

**RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS**

Land Conservation Committee
INITIATED BY



Thomas Sweeney
DRAFTED BY

Land Conservation Committee
SUBMITTED BY

October 9, 2018
DATE DRAFTED

**APPROVAL TO BEGIN THE ACQUISITION PROCESS FOR THE 2018 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
3 PACE Program Manual, identifying and outlining all aspects of Program development and
4 implementation, on January 13, 2011; and,
5

6 **WHEREAS**, the Rock County Board of Supervisors officially authorized staff to accept applications to
7 the PACE Program for the full donation of an Agricultural Conservation Easement and process
8 applications according to the 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 2018, with said
14 application reviewed and approved by Rock County Land Conservation Department (LCD) staff, the
15 Rock County PACE Council, and the Rock County Land Conservation Committee (LCC), all in
16 accordance with the Rock County PACE Program Manual; and,
17

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

- 21 1. O'Leary Family Trust Property (Donation) - Rock County tax parcel numbers 6-17-166 and 6-
22 17-166.1 Section 18, Township 2N, Range 112E, Town of Rock (approximately 120 acres).
23

24 **WHEREAS**, to move towards completion of the Easement acquisition process, the owners of the
25 aforementioned Property, Rock County, and Brabazon Title Company, Inc. will sign and execute an
26 *Agricultural Conservation Easement Conveyance Agreement* document, identifying and outlining all
27 aspects of the Easement acquisition process, including but not limited to, the following activities, subject
28 to all terms and conditions as stated therein:
29

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

37 **NOW, THEREFORE, BE IT RESOLVED**, the Rock County Board of Supervisors duly assembled
38 this 25th day of October, 2018, do by enactment of this Resolution approve an
39 *Agricultural Conservation Easement Conveyance Agreement* for the Property, authorizing the LCD to
40 undertake activities identified therein and obligate all necessary funds to complete said activities.


18-10B-115

APPROVAL TO BEGIN ACQUISITION PROCESS FOR SELECTED 2018 PACE PROGRAM APPLICATIONS (DONATION)


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Respectfully submitted:

LAND CONSERVATION COMMITTEE


Richard Bostwick, Chair



Alan Sweeney, Vice Chair

Stephanie Aegerter

Wes Davis

Brenton Driscoll


Robert Potter

James Quade, USDA-FSA


Jeremy Zafac

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 93.73, Wis. Stats.


Richard Greenlee
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 O'Leary Family Trust Properties, which will be the third 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, of 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 O'Leary Properties.