

TOWNSHIP OF PHELPS

COUNTY OF VILAS

STATE OF WISCONSIN

RESOLUTION NO. 07-6

Re: The North fifty (50') feet of White Birch Drive, Eagle Lake Road, Thompson Road, and Fowler Terrace, as said roads are described by and depicted on the plat of Racine Community Beach, as the same appears of record in Volume 6 of Plats at page 11, said Plat being a part of Government Lot One (1) and the N/2 NW/4 in Section 8, and the SE/4 SW/4 in Section 5, all in Township 42 North, Range Eleven East, Phelps Township, Vilas County, Wisconsin.

**BE IT RESOLVED**, by the Town Board of the Town of Phelps, Vilas County, Wisconsin, that the Town of Phelps, by and through its Town Board, vacate that portion of White Birch Drive, Eagle Lake Road, Thompson Road, and Fowler Terrace lying within said township, as the same portion of said streets to be vacated is as more particularly described above.

Pursuant to statute, and in consideration of the request for vacation, the following factual matters were determined:

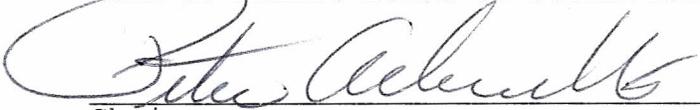
1. The request for vacation of a portion of the above-named streets has been made by all abutting land owners;
2. The plat containing the dedication of the above-named streets was a matter of record for a period of time in excess of 80 years prior to the present request and application for vacation;
3. The proposed portions of the above-named streets to be vacated have not been used or improved in any manner whatsoever as streets, roads, or public highways;

4. The proposed portions of the above-named streets to be vacated are not necessary to reach other platted property, road, or public highway, or any navigable body of water; and

5. The proposed portions of the above-named streets to be vacated have remained unchanged, in an unaltered state since their dedication by recording of the plat upon which they are shown as public roads.

SIGNED AND DATED this 14<sup>th</sup> day of May, 2007.

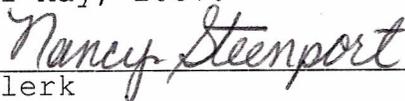
TOWN OF PHELPS BOARD OF SUPERVISORS:

  
Chairman

  
Supervisor

  
Supervisor

Filed this 14<sup>th</sup> day  
of May, 2007.

  
Clerk

IN RE:

**ADMISSION OF SERVICE**

THE VACATION OF THE NORTH FIFTY  
(50') FEET OF WHITE BIRCH  
DRIVE, EAGLE LAKE ROAD,  
THOMPSON ROAD, AND FOWLER  
TERRACE, ALL IN THE RECORDED  
PLAT OF RACINE COMMUNITY BEACH

Case No. 07 CV 72

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Service of an authenticated copy of the Application and Notice  
of Hearing on file in the above-styled and numbered cause is hereby  
admitted this 21 day of June, 2007.

*Nancy Steenport*  
\_\_\_\_\_  
Nancy Steenport  
Clerk/Treasurer  
Town of Phelps

IN RE:

**NOTICE OF HEARING**

THE VACATION OF THE NORTH FIFTY  
(50') FEET OF WHITE BIRCH  
DRIVE, EAGLE LAKE ROAD,  
THOMPSON ROAD, AND FOWLER  
TERRACE, ALL IN THE RECORDED  
PLAT OF RACINE COMMUNITY BEACH

Case No. 07 CV 72

**PLEASE TAKE NOTICE** that on August 8, 2007, 11:00 a.m., the Circuit Court for Vilas County, Wisconsin, will consider an application for the discontinuance and vacation of a portion of certain roads located in the recorded plat of Racine Community Beach, Phelps Township, Vilas County, Wisconsin, more particularly described as follows:

The north fifty (50') feet of White Birch Drive, Eagle Lake Road, Thompson Road, and Fowler Terrace, as said roads are described by and depicted on the plat of Racine Community Beach, as the same appears of record in Volume 6 of Plats at page 11, said Plat being a part of Government Lot One (1) and the N/2 NW/4 in Section 8, and the SE/4 SW/4 in Section 5, all in Township 42 North, Range Eleven East, Phelps Township, Vilas County, Wisconsin.

