

**RESOLUTION NO. 11-21-16-03**

**RESOLUTION SETTING PUBLIC HEARING TO CONSIDER  
VACATING AND DISCONTINUING A PORTION OF  
HILLCREST DRIVE, A PUBLIC ROAD LOCATED IN THE VILLAGE OF  
FONTANA-ON-GENEVA LAKE, WALWORTH COUNTY,  
WISCONSIN PURSUANT TO SECTION 66.1003, WIS. STATS.**

**WHEREAS**, the Village Board for the Village of Fontana-on-Geneva Lake does, by this Resolution, elect to initiate the vacation and discontinuance of a portion of Hillcrest Drive, described more specifically herein, all pursuant to authority granted by Section 66.1003(4)(a), Wis. Stats.; and

**WHEREAS**, the Village Board intends to set a public hearing pursuant to Section 66.1003(4)(b), Wis. Stats., before the Village Board prior to adopting a final Resolution and Order vacating the herein described portion of Hillcrest Drive; and

**WHEREAS**, the Village Board intends to direct the Plan Commission for the Village of Fontana-on-Geneva Lake to review and study the matter and offer a recommendation to the Village Board as required by Section 62.23(5), Wis. Stats., prior to the adoption of a final Resolution and Order discontinuing the herein described portion of Hillcrest Drive.

**NOW, THEREFORE, BE IT RESOLVED** by the Village Board for the Village of Fontana-on-Geneva Lake as follows:

1. That it appears to be in the public interest and the public interest requires that a portion of Hillcrest Drive be vacated and discontinued, and that the legal description of said portion of Hillcrest Drive proposed to be vacated and discontinued is set forth as follows:

A DISCONTINUANCE OF PART OF THE NORTH END OF FEATHERSTONE DRIVE OF COUNTRY CLUB ESTATES UNIT 3, AS SHOWN BY THE PLAT THEREOF IN THE RECORDER'S OFFICE OF WALWORTH COUNTY, WISCONSIN, RECORDED MARCH 12, 1927 IN VOLUME 8 OF PLATS ON PAGE 107 AND 108, LOCATED IN PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 14, TOWN 1 NORTH, RANGE 16 EAST, VILLAGE OF FONTANA, WALWORTH COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTH 1/4 CORNER OF SAID SECTION 14; THENCE N 00°01'08" W 1190.40 FEET ALONG THE EAST LINE OF SAID SOUTHWEST 1/4; THENCE S 77°56'05" W 1.42 FEET TO A FOUND 3 INCH IRON PIPE AT THE SOUTHEAST CORNER OF LOT 20 OF SAID COUNTRY CLUB ESTATES UNIT 3; THENCE S 77°56'05" W 12.51 FEET TO A FOUND 2 INCH IRON PIPE ON THE SOUTH LINE OF SAID LOT 20 AND THE EAST LINE OF FEATHERSTONE DRIVE AND THE POINT OF BEGINNING. THENCE ALONG THE EAST LINE OF SAID FEATHERSTONE DRIVE, WITH A CURVE TO THE LEFT HAVING A RADIUS OF 940.37 FEET, A DELTA OF 03°09'32", AN ARC LENGTH OF 51.85 FEET, AND A CHORD WHICH BEARS S 00°48'38" E HAVING A CHORD DISTANCE OF 51.84 FEET TO A FOUND 3 INCH IRON PIPE; THENCE N 61°59'18" W 70.99 FEET TO A POINT ON A CURVE ON THE SOUTH LINE OF SAID LOT 20 AND MARKED WITH 1 1/4 INCH IRON PIPE; THENCE ALONG A CURVE TO THE

LEFT HAVING A RADIUS OF 241.85 FEET, A DELTA OF 03°02'02", AN ARC LENGTH OF 12.81 FEET, AND A CHORD WHICH BEARS N 72°26'47" E HAVING A CHORD DISTANCE OF 12.80 FEET; THENCE N 73°36'16" E 51.84 FEET TO THE POINT OF BEGINNING, AND CONTAINING 1,606 SQUARE FEET OR 0.0368 ACRE(S) OF LAND, MORE OR LESS.

2. That a copy of the survey depicting the above-described portion of Hillcrest Drive which is proposed to be vacated and discontinued is attached hereto and incorporated herein by reference as Exhibit "A".

3 That a hearing on the passage of a final Resolution and Order to vacate and discontinue the above-described portion of Hillcrest Drive be set on the 9<sup>th</sup> day of January, 2017, at 6:00 p.m. in the evening, which said public hearing shall be held before the Village Board of the Village of Fontana-on-Geneva Lake at the Village Hall located at 175 Valley View Drive, in the Village of Fontana-on-Geneva Lake, all as required by Section 66.1003, Wis. Stats.

4. That said public hearing shall be proceeded by a notice as required by Section 66.1003, Wis. Stats., and that all proceedings pursuant to this Resolution shall be in accordance with that statute.

5. That the Plan Commission is directed to review and offer a recommendation on the proposed vacation and discontinuance described herein as required by Section 62.23, Wis. Stats., and to forward to the Village Board the Plan Commissioner's written findings following such review and consideration prior to final action being taken by the Village Board.

6. That a *Lis Pendens* shall be recorded against the property described in Exhibit "A" as required by Section 840.10, Wis. Stats.

**BE IT FURTHER RESOLVED** that his initial Resolution is adopted pursuant to the powers vested in the Village of Fontana-on-Geneva Lake pursuant Section 66.1003, Wis. Stats.

**BE IT FURTHER RESOLVED** that this initial Resolution shall be deemed effective on November 21, 2016 and filed with the Village Clerk on November 21, 2016 for purposes of Section 66.1003, Wis. Stats., and Section 840.10, Wis. Stats.

Dated this 21<sup>st</sup> day of November, 2016.

VILLAGE BOARD FOR THE VILLAGE  
OF FONTANA-ON-GENEVA LAKE

By: \_\_\_\_\_  
Pat Kenny, Village President

Attest: \_\_\_\_\_  
Theresa Loomer, Village Clerk