

# TITLE 12

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## Highways

<b>Chapter 1</b>	Highway and Transportation Department
<b>Chapter 2</b>	Highway Safety Commission
<b>Chapter 3</b>	Speed Limits
<b>Chapter 4</b>	Highway Access Control
<b>Chapter 5</b>	Land Converted from Highway Purposes

# Chapter 1

## Highway and Transportation Department

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<b>12-1-1</b>	Highway and Transportation Department
<b>12-1-2</b>	Emergency Work Outside County
<b>12-1-3</b>	Authority to Contract

### **Sec. 12-1-1 Highway and Transportation Department**

- (a) **Creation.** There is hereby created a Columbia County Highway and Transportation Department.
- (b) **Purpose.** The purpose of the Columbia County Highway and Transportation Department is to plan for, maintain, and build county roads and to fulfill the duties of a county highway department as set forth in Chapter 83, Wis. Stats.

### **Sec. 12-1-2 Emergency Work Outside County.**

- (a) The Highway Committee/Commissioner may enter into agreements with Highway Committees/Commissioners of other counties and states to do emergency work in and for such other counties and states, and for local units of government in said counties and states provided that such emergency work is officially requested by the Highway Department of a respective county or state.
- (b) Any work done for a municipality in other counties or states by the Columbia County Highway and Transportation Department shall be paid for by the county or state which requested assistance. The requesting municipality shall provide a certificate of insurance to provide liability insurance coverage during the time the Columbia County Highway and Transportation Department provides services.

### **Sec. 12-1-3 Authority to Contract.**

The Columbia County Highway Committee/Commissioner is hereby authorized to enter into contracts with cities, villages and towns within the County borders to enable the County to construct and maintain streets and highways in such municipalities.

## Chapter 2

# Highway Safety Commission

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**12-2-1** Highway Safety Commission

### **Sec. 12-2-1 Highway Safety Commission**

- (a) **Highway Safety Commission.** The Chairman of the County Board shall appoint a Commission to be titled, "Columbia County Highway Safety Commission", pursuant to Sec. 83.013, Wis. Stats. The Commission shall include the Chair of the Columbia County Highway Committee.
- (b) **Commission Officers.** The Sheriff or his designee shall serve as Chair of the Highway Safety Commission. The Commission shall elect the following officers whose terms shall be commensurate with the terms of the Commission:
  - (1) Vice Chairman
  - (2) Secretary
- (c) **Terms of Commission.** The Commission shall serve until May of even numbered years, when the Commission shall be appointed.

The County Board Chairman shall reappoint no less than six members of the Commission for the purpose of assuring continuity of programs and planning; and shall appoint one member the County Highway Safety Coordinator.

- (d) **Meetings.** The Commission shall develop a schedule of meetings that includes a minimum of four meetings per year.

The Commission Secretary shall keep a record of attendance and minutes of all proceedings, which shall be on record in the County Clerk's Office.

- (e) **Duties and Responsibilities.** The Highway Safety Commission shall have the following duties and responsibilities:
  - (1) To secure voluntary coordination and reinforcement of highway safety activities conducted by the political subdivisions of the county and the functional areas of: driver education; codes and laws; traffic courts; alcohol in relation to highway safety; identification and surveillance of accident locations; traffic records; emergency medical services; highway design; construction and maintenance; traffic control devices; pedestrian safety; police traffic services; debris hazard control and cleanup; and school bus safety.
  - (2) Review and develop a written statement of highway safety needs in the aforementioned functional areas and develop immediate priorities and long-range goals for highway safety programs.
  - (3) To advise the County Board and its various committees on highway safety matters. The Commission shall report annually in May of each year to the County Board.

- (4) The Commission shall maintain liaison with highway safety programs carried on by the cities of the county and related state functions conducted in the county.
  - (5) It shall act as an advisory body to the County Highway Safety Coordinator for the purposes of developing local actions necessary to implementing projects under the Federal Highway Safety Act.
  - (6) It shall cooperate with the nonofficial organizations and groups in developing and conducting public information programs directed toward highway safety improvements.
  - (7) Develop procedures for periodic review of local highway safety improvement programs.
- (f) **Committees and Study Groups.** The Commission may establish technical or advisory panels for the functional areas outlined above.

