



## Legislation Details (With Text)

**File #:** 21-0040      **Version:** 1      **Name:** 2/1/21 Conservation Easement for Andres West Property  
**Type:** Resolution      **Status:** Passed  
**File created:** 2/1/2021      **In control:** City Council  
**On agenda:** 2/1/2021      **Final action:** 2/1/2021  
**Enactment date:** 2/1/2021      **Enactment #:** R-21-031  
**Title:** Resolution to Approve Participation in the Purchase of a Conservation Easement on the Frederick G. Andres Trust West Property in Scio Township, Approve a Participation Agreement with Scio Township, and Appropriate \$230,809.00 (8 Votes Required)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Andres Trust Protected Map.pdf, 2. Andres Trust Aerial Map.pdf, 3. Andres Scoring.pdf

Date	Ver.	Action By	Action	Result
2/1/2021	1	City Council	Approved	Pass

Resolution to Approve Participation in the Purchase of a Conservation Easement on the Frederick G. Andres Trust West Property in Scio Township, Approve a Participation Agreement with Scio Township, and Appropriate \$230,809.00 **(8 Votes Required)**

This resolution approves a participation agreement with Scio Township for the purchase of a conservation easement on a 78.176-acre property owned by the Frederick G. Andres Trust in Scio Township. The resolution also approves an appropriation of funds not to exceed \$230,809.00 (28.15% of purchase price) from Open Space and Parkland Preservation Millage proceeds for the purchase.

The landowners applied to the Scio 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 July 2020, that determined the fair market value of a conservation easement on the property to be \$820,000.00. 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.

### **Frederick G. Andres Trust West Property, Scio Township**

The property is approximately 78.176 acres and is located in Section 33 of Scio Township with legal access from Scio Church Road. It is owned by the Frederick G. Andres Trust. The property (in conjunction with the Frederick G. Andres Trust East property) scored in the 73rd percentile of agricultural applications received by the Greenbelt Program in the scoring system developed and approved by the Greenbelt Advisory Commission. Due to the grant funding requirement, the Frederick G. Andres Trust property was divided into two distinct acquisition projects (East & West), which combined represent a 158.992-acre conservation easement acquisition. The Frederick G. Andres Trust East and West properties are located adjacent to Scio Township's 64-acre White conservation easement and also adjacent to Legacy Land Conservancy's 30-acre Ufer conservation

easement. 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 federal funding. The Commission recommended approving the participation agreement and funding at their August 6, 2020 meeting.

**Project Budget:**

<b>Total Acquisition Costs</b>	<b>\$820,000.00</b>
City of Ann Arbor	\$230,809.0028.15%
Scio Township	\$230,809.0028.15%
NRCS (Federal grant)	\$358,382.00 43.71%

Staff recommends approval.

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

Reviewed by: Derek Delacourt, Community Services Area Administrator

Approved by: Tom Crawford, 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 Frederick G. Andres Trust West 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 \$820,000.00, of which \$358,382.00 is anticipated to come from NRCS federal grant funds and Scio Township has offered to pay \$230,809.00 plus due diligence and closing costs;

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

Whereas, At its August 6, 2020 meeting, the Greenbelt Advisory Commission recommended entering into a participation agreement with Scio Township for the purchase of the conservation easement, with the City contributing up to \$230,809.00;

RESOLVED, That the Mayor and City Clerk are authorized and directed to execute a participation agreement with Scio Township for the purchase of a conservation easement on the Frederick G. Andres Trust West property after approval as to form by the City Attorney and as to content by the City Administrator;

RESOLVED, That \$230,809.00 is appropriated for contribution toward the purchase of the conservation easement on the Frederick G. Andres Trust West 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.