

Approved 5/10/2021

MEETING MINUTES

Little Suamico Town Board of Supervisors Special Meeting to Consider Road Discontinuance Applications

Little Suamico Town Hall, 5964 County Road S, Sobieski, WI 54171

Thursday, April 15, 2021

www.townoflittlesuamico.com

Board Members Present: Elmer Ragen, David E. Pribyl, Douglas Allen

Board Members Absent: None

CALL MEETING TO ORDER – The opening meeting statement was read by Elmer Ragen.

Thomas Way Right of Way Discontinuance: Chairman Ragen asked the Board to consider the proposed Discontinuance of Right of Way located adjacent to Thomas Way, as noticed in the prior public hearing.

All Town Board Supervisors acknowledged that they had “viewed” the land that is subject to the Application for Discontinuance of Right of Way adjacent to Thomas Way, as shown on the Plat of Survey filed as **Exhibit I** in the prior public hearing.

All Board Members unanimously voted that proper notices were provided per Wisconsin Statute Section 82.10.

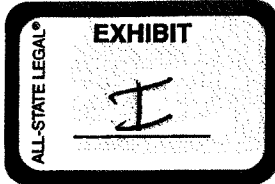
Discussion occurred concerning the Application for Discontinuance. Supervisor Pribyl moved to discontinue. There was no second.

Additional discussion occurred. Attorney Rossmeissl provided the time line within which the Board must make a decision, within 90 days of March 8, 2021. Additional discussion occurred. Supervisor Pribyl again moved to discontinue the subject right of way. The motion failed for lack of a second.

Additional discussion occurred. Supervisor Pribyl moved to table/postpone action on the Thomas Way Discontinuance to June 1, 2021, at 9:00 am. Supervisor Allen second it. The motion passed 3-0.

Aspen Drive Right of Way Discontinuance: Elmer Ragen led the discussion on the Application for Discontinuance of the Right of Way under the unbuilt portion of Aspen Drive. Supervisor Pribyl moved to discontinue. Supervisor Allen seconded said motion. The Board voted 3-0 to discontinue the subject portion of right of way shown as Aspen Drive on **Exhibit G** contained within the record of the previous public hearing.

Adjournment: Elmer Ragen adjourned the meeting at approximately 12:45 pm.



PLAT OF SURVEY

AREA LABELED AS "ROAD" IN THE RECORDED COUNTY PLAT OF KING ESTATES, VOLUME 7, PLATS PAGE 15, OCONTO COUNTY RECORDS, BEING LOCATED IN PART OF THE SE 1/4- NW 1/4, SECTION 33, TOWNSHIP 26 NORTH - RANGE 20 EAST, TOWN OF LITTLE SUAMICO, OCONTO COUNTY, WISCONSIN

Soletski Surveying
 CAD Drawings, Contract Services & Land Planning
 1631 Brookfield Ave., Suite A1
 Green Bay, WI 54313
 (920) 865-0040 www.soletski-surveying.com



SCALE 1" = 50'

