



PLANNING & DEVELOPMENT COMMITTEE
THURSDAY, DECEMBER 1, 2011 – 8:30 A.M.
COURTHOUSE CONFERENCE CENTER - (2nd FL – EAST WING)
ROCK COUNTY COURT HOUSE
JANESVILLE, WI
AGENDA

1. Call to Order
2. Adoption of Agenda
3. Minutes of meeting held Thursday, November 10, 2011
4. Citizen Participation, Communications and Announcements
5. Code Administration & Enforcement
 - A. **Action Item:** Process for Finalizing Land Division Memorandums of Agreement between Rock County Towns and the Planning & Development Agency
 - B. **Action Item:** Preliminary Approval of Land Divisions
 - LD 2011 051 (Center Township) – Myrtle Ballmer Living Trust
 - LD 2011 052 (Harmony Township) – Lee & Sheryl Twist
 - LD 2010 053 (Porter Township) – William Jr. & Jill Myhre
6. Finance
 - A. **Action Item:** Department Bills/Encumbrances/Amendments/Transfers
7. Housing & Community Development
 - A. **Action Item:** Project ID 07054D1 (\$11,770)
 - B. **Action Item:** Project ID 020689D1 (\$24,451)
 - C. **Action Item:** Request For alteration of Lien For Housing Rehabilitation Loan (Project ID 020265D1)
8. Planning Director's Report
 - 208 Water Quality Planning: Policy and Technical Committee Structure
 - Potential Conference on Consolidation of Services in Rock County in February

9. Committee Reports

10. Adjournment

Future Meetings/Work Sessions

December 15, 2011 (8:00 AM) – To Be Decided

January 12, 2012 (8:00 AM)

January 26, 2012 (8:00 AM)

February 9, 2012 (8:00 AM)

February 23, 2012 (8:00 AM)

Non-Committee Future Meetings



ROCK COUNTY GOVERNMENT
Planning & Development Agency

INTEROFFICE MEMORANDUM

TO: Rock County Planning and Development Committee

THROUGH: Paul Benjamin, Director, Planning & Development Agency

FROM: Planning & Development Agency Staff

SUBJECT: Process for Finalizing Land Division Memorandums of Agreement between Rock County Towns and the Planning & Development Agency

DATE: November 21, 2011

Summary:

The Revised Land Division Regulations include a number of products and services the Planning & Development Agency will provide to the Towns of Rock County via a Memorandum of Agreement (MOA) (handout at previous P&D meeting). These include for instance reviewing Building Site Plans and issuing Building Site Permits. The question before the Committee is how to finalize a MOA document. Is it the Committee's desire to review and approve each Agreement separately at a scheduled meeting or delegate that responsibility to the Chairman on an as needed basis?

Remember, the Town Chairman and Clerk and Chair of the P&D Committee and County Clerk signs each document. Staff proposes signing two originals for safe keeping by both entities.



ROCK COUNTY GOVERNMENT
Planning & Development Agency

INTEROFFICE MEMORANDUM

TO: Rock County Planning and Development Committee

THROUGH: Paul Benjamin, Director, Planning & Development Agency

FROM: Planning & Development Agency Staff

SUBJECT: Preliminary Approval of Land Division

DATE: November 21, 2011

Summary:

The following Land Divisions are seeking Preliminary approval from the P&D Committee:

- 2011 051 (Center Township) – Myrtle Ballmer Living Trust
- 2011 052 (Harmony Township) – Lee & Sheryl Twist
- 2011 053 (Porter Township) – William Jr. & Jill Myhre

Recommendation or Action:

P&D Agency Staff recommends Preliminary Approval of Land Divisions 2011 051, 052 and 053 with conditions as presented.

Town Status: LD 2011 051

- Town Board Approved
- Town Planning & Zoning Approved
- Scheduled

Town Status: LD 2011 052

- Town Board Approved
- Town Planning & Zoning Approved
- Scheduled

Town Status: LD 2011 053

- Town Board Approved
- Town Planning & Zoning Approved
- Scheduled

PLANNING & DEVELOPMENT COMMITTEE LAND DIVISION
CONDITIONS OF APPROVAL

OWNER:	Myrtle Ballmer Liv. Trust 111 Commercial Dr. Rm 336 Footville, WI 53537	LAND DIVISION NO:	LD#2011 051
		DATE SUBMITTED:	October 31, 2011
LOCATION:	NE ¼ NW ¼ Sec. 27	E.T. JURISDICTION:	N/A
		SURVEYOR:	Combs & Associates, Inc.
ORIGINAL AREA:	80 Acres +	TOWNSHIP:	Center
FINAL AREA:	3.1 Acres +	NUMBER OF LOTS:	1
PRESENT ZONING:	A-1	PROPOSED FUTURE ZONING:	A-1 CUP

A copy of these recommendations is sent to the surveyor and to the owner.

