

***RESOLUTION NO.: 51—2024-25***

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

*2/3 MAJORITY – 24 VOTES*

1           The Wisconsin Department of Transportation (WisDOT) is planning for reconstruction of  
2           the I-41 corridor, which includes new right-of-way acquisition in multiple areas. This  
3           resolution approves payment from the WisDOT to the county for Solid Waste land that is  
4           needed, as well as approving a Warranty Deed for the project.  
5

6           NOW THEREFORE, the undersigned members of the Property, Airport, Recreation and  
7           Economic Development Committee recommend adoption of the following resolution.

8           BE IT RESOLVED, that the Outagamie County Board of Supervisors does authorize execution  
9           of a Warranty Deed to the Wisconsin Department of Transportation for the sum of \$5,050 for property  
10           described as Parcel 218 of Transportation Project Plat 1130-63-21-4.24 Amendment No. 2, recorded as  
11           Document 2310777 in Outagamie County, Wisconsin, with property interests and rights of said Parcel  
12           218 consisting of Fee Simple, Temporary Limited Easement, as noted in the attached Warranty Deed,  
13           Legal Description, Statement to Construction Engineer, New Supplier Form, and W-9 Form, which by  
14           reference are made a part hereof, and

15           BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize  
16           and approve of increasing the Solid Waste Proceeds from Sale of Asset line item by \$5,050 and  
17           decreasing the Solid Waste Land line item by \$5,050 as noted on the attached fiscal note, which by  
18           reference is made a part hereof, and

19           BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy  
20           of this resolution to the Outagamie County Solid Waste Director and the Outagamie County Finance  
21           Director.

22           Dated this \_\_\_\_ day of September 2024

Respectfully submitted,

PROPERTY, AIRPORT, RECREATION &  
ECONOMIC DEVELOPMENT COMMITTEE

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Dean Culbertson

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Lee W. Hammen

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Ronald Klemp

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Yvonne Monfils

\_\_\_\_\_  
Jayson Winterfeldt

Duly and officially adopted by the County Board on: \_\_\_\_\_

Signed: \_\_\_\_\_  
Board Chairperson

\_\_\_\_\_  
County Clerk

Approved: \_\_\_\_\_

Vetoed: \_\_\_\_\_

Signed: \_\_\_\_\_  
County Executive

WisDOT Division of Transportation  
 System Development  
 Northeast Region  
 944 Vanderperren Way  
 Green Bay WI 54304-5344

Governor Tony Evers  
 Secretary Craig Thompson  
[wisconsindot.gov](http://wisconsindot.gov)  
 Telephone: (920) 492-5643  
 FAX: (920) 492-5640  
 Email: [ner.dtsd@dot.wi.gov](mailto:ner.dtsd@dot.wi.gov)



July 17, 2024

CERTIFIED MAIL

ATTN: Gregory Parins  
 Outagamie County Superintendent  
 c/o Outagamie County  
 320 South Walnut Street  
 Appleton, WI 54911

RE: Parcel No.: 218  
 Parcel Address: North French Road  
 Appleton, WI 54911  
 Project ID: 1130-63-21, IH-41, Outagamie & Brown Counties  
 Appleton – De Pere (STH 96 – CTH F)

Dear Gregory Parins:

The Wisconsin Department of Transportation (WisDOT) is planning a roadway improvement project on IH-41 located in both Outagamie and Brown Counties which includes new right of way acquisition in multiple areas. MSA Professional Services has been hired to act as an agent for WisDOT to acquire the needed right of way for the improvement project. I will be your point of contact and will work closely with you through the real estate acquisition process. This letter identifies the revised compensation amount offered for the required acquisition based on our negotiation and construction commitments.

WisDOT's approved estimate of just compensation is \$25,100.00 and is based on the enclosed appraisal report. This amount does not consider any decrease or increase in the market value of the property caused by the anticipation of the project.

Based on our discussions and your request, WisDOT has agreed to re-install the chain-link fence along the property line after the construction of the project is completed. This is in addition to installing fencing to secure the property during construction. Because of this commitment, the above compensation for the in-place value of the existing chain link fence as well as the cost to cure for replacement fencing is no longer appropriate amounts to be provided. Therefore, these amounts are being deducted and the revised total for the transaction is \$5,050.00. The allocation is as follows:

Allocation	Description	Size	Unit	Per Unit	Value (\$)
Land		4,499.00	Sq. Ft.	\$0.92	\$4,131.00
Site Improvements	Chain-Link-Fencing-Depreciated-In-Place-Value				\$8,920.00
Cost-to-Cure	Replacement Fencing				\$11,150.00
Temporary Limited Easement (TLE)		1,878.00	Sq. Ft.	\$0.48	\$895.00
Appraiser Rounding					\$24.00
Total					\$5,050.00

If you agree and wish to enter into an agreement with WisDOT, please sign the following documents and return them to me as soon as possible. Upon receipt of these documents, we will submit a payment request.

