# Legislation Details (With Text)

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| **File #:** | 21-0588 | **Version:** | 1 | **Name:** | 4/5/21 Resolution to Purchase Conservation Easement on DeForest Property |
| **Type:** | Resolution | | | **Status:** | Passed |
| **File created:** | 4/5/2021 | | | **In control:** | City Council |
| **On agenda:** | 4/5/2021 | | | **Final action:** | 4/5/2021 |
| **Enactment date:** | 4/5/2021 | | | **Enactment #:** | R-21-114 |

**Title:** Resolution to Approve the Purchase of a Conservation Easement on the DeForest Property in Superior Township, Approve a Participation Agreement with Washtenaw County Parks and Recreation Commission, and Appropriate $270,992?.00 (8 Votes Required)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. DeForest Superior Aerial Map 2.pdf, 2. DeForest Superior Protected Map 2.pdf

| Date | Ver. | Action By | Action | Result |
|---|---|---|---|---|
| 4/5/2021 | 1 | City Council | Approved | Pass |

Resolution to Approve the Purchase of a Conservation Easement on the DeForest Property in Superior Township, Approve a Participation Agreement with Washtenaw County Parks and Recreation Commission, and Appropriate $270,992?.00 **(8 Votes Required)**
This resolution approves the purchase of a conservation easement on the DeForest property located in Superior Township. The resolution also approves a participation agreement with Washtenaw County Parks and Recreation and appropriates up to $270,992?.00 for the purchase from the Open Space and Parkland Preservation Fund.

**DeForest Property, Superior Township**
The farm is approximately 71.5 acres and is located along Stommel Road in Superior Township. The property is adjacent to a Washtenaw County conservation easement and connects to the larger 2,000+ acre “Superior Greenway” in Superior Township. The property scored in the top 1% of all Greenbelt applications in the scoring system developed and approved by the Greenbelt Advisory Commission. The protection of this property is a priority for the Greenbelt Program due to the size and quality of the farmland, proximity to other protected properties, and possibility to leverage funds from local partners. The property also meets the priorities for the Greenbelt, Washtenaw County Parks and Recreation, and Superior Township.

An appraisal for a conservation easement on the property was completed in February 2021, which determined the fair market value to be $475,000.00.

**Project Budget:**

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| **Purchase Price** | **$475,000.00** | |
| Washtenaw County | $237,500.00 | 50% |
| Superior Township | $17,875.00 | 3.8% |
| City of Ann Arbor | $219,625.00 | 46.2% |

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| **Other Costs** | **$51,367.00** |
| Estimated Due Diligence | $20,000.00 |
| Estimated Closing Costs | $7,500.00 |
| Endowment | $23,867.00 |

**City Final Costs** **$270,992.00**

The Greenbelt Advisory Commission recommended this purchase at its March 4, 2021 meeting. Approval of the resolution is recommended by staff.

*Any reference to Lodi Township was corrected as a scrivener's error on October 14, 2022.
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 land and 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 land and easements in the Greenbelt District with other government agencies; and

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

RESOLVED, That City Council approves the purchase of a conservation easement on the DeForest property in Superior Township;

RESOLVED, That approval of the purchase is contingent upon the approval by City staff and all entities participating in the purchase of the following:

- The appraisal;
- An environmental site assessment of the property;
- A survey of the property;
- Conveyance of good and marketable title to the conservation easement; and
- Agreement to the terms and conditions of the conservation easement;

RESOLVED, That the Mayor and City Clerk are authorized and directed to execute a purchase agreement with the owner of the DeForest property reflecting the requirements of this resolution, after approval as to form by the City Attorney and as to content by the City Administrator;

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

RESOLVED, That the City Administrator is authorized to execute all other documents necessary to complete this purchase after approval as to form by the City Attorney; and

RESOLVED, That $270,992.00 is appropriated for this purchase from the Open Space and Parkland Preservation Fund for the life of the project without regard to fiscal year.