

TOWN OF RIVERVIEW
RESOLUTION NUMBER 2024-42

**RESOLUTION REGARDING NOTICE AND ORDER FOR THE RAZING OF A
BUILDINGS LOCATED AT 15530 ELKEY ROAD, SPECIFICALLY THE
RESIDENTIAL AND ACCESSORY BUILDINGS NUMBERED 15530 ELKEY ROAD, IN
THE TOWN OF RIVERVIEW, OCONTO COUNTY, WISCONSIN**

The Town Board of the Town of Riverview, Oconto County, Wisconsin, by this resolution, adopted by a majority of the Town Board on a roll call vote with a quorum present and voting and proper notice having been given, resolves and orders as follows:

The Town Board has recently caused to be inspected the premises located at 15530 Elkey Road, in the Town of Riverview, Oconto County, Wisconsin, more particularly described as follows:

That part of the SE ¼ of the NW ¼ of Section 23, Township 32 North, Range 17 East, in the Town of Riverview, Oconto County, Wisconsin, more particularly described as follows, to-wit: Starting at the NE corner of said 40 acre tract; thence South 1° 02' East on the East line thereof a distance of 655.00 feet; thence North 88° 56' West a distance of 498.00 feet; thence North 1° 02' West a distance of 150.00 feet; thence South 88° 56' East a distance of 117.00 feet; thence South 1° 02' East a distance of 150.00 feet to the point of beginning, Tax Parcel No.: 036-5923059424GG;

and determined that the residential and accessory buildings on such premises (hereinafter collectively referred to as the "Subject Building") are old, dilapidated, or out of repair, and, consequently, dangerous, unsafe, unsanitary, or otherwise unfit for human habitation, contrary to Section 66.0413(1)(b)1 of the Wisconsin Statutes.

The Town Board has further determined that the cost of repairs to the Subject Building would exceed 50% of the assessed value of the Subject Building divided by the ratio of the assessed value to the recommended value as last published by the State of Wisconsin, Department of Revenue for the Town of Riverview, and, therefore, repairs to the Subject Building are unreasonable.

Upon the above findings, and pursuant to Section 66.0413(1)(b) of the Wisconsin Statutes, MURRY W. LOCKE, the owner of the above-described real property, is ordered to raze the Subject Building, remove the rubble and remains of the Subject Building, fill and level any excavation caused by such razing, and restore the site to a dust-free and erosion-free condition, within sixty (60) days following the service of the raze order.

If the owner of the above-described real property fails or refuses to comply with the raze order within the time prescribed above, the Town of Riverview shall, subject to Sections 66.0413(1)(i) and (j) of the Wisconsin Statutes relating to salvage and personal property, cause

the Subject Building to be razed and removed through any available public agency or by contract or arrangement with private persons. The cost of such razing and removal shall be charged against the real estate upon which the Subject Building is located, and shall be a lien upon the real estate assessed and collected as a special charge under Section 66.0413(1)(f) of the Wisconsin Statutes.

The Town of Riverview may sell the salvage and valuable materials at the highest price obtainable pursuant to Section 66.0413(1)(j) of the Wisconsin Statutes. The net proceeds of the sale, after deducting the expenses of razing the Subject Building, shall be promptly remitted to the circuit court with a report of the sale or transaction, including the items of expenses and the amounts deducted, for the use of any person entitled to the net proceeds, subject to the order of the court. If there remains no surplus to be turned over to the court, the report shall so state.

The Town Chairperson shall issue a notice and order for the razing of the Subject Building (the "Raze Order") pursuant to Section 66.0413(1)(b) of the Wisconsin Statutes. The Notice of the Raze Order shall be served as follows:

1. On the owner of record of the Subject Building, or on the owner's agent if the agent is in charge of the Subject Building, in the same manner as a summons is served in circuit court; and
2. On the holder of each encumbrance of record by first class mail at the holder's last known address and by publication as a class 1 notice under Chapter 985 of the Wisconsin Statutes.

If the owner, and the owner's agent, if any, cannot be found, or if the owner is deceased and an estate has not been opened, the Raze Order may be served by posting it on the main entrance of the Subject Building and by publishing it as a class 1 notice under Chapter 985 of the Wisconsin Statutes before the time limited in the Raze Order begins to run. The time limit in the Raze Order begins to run from the date of service on the owner or owner's agent, or, if the owner and agent cannot be found, from the date that the Raze Order was posted on the Subject Building.

The Town Clerk shall file or have filed by the Town Attorney a Notice of Lis Pendens in the Office of the Register of Deeds for Oconto County, Wisconsin, on the tract of the above-described real property to provide notice of this Resolution and the Raze Order of the Town.

The Town Clerk shall properly post or publish this Resolution as required under Section 60.80 of the Wisconsin Statutes.

(Signatures Appear on Next Page)

Adopted this 19TH day of June, 2024.

TOWN OF RIVERVIEW

By: James Zittlow
James Zittlow, Chairperson

Attest: Beth Hartman
Beth Hartman, Clerk