

RESOLUTION #10-2015

1 **Resolution offered by Supervisors of the Forestry, Land, and Recreation Committee.**

2
3 **Resolved by the Board of Supervisors of Oneida County, Wisconsin:**

4
5 **WHEREAS**, a request was received by the Oneida County Forestry Department for permission
6 to develop an access road across County Forest Land to serve as a means of ingress and
7 egress to and from a privately owned parcel of land located on Clear Lake, in the Town of
8 Cassian; and

9
10 **WHEREAS**, upon conducting a field investigation of the proposed access route Forestry
11 Department personnel discovered that two additional Clear Lake parcel owners had previously
12 developed private access roads across county forest land without permission from the County,
13 (see attachment A. Land Survey Map); and

14
15 **WHEREAS**, the Wisconsin Department of Natural Resources (WDNR) has determined that the
16 County Forest Law Program under Wis. State Statue 28.11 does not allow permanent private
17 easements across County Forest Land; and

18
19 **WHEREAS**, both the Forestry Committee and staff recognize that the unique size, shape, and
20 location of the parcel of County Forest Land in question make it highly unlikely that anyone from
21 the general public would choose to recreate on the parcel, nor would the county elect to harvest
22 timber on the parcel; and

23
24 **WHEREAS**, based upon careful examination of all pertinent information, the Forestry, Land, and
25 Recreation Committee has concluded that the benefits of retaining the 1.50 acres parcel,
26 described herein, as being part of the County Forest Law program are out-weighted by the need
27 to resolve the encroachment and access issues described above.

28
29 **NOW, THEREFORE, BE IT RESOLVED THAT:** The Forestry, Land, and Recreation Committee
30 recommends that an application be sent to the WDNR requesting that the following parcel of land be
31 officially removed from County Forest Law Program under Wis. State Statue 28.11

32
33 A parcel of land located in the SE ¼ – NW ¼ of Section 24, Township 37 North, Range 7 East
34 described as follows:

35
36 Commencing at the NE corner of said SE ¼ - NW ¼, thence south along the north – south ¼
37 line approximately 276 to the northwest corner of lands described in Document # 732862, said
38 point marking the point of beginning, thence westerly perpendicular to said north-south ¼ line
39 approximately 168' to the easterly right-of-way line of Clear Lake RD, thence southerly and
40 southeasterly along said right-of-way approximately 585' to a point on the north-south ¼ line,
41 thence north on said ¼ line approximately 550' to the point of beginning.
42 Said parcel contains approximately 1.5 acres.

43
44 **BE IT FURTHER RESOLVED**, that if and/or when the WDNR approves the application for the
45 removal of said land from the County Forest Law Program, the county shall divide the parcel
46 into 3 outlots and subsequently offer each adjoining owner, illustrated on the attached map, an
47 opportunity to purchase the parcel of county land needed for ingress and egress, and to resolve
48 any other encroachment issues that may exist; and

50 **BE IT FURTHER ORDAINED AND RESOLVED**, that any and all payments resulting from the
51 sale of the land being proposed for removal from the County Forest Law Program, described
52 above, shall be deposited into the County Land Purchase Account 51570.699101, and used to
53 purchase replacement acreage for enrollment into the County Forest Law Program.
54

55 **Vote Required:** Majority = _____ 2/3 Majority = _____ ¾ Majority = _____
56

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

60 Approved by the _____ Committee this ____ day of _____ 2015.
61

62 Consent Agenda Item: ____ YES ____ NO
63

64 Offered and passage moved by:
65 _____
66 Supervisor
67
68 _____
69 Supervisor
70
71 _____
72 Supervisor
73
74 _____
75 Supervisor
76
77 _____
78 Supervisor
79

80 Seconded by: _____
81

82 _____ Ayes
83

84 _____ Nays
85

86 _____ Absent
87

88 _____ Abstain
89

90 _____ Adopted
91

92 by the County Board of Supervisors this _____ day of _____, 2015.
93

94 _____ Defeated
95

96 _____
97
98
99 _____
100

Mary Bartelt, Clerk

Dave Hintz, County Board Chair

