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RESOLUTION #32-2011

**GENERAL CODE OF ONEIDA COUNTY, WISCONSIN
ORDINANCE AMENDMENT #**

Ordinance Amendment offered by Supervisors of the Land Records Committee.

Whereas, Chapter 18, titled 'County Real Estate Transactions' was reviewed by the Land Records Committee and the Committee recommends that changes be made to various parts of the ordinance for improved administration of the ordinance.

NOW, THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:

Section 1. Any existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.

Section 2. This ordinance shall take effect the day after passage and publication as required by law.

Section 3. If any claims, provisions or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 4. The following Sections of Chapter 18 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

18.04 (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 ~~will~~ 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.

18.04 (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 following 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 s. 75.69(1), Wis. Stat.

- (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.

52 (j) The Committee was provided with new information during the bid process
53 about the real estate and determines that it would not be in the best interest of
54 the County for the property to be sold at this time.

55 (k) The Committee determines that it would be most advantageous to sell the
56 property to an adjoining landowner, that may have submitted a bid, to minimize
57 land use or regulation conflicts or disputes.
58

59 18.05 (3) Requests for conveyance of lands commonly referred to as "excess road
60 right-of-way" which are strips of lands lying on each side of existing public roads (usually
61 100' on each side of centerline) that the County retained upon sale of properties shall be
62 submitted to the Committee for processing on a case by case basis.

63 (a) The requestor must submit in writing their interest in obtaining the strips along
64 with title evidence, a general description, and if deemed necessary by the
65 Committee, a survey or more detailed description of the land to be conveyed. An
66 administrative fee of \$500 shall be charged to review a request but shall be returned
67 if the request is denied by the Committee or County Board and shall be forfeited if
68 the request is withdrawn.
69

70 (e) Access permits or easements for utilities, driveways or private roads to serve an
71 the adjoining property in the shortest route practical across these strips are not
72 required if the width is 66' or less. This does not prevent any governmental
73 agency from requiring a driveway permit to access a public road.
74

75 18.06 (2) The requestor must submit in writing their interest in obtaining an
76 easement or lease along with title evidence, a general description and if deemed
77 necessary by the Committee a survey or more detailed description of the real estate. An
78 administrative fee of \$500 shall be charged to review a request but shall be returned if
79 the request is denied by the Committee or County Board and shall be forfeited if the
80 request is withdrawn.
81

82 18.07 (1) (a) The requestor must submit in writing their interest in obtaining a release
83 of restrictions, reservations, covenants or related encumbrances with title evidence, a
84 general description detailing the release sought and other information as may determined
85 by the Committee to make a decision with regard to granting or denying the release. An
86 administrative fee of \$500 shall be charged to review a request but shall be returned if
87 the request is denied by the Committee or County Board and shall be forfeited if the
88 request is withdrawn.
89

90 Approved by the Land Records Committee this 12th day of April, 2011.

91
92 Vote Required: Majority = _____ 2/3 Majority = _____ 3/4 Majority =
93 _____
94

95 The County Board has the legal authority to adopt: Yes _____ No _____ as
96 reviewed by the Corporation Counsel, _____, Date:
97 _____
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100 Offered and passage moved by: _____
101 Supervisor
102 _____

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Supervisor

Supervisor

Supervisor

Supervisor

_____ Ayes

_____ Nays

_____ Absent

_____ Abstain

_____ Enacted

by the County Board of Supervisors this _____ day of _____, 2011.

_____ Defeated

Mary Bartelt, County Clerk

Ted Cushing, County Board Chair