

**SUBJECT: EASEMENT PURCHASE – NORTH BRANCH MILWAUKEE RIVER WILDLIFE AND FARM HERITAGE AREA – SHEBOYGAN COUNTY**

**FOR: SEPTEMBER 2010 BOARD MEETING**

**TO BE PRESENTED BY:** Richard Steffes

**SUMMARY:** The Department has obtained an option to purchase a 131.09-acre farmland protection easement for \$550,000. The easement includes public access on 124.01-acres from John Best, Jr. for the North Branch Milwaukee River Wildlife and Farm Heritage Area program in Sheboygan County. The item is being submitted because the purchase price exceeds \$150,000.

The Best property is located in southern Sheboygan County on the southwest side of the City of Random Lake. It is located along the boundary of the Town of Sherman and the Village of Random Lake. The Department has secured a USDA NRCS Farmland Protection Grant that will cover \$178,000 of the cost of the farmland protection easement. The intent of the easement is to protect the water quality in the North Branch of the Milwaukee River and Spring Lake and to prevent development of the farmland and lakefront property. The public access easement will provide walking access to Spring Lake, which currently does not include public access. There are 1,640 feet of frontage on the lake.

Created in 2002, the name of the North Branch Milwaukee River Wildlife and Farming Heritage Area reflects the opportunity this project presents to maintain the strong farming tradition in the area, as well as to maintain and enhance wildlife habitat and meet other natural resource protection objectives in the southeast part of the state. This is one of the largest undeveloped areas remaining in southeastern Wisconsin, yet it is only 35 miles from the City of Milwaukee. The 19,500-acre, predominantly rural project area includes 9,000 acres of agricultural lands on both small and large farms intermixed with 6,000 acres of existing wetlands that are associated with the nine miles of the North Branch of the Milwaukee River and its five tributary streams that are within the proposed project boundary. Also identified within the project boundary are 20 potential natural areas, including one of statewide significance, habitat for threatened and endangered species and many important historical, cultural, and archeological features.

Acquisition of the easement will provide opportunities to protect the water quality of Spring Lake and the water quality of the North Branch of the Milwaukee River and its watershed, and maintain the rural character of the landscape in the North Branch Milwaukee River Wildlife and Farming Heritage Area project.

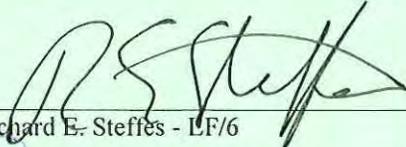
The Best parcel will protect the water quality of the North Branch of the Milwaukee River and its watershed, maintain the rural character of the landscape, protect wildlife habitat and provide area for public use to include hiking, fishing, and skiing.

**RECOMMENDATION:** That the Board approve the purchase of a 131.09-acre farmland protection easement for the North Branch Milwaukee River Wildlife and Farm Heritage Area in Sheboygan County.

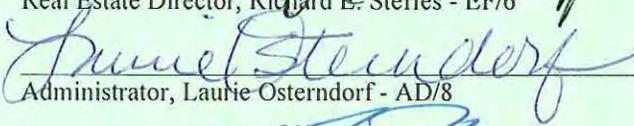
**LIST OF ATTACHED MATERIALS:**

- |  |  |
|--|--|
| No <input checked="" type="checkbox"/> Fiscal Estimate Required                              | Yes <input type="checkbox"/> Attached            |
| No <input checked="" type="checkbox"/> Environmental Assessment of Impact Statement Required | Yes <input type="checkbox"/> Attached            |
| No <input type="checkbox"/> Background Memo  | Yes <input checked="" type="checkbox"/> Attached |

