

RESOLUTION # 31-2018

Resolution offered by Supervisors of the Forestry, Land, and Recreation Committee.

Resolved by the Board of Supervisors of Oneida County, Wisconsin:

WHEREAS, the Forestry Department received an Affidavit request from the Town of Cassian to maintain West Soo Lake Road, across county forest land located within the NE 1/4 of the SE 1/4, Section 36, T37N-R7E, in the Town of Cassian; and

WHEREAS, upon conducting a field investigation associated with the above described request, Forestry Department personnel discovered that parts of a private driveway and garage had been developed on county forest land without permission from the County, (see attachment A. Land Survey Map); and

WHEREAS, the County Forest Law Program, under Wis. State Statue 28.11, does not allow private buildings or permanent private access easements on or across County Forest Land; and

WHEREAS, upon conducting a thorough examination of all possible remedies to resolve the above described encroachment and access issue, the Forestry, Land, and Recreation Committee recommends that an application be sent to the WDNR requesting a 0.21 acre parcel of land, illustrated on the attached land survey map as Out lot 1, be withdrawn from the County Forest Law program and subsequently sold to resolve the encroachment and access issues described herein.

NOW, THEREFORE, BE IT RESOLVED THAT: The Forestry, Land, and Recreation Committee recommends that the attached County Forest Law Withdrawal Application be sent to the WDNR requesting the withdrawal of the 0.21 acre parcel of land, illustrated on the attached land survey map as Out lot 1 and described below, to be withdrawn from the County Forest Law Program:

A parcel of land in part of the NE 1/4 of the SE 1/4, Section 36, Township 37 North, Range 7 East, Town of Cassian, Oneida County, Wisconsin, more particularly described as follows: Commencing at the East 1/4 Corner of said Section 36 marked by a brass capped iron pipe; thence along the east line of said Section 36, S00°18'53"E for a distance of 557.93 feet to an iron pipe, the PLACE OF BEGINNING. Thence continuing along said east line, S00°18'53"E for a distance of 83.00 feet to an iron pipe; thence leaving said east line, S85°35'46"W for a distance of 30.00 feet; thence N75°43'02"W for a distance of 95.15 feet to an iron pipe the end of West Sao Lake Road; thence along the end of West Soo Lake Road, N06°03'26"E for a distance of 66.00 feet to an iron pipe; thence leaving said east right-of-way line, S88°06'04"E for a distance of 114.76 feet to the PLACE OF BEGINNING, containing 9,297 sq. ft. or 0.21 acres more or less. Together with and subject to any easements, restrictions and reservations of record or of use.

BE IT FURTHER RESOLVED, upon the DNR approving the above described withdrawal application the Oneida County Forestry Department is authorized to offer the subject parcel for sale to the adjoining owner having the encroachment and access issue for \$8,690.00 (see Attachment B. for an itemized list of reimbursement fees); and

BE IT FURTHER ORDAINED AND RESOLVED, that any and all payments resulting from the above described land sale, shall be deposited into the County Forest Land Purchase Account 51570.699101, and used to purchase replacement acreage for enrollment into the County Forest Law Program.

52 **Vote Required:** Majority = _____ 2/3 Majority = _____ 3/4 Majority = _____

53
54 The County Board has the legal authority to adopt: Yes 3 No _____ as reviewed by
55 the Corporation Counsel, [Signature], Date: 5/7/18

56 Approved by the Forestry, Land & Recreation Committee this 2ND day of May, 2018.

57 **Consent Agenda Item:** YES _____ NO _____

58 Offered and passage moved by:

59 [Signature] Supervisor
60 [Signature] Supervisor
61 [Signature] Supervisor
62 [Signature] Supervisor
63 [Signature] Supervisor
64 [Signature] Supervisor
65 [Signature] Supervisor
66 [Signature] Supervisor
67 [Signature] Supervisor
68 [Signature] Supervisor
69 [Signature] Supervisor
70 [Signature] Supervisor
71 [Signature] Supervisor
72 [Signature] Supervisor
73 [Signature] Supervisor
74 [Signature] Supervisor
75 [Signature] Supervisor
76 [Signature] Supervisor

77 Seconded by: _____

78
79
80 _____ Ayes

81
82 _____ Nays

83
84 _____ Absent

85
86 _____ Abstain

87
88
89 _____ Adopted

90
91 by the County Board of Supervisors this _____ day of _____, 2018.

92
93 _____ Defeated

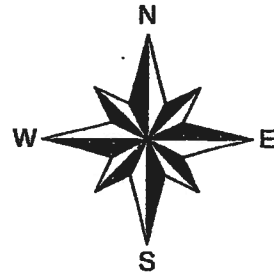
94
95
96
97 _____ Tracy Hartman, County Clerk _____ Dave Hintz, County Board Chair

Attachment A

Oneida County Certified Survey

Map No.