- A. **Warranty Deed:** All landowners whose names are listed or assigned to this parcel **must** sign and date this document. Each signature must be notarized **in the presence of a Notary Public**.

- B. **Statement to Construction Engineer:** This form requires the signature of only one landowner and is used to inform the construction engineer of any special commitments that were agreed to by you and WisDOT for construction purposes.
  
- C. **New Supplier Form (DOA-6460):** This form is to be completed in full for payment processing. Section 3 (Payment Direct Deposit/ACH Information) presents two options. You may receive payment by "Direct Deposit" to a checking or savings account or opt out of "Direct Deposit" and receive payment by mail. Should you choose "Direct Deposit" you must accompany this form with a current, voided check or include a bank letter on bank letterhead signed by a bank representative (as directed on the form).
  
- D. **Form W-9:** This form is required by the IRS for any transaction valued at \$600.00 or more. If more than one landowner, unless husband and wife at the time of the conveyance, each should submit a W-9. If exempt, please provide an exemption form.

It is important to us that you are satisfied that your property and your rights have been fully considered. We will provide any additional information requested, if available, or further discuss any other concerns you may have. Should you have any questions or concerns, please feel free to contact me at the phone number or email addressed below.

Sincerely,

MSA Professional Services



ATTN: Peter Miesbauer  
MSA Professional Services, Inc.  
1702 Pankratz Street  
Madison, WI 53704

Enclosures: As stated in letter.

**WARRANTY DEED**

Wisconsin Department of Transportation  
Exempt from fee [s. 77.25(2r) Wis. Stats.]  
RE1560 10/2023

THIS DEED, made by **Outagamie County, a Wisconsin Municipal Corporation**, GRANTOR, conveys and warrants the property described below to the **Wisconsin Department of Transportation**, GRANTEE, for the sum of **Five Thousand Fifty and 00/100 Dollars (\$5,050.00)**.

Any person named in this deed may make an appeal from the amount of compensation within six months after the date of recording of this deed as set forth in s. 32.05(2a) Wisconsin Statutes. For the purpose of any such appeal, the amount of compensation stated on the deed shall be treated as the award, and the date the deed is recorded shall be treated as the date of taking and the date of evaluation.

Other persons having an interest of record in the property: None.

This is not homestead property.

LEGAL DESCRIPTION IS ATTACHED AND MADE A PART OF THIS DOCUMENT BY REFERENCE.

This space is reserved for recording data

Return to  
ATTN: Peter Miesbauer  
MSA Professional Services, Inc.  
1702 Pankratz Street  
Madison, WI 53704

Parcel Identification Number/Tax Key Number  
260447400

The undersigned certify that this instrument is being executed pursuant to a resolution of the board of directors (or shareholders, if authorized by law) of GRANTOR corporation.

Outagamie County

\_\_\_\_\_ Date

\_\_\_\_\_  
Signature Date

State of Wisconsin )  
County ) ss.

\_\_\_\_\_  
Print Name & Title

On the above date, this instrument was acknowledged before me by the named person(s). Outagamie County

The signer was: \_\_\_\_\_ Physically in my presence. **OR**  
\_\_\_\_\_ In my presence involving the use of communication technology.

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Signature, Notary Public, State of Wisconsin

\_\_\_\_\_  
Print Name & Title

\_\_\_\_\_  
Print Name, Notary Public, State of Wisconsin

\_\_\_\_\_  
Date Commission Expires



Project ID  
1130-63-21

This instrument was drafted by  
Wisconsin Department of Transportation

Parcel No.  
218

**LEGAL DESCRIPTION**

Parcel 218 of Transportation Project Plat 1130-63-21-4.24 Amendment No. 2, recorded as Document 2310777, at the Register of Deeds office in Outagamie County, Wisconsin.

Property interests and rights of said Parcel 218 consist of:

**Fee simple.**

**Temporary limited easement.**

Any interests or rights not listed above for said parcel but shown as required on said Transportation Project Plat are hereby incorporated herein by reference.

**STATEMENT TO CONSTRUCTION ENGINEER**

RE1528 01/2023 s. 84.09 Wis. Stats.