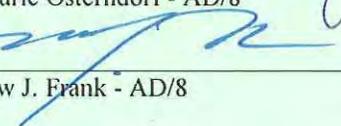
**APPROVED:**

  
Real Estate Director, Richard E. Steffes - LF/6

8-23-10  
Date

  
Administrator, Laurie Osterndorf - AD/8

8/25/10  
Date

  
Secretary, Matthew J. Frank - AD/8

9-2-10  
Date

- cc: S. Miller – LF/6  
R. Steffes – LF/6  
L. Ross – AD/8  
T. Hauge - WM/6  
G. McCutcheon – SER/Milwaukee

## CORRESPONDENCE/MEMORANDUM

DATE: September 3, 2010  
 TO: Natural Resources Board  
 FROM: Matthew J. Frank   
 SUBJECT: Proposed Easement on the John Best, Jr. Tract, File WM 60090  
 Option Expires November 15, 2010

FILE REF: WM 60090

1. PARCEL DESCRIPTION:

North Branch Milwaukee River Wildlife and Farm Heritage Area  
 Sheboygan County

Grantor:

John Best, Jr.  
 W5463 CTH II  
 Random Lake, WI 53075

Acres: 131.09 acres (includes public access on 124.01 acres)Price: \$550,000Appraisals: \$575,000 (Letscher); \$574,200 (Stone); \$514,000 (Opinion of Value Paul Scott)Improvements: NoneLocation: The tract is located in southern Sheboygan County on the southwest side of the City of Random Lake. It is located along the boundary of the Town of Sherman and the Village of Random Lake.Land Description: The subject land is fairly level to rolling.

<u>Covertypes Breakdown:</u>	<u>Type:</u>	<u>Acreage:</u>
	Cropland	49
	Wetland	45
	Upland woodland	<u>37.09</u>
	TOTAL:	131.09

Zoning: AgriculturalPresent Use: AgricultureProposed Use: Sustainable Agriculture, Wildlife Management and Public RecreationTenure: Family ownership since 1920Easement Date: August 17, 2010Stewardship Land Access: The 124.01-acre public access easement will be open to the public for nature-based outdoor recreational activities to include fishing, hiking and cross-country skiing. The 7.08 acres of farmstead area within the 131.09-acre easement is not open for public use.2. JUSTIFICATION:

The Department has obtained an option to purchase a 131.09-acre farmland protection easement on a total of 131.09-acres for \$550,000 that includes public access on 124.01-acres from John Best, Jr. for the North Branch Milwaukee River Wildlife and Farm Heritage Area program in Sheboygan County. The Best property is located in southern Sheboygan County on the southwest side of the City of Random Lake. It is

located along the boundary of the Town of Sherman and the Village of Random Lake. The Department has secured a USDA NRCS Farmland Protection Grant that will cover \$178,000 of the cost of the farmland protection easement. The intent of the easement is to protect the water quality in the North Branch of the Milwaukee River and Spring Lake and to prevent development of the farmland and lakefront property. The public access easement will provide walking access to Spring Lake, which currently does not include public access.

Created in 2002, the name of the North Branch Milwaukee River Wildlife and Farming Heritage Area reflects the opportunity this project presents to maintain the strong farming tradition in the area, as well as to maintain and enhance wildlife habitat and meet other natural resource protection objectives in the southeast part of the state. This is one of the largest undeveloped areas remaining in southeastern Wisconsin, yet it is only 35 miles from the City of Milwaukee. The 19,500-acre, predominantly rural project area includes 9,000 acres of agricultural lands on both small and large farms intermixed with 6,000 acres of existing wetlands that are associated with the nine miles of the North Branch of the Milwaukee River and its five tributary streams that are within the proposed project boundary. Also identified within the project boundary are 20 potential natural areas, including one of statewide significance, habitat for threatened and endangered species and many important historical, cultural, and archeological features.

Acquisition of the easement will provide opportunities to protect the water quality of Spring Lake and the water quality of the North Branch of the Milwaukee River and its watershed, and maintain the rural character of the landscape in the North Branch Milwaukee River Wildlife and Farming Heritage Area project. The fee title parcel is important in terms of retaining high natural resource values and providing land for public outdoor recreation.

