



VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 15-031

AN ORDINANCE TO APPROVE THE REZONING OF LAND FROM RR-5 RURAL RESIDENTIAL-5 ACRE TO AN AGRICULTURE AND RESIDENTIAL, 10.35 ACRES LOCATED ON NICK AVENUE WEST OF 10506 HEEREN STREET, VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN

WHEREAS, Village Planning and Development Staff conditionally approved the Land for division via a certified survey map (hereafter the “associated CSM”, attached hereto as Exhibit A); and

WHEREAS, Village Plan Commission conditionally approved the Land for division and dedication of Nick Avenue as Village road right of way via the associated CSM; and

WHEREAS, the Plan Commission of the Village of Weston having held a public hearing on the 14th day of December 2015, on the application described below for the zoning of the property described herein; and

WHEREAS, the Plan Commission having thereafter filed its written recommendations and findings with the Village Board, and the said Board having received and approved the recommendation of said Committee;

NOW THEREFORE, the Village Board of the Village of Weston do ordain as follows:

SECTION 1: On the application (REZN-11-15-1554) of property owners Jackie Hable, James Esker and Carol Esker, for the following territory now comprising a part of the RR-5 Rural Residential – 5 Acre zoning districts, located in Section 33, Township 28 North, Range 8 East, Village of Weston, Marathon County, Wisconsin, is hereby designated to be and become hereafter part of the following zoning district:

AR Agriculture and Residential - described as Part of the SE 1/4 of the SW 1/4, Lot 1, of CSM #16212, Vol. 75, Pg. 11, Doc. #1611333, Section 33, Township 28 North, Range 8 East, Village of Weston, Marathon County. 10.358 acre parcel on Nick Avenue (PIN 192-2808-333-0988), located adjacent on the west side of 10506 Heeren Street.

BE IT FURTHER RESOLVED that the foregoing amendments to the zoning district designations shall take effect only upon the recording of the associated CSM. If the rezoning of any lands by this Ordinance does not take effect within nine (9) months of the date hereof, this Ordinance shall become null and void and the zoning for such lands shall remain unchanged.

SECTION 2: The Clerk shall make necessary alterations upon the official map of the Village of Weston to reflect the changes in the zoning classifications of the property described herein.

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other

structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 21st day of December, 2015

VILLAGE BOARD OF WESTON

By: Barbara Ermeling
Barbara Ermeling, its President

Attest: Sherry Weinkauff
Sherry Weinkauff, Village Clerk

APPROVED: 12/21/15

PUBLISHED: 12/23/15

CERTIFIED SURVEY MAP

MARATHON COUNTY NO. _____ VOL. _____ PAGE _____

ALL OF LOT 1 OF CSM #16212 LOCATED IN THE SE1/4 OF THE SW1/4 AND THAT PART OF THE SW1/4 OF THE SE1/4 OF SECTION 33, TOWNSHIP 28 NORTH, RANGE 8 EAST, VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN.

SHEET 2 OF 3 SHEETS

SURVEYORS CERTIFICATE

I, TIMOTHY G. VREELAND, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF JACKIE HABLE, I SURVEYED, MAPPED AND DIVIDED ALL OF LOT 1 OF CERTIFIED SURVEY MAP NUMBER 16212 AND THAT PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 28 NORTH, RANGE 8 EAST, VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 33; THENCE S 89°49'46" W ALONG THE SOUTH LINE OF LOT 1 OF CERTIFIED SURVEY MAP NUMBER 16212, 340.20 FEET; THENCE N 0°06'43" W ALONG THE WEST LINE OF SAID LOT 1, 1326.01 FEET; THENCE N 89°45'29" E ALONG THE NORTH LINE OF SAID LOT 1, 340.20 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE N 89°39'18" E ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER 1280.20 FEET TO THE WEST LINE OF HEEREN STREET; THENCE S 0°26'59" E ALONG THE WEST LINE OF HEEREN STREET 1293.11 FEET TO THE NORTH LINE OF NICK AVENUE; THENCE S 89°38'30" W ALONG THE NORTH LINE OF NICK AVENUE 1287.82 FEET; THENCE S 0°06'43" E ALONG THE EAST LINE OF SAID LOT 1, 33.00 FEET TO THE POINT OF BEGINNING. SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND RIGHTS OF WAY OF RECORD AND USE.

