



Resolution No. 2009-81

RELEASE OF RECORDED EASEMENT-Mcutz, LLC / Utzinger

DOOR COUNTY

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BEMMANN	X		
BOGENSCHUTZ	X		
BRANN	X		
DeBAKER	X		
DeWITT	X		
FISHER	X		
FONTAINE	X		
GUNNLAUGSSON	X		
HAINES	X		
LIEBE	X		
MEYER	X		
MOELLER	X		
MULLIKEN	X		
NEINAS	X		
OLSON	X		
RUNQUIST	X		
SAVARD	X		
SCHULTZ	X		
VIRLEE	X		
ZIPPERER	X		
	21	0	0

**BOARD ACTION**

Vote Required: Majority Vote of Total Membership

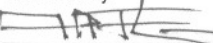
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Motion to Approve  Adopted  Defeated

1st Austad Defeated

2nd Virlee

Yes: 21 No: 0 Exc: 0

Reviewed by:  Corp. Counsel


Reviewed by: 10-21-09

\_\_\_\_\_, Administrator

**FISCAL IMPACT: There is no fiscal impact with the release of the easement. sms**

**Certification:**

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 27th day of October, 2009 by the Door County Board of Supervisors.

  
Jill M. Lau  
County Clerk, Door County

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

1       **WHEREAS**, The County of Door ["County"] has an interest in  
2 the subject land by virtue of an easement [Recorded on December  
3 22, 1949, Document Number 264839, Volume. 75, Page 589, Door  
4 County Register of Deeds]; and

5  
6       **WHEREAS**, The easement was granted "...for the purpose of  
7 permitting and enabling Door County to keep and maintain a certain  
8 culvert over the land..."; and


9  
10       **WHEREAS**, The Wisconsin Department of Transportation and  
11 the Door County Highway Department have determined that the  
12 public purpose and need for the easement no longer exist [as the  
13 culvert has been relocated and a new easement exists] and the  
14 easement should be released; and


15  
16       **WHEREAS**, The Door County Property Committee has been  
17 apprised of and concurs with the determination of the Wisconsin  
18 Department of Transportation and the Door County Highway  
19 Department.


20  
21       **NOW, THEREFORE, BE IT RESOLVED**, That the Door  
22 County Board of Supervisors does hereby authorize and agrees to  
23 release of the easement.

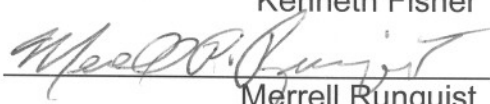
24  
25       **BE IT FURTHER RESOLVED**, That the Door County Clerk is  
26 hereby directed and authorized to execute the Release.

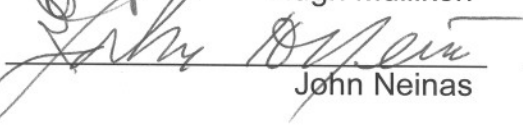
**SUBMITTED BY:  
Highway Committee**

  
Dan Austad, Chairman

  
Kenneth Fisher

  
Hugh Mulliken

  
Merrell Runquist

  
John Neinas