The John Best parcel will protect the water quality of the North Branch of the Milwaukee River and its watershed, maintain the rural character of the landscape, protect wildlife habitat and provide public use to include hiking, fishing and skiing. The easement will allow the public access to this lake that currently has no access.

3. FINANCING:

State Stewardship bond funds (FY 11) are anticipated:

	Funds allotted to program:	Balance after proposed transaction:
State:	\$50,702,000	\$20,499,334
Federal:	\$ 178,000	\$0

4. ACQUISITION STATUS OF THE NORTH BRANCH MILWAUKEE RIVER WILDLIFE AND FARM HERITAGE AREA:

Established: 2002  
Acres Purchased to Date: 1,936.69  
Acquisition Goal: 19,487.0 Acres  
Percent Complete: 9.94%  
Cost to Date: \$3,974,680.00

5a. APPRAISALS:

Appraiser: Mark E. Letscher  
Valuation Date: March 25, 2010  
Appraised Value: \$575,000

Highest and Best Use:

Before Condition: Agricultural, recreational and residential use, with potential for residential subdivision  
After Condition: Agricultural and recreational with one single-family home site

Allocation of Values:

Before Value: \$840,000  
After Value: \$265,000  
Easement: \$575,000

Allocation: \$400,000 to FPP Easement; \$175,000 to public access easement

Appraisal Review: Paul Scott - July 15, 2010

- 5b. Appraiser: Michael P. Stone  
Valuation Date: April 13, 2010  
Appraised Value: \$574,200

Highest and Best Use:

Before Condition: Hobby farm with potential for residential subdivision (at least five homes under existing zoning)  
After Condition: Recreational/residential with limited potential for additional home sites

Allocation of Values:

Before Value: \$983,200  
After Value: \$409,000  
Easement: \$574,200

Allocation: \$475,000 to FPP easement; \$99,200 to public access easement

Appraisal Review: Paul Scott - July 23, 2010

- 5c. REVIEWER'S OPINION OF VALUE:

Appraiser: Paul Scott  
Valuation Date: April 13, 2010  
Appraised Value: \$514,000

Highest and Best Use:

Before Condition: Recreational, agricultural and residential, with potential for residential subdivision  
After Condition: Recreational and agricultural with one home site

Allocation of Values:

Before Value: \$988,500  
After Value: \$474,500  
Easement: \$514,000

Allocation: \$356,000 to FPP easement; \$158,000 to public access easement

RECOMMENDED:

Richard E. Steffes  
Richard E. Steffes

8-23-10  
Date

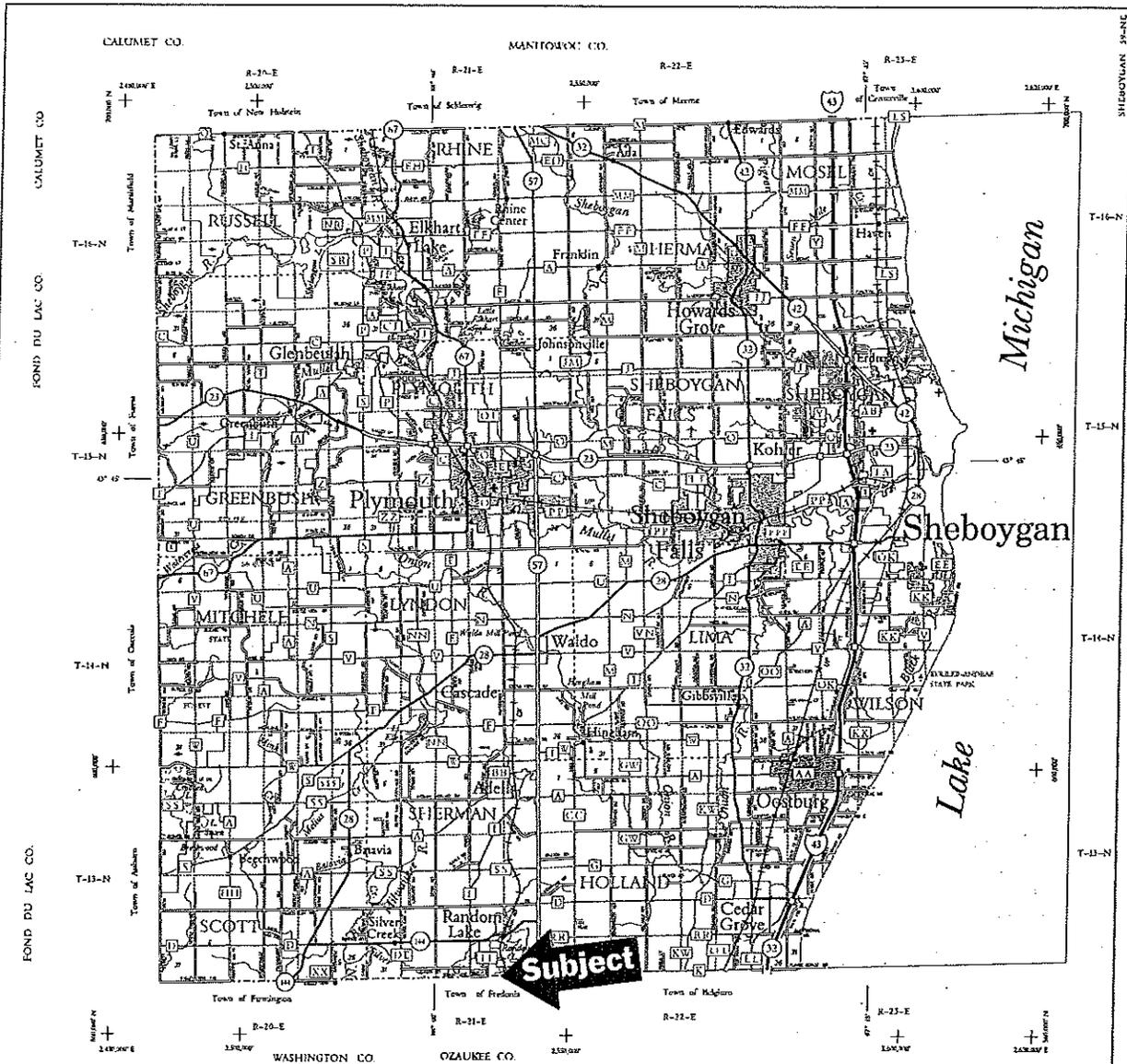
Joseph Wm. Renville  
Legal Services

8-25-10  
Date

Laurie Osterndorf  
Laurie Osterndorf

8/26/10  
Date

RES:dv



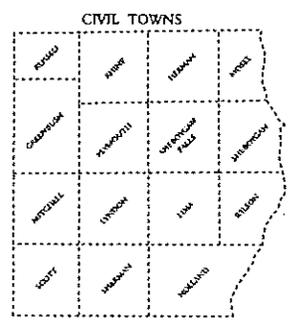
**Subject**

- LEGEND**
- Freeway
  - Major Road
  - U.S. or State Hwy
  - County Trunk Hwy
  - Town Road
  - Frame
  - Roadway
  - State Trail
  - Interchange
  - Highway Elevation
  - Interstate Highway No.
  - U.S. Highway No.
  - State Highway No.
  - County Highway Letter
  - State Boundary
  - County Boundary
  - Civil Town Boundary
  - Section Line
  - Dike
  - Hospital
  - Schools
  - Airport
  - County Seat
  - Unincorporated Village
  - Fish Hatchery
  - Game Farm
  - Public Hunt or Fish Club
  - Range Station
  - Sue Park
  - County Park
  - Wildlife Refuge
  - Wetlands
  - Kettle Moraine Corridor
  - Unit of Wisconsin - Sheboygan
- + For boundaries of public hunting and fishing grounds please consult the Department of Natural Resources  
 + Grid based on the state plane coordinate system north zone and the NAD 83



