

**RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS**

County Board Staff Committee
INITIATED BY



Corporation Counsel Richard
Greenlee
DRAFTED BY

County Board Staff Committee
SUBMITTED BY

June 4, 2020
DATE DRAFTED

Approving Release of Deed Restrictions on 1747 Center Ave

1 **WHEREAS**, Hamza Properties, LLC, is the current owner of a property located at 1747 Center Avenue
2 in Janesville and that property is immediately adjacent to the 1717 Center Avenue property that the County
3 is currently redeveloping to serve the Human Services Department ; and,
4

5 **WHEREAS**, the parcel located at 1747 Center Avenue was a part of the parcel that constitutes 1717 Center
6 Avenue prior to 1998 when at that time, 1747 Center Avenue was subdivided from 1717 Center Avenue
7 and sold off to be developed as a gas station. At the time of creation and sale, the whole parcel was owned
8 by NDC, Inc., who was operating a grocery store at the 1717 Center Avenue site; and
9

10 **WHEREAS**, when NDC, Inc. created and then sold the 1747 Center Avenue parcel in 1998, it placed
11 certain restrictions on development which were contained on the recorded deed. These deed restrictions
12 were designed to prohibit any new business from competing directly with the grocery store and, as such,
13 prohibited the parcel from being used as a retail grocery store, unless it was in conjunction with a gas
14 station; and
15

16 **WHEREAS**, Hamza, who purchased the parcel in 2019, would like to redevelop the 1747 Center Avenue
17 property into a restaurant and convenience store that would serve both employees working in the 1717
18 Center Avenue building, and rock county residents; and,
19

20 **WHEREAS**, it is in the interests of the County, the City of Janesville, and the residents of Rock County
21 to redevelop the 1747 Center Avenue property in this manner; and,
22

23 **WHEREAS**, as the successor in interest to NDC, Inc., Rock County has the legal authority to release the
24 deed restrictions by recorded agreement.
25

26 **NOW, THEREFORE, BE IT RESOLVED** that the Rock County Board of Supervisors duly assembled
27 this 11th day of June, 2020 does authorize the release of all deed restrictions entered on
28 the parcel located at 1747 Center Avenue and authorizes the Chair of the Board of Supervisors, and the
29 County Clerk, to sign all necessary agreements to execute such release.

Respectfully submitted,

COUNTY BOARD STAFF COMMITTEE

/s/Kara Purviance
Kara Purviance, Chair

/s/J. Russell Podzilni
J. Russell Podzilni

/s/Richard Bostwick
Richard Bostwick

/s/Alan Sweeney
Alan Sweeney

/s/Tom Brien
Tom Brien

/s/Bob Yeomans
Bob Yeomans

/s/Kevin Leavy
Kevin Leavy

/s/Jeremy Zajac
Jeremy Zajac

/s/Louis Peer
Louis Peer

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FISCAL NOTE:

The releasing of the deed restrictions and redevelopment of this property should have a positive effect on the tax roll.

/s/ Sherry Oja

Sherry Oja
Finance Director

LEGAL NOTE:

The Board of Supervisors is authorized to take this action pursuant to Wis Stat. § 59.52(6).

/s/Richard Greenlee

Richard Greenlee
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.

/s/ Josh Smith

Josh Smith
County Administrator