NOTE: The owner/developer and agent shall read and fully understand these conditions of approval prior to being acted upon by the Planning and Development Committee. Any questions or comments on these conditions shall be addressed to the P&D Committee/Staff prior to or while the Land Division is on the table for discussion.

NOTE: Reason for dividing land: Splitting off existing buildings.

NOTE: Consistent with the Rock County Agricultural Preservation Plan.

RECOMMEND

APPROVAL CONDITIONAL APPROVAL DENIAL

LOCATION: 9300 Block W. Townsend Rd

CONDITIONS TO BE MET BEFORE ROCK COUNTY FINAL APPROVAL:

1. Existing structures shall meet setback regulations.
2. 33-foot 1/2 ROW to be dedicated along W. Townsend Rd.
3. Following notation on final map: "Since Lot 1 contains existing buildings which utilize an existing private sewage system no soil evaluation on the lot was required at the time of this survey. However, soils on the lot may be restrictive to the replacement of the existing system." Also proposed lot lines must include the system area with the building that utilizes the system.
4. Show septic system and well locations for existing structures on final CSM.
5. Final CSM (1 year time frame) submitted to and approved by the Planning and Development Agency on or before December 1, 2012.

6. As per Section 15.23(8) of The Rock County Land Division Regulations "any land division not receiving final approval within the period of time set forth herein shall be null and void, and the developer shall be required to resubmit a new application for preliminary approval. Extensions may be applied for and may be granted at the discretion of the Committee upon findings that delays are beyond control of the applicant and that no material change in standards or in conditions has occurred or is reasonably expected to occur". Extension requests must be made in writing prior to the expiration date listed above.
7. Certified Survey Maps that are subject to local approval must be recorded within 6 months of their last approval and 24 months of the first approval.

Signed Colin M. Byars
Dept. of Planning, Economic & Community Development

DATE: 11/9/11

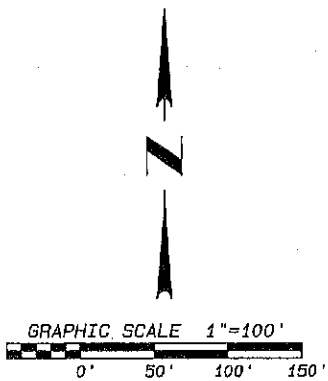
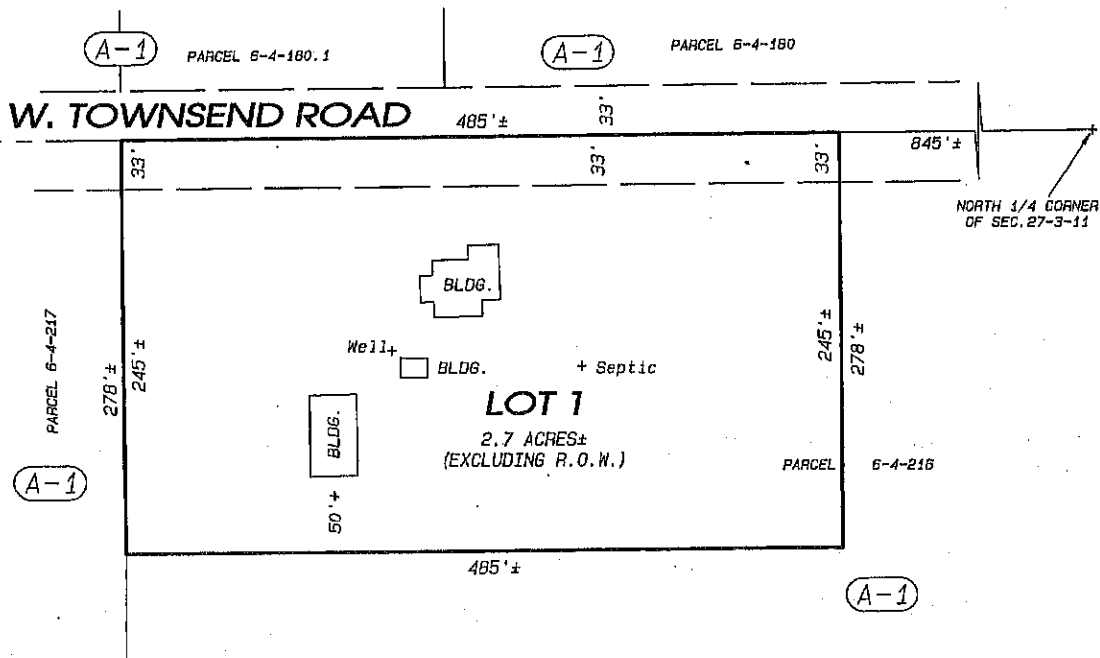
NOTE: THIS PROPOSED LAND DIVISION WILL BE REVIEWED BY THE PLANNING AND DEVELOPMENT COMMITTEE ON **DECEMBER 1, 2010 AT 8:00 A.M.** AT THE ROCK COUNTY COURTHOUSE.