Oneida County Grid Bearings:
Referenced to the east line of the SE 1/4
of Section 36 as bearing S00°18'53"E



NE 1/4 - SE 1/4
DOC. No. 89765
Oneida County

Note:

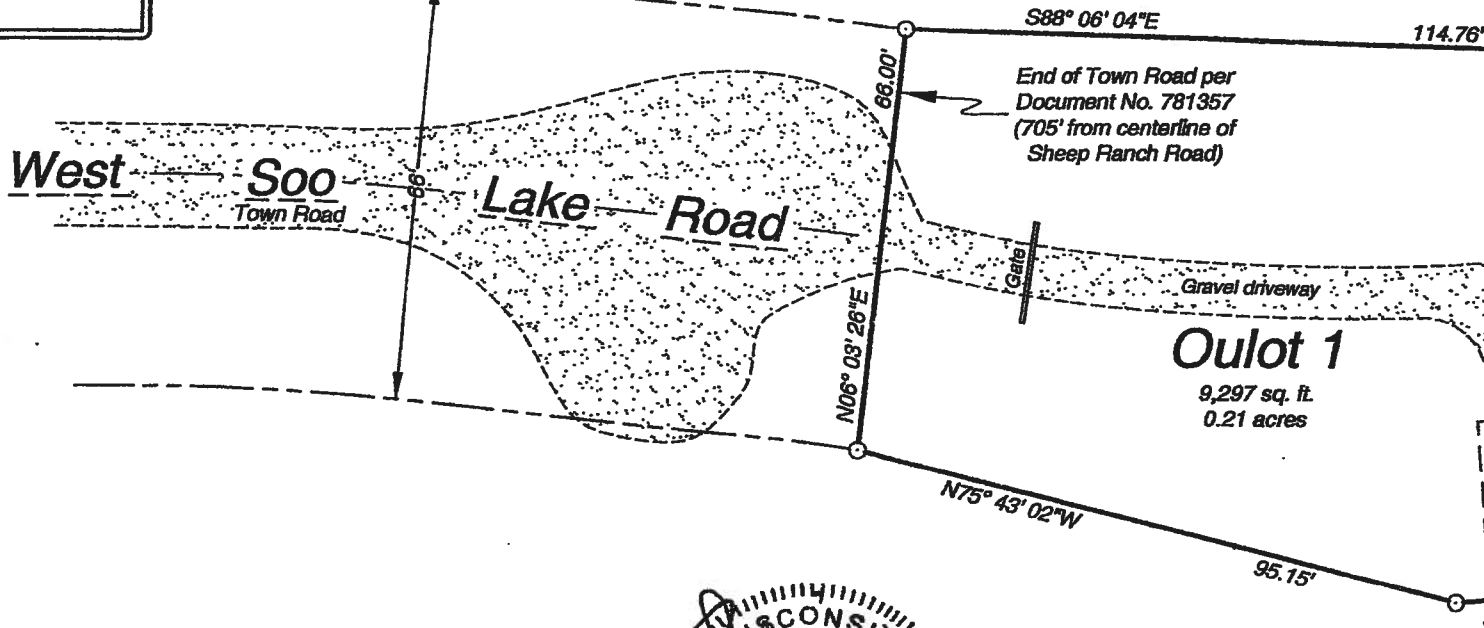
Outlot 1 of this Certified Survey Map is to be attached to the adjoining property to the east recorded in Document No. 470661 and is not to be conveyed separately unless in compliance with Town and County Subdivision and Zoning ordinances.



2" dia iron pipe with brass cap found

557.93' Sec. 36 - T 37 N - R 7 E
2643.88' Sec. 31 - T 37 N - R 8 E
Town of Cassian
Town of Newbold
2002.95
S00° 18' 53"E

N 1/2
Frac.
SW 1/4

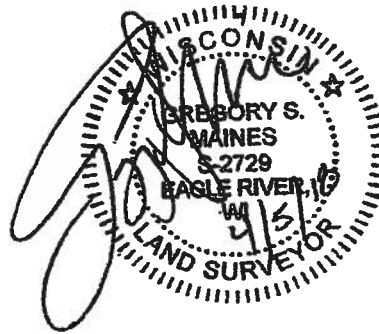
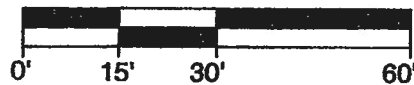


