

**RESOLUTION
ROCK COUNTY BOARD OF SUPERVISORS**

Land Conservation Committee
INITIATED BY



Thomas Sweeney
DRAFTED BY

Land Conservation Committee
SUBMITTED BY

November 17, 2016
DATE DRAFTED

**APPROVAL TO BEGIN ACQUISITION PROCESS FOR SELECTED 2016 PACE PROGRAM
APPLICATIONS (NON-FEDERALLY FUNDED)**

16-12A-189

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**, two applications were submitted by landowners for the Non-USDA-NRCS assisted purchase
14 component of the Program in 2016 both of which were submitted to the USDA-NRCS for federal funding during
15 the 2015 application cycle. Both applications were denied federal funding due to a budget shortfall; and,
16

17 **WHEREAS**, the applications have been reviewed by Rock County Land Conservation Department (LCD) staff,
18 the Rock County PACE Council, and the Rock County Land Conservation Committee (LCC), all in accordance
19 with the Rock County PACE Program Manual; and,
20

21 **WHEREAS**, the LCC voted to approve the PACE applications and begin Easement acquisition process, which are
22 located within a Primary Target Acquisition Area:
23

- 24 1. Francis - Rock County tax parcel number 6-20-162, Part of the SW 1/4 of Section 20, Township 4N,
25 Range 10E, Union Township (approximately 112.5 total acres)
- 26 2. Oberdeck - Rock County tax parcel number 6-6-50, Part of the E 1/2 of the W 1/2 of Section 7, Township
27 4N, Range 12E, Fulton Township (approximately 124 total acres); and,
28
29

30 **WHEREAS**, to proceed with the Easement acquisition process, the LCD develop a purchase agreement between
31 Rock County and the owners of the aforementioned properties; and,
32

33 **WHEREAS**, the agreement will be based on an appraisal of the Easements, which was contracted by Rock County
34 during the USDA-NRCS application process; and,
35

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

- 42 1. Opening an escrow with Brabazon Title Company, Inc. and securing a minimum Title Insurance
43 Commitment of \$15,000 (Title Report) for each Property
- 44 2. Landowner depositing three thousand five hundred dollars (\$3,500) in the established escrow account
45

46 **WHEREAS**, final acquisition of any or all of the Easements will take place only after future action by the County
47 Board.
48

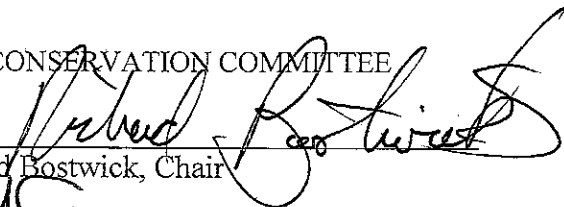
49 **NOW, THEREFORE, BE IT RESOLVED**, the Rock County Board of Supervisors duly assembled this
50 15th day of December, 2016, does by enactment of this Resolution approve an *Agricultural*
51 *Conservation Easement Conveyance Agreement* for each Property, authorizing the LCD to undertake activities
52 identified therein and obligate all necessary funds to complete said activities.

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Respectfully submitted:

LAND CONSERVATION COMMITTEE



Richard Bostwick, Chair



Alan Sweeney, Vice Chair



Wes Davis

Absent

Anders Dowd



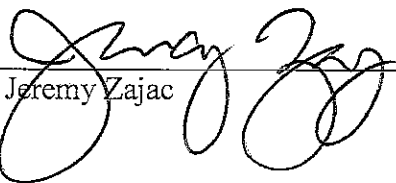
Brenton Driscoll



Kara Hawes



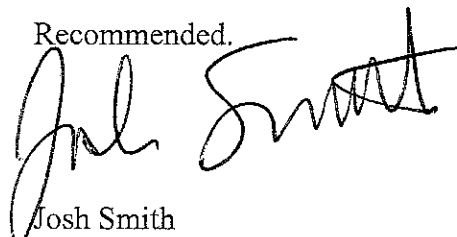
David Rebout, USDA-FSA



Jeremy Zajac

ADMINISTRATIVE NOTE:

Recommended.



Josh Smith
County Administrator

FISCAL NOTE:

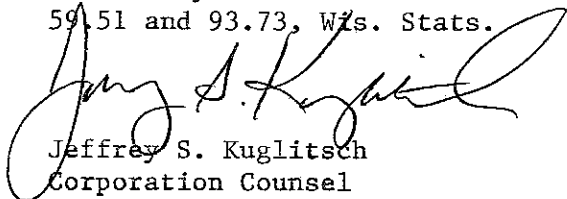
Sufficient funds are available in the Land Conservation Department's PACE budget for the escrow, estimated appraisal and related costs necessary to begin the acquisition process for Agricultural Conservation Easement Conveyances on these two properties. Once we have estimated purchase prices, sufficiency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



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 2016 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.