



Legislation Details (With Text)

**File #:** 08-0138      **Version:** 1      **Name:** 03/03 - Smyth-Webster Twp Participation Agreement for Purchase of Development Rights

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

**File created:** 3/3/2008      **In control:** City Council

**On agenda:** 3/3/2008      **Final action:** 3/3/2008

**Enactment date:** 3/3/2008      **Enactment #:** R-08-087

**Title:** Resolution to Approve Participation Agreement with Webster Township for the Purchase of Development Rights on the Marjorie Smyth Farm and Appropriate Funds, Not to Exceed the Amount of \$202,500.00 from the Open Space and Parkland Preservation Bond Proceeds (8 Votes Required)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Smyth with Greenbelt and Protected Map.pdf, 2. Smyth with Greenbelt and Protected Zoomed Map.pdf

Date	Ver.	Action By	Action	Result
3/3/2008	1	City Council	Approved	Pass

Resolution to Approve Participation Agreement with Webster Township for the Purchase of Development Rights on the Marjorie Smyth Farm and Appropriate Funds, Not to Exceed the Amount of \$202,500.00 from the Open Space and Parkland Preservation 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 Marjorie Smyth Farm, tax parcel ID number C-03-28-400-001, in Webster Township and to appropriate funds, not to exceed \$202,500 from the Open Space and Parkland Preservation Bond Proceeds.

Marjorie Smyth applied to the Webster Township Land Preservation program in 2006. Webster Township applied for Federal Farm and Ranch Land Protection Program (FRPP) grant funds in 2007, and the Township was subsequently awarded an FRPP grant in the amount of \$305,000. Webster Township has been the lead agency in the negotiations with the landowner. As with any land acquisition deal in which the City is involved, a donation was requested from the landowner, however, no donation was received.

Webster Township is seeking the support from the City of Ann Arbor for funds up to \$202,500. The appraised value of the development rights on the property is \$710,000. Webster Township has received a grant from FRPP in the amount of \$305,000. The remaining purchase price is \$405,000 and the remaining purchase price would be split equally between the City and Webster Township. Thus, City's contribution would not exceed \$202,500.

The parent parcel is approximately 110 acres and is currently in agricultural production. The landowner is excluding approximately 10 acres from the easement, which include the house and farm 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 property is in close proximity to other Greenbelt protected farms. Furthermore, other

applications have been received from landowners in the area, providing more opportunities to add to the block of already protected farmland.

**Project Budget:**

Appraised Value:		\$710,000
Purchase Price:		\$710,000
<u>FRPP Grant:</u>	<u>(\$305,000)</u>	
Remaining:		\$405,000
Webster Township contribution:	\$202,500	
City of Ann Arbor contribution:	\$202,500	

Federal matching grant funds are through the Natural Resources Conservation Service, Webster Township’s share is from the Land Preservation millage, and the City’s share is from the Open Space and Parkland Preservation Bond Proceeds.

Approval of the Participation Agreement and appropriation of the funds not to exceed \$202,500, was recommended by the Greenbelt Advisory Commission at the January 9, 2008 Special 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 Bond Proceeds;

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

Whereas, Webster Township was awarded funds from the Federal Farm and Ranch Land Protection Program (FRPP) for the purchase of development rights on the Smyth Farm; and

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

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 Smyth Farm, after approval as to form by the City Attorney;

RESOLVED, That up to \$202,500 be appropriated for the purchase of development rights for this property from the Open Space and Parkland Preservation Bond Proceeds for the life of the project without regard to fiscal year; and

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