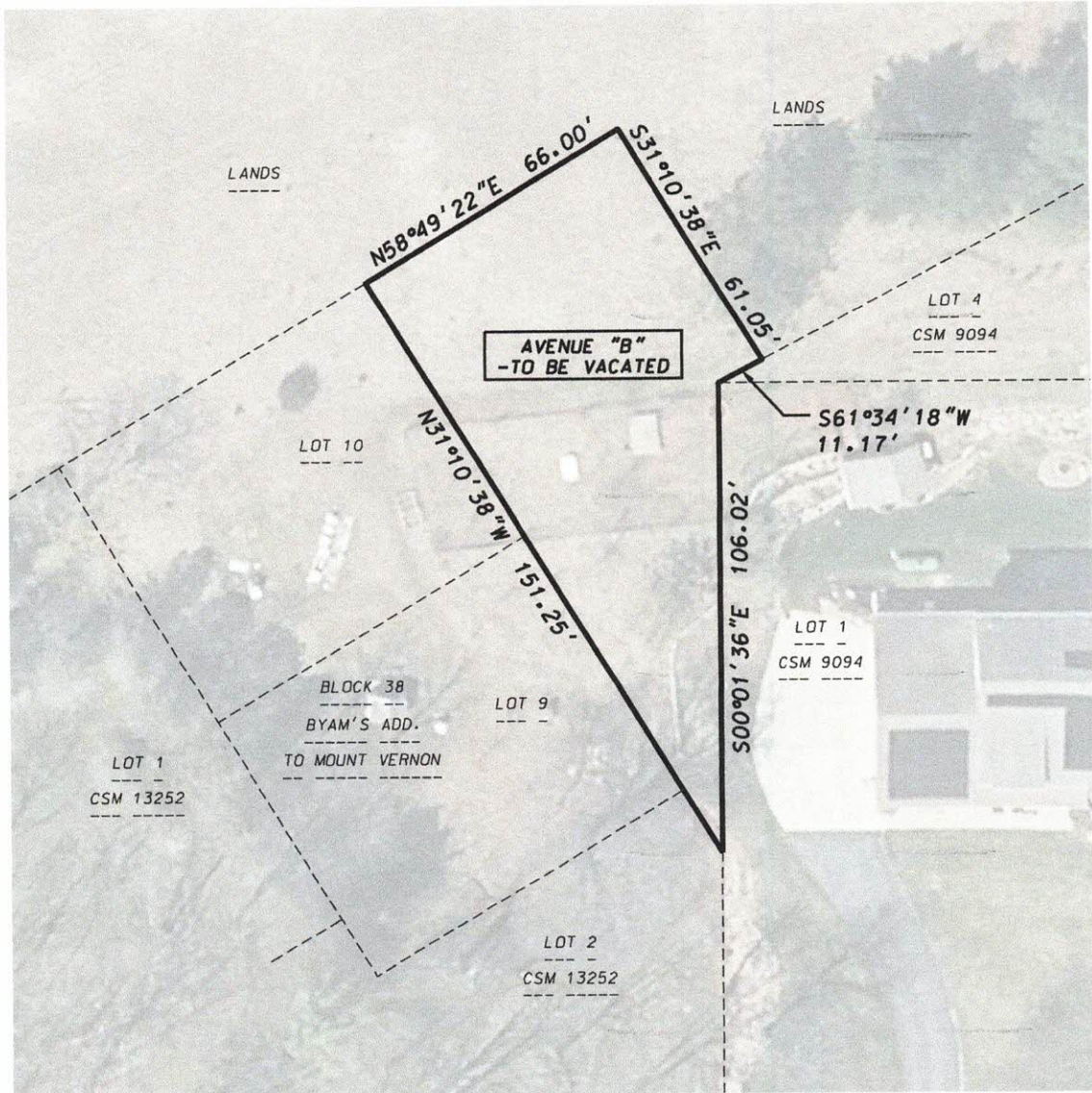
A portion of Ben Franklin Street and E. 3rd Street within Byam's Addition to Mount Vernon, located in the NE1/4 of the SW1/4 and the NW1/4 of the SW1/4 of Section 34, T6N, R7E, Town of Springdale, Dane County, Wisconsin to-wit:

Beginning at the Southeast corner of Lot 1, Certified Survey Map No. 12422; thence along a curve to the left which has a radius of 70.00 feet and a chord which bears N75°49'39"W, 93.58 feet; thence N30°58'32"W, 321.98 feet to the Northeast corner of said Lot 1; thence S58°45'42"W, 165.87 feet to the Northwest corner of said Lot 1; thence N31°42'51"W, 66.00 feet to a point on the Southeast right-of-way line of County Highway "G"; thence N58°45'42"E, 232.72 feet; thence S30°58'32"E, 454.63 feet to the point of beginning. Containing 37,630 square feet (0.864 acres).

