

**AUTHORIZING THE PERMANENT PROTECTION OF LAND IN THE LOWER MUD LAKE NATURAL RESOURCE AREA AND PARTNERSHIP WITH THE HO-CHUNK NATION AND GROUNDSWELL CONSERVANCY**

Dane County Land & Water Resources Department (LWRD) recommends the purchase of approximately 165 acres in the Town of Dunn from Stuart Herro and the Mary Stuart Herro Family Trust with the intent of donating the land to the Ho-Chunk Nation. The landowner has agreed to sell the property to the County at the appraised value of \$6,410,000 and supports the partnership with the the Ho-Chunk Nation and Groundswell Conservancy.

Located south of Babcock County Park, the land is separated by STH 51, with 121.45 acres on the east and 43.7 acres on the west side of the highway. The east parcel has approximately 2500 feet of Yahara River frontage along with approximately 2700 feet of frontage on Lower Mud Lake. A corner of the western parcel has approximately 251 feet of frontage on Lake Waubesa Both parcels have a mix of woods, wetlands and tillable lands which are either cropped or enrolled in the Conservation Reserve Program.

This area along the Yahara River is known to have had a substantial Ho-Chunk presence and this property contains six recorded significant archeological sites including rare mound groupings that should be protected through public ownership. Donation of this property would allow the Ho-Chunk Nation to own and preserve these culturally significant lands, protect and restore these archeological sites and offer educational and recreational opportunities to the public.

Before the donation to the Ho-Chunk Nation occurs, the County shall encumber the property with a conservation easement which will prohibit development, impose certain use restrictions, ensure public use and establish the County's enforcement rights in perpetuity. Groundswell Conservancy, Inc., a local land trust, will co-hold the conservation easement with the County, providing an additional layer of oversight and protection. If the donation does not occur, the County would own the property and manage the property as part of the Lower Mud Lake Natural Resource Area and would collaborate with the Ho-chunk Nation to ensure the preservation of the archeological sites and to provide public educational opportunities.

Funds for the purchase are available in the 2025 Dane County Conservation Fund budget. The debt issued to support this expenditure will have a term of 20 years.

**NOW, THEREFORE, BE IT RESOLVED** that the Dane County Board of Supervisors and the Dane County Executive hereby authorize the purchase of land from Stuart Herro and the Mary Stuart Herro Family Trust for \$6,410,000 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 authorize encumbering the land with a conservation easement to be co-held with Groundswell Conservancy, Inc. as described above; and

**BE IIT FURTHER RESOLVED THAT** the Dane County Board of Supervisors and the Dane County Executive authorize the donation of encumbered land to the Ho-Chunk

52 Nation; and

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54 **BE IT FINALLY RESOLVED** that the Dane County Land & Water Resources  
55 Department Director and the Real Estate Coordinator are authorized to administer the  
56 closing and the transfer of the above-mentioned property to Dane County and  
57 subsequent conservation easement and donation to the Ho-Chunk Nation, the County  
58 Executive and County Clerk are authorized to sign the conservation easement and the  
59 Controller is authorized to issue checks necessary to effectuate the transactions.