

1 Polk County Board of Supervisors

2 Resolution No. 74-17

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

4
5 TO THE HONORABLE BOARD OF SUPERVISORS OF THE COUNTY OF POLK, WISCONSIN:

6 Ladies and Gentlemen:

7 WHEREAS, the County of Polk has leased certain Lime Quarry lands to Sundbakken Farm, Inc., for agricultural
8 purposes; and

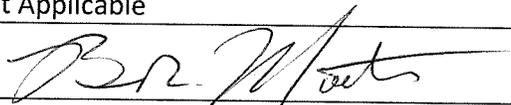
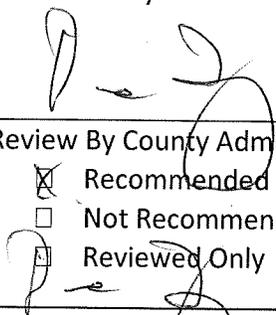
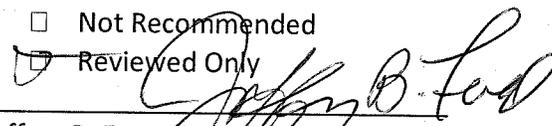
9 WHEREAS, Sundbakken Farm, Inc., has interest in continuing to lease said lands on similar terms of the current
10 5-year lease, which expires on December 31, 2017; and

11 WHEREAS, after consulting the Lime Quarry Supervisor, the County Administrator has recommended to renew
12 the lease agreement for a term of 5-years commencing January 1, 2018 and on other terms and conditions
13 which are set forth in the proposed "Lease Agreement With Sundbakken Farm, Inc."

14 NOW, THEREFORE, BE IT RESOLVED that, pursuant to Wisconsin Statute Sections 59.52(6), the Polk County
15 Board of Supervisors authorizes a lease to Sunbakken Farm, Inc. certain Lime Quarry lands consisting of 30.0
16 acres and located in that parcel of land described as the NE ¼ of the NE ¼ of Section 10, Town 32 North, Range
17 18 West, Town of Alden, Polk County, State of Wisconsin, and on terms and conditions contained in the "Lease
18 Agreement with Sundbakken Farm, Inc.", as attached hereto and incorporated herein.

19 BE IT FURTHER RESOLVED that the Polk County Board of Supervisors directs the County Clerk to execute said
20 lease agreement.

Polk County Board of Supervisors
 Resolution No. 74-17
 Resolution to Authorize Lease of Lime Quarry Lands to Sundbakken Farm, Inc.

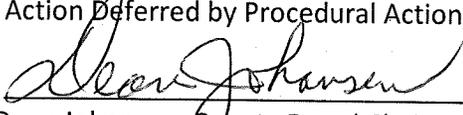
Funding Source/ Funding Amount:	\$3,000 Annual Income
Date Reviewed as to Appropriations:	Not Applicable
Committee Recommendation as To Appropriation: <i>Recommended</i>	
Effective Date:	Upon Passage /January 1, 2018
Dated Submitted To County Board	November 14, 2017
Submitted By:	_____
Review By County Administrator: <input checked="" type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input checked="" type="checkbox"/> Reviewed Only  Dana Frey, County Administrator	Review By Corporation Counsel: <input checked="" type="checkbox"/> Approved as to Form <input type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input checked="" type="checkbox"/> Reviewed Only  Jeffrey B. Fuge, Corporation Counsel

Acknowledgement of County Board Action

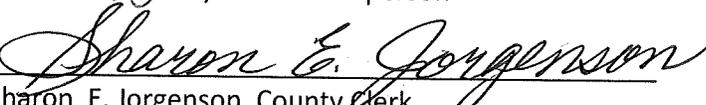
At its regular business meeting on the ^{18th Dec} ~~14th of November~~ 2017, the Polk County Board of Supervisors considered and acted on the above resolution, Resolution No. 74-17: Resolution to Resolution to Authorize Lease of Lime Quarry Lands to Sundbakken Farm, Inc., as follows:

- Enacted by simple majority of all members, by a vote of _____ in favor and _____ against.
- Enacted by unanimous vote. *voice*
- Defeated by a vote of _____ in favor and _____ against.
- Defeated by voice vote.
- Action Deferred by Procedural Action, as follows: _____

SIGNED BY:



 Dean Johansen, County Board Chairperson

Attest: 
 Sharon E. Jorgenson, County Clerk

COPY

POLK COUNTY CORPORATION COUNSEL

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LEGAL ASSISTANT
NIKIE HICKS

December 19, 2017

Sundbakken Inc.
c/o: Mr. Bradley Johnson, President
480 200th Street
Osceola, WI 54020

Re: Polk County/Sundbakken, Inc. Lease (Lime Quarry) Agreement

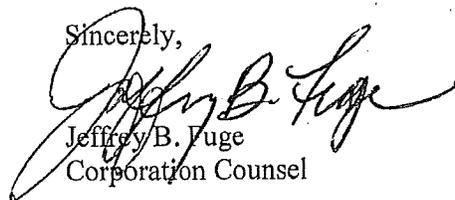
Dear Mr. Johnson:

Attached please find in duplicate original the above referenced lease agreement, executed by the County Clerk. Please sign and date each original where appropriate and return one original in the self-addressed stamped envelope.

Please retain the second fully signed original.

If you have any questions regarding the lease agreement or its execution, please call me. Thank you.

Sincerely,



Jeffrey B. Fuge
Corporation Counsel

Enclosure

cc: Mr. Dave Peterson, Lime Quarry Supervisor
Ms. Maggie Wickre, Finance Director
Ms. Sharon Jorgenson, County Clerk

(Space Reserved for Recording)

LEASE AGREEMENT WITH SUNDBAKKEN, INC. (2018-2022)

This Lease Agreement is entered into by and between Polk County (Lessor) and SundBakken, 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 NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 10, Town 32 North, Range 18 West (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, 2018 and expiring on December 31, 2022.
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 year 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, Inc.

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

For Lessor: Polk County

By: Sharon Jorgenson Dated: 12-19-17
Sharon Jorgenson, County Clerk

Approved as to Form

Jeffrey B. Fuge 12-19-2017
Jeffrey B. Fuge
Polk County Corporation Counsel

Cc: . Dave Peterson, Lime Quarry Supervisor
Maggie Wickre, Finance Director