DOC No. 470661

Legend

- 1" x 18" iron pipe set weighing 1.13lbs/ft.
- ⊗ 1" dia. iron pipe previously set

Scale 1" = 30'



MAINES & ASSOCIATES
Land Surveyors

5230 Highway 70 West
Eagle River, WI 54621
Phone 715.479.2570
1673 Highway 51 North
Arbor Vitae, WI 54668
Phone 715.366.9495
mainesandassociates.com

Part of the
NE 1/4 of the SE 1/4
Section 36, T 37 N, R 7 E
Town of Cassian,
Oneida County, Wisconsin

CLIENT:
Oneida County Forestry

JOB #: 2016205

DRAWN BY: JWD

DATE: 04/05/2018

SHEET 1 OF 2



2" dia iron pipe with brass cap found

Oneida County Certified Survey Map No.

Surveyors Certificate

I, Gregory S. Maines, Professional Land Surveyor No. S-2729, hereby certify that under the direction of Oneida County, owner of said land; I have surveyed and mapped Outlot 1 which is represented by this Certified Survey Map; that the exterior boundary of the parcel surveyed and mapped is described as follows:

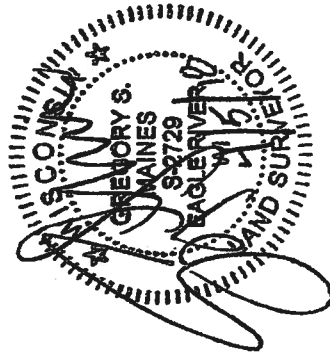
A parcel of land in part of the NE 1/4 of the SE 1/4, Section 36, Township 37 North, Range 7 East, Town of Cassian, Oneida County, Wisconsin, more particularly described as follows:

Commencing at the East 1/4 Corner of said Section 36 marked by a brass capped iron pipe; thence along the east line of said Section 36, S00°18'53"E for a distance of 557.93 feet to an iron pipe, the PLACE OF BEGINNING. Thence continuing along said east line, S00°18'53"E for a distance of 89.00 feet to an iron pipe; thence leaving said east line, S85°35'46"W for a distance of 30.00 feet; thence N75°43'02"W for a distance of 95.15 feet to an iron pipe the end of West Soo Lake Road; thence along the end of West Soo Lake Road, N06°09'26"E for a distance of 66.00 feet to an iron pipe; thence leaving said east right-of-way line, S88°06'04"E for a distance of 114.76 feet to the PLACE OF BEGINNING, containing 9,297 sq. ft. or 0.21 acres more or less.

Together with and subject to any easements, restrictions and reservations of record or of use.

That this Certified Survey Map is a correct representation of the exterior boundary surveyed; that I have fully complied with the provisions of Chapter 238.34 of the Wisconsin Statute in surveying and mapping the same.

Certified in Arbor Vitae, Wisconsin
This 5th day of April, 2018



Gregory S. Maines, PLS-2729

Part of the
NE 1/4 of the SE 1/4
Section 36, T 37 N, R 7 E
Town of Cassian,
Oneida County, Wisconsin

CLIENT:

Oneida County
Forestry

JOB #: 2016205

DRAWN BY: JWD

DATE: 04/05/2018

SHEET 2 OF 2



MAINES & ASSOCIATES
Land Surveyors

5280 Highway 70 West
Eagle River, WI 54521
Phone 715.479.2670

1673 Highway 61 North
Arbor Vitae, WI 54508
Phone 715.356.9485

mainesandassociates.com

Attachment B.

Fees Associated with the Withdrawal and Subsequent Sale of Proposed Outlot 1, Certified Survey Map No. (pending final approval)

\$3,500 – **Land Survey Fee's** - Reimburse the OC Forestry Department for survey fees related to the Backes encroachment & access issue (i.e. initial property line survey, and the development of a CSM).

\$4,000 – **Parcel Sale Price** – Appraised Fair Market Value for the 0.21 acre subject parcel.

\$600 – **Land Appraisal Fee** - Reimburse the OC Forestry Department for the cost of obtaining an appraisal report to determine the fair market value of the subject parcel.

\$500 – **Administration Fee** – Reimburse the OC Forestry Department for miscellaneous administration expenses associated with facilitating the withdrawal and subsequent sale of the subject parcel.

\$90 – **Recording Fees** - Reimburse the OC Forestry Department for recording the following documents associated with the withdrawal and subsequent sale of the subject parcel: \$30 - County Forest Withdrawal Statement, \$30 - Certified Survey Map of Outlot 1, and \$30 – Recording the Quit Claim Deed for the sale of the Outlot 1.

\$8,690 – Total Cost