CITY OF STOUGHTON
DEPARTMENT OF
PLANNING & DEVELOPMENT
207 S. Forrest Street, Stoughton, WI. 53589

(608) 873-6619 www.ci.stoughton.wi.us

RODNEY J. SCHEEL
DIRECTOR

Date: September 6, 2022

To: Plan Commissioners and Common Council

From: Rodney J. Scheel
Director of Planning & Development

Michael P. Stacey
Zoning Administrator/Assistant Planner

Subject: Agenda Item for the September 12, 2022 Plan Commission Meeting and September 27, 2022 Common Council Meeting.

Vacation of a portion of Velkommen Way at US Highway 51.
As part of the development in this corridor of the City, a portion of Velkommen Way is planned to be vacated at US Highway 51. There will not be access to US Highway 51 from Velkommen Way going forward rather access will be at Nygaard Street to Roby Road and future Greenbriar Drive. The resolution and related documents are provided. A recommendation to the Council is necessary.

CONSIDERATION AND REPORT OF THE CITY OF STOUGHTON PLAN COMMISSION ON THE RESOLUTION TO DISCONTINUE A PORTION OF VELKOMMEN WAY IN THE CITY OF STOUGTHON, DANE COUNTY, WISCONSIN

CITY OF STOUGHTON
DANE COUNTY, WISCONSIN

WHEREAS, a petition to discontinue a portion of the Velkommen Way right-of-way in the City of Stoughton, Dane County, Wisconsin was filed with the City, and a copy of the petition is attached hereto; and

WHEREAS, the proposed discontinuance was referred to the City of Stoughton Plan Commission for consideration and report; and

WHEREAS, upon consideration of the proposed discontinuance, the City of Stoughton Plan Commission has determined that the public interest requires that this portion of Velkommen Way be discontinued.

NOW, THEREFORE, the City of Stoughton Plan Commission hereby reports and recommends that the City Council of the City of Stoughton adopt a resolution discontinuing this portion of Velkommen Way. The City's official map should also be revised and amended consistent with this recommendation.

This recommendation was duly adopted at a Plan Commission meeting on _____, 20___.

CITY OF STOUGHTON
PLAN COMMISSION

_____ By: _____
Date

Plan Commission Chair

Attachment: Petition

PETITION FOR DISCONTINUANCE AND VACATION OF PUBLIC ROADWAY

To the City Council of the City of Stoughton, Dane County, Wisconsin:

1. RHD Properties, LLC is the owner of real estate adjacent to the platted roadway known as Velkommen Way and Blue Lake Properties, LLC is the owner of real estate adjacent to the platted roadway known as Velkommen Way.

2. The legal description of the requested discontinuance and vacation of Velkommen Way is set forth in and described in Exhibit A, attached hereto.

3. The owners of more than one-third the frontage of the lots and lands abutting upon the public way which lies within so much of that 2,650 feet as is within the corporate limits of the City of Stoughton is RHD Properties, LLC and have signed this petition.

4. RHD Properties, LLC and Blue Lake Properties, LLC make application to the City of Stoughton requesting the City vacate, abandon and discontinue Velkommen Way as outlined in Exhibit A and Exhibit B and following abandonment, title vest in RHD Properties, LLC or as further designated by the undersigned.

Dated this 9 day of August, 2022.

