

September 26, 2023

RESOLUTION NO. 2023-40

RESOLUTION BY THE EXECUTIVE COMMITTEE AUTHORIZING A LAND DONATION BY ARCH STANTON LLC AND LAND TRANSFER TO THE VILLAGE OF YORKVILLE

To the Honorable Members of the Racine County Board of Supervisors:

WHEREAS, the Village of Yorkville intends to expand its treatment plant and desires the additional land to facilitate that expansion; and

WHEREAS, Racine County is the owner of a public park golf course, the Ives Grove Golf Course, (hereinafter "Park") abutting a certain parcel owned by Arch Stanton LLC, which is identified as Racine County Parcel No. 194-03-21-005-000; and

WHEREAS, in order to be able to convey a small portion of the Park to the Village of Yorkville for the much-needed water utility expansion project, the County is obliged, under existing grant agreements, to acquire an off-setting area of land to be added to the Park; and

WHEREAS, Arch Stanton LLC has expressed a willingness to donate such land to the County, via a lot line adjustment from the Property to the Park ("Mitigation Strip"), to offset the proposed intermunicipal conveyance. A description of the Mitigation Strip is contained in the quitclaim deed that is attached as Exhibit A and incorporated by reference; and

WHEREAS, the County shall transfer ownership of the parcel identified as Parcel No. 194-03-21-13-028-000 to the Village of Yorkville to permit expansion of the Village's water tower facility adjacent to the neighboring Ives Grove Golf Links Golf Course. A description of the property is contained in the quitclaim deed that is attached as Exhibit B and incorporated by reference;

NOW, THEREFORE, BE IT RESOLVED by the Racine County Board of Supervisors that the Land Donation between Arch Stanton LLC and the County, as set forth in Exhibits A and C, is hereby authorized and approved; and

BE IT FURTHER RESOLVED by the Racine County Board of Supervisors that the transfer of Parcel No. 194-03-21-13-028-000 by the County to the Village of Yorkville, as set forth in Exhibit B, is hereby authorized and approved; and

BE IT FURTHER RESOLVED by the Racine County Board of Supervisors that such agreements shall incorporate such further terms as the Corporation Counsel, Finance Director, and the Public Works and Development Services Director deem necessary and appropriate; and

4 **BE IT FURTHER RESOLVED** by the Racine County Board of Supervisors that any
5 two of the County Clerk, County Executive, and/or County Board Chairman are authorized
6 to execute any contracts, agreements, amendments, or other documents necessary to
7 carry out the intent of this resolution.
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9 Respectfully submitted,

10
11 1st Reading _____

EXECUTIVE COMMITTEE

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13 2nd Reading _____

Thomas E. Roanhouse, Chairman

14 BOARD ACTION

15 Adopted _____

Tom Kramer, Vice Chairman

16 For _____

17 Against _____

18 Absent _____

Robert N. Miller, Secretary

19 VOTE REQUIRED: Majority

20
21 Prepared by:
22 Corporation Counsel

Donald J. Trottier

Melissa Kaprelian

Scott Maier

Jacon Eckman

Robert D. Grove

Tom Rutkowski

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41 **The foregoing legislation adopted by the County Board of Supervisors of**
42 **Racine County, Wisconsin, is hereby:**

43 **Approved:** _____

44 **Vetoed:** _____

45
46 **Date:** _____,

47
48 _____
49 **Jonathan Delagrave, County Executive**

EXHIBIT A
LEGAL DESCRIPTION

QUIT CLAIM DEED

Document Number

Document Title

Arch Stanton LLC, a Wisconsin municipal limited liability company ("Grantor"), quit claims to the County of Racine, a Wisconsin municipal corporation ("Grantee"), that certain real property situated in Racine County, Wisconsin, as more fully described on the attached Exhibit A (the "Property") hereto, together with all appurtenant rights, title and interests.

This is not homestead property. This conveyance is exempt from transfer fee pursuant to sec. 77.25(2g) of the Wisconsin Statutes.

Recording Area

Drafted By/Return To:

Christopher A. Geary
Pruitt, Ekes & Geary, S.C.
245 Main Street, Suite 404
Racine, WI 53403

PIN:

194-03-21-24-005-000

GRANTOR:
ARCH STANTON LLC

By: _____

Attest: _____

ACKNOWLEDGMENT

STATE OF WISCONSIN)
) ss.
RACINE COUNTY)

Personally came before me on this ___ day of _____, 2023, the above-named _____ and _____ to me known to be the persons who executed the foregoing instrument in such capacities and acknowledged the same as the act of Arch Stanton LLC.

