

**RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS**

LAND CONSERVATION
COMMITTEE
INITIATED BY



ANDREW BAKER
DRAFTED BY

LAND CONSERVATION
COMMITTEE
SUBMITTED BY

FEBRUARY 18, 2014
DATE DRAFTED

**FINALIZING THE SWEENEY 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 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**, a PACE application was submitted by Alan, Sherry, John and Christine Sweeney (Landowners) to
11 the Land Conservation Department (LCD) in 2013 to donate a PACE easement on approximately sixty (60) acres
12 of real property located in part of Sections 16&21, Township 4 North, Range 11 East, Porter Township, Rock
13 County Tax Parcel Numbers 6-16-137 and 6-16-175.3; and,
14

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

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

23 **WHEREAS**, the PACE program policy and procedures require a signed Option to Purchase agreement between
24 Rock County and the Landowners of the aforementioned properties identifying the purchase price of the Easement;
25 and,
26

27 **WHEREAS**, while the acquisition of the Easement is considered a full donation by the Landowner, the
28 transaction will officially be completed in consideration of the sum of one and 00/100 dollar (\$1.00) paid by
29 the County to the Landowner; and,
30

31 **NOW, THEREFORE, BE IT RESOLVED**, the Rock County Board of Supervisors duly assembled this
32 13 day of March, 2014, do by enactment of this Resolution authorizes an Option to Purchase
33 agreement in the amount of one and 00/100 dollar (\$1.00), accepts the donation of the Agricultural Conservation
34 Easement on the Sweeney Property and authorizes the LCD to undertake final necessary activities identified
35 therein and obligate all necessary funds to complete said activities.
36

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

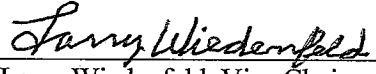
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Respectfully submitted:

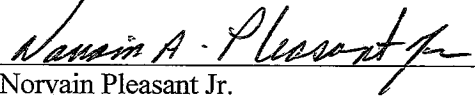
LAND CONSERVATION COMMITTEE


Richard Bostwick, Chair


Larry Wiedenfeld, Vice Chair

Absent
Eva Arnold

Absent
Edwin Nash


Norvain Pleasant Jr.


David Rebout, USDA-FSA Representative

- Abstain -
Alan Sweeney


Fred Yoss


FISCAL NOTE:

This resolution finalizes the donation of the Agricultural Conservation Easement on the Sweeney Property. This resolution has no fiscal impact to the County other than the \$1.00 Option to Purchase payment.


Sherry Oja
Finance Director

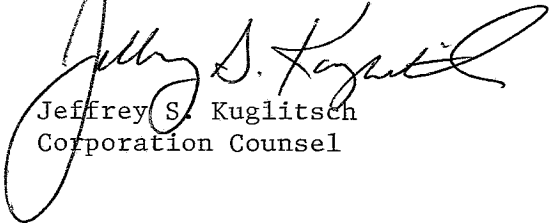
ADMINISTRATIVE NOTE:

Recommended.


Craig Knutson
County Administrator

LEGAL NOTE:

The County Board is authorized to take this action pursuant to secs. 59.01, 59.51 and 700.40, Wis. Stats.


Jeffrey S. Kuglitsch
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 Sweeney Property, which will be the first 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, 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 Sweeney Property.