

The “Adler (aka Hansen Family) Property” Project

Summary

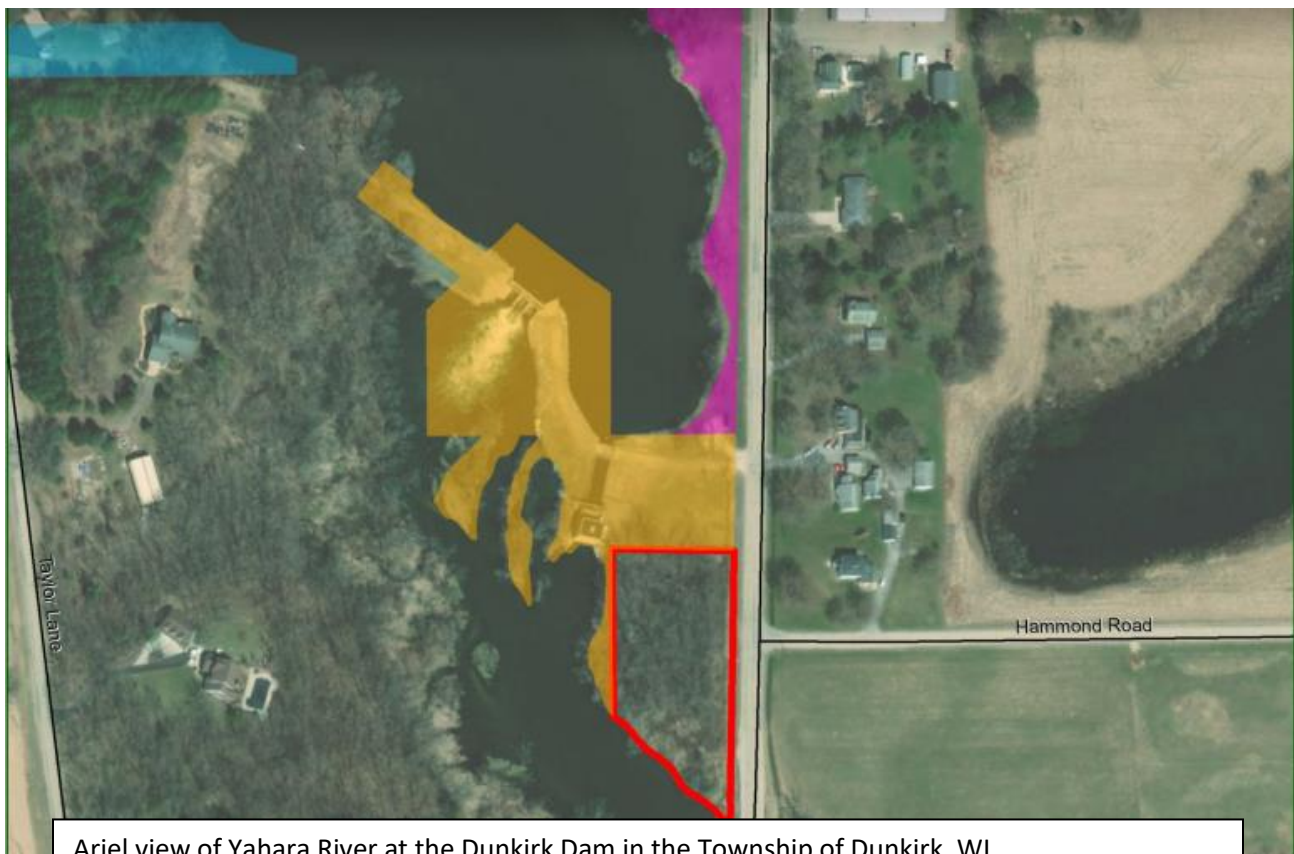
August 2020: The Dunkirk Dam Lake District was approached by the Adler family regarding their property in Dunkirk located on Hwy N, just south of the Dunkirk Dam. This property has been in the Adler family for three generations. The Adler sisters expressed interest in selling/donating the property to the DDLD.

