



County Clerk

Kimberly S. Bushey
County Clerk

May 11, 2021 – Walworth County Board of Supervisors

**Report of the County Clerk Regarding
Communications Received After the Agenda Mailing**

The following items were placed on Supervisors' desks and are attached to this cover sheet:

- CLAIM – Summons and Complaint – First American National, LLC, Plaintiff vs. William T. Graves, Jane Doe Graves, State of Wisconsin, and Walworth County Clerk of Circuit Court, Defendants – Foreclosure of Mortgage (To be referred to the Executive Committee) (The complete packet can be viewed in the County Clerk's Office)
- State of Wisconsin Waste Facility Siting Board – Statement of Economic Interests – Richard A. Hough and Mark W. Lubarda (To be placed on file as part of Res. No. 12-05/21)
- Correspondence from the Wisconsin Historical Society – State and National Register of Historic Places – Oak Hill Cemetery, 1101 Cemetery Road, Lake Geneva, Walworth County, WI (To be placed on file)

These items were received after the agenda mailing before the meeting. Other items that were placed on the Supervisors' desks at the meeting are not included on this report. Please contact the County Clerk's office for information regarding those items.

FILED
04-30-2021
Walworth County
Clerk of Circuit Court
2021CV000206
Honorable David M. Reddy
Branch 4

STATE OF WISCONSIN

CIRCUIT COURT

WALWORTH COUNTY

First American National, LLC
1055 Parsippany Blvd, Suite 200
Parsippany, NJ 07054

SUMMONS

Plaintiff,

vs.

Case Code 30404

(Foreclosure of Mortgage)

The amount claimed exceeds \$10,000.00

William T. Graves
632 Partridge Pkwy
Genoa City, WI 53128-2520

Jane Doe Graves
632 Partridge Pkwy
Genoa City, WI 53128-2520

State of Wisconsin
c/o Attorney General
114 East State Capitol
Madison, WI 53703

Walworth County Clerk of Circuit Court
1800 County Road Nn Rm 2040
Elkhorn, WI 53121-4454

Defendants.

THE STATE OF WISCONSIN

To each person named above as a defendant:

You are hereby notified that the plaintiff named above has filed a lawsuit or other legal action against you. The complaint, which is attached, states the nature and basis of the legal action.

Within 20 days of receiving this summons (60 days if you are the United States of America, 45 days if you are the State of Wisconsin or an insurance company), you must respond with a written answer, as that term is used in Chapter 802 of the Wisconsin Statutes, to the complaint. The court may reject or disregard an answer that does not follow the requirements of the statutes. The answer must be sent or delivered to the court, whose address is set forth below, and to the plaintiff's attorney, at the address set

forth below. You may have an attorney help or represent you.

If you do not provide a proper answer within 20 days (60 days if you are the United States of America, 45 days if you are the State of Wisconsin or an insurance company), the court may grant judgment against you for the award of money or other legal action requested in the complaint, and you may lose your right to object to anything that is or may be incorrect in the complaint. A judgment may be enforced as provided by law. A judgment awarding money may become a lien against any real estate you own now or in the future, and may also be enforced by garnishment or seizure of property.

Dated this 29th day of April, 2021.

Gray & Associates, L.L.P.
Attorneys for Plaintiff

By: 

Robert M. Piette
State Bar No. 1018058

16345 West Glendale Drive
New Berlin, WI 53151-2841
(414) 224-1987
085037F01

Address of Court:
Walworth County Judicial Center
1800 County Highway NN, P.O. Box 1001
Elkhorn, WI 53121-1001

Gray & Associates, L.L.P. is attempting to collect a debt and any information obtained will be used for that purpose. If you have previously received a discharge in a chapter 7 bankruptcy case, this communication should not be construed as an attempt to hold you personally liable for the debt.

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04-30-2021
Walworth County
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STATE OF WISCONSIN

CIRCUIT COURT

WALWORTH COUNTY

First American National, LLC
1055 Parsippany Blvd, Suite 200
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COMPLAINT

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vs.

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(Foreclosure of Mortgage)

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632 Partridge Pkwy
Genoa City, WI 53128-2520

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State of Wisconsin
c/o Attorney General
114 East State Capitol
Madison, WI 53703

Walworth County Clerk of Circuit Court
1800 County Road Nn Rm 2040
Elkhorn, WI 53121-4454

Defendants.

Plaintiff, by its attorneys, Gray & Associates, L.L.P., pleads as follows:

1. The plaintiff is the current holder of a certain note, recorded mortgage and loan modification agreement on real estate located in this county, a true copy of the note is attached hereto as Exhibit A and is incorporated by reference. A true copy of the mortgage is attached hereto as Exhibit B and is incorporated by reference. A true copy of the loan modification is attached hereto as Exhibit C and is incorporated by reference.
2. The mortgaged real estate is owned of record by William T. Graves.
3. There has been a failure to make contractual payments as required, and there is now due and owing to plaintiff the principal sum of \$33,900.01 together with interest from the 1st day of August,

2008.

