

**RESOLUTION AND ORDER
TO RAZE BUILDING
RESOLUTION #13-2011**

STATE OF WISCONSIN
Town of Delavan
Walworth County

To: Jay A. Kelly
P.O. Box 790
Kailua, HI 96734

The Town Board of the Town of Delavan, Walworth 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:

Based on the report of the Town Building Inspector and evidence presented at the public hearing on this matter conducted on October 18, 2011.

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 Delavan located upon the following described real property by not later than within thirty (30) days of service of this Order, to wit:

The dwelling located at Lot 1, Block E, Delavan Lake Assembly Grounds, according to the recorded plat thereof, in the Town of Delavan, Walworth County, Wisconsin.

Tax Parcel No. FDLA 00061

Property Address: 1625 Polk Avenue, Delavan, Wisconsin

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

The building inspector or other designated officer shall post a copy of this Resolution and Order on the premises.

The building inspector or other designated officer 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 officer shall, subject to Section 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.

A copy of this Resolution and 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 limited in the order begins to run.

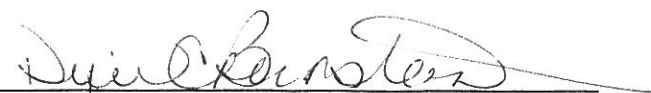
The Town Clerk shall file or cause to be filed a Notice of Lis Pendens in the Office of the Register of Deeds for Walworth County, Wisconsin, on the tract of the above-described real property to provide notice of this resolution and raze order of the Town.

The Town Clerk shall properly post this resolution as required under Section 60.80, Wis. stats.

Adopted this 18 day of October, 2011.

TOWN BOARD, TOWN OF DELAVAN

By: 
Ryan Simons, Town Chair

By: 
Dixie Bernsteen, Town Clerk