

RESOLUTION #2025-1

TOWN BOARD

TOWN OF LYNN, CLARK COUNTY, WISCONSIN

**VACATING UNMAINTAINED PUBLIC WAY OF DIVISION AVENUE, NOTED IN WisDOT'S WISLR SYSTEM AS
"DIVISION AVE (2.06)" FOR THE REASON OF ABANDONMENT**

WHEREAS, Commencing at the Southwest corner of section 3, T24N-R1E, Town of Lynn, Clark County Wisconsin. Thence: N 00° 03' 54" E, 72.94' to the North Right of way of Granton Road, and the centerline of Division Avenue. Thence Continuing: N 00° 03' 54" E, 264' to a point being the Centerline of Division Avenue and the north termini of Division Avenue. Said Line being the Centerline of Division Avenue north of Granton Road. With the portion of Division Avenue being vacated consisting of a parcel, the boundary of which is equal distant 33' easterly and 33' westerly of this described roadway centerline. The Town of Lynn, Clark County, Wisconsin have neither a present nor future use for this portion of public way and it is in the public's interest to abandon the same. Said portion of public way to be discontinued and vacated are as legally described and depicted on the attached Exhibits 1, 2 & 3 and incorporated herein.

WHEREAS, Wis. Stat. 66.1003(4) allows proceedings to be initiated by the Town Board by the introduction of a Resolution declaring that since the public interest requires it, the whole or any part of any public way in the Town may be vacated pursuant to the procedures therein.

WHEREAS, this portion of public way currently serves as a driveway for a business and has been maintained by said owner for at least 5 years pursuant to the provisions of Wis. Statute 66.1003. Said owner is owner of all abutting properties to this public way as depicted on the attached Exhibits 1, 2 & 3 and incorporated herein.

WHEREAS, the Town of Lynn desires to update this unmaintained portion (Division Ave 2.06) to be removed from the WISLR system.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Town of Lynn has no present nor future interest in the portion of public way described hereinabove, the abandonment of the portion of public way shall not result in land locked parcels; the discontinuance will not deprive a landowner or a public school of all access to a highway; and the public interest requires that such portion of public way be vacated and discontinued pursuant to the provisions of Wis. Statute 66.1003
2. A public hearing on the passage of this Resolution will be held at the Town of Lynn Hall located at W1877 US Hwy 10, Granton, WI 54436 which will be held not less than forty (40) days after the date on which the Resolution was introduced.
3. The Town Clerk shall cause a notice of said public hearing stating when and where this Resolution shall be acted upon to be published as a Class 3 notice under Ch. 985 to be served personally on all owners of all of the frontage of the lots and lands abutting upon the public rights-of-way sought to be discontinued if said service can be made within the Town; otherwise, copies of said notice shall be mailed to the owner's last address at least thirty (30) days before the hearing. If any of the public way is located within one-quarter mile of a state trunk highway or connecting highway, a copy of this Resolution shall be submitted to the

Secretary of Transportation and the Commissioner of Railroads if there is a railroad highway crossing within the portion(s) of public right-of-way to be discontinued pursuant of Wis. Stat 66.1003(8)(a)

4. The Town of Lynn pursuant to Wis. Stat 66.1005(2)(a) shall release any of its easement rights, if any, in the portions of public rights-of-way being vacated.

BE IT FURTHER RESOLVED: the unmaintained portion public way of Division Ave which is (Division Ave 2.06) in the state WISLR system extending 264' North of Granton Road is hereby removed from WISLR for the Town of Lynn, Clark County, Wisconsin.

The Town Clerk shall properly post or publish this resolution as required by law.

The foregoing Resolution was duly adopted by the Town of Lynn Board by a vote on this 11th day of November, 2025

Ayes 2 Noes _____ Absent _____ Abstain 1

Ben Kayhart _____ Ben Kayhart, Chairman
Paul Wolf _____ Paul Wolf, Supervisor
Leroy Hasz _____ Leroy Hasz, Supervisor
Patsy Conley _____ Patsy Conley, Clerk