

# FINAL RESOLUTION

**WHEREAS**, the public interest requires that a portion of North Oneida Street and an unnamed historic alley, north of Washington Street and south of Franklin Street, that has 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 17<sup>th</sup> day of September, 2025, 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:

Record and return to:

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

Tax Key Nos.: 31-2-0397-00, 31-2-0384-00,  
31-2-0393-00, 31-2-0387-00

## LEGAL DESCRIPTION

*All of a strip of land 60 feet in width and 332.78 feet m/l in length and containing 19,966 square feet of land m/l and being further described by:*

*All that part of N. Oneida Street lying East of Lot 1 of Certified Survey Map No. 8314, West of Block 37, Appleton Plat (aka Second Ward Plat), per the Assessor's Plat of the City of Appleton, South of the South line of E. Franklin Street, and North of the North line of E. Washington Street, being located in the Northeast Quarter (NE ¼) of the Southwest Quarter (SW ¼) of Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin.*

See also attached Exhibit "A" for illustration.

## EASEMENTS

The City of Appleton their heirs, successors and or assigns (Grantee) hereby retain an easement for any and all existing utilities and also any future utilities deemed necessary or desirable by Grantee within the vacated right-of-way, including but not limited to, storm sewer, drainage, sanitary sewer, watermain, gas, electric, cable and fiber-optic within the entire length and width of the above described right-of-way.

It is further agreed that this easement shall be a permanent easement.

It is further agreed that Grantee shall have the right to install, regrade, replace, relocate, operate, maintain, resize and repair any and all of these utilities and their associated appurtenances. It is further agreed that after installing, regrading, replacing, relocating, operating, maintaining, resizing or repairing of these utilities and their associated appurtenances Grantee shall restore unimproved surfaces such as grass, gravel and dirt on said property, as closely as possible, to the condition previously existing. Grantee shall not be required to restore or compensate for any improvements or improved surfaces such as, but not limited to, curb and gutter, hard pavements, trees, shrubs and landscaping, disturbed as

a result of the maintenance activities described herein. Buildings or any other type of permanent structure shall not be placed over Grantees' facilities or in, upon or over said easement area. This easement includes the right to operate any and all equipment deemed necessary by Grantee to perform said activities. Grantee agrees that it shall give timely notice to the Grantor of routine maintenance work. Grantee shall also have the right to build and maintain a public trail in a mutually agreeable location within the vacated street area.

AND

*A strip of land 14 feet in width and 166.39 feet m/l in length containing 2,329 square feet of land m/l and being described by: The East 14 feet of Lot 2 of Block 37, Appleton Plat (aka Second Ward Plat), per the Assessor's Plat of the City of Appleton, located in the Northwest Quarter (NW ¼) of the Southeast Quarter (SE ¼) of Section 26, Township 21 North, Range 17 East, City of Appleton, Outagamie County, Wisconsin.*

### **EASEMENTS**

The City of Appleton does hereby specifically, not retain any easements in this vacated street area.

See also attached Exhibit "A" for illustration.

### **COMMON DESCRIPTION:**

Portion of North Oneida Street and an unnamed historic alley, north of Washington Street and south of Franklin Street, that has not previously been vacated

***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 North Oneida Street and an unnamed historic alley, north of Washington Street and south of Franklin Street, title to the above-described area shall belong to the adjoining property owner and shall acquire an ownership interest in the area being vacated (as deemed necessary).

### **City of Appleton**

By: \_\_\_\_\_  
Jacob A. Woodford, Mayor  
Date: \_\_\_\_\_

By: \_\_\_\_\_  
Amy Molitor, City Clerk

CONTINUES ON THE FOLLOWING PAGE

STATE OF WISCONSIN    )  
                                      : ss.  
OUTAGAMIE COUNTY    )

The foregoing Agreement was acknowledged before me this \_\_\_\_\_ day of September, 2025 by Jacob A. Woodford, Mayor and Amy Molitor, City Clerk.