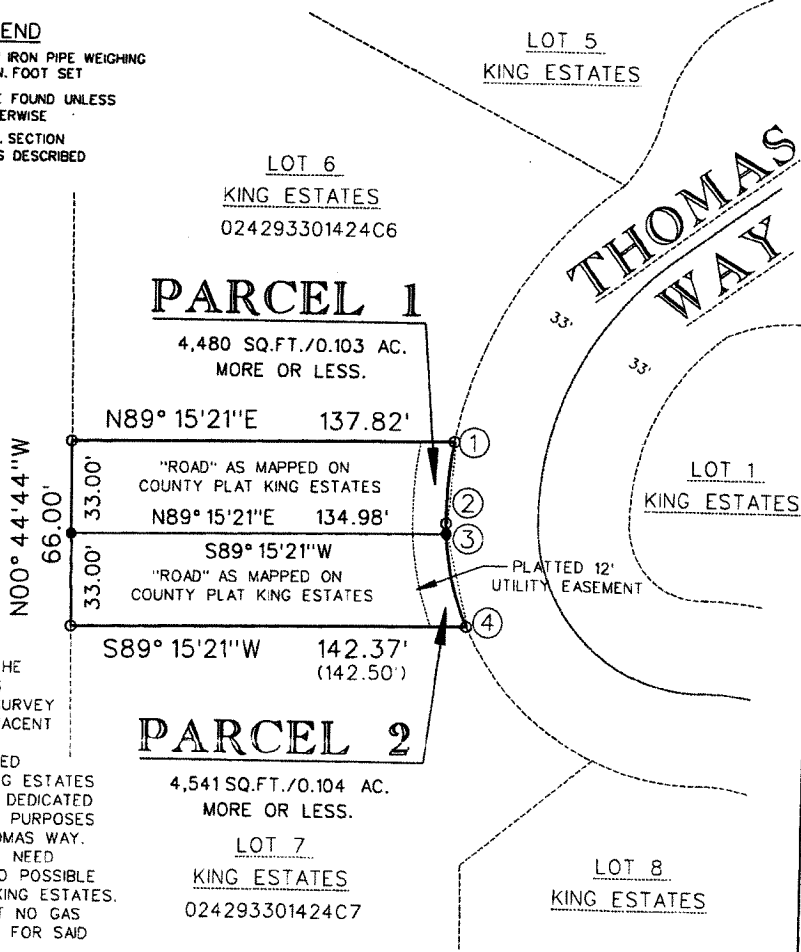
BEARINGS REFERENCED TO THE WEST LINES OF LOTS 6 AND 7, KING ESTATES, A COUNTY PLAT, VOL. 7, PLATS PG. 15, OCONTO COUNTY RECORDS. RECORDED TO BEAR N00°44'44"W

CURVE DATA

CURVE 1 - 2 RAD. • 148.26' ARC L. • 29.41' CHORD L. • 29.36' CHORD B. • S04°56'36"W C.A. • 11°21'50"	CURVE 2 - 3 RAD. • 93.00' ARC L. • 3.79' CHORD L. • 3.79' CHORD B. • S01°45'24"E C.A. • 02°20'07"
CURVE 3 - 4 RAD. • 93.00' ARC L. • 34.01' CHORD L. • 33.82' CHORD B. • S13°22'44"E C.A. • 20°57'08"	CURVE 2 - 4 RAD. • 93.00' ARC L. • 37.80' CHORD L. • 37.54' CHORD B. • S12°12'50"E C.A. • 23°17'09"

- LEGEND**
- --1.312" X 18" IRON PIPE WEIGHING 1.88 LBS./LIN. FOOT SET
 - ⊕ --1" IRON PIPE FOUND UNLESS NOTED OTHERWISE
 - ⊕ --OCONTO CO. SECTION CORNER AS DESCRIBED

UNPLATTED LANDS



NOTE:

1. SURVEY MONUMENTS WILL NOT BE SET UNTIL THE "ROAD" AREA DEPICTED AS PARCELS 1 & 2 ON THIS SURVEY IS CONVEYED TO THE ADJACENT LAND OWNERS.
2. "ROAD" AREA AS LABELED ON THE COUNTY PLAT KING ESTATES DOES NOT APPEAR TO BE DEDICATED TO THE PUBLIC FOR ROAD PURPOSES AS IS THE CASE WITH THOMAS WAY.
3. "ROAD" OWNERSHIP MAY NEED TO BE DETERMINED DUE TO POSSIBLE NON-DEDICATION ON SAID KING ESTATES.
4. RECORDS INDICATE THAT NO GAS TAX HAS BEEN COLLECTED FOR SAID "ROAD".

PLAT OF SURVEY

AREA LABELED AS "ROAD" IN THE RECORDED COUNTY PLAT OF KING ESTATES, VOLUME 7, PLATS PAGE 15, OCONTO COUNTY RECORDS, BEING LOCATED IN PART OF THE SE $\frac{1}{4}$ - NW $\frac{1}{4}$, SECTION 33, TOWNSHIP 26 NORTH - RANGE 20 EAST, TOWN OF LITTLE SUAMICO, OCONTO COUNTY, WISCONSIN

CLIENT: KURT KRUEGER, FRED MAHR, SHERITUZINKEWICH

DESCRIPTION: AREA LABELED AS "ROAD" IN THE RECORDED COUNTY PLAT OF KING ESTATES, VOLUME 7, PLATS PAGE 15, OCONTO COUNTY RECORDS, BEING LOCATED IN PART OF THE SE $\frac{1}{4}$ - NW $\frac{1}{4}$, SECTION 33, TOWNSHIP 26 NORTH - RANGE 20 EAST, TOWN OF LITTLE SUAMICO, OCONTO COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS:

