

Town of Mosel, Sheboygan County, Wisconsin

**FINAL RESOLUTION AND HIGHWAY ORDER
DISCONTINUING PART OF ORCHARD ROAD**

WHEREAS, there exists within the Town of Mosel a town road known as Orchard Road located between Sections 3 and 10 of the Town; and

WHEREAS, the following portion of Orchard Road is no longer in use as a town road (hereafter referred to as the "Subject Parcel") due to the recent realignment of Lakeshore Road (formerly known as County Road LS) away from Lake Michigan:

Part of Government Lot 4, Section 3, and part of Government Lot 1, Section 10, all in T16N, R23E, Town of Mosel, Sheboygan County, Wisconsin.

All those easements, or parts of easements which were acquired for road purposes, or for any other government purpose, for Town road orders dated March 26, 1851, June 29, 1857, or May 09, 1929, or for Wisconsin State Aide Project S 0886(2), or for any other government project, whether those easements are written, or prescriptive, which lie east of a line described as follows:

Commencing at the NW corner Section 10, T16N, R23E; thence N86°59'42"E, along the North line Government Lot 1, Section 10, 791.62 feet; thence S15°35'50"W 34.82 feet to the point of beginning; thence N15°35'50"E 34.82 feet to the North line Government Lot 1, T16N, R23E; thence N86°59'42"E, along said North line, 17.54 feet; thence N01°00'21"W 33.02 feet to the point of termination.

Tax Key Numbers: Between Parcels 59014180172 and 59014181842 (formerly 59014181841)

The land affected is shown on the map attached hereto as Exhibit A.

WHEREAS, the Subject Parcel was originally dedicated, conveyed and/or used for road right-of-way purposes; and

WHEREAS, the Town has no present need, nor does it foresee any future need, to use the Subject Parcel for road right-of-way purposes; and

WHEREAS, on August 19, 2015, the Town Board adopted an *Initial Resolution* indicating its intent to discontinue the Subject Parcels as town roadway; and

WHEREAS, pursuant to § 840.11, Wis. Stats., a *Lis Pendens* containing a description and map of the Subject Parcels was previously filed in the Sheboygan County Register of Deeds Office; and

WHEREAS, a *Notice of Public Hearing* concerning the Town Board's consideration of this matter was published as a Class 3 notice, and proper notice has been served on the owners of abutting lands, as required by § 66.1003, Wis. Stats.; and

WHEREAS, the Town of Mosel Plan Commission has reviewed the proposed road discontinuance and provided its recommendation to the Town Board; and

WHEREAS, no written objection sufficient to prevent the proposed vacation and discontinuance has been filed with the Town; and

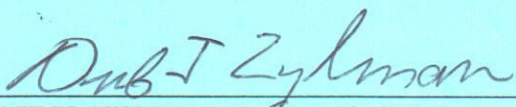
WHEREAS, it is in the public interest to discontinue the Subject Parcel as a town road;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Town of Mosel Board of Supervisors as follows:

1. The Subject Parcel is discontinued as a town road.
2. Pursuant to § 66.1005(1), Wis. Stats.:
 - a. The north half of the Subject Parcel (that portion in Government Lot 4 of Section 3, T16N, R23E, Town of Mosel, Sheboygan County, Wisconsin) shall be merged with the adjacent parcel to the north (PIN: 59014-180172) owned by James C. and Gretchen L. Vest.
 - b. The south half of the Subject Parcel (that portion in Government Lot 1 of Section 10, T16N, R23E, Town of Mosel, Sheboygan County, Wisconsin) shall be merged with the adjacent parcel to the south (PIN: 59014-181842 formerly 59014-181841) owned by Warren H. Wunsch.
3. The Town attorney, on behalf of the Town Clerk/Treasurer, is authorized and directed to record a certified copy of this *Final Resolution and Highway Order* in the Office of the Sheboygan County Register of Deeds, and to submit a certified copy to the Sheboygan County Highway Commissioner.

Adopted on: **October 21, 2015.**

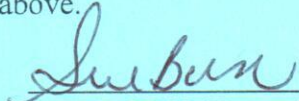
TOWN OF MOSEL

By: 
DIRK ZYLMAN, Town Chair

CERTIFICATION

This is to certify that the above resolution and order was duly adopted by the Town of Mosel Board of Supervisors on the date indicated above.

Dated: **October 21, 2015.**



SUE BORN, Town Clerk/Treasurer

Authentication

Signatures of **Dirk Zylman** and **Sue Born** authenticated on _____, 2015.

PAUL A. DIRKSE, Attorney, State Bar of Wisconsin

Drafted by:

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