

RESOLUTION NO. 19-48

AUTHORIZING THE OZAUKEE COUNTY TREASURER TO INITIATE IN REM PROCEEDINGS ON THE PROPERTY LOCATED AT 1020 WASHINGTON STREET, GRAFTON, WISCONSIN 53024

WHEREAS, real estate taxes for the Clark property located in the Village of Grafton, County of Ozaukee, State of Wisconsin, located at 1020 Washington Street, bearing Tax Parcel Number 10096708000 ("Property"), are delinquent for each year, commencing with year 2016, to the present and numerous tax certificates have been issued by the County for failure to pay said taxes; and

WHEREAS, the Property was previously a gas station; and

WHEREAS, an environmental assessment of the Property has been conducted and concludes that the subject site is contaminated by one or more hazardous substances; and

WHEREAS, the redevelopment of the Property would enhance the neighborhood and be beneficial to the Village and County; and

WHEREAS, the Village of Grafton has created a tax incremental financing district to provide funds for remediation of the Property.

NOW, THEREFORE, BE IT RESOLVED by the Ozaukee County Board of Supervisors that the County shall initiate and pursue to completion the acquisition of the Property by in rem proceedings pursuant to Chapter 75 of the Wisconsin Statutes; and

FURTHER RESOLVED by the Ozaukee County Board of Supervisors that, upon acquiring the Property, the Ozaukee County Treasurer is authorized to immediately assign the Property to the Village of Grafton Community Development Authority, pursuant to an agreement that includes the following terms and conditions:

1. The Developer and/or Village of Grafton Community Development Authority ("CDA") agrees to accept title and ownership of the Property, in its current condition at the time of conveyance "as is and with all faults." Said conveyance shall be full and final;
2. The Developer and/or CDA shall hold harmless and indemnify the County from any and all liability for any reason, known or unknown, related to the condition of status of the property, whether such liability or condition is known or unknown at the time of transfer of title;
3. The CDA shall reimburse the County for the balance of special assessments on the Property; and
4. The County shall waive the balance of any taxes, penalties, and interest remaining on the Property for tax years 2016, 2017, 2018, and 2019 except insofar as the proceeds from any subsequent sale of the Property by the CDA, shall offset said balance, if applicable; and
5. The Village of Grafton CDA shall be responsible for reimbursing Ozaukee County for all expenses incurred relating to the in-rem tax foreclosure process.

FURTHER RESOLVED by the Ozaukee County Board of Supervisors that additional

terms and conditions may be applicable as the Corporation Counsel, the Finance Director, and the Ozaukee County Treasurer deem necessary and appropriate; and

FURTHER RESOLVED by the Ozaukee County Board of Supervisors that the County Administrator and County Board Chairperson are authorized to execute any contracts, agreements or other documents necessary to carry out the intent of this resolution.

Dated at Port Washington, Wisconsin, this 4th day of March 2020.

*SUMMARY: Authorizing the Ozaukee County Treasurer to initiate In Rem proceedings on the property located at 1020 Washington Street, Grafton, Wisconsin 53024.*

*VOTE REQUIRED: Majority*

**FINANCE COMMITTEE**

**RESULT:**        **APPROVED [UNANIMOUS]**

**MOVER:**         T. Richart, Supervisor District 12

**SECONDER:**    D. Dohrwardt, Vice-Chairperson

**AYES:**           P. Melotik, D. Dohrwardt, T. Richart, L. Herro

**EXCUSED:**      J. Strom

**RES. 19-48**

Authorizing the Ozaukee County Treasurer to Initiate In Rem Proceedings on the Property Located at 1020 Washington Street, Grafton, Wisconsin 53024

**VOTE RESULTS: Passed By Majority Vote**



YES: **19** NO: **0** ABSTAIN: **1** ABSENT: **6**

Winker	EXCUSED	<del>ABSENT</del>
Dohrwardt	MOTION	<b>YES</b>
Jobs		<b>YES</b>
Schlenvogt		<b>YES</b>
Clark		<b>YES</b>
Nelson		<b>YES</b>
Becker		<b>YES</b>
Larson		<b>YES</b>
Grabow		<b>YES</b>
Melotik		<b>YES</b>
Wolf		<b>YES</b>
Richart	SECOND <del>MOTION</del>	<b>YES</b>
Korinek	EXCUSED	<del>ABSENT</del>

Herro		<b>YES</b>
Geracie	EXCUSED	<del>ABSENT</del>
Gall		<b>YES</b>
Krieg		<b>YES</b>
Wirth		<b>ABSTAIN</b>
Ross		<b>YES</b>
Marchese		<b>YES</b>
Strom		<del>ABSENT</del>
Holyoke		<b>YES</b>
Henrichs	EXCUSED	<del>ABSENT</del>
Braverman	EXCUSED	<del>ABSENT</del>
Read		<b>YES</b>
Rothstein		<b>YES</b>