PARCEL 1: BEGINNING AT THE SOUTHWEST CORNER OF LOT 6, KING ESTATES, A COUNTY PLAT, AS RECORDED IN VOLUME 7, PLATS PAGE 15, OCONTO COUNTY RECORDS; THENCE NB9°15'21"E, 137.82 FEET ALONG THE SOUTH LINE OF SAID LOT 6; THENCE 29.41 FEET ALONG THE ARC OF A 148.26 FOOT RADIUS CURVE TO THE LEFT WHOSE LONG CHORD BEARS S04°58'36"W, 29.36 FEET, AND BEING THE WESTERLY RIGHT OF WAY OF THOMAS WAY; THENCE 3.79 FEET ALONG THE ARC OF A 93.00 FOOT RADIUS CURVE TO THE LEFT WHOSE LONG CHORD BEARS S01°45'24"E, 3.79 FEET, AND BEING THE WESTERLY RIGHT OF WAY OF THOMAS WAY; THENCE S89°15'21"W, 134.98 FEET; THENCE N00°44'44"W, 33.00 FEET ALONG THE WESTERLY BOUNDARY OF SAID COUNTY PLAT OF KING ESTATES, TO THE POINT OF BEGINNING.

PARCEL 1 CONTAINS 4,480 SQ.FT./0.103 AC. MORE OR LESS.

PARCEL 2: BEGINNING AT THE NORTHWEST CORNER OF LOT 7, KING ESTATES, A COUNTY PLAT, AS RECORDED IN VOLUME 7, PLATS PAGE 15, OCONTO COUNTY RECORDS; THENCE N00°44'44"W, 33.00 FEET ALONG THE WESTERLY BOUNDARY OF SAID COUNTY PLAT OF KING ESTATES; THENCE NB9°15'21"E, 134.98 FEET; THENCE 34.01 FEET ALONG THE ARC OF A 93.00 FOOT RADIUS CURVE TO THE LEFT WHOSE LONG CHORD BEARS S13°22'44"E, 33.82 FEET, AND BEING THE WESTERLY RIGHT OF WAY OF THOMAS WAY; THENCE S89°15'21"W, 142.37 FEET, ALONG THE NORTH LINE OF SAID LOT 7, TO THE POINT OF BEGINNING.

PARCEL 2 CONTAINS 4,541 SQ.FT./0.104 AC. MORE OR LESS.

PARCELS 1 & 2 ARE SUBJECT TO ANY/ALL EASEMENTS, COVENANTS AND RESTRICTIONS OF RECORD.

SURVEYOR'S CERTIFICATE: I, TRACY S. ONDIK, PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY WAS SURVEYED AND MAPPED UNDER MY DIRECT SUPERVISION AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

TRACY S. ONDIK S-2620 DATE: _____

NOTE:

1. PARCEL 1 IS TO BE ATTACHED TO TAX PARCEL *024293301424C6 WHICH IS ADJACENT AND DOES NOT REQUIRE A CERTIFIED SURVEY MAP AS THIS ATTACHMENT DOES NOT CREATE A SEPARATE BULDABLE LOT OR REDUCE ANY PARCEL SIZE BELOW 10 ACRES.
2. PARCEL 2 IS TO BE ATTACHED TO TAX PARCEL *024293301424C7 WHICH IS ADJACENT AND DOES NOT REQUIRE A CERTIFIED SURVEY MAP AS THIS ATTACHMENT DOES NOT CREATE A SEPARATE BULDABLE LOT OR REDUCE ANY PARCEL SIZE BELOW 10 ACRES.

