

Enrolled 158-144  
PROPOSED ORDINANCE 158-150

1  
2  
3 APPROVE ACQUISITION OF THE SMART PROPERTY – TOWN OF MUKWONAGO  
4

5 WHEREAS the Waukesha County Development Plan, which incorporates the Waukesha County  
6 Park and Open Space Plan, was adopted by the Waukesha County Board of Supervisors on  
7 November 26, 1996, and  
8

9 WHEREAS the Walter J. Tarmann Parkland Acquisition Fund was created through Enrolled  
10 Ordinance 150-28 for the purpose of acquiring park and open space lands consistent with the  
11 Waukesha County Board adopted Park and Open Space Plan for Waukesha County, and  
12

13 WHEREAS the acquisition of the Smart property located in the Town of Mukwonago would  
14 implement said plan, (refer to Exhibit A), and  
15

16 WHEREAS the selling price of subject property is \$288,750, and  
17

18 WHEREAS other costs associated with the acquisition of said property is estimated to be \$1,832,  
19 and  
20

21 WHEREAS in conformance with the Waukesha County Code, an Environmental  
22 Reconnaissance was conducted in which ~~no environmental concerns were discovered, and~~  
23 *replace with: no contamination was*

24 WHEREAS although state and federal funding is not currently available for the purchase of said  
25 property, Waukesha County received a Letter of Retroactivity from the State of Wisconsin,  
26 Department of Natural Resources, which maintains the County's eligibility for partial funding of  
27 said acquisition.  
28

29 THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS  
30 that the Waukesha County Department of Parks and Land Use be authorized on behalf of  
31 Waukesha County to purchase the Smart property located in the Town of Mukwonago at a cost  
32 no greater than \$290,582.  
33

34 BE IT FURTHER ORDAINED that the contracts dated November 26<sup>th</sup>, 2003, between Donald  
35 Smart and Waukesha County to accomplish the purchase, are hereby approved.  
36

37 BE IT FURTHER ORDAINED that the Waukesha County Clerk and County Executive are  
38 authorized to execute all necessary applications and agreements in order to secure potential state  
39 and federal funds for said acquisition.  
40

41 BE IT FURTHER ORDAINED that upon receipt of any state or federal funds available to this  
42 acquisition, said monies be accounted for in the Walter J. Tarmann Parkland Acquisition Fund  
43 Revenue Account to be utilized for future parkland acquisition.

**Ordinance 158-O-148 Approve Acquisition of the Smart Property – Town of Mukwonago**

**March 23, 2004**

Supervisor Kolb moved to amend by replacing “no environmental concerns were” on line 21 with “no contamination was”

Supervisor ~~Behrent~~ <sup>Stroud</sup> seconded the motion

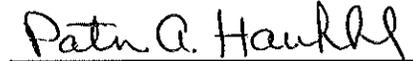
Board was polled on the amendment and thirty(30) votes were cast, all “aye”.

