

TOWN OF GRAND CHUTE

RESOLUTION, SERIES OF TBR-15-2019

A FINAL RESOLUTION OF THE TOWN OF GRAND CHUTE, OUTAGAMIE COUNTY, WISCONSIN, AUTHORIZING VACATION AND DISCONTINUANCE OF A PORTION OF W. EVERGREEN DRIVE.

WHEREAS, Preliminary Resolution TBR-11-2019 was adopted on the 9<sup>th</sup> day of August, 2019, declaring the intent of the Town Board of Supervisors of the Town of Grand Chute, Outagamie County Wisconsin to vacate and discontinue a portion of W. Evergreen Drive located west of N. Gillett Street, further described on the attached Exhibit "A"; and,

WHEREAS, a public hearing on the passage of a Final Resolution vacating and discontinuing the public road described herein was held, as required by Wisconsin Statutes, by the Plan Commission of the Town of Grand Chute at the Grand Chute Town Hall, 1900 Grand Chute Boulevard, Grand Chute, Wisconsin, on the 1<sup>st</sup> day of October, 2019;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of Supervisors of the Town of Grand Chute, Outagamie County, Wisconsin as follows:

1. That a portion of W. Evergreen Drive located west of N. Gillett Street, further described on the attached Exhibit "A", be and hereby is conditionally vacated and discontinued effective only upon completion of the following CONDITION to the satisfaction of the Town of Grand Chute Town Board:

CONDITION: That within the vacated area more fully described on the attached Exhibit "A", the Town of Grand Chute does hereby retain a permanent easement running with the land for ingress, egress, installation, repair, replacement and/or substitution of any public utility, including, but not limited to, water mains and laterals, sanitary sewer mains and laterals, storm sewer mains and laterals, and also surface water drainage. The easement retained is for both above ground and below ground purposes and is reserved for, and/or granted to, the Town of Grand Chute and all present and future Town of Grand Chute Sanitary Districts, and their respective successors and assigns. The Town and/or its Sanitary Districts' responsibility to restore the condition of property in said easement area, after exercising any of their easement rights, is limited to restoring the surface to grade, but, there is no requirement to pay for or replace any improvements existing in the easement area, where the work of the Town and/or its Sanitary Districts' has been performed.

2. As to the vacated area described herein, and as part of this Final Resolution of the Town Board, and for purposes of clarity of record of title, the public road being vacated will be awarded as follows, being further described in the attached Exhibit "B":

A. Vacated portion described as PARCEL "A", consisting of 4,285 sq. ft., going to the westerly adjoining parcel.

B. Vacated portion described as PARCEL "B", consisting of 10,608 sq. ft., going to the easterly adjoining parcel.

BE IT FURTHER RESOLVED, that a copy of this Final Resolution shall be filed and recorded with the Register of Deeds for Outagamie County, Wisconsin.

Approved and adopted this 15 day of October, 2019.

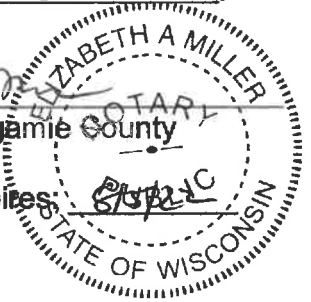
TOWN OF GRAND CHUTE

David A. Schowalter  
David A. Schowalter, Town Chairman

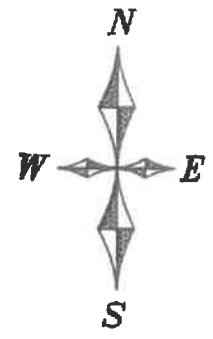
Angie Cain  
Angie Cain, Town Clerk

Subscribed and sworn to before me  
this 15 day of October, 2019

Elizabeth A. Miller  
Notary Public, Outagamie County  
State of Wisconsin  
My Commission Expires: 8/31/21



**EXHIBIT "A"**



NORTHWEST COR.  
SEC. 15, T21N, R17E  
ALUMINUM MONUMENT

607.26'  
(S 00°17'43" E)

398.53'  
N 89°40'11" E  
(89°16'28"E)  
(398.62')

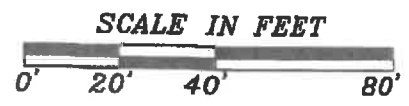
N 00°45'35" E 2,662.68'

WEST 1/4 COR.  
SEC. 15, T21N, R17E  
PK NAIL FOUND

14,893 SQ. FT.

