

Borski, Jennifer - DNR

From: CHaese@ci.neenah.wi.us
Sent: Monday, February 10, 2020 3:57 PM
To: Chronert, Roxanne N - DNR
Cc: Borski, Jennifer - DNR; Fassbender, Judy L - DNR; Soyer, Jenna A - DNR; CHaese@ci.neenah.wi.us
Subject: Donaldson's Consent to Raze
Attachments: 01258916.PDF

Roxanne:

Jennifer asked for a copy of the Consent to Raze once we had an executed version from Donaldson's. Since Jennifer is out of the office, I thought I would forward it to you and copy others with the information in case it adds any value to your Thursday discussion.

Chris

(See attached file: 01258916.PDF)

[CHRIS A. HAESE](#)

Director of Community Development and
Assessment

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211 Walnut St., P.O. Box 426

Neenah, WI 54957-0426

STATE OF WISCONSIN
CITY OF NEENAH

WINNEBAGO COUNTY
CHIEF BUILDING INSPECTOR

In the Estate of Janice K. Donaldson,
Craig S. Donaldson, Personal
Representative

For Official Use.

Case No. 2014-PR-258

**CONSENT TO SERVICE OF RAZE ORDER BY MAIL & EMAIL
&
WAIVER OF 30-DAY NOTICE PERIOD AND CONSENT TO RAZE BUILDING**

Craig S. Donaldson, Personal Representative for the Estate of Janice K. Donaldson ("Estate") does hereby irrevocably consent to service by mail and e-mail, at the addresses listed below, the Raze Order issued by the City of Neenah Chief Building Inspector pursuant to Wis. Stats. §66.0413(1)(b), dated November 19, 2019, a copy of which is attached hereto as Exhibit A (the "Raze Order"). Said Raze Order is issued against the property located at 110 West Cecil Street, Neenah, WI (the "Property").

A copy of any such document so served on me in my capacity as Personal Representative shall also be served in like manner to Attorney Douglas D. Hahn, Menn Law Firm. Specifically, this waiver is intended to waive the requirements of Wis. Stats. §66.0413(1)(d) as it applies to the City of Neenah and the Raze Order issued November 19, 2019 and acknowledges that I agree that my consent to service of process by mail and e-mail is made for the express benefit of the City of Neenah. Nothing contained herein shall be deemed to limit in any way any right to serve process in any manner permitted by law.

In addition, the Estate of Janice K. Donaldson is the principal member of, and agent for H&J Investments, LLC, a Wisconsin limited liability corporation ("H&J"). H&J is the record owner of the Property, which is subject to the Raze Order served on me as personal representative of the Estate of Janice K. Donaldson. As such personal representative, I have authority to take action in relation to the property of the Estate. At the request of the City of Neenah, the Estate waives the 30-day notice requirement provided for under Wis. Stat. §66.0413(1)(b) and hereby grants its consent for the City of Neenah to commence razing the Building(s) located on the Property. I acknowledge that the City will raze the building on the property and charge back the cost of said razing to the Property's real estate tax bill issued in December, 2020.

Dated this 3rd day of February, 2020.

ESTATE OF JANICE K DONALDSON

By: 

c/o Craig S. Donaldson
N2018 DOMAIN DR
KAUKAUNA, WI 54130-947

With a copy to:

Attorney Douglas Hahn
Menn Law Firm
2501 E Enterprise Ave
PO Box 785
Appleton WI 54912-0785
douglas-hahn@mennlaw.com

Drafted by:

James G. Godlewski,
OFFICE OF THE CITY ATTORNEY,
City of Neenah
211 Walnut Street
Neenah, WI 54956
(920) 886-6106
James G. Godlewski
City Attorney
State Bar No. 1005210



EXHIBIT A

Department of Community Development
211 Walnut St. • Neenah WI 54959
Phone 920-886-6130 • e-mail: bwalter@ci.neenah.wi.us
BRIAN WALTER
CHIEF BUILDING INSPECTOR

ORDER

RE: Order Requiring Removal of Unsafe Building and Personal Property

TO: Estate of Janice Donaldson

c/o Craig S Donaldson

H & J Investments LLC

N2018 Domain Dr, Kaukauna, WI 54130

YOU ARE HEREBY ORDERED, as the owner of the unsafe building located on the following described property known as 110 W CECIL ST NEENAH WISCONSIN, Legal description: REPLAT OF AIRPORT HEIGHTS LOTS 11 & 12 BLK 2, to raze and remove said building within thirty (30) days from the date of service of a copy of this order upon you or, pursuant to sec. 66.0413 (1)(b), Wis. Stats., or within 30 days of the date of service of this order on the last of all the affected parties, whichever is later.

This order is given pursuant to sec. 66.0413 (1)(b)(1) of the Wisconsin Statutes and all applicable ordinances of the City of Neenah for the reasons that said building located on the above described property has, in the judgment of the undersigned, been so abandoned and out of repair as to be dangerous, unsafe, unsanitary and unfit for occupancy or use.

In the event you fail or refuse to comply with this order within thirty (30) days of the date of service of a copy of this order upon you, the undersigned Chief Building Inspector of the City of Neenah will cause said structure to be razed and removed in accordance with the provisions of Subsection (f) of Section 66.0413(1), of the Wisconsin Statutes and the applicable ordinances of the City of Neenah, and

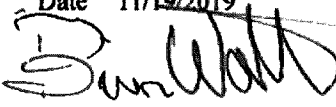
CITY OF NEENAH
Dept. of Community Development

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the cost thereof will become a lien against the property and will be assessed thereon and collected as a special tax.

You are further notified, that in the event that you disagree with the determination of the Chief Building Inspector regarding the condition of the said structure, you may file an action in Winnebago County Circuit Court, pursuant to the provisions of subsection (h) of Section 66.0413(1), Wisconsin Statutes, within thirty (30) days of the date of service of this order upon you to restrain the Chief Building Inspector from razing said structure. In the event that you fail to take such action within thirty (30) days of service of this order upon you, action to restrain the Chief Building Inspector from razing said structure shall be barred.

You are hereby further ordered, pursuant to Subsection (i) of Section 66.0413, to remove any personal property or fixtures in the above described building(s) within the above-stated time period. In case of your failure so to do, the said Chief Building Inspector may store the same, or may sell it, or if it has no appreciable value he may destroy the same. In case the property is stored, the amount paid for storage shall be a lien against such property and against the real estate if the real estate is owned by the owner of the personal property and fixtures. If the property is stored and is not claimed by the owner, it may be sold at the expiration of 6 months after it has been stored.

Date 11/19/2019

Brian Walter
Chief Building Inspector
City of Neenah

Parcel ID 80204150100