

AUTHORIZING A PURCHASE OF LAND IN THE TOWN OF MIDDLETON FOR
BLACK EARTH CREEK NATURAL RESOURCE AREA

Dane County Land & Water Resources Department (LWRD) recommends the purchase of approximately 79 acres off Highway 14 in the Town of Middleton from Judith Hellenbrand and the Hellenbrand Family Trust for \$4,000,000. The property lies in the headwaters of the Black Earth Creek, a Class 1 trout stream of statewide significance and is adjacent to county owned land to the east.

The property is located within the former “Old Mud Lake”, which was a 140 acre wetland and premiere waterfowl area that served as a sediment filter to protect the water quality of Black Earth Creek before the railroad and Highway 14 were constructed. The 2018-2023 Parks and Open Space Plan recommends acquisition of “Old Mud Lake” north of USH 14 for wetland restoration.

The property is a mix of croplands, wood and grass covered hillsides and farmstead. Historically the land was dry enough to crop, however approximately 20 acres of the southern half of the parcel is too wet to plant. Judith Hellenbrand currently lives in the house and will continue to reside at the property for the next two years.

Acquisition of this 79 acres create opportunities to restore the property to better serve as a natural filtration area for runoff, provide flood water storage, and protect and enhance the water quality of Black Earth Creek while also providing additional lands for public recreation.

Funds for the purchase are available in the Flood Risk Reduction Fund and the Dane County Conservation Fund. The debt issued to support this expenditure will have a term of 20 years. LWRD intends to apply for State of Wisconsin Department of Natural Resources (WI DNR) Stewardship grant dollars to offset the purchase price. LWRD may also apply for USFWS North American Wetlands Conservation Act grant funds or use the parcel as match for existing grants.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the purchase of approximately 79 acres from Judith Hellenbrand and the Hellenbrand Family Trust for \$4,000,000 plus miscellaneous costs according to Wis. Stats. Chapter 27.03(3); and

BE IT FURTHER RESOLVED that the Dane County Board of Supervisors and the Dane County Executive hereby authorize applications to the WI DNR and USFWS NAWCA for grants to offset the purchase costs and to match already committed USFWS grant dollars, and that the Dane County Executive and County Clerk are authorized to execute the grant and partnership documents necessary to maximize cost-sharing from project partners; and

BE IT FINALLY RESOLVED that the Dane County Land & Water Resources Department Director and the Real Estate Coordinator are authorized to administer the closing and the transfer of the above-mentioned property to Dane County, and the Controller is authorized to issue checks necessary to effectuate the transaction.