February 2023: Success! The of two-year effort to acquire the Adler property concludes. This property extends the public land, including Lyons Memorial Park, and the DDLD property around and below the dam, to include the 1.3 acre riverfront property that extends south to the Hwy N bridge. Solidified by a Memorandum of Agreement, this has been a collaborative effort with the Town of Dunkirk, the DDLD, and Groundswell Conservancy. Many thanks to Kate McGinnity, Dane County Supervisor for providing guidance throughout this process.

Project History

| Date | Activity |
|------------------|--|
| August 2020 | Adler family reaches out to DDLD re interest in acquiring family land owned by Adlers for 75 years. (Tax assessment \$10,900) |
| Spring 2021 | Dane County expresses interest in purchasing land and donating it to Town of Dunkirk, and orders formal appraisal, which comes back as \$33,000.00. Kate McGinnity, Dane County Supervisor provides guidance and investigates resources. |
| Summer 2021 | Dane County decides that they won't purchase the land, but encourages Dunkirk/DDLD to apply for grant money to buy it. |
| October 2021 | DDLD votes at annual meeting to move forward in applying for grant funding to purchase the Adler Property. |
| November 2021 | Groundswell Conservancy agrees to apply for the grant money to purchase the Adler Property, carry out all real estate transactions, and then donate the land to the Town of Dunkirk after purchase. |
| December 2021 | <p>Groundswell Conservancy distributes a Memorandum of Agreement (MOA) between the Conservancy, Town of Dunkirk, and DDLD. Once signed, MOA will be posted on the DDLD website.</p> <p>MOA Key Provisions:</p> <ul style="list-style-type: none"> • The Property will be used only for conservation and nature-based recreation purposes. • At the time of donation of the Property from the Conservancy to the Town, the state and county grant contracts associated with the grant awards would be assigned to the Town. • If the Conservancy is successful in acquiring the Property, the Town agrees to accept donation of the Property. The Town and the Lake District agree to cooperate to prepare the Property for use as a river access and fishing area, including the preparation and implementation of a Land Management Plan.* • *To be amended to read “Parks and Open Space Plan” • Should the Lake District and/or the Town erect a sign on the Property regarding the name or other designation of the Property, they agree to include the logo of the Conservancy on the sign in recognition of the Conservancy's role in acquiring the Property. |
| January 13, 2022 | <p>Purchase agreement presented to Adlers by Groundswell</p> <ul style="list-style-type: none"> • Market value of \$33,000 |

| | |
|------------------|--|
| | <ul style="list-style-type: none"> • 3 contingencies • Title in marketable condition • No environmental hazards • Success at receiving State and County grants • Closing by the end of 2022 • Groundswell covers various transaction costs • Future owner will put up a bench commemorating the family's ownership of the property |
| January 19, 2022 | <p>Form a new Committee: "Friends of the Park" *</p> <p>Residents of the Town of Dunkirk, including DDLD Members</p> <ul style="list-style-type: none"> • Formulate a "Parks & Open Space Plan" • Consider opportunities improve the property surrounding the Dunkirk Dam as a river access and fishing area. • Incorporate recommendations within the Aquatic Plant Management Plan to address plant overgrowth and promote native species. <p>*Working title; once formed, the group will name themselves</p> |
| February, 2022 | MOA (see below) signed between Groundswell, Township of Dunkirk, and DDLD. Property to be referred to as the "Hansen Family" property. |
| April, 2022 | Laura Davis reported at the DDLD quarterly meeting 4.20.22 that Groundswell made an offer to the Hansen family at the appraised value plus real estate costs. The offer was accepted. The family understands the lengthy process that Groundswell will undertake to secure grants to pay for the purchase. The family stated they are willing to wait as their primary goal is that the property be preserved for public use. |



Ariel view of Yahara River at the Dunkirk Dam in the Township of Dunkirk, WI.

- Hwy N is the north/south vertical road in the middle of the photo
- Adler property is outlined in red
- Yellow area is owned by the DDLD
- Pink area is owned by Dunkirk

Project timeline continued after the photos.



