



Legislation Details (With Text)

File #: 18-0940 **Version:** 1 **Name:** 6/4/18 Participation Agreement for Shatter Family Trust

Type: Resolution **Status:** Passed

File created: 6/4/2018 **In control:** City Council

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Title: Resolution to Approve Participation Agreement with Legacy Land Conservancy, Salem Township, and Washtenaw County Parks and Recreation and Appropriate \$187,500.00 from the Open Space and Parkland Preservation Millage for Purchase of Fee Title to the Shatter Family Trust Property (8 Votes Required)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Shatter Protected Map.pdf, 2. Shatter Aerial Map.pdf

Date	Ver.	Action By	Action	Result
6/4/2018	1	City Council	Approved	Pass

Resolution to Approve Participation Agreement with Legacy Land Conservancy, Salem Township, and Washtenaw County Parks and Recreation and Appropriate \$187,500.00 from the Open Space and Parkland Preservation Millage for Purchase of Fee Title to the Shatter Family Trust Property (**8 Votes Required**)

This resolution approves a participation agreement with Legacy Land Conservancy, Salem Township, and Washtenaw County Parks and Recreation for the purchase fee title to a 25-acre property owned by the Shatter Family Trust in Salem Township. The resolution also approves an appropriation of funds not to exceed \$187,500.00 (50% of purchase price) for the purchase from the Open Space and Parkland Preservation Millage Proceeds.

The landowners applied to the Salem Township Land Preservation Program and the Township contacted the Greenbelt Program and Legacy Land Conservancy for assistance in the transaction. As the landowners are interested in selling fee title to the property, and Legacy Land Conservancy already owns a preserve approximately one half mile north of the property, Legacy Land Conservancy agreed to take the lead in the acquisition, to be the ultimate holder of the property, to provide management and stewardship of the property in the future, and to open the property to the general public as a nature preserve with public trails. Salem Township agreed to cover the due diligence costs and construction of a parking area. The Township commissioned an appraisal, completed in February 2018, that determined the fair market value of the property to be \$375,000.00. Legacy Land Conservancy has been the lead negotiator in the transaction and will own the fee title to the property.

Shatter Family Trust Property, Salem Township

The property is approximately 25 acres and is located in Section 28 of Salem Township with legal access from Curtis and Brookville Roads. It is owned by the Shatter Family Trust. The property scored in the top half of applications received by the Greenbelt Program in the scoring system

developed and approved by the Greenbelt Advisory Commission. The property contains approximately 19 acres of forest and 6 acres of wetlands. It is located within the Huron River watershed, and in the Fleming Creek subwatershed. The property is located within a half mile of Legacy Land Conservancy's Creekshead Nature Preserve, and within 1.5 miles of two conservation easements purchased with funds from the Open Space and Parkland Preservation Millage. The Greenbelt Advisory Commission considers this parcel a priority for acquisition due to its natural features, proximity to other protected properties, possibility for public access for outdoor recreation, and possibility to leverage funds with County funding. The Commission recommended approving the participation agreement at their May 3, 2018 meeting.

Project Budget and Partner Contributions:

Washtenaw County Contribution: \$187,500.00 (50%)
City Contribution: \$187,500.00 (50%)
Purchase Price (Appraised FMV): \$375,000.00

Legacy Land Conservancy: Lead negotiator, ownership and stewardship of preserve, maintenance of public trails.
Salem Township: Due diligence and closing costs, construction of parking area.

Approval of the resolution is recommended by staff.

Prepared by: Ruth Thornton, Greenbelt Program Manager, The Conservation Fund
Reviewed by: Derek Delacourt, Community Services Area Administrator
Christopher M. Frost, Senior Assistant City Attorney
Approved by: Howard S. Lazarus, City Administrator

Whereas, Chapter 42 of Ann Arbor City Code establishes the Greenbelt district and authorizes City Council to enter into agreements for joint acquisition of property in the district with another governmental agency;

Whereas, The purchase of property may be funded through Open Space and Parkland Preservation Millage proceeds, of which there are sufficient funds for this expenditure;

Whereas, The Shatter Family Trust property is approximately 25 acres, located in Salem Township, and owned by the Shatter Family Trust;

Whereas, The purchase price for the fee title of the Shatter Family Trust property is \$375,000.00, of which Washtenaw County Parks and Recreation has offered to pay \$187,500.00;

Whereas, Legacy Land Conservancy, as the lead agency in this purchase, will be the grantee of the fee title to the property, and will cover all stewardship and trail construction costs;

Whereas, Salem Township will cover all due diligence costs and construction of a public parking area; and

Whereas, At its May 3, 2018 meeting, the Greenbelt Advisory Commission recommended entering into a participation agreement with Legacy Land Conservancy, Salem Township, and Washtenaw County Parks and Recreation for the purchase of fee title of the Shatter Family Trust property, with the City contributing up to \$187,500.00;

RESOLVED, That City Council approves a participation agreement with Legacy Land Conservancy, Salem Township, and Washtenaw County Parks and Recreation for the purchase of the fee title to the Shatter Family Trust property;

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute the participation agreement and any supplemental documents necessary to document the appropriation of funds for the purchase, after approval as to form by the City Attorney; and

RESOLVED, That \$187,500.00 be appropriated for the purchase of the fee title to the Shatter Family Trust property from the Open Space and Parkland Preservation Millage proceeds for the life of the project without regard to fiscal year;

RESOLVED, That the City Administrator be authorized to take all appropriate actions to implement this resolution.