

FINAL RESOLUTION

WHEREAS, the public interest requires that a part of South Oak Street and a part of East Kimball Street, that have not previously been vacated, be vacated and discontinued; and

WHEREAS, notice was given when and where the resolution would be acted on, as required by law; and

WHEREAS, hearing was had on said Resolution on the 7th day of July, 2021, at City Hall, in and for the City of Appleton, Wisconsin.

BE IT RESOLVED, that the Common Council of the City of Appleton, Wisconsin, hereby determines that the public interest requires that:

LEGAL DESCRIPTION

*All that part of Kimball Street lying East of the East line of Morrison Street and abutting Block Twelve (12) of the **APPLETON PLAT** (aka Second Ward Plat), all according to the recorded Assessor's Map of the City of Appleton, being located in Government Lot Two (2) of Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin, containing 5,700 square feet of land more or less.*

And

*All that part of Oak Street lying South of a line 20 feet South of and parallel to the South line of Lawrence Street and abutting Block Twelve (12) of the **APPLETON PLAT** (aka Second Ward Plat), all according to the recorded Assessor's Map of the City of Appleton, being located in Government Lot Two (2) of Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin, containing 8,080 square feet of land more or less.*

See also attached Exhibit "A" for illustration.

EASEMENT RELEASE

The City of Appleton hereby releases any and all rights to any existing utilities within the above described vacated right of way, including but not limited to, storm sewer, drainage, sanitary sewer and watermain within the entire length and width of the above described right of ways.

COMMON DESCRIPTION:

A part of South Oak Street and a part of East Kimball Street, generally located south of Lawrence Street and east of Morrison Street

Record and return to:

City of Appleton – City Attorney's Office
100 North Appleton Street
Appleton, WI 54911-4799

Tax Key Nos.: 31-2-0166-00, 31-2-0167-00,
31-2-0165-00, 31-2-0163-00, 31-2-0161-00,
31-2-0169-00, 31-2-0170-00, 31-2-0159-00,
31-2-0174-00, 31-2-0171-00, 31-2-0168-00

FURTHER RESOLVED, that the City Clerk of the City of Appleton be authorized and directed to give notice required by §66.1003 of the Wisconsin Statutes.

FURTHER RESOLVED, that according to §66.1005, Wisconsin Statutes, upon vacation and discontinuance of said portion of South Oak Street and said portion of East Kimball Street, title to the above-described area shall belong to the adjoining property owners and shall acquire an ownership interest in the entire area being vacated (as deemed necessary).

City of Appleton

By: _____
Jacob A. Woodford, Mayor

By: _____
Kami Lynch, City Clerk

Date: _____

STATE OF WISCONSIN)
 : ss.
OUTAGAMIE COUNTY)

The foregoing Agreement was acknowledged before me this _____ day of July, 2021 by Jacob A. Woodford, Mayor and Kami Lynch, City Clerk.

Jamie L. Griesbach
Notary Public, State of Wisconsin
My commission expires 11/11/2021

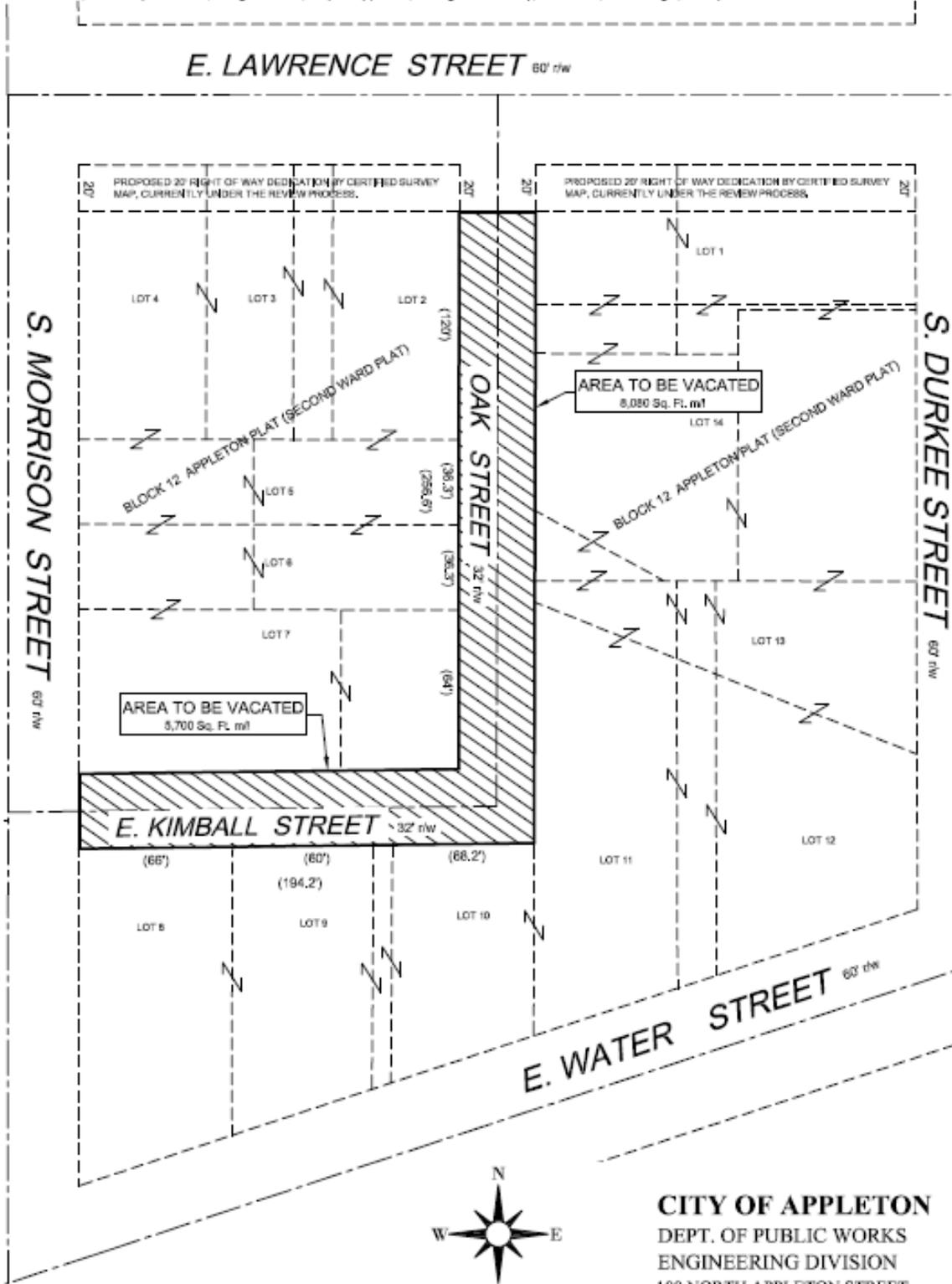
This instrument was drafted by:
City Attorney Christopher R. Behrens
City Law A21-0300

EXHIBIT "A"

All that part of Kimball Street lying East of the East line of Morrison Street and abutting Block Twelve (12) of the APPLETON PLAT (aka Second Ward Plat), all according to the recorded Assessor's Map of the City of Appleton, being located in Government Lot Two (2) of Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin, containing 5,700 square feet of land more or less.

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CITY OF APPLETON

DEPT. OF PUBLIC WORKS
 ENGINEERING DIVISION
 100 NORTH APPLETON STREET
 APPLETON, WI 54911
 920-832-6474

DRAFTED BY: T. KROMM

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