



Legislation Details (With Text)

**File #:** 22-1952      **Version:** 1      **Name:** 12/19/22 Resolution to Participate in Purchase of Cares II Conservation Easement

**Type:** Resolution      **Status:** Passed

**File created:** 1/9/2023      **In control:** City Council

**On agenda:** 1/9/2023      **Final action:** 1/9/2023

**Enactment date:** 1/9/2023      **Enactment #:** R-23-004

**Title:** Resolution to Approve Participation in the Purchase of a Conservation Easement on the Cares II Property in Webster Township, Approve a Participation Agreement with Webster Township, and Appropriate \$54,000.00 (8 Votes Required)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Cares2.pdf, 2. Cares2\_Regional.pdf

Date	Ver.	Action By	Action	Result
1/9/2023	1	City Council	Approved	Pass
12/19/2022	1	City Council	Deleted from Agenda	

Resolution to Approve Participation in the Purchase of a Conservation Easement on the Cares II Property in Webster Township, Approve a Participation Agreement with Webster Township, and Appropriate \$54,000.00 **(8 Votes Required)**

This resolution approves a participation agreement with Webster Township for the purchase of a conservation easement on a 19.04-acre property owned by John and Jean Cares in Webster Township. The resolution also approves an appropriation of funds not to exceed \$54,000.00 (35.0% of purchase price) from Open Space and Parkland Preservation Millage proceeds for the purchase.

The landowners applied to the Webster 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 2022, that determined the fair market value of a conservation easement on the property to be \$154,000.00. 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.

**Cares II Property, Webster Township**

The property is approximately 19.04 acres and is located in Section 27 of Webster Township on the corner of Farrell Road and Zeeb Road. It is owned by John and Jean Cares. The property scored in the 63<sup>rd</sup> percentile of agricultural applications received by the Greenbelt Program in the scoring system developed and approved by the Greenbelt Advisory Commission. The entirety of the property is actively farmed. The property is adjacent to the Greenbelt’s 180.644-acre Cares conservation easement with the same family; the Wolf and Sheldon easement; and Webster Township’s Smyth easement, all purchased with funds from the Open Space and Parkland Preservation Millage. These easements share borders with six additional easements, forming a 976-acre protected block of land. The Greenbelt Advisory Commission considers this Cares II parcel a priority for acquisition due to

this proximity to other protected properties. The Commission recommended approving the participation agreement at their November 3, 2022 meeting.

**Project Budget:**

<b>Total Acquisition Costs</b>	<b>\$154,000.00</b>	
City of Ann Arbor	\$54,000.00	35.0%
Webster Township	\$15,200.00	10.0%
USDA NRCS	\$54,000.00	35.0%
Landowner Donation	\$30,800.00	20.0%

Staff recommends approval.

Prepared by: Rosie Pahl Donaldson, Land Acquisition Supervisor

Reviewed by: Derek Delacourt, Community Services Area Administrator

Approved by: Milton Dohoney Jr., 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 Cares II 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 \$154,000.00, of which Webster Township has offered to pay \$69,000.00 plus due diligence and closing costs, and the landowners have offered to donate \$30,800.00;

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

Whereas, At its November 3, 2022 meeting, the Greenbelt Advisory Commission recommended entering into a participation agreement with Webster Township for the purchase of the conservation easement, with the City contributing up to \$54,000.00;

RESOLVED, That the Mayor and City Clerk are authorized and directed to execute a participation agreement with Webster Township for the purchase of a conservation easement on the Cares II property after approval as to form by the City Attorney and as to content by the City Administrator;

RESOLVED, That \$54,000.00 is appropriated for contribution toward the purchase of the conservation easement on the Cares II 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 determination of satisfactory due diligence and approval and execution of all appropriate documents.