

**RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS**

LAND CONSERVATION
COMMITTEE
INITIATED BY



THOMAS SWEENEY
DRAFTED BY

LAND CONSERVATION
COMMITTEE
SUBMITTED BY

OCTOBER 5, 2018
DATE DRAFTED

**APPROVAL TO BEGIN ACQUISITION PROCESS FOR SELECTED 2018 PACE PROGRAM
APPLICATIONS (FEDERALLY FUNDED)**

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

8
9 **WHEREAS**, the Land Conservation Department (LCD) received two (2) new applications and
10 reactivated one (1) application for the PACE Program during the 2018 application cycle; and,

11
12 **WHEREAS**, the applications have been reviewed by LCD staff, the PACE Council, and the Land
13 Conservation Committee (LCC), all in accordance with the Rock County PACE Program Manual; and,

14
15 **WHEREAS**, the LCC voted to approve three parcels from one PACE application, all located within a
16 Primary Target Acquisition Area, for the federal funding option of the PACE Program and begin the
17 Easement acquisition process, that application is described below:

18
19 Barlass Properties - Rock County tax parcel number 6-7-255, Part of the NE ¼ of Section 26,
20 Township 3N, Range 13E, Harmony Township (approximately 80 acres); Rock County tax parcel
21 number 6-7-256, part of the NE 1/4 of Section 26, Township 3N, Range 13E, Harmony Township
22 (approximately 40 acres); and Rock County tax parcel number 6-7-385, part of NW1/4 of Section
23 36, Township 3N, Range 13E, Harmony Township (approximately 77.3 acres); and,

24
25 **WHEREAS**, to proceed with the Easement acquisition process, the LCD will submit an Easement
26 acquisition funding application for the aforementioned properties to the USDA-Natural Resources
27 Conservation Service ("NRCS"), which, if approved, provides funding for a maximum fifty percent of
28 the Easement value; and,

29
30 **WHEREAS**, the NRCS requires, as a component of its application process, a signed purchase agreement
31 between Rock County and the owners of the aforementioned properties; and,

32
33 **WHEREAS**, the agreement will be based on an estimated value of the Easement and is contingent on a
34 final value being determined by an appraisal, which will be contracted by Rock County only if the
35 property is selected by the NRCS for funding; and,

36
37 **WHEREAS**, to formalize the Easement acquisition process, the owners of the aforementioned
38 Properties, Rock County, and Brabazon Title Company, Inc. will sign and execute three *Agricultural*
39 *Conservation Easement Conveyance Agreement* documents, one for each parcel, which will include the
40 estimated purchase price and will outline all aspects of the Easement acquisition process, including but
41 not limited to, the following activities, subject to all terms and conditions as stated therein:

- 42
43 1. Opening an escrow with Brabazon Title Company, Inc. and securing a minimum Title
44 Insurance Commitment of \$15,000 (Title Report) for each Property,
45 2. Landowner depositing three thousand five hundred dollars (\$3,500) in the established escrow
46 account,
47 3. LCD submitting an application to the NRCS for the federal portion of the purchase funding,
48 4. If selected for funding by the NRCS, Rock County contracting with an appraiser to determine
49 the fair market value of the Easement; and,

18-10B-116

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

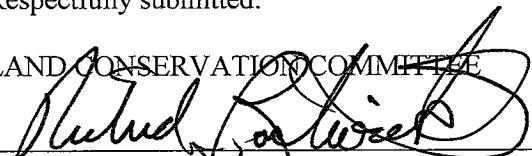
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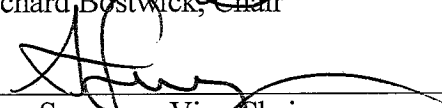
50 **WHEREAS**, final acquisition of any or all of the Easements will take place only after future action by
51 the County Board.

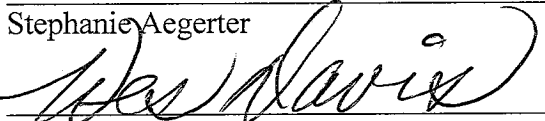
52
53 **NOW, THEREFORE, BE IT RESOLVED**, the Rock County Board of Supervisors duly assembled
54 this 25th day of October, 2018, does by enactment of this Resolution approve an
55 *Agricultural Conservation Easement Conveyance Agreement* for each property, authorizing the LCD to
56 undertake activities identified therein and obligate all necessary funds to complete said activities.

Respectfully submitted:

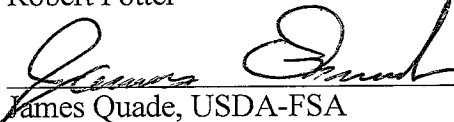
LAND CONSERVATION COMMITTEE


Richard Bostwick, Chair


Alan Sweeney, Vice Chair

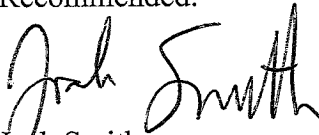
Stephanie Aegerter

Wes Davis

Brenton Driscoll

Robert Potter

James Quade, USDA-FSA


Jeremy Zajac

ADMINISTRATIVE NOTE:

Recommended.

Josh Smith
County Administrator

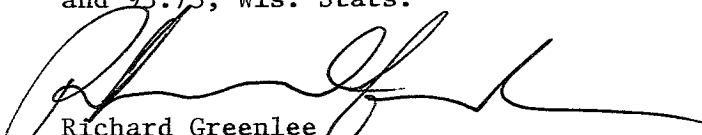
FISCAL NOTE:

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. Purchase of these easements is subject to funding from the Natural Resources Conservation Service.


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

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

This resolution authorizes the County to enter into an *Agricultural Conservation Easement Conveyance Agreement* (Agreement) with the landowners and Brabazon Title Company for one PACE application, for three parcels 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, submitting applications to the USDA-NRCS funding of a portion of the easement value and contracting for appraisals if approved for funding by the USDA-NRCS. Acquisition of the easements by Rock County is contingent upon funding from the USDA-NRCS and will be finalized only after future 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.