

**FINALL RESOLUTION TO DISCONTINUE PUBLIC
WAY OF PLATTED UNNAMED ALLEY WEST OF N.
JEFFERSON STREET, NORTH OF E. MAIN
STREET, AND SOUTH OF E. NORTH STREET**

WHEREAS, the Common Council of the City of Whitewater, by this Resolution, adopted by a majority of the Common Council on a roll call vote with a quorum present and voting and proper notice having been given, resolves and declares as follows; and

WHERAS, it is in the public interest that the portion of an unnamed public alley described below is vacated and discontinued pursuant to Wis. Stat. § 66.1003. The unnamed public alley to be discontinued is described as follows:

That part of the unnamed alley bounded by N. Jefferson Street, E. Main Street, E. North Street and the Whitewater Creek; and

WHEREAS, at least forty (40) days have elapsed since this Resolution in initial form was considered by the Common Council of the City of Whitewater on May 5, 2026. The discontinuance of the above-described public way will not result in a landlocked property and no owner of property abutting the discontinued public way will be damaged by the discontinuance; and, a public hearing was held before the Plan and Architectural Review Commission on July 13, 2026 at 6:00 p.m., and no sufficient written objection to the said discontinuance and vacation has been filed with the City Clerk and the discontinued public way will be vacated and the land awarded to the owner or owners of real estate pursuant to Wis Stat § 66.1005; and

WHERAS, Notice of Hearing of Discontinuance of a Public Way in the City of Whitewater was published as a Class 3 legal notice in the Whitewater Register on the following dates: June 18, 2026; June 25, 2026; July 2, 2026; and

WHERAS, said Notice was served and/or admitted more than 30 days prior to the hearing in the manner prescribed by law on the owners of all of the frontage of the lots and land abutting upon the portion of said alley to be discontinued or a waiver of notice thereof was received; and

WHEREAS, Lis Pendens – Notice of Discontinuance of a Public Way for the above-mentioned property was recorded with the Walworth County Register of Deeds Office on May 18, 2026 as Document No. 1129639.

NOW, THEREFORE BE IT RESOLVED, by the Common Council of the City of Whitewater, Wisconsin pursuant to Wis Stat § 66.1003:

Section 1. That the public way within described is hereby vacated and discontinued. It is hereby further declared that the City Alley set forth herein is hereby vacated and discontinued, provided that pursuant to Wis Stat § 66.1005 such discontinuance shall not terminate the easements acquired and the rights of the public in any of the underground structures, improvements or services as enumerated or otherwise existing in said public way and in said description of lands herein before described, but such easements and rights and all rights of entrance, maintenance, construction and repair with reference thereto shall continue as if such public way had not been discontinued; and,

RESOLUTION NO. 2026-R-031

Section 2. That the City Clerk shall properly post or publish this Resolution as required under Wis Stat § 60.80; and,

Section 3. That this Resolution be in full force and effect immediately upon its passage and adoption.

Resolution was introduced by Council Member _____, who moved for its adoption.

Seconded by Council Member _____.

DATE	July 21, 2026			
	YES	NO	PASS	ABSENT
Michael Smith				
Orin Artsmith				
Steven Sahyun				
Brian Schanen				
Neil Hicks				
Gavin Kelleher				
Patrick Singer				
Total:				

ADOPTED: _____

John Weidl, City Manager

ATTEST:

Heather Boehm, City Clerk

EXHIBIT A - Alley to be Discontinued

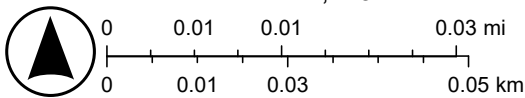


4/27/2026, 3:58:49 PM

° Addresses — Walworth County

Imagery_2024

- Red: Band_1
- Green: Band_2
- Blue: Band_3



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