The hearing on the aforescribed application will be held in the small courtroom located on the second floor of the Vilas County Courthouse, Eagle River, Wisconsin.

**SIGNED AND DATED** this 13<sup>th</sup> day of June, 2007



Ralph W. Koopman 01016084  
Attorney for Applicants  
P.O. Box 1838  
Eagle River, WI 54521  
715-479-8220



IN RE:

THE VACATION OF THE NORTH FIFTY (50') FEET OF WHITE BIRCH DRIVE, EAGLE LAKE ROAD, THOMPSON ROAD, AND FOWLER TERRACE, ALL IN THE RECORDED PLAT OF RACINE COMMUNITY BEACH

APPLICATION FOR VACATION OF TOWN ROAD PURSUANT TO SUBCHAPTER VIII OF CHAPTER 236 OF THE WISCONSIN STATUTES (2005-06)

Case No 07 CV 72



**COME NOW** the undersigned applicants, for themselves and by their attorney, Ralph W. Koopman, and hereby apply to the Circuit Court of Vilas County, Wisconsin, for an Order vacating the north fifty (50') feet of White Birch Drive, Eagle Lake Road, Thompson Road, and Fowler Terrace, as said roads are described by and depicted on the plat of Racine Community Beach, as the same appears of record in Volume 6 of Plats at page 11, said Plat being a part of Government Lot One (1) and the N/2 NW/4 in Section 8, and the SE/4 SW/4 in Section 5, all in Township 42 North, Range Eleven East, Phelps Township, Vilas County, Wisconsin.

As grounds for this application, it is represented to the Court, as follows:

1. The recorded plat of Racine Community Beach describes and depicts the following town roads located within said plat: White Birch Drive, Eagle Lake Road, Thompson Road, and Fowler Terrace, all as shown on Exhibit "A" attached hereto and made a part herof.
2. John H. Samz and Emily B. Samz, his wife, own Lot 1 of Block 35 in the plat of Racine Community Beach, which land is immediately east of and adjacent to the north fifty (50') feet of Fowler Terrace.

3. James Laux and Luella Laux, his wife, (an undivided twenty (20%) percent interest), and Dennis Boldt and Christine Boldt, his wife, (an undivided thirty (30%) percent interest), and Randall Swanson and Connie Swanson, his wife, (an undivided fifty (50%) percent interest), own Lots 1 and 17 of Block 36 and Lots 1 and 17 of Block 37 in the plat of Racine Community Beach, which lands are immediately adjacent to and abut the north fifty (50') feet of Fowler Terrace, Thompson Road, and Eagle Lake Road.
4. George S. Babino and Lori B. Babino, his wife, own Lots 1 and 17 of Block 38 in the plat of Racine Community Beach, which lands are immediately adjacent to and abut the north fifty (50') feet of Eagle Lake Road and White Birch Drive.
5. Kevin W. Laux and Lois Laux, his wife, own Lot 1 of Block 39 in the plat of Racine Community Beach, which land is immediately adjacent to and west of the north fifty (50') feet of White Birch Drive.
6. The portions of the aforescribed town roads proposed to be vacated have remained unchanged and in an unaltered state since their dedication to the public over forty (40) years ago, which dedication took place by recording of the plat of Racine Community Beach upon which said roads are depicted as town roads.
7. The portions of the aforescribed town roads proposed to be vacated have never been used or improved in any manner whatsoever as a street, road, or public highway.

8. The portions of the aforescribed town roads proposed to be vacated are not now and have never been used to reach any other platted property, road, or public highway.
9. The undersigned applicants constitute all abutting landowners of the portion of each town road proposed to be vacated.

**WHEREFORE, PREMISES CONSIDERED,** the undersigned applicants, for themselves and by counsel, request the north fifty (50') feet of White Birch Road, Eagle Lake Road, Thompson Road, and Fowler Terrace, all as located in the recorded plat of Racine Community Beach, as previously described herein, be discontinued and vacated by order of the Court pursuant to statute.

