

ENROLLED ORDINANCE 175-97

AUTHORIZATION TO ENTER INTO SETTLEMENT AGREEMENT IN THE CONDEMNATION  
LAWSUIT OF JON M. SODEMANN AND KAREN A. KLEIN-SODEMANN V.  
WAUKESHA COUNTY, CASE NUMBER 2018-CV-141

WHEREAS, Waukesha County undertook a highway project (Project ID 2788-00-22) to reconstruct and improve the West Waukesha Bypass in the City and Village 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 small amount of land by fee in fee title and a temporary limited easement for construction purposes on land owned by Jon M. Sodemann and Karen A. Klein-Sodemann (hereinafter "The Sodemanns") in the City of Waukesha and further identified as tax key number WAKC 1317 063; and

WHEREAS, pursuant to Chapter 32 of the Wisconsin Statutes, the Sodemanns have appealed the Award of Damages 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 Sodemanns were court-ordered to attend mediation; and

WHEREAS, Waukesha County and the Sodemanns reached a mediated settlement agreement on March 1, 2021, the terms of which are conditioned upon County Board approval; and  
WHEREAS, the continuation of the litigation causes substantial financial risk to both the landowners and Waukesha County and all 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 lawsuit of Jon M. Sodemann and Karen A. Klein-Sodemann v. Waukesha County, Case Number 2018-CV-141 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 County 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: 3/26/2021, Meg Wartman  
Margaret Wartman, County Clerk

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

Approved: X

Vetoed: \_\_\_\_\_

Date: 4/1/2021, Paul Farrow  
Paul Farrow, County Executive

AYE 24 NAY 0 ABSTAIN | ABSENT 1

# Ordinance 175-O-097

Ordinance 175-O-097: Authorization To Enter Into Sett...

 **Passed With 17 Yes Votes Needed**

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

March 23 2021 - March 23 2021 08:53:25 PM