

RESOLUTION NO. 2019-121

**RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF CALEDONIA
ACCEPTING THE DEDICATION OF LAND FOR PUBLIC RIGHT-OF-WAY
PURPOSES IN THE CHARLES STREET RELOCATION AREA**

WHEREAS, the Village approved on September 4, 2018, subject to conditions, a conditional use permit, nonmetallic mining permit and explosives use permit to allow for the further development of an existing limestone quarry on the Property including earthmoving, blasting, crushing, sorting and sizing, stockpiling, transportation and reclamation per Resolution No. 2018-78. In order to conduct the uses associated with the approval, Payne & Dolan, Inc. was required to relocate Charles Street, including infrastructure for the District and storm water improvements as depicted on **Exhibit A** attached hereto and incorporated herein (the "Charles Street Relocation").

WHEREAS, the Village Utility District Commission and the Village's Public Works Committee approved plans and specifications for the Charles Street Relocation, upon compliance with the ordinances of the Village, and required that Payne & Dolan, Inc. enter into an Infrastructure Agreement for the Charles Street Relocation which the Board approved.

WHEREAS, the Village agreed to initiate proceedings to vacate the existing Charles Street right-of-way. Once the road improvements are constructed and accepted by the Village, Payne & Dolan, Inc. is required to dedicate for public right-of-way purposes the area necessary for the Charles Street Relocation which is depicted on the attached **Exhibit A** and legally described on the attached **Exhibit B** (the "Dedication Area") and the Village agreed to vacate a portion of the existing Charles Street right-of-way.

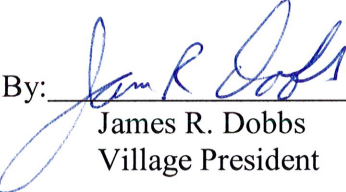
WHEREAS, the work for the Charles Street Relocation has been completed and has been inspected for compliance with the approved plans and specifications and the Charles Street Relocation public improvements, including the roads intended for use as public right-of-way, have been accepted by the Village Board.


NOW THEREFORE BE IT RESOLVED: That the Village hereby accepts a dedication for public right-of-way purposes from Payne & Dolan, Inc. of the area defined as the Charles Street Relocation comprising the Dedication Area depicted on the attached **Exhibit A** and legally described on the attached **Exhibit B** and the deed dedicating such public right-of-way is hereby accepted and authorized to be recorded with the Racine County Register of Deeds.

BE IT FURTHER RESOLVED, that the dedicated public right-of-way shall be named Charles Street.

