

Chapter 18 COUNTY REAL ESTATE TRANSACTIONS ¹¹
(Rep. & recr. #35-2007; Am. Res. #66-2009)

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18.01 COUNTY REAL ESTATE SUBJECT TO THIS CHAPTER.

- (1) For purposes of administration, development, disposition, use and sale, all real estate owned by the County acquired through tax deed, in rem tax foreclosure judgment, quit claim, purchase, bequest, exchange or other means shall be subject to the administrative procedures established in this chapter, except:
 - (a) Real Estate described as County Forest or Outdoor Recreation areas in Chapter 14 of the General Code of Oneida County shall be administered, acquired, developed and sold or conveyed under the provisions of that chapter, including, but not limited to, county wide snowmobile and ATV easements, recreational areas, access permits across County forest lands pursuant to the execution of logging contracts or to private properties and acquisitions for County forest purposes where such acquisitions are pursuant to the Forestry Department's fifteen-year plan and/or when such acquisition would further the "blocking in" of County forest lands.
 - (b) Those lands determined to be County Highway lands shall be administered, acquired, developed and sold or conveyed, under the provisions of sec. 83 & 84 Wis. Stats.
 - (c) However, such Forestry and Highway lands shall be subject to the provisions of Section 18.05 & 18.06 of the Chapter relating to the value of the property.
- (2) The County Board must approve all real estate transactions under this Chapter unless specifically stated otherwise.

18.02 DELEGATION OF COUNTY REAL ESTATE TRANSACTIONS.

- (1) ADMINISTRATION. (Am. #113-2007) The LAND RECORDS COMMITTEE shall administer this Chapter and shall be referred to in this Chapter as the "Committee."
- (2) POWERS AND DUTIES. Such Committee shall:
 - (a) Administer the County real estate as described in §18.01 of this Chapter and in accordance with Ch. 75, Wis. Stats including, but not necessarily limited to, secs. 75.35, 75.36, and 75.69. and 59.52.
 - (b) Determine the value of any real estate before the County sells it in the following manner:
 - (1) For real estate acquired through tax deed or in rem tax foreclosure judgment, the values to be used for minimum bid amounts at the first advertised sale of those properties with a last known estimated fair market value of \$25,000 or greater as listed in the tax roll, shall be offered for no less than the value as determined by the Committee or at the discretion of the Committee, for the value determined by an appraisal conducted by a certified appraiser. If the value set by the Committee is less than the fair market value, it shall prepare a written statement, available for public inspection that explains the reasons for setting the value lower. (Am. Res. #29-2009; Res. #77-2012)
 - (2) For real estate acquired through tax deed or in rem tax foreclosure judgment with a last known estimated fair market value of less than \$25,000 as listed in the tax roll, the value shall be determined by the Committee in the manner that it so designates.
 - (3) For real estate acquired 15 years ago or later, through tax deed or in rem tax foreclosure judgment the value shall be determined by the Committee in the manner that it so designates.
 - (4) For all other real estate acquired or owned by the County that is to be sold, conveyed or exchanged having an estimated value greater than \$25,000, there shall be an appraisal performed by a certified appraiser which shall determine the value. For real estate with an estimated fair market value of less than \$25,000, the value shall be determined by the Committee in the manner that it so designates. The value established shall be the

minimum price to be used in the sale, conveyance or exchange by advertisement or direct sale unless waived by the County Board or other provision of this chapter applies.

