

**SUBJECT: LAND ACQUISITION AND PROJECT BOUNDARY MODIFICATION – VERNON WILDLIFE AREA – WAUKESHA COUNTY**

**FOR: MAY 2010 BOARD MEETING**

**TO BE PRESENTED BY:** Richard Steffes

**SUMMARY:** The Department has obtained an option to purchase 128.9 acres of land from Fred Lathers, LLC for \$773,000 for the Vernon Wildlife Area in Waukesha County. The item is being submitted because the purchase price exceeds \$150,000.

This is the second part of a two-phase transaction intended to divide costs into two fiscal years. The first option for 60 acres was approved by the Natural Resources Board in October 2009. If Phase 2 is approved, the Department will have acquired a total of 188.9 acres at a total cost of \$1,133,000. The Fred Lathers, LLC parcel is located in the Town of Waukesha and all but the northeast 10 acres is within the project boundary of the Vernon Wildlife Area. This is one of the last remaining large blocks of land available in the project boundary and is considered a critical parcel for the project as development continues to surround the marsh and effectively envelop the property. The parcel has significant upland buffer, essential for wildlife and drastically lacking on Vernon Wildlife Area. While the Department has a goal to acquire four acres of upland for every one acre of wetland for ideal wildlife habitat, Vernon Wildlife Area has one acre of upland for every 10 acres of wetland. The addition of added upland acres will provide nesting habitat for waterfowl, grassland birds, and reptiles, including the state threatened Blanding's turtle. Acquisition of the property will prevent incompatible use of the property, consolidate state ownership, and provide habitat for numerous wildlife species.

Vernon Wildlife Area was established in 1950 and encompasses about 4,900 acres of owned property. The property consists of mostly wetlands and flowages of the Fox River meandering through it. Adjoining uplands consist of grasslands and some woodlots. A calcareous fen is also present on the south end of the project. It is a popular area for waterfowl, pheasant, small game, turkey, and deer hunting.

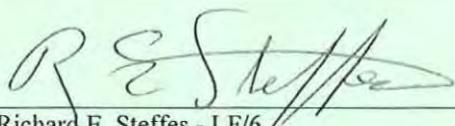
This parcel would add to the public land that is in high demand in this county and southeastern Wisconsin. Located ½-hour from Milwaukee, the project receives intense hunting pressure. Additional land base will not only provide more recreation, but also alleviate the overcrowding on other areas and increase overall satisfaction of users on state land. It provides important recreational land and critical wildlife habitat. This large block of land represents one of the last opportunities to protect land in the project boundary. This parcel will be used extensively by a variety of user groups and wildlife in large numbers.

**RECOMMENDATION:** That the Board approve the purchase of 128.90 acres of land for \$773,000 for the Vernon Wildlife Area in Waukesha County and approve a project boundary modification to include the entire parcel in the project.

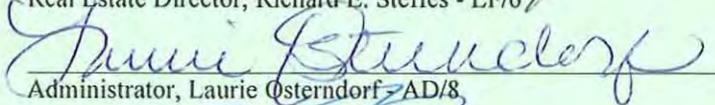
**LIST OF ATTACHED MATERIALS:**

- |  |   |   |          |
|--|---|---|----------|
| 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

4-2-10  
Date

  
Administrator, Laurie Osterndorf - AD/8

4/5/10  
Date

  
Secretary, Matthew J. Frank - AD/8

5-3-10  
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: March 31, 2010 FILE REF: WM 60035  
 TO: Governor Doyle  
 FROM: Matthew J. Frank *MJF*  
 SUBJECT: Proposed Land Acquisition, Fred Lathers, LLC Tract, File # WM 60085,  
 Option Expires September 21, 2010

1. PARCEL DESCRIPTION:

Vernon Wildlife Area  
 Waukesha County

Grantor:

Fred Lathers, LLC  
 c/o Brett Miller, Vice President  
 789 North Water Street  
 Milwaukee, WI 53202

Acres: 128.9Price: \$773,000Appraised Value: \$775,714; \$1,421,545Interest: Fee titleImprovements: None

Location: The property is located in Waukesha County about two miles south of Waukesha in the Town of Waukesha.