Robert H. Dvorak, authorized member
of RHD Properties, LLC

Brian Spanos, authorized member
of Blue Lake Properties, LLC

Velkommen Way Vacation

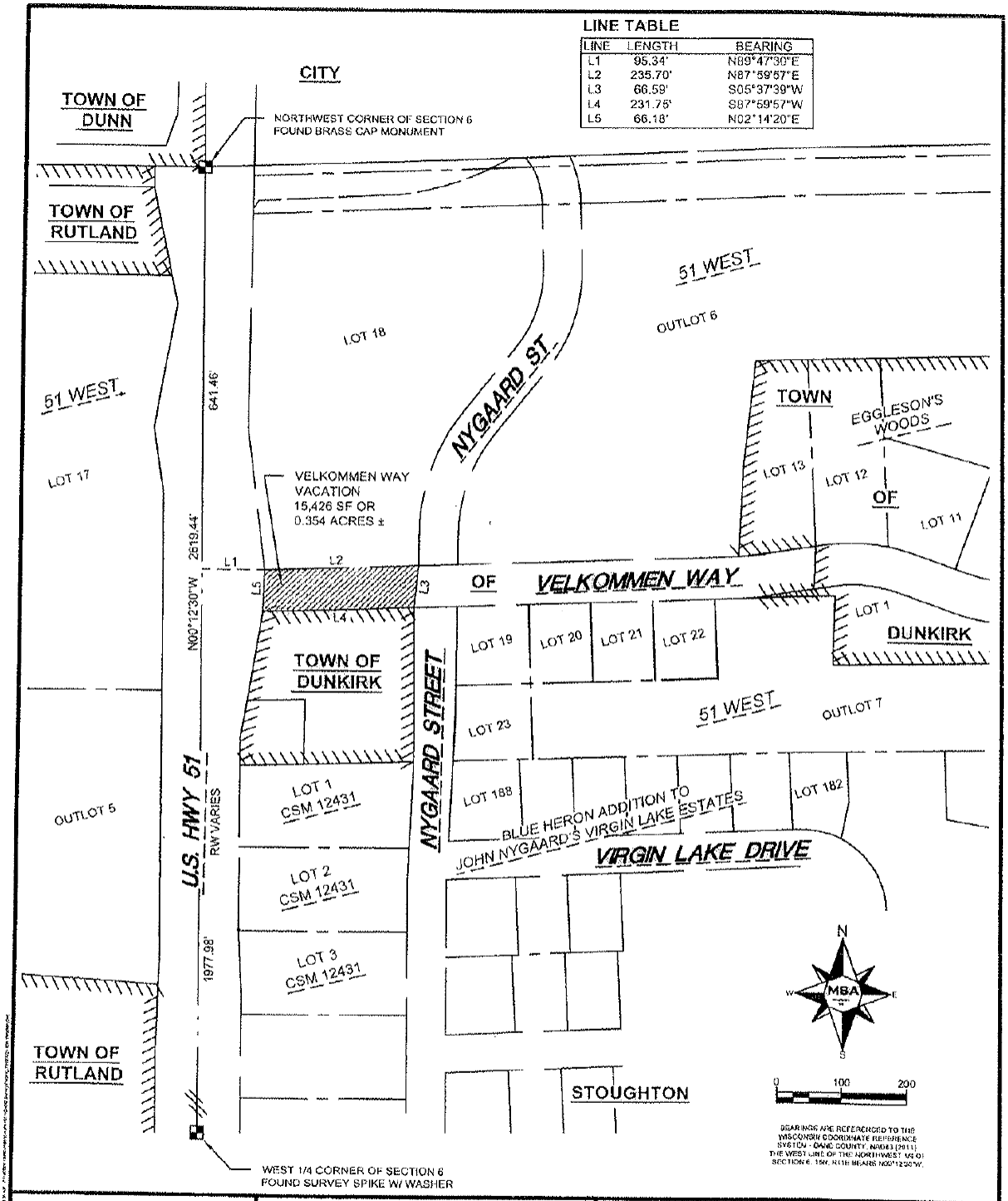
Vacation of that part of Velkommen Way according to the plat of Eggleson's Woods recorded in Volume 37 of Plats, Page 2 as Document No. 1279057 in the Dane County Register of Deeds located in the Northwest ¼ of Section 6, Township 5 North, Range 11 East in the City of Stoughton, Dane County, Wisconsin, more particularly described as follows:

Commencing at the Northwest corner of said Section 6; thence South 00°12'30" East along the West line of the said Northwest ¼ of Section 6, a distance of 641.46 feet; thence North 89°47'30" East, a distance of 95.34 feet to a point of intersection of the Easterly right-of-way line of USH 51 and the Northerly right-of-way of Velkommen Way also being the Point of Beginning of this description; thence North 87°59'57" East along the said Northerly right-of-way of Velkommen Way, a distance of 235.70 feet to a point on the Westerly right-of-way line of Nygaard Street as platted with the subdivision of 51 West; thence South 05°37'39" West, a distance of 66.59 feet to a point on the Westerly right-of-way line of Nygaard Street as platted with the said subdivision of 51 West; thence South 87°59'57" West along the Southerly right-of-way line of Velkommen Way, a distance of 231.75 feet to a point of intersection with the said Easterly right-of-way of USH 51; thence North 02°14'20" East along the said Easterly right-of-way of USH 51, a distance of 66.18 feet to the Point of Beginning.