- (5) If real estate does not sell at an advertised sale, the value used for minimum bid purposes may be increased or reduced at the discretion of the Committee for advertising at a subsequent sale.
- (6) Real Estate shall not be advertised for sale if the Committee determines the interests of the County can best be served by maintaining the real estate in public ownership, subject to County Board approval.
- (c) Consult with the Forestry & Outdoor Recreation Department to determine if a timber sale would be in the best interest of the County prior to offering real estate for sale. The Forestry & Outdoor Recreation Department shall assist with the timber sale and to be done in accordance with acceptable timber harvesting practices.
- (d) If needed, consult with the Building & Grounds Department, other appropriate Departments, Committees and other governmental agencies to identify potential real estate for public development or ownership or for special uses including, but not limited to: future County owned building sites, game and forest improvement areas, conservancy areas, flowage areas, gravel pits, public right-of-way, trails and recreational areas on such lands as appear more suited for such public development than for sale.
- (e) Recommend and submit to the County Board for consideration real estate acquisitions, sales, conveyances, exchanges or disposition of real estate with public agencies or private entities when such will promote the usefulness or salability of real estate owned by the County, contribute to the "blocking in" of the County forest units, be more beneficial to the County for any purpose or will benefit the County in general. Such benefit(s) shall be outlined and presented to the County Board for their consideration and approval.
- (f) Assign, coordinate, develop or execute plans for the use or development of real estate retained by the County.
- (g) Budget real estate activity costs by annual appropriation request to the County Board.
- (h) Prepare an annual report of real estate transactions relating to this chapter.
- (i) Direct the Corporation Counsel to commence eviction/ejection proceedings on unauthorized persons occupying County owned real estate as soon as it is determined occupancy is occurring.
- (j) Receive and review any miscellaneous requests pertaining to real estate matters or use of County owned real estate. The Committee will make a determination as to the request and if deemed necessary consult with other departments, committees or other entities to appropriately respond to the request.
- (k) Develop policies as the Committee deems necessary for use of or on County owned real estate.
- (l) After the time has expired as indicated in the County Treasurers letter to the landowner to vacate premise or remove personal property, dispose of any personal property left on property consistent with the Committees policy. (Am. Res. #66-2009)

18.03 ADMINISTRATION ASSISTANCE. (Am. #113-2007)

- (1) The Land Information Office under the direction of the Land Information Director shall assist the Committee with the administration of this ordinance. The Forestry, Land and

Outdoor Recreation Department shall assist the Committee as requested to help with the physical needs of properties such as signage, snow removal, cleanup, providing equipment and other related tasks. Other County Departments will be asked for assistance as their expertise and assistance is needed.

- (2) When the County comes into possession of any real estate through the tax deed or in rem tax foreclosure judgment, the County Treasurer shall furnish the Committee or its representative a list of the descriptions and how and when acquired.
- (3) The Land Information Office assistance shall include, but not be limited to the following:
 - (a) Maintain an up-to-date register of all real estate owned by the County, maintain files on County owned real estate including maps, appraisals, title searches if available and other pertinent information on each individual description.
 - (b) Receive in the name of the Committee records and reports from the County Clerk, County Treasurer, Register of Deeds, Real Property Lister and other County departments or officials on descriptions of real estate to which the County has title.
 - (c) Maintain a contact list of all persons who have shown and continue to show an interest in purchasing real estate from the County and shall send each sale advertisement to those on the contact list.
 - (d) Maintain a complete financial record, including expenditures, receipts of real estate sales, stumpage sales, leases, easements and other development or work carried on by the Committee.
 - (e) Make or have made appraisals, market analysis, title searches, contacts, land surveys and investigations to assist in the identification of potential real estate for public development or develop plans for their sale, lease, retention, exchange, demolition or disposal in a manner most advantageous to the County, and report findings to the Committee for their consideration.
 - (f) Obtain title searches, to include easements of record, deed restrictions, covenants, Internal Revenue Service liens, access and other encumbrances.
 - (g) Locate lands in question, as best can be determined, recommend land surveys, gather other pertinent information and report to the Committee.
 - (h) Determine accessibility to public utilities, the zoning of the property and the potential for division.
 - (i) Coordinate the determination of values based on current markets, timber value, buildings, structures and other improvement values.
 - (j) Prepare a list and/or report of properties to be advertised for sale, conveyed, acquired, exchanged or retained.
 - (k) Assist with the development plans as determined by the Committee.
 - (l) Handle correspondence necessary for administration of this ordinance.

