

ENROLLED ORDINANCE 173-056

AUTHORIZATION TO ENTER INTO COMPROMISE SETTLEMENT AGREEMENT IN
CONDEMNATION CASE ENTITLED ALLEN RALPH CHRISTOPH, AS TRUSTEE OF
THE CHRISTOPH FAMILY TRUST VS. THE COUNTY OF WAUKESHA

WHEREAS, Waukesha County undertook a highway project (Project ID 2788-00-22) to reconstruct and improve the West Waukesha Bypass in the City and Town of Waukesha; and

WHEREAS, as part of the highway project and in accordance with Chapters 83 and 32, Wisconsin Statutes, the County acquired by eminent domain a strip of land owned by The Christoph Family Trust and further identified as Waukesha County tax key number WAKT 1327 998; and

WHEREAS, pursuant to section 32.05(11), Wisconsin Statutes, The Christoph Family Trust has appealed from the award of compensation to the circuit court for a determination of just compensation to be paid for the taking of the property; and

WHEREAS, Waukesha County and The Christoph Family Trust, by the Scheduling Order dated May 18, 2018, were ordered to attend mediation; and

WHEREAS, Waukesha County and The Christoph Family Trust reached a mediated settlement agreement on September 21, 2018 subject to County Board Approval; and

WHEREAS, the continuation of the litigation causes substantial financial risk to both the landowner and Waukesha County and both parties will incur additional significant expenses if a settlement of the litigation is not reached at this time; and

WHEREAS, it has been determined that settlement of the issues in this litigation at this time is in the best interest of Waukesha County.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the settlement in the litigation entitled "Allen Ralph Christoph vs. The County of Waukesha" is approved according to the terms of the mediated agreement, which is on file with the Department of Public Works and was previously shared with the Board.

BE IT FURTHER ORDAINED that Waukesha County Corporation Counsel, or his designee, is authorized to negotiate and finalize a settlement agreement and release in accordance with the mediated settlement terms.

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The foregoing legislation adopted by the County Board of Supervisors of Waukesha County,
Wisconsin, was presented to the County Executive on:

Date: 10/23/18, 
Kathleen Novack, County Clerk

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

Approved: X

Vetoed: _____

Date: 10/29/18, 
Paul Farrow, County Executive

D1 - Foti	AYE	D14 - Wood	AYE
D2 - Zimmermann	(2) AYE	D15 - Mitchell	AYE
D3 - Morris	Absent	D16 - Crowley	AYE
D4 - Batzko	AYE	D17 - Paulson	AYE
D5 - Dondlinger	AYE	D18 - Nelson	AYE
D6 - Walz	AYE	D19 - Cummings	AYE
D7 - Grant	AYE	D20 - Schellinger	AYE
D8 - Michalski	AYE	D21 - Gaughan	AYE
D9 - Heinrich	(M) AYE	D22 - Wysocki	AYE
D10 - Swan	AYE	D23 - Hammitt	AYE
D11 - Howard	AYE	D24 - Whitow	AYE
D12 - Wolff	AYE	D25 - Johnson	AYE
D13 - Decker	AYE		

173-0-057

Passed (24 Y - 0 N - 1 Absent)

Majority Vote

