

ORDINANCE NO. 2011-18

ORDINANCE BY THE FINANCE AND HUMAN RESOURCES COMMITTEE AMENDING SECTION 7-57 OF THE RACINE COUNTY CODE OF ORDINANCES RELATING TO PROCEDURES FOR THE SALE OR TRANSFER OF LANDS ACQUIRED BY IN REM PROCEEDINGS

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

The Racine County Board of Supervisors do ordain as follows:

Section 7-57 of the Racine County Code of Ordinances relating to "procedures for the sale or transfer of lands acquired by in rem proceedings" is hereby amended to read as follows:

Sec. 7-57. Procedure for the sale or transfer of lands acquired by in rem proceedings.

(a) Lands acquired by the county under the provisions of W.S.A. § 75.521, shall be offered for sale pursuant to the authority granted by W.S.A., §§ 75.35 and 75.69, in the following manner and subject to the following conditions:

- (1) The authority to manage and convey or sell lands acquired by in rem proceedings is hereby delegated to the finance committee.
(2) The finance committee or its designee shall annually review the list of unsold lands acquired by in rem proceedings.
(3) In the first offer of sale, the finance committee or its designee shall advertise by publication as a class 3 notice under Ch. 985, Stats., the sale and the appraised value of the real estate.
(4) Appraised value in this section means the value determined at the discretion of the finance committee or its designee or a certified appraiser as defined in Wis. Stat. Sec. 458.01(7).
(5) In addition to the criteria stated in W.S.A. § 75.69, the notice shall include the following information:
a. The general location and legal description of the property which is to be sold.
b. The date, time and place at which bids will be opened at a public meeting.
c. Only sealed bids will be accepted and shall be marked "Sealed Bid for In Rem Property" and be addressed to the finance committee in care of the county treasurer.
d. Each bid must be accompanied by a tender in the form of personal check cashier's check, certified check or money order of a least twenty (20) percent of the bid price but not less than twenty five (\$25.00) thirty dollars (\$30.00). If the bidder is successful and is notified under subsection (a) (9) (10) and fails to submit the balance due within the time specified in subsection (b), the deposit shall be deemed forfeited. Notice of the forfeiture shall be sent by certified mail. In the event of a remnant parcel, if the successful bidder is an adjoining owner, he/she agrees to join the two (2) parcels.

5 e. The property will be sold subject to current taxes and charges.

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7 f. The committee reserves the right to reject any and all bids.
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9 (6) The finance committee or designee shall fix the date and time for opening bids and
10 the same shall be not less than seven (7) days following the last insertion of the
11 advertisement.

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13 (7) All bids shall be opened publicly by the finance committee or designee at the time
14 and place specified in the advertisement. All bids shall thereafter be forwarded to
15 the committee for consideration at its next regular meeting.

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17 (8) The committee or designee shall reject and declare invalid any bid ~~which fails to~~
18 ~~meet the criteria of W.S.A. § 75.69~~ received in response to the first publication to
19 sell which is less than the appraised value or which is not accompanied by the
20 tender as set forth in subsection (a) ~~(4)~~ (5)d. above.
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22 (9) The finance committee may accept any valid bid deemed to be most advantageous
23 to the county. Valid bids submitted by municipalities may be given preference when
24 the municipality desires the property for a public purpose. The committee may
25 reject any valid bid if such rejection is determined to be in the best interest of the
26 county. The finance committee or its designee may accept a bid that is less than
27 the highest bid if the finance committee or its designee prepares a written
28 statement, available for public inspection, which explains the reason for accepting a
29 bid that is less than the highest bid.
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31 (10) The committee shall certify the identity of the successful bidder to the county clerk
32 and county treasurer. The county treasurer shall provide written notice of
33 certification to the successful bidder by first class mail.
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35 (11) If no bids have been received for any advertised parcel, such parcel or parcels may
36 be conveyed by donation or transfer by means other than sale. Such parcels may
37 also be reappraised and, if said parcels are to be sold, shall be readvertised ~~within~~
38 ~~six (6) months as provided in this section~~ for sale by publication of a class 1 notice
39 under Ch. 985. The notice shall include the information contained in section (5) but
40 does not have to include the appraised value and the sale will follow the process as
41 provided in this section. After the second advertisement for sale, the county may
42 accept a bid for less than the appraised value if the finance committee or its
43 designee has reviewed and approved the sale.
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45 (12) If two (2) or more identical bids are made for the same parcel and one (1) of the
46 bids is made by an abutting property owner, a preference is hereby established in
47 favor of the abutting property owner. If identical bids are received for a particular
48 parcel and neither bidder is an abutting property owner, the committee shall permit
49 those who have submitted such identical bids to submit new bids without
50 readvertising the parcel. Such bids shall be opened at the next meeting of the
51 finance committee.
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(b) The successful bidder shall submit the balance of the full purchase price to the county treasurer within thirty (30) days after the notice of certification is mailed. Upon receipt of the full purchase price, the county clerk shall execute and deliver a quit claim deed conveying title to the person or municipality certified.

(c) Notwithstanding the provisions of subsection (a) above, the county treasurer is authorized, with the approval of the finance committee, to donate real estate acquired by in rem proceedings to municipalities or other governmental agencies.

(d) The county treasurer shall inform each bidder and each party purchasing an in rem property that the property is being conveyed by quit claim deed as well as the definition of a quit claim deed.

Respectfully submitted,

**FINANCE AND HUMAN RESOURCES
COMMITTEE**

1st Reading _____

2nd Reading _____

BOARD ACTION

Adopted _____

For _____

Against _____

Absent _____

Robert N. Miller, Chairman

Mark M. Gleason, Vice-Chairman

VOTE REQUIRED: Majority

Thomas Pringle, Secretary

Prepared by:
Corporation Counsel

Gilbert Bakke

Q. A. Shakoor, II

John A. Wisch

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

Approved: _____

Vetoed: _____

Date: _____,

James A. Ladwig, County Executive