

**Common Council
of the
City of Waukesha, Wisconsin**

Resolution No. 2026 – _____

**Resolution Discontinuing and Vacating a
Portion of the Right-of-Way of West Avenue**

Whereas the Common Council determined that it is in the best interest of the public that a City-owned parcel of land at 223 South West Avenue be sold, and declared the parcel to be surplus property at its regular meeting on July 1, 2025; and

Whereas the building on that parcel encroaches beyond the boundaries of that parcel and into the right-of-way of West Avenue, and that encroaching portion would therefore not be conveyed to a buyer upon the sale of the parcel; and

Whereas it is in the best interest of the public that the entire building be conveyed to a buyer of 223 South West Avenue and not remain as an encroachment into public right-of-way; and

Whereas to convey the portion of the right-of-way on which the building encroaches requires that it be discontinued, vacated, and detached from the right-of-way, and attached to 223 South West Avenue; and

Whereas at least forty days have passed since this Resolution was first introduced by the Common Council on February 3, 2026, as required by Wis. Stat. §66.1003(4)(b); and

Whereas the notices required by Wis. Stat. §66.1003(4)(b) have been served and published pursuant to Wis. Stat. §66.1003(8)(b),

Now, therefore, the Common Council resolves pursuant to Wis. Stat. §66.1003(4)(a) that the following-described real property is discontinued and vacated as a public way:

Part of South West Avenue, being located in part of the Northwest 1/4 of the Northeast 1/4 of Section 10, Township 6 North, Range 19 East, City of Waukesha, Waukesha County, Wisconsin, more fully described as follows:

Commencing at the North 1/4 corner of Section 10, Township 6 North, Range 19 East; thence South 0°08'58" East, 847.79 feet along the North-South 1/4 line of said Section 10; thence North 89°51'02" East, 33.37 feet to the West line of Lot 14, Block C, of Laflin's Second Addition to the Village of Waukesha, as recorded in Volume 4, Plats, Pages 86 and 87, Waukesha County Records, and the East line of the right-of-way of South West Avenue and the point of beginning; thence North 0°01'06" East, 77.32 feet along said West line and East line of the right-of-way; thence South 24°07'11" West, 14.51 feet; thence South 1°02'20" West, 50.35 feet along a line lying between an existing sidewalk and an existing building; thence South 26°22'54" East, 15.34 feet to the point of beginning.

Contains 407 square feet more or less.

This Resolution was passed and adopted by the Common Council of the City of Waukesha the 17th day of March, 2026.

Shawn N. Reilly, Mayor

Katie Panella, City Clerk