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Jamie L. Griesbach  
Notary Public, State of Wisconsin  
My commission expires 11/11/2025

This instrument was drafted by:  
City Attorney Christopher R. Behrens

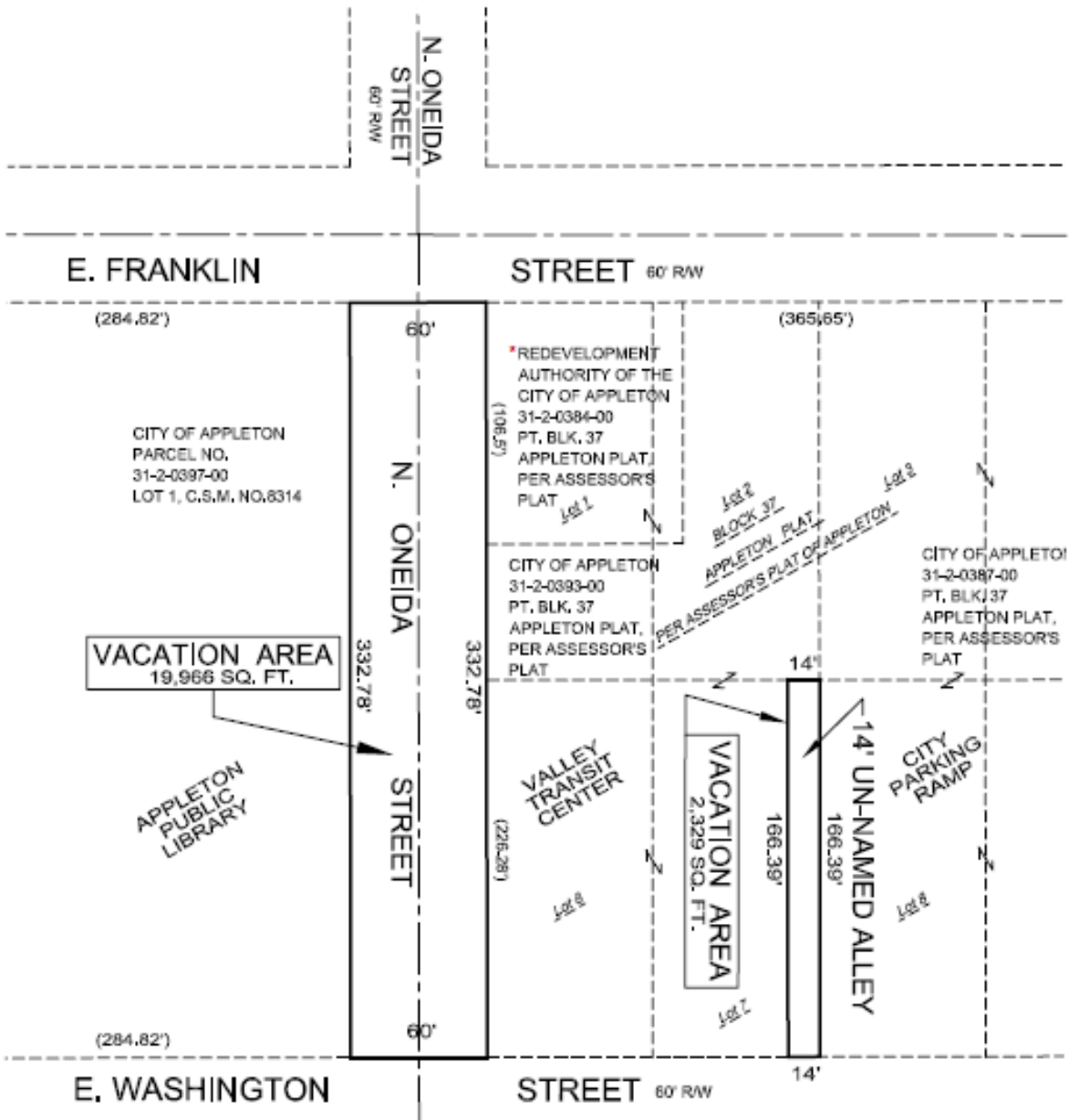
City Law A25-0246

# EXHIBIT "A"

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\* Parcel 31-2-0384-00  
sold by ARA to City of Appleton on  
June 4, 2025



## CITY OF APPLETON

DEPT. OF PUBLIC WORKS  
ENGINEERING DIVISION  
100 NORTH APPLETON STREET  
APPLETON, WI 54911

920-832-6474

DRAFTED BY: T. KROMM

Client/Ass/Ven & Dtd 2025 06/04

Washington to Franklin\_0312\_2025