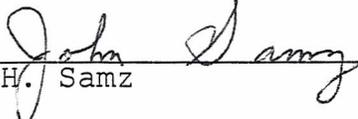
**SIGNED AND DATED** this 23<sup>RD</sup> day of February, 2007



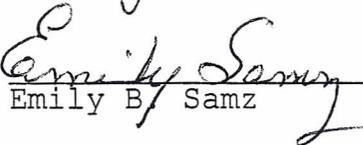
Ralph W. Koopman 01016084  
 Attorney for Applicants  
 P.O. Box 1838  
 Eagle River, WI 54521  
 715-479-8220

**APPROVAL OF APPLICANTS**

The foregoing Application for Vacation of Town Road is hereby approved for filing in all respects.

  
 \_\_\_\_\_  
 John H. Samz

Date: 2-15-07

  
 \_\_\_\_\_  
 Emily B. Samz

Date: 2-15-07

\_\_\_\_\_  
 James Laux

Date: \_\_\_\_\_

8. The portions of the aforescribed town roads proposed to be vacated are not now and have never been used to reach any other platted property, road, or public highway.
9. The undersigned applicants constitute all abutting landowners of the portion of each town road proposed to be vacated.

**WHEREFORE, PREMISES CONSIDERED,** the undersigned applicants, for themselves and by counsel, request the north fifty (50') feet of White Birch Road, Eagle Lake Road, Thompson Road, and Fowler Terrace, all as located in the recorded plat of Racine Community Beach, as previously described herein, be discontinued and vacated by order of the Court pursuant to statute.

**SIGNED AND DATED** this \_\_\_\_\_ day of February, 2007

\_\_\_\_\_  
 Ralph W. Koopman 01016084  
 Attorney for Applicants  
 P.O. Box 1838  
 Eagle River, WI 54521  
 715-479-8220

**APPROVAL OF APPLICANTS**

The foregoing Application for Vacation of Town Road is hereby approved for filing in all respects.