Wisconsin Department of Transportation

*Copies to: project engineer and owner*

Owner Name(s) Outagamie County ATTN: Gregory Parins Outagamie County Superintendent	Property Address North French Road Appleton, WI 54911	Area code - phone Home: Cell: (920) 606-4651
	Mailing Address 320 South Walnut Street Appleton, WI 54911	Work: (920) 832-5004 Email: gregory.parins@outagamie.org
Tenant, if any	Property Address North French Road Appleton, WI 54911	Area code - phone Home: Cell: Work: Email:
	Mailing Address	

Commitments made (fences, driveways, trees, drainage or other items):

Prior to construction, WisDOT will remove and salvage any portions of the chain link fence that will be impacted by the construction of the project. This fencing will be saved for re-installation later.

During construction, WisDOT will install and maintain temporary security fencing within the acquisition area.

After construction, WisDOT agrees to re-install the existing, salvaged fencing along the new boundary of the property.

Other matters of interest and owner concerns:

Outagamie County

Property Owner Signature _____	Date _____	Negotiator Signature _____	Date _____
Property Owner Print Name & Title _____		Peter T Miesbauer	Print Negotiator Name

**Commitments Approved:**

Approving Authority Signature and Title _____	Date _____
Print Approving Authority Name _____	



Project ID  
1130-63-21

County  
Outagamie

Parcel No.  
218



Form <b>W-9</b> (Rev. October 2018) Department of the Treasury Internal Revenue Service	<b>Request for Taxpayer                  Identification Number and Certification</b> ▶ Go to <a href="http://www.irs.gov/FormW9">www.irs.gov/FormW9</a> for instructions and the latest information.	Give Form to the requester. Do not send to the IRS.
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Print or type. See Specific Instructions on page 3.	<p><b>1</b> Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.</p> <p><b>2</b> Business name/disregarded entity name, if different from above</p> <p><b>3</b> Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.</p> <p> <input type="checkbox"/> Individual/sole proprietor or single-member LLC                         <input type="checkbox"/> C Corporation                         <input type="checkbox"/> S Corporation                         <input type="checkbox"/> Partnership                         <input type="checkbox"/> Trust/estate  <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____  <i>Note:</i> Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.  <input type="checkbox"/> Other (see instructions) ▶ _____                 </p> <p><b>4</b> Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):</p> <p>Exempt payee code (if any) _____</p> <p>Exemption from FATCA reporting code (if any) _____</p> <p><small>(Applies to accounts maintained outside the U.S.)</small></p> <p><b>5</b> Address number, street, and apt. or suite no. See instructions.</p> <p><b>6</b> City, state, and ZIP code</p> <p><b>7</b> List account number(s) here (optional)</p> <p style="text-align: right;">Requestor's name and address (optional)</p>
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**Part I Taxpayer Identification Number (TIN)**

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

**Note:** If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number
[ ] [ ] [ ] - [ ] [ ] - [ ] [ ] [ ] [ ]
or
Employer identification number
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**Part II Certification**

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

<b>Sign Here</b>	Signature of U.S. person ▶	Date ▶
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**General Instructions**

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

**Purpose of Form**

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

*If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.*

**OUTAGAMIE COUNTY FISCAL NOTE**

**INTRODUCTION:** This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1675), Controller (1674) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** Land Sale Parcel 218

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

As part of the I-41 reconstruction project, WisDOT has approach the Department of Solid Waste to purchase portion of parcel 218 as additional right of way for the reconstruction of the Holland Road overpass.

**Current Year Budget Impact (Check one or more of the following boxes)**

Revenues                       Expenses (Cost)                       None

- 3. Is the specific cost or revenue included in the current year's budget?                      yes ( ) no (x) partially ( )
- 4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item?                      yes ( ) no ( ) n/a (x)
- 5. Is the proposal to accept additional revenues only?                      yes (x) no ( )
- 6. Does this request modify/adjust the current year budget?                      yes (x) no ( )  
If no, skip to question 8 below.
- 7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

COST CENTER NAME	LINE ITEM (i.e. Salaries, Supplies, Etc.)	ACCOUNT NUMBER INCLUDING COST CENTER (i.e. 1004100.5100, 1004100.5400, etc.)	INCREASE (DECREASE) AMOUNT
Solid Waste	Proceeds from Sale of Asset	5039002.4510.12	5,050
Solid Waste	Land	5030000.1805	(5,050)

**Annual and Long-Term Impact**

- 8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue?                      yes (x) no ( ) n/a ( )
- 9. What is the anticipated annual and/or long-term cost or revenue impact?                      Annual Cost                      0  
Annual Revenue                      0

Fiscal Note Prepared by: Greg Parins

For Financial Services purposes only	
Reviewed By: <i>Michelle Ustunbro</i>	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: Detail Expenditures Account Number                      Amount _____ _____
Date: <u>8/27/2024</u>	
Comments:	