

Resolution to sell parcels of land located in the Town of Crescent, Oneida County, near County Highway K to Thomas V. Jordan.

Resolution offered by the Supervisors of the Public Works and Land Records Committees.

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

WHEREAS, Wis. Stat. Sec. 83.08(4) allows counties, subject to the approval of the Wisconsin Department of Transportation, to sell at private sale for fair market value to owners of adjacent property, property owned by counties in fee for highway purposes, when the boards of such counties determine that such property is no longer necessary for the counties' use for highway purposes, with the funds derived from such sales to be deposited in the county highway fund and the expenses incurred in connection with such sales to be paid from that fund; and,

WHEREAS, Chapter 18 of the Oneida County Code titled County Real Estate Transactions allows for the conveyance of other County owned lands.

WHEREAS, Thomas V. Jordan (Jordan) owns parcels of land which are located in Government Lot 2, Section 2, T36N, R8E in the Town of Crescent, Oneida County Wisconsin; and,

WHEREAS, Oneida County owns two parcels of land, in fee simple, which total approximately 11,860 square feet and are adjacent to the parcels of land owned by Jordan; and,

WHEREAS, Jordan wishes to purchase said parcels of land owned by County; and,

WHEREAS, the first County owned parcel of land is an excess parcel which was once part of Highway K as that highway was previously located, and is no longer needed by the County for highway purposes; and,

WHEREAS, the other County owned parcel is a strip of tax foreclosed lands northerly of and adjacent to a part of County K right-of-way which was retained by the County in Volume 64, page 353, recorded in the Register of Deeds Office, and Chapter 18 of the Oneida County Code titled County Real Estate Transactions allows for the conveyance of those strips of lands for \$100; and,

WHEREAS, if such parcels owned by the County is conveyed to Jordan, County will still have an adequate amount of land for highway purposes; and,

WHEREAS, an appraisal of the excess parcel that was part of Highway K has been obtained by the County at the cost of \$400, which appraisal shows a fair market value of such property as being \$3,450; and,

WHEREAS, there exists a current legal description of the entire parcel, which includes both the parcels owned by Jordan, and the parcel to be conveyed to Jordan, which description may be flawed, and which description is attached hereto as Exhibit B; and,

51
52 **WHEREAS**, Jordan has obtained a preliminary certified survey map of the entire parcels
53 of land which includes the parcels owned by Jordan, and the parcels to be conveyed to
54 Jordan, which survey will describe the entire parcel; and,
55

56 **WHEREAS**, the preliminary certified survey map is attached hereto as Exhibit A; and,
57

58 **WHEREAS**, it is beneficial for the County to convey the parcel it owns to Jordan by
59 executing and delivering to Jordan a quit claim deed, conveying, without warrantee of
60 title, all interest of Oneida County in the entire parcels of land shown in Exhibit A, to limit
61 the potential for a gap to be created between the land currently owned by Jordan and
62 the land currently owned by County; and,
63

64 **WHEREAS**, the Wisconsin Department of Transportation has approved the transfer of
65 lands by the County which is recorded as Document # 787520 in the Register of Deeds;
66 and,
67

68 **WHEREAS**, Jordan will obtain a commitment from a title company indicating that the
69 company would insure a future sale by Jordan to a third party of the parcel of land
70 described above upon certain conditions, including the conditions that the County pass a
71 resolution "to abandon the 33 foot wide strip of land which was previously used for
72 highway right of way purposes" and convey such strip to Jordan.
73

74 **NOW, THEREFORE, BE IT RESOLVED**, that the Oneida County Board of Supervisors
75 hereby approves abandoning any right of way which may exist on the property described
76 above and shown on Exhibit A, and conveying the parcel to Jordan, and authorizes the
77 County Clerk to issue a quit claim deed conveying any interest the County has in such
78 parcels on the following conditions:
79

- 80 1. That Jordan pay to County the amount of \$3,550 for the parcels in advance of
81 transfer of the parcels; and,
82 2. That Jordan pay to County \$400.00 as reimbursement for the cost of the
83 appraisal in advance of the transfer of the parcels.
84 3. That Jordan obtain, at its sole cost and expense, in advance of the transfer of the
85 parcels, a recorded certified survey, done by a licensed surveyor and provide to
86 County a map and new legal description of the parcels to be conveyed, prepared by
87 the surveyor.
88 4. That the deed provided by County shall be a quit claim deed, with no warrantee of
89 title, with said deed to use the description provided by the surveyor.
90 5. That, if Jordan wishes to obtain title insurance on the parcels being conveyed,
91 It shall do so at its own cost and expense.
92 6. That Jordan shall be responsible for the Register of Deeds recording fees and
93 transfer tax related to the recording of the quit claim deed, and any other documents
94 that need to be recorded.
95