# Chapter 3

## Speed Limits

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### 12-3-1 Speed Limits

#### Sec. 12-3-1 Speed Limits.

- (a) **Speed Limits Established.** A traffic and engineering investigation having been made on the following described County Trunk Highways, the maximum permissible speed at which vehicles may be operated on said highways, which speed is herein established as reasonable and safe pursuant to Sec. 349.11, Wis. Stats., shall be as set forth herein upon creation of standard signs giving notice thereof:

<u>CTH</u>	<u>LOCATION</u>	<u>DISTANCE</u>	<u>SPEED</u>	<u>LAST UPDATED</u>	
A	South from Long Crossing	966 ft.	35	04/21/98	
B	South from CTH P	3,482 ft.	25	04/21/98	
C	South from STH 16	1,538 ft.	35	04/21/98	
C	South from CTH DM	1,500 ft.	45	03/29/07	
C	North from CTH DM	1,500 ft.	45	03/29/07	
CS	West of Bridge Deck Abutment over I90-94-39 for 990 ft. East of Bridge Deck Abutment over I90-94-39 for 2,355 ft. Bridge Deck Length over I90-94-39 is 233 ft.	3,578 ft.	45	04/21/98	
CS	East from CTH V	2,082 ft.	45	04/21/98	
CS	West from STH 51	7,950 ft.	30	04/21/98	
CS-Q	East from STH 51	1,365 ft.	25	04/21/98	
CS-Q	West from STH 51	7,950 ft.	25	04/21/98	
CX	North from STH 16	2,871 ft.	30	04/21/98	
CX	North from STH 16	2,871 ft.	45	04/21/98	
CX	North from STH 16	8,185 ft.	1,370 ft.	30	04/21/98
CX	North from US 51	1,584 ft.	35	12/30/08	
D	East from STH 16	300 ft.	865 ft.	35	04/21/98
D	East from STH 16	1,165 ft.	4,657 ft.	25	04/21/98
D	East from STH 16	5,822 ft. (15 when children are present)	754 ft.	25	04/21/98
D	East from STH 16	6,576 ft.	3,102 ft.	25	04/21/98
DM	East from CTH C	1,500 ft.	45	03/29/07	
DM	West from CTH C	1,500 ft.	45	03/29/07	
EF	North from Friesland Rd	2,644 ft.	25	04/21/98	
EF	South from Friesland Rd	1,614 ft.	25	04/21/98	
G	East from STH 22	2,403 ft.	25	04/21/98	
G	West from STH 22	1,600 ft.	1,336 ft.	35	04/21/98
G	East from STH 22	2,403 ft.	940 ft.	35	04/21/98
G	West from STH 22	1,600 ft.	25	04/21/98	
I	South from STH 60	1,308 ft.	25	04/21/98	

J	North from STH 113	4,082 ft.	45	04/21/98
K	East from STH 113	1,288 ft.	25	07/25/00
K	East from STH 113 1,288 ft.	4,214 ft.	45	07/25/00
K	West from STH 73	1,085 ft.	25	04/21/98
	(15 when children are present)			
K	West from STH 73 1,085 ft.	1,567 ft.	25	04/21/98
K	West from STH 73 2,652 ft.	1,794 ft.	25	04/21/98
	(15 when children are present)			
N	STH 60 North to Hall Rd		45	04/21/98
O	West from STH 16	2,283 ft.	25	04/21/98
O	West from STH 16 2,283 ft.	1,114 ft.	35	04/21/98
O	West from East bridge abutment to Boeck Road	2,545 ft.	45	09/22/98
P	East from STH 146	964 ft.	25	04/21/98
P	East from STH 146 964 ft.	1,204 ft.	25	04/21/98
	(15 when children are present)			
P	West from STH 146	3,695 ft.	25	04/21/98
P	West from STH 73	665 ft.	25	04/21/98
P	West from STH 73 665 ft.	1,745 ft.	45	04/21/98
P	West from STH 22	3,284 ft.	25	04/21/98
P	West from STH 22 3,284 ft.	720 ft.	35	04/21/98
Q	South from CTH CS	1,348 ft.	35	04/21/98
V	North from CTH CS	6,610 ft.	45	04/21/98
V	West from CTH CS	2,654 ft.	45	04/21/98
V	West from CTH CS 2,654 ft.	11,188 ft.	35	04/21/98
V	West from CTH CS 13,842 ft.	1,914 ft.	35	04/21/98
V	West of I90-94 bridge 570 ft.	3,968 ft.	35	04/21/98
V	West of I90-94 bridge 703 ft.	6,372 ft.	35	04/24/02
V	West from CTH J 2,238 ft.	4,350 ft.	35	04/21/98
V	State Highway 113 East to Rapp Road	3,055 ft.	25	01/27/99

