

Resolution Amendment to 2022-10
**RESOLUTION RELATIVE TO THE DISCONTINUE
BENSON ROAD**

Whereas, the Town of Greenfield, has initiated proceedings to discontinue Benson Road as a public way; and

Whereas, there have been no written objections by the owners of lands affected by the discontinuance; and

Whereas, no Town Board may discontinue a highway when the discontinuance would deprive a land owner of all access to a highway.

Now, therefore, the Town Board of the Town of Greenfield, La Crosse County, Wisconsin, after holding a public hearing on February 8, 2023 and after proper notice having been given, resolves as follows:

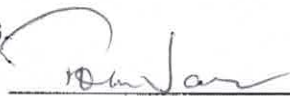
The town road known as Benson Road and described in Exhibit A is vacated and discontinued under sec. 66.1003(4). Wis. stats under the following condition:

- 1) One-Half (1/2) of the 66' right-of-way shall belong to the adjacent Parcel Number 6-128-0 owned by Hook -N-Haul Trucking LLC and the other one-half (1/2) of the 66' right-of-way shall belong to Parcel Number 6-129-1 owned by Ronald T. Guenther and Kathryn A. Guenther.
- 2) That Ronald T. Guenther and Kathryn A. Guenther as vendors and Thomas Guenther and Jamie Guenther as vendees under a land contract shall provide for a recorded easement for ingress and egress to Tax Parcels 6-132-0, 6-134-0, and 6-135-0 which easement shall be 33' wide and over the one-half (1/2) of Benson Road going to Tax Parcel 6-129-1.
- 3) That the Town of Greenfield Fire Department shall have use of the 33' easement in order to access Tax Parcel 6-132-0, 6-134-0, and 6-135-0.


Be it further resolved that it is in the public interest to discontinue Benson Road under the above conditions:

That the Town Attorney shall record this resolution with the La Crosse County Register of Deeds.

Adopted this 12th day of April, 2023



Tom Jacobs, Town Chairman



Jill Murphy, Town Clerk

Original Resolution Adopted on 14th Dec. 2022

An assumed 66 foot road right of way, the centerline of which is described as follows:

Part of the NE ¼ of the SE ¼ of Section 5, Township 15 North, Range 6 West, Town of Greenfield, La Crosse County, Wisconsin, described as follows: Commencing at the East ¼ corner of said Section 5; thence South 02° 45' 30" West, 1,323.83 feet to the centerline of County Road OA and the South line of said NE ¼ of the SE ¼; thence, along said South line, North 88° 10' 48" West, 605.82 feet to the point of beginning of this centerline description: thence, North 29° 34' 28" East, along said centerline, 479.14 feet to the Southwesterly right of way line of County Road AO and the terminus of this centerline description.

Ex A

Resolution 2022-10

RESOLUTION RELATIVE TO THE DISCONTINUANCE OF BENSON ROAD

STATE OF WISCONSIN
Town of Greenfield
La Crosse County

BE IT RESOLVED by the Town Board of the Town of Greenfield, La Crosse County, Wisconsin that a public hearing will be held to discuss a proposed action to discontinue the Town of Greenfield town road known as Benson Road, which is described as follows:

An assumed 66 foot road right of way, the centerline of which is described as follows:

Part of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 5, Township 15 North, Range 6 West, Town of Greenfield, La Crosse County, Wisconsin, described as follows: Commencing at the East $\frac{1}{4}$ corner of said Section 5; thence South $02^{\circ} 45' 30''$ West, 1,323.83 feet to the centerline of County Road OA and the South line of said NE $\frac{1}{4}$ of the SE $\frac{1}{4}$; thence, along said South line, North $88^{\circ} 10' 48''$ West, 605.82 feet to the point of beginning of this centerline description: thence, North $29^{\circ} 34' 28''$ East, along said centerline, 479.14 feet to the Southwesterly right of way line of County Road AO and the terminus of this centerline description.

The town clerk shall publish the following Notice of Hearing as a class 3 notice under Chapter 985, Wis. Stats., and the town clerk shall cause the Notice of Hearing to be served on the owners of all the frontage of lots and lands abutting upon the public way sought to be discontinued in the manner provided for the service of summons in circuit court at least 30 days before the hearing, except that when service cannot be made within the town, a copy of the notice shall be mailed to the owner's last-known address at least 30 days before the hearing:

Notice of Hearing – Discontinuance of a Public Way in the Town of Greenfield.

A public hearing will be held by the Town Board of the Town of Greenfield at the Town Hall on February 08, 2023 at 7:00 p.m., to discuss a proposed action to commence discontinuance of the following described town road initiated by introduction of resolution of the Town Board of the Town of Greenfield under s. 66.1003(4), Wis. Stats., specifically:

An assumed 66 foot road right of way, the centerline of which is described as follows:

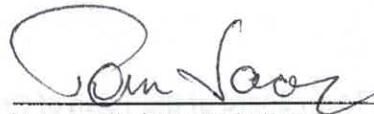
Part of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 5, Township 15 North, Range 6 West, Town of Greenfield, La Crosse County, Wisconsin, described as follows: Commencing at the East $\frac{1}{4}$ corner of said Section 5; thence South $02^{\circ} 45' 30''$ West, 1,323.83 feet to the

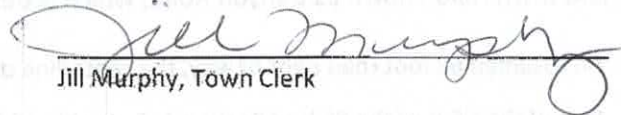
centerline of County Road OA and the South line of said NE ¼ of the SE ¼; thence, along said South line, North 88° 10' 48" West, 605.82 feet to the point of beginning of this centerline description; thence, North 29° 34' 28" East, along said centerline, 479.14 feet to the Southwesterly right of way line of County Road AO and the terminus of this centerline description.

The town clerk shall file in the Office of the Register of Deeds for La Crosse County, Wisconsin, a lis pendens related to the proposed discontinuance of public way.

The town clerk shall properly post or publish this resolution as required under s. 60.80, Wis. Stats.

Adopted this 14th day of December, 2022.


Tom Jacobs, Town Chairman


Jill Murphy, Town Clerk