NOTE: FINAL SURVEY SHALL COMPLY WITH ALL STATE, COUNTY, & LOCAL REGULATIONS.

<u>COMMITTEE ACTION</u>			
<input type="checkbox"/> APPROVAL	<input type="checkbox"/> CONDITIONAL APPROVAL	<input type="checkbox"/> DENIAL	<input type="checkbox"/> TABLED
Initials _____		Date _____	

PRELIMINARY CERTIFIED SURVEY MAP

LOCATED IN THE NE 1/4 OF THE NW 1/4 OF SECTION 27, T.3N., R.11E. OF THE 4TH P.M., TOWN OF CENTER, ROCK COUNTY, WISCONSIN.



DATE: OCTOBER 31, 2011

NOTES:
THIS MAP IS SUBJECT TO ANY AND ALL EASEMENTS AND AGREEMENTS, RECORDED AND UNRECORDED.
THE BASIS OF BEARINGS IS ASSUMED.

Project No. 111 - 285 For: BALLMER

Combs & Associates

- LAND SURVEYING
- LAND PLANNING
- CIVIL ENGINEERING

109 W. Milwaukee St.
Janesville, WI 53549
www.combsurvey.com

tel: 608 752-0575
fax: 608 752-0534

PLANNING & DEVELOPMENT COMMITTEE LAND DIVISION
CONDITIONS OF APPROVAL

OWNER:	Lee Twist & Sheryl Twist 1704 N. Henke Rd. Janesville, WI 53546	LAND DIVISION NO:	LD#2011 052
		DATE SUBMITTED:	November 2, 2011
LOCATION:	NW ¼ SW ¼ Sec. 23	E.T. JURISDICTION:	City of Janesville
		SURVEYOR:	Combs & Associates, Inc.
ORIGINAL AREA:	37.5 Acres +/-	TOWNSHIP:	Harmony
FINAL AREA:	5.3 Acres	NUMBER OF LOTS:	1
PRESENT ZONING:	A-3	PROPOSED FUTURE ZONING:	A-3

A copy of these recommendations is sent to the surveyor and to the owner.

NOTE: The owner/developer and agent shall read and fully understand these conditions of approval prior to being acted upon by the Planning and Development Committee. Any questions or comments on these conditions shall be addressed to the P&D Committee/Staff prior to or while the Land Division is on the table for discussion.

NOTE: Reason for dividing land: Splitting off existing buildings.

NOTE: Consistent with the Rock County Agricultural Preservation Plan.

RECOMMEND

APPROVAL

CONDITIONAL APPROVAL

DENIAL

LOCATION: 1700 Block N. Henke Rd.

CONDITIONS TO BE MET BEFORE ROCK COUNTY FINAL APPROVAL:

1. Existing structures shall meet setback regulations.
2. 33-foot 1/2 ROW to be dedicated along N. Henke Rd.
3. Following notation on final map: "Since Lot 1 contains existing buildings which utilize an existing private sewage systems no soil evaluation on the lot was required at the time of this survey. However, soils on the lot may be restrictive to the replacement of the existing system." Also proposed lot lines must include the system area with the building that utilizes the system.
4. Show septic system and well locations for existing structures on final CSM.
5. Final CSM (1 year time frame) submitted to and approved by the Planning and Development Agency on or before December 1, 2012.
6. As per Section 15.23(8) of The Rock County Land Division Regulations "any land division not receiving final approval within the period of time set forth herein shall be null and void, and the developer shall be required to resubmit a new application for preliminary approval.

