



## Legislation Text

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File #: 09-0923, Version: 1

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### Resolution to Approve Participation Agreement with Webster Township and Appropriate \$590,257.00 from Open Space and Parkland Preservation Millage Bond Proceeds **(8 Votes Required)**

Attached for your review and action is a resolution to approve a Participation Agreement with Webster Township for the purchase of development rights on the Webster United Church of Christ Farm, tax parcel ID numbers C-03-26-200-006, C-03-26-200-008, C-03-26-300-003, in Webster Township. The resolution also approves an appropriation of funds in the amount of \$590,257 from the Open Space and Parkland Preservation Bond Proceeds to complete this acquisition.

On May 18, 2009, Council approved a resolution (R-09-190) to submit an application to the Federal Farm and Ranchland Protection Program (FRPP) for the purchase of development rights on the Webster United Church of Christ Farm. The resolution approved the purchase of development rights, contingent on award of the Farm and Ranchland Protection Program grant funds. On June 25, 2009, the City received a letter from FRPP that the City was not awarded a grant for the property.

Since the grant funds were not received from FRPP, the landowners are willing to donate an additional 23 acres of land as a contribution. The additional 23 acres includes quality forestland, with oaks, shagbark hickory, black cherry and red maple. The additional acreage also includes Scadin Lake, which drains into the Arms Creek and is part of the Huron River Watershed. The total acreage included in the conservation easement will be approximately 94.4 acres.

The parent parcel is approximately 113.11 acres and is currently in agricultural production. The landowner is excluding approximately 18.69 acres from the easement, which include the buildings. The property is considered large enough to sustain agricultural production and is in a location that will encourage additional farmland preservation and agricultural preservation activities. The Farm is located in close proximity to two other farms, already protected by the City's Greenbelt program, the Bloomer Farm and the Cares Farm. Furthermore, other applications have been received from landowners in the area, providing more opportunities to add to the block of already protected farmland.

Webster Township has pledged to partner with the City and to contribute \$77,000.00 toward the purchase price. Webster Township's contribution is from their Land Preservation millage, and the City's share is from the Open Space and Parkland Preservation Millage Bond Proceeds.

### **Project Budget:**

Purchase Price:

Appraised Value (65 acres) - \$613,000

Purchase Price - 613,000

Webster Township - (77,000)

City Portion - \$536,000

*\$5,676 / acre*

Additional Costs:

Closing and Due Diligence - \$ 18,390

Endowment Costs - 23,867

Total City Contribution - \$590,257

Approval of the Participation Agreement and appropriation of the funds in the amount of \$590,257.00 was recommended by the Greenbelt Advisory Commission at the September 9, 2009 meeting.

Prepared by: Ginny Trocchio, The Conservation Fund

Reviewed by: Jayne Miller, Community Services Area Administrator

Whereas, Chapter 42 of the Ann Arbor City Code establishes the Greenbelt District and enables the City to purchase development rights on property within the district;

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

Whereas, Purchase of Development Rights may be funded through the Open Space and Park Land Preservation Millage Bond Proceeds;

Whereas, Sufficient funds in the Open Space and Parkland Preservation Bond Proceeds are available for the expenditure;

Whereas, Webster Township has pledged \$77,000.00 from their Land Preservation Millage as contribution for the purchase of development rights; and

Whereas, The Greenbelt Advisory Commission supports approval of the Participation Agreement with Webster Township and the expenditure of funds;

RESOLVED, That City Council approve a Participation Agreement with Webster Township for the purchase of development rights on the Webster United Church of Christ Farm, tax parcel ID numbers C-03-26-200-006, C-03-26-200-008, C-03-26-300-003, in Webster Township;

RESOLVED, That City Council appropriate \$590,257.00 from the Open Space and Parkland Preservation Millage Bond Proceeds for the purchase of development rights on this property for the life of the project without regard to fiscal year;

RESOLVED, That the Mayor and City Clerk are authorized and directed to execute the Participation Agreement defining each party's interest in the acquisition and if required, any supplemental documents necessary to document the appropriation of funds for the purchase of development rights on this Webster Township property, after approval as to substance by the City Administrator and as to form by the City Attorney; and

RESOLVED, That the City Administrator be authorized to take all necessary administrative actions to implement this resolution.