4. The plaintiff has declared the indebtedness immediately due and payable by reason of the default in the payments and has directed that foreclosure proceedings be instituted.

5. The mortgaged premises is real estate which is 20 acres or less; with a one to four family residence thereon which is occupied as the homestead of the defendants; said premises cannot be sold in parcels without injury to the interests of the parties.

6. The mortgagors expressly agreed to the reduced redemption period provisions contained in Chapter 846 of the Wisconsin Statutes; the plaintiff hereby elects to proceed under Section 846.101(2)(b) with a six month period of redemption, thereby waiving judgment for any deficiency against every party who is personally liable for the debt, and to consent that the owner, unless he or she abandons the property, may remain in possession and be entitled to all rents and profits therefrom to the date of confirmation of the sale by the court.

7. No proceedings have been had at law or otherwise for the recovery of the sums secured by said note and mortgage except for the present action, and all conditions precedent to the commencement of this action are satisfied.

8. That the names of all defendants herein are set forth in the Lien Report annexed hereto and incorporated by reference; that the defendants have or claim to have an interest in the mortgaged premises, as more particularly set forth in the said Lien Report, but that said interests are subject and subordinate to the plaintiff's mortgage.

9. That Jane Doe Graves has or may claim to have an interest in the subject encumbered property by virtue of being the present spouse of William T. Graves and any such interest is subject and subordinate to the plaintiff's mortgage.

10. That upon information and belief, the mortgage held by the plaintiff is a junior and subordinate mortgage against the premises and the plaintiff makes no representations or warranties regarding the priority of its mortgage.

WHEREFORE, the plaintiff demands.

1. Judgment of foreclosure and sale of the mortgaged premises in accordance with the provisions of section 846.101(2)(b) of the Wisconsin Statutes, with plaintiff expressly waiving its right to obtain a deficiency judgment against any defendant in this action.

2. That the amounts due to the plaintiff for principal, interest, taxes, insurance, costs of suit and attorney fees be determined.

3. That the defendants, and all persons claiming under them be barred from all rights in said premises, except that right to redeem.

4. That the premises be sold for payment of the amount due to the plaintiff, together with interest, reasonable attorney fees and costs, costs of sale and any advances made for the benefit and preservation of the premises until confirmation of sale.

5. That the defendants and all persons claiming under them be enjoined from committing waste or doing any act that may impair the value of the mortgaged premises; and

That the plaintiff have such other and further judgment order or relief as may be just and equitable.

Dated this 29th day of April, 2021.

Gray & Associates, L.L.P.
Attorneys for Plaintiff

By: 

Robert M. Piette
State Bar No. 1018058

16345 West Glendale Drive
New Berlin, WI 53151-2841
(414) 224-1987

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Waste Facility Siting Board

4822 Madison Yards Way, Madison, WI 53705-5400
Phone: (608) 266-7709
Email: DHAMail@wisconsin.gov
Fax: (608) 264-9885

STATE OF WISCONSIN
Waste Facility Siting Board

STATEMENT OF ECONOMIC INTERESTS

NAME RICHARD A. Hough

ADDRESS _____

SITE NAME & COUNTY LOCATION MALLARD RIDGE, WALWORTH COUNTY

AFFECTED MUNICIPALITY YOU REPRESENT WALWORTH COUNTY

NAME OF PERSON YOU ARE REPLACING, IF ANY _____

Wis. Stats. § 289.33(7)(b) and (c) state:

- (b) "DISCLOSURE OF PRIVATE INTERESTS. Each member of a local committee shall file a statement with the board within 15 days after the person is appointed to the local committee specifying the economic interests of the member and his or her immediate family members that would be affected by the proposed facility and its development."
- (c) "FAILURE TO DISCLOSE PRIVATE INTERESTS. If a person fails to file a statement of economic interest as required under par. (b), he or she may not serve on the local committee and the position to which he or she was appointed is vacant."

The Waste Facility Siting Board is providing this form to aid the local committee member in filing the Statement of Economic Interests. PLEASE NOTE THAT DISCLOSURE OF ANY POSSIBLE ECONOMIC INTERESTS IN THE PROPOSED SITE IN NO WAY DISQUALIFIES A LOCAL COMMITTEE MEMBER FROM SERVING.

If you have any questions, please contact the board.

DEFINITIONS AND EXPLANATORY MATERIAL

IMMEDIATE FAMILY refers to your spouse and a relative who either receives most of his or her financial support from you or from whom you receive most of your support.