\_\_\_\_\_  
 John H. Samz Date: \_\_\_\_\_

\_\_\_\_\_  
 Emily B. Samz Date: \_\_\_\_\_

*James E. Laux*  
 \_\_\_\_\_  
 James Laux Date: 2/17/07

Luella M Laux  
Luella Laux

Date: 2/15/07

Dennis J Boldt  
Dennis Boldt

Date: 2/15/07

Christine Boldt  
Christine Boldt

Date: 2/17/07

Randall J Swanson  
Randall Swanson

Date: 2-17-07

Connie Swanson  
Connie Swanson

Date: 2/17/07

\_\_\_\_\_  
George S. Babino

Date: \_\_\_\_\_

\_\_\_\_\_  
Lori B. Babino

Date: \_\_\_\_\_

\_\_\_\_\_  
Kevin W. Laux

Date: \_\_\_\_\_

\_\_\_\_\_  
Lois Laux

Date: \_\_\_\_\_

Luella Laux

Date: \_\_\_\_\_

Dennis Boldt

Date: \_\_\_\_\_

Christine Boldt

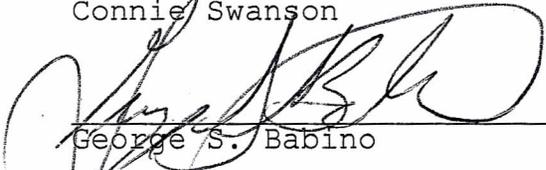
Date: \_\_\_\_\_

Randall Swanson

Date: \_\_\_\_\_

Connie Swanson

Date: \_\_\_\_\_



George S. Babino

Date: 2-14-07



Lori B. Babino

Date: 2-14-07

Kevin W. Laux

Date: \_\_\_\_\_

Lois Laux

Date: \_\_\_\_\_

Luella Laux

Date: \_\_\_\_\_

Dennis Boldt

Date: \_\_\_\_\_

Christine Boldt

Date: \_\_\_\_\_

Randall Swanson

Date: \_\_\_\_\_

Connie Swanson

Date: \_\_\_\_\_

George S. Babino

Date: \_\_\_\_\_

Lori B. Babino

Date: \_\_\_\_\_

*Kevin W Laux*  
Kevin W. Laux

Date: 02-12-07

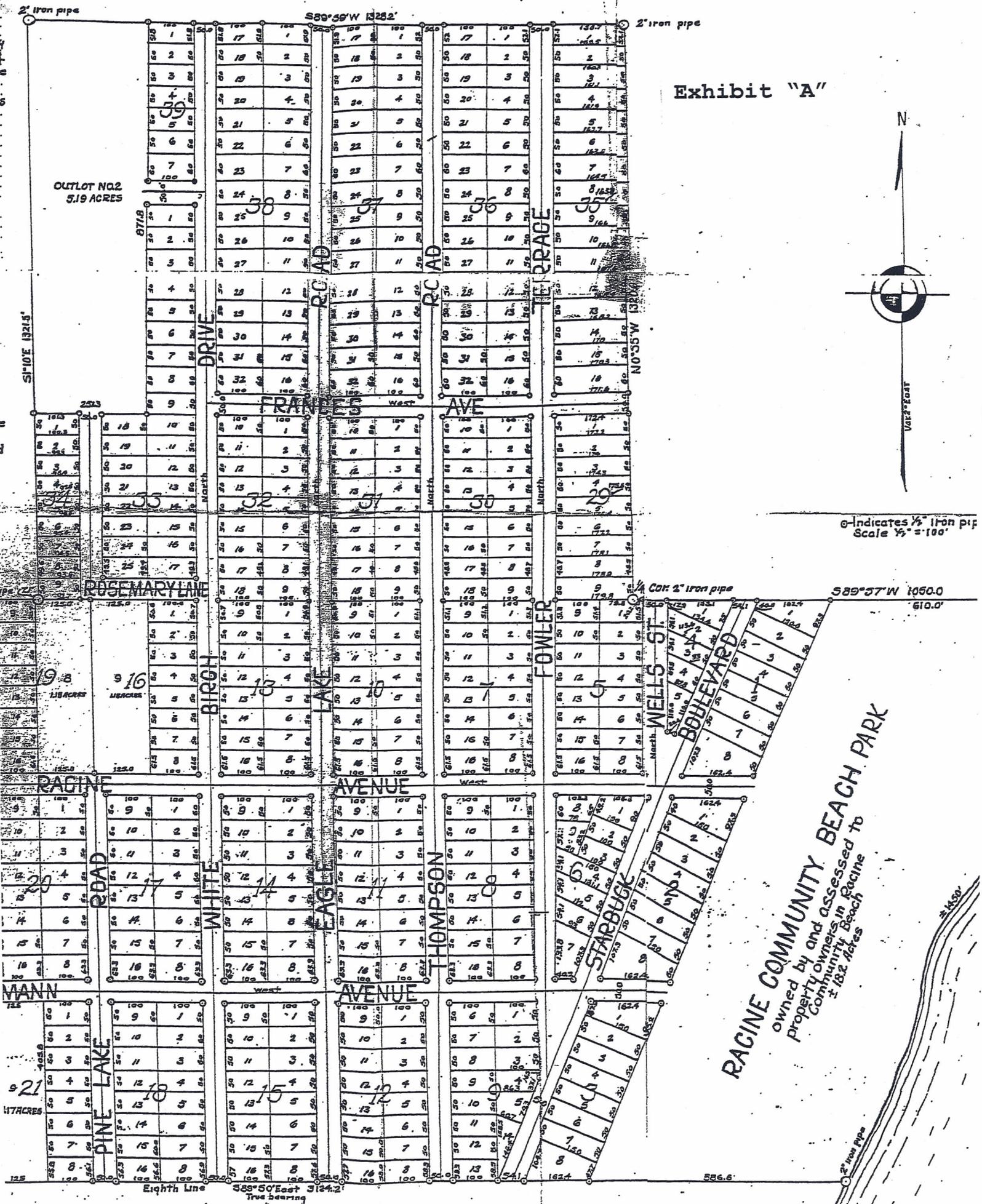
*Lois A Laux*  
Lois Laux

Date: 02-12-07

Exhibit "A"



o Indicates 1/2" Iron Pipe  
Scale 1/4" = 100'