A portion of Avenue "B" within Byam's Addition to Mount Vernon, located in the NE1/4 of the SW1/4 of Section 34, T6N, R7E, Town of Springdale, Dane County, Wisconsin to-wit:

Beginning at the Northeast corner of Lot 2, Certified Survey Map No. 13252, also being a point on the West line of Lot 1, Certified Survey Map No. 9094; thence N31°10'38"W, 151.25 feet to the North corner of Lot 10, Block 38, Byam's Addition to Mount Vernon; thence N58°49'22"E, 66.00 feet; thence S31°10'38"E, 61.05 feet to a point on the Northwest line of Lot 4, Certified Survey Map No. 9094; thence S61°34'18"W, 11.17 feet to the Northwest corner of Lot 1, Certified Survey Map No. 9094; thence S00°01'36"E, 106.02 feet along the West line of said Lot 1 to the point of beginning. Containing 6,485 square feet (0.149 acres).

EXHIBIT "A"



D'ONOFRIO KOTTKE AND ASSOCIATES, INC.

7530 Westward Way, Madison, WI 53717
Phone: 608.833.7530 • Fax: 608.833.1089
YOUR NATURAL RESOURCE FOR LAND DEVELOPMENT



Scale 1" = 40'

SHEET 2 OF 2

DATE: 02-01-24

F.N.: 23-07-105

CERTIFICATION OF A RESOLUTION

TO DISCONTINUE A PORTION OF THE BEN FRANKLIN AND E. 3RD ST. AND A PORTION OF AVENUE "B" IN THE TOWN OF SPRINGDALE, DANE COUNTY, WISCONSIN

This is to certify that the resolution attached hereto is a true and correct copy of Resolution No. 2024-3-1, a resolution by the Town Board of the Town of Springdale, Dane County, Wisconsin, to discontinue portions of the public rights-of-way known as Ben Franklin Street, E. 3rd Street, and Avenue "B" in the Town of Springdale, Dane County, Wisconsin, as duly adopted on Tuesday, May 21, 2024.

By: *Jackie Arthur*
Jackie Arthur, Town Administrator/Clerk

**STATE OF WISCONSIN
COUNTY OF DANE**

Personally came before me this 9th day of July, 2024, the above-named Jackie Arthur, to me known to be the person who executed the foregoing instrument and acknowledged that she executed the same as an officer of the Town.

Crystal Carpenter
Notary Public, State of Wisconsin
My commission expires: 09/21/2025



Attachment: Resolution 2024-3-1

*This certification drafted by:
Jackie Arthur
Town of Springdale
2379 Town Hall Rd. Mt. Horeb,
WI 53572*

CLASSIFICATION OF A RESOLUTION

TO DISCONTINUE A PORTION OF THE BEN FRANKLIN AVENUE, 1000 ST. AND A PORTION OF AVENUE "B" IN THE TOWN OF SPRINGFIELD, DANE COUNTY, WISCONSIN.

This is to certify that the resolution which is hereto is a true and correct copy of Resolution No. 2024-1-1, a resolution of the Town Board of the Town of Springfield, Dane County, Wisconsin, to discontinue portions of the public rights-of-way known as Ben Franklin Street, 1000 St. and Avenue "B" in the Town of Springfield, Dane County, Wisconsin, a duly adopted on Tuesday, 21, 2024.

[Signature]
Notary Public, State of Wisconsin

STATE OF WISCONSIN
COUNTY OF DANE

I solemnly swear before me this 21st day of January, 2024, that the above-named

_____ is the person who owns and is foregoing the interest

and she acknowledged that she executed the same as an officer of the town

[Signature]
Notary Public, State of Wisconsin
My commission expires _____

Attachment B - resolution 2024-1-1



This certification drafted by:
Jocelyn Jordan
Town of Springfield
2279 Town Hall Bld. Rd. Forest
WI 53572