AFFECTED MUNICIPALITY means any town, city, village or county in which all or a portion of a solid or hazardous waste disposal facility is or is proposed to be located or whose boundary is within 1500 feet of the disposal portion of a solid waste facility or storage or disposal portion of a hazardous waste facility or proposed facility.

DIRECT ECONOMIC TIE includes BUT NOT LIMITED to stock ownership, vendor contracts, related businesses (competitive or supplemental), and property whose value may be affected by the construction of the proposed facility.

1. Location of Residential Property

Please state the approximate location of your residential property from the proposed site.

I LIVE OUTSIDE THE COUNTY AND APPROXIMATELY
20 MILES AWAY.

2. Property Affected by Site

Please list all property owned by yourself or your immediate family in any affected municipality, the value of which may be affected by the construction of the proposed site. Also state the approximate location of the property from the proposed site (if additional space is required, please attach separate sheet to this form).

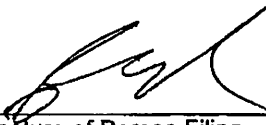
NONE

3. Other Direct Economic Ties

Please state any other economic ties which the local committee member or immediate family has to the applicant or proposed facility.

I AND MY FAMILY HAVE NO ECONOMIC TIES TO
THE TOWNSHIP OR MALLARD RIDGE.

By signing this form, I certify that the information contained in this Statement of Economic Interests is true, correct and complete to the best of my knowledge, information and belief.



Signature of Person Filing

6 MAY 21

Date

Waste Facility Siting Board

4822 Madison Yards Way, Madison, WI 53705-5400
Phone: (608) 266-7709
Email: DHAMail@wisconsin.gov
Fax: (608) 264-9885

STATE OF WISCONSIN
Waste Facility Siting Board

STATEMENT OF ECONOMIC INTERESTS

NAME MARK W. LUBERDA

ADDRESS _____

SITE NAME & COUNTY LOCATION MALLARD RIDGE, WALWORTH COUNTY

AFFECTED MUNICIPALITY YOU REPRESENT WALWORTH COUNTY

NAME OF PERSON YOU ARE REPLACING, IF ANY _____

Wis. Stats. § 289.33(7)(b) and (c) state:

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AFFECTED MUNICIPALITY means any town, city, village or county in which all or a portion of a solid or hazardous waste disposal facility is or is proposed to be located or whose boundary is within 1500 feet of the disposal portion of a solid waste facility or storage or disposal portion of a hazardous waste facility or proposed facility.

DIRECT ECONOMIC TIE includes BUT NOT LIMITED to stock ownership, vendor contracts, related businesses (competitive or supplemental), and property whose value may be affected by the construction of the proposed facility.

1. Location of Residential Property

Please state the approximate location of your residential property from the proposed site.

10 Miles southeast

2. Property Affected by Site

Please list all property owned by yourself or your immediate family in any affected municipality, the value of which may be affected by the construction of the proposed site. Also state the approximate location of the property from the proposed site (if additional space is required, please attach separate sheet to this form).

NONE

3. Other Direct Economic Ties

Please state any other economic ties which the local committee member or immediate family has to the applicant or proposed facility.

NONE

By signing this form, I certify that the information contained in this Statement of Economic Interests is true, correct and complete to the best of my knowledge, information and belief.


Signature of Person Filing

5/7/21
Date



WISCONSIN
HISTORICAL
SOCIETY

RECEIVED

MAY 10 2021

WALWORTH COUNTY CLERK

NOTICE OF ENTRY IN THE NATIONAL REGISTER
AND/OR STATE REGISTER OF HISTORIC PLACES

Name of property: Oak Hill Cemetery

Location: 1101 Cemetery Road, Lake Geneva, Walworth County

Date of Entry: April 26, 2021

Designation: State Register of Historic Places
 National Register of Historic Places

The property listed above has been entered in the National Register of Historic Places by the Secretary of the Interior, and listed in the State Register of Historic Places by the State Historic Preservation Office.

Accordingly, this property is entitled to the benefits and protections of the National Historic Preservation Act of 1966, as amended and under Chapter 44, Wisconsin Statutes. It will receive limited protection from encroachment by federal or state assisted or licensed projects or state facilities development projects, and may be eligible to apply for matching grants for research, restoration, acquisition, or stabilization. Certain tax incentives are available to depreciable properties listed in the State Register or National Register.

The State Register and National Register programs are administered by the State Historic Preservation Office of the Wisconsin Historical Society, Daina Penkiunas, Deputy State Historic Preservation Officer. Questions about the State Register and National Register programs in Wisconsin should be addressed to:

State Historic Preservation Office
Wisconsin Historical Society
816 State Street
Madison, WI 53706
Telephone: 608-264-6501

Collecting, Preserving, and Sharing Stories since 1846
816 State Street Madison, Wisconsin 53706

wisconsinhistory.org