Extensions may be applied for and may be granted at the discretion of the Committee upon findings that delays are beyond control of the applicant and that no material change in standards or in conditions has occurred or is reasonably expected to occur". Extension requests must be made in writing prior to the expiration date listed above.

- 7. Certified Survey Maps that are subject to local approval must be recorded within 6 months of their last approval and 24 months of the first approval.

Signed Colin M. Boyer DATE: 11/9/11
Dept. of Planning, Economic & Community Development

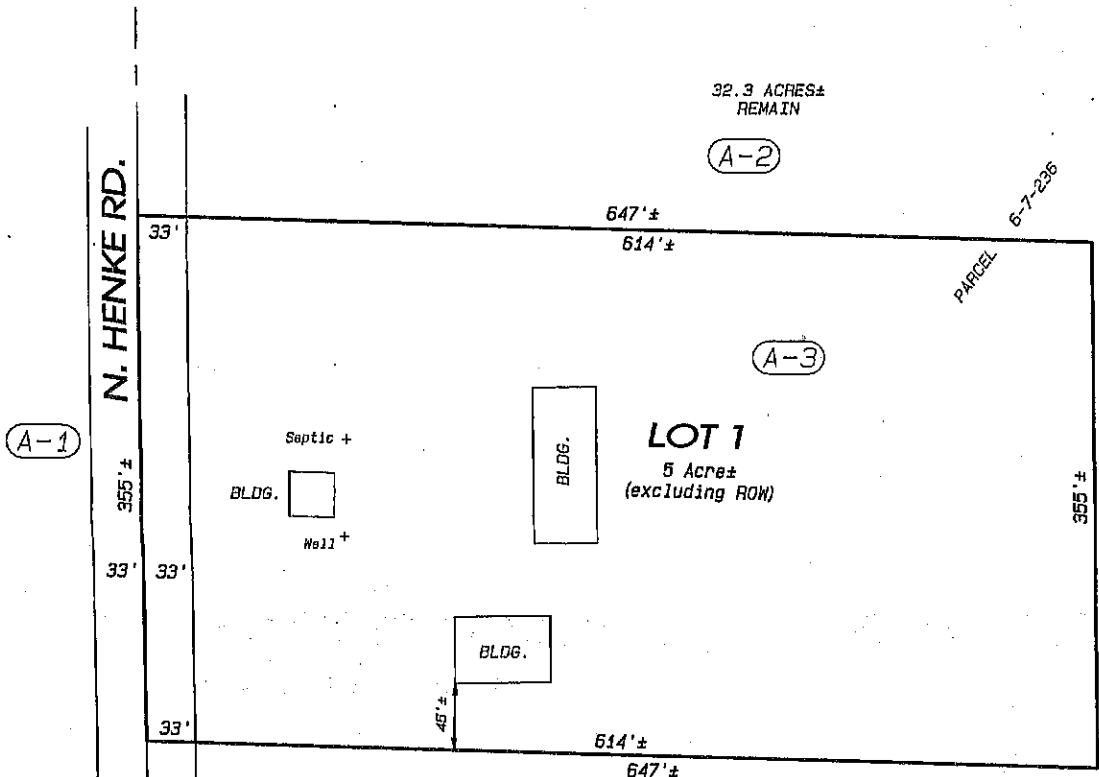
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NOTE: FINAL SURVEY SHALL COMPLY WITH ALL STATE, COUNTY, & LOCAL REGULATIONS.

<u>COMMITTEE ACTION</u>			
<input type="checkbox"/> APPROVAL	<input type="checkbox"/> CONDITIONAL APPROVAL	<input type="checkbox"/> DENIAL	<input type="checkbox"/> TABLED
Initials _____		Date _____	

PRELIMINARY CERTIFIED SURVEY MAP

LOCATED IN THE NW 1/4 OF THE SW 1/4 OF SECTION 23, T.3N., R.13E. OF THE 4TH PM., TOWN OF HARMONY, ROCK COUNTY, WISCONSIN.



32.3 ACRES±
REMAIN

(A-2)

PARCEL 6-7-236

(A-3)

LOT 1
5 Acres±
(excluding ROW)

(A-1)

Septic +
BLDG.
Well +

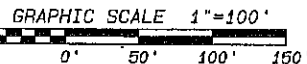
BLDG.

BLDG.

PARCEL 6-7-237A

(A-1)

SW CORNER OF
SECTION 23-3-19.