96 **BE IT FURTHER RESOLVED**, that with the funds derived from this sale are to be
97 deposited in the county highway fund and the expenses incurred in connection with this
98 sale to be paid from that fund.
99

100 Vote Required: Majority = ✓ 2/3 Majority = _____ 3/4 Majority = _____
101

The County Board has the legal authority to adopt: Yes ☒ No ☐ as reviewed
by the Corporation Counsel, [Signature], Date: 11.8.18

Approved by the Land Records Committee this 6th day of November, 2018.

Offered and passage moved by:

[Signature]
Supervisor
[Signature]
Supervisor
[Signature]
Supervisor
[Signature]
Supervisor
[Signature]
Supervisor

Approved by the Public Works Committee this 8th day of November, 2018.

Offered and passage moved by:

[Signature]
Supervisor
[Signature]
Supervisor
[Signature]
Supervisor
[Signature]
Supervisor
[Signature]
Supervisor

Consent Agenda Item: ☐ YES ☒ NO

21 Ayes

0 Nays

0 Absent

0 Abstain

X Adopted

by the County Board of Supervisors this 13 day November, 2018.

[Signature] Defeated

Tracy Hartman, County Clerk

[Signature]
David Hintz, County Board Chair

See next pages for Exhibit A, Map and Exhibit B, Description.

Resolution # 78-2018

Supervisors	AYE	NAY	ABS	ABSTAIN
Timmons	X			
Cushing	X			
Fried	X			
Sorensen	X			
Liebert	X			
Pence	X			
Mott	X			
Paszak	X			
Jensen	X			
Winkler	X			
Krolczyk	X			
Fisher	X			
Metropulos	X			
Holewinski	X			
Ives	X			
Alemekinder	X			
Schreier	X			
VanRaalte	X			
Oettinger	X			
Kelly	X			
Hintz	X			
TOTALS	20			
TAGS				
Meredith Weitz				
Ben Kebusiak	X			

1

Resolution # 78 - 2018: Offered by the Supervisors of the Public Works and Land Records Committees to sell parcels of land located in the Town of Crescent, Oneida County, near County Highway K to Thomas V. Jordan.

ONEIDA COUNTY CERTIFIED SURVEY MAP NO.