**SECTION NUMBERS OF A TOWNSHIP**

1	2	3	4	5	6
7	8	9	10	11	12
13	14	15	16	17	18
19	20	21	22	23	24
25	26	27	28	29	30
31	32	33	34	35	36



**MILES OF HIGHWAY**  
as of Dec. 31, 2004

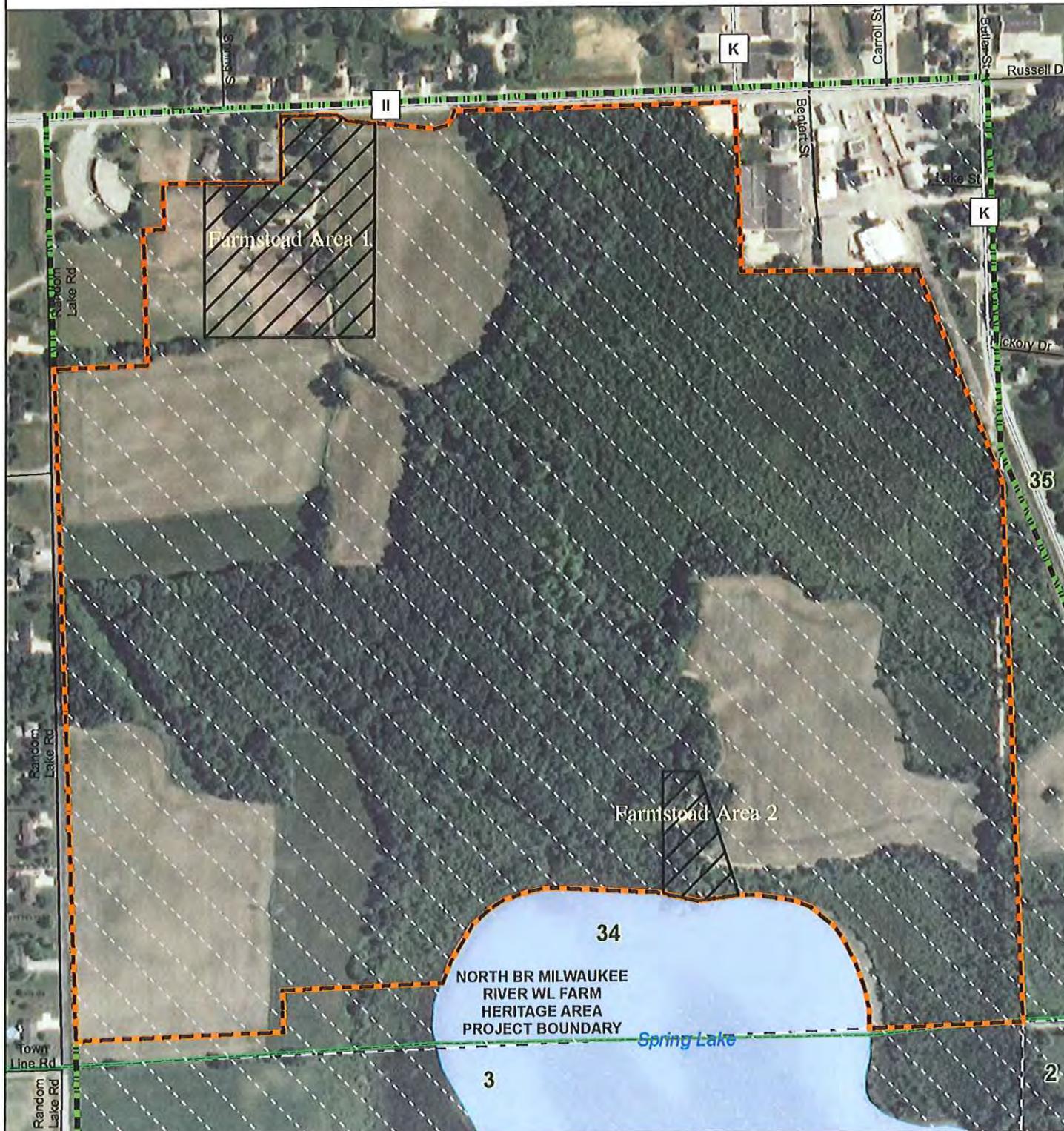
STATE	107
COUNTY	48
LOCAL ROADS	10
OTHER ROADS	1
<b>TOTAL IN COUNTY</b>	<b>166</b>