Aerial photo looking north up the Yahara River.
Hwy N is the vertical road in the photo on the right.
The Adler property is the treed area.



DDL
Dunkirk
Dam
parking
area

Aerial photo looking east showing the Yahara River & the Dunkirk Dam.
Hwy N is the horizontal road and bridge toward the top of the photo.
The Adler property is the treed area.

The “Adler (aka Hansen Family) Property” Project Summary Continued

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|--------------------------|---|
| August 2022 | Approved: Dane County Conservation Fund approves grant submitted by Groundswell Conservancy. Funds are from the “Knowles Nelson Stewardship” fund. \$19,000 |
| August 2022 | Approved: State of Wisconsin DNR grant submitted by Groundswell Conservancy. Funds are from the “Stewardship Urban Greenspace” fund. \$18,500 |
| January 2023 | <p>Summary from “A Note from the Chair” (Laura Davis) in the DDLD newsletter:</p> <p>I'm thrilled to share wonderful news about the success of our two-year effort to acquire the Adler property that will extend the public land, including Lyons Memorial Park, and the DDLD property around and below the dam, to include the 1.3 acre riverfront property that extends south to the Hwy N bridge. Solidified by a Memorandum of Agreement, this has been a collaborative effort among the Town of Dunkirk, the DDLD, and Groundswell Conservancy. Groundswell is a nonprofit organization that successfully applied for and received grants from the Dane County DNR and the Wisconsin DNR to fund the land purchase. The final closings for the purchase of the land by Groundswell and the transfer of ownership to the Town of Dunkirk are expected by the end of January. Our DDLD property will be sandwiched between two Township properties, so we have a major stake in our collaborative effort to improve, preserve and protect the land. DDLD's part in the agreement will be to take the lead in stewardship of the beautiful property. I will be chairing the Stewardship Committee and plan to convene our first meeting in mid-February sometime. The Committee will have members from both the DDLD and the broader Dunkirk Township. Our agenda will be focused on seeking DNR guidance and grant support for park improvements, including the installation of accessible kayak/canoe slips and fishing piers above and below the dam, with an accessible portage between them. Our first improvements have already been made by the DDLD: two huge and sturdy picnic tables. Next stop, trash receptacles! We're not looking for a large group, but if you're interested in joining the Stewardship Committee, please write to us through the DDLD website.</p> |
| January 2023 | Real estate property closed. Groundswell Conservancy now owns the property. They will deed the property over to the Township of Dunkirk per the MOA. |
| February 2023 FORWARD | Stewardship Committee walks the property and creates a vision to determine land use preservation and protection with future projects and funding. (In March, DDLD Chair, Laura Davis meets with DNR to receive guidance, resources, and funding ideas for improvements to this property.) |

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**MEMORANDUM OF AGREEMENT
BETWEEN THE DUNKIRK DAM LAKE DISTRICT, THE TOWN OF DUNKIRK, AND
GROUNDSWELL CONSERVANCY, INC.**

This Agreement is made by and between the Dunkirk Dam Lake District (a special purpose unit of government established under Chapter 33 of the Wisconsin Statutes hereinafter known as the “Lake District”), the Town of Dunkirk (a municipal corporation hereinafter known as the “Town”) and Groundswell Conservancy, Inc., (a Wisconsin non-stock corporation hereinafter known as the “Conservancy”) and is effective upon the date that all parties have signed hereunder.

WHEREAS, the ~1.6-acre Adler Property (hereinafter known as the “Property” and generally depicted on the attached Exhibit A) is located adjacent to the Yahara River and has the potential to provide public open space along the river and a point of access to the river for boaters and fishers;

WHEREAS, the Property is adjacent to lands owned and managed by the Lake District, whose goal is to maintain, protect, and improve the approximately two-mile stretch of the Yahara River designated as the Dunkirk Dam Lake District;

WHEREAS, the goal of improving access to the river is identified as Primary Goal #5 of the Dane County Parks and Open Space Plan 2018-2023, “Protect lakes, rivers and streams, including shorelines, wetlands, high infiltration areas and associated vegetative buffers to maintain high water quality, manage water quantity and sustain water-related recreation throughout Dane County”;

WHEREAS, the Property owner has expressed interest in selling the Property for public conservation purposes;

WHEREAS, the Lake District, Town, and Conservancy desire to work cooperatively in order to complete the acquisition of the Property as part of the complex of Lake District and Town lands in the vicinity of the Dunkirk Dam;

WHEREAS, the Lake District, Town, and Conservancy desire and intend to set forth the more specific terms under which they propose to cooperatively acquire the Property.

