

2 **RESOLUTION: Authorize and Appropriate Funds for the Purchase of Property Owned by**
3 **Carol Marwede and the Carol Marwede Trust**

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

7 **WHEREAS**, on May 9, 2017, Carol Marwede filed a claim against Winnebago County in the amount of
8 \$569,000.00 claiming that Winnebago County created an uneconomic remnant regarding two properties when it
9 acquired the properties by eminent domain for the purpose of constructing County Highway CB; and

10 **WHEREAS**, on September 6, 2017, the Winnebago County Board denied Carol Marwede’s claim; and

11 **WHEREAS**, a number of meetings have taken place between the Winnebago County Corporation Counsel,
12 the Winnebago County Executive, Carol Marwede, her son Mark Marwede, and the Marwede’s legal counsel
13 regarding this issue; and

14 **WHEREAS**, Carol Marwede has tentatively agreed to settle her claim against Winnebago County upon
15 payment of the sum of \$95,000.00, with title to Tax Parcel Numbers 121-0521 and 121-0515 to be quit claimed to
16 Winnebago County in good and marketable condition, free of judgments, mortgages, and liens, and to release
17 Winnebago County from any and all claims, unconditionally and without reservation, as a part of and pursuant to this
18 agreement; and

19 **WHEREAS**, the Winnebago County Executive and the Winnebago County Corporation Counsel recommend
20 settlement of this claim pursuant to those terms described above.

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22 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby
23 authorizes the Winnebago County Executive to settle the claim of Carol Marwede and the Carol Marwede Trust
24 against Winnebago County upon payment of the amount of \$95,000.00 to claimant in return for which the Carol
25 Marwede and the Carol Marwede Trust shall execute a quit claim deed to Winnebago County for Tax Parcel
26 Numbers 121-0521 and 121-0515, and provide Winnebago County with a title insurance commitment showing that
27 said conveyance of property is being made in good and marketable condition, free of judgments, mortgages, and
28 liens, and release Winnebago County from any claims made against it.

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30 **BE IT FURTHER RESOLVED** by the Winnebago County Board of Supervisors that it hereby authorizes the
31 appropriation of \$95,000.00 from the Winnebago County General Fund for purchase of said property.

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33 Respectfully submitted by:

34 **PERSONNEL AND FINACE COMMITTEE**

35 Committee Vote: _____

36 Vote Required for Passage: **Two-Thirds of Membership**

37
38 Approved by the Winnebago County Executive this _____ day of _____, 2017.

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40
41 _____
42 Mark L Harris
43 Winnebago County Executive