

**RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS**

LAND CONSERVATION  
COMMITTEE  
INITIATED BY

LAND CONSERVATION  
COMMITTEE  
SUBMITTED BY



THOMAS SWEENEY  
DRAFTED BY

DECEMBER 8, 2017  
DATE DRAFTED

**APPROVAL TO BEGIN ACQUISITION PROCESS FOR SELECTED 2017 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 PACE  
3 Program Manual, identifying and outlining all aspects of Program development and implementation, on  
4 January 13, 2011; and,  
5  
6 **WHEREAS**, the Program works to achieve the mission by acquiring agricultural conservation easements  
7 (Easements) on eligible lands throughout unincorporated Rock County; and,  
8  
9 **WHEREAS**, the Land Conservation Department (LCD) received five (5) applications for the PACE Program  
10 during the 2017 application cycle; and,  
11  
12 **WHEREAS**, the applications have been reviewed by LCD staff, the PACE Council, and the Land Conservation  
13 Committee (LCC), all in accordance with the Rock County PACE Program Manual; and,  
14  
15 **WHEREAS**, the LCC voted to approve one PACE application, located within a Primary Target Acquisition Area,  
16 for the federal funding option of the PACE Program and begin the Easement acquisition process, that application is  
17 described below:  
18  
19 Hargarten Property - Rock County tax parcel number 6-10-9.1, Part of the NE ¼ of Section 2, Township 2 N,  
20 Range 13 E, La Prairie Township (approximately 99 acres); and,  
21  
22 **WHEREAS**, to proceed with the Easement acquisition process, the LCD will submit an Easement acquisition  
23 funding application for the aforementioned property to the USDA-Natural Resources Conservation Service  
24 ("NRCS"), which, if approved, provides funding for a maximum fifty percent of the Easement value; and,  
25  
26 **WHEREAS**, the NRCS requires, as a component of its application process, a signed purchase agreement between  
27 Rock County and the owners of the aforementioned properties; and,  
28  
29 **WHEREAS**, the agreement will be based on an estimated value of the Easement and is contingent on a final value  
30 being determined by an appraisal, which will be contracted by Rock County only if the property is selected by the  
31 NRCS for funding; and,  
32  
33 **WHEREAS**, to formalize the Easement acquisition process, the owners of the aforementioned Properties, Rock  
34 County, and Brabazon Title Company, Inc. will sign and execute an *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  
42 2. Landowner depositing three thousand five hundred dollars (\$3,500) in the established escrow account,  
43  
44 3. LCD submitting an application to the NRCS for the federal portion of the purchase funding,  
45  
46 4. If selected for funding by the NRCS, Rock County contracting with an appraiser to determine the fair  
47 market value of the Easement; and,

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APPROVAL TO BEGIN ACQUISITION PROCESS FOR SELECTED 201 PACE PROGRAM APPLICATIONS (FEDERALLY FUNDED)

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


47  
48 NOW, THEREFORE, BE IT RESOLVED, the Rock County Board of Supervisors duly assembled this  
49 11th day of January, 2018, does by enactment of this Resolution approve an *Agricultural*  
50 *Conservation Easement Conveyance Agreement* for each Property, authorizing the LCD to undertake activities  
51 identified therein and obligate all necessary funds to complete said activities.

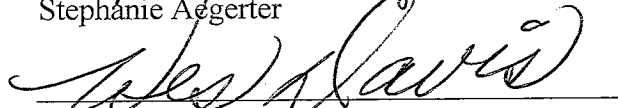
Respectfully submitted:

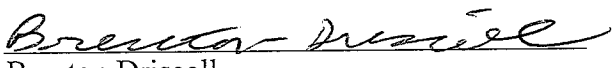
LAND CONSERVATION COMMITTEE

  
Richard Bostwick, Chair

  
Alan Sweeney, Vice Chair

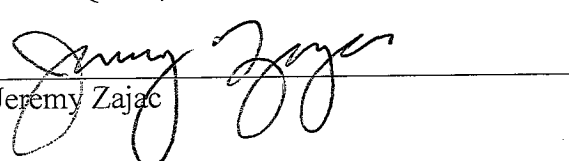
  
Stephanie Aegerter

  
Wes Davis

  
Brenton Driscoll

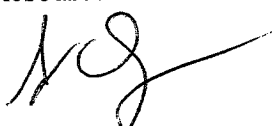
  
Kara Hawes

  
James Quade, USDA-FSA

  
Jeremy Zajac

FISCAL NOTE:

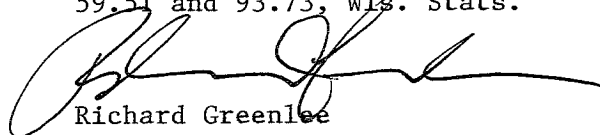
Sufficient funds are available in the Land Conservation Department's PACE budget for the escrow, estimated appraisal and related costs necessary to begin the acquisition process for Agricultural Conservation Easement Conveyance on this property. Once we have an estimated purchase price, sufficiency of available funding will need to be determined. Purchase of this easement is subject to funding from the Natural Resources Conservation Service.



Sherry Oja  
Finance Director

LEGAL NOTE:

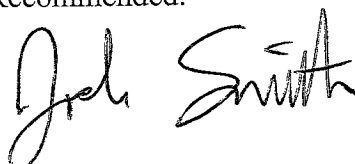
The County Board is authorized to take this action pursuant to secs. 59.01, 59.51 and 93.73, Wis. Stats.



Richard Greenlee  
Corporation Counsel

ADMINISTRATIVE NOTE:

Recommended.



Josh Smith  
County Administrator

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

This resolution authorizes the County to enter into an *Agricultural Conservation Easement Conveyance Agreement* (Agreement) with landowners and Brabazon Title Company for one PACE application 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.