Land Description: The subject land is mostly level to gently rolling.

| <u>Covertypes Breakdown:</u> | Type:            | Acreage |
|------------------------------|------------------|---------|
|                              | Agricultural     | 103.0   |
|                              | Woodland/Wetland | 25.9    |
|                              | TOTAL:           | 128.9   |

Zoning: Agriculture/ConservancyPresent Use: Agriculture and RecreationProposed Use: Wildlife Management and Public RecreationTenure: 3 years (sale price was \$4,150,000 for 293.2 acres in June 2006)Property Taxes: \$3,964Option Date: September 28, 2009

Stewardship Land Access: This property will be open to the public for all nature-based outdoor recreational activities to include hunting, fishing, trapping, hiking, and cross-country skiing.

2. JUSTIFICATION:

This is part of a two-phase transaction intended to divide costs into two fiscal years. The Department secured a second option to purchase 128.9 acres of land from Fred Lathers, LLC for \$773,000 for the Vernon Wildlife Area in Waukesha County. The first option for 60 acres was approved by the Natural Resources Board in October 2009. If Phase 2 is approved, the Department will have acquired a total of 188.9 acres at a total cost of \$1,133,000. All but the northeast 10 acres is within the project boundary of the Vernon Wildlife Area. It is one of the last remaining large blocks of land available in the project boundary and is considered a critical parcel as development continues to surround the marsh and

effectively envelop the property. The parcel has significant upland buffer, essential for wildlife and drastically lacking on Vernon Wildlife Area. While the Department has a goal to acquire four acres of upland for every one acre of wetland for ideal wildlife habitat, VWA has one acre of upland for every 10 acres of wetland. The addition of additional upland acres will provide nesting habitat for waterfowl, grassland birds, and reptiles, including the state threatened Blanding's turtle. In addition to upland habitat, several wetland restorations and enhancements are possible on the parcel to make it more valuable to wildlife and create recreational opportunities, including hunting, trapping, and bird watching. Acquisition of the property will prevent incompatible use of the property, consolidate state ownership, and provide habitat for numerous wildlife species.

Vernon Wildlife Area was established in 1950 and encompasses about 4,900 acres of state-owned property in Waukesha County. The property consists of mostly wetlands and flowages of the Fox River meandering through it. Adjoining uplands consist of grasslands and some woodlots. A calcareous fen is also present on the south end of the project. It is a popular area for waterfowl, pheasant, small game, turkey, and deer hunting.

The Department recommends acquisition of the Fred Lathers, LLC parcel because it is both ecologically and practically advantageous for the state. It provides important recreational land and critical wildlife habitat. This large block of land represents one of the last opportunities to protect land in the VWA project boundary. This parcel will be used extensively by a variety of user groups and wildlife in large numbers.

3. FINANCING:

State Stewardship (FY 11) bond funds are anticipated:

| Funds allotted to program: | Balance after proposed transaction: |
|----------------------------|-------------------------------------|
| \$50,000,000               | \$26,845,046                        |

4. ACQUISITION STATUS OF THE VERNON WILDLIFE AREA:

Established: 1950  
Acres Purchased to Date: 4,156.63  
Acquisition Goal: 4,934.74 Acres  
Percent Complete: 84.23%  
Cost to Date: \$1,781,439.45

5. APPRAISAL:

Appraiser: William Steigerwaldt  
Valuation Date: February 24, 2009  
Appraised Value: \$1,172,000 (for both phases, totaling 194.5 acres)  
Highest and Best Use: Agriculture and larger parcel residential

Allocation of Values for Phase 2:

- a. land: 128.9 acres @ \$6,025 per acre: \$776,714
- b. market data approach used, five comparable sales cited
- c. adjusted value range: \$5,178 to \$7,848 per acre

Appraisal Review: Paul Scott – June 1, 2009

5b. APPRAISAL:

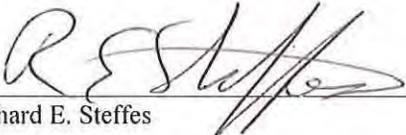
Appraiser: Linn Duesterbeck and Troy Kruser  
Valuation Date: November 14, 2008  
Appraised Value: \$2,145,000 (for both phases, totaling 194.5 acres)  
Highest and Best Use: Agriculture and larger parcel residential

Allocation of Values:

- a. land: 128.9 acres @ \$11,028 per acre: \$1,421,545
- b. market data approach used, six comparable sales cited
- c. adjusted value range: \$8,900 to \$15,517 per acre

Appraisal Review: Paul Scott – June 2, 2009

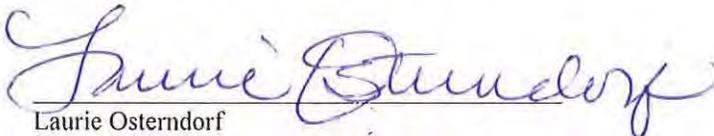
RECOMMENDED:

  
Richard E. Steffes

4-5-10  
Date

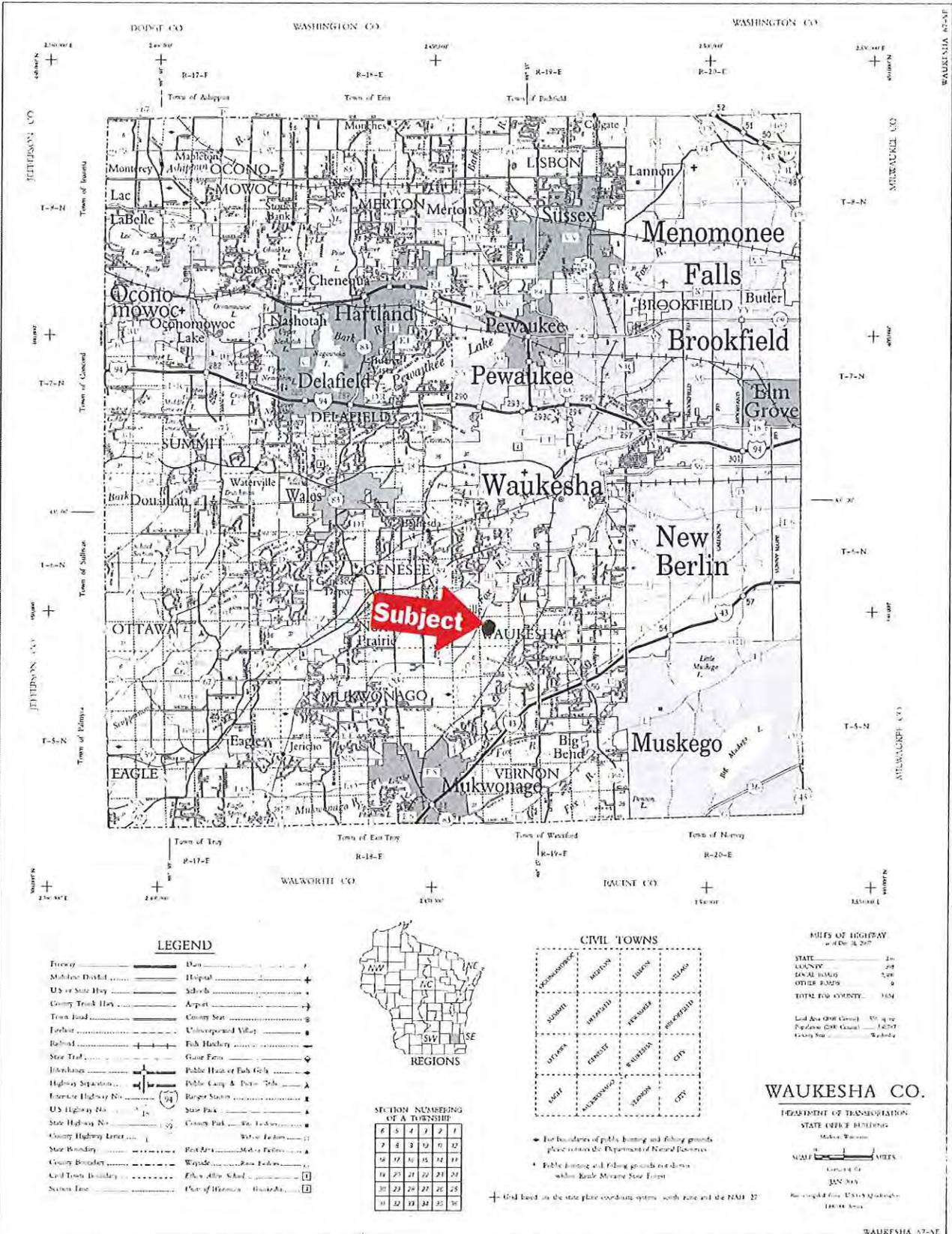
  
Bureau of Legal Services

4/5/10  
Date

  
Laurie Osterndorf

4/5/10  
Date

RES:dv



WAUKESHA 67-507

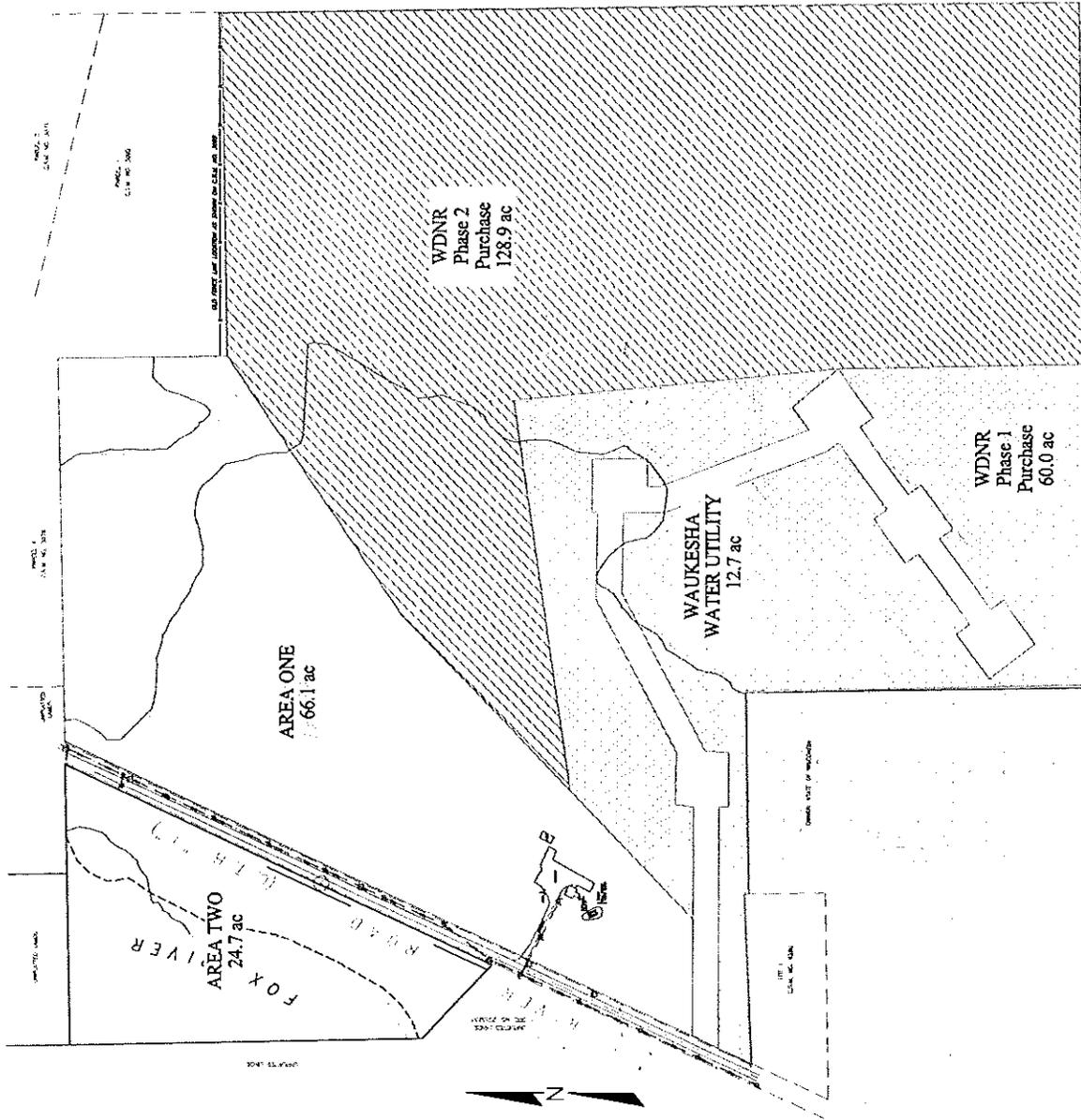
