

CITY OF CEDARBURG

Resolution No. 2016-16

**Accepting an Existing Road Reservation on Cardinal Avenue Adjacent to the
Roadway Frontage of the Real Property Located at W60 N171 Cardinal Avenue,
Pursuant to Section 66.1024, Wisconsin Statutes**

WHEREAS, By signed and recorded deed, dated August 6, 1962 and recorded with the Ozaukee County Register of Deed's Office on August 7, 1962, in Volume 156 of Records, at Page 140, as Document Number 191000, certain real property in the City of Cedarburg described in more detail on **Exhibit A**, attached hereto and incorporated herein by reference, has been reserved for public roadway purposes on Cardinal Avenue adjacent to the roadway frontage of the real property located at W60 N171 Cardinal Avenue; and

WHEREAS, the majority of the land area covered by the road reservation described herein has been openly used as a public roadway, and worked, repaired and maintained by the City as public roadway for over fifty (50) years; and

WHEREAS, pursuant to section 66.1024, Wis. Stats., (previously section 80.01(5) Wis. Stats. (1967 and 1993)), such reservation constitutes a dedication for such purpose to the public body having jurisdiction over the highway, street, alley, or projected extension thereof; and

WHEREAS, it is in the public interest that such reservation be accepted; and


NOW THEREFORE BE IT RESOLVED, that the City of Cedarburg Common Council accepts the existing road reservation on Cardinal Avenue adjacent to the roadway frontage of the real property located at W60 N171 Cardinal Avenue, which roadway reservation is described in more detail on **Exhibit A**, attached hereto and incorporated herein by reference;

BE IT FURTHER RESOLVED that the acceptance of this reservation is done pursuant to section 66.1024, Wis. Stats, and is deemed to be in the public interest.

Passed and adopted by the Common Council of the City of Cedarburg this 28th day of August, 2016.


Kip Kinzel, Mayor

ATTEST:


Constance K. McHugh, City Clerk

Approved as to form:


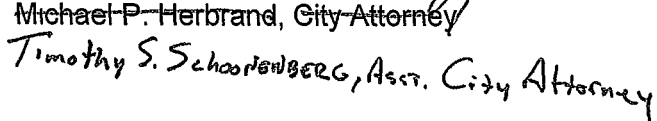

Michael P. Herbrand, City Attorney

Timothy S. Schoonenberg, Asst. City Attorney

EXHIBIT A

An undivided one-half ($\frac{1}{2}$) interest in and to the following described real estate, situated in the County of Ozaukee and State of Wisconsin, to-wit: That part of Lot 4 Block 3 Assessor's Plat No. 2 of the city of Cedarburg, being a part of the South one-half ($S\frac{1}{2}$) of the Southeast one-quarter ($SE\frac{1}{4}$) of Section Thirty-four (34), Township Ten (10) North, Range Twenty-one (21) East, in the City of Cedarburg, Ozaukee County, State of Wisconsin, bounded and described as follows: Commencing at the SE corner of the $SE\frac{1}{4}$ of Said Section 34, thence Due West 83.00 feet along the South line of said $\frac{1}{4}$ Section to the point of intersection of the center lines of West Pioneer Road and Formart Road, thence N. $0^{\circ} 10' E$. 786.00 feet on a line parallel to the East line of said $\frac{1}{4}$ Section, said line being the center line of Formart Road to the point of beginning of the parcel of land to be described; thence Due West 480.81 feet on a line parallel to the South line of said $\frac{1}{4}$ Section, thence N. $13^{\circ} 34' E$. 302.69 feet on a line parallel to the center line of Cedarburg Road, also known as S.T.H. 57, thence Due East 409.68 feet on a line parallel to the South line of said $\frac{1}{4}$ Section, thence S. $0^{\circ} 10' W$. 294.00 feet on a line parallel to the East line of said $\frac{1}{4}$ Section, said line being the center line of Formart Road to the point of beginning, containing 3.00 acres of land, more or less, and reserving the East 30.00 feet for public highway purposes.