# Chapter 4

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## Highway Access Control

<b>12-4-1</b>	Title, Purpose, and Jurisdiction
<b>12-4-2</b>	Definitions
<b>12-4-3</b>	Regulations
<b>12-4-4</b>	Administration and Enforcement

### **Sec. 12-4-1 Title, Purpose, and Jurisdiction**

- (a) **Title.**

This ordinance shall be known as, cited and referred to as: THE COLUMBIA COUNTY HIGHWAY ACCESS CONTROL ORDINANCE.
- (b) **Statutory Authorization.**

This ordinance is established by the provisions set forth in Section 86.07(2) of the State of Wisconsin Statutes, and Chapter Hy 31 of the Wisconsin Administrative Code.
- (c) **Purpose.**

The purpose of this ordinance is to restrict and regulate access onto county highways in order to promote the public safety, convenience, general welfare, economic viability and to protect the public investment of existing and proposed highways, by preventing costly road improvements, premature obsolescence, and to provide for safe and efficient ingress and egress to Columbia County Highways.

### **Sec. 12-4-2 Definitions**

For the purpose of simplicity, the following terms shall be applied as indicated throughout this ordinance.

- (a) **General.**
  - (1) The present tense includes the future tense and the singular tense includes the plural.
  - (2) The word "shall" is mandatory; the word "may/should" is permissive.
  - (3) The words "used" or "occupied" also mean intended, designed or arranged to be used or occupied.
  - (4) The word "person" includes any individual, firm, association, joint stock association, organization, partnership, limited, trust, body politic, governmental agency, company, corporation and includes any trustee, receiver, assignee, or other representative thereof.
  - (5) All distances unless otherwise stated shall be measured in the horizontal direction.

(b) **Definitions.**

ACCESS. Driveway or road access point for any motorized/non-motorized vehicles except for State of Wisconsin funded snowmobile trails.

ACCESS PERMIT. A permit from the Columbia County Highway and Transportation Department granting access onto a CTH.

ADT. Average Daily Traffic generated on a given road or highway.

COUNTY TRUNK HIGHWAY (CTH). Any segment of a Columbia County Trunk Highway.

DRIVEWAY. Any access for motorized/non-motorized vehicles to one or two parcels.

LIMITED ACCESS HIGHWAY. Highways (or segments of highways) on which access is provided with entrance and exit ramps (USH 151 and I90-94).

PARCEL. The area of land within the property lines of a given piece of property.

ROAD. Any road, street, alley, expressway, highway, avenue, parkway, lane, drive, boulevard, circle, bypass or other pathways intended for the use of motorized/non-motorized vehicles to obtain access to more than two parcels.

RURAL CTH. Any CTH with a 55 m.p.h. (88km/h) speed limit.

SEMIURBAN CTH. Any CTH outside of the municipal boundaries of a city or village with a speed limit below 55 m.p.h. (88km/h).

URBAN CTH. Any CTH within the municipal boundaries of a city, village, or township with a speed limit below 36 m.p.h. (57.6km/h).

**Sec. 12-4-3 Regulations**

(a) **Existing Access.**

Any use of access to a CTH (via driveway or road) prior to the effective date of this ordinance will be allowed provided a permit has been issued or the access is used for an agriculture related residence or agriculture field entrance.

(b) **Vacated Access.**

If the Columbia County Highway and Transportation Department considers the use of an access to have been discontinued for a period of at least two years, the Highway and Transportation Department shall notify the owner by certified mail that the access is to be considered vacated. The Highway and Transportation Department will allow the owner thirty (30) days to reply. If after this time period the Highway and Transportation Department decides that the access has been abandoned for at least one year, the access shall be considered vacated and its use will be illegal thereafter.

