

**RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS**

County Board Staff Committee  
INITIATED BY

County Board Staff Committee  
SUBMITTED BY



Nick Osborne, Assistant to the County  
Administrator  
DRAFTED BY

April 1, 2013  
DATE DRAFTED

**TRANSFER OF PROPERTY AT 3636 WEST CEMETERY ROAD TO THE CITY OF  
JANESVILLE**

1 **WHEREAS**, the property at 3636 West Cemetery Road in the Town of Rock is located in the Rock  
2 River flood plain and was substantially damaged in the 2008 flood; and,  
3  
4 **WHEREAS**, Rock County acquired this property with Federal Emergency Management Agency  
5 (FEMA) grant funds which require that the land only be transferred to a public entity or a qualified  
6 conservation organization; and,  
7  
8 **WHEREAS**, the deed restrictions mandated by the grant require that no structures be built on the  
9 property and that the property only be used for open space or a public use; and,  
10  
11 **WHEREAS**, Rock County is not able use this property in a way that conforms to the deed restrictions,  
12 and;  
13  
14 **WHEREAS**, the City of Janesville owns parkland adjacent to this property and contingent on City  
15 Council approval, has expressed an interest in acquiring this property, and;  
16  
17 **WHEREAS**, the City of Janesville's proposed use for the property, open space, a canoe put in and take  
18 area, and a bike trail connector between Janesville and a future Beloit route satisfies the FEMA deed  
19 restrictions; and,  
20  
21 **NOW, THEREFORE, BE IT RESOLVED** that the Rock County Board of Supervisors duly assembled  
22 this 11 day of April, 2013, approves the transfer of the property at 3636 West Cemetery  
23 Road to the City of Janesville contingent on City Council approval.

Respectfully submitted:

COUNTY BOARD STAFF COMMITTEE

J. Russell Podzilni  
J. Russell Podzilni, Chair

Sandra Kraft  
Sandra Kraft, Vice Chair

Eva Arnold  
Eva Arnold

Henry Brill  
Henry Brill

Betty Jo Bussie  
Betty Jo Bussie

Absent  
Marilynn Jensen

Mary Mawhinney  
Mary Mawhinney

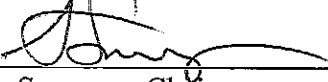
Louis S. Peer  
Louis Peer


Kurtis L. Yankee  
Kurtis Yankee

13-4A-301


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PLANNING AND DEVELOPMENT COMMITTEE

  
\_\_\_\_\_  
Alan Sweeney, Chair


  
\_\_\_\_\_  
Mary Mawhinney, Vice Chair

  
\_\_\_\_\_  
Wayne Gustina

Marilynn Jensen  
  
\_\_\_\_\_  
Phillip Owens

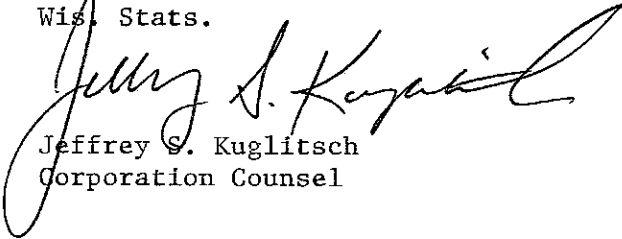
FISCAL NOTE:

This resolution authorizes the transfer of a County owned flood damaged property to the City of Janesville. This has minimal fiscal impact for the County, mainly related to savings in maintenance and upkeep expenses.

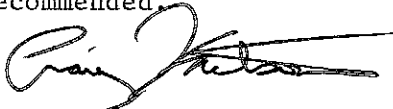
  
Sherry Oja  
Finance Director

LEGAL NOTE:

The County Board is authorized to take this action pursuant to § 59.52(6)(c), Wis. Stats.

  
Jeffrey S. Kuglitsch  
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended,  
  