WAUKESHA 67-507

WAUKESHA 67-507



# ATTACHMENT A

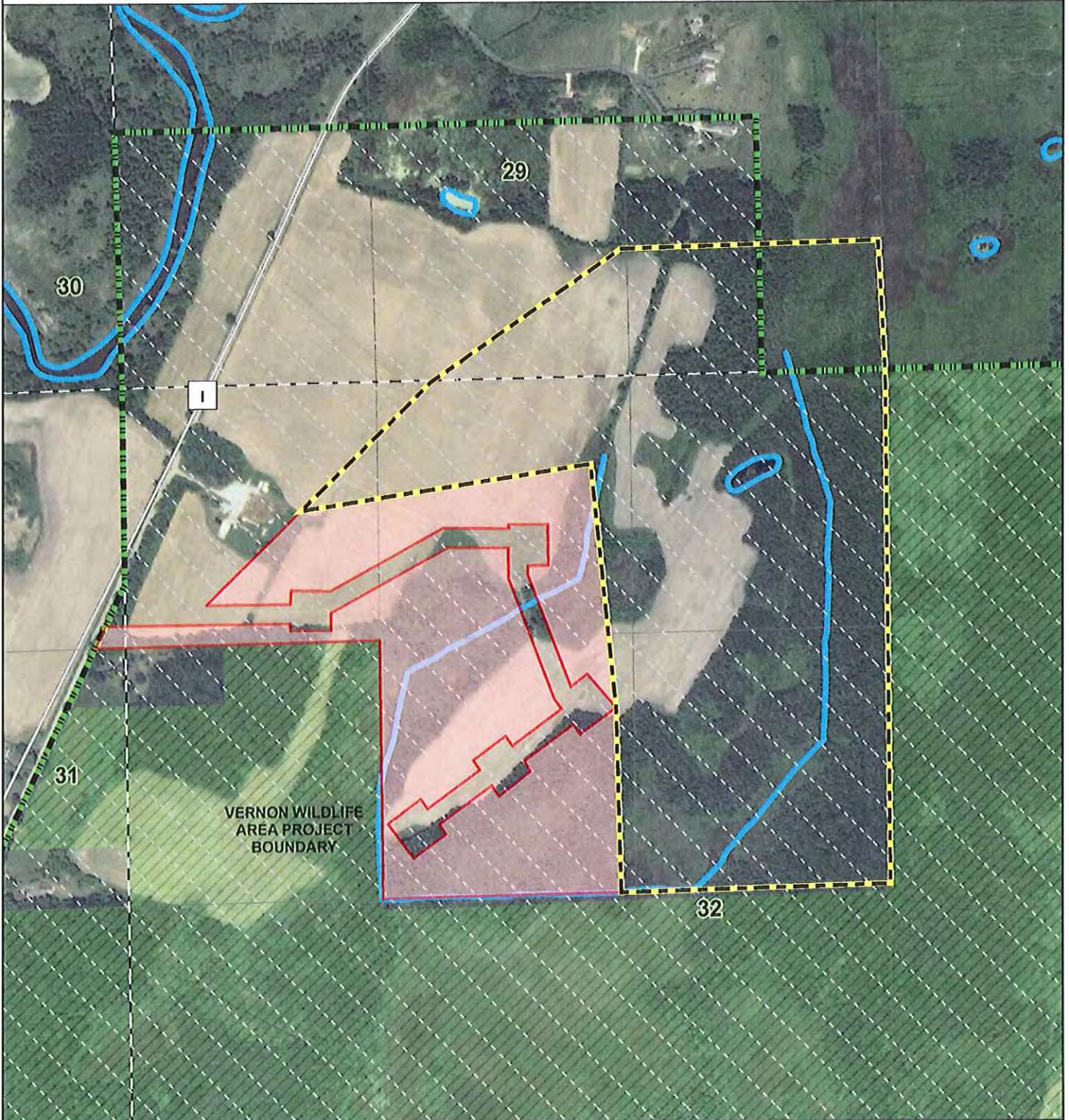
DATE: September 18, 2009



DATE: 09/18/09

# Fred Lathers Parcel

T6N R19E Sections 29 & 30, Town of Waukesha, Waukesha County, WI (128.90 Acres)



VERNON WILDLIFE  
AREA PROJECT  
BOUNDARY

## Legend

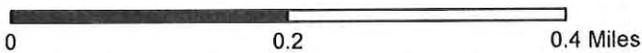
- - - PLSS Section Line
- PLSS Quarter-Quarter
- ▨ DNR Project Boundary
- ▨ County Boundary
- ▨ DNR Eased
- ▨ DNR Owned

