

Report to the Manitowoc Plan Commission

Meeting Date: September 25, 2024

Request: A. PC 15-2024: Abbey Ridge LLC – John Lukas; City Initiated Street Vacation and Official Map Amendment, Ebony Avenue.

Report: The Street Vacation and Amendment to the Official Map are being initiated by the City of Manitowoc. City initiated street vacations are initiated with the introduction of a resolution at the Council; the resolution was introduced at the September 16th Council meeting.

This vacation and official map amendment are related to the land swap discussion the Plan Commission had at their June 26th meeting regarding property owned by John Lukas and Abbey Ridge LLC. The Plan Commission approved the land swap concept which eliminated the Ebony Avenue and Abbey Ridge Lane right angle intersection and is replacing it with a curve. After discussions with Mr. Lukas' attorney and city staff it was agreed upon to go through a formal vacation process instead of the land swap. The concern was that the title company may have some questions with title insurance regarding the land swap process versus the street vacation.

Abbey Ridge LLC and Mr. Lukas are the only abutting property owners to the street vacation and official map amendment area and were the original owners that dedicated the right-of-way.

Pursuant to §66.1005 *“Reversion of Title (1) When any highway or public ground acquired or held for highway purposes is discontinued, the land where the highway or public ground is located shall belong to the owner or owners of the adjoining lands. If the highway or public ground 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. If the lots to which the land originally belonged cannot be ascertained, the land shall be equally divided between the owners of the lands on each side of the highway or public ground.”*

Public Comments: No comments were received.

Timeline

- Resolution introduced at the September 16th Council Meeting
- Plan Commission public informational hearing
- Public Hearing at the November 18 Council meeting (Statute requires the hearing not less 40 days after the resolution is introduced at the Council Meeting).

Recommendation: Approve the Street Vacation and Amendment to the Official Map.

CITY OF
MANITOWOC

SW 1/4 SEC 7,
T19N, R24E

Section Line

LOT 3

818-201-016

NW 1/4 SEC 18,
T19N, R24E

818-201-017

**Proposed Street Vacation
and Area To Be Removed
From The Official Map**

ABBNEY RIDGE LN.

EBONY AVE.

**To Be Dedicated By
Other Instrument**

100-003-022

TR 2

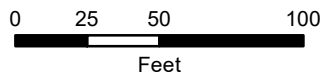
100-



Street Vacation and
Change to the Official Map
City of Manitowoc

DISCLAIMER: Maps and associated data are believed to be accurate, but are not warranted. This information is not intended for legal, survey, or other related uses. Please obtain the original recorded documents for legal or survey information.

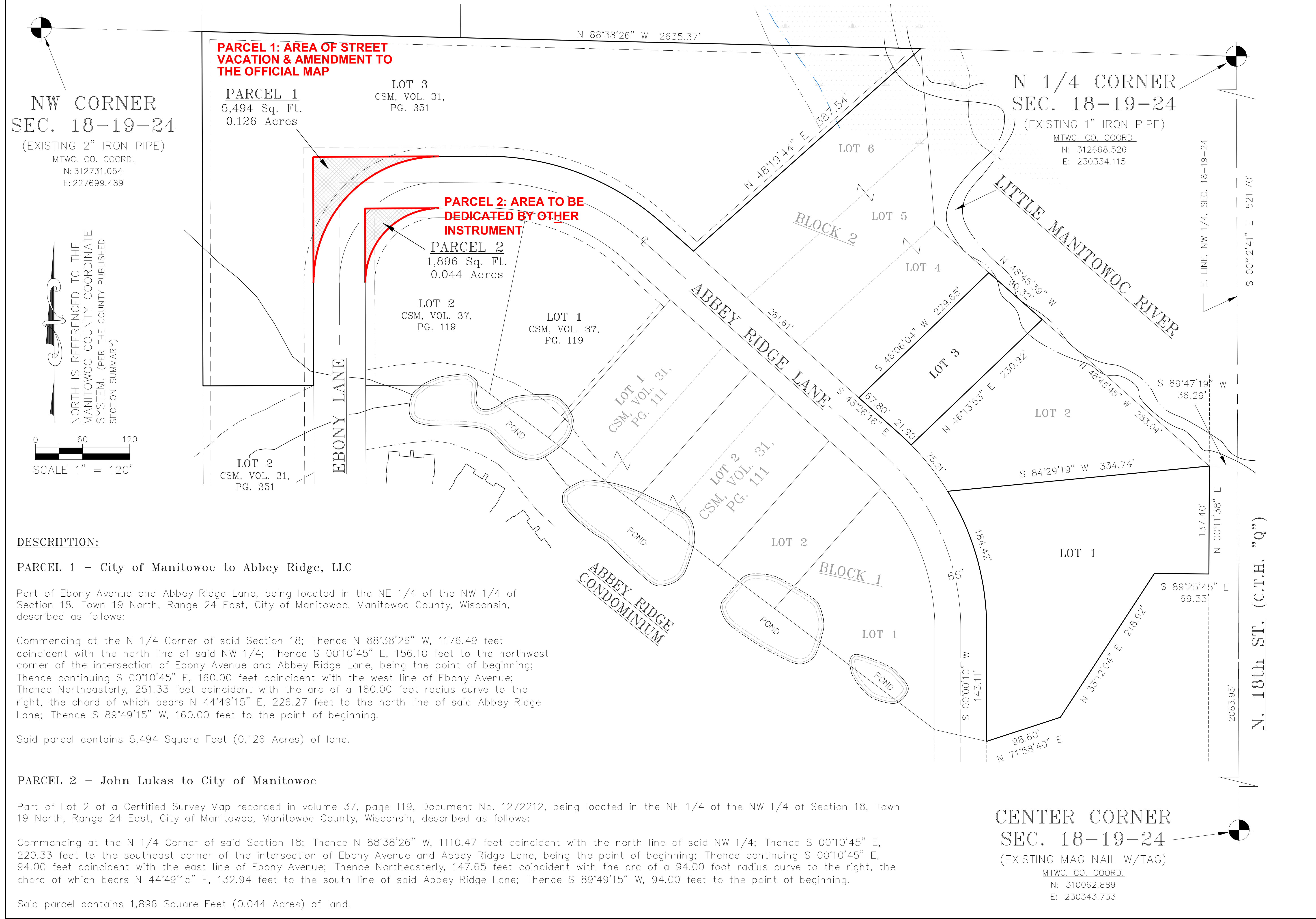
Prepared by City of Manitowoc
Community Development Department
www.manitowoc.org
Map Plotted: 09/06/2024
O:\Committees\PC Plan Commission\PC_Street Vacation\2024\PC 15-2024 Abbey Ridge-J Lukas Vacation\Maps\PC 15-2024.mxd



