

SUBJECT: LAND ACQUISITION AND PROJECT BOUNDRY MODIFICATION – NICOLET STATE TRAIL – FOREST COUNTY

FOR: FEBRUARY BOARD MEETING

TO BE PRESENTED BY: Richard Steffes

SUMMARY: The Department has obtained an agreement to purchase 110.01 acres of land from Wisconsin Department of Transportation (DOT) for \$34,423 for the Nicolet State Trail in Forest County. The item is being submitted in order to include in the state trail project that segment of the Nicolet State Trail from Laona to Cavour.

Department ownership will provide recreational opportunities and protect the scenic resources associated with this 7.75-mile section of trail. Approximately 94.55-acre was previously owned by the Connor family and is being reacquired by DOT under their right to repurchase the same if the Connor family discontinued their rail operations. The remaining 15.46 acres has been owned by DOT, but was under a land use agreement to the Connor family in connection with their former rail operation. The purchase price of \$34,423 is DOT's cost and is lower than fair market value.

This last section of trail will complete public ownership of the 82-mile Nicolet State Trail from Gillette, in Oconto County north to the Brule River and the Wisconsin-Michigan state line in Florence County. The Nicolet State Trail was established in 1999 when a portion of the former Chicago and Northwestern Railroad abandoned railroad corridor was transferred from DOT to the Department. Additional segments have been acquired since 1999 with this last segment making up the final connector. This section of the trail is located within the boundary of the Nicolet National Forest. The primary trail uses are motorized with biking, hiking and nature observation. The trail is important to the communities through which it passes for the tourism revenue that trail users generate.

The Department recommends the acquisition of this last section of the Nicolet State Trail to provide additional opportunities for public recreation and to protect the scenic resources associated with the trail. Forest County will be responsible for management of the trail under terms of a memorandum of understanding between the county and the Department.

RECOMMENDATION: That the Board approve the purchase of 110.01 acres of land for \$34,423 for the Nicolet State Trail in Forest County and modification of the project boundary to include the parcel.

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:

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

1-27-09
Date

Laurie Osterndorf
Administrator, Laurie Osterndorf - AD/8

1/27/09
Date

Matthew J. Frank
Secretary, Matthew J. Frank - AD 8

2/12/09
Date

- cc: S. Miller - LF 6
- R. Steffes - LF 6
- L. Ross - AD 8
- D. Schuller - PR 6
- W. Smith - NOR Spooner

DATE: January 21, 2009 FILE REF: PR 40031
 TO: Governor Doyle
 FROM: Matthew J. Frank 
 SUBJECT: Proposed Land Acquisition, WI Department of Transportation Tract, File # PR 40031,
 Approval is Requested by March 18, 2009

1. PARCEL DESCRIPTION:

Nicolet State Trail
 Forest County

Grantor:

WI Department of Transportation
 c/o Vicki Schaefer
 4802 Sheboygan Avenue
 Madison, WI 53705

Acres: 110.01Price: \$34,423Appraised Value: \$132,000Interest: Fee Title PurchaseImprovements: Bridges TrestlesLocation: The property is located in central Forest County between Cavour and Laona.Land Description: The land is railroad right-of-way varying from 50 to 200 feet in width.

<u>Covertypes Breakdown:</u>	<u>Type:</u>	<u>Acreage:</u>
	Abandoned Railroad Corridor	110.01

Zoning: AgriculturePresent Use: Abandoned Railroad GradeProposed Use: Public Recreation and Scenic Resource ProtectionTenure: DOT acquired the 82-mile corridor from Gillett to Tipler in 1979. Most of the corridor was conveyed to DNR for trail use. This 7.75-mile part was not available until now.Property Taxes: ExemptOption Date: January 14, 2009Stewardship Land Access: This property will be open to the public for nature-based outdoor recreational activities to include hiking and cross-country skiing. Hunting use is restricted due to state park land classification.2. JUSTIFICATION:

The Department has the opportunity to acquire approximately 110.01 acres of land from the WI Department of Transportation for the Nicolet State Trail. Department ownership will provide additional recreational opportunities and protect the scenic resources associated with this section of the trail. This 7.75 mile section of trail to be transferred to the Department runs between the communities of Laona and Cavour in central Forest County and closes the last gap in the state trail. Approximately 94.55 acres was previously owned by the Connor family (Rat River Railroad Company) and is being reacquired by DOT under their right to repurchase the same if the Connor family discontinued their rail operations.



