



DALE HUSTAD | ATTORNEY AT LAW

December 9, 2010

Marvin and Colleen Smitherman
W5211 Windmill Ridge Road
New Glarus, WI 53574

Re: Smitherman; follow up letter to my letter dated 09/14/2010

Dear Mr. and Ms Smitherman:

The current policy of the Town Board is to selectively accept responsibility to maintain certain roads, as Town Roads, but not to have the land deeded over to the Town.

While there are a few instances where the Town has accepted ownership of Outlots that contain Town Roads, the vast majority of roads maintained by the Town of New Glarus are not owned by the Town. The Town merely has a right of way, given by the property owner.

It is my understanding that you are requesting two things: that the New Glarus Town Board accepts the cul-de-sac at the end of Windmill Ridge Road as a town road and that the Town accepts ownership of the land in question.

Based on the discussions you have had with the Town Board and the Town Board's past practice, please have your attorney draft documents to grant the Town a right of way and for the Town to designate the cul-de-sac as a town road. In addition, you will need to reconfigure the boundaries of the lot(s) adjacent to the cul-de-sac to incorporate the cul-de-sac into one or more of the adjacent lots such that ownership of the cul-de-sac does not pass to the Town.

Please have those documents forwarded to my office for my review. This can then be put on the Regular Town Board Meeting Agenda for approval. The Town Board would like to finalize this in the near future.

Thank you.

Sincerely,

Dale E. Hustad
Attorney at Law