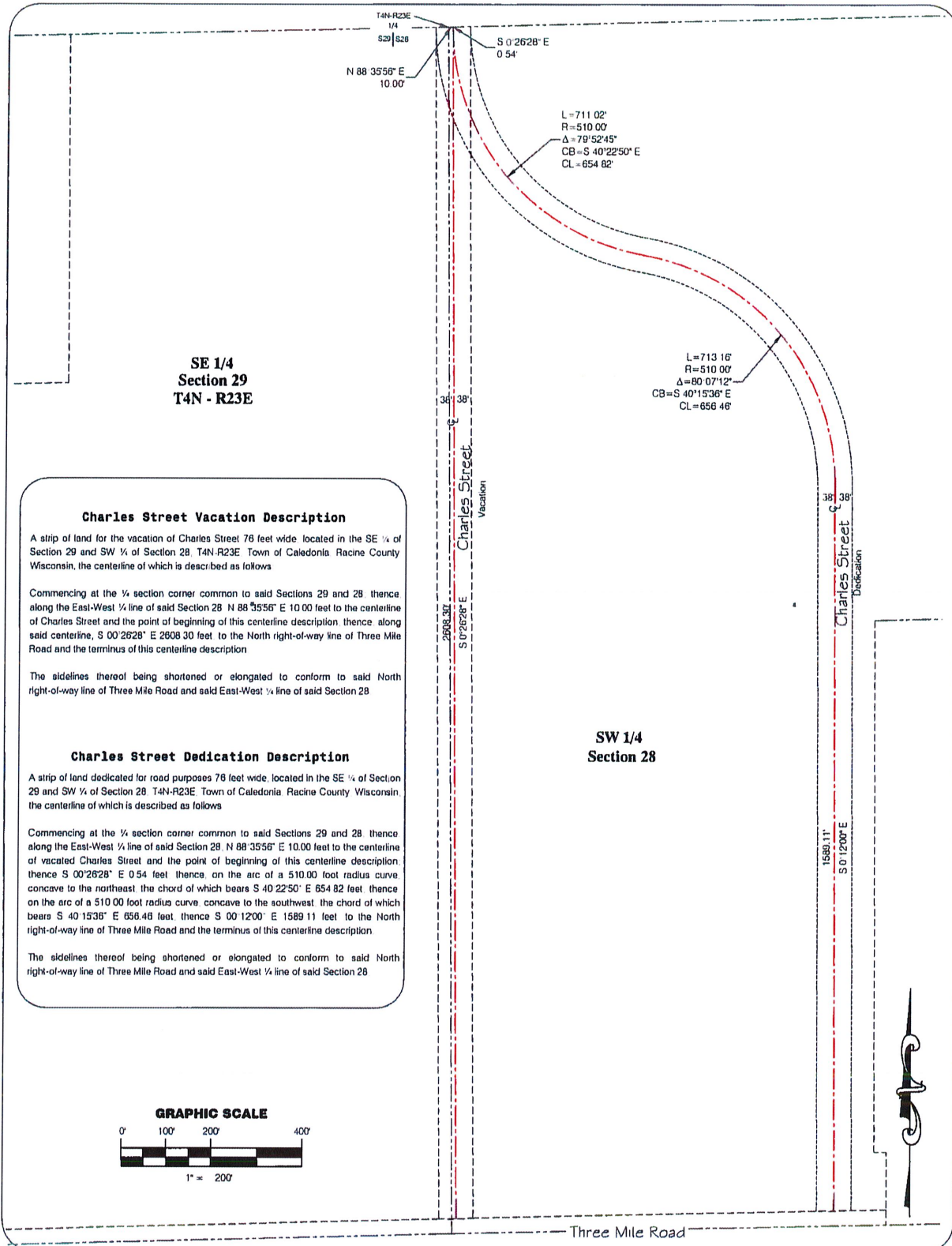
Adopted by the Village Board of the Village of Caledonia, Racine County, Wisconsin,
this 16th day of December, 2019.

VILLAGE OF CALEDONIA

By: 
James R. Dobbs
Village President

Attest: 
Karie Pope
Village Clerk

770272.001(594)



**SE 1/4
Section 29
T4N - R23E**

**SW 1/4
Section 28**

Charles Street Vacation Description

A strip of land for the vacation of Charles Street 76 feet wide, located in the SE 1/4 of Section 29 and SW 1/4 of Section 28, T4N-R23E, Town of Caledonia, Racine County, Wisconsin, the centerline of which is described as follows:

Commencing at the 1/4 section corner common to said Sections 29 and 28, thence along the East-West 1/4 line of said Section 28, N 88°35'56" E 10.00 feet to the centerline of Charles Street and the point of beginning of this centerline description, thence along said centerline, S 00°26'28" E 2608.30 feet to the North right-of-way line of Three Mile Road and the terminus of this centerline description.

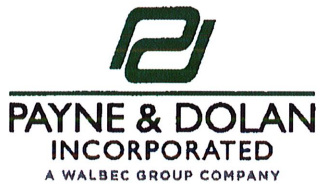
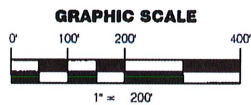
The sidelines thereof being shortened or elongated to conform to said North right-of-way line of Three Mile Road and said East-West 1/4 line of said Section 28.

Charles Street Dedication Description

A strip of land dedicated for road purposes 76 feet wide, located in the SE 1/4 of Section 29 and SW 1/4 of Section 28, T4N-R23E, Town of Caledonia, Racine County, Wisconsin, the centerline of which is described as follows:

Commencing at the 1/4 section corner common to said Sections 29 and 28, thence along the East-West 1/4 line of said Section 28, N 88°35'56" E 10.00 feet to the centerline of vacated Charles Street and the point of beginning of this centerline description, thence S 00°26'28" E 0.54 feet, thence, on the arc of a 510.00 foot radius curve, concave to the northeast, the chord of which bears S 40°22'50" E 654.82 feet, thence on the arc of a 510.00 foot radius curve, concave to the southwest, the chord of which bears S 40°15'36" E 656.46 feet, thence S 00°12'00" E 1589.11 feet to the North right-of-way line of Three Mile Road and the terminus of this centerline description.

