



Legislation Text

File #: 17-0748, **Version:** 1

Resolution to Approve Participation Agreement with Ann