18.04 REAL ESTATE SALES OF TAX DEED OR IN REM TAX FORECLOSURE PROPERTIES. (Am. #113-2007; Am. #32-2011)

- (1) Real estate for sale will be advertised in accordance with §75.69(1), Wis. Stats., by publication of a class 3 notice, under Ch. 985, Wis. Stats. The first publication of the class 3 notice will list the specific parcels with appraised values as minimum bids. The subsequent 2 publications may or may not list specific parcels or appraised values as minimum bids but will make known that this information is readily available in the Land Information Office, as allowed in §75.69(1m)(b), Wis. Stats. The re-advertising of previously advertised lands will be by class one notice, although not required by §75.69(1), Wis. Stats.
- (2) Bids for the purchase of County owned real estate acquired by tax deed or in rem tax foreclosure judgment shall be made in the form of sealed bids, except as noted 18.04(14), and shall be on the official bid application form furnished by the County. All bidders shall be bound by the terms and conditions of sale as determined by this chapter. All bids will remain sealed and delivered to the Committee for opening in accordance with the County Code in an open meeting.

- (3) A bid guarantee of \$500 shall accompany each real estate parcel bid. If the minimum bid amount established by the County and the amount bid are each less than \$500, the bid guarantee shall equal the amount bid. The bid guarantee for the highest two bids shall be deposited by the County Treasurer in the County's General Checking Account. The other bid guarantee(s) will be returned to the unsuccessful bidder(s).

The bid guarantee of the highest bidder shall be applied to the purchase price if the sale is approved and completed, and the bid guarantee of the second highest bidder shall then be refunded. If the highest bidder fails to complete an approved sale, the bid guarantee shall be forfeited and the second highest bidder shall be offered the real estate with their bid guarantee applied to the purchase price. If the second highest bidder fails to complete an approved sale, the bid guarantee shall be forfeited and the Committee shall take further action under Section 12 (a) (1) & (2).

The Committee will be the sole and final authority as to what constitutes just cause for not completing a sale.

- (4) Only one bid, per bidder, per parcel will be accepted. The bid must be a specific value and cannot be an "open ended bid" (i.e., percent or dollar amount more than the highest bid received). If a bidder submits multiple bids, only the highest will be considered and all others will be automatically rejected. The number of bids received prior to bid opening will not be revealed.
- (5) No bid will be accepted that is less than the most recent advertised minimum bid or value set by the Committee.
- (6) If two or more bids are submitted for the same real estate and the bidder's price is the same, the tied bids will be determined by a flip of a coin.
- (7) At least 3 weeks prior to the sale date the clerk of the municipality in which the real estate being offered for sale is located shall be notified per §75.69(4), Wis. Stats. With this notification the County will request the municipality inform the County of any concerns the municipality may have regarding the sale. The municipality may consider such items as:
 - (a) Unwarranted increases in governmental expenses.
 - (b) Type of highway and other reservations desirable.
 - (c) Other factors which should be considered in the decision of the County.
 - (d) Interest in acquiring the real estate for the municipalities use, however the County reserves the right to include a reversionary clause if the property is no longer needed for their use.
 - (e) If the municipality expresses interest in the property, the Committee may negotiate the price that it may charge the municipality for the property to recover costs associated with the property incurred by the County or recommend to the County Board that it be deeded at no charge. (Cr. Res. #77-2012)
- (8) The clerk of the municipality shall notify the Committee of the municipality's recommendations, if any, prior to the time of the real estate sale. Any recommendation the municipality may have to the Committee will only be considered if they are set forth in writing and received prior to the date of the land sale.
- (9) The Committee shall then review each bid and any concerns the municipality may have regarding the sale of the County owned real estate. The Committee shall recommend by resolution to the County Board those bids, which conform to the intent of this chapter.
- (10) The Committee shall accept the bid most advantageous to the County and may accept or reject any or all bids or accept a bid lower than the highest bid submitted based on, but not limited to, any of the reasons listed below. The Committee shall provide a written statement explaining why the bid was accepted or rejected. If the highest bid is not accepted, the Committee shall prepare written findings detailing why a lower bid was accepted pursuant to §75.69(1), Wis. Stats.
 - (a) The bid was less than the advertised minimum bid.

