

2 **RESOLUTION: Convey Multiple Parcels of Highway Right of Way Located Along the 441-**
3 **Tri County Expressway Corridor to the Wisconsin Department of**
4 **Transportation in Accordance with § 84.09(3)(b), Wis Stats, and Authorize**
5 **the Appropriate County Official to Sign the Quit Claim Deed**
6

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

8 **WHEREAS**, In 1982, Winnebago County purchased multiple parcels of property along the existing and future
9 corridor of Highway 441 for the purpose of future expansion of 441. Most of these parcels were purchased in fee title
10 and some were access and easement right; and

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

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

16 **WHEREAS**, the DOT has issued an order that Winnebago County process a conveyance of these
17 approximately 75 parcels back to the DOT. Most of these parcels are less than half an acre in size, while a few are
18 larger than one acre; and

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

21 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby
22 authorizes the conveyance of approximately 75 parcels of right of way located along the Hwy 441 corridor back to the
23 Wisconsin Department of Transportation via a Quit Claim Deed to be signed by the appropriate County Officials and
24 recorded in the Office of the Register of Deeds.
25

26 Respectfully submitted by:
27 **HIGHWAY COMMITTEE**

28 Committee Vote: **5-0**
29 Vote Required for Passage: **Majority of Those Present**
30

31 Approved by the Winnebago County Executive this ____ day of _____, 2012.

32
33 _____
34 Mark L Harris
35 Winnebago County Executive