

**RESOLUTION NO. 2025-002
VILLAGE OF CALEDONIA**

**A RESOLUTION VACATING A PORTION OF THE UNIMPROVED PUBLIC
RIGHT-OF-WAY FOR NORTH ST. CLAIR STREET**

The Village Board of the Village of Caledonia, Racine County, Wisconsin, 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 Village Board previously commenced proceedings to consider the proposed vacation by adopting Resolution No. 2024-130 and the Village Clerk scheduled a public hearing with respect to such vacation and published a Class 3 notice of the same as provided in § 66.1003(8), Wisconsin Statutes, and served a copy of the notice on the owners of all of the frontage of the lots and lands abutting on the portions of the road rights-of-way to be vacated;

WHEREAS, a copy of the Resolution was provided to the Secretary of the Wisconsin Department of Transportation and a Lis Pendens incorporating the Resolution was recorded in the Racine County Register of Deeds Office, pursuant to Wisconsin Statutes §§ 66.1003(8)(a) and 840.11, respectively;

WHEREAS, the Village's Plan Commission at its meeting on November 25, 2024 recommended the vacation of the right-of-way as proposed herein;

WHEREAS, a public hearing was held on January 28, 2025 at 6:00 p.m. in accordance with the Class 3 notice and no objections to the vacation were made;

NOW, THEREFORE, BE IT RESOLVED, that the Village Board finds that the public interest requires the vacation of said rights-of-way and said rights-of-way are hereby vacated pursuant to the authority vested in the Village Board of the Village of Caledonia by Sec. 66.1003 of the Wisconsin Statutes, except that the Village retains easements over and through said rights-of-way for any public utilities residing therein and above, including but not limited to for access, maintenance and construction thereof:

BE IT FURTHER RESOLVED, that pursuant to the Village's investigation into the property ownership of the abutting properties, title will revert to two abutting properties on the plat of which they originally belonged as set forth in this Resolution such that the title to the vacated rights-of-way reverts correspondingly to Lot 4 on Block 2 and Lot 1 on Block 3 of the Royal Park Subdivision Plat.

BE IT FURTHER RESOLVED, that said vacation shall not terminate the easements and rights incidental thereto to any underground or overground structures, improvements, utilities or services as may be existing and as may or may not be shown in the map and all rights of entrance, maintenance, construction of the same will continue as if the same right-of-way had not been vacated.