**APPLICATION
TO INITIATE THE DISCONTINUANCE OF A PORTION OF ASPEN DRIVE, PURSUANT TO
WISCONSIN STATUTES SEC. 82.10.**

WHEREAS, John W. Krumrey, Paula L. Benbow, Justin M. Barber, Amanda E. Barber, Timothy J. Smith and Marie G. Smith would like the Town of Little Suamico to discontinue those portions of Aspen Drive depicted on Exhibit A and described as follows:

The undeveloped portion of Aspen Drive of Northwood Plat being located in part of the Southeast quarter of the Southwest quarter of Section 33, Township 26 North, Range 20 East, Town of Little Suamico, Oconto County, Wisconsin, described as follows:

**COMMENCING at a 5/8" iron rod at the Northeast corner of Lot 48 of Volume 27 of Certified Survey Maps, Page 35 (previously known as Lot 48 of Northwood Plat);
Thence South 76 degrees 42 minutes 00 seconds East along the Easterly extension of the South right of way line of Northwood Lane, a distance of 70.00 ft. to a 5/8" iron rod on the East right of way line of said Aspen Drive;**

Thence along said East right of way line on a curve to the left having a radius of 408.49 ft. (a long chord which bears South 06 degrees 21 minutes 00 seconds East, a distance of 274.73 ft.) for a distance of 280.19 ft. to a 5/8" iron rod;

Thence South 26 degrees 00 minutes 00 seconds East along said East right of way line, a distance of 167.38 ft.;

Thence South 81 degrees 30 minutes 16 seconds West, a distance of 73.40 ft. to a point on the East line of Lot 49 of Volume 27 of Certified Survey Maps, Page 35 (previously known as Lot 49 of Northwood Plat) which bears North 26 degrees 00 minutes 00 seconds West, a distance of 40.00 ft. from the Southeast corner of said Lot 49;

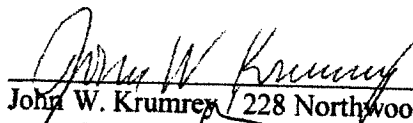
Thence North 26 degrees 00 minutes 00 seconds West along said East line of Lot 49 and part of the East line of said Lot 48, a distance of 145.30 ft. to a 5/8" iron rod;

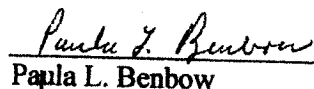
Thence along said East line of Lot 48 on a curve to the right having a radius of 478.49 ft. (a long chord which bears North 06 degrees 21 minutes 00 seconds West, a distance of 321.81 ft.) for a distance of 328.20 ft. to the POINT OF COMMENCEMENT.

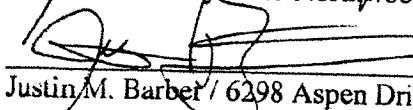
WHEREAS, Wisconsin Statute 82.10(1)(1) Application for highway changes. Six or more resident freeholders may apply to the town board to have a highway laid out, altered, or discontinued. The application shall be in writing and shall be delivered to the town clerk. The application shall contain all of the following: (a) A legal description of the highway to be discontinued or of the proposed highway to be laid out or altered. (b) A scale map of the land that would be affected by the application.

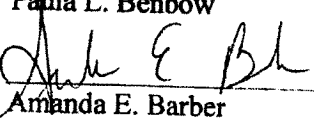
NOW, THEREFORE, BE IT RESOLVED, that the above described portion of Aspen Drive be discontinued in conformance with WI. Stat. Sec 82.10.

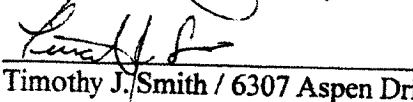
Signed:

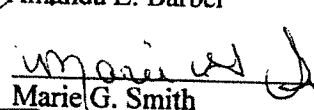

John W. Krumrey / 228 Northwood Ln. 03/07/2021

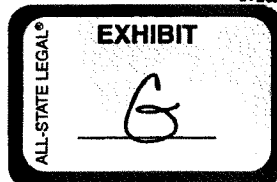

Paula L. Benbow 03/07/2021


Justin M. Barber / 6298 Aspen Drive 3/7/2021


Amanda E. Barber 3/7/2021


Timothy J. Smith / 6307 Aspen Drive 03/07/2021


Marie G. Smith 3/7/2021



Application for Discontinuance

MAP FOR DISCONTINUANCE

PART OF ASPEN DRIVE OF NORTHWOOD PLAT, BEING LOCATED IN PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 26 NORTH, RANGE 20 EAST, TOWN OF LITTLE SUAMICO, OCONTO COUNTY, WISCONSIN.

