

SUBJECT: Land Acquisition – Turtle Valley Wildlife Area – Walworth County

FOR: MARCH 2012 BOARD MEETING

TO BE PRESENTED BY: Richard Steffes

SUMMARY: The Department proposes to purchase 1- acre of land with improvements for the Turtle Valley Wildlife Area in Walworth County. The item is being submitted because the purchase price exceeds \$150,000, and due to high unit value.

The Department proposes to purchase a 1- acre property from Daniel and Mary Roath for \$287,250 for addition to the Turtle Valley Wildlife Area. This parcel is bordered by State land on three sides and road frontage to the north. The parcel will provide an excellent access point to Turtle Valley Wildlife Area. Buildings will be assessed for their usefulness, but most likely will be razed to make room for a parking lot. The remaining area will be seeded to native prairie and managed as part of the adjacent burn unit. The Turtle Valley Wildlife Area, established in 2000, is located in southeastern Wisconsin 25 miles southwest of the Milwaukee area. The project is managed for wetland wildlife, primarily waterfowl as it lies at the headwaters of two watersheds: Sugar Creek to the east and Turtle Creek to the west. Land purchases and wetland restoration provide small flowages or ponds, permanent grass cover and other wildlife habitat improvements. The Department of Transportation has a 420-acre parcel within the project boundary and has restored wetlands there as part of a mitigation project. A Department of Natural Resources/NRCS restoration area at this project has had extended visits by whooping cranes and is a major birding area. This area of the State has large recreational demands and a rapidly increasing population, while Walworth County has limited public recreation lands. This acquisition would allow excellent public access to the open space and quality natural resources in the area.

The Roath's vacated this property and moved to a new residence in 2007. While the property was vacant and for sale, the Natural Resource Conservation Service, which held a 30 year Wetland Reserve Program easement on the adjoining DNR land, restored the surrounding wetland. In 2008, unusually heavy rain events caused local flooding. The house is located on hydric soils and is constructed with a crawl space over soil. Roaths sued the Department, claiming water damage to their now vacant home. A local court ruled in favor of Roaths and a Walworth County condemnation commission found that \$287,250 (after interest and other holding costs are included) is due Roaths by DNR. The Department proposes to pay this amount to the clerk of courts which will stop the accumulation of interest costs. Title will pass to DNR. In the meantime, the Department of Justice will continue the appeal process which should lead to clarity as to legal costs and consequential damages claimed by Roaths.

RECOMMENDATION: That the Board approve the purchase of 1- acre of land for \$287,250 for Turtle Valley Wildlife Area in Walworth County.

LIST OF ATTACHED MATERIALS:

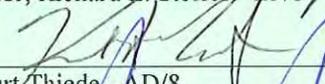
- | | |
|--|--|
| No <input checked="" type="checkbox"/> Fiscal Estimate Required | Yes <input type="checkbox"/> Attached |
| No <input checked="" type="checkbox"/> Environmental Assessment of Impact Statement Required | Yes <input type="checkbox"/> Attached |
| No <input type="checkbox"/> Background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

APPROVED:



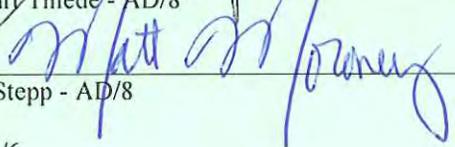
Real Estate Director, Richard E. Steffes - LF/6

3-6-12
Date



Administrator, Kurt Thiede - AD/8

3-9-12
Date



Secretary, Cathy Stepp - AD/8

3/12/12
Date

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

CORRESPONDENCE/MEMORANDUM

DATE: March 7, 2012 FILE REF: WM 60167
 TO: Scott Walker
 FROM: Cathy Stepp
 SUBJECT: Proposed Land Acquisition, Daniel and Mary Roath Tract, File # WM 60167,
 Approval requested by April 16, 2012 to facilitate closing by April 30, 2012

1. PARCEL DESCRIPTION:

Turtle Valley Wildlife Area
 Walworth County

Grantor:

Daniel and Mary Roath
 W6197 Pierce Road
 Sugar Creek, WI 53121

Acres: 1.0
Price: \$287,250
Appraised Value: \$190,000.00
Interest: Fee Title Purchase
Improvements: House, garage

Location: The property is located in Walworth County 3 miles northwest of the City of Elkhorn

Land Description: The subject land is level with hydric soils.

