



## Legislation Details (With Text)

**File #:** 12-0207      **Version:** 1      **Name:** 3/5/12 Development Rights on Newton Farm Property  
**Type:** Resolution      **Status:** Passed  
**File created:** 3/5/2012      **In control:** City Council  
**On agenda:** 3/5/2012      **Final action:** 3/5/2012  
**Enactment date:** 3/5/2012      **Enactment #:** R-12-082

**Title:** Resolution to Approve Participation Agreement with Ann Arbor Township for the Purchase of Development Rights on the Newton Farm Property in Ann Arbor Township, and Appropriate Funds, Not to Exceed \$85,726.00 from the Open Space and Parkland Preservation Millage Proceeds (8 Votes Required)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. DB-1ATT1 - parcel map.pdf, 2. DB-1ATT2 - Greenbelt map.pdf

Date	Ver.	Action By	Action	Result
3/5/2012	1	City Council	Approved	Pass

Resolution to Approve Participation Agreement with Ann Arbor Township for the Purchase of Development Rights on the Newton Farm Property in Ann Arbor Township, and Appropriate Funds, Not to Exceed \$85,726.00 from the Open Space and Parkland Preservation Millage Proceeds **(8 Votes Required)**

Attached for your review and action is a resolution to approve a Participation Agreement with Ann Arbor Township for the purchase of development rights on the farm owned by James K. Newton et al in Ann Arbor Township. Ann Arbor Township will be responsible for monitoring the conservation easement. The resolution also approves an appropriation of funds for 25.5% of the purchase price for the conservation easement and 50% of due diligence costs, for a total contribution not to exceed \$85,726 from the Open Space and Parkland Preservation Millage Proceeds.

The Newton family applied to the Ann Arbor Township Land Preservation program and the Township has been the lead agency in the negotiations with the landowner. Ann Arbor Township is seeking the support from the City of Ann Arbor for 25.5% of the purchase price for the conservation easement. The Township received a grant from USDA Farm and Ranchland Protection Program for 49% of the appraised value. The appraised value of the development rights on the property is \$323,828.00.

Details of the budget for acquisition of development rights are as follows:

Appraised Value =	\$323,828.00
FRPP grant =	\$158,676.00
Township contribution =	\$ 82,576.00
City contribution =	<u>\$ 82,576.00</u>
Total purchase price =	\$323,828.00

City contribution:  
Purchase Price for the  
conservation easement =\$82,576.00  
50% Due Diligence =\$ 3,150.00  
Total City costs = \$85,726.00

The parcel is 58.85 acres and a portion is currently in agricultural production. The property is adjacent to additional farms already protected by Ann Arbor Township and the City's Greenbelt Program.

Ann Arbor Township's share is from their Land Preservation Millage, and the City's share is from the Open Space and Parkland Preservation Millage Proceeds.

Approval of the Participation Agreement and appropriation of funds for the purchase of development rights and due diligence was recommended by the Greenbelt Advisory Commission at their February 2, 2012 meeting.

Prepared by: Ginny Trocchio, The Conservation Fund

Reviewed by: Sumedh Bahl, Community Services Area Administrator

Approved by: Steven D. Powers, City 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 Proceeds;

Whereas, There are sufficient funds in the Open Space and Parkland Preservation Millage Proceeds available for the expenditure;

Whereas, Ann Arbor Township has matching funds available for the purchase of development rights on the Newton farm property; and

Whereas, The Greenbelt Advisory Commission supports approval of the Participation Agreement with Ann Arbor Township for the purchase of development rights on the Newton farm and expenditure of funds at its February 2, 2012 meeting;

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 the Newton farm property, after approval as to form by the City Attorney; and

RESOLVED, That \$85,726.00 be appropriated for the purchase of development rights for the Newton farm from the Open space and Parkland Preservation Millage Proceeds for the life of the project without regard to fiscal year.