- (b) A higher bid was accepted.
 - (c) A bid more advantageous to the County was accepted.
 - (d) The sale would involve additional and unwarranted governmental expense and services.
 - (e) The apparent future use conflicts with the objectives of the Oneida County Planning & Zoning Ordinances.
 - (f) The sale would be contrary to either the long-term planned development of the county forest or other land uses.
 - (g) A public or governmental agency expressed interest in acquiring the property.
 - (h) The sale would land lock other properties.
 - (i) The Committee discovers there were irregularities in the bid process.
 - (j) The Committee was provided with new information during the bid process about the real estate and determines that it would not be in the best interest of the County for the property to be sold at this time.
 - (k) The Committee determines that it would be most advantageous to sell the property to an adjoining landowner, that may have submitted a bid, to minimize land use or regulation conflicts or disputes.
- (11) The Committee may recommend one or more of the following restrictions in the quit claim deed or as a condition of granting title:
- (a) Reservation of title for public road purposes.
 - (b) Payment of all special assessments and/or special charges now in the process of collection.
 - (c) Residency or building restriction or other land use restrictions after conferring with the Planning and Zoning Department.
 - (d) Reversionary rights if the real estate is transferred to a governmental agency and the agency no longer uses the real estate or the intended public purpose.
 - (e) Easements. (Am. #23-2014)
- (12) CONDITIONS OF SALE.
- (a) The bidder or purchaser shall have 60 calendar days from date of County Board approval to complete payment. Thereafter, the Board's authorization shall become void. In this event, a second bidder or purchaser may be named at the next regular Board meeting and shall receive the same consideration as the first purchaser. If the second purchaser fails to complete the purchase or otherwise declines the Committee shall do one of the following:
 - (1) Award the property to the next highest bidder and that bidder shall be given the same consideration as the first and second purchaser's.
 - (2) Re-advertise the property and solicit new bids if the Committee deems it to be in the best interest of the County.
 - (b) The Treasurer shall assign to the purchaser at the time of issuing a quit claim deed all County owned certificates on the real estate sold, subject to any restrictions or reservations contained in the quit claim deed. Only quit claim deeds will be issued. Neither boundaries nor title will be warranted and land and improvements will be sold in an "as is" condition. The deed will be issued to the name of the successful bidder as it appears on the bid form or if the property is to be attached to an existing parcel then in the name(s) in which the existing parcel is titled.
- (13) PREFERENCE TO FORMER OWNER.
- (a) The Committee, upon its review of the individual circumstance, may recommend to the County Board that in the sale of tax foreclosure real estate the former owner who lost title through

delinquent tax collection enforcement procedure or their heirs may be given such preference in the right to purchase such real estate as this subsection shall provide. It is the sole responsibility of the former owner to notify the County of their desire to claim former owner preference and that notification shall be made prior to the first advertisement for public sale of the property. Preference to the former owner shall cease after the first advertisement for sale of the property. Such sales shall be exempt from any or all provisions of §75.69, Wis. Stats., and consistent with §75.35, Wis. Stats. This subsection shall not apply to tax deeded lands which have been improved or dedicated to a public use by the County subsequent to its acquisition thereof.