\_\_\_\_\_  
Craig Knutson  
County Administrator

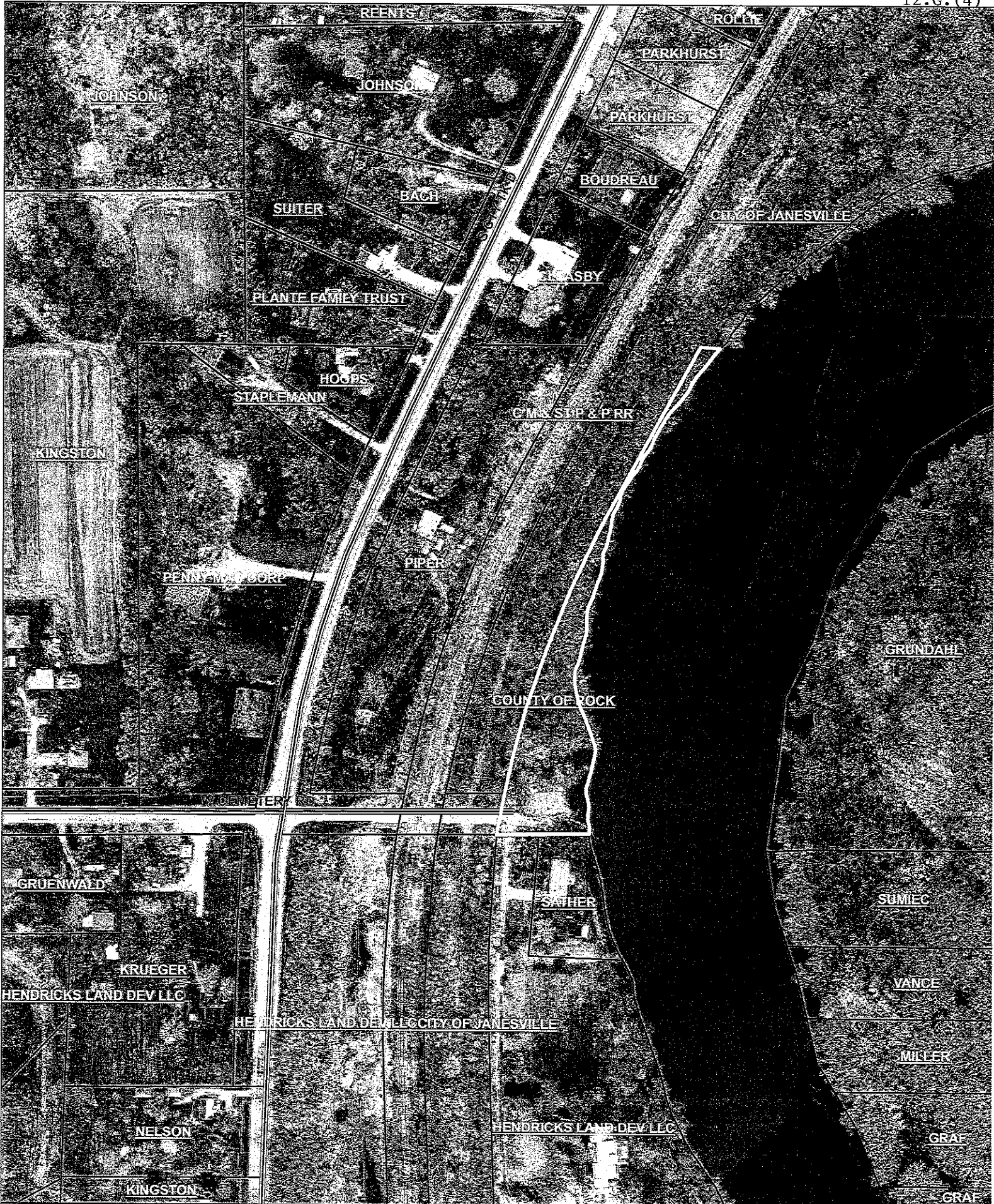
## EXECUTIVE SUMMARY

After the 2008 flood, Rock County used Federal Emergency Management Agency (FEMA) grant funds to acquire several damaged properties on the Rock River flood plain. FEMA required that deed restrictions be attached to these properties to prohibit any structures and limit the property use to open space or a public use such as parkland. Rock County was further barred from transferring these properties to any group other than another public entity or a qualified conservation organization.

In the Spring of 2012, Rock County staff discussed possible property uses with the County Board Staff Committee, Planning and Development Committee, and the Public Works Committee. These committees agreed that the County would investigate transfer options for any properties unsuitable for a County park. It was determined that given its small size (1 acre), limited potential uses, distance from other County parks, and expenses related to maintenance and upkeep, the property at 3636 West Cemetery Road in the Town of Rock would be an excellent transfer candidate.

The City of Janesville owns an adjacent parcel of parkland and wrote a letter expressing interest in this property. Pending City Council action, the City of Janesville intends to use the land as a public open space, a canoe put in and take out area, and as a connector between the Janesville bike path and a planned route to Beloit. This use would comply with the property deed restrictions. The Rock Trail Coalition has offered to adopt and take care of grounds maintenance, such as mowing and litter collection, at this property.

In addition to Janesville City Council and Rock County Board action, the FEMA Regional Administrator must also approve this transfer for it to be considered final.



Parcel 6-17-191.6A  
 County Property  
 FEMA Purchase/Flood 2008  
 Rock Township

Legend  
 [White outline box] Tax Parcels

1 inch = 200 feet

Airphoto: March 2011



Rock County Geographic Information System GIS  
 Rock County Planning, Economic and Community Development Agency