

Resolution No. 13-15

Resolution To Authorize Lease Agreement Concerning Part of Highway Gravel Pit Lands Located in Town of Lorain

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

Ladies and Gentlemen:

WHEREAS, In February 2015, Polk County acquired 40 acres of vacant land certain lands located in the Town of Lorain for the operation and maintenance of a gravel pit; and

WHEREAS, in years prior to the County's acquisition, Joe Tietz, Frederic, Wisconsin, had farmed the westerly portion of the gravel pit, approximately ten(10) acres, through an arrangement with the former owner, Harlan Funk and has requested the County to enter into a lease agreement to continue in agricultural production such lands; and

WHEREAS, pursuant to Polk County Policy No. 916, *Management of County-Owned Non-Tax Forfeiture Real Estate*, the County Administrator, after consulting the Highway Commissioner, has determined that the westerly portion of the gravel pit lands are not suitable for gravel and a lease of such portion of the gravel pit lands would be consistent with operation of the gravel pit and management of the County's lands; and

WHEREAS, it is in the interest of the County to develop and to administer such lease with the proceeds on lease receipted into to Polk County Asset Fund to restore funds transferred for purposes of land acquisition as provided in Resolution No. 04-15.

NOW, THEREFORE, BE IT RESOLVED that, pursuant to Wisconsin Statute Section 59.52(6)(c), the Polk County Board of Supervisors authorizes the County Administrator to negotiate and to enter into an agreement on behalf of Polk County to lease to Joe Tietz, Frederic Wisconsin, the westerly 14.92 acres of the Highway gravel pit physically located along County Trunk Highway 0 in the Town of Lorain and having the legal description as follows:

"The West 490 feet of the Southeast One-Quarter (SE ¼) of the Northeast One-Quarter (NE ¼) of Section 30, Township 37 North, Range 15 West, Town of Lorain, Polk County Wisconsin," *Containing 14.92 acres more or less.*

Parcel Identification Number: 034-00582-0000.

BE IT FURTHER RESOLVED that such lease be developed and administered consistent with Polk County Policy No. 916, *Management of County-Owned Non-Tax Forfeiture Real Estate*.

Funding Source/ Funding Amount:	Annual Rental Income Estimated at \$400 (\$40/acre)
Date Reviewed as to Appropriations:	Not Applicable
Effective Date:	Upon Passage
Dated Submitted To County Board	May 19, 2015

Submitted By:	<hr/> <hr/> <hr/>
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Review By County Administrator: <input checked="" type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input type="checkbox"/> Reviewed Only <hr/> 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 <hr/> Jeffrey B. Fuge, Corporation Counsel
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Acknowledgement of County Board Action

Mark As Appropriate:

At its regular business meeting on May 19, 2015, the Polk County Board of Supervisors considered and acted on the above resolution, Resolution No. 13-15: Resolution To Authorize Lease Agreement Concerning Part of Highway Gravel Pit Lands Located in Town of Lorain, as follows:

- Adopted by simple majority of board of supervisors present by a vote of _____ in favor and _____ against.
- Adopted by unanimous vote. *as amended*
- Defeated by a vote of _____ in favor and _____ against.
- Defeated by voice vote.
- Action Deferred by Procedural Action, as follows: _____

SIGNED BY:

William F. Johnson, IV

William F. Johnson, IV, County Board Chairperson

Attest:

Carole T. Wondra

Carole T. Wondra, County Clerk

William F. Johnson

Dale Wood

Dean Johansen

James S. Edgell

L. A. Oint

Craig Moriah

**POLK COUNTY
OFFICE OF CORPORATION COUNSEL**

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May 19, 2015

To: Polk County Board of Supervisors

From: Jeffrey B. Fuge, Corporation Counsel

RE May 19, 2015 Meeting
Recommendation for Amendment to Proposed Resolution No. 13-15: Resolution To Authorize Lease Agreement Concerning Part of Highway Gravel Pit Lands Located in Town of Lorain

The Corporation Counsel recommends the County Board to amend proposed Resolution No 13-15: Resolution To Authorize Lease Agreement Concerning Part of Highway Gravel Pit Lands Located in Town of Lorain, at Lines 25-29, to provide for the acreage and correct legal description that would be subject to the lease. The appropriate amendment would read, as follows:

Motion by Supervisor _____, second by Supervisor _____ to amend proposed Resolution No 13-15, lines 25-29, as follows:

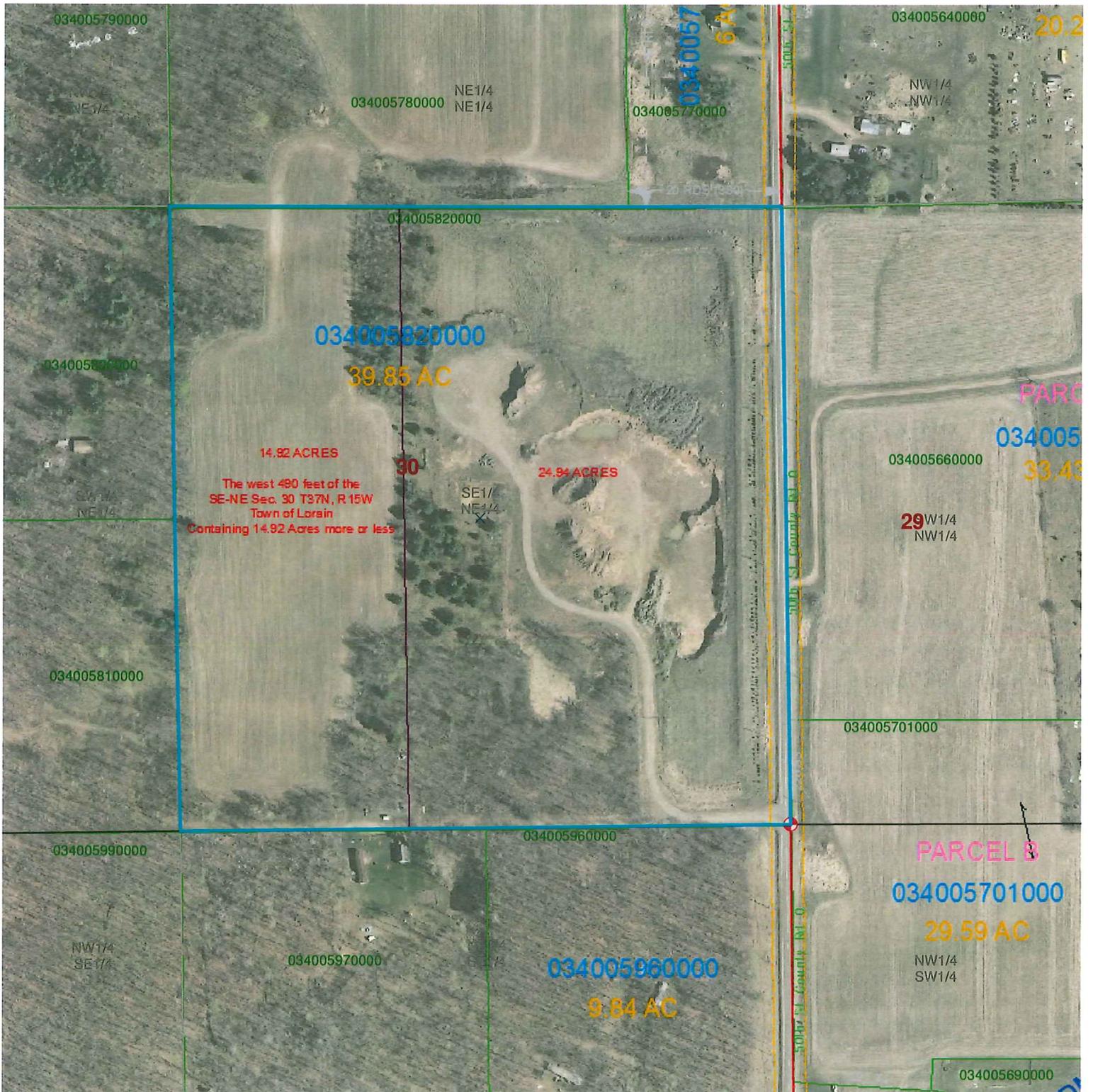
25 14.92 acres of the Highway gravel pit physically located along County Trunk Highway 0 in the
26 Town of Lorain and having the legal description as follows:

27 "The West 490 feet of tThe Southeast One-Quarter (SE ¼) of the Northeast
28 One-Quarter (NE ¼) of Section 30, Township 37 North, Range 15 West,
29 Town of Lorain, Polk County Wisconsin. Containing 14.92 acres more or
30 less."

An aerial photograph of the lands subject to the lease is attached.

JBFjbf/05192015

Attachment



034005790000

034005780000 NE1/4 NE1/4

034005770000 6 AC

034005640000

20.2

NW1/4 NW1/4

034005820000

034005820000

39.85 AC

034005830000

14.92 ACRES

The west 490 feet of the SE-NE Sec. 30 T37N, R 15W Town of Lorisin Containing 14.92 Acres more or less

30

SE1/4 NE1/4

24.94 ACRES

PARCEL

034005

33.43

034005660000

29 W1/4 NW1/4

034005810000

034005701000

034005990000

034005960000

PARCEL B

034005701000

29.59 AC

NW1/4 SE1/4

034005970000

034005960000

9.84 AC

NW1/4 SW1/4

034005690000