

2 **RESOLUTION: Convey a Parcel of Highway Right of Way Located Along the USH 41**
3 **Corridor to the Wisconsin Department of Transportation in Accordance**
4 **with § 84.09(3)(b), Wis Stats, and Authorize the Appropriate County**
5 **Official to Sign the Quit Claim Deed**

6
7
8 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

9 **WHEREAS**, in the 1930s Winnebago County purchased multiple parcels of property along the existing and
10 future corridor of USH 41 for the purpose of future expansion of USH 41. Most of these parcels were purchased in
11 fee title and some were access and easement right; and

12 **WHEREAS**, the purchase of these parcels was funded by the Wisconsin Department of Transportation
13 (DOT). It was common at that time for the Wisconsin DOT to purchase right of way for highway projects from
14 counties bordering the projects and for the properties to be "held in trust" for the state; and

15 **WHEREAS**, the Wisconsin DOT has statutory authority to require that counties convey these parcels "held in
16 trust" back to the DOT upon the DOT's request at no cost to the DOT; and

17 **WHEREAS**, the Wisconsin DOT has issued an order that Winnebago County process a conveyance of one
18 parcel bordering on the existing USH 41 corridor. The parcel in question is approximately 2.3 acres in size; and

19 **WHEREAS**, § 84.09(3)(b), Wis Stats, gives the Wisconsin DOT the authority to authorize and requ
20 ire parcels purchased by county governments and held in trust to be conveyed back to the DOT upon the request of
21 the DOT.

22 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby
23 authorizes the conveyance of one parcel USH 41 right of way located in the Town of Menasha, Winnebago County,
24 Wisconsin, along the USH 41 corridor, which is described as is shown on the legal description, attached hereto as
25 Appendix A, back to the Wisconsin Department of Transportation via a Quit Claim Deed to be signed by the
26 appropriate Winnebago County officials and recorded in the Office of the Register of Deeds.
27

28
29 Respectfully submitted by:
30 **HIGHWAY COMMITTEE**

31 Committee Vote: **4-0**
32 Vote Required for Passage: **Majority of Those Present**

33
34 Approved by the Winnebago County Executive this _____ day of _____, 2015.

35
36 _____
37 Mark L Harris
38 Winnebago County Executive