

**Kenosha County  
Administrative Proposal Form**

**1. Proposal Overview**

Division: \_\_\_\_\_ Department: Corporation Counsel

Proposal Summary (attach explanation and required documents):

This proposal requests authorization to offer, by operation of a new ordinance, to transfer a tax deeded parcel to the prior owner by quit claim deed upon payment of past due taxes, interest, penalties and costs. This parcel was owned by John Prill who is requesting the post-tax deed redemption.

Dept./Division Head Signature: John F. Moyer Date: 1/31/20

**2. Department Head Review**

Comments:

Recommendation: Approval  Non-Approval

Department Head Signature: J. B. Cole Date: 1/31/2020

**3. Finance Division Review**

Comments:

Recommendation: Approval  Non-Approval

Finance Signature: Patricia Merrill Date: 1/30/20

**4. County Executive Review**

Comments:

Action: Approval  Non-Approval

Executive Signature: Jim Ruse Date: 1/31/20

**KENOSHA COUNTY**

**BOARD OF SUPERVISORS**

RESOLUTION NO.

Subject: RESOLUTION AUTHORIZING CONVEYANCE OF PROPERTY LOCATED AT 11713 212 <sup>TH</sup> Ave., BRISTOL, WI TO JOHN SIMMERS; PARCEL 37-4-121-312-0272	
Original <input checked="" type="checkbox"/> Corrected <input type="checkbox"/> 2nd Correction <input type="checkbox"/> Resubmitted <input type="checkbox"/>	
Date Submitted:	Date Resubmitted:
Submitted By: Finance Committee	
Fiscal Note Attached <input type="checkbox"/>	Legal Note Attached <input type="checkbox"/>
Prepared By: John F. Moyer Senior Assistant Corporation Counsel	Signature:

WHEREAS, Kenosha County acquired title to property formerly owned by John Simmers that is located at 11713 212<sup>th</sup> Ave. (parcel in the Village of Bristol, Wisconsin through a tax deed issued on August 26, 2019; and

WHEREAS, Kenosha County served a 28 Day Notice To Vacate Premises on the occupant of the property on September 4, 2019 and initiated eviction proceedings on October 29, 2019; and

WHEREAS, John Simmers has objected to the issuance of a tax deed against his property stating that there is a defect in the groundwork of the tax, and his representatives have signed affidavits stating that his assessment is faulty and based upon a renovation which could not be completed due to health issues which precluded the use of funds toward the renovation; and

WHEREAS, Colonel Robert H. Hashimoto, one of those representatives, indicated during citizen's comments at a Finance Meeting held November 12, 2019, that John Simmers is willing and able to pay all delinquent taxes, interest, penalties, and costs associated with the foreclosure and eviction actions; and

WHEREAS, The eviction proceedings against John Simmers have not yet been concluded, with the result that John Simmers continues to reside at the property; and

WHEREAS, John Simmers will suffer a financial loss from the taking of his property pursuant to the tax deed.

NOW THEREFORE BE IT RESOLVED that the Kenosha County Board of Supervisors pursuant to Kenosha County Ordinance 3.635 authorizes the conveyance of the property located at 11713 212<sup>th</sup> Ave, Bristol, Wisconsin to John Simmers by quit claim deed upon payment of the delinquent taxes, interest, penalties and costs incurred by the County in connection with the acquisition and disposal of the property; and

Resolution Re: authorization for transfer of tax deeded land by quit claim deed to John Simmers.

BE IT FURTHER RESOLVED that the County Clerk, the County Treasurer, the Corporation Counsel, and such other county employees and officials as may be necessary are directed to take the steps necessary to convey the property to John Simmers by quit claim deed.

Respectfully submitted by:

FINANCE COMMITTEE	<u>Aye</u>	<u>No</u>	<u>Abstain</u>	<u>Excused</u>
_____ Terry Rose, Chairman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Ron Frederick, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Jeffrey Gentz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Jeff Wamboldt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ John O'Day	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ Edward Kubicki	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ John Poole	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Resolution # 1-2020

66.0413 \* Resolution and order to raze building.

STATE OF WISCONSIN

Village of Bristol

Kenosha County

The Village Board of the Village of Bristol, Kenosha County, Wisconsin, by this resolution, adopted by a majority of the Village board on a roll call vote with a quorum present and voting and proper notice having been given, resolves and orders as follows:

The Village board has found that the following described building is old, dilapidated, or out of repair, and, consequently, dangerous, unsafe, unsanitary, or otherwise unfit for human habitation and that repair of the building is unreasonable, and has specifically found that the building inspector [or other designated officer] has determined that the cost of repairs to the building would exceed 50% of the assessed value of the building divided by the ratio of the assessed value to the recommended value as last published by the State of Wisconsin, Department of Revenue for the Village.

Upon the above findings, Kenosha County, the owner of the following-described real property, is ordered to raze the building in the Village of Bristol located upon the following described real property by not later than March 2<sup>nd</sup>, 2020, described as Residence and located at: 11713 212<sup>th</sup> Avenue Bristol Wisconsin.

The building inspector shall post a placard on the premises containing the following notice:

“This Building May Not Be Used for Human Habitation, Occupancy, or Use.”

The building inspector shall prohibit use of the building for human habitation, occupancy, or use until necessary repairs have been made.

If the owner of the above-described real property fails or refuses to comply with this order within the time prescribed above, the building inspector shall, subject to s. 66.0413 (1) (h) and (j), Wis. stats., relating to salvage and personal property, proceed to raze the building through any available public agency or by contract or arrangement with private persons, or to secure the building and, if necessary, the property on which the building is located if unfit for human habitation. The cost of razing or securing the building may be charged in full or in part against the real estate upon which the building is located, and if that cost is so charged it is a lien upon the real estate and may be assessed and collected as a special charge.

Notice of the raze order of the Village board shall be served as follows:

1. On the owner of record of the building that is subject to the order, or on the owner's agent if the agent is in charge of the building, in the same manner as a summons is served in circuit court.
2. On the holder of each encumbrance of record by 1st class mail at the holder's last-known address and by publication as a class 1 notice under chapter 985, Wis. stats.

If the owner, and the owner's agent, if any, cannot be found, or if the owner is deceased and an estate has not been opened, the order may be served by posting it on the main entrance of the building and by publishing it as a class 1 notice under chapter 985, Wis. stats., before the time limited in the order begins to run.

The Village clerk shall file or have filed by the Village attorney a Notice of Lis Pendens in the Office of the Register of Deeds for Kenosha County, Wisconsin, on the tract of the above-described real property to provide notice of this resolution and raze order of the Village.

The Village clerk shall properly post or publish this resolution as required under s. 60.80, Wis. stats.

Adopted this 27<sup>th</sup> day of January, 2020



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President Mike Farrell



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Attest: Clerk Amy Klemko