DATE: FEBRUARY 18, 2011
REVISED: SEPTEMBER 9, 2011
REVISED: NOVEMBER 2, 2011

NOTES:

THIS MAP IS SUBJECT TO ANY AND ALL EASEMENTS AND AGREEMENTS, RECORDED AND UNRECORDED.
THE BASIS OF BEARINGS IS ASSUMED.

Project No. 111 - 040 For: TWIST

Combs & ASSOCIATES

- LAND SURVEYING
- LAND PLANNING
- CIVIL ENGINEERING

109 W. Milwaukee St.
Janesville, WI 53548
www.combsurvey.com

tel: 608 752-0575
fax: 608 752-0534

PLANNING & DEVELOPMENT COMMITTEE LAND DIVISION
CONDITIONS OF APPROVAL

OWNER:	William Myhre, Jr. & Jill Myhre 8357 W. Stebbinsville Rd Edgerton, WI 53534	LAND DIVISION NO:	LD#2011 053
		DATE SUBMITTED:	November 10, 2011
LOCATION:	SW 1/4 NW 1/4 Sec. 2	E.T. JURISDICTION:	N/A
		SURVEYOR:	Combs & Associates, Inc.
ORIGINAL AREA:	74 Acres +/-	TOWNSHIP:	Porter
FINAL AREA:	1 Acre	NUMBER OF LOTS:	1
PRESENT ZONING:	A-1	PROPOSED FUTURE ZONING:	A-1 CUP

A copy of these recommendations is sent to the surveyor and to the owner.

NOTE: The owner/developer and agent shall read and fully understand these conditions of approval prior to being acted upon by the Planning and Development Committee. Any questions or comments on these conditions shall be addressed to the P&D Committee/Staff prior to or while the Land Division is on the table for discussion.

NOTE: Reason for dividing land: Splitting off existing residence for son. Lot 1 is an existing Lot. Lot 2 is new Lot.

NOTE: Consistent with the Rock County Agricultural Preservation Plan.

RECOMMEND

APPROVAL CONDITIONAL APPROVAL DENIAL

LOCATION: 8300 Block W. Stebbinsville Rd.

CONDITIONS TO BE MET BEFORE ROCK COUNTY FINAL APPROVAL:

1. Existing structures shall meet setback regulations.
2. 33-foot 1/2 ROW to be dedicated along W. Stebbinsville Rd.
3. Following notation on final map: "Since Lot 2 contains existing buildings which utilize an existing private sewage system no soil evaluation on the lot was required at the time of this survey. However, soils on the lot may be restrictive to the replacement of the existing system." Also proposed lot lines must include the system area with the building that utilizes the system.
4. Show septic system and well locations for existing structures on final CSM.
5. Final CSM (1 year time frame) submitted to and approved by the Planning and Development Agency on or before December 1, 2012.

6. As per Section 15.23(8) of The Rock County Land Division Regulations "any land division not receiving final approval within the period of time set forth herein shall be null and void, and the developer shall be required to resubmit a new application for preliminary approval. Extensions may be applied for and may be granted at the discretion of the Committee upon findings that delays are beyond control of the applicant and that no material change in standards or in conditions has occurred or is reasonably expected to occur". Extension requests must be made in writing prior to the expiration date listed above.
7. Certified Survey Maps that are subject to local approval must be recorded within 6 months of their last approval and 24 months of the first approval.