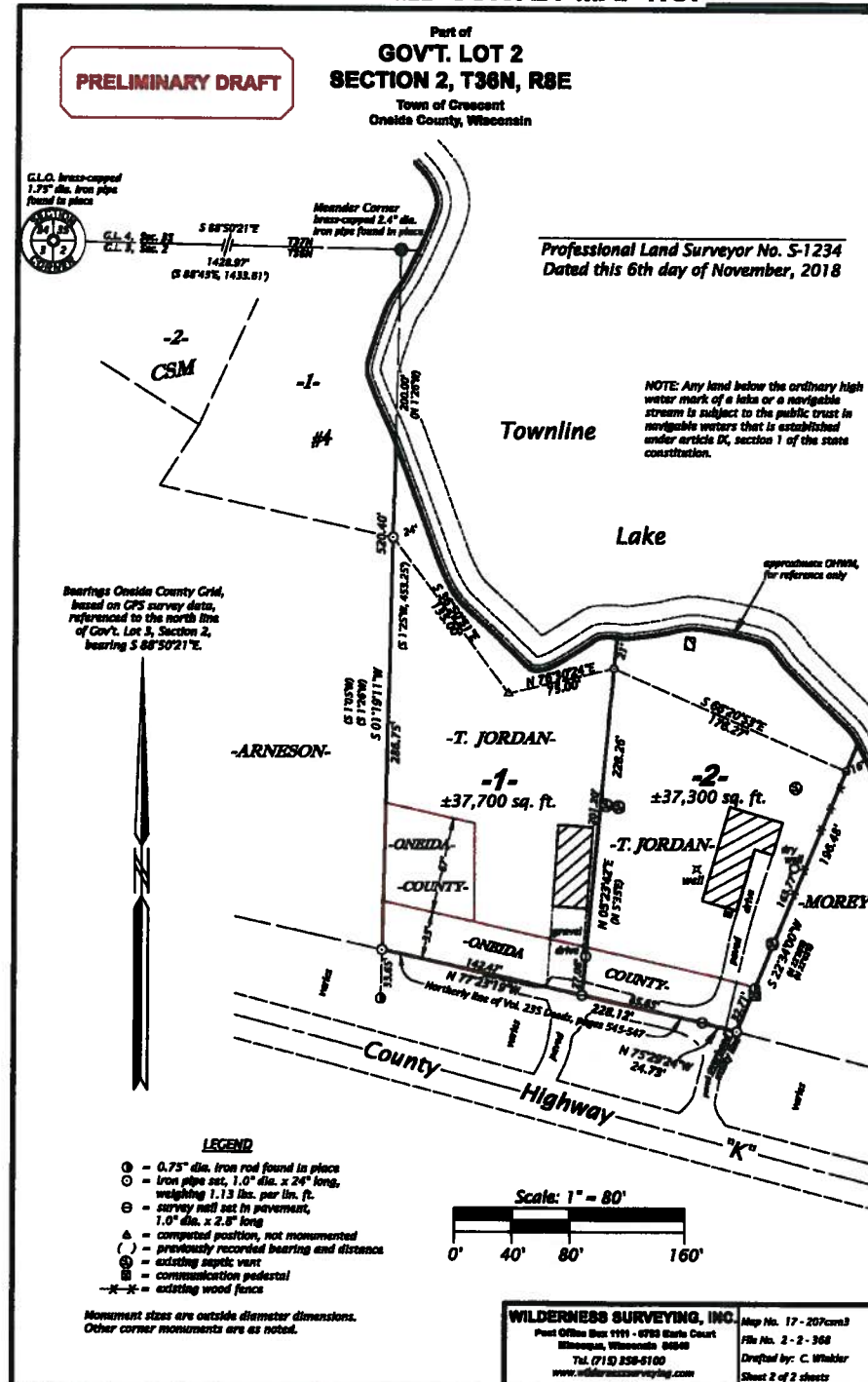


Exhibit B

Parcels of land located in Government Lot 2, Section 2, Township 36 North, Range 8 east described as follows: An approximately 33' wide strip of land lying immediately south of and adjoining the parcels described below which lies between the easterly and westerly line of said parcels extended southerly approximately 33' to a point on the centerline of Old Highway K and an approximately 67'x67' parcels that lies west of the parcel described below.

That part of Government Lot 2, Section 2, Township 36 North, Range 8 East, described as follows: Commencing at the Northwest corner of Section 2, Township 36 North, Range 8 East, thence South 69 feet to a point where the Section line between Sections 2 and 3 intersect the North boundary line of County Trunk Highway "K" (formerly U.S.H. 8) thence Easterly along the north boundary line of said Highway, 1826 feet to the place of beginning of the parcel herein conveyed; thence Westerly at an angle of North 83° West along the North boundary line of County Trunk Highway "K" (formerly U.S.H. 8) 200 feet; thence North parallel with the West line of Government Lot 2, 222 feet to the shore line of Town Line Lake; thence Southeasterly along the shoreline of said lake to a point directly North of the Place of Beginning; thence South 134 feet to the place of beginning. EXCEPTING THEREFROM that part conveyed to Elting E. Brown as described in Vol. 236 Deeds, page 77. Subject to easements, restrictions, reservations and public road rights of way of record.

AND

Beginning at the west line of the Louis Jarvis property on the North side of Highway #8 in Lot 2, Section 2, Township 36 North, Range 8 East; thence westerly along north side of said Highway 200 feet; thence North to shore line of Town Line Lake; thence easterly along shore line of Town Line Lake to a point directly north of the place of beginning; thence south to place of beginning. (Subject however, to the exception and restriction in that certain deed from Oneida County, Wisconsin, to the grantor herein recorded in Vol. 64 Deeds, page 353.)

The above legal descriptions make up a portion of the Lots of a Certified Survey Map that is being prepared to provide a more accurate description. Upon recording of said Certified Survey Map, Oneida County will convey to Thomas V. Jordan its interest in said Lots of the Certified Survey Map subject to all conditions of the resolution being met.