NOW THEREFORE, the Lake District, Town, and Conservancy agree as follows:

GENERAL AGREEMENT

1. The Conservancy agrees to attempt to acquire the Property on behalf of the Lake District and Town, at or below the fair market value of the Property as determined by the Albert appraisal commissioned by Dane County, obtaining a legal description of the Property, commissioning a Phase I Environmental Hazards Assessment of the Property, ordering a title commitment for the Property, securing a purchase agreement with the Landowner, and completing the acquisition of the Property and its subsequent donation to the Town.
2. The Conservancy agrees to attempt to secure acquisition funds to purchase the Property from the Knowles-Nelson Stewardship Program and the Dane County Conservation Fund. The Lake District, Town, and Conservancy acknowledge that these grant programs, if awarded, provide funds for the acquisition of the Property as well as for the reimbursement of certain transaction action costs, including environmental hazards assessments and the title policy. The Lake District and the Town acknowledge that the Dane County Conservation Fund grant, if awarded, also provides a service fee of approximately \$5,000 that would cover the Conservancy’s staff and transaction costs to complete the proposed acquisition of the Property. The Lake District and the Town agree to endeavor to obtain resolutions in support of these grants from their governing bodies.
3. The Lake District and the Town acknowledge that upon acquisition, the Property will be encumbered by deed restrictions required by the Knowles-Nelson Stewardship Program and the Dane County

Conservation Fund to ensure that the Property is used only for conservation and nature-based recreation purposes. At the time of donation of the Property from the Conservancy to the Town, the state and county grant contracts associated with the grant awards would be assigned to the Town.

4. If the Conservancy is successful at acquiring the Property, the Town agrees to accept donation of the Property. The Town and the Lake District agree to cooperate to prepare the Property for use as a river access and fishing area, including by the preparation and implementation of a Parks and Open Space Plan for the Property. The Town and Lake District also agree to place a bench on the Property with a plaque commemorating the Hansen Family name. The Town and the Lake District will finalize the wording of the plaque with the Property owners.

5. Should the Lake District and/or the Town erect a sign on the Property regarding the name or other designation of the Property, they agree to include the logo of the Conservancy on the sign in recognition of the Conservancy's role in acquiring the Property.

6. The Lake District, Town, and Conservancy agree to endeavor to complete the acquisition and donation of the Property to the Lake District and Town by December 1, 2022.

7. This Memorandum of Agreement may be amended at any time by the agreement of all parties.

Dated this ____ day of _____, 2022.

DUNKIRK DAM LAKE DISTRICT

By: _____

Its: _____

TOWN OF DUNKIRK

By: _____

Its: _____

GROUNDSWELL CONSERVANCY

By: *Jim Webb*

Its: Executive Director

6. The Lake District, Town, and Conservancy agree to endeavor to complete the acquisition and donation of the Property to the Lake District and Town by December 1, 2022.

7. This Memorandum of Agreement may be amended at any time by the agreement of all parties.

Dated this 7 day of February 2022.