- (b) In all instances in which the former owner is given preference to repurchase lands to which title was lost through the delinquent tax collection enforcement procedure, a bid which shall be equal to or greater than the minimum value as established by appraisal provisions set forth in §18.02(2)(b)1. of this chapter shall be submitted by the former owner at the first advertised sale of the property. If these conditions are met, the Committee can recommend the former owner as the successful bidder to the Board even if higher bid amounts were received from other bidders.
 - (c) On a parcel on which a former owner claims preference, the deed will be issued to the former owner(s) of record as listed when the County acquired title.
 - (d) If the Committee determines that the former owner failed as a result of mistake, inadvertence, surprise or excusable neglect to pay the back taxes, interest and penalty due on tax delinquent real estate for not more than one year and all subsequent taxes on the real estate were fully paid when due, the former owner shall have the opportunity to repurchase the real estate from the County prior to the first advertisement of the real estate for public sale by paying the full amount of the back taxes, interest, penalty, costs incurred by the County and a \$500 administrative fee.
- (14) When the Committee determines that it would be more advantageous to the County to offer real estate for sale at a public auction, it shall be noticed in the same manner as 18.04(1) with the appraised value to be the minimum opening bid. The date, time and location of such sale will be included with the notice. The successful bidder must submit to the County a bid guarantee, consistent with section 18.04(3) or 10% of the bid, whichever is greater, at the end of the auction.
- (15) If the property has not sold after the first two advertised bid deadlines, the Committee may list unsold properties on the County's web site and accept and open bids at each subsequent Land Records Committee meeting and make [a] recommendation to sell the property. (Cr. #23-2014)
- (16) The final authority for the sale of real estate rests with the County Board at its sole discretion. The purchaser shall be subject to all terms and conditions of this chapter and subject to any conditions set by the committee or County Board. (Am. #23-2014)
- (17) The committee will attempt to hold an annual sale of real estate. The sale will be conducted in accordance with provisions laid out in Ch. 75, Wis. Stats. No parcels, whether previously advertised or not, will be sold other than at a publicly advertised sale. Real estate left over from the previous sale may be offered at the next annual sale or re-advertised during the year as determined by the Committee. (Am. #23-2014)

18.05 ACQUISITION OR CONVEYANCE OF OTHER COUNTY OWNED REAL ESTATE. (Am. #113-2007; Am. #32-2011)

- (1) Acquisition of real estate by the County, other than by tax deed or in-rem tax foreclosure, except as noted in 18.01 (a) & (b), shall be accomplished pursuant to the following:
 - (a) The Committee will review requests to purchase real estate on a case by case basis and will gather all information necessary to present a report to the County Board for its consideration.
 - (b) The Committee will act as the County Board's agent for all real estate acquisitions and shall act at the direction of the County Board.

- (c) The Committee will contract for an appraisal for all real estate that the County Board seeks to acquire and will seek assistance of the Land Information Office, as set out in 18.03(3), as necessary to carry out the County Board's directives.
 - (d) The County Board will be the final authority on any decision involving the acquisition of real estate for the County.
- (2) Conveyance or sale of County owned real estate, other than tax deed or in-rem tax foreclosure parcels, except as noted in 18.01 (a) & (b), shall be accomplished pursuant to the following:
- (a) Requests for strips of lands that have been retained by the County commonly referred to as 'excess road right-of-way' shall be processed as noted in 18.05 (3) below.
 - (b) Any other unsolicited offers to purchase County owned real estate shall be forwarded to the County Board for their review and further direction.
 - (c) The Committee shall determine the value of the County owned real estate that may be subject to conveyance or sale using the procedures set forth in 18.02 above.
 - (d) The Committee may elect to advertise any County owned real estate that is for sale with the in-rem tax foreclosure properties.
 - (e) All sales of County owned real estate shall be overseen by the Committee, who will determine which of the following processes should be used for the sale:
 - (1) Sealed bid procedure.
 - (2) Public auction, if deemed most advantageous for the County.
 - (3) Private sale, only upon written recommendation from the Committee to the County Board setting out specific reasons to forego a public sale and with the County Board's express consent.
 - (f) The County Board shall have the final authority with regard to the sale price of any County owned real estate and sales of County owned real estate.
- (3) Requests for conveyance of lands commonly referred to as "excess road right-of-way" which are strips of lands lying on each side of existing public roads (usually 100' on each side of centerline) that the County retained upon sale of properties shall be submitted to the Committee for processing on a case by case basis.
- (a) The requestor must submit in writing their interest in obtaining the strips along with title evidence, a general description, and if deemed necessary by the Committee, a survey or more detailed description of the land to be conveyed. An administrative fee of \$100 shall be charged to review a request but shall be returned if the request is denied by the Committee or County Board and shall be forfeited if the request is withdrawn. (Am. #23-2014)
 - (b) If the Committee determines these strips of lands that are in excess of the typical road right-of-way, usually 66', are no longer needed, they shall first be offered at no cost to the municipality or governmental agency responsible for the maintenance of the road and shall be attached to the existing right-of-way if accepted.
 - (c) If the strip is not needed by the municipality or governmental agency, the strips or portions thereof may be conveyed. The Committee will first consider attaching to the adjoining landowners land description from which the strip was retained and then to other adjoining. These strips may be conveyed subject to easements for other landowners and/or utilities crossing the property and to reservations, restrictions or other conditions the Committee deems necessary.
 - (d) Upon final approval from the County Board the requestor has 60 days to complete the transaction. Upon receipt of payment from the requestor for the recording fees and as directed by County Board action, the County Clerk shall issue and record a quit claim deed to the landowner titled in the same manner to which the land is to be attached. (Am. Res. #29-2009; #23-2014)