Signed Colin M. Byrnes
Dept. of Planning, Economic & Community Development

DATE: 11/16/11

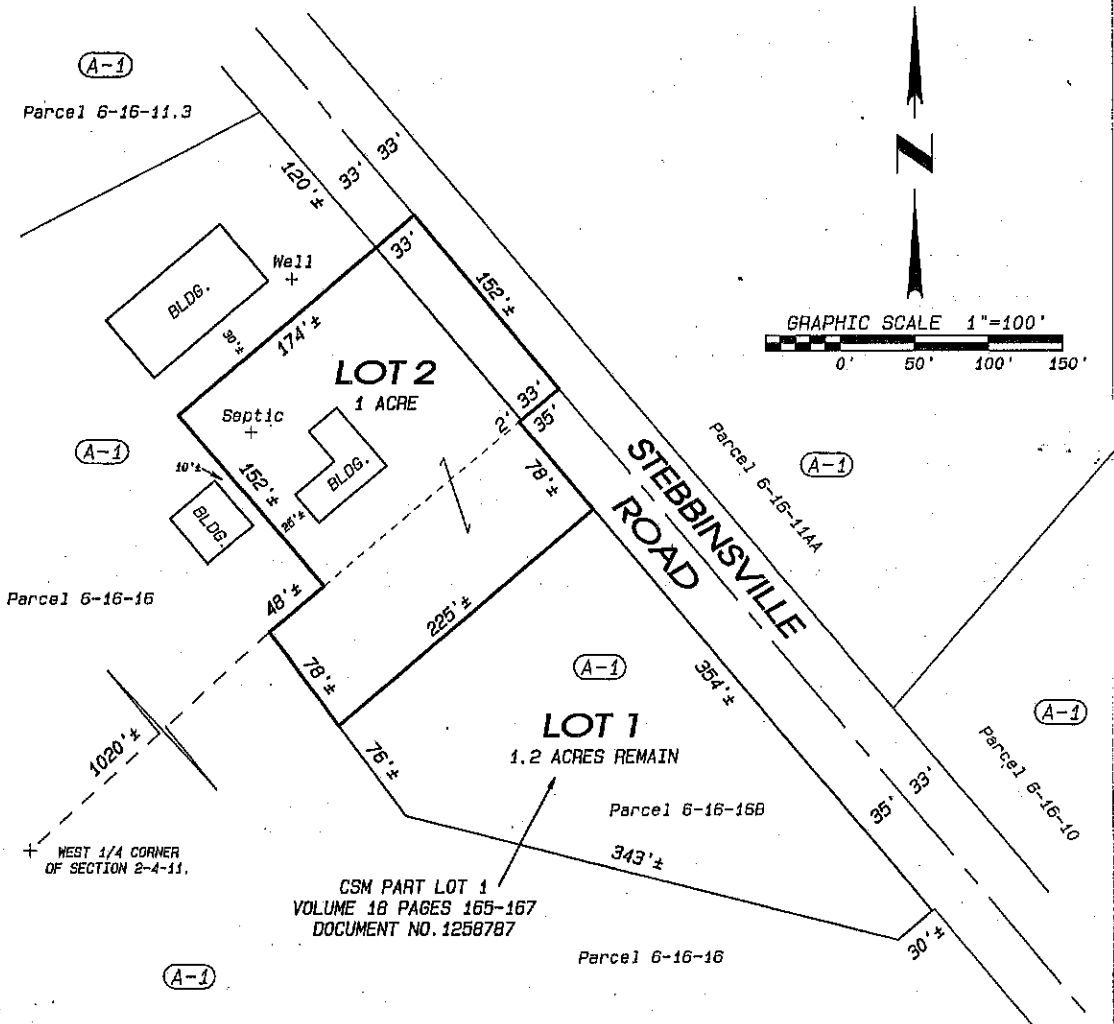
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NOTE: FINAL SURVEY SHALL COMPLY WITH ALL STATE, COUNTY, & LOCAL REGULATIONS.

<u>COMMITTEE ACTION</u>			
<input type="checkbox"/> APPROVAL	<input type="checkbox"/> CONDITIONAL APPROVAL	<input type="checkbox"/> DENIAL	<input type="checkbox"/> TABLED
Initials _____		Date _____	

PRELIMINARY CERTIFIED SURVEY MAP

PART OF LOT 1 OF A CERTIFIED SURVEY MAP AS RECORDED IN VOLUME 18, PAGES 165 THRU 167, AS DOCUMENT NO. 1258787, AND PART OF THE SW 1/4 OF THE NW 1/4 OF SECTION 2, T.4N., R.11E. OF THE 4TH P.M., TOWN OF PORTER, ROCK COUNTY, WISCONSIN.




DATE: SEPTEMBER 19TH, 2011
 REVISED: OCTOBER 3RD, 2011
 REVISED: NOVEMBER 9TH, 2011

NOTES:

- WELL IS TO BE SHARED WITH FARM BUILDINGS.
- THIS MAP IS SUBJECT TO ANY AND ALL EASEMENTS AND AGREEMENTS, RECORDED AND UNRECORDED.
- THE BASIS OF BEARINGS IS ASSUMED.