Any further use of this access after this period will require a permit and be subject to the regulations of this ordinance as a new access. It will no longer be considered an existing access.

(c) **Access to Highway.**

Entrance upon or departure from a CTH shall be prohibited except at locations specifically designated by this section. No road shall be opened into or connected with any CTH, under this section or converted from one use of access to another use of access without an ACCESS PERMIT.

(d) **Land Division and Zoning Approvals.**

(1) Before any parcel of land is allowed to be subdivided, pursuant to the Columbia County Land Division and Subdivision Ordinance, it must be proven that access can be provided to each proposed parcel in such a way that it will not violate any of the regulations of this ordinance.

(2) The Columbia County Planning and Zoning Committee, Zoning Board of Adjustments, and Planning and Zoning Department shall not approve or issue any applications for permits, rezoning, or conditional uses for any structure or parcel of land which does not have an existing access or a highway access permit.

(e) **Access Spacing and Frequency.**

(1) In a case where a property owner owns more than one adjacent parcel (of the same land use) with frontage, all parcels shall be treated as a single parcel for the purposes of this section.

(2) Where a property owner owns more than one adjacent parcel with frontage, all of which are zoned agricultural, no more than six accesses shall be allowed in a mile (see Sec. 12-4-3 [8]).

(3) Only one access shall be allowed per parcel zoned residential.

(4) COMMERCIAL AND INDUSTRIAL zoned parcels may be allowed two points of access provided they each separately meet the remaining criteria of this ordinance, and require more than 50 parking spaces.

(5) ACCESS TO MINOR ROAD. Whenever possible, access should be granted onto the most minor road adjacent to the property when there is a choice between roads.

(6) ACCESS PERMITS shall not be issued where the horizontal distance between access points measured at the centerline, would become less than:

300' (91.44 m) for RURAL CTH

150' (45.72 m) for SEMIURBAN CTH

100' (30.48 m) for URBAN CTH

(7) AGRICULTURALLY RELATED RESIDENCES on which at least one person earns at least 51 percent of his or her gross annual income from farm operations on the farm parcel, or a parent or child of the operator of the farm, may have a driveway at a distance not less than 300 feet (91.44 m) from the centerline of the proposed driveway to the centerline of an existing driveway.

- (8) MAXIMUM ACCESS POINTS PER SIDE PER MILE shall be no more than:
- 6 for RURAL CTH
  - 12 for SEMIURBAN CTH
  - 36 for URBAN CTH

unless there is no other way of providing access to the existing parcel. This distance is to be measured one half of a mile in each direction from the centerline of a proposed driveway and is to count all driveway centerlines within one half of a mile in each direction.

- (9) PRIVATE ENTRANCES ON CORNER LOTS. Access on a corner lot shall not be allowed at a distance of less than:

- 300' (91.44 m) for RURAL CTH
- 150' (45.72 m) for SEMIURBAN CTH
- 100' (30.48 m) for URBAN CTH

from the centerline of an intersecting road to the CTH.

- (10) ROAD ACCESS in addition to the remaining criteria in this ordinance, must be at least:

- 1000' (304.8 m) for RURAL CTH
- 500' (152.4 m) for SEMIURBAN
- 250' (76.2 m) for URBAN CTH

from the nearest road which enters onto the CTH in question. Where possible roads should NOT be staggered, creating "T" intersections, but connect with another road on the other side of the highway.

- (11) SAFETY shall not be interfered with due to access locations near hills, curves or other locations which may not be in clear and apparent view of on-coming traffic.

(f) **Paved Apron.**

Access onto a CTH may require a paved apron within the right-of-way of the CTH, at owner's expense, in instances when usage or drainage warrants.

