



**GRAFTON**  
QUALITY LIFE. NATURALLY.

Resolution 2019-05

## RESOLUTION AND ORDER TO RAZE BUILDING

STATE OF WISCONSIN  
Town of Grafton  
Ozaukee County

To: James E. Dutton Trust f/b/o Michelle  
Glasshoff  
c/o Stephen Zimmel  
Vice President/Special Trust  
Administrator  
Prairie Trust  
P.O. Box 648  
Waukesha, WI 53187-0648

Victor Schultz  
President and Chief Fiduciary Officer  
Prairie Trust  
P.O. Box 648  
Waukesha, WI 53187-0648

The Town Board of the Town of Grafton, Ozaukee 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 found that the following described building is old, dilapidated, or out of repair, and, consequently, dangerous, unsafe, unsanitary, or otherwise unfit for human habitation and that repair of the building is unreasonable, and has specifically found that the building inspector has determined that the cost of repairs to the building would exceed 50% of the assessed value of the 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.

Upon the above findings, the owner of the following-described real property is ordered to raze the building in the Town of Grafton located upon the following-described real property by not later than within thirty (30) days of service of this Order, to wit:



That part of the Northeast One-quarter (1/4) of the Southwest One-quarter (1/4) and the Northwest One-quarter (1/4) of the Southeast One-quarter (1/4) of Section Twenty-eight (28), on Township Ten (10) North, Range Twenty-two (22) East, in the Town of Grafton, Ozaukee County, Wisconsin, bounded and described as follows:

Commencing at the Southwest corner of the Northeast One-quarter (1/4) of the Southwest One-quarter (1/4) of Section Twenty-eight (28), in Township Ten (10) North, Range Twenty-two (22) East; thence East along the South line of the Northeast One-quarter (1/4) \*(1/8 line), a distance of 156 feet to the center line of a road, which is the place of beginning; continuing thence North 17° 51' East along the center line of said road, a distance of 225 feet to a point; thence South 89° 15' East, a distance of 1347.23 feet; thence South 74° 35' East, a distance of 255 feet to the water's edge of Lake Michigan; thence Southerly along said water's edge, a distance of 150 feet, more or less, to the 1/8 line; thence west along said 1/8 line, a distance of 1621.7 feet to the place of beginning.

\*of the Southwest One-quarter (1/4)

The building inspector shall post a placard on the premises containing the following notice:

***THIS BUILDING MAY NOT BE USED FOR HUMAN HABITATION, OCCUPANCY, OR USE.***

The building inspector shall prohibit use of the building for human habitation, occupancy, or use until necessary repairs have been made.

If the owner of the above-described real property fails or refuses to comply with this order within the time prescribed above, the building inspector or other designated Town officer shall, subject to s. 66.0413 (1) (h) and (j), Wis. Stats., relating to salvage and personal property, proceed to raze the building through any available public agency or by contract or arrangement with private persons, or to secure the building and, if necessary, the property on which the building is located if unfit for human habitation. The cost of razing or securing the building may be charged in full or in part against the real estate upon which the building is located, and if that cost is so charged, it is a lien upon the real estate and may be assessed and collected as a special tax.

Notice of this Resolution and Raze Order shall be served as follows:

1. On the owner of record of the building that is subject to the order, or on the owner's agent if the agent is in charge of the building, in the same manner as a summons is served in circuit court.



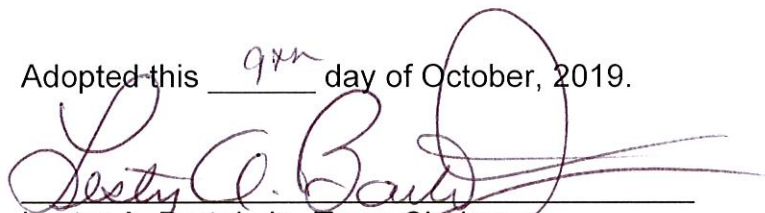
2. On the holder of each encumbrance of record by 1st class mail at the holder's last-known address and by publication as a class 1 notice under chapter 985, Wis. Stats.

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 order may be served by posting it on the main entrance of the building and by publishing it as a class 1 notice under chapter 985, Wis. Stats., before the time limit in the order begins to run.

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 Ozaukee County, Wisconsin, on the tract of the above-described real property to provide notice of this resolution and raze order.

The Town Clerk shall properly post or publish this resolution as required under s. 60.80, Wis. Stats.

Adopted this 9<sup>th</sup> day of October, 2019.

  
\_\_\_\_\_  
Lester A. Bartel, Jr., Town Chairman

Attest: Lisa Kien  
\_\_\_\_\_  
Lisa Kien, Town Clerk

Posted: October 10<sup>th</sup>, 2019