

**RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS**

LAND CONSERVATION
COMMITTEE
INITIATED BY



THOMAS SWEENEY and
ANDREW BAKER
DRAFTED BY

LAND CONSERVATION
COMMITTEE
SUBMITTED BY

NOVEMBER 9, 2015
DATE DRAFTED

APPROVAL TO BEGIN ACQUISITION PROCESS FOR SELECTED 2015 PACE PROGRAM APPLICATIONS

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 the mission by acquiring agricultural conservation easements
7 (Easements) on eligible lands throughout unincorporated Rock County; and,
8

9 **WHEREAS**, nine applications were submitted by landowners for the purchase component of the Program in 2015;
10 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. Francis Property - Rock County tax parcel number 6-20-162, Part of the SW 1/4 of Section 20,
20 Township 4N, Range 10E, Union Township (approximately 112.5 total acres)
21
- 22 2. Kraus Property - Rock County tax parcel numbers 6-10-2 and 6-10-7, Part of the E 1/2 of Section 1,
23 Township 2N, Range 13E, LaPrairie Township (approximately 117 total acres)
24
- 25 3. Oberdeck Property - Rock County tax parcel number 6-6-50, Part of the E 1/2 of the W 1/2 of Section 7,
26 Township 4N, Range 12E, Fulton Township (approximately 107 total acres)
27
- 28 4. Lee Property - Rock County tax parcel number 6-6-45.1, Part of the NW 1/4 of the SW 1/4 of Section 6,
29 Township 4N, Range 12E, Fulton Township (approximately 35 total acres); and,
30

31 **WHEREAS**, to proceed with the Easement acquisition process, the LCD will submit Easement acquisition
32 funding applications for the aforementioned properties to the USDA-Natural Resources Conservation Service
33 ("NRCS"), which, if approved, provides funding for fifty percent of the Easement value; and,
34

35 **WHEREAS**, the NRCS requires, as a component of its application process, a signed purchase agreement between
36 Rock County and the owners of the aforementioned properties; and,
37

38 **WHEREAS**, the agreement will be based on an estimated value of the Easement and is contingent on a final value
39 being determined by an appraisal, which will be contracted by Rock County only if the property is selected by the
40 NRCS for funding; and,
41

42 **WHEREAS**, to formalize the Easement acquisition process, each of the owners of the aforementioned Properties,
43 Rock County, and Brabazon Title Company, Inc. will sign and execute an *Agricultural Conservation Easement*
44 *Conveyance Agreement* document, which will include the estimated purchase price and will outline all aspects of
45 the Easement acquisition process, including but not limited to, the following activities, subject to all terms and
46 conditions as stated therein:
47

- 48 1. Opening an escrow with Brabazon Title Company, Inc. and securing a minimum Title Insurance
49 Commitment of \$15,000 (Title Report) for each Property

15-12A-440

- 50 2. Landowner depositing three thousand five hundred dollars (\$3,500) in the established escrow account
- 51 3. LCD submitting an application to the NRCS for the federal portion of the purchase funding
- 52 4. If selected for funding by the NRCS, Rock County contracting with an appraiser to determine the fair
- 53 market value of the Easement; and,
- 54

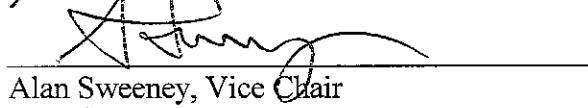
55 **WHEREAS**, final acquisition of any or all of the Easements will take place only after future action by the County
56 Board.

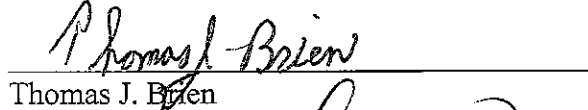
57
58 **NOW, THEREFORE, BE IT RESOLVED**, the Rock County Board of Supervisors duly assembled this
59 16th day of December, 2015, does by enactment of this Resolution approve an *Agricultural*
60 *Conservation Easement Conveyance Agreement* for each Property, authorizing the LCD to undertake activities
61 identified therein and obligate all necessary funds to complete said activities.

Respectfully submitted:

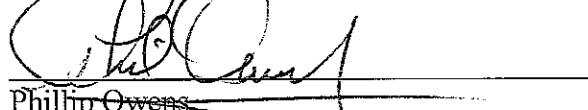
LAND CONSERVATION COMMITTEE


Richard Bostwick, Chair

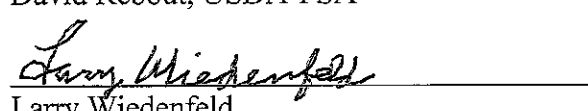

Alan Sweeney, Vice Chair

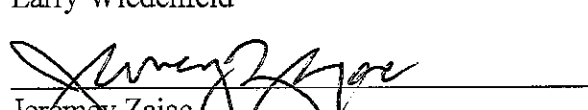

Thomas J. Brien


Wes Davis


Phillip Owens



David Rebut, USDA-FSA


Larry Wiedenfeld


Jeremy Zajac

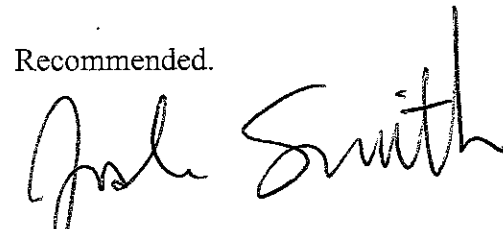
FISCAL NOTE:

This resolution authorizes Agricultural Conservation Easement Conveyances on four properties. Once we have estimated purchase prices, sufficiency of available funding will need to be determined. Purchase of these easements is subject to funding from the Natural Resources Conservation Service.