(g) **Design Standards.**

Driveways and roads within the CTH right-of-way must comply with the following design standards:

- (1) CULVERTS, when required, must be at least 24 feet (7.315 m) long plus endwalls, placed at least 1 foot (30.48 m) under the access, be a minimum of 15 inches (38.1 cm) or equivalent in diameter or as large as needed for adequate drainage, be at least 10 feet (3.048 m) from the nearest culvert, and be constructed of corrugated metal or concrete, with endwalls. Plastic pipe and/or plastic endwalls shall not be allowed.
- (2) ACCESS HEIGHT at the point of the culvert, shall be equal to/or lower than the level of the outside edge of the road shoulder.
- (3) SLOPES to the side of the access shall not be steeper than 4 to 1 (25 percent desirable) or that of the embankment of the existing CTH whichever is less.
- (4) RETAINING WALLS, STONE WALLS, ETC. shall not be allowed on driveways or within right-of-way.
- (5) ANY PAVEMENT of access shall consist of asphalt (concrete shall not be allowed).
- (6) ANY PAVEMENT in the right-of-way, whether new, resurface, or replacement may be required to be replaced at the owner's expense when it causes a safety or drainage problem.
- (7) CROWNING of access shall be provided with a minimum pitch of 1-1/2 percent towards the side of the access.

- (8) CURB AND GUTTER shall not be allowed within the CTH right-of-way for private access.
- (9) ANGLE of a driveway shall be as close to 90 degrees with the centerline of the CTH as possible, but not less than 75 degrees.
- (10) FACING ACCESS on opposite sides of a CTH shall be located directly opposite each other whenever possible.
- (11) SHARED ACCESS is encouraged to minimize the number of access points and interruption of traffic flow.
- (12) TYPE "A" ACCESS: PRIVATE DRIVEWAYS with access to one or two agricultural or residential parcels must have a driveway width of 20 to 24 feet (6.096 to 7.315 m) and a return radius of 20 feet (6.096 m) (see drawing below).
- (13) TYPE "B" ACCESS standards (see diagram below) must be used for residential with 3-20 units, and commercial or industrial with up to 25,000 square feet (2,322.5 sq. m).
- (14) TYPE "C" ACCESS standards (see diagram below) must be used for residential with over 20 units, and commercial or industrial over 25,000 square feet (2,322.5 sq. m).
- (15) BYPASS LANE is required where the ADT of the CTH access enters onto is 2500 or more for type B access, and 1000 or more for type C access.
- (16) TURNAROUNDS should be provided so that vehicles do not need to back out onto a CTH.
- (17) EXISTING CTH PROPERTY including road surfaces, curbs, shoulders, slopes, ditches and vegetation shall be restored to its original condition.
- (18) VISION CORNERS must be free of all obstructions at each access point in accordance with the applicable VISION CORNER diagram below. Driveway Vision corners are to be measured from a point 3.5 feet (1.0668 m) above the center of the proposed access, 15 feet (4.572 m) back from the edge of pavement of the CTH, to two points 4.5 feet (1.3716 m) above the center of the nearest on-coming lane of the CTH in each direction, at a distance of "D" from the point where the CTH meets the center of the proposed access. Distance "D" shall correspond to the speed limit of the road. If the given speed limit is not listed, the next highest speed limit shall be used. Signalized intersections need only meet the standards provided for driveways, in addition to approval by the Columbia County Highway and Transportation Department.

(f) **Access Control Map.**

The location of all access points on CTHs shall be established on a map named "THE OFFICIAL HIGHWAY ACCESS CONTROL MAP OF COLUMBIA COUNTY", which will be drawn and updated by the Columbia County Highway and Transportation Department. Copies of this map shall be available to the public at both the Columbia County Highway and Planning and Zoning Departments.

## **Sec. 12-4-4 Administration and Enforcement**

(a) **Administration.**

The Columbia County Highway and Transportation Department is hereby authorized to administer this ordinance.

Applications for permits and variances shall be made to the Columbia County Highway and Transportation Department. The Highway Commissioner or his designee shall review the proposed development or construction and shall either grant or deny the proposed access based upon the provisions, standards, and requirements of this ordinance, within ten (10) working days.

(b) **Interpretation.**

All restrictions on the use of land is restricted to the objects, growth, and use of land within the right-of-way of the Columbia County Highways. Whenever it is questionable as to whether or not an object or a part of an object is within the jurisdiction of this ordinance, the entire object shall be considered to be entirely within.

(c) **Permits for Driveways and Obstructions, such as, Fences, Shrubs, Etc., on Highway Access.**

No structure, object, excavation nor growth shall be constructed, reconstructed, altered, placed, installed, or planted within the right-of-way of a CTH until an ACCESS PERMIT has been issued by the Columbia County Highway and Transportation Department.

