

**SHEBOYGAN COUNTY RESOLUTION NO. 28 (2014/15)**

Re: **Exchanging Parcel of County Land for Sand and Gravel**

**WHEREAS**, the County presently operates a gravel pit operation on a parcel of land that it owns in the Town of Rhine ("the County Parcel") to obtain sand and gravel, and

**WHEREAS**, Mark A. Zimmermann and Judy A. Zimmermann ("Zimmermann") own land upon which there is sand and gravel adjacent to the County parcel ("the Zimmermann Parcel"), and

**WHEREAS**, in the past, Zimmermann had a sand and gravel pit operation on the Zimmermann Parcel, and

**WHEREAS**, at the common border of the two parcels there is a triangular-shaped piece of land which has been determined to be part of the County Parcel but, through a faulty survey, it had previously been thought to be part of the Zimmermann Parcel, the legal description of which triangular-shaped piece is as follows:

Part of the W $\frac{1}{2}$ , W $\frac{1}{2}$ , SE $\frac{1}{4}$ , Section 12, T16N, R21E, Town of Rhine, Sheboygan County, Wisconsin.

Commencing at the S $\frac{1}{4}$  corner Section 12, T16N, R21E; thence N89°21'41"E, along the South line SE $\frac{1}{4}$ , Section 12, 602.00 feet to the point of beginning:

Thence, continuing N89°21'41"E, along the South line SE $\frac{1}{4}$ , Section 12, 65.04 feet to the SE corner W $\frac{1}{2}$ , W $\frac{1}{2}$ , SE $\frac{1}{4}$ , Section 12; thence N00°29'59"E, along the East line W $\frac{1}{2}$ , W $\frac{1}{2}$ , SE $\frac{1}{4}$ , Section 12, 2647.25 feet to the NE corner W $\frac{1}{2}$ , W $\frac{1}{2}$ , SE $\frac{1}{4}$  Section 12; thence S89°14'35"W, along the North line SE $\frac{1}{4}$  Section 12, 22.18 feet; thence S01°25'37"W 2648.41 feet to the point of beginning, and containing 115,421 square feet (2.6497 acres) of land,

and

**WHEREAS**, before Zimmermann ceased their operation, they had extended their pit into the triangular-shaped piece, and

**WHEREAS**, the County would like to extend the floor of its operation to match the floor of the Zimmermann operation, and Zimmermann is willing to allow this activity into the mining setback area required by Town and County ordinances and is willing to allow the County to have any sand and gravel coincidentally taken from the Zimmermann parcel to accomplish this.

**WHEREAS**, in exchange, Zimmermann would like the County to deed the triangular-shaped piece to them, and

**WHEREAS**, the Transportation Committee believes this proposed transaction to be in the best interest of the County;

**NOW, THEREFORE, BE IT RESOLVED** that the County Board Chairperson and County Clerk are authorized and directed to convey by Quit Claim Deed the property referred to above as the Triangular Parcel to Zimmermann in exchange for the County obtaining sand and gravel

pursuant to the Sand and Gravel Purchase and Sale Agreement signed by the Transportation Committee and Zimmermann and on file with the County Clerk.

Respectfully submitted this 16th day of December, 2014.

**TRANSPORTATION COMMITTEE**

Richard C. Bemis

Richard C. Bemis, Chairperson

Mark S. Winkel

Mark S. Winkel, Vice-Chairperson

Charles W. Conrardy

Charles W. Conrardy, Secretary

James P. Glavan

James P. Glavan

Jacob Van Dixhorn

Jacob Van Dixhorn

Opposed to Introduction:

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ADOPTED 01.20.2015