Name: _____
Notary Public, State of Wisconsin
My Commission (is permanent) (expires: _____)

LOT LINE ADJUSTMENT EXHIBIT A

Description of Land to be conveyed from Parcel ID 194-03-21-24-005-000 to Parcel ID 194-03-21-13-028-000:

Part of the Northwest 1/4 of Section 24, Township 3 North, Range 21 East of the Fourth Principal Meridian, in the Village of Yorkville, County of Racine, State of Wisconsin, being more particularly bounded and described as follows: Beginning at the Northeast corner of the Northwest 1/4 of said Section 24, run thence S01°44'27"E, 32.00 feet along the East line of said Northwest 1/4 to a point 32.00 feet from, as measured perpendicular to, the North line of said Northwest 1/4; thence S88°08'09"W, 1321.73 feet parallel with the North line of the Northwest 1/4 of said Section 24 to the West line of the Northeast 1/4 of said Northwest 1/4; thence N01°37'45"W, 32.00 feet along the West line of the Northeast 1/4 of the Northwest 1/4 of said Section 24 to the North line of said Northwest 1/4; thence N88°08'09"E, 1321.67 feet along the North line of the Northwest 1/4 of said Section 24 to the Northeast corner of said Northwest 1/4 and the point of beginning.

Containing 42,294 square feet or 0.971 acres.

Certificate

The above-described property has been surveyed under my direction and the map hereon drawn is a correct representation thereof to the best of my knowledge and belief.

No title commitment or results of a title search were provided to this office pertaining to this survey. This Exhibit may not reflect easements of record, encumbrances, restrictions, ownership, title evidence, or other facts that a current and accurate title search may disclose.

September 8, 2023

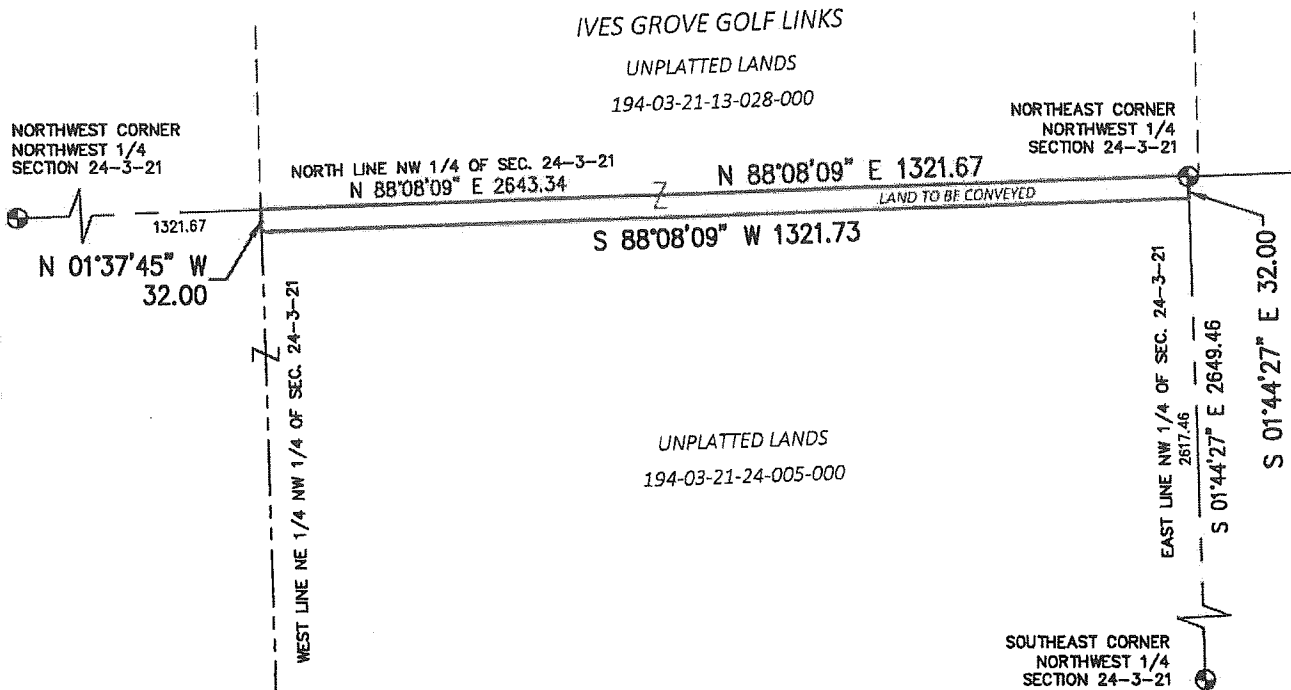
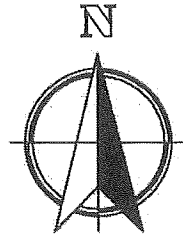
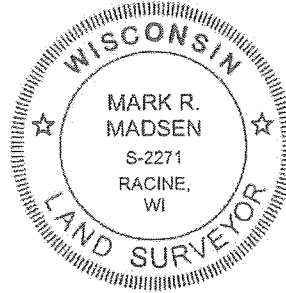
Mark R. Madsen
Mark R. Madsen

