

Report to the Manitowoc Plan Commission

Date: October 28, 2015

Request: Vacation of a portion of Plank Road.

Reason for Request: Per Statute a City initiated street vacation shall follow the procedures as stated in §66.1003(4). On September 22, 2015 the Common Council's Public Infrastructure Committee recommended that staff begin the vacation process.

Existing Land Use: Unused street right of way. Land to the north is an undeveloped farm field in the Town of Manitowoc Rapids; the land to the south is an undeveloped field in the City of Manitowoc.

Existing Zoning: Adjacent zoning in the City of Manitowoc is zoned R-4 Single and Two Family

Comprehensive Plan: Right of way is shown on the Transportation Facilities map.

Report: The Public Infrastructure Committee has instructed staff to initiate the street vacation process for Plank Road. There will not be a change to the official map, the right of way will remain on the official map until future development occurs.

The abutting property owner, Town of Manitowoc Rapids and the City's Department of Public Infrastructure have been discussing the Plank Road corridor for past couple of years during which time the road has been closed to traffic. The owner, Town and City are all in agreement to vacate the street, the City is concerned with liability issues even though the road way is closed individuals are walking or bicycling on the road which is in very poor condition.

The Town of Manitowoc Rapids has already vacated their portion of right of way from Homestead Road south to the existing City Limits line. The City will vacate the portion from the City Limits to the west line of Benley Manor Apartments.

The City will retain easement rights along the Plank Road corridor.

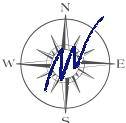
Site Assessment The Official Map Street pattern will remain until a future development pattern is established. Keeping the area on the Official Map will also retain a connection to the existing dedicated but unimproved north – south street that runs along the west edge of the Riverridge and Haupt Subdivisions.

Timeline

- Plan Commission considers city-initiated vacation. (October 28th)
- City files and records Notice of Lis Pendens.
- Per Statute: City introduces vacation resolution at November 16 Council meeting.

- Council schedules required public hearing not less than 40 days after the date of introducing the vacation resolution, notices served on abutting property (Public Hearing scheduled for January 18th Council meeting).

Recommendation: Recommend to Plan Commission their final approval of the city initiated street vacation for Plank Road and instruct staff to move forward with the vacation pursuant to state statutes.



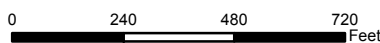
15-1113

Vacation of Plank Rd.
City of Manitowoc, WI

PC30-2015 Street Vacation
Plank Road

Prepared by City of Manitowoc
Planning Department
www.manitowoc.org

Map Plotted: 10/22/2015
Y:\Planning\PC Plan Commission\Actions 2015\PC30-2105 Plank Road Street Vacation
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.



- Official Map Street
- ▨ Corporate Limits
- ▨ Already Vacated
- ▨ Vacation



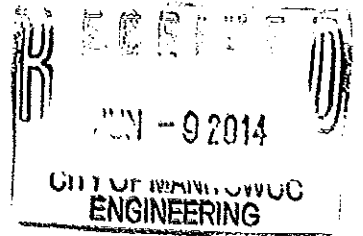
DOC# 1144289

NOTICE OF LIS PENDENS

Document Number

STATE OF WI - MTWC CO
PRESTON JONES REG/DEEDS
RECEIVED FOR RECORD
06/06/2014 11 13 17 AM

TOWN OF MANITOWOC RAPIDS
VACATION DOCUMENTATION



Recording Area

Name and Return Address

Attorney Katherine M Reynolds
Michael Best & Friedrich LLP
1000 Maritime Drive
Manitowoc, WI 54220

4

Parcel Identification Number (PIN)

Legal Description Attached Hereto as Exhibit A

ENGINEERING	
1	5 VIL2
2	6 MZ
3	7 SH
4	8 LP



NOTICE OF LIS PENDENS

Notice is hereby given pursuant to section 840 11 Wis Stat , that Twin Cities Vue Dairy, LLC, by James T Lepich, member, has filed with the Town Board of the Town of Manitowoc Rapids, Manitowoc County, Wisconsin, pursuant to Section 66 1003 (2), Wis Stat , a Petition for Discontinuation of Portions of Plank Road in the Town of Manitowoc Rapids, Wisconsin, dated May 19, 2014 The Petition requests the Town of Manitowoc Rapids, Town Board adopt a Resolution to discontinue all of Plank Road located in the Town of Manitowoc Rapids That portion of Plank Road to be discontinued is included in the real estate described on Exhibit A and is shown on the map attached as Exhibit C

Dated this 30 day of May, 2014

TOWN OF MANITOWOC RAPIDS

By David Korte
David Korte, Town Chairperson

AUTHENTICATION

Signature of David Korte authenticated this 30 day of May, 2014

Katherine M Reynolds
Katherine M Reynolds
TITLE MEMBER STATE BAR OF WISCONSIN

Drafted by
Attorney Katherine M Reynolds
Michael Best & Friedrich LLP
1000 Maritime Drive
Manitowoc, WI 54220
920-686-2800

