

RESOLUTION NO. 2013-44

**RESOLUTION BY THE FINANCE AND HUMAN RESOURCES COMMITTEE
AUTHORIZING THE COUNTY TREASURER TO CANCEL ALL UNPAID REAL
PROPERTY TAXES INCLUDING INTEREST AND PENALTIES ON THE PROPERTY
LOCATED AT 1425 N. MEMORIAL DRIVE**

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

BE IT RESOLVED by the Racine County Board of Supervisors that, pursuant to §75.105 of the Wisconsin Statutes, the cancellation of all unpaid real property taxes, including interest and penalties, up to and including through the current 2012 tax year , on the property located at 1425 N. Memorial Drive associated with the original Tax Key Parcel #276-000008250000, which was previously authorized in Res. No. 2010-33, and the current Tax Key Parcel #276-000008250001 is hereby authorized and approved if the following conditions are met:

1. The City of Racine presents satisfactory evidence to the County Treasurer in the form of a signed agreement between the City Of Racine and the Department of Natural Resources to investigate and clean up the property, and agrees to maintain and monitor the property as required under rules that the Department of Natural Resources promulgates and under any contract entered into under those rules.
2. The City of Racine agrees to be solely responsible for the 2013 taxes either through change of the parcel status to municipal property, thereby allowing for tax exempt status, or by paying the 2013 taxes less any accrued fines and penalties.

BE IT FURTHER RESOLVED that the City of Racine has provided satisfactory evidence to the County and consistent with the terms of Wis. Stat. Sec. 75.105 that:

- a) the property is contaminated by a hazardous substance;
- b) an environmental assessment has been conducted and concludes that the property is contaminated by the discharge of a hazardous substance;
- c) the City of Racine agrees to clean up the property by restoring the environment to the extent practicable and minimizing the harmful effects from a discharge of a hazardous substance in accordance with rules that the Department of Natural Resources promulgates.

BE IT FURTHER RESOLVED that the Racine County Board of Supervisors hereby authorizes the County Treasurer to cancel the delinquent taxes, interest and penalties as to original Tax Key Parcel #276-000008250000 and the current Tax Key Parcel #276-000008250001 through the 2012 tax year upon the City of Racine

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5 providing to the County satisfactory evidence that the above conditions and terms of this
6 resolution have been met.

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8 **BE IT FURTHER RESOLVED** by the Racine County Board of Supervisors that the
9 Racine County Treasurer is authorized execute any documents necessary to carry out
10 the intent of this resolution, including but not limited to, cancelling the appropriate taxes
11 and tax certificates.

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14 Respectfully submitted,

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16 1st Reading _____

**FINANCE AND HUMAN RESOURCES
COMMITTEE**

17
18 2nd Reading _____

19
20 **BOARD ACTION**

Robert N. Miller, Chairman

21 Adopted _____

22 For _____

23 Against _____

24 Absent _____

Q.A. Shakoor, II, Vice-Chairman

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26 **VOTE REQUIRED:** Majority

Thomas Pringle, Secretary

27
28 Prepared by:
29 Corporation Counsel

Gilbert Bakke

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32 _____
Donnie Snow

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35 _____
Jeff Halbach

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38 _____
John A. Wisch

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4 **INFORMATION ONLY**

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6 **WHEREAS**, the property located at 1425 N. Memorial Drive was originally
7 described by Tax Key Parcel #276-00000825000 but the parcel was split into three
8 parcels by a certified survey map in 2004 creating three new tax key parcel numbers 276-
9 000008250001, 276-000008250002 & 276-000008250003.

10
11 **WHEREAS**, at the time of the split, the delinquent taxes, interest and penalties
12 that accrued as to Tax Key Parcel #276-00000825000 for the years 2000-03 were not
13 apportioned to the three newly created parcels.

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15 **WHEREAS**, the Racine County Board of Supervisors previously considered and
16 authorized the cancellation of the back taxes, specials, interest and penalties as to Tax
17 Key Parcel #276-00000825000 in Resolution 2010-33 and at that time all three newly
18 created parcels were current on all taxes since the split.

19
20 **WHEREAS**, Resolution 2010-33 was conditioned upon a 75.105 Agreement with
21 the Department of Natural Resources (DNR) which required that the then owner of Tax
22 Key Parcel #276-000008250001 transfer the property to the City of Racine.

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24 **WHEREAS**, the owner did not transfer the property to the City of Racine as
25 originally planned but the City of Racine has now acquired title to the property in mid-
26 January of 2013.

27
28 **WHEREAS**, Racine County has unpaid real estate taxes and interest and
29 penalties on the property located at 1425 N. Memorial Drive in the City of Racine; the
30 unpaid real estate taxes, specials, interest and penalties currently total \$163,158.56 as to
31 the original Tax Key Parcel #276-00000825000 and \$148,430.24 as to the current Tax
32 Key Parcel #276-0000082500001; and

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34 **WHEREAS**, an environmental assessment has concluded that the property
35 located at 1425 N. Memorial Drive, which housed a former manufacturing facility, is
36 environmentally contaminated by a hazardous substance; and

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38 **WHEREAS**, because of the environmental contamination of the site, the County
39 has not sought an In Rem judgment with respect to the property; and

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41 **WHEREAS**, the City of Racine has now acquired this property with a view to its
42 future economic development on the understanding that all the taxes, specials, interest
43 and penalties on the property would be canceled; and

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45 **WHEREAS**, the City of Racine has agreed to clean up the property by restoring
46 the environment at the property to the extent practicable and minimizing the harmful
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4 effects from the discharge of hazardous substances, consistent with state and federal
5 law; and

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7 **WHEREAS**, the City of Racine is entering into a 75.105 Agreement with the DNR
8 that formalizes its undertaking to investigate and remediate the property; and

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10 **WHEREAS**, the City of Racine has agreed for so long as it owns the property to
11 maintain and monitor the property as required under the rules of the DNR and any
12 contract entered pursuant to those rules; and

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14 **WHEREAS**, in order to facilitate its acquisition of the property, the City of Racine
15 has written off \$230,000.00 of delinquent water charges on the original property and has
16 not been reimbursed almost \$75,000 in specials on the new parcel, as well as incurred
17 other significant costs associated with the property; and

18

19 **WHEREAS**, the County Treasurer, the Office of the Corporation Counsel, and the
20 Finance & Human Resources Committee have reviewed this matter; and on all of the
21 conditions being met, all recommend that it is in the public interest to cancel all of the
22 unpaid real estate taxes, including specials, interest and penalties on both tax key #'s
23 276-000008250000 & 276-000008250001, as well as the taxes, specials, interest and
24 penalties that will accrue for the tax year 2012 in order to facilitate the City of Racine's
25 remediation and redevelopment of the property.