The sidelines thereof being shortened or elongated to conform to said North right-of-way line of Three Mile Road and said East-West 1/4 line of said Section 28.



Charles Street Relocation

THIS PRINT IS THE PROPERTY OF PAYNE AND DOLAN, INC. AND THE CONTENTS CONTAINED HEREIN ARE CONSIDERED CONFIDENTIAL AND SHOULD NOT BE USED OUTSIDE OF THE COMPANY WITHOUT PERMISSION.

Racine Quarry Project
SE 1/4 Section 29, SW 1/4 Section 28
T4N-R23E, Village of Caledonia
Racine County, Wisconsin

Date: 8-20-19 Site #: 80360 Drawn By: JS

1

SHEET 1 OF 1

Exhibit B

Charles Street Dedication Description

A strip of land dedicated for road purposes 76 feet wide, located in the SE ¼ of Section 29 and SW ¼ of Section 28, T4N-R23E, Town of Caledonia, Racine County, Wisconsin, the centerline of which is described as follows:

Commencing at the ¼ section corner common to said Sections 29 and 28; thence, along the East-West ¼ line of said Section 28, N 88°35'56" E 10.00 feet to the centerline of vacated Charles Street and the point of beginning of this centerline description; thence S 00°26'28" E 0.54 feet; thence, on the arc of a 510.00 foot radius curve, concave to the northeast, the chord of which bears S 40°22'50" E 654.82 feet; thence, on the arc of a 510.00 foot radius curve, concave to the southwest, the chord of which bears S 40°15'36" E 656.46 feet; thence S 00°12'00" E 1589.11 feet, to the North right-of-way line of Three Mile Road and the terminus of this centerline description.

The sidelines thereof being shortened or elongated to conform to said North right-of-way line of Three Mile Road and said East-West ¼ line of said Section 28.

A part of Parcel Nos: 104-04-23-29-193-000
104-04-23-28-071-000
104-04-23-28-074-000
104-04-23-28-075-000

QUIT CLAIM DEED

PAYNE & DOLAN, INC., an Wisconsin corporation ("Grantor") quit claims to **VILLAGE OF CALEDONIA**, a Wisconsin Municipal Corporation ("Grantee") the following described real estate in Racine County, State of Wisconsin:

Full Legal Description: See attached Exhibit A(2 page).

This property has been dedicated to the Village to facilitate the relocation of Charles Street in accordance with that certain Infrastructure Agreement entered into between the Village of Caledonia and Payne & Dolan, Inc. per Village Board Resolution No. 2019-47 adopted on May 6, 2019. This dedication was approved and accepted by the Village of Caledonia on December 16, 2019 per Village Board Resolution No. 2019-121. The property legally described for dedication on **Exhibit A** is dedicated for public right-of-way, street and road purposes for vehicular and pedestrian traffic thereon, and related compatible uses and purposes, including, but not limited to, the installation, repairs, maintenance or replacement of public utilities of any kind. By acceptance and recording of this deed, Grantee agrees to accept dedication of the real property conveyed as a public right-of-way. This conveyance shall not extinguish, diminish or alter any easements for the distribution of utilities or municipal services that may lie on, over or beneath the surface of the Property. The property dedicated shall be named Charles Street. For informational purposes, **Exhibit A** also contains a map showing the property to be dedicated.

Name and Return Address below

Elaine Sutton Ekes
Pruitt, Ekes & Geary, S.C.
245 Main St. Suite 404
Racine, WI 53403

See attached

Together with all appurtenant rights, title, and interest. This is not homestead property.

Parcel Identification Number (PIN)

This conveyance is exempt from transfer fee and a Wisconsin Real Estate Transfer Return pursuant to §§ 77.25(2r) and 77.255, Wis. Stat.

Date signed: _____

Date signed: _____

PAYNE & DOLAN, INC.

(SEAL)

* Mark Filmanowicz, President

Print

(SEAL)

* _____

Print or Type name

AUTHENTICATION

Signature(s) _____

authenticated this _____ day of _____,

* _____

TITLE: MEMBER STATE BAR OF WISCONSIN

STATE BAR NUMBER: _____

This instrument was drafted by:

Elaine Sutton Ekes State Bar No. 1028252

(SEAL)

* _____

Print or Type name

(SEAL)

* _____

Print or Type name

ACKNOWLEDGEMENT

STATE OF WISCONSIN, County of _____

Signed, sworn, and personally came before me on _____

by the above-named person persons to be known to be the person

persons who executed the forgoing instrument and acknowledge the same.