Sherry Oja
Finance Director

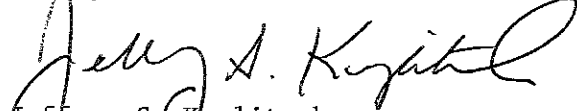
ADMINISTRATIVE NOTE:

Recommended.


Josh Smith
County Administrator

LEGAL NOTE:

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

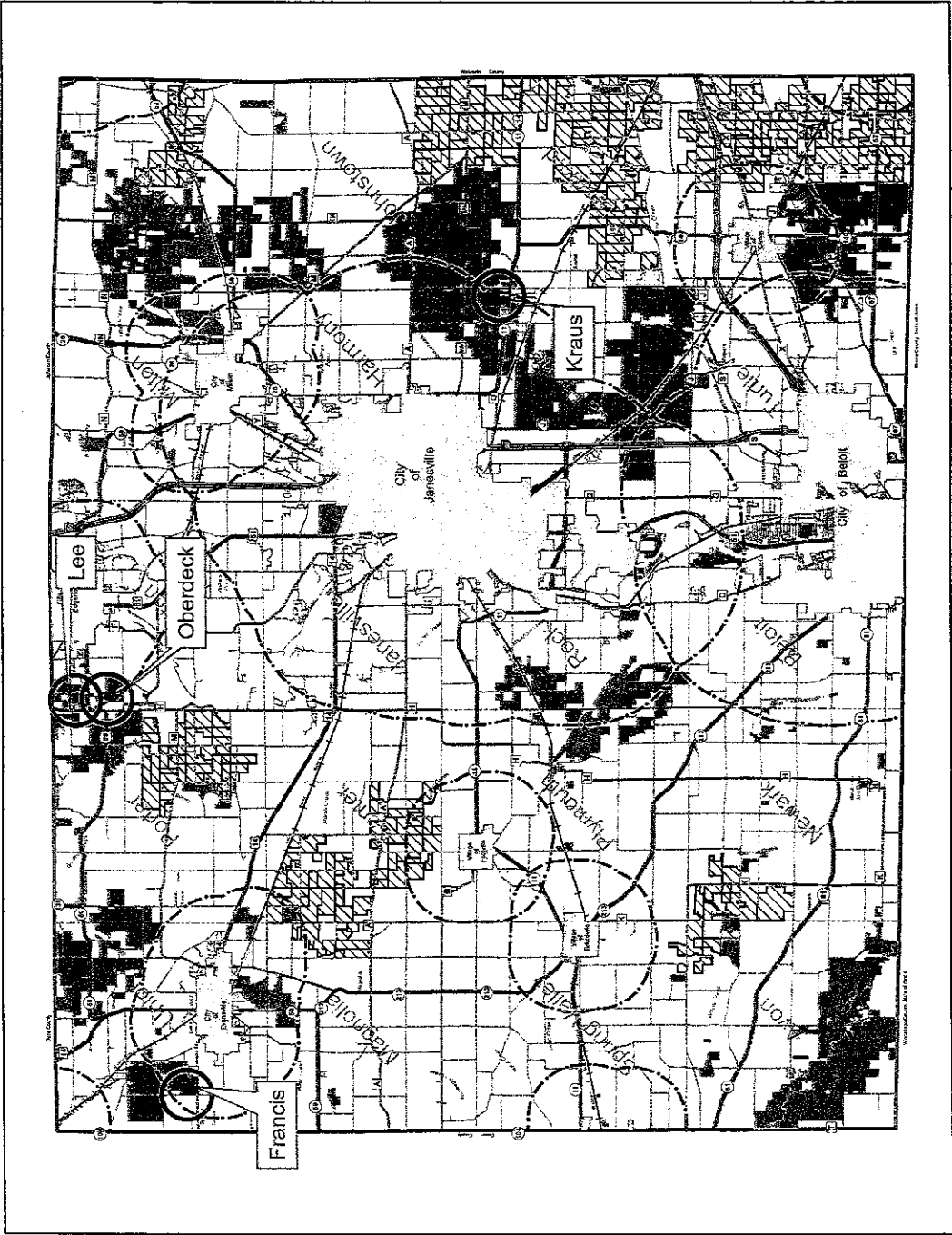
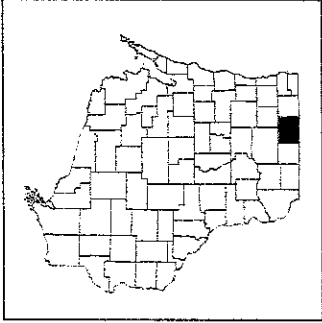

Jeffrey S. Kuglitsch
Corporation Counsel

EXECUTIVE SUMMARY**APPROVAL TO BEGIN ACQUISITION PROCESS FOR SELECTED 2015 PACE PROGRAM APPLICATIONS**

This resolution authorizes the County to enter into an *Agricultural Conservation Easement Conveyance Agreement* (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. The first steps in the process include establishing an escrow account to be held by Brabazon Title Company, purchasing title insurance, submitting applications to the USDA-NRCS funding of a portion of the easement value and contracting for appraisals if approved for funding by the USDA-NRCS. Acquisition of the easements by Rock County is contingent upon funding from the USDA-NRCS and will be finalized only after future action by the County Board.

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.

2015 Rock County PACE Program Applications



Legend

- PACE Program Applications**
- Landowner
 - Francis
 - Kraus
 - Lee
 - Oberdeck
 - Primary Target Acquisition Areas
 - Tier I Farmland Adjacent to Target Area
 - Secondary Target Acquisition Areas
 - Protected Land
 - Town Boundary
 - City or Village
 - Extra Territorial Jurisdiction (E.T.J.) Area Boundary
 - Rail