250' 0' 250'



SCALE 1" = 250'

BEARINGS BASE: GRID NORTH, WISCONSIN STATE PLANE
COORDINATE SYSTEM, SOUTH ZONE NAD 1927.



QUIT CLAIM DEED

Document Number

Document Title

County of Racine, a Wisconsin municipal corporation ("Grantor"), quit claims to the **Village of Yorkville**, a Wisconsin municipal corporation ("Grantee"), that certain real property situated in Racine County, Wisconsin, as more fully described on the attached Exhibit A (the "Property") hereto, together with all appurtenant rights, title and interests.

This is not homestead property. This conveyance is exempt from transfer fee pursuant to sec. 77.25(2) of the Wisconsin Statutes.

Recording Area

Drafted By/Return To:
Christopher A. Geary
Pruitt, Ekes & Geary, S.C.
245 Main Street, Suite 404
Racine, WI 53403

PIN:

194-03-21-13-028-000

**GRANTOR:
COUNTY OF RACINE**

By: _____
Jonathan Delagrave, County Executive

Wendy Christensen, County Clerk

ACKNOWLEDGMENT

STATE OF WISCONSIN)
) ss.
RACINE COUNTY)

Personally came before me on this ____ day of _____, 2023, the above-named Jonathan Delagrave, as County Executive of the County of Racine, and Wendy Christensen, as Racine County Clerk, to me known to be the persons who executed the foregoing instrument in such capacities and acknowledged the same.

Name: _____
Notary Public, State of Wisconsin
My Commission (is permanent) (expires: _____)

EXHIBIT A
LEGAL DESCRIPTION

LOT LINE ADJUSTMENT EXHIBIT A

Description of Land to be conveyed from Parcel ID 194-03-21-13-028-000 to Parcel ID 194-03-21-13-029-014:

Part of the Southeast 1/4 of Section 13, Township 3 North, Range 21 East of the Fourth Principal Meridian, in the Village of Yorkville, County of Racine, State of Wisconsin, being more particularly bounded and described as follows: Beginning at the Northern corner of Outlot 1 of Certified Survey Map No. 1666, a map recorded in the office of the Register of Deeds for Racine County, Wisconsin on November 19, 1993 as Document No. 1443558, run thence S52°59'20"W, 312.87 feet along the Northerly line of Outlot 1 of said C.S.M. No. 1666 to its Western corner; thence S88°06'38"W, 65.79 feet along the Westerly extension of the South line of Outline 1 of said C.S.M. No. 1666; thence N36°33'49"E, 519.71 feet to the West line of Certified Survey Map No. 1710, a map recorded in the office of the Register of Deeds for Racine County, Wisconsin on August 3, 1994 as Document No. 1475513; thence S01°30'40"E, 227.00 feet along the West line of C.S.M. No. 1710, being parallel with the West line of the Southeast 1/4 of said Section 13, to the Northern corner of Outlot 1 of said C.S.M. No. 1666 and the point of beginning.

Containing 42,297 square feet or 0.971 acres.

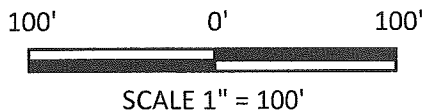
Certificate

The above-described property has been surveyed under my direction and the map hereon drawn is a correct representation thereof to the best of my knowledge and belief.