CSM 1166

BEARINGS ARE REFERENCED TO THE  
WISCONSIN COUNTY COORDINATE  
SYSTEM FOR OUTAGAMIE COUNTY  
WEST LINE OF NW 1/4 SECTION 15  
T21N, R17E BEARS N00°45'35"E



R/W TO BE VACATED

PROPOSED ST. EXTENSION

96.43'  
S 73°49'13" E

WEST EVERGREEN DRIVE  
CSM 1166

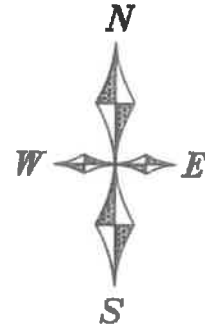
CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	TANGENT BEARING-IN	TANGENT BEARING-OUT
C1	14°58'13"	270.95	70.80	70.59	N 81°18'19.5" W	N 88°47'26" W	N 73°49'13" W
C2	26°03'22"	183.00	83.22	82.51	N 12°41'52" W	N 25°43'33" W	N 00°19'49" E
C3	250°02'02"	60.00	261.84	98.28	S 54°39'10" E	N 00°19'49" E	S 70°21'48" W
C4	60°18'23"	117.00	123.15	117.54	S 58°38'14.5" E	S 28°29'03" E	S 88°47'26" E
C5	63°14'01"	60.00	66.22	62.91	S 31°56'49.5" E	N 00°19'49" E	N 63°33'50" E
C6	186°48'01"	60.00	195.62	119.79	N 23°02'09.5" E	N 63°33'50" E	S 70°21'48" W
							S 38°23'32" E

## LEGAL DESCRIPTION

PART OF CERTIFIED SURVEY MAP NO. 1166 AS RECORDED IN VOLUME 6 OF CERTIFIED SURVEY MAPS ON PAGE 1166 AS DOCUMENT NO. 1024929, BEING PART OF NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 21 NORTH, RANGE 17 EAST, TOWN OF GRAND CHUTE, OUTAGAMIE COUTY, WISCONSIN AND BEING DESCRIBED AS FOLLOWS:

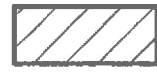
COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 15; THENCE SOUTH 00 DEGREES 45 MINUTES 35 SECONDS WEST 607.26 FEET (RECORDED AS SOUTH 00 DEGREES 17 MINUTES 43 SECONDS EAST 607.01 FEET) , ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE SOUTH 89 DEGREES 40 MINUTES 14 SECONDS EAST 398.53 FEET (RECORDED AS NORTH 89 DEGREES 16 MINUTES 28 SECONDS EAST 398.62 FEET) TO A POINT ON THE RIGHT-OF-WAY LINE OF WEST EVERGREEN DRIVE, SAID LINE ALSO BEING THE BOUNDARY LINE OF SAID CERTIFIED SURVEY MAP NO. 1166; THENCE NORTHEASTERLY, EASTERLY, SOUTHEASTERLY, AND SOUTHWESTERLY ALONG SAID RIGHT-OF-WAY LINE AND SAID CERTIFIED SURVEY BOUNDARY LINE, 261.84 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 60.00 FEET AND A CHORD THAT BEARS SOUTH 54 DEGREES 39 MINUTES 10 SECONDS EAST (RECORDED AS SOUTH 55 DEGREES 42 MINUTES 31 SECONDS EAST) 98.28 FEET; THENCE SOUTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE AND BOUNDARY LINE OF SAID CERTIFIED SURVEY MAP NO. 1166, A DISTANCE OF 123.15 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 117.00 FEET AND A CHORD THAT BEARS SOUTH 58 DEGREES 38 MINUTES 14.5 SECONDS EAST(RECORDED AS SOUTH 59 DEGREES 41 MINUTES 35 SECONDS EAST) 117.54 FEET; THENCE WESTERLY 70.80 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 270.95 FEET AND A CHORD THAT BEARS NORTH 81 DEGREES 18 MINUTES 19.5 SECONDS WEST 70.59 FEET; THENCE NORTH 73 DEGREES 49 MINUTES 13 SECONDS WEST 96.43 FEET TO A POINT ON THE ON THE RIGHT-OF-WAY LINE OF WEST EVERGREEN DRIVE, SAID LINE ALSO BEING THE BOUNDARY LINE OF SAID CERTIFIED SURVEY MAP NO. 1166; THENCE NORTHWESTERLY, ALONG SAID RIGHT-OF-WAY LINE AND ALONG SAID BOUNDARY LINE OF SAID CERTIFIED SURVEY MAP NO. 1166, A DISTANCE OF 83.22 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 183.00 FEET AND A CHORD THAT BEARS NORTH 12 DEGREES 41 MINUTES 52 SECONDS WEST 82.51 FEET TO THE POINT OF BEGINNING, CONTAINING 14,893 SQUARE FEET (0.342 ACRES), MORE OR LESS AND SUBJECT TO ALL EASEMENTS, AND RESTRICTIONS OF RECORD.