- (e) Access permits or easements for utilities, driveways or private roads to serve an adjoining property in the shortest route practical across these strips are not required if the width is 66' or less. This does not prevent any governmental agency from requiring a driveway permit to access a public road.
- (f) If these strips are discovered to be included on a recorded certified survey map or recorded subdivision of record prior to March 30th, 2014 in the Register of Deeds, the County will not make any claim of ownership to the area within the certified survey map or subdivision. If the landowner or its title agent requires a recorded quit claim deed, they may request one as outlined above. (Cr. #23-2014)

18.06 EASEMENTS AND LEASES OF COUNTY OWNED REAL ESTATE. (Am. #32-2011)

- (1) Leases or easements, over County owned real estate, may be granted to individuals, private or public corporations or public entities for land uses provided for in the chapter as follows:
 - (a) Leases or easements for 1 (one) year or less may be entered into by the Committee without further Board authorization. The Committee may revoke any lease or easement when in its judgment conditions set forth in such lease or easements were not adhered to by the individuals or corporation.
 - (b) Long-term leases or easements of more than 1 (one) year shall require approval by resolution of the County Board.
 - (c) All leases/easements shall be non-transferable. At the time of transfer of property, the prospective new owners shall apply for a new lease/easement in their individual names, private or public corporate name or if applicable the name of a public entity. If no changes are made to the lease/easement the cost of issuing the new lease/easement shall be \$100 plus recording.
 - (d) The Committee shall not enter into any lease of improved parcels of land taken by tax foreclosure unless approved by the County Board.
 - (e) Any lease or easement must be reviewed by the Corporation Counsel prior to being granted.
- (2) The requestor must submit in writing their interest in obtaining an easement or lease along with title evidence, a general description and if deemed necessary by the Committee a survey or more detailed description of the real estate. An administrative fee of \$500 shall be charged to review a request but shall be returned if the request is denied by the Committee or County Board and shall be forfeited if the request is withdrawn.
- (3) The requestor must pay all costs associated with securing the easement or lease including but not limited to administrative fee(s), title searches, surveys, document preparation and recordings.
- (4) The easement shall be conveyed at a minimum value of \$3000 per acre. Upon final approval from the County Board the requestor has 60 days to make payment. Upon receipt of payment for the easement and recording fees, and as directed by County Board action the County Clerk shall issue and record a quit claim deed for the easement on behalf of the County.
- (5) The value of a lease shall be determined by the Committee depending on the nature of the lease, with a minimum charge being \$500. Upon final approval from the County Board, the requestor has 60 days to make payment. Upon receipt of payment, the County Clerk shall execute the lease agreement on behalf of the County and as directed by the County Board action.
- (6) The Committee shall recommend acquisition of easements or leases to benefit County owned real estate subject to approval of the County Board.

18.07 RELEASES. (Am. #32-2011)

- (1) The Committee shall review requests for releases of deed restrictions, reservations, covenants and related encumbrances that were placed on record by the County in conveyances of County owned property as follows:
 - (a) The requestor must submit in writing their interest in obtaining a release of restrictions, reservations, covenants or related encumbrances with title evidence, a general description detailing the release sought and other information as may be determined by the Committee to make a decision with regard to granting or denying the release. An administrative fee of \$500 shall be charged to review a request but shall be returned if the request is denied by the Committee or County Board and shall be forfeited if the request is withdrawn.
 - (b) The requestor must pay all costs associated with securing the release including but not limited to administrative fee(s) title searches, surveys, document preparation and recordings.
 - (c) Any release must be reviewed by the Corporation Counsel prior to being granted.
 - (d) The County Clerk shall issue and record a quit claim deed for the release or execute an appropriate document on behalf of the County for such release and as directed by County Board action.