Land Area (364,000 sq. ft.) 51 sq. mi.  
 Population (2000 Census) 125,000  
 County Seat Sheboygan

**SHEBOYGAN CO.**  
 DEPARTMENT OF TRANSPORTATION  
 STATE OFFICE BUILDING  
 Madison, Wisconsin  
 SCALE 1" = 1 MILE  
 Corrected for 3/27/2008  
 Not compiled from U.S.G.S. Quads  
 12x12.5 Series

# John Best Jr. Parcel

T12N R21E Section 2, Town of Fedonia, Ozaukee County, WI (131.83 Acres)



### Legend

- - - PLSS Section Line
- PLSS Quarter-Quarter
- DNR Project Boundary
- County Boundary
- DNR Eased
- DNR Owned

### Subject Property

WM 60090

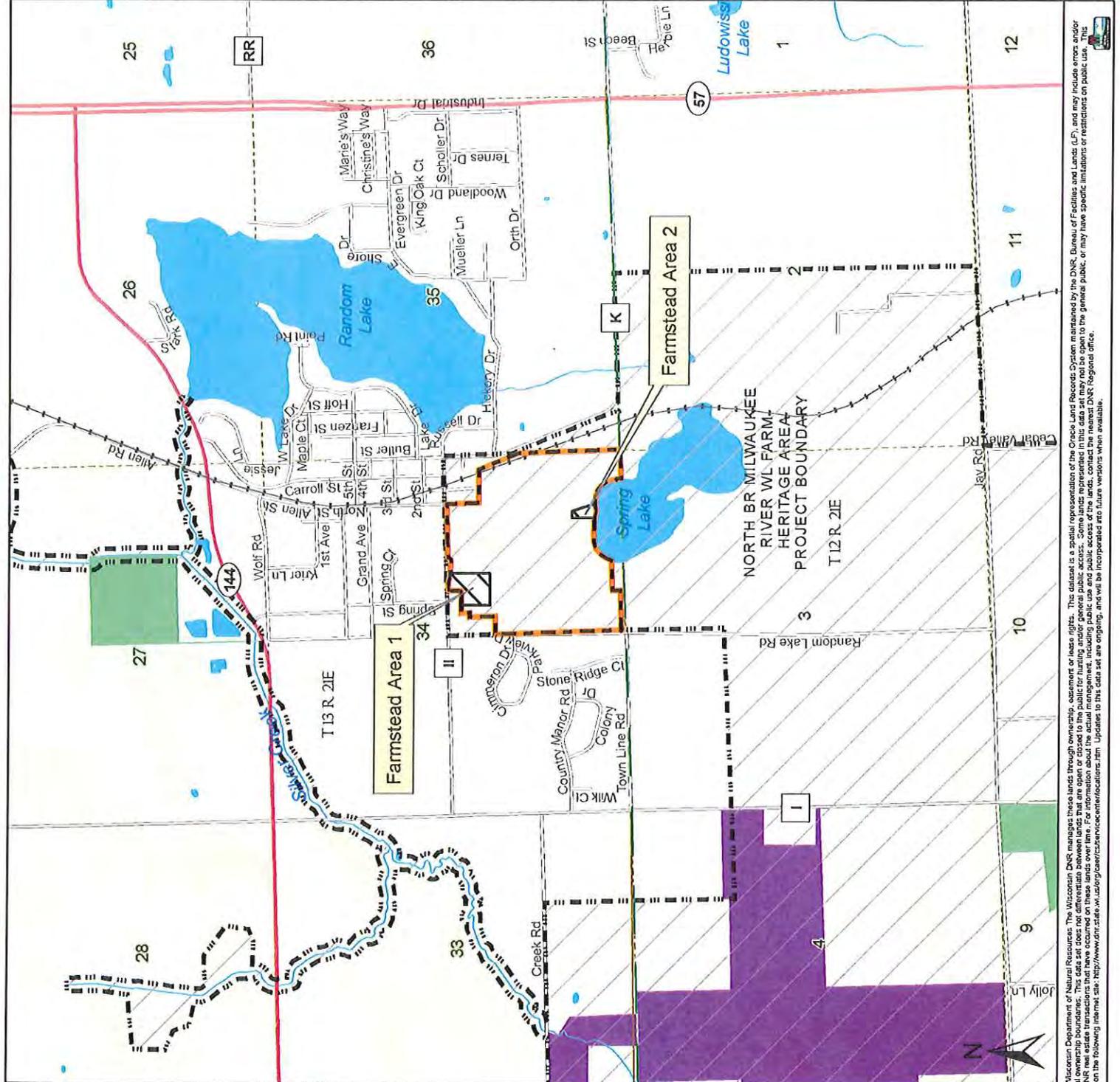
North Branch Milwaukee River Wildlife and Farm Heritage Area

