

#1001-2009 Resolution and Order to Raze Building

STATE OF WISCONSIN  
Town of Red Cedar  
Dunn County

The Town Board of the Town of Red Cedar, Dunn 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, **Mainstreet Bank, 360 Robert Street North, St. Paul, MN 55101**, the owner of the following-described real property, is ordered to raze the building in the Town of Red Cedar located upon the following-described real property by not later than Nov. 17, 2009, described as a one-story residential building in Cedar Falls Rapid, Lot 28, computer number 024-1173-09, parcel number 281206.00129, PIN number 17024-2-281206-001-0029, and located at **N6943 553<sup>rd</sup> Street, Menomonie, WI**, and legally described as follows: **Lot 28 in Cedar Falls Rapids, Section 06, Township 28, Range 12, Document No. 547722.**

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 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 the raze order of the town board 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 1<sup>st</sup> 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 have filed by the town attorney a Notice of Lis Pendens in the Office of the Register of Deeds for Dunn 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 or publish this resolution as required under s. 60.80. Wis. Stats.

Adopted this 14<sup>th</sup> day of September 2009.

RED CEDAR TOWN BOARD:

Charlie Price

Charlie Price, Chairman

Ron Robelia

Ron Robelia, Supervisor #1

Joe Feeney

Joe Feeney, Supervisor #2

Dave Leach

Dave Leach, Supervisor #3

Doug Miller

Doug Miller, Supervisor #4

ATTEST:

C. A. Miller

Cheryl Miller, Clerk