

**RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS**

LAND CONSERVATION  
COMMITTEE  
INITIATED BY



THOMAS SWEENEY  
DRAFTED BY

LAND CONSERVATION  
COMMITTEE  
SUBMITTED BY

MARCH 29, 2017  
DATE DRAFTED

**FINALIZING THE LARRY AND KATHERINE OBERDECK PROPERTY AGRICULTURAL  
CONSERVATION EASEMENT 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 donation of an Agricultural Conservation Easement and process applications  
8 according to the PACE program policies and procedures, on June 13, 2013; and,  
9

10 **WHEREAS**, a PACE application was submitted by Larry and Katherine Oberdeck to the Land  
11 Conservation Department (LCD) in 2016 to donate a PACE easement on approximately 31.6 acres of  
12 real property located in part of Section 12, Township 4 North, Range 11 East, Town of Porter, Parcel  
13 Number 6-16-107; and,  
14

15 **WHEREAS**, the application was recommended for approval by LCD and the PACE Council, approved  
16 by the Land Conservation Committee (LCC) and County Board in accordance with the Rock County  
17 PACE Program Manual; and,  
18

19 **WHEREAS**, the Internal Revenue Service (IRS) requires that an appraisal of the easement be completed  
20 by a qualified appraiser and meet the Uniform Standards of Professional Appraisal Practice (USPAP)  
21 and other non-cash charitable donation requirements, the cost of which was approved by separate action  
22 to be paid by the County utilizing PACE Program funds; and,  
23

24 **WHEREAS**, the PACE Program policy and procedures requires a signed option to purchase between  
25 Rock County and the Landowners of the aforementioned property identifying the purchase price of the  
26 Easement; and,  
27

28 **WHEREAS**, while the acquisition of the Easement is considered a full donation by the Landowners, the  
29 transaction will be officially be completed in consideration of the sum of one and no/100 dollar (\$1.00)  
30 paid by the County to the Landowner; and,  
31


32 **NOW, THEREFORE, BE IT RESOLVED**, the Rock County Board of Supervisors duly assembled this  
33 11<sup>th</sup> day of May, 2017, do by enactment of this Resolution authorizes and accepts the  
34 donated Agricultural Conservation Easement on the Larry and Katherine Oberdeck property and  
35 authorizes the LCD to undertake final necessary activities identified therein and obligate necessary funds  
36 to complete said activities.  
37

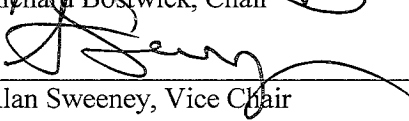
38 **BE IT FURTHER RESOLVED**, the County Board Chair and/or the County Clerk will act as the  
39 County's agent(s) for closing of said easements.

17-5A-283

Respectfully submitted:

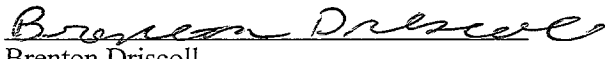
LAND CONSERVATION COMMITTEE

  
Richard Bostwick, Chair

  
Alan Sweeney, Vice Chair

\_\_\_\_\_  
Wes Davis

\_\_\_\_\_  
Anders Dowd

  
Brenton Driscoll

  
Kara Hawes

  
James Quade, USDA-FSA Rep.

\_\_\_\_\_  
Jeremy Zajac

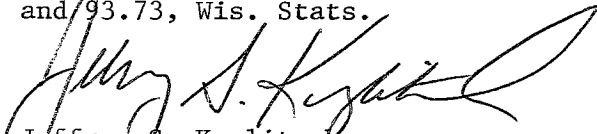
FISCAL NOTE:

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

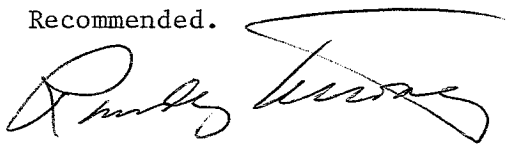
LEGAL NOTE:

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.

  
Randy Terronez  
Acting County Administrator

## 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 Larry and Katherine Oberdeck Property, which will be the second Easement acquired through the donation process by 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 was 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 Larry and Katherine Oberdeck Property.