

**RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS**

Public Works Committee  
INITIATED BY



Duane Jorgenson, Public Works Director  
DRAFTED BY

Public Works Committee  
SUBMITTED BY

January 15, 2021  
DATE DRAFTED

**APPROVING PLAT OF SURVEY TO  
TRANSFER EXISTING RIGHT OF WAY ON CTH M**

1 WHEREAS, Rock County has jurisdiction of the CTH M corridor between N. Hurd Road and N.  
2 Kidder Road; and,

3  
4 WHEREAS, Rock County received a request from adjacent land owners to consider transferring a  
5 portion of right-of-way along the CTH M corridor between N. Hurd Road and N. Kidder Road;  
6 and,

7  
8 WHEREAS, in 1969, plans were approved for Rock County to reconstruct this corridor, including  
9 aligning a curve in this area, leaving an excessive highway right of way on the south side of the  
10 highway; and,

11  
12 WHEREAS, reducing maintenance efforts in this area will reduce expenses and will not impact the  
13 functional state of the highway corridor; and,

14  
15 WHEREAS, reducing maintenance efforts, when excessive, is in the public's best interest; and,

16  
17 WHEREAS, pursuant to section 66.1005 of the Wisconsin Statutes, when any highway or public  
18 ground acquired or held for highway purposes is discontinued, "the land where the highway or  
19 public ground is located shall belong to the owner or owners of the adjoining lands."

20  
21 WHEREAS, the attached plat of survey describes the area of right-of-way to be transferred to the  
22 adjacent property owners.

23  
24 NOW, THEREFORE, BE IT RESOLVED, by the Rock County Board of Supervisors duly  
25 assembled this 28<sup>th</sup> day of January, 2021 to transfer excess right-of-way to the  
26 adjacent property owners in accordance with the attached plat.

27  
28 BE IT FURTHER RESOLVED, that Rock County Corporation Counsel draft a quit claim deed,  
29 and authorize the County Board Chair to execute the quit claim deed and file with the Register of  
30 Deeds to transfer lands to the adjacent property owners.

APPROVING PLAT OF SURVEY TO TRANSFER EXISTING ROW ON CTH M

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Respectfully Submitted,

PUBLIC WORKS COMMITTEE

/s/Rick Richard  
Rick Richard, Chair

/s/Mary Mawhinney  
Mary Mawhinney, Vice-Chair

/s/Mike Mulligan  
Mike Mulligan

/s/Yuri Rashkin  
Yuri Rashkin

/s/Bob Yeomans  
Bob Yeomans

LEGAL NOTE:

The County Board is authorized to take this action pursuant to §§ 59.51, 66.1005, & 83.025(1)(a), Wis. Stats.

s/Richard Greenlee

Richard Greenlee  
Corporation Counsel

FISCAL NOTE:

This will have a positive effect on the budget due to less right of way maintenance. Total savings undetermined.

/s/Sherry Oja

Sherry Oja  
Finance Director

ADMINISTRATIVE NOTE:

Recommended.

/s/Josh Smith

Josh Smith  
County Administrator

## **EXECUTIVE SUMMARY**

### **APPROVING PLAT OF SURVEY TO TRANSFER EXISTING ROW ON CTH M**

The Rock County Department of Public Works received a request from two adjacent property owners along the CTH M corridor to consider transferring excessive right-of-way to the adjacent property owners as provided in the attached plat of survey.

In 1969, plans were approved for the reconstruction of CTH M. The plans included a realignment of a curve, approximately 1,350 feet in length, located between approximately 2,800 and 4,150 feet east of USH 51.

With the realignment of the curve, the County purchased extra right-of-way on the north side of CTH M and maintained ownership and jurisdiction of the previous right-of-way resulting in right-of-way widths varying from 110 feet to approximately 210 feet. Typical highway rights-of-way are between 66 feet and 100 feet in width.

Highway right-of-way is a defined strip of land devoted primarily to transportation purposes, including pavement, shoulders, drainage systems and clear zones. Utilities will also utilize the right-of-way for housing their infrastructure with the approval of jurisdictional authority.

In reviewing this area, it was determined that maintaining the proposed right-of-way provided in the attached plat of survey would allow maintenance of the existing drainage system without regrading, blend well with existing right-of-way on either side of the curve, and allow for future expansion or widening if needed.

The excess right-of-way beyond the proposed right-of-way line, is not necessary for the safe operation and maintenance of this highway and is an added, unnecessary maintenance cost to the County.