

RESOLUTION # 13-2023

1 Resolution to apply for withdrawal from the County Forest Law Program a parcel of land
2 in the Town of Lynne to solve an encroachment.
3

4 Offered by Supervisors of the Forestry, Land, and Recreation Committee.
5

6 Resolved by the Board of Supervisors of Oneida County, Wisconsin:
7

8 WHEREAS, the Forestry Department ordered a survey of Section 8, T37N R4E, Town of Lynne
9 in 2021; and
10

11 WHEREAS, in the course of this survey, it was determined a privately owned cabin along with
12 other improvements were inadvertently built on Oneida County Forest Property; and
13

14 WHEREAS, the County Forest Law Program, under Wis. State Statue 28.11, does not allow
15 private buildings on County Forest Land; and
16

17 WHEREAS, upon conducting a thorough examination of all possible remedies to resolve the
18 above described encroachment issue, the Forestry, Land and Recreation Committee
19 recommends that an application be sent to the WDNR requesting a 0.33 acre parcel of land,
20 illustrated on the attached land survey map as Out lot 1, be withdrawn from the County Forest
21 Law program and subsequently sold to resolve the encroachment issue described herein.
22

23 NOW, THEREFORE, BE IT RESOLVED THAT: The Forestry, Land and Recreation Committee
24 recommends that the attached County Forest Law Withdrawal Application be sent to the WDNR
25 requesting the withdrawal of the 0.33 acre more or less, parcel of land, illustrated on the attached
26 land survey map number 21-38A as Parcel 'A' and described below, to be withdrawn from the
27 County Forest Law Program:
28

29 A parcel of land located in the NW ¼ of the NE ¼, Section 8, T37N R4E, Town of Lynne, Oneida
30 County, Wisconsin further described as:
31

32 Commencing at the quarter-section corner common to Sections 5 and 8, marked by an aluminum
33 monument; thence S88° 51' 42"E, 863.02 feet along the section line to the sixteenth-section
34 corner; thence S0° 10' 27"W , 1128.89 feet along the sixteenth-section line to the place of
35 beginning, marked by an iron rod. Thence continuing S0° 10' 27"W, 181.88 feet along the
36 sixteenth-section line to the sixteenth-section corner, marked by an iron rod; thence N89° 07'
37 01"W, 77.89 feet along the sixteenth-section line to an iron rod; thence N0°10'27"E, 181.88 feet
38 to an iron rod; thence S89° 07' 01"E, 77.89 feet to the place of beginning.
39

40 Described parcel contains 0.33 acres, more or less. Together with and subject to any easements,
41 restrictions and reservations of record or of use.
42

43 The parcel is to be attached to the lands described in Doc. No. 465755 and is not to be sold
44 separately without approval of the Oneida County Zoning Department.
45

46 BE IT FURTHER RESOLVED, upon the DNR approving the above described withdrawal
47 application, the county shall offer to sell the subject parcel to the adjoining owner to resolve the
48 encroachment issue. The sale price for the subject parcel shall be equal to three times the
49 parcel's fair market value, as determined by a professional land appraiser, plus the cost of the
50 land survey, appraisal, and associated land sale administrative fees; and
51

52 **BE IT FURTHER ORDAINED AND RESOLVED**, that any and all payments for the purchase of
53 land resulting from the above described land sale, shall be deposited into the County Forest Land
54 Purchase Account 51570.483110, and used to purchase replacement acreage for enrollment into
55 the County Forest Law Program should it become available.

56
57 **Vote Required:** Majority = ✓ 2/3 Majority = _____ 3/4 Majority = _____

58
59 The County Board has the legal authority to adopt: Yes ✓ No _____ as reviewed by
60 the Corporation Counsel, _____, Date: 1.5.23

61
62 Approved by the Forestry, Land & Recreation Committee this 4th day of January 2023.

63
64 Consent Agenda Item: ✓ YES ___ NO

65
66 Offered and passage moved by: [Signature]
67 Supervisor

68
69 [Signature]
70 Supervisor

71
72 [Signature]
73 Supervisor

74
75 [Signature] via zoom
76 Supervisor

77
78 [Signature] via zoom
79 Supervisor

80
81
82 Seconded by: _____

83
84
85 20 Ayes

86
87 0 Nays

88
89 1 Absent

90
91 0 Abstain

92
93
94 X Adopted

95
96 by the County Board of Supervisors this 17 day of Jan., 2023.

97
98 _____ Defeated

99
100 [Signature]
101 Tracy Hartman, County Clerk

102 [Signature]
Scott Holewinski, County Board Chair

Resolution # 13-2023

Supervisors	AYE	NAY	ABS	ABSTAIN
Condado	X			
Sorgel	X			
Roach	X			
Almekinder	X			
Newman	X			
Winkler	X			
Harris	X			
Fisher	-	-	X	
Thome	X			
Schultz	X			
Rio	X			
Fried	X			
Kelly	X			
Timmons	X			
Oettinger	X			
Briggs	X			
Ryden	X			
Showalter	X			
Schreier	X			
Cushing	X			
Holewinski	X			
TOTALS	20		1	
TAGS				

Resolution # 13 – 2023: Offered by the Supervisors of the Forestry, Land, and Recreation Committee to apply for withdrawal from the County Forest Law Program a parcel of land in the Town of Lynne to solve an encroachment.