THAT SUCH MAP IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE DIVISION AND THE CERTIFIED SURVEY MAP THEREOF MADE.

THAT I HAVE FULLY COMPLIED WITH SECTION 236.34 OF THE WISCONSIN STATUTES IN SURVEYING, MAPPING AND DIVIDING THE LANDS, CHAPTER A-E 7 OF THE WISCONSIN ADMINISTRATIVE CODE AND THE LAND DIVISION ORDINANCE OF THE VILLAGE OF WESTON, ALL TO THE BEST OF MY KNOWLEDGE AND BELIEF IN SURVEYING, DIVIDING AND MAPPING THE SAME.



DATED THIS 3RD DAY OF NOVEMBER, 2015

TIMOTHY G. VREELAND P.L.S. 2291

CERTIFIED SURVEY MAP

MARATHON COUNTY NO. _____ VOL. _____ PAGE _____

ALL OF LOT 1 OF CSM #16212 LOCATED IN THE SE1/4 OF THE SW1/4 AND THAT PART OF THE SW1/4 OF THE SE1/4 OF SECTION 33, TOWNSHIP 28 NORTH, RANGE 8 EAST, VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN.

SHEET 3 OF 3 SHEETS

OWNERS CERTIFICATE OF DEDICATION

AS OWNER, I HEREBY CERTIFY THAT I CAUSED THE LAND DESCRIBED ON THIS MAP TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED AS REPRESENTED ON THE MAP. I ALSO CERTIFY THAT THIS MAP IS REQUIRED BY s.236.10 OR s.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: VILLAGE OF WESTON.

James Esker
JAMES ESKER

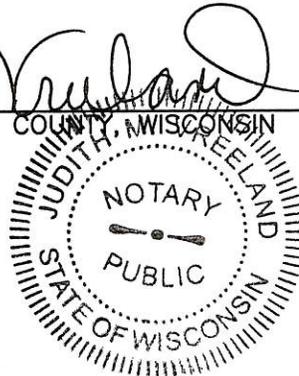
Carol Esker
CAROL ESKER

STATE OF WISCONSIN)
MARATHON COUNTY) SS

PERSONALLY CAME BEFORE ME THIS 9th DAY OF Nov., 2015, THE ABOVE NAMED JAMES ESKER AND CAROL ESKER TO ME KNOWN TO BE THE SAME PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

Judith M. Vreeland
NOTARY PUBLIC, MARATHON COUNTY, WISCONSIN

MY COMMISSION EXPIRES Nov. 15, 2015



VILLAGE BOARD RESOLUTION

RESOLVE, THAT THIS MAP IN THE VILLAGE OF WESTON, JAMES ESKER AND CAROL ESKER, OWNERS, IS HEREBY APPROVED BY THE VILLAGE BOARD.

DATE _____ APPROVED _____
VILLAGE PRESIDENT

DATE _____ SIGNED _____
VILLAGE PRESIDENT

I HEREBY CERTIFY THAT THE FOREGOING IS A COPY OF A RESOLUTION ADOPTED BY THE VILLAGE BOARD OF THE VILLAGE OF WESTON.

DATE _____
VILLAGE CLERK



Notice of Newly Enacted Ordinance

Please take notice that the Village Board of Weston, Wisconsin enacted Ordinance No. 15-031: “An Ordinance to Approve the Rezoning of Land From RR-5 Rural Residential-5 Acre To AR Agriculture and Residential, 10.35 Acres Located on Nick Avenue West of 10506 Heeren Street, Village of Weston, Marathon County, Wisconsin” on Monday, December 21, 2015.

The full text of Ordinance No. 15-031 may be obtained at the office of the Village Clerk at the Weston Municipal Center, 5500 Schofield Avenue, Weston, Wisconsin or through the Village’s website at <http://www.westonwi.gov>.

Published: 12/23/15