# EXHIBIT "B"

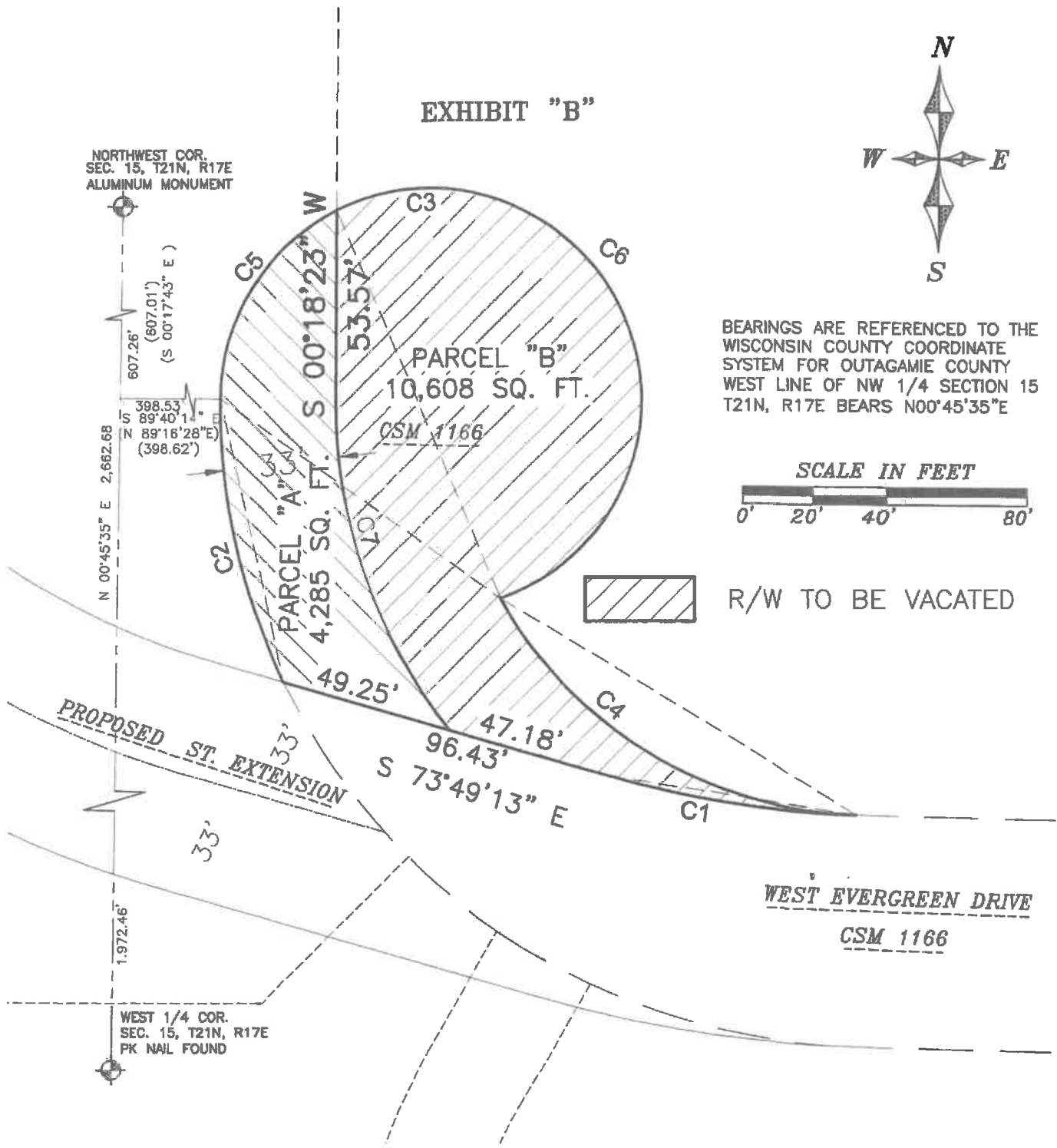


BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM FOR OUTAGAMIE COUNTY WEST LINE OF NW 1/4 SECTION 15 T21N, R17E BEARS N00°45'35"E

