

**RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS**

Land Conservation Committee  
INITIATED BY



Thomas Sweeney  
DRAFTED BY

Land Conservation Committee  
SUBMITTED BY

November 17, 2016  
DATE DRAFTED

**APPROVAL TO BEGIN THE ACQUISITION PROCESS FOR THE 2016 PACE PROGRAM  
(DONATION)**

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 Rock County Board of Supervisors officially authorized staff to accept applications to the PACE  
7 Program for the full donation of an Agricultural Conservation Easement and process applications according to the  
8 PACE program policies and procedures, on June 13, 2013; and,  
9

10 **WHEREAS**, the Program works to achieve its mission by acquiring agricultural conservation easements  
11 (Easements) on eligible lands throughout unincorporated Rock County; and,  
12

13 **WHEREAS**, the application was submitted by the landowners to the Program in 2016, with said application  
14 reviewed and approved by Rock County Land Conservation Department (LCD) staff, the Rock County PACE  
15 Council, and the Rock County Land Conservation Committee (LCC), all in accordance with the Rock County  
16 PACE Program Manual; and,  
17

18 **WHEREAS**, application approval by the LCC authorizes the LCD to begin the Easement acquisition process on  
19 properties identified in said applications, subject to the consent of the landowners, as follows:  
20

- 21 1. Larry and Katherine Oberdeck Property (Donation) - Rock County tax parcel number 6-16-107  
22 Section 12, Township 4N, Range 13E, Porter Township (approximately 31 acres).  
23

24 **WHEREAS**, to move towards completion of the Easement acquisition process, the owners of the aforementioned  
25 Property, Rock County, and Brabazon Title Company, Inc. will sign and execute an *Agricultural Conservation*  
26 *Easement Conveyance Agreement* document, identifying and outlining all aspects of the Easement acquisition  
27 process, including but not limited to, the following activities, subject to all terms and conditions as stated therein:  
28

- 29 1. Opening escrow with Brabazon Title Company, Inc. and Securing a Minimum Title Insurance  
30 Commitment of \$15,000 (Title Report) for each Property - County Activity;
- 31 2. Landowner depositing three thousand five hundred dollars (\$3,500) in the established escrow account
- 32 3. Rock County contracting with an appraiser to determine the fair market value of an Easement on the  
33 Property; and,  
34

35 **NOW, THEREFORE, BE IT RESOLVED**, the Rock County Board of Supervisors duly assembled this  
36 15<sup>th</sup> day of December 2016, do by enactment of this Resolution approve an *Agricultural*  
37 *Conservation Easement Conveyance Agreement* for the Property, authorizing the LCD to undertake activities  
38 identified therein and obligate all necessary funds to complete said activities.


16-12A-187

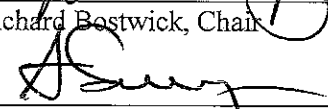
**APPROVAL TO BEGIN ACQUISITION PROCESS FOR SELECTED 2016 PACE PROGRAM APPLICATIONS (DONATION)**

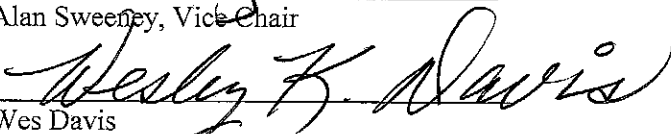
Page 2

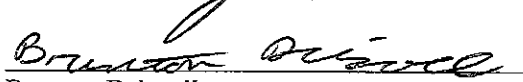
Respectfully submitted:

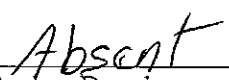
LAND CONSERVATION COMMITTEE

  
Richard Bostwick, Chair

  
Alan Sweeney, Vice Chair

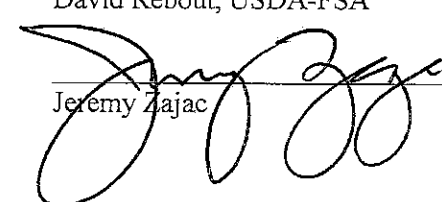
  
Wes Davis

  
Brenton Driscoll

  
Anders Dowd

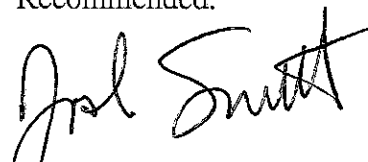
  
Kara Hawes

  
David Rebut, USDA-FSA

  
Jeremy Zajac

ADMINISTRATIVE NOTE:

Recommended.

  
Josh Smith  
County Administrator

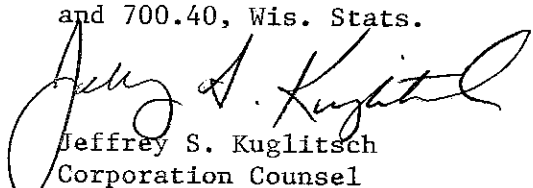
FISCAL NOTE:

Sufficient funds are available in the Land Conservation Department's PACE budget for the estimated appraisal and related costs necessary to accept the Agricultural Easement donation.

  
Sherry Oja  
Finance Director

LEGAL NOTE:

The County Board is authorized to take this action pursuant to secs. 59.01, 59.51 and 700.40, Wis. Stats.

  
Jeffrey S. Kuglitsch  
Corporation Counsel

## EXECUTIVE SUMMARY

This resolution authorizes the Land Conservation Department (LCD) to finalize acquisition of the Agricultural Conservation Easement under the Purchase of Agricultural Conservation Easement program (PACE) for the Oberdeck Property, which will be the second Easement acquired through the full donation component of the Program.

Acquisition of easements such as this is intended to protect and preserve productive agricultural lands in Rock County, encouraging and promoting the goals of a strong agricultural economy and community identity, intergovernmental cooperation, and a regional land use vision throughout the County.

For this aspect of the PACE Program, the value of the Easement will be determined by a qualified Real Estate Appraiser utilizing IRS approved standards and criteria. Conducting this appraisal process allows the landowner to deduct the value of the easement from their income taxes as a non-cash charitable donation.

If this resolution is approved, the LCD will complete the Easement acquisition process on the Oberdeck Property.