

**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 PURCHASE OF THE ALVIN FRANCIS LIVING TRUST  
AND THE OBERDECK FARMS, INC AGRICULTURAL CONSERVATION EASEMENTS**

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, allowing the County to purchase agricultural conservation easements with  
8 or without federal funding, on September 26, 2016; and,  
9

10 **WHEREAS**, the mission of the PACE Program to work in cooperation with local units of government to  
11 enhance Rock County's quality of life by building consensus towards a regional vision, to included preservation  
12 of agricultural land, the agricultural economy and the county's rural character, and responsible growth and  
13 development in appropriate areas; and,  
14

15 **WHEREAS**, the following PACE applications were submitted for funding consideration:

- 16
- 17 1. Alvin Francis Living Trust Property (2016 application) for approximately one hundred twelve and five
- 18 tenths (112.5) acres of real property located in part of Section 20, Township 4 North, Range 10 East,
- 19 Union Township, Rock County Tax Parcel Number 6-20-162.
- 20
- 21 2. Oberdeck Farms, Inc. Property (2016 application) for approximately one hundred and twenty one (121)
- 22 acres of real property located in part of Section 7, Township 4 North, Range 12 East, Fulton Township,
- 23 Rock County Tax Parcel Number 6-6-50;and,  
24

25 **WHEREAS**, the applications were recommended for approval by the Land Conservation Department (LCD) and  
26 the PACE Council, approved by the Land Conservation Committee (LCC) and County Board in accordance with  
27 the Rock County PACE Program Manual; and,  
28

29 **WHEREAS**, the PACE program requires that easement appraisals be completed by a State of Wisconsin  
30 Certified General Appraiser and meet the Uniform Standards of Professional Appraisal Practice (USPAP) to  
31 determine the purchase price of each easement; and,  
32

33 **WHEREAS**, the PACE program policy and procedures require a signed Option to Purchase agreement between  
34 Rock County and the Landowner of the aforementioned properties identifying the purchase price of the Easement,  
35 which were previously authorized by separate action; and,  
36

37 **WHEREAS**, each party to the aforementioned easements are required to have financial interests as follows;  
38 Landowners will donate fifty percent (50%) of the easement value, the County will contribute fifty percent (50%)  
39 of the easement value

- 40 1. Alvin Francis Living Trust Easement Value \$236,250.000; County Contribution \$118,125.00; and,
- 41 2. Oberdeck Farms, Inc. Easement Value \$247,300.00; County Contribution \$123,650.00; and,  
42

43 **NOW, THEREFORE, BE IT RESOLVED**, the Rock County Board of Supervisors duly assembled this  
44 11<sup>th</sup> day of May, 2017, do by enactment of this Resolution, and approves the purchase of the  
45 Agricultural Conservation Easement on the Alvin Francis Living Trust and the Oberdeck Farms, Inc. properties,  
46 authorizes the LCD to make payments to landowners for said easements, and authorizes the LCD to undertake  
47 final necessary activities identified therein.  
48


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

17-5A-284

Respectfully submitted:

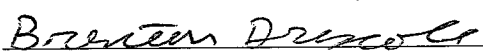
LAND CONSERVATION COMMITTEE

  
Richard Bostwick, Chair

  
Alan Sweeney, Vice Chair

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

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

  
Brenton Driscoll

  
Kara Hawes

  
James Quade, USDA-FSA Representative

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

FISCAL NOTE:

This resolution approves the purchases of agricultural conservation easements. Sufficient funds are available in the Land Conservation Department's PACE budget for the estimated purchase price of these easements.

  
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 Alvin Francis Living Trust and the Oberdeck Farms, Inc. Properties.

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.

The value of the Easement was determined by a qualified Real Estate Appraiser and reviewed by a third-party review appraiser, as per USDA-NRCS program guidelines.

An Option to Purchase was executed for each of these acquisitions, based on the current appraisals of the proposed easements.

If this resolution is approved, the LCD will, complete the Easement acquisition process on the Alvin Francis Living Trust and the Oberdeck Farms Inc. properties. Acquisition of the easements by Rock County is contingent upon funding from the USDA.