Said parcel contains 15,426 square feet or 0.354 acres more or less.

EXHIBIT

A



MSA	VELKOMMEN WAY CITY OF STOUGHTON STOUGHTON, WI	Roadway Vacation Exhibit	PROJECT NO. 18091001 SHEET 1 OF 1

EXHIBIT

B

CITY OF STOUGHTON, 207 S. FORREST STREET, STOUGHTON, WISCONSIN

RESOLUTION OF THE COMMON COUNCIL	
Resolution by the Common Council of the City of Stoughton to discontinue a portion of Velkommen Way, located in the City of Stoughton, Dane County, Wisconsin. Committee Action: Plan Commission recommended ____ on _____, 20___ Fiscal Impact:	
File	**Date Introduced:**

THIS SPACE RESERVED FOR RECORDING DATA

RETURN TO:
City of Stoughton
207 South Forrest Street
Stoughton, WI 53589

P.I.N.

RECITALS

A. The City has received a proper petition to discontinue certain right-of-way in the City of Stoughton, Dane County, Wisconsin, shown and described on the map and description attached hereto and incorporated herein (the "Right-of-Way").

B. A Notice of Pendency of Application to Vacate the Right-of-Way was filed with the Register of Deeds for Dane County on August 9, 2022. A Notice of Meeting was published as a class 3 notice under Chapter 985 of the Wisconsin Statutes.

C. This matter was referred for consideration and report to the City of Stoughton Commission which considered and reported on this matter.

D. The City of Stoughton currently has public improvements within the public Right-of-Way to be vacated and discontinued.

E. The discontinuance of the Right-of-Way does not result in a landlocked parcel of property or deprive a landowner or public school of all access to a highway.

F. The public interest requires that the Right-of-Way be discontinued.

G. NOW, THEREFORE, based on the above, and pursuant to section 66.1003 of the Wisconsin Statutes, the City Council of the City of Stoughton hereby resolves as follows:

1. **Discontinuance of Right-of-Way.** The Right-of-Way is hereby vacated and discontinued. The City Clerk is instructed to record a certified copy of this Resolution with the Dane County Register of Deeds.

2. **Official Map Amendment.** The City's official map shall hereby be amended consistent with this Resolution.

3. **Easements to Continue**. Pursuant to section 66.1005(2)(a) of the Wisconsin Statutes, the City of Stoughton retains all easements and rights the City may have that relate to any public underground or overground structures, improvements, or services within the public Right-of-Way being vacated and discontinued and all rights of entrance, maintenance, construction, and repair of the structures, improvements, or services therein.

The above Resolution was duly adopted at the meeting of the City Council of the City of Stoughton on the _____ day of _____, 20___.

APPROVED

By _____

_____, Mayor

ATTEST

_____

_____, City Clerk

STATE OF WISCONSIN

COUNTY OF DANE

This instrument acknowledged before me on _____, 20___, by _____, Mayor, and _____, City Clerk, of the City of Stoughton, Dane County, Wisconsin.

_____
Notary Public, State of Wisconsin
My commission expires:_____

Approved: _____

Posted: _____

Attachments: Map of Velkommen Way to be Discontinued
Description of Velkommen Way to Be Discontinued

This instrument was drafted by:
Matthew P. Dregne
Stafford Rosenbaum LLP
222 West Washington Avenue, Suite 900
Post Office Box 1784

Madison, Wisconsin 53701-1784
608/256-0226

Velkommen Way Vacation

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Said parcel contains 15,426 square feet or 0.354 acres more or less.