Said permit shall be placed in clear view as near to the point of proposed construction or access as possible. An access permit shall expire one year from the date of issuance. All construction must be completed within this time. The Columbia County Highway and Transportation Department may extend approval of an access permit.

The permittee shall be liable for all materials, labor and other costs connected with the construction of the access within the highway right-of-way. The County of Columbia shall not be liable for any damage or injury which results from the construction of an access. Columbia County shall not be responsible for any maintenance of a private access/access culvert including the removal of snow, ice, or sleet from the access.

(d) **Fees.**

The applicant shall pay to the Columbia County Highway and Transportation Department a fee for each permit application as determined by the type of access:

Road or Type "C" Access	\$ 50.00
Type "B" Access	\$ 50.00
Type "A" Access	\$ 25.00
Agricultural Field Access	\$ 25.00

Refer to the Columbia County Fee Schedule for any amendments and changes to these fee charges.

(e) **Hazard Marking and Lighting.**

Any access location shall during construction within the right-of-way be provided with adequate hazard marking and lighting to prevent possible accidents. The hazard marking and lighting shall be provided by the owner of the parcel to which the access will enter.

(f) **Appeals.**

Any person aggrieved by any decision made in the administration of this ordinance may appeal to the Columbia County Highway Committee. Appeals shall be filed within thirty (30) calendar days following the administrative decision by the Columbia County Highway and Transportation Department. Appeals shall be filed in writing with the Commissioner. The appeal shall specify the legal description of the parcel and access location in question, and the reason given for the appeal.

The Highway Committee shall make a decision on the appeal within thirty (30) calendar days from the day the appeal was filed. The decision of the Highway Committee shall be made by the majority present.

(g) **Violations.**

In the case of any violation of this ordinance, the Commissioner may institute appropriate legal action. Each day in which a violation continues to exist shall constitute a separate offense.

(h) **Penalties.**

Any person, firm or corporation found guilty of violating any part(s) of this ordinance shall, upon conviction thereof, be subject to penalties as listed in the penalty section of the Code of Ordinances.

## Chapter 5

# Land Converted from Highway Purposes

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### 12-5-1 Portion of Former Highway P

#### Sec. 12-5-1 Portion of Former Highway P

The below described portion of the former Highway P in the Town of Springvale, Town of Randolph, and Town of Courtland, shall:

- (a) Be converted from highway purposes to a wetland mitigation site,
- (b) Remain in the public domain,
- (c) Continue to be under the jurisdiction of and maintained by Columbia County, and
- (d) Shall no longer be eligible for highway allotments.

The property is more particularly described as follows:

A parcel of land in Government Lot 9 and Government Lot 16 of Section 1, T12N, R11E, in the Town of Springvale, and in SW 1/4-SW 1/4 of Section 31, T13N, R12E, in the Town of Randolph, and in NW 1/4-NW 1/4 of Section 6, T12N, R12E, in the Town of Courtland, all located in Columbia County, Wisconsin, contained in the following description: Commencing at an aluminum monument at the southwest corner of Section 31, T13N, R12E; Thence N 00 degrees 38'14" E along the west section line of said Section 31, 161.23 feet to a point on the existing south right-of-way line of CTH P and the point of beginning; Thence northwesterly 72.60 feet along the existing right-of-way line also being the arc of a curve concave to the northeast having a radius of 333.63 feet (the chord of which bears N 19 degrees 49'38" W, 72.46 feet); Thence N 76 degrees 24'25" E, 66.00 feet to a point on the existing east right-of-way line of CTH P; Thence southeasterly 357.82 feet along the existing right-of-way line also being the arc of a curve concave to the northeast having a radius of 267.63 feet (the chord of which bears S 51 degrees 53'41" E, 331.76 feet); Thence N 89 degrees 48'12" E, 379.73 feet along the existing right-of-way; Thence S 00 degrees 12'02" E, 66.00 feet to a point on the existing south right-of-way line of CTH P; Thence S 89 degrees 48'12" W, 379.73 feet along the existing right-of-way; Thence northwesterly 373.46 feet along the existing right-of-way line also being the arc of a curve concave to the northeast having a radius of 333.63 feet (the chord of which bears N 58 degrees 07'44" W, 354.26 feet) to the point of beginning. Said parcel contains 1.18 acre of land (net centerline length is 782 feet).