Project No. 111 - 239 For: MYHRE



- LAND SURVEYING
- LAND PLANNING
- CIVIL ENGINEERING

109 W. Milwaukee St.
 Janesville, WI 53548
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 fax: 608 752-0534



ROCK COUNTY GOVERNMENT

Planning & Development Agency

INTEROFFICE MEMORANDUM

TO: Rock County Planning & Development Committee
THROUGH: Paul Benjamin, Director, Planning & Development Agency
FROM: David Somppi, Community Development Manager
SUBJECT: Actions for P&D Agenda
DATE: December 1, 2011

ACTION ITEMS:

1. Project ID: # 07054D-1 Funding Source: OHHLHC Lead Hazard Control Grant -
 - Recommend Total Grant Amount of: \$ 11,770
2. Project ID: # 20689D-1 Funding Source: CDBG Small Cities or Program Income
 - Recommend Total Project Amount of: \$ 24,451
3. Project No. 20265D-1: Request for Alteration of Lien for Housing Rehabilitation Loan.

Staff Recommendation: Staff recommends approval of the above noted projects and requests.

INFORMATION ITEM:

4. HOME Consortium – OHHLHC Grant – Weatherization Meeting - : City of Beloit, City of Janesville, Community Action, Inc., Neighborhood Housing Services, & County of Rock

ROCK COUNTY PLANNING & DEVELOPMENT COMMITTEE
 REQUEST FOR COMMITTEE ACTION



Date: December 1, 2011

Project ID(s)

07054 D-1

Project Recommended By David Somppi

Funding Source(s) OHHLHC – Lead Hazard Control

HOUSEHOLD INFORMATION

Household Size:	7	Annual Income:	\$ 38,509	Location:	City of Edgerton
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ASSESSED VALUE INFORMATION

Land	\$ 26,800	Fair Market Value	\$ 89,600
Buildings	\$ 62,400	When Determined	2011
Total	\$ 89,200		

MORTGAGES OR LIENS

1. \$ 70,662	4. \$	TOTAL MORTGAGE(S) \$ 70,662
2. \$	5. \$	
3. \$	6. \$	
Available Equity \$ 18,938	Is there 5% owner equity in the property? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	

VERIFICATIONS

<input checked="" type="checkbox"/> Income	<input checked="" type="checkbox"/> Insurance	<input checked="" type="checkbox"/> Taxes	<input checked="" type="checkbox"/> Title and Mortgage	<input checked="" type="checkbox"/> Ownership
Disclosure of Potential Conflict of Interest		Yes <input type="checkbox"/> None <input checked="" type="checkbox"/>		

SUMMARY OF PROPOSED WORK

The house is an 80-year old 2 story wood frame house. Required lead testing found lead in the siding, fascia, soffit, and basement windows. The project proposes to have the walls insulated with good quality cellulose insulation. The siding will be replaced with good quality vinyl siding. The window & door trim and fascia & soffits will be covered with custom-formed aluminum. The basement windows will be replaced with good quality vinyl replacement windows. The OHHLHC program requires that 1/3 of construction costs be provided by CDBG – Small Cities 0% deferred payment loan. This will be from the City of Edgerton – Small Cities grant. Conducting this project will address a major health and safety hazard and will make the house much easier and more affordable to heat and improve the appearance. The OHHLHC funds will be in the form of a grant and will not require repayment.

TYPE OF PROJECT

OHHLHC – Lead Hazard Control Grant

RECOMMEND TOTAL PROJECT COST OF:

Construction Costs: \$ 16,485
 Testing Fees: \$ 780
TOTAL COSTS \$ 17,265

Rock County OHHLHC \$ 11,770 (2/3 construction costs + 100% testing fees)

COMMITTEE ACTION

APPROVE DENY

Committee Approved Bid Total \$ 11,770

Signature of Planning & Development Committee Chair

Date

ROCK COUNTY PLANNING & DEVELOPMENT COMMITTEE
REQUEST FOR COMMITTEE ACTION



Date: December 1, 2011

Project ID(s) 20689-D-1

Project Recommended By Neale Thompson

Funding Source(s) CDBG-Small Cities

HOUSEHOLD INFORMATION

Household Size: 1 Annual Income: 30,680 Location: Town of Janesville

ASSESSED VALUE INFORMATION

Land	\$ 16,800	Appraised Value	\$ 121,700
Buildings	\$ 92,000	When Appraised	2010
Total	\$ 108,800	Type of Appraisal	Fair Market Value (FMV)

MORTGAGES OR LIENS

1. \$ 52,500	3. \$	TOTAL MORTGAGE(S)
2. \$	4. \$	
Available Equity \$ 69,200	Is there 5% owner equity in the property? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	

VERIFICATIONS

Income
 Insurance
 Taxes
 Title and Mortgage
 Ownership
 Disclosure of Potential Conflict of Interest
 Yes
 None