EXHIBIT
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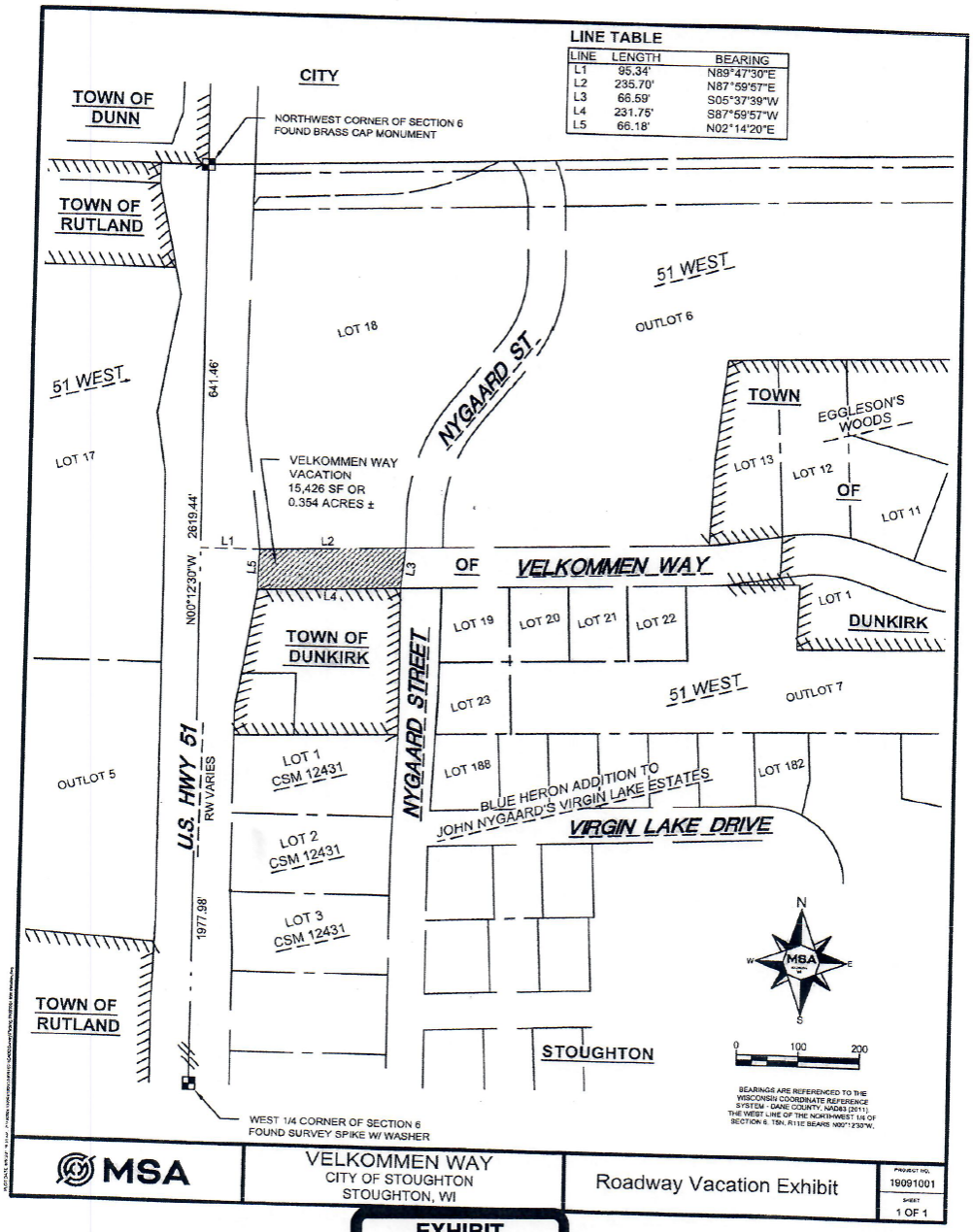
LINE TABLE
LINE LENGTH BEARING
L1 95.34' N89°47'30"E
L2 235.70' N87°59'57"E
L3 66.59' S05°37'39"W
L4 231.75' S87°59'57"W
L5 66.18' N02°14'20"E
CITY
TOWN OF DUNN
NORTHWEST CORNER OF SECTION 6
FOUND BRASS CAP MONUMENT
TOWN OF RUTLAND
51 WEST
LOT 18
OUTLOT 6
NYGAARD ST
51 WEST
LOT 17
641.46'
TOWN
EGGLESON'S WOODS
LOT 13
LOT 12
OF
LOT 11
VELKOMMEN WAY VACATION
15,426 SF OR
0.354 ACRES ±
2619.44'
L1
L2
L5
L3
OF
VELKOMMEN WAY
L4
N00°12'30"W
LOT 1
DUNKIRK
TOWN OF DUNKIRK
LOT 19
LOT 20
LOT 21
LOT 22
NYGAARD STREET
LOT 23
51 WEST
OUTLOT 7
OUTLOT 5
U.S. HWY 51
RW VARIES
LOT 1
CSM 12431
LOT 188
BLUE HERON ADDITION TO
JOHN NYGAARD'S VIRGIN LAKE ESTATES
LOT 182
VIRGIN LAKE DRIVE
LOT 2
CSM 12431
LOT 3
CSM 12431
1977.98'
N
W
E
S
MSA
TOWN OF RUTLAND
STOUGHTON
0 100 200
BEARINGS ARE REFERENCED TO THE WISCONSIN COORDINATE REFERENCE SYSTEM - DANE COUNTY, NAD83 (2011). THE WEST LINE OF THE NORTHWEST 1/4 OF SECTION 6, T5N, R11E BEARS N00°12'30"W.
WEST 1/4 CORNER OF SECTION 6
FOUND SURVEY SPIKE W/ WASHER
MSA
VELKOMMEN WAY
CITY OF STOUGHTON
STOUGHTON, WI
Roadway Vacation Exhibit
PROJECT NO.
19091001
SHEET
1 OF 1

