

TOWN OF SAMPSON, CHIPPEWA COUNTY
Resolution #6-2021

A resolution regarding a Petition to discontinue that portion of 146th Street lying easterly and northerly of 145th Street in the Town of Sampson, Chippewa County

Whereas the Town of Sampson has received a Petition from J&J Trust under the Kracum Family Irrevocable Trust U/A/D June 9, 2012 (“J&J Trust”) for discontinuance of that part of 146th Street in the Town lying Easterly and Northerly from 145th Street (the “Petition”); and

Whereas the portion of 146th Street sought to be discontinued serves only land which is owned by J&J Trust, thus no other landowners would be affected by the requested discontinuance; and

Whereas the Town determined by resolution adopted on September 8, 2020 that the portion of 146th Street sought to be discontinued ends 76 feet from Herde Lake, and thus it does not provide public access to Herde Lake; and

Whereas the portion of 146th Street sought to be discontinued is mostly dirt and gravel, is only ten to fourteen feet wide, has never been winter plowed or maintained by the Town in any way for at least the last twenty years; and

Whereas the amount of money that it would take to bring this portion of 146th Street up to Town road standards would be prohibitive to the Town and would be of no benefit to the general public; and

Whereas, as required by Wisconsin law, not less than 40 days after a resolution to discontinue said portion of 146th Street is introduced, a hearing shall be held and after which the Town Board shall vote on said resolution.

Now, therefore, be it resolved that:

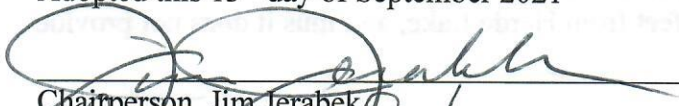
1. The Board initially determines that the best interests of the Town and the general public at large would be served by granting the Petition to discontinue that part of 146th Street lying easterly and northerly of 145th Street in the Town.
2. This resolution is hereby introduced on this date.
3. A public hearing on this resolution shall be held on Monday, November 1st, 2021 at 6:00 p.m. at the Sampson Town Hall, at which time and place the petitioner and the public will be heard.
4. Prior to the public hearing notice of the hearing shall be published in the legal newspaper of the Town as a Class 3 notice under Wisconsin Statutes Chapter 985. The petitioner shall reimburse the Town for the cost of publication of the notice. The form of the notice is attached hereto. In that the petitioner is the owner of all the frontage of lots and lands abutting upon the public way sought to be discontinued, it is not necessary that a copy of the

notice be served on any property owner the in the manner provided for service of summons in circuit court at least 30 days before the hearing.

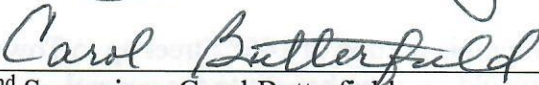
5. At the close of the public hearing, the Board will consider and act upon the resolution to discontinue that part of 146th Street lying easterly and northerly of 145th Street in the Town. Should the testimony received at the hearing be indicative of the discontinuance being in the best interests of the Town and the general public, the Town Board will then vote to grant the abandonment of 146th Street as petitioned for by the Kracum Trust.

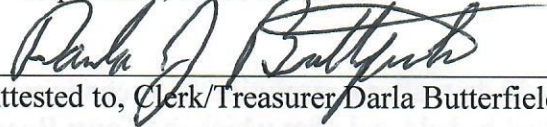
6. The town clerk shall record in the office of the Register of Deeds for Chippewa County, Wisconsin a lis pendens related to the proposed discontinuance of public way. The petitioner shall reimburse the Town for the cost of recording.

Adopted this 13th day of September 2021


Chairperson, Jim Jerabek


1st Supervisor, Samantha King


2nd Supervisor, Carol Butterfield


Attested to, Clerk/Treasurer Darla Butterfield