SUMMARY OF PROPOSED WORK

This ranch house was purchased in a foreclosure sale after being vacant for 12 months. Extensive resident investment and sweat equity has corrected failed plumbing and heating systems and flooring and walls. Upon HQS inspection and discussion with the owner, this home needs a additional kitchen and bathroom remodeling for storage, attic insulation, new exterior doors, a deck with stairs added outside the patio doors, permanent new front exterior steps, and drywall added over insulated walls and ceiling. Loan includes a \$375 CDBG Small Cities loan inspection fee. Owner will continue to use sweat equity to complete some items while contractors will perform other work. Completing this project will address several health and safety and code compliance issues. Loan is 0% deferred.

Funding Source: CDBG – Small Cities (0% Interest Payment Deferred) \$ 24,451.00
 Recommend Total Project Amount of: \$ 24,451.00

COMMITTEE ACTION

APPROVE
 DENY
 Committee Approved Bid Total \$ _____

Signature of Planning & Development Committee Chair _____ Date _____



Rock County Planning & Development Agency
51 S. Main Street
Janesville, WI 53545
(608) 757-5587

DATE: December 1, 2011
TO: Rock County Planning & Development Committee
FROM: David Somppi, Community Development Manager
RE: Request For Alteration of Lien For Housing Rehabilitation Loan

Address: 205 Church Street, Clinton, WI
Loan Nos.: CDBG 20265D-1

Type: CDBG 0% Owner Rehab. Loan

Amount / Date of 1st Mortgage: \$ 48,000 / March 3, 1999
Amount / Date of Rock County Owner Rehab. Loan: \$ 17,500 / August 2, 2004

Debt on Property: at least \$27,843 as of 11 / 01 / 2011
Amount of Delinquency: \$ 1,961 as of 11 / 01 / 2011
5 monthly payments have been missed since July, 2011
Assessed Value: \$ 91,100 - 2011

Reason for request: According to the '**Subordination-Alteration-Reduction**' Policy section of the Rock County Housing Procedures Manual, requests to alter an existing Rock County Community Development mortgage must be presented for approval by the Rock County Planning & Development Committee.

INFORMATION:

The owners 1st mortgage for \$37,000 was signed October 2, 2003.

The owners received a Rock County Housing Rehabilitation Loan for \$17,500. This was to conduct replacement of the roof, windows, and furnace, and needed electrical work. The Rock County mortgage is dated August 4, 2004. The household qualified as a low-income household.

The current amount of the 1st mortgage is \$27,842. The 1st mortgage is with Blackhawk Bank.

The property is currently vacant. It has been for sale since November, 2007. The original listed price was \$ 89,900. The current listed price is \$31,900.

The owner has received an offer of \$ 25,000.

The 1st mortgagor, Blackhawk Bank would receive \$ 20,000. They have offered Rock County a payment of \$1,000 to settle the \$17,500 2nd mortgage. The remaining +/- \$4,000 would pay several remaining debts.

THE ALTERNATIVES:

1. Accept the request for payment in full of the loan for \$1,000.
2. Request a settlement for an amount other than \$1,000.
3. Reject the offer – accept no less than the full amount.

From previous requests, a 'short sale' may be considered under the following conditions.

1. The owner may seek reduction of a portion of their loan with Rock County to facilitate the sale of the property, if this sale is occurring as a result of an active or pending foreclosure by a first mortgagor.
2. Rock County may lose a portion or all of the value of its mortgage if the sale of the property does not occur.
3. An active "Offer to Purchase" must have been made on the property at terms consistent with those presented on the request form."

ANALYSIS: Since May, 2000, the Planning Agency has received 8 requests to settle a payoff / mortgage satisfaction requests for less than the amount owed. The cases generally involve requests to sell a property with an active or pending foreclosure action.

According to condition #1, a foreclosure action has currently not been filed. According to the financial institution, a foreclosure action will commence if the lien is not released.

The (above) conditions #2 and #3 are met. Rock County would likely lose a greater portion of its mortgage if the property sale does not occur now than if the sale occurs after a foreclosure notice is filed.

If the property is sold at a foreclosure sale, the property would likely have to sell for more than \$30,000 for Rock County to receive repayment of any of our mortgage.

A release of the lien would facilitate the sale of the property. Based on previous efforts to obtain an offer on the property, the property may not sell for more than the amount required to pay off the 1st mortgagor.

RECOMMENDATION: Staff recommends acceptance of the offer.