DUNKIRK DAM LAKE DISTRICT

By: Laura Davis
Its: Chair, DDL District Commissioners

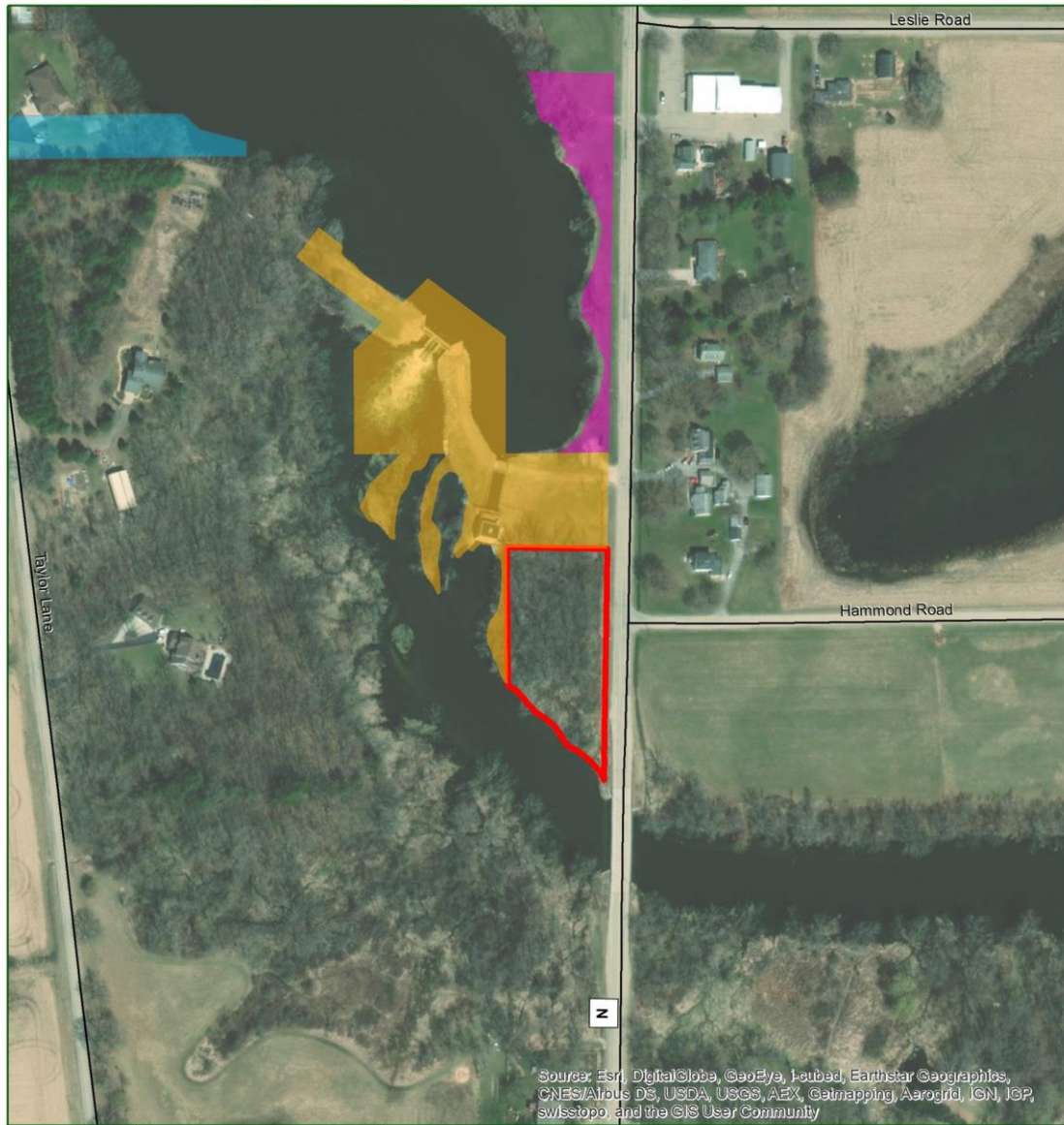
TOWN OF DUNKIRK

By: Ted Olson Daniel Jenke
Its: Dunkirk Town Board

GROUNDSWELL CONSERVANCY




By: Jim Webb
Its: Executive Director

Exhibit A. Property Depiction



Source: Esri, DigitalGlobe, GeoEye, I-cubed, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

0 430 860 1,720 Feet

-  Adler Parcel
-  Dunkirk Dam Lake District Parcels
-  Town of Dunkirk Property

DDLD/Adler/MOA Exhibit A