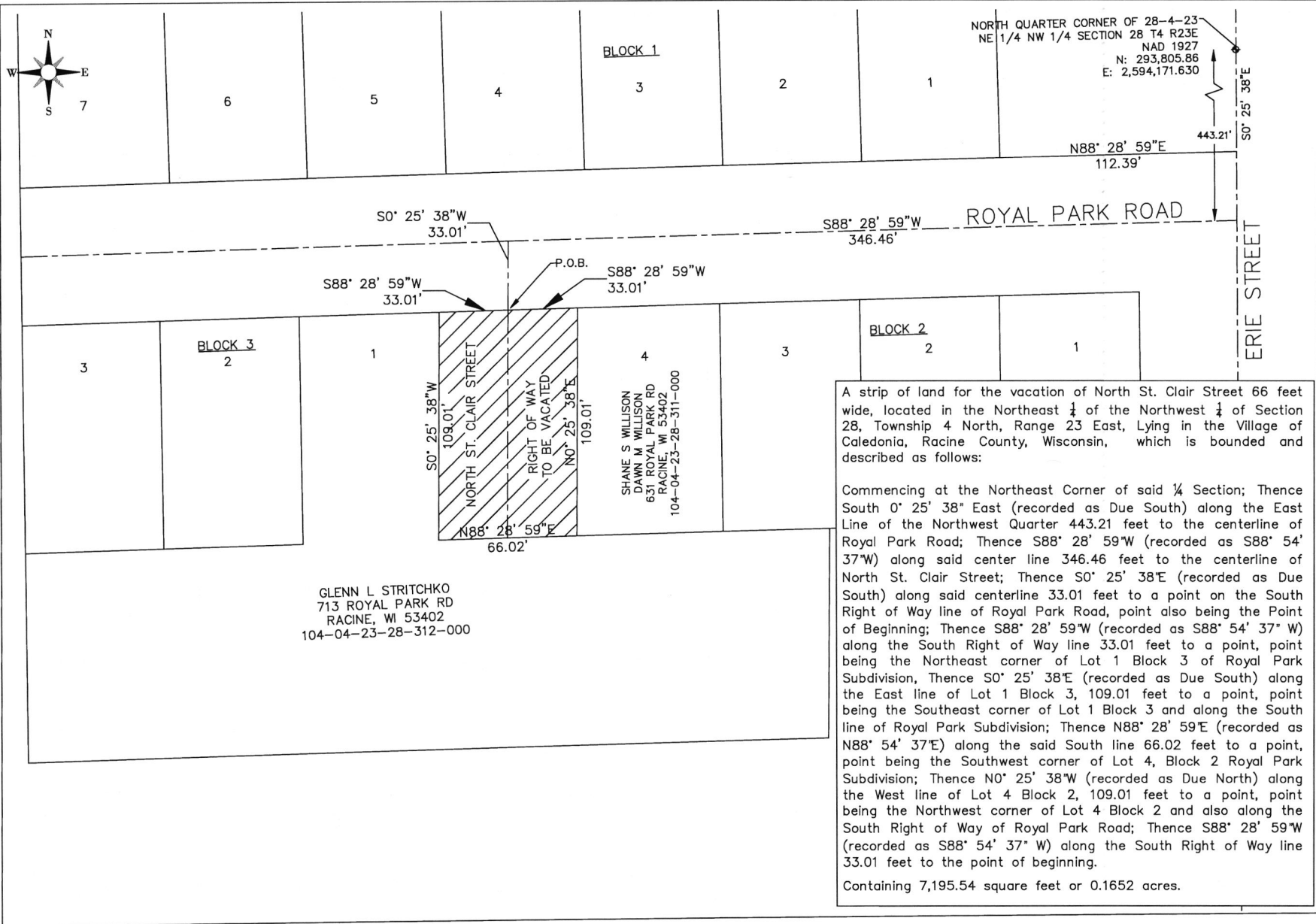
BE IT FURTHER RESOLVED, that this resolution shall be final and take effect from and after its passage and recording by the Village of Caledonia pursuant to law.

Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin, this 28 day of January, 2025.

VILLAGE OF CALEDONIA

By: Thomas R Weatherston
Thomas Weatherston
Village President

Attest: Jennifer Bass
Jennifer Bass
Village Clerk



DRAWN BY: RMS
 SCALE: 1:40
 DATE: 11/5/2024

North St. Clair Street Right-of-Way Vacation Exhibit A

A strip of land for the vacation of North St. Clair Street 66 feet wide, located in the Northeast 1/4 of the Northwest 1/4 of Section 28, Township 4 North, Range 23 East, Lying in the Village of Caledonia, Racine County, Wisconsin, which is bounded and described as follows:

Commencing at the Northeast Corner of said 1/4 Section; Thence South 0° 25' 38" East (recorded as Due South) along the East Line of the Northwest Quarter 443.21 feet to the centerline of Royal Park Road; Thence S88° 28' 59" W (recorded as S88° 54' 37" W) along said center line 346.46 feet to the centerline of North St. Clair Street; Thence S0° 25' 38" E (recorded as Due South) along said centerline 33.01 feet to a point on the South Right of Way line of Royal Park Road, point also being the Point of Beginning; Thence S88° 28' 59" W (recorded as S88° 54' 37" W) along the South Right of Way line 33.01 feet to a point, point being the Northeast corner of Lot 1 Block 3 of Royal Park Subdivision; Thence S0° 25' 38" E (recorded as Due South) along the East line of Lot 1 Block 3, 109.01 feet to a point, point being the Southeast corner of Lot 1 Block 3 and along the South line of Royal Park Subdivision; Thence N88° 28' 59" E (recorded as N88° 54' 37" E) along the said South line 66.02 feet to a point, point being the Southwest corner of Lot 4, Block 2 Royal Park Subdivision; Thence N0° 25' 38" W (recorded as Due North) along the West line of Lot 4 Block 2, 109.01 feet to a point, point being the Northwest corner of Lot 4 Block 2 and also along the South Right of Way of Royal Park Road; Thence S88° 28' 59" W (recorded as S88° 54' 37" W) along the South Right of Way line 33.01 feet to the point of beginning.

Containing 7,195.54 square feet or 0.1652 acres.