EXHIBIT

B

NOTICE OF MEETING ON DISCONTINUANCE
OF VELKOMMEN WAY

CITY OF STOUGHTON
DANE COUNTY, WISCONSIN

PLEASE TAKE NOTICE, the City Council of the City of Stoughton will act upon a petition to discontinue the Velkommen Way right-of-way (and the making of a related amendment to any official City map) as shown and described on the map and description attached hereto and incorporated herein, at their meeting that starts at 7:00 p.m. on September 27, 2022 to be held in the Council Chambers located on the Second Floor of the Public Safety Building at 321 S. Fourth Street, Stoughton, WI, 53589.

Dated: August 22, 2022

CITY OF STOUGHTON

_____
Candee Christen, City Clerk

Exhibits: Map of Velkommen Way to Be Discontinued
Description of Velkommen Way to Be Discontinued

PETITION FOR DISCONTINUANCE AND VACATION OF PUBLIC ROADWAY

To the City Council of the City of Stoughton, Dane County, Wisconsin:

1. RHD Properties, LLC is the owner of real estate adjacent to the platted roadway known as Velkommen Way and Blue Lake Properties, LLC is the owner of real estate adjacent to the platted roadway known as Velkommen Way.

2. The legal description of the requested discontinuance and vacation of Velkommen Way is set forth in and described in Exhibit A, attached hereto.

3. The owners of more than one-third the frontage of the lots and lands abutting upon the public way which lies within so much of that 2,650 feet as is within the corporate limits of the City of Stoughton is RHD Properties, LLC and have signed this petition.

4. RHD Properties, LLC and Blue Lake Properties, LLC make application to the City of Stoughton requesting the City vacate, abandon and discontinue Velkommen Way as outlined in Exhibit A and Exhibit B and following abandonment, title vest in RHD Properties, LLC or as further designated by the undersigned.

Dated this 9 day of August, 2022.

Robert H. Dvorak, authorized member
of RHD Properties, LLC

Brian Spanos, authorized member
of Blue Lake Properties, LLC

Document Number	NOTICE OF PENDENCY OF PETITION FOR DISCONTINUANCE AND VACATION OF A PUBLIC ROADWAY KNOWN AS VELKOMMEN WAY Title of Document

Velkommen Way Vacation

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Said parcel contains 15,426 square feet or 0.354 acres more or less.