- Fee Simple
- Easement
- Farmstead
- Ingress/Egress

State of Wisconsin

August 18, 2010  
Real Estate Section  
Bureau of Facilities and Lands

Use Advisory: Neither the Wisconsin Department of Natural Resources (WDNR) nor any of its employees shall be held liable for any improper or incorrect use of the information and/or contained herein and assumes no responsibility for use of the information. Furthermore, no warranty, expressed or implied, is made regarding accuracy, adequacy, completeness, legality, or reliability of any information. The WDNR provides mapped information on an "as is" basis. The WDNR has made reasonable efforts to provide accurate information, but cannot exclude the possibility of errors or omissions in source information. There is no guarantee the parcel boundaries are defined by a survey. The map user is expected to exercise reasonable use of the map information.



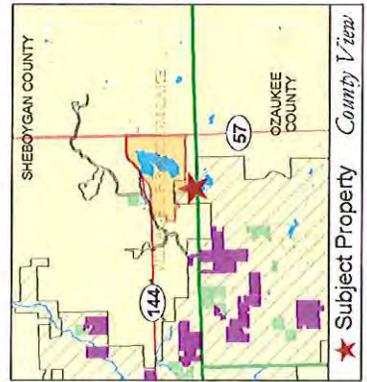
**John Best Jr. Parcel**  
 WM 60090  
 North Branch Milwaukee  
 River Wildlife and Farm  
 Heritage Area

T12N R21E Section 2  
 Town of Fredonia  
 Ozaukee County, WI  
 (131.83 Acres)

- Subject Property**
- Fee Simple
  - Easement
  - Farmstead
  - Ingress/Egress

**Legend**

- DNR Project Boundary
- State Natural Area
- PLSS Section Line
- County Boundary
- DNR Owned
- DNR Easement



The DNR Managed Lands represent the boundaries of lands managed by the Wisconsin Department of Natural Resources. The Wisconsin DNR manages these lands through ownership, easement or lease rights. This dataset is a spatial representation of the Oracle Land Records System maintained by the DNR, Bureau of Facilities and Lands (LF), and may include errors and/or omissions. The data should not be interpreted as a legal representation of legal ownership boundaries. This data set does not differentiate between public and private lands. It is a listing of all DNR real estate transactions that have occurred on these lands over time. For information about the actual management, including public use and public access of the land, contact the DNR Regional Office and Service Centers is provided on the following internet site: <http://www.dnr.state.wi.us/org/soa/ez/ezservicecenter/locatez.htm>. Updates to this data set are ongoing, and will be incorporated into future versions when available.