

RESOLUTION NO. _____ - 2013

**AUTHORIZING ACQUISITION OF CERTAIN REAL PROPERTY WITHIN THE DAM
BREACH FLOOD AREA OF LAKE REDSTONE**

WHEREAS, Sauk County, as the owner of the Lake Redstone Dam, is responsible for the maintenance and operation of the dam structure and all associated components; and

WHEREAS, the breach study performed for the dam as part of the state mandated maintenance requirements identifies areas that would be inundated upon damage or failure of the dam that impounds Big Creek and serves to create Lake Redstone; and

WHEREAS, the study indicates that in the event of failure of the dam the property located at E4558 County Highway V, Town of LaValle is threatened by rapid inundation from the large volume of impounded water causing serious concern for the health and safety of any resident living at this site; and

WHEREAS, the owner of the affected parcel has agreed to sell the property voluntarily and with the understanding that Sauk County has no intention of condemning said property to the County for the appraised value in order to allow the removal of the threatened house and the placement of a deed restriction on the property that would prohibit any future building upon this site, and

WHEREAS, the Honorable Sauk County Board of Supervisors has accepted and agreed to distribute Community Development Block Grant - Emergency Assistance Program (CDBG-EAP) supplemental flood relief monies to address issues associated with the 2008 flood event impacting the County; and

WHEREAS, the Conservation, Planning, and Zoning Committee has had this matter under advisement, and does recommend that this property be acquired by Sauk County.

NOW, THEREFORE, BE IT RESOLVED, by the Sauk County Board of Supervisors met in regular session, that fee simple title in and to the following real property with an address of E4558 County Highway V, Town of LaValle, Sauk County, be acquired for the sum of Two Hundred Seventy Five Thousand One Hundred Fifty Five Dollars (\$275,155.00) plus prorated taxes and costs, and the owner also be provided moving expenses of Nine Hundred and Fifty Dollars (\$950.00) for the public purpose of removing any threat to the occupants of the property in the event of dam failure, upon the terms and conditions agreed upon by and between Sauk County and the property owners:

Owner: Carrol Czarnecki

Legal Description:

The Northwest Quarter of the Northwest Quarter (NW1/4 NW1/4) Section Twenty-five (25) EXCEPT the Railroad right-of-way, and EXCEPT lands conveyed in a deed recorded in the Office of the Sauk County Register of Deeds in Volume 329 page 688, and EXCEPT Lot 1 and Parcels B and C of CSM #787 recorded in the Office of the Sauk County Register of Deeds in Vol. 4 page 787 of

Certified Survey Maps; Also the Northeast Quarter of the Northwest Quarter (NE1/4 NW1/4) lying South of the river (old location) in the Southwest (SW) corner, in Section Twenty-five (25); located in Township Thirteen (13) North of Range Three (3) East, in Town of LaValle, Sauk County, Wisconsin.

Tax Parcel Numbers 024-0691-00000 and 024-0692-00000

Descriptions as listed in Land Records System:

Parcel 024-0691-00000: SEC. 25 T13N R3E NE1/4 NW1/4 S OF OLD RIVER
IN SW COR 5.00A

Parcel 024-0692-00000: NWNW EXC RR ROW & EXC V329 -688 & EXC
C.S. V4-787 37.62A M/L

BE IT FURTHER RESOLVED, that all expenditures necessary for the acquisition of the above described parcels shall be paid from the CDBG-EAP supplemental flood relief monies; and

BE IT FURTHER RESOLVED, that the County Board Chairman, County Clerk, and Corporation Counsel are hereby authorized to complete the acquisition of these parcels of real property on behalf of Sauk County, including the signing of all necessary paperwork.

For consideration by the Sauk County Board of Supervisors on September 17, 2013.

Respectfully submitted,

CONSERVATION, PLANNING AND ZONING COMMITTEE

GERALD LEHMAN, Chair

JUDY ASHFORD

DON NOBS

FRED HALFEN

JOHN DIETZ

DENNIS POLIVKA

RANDY PUTTKAMER

FISCAL NOTE: Funds for the property acquisition and closing costs will be expended from the Community Development Block Grant - Emergency Assistance Program supplemental flood relief monies.

MIS IMPACT: No MIS impact.