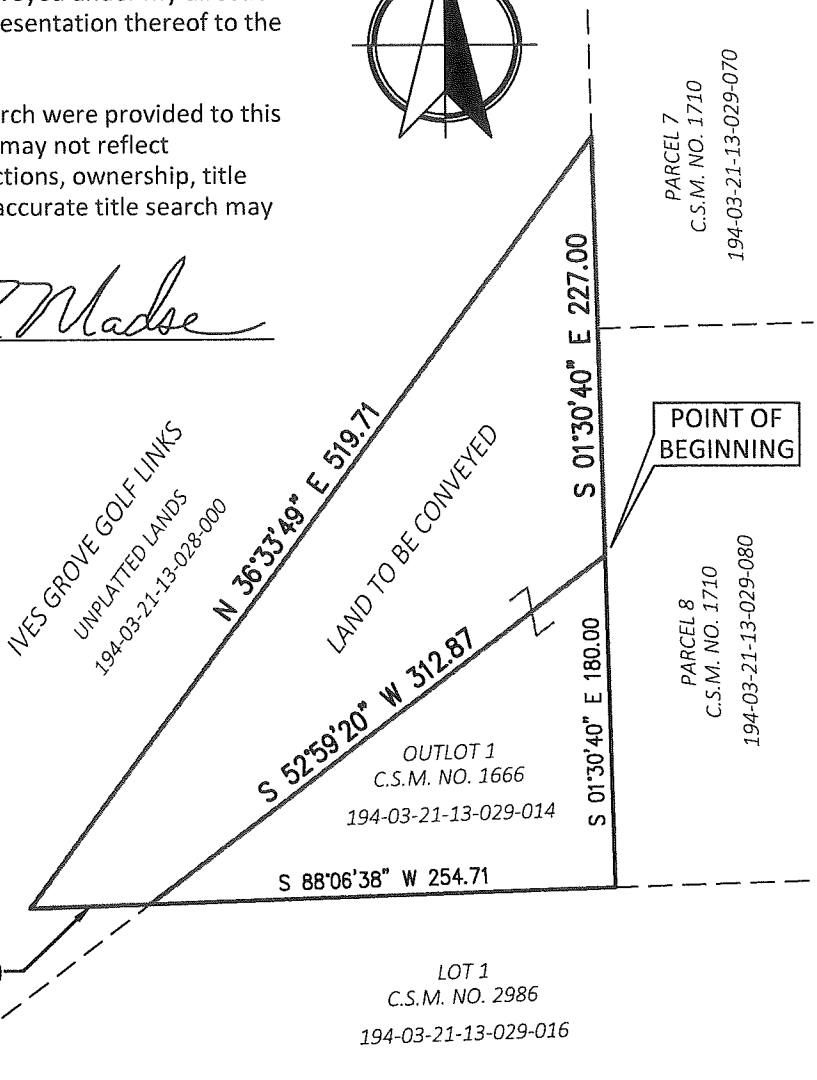
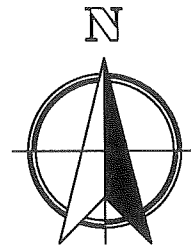
No title commitment or results of a title search were provided to this office pertaining to this survey. This Exhibit may not reflect easements of record, encumbrances, restrictions, ownership, title evidence, or other facts that a current and accurate title search may disclose.

September 8, 2023

Mark R. Madsen
Mark R. Madsen



BEARINGS BASE: GRID NORTH, WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE NAD 1927.



LAND DONATION MEMORANDUM

This Memorandum, effective as of the date last executed by either signatory below, is made and entered into by and between **ARCH STANTON LLC** ("Donor") and the **COUNTY OF RACINE, WISCONSIN** ("County").

RECITALS

County is the owner of a public park golf course ("Park") which abuts a certain parcel of property owned by Donor, which is identified as Racine County Parcel No. 194-03-21-005-000 ("Property"); and,

In order to be able to convey a small portion of the Park to another municipality for a water utility expansion project, County is obliged, under its existing grant agreements, to acquire an equivalent area of land ("Mitigation Strip") to be added to the Park; and,

Donor is willing to donate the Mitigation Strip to the County, via a lot line adjustment between the Property and the Park, to permit the proposed inter-municipal conveyance. A description of the Mitigation Strip is contained in Exhibit A attached hereto; and,

Without Donor's willingness to donate the Mitigation Strip to County, County would have had to purchase, or acquire via eminent domain, a similar land interest from another Park-abutting property owner, in order for the proposed inter-municipal transfer to occur.

NOW, THEREFORE, in consideration of the above Recitals, the parties hereby agree as follows:

1. Donor shall, and hereby does, donate the Mitigation Strip to the County. The Mitigation Strip shall thereafter become a part of the Park. The donation shall be exempt from the real estate transfer fee under Wis. Stat 77.25(2g), as a gift to a municipality. County shall file the real estate transfer return and record the conveyance Instrument.

2. County hereby acknowledges that Donor is donating the Mitigation Strip freely and voluntarily. Donor is not being paid any amount by anyone for the Mitigation Strip, nor is Donor receiving anything of value in exchange for Donor's donation, nor is the Donation being made to the County under any legal obligation or in consideration of any approval of any matter before the County.

ARCH STANTON, LLC
WISCONSIN _____

COUNTY OF RACINE

Jonathan Delagrave, County Executive (date)

By: _____ (date)

Attest: _____ (date)

Wendy Christensen, County Clerk (date)