

SHEBOYGAN COUNTY RESOLUTION NO. 33 (2013/14)

Re: **Sale of Additional Excess Former Union Pacific Land in City of Sheboygan**

**Printed as amended*

WHEREAS, pursuant to Resolution Nos. 7 (2011/12) and 18 (2012/13), Sheboygan County acquired the former Union Pacific rail line through the City of Sheboygan for the purpose of developing, administering, and maintaining a multipurpose recreational trail, and

WHEREAS, the parcel includes a portion of a little over 13,000 square feet of land that is not needed for County trail purposes now or in the foreseeable future, and it would be in the public interest to sell the excess land at fair market value so that it can be returned to the tax roll, and

WHEREAS, the excess land is described as:

Part of Lot 12, Block 58 of the Original Plat of the City of Sheboygan, being part of the previous railroad right-of-way of the Union Pacific Rail Road:

Commencing at the NE corner of Section 22, Township 15 North, Range 23 East, City of Sheboygan, Sheboygan County, Wisconsin; thence N89°48'52"W, along the North line of the NE ¼ Section 22, 606.55 feet to a point on the West line of Lot 11, Block 58 of the Original Plat of the City of Sheboygan, extended; thence S00°09'14"E, along said West line, 1306.60 feet to the SW corner of Lot 11; thence S89°38'38"E, along the South line of Block 58, 94.22 feet to the point of beginning on the West line of the previous railroad right-of-way of the Union Pacific Rail Road.

Thence continuing S89°38'38"E, along the South line of Block 58 of the Original Plat of the City of Sheboygan, 4.24 feet; thence N03°42'17"W, 76.09 feet; thence N89°58'53"W, 14.21 feet to the West line of the previous railroad right-of-way of the Union Pacific Rail Road; thence S11°05'36"E, along said west line, 77.36 feet to the point of beginning, and containing 700 square feet (0.0161 acres) of land.

AND

All rights and interests in those parts of Lots 12,13,14,15,23,25,27,29,30,35, vacated High Street, and the vacated East-West alley in Woolverton's Addition, City of Sheboygan, Sheboygan County, Wisconsin, which are currently owned by Sheboygan County, a municipal corporation, and which lie southwesterly of a line described as follows:

Commencing at the center ¼ corner of Section 15, Township 15 North, Range 23 East, City of Sheboygan, Sheboygan County, Wisconsin; thence S89°42'55"E, along the North line SE ¼ Section 15, 822.19 feet; thence S18°30'51"E, 33.77 feet to the point of beginning on the South line of Geele Avenue; thence, continuing S18°30'51"E, along a line which is 13.33 feet southwesterly of and parallel to the centerline of the now removed rails of the previous Union Pacific Rail Road, 625.00 feet; thence S11°41'32"W 39.09 feet to the point of termination, and containing 12690 square feet (0.2913 acres) of land.

WHEREAS, the excess parcel has a fair market value of \$1.77 per square foot based on the County's acquisition price from Union Pacific, and RCS Empowers, Inc., the neighboring landowner, has offered to purchase the parcel of *\$23,701.00 based on the same acquisition price and the undersigned Committee wishes to accept the offer;

NOW, THEREFORE, BE IT RESOLVED the Planning, Resources, Agriculture, and Extension Committee is authorized to accept an offer to purchase the excess land at vacated North Water Street in the City of Sheboygan for *\$23,701.00 by RCS Empowers, Inc., on such terms and conditions as the Planning, Resources, Agriculture, and Extension Committee deems to be in the best interests of Sheboygan County, with the contractual terms to be drawn by the Corporation Counsel.

BE IT FURTHER RESOLVED that the County Board Chairperson and County Clerk be authorized to sign the instrument of conveyance and any other document necessary to implement the intent of this Resolution.

BE IT FURTHER RESOLVED that the proceeds of the sale be placed in the non-lapsing, segregated fund for future trail maintenance as established for the trail or required by the terms of the grant from the Federal Highway Administration which is partially financing the trail project.

Respectfully submitted this 18th day of February, 2014.

PLANNING, RESOURCES, AGRICULTURE, AND EXTENSION COMMITTEE*

Michael S. Ogea
Michael S. Ogea, Chairperson

Keith Abler
Keith Abler, Vice-Chairperson

Al Bosman
Al Bosman, Secretary

James Baumgart
James Baumgart

Fran Damp
Fran Damp

Opposed to Introduction:

*County Board members signing only