Exhibit A

The Northwest Quarter (NW1/4) of the Southwest Quarter (SW1/4) of Section Eleven (11), Township Nineteen (19) North, Range Twenty-three (23) East, in the Town of Manitowoc Rapids, Manitowoc County, Wisconsin, EXCEPTING THEREFROM the following

Commencing at a point on the centerline of CTH "P" a distance of 33 0 feet due South of the center of said Section 11, thence S 89°32'W along the said centerline a distance of 1385 feet to the point of real beginning, thence continuing S.89°32'W along said centerline a distance of 401 95 feet, thence S 0°32'W a distance of 250 feet, thence N 89°32'E a distance of 401 95 feet, thence N 0°32'E a distance of 250 feet to the point of real beginning

Tax Parcel No 010-011-010-001 00

And

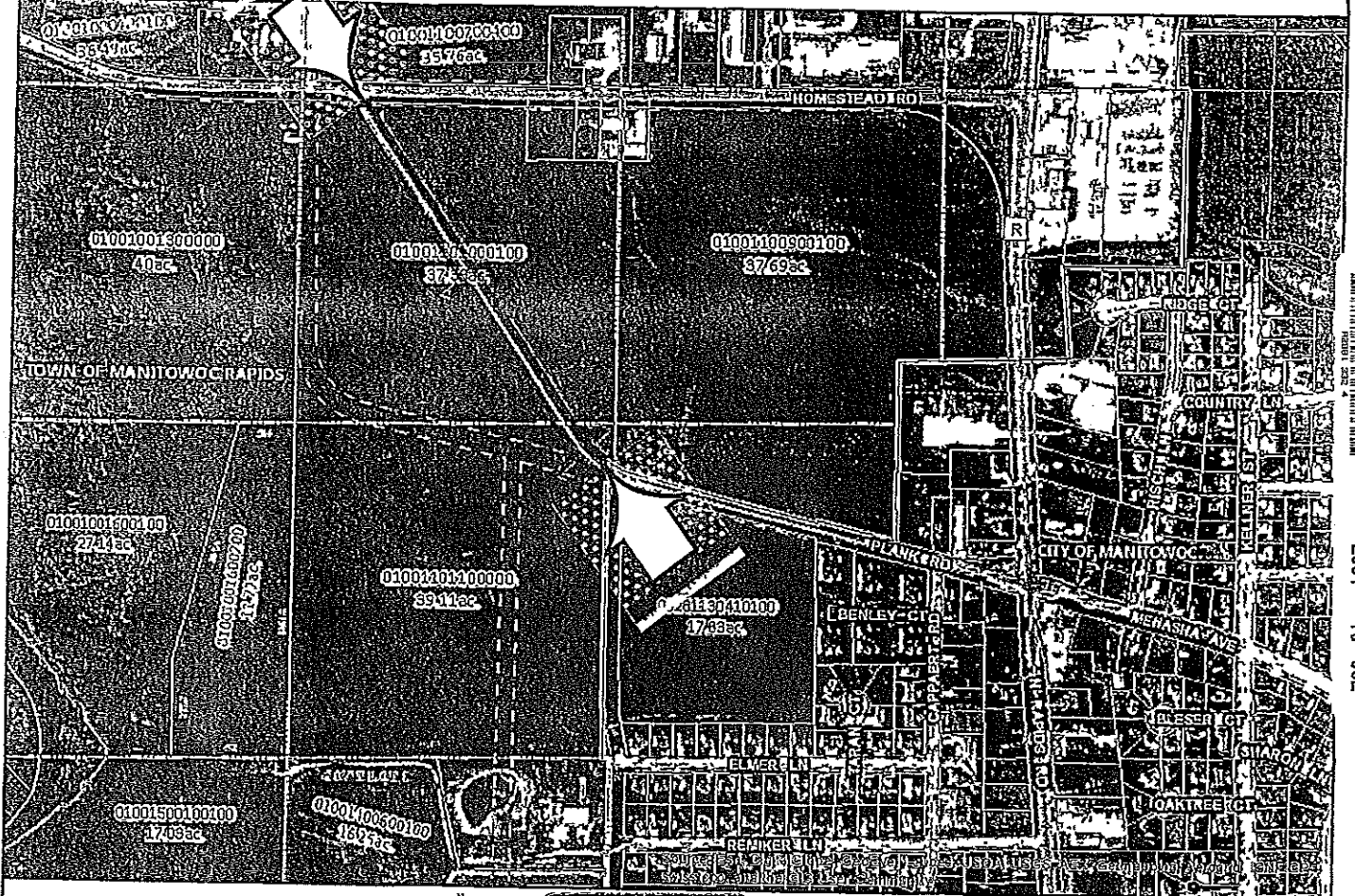
The Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of Section Eleven (11), Township Nineteen (19) North, Range Twenty-three (23) East, located partly in the Town of Manitowoc Rapids and partly in the City of Manitowoc, Manitowoc County, Wisconsin

ALSO EXCEPTING portion conveyed for street purposes by Quit Claim Deed recorded in Volume 2098, Page 634, Document No 991588

Tax Key No 010-011-011-000 00

Part of Tax Key No 052-811-304-101

Manitowoc County Advanced Access Viewer



Vol. 2081 Pg 332

Author
Date Printed 5/15/2014



EXHIBIT
C

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