

**RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS**

LAND CONSERVATION
COMMITTEE
INITIATED BY



THOMAS SWEENEY AND
ANDREW BAKER
DRAFTED BY

LAND CONSERVATION
COMMITTEE
SUBMITTED BY

OCTOBER 23, 2015
DATE DRAFTED

**AUTHORIZATION TO BEGIN ACQUISITION OF THE SAYRE PROPERTY
AGRICULTURAL CONSERVATION EASEMENT**

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 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**, a PACE application was submitted by Sayre Joint Farms LLC (Landowner) to the Land
11 Conservation Department (LCD) in 2015 for PACE easement on real property located in part of Sections 8, 17 and
12 18, Township 3 North, Range 11 East, Center Township, part of Rock County tax parcel numbers 6-4-59, 6-4-
13 129.1, 6-4-131, 6-4-132 and 6-4-135.2; and,
14
15 **WHEREAS**, the acquisition of the Easement will take place through a partnership with The Natural Heritage
16 Land Trust, which has received tentative approval for Wisconsin State Stewardship funding for a portion of
17 the value of the Easement; and,
18
19 **WHEREAS**, the remaining value of the Easement will be considered a partial donation by the Landowner to
20 the PACE Program, therefore Rock County will not be contributing toward the purchase price of the
21 Easement but will pay the administrative related costs, such as title work, appraisal, closing costs and long
22 term monitoring, which is authorized for any PACE Program acquisition, including donations; and,
23
24 **WHEREAS**, the application was recommended for approval by LCD and the PACE Council and approved by the
25 LCC in accordance with the Rock County PACE Program Manual; and,
26
27 **WHEREAS**, to formalize the Easement acquisition process, the Landowner, The Natural Heritage Land Trust,
28 Rock County and Brabazon Title Company, Inc, will execute a *Conveyance Agreement – Agricultural
29 Conservation Easement* document, identifying and outlining all aspects of the Easement acquisition process,
30 including but not limited to, the following activities, subject to all terms and conditions as stated therein:
31
32 1. Opening an escrow with Brabazon Title Company, Inc. and securing a minimum title insurance
33 commitment of \$15,000 (Title Report) for each property;
34 2. Landowner depositing three thousand five hundred dollars (\$3,500) in the established escrow account;
35 3. Rock County contracting with a qualified appraiser to determine the fair market value of an Easement
36 on the property; and,
37
38 **WHEREAS**, final approval and acquisition of the Easement will take place only after future action by the County
39 Board.
40
41 **NOW, THEREFORE, BE IT RESOLVED**, the Rock County Board of Supervisors duly assembled this
42 19th day of NOVEMBER, 2015, does by enactment of this Resolution approve a *Conveyance Agreement
43 – Agricultural Conservation Easement* document, authorizes the LCD to undertake necessary activities
44 identified therein and obligates all necessary funds to complete said activities to proceed with acquisition of the
45 Agricultural Conservation Easement on the Sayre Property.
46
47 **BE IT FURTHER RESOLVED**, the County Board Chair or the County Clerk will act as the County’s agent for
48 purposes of signing the *Conveyance Agreement – Agricultural Conservation Easement* document.
49

15-11D-423

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Respectfully submitted:

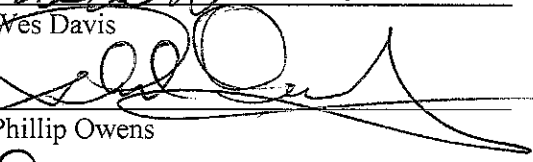
LAND CONSERVATION COMMITTEE


Richard Bostwick, Chair

Absent
Alan Sweeney, Vice Chair


Thomas J. Bryen


Wes Davis


Phillip Owens


David Rebout, USDA-FSA Representative

Absent
Larry Wiedenfeld


Jeremy Zajac

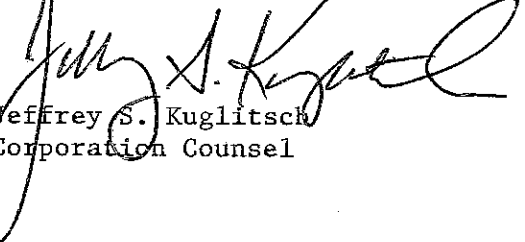
FISCAL NOTE:

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.

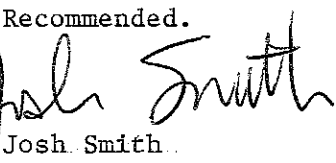

Sherry Oja
Finance Director

LEGAL NOTE:

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


Jeffrey S. Kuglitsch
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.

Josh Smith
County Administrator

EXECUTIVE SUMMARY

This resolution authorizes the Land Conservation Department (LCD) to complete the necessary tasks to being the process to acquire an Agricultural Conservation Easement, under the Purchase of Agricultural Conservation Easement Program (PACE), on the Sayre Property. This action is consistent with the recommendation from the PACE Council and approval by the Land Conservation Committee at the October 13, 2015 meeting to being acquisition of an Easement on approximately 400 acres of land.

The acquisition of this Easement will be in cooperation with the Natural Heritage Land Trust, a non-profit organization, which has received tentative funding for up to 50% of the easement value through the Wisconsin State Stewardship Program. The remaining value of the easement may be considered a non-cash charitable donation by the landowner to the County and the Land Trust.

Rock County is processing this acquisition under the donation component of the PACE Program, therefore the County will not be contributing funding toward the purchase price of the Easement. As part of the PACE Program administration, though, the County will pay the cost of the appraisal, Title Insurance Policy and recording fees and be responsible for long term monitoring and enforcement.

Acquisition of easements such as this are 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. Cooperating with other entities, like the Natural Heritage Land Trust, provides an opportunity to access funding sources for easement acquisition which would otherwise not be available to the County.