The remaining 15.46 acres has been owned by DOT, but was under a land use agreement to the Connor family in connection with their former rail operation.

This last section of trail will complete public ownership of the 82-mile Nicolet State Trail from Gillette, in Oconto County north to the Brule River and the Wisconsin-Michigan state line in Florence County. The Nicolet State Trail was established in 1999 when a portion of the former Chicago and Northwestern Railroad abandoned railroad corridor was transferred from DOT to the Department. Additional segments have been acquired since 1999 with this last segment making up the final connector between the previous acquired segments.

Most of the trail was conveyed to DNR from DOT for \$1.00. This part is being conveyed at DOT's actual cost. It is a condition of the transfer on the entire 82 miles that rail use can be reinstated if needed in the future. This section of the trail is located within the boundary of the Nicolet National Forest. The primary trail uses are motorized with biking, hiking and nature observation. The trail is important to the communities through which it passes for the tourism revenue that trail users generate.

The Department recommends the acquisition of this last section of the Nicolet State Trail to provide additional opportunities for public recreation and to protect the scenic resources associated with the trail. Forest County will be responsible for management of the trail.

3. FINANCING:

State Stewardship bond funds are anticipated:

Funds allotted to program:	Balance after proposed transaction:
\$2,000,000	\$1,012,853

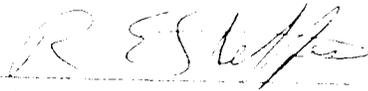
4. ACQUISITION STATUS OF THE NICOLET STATE TRAIL:

Established: 1999
Acres Purchased to Date: 2,171.48
Acquisition Goal: 539.40
Percent Complete: 402.57
Cost to Date: \$10,402.00

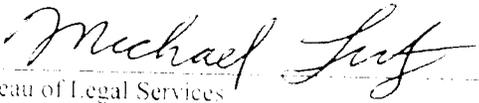
APPRAISAL:

The Department is reimbursing DOT for its actual cost. The fair market value of the property is \$132,000 based on an appraisal report by Michael Augustyn.

RECOMMENDED:


 Richard E. Steffes

1-27-09
 Date


 Bureau of Legal Services

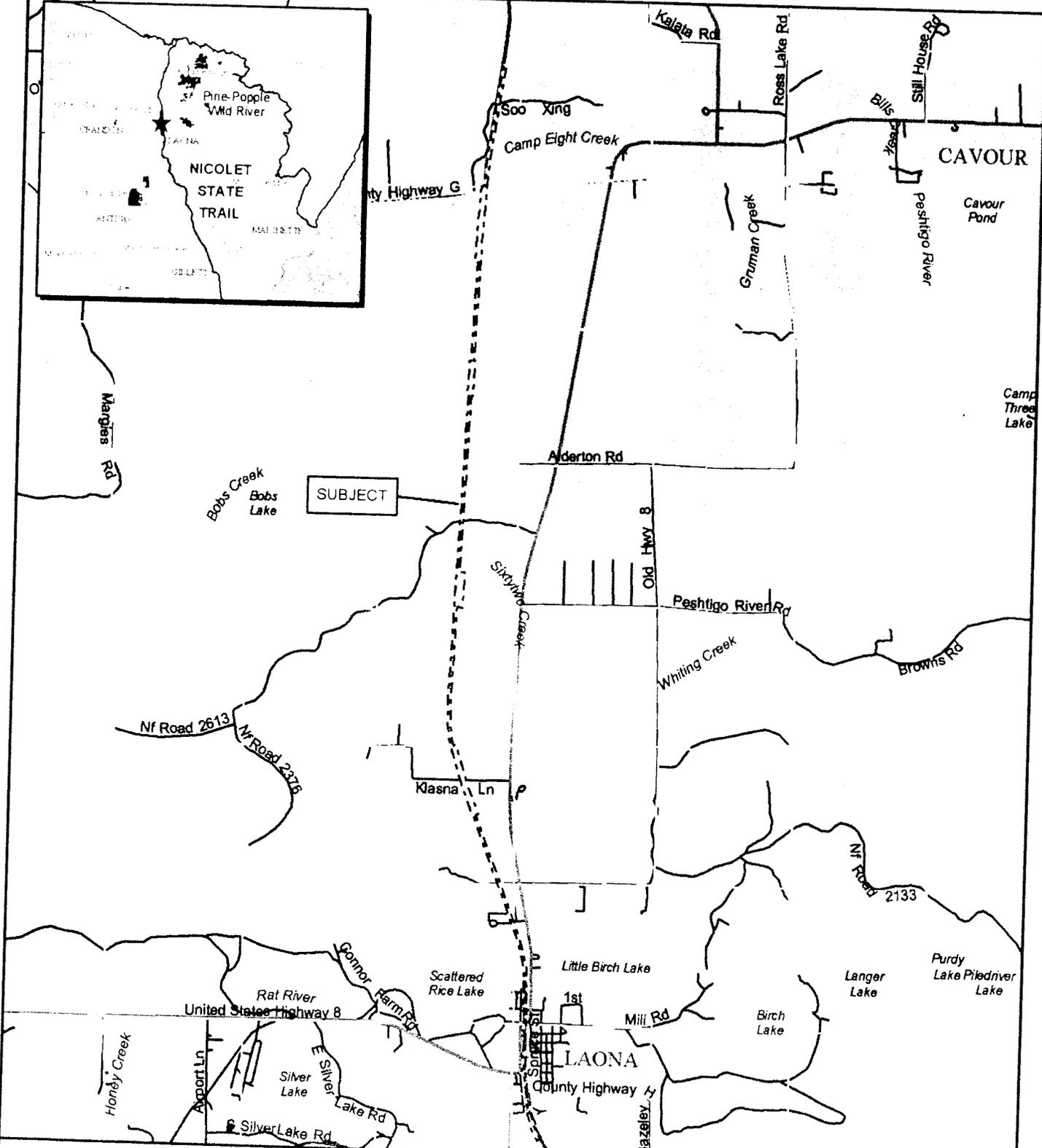
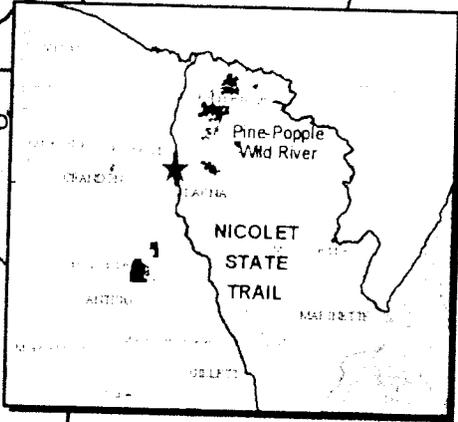
1-27-09
 Date


 Laurie Osterdorf

1/27/09
 Date

WI Dept of Transportation

Nicolet State Trail



-  Subject Property
-  DNR Owned
-  DNR Easement

The Wisconsin Department of Transportation (WisDOT) is pleased to provide this map to the public. This map is for informational purposes only and does not constitute a contract or warranty of any kind. The State of Wisconsin is not responsible for any errors or omissions on this map. The State of Wisconsin is not responsible for any damages or injuries resulting from the use of this map. The State of Wisconsin is not responsible for any loss of property or other damages resulting from the use of this map. The State of Wisconsin is not responsible for any other damages or injuries resulting from the use of this map.

