

RESOLUTION # 10-2010

Resolution offered by Supervisors of the Agriculture and Extension Committee.

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

WHEREAS, the Oneida County Fair Board has recommended to move the Oneida County Fair to the Pioneer Park location because of the success of the 2009 County Fair; and

WHEREAS, Oneida County currently has a lease with "Hodag 50" to use their grounds the Oneida County fair which runs through 2014; and

WHEREAS, the "Hodag 50" has agreed to the terms in the attached "Cancellation of Lease Agreement" as a fair and equitable resolution to end the current lease agreement; and

WHEREAS, the Agriculture and Extension Committee recommends that the County Board adopt this resolution and approve the attached agreement so that the Oneida County Fair can move to Pioneer Park.

NOW, THEREFORE, BE IT RESOLVED, the Oneida County Board of Supervisors does hereby approve the attached "Cancellation of Lease Agreement"; and

BE IT FURTHER RESOLVED, the Oneida County Board of Supervisors does hereby approve the moving the Oneida County Fair to Pioneer Park.

Vote Required: Majority = _____ 2/3 Majority = _____ 3/4 Majority = _____

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

Approved by the Ag. And Extension Committee this 11th day of January, 2010.

Offered and passage moved by: _____ Supervisor
_____ Supervisor
_____ Supervisor
_____ Supervisor
_____ Supervisor

_____ Ayes
_____ Nays
_____ Absent
_____ Abstain
_____ Adopted

by the County Board of Supervisors this _____ day _____, 2009.

_____ Defeated

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54 Robert Brusio, Clerk

Andrew P. Smith, County Board Chair

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57 **CANCELLATION OF LEASE AGREEMENT**

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59 This cancellation of lease agreement made in quadruplicate original, this
60 _____ day of _____, 2009 and should read: WITNESSETH, that the
61 “Hodag 50” Corporation, by Gerry VanHarpen, Dawn Eckert and Dixie
62 Nieuwenhuis, co-owners, herein called lessor, and Oneida County, Wisconsin, a
63 municipal corporation, herein called Lessee, agree to the cancellation of the
64 original lease agreement as previously amended, for the use of the “Hodag 50”
65 property signed by the parties in April of 2005. By signing this agreement, both
66 parties acknowledge that they have had representation by counsel or the
67 opportunity to seek counsel to review the cancellation to the original lease
68 agreement as previously amended.

69 The following provisions constitute the agreed upon terms for cancellation
70 of the original lease agreement:

- 71 1. Lessor agrees to terminate the lease with the Lessee for the use of the
72 Hodag 50 property for the Oneida County Fair and release any and all
73 rights in relation to that lease Agreement for payments, rents, profits etc.
74 from the Lessee.
75 2. In consideration of Lessor’s agreement as stated in paragraph #1, above,
76 the Lessee agrees to transfer all rights, interest and control of the
77 Lessee’s pole barn constructed and affixed to the Lessors’s property to the
78 Lessor.
79 3. The Lessee agrees to remove from the Lessors property two (2) semi-
80 truck trailers previously used by the Lessee for additional storage.

81 IN WITNESS THEREOF, the Lessor has hereunto affixed his signature and
82 seal and the Lessee has duly executed this instrument, all in quadruplicate, the day
83 and year as noted by each party’s signature.

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85 **HODAG “50” CORPORATION BY:**

86
87 _____
88 Gerry VanHarpen, Co-Owner
89 Hodag “50” Corporation

Dated: _____

93 _____
94 Dawn Eckert, Co-Owner
95 Hodag "50" Corporation

Dated: _____

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100 Dixie Nieuwenhuis, Co-Owner
101 Hodag "50" Corporation

Dated: _____

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105 **ONEIDA COUNTY BY:**
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110 Andrew P. Smith, Charman
111 Oneida County Board

Dated: _____

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117 Robert Brusio, County Clerk
118 Dated: _____

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