Record this document with the Register of Deeds

Name and Return Address:
MICHAEL D. RUMPF
P.O. BOX 1
CAMBRIDGE, WI 53523

(Parcel Identification Number)

DRAFTED BY:

MICHAEL D. RUMPF
P.O. BOX 1
CAMBRIDGE, WI 53523
608-423-3254
MRUMPF@RUMPFLAW.COM

NOTICE OF PENDENCY OF PETITION FOR DISCONTINUANCE AND VACATION OF A PUBLIC ROADWAY KNOWN AS VELKOMMEN WAY

NOTICE IS HEREBY GIVEN consistent with Sec. 840.11 and 840.10, Wisconsin Statutes, that RHD Properties, LLC and Blue Lake Properties, LLC has submitted a Petition for Discontinuance and Vacation of Public Roadway to the City of Stoughton. The Petition seeks to vacate and abandon Velkommen Way in the City of Stoughton as set forth in the attached legal description marked as Exhibit A.

A map of the land being vacated is attached as Exhibit B.

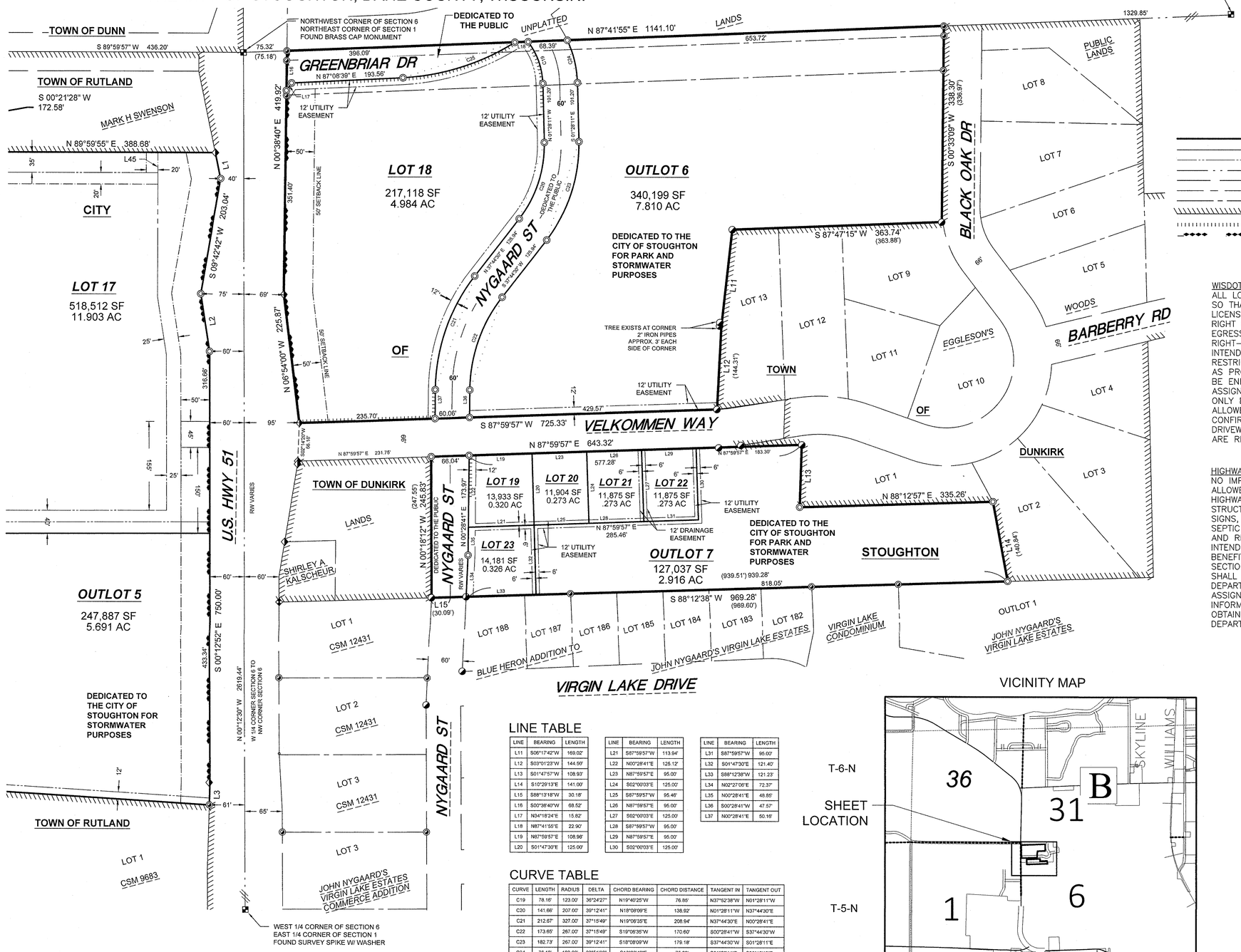
Dated this 9th day of August, 2022.