**RACINE COMMUNITY BEACH PARK**  
owned by and assessed to  
Property Owners in Racine  
Community Beach  
± 18.2 Acres

OUTLOT NO.2  
5.19 ACRES

9.16  
ACRES

9.19  
ACRES

9.21  
ACRES

88°50' East 3124.2'  
Tied Bearing

586.6'

2" Iron Pipe

Cor 2" Iron Pipe

2" Iron pipe

2" Iron pipe

S80°50'W 1325.2'

S1°10'E 1321.5'

N0°55'W 1320.0'

S89°57'W 1050.0'  
610.0'

2" Iron Pipe

AQUATIC INVASIVE SPECIES GRANT  
RESOLUTION

Resolution # 2007-07

RESOLUTION OF: The Township of Phelps, Vilas County

WHEREAS North and South Twin Lakes are an important resource used by the public for recreation and enjoyment of natural beauty; and

WHEREAS the control and prevention of aquatic invasive species infestations are important to the health and well-being of the lakes; and

WHEREAS we recognize that a well-planned and holistic aquatic invasive species management project will better the lakes now and for future users, and

WHEREAS we are qualified to carry out the responsibilities of the aquatic invasive species project

IT IS, THEREFORE RESOLVED, THAT:

The Township of Phelps requests the funds and assistance available from the Wisconsin Department of Natural Resources under the "Aquatic Invasive Species Grant Program": and

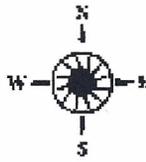
HEREBY AUTHORIZES Ms Ginny Parker of the North and South Twin Lakes Riparian Association to act on behalf of The Township of Phelps to: submit an application to the State of Wisconsin for financial aid for lake management purposes; sign documents; and take necessary action to undertake, direct, and complete an approved planning grant.

BE IT FURTHER RESOLVED THAT the Township of Phelps will meet the obligations of the planning project including the prompt payment of our 50% commitment to aquatic invasive species project costs.

We understand the importance of a continuing management program for North and South Twin Lakes and intend to proceed on that course.

Adopted this day 9<sup>th</sup> of July 2007  
By a vote of: 3 in favor 0 against 0 abstain

BY: Nancy Steenport  
Nancy Steenport  
Clerk/Treasurer  
The Township of Phelps

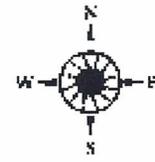


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# NORTH & SOUTH TWIN LAKES

RIPARIAN ASSOCIATION

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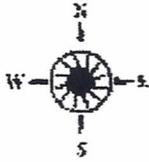
The Town of Phelps in cooperation with North and South Twin Lakes Riparian Association has applied for an Aquatic Invasive Species Grant from the State of Wisconsin DNR. If successful in that endeavor, the cost of the Aquatic Invasive Species Control and Prevention Project of North and South twin Lakes will be borne by the State of Wisconsin with the balance underwritten by NSTRLA. There will be no costs of the project that are to be assumed by the Town of Phelps.

Joe Wallace, President  
North and South Twin Lakes Riparian Association

Date 06/28/07

\_\_\_\_\_  
Date \_\_\_\_\_

Roger Ganser, Vice President  
North and South Twin Lake Riparian Association

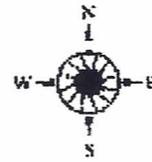


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# NORTH & SOUTH TWIN LAKES

RIPARIAN ASSOCIATION

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The Town of Phelps in cooperation with North and South Twin Lakes Riparian Association has applied for an Aquatic Invasive Species Grant from the State of Wisconsin DNR. It successful in that endeavor, the cost of the Aquatic Invasive Species Control and Prevention Project of North and South twin Lakes will be borne by the State of Wisconsin with the balance underwritten by NSTRLA. There will be no costs of the project that are to be assumed by the Town of Phelps.

\_\_\_\_\_ Date \_\_\_\_\_

Joe Wallace, President  
North and South Twin Lakes Riparian Association

\_\_\_\_\_ Date 7.2.07

Roger Ganser, Vice President  
North and South Twin Lake Riparian Association