



Legislation Details (With Text)

**File #:** 19-2015      **Version:** 1      **Name:** 11/4/19 Participation Agreement for Moehrle Property (Greenbelt)  
**Type:** Resolution      **Status:** Passed  
**File created:** 11/4/2019      **In control:** City Council  
**On agenda:** 11/4/2019      **Final action:** 11/4/2019  
**Enactment date:** 11/4/2019      **Enactment #:** R-19-480

**Title:** Resolution to Approve Participation in the Purchase of a Conservation Easement on the Moehrle Property in Ann Arbor Township, Approve a Participation Agreement with Ann Arbor Township and Washtenaw County Parks and Recreation Commission, and Appropriate \$186,500.00 (8 Votes Required)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Moehrle Aerial Map.pdf, 2. Moehrle Protected Map.pdf

| Date      | Ver. | Action By    | Action   | Result |
|-----------|------|--------------|----------|--------|
| 11/4/2019 | 1    | City Council | Approved | Pass   |

Resolution to Approve Participation in the Purchase of a Conservation Easement on the Moehrle Property in Ann Arbor Township, Approve a Participation Agreement with Ann Arbor Township and Washtenaw County Parks and Recreation Commission, and Appropriate \$186,500.00 **(8 Votes Required)**

This resolution approves a participation agreement with Ann Arbor Township and Washtenaw County Parks and Recreation Commission for the purchase of a conservation easement on a 114-acre property owned by Otto and Carolyn Moehrle in Ann Arbor Township. The resolution also approves an appropriation of funds not to exceed \$186,500.00 (16.6% of purchase price) from Open Space and Parkland Preservation Millage proceeds for the purchase.

The landowners applied to the Ann Arbor Township Purchase of Development Rights Program and the Township has been the lead agency in the negotiations with the landowners. The Township commissioned an appraisal, completed in 2019, that determined the fair market value of a conservation easement on the property to be \$1,119,000.00. The Township is the lead agency and will be the holder of the conservation easement. In addition to the acquisition costs below, the Township will cover due diligence and closing costs.

**Moehrle Property, Ann Arbor Township**

The property is approximately 114 acres and is located in Section 4 of Ann Arbor Township with legal access from Joy Road. It is owned by Otto and Carolyn Moehrle. The property scored in the top 37% of open space applications received by the Greenbelt Program in the scoring system developed and approved by the Greenbelt Advisory Commission. The property contains 13 acres of forest and 35 acres of wetlands. The property is located adjacent to the Northfield Woods Preserve owned by Washtenaw County and is within 0.25 miles of the Braun conservation easement purchased with funds from the Open Space and Parkland Preservation Millage. The Greenbelt Advisory Commission considers this parcel a priority for acquisition due to its size, proximity to other protected properties,

and possibility to leverage funds with township and County funding. The Commission recommended approving the participation agreement at their September 5, 2019 meeting.

**Project Budget:**

|                                |                       |
|--------------------------------|-----------------------|
| <b>Total Acquisition Costs</b> | <b>\$1,119,000.00</b> |
| City of Ann Arbor              | \$186,500.0016.6%     |
| Washtenaw County               | \$186,500.0016.6%     |
| Ann Arbor Township             | \$186,500.0016.6%     |
| NRCS Grant Funds               | \$559,500.0050%       |

Staff recommends approval.

Prepared by: Remy Long, Greenbelt Program Manager, The Conservation Fund

Reviewed by: Derek Delacourt, Community Services Area Administrator  
Christopher M. Frost, Senior Assistant City Attorney

Approved by: Howard S. Lazarus, City Administrator

Whereas, Chapter 42 of Ann Arbor City Code establishes the Greenbelt District and authorizes the City to purchase conservation easements on property within the district with Open Space and Parkland Preservation Millage proceeds;

Whereas, Chapter 42 of Ann Arbor City Code authorizes City Council to enter into agreements for joint acquisition of conservation easements in the Greenbelt District with other government agencies;

Whereas, The fair market value for the conservation easement on the Moehrle property was determined by an appraisal as required by Section 1:320 of Ann Arbor City Code;

Whereas, The purchase price for the conservation easement is \$1,119,000.00, of which Washtenaw County Parks and Recreation has offered to pay \$186,500.00, Ann Arbor Township has offered to pay \$186,500.00 plus due diligence and closing costs, and \$559,500.00 is from federal grant funds from NRCS;

Whereas, Scio Township, as the lead agency on this purchase, will be the holder of the conservation easement; and

Whereas, At its September 5, 2019 meeting, the Greenbelt Advisory Commission recommended entering into a participation agreement with Scio Township and Washtenaw County Parks and Recreation Commission for the purchase of the conservation easement, with the City contributing up to \$186,500.00;

RESOLVED, That the Mayor and City Clerk are authorized and directed to execute a participation agreement with Ann Arbor Township and Washtenaw County Parks and Recreation Commission for the purchase of a conservation easement on the Moehrle property after approval as to form by the City Attorney and as to content by the City Administrator;

RESOLVED, That \$186,500.00 is appropriated for contribution toward the purchase of the conservation easement on the Moehrle property from the Open Space and Parkland Preservation Millage proceeds for the life of the project without regard to fiscal year;

RESOLVED, That the contribution is contingent upon the approval by the City of the conservation

easement document and appropriate due diligence, including review of title work, an environmental assessment, and survey; and

RESOLVED, That the City Administrator is authorized to take all appropriate action to implement this resolution, including the determination of satisfactory due diligence and execution of all appropriate documents.