

**RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS**

Land Conservation Committee
INITIATED BY



Thomas Sweeney
DRAFTED BY

Land Conservation Committee
SUBMITTED BY

April 18, 2017
DATE DRAFTED

**APPROVAL TO AMEND THE ACQUISITION PROCESS FOR SELECTED
2016 PACE PROGRAM APPLICATIONS**

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 adopted resolution 16-9A-092 which officially approved
7 an amendment to the PACE Program, which allowing the County to purchase agricultural conservation
8 easements with or without USDA-NRCS funding, on September 26, 2016; and,
9

10 **WHEREAS**, the Program works to achieve the mission by acquiring agricultural conservation easements
11 (Easements) on eligible lands throughout unincorporated Rock County; and,
12

13 **WHEREAS**, the LCC voted to approve the PACE applications and begin Easement acquisition process, which are
14 located within a Primary Target Acquisition Areas:

- 15 1. Lux/Pulera - Rock County tax parcel number 6-7-389, Part of the E 1/2 of the SE 1/4, Section 20,
16 Township 3N, Range 13E, Harmony Township (approximately 74 total acres),
- 17 2. McNall - Rock County tax parcel number 6-9-259, Part of the W 1/2 of the E 1/2, of Section 30,
18 Township 3N, Range 14E, Johnstown Township (approximately 114 total acres); and,
19

20 **WHEREAS**, the two aforementioned applications were submitted to the USDA-NRCS for federal funding during
21 the 2016 application cycle. Both applications were denied federal funding due to a budget shortfall; and,
22

23 **WHEREAS**, the two application have been reviewed by the PACE Council and were recommended to the Land
24 Conservation Committee for the self-funded option, all in accordance with the Rock County PACE Program
25 Manual; and,
26

27 **WHEREAS**, the LCD will develop a new purchase agreement between Rock County and the owners of the
28 aforementioned properties; and,
29

30 **WHEREAS**, the agreement will be based on an appraisal of the Easements, that will be contracted by Rock
31 County for the application process; and,
32

33 **WHEREAS**, to formalize the Easement acquisition process, each of the owners of the aforementioned properties,
34 Rock County, and Brabazon Title Company, Inc. will sign and execute a new *Agricultural Conservation Easement*
35 *Conveyance Agreement* document, which will include the estimated purchase price and will outline all aspects of
36 the Easement acquisition process, including but not limited to, the following activities, subject to all terms and
37 conditions as stated therein:
38

- 39 1. Opening an escrow with Brabazon Title Company, Inc. and securing a minimum Title Insurance
40 Commitment of \$15,000 (Title Report) for each Property
- 41 2. Landowner depositing three thousand five hundred dollars (\$3,500) in the established escrow account
42

43 **WHEREAS**, final acquisition of any or all of the Easements will take place only after future action by the County
44 Board.
45

46 **NOW, THEREFORE, BE IT RESOLVED**, the Rock County Board of Supervisors duly assembled this
47 11th day of May, 2017, does by enactment of this Resolution approve an *Agricultural*
48 *Conservation Easement Conveyance Agreement* for each Property, authorizing the LCD to undertake activities
49 identified therein and obligate all necessary funds to complete said activities.


17-5A-286


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Respectfully submitted:

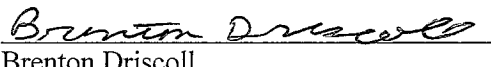
LAND CONSERVATION COMMITTEE


Richard Bostwick, Chair


Alan Sweeney, Vice Chair


Wesley Davis

Anders Dowd


Brenton Driscoll

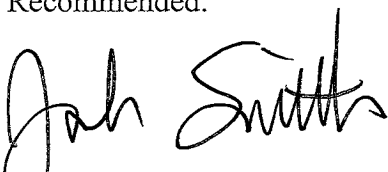

Kara Hawes

Jeremy Zajac


James Quade, USDA-FSA

ADMINISTRATIVE NOTE:

Recommended.


Josh Smith
County Administrator

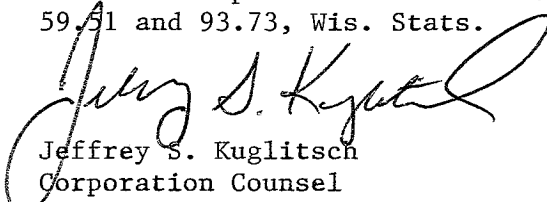
FISCAL NOTE:

Sufficient funds are available in the Land Conservation Department's PACE budget for the escrow, estimated appraisal and related costs necessary to begin the acquisition process for Agricultural Conservation Easement Conveyances on these two properties. Once we have estimated purchase prices, sufficiency of available funding will need to be determined.


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

EXECUTIVE SUMMARY**APPROVAL TO BEGIN ACQUISITION PROCESS FOR SELECTED 2017 PACE PROGRAM APPLICATIONS (NON-FEDERALLY FUNDED)**

This resolution authorizes the County to enter into an *Agricultural Conservation Easement Conveyance Agreement* (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. The first steps in the process include establishing an escrow account to be held by Brabazon Title Company, purchasing title insurance. Acquisition of the easements by Rock County is contingent upon action by the County Board.

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.