

**RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS**

LAND CONSERVATION  
COMMITTEE  
INITIATED BY



THOMAS SWEENEY  
DRAFTED BY

LAND CONSERVATION  
COMMITTEE  
SUBMITTED BY

OCTOBER 2, 2014  
DATE DRAFTED

**APPROVAL OF CONVEYANCE AGREEMENT AND ESCROW INSTRUCTIONS FOR THE  
PURCHASE OF AGRICULTURAL CONSERVATION EASEMENTS PROGRAM**

1 **WHEREAS**, the Rock County Board of Supervisors officially approved the Rock County Purchase of  
2 Agricultural Conservation Easements (PACE) Program and adopted the document entitled Rock County PACE  
3 Program Manual, identifying and outlining all aspects of Program development and implementation, on  
4 January 13, 2011; and,  
5

6 **WHEREAS**, the Program works to achieve its mission by acquiring agricultural conservation easements  
7 (Easements) on eligible lands throughout unincorporated Rock County; and,  
8

9 **WHEREAS**, eight applications were submitted by landowners for the purchase component of the Program in  
10 2014; and,  
11

12 **WHEREAS**, the applications have been reviewed by Rock County Land Conservation Department (LCD) staff,  
13 the Rock County PACE Council, and the Rock County Land Conservation Committee (LCC), all in accordance  
14 with the Rock County PACE Program Manual; and,  
15

16 **WHEREAS**, the LCC voted to approve the PACE application and begin Easement acquisition process on the  
17 following four properties, which are each within a Primary Target Acquisition Area:  
18

- 19 1. Morton Property - Rock County tax parcel number 6-10-101, Part of the W 1/2 of the SE 1/4, Section 14,  
20 Township 2N, Range 13E, LaPrairie Township (approximately 68 total acres)  
21
- 22 2. Francis Property - Rock County tax parcel number 6-20-162, Part of the SW 1/4 of Section 20,  
23 Township 4N, Range 10E, Union Township (approximately 112.5 total acres)  
24
- 25 3. Kraus Property - Rock County tax parcel numbers 6-10-2 and 6-10-7, Part of the E 1/2 of Section 1,  
26 Township 2N, Range 13E, LaPrairie Township (approximately 117 total acres)  
27
- 28 4. Oberdeck Property - Rock County tax parcel number 6-6-50, Part of the E 1/2 of the W 1/2 of Section 7,  
29 Township 4N, Range 12E, Fulton Township (approximately 124 total acres); and,  
30

31 **WHEREAS**, to move towards completion of the Easement acquisition process, each of the owners of the  
32 aforementioned Properties, Rock County, and Brabazon Title Company, Inc. will sign and execute a *Rock County*  
33 *- Conveyance Agreement and Escrow Instructions - Agricultural Conservation Easement* document, identifying  
34 and outlining all aspects of the Easement acquisition process, including but not limited to, the following activities,  
35 subject to all terms and conditions as stated therein:  
36

- 37 1. Opening an escrow with Brabazon Title Company, Inc. and Securing a Minimum Title Insurance  
38 Commitment of \$15,000 (Title Report) for each Property - County Activity;
- 39 2. Landowner depositing three thousand five hundred dollars (\$3,500) in the established escrow account
- 40 3. Rock County contracting with an appraiser to determine the fair market value of an Easement on each  
41 Property.  
42

43 **NOW, THEREFORE, BE IT RESOLVED**, the Rock County Board of Supervisors duly assembled this  
44 23 day of October, 2014, does by enactment of this Resolution approve a *Rock County -*  
45 *Conveyance Agreement and Escrow Instructions - Agricultural Resources Conservation Easement* for each  
46 Property, authorizing the LCD to undertake activities identified therein and obligate all necessary funds to  
47 complete said activities.

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Page 2

Respectfully submitted:

LAND CONSERVATION COMMITTEE

*Richard Bestwick*  
Richard Bestwick, Chair

*Alan Sweeney*  
Alan Sweeney, Vice Chair

*Thomas Brien*  
Tom Brien

*Wesley K. Davis*  
Wes Davis

*Jason Dowd*  
Jason Dowd

*Absent*  
David Rebut, USDA-FSA

*Rick Richard*  
Rick Richard

*Larry Wiedenfeld*  
Larry Wiedenfeld

FISCAL NOTE:

Funds are available in the 2014 PACE program account for the cost of these activities.

*Sherry Oja*  
Sherry Oja  
Finance Director

LEGAL NOTE:

The County Board is authorized to take this action pursuant to secs. 59.01, 59.51 and 93.73, Wis. Stats.

*Jeffrey S. Kuglitsch*  
Jeffrey S. Kuglitsch  
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.

*Josh Smith*  
Josh Smith  
County Administrator

**EXECUTIVE SUMMARY****APPROVAL OF CONVEYANCE AGREEMENT AND ESCROW INSTRUCTIONS  
FOR THE PURCHASE OF AGRICULTURAL CONSERVATION EASEMENTS PROGRAM**

This resolution authorizes the County to enter into a *Rock County – Conveyance Agreement and Escrow Instructions – Agricultural Conservation Easement* (Agreement) with landowners and Brabazon Title Company for four PACE applications located in unincorporated Rock County. The Agreement identifies and outlines the agricultural conservation easement (Easement) acquisition process to be undertaken by the Rock County PACE Program, including establishing an escrow account to be held by Brabazon Title Company, purchasing title insurance, and contracting for appraisals of the Easements. Acquisition of Easements will protect and preserve productive agricultural lands in Rock County, encouraging and promoting the goals of a strong agricultural economy and community identity, and intergovernmental cooperation.

If this resolution is approved, the LCD will continue with the Easement acquisition process as detailed in each agreement and summarized above. Following a title review, appraisal and acceptance of the value by the landowner, an Option to Purchase will be drafted and presented to the LCC and County Board for approval. If approved, the application will be submitted to the USDA-NRCS for funding of a portion of the easement value. Acquisition of the easements by Rock County is contingent upon funding from the USDA.