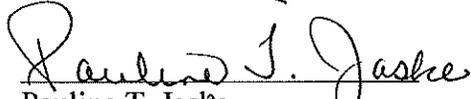
APPROVE ACQUISITION OF THE SMART PROPERTY – TOWN OF MUKWONAGO

Presented by:  
Land Use, Parks and  
Environment Committee

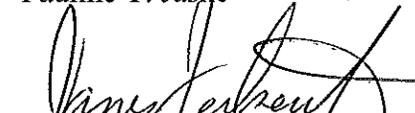
Approved by:  
Finance Committee

  
Walter L. Kolb, Chair

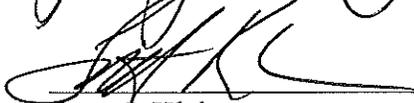
  
Patricia A. Haukohl, Chair

  
Pauline T. Jaske

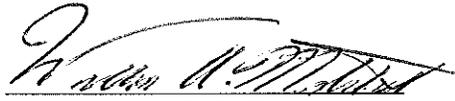
  
James R. Behrend

  
James Jeskewitz

  
Donald M. Broesch

  
Scott J. Klein

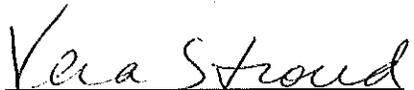
  
Genia C. Bruce

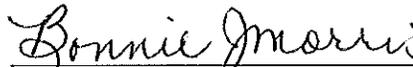
  
William A. Mitchell

  
Joseph F. Griffin

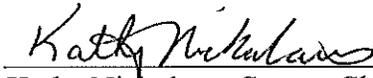
  
Daniel Pavelko

  
Joe C. Marchese

  
Vera Stroud

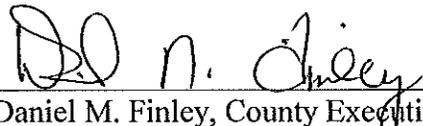
  
Bonnie J. Morris

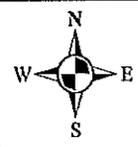
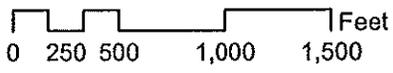
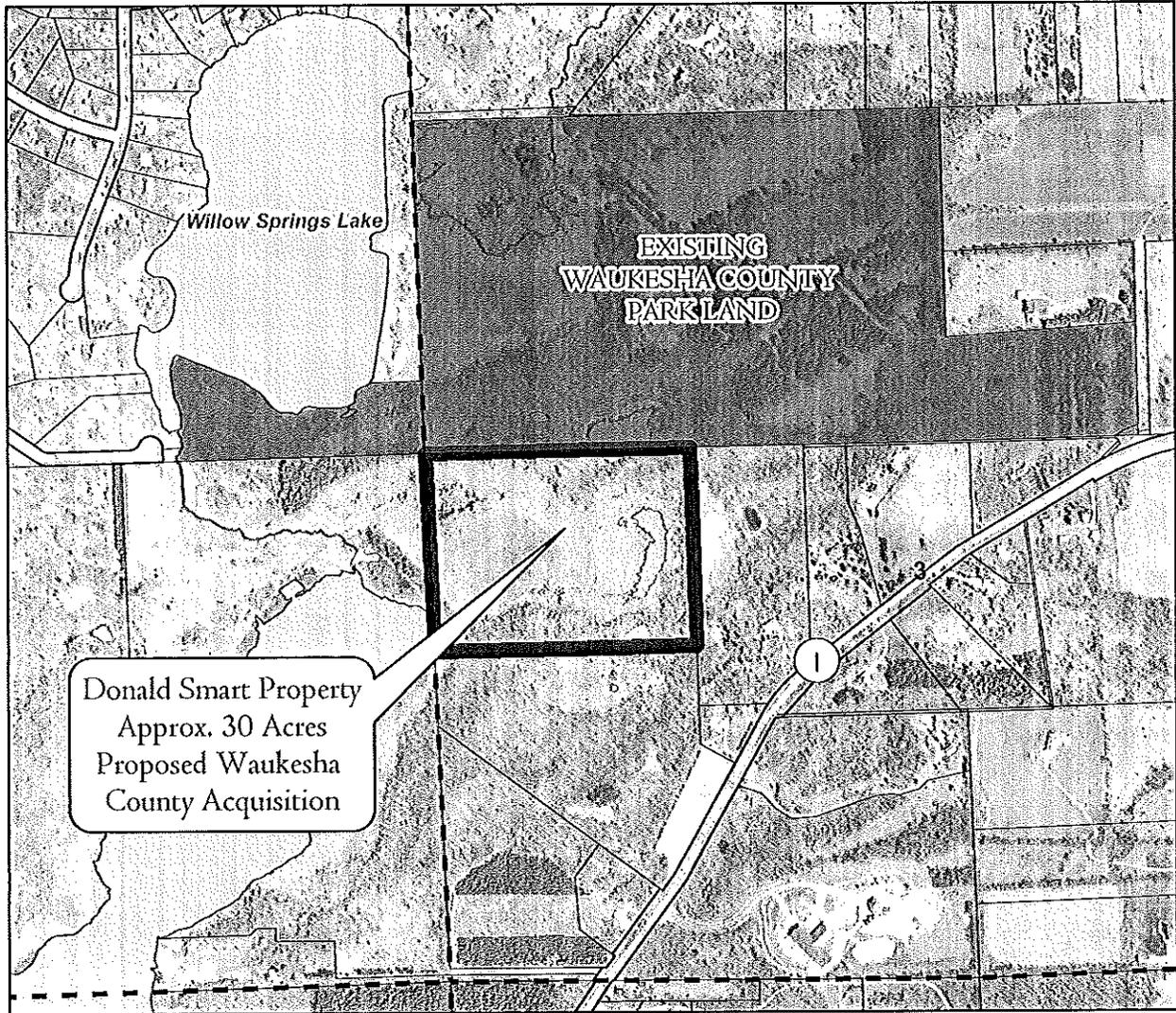
The foregoing legislation adopted <sup>as amended</sup> by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: March 23, 2004,   
Kathy Nickolaus, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, is hereby:

Approved:   
Vetoed:

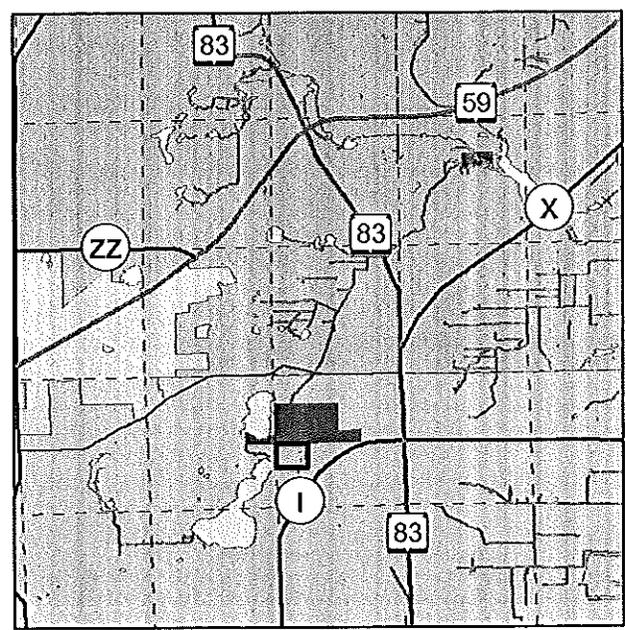
Date: 3-23-04,   
Daniel M. Finley, County Executive



# Smart Property

Site Map & Location Map

-  Smart Property
-  Waukesha County Parks
-  Section Line
-  R.O.W
-  Parcel Line
-  Water Body
-  Stream/Creek



Prepared By: Waukesha County Department of Parks and Land Use August 2003

158-0-148

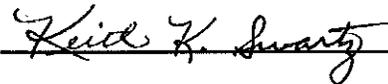
## FISCAL NOTE

### SMART PROPERTY ACQUISITION

This ordinance authorizes the acquisition of about 30 acres of land for parkland and/or open space development in the Town of Mukwonago for a total cost not to exceed \$288,750. An additional \$1,832 is estimated for costs associated with property acquisition, for a total of \$290,582.

There is currently sufficient unused expenditure authority in the 2004 Tarmann Fund to fund this purchase.

The ordinance results in no additional direct tax levy.



Keith Swartz  
Budget Manager

AVT  
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WAUKESHA COUNTY BOARD OF SUPERVISORS

V

DATE-03/23/04

(ORD) NUMBER-1580148  
as amended

- 1 K. HERRO.....AYE
- 3 D. STAMSTA.....AYE
- 5 J. MARCHESE.....AYE
- 7 J. JESKEWITZ.....AYE
- 9 P. HAUKOHL.....AYE
- 11 K. HARENDA.....
- 13 J. MORRIS.....
- 15 D. SWAN.....AYE
- 17 J. BEHREND.....AYE
- 19 W. MITCHELL.....AYE
- 21 W. KOLB.....AYE
- 23 P. PRONOLD.....
- 25 K. CUMMINGS.....AYE
- 27 D. PAULSON.....AYE
- 29 M. THOMAS.....NAY
- 31 V. STROUD.....AYE
- 33 D. PAVELKO.....AYE
- 35 C. SEITZ.....NAY

- 2 R. THELEN.....AYE
- 4 H. CARLSON.....AYE
- 6 D. BROESCH.....AYE
- 8 J. DWYER.....AYE
- 10 S. WOLFF.....AYE
- 12 J. GRIFFIN.....AYE
- 14 J. LA PORTE.....
- 16 R. MANKE.....AYE
- 18 B. MORRIS.....AYE
- 20 M. KIPP.....
- 22 G. BRUCE.....AYE
- 24 A. SILVA.....AYE
- 26 S. KLEIN.....AYE
- 28 P. JASKE.....AYE
- 30 K. NILSON.....AYE
- 32 P. GUNDRUM.....NAY
- 34 R. SINGERT.....NAY

TOTAL AYES-26

TOTAL NAYS-04

CARRIED Y

DEFEATED \_\_\_\_\_

UNANIMOUS \_\_\_\_\_

TOTAL VOTES-30