

**RESOLUTION NO. 010917-01**

**RESOLUTION AND ORDER DISCONTINUING AND VACATING  
A CERTAIN PORTION OF HILLCREST DRIVE LOCATED IN THE  
VILLAGE OF FONTANA-ON-GENEVA LAKE,  
WALWORTH COUNTY, WISCONSIN**

WHEREAS, the Village Board of the Village of Fontana-on-Geneva Lake passed and adopted an initial resolution on November 21, 2016, as resolution number 11-21-16-03, proposing the discontinuance and vacation of a certain portion of Hillcrest Drive pursuant to § 66.1003, Wis. Stats., which said road proposed to be discontinued and vacated as more specifically described as follows, to-wit (as depicted in Exhibit "A"):

A DISCONTINUANCE OF PART OF THE NORTH END OF FEATHERSTONE DRIVE OF COUNTRY CLUB ESTATES UNIT 3, AS SHOWN BY THE PLAT THEREOF IN THE RECORDER'S OFFICE OF WALWORTH COUNTY, WISCONSIN, RECORDED MARCH 12, 1927 IN VOLUME 8 OF PLATS ON PAGE 107 AND 108, LOCATED IN PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 14, TOWN 1 NORTH, RANGE 16 EAST, VILLAGE OF FONTANA, WALWORTH COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTH 1/4 CORNER OF SAID SECTION 14; THENCE N 00°01'08" W 1190.40 FEET ALONG THE EAST LINE OF SAID SOUTHWEST 1/4; THENCE S 77°56'05" W 1.42 FEET TO A FOUND 3 INCH IRON PIPE AT THE SOUTHEAST CORNER OF LOT 20 OF SAID COUNTRY CLUB ESTATES UNIT 3; THENCE S 77°56'05" W 12.51 FEET TO A FOUND 2 INCH IRON PIPE ON THE SOUTH LINE OF SAID LOT 20 AND THE EAST LINE OF FEATHERSTONE DRIVE AND THE POINT OF BEGINNING. THENCE ALONG THE EAST LINE OF SAID FEATHERSTONE DRIVE, WITH A CURVE TO THE LEFT HAVING A RADIUS OF 940.37 FEET, A DELTA OF 03°09'32", AN ARC LENGTH OF 51.85 FEET, AND A CHORD WHICH BEARS S 00°48'38" E HAVING A CHORD DISTANCE OF 51.84 FEET TO A FOUND 3 INCH IRON PIPE; THENCE N 61°59'18" W 70.99 FEET TO A POINT ON A CURVE ON THE SOUTH LINE OF SAID LOT 20 AND MARKED WITH 1 1/4 INCH IRON PIPE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 241.85 FEET, A DELTA OF 03°02'02", AN ARC LENGTH OF 12.81 FEET, AND A CHORD WHICH BEARS N 72°26'47" E HAVING A CHORD DISTANCE OF 12.80 FEET; THENCE N 73°36'16" E 51.84 FEET TO THE POINT OF BEGINNING, AND CONTAINING 1,606 SQUARE FEET OR 0.0368 ACRE(S) OF LAND, MORE OR LESS.

WHEREAS, a Notice of Pendency (Lis Pendens) of said resolution 11-21-16-03 to discontinue and vacate a portion of Hillcrest Drive has been filed with the Register of Deeds for Walworth County, Wisconsin, pursuant to § 840.11, Wis. Stats.; and

WHEREAS, a public hearing was held before the Plan Commission and the Village Board on January 9, 2017, concerning said proposed discontinuance and vacation of said portion of Hillcrest Drive, and that due and proper notice of said hearing was made in compliance with § 66.1003 Wis. Stats.; and

WHEREAS, no written objections were made or filed to said proposed discontinuance and vacation with the Village Clerk prior to the hearing therein or thereafter; and

