

**RESOLUTION NO. 2024-130
VILLAGE OF CALEDONIA**

**A RESOLUTION AUTHORIZING THE VILLAGE OF CALEDONIA TO COMMENCE
PROCEEDINGS TO VACATE A PORTION OF THE UNIMPROVED PUBLIC
RIGHT-OF-WAY FOR NORTH ST. CLAIR STREET**

The Village Board of the Village of Caledonia, Racine County, WI, do resolve as follows:

WHEREAS, the property owners located at 713 Royal Park Road and 631 Royal Park Road have asked the Village to consider vacating a portion of unimproved right-of-way that is known as North St. Clair Street and was platted as part of the Royal Park Subdivision plat in 1964. The area of the unimproved public right-of-way requested to be vacated is depicted on **Exhibits A** included hereto; and

WHEREAS, the North St. Clair Street was platted in this manner to align with a another segment of St. Clair Street as part of the Beacon View Terrace Subdivision which was recorded in 1957. However, this right of way has never been extended entirely between these two Subdivisions due to multiple factors including a Storm Water Management Pond and private landowner acquisition in-between. This resulted in the Village having public right-of-way interests that are not necessary for public safety or convenience outside of access for the two abutting property owners; and

WHEREAS, §66.1003(4), Wisconsin Statutes requires that when right-of-way to be vacated is located between the lands of different owners, it shall be annexed to the lots to which it originally belonged if that can be ascertained and in this case the right-of-way originally belonged to the lands platted in Royal Park Subdivision. As a result, this would go back to the two abutting property owners; and

WHEREAS, the Village has no need or plans to improve the North St. Clair Street Right-of-Way in the future and will retain any necessary easements to access to any utilities that may be located therein;

WHEREAS, the public interest now requires the vacation of the areas as described above, because they are no longer needed for public right-of-way purposes;

WHEREAS, the Committee of the Whole and Plan Commission recommended the Village Board proceed with the setting of a public hearing on November 10, 2024 and November 25, 2024, respectively; and

NOW, THEREFORE, BE IT RESOLVED: That the Village Board will commence proceedings pursuant to § 66.1003(4), Wisconsin Statutes, to do the following:

1. Vacate the Unimproved North St. Clair Street Right-of-Way as shown on Exhibit A attached hereto.
2. The Unimproved North St. Clair Street Right-of-Way when vacated shall be attached to the Lot 4 on Block 2 and Lot 1 on Block 3 as depicted in Exhibit A.