

**RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS**

LAND CONSERVATION  
COMMITTEE  
INITIATED BY



THOMAS SWEENEY  
DRAFTED BY

LAND CONSERVATION  
COMMITTEE  
SUBMITTED BY

NOVEMBER 14, 2013  
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 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**, applications were submitted by landowners to the Program in 2013, with said applications reviewed  
14 and approved by Rock County Land Conservation Department (LCD) staff, the Rock County PACE Council, and  
15 the Rock County Land Conservation Committee (LCC), all in accordance with the Rock County PACE Program  
16 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. Plankey Property (Purchase) - Rock County tax parcel numbers 6-19-264A, 6-19-264B, 6-19-264C and  
22 6-19-264D, Section 23, Township 1N, Range 13E, Turtle Township (approximately 181.5 total acres).  
23
- 24 2. Sweeney Property (Full Donation) – Rock County tax parcel numbers 6-16-137 and 6-16-175.3,  
25 Sections 16 and 21, Township 4N, Range 11E, Porter Township (approximately 60 total acres), and,  
26

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

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

39 **NOW, THEREFORE, BE IT RESOLVED**, the Rock County Board of Supervisors duly assembled this  
40 12 day of December, 2013, do<sup>es</sup> by enactment of this Resolution approve a *Rock County* –  
41 *Conveyance Agreement and Escrow Instructions – Agricultural Resources Conservation Easement* for each  
42 Property, authorizing the LCD to undertake activities identified therein and obligate all necessary funds to  
43 complete said activities.

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Respectfully submitted:


LAND CONSERVATION COMMITTEE

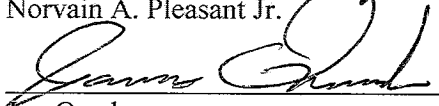
  
Richard Bostwick, Chair

  
Larry Wiedenfeld, Vice-Chair

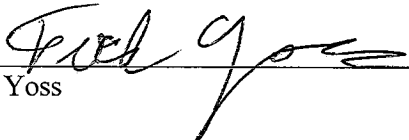
Absent  
Eva Arnold

  
Ed Nash

  
Norvain A. Pleasant Jr.


  
Jim Quade

Abstain  
Alan Sweeney

  
Fred Yoss


FISCAL NOTE:

Sufficient funds are available in the PDR/PACE program account for the cost of these activities.

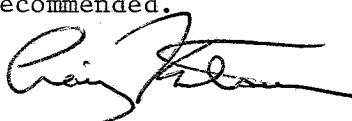
  
Sherry Oja  
Finance Director

LEGAL NOTE:

The County Board is authorized to take these actions pursuant to secs. 59.01, 59.31, 93.73 and 700.40, Wis. Stats.

  
Jeffrey S. Kuglitsch  
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.  
  
Craig Knutson  
County Administrator

## EXECUTIVE SUMMARY

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 two 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.

This resolution includes one application for the purchase component of the PACE program and one application for the full donation component. If this resolution is approved, the LCD will continue with the Easement acquisition process on each of the two applications as follows:

**Application for purchase:** 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-Farm and Ranch Land Protection Program, which constitutes funding for 50% of the easement value. Acquisition of the easements by Rock County is contingent upon funding from the USDA.

**Application for donation:** Following a title review, appraisal and acceptance of the value by the landowner, a resolution will be drafted and presented to the LCC and County Board to accept the easement donation.