STATE OF WISCONSIN
DEPT. OF NATURAL RESOURCES
Bureau of Facilities and Lands

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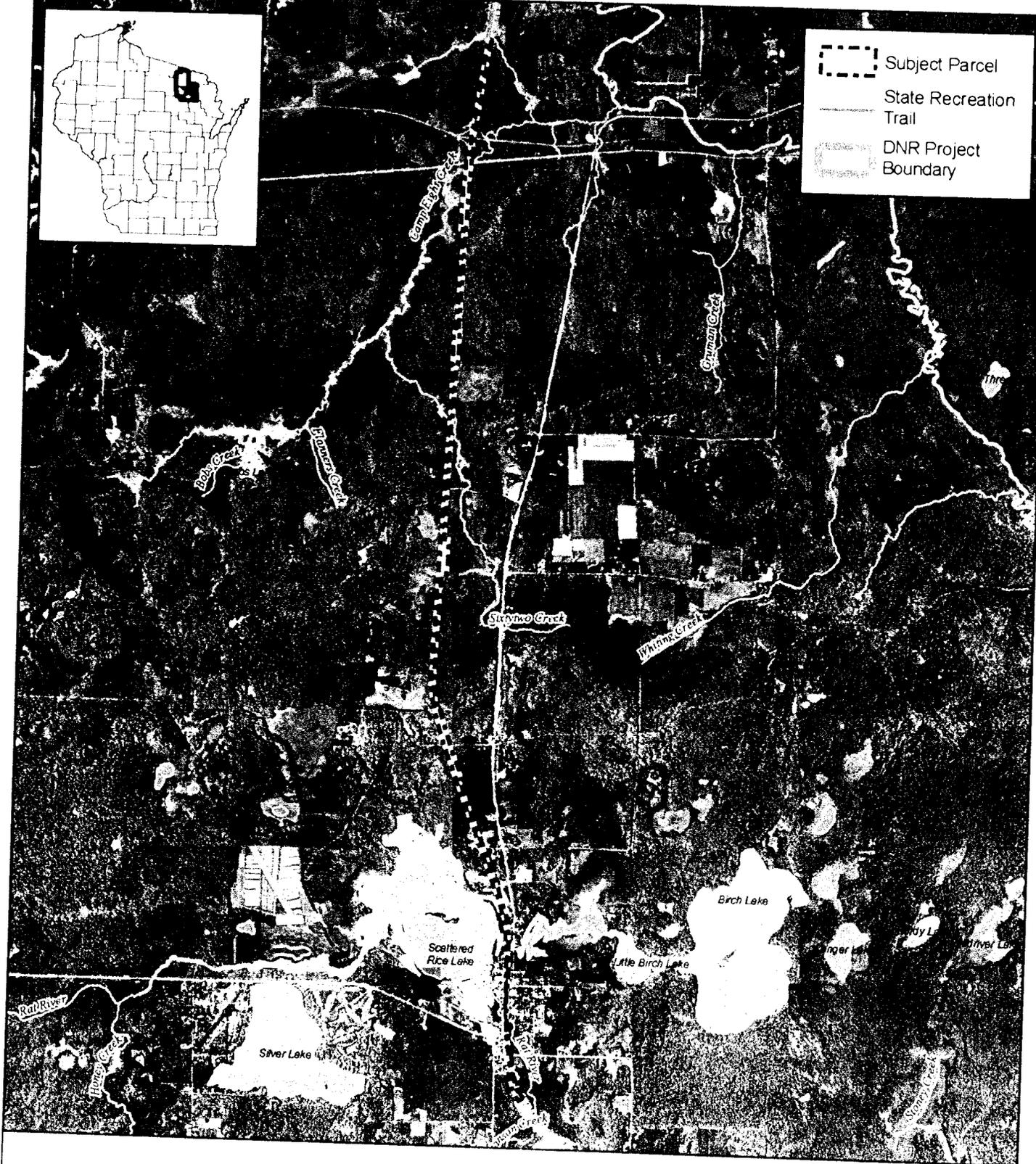



Wisconsin Dept of Transportation Property

T36N R15E Secs 30 & 31, Town of Laona, Forest County
T36N R14E Secs 1, 12, 13 & 24, Town of Laona, Forest County
T37N R14E Secs 25 & 36, Town of Caswell, Forest County



-  Subject Parcel
-  State Recreation Trail
-  DNR Project Boundary



Created by Bureau of Facilities and Lands
Real Estate Section
January 15, 2009