SCALE IN FEET



R/W TO BE VACATED



CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	TANGENT BEARING-IN	TANGENT BEARING-OUT
C1	14°58'13"	270.95'	70.80'	70.59'	N 81°18'19.5" W	N 88°47'26" W	N 73°49'13" W
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C3	250°02'02"	60.00'	261.84'	98.28'	S 54°39'10" E	N 00°19'49" E	S 70°21'48" W
C4	60°18'23"	117.00'	123.15'	117.54'	S 58°38'14.5" E	S 28°29'03" E	S 88°47'26" E
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C6	186°48'01"	60.00'	195.62'	119.79'	S 23°02'09.5" E	N 63°33'50" E	S 70°21'48" W
C7	38°43'21"	150.00'	101.37'	99.45'	S 19°01'51.5" E	S 00°19'49" W	S 38°23'32" E

**PARCEL "A"**  
**LEGAL DESCRIPTION**

PART OF CERTIFIED SURVEY MAP NO. 1166 AS RECORDED IN VOLUME 6 OF CERTIFIED SURVEY MAPS ON PAGE 1166 AS DOCUMENT NO. 1024929, BEING PART OF NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 21 NORTH, RANGE 17 EAST, TOWN OF GRAND CHUTE, OUTAGAMIE COUTY, WISCONSIN AND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 15; THENCE SOUTH 00 DEGREES 45 MINUTES 35 SECONDS WEST 607.26 FEET (RECORDED AS SOUTH 00 DEGREES 17 MINUTES 43 SECONDS EAST 607.01 FEET) , ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE SOUTH 89 DEGREES 40 MINUTES 14 SECONDS EAST 398.53 FEET (RECORDED AS NORTH 89 DEGREES 16 MINUTES 28 SECONDS EAST 398.62 FEET) TO A POINT ON THE RIGHT-OF-WAY LINE OF WEST EVERGREEN DRIVE, SAID LINE ALSO BEING THE BOUNDARY LINE OF SAID CERTIFIED SURVEY MAP NO. 1166; THENCE NORTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE AND SAID CERTIFIED SURVEY BOUNDARY LINE, 66.22 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 60.00 FEET AND A CHORD THAT BEARS NORTH 31 DEGREES 56 MINUTES 49.5 SECONDS EAST 62.91 FEET; THENCE SOUTH 00 DEGREES 18 MINUTES 23 SECONDS WEST 53.57 FEET; THENCE SOUTHEASTERLY 101.37 FET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 150.00 FEET AND A CHORD THAT BEARS SOUTH 19 DEGREES 01 MINUTES 51.5 SECONDS EAST 99.45 FEET; THENCE NORTH 73 DEGREES 49 MINUTES 13 SECONDS WEST 49.25 FEET TO A POINT ON THE ON THE RIGHT-OF-WAY LINE OF WEST EVERGREEN DRIVE, SAID LINE ALSO BEING THE BOUNDARY LINE OF SAID CERTIFIED SURVEY MAP NO. 1166; THENCE NORTHWESTERLY, ALONG SAID RIGHT-OF-WAY LINE AND ALONG SAID BOUNDARY LINE OF SAID CERTIFIED SURVEY MAP NO. 1166, A DISTANCE OF 83.22 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 183.00 FEET AND A CHAORD THAT BEARS NORTH 12 DEGREES 41 MINUTES 52 SECONDS WEST 82.51 FEET TO THE POINT OF BEGINNING, CONTAINING 4,285 SQUARE FEET (0.098 ACRES), MORE OR LESS AND SUBJECT TO ALL EASEMENTS, AND RESTRICTIONS OF RECORD.

**PARCEL "B"**  
**LEGAL DESCRIPTION**

PART OF CERTIFIED SURVEY MAP NO. 1166 AS RECORDED IN VOLUME 6 OF CERTIFIED SURVEY MAPS ON PAGE 1166 AS DOCUMENT NO. 1024929, BEING PART OF NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 21 NORTH, RANGE 17 EAST, TOWN OF GRAND CHUTE, OUTAGAMIE COUTY, WISCONSIN AND BEING DESCRIBED AS FOLLOWS:

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