

Resolution No. 21-13

Resolution to Authorize Sale and Transfer of Certain Lands Along Clayton-Clear Lake Trail to Lake Magnor Properties, LLC.

TO THE HONORABLE MEMBERS OF THE POLK COUNTY BOARD OF SUPERVISORS:

Ladies and Gentlemen:

WHEREAS, pursuant to Resolution No. 22-96, Polk County purchased from the Polk County Snowmobile Council approximately 7 miles of United Pacific Railroad Company property located in Town of Clayton and the Town of Clear Lake for the public purpose of developing and maintaining the multi-use recreational trail, known as the Clear Lake- Clayton County Trail;

WHEREAS, certain improvements situated on the adjoining property of Lake Magnor Properties, LLC., (Lake Magnor Store), encroach an undeveloped portion of the Clear Lake- Clayton County Trail; and

WHEREAS, Lake Magnor Properties, LLC. has offered to purchase from Polk County an undeveloped portion of the trail consisting of 0.16 acres (272.31 feet long by 25.21 feet wide); and

WHEREAS, the transfer of said property would be in the interest of the County, remove the encroachment and allow for continued safe use of the Clear Lake- Clayton County Trail; and

WHEREAS, pursuant to Wisconsin Statute Section 59.52(6)(c), the Polk County Board of Supervisors may authorize the transfer by private sale county lands which have been acquired by purchase and which have been determined no longer necessary to be held for a public purpose;

WHEREAS, the Polk County Property, Forestry and Recreation Committee has recommended that the Polk County Board of Supervisors adopt a resolution that authorizes the sale and transfer of the subject property.

NOW, THEREFORE, BE IT RESOLVED that, with respect to the subject property consisting of 0.16 acres and legally described as:

“A parcel of land located in Government Lot 1 of Section 27, Township 33 North, Range 15 West, Town of Clayton, Polk County, Wisconsin described as follows:

Commencing at the east $\frac{1}{4}$ Corner of said Section 27; thence N. $00^{\circ}44'32''$ E, along the east line of said Government Lot 1, 923.22 feet to the northerly right of way line of the Clear Lake – Clayton County Trail; thence S. $53^{\circ}43'15''$ W., along said right of way line, 258.70 feet to the most easterly corner of Lot 91 of the Magnor Lake Assessor’s Plat, being the point of beginning; thence S. $53^{\circ}43'15''$ W., the said north right of way of the Clear Lake – Clayton Trail, 272.32 feet to the most southerly corner of said lot 91; thence S. $42^{\circ}00'48''$ E., along the extension of the southwesterly line of said lot 91, 25.12 feet; thence N. $53^{\circ}43'15''$ W., parallel with and 25.00 feet

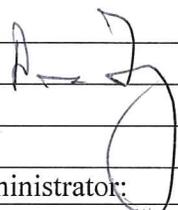
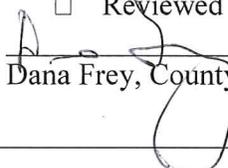
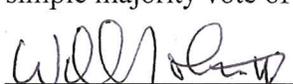
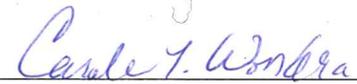
48 southeasterly of said right of way line, 272.31 feet to the southeasterly
 49 extension of the northeasterly line of said Lot 91; thence N.41°59'26"W.,
 50 along said southeasterly extension, 25.12 feet to the point of beginning.”

51
 52 (Parcel Identification Number # 016-00678-0000),

53
 54 the Polk County Board of Supervisors determines, consistent with Wisconsin Statute Sections 59.01
 55 and 59.52(6)(c), that the same was acquired by purchase, not donated and required to be held for a
 56 special purpose, and that the same is surplus property, no longer needed for a public use of Polk
 57 County.

58
 59 BE IT FURTHER RESOLVED that pursuant to Wisconsin Statute Section 59.52(6)(c), the Polk
 60 County Board of Supervisors authorizes and directs the County Clerk to sell and transfer by quit-
 61 claim deed said property for the purchase price of \$200 to Lake Magnor Properties, LLC., which said
 62 buyer shall also pay for any and all costs associated with the transfer and the recording of the
 63 transfer.

Funding Amount and Source: Not Applicable
 Date Finance Committee Advised: Not Applicable
 Finance Committee Recommendation: Not Applicable
 Effective Date: Upon Passage

Submitted and Sponsored By:	Polk County Property, Recreation and Forestry Committee
SUBMITTED BY 	
Review by County Administrator: <input checked="" type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input type="checkbox"/> Reviewed Only  Dana Frey, County Administrator	Review By Corporation Counsel <input checked="" type="checkbox"/> Approved as to Form <input type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input checked="" type="checkbox"/> Reviewed Only  Jeffrey B. Fuge, Corporation Counsel
County Board Action	
At its regular business meeting on May 21, 2013, the Polk County Board of Supervisors adopted the above-entitled resolution, Resolution No. <u>21</u> -13: Resolution to Authorize Sale and Transfer of Certain Lands Along Clear Lake – Clayton County Trail to Lake Magnor Properties, LLC., by a simple majority vote of ___ in favor and ___ against. <i>by voice vote</i>	
 William Johnson, IV, County Board Chairperson	Dated: <u>05.21.2013</u>
Attest:  Carole Wondra, Polk County	Dated: <u>5.21.13</u>