Covertypes Breakdown:

Type	Acreage
Building Site	1.0

Zoning: Agricultural - In 100 year flood plain
Present Use: Residential
Proposed Use: Public outdoor recreation, parking area
Tenure: 19 years
Property Taxes: \$2,756.79

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:

The Department proposes to purchase a 1-acre property from Daniel and Mary Roath for addition to the Turtle Valley Wildlife Area. This parcel is bordered by State land on three sides and road frontage to the north. The parcel will provide an excellent access point to Turtle Valley Wildlife Area. Buildings will be assessed for their usefulness, but most likely will be razed to make room for a parking lot. The remaining area will be seeded to native prairie and managed as part of the adjacent burn unit. The Turtle Valley Wildlife Area, established in 2000, is located in southeastern Wisconsin 25 miles southwest of the Milwaukee area. The project is managed for wetland wildlife, primarily waterfowl as it lies at the headwaters of two watersheds: Sugar Creek to the east



and Turtle Creek to the west. Land purchases and wetland restoration provide small flowages or ponds, permanent grass cover and other wildlife habitat improvements. The Department of Transportation has a 420-acre parcel within the project boundary and has restored wetlands there as part of a mitigation project. A Department of Natural Resources/NRCS restoration area at this project has had extended visits by whooping cranes and is a major birding area. This area of the State has large recreational demands and a rapidly increasing population, while Walworth County has limited public recreation lands. This acquisition would allow excellent public access to the open space and quality natural resources in the area.

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3. FINANCING:

State Stewardship bond funds are anticipated for \$245,000 of the costs and segregated funds for the balance, estimated at \$42,250.

Stewardship Funds allotted to program:
\$5,396,178

Balance after proposed transaction:
\$1,598,918

4. ACQUISITION STATUS OF THE TURTLE VALLEY WILDLIFE AREA:

Established: 2000
Acres Purchased to Date: 1,852.46
Acquisition Goal: 5,550.00 acres
Percent Complete: 33.38 %
Cost to Date: \$1,370,381.15

5. APPRAISAL:

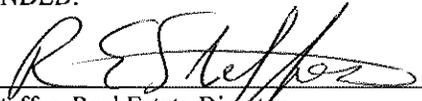
Appraiser: Richard Larkin
Valuation Date: June 01, 2008
Appraised Value: \$190,000.00
Highest and Best Use: Single-family residential development site

Allocation of Values:

- a. land and improvements: 1.0 acre: \$190,000.00
- b. market data approach used, 6 comparable sales cited
- c. adjusted value range: \$177,500.00 - \$203,500.00

Comments: The appraisal was procured by the Wisconsin Department of Justice as part of a law suit case. While not separately listed, improvements were 82.8% of the assessed value on the tax roles

RECOMMENDED:


Richard E. Steffes, Real Estate Director

3-6-12
Date

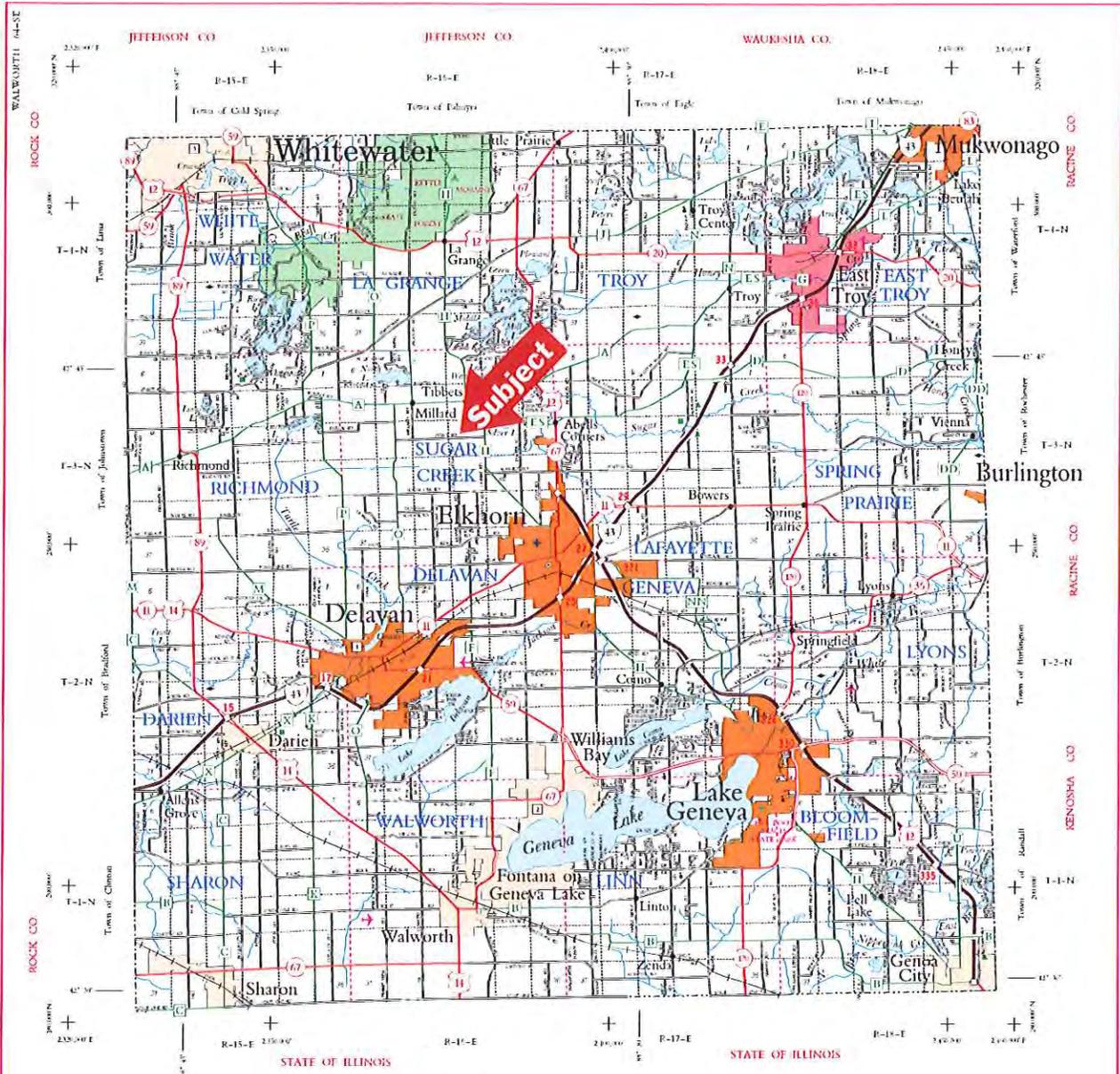

Kristin A. Hess, Bureau of Legal Services

3/8/12
Date


Kurt Thiede, Land Division Administrator

3/9/12
Date

RES:

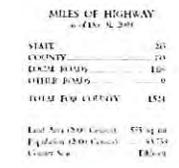
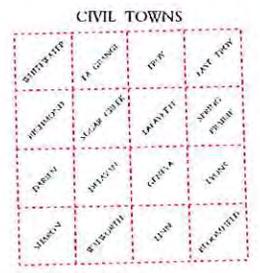


- LEGEND**
- Interway
 - Multilane Divided
 - US or State Hwy
 - County Trunk Hwy
 - Town Road
 - Fedline
 - Railroad
 - State Trail
 - Interchange
 - Highway Separation
 - Interstate Highway No.
 - US Highway No.
 - State Highway No.
 - County Highway Letter
 - State Boundary
 - County Boundary
 - Gold-Town Boundary
 - Section Line
 - Ditch
 - Hospital
 - Schools
 - Airport
 - County Seat
 - Unincorporated Village
 - Fish Hatchery
 - Game Farm
 - Public Hunt or Fish Gnd.
 - Public Camp & Picnic Gnd.
 - Ranger Station
 - State Park
 - County Park - With Features
 - Wildlife Refuge
 - Rest Area - Modern Facilities
 - Wapada
 - Wapada - Park Facilities
 - Shelter Trail
 - Trails Observatory
 - University of Research - Buildings



SECTION NUMBERING 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	37	38	39	40	41	42



WALWORTH CO.

DEPARTMENT OF TRANSPORTATION
 STATE OFFICE BUILDING
 Madison, Wisconsin

SCALE: 1" = 2 MILES
 Contour 10'
 JAN. 2001
 Re-computed from USGS Quadmaps
 110-10-5000

Roath Property
Turtle Valley
Wildlife Area

WM 60167

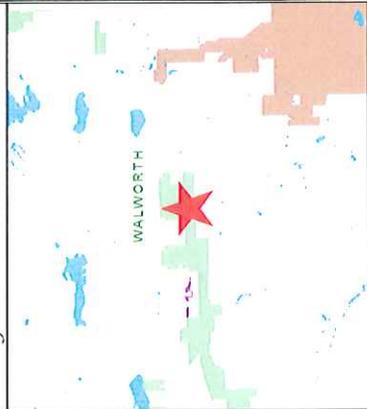
T3N R16E Sec 16
Town of Sugar Creek
Walworth County



-  WDNR Owned
-  WDNR Easement
-  DNR Project Boundary
-  PLSS Section Line
-  QQ Section Boundary