18.08 RESIDENTIAL RELEASE. (Cr. Res. #66-2009)

- (1) The Committee shall review requests for releases of deed restrictions relating to residential use, that were placed on record by the County in conveyances of County owned property as follows:
 - (a) The requestor must submit in writing their interest in obtaining a release of restrictions, reservations or covenants along with title evidence, the description detailing the release sought and other information as may be determined by the Committee to make a decision with regard to granting or denying the release.
 - (b) The requestor must pay for a title search and survey associated with securing the release if it is determined by the Committee they are needed to make a decision, and to pay the recording fee if the release is granted.
 - (c) Any release must be reviewed by the Corporation Counsel prior to being granted.
 - (d) The County Clerk shall issue and record a quit claim deed for the release or execute an appropriate document on behalf of the County for such release and as directed by County Board action.

18.09 USE OF PROPERTY. (Cr. Res. #29-2009; Am. Res. #66-2009)

Oneida County property that is under the jurisdiction of this Chapter shall be open for public use unless the County provides public notice that the property is closed or restricted against certain uses. No overnight camping including tents, trailers, cars, trucks, hunting or fishing structures is permitted on these properties. All motorized vehicles, except those which are authorized by the Committee, are prohibited from traveling off-road, off-trail, or cross-country and must remain on roads or trails open to them. Any damage to, manipulation of, or attempt to circumvent, a gate, sign, rocks, or earthen berm is prohibited. The dumping of litter, rubbish, debris, dirt, stone, lawn clippings, or brush any other materials shall be prohibited on all these properties. No posting of unauthorized signs, handbills, markers, marking material or advertising matter will be permitted. Disturbing, defacing, removing or destroying any trees, shrubs, plants or other natural growth is prohibited. Driving nails, placing screws, or other metal in trees is prohibited. Removing, injuring or defacing in any manner any structures including buildings, signs, fences, tables or other County property is prohibited. The cutting and/or removal of trees or wood products including, but not limited to, branches, tree tops, logging residue, firewood, pulpwood, boltwood or

sawlogs from these properties is prohibited unless the person doing the cutting or removal is the holder of a valid written permit that has been issued by the Committee.

18.10 ENFORCEMENT. (Am. Res. #29-2009; #66-2009)

- (1) CIVIL ACTION. Whenever evidence of trespass, timber cutting or removal or unauthorized occupancy or use on County owned real estate administered under this Chapter is submitted to the Corporation Counsel, he/she shall bring suit to recover damages or seek other appropriate relief under the applicable Wisconsin Statutes or County Code.
- (2) CRIMINAL ACTION. Whenever reasonable evidence exists to believe a crime has been committed with respect to County owned real estate administered under this Chapter, the matter shall be referred to the District Attorney for possible prosecution.
- (3) SEIZURE. Whenever forest products are found, known to have been cut or removed in trespass from County real estate administered under this Chapter, the Sheriff shall on satisfactory evidence seize such materials and sell them for the account of the County or remove them for the use of any County institution as the Committee shall direct.
- (4) COOPERATION. The Committee or its appointed administrative assistant shall secure information and obtain the cooperation of County officials and town officers in securing information to be presented to the proper legal authority for action as referred to in subs. (1) and (2) of this section.

FOOTNOTE(S):

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Editor's note— Res. No. 35-2007, § 4, adopted April 11, 2007, amended Ch. 18 in its entirety to read as herein set out. Former Ch. 18, §§ 18.01—18.07, pertained to similar subject matter, and derived from Res. No. 53-81; Ord. No. 23-93; Ord. No. 43-95; Res. No. 106-2004; Ord. No. 76-2005. ([Back](#))