

Resolution No: 1-13

Resolution to Authorize Lease of Lime Quarry Lands to Sundbakken Dairy Farm, Inc.

TO THE HONORABLE SUPERVISORS OF THE COUNTY BOARD OF THE COUNTY OF POLK:

Ladies and Gentlemen:

WHEREAS, pursuant to Resolution 13-08, the County of Polk has leased certain lime quarry lands to Sundbakken Dairy Farm, Inc., for agricultural purposes; and

WHEREAS, the Lime Quarry Committee have recommended that Polk County enter into a ⁵4-year lease on terms and conditions similar to the lease that expired on December 31, 2012.

NOW THEREFORE BE IT RESOLVED that the Polk County Board of Supervisors adopts, ratifies and enters into the "Lease Agreement with Sundbakken Farm, Inc. 2013-2017" a copy of which is attached hereto and incorporated herein.

BE IT FURTHER RESOLVED that the Polk County Board of Supervisors authorizes the Lime Quarry Manager to execute and to administer said lease agreement on behalf of Polk County.

Funding Amount: \$3,000.00 Annual Rental Income

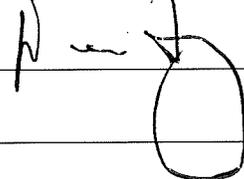
Finance Committee Advised: _____

Finance Committee Recommendation: _____

Date Submitted to County Board: January 18, 2013

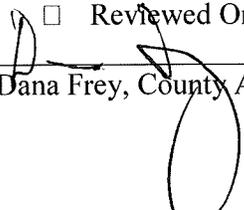
Effective Date: Upon passage ¹⁵

Submitted and Sponsored By the Polk County ~~Lime Quarry Committee~~ ADMINISTRATOR



Review By County Administrator:

- Recommended
- Not Recommended
- Reviewed Only


Dana Frey, County Administrator

Resolution No: 1 -13: Resolution to Authorize Lease of Lime Quarry Lands to Sundbakken Dairy Farm, Inc.

Review By Corporation Counsel:

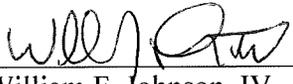
- Approved as to Form
- Recommended
- Not Recommended
- Reviewed Only



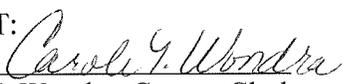
Jeffrey B. Fuge, Corporation Counsel

County Board Action:

- On the 15th day of January 2013, the Polk County Board of Supervisors adopted Resolution No. 1 -13: Resolution to Authorize Lease of Lime Quarry Lands to Sundbakken Dairy Farm, Inc., by a majority vote of supervisors of in favor and against. *by unanimous voice vote as amended.*



William F. Johnson, IV
Chairperson

ATTEST:  Dated this 15th day of January 2013.
Carole T. Wondra, County Clerk

(Space Reserved for Recording)

LEASE AGREEMENT WITH SUNDBAKKEN FARM, INC.
(2013-2017)

This Lease Agreement is entered into Polk County (Lessor) and SundBakken Dairy Farm, Inc., 480 200th Street, Osceola, Wisconsin 54020, (Lessee), on the following terms and conditions:

1. Lessor agrees to lease to Lessee the premises consisting of approximately 30.0 acres, being part of the land described as the NE1/4 of the NE1/4 of Section 10, Town 32 North, Range 18West (S.10-T.32N-R.18W), Town of Alden, County of Polk, State of Wisconsin.
2. The term of this lease shall be for a period of five (5) years, commencing on January 1, 2013 and expiring on December 31, 2017.
3. Lessee understands that said leasehold interest is non-exclusive in that Polk County reserves the right to possess in the future a part of the 30.0 acres for the purpose of mining lime provided that Lessor provide written notice of intent to possess by January 1 of each subsequent year. Lessee agrees that upon said notice, Lessee shall agree to partial release of certain legal lands as legally described by Polk County in said notice.
4. Lessor shall survey at its expense the initial 30.0 acres and any portion thereof to be released by Lessee in the second year and subsequent years of this Lease Agreement.
5. The rental rate is \$100.00 per acre for an annual rent. The initial year's rent shall be \$3,000.00. Lessee shall pay the annual rent in installments. Lessee shall pay the first rental installment of \$1,500.00 immediately with acceptance of this Lease Agreement and the balance of the annual rent no later than 6 months following the date of Lessee's acceptance.
6. The annual rental payment for the second and subsequent years will be reduced consistent with the acreage the possession of which is returned to Lessor pursuant to paragraph 3 above. The annual rental payment for the second and subsequent years

of this Lease Agreement shall be paid in installments. Lessee shall pay the first installment on or before January 31 and Lessee shall pay the second installment by June 30. To the extent that Lessor gains possession of any of the premises as provided above, the rental rate will be adjusted downward on a per acre basis.

7. Lessee agrees that it will use acceptable agricultural management practices on the premises so as to conserve soil prevent erosion. Lessee shall engage in no-till farming on premises subject to this Lease Agreement.
8. Lessee shall carry liability insurance for premises under this lease. Within 30 days from the date of execution of this Lease by Lessee, Lessee shall provide Lessor with a certificate of insurance evidencing such coverage.

For Lessee: Sundbakken Dairy Farm, Inc.

By: _____
Bradley Johnson
Title: President
480 200th Street
Osceola WI 54020
715-755-2170

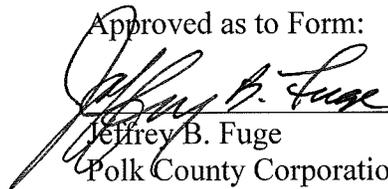
Dated: _____

For Lessor: Polk County Lime Quarry

David Peterson, Manager
Polk County Lime Quarry

Dated: _____

Approved as to Form:



Jeffrey B. Fuge
Polk County Corporation Counsel

Dated: 1-03-2013

STATE OF WISCONSIN)
) SS
COUNTY OF POLK)

I, Carole T. Wondra, Clerk for Polk County, do hereby certify that the attached is a true and correct copy of Resolution No. 1-13 that was adopted by the Polk County Board of Supervisors on January 15, 2012.

Carole T. Wondra 1-16-13
Carole T. Wondra Date
Polk County Clerk