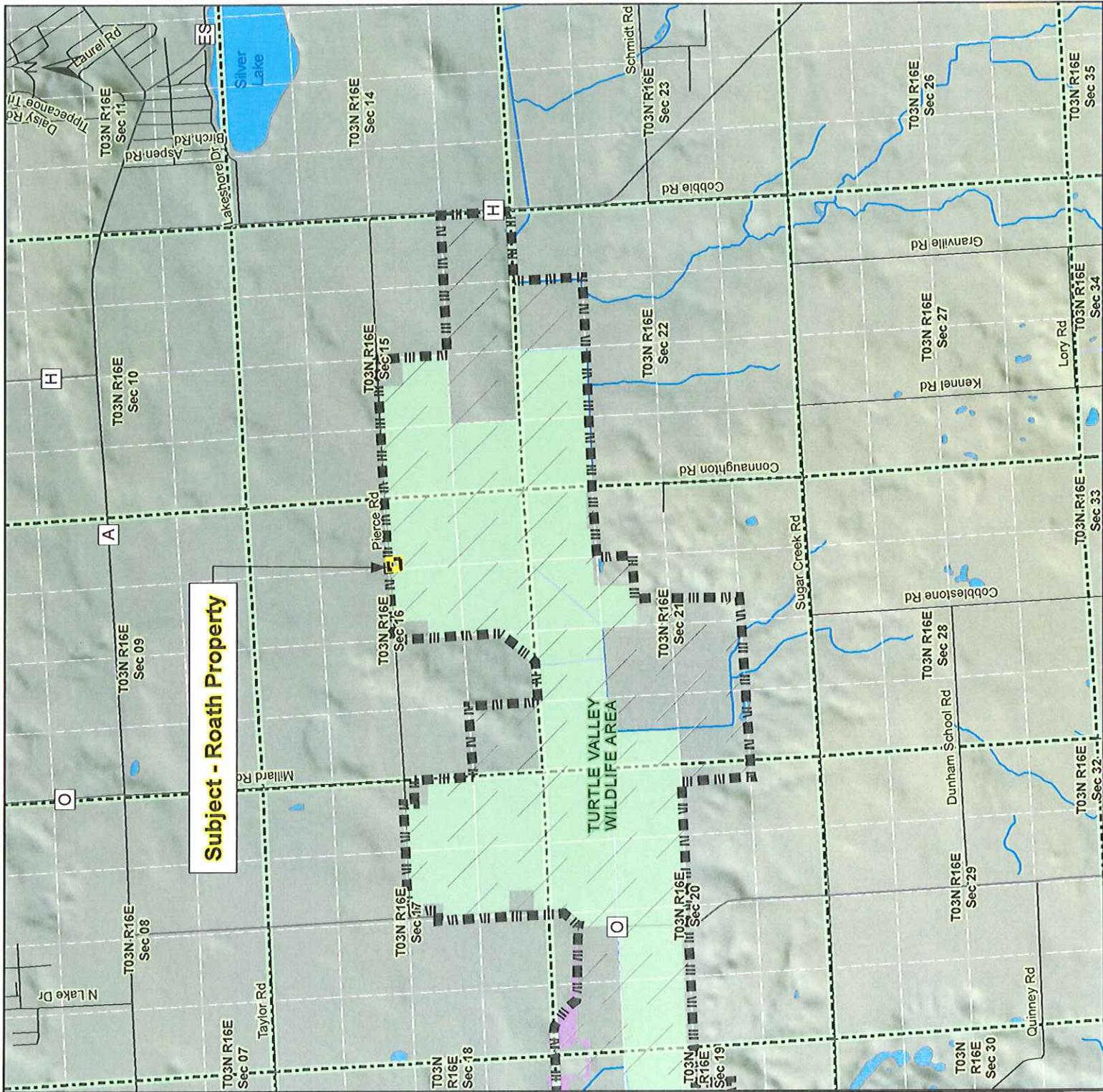
0 600
Feet

County View



★ Location of Property

WISCONSIN DEPARTMENT
OF NATURAL RESOURCES
Bureau of Facilities of Lands
Map Created: Mar 07, 2012 kmh



Subject - Roath Property

- 5 -
Roath Property

T3N R16E Sec 16, Town of Sugar Creek, Walworth County



**Turtle Valley
Wildlife Area**

 Subject Parcel

 DNR Owned

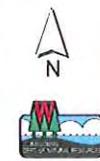
 DNR Eased

 DNR Project Boundary

 Section Line

 QQ Section Lines

0 400 800 1,200 Feet



Mar 07, 2012 kmh
Real Estate Section
Bureau of Facilities and Lands