1.0" diam. aluminum mon. found

SURVEYOR'S CERTIFICATE

I, Jeffrey W. Austin, Professional Land Surveyor No. S-1885, hereby certify that I have surveyed the property shown hereon; that this map represents an accurate survey of said property to the best of my knowledge and belief; that I have performed this survey by order of Oneida County; and that I have complied with the requirements of Wisconsin Administrative Code A-E 7.

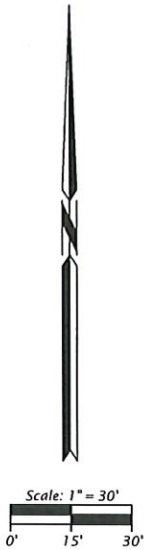
DRAFT

Professional Land Surveyor No. S-1885
Dated this 3rd day of January, 2023

Field survey completed January 3, 2023



This parcel is to be attached to the lands described in Doc. No. 465755 and not sold separately unless approved by the Oneida County Zoning Department.



wooded

NW-NE
SW-NE

LEGEND

○ = 0.8" diam., 24" long iron rod and cap set

S88°51'42"E 1631.48'

863.02'

768.46'

Sec. 5
Sec. 8

E 1/16 Cor.
computed point
(no monument)

Willow Lake
Wit. Meander Cor.
0.8" diam. iron
rod and cap found

Part of the
**NW 1/4 of the NE 1/4
SECTION 8, T37N, R4E**

Town of Lynne
Oneida County, Wisconsin

Parcel -A- of Map No. 21-38A

A parcel of land located in the NW 1/4 of the NE 1/4, Section 8, Township 37 North, Range 4 East, Town of Lynne, Oneida County, Wisconsin, being Parcel -A-, depicted on Map No. 21-38A by J.W. Austin Associates LLC, dated January 3, 2023, more particularly described as follows:

Commencing at the quarter-section corner common to Sections 5 and 8, marked by an aluminum monument; thence S88°51'42"E, 863.02 feet along the section line to the sixteenth-section corner; thence S0°10'27"W, 1128.89 feet along the sixteenth-section line to the place of beginning, marked by an iron rod.

Thence continuing S0°10'27"W, 181.88 feet along the sixteenth-section line to the sixteenth-section corner, marked by an iron rod; thence N89°07'01"W, 77.89 feet along the sixteenth-section line to an iron rod; thence N0°10'27"E, 181.88 feet to an iron rod; thence S89°07'01"E, 77.89 feet to the place of beginning.

Together with and subject to covenants, easements, and restrictions of record.

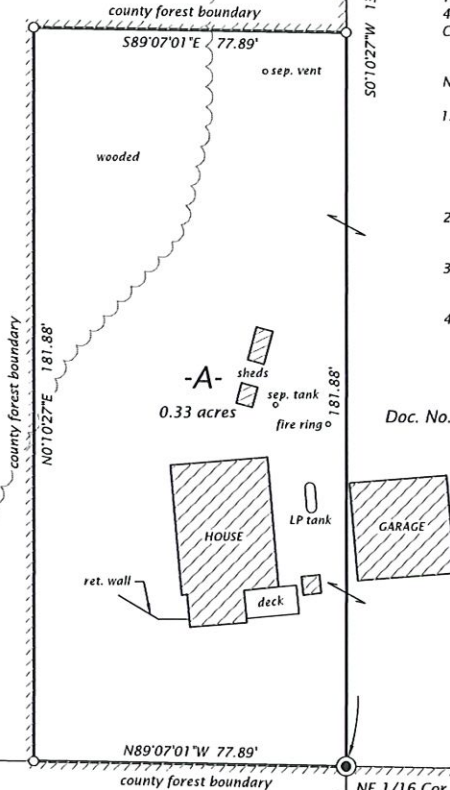
Described parcel contains 0.33 acres, more or less.

This parcel is to be attached to the lands described in Doc. No. 465755 and not sold separately unless approved by the Oneida County Zoning Department.

NOTES

1. Positions shown on this plat are Wisconsin Coordinate Reference System (WISCRS) coordinates, Oneida County, NAD 83 (2011) epoch 2010.00 in US Survey Feet. Values shown are grid coordinates, grid bearings, and grid distances. Grid distances may be used as ground distances.
2. U.S. public land survey monument records of all U.S. public land survey corners have been verified or will be prepared.
3. Survey monument sizes are outside diameter unless otherwise noted.
4. Section subdivision information is based on my survey of April 10, 2022 filed in the office of the county surveyor as Map No. C-3037.

Doc. No. 465755



county forest boundary

S89°07'01"E 77.89'

o sep. vent

wooded

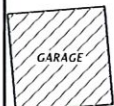
-A- sheds
0.33 acres
sep. tank
fire ring



HOUSE

LP tank

deck



GARAGE

county forest boundary

N0°10'27"E 181.88'

181.88'

N89°07'01"W 77.89'

county forest boundary

G.L. 1
SE-NE

NE 1/16 Cor.
0.8" diam. iron
rod and cap found

SW-NE
SE-NE



JW Austin Associates
Northwoods Land Surveyors

10865 River Pine Rd., P.O. Box 111, Minocqua, Wisconsin 54548
715-482-6506 - email: jeff@resurvey.org - web: www.survey.land