

## Resolution 2010-02

### AMENDED RELOCATION ORDER FOR THE RECONSTRUCTION OF GLENDALE AVENUE AND SPRING GREEN ROAD

**WHEREAS**, the Village of Howard has determined it necessary to reconstruct Glendale Avenue beginning at Evergreen Avenue continuing approximately 300 feet northerly of Spring Green Road, and Spring Green Road beginning approximately 500 feet easterly of Glendale Avenue continuing approximately 300 feet westerly of Glendale Avenue, in the Village of Howard; and

**WHEREAS**, the Village Board of Trustees previously found it necessary to acquire certain interests and rights in lands, by the adoption & approval of the following documents on November 9, 2009 and subsequently recorded the documents on November 25, 2009: Transportation Project Plat's No. 9269-00-10-4.01 (recorded as document #2449931 in Volume 1 Transportation Plats Page 107 & 108); 9269-00-10-4.02 (recorded as document #2449932 in Volume 1 Transportation Plats Page 109) and 9269-00-10-4.03 (recorded as document #2449933 in Volume 1 Transportation Plats Page 110); and Resolution No. 2009-52 (recorded as document number 2449956) in the Office of the Register of Deeds for Brown County, and

**WHEREAS**, Resolution 2009-52 incorrectly listed the Transportation Project Plat's No. as 05-136-0010.1, 05-136-0010.2 and 05-136-0010.3 when they should have been listed as Transportation Project Plat's No. 9269-00-10-4.01, 9269-00-10-4.02 and 9269-00-10-4.03, and

**WHEREAS**, subsequent to the original relocation order the Village Board of Trustees finds it necessary to acquire certain additional interests and rights in the lands as shown on Transportation Project Plat No. 9269-00-10-4.02 Amendment No. 1 attached to this Relocation Order and made part of this Resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the Village Board of Howard:

1. The Relocation Order hereto attached including Transportation Project Plat's No. 9269-00-10-4.01, 9269-00-10-4.02 Amendment No.1 and 9269-00-10-4.03 as prepared by Mau & Associates pursuant to Section 84.095, Wis. Stats., is hereby approved and the Village Engineer is authorized to sign the Plat on behalf of the Village of Howard.
2. Public necessity requires the acquisition of certain rights and interests from parcels of property identified on the Relocation Order and located within and adjacent to the aforementioned project in the Village of Howard, Brown County, Wisconsin hereby laid out and established to the lines and widths as shown on Transportation Project Plat's No. 9269-00-10-4.01, 9269-00-10-4.02 Amendment No.1 and 9269-00-10-4.03.
3. This Resolution together with the attached order is collectively a Relocation Order in accordance with Wis. Stats. 32.05(1) for the purpose of the reconstruction of Glendale Avenue beginning at Evergreen Avenue continuing approximately 300 feet northerly of Spring Green Road, and Spring Green Road beginning approximately 500 feet easterly of Glendale Avenue continuing approximately 300 feet westerly of Glendale Avenue, and it is also a determination of necessity for the project in accordance with Wis. Stats. 32.07(2).
4. The Village Staff and Attorney of the Village of Howard, Wisconsin are hereby authorized and directed to institute, as necessary, condemnation proceedings to acquire the necessary rights and interest in the parcels of property identified on the Relocation Order.

5. The Relocation Order is made pursuant to the provisions of Chapter 32 and Section 61.34(3) and Section 61.36 of the Wisconsin Statutes. The Transportation Project Plat's No. 9269-00-10-4.01, 9269-00-10-4.02 Amendment No.1 and 9269-00-10-4.03 are made pursuant to the provisions of Section 84.095, Wisconsin Statutes.
6. The required rights and interest in the lands as shown on Transportation Project Plat's No. 9269-00-10-4.01, 9269-00-10-4.02 Amendment No.1 and 9269-00-10-4.03 shall be acquired in the name of the Village of Howard.
7. That Resolution No. 2009-52 of November 9, 2009, with the noted corrections to the Transportation Project Plat's No., shall otherwise remain in full force and effect,

## Relocation Order

**WHEREAS**, pursuant to the authority under Section s 32.05 and 61.34, Wis. Stats., the Village Howard therefore orders and resolves as follows:

1. That said reconstruction of Glendale Avenue beginning at Evergreen Avenue continuing approximately 300 feet northerly of Spring Green Road, and Spring Green Road beginning approximately 500 feet easterly of Glendale Avenue continuing approximately 300 feet westerly of Glendale Avenue is hereby laid out and established to the lines shown on Transportation Project Plat's No. 9269-00-10-4.01, 9269-00-10-4.02 Amendment No.1 and 9269-00-10-4.03.
2. Interests will be required by the Village of Howard, Wisconsin in order to establish, lay out, widen, enlarge, extend, construct, reconstruct, improve or maintain the reconstruction of Glendale Avenue beginning at Evergreen Avenue continuing approximately 300 feet northerly of Spring Green Road, and Spring Green Road beginning approximately 500 feet easterly of Glendale Avenue continuing approximately 300 feet westerly of Glendale Avenue as designated on the schedule of interests required and to the lines and widths as shown on Transportation Project Plat's No. 9269-00-10-4.01, 9269-00-10-4.02 Amendment No.1 and 9269-00-10-4.03.
3. Schedule of properties and interest to be acquired in the name of the Village of Howard is as follows:

See schedule of lands and interests required as set forth on Transportation Project Plat's No. 9269-00-10-4.01, 9269-00-10-4.02 Amendment No.1 and 9269-00-10-4.03, Village of Howard, Wisconsin, the same of which is attached hereto and incorporated by reference as though fully set forth herein.
4. That this Relocation Order and the attached Transportation Project Plat No. 9269-00-10-4.02 Amendment No.1 shall be recorded in the Office of the Register of Deeds for Brown County within twenty (20) days after adoption. A copy of this Relocation Order shall also be filed with the Brown County Clerk's office.

Approved and adopted by the Village Board of the Village of Howard this 25 day of February, 2010.

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Burt McIntyre, Village President

ATTEST:

\_\_\_\_\_  
Joshua Smith, Village Administrator

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Attachments