

**RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS**

FINANCE COMMITTEE
INITIATED BY



EUGENE R. DUMAS
DRAFTED BY

FINANCE COMMITTEE
SUBMITTED BY

NOVEMBER 29, 2012
DATE DRAFTED

AUTHORIZING AGREEMENT WITH CITY OF БЕЛОIT FOR THE ACQUISITION AND SALE OF TAX DELINQUENT PROPERTY LOCATED AT 202 SHIRLAND AVENUE IN THE CITY OF БЕЛОIT, IN ACCORDANCE WITH SECTION 75.365 OF THE WISCONSIN STATUTES

1 WHEREAS, sec. 75.365 of the Wisconsin Statutes provides that counties may enter into
2 agreements with any local municipality for the purpose, among other things, of limiting the liability of the
3 County in taking tax title to lands or otherwise acting pursuant to such agreement; and

4
5 WHEREAS, the above-described property is believed to be contaminated with hazardous
6 substances, as defined in section 292.01(5), Wis. Stats.; and

7
8 WHEREAS, the property taxes on this parcel are delinquent and Rock County has initiated tax
9 lien foreclosure proceedings against this parcel, but obtained a stay of judgment as to this parcel, prior to
10 obtaining judgment of title, pursuant to Rock County's established policies regarding contaminated tax
11 delinquent properties; and

12
13 WHEREAS, the City of Beloit and Rock County have reached an agreement whereby the County
14 shall obtain title to the property and convey the same to the City of Beloit for \$10,552.90 which amount
15 reflects the payments made by the County to the City of Beloit in settlement of delinquent property taxes
16 owed for the years, 2007-2011, inclusive; and

17
18 WHEREAS, as further consideration for said property, the City of Beloit agrees to cancel all
19 outstanding charges for special assessments, to assume liability for any 2012 real estate taxes assessed
20 against said parcel, and to indemnify, hold harmless, and defend Rock County from any and all liability
21 including claims, legal expenses and costs of every kind related to the taking of tax title to the property
22 and the sale of the property to the City of Beloit;

23
24 NOW, THEREFORE, IT IS HEREBY RESOLVED by the Rock County Board of Supervisors
25 duly assembled this 13 day of December 2012, that the County Board Chair and County Clerk are
26 hereby authorized to enter into the attached Agreement with the City of Beloit for the acquisition and sale
27 of the property located in the City of Beloit and described as 202 Shirland Avenue, Beloit, Wisconsin,
28 (Rock County Tax ID Number 206 13540020), more particularly described as,

29
30 "LOTS 150, 151 & 152 GOODHUE SUB, ALSO COM 3 FT ELY OF T
31 HE NE CORNER L 152, TH CONT ELY 50.21 FT M/L, THSLY 100
32 Rock County, Wisconsin, according to the recorded plat thereof.
33 Beginning at the Northwest corner of said Lot 15, running thence North
34 79°20' East, 60.00 feet to a point; thence South 13°42'05" E. 113.31 feet
35 to an iron pipe on the South line of said Lot 15; thence West, along the
36 South line of said Lot 15, 85.79 feet to an iron pipe at the southwest
37 corner of said Lot 15; thence North, along the West line of said Lot 15,
38 98.98 feet to the place of beginning.
39

12-12A-207

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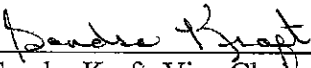
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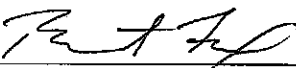
Respectfully submitted,

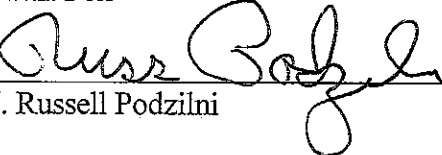
FINANCE COMMITTEE


Mary Mawhinney, Chair


Sandra Kraft, Vice Chair

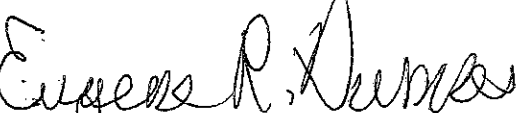

Mary Beaver


Brent Fox


J. Russell Podzilni

LEGAL NOTE:

The County Board is authorized to take this action by Wisconsin Statutes Section 75.365.


Eugene R. Dumas
Deputy Corporation Counsel


FISCAL NOTE:

This resolution authorizes the sale of a foreclosed property to the City of Beloit. Proceeds will be used to settle the delinquent taxes.


Sherry Qja
Finance Director

ADMINISTRATIVE NOTE:

Recommended.


Craig Knutson
County Administrator

AGREEMENT

REGARDING THE PURCHASE OF THE PROPERTY LOCATED AT:

202 Shirland Avenue, Beloit, Wisconsin
(Rock County Tax Parcel No. 206 13540020)

THIS AGREEMENT is made between the County of Rock, a political subdivision of the State of Wisconsin, with its principal place of business at 51 S. Main Street, Janesville, Wisconsin 53545 (hereinafter "County") and the City of Beloit, a municipal corporation with its principal place of business at 100 State Street, Beloit, Wisconsin 53511 (hereinafter "City").

1. The following described property (hereinafter "Property"), is currently subject to foreclosure by the County for unpaid taxes, plus applicable interest and penalties: 202 Shirland Avenue, Beloit, Wisconsin (Rock County Tax Parcel No. 206 13540020)

2. The City and the County are advised and do believe that the Property was contaminated with hazardous substances, as defined in section 292.01(5), Wis. Stats.; and

3. The County has the right to judgment vesting title to the property in the County, pursuant to sec. 75.521(8), Wis. Stats. However, in the past the County has stayed proceedings with regard to the Property in accordance with its policies directed at avoiding any possible liabilities which may be imposed on parties having an ownership interest in contaminated properties.

4. The City would like to acquire the property from the County pursuant to the applicable provisions of section 75.365, Wis. Stats., and has requested the County to acquire title to the property for the purpose of selling it to the City.

THEREFORE, the City and County agree as follows:

1. Upon final disposition of the foreclosure process, the County will sell the Property to the City for a total sum of \$10,552.90, which amount reflects the payments made by the County to the City in settlement of the City's local share of delinquent property taxes owed for the years, 2007-2011, inclusive.

2. The City agrees to cancel all outstanding charges for special assessments, to assume liability for any 2012 real estate taxes assessed against said parcel, and indemnify, hold harmless, and defend the County from any and all liability including claims, awards, damages, demands, settlement costs, legal expenses and costs of every kind related to the taking of tax title to the property and the sale of the property to the City, pursuant to this Agreement.

3. This Agreement constitutes the entire Agreement between the parties with respect to the subject matter contained herein, and no Agreements or promises shall be recognized which are not embodied in this Agreement.

CITY OF BELOIT

By: [Signature]
Larry N. Art, City Manager

Dated: 11-21, 2012

Attest:

By: [Signature]
Rebecca S. Houseman, City Clerk

Dated: 11-26, 2012

ROCK COUNTY

By: _____
J. Russell Podzilni, County Board Chair

Dated: _____, 2012

Attest:

By: _____
Lori Stottler, County Clerk

Dated: _____, 2012