Signature of Notary or other person authorized to administer an oath as per Sec. 706.06, 706.07

Print or type name: _____

Date Commission expires: _____ is permanent.

EXHIBIT A PAGE 1 OF 2

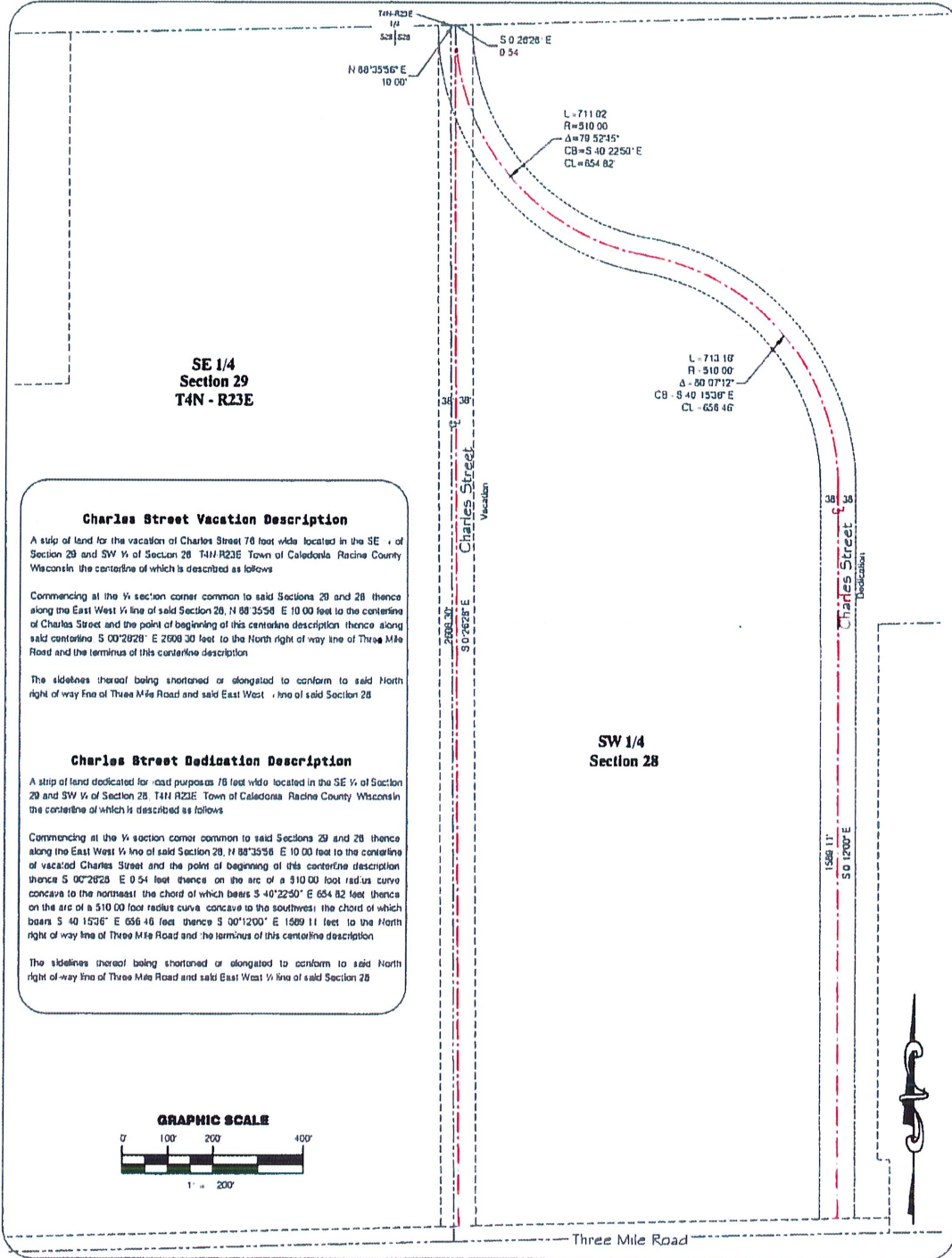
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Commencing at the ¼ section corner common to said Sections 29 and 28; thence, along the East-West ¼ line of said Section 28, N 88°35'56" E 10.00 feet to the centerline of vacated Charles Street and the point of beginning of this centerline description; thence S 00°26'28" E 0.54 feet; thence, on the arc of a 510.00 foot radius curve, concave to the northeast, the chord of which bears S 40°22'50" E 654.82 feet; thence, on the arc of a 510.00 foot radius curve, concave to the southwest, the chord of which bears S 40°15'36" E 656.46 feet; thence S 00°12'00" E 1589.11 feet, to the North right-of-way line of Three Mile Road and the terminus of this centerline description.

