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RESOLUTION #77-2012

**GENERAL CODE OF ONEIDA COUNTY, WISCONSIN
ORDINANCE AMENDMENT #**

Ordinance Amendment offered by Supervisors of the Land Records Committee.

Whereas, Chapter 18, titled 'County Real Estate Transactions' was reviewed by the Land Records Committee and the Committee recommends that changes be made to various parts of the ordinance for improved administration of the ordinance.

**NOW, THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS
DOES ORDAIN AS FOLLOWS:**

Section 1. Any existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.

Section 2. This ordinance shall take effect the day after passage and publication as required by law.

Section 3. If any claims, provisions or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 4. The following Sections of Chapter 18 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

18.02 DELEGATION OF COUNTY REAL ESTATE TRANSACTIONS.

(1) **ADMINISTRATION.** (Am. #113-2007) The LAND RECORDS COMMITTEE shall administer this Chapter and shall be referred to in this Chapter as the "Committee."

(2) **POWERS AND DUTIES.** Such Committee shall:

(a) Administer the County real estate as described in §18.01 of this Chapter and in accordance with Ch. 75, Wis. Stats including, but not necessarily limited to, secs. 75.35, 75.36, and 75.69. and 59.52.

(b) Determine the value of any real estate before the County sells it in the following manner:

(1) For real estate acquired through tax deed or in rem tax foreclosure judgment, the values to be used for minimum bid amounts at the first advertised sale of those properties with a last known estimated fair market value of \$25,000 or greater as listed in the tax roll, shall be offered for no less than the value as determined by the Committee ~~last known fair market value as listed in the tax roll~~ or at the discretion of the Committee, for the value determined by an appraisal conducted by a certified appraiser. If the value set by the Committee is less than the fair market value, it shall prepare a written statement, available for public inspection that explains the reasons for setting the value lower.

Remainder of section is unchanged.

18.04 REAL ESTATE SALES OF TAX DEED OR IN REM TAX FORECLOSURE PROPERTIES.

18.04 (1) through (6) remain unchanged.

(7) At least 3 weeks prior to the sale date the clerk of the municipality in which the real estate being offered for sale is located shall be notified per §75.69(4), Wis. Stats.

With this notification the County will request the municipality inform the County of any

49 concerns the municipality may have regarding the sale. The municipality may consider
50 such items as:

- 51 (a) Unwarranted increases in governmental expenses.
- 52 (b) Type of highway and other reservations desirable.
- 53 (c) Other factors which should be considered in the decision of the County.
- 54 (d) Interest in acquiring the real estate for the municipalities use, however the County
55 reserves the right to include a reversionary clause if the property is no longer needed for
56 their use.
- 57 (e) If the municipality expresses interest in the property, the Committee may
58 negotiate the price that it may charge the municipality for the property to recover costs
59 associated with the property incurred by the County or recommend to the County Board
60 that it be deeded at no charge.

61 Remainder of section remains unchanged.

62
63 Approved by the Land Records Committee this 14th day of August, 2012.

64
65 Vote Required: Majority = _____ 2/3 Majority = _____ 3/4 Majority = _____

66
67 The County Board has the legal authority to adopt: Yes _____ No _____ as
68 reviewed by the Corporation Counsel, _____, Date: _____

69
70
71 Offered and passage moved by: _____
72 Supervisor
73 _____
74 Supervisor
75 _____
76 Supervisor
77 _____
78 Supervisor
79 _____
80 Supervisor

81
82 _____ Ayes

83
84 _____ Nays

85
86 _____ Absent

87
88 _____ Abstain

89
90
91 _____ Enacted

92
93 by the County Board of Supervisors this _____ day of _____, 2012.

94
95 _____ Defeated

96
97 _____
98 Mary Bartelt, County Clerk

_____ Ted Cushing, County Board Chair