## Subject Property

**WM 60085**

Vernon Wildlife Area

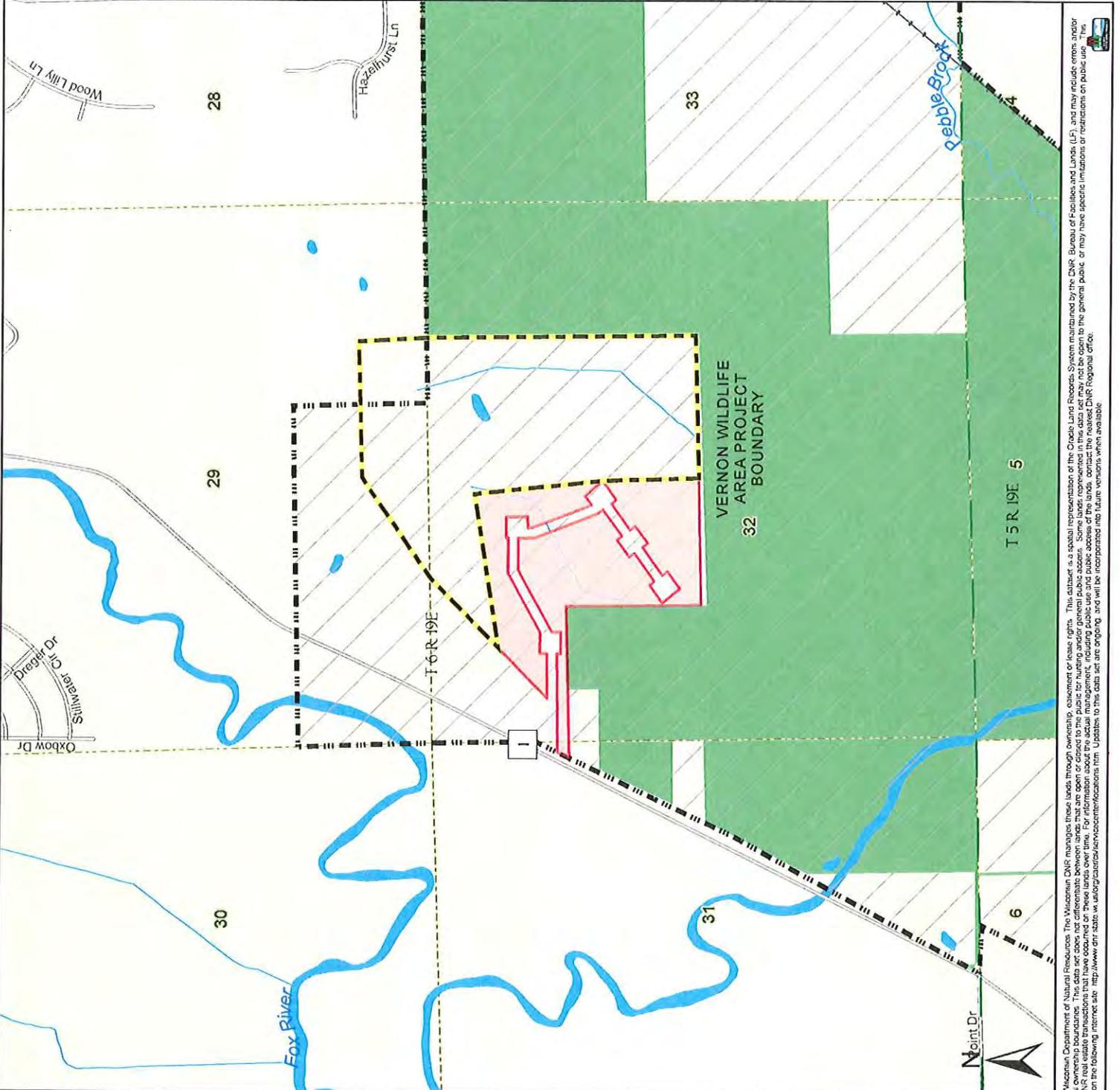
- ▨ Fee Simple - Phase II
- ▨ Easement
- ▨ Ingress/Egress
- ▨ phase I



State of Wisconsin

March 16, 2010  
Real Estate Section  
Bureau of Facilities and Lands

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**Fred Lathers Parcel  
Phase II  
WM 60085**

Vernon Wildlife Area

T6N R19E Section 29 & 30  
Town of Waukesha  
Waukesha County, WI  
(128.90 Acres)

**Subject Property**

-  Fee Simple - Phase II
-  Easement
-  Ingress/Egress
-  Phase I

**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 easements, leases, and other arrangements. This database 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 areas that are open to the public for recreation and areas that are not. For information about the actual management, including public use and public access of the lands, contact the nearest DNR Regional Office. Contact information for DNR Regional Offices and Service Centers is provided on the following internet site: <http://www.dnr.state.wi.us/org/casr/servicelocations.htm>. Updates to this data set are ongoing, and will be incorporated into future versions when available.