The sidelines thereof being shortened or elongated to conform to said North right-of-way line of Three Mile Road and said East-West ¼ line of said Section 28.

A part of Parcel Nos: 104-04-23-29-193-000
104-04-23-28-071-000
104-04-23-28-074-000
104-04-23-28-075-000



Charles Street Vacation Description

A strip of land for the vacation of Charles Street 76 feet wide located in the SE 1/4 of Section 29 and SW 1/4 of Section 28 T4N R23E Town of Caledonia Racine County Wisconsin the centerline of which is described as follows:

Commencing at the 1/4 section corner common to said Sections 29 and 28 thence along the East West 1/4 line of said Section 28, N 88°35'56" E 10.00 feet to the centerline of Charles Street and the point of beginning of this centerline description thence along said centerline S 00°28'28" E 2008.30 feet to the North right of way line of Three Mile Road and the terminus of this centerline description.

The sidelines thereof being shortened or elongated to conform to said North right of way line of Three Mile Road and said East West 1/4 line of said Section 28.

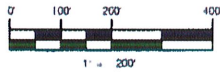
Charles Street Dedication Description

A strip of land dedicated for road purposes 76 feet wide located in the SE 1/4 of Section 29 and SW 1/4 of Section 28 T4N R23E Town of Caledonia Racine County Wisconsin the centerline of which is described as follows:

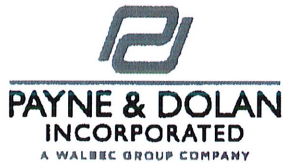
Commencing at the 1/4 section corner common to said Sections 29 and 28 thence along the East West 1/4 line of said Section 28, N 88°35'56" E 10.00 feet to the centerline of vacated Charles Street and the point of beginning of this centerline description thence S 00°28'28" E 0.54 feet thence on the arc of a 310.00 foot radius curve concave to the northeast the chord of which bears S 40°22'50" E 654.82 feet thence on the arc of a 510.00 foot radius curve concave to the southwest the chord of which bears S 40°15'36" E 656.46 feet thence S 00°12'00" E 1589.11 feet to the North right of way line of Three Mile Road and the terminus of this centerline description.

The sidelines thereof being shortened or elongated to conform to said North right of way line of Three Mile Road and said East West 1/4 line of said Section 28.

GRAPHIC SCALE



Charles Street Relocation



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Racine Quarry Project
SE 1/4 Section 29, SW 1/4 Section 28
T4N-R23E, Village of Caledonia
Racine County, Wisconsin

Date: 8/20/10 Site # 803360 Drawn By: JS

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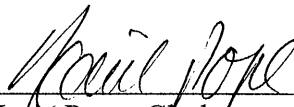
SHEET 1 OF 1

CERTIFICATION OF VILLAGE OF CALEDONIA
RESOLUTION 2019-121

The undersigned, Karie Pope, being the duly elected Clerk for the Village of Caledonia, certify that attached hereto is a certified copy of Resolution 2019-121
***RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF CALEDONIA
ACCEPTING THE DEDICATION OF LAND FOR PUBLIC RIGHT-OF-WAY
PURPOSES IN THE CHARLES STREET RELOCATION AREA.***

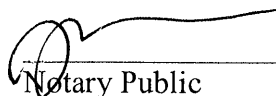
Approved by the Village Board of the Village of Caledonia, Racine County, Wisconsin on December 16, 2019.

Dated this 17th day of December, 2019.



Karie Pope, Clerk
Village of Caledonia

Subscribed and sworn to before me
This 17th day of December, 2019



Notary Public
Racine County, Wisconsin
My Commission expires: 11/21/21