WHEREAS, the Plan Commission of the Village of Fontana-on-Geneva Lake, having previously reviewed and studied the proposed discontinuance and vacation of said portion of Hillcrest Drive pursuant to § 62.23(5), Wis. Stats. and previously having determined that said discontinuance and vacation would be in the public interest, and having filed their recommendation for said discontinuance and vacation of said portion of Hillcrest with the Village Board prior to the adoption of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Fontana-on-Geneva Lake that it deems and therefore finds that it would be in the public interest that a portion of Hillcrest Drive located in the Village of Fontana-on-Geneva Lake be discontinued and vacated pursuant to § 66.1003, Wis. Stats., which said portion to be discontinued and vacated is more specifically described as follows, to-wit (as depicted in Exhibit "A"):

A DISCONTINUANCE OF PART OF THE NORTH END OF FEATHERSTONE DRIVE OF COUNTRY CLUB ESTATES UNIT 3, AS SHOWN BY THE PLAT THEREOF IN THE RECORDER'S OFFICE OF WALWORTH COUNTY, WISCONSIN, RECORDED MARCH 12, 1927 IN VOLUME 8 OF PLATS ON PAGE 107 AND 108, LOCATED IN PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 14, TOWN 1 NORTH, RANGE 16 EAST, VILLAGE OF FONTANA, WALWORTH COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTH 1/4 CORNER OF SAID SECTION 14; THENCE N 00°01'08" W 1190.40 FEET ALONG THE EAST LINE OF SAID SOUTHWEST 1/4; THENCE S 77°56'05" W 1.42 FEET TO A FOUND 3 INCH IRON PIPE AT THE SOUTHEAST CORNER OF LOT 20 OF SAID COUNTRY CLUB ESTATES UNIT 3; THENCE S 77°56'05" W 12.51 FEET TO A FOUND 2 INCH IRON PIPE ON THE SOUTH LINE OF SAID LOT 20 AND THE EAST LINE OF FEATHERSTONE DRIVE AND THE POINT OF BEGINNING. THENCE ALONG THE EAST LINE OF SAID FEATHERSTONE DRIVE, WITH A CURVE TO THE LEFT HAVING A RADIUS OF 940.37 FEET, A DELTA OF 03°09'32", AN ARC LENGTH OF 51.85 FEET, AND A CHORD WHICH BEARS S 00°48'38" E HAVING A CHORD DISTANCE OF 51.84 FEET TO A FOUND 3 INCH IRON PIPE; THENCE N 61°59'18" W 70.99 FEET TO A POINT ON A CURVE ON THE SOUTH LINE OF SAID LOT 20 AND MARKED WITH 1 1/4 INCH IRON PIPE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 241.85 FEET, A DELTA OF 03°02'02", AN ARC LENGTH OF 12.81 FEET, AND A CHORD WHICH BEARS N 72°26'47" E HAVING A CHORD DISTANCE OF 12.80 FEET; THENCE N 73°36'16" E 51.84 FEET TO THE POINT OF BEGINNING, AND CONTAINING 1,606 SQUARE FEET OR 0.0368 ACRE(S) OF LAND, MORE OR LESS.

BE IT FURTHER RESOLVED by the Village Board of the Village of Fontana-on-Geneva Lake that it does and hereby orders that said portion of Hillcrest Drive located in the Village of Fontana-on-Geneva Lake, above described, be, and the same hereby is, discontinued and vacated pursuant to § 66.1003, Wis. Stats.

BE IT FURTHER RESOLVED that said discontinued portion of Hillcrest Drive (said area depicted in Exhibit "A") shall, as a result of said discontinuance, be equally divided between the owners of the lands on each side of said discontinued portion of Hillcrest Drive, as required by § 66.1005 Wis. Stats., and that the resulting division shall be as set forth in Exhibits "B" and "C"; with title to the Exhibit "B" area being added to, and included with, the adjoining lands to the north known as tax parcel SCO3 00020, and with title to the Exhibit "C" area being added to, and included with, the adjoining land to the east known as tax parcel STFV 00166B.

BE IT FURTHER RESOLVED that a certified copy of this resolution be recorded at the Register of Deeds office for Walworth County, Wisconsin, pursuant to § 840.11, Wis. Stats.

Dated this 9th day of January, 2017, but effective as of January 12, 2017.

VILLAGE BOARD OF THE  
VILLAGE OF FONTANA-ON-GENEVA LAKE

By: \_\_\_\_\_  
Pat Kenny, Village President

By: \_\_\_\_\_  
Theresa Loomer, Village Clerk