

RESOLUTION NO. 2026-29

VILLAGE OF YORKVILLE COUNTY OF RACINE, STATE OF WISCONSIN

A RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF YORKVILLE AFFIRMING THE PURCHASE OF A PORTION OF THE PROPERTY LOCATED ON 67TH DRIVE (PARCEL ID NO. 194-03-21-28-015-030) FROM KEVIN AND KELLEY WILKS AS TRUSTEES OF THE K&K WILKS TRUST

THE VILLAGE BOARD OF THE VILLAGE OF YORKVILLE, COUNTY OF RACINE, STATE OF WISCONSIN, RESOLVES AS FOLLOWS:

WHEREAS, the Village of Yorkville and the Village of Union Grove are jointly moving forward with a planned reconstruction project on 67th Drive, which is located in both Villages. A part of that project requires the reconstruction of existing culverts and, in some situations, creating a new culvert on private property adjacent to the existing right of way; and

WHEREAS, on April 13, 2026, the Village Board adopted a relocation order involving a portion of the property located on 67th Drive having a parcel ID number of 194-03-21-28-015-030 and on June 9, 2026, adopted an amended relocation order affecting the same property; and

WHEREAS, the Village is to acquire a temporary construction easement ("TCE") and right-of-way ("ROW") on the property related to the 67th Drive Reconstruction Project and associated drainage improvements; and

WHEREAS, the TCE and ROW acquisition areas on the property are as legally described below:

TEMPORARY CONSTRUCTION EASEMENT

Part of the Northwest 1/4 of the Southwest 1/4 of Section 28, Town 3 North, Range 21 East, in the Village of Union Grove, County of Racine, State of Wisconsin, more particularly described as follows: Commence at the Southwest corner of the Southwest 1/4 of said Section 28; thence N01°35'14"W, 1937.28 feet along the West line of said 1/4 Section to the South line of the former CP Rail Road right of way; thence N81°38'34"E, 63.17 feet along said South line to the point of beginning of this description; continue thence N81°38'34"E, 57.66 feet along said South line; thence S01°35'14"E, 100.00 feet parallel to the West line of said 1/4 Section; thence S81°38'34"W, 87.60 feet parallel to the South line of said former CP Rail Road right of way to the East line of 67th Drive; thence N01°35'14"W, 38.10 feet along said East line and parallel to the West line of said 1/4 Section; thence N46°57'10"E, 39.67 feet; thence N01°35'14"W, 39.16 feet parallel to the West line of said 1/4 Section to the South line of said former CP Rail Road right of way and the point of beginning. Containing 7,197 s.f. or 0.165 acres.

RIGHT OF WAY ACQUISITION

Part of the Northwest 1/4 of the Southwest 1/4 of Section 28, Town 3 North, Range 21 East, in the Village of Union Grove, County of Racine, State of Wisconsin, more particularly described as follows: Commence at the Southwest corner of the Southwest 1/4 of said Section 28; thence N01°35'14"W, 1787.27 feet along the West line of said 1/4 Section to the point of beginning of this description; continue thence N01°35'14"W, 150.01 feet along the West line of said 1/4 Section to the South line of the former CP Rail Road right of way; thence N81°38'34"E, 63.17 feet along said South line; thence S01°35'14"E, 39.16 feet parallel to the West line of said 1/4 Section; thence S46°57'10"W, 36.97 feet to the East line of 67th Drive; thence S01°35'14"E, 92.64 feet along said East line and parallel to the West line of said 1/4 Section; thence S89°28'41"W, 33.01 feet to the West line of said 1/4 Section and the point of beginning. Containing 6,527 s.f. or 0.150 acres.

WHEREAS, as required by Wis. Stat. § 32.05(2), the Village obtained an appraisal and on May 11, 2026, the Village reviewed the appraisal in closed session and extended an offer of \$5,000.00 to the property owners shortly thereafter; and

WHEREAS, the property owners indicated their acceptance of the Village's offer; and

WHEREAS, a Settlement Agreement, Mutual Release, and Agreement to Purchase will be prepared for execution by both parties; and

WHEREAS, the closing is scheduled to occur on August 15, 2026, or as otherwise extended by mutual agreement.

NOW, THEREFORE BE IT RESOLVED, by the Village Board or the Yorkville that the Village approves of the acquisition of the above-described portions of the property located on 67th Drive having a parcel ID number of 194-03-21-28-015-030, pursuant to terms and conditions to be contained in the Settlement Agreement, Mutual Release, and Agreement to Purchase.

BE IT FURTHER RESOLVED, that the Village Administrator and Village Attorney are authorized to prepare and approve the form of the Settlement Agreement, Mutual Release, and Agreement to Purchase.

BE IT FURTHER RESOLVED, that President Douglas Nelson and Village Clerk Janine Carls are authorized to execute any and all documents necessary to complete such acquisition and the Village Treasurer/Finance Director is authorized to transmit such funds required to complete the acquisition including those funds needed to pay for required closing costs.

This Resolution was adopted by the Village Board of the Village of Yorkville, County of Racine, State of Wisconsin, this 13th day of July, 2026.

VILLAGE OF YORKVILLE

Ayes: 4

Nays: 0

Abstentions: 0

Absences: 1

By: /s/ Douglas Nelson
Douglas Nelson, President

Attest: /s/ Janine Carls
Janine Carls, Clerk