

RESOLUTION NO. 2023-131

**RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF CALEDONIA
APPROVING THE ACQUISITION OF A PARCEL OF LAND WITH PARCEL
NO. 104-04-22-31-021-000 LOCATED AT 13038 GOLF ROAD FROM
RACINE COUNTY**

WHEREAS, Racine County obtained title, by property tax foreclosure, to a parcel of land located at 13038 Golf Road with Parcel No. 104-04-22-31-021-000 that contains deteriorated structures, and which is located in the Village Tax Increment District No. 4 (the "Parcel");

WHEREAS, staff from the Village and Racine County believe that the interests of the Village and broader Racine County community are best served by the Village owning the Parcel and using the Parcel to facilitate broader development opportunities within the Village's Tax Incremental District No. 4;

WHEREAS, the Village Plan Commission in accordance with Sec. 2-5-3(f)(5) of the Village's Code of Ordinances and Wis. Stat. Section 62.23(5) adopted Resolution No. PC 2023-03 on November 27, 2023 finding that the proposed acquisition of the Parcel is not inconsistent with Village plans, as such Parcel can be utilized for industrial uses which is consistent with the Village Comprehensive Land Use Plan and recommended the acquisition of the Parcel to the Village Board;

WHEREAS, Racine County is in the process of reviewing the conveyance of the Parcel to the Village based upon the following terms and conditions:

1. The Village of Caledonia agrees to accept title and ownership of the Property, in its current condition at the time of conveyance "as is and with all faults," and said conveyance shall be full and final; and
2. Subject to statutory municipal limits of liability and exemptions provided by Wis. Stat. Sec. 292.11, the Village shall hold harmless and indemnify the County from all liability for any reason, known or unknown, related to the condition or status of the property, whether such liability or condition is known or unknown at the time of transfer of title;
3. Direct payment of outstanding property taxes and fees due for the parcel (\$31,050.71) shall be remitted to County upon sale of the parcel by the Village to facilitate (i) relocation of a building used for the storage of biosolids; and (ii) a development that has the potential to create significant tax base in the Village of Caledonia; and
4. In the event Village sells the parcel to facilitate the above-described development, but such development does not proceed by December 31, 2024, then the Village shall remit to the County One Hundred Fifty-Three, Nine-Hundred Forty-Nine Thousand Dollars and 29/00 cents (\$153,949.29) – representing the difference between the appraised amount for the Property and the applicable outstanding

property taxes and fees and Village closing costs – paid by the intended buyer of the Property.

NOW, THEREFORE, BE IT RESOLVED by the Caledonia Village Board that the Village Administrator is authorized to complete the acquisition of the Parcel as described in **Exhibit A** from Racine County based upon terms and conditions set forth above and that the Village President, Village Clerk, Village Administrator, and other necessary Village officials are authorized to take all actions on behalf of the Village to enter into agreements, execute documents, and undertake, direct and complete required activities in accordance with the terms and directives of this resolution; and

BE IT FURTHER RESOLVED, the timing of the Village acquisition shall be determined by the Village Administrator in relation to the entitlement process for the Parcel and the property located directly east of the Parcel as well as the entitlement process for other lands within the development corridor.

Adopted this 12 day of December, 2023.

Ayes 6 Noes 0 Absent 1

VILLAGE OF CALEDONIA PLAN COMMISSION

BY: Thomas R. Weatherston
Thomas Weatherston, Village President

Attest: Megan O'Brien
Megan O'Brien, Village Deputy Clerk

EXHIBIT A
Parcel No. 104-04-22-31-021-000
13038 Golf Road