Legend

- Street Vacation & Area To Be Removed From The Official Map
- Area To Be Removed From The Official Map

PC 15-2024



NW CORNER
SEC. 18-19-24
 (EXISTING 2" IRON PIPE)
 MTWC. CO. COORD.
 N: 312731.054
 E: 227699.489



DESCRIPTION:

PARCEL 1 – City of Manitowoc to Abbey Ridge, LLC

Part of Ebony Avenue and Abbey Ridge Lane, being located in the NE 1/4 of the NW 1/4 of Section 18, Town 19 North, Range 24 East, City of Manitowoc, Manitowoc County, Wisconsin, described as follows:

Commencing at the N 1/4 Corner of said Section 18; Thence N 88°38'26" W, 1176.49 feet coincident with the north line of said NW 1/4; Thence S 00°10'45" E, 156.10 feet to the northwest corner of the intersection of Ebony Avenue and Abbey Ridge Lane, being the point of beginning; Thence continuing S 00°10'45" E, 160.00 feet coincident with the west line of Ebony Avenue; Thence Northeasterly, 251.33 feet coincident with the arc of a 160.00 foot radius curve to the right, the chord of which bears N 44°49'15" E, 226.27 feet to the north line of said Abbey Ridge Lane; Thence S 89°49'15" W, 160.00 feet to the point of beginning.

Said parcel contains 5,494 Square Feet (0.126 Acres) of land.

PARCEL 2 – John Lukas to City of Manitowoc

Part of Lot 2 of a Certified Survey Map recorded in volume 37, page 119, Document No. 1272212, being located in the NE 1/4 of the NW 1/4 of Section 18, Town 19 North, Range 24 East, City of Manitowoc, Manitowoc County, Wisconsin, described as follows:

Commencing at the N 1/4 Corner of said Section 18; Thence N 88°38'26" W, 1110.47 feet coincident with the north line of said NW 1/4; Thence S 00°10'45" E, 220.33 feet to the southeast corner of the intersection of Ebony Avenue and Abbey Ridge Lane, being the point of beginning; Thence continuing S 00°10'45" E, 94.00 feet coincident with the east line of Ebony Avenue; Thence Northeasterly, 147.65 feet coincident with the arc of a 94.00 foot radius curve to the right, the chord of which bears N 44°49'15" E, 132.94 feet to the south line of said Abbey Ridge Lane; Thence S 89°49'15" W, 94.00 feet to the point of beginning.

Said parcel contains 1,896 Square Feet (0.044 Acres) of land.

PARCEL 1: AREA OF STREET VACATION & AMENDMENT TO THE OFFICIAL MAP

PARCEL 2: AREA TO BE DEDICATED BY OTHER INSTRUMENT

N 1/4 CORNER
SEC. 18-19-24
 (EXISTING 1" IRON PIPE)
 MTWC. CO. COORD.
 N: 312668.526
 E: 230334.115

CENTER CORNER
SEC. 18-19-24
 (EXISTING MAG NAIL W/TAG)
 MTWC. CO. COORD.
 N: 310062.889
 E: 230343.733

PROPOSED STREET CHANGE – ABBEY RIDGE DEVELOPMENT

LOT 3 OF A CERTIFIED SURVEY MAP RECORDED IN VOLUME 31, PAGE 351 AND LOT 2 OF A CERTIFIED SURVEY MAP RECORDED IN VOLUME 37, PAGE 119, BEING LOCATED IN THE NE 1/4 OF THE NW 1/4 OF SECTION 18, TOWN 19 NORTH, RANGE 24 EAST, CITY OF MANITOWOC, MANITOWOC COUNTY, WISCONSIN



JOHN LUKAS
4820 MORGAN DRIVE
MANITOWOC, WI 54220

FIELD WORK COMPLETION DATE: 10/19/2023
DRAWN BY: JAD/BLB
JOB NO.: S724023
CAD FILE: DWG\CITY\MTWC\LUKAS\S724023
SCALE: 1" = 120'
PAGE NO. 1 OF 1