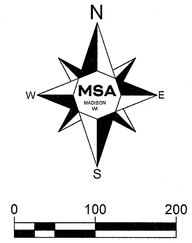
RUMPF LAW OFFICE, S.C.

Michael D. Rumpf
State Bar No. 1015663
Attorney for the Petitioner, RHD Properties, LLC
P.O. Box 1
Cambridge, WI 53523
(608) 423-3254

51 WEST

PARTS OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 AND THE NORTHEAST 1/4 OF THE NORTHEAST 1/4, SECTION 1, TOWNSHIP 5 NORTH, RANGE 10 EAST, AND THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 AND THE NORTHEAST 1/4 OF THE NORTHWEST 1/4, SECTION 6, TOWNSHIP 5 NORTH, RANGE 11 E, ALL IN THE CITY OF STOUGHTON, DANE COUNTY, WISCONSIN.





BEARINGS ARE REFERENCED TO THE WISCONSIN COORDINATE REFERENCE SYSTEM - DANE COUNTY, NAD83 (2011). THE NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 6, T5N, R11E BEARS N87°41'55"E.

LEGEND

- SUBDIVISION BOUNDARY
- LOT LINE
- UTILITY EASEMENT LINE
- SECTION / 1/4 SECTION LINE
- RIGHT OF WAY LINE
- CENTERLINE
- PREVIOUS SURVEY
- CORPORATE LIMIT LINE
- CITY OF STOUGHTON ACCESS CONTROL
- WISDOT ACCESS CONTROL

- FOUND SECTION CORNER
- FOUND 1" IRON PIPE
- FOUND 2" IRON PIPE
- FOUND 3/4" IRON ROD
- FOUND 1 1/2" IRON PIPE
- FOUND 1 1/4" IRON ROD
- SET 1 1/4" BY 24" IRON REBAR WEIGHING 4.30 LBS./FT.

ALL OTHER LOT AND OUTLOT CORNERS ARE 3/4" X 24" IRON REBAR WEIGHING 1.50 LBS./FT.

(xxx) RECORD INFO

WISDOT HIGHWAY ACCESS NOTE:
ALL LOTS AND BLOCKS ARE HEREBY RESTRICTED SO THAT NO OWNER, POSSESSOR, USER, LICENSEE OR OTHER PERSON MAY HAVE ANY RIGHT OF DIRECT VEHICULAR INGRESS FROM OR EGRESS TO ANY HIGHWAY LYING WITHIN THE RIGHT-OF-WAY OF U.S.H. 51; IT IS EXPRESSLY INTENDED THAT THIS RESTRICTION CONSTITUTE A RESTRICTION FOR THE BENEFIT OF THE PUBLIC AS PROVIDED IN S. 236.293, STATS., AND SHALL BE ENFORCEABLE BY THE DEPARTMENT OR ITS ASSIGNS. ANY ACCESS SHALL BE ALLOWED ONLY BY SPECIAL EXCEPTION. ANY ACCESS ALLOWED BY SPECIAL EXCEPTION SHALL BE CONFIRMED AND GRANTED ONLY THROUGH THE DRIVEWAY PERMITTING PROCESS AND ALL PERMITS ARE REVOCABLE.

HIGHWAY SETBACK RESTRICTION NOTE:
NO IMPROVEMENTS OR STRUCTURES ARE ALLOWED BETWEEN THE RIGHT-OF-WAY AND THE HIGHWAY SETBACK LINE. IMPROVEMENTS AND STRUCTURES INCLUDE, BUT ARE NOT LIMITED OT SIGNS, PARKING AREAS, DRIVEWAYS, WELLS, SEPTIC SYSTEMS, DRAINAGE FACILITIES, BUILDINGS AND RETAINING WALLS. IT IS EXPRESSLY INTENDED THAT THIS RESTRICTION BE FOR THE BENEFIT OF THE PUBLIC AS PROVIDED IN SECTION 236.293, WISCONSIN STATUTES, AND SHALL BE ENFORCEABLE BY THE WISCONSIN DEPARTMENT OF TRANSPORTATION OR ITS ASSIGNS. CONTACT WISDOT FOR MORE INFORMATION. THE PHONE NUMBER MAY BE OBTAINED BY CONTACTING THE COUNTY HIGHWAY DEPARTMENT.

LINE TABLE

LINE	BEARING	LENGTH
L11	S06°17'42"W	169.02'
L12	S03°01'23"W	144.50'
L13	S01°47'57"W	108.93'
L14	S10°29'13"E	141.00'
L15	S88°13'18"W	30.18'
L16	S00°38'40"W	68.52'
L17	N34°18'24"E	15.82'
L18	N87°41'55"E	22.90'
L19	N87°59'57"E	108.98'
L20	S01°47'30"E	125.00'

LINE	BEARING	LENGTH
L21	S87°59'57"W	113.94'
L22	N00°28'41"E	125.12'
L23	N87°59'57"E	95.00'
L24	S02°00'03"E	125.00'
L25	S87°59'57"W	95.46'
L26	N87°59'57"E	95.00'
L27	S02°00'03"E	125.00'
L28	S87°59'57"W	95.00'
L29	N87°59'57"E	95.00'
L30	S02°00'03"E	125.00'

LINE	BEARING	LENGTH
L31	S87°59'57"W	95.00'
L32	S01°47'30"E	121.40'
L33	S88°12'38"W	121.23'
L34	N02°27'08"E	72.37'
L35	N00°28'41"E	48.86'
L36	S00°28'41"W	47.57'
L37	N00°28'41"E	50.16'

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE	TANGENT IN	TANGENT OUT
C19	78.16'	123.00'	36°24'27"	N19°40'25"W	76.85'	N37°52'38"W	N01°28'11"W
C20	141.66'	207.00'	39°12'41"	N18°08'09"E	138.92'	N01°28'11"W	N37°44'30"E
C21	212.67'	327.00'	37°15'49"	N19°06'35"E	208.94'	N37°44'30"E	N00°28'41"E
C22	173.65'	267.00'	37°15'49"	S19°06'35"W	170.60'	S00°28'41"W	S37°44'30"W
C23	182.73'	267.00'	39°12'41"	S18°08'09"W	179.18'	S37°44'30"W	S01°28'11"E
C24	76.18'	183.00'	23°51'02"	S13°23'42"E	75.63'	S01°28'11"E	S25°19'13"E
C25	206.14'	400.00'	29°31'38"	N72°22'50"E	203.87'	N57°37'01"E	N87°08'39"E

VICINITY MAP

WISCONSIN KEVIN C. LORD S-2645 MADISON, WIS. LAND SURVEYOR

05/03/2022

There are no objections to this plat with respect to s. 236.15, 236.16, 236.20 and 236.21 (1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified May 23, 2022

Department of Administration

MSA

ENGINEERING | ARCHITECTURE | SURVEYING
FUNDING | PLANNING | ENVIRONMENTAL
1702 Pankratz St Madison, WI 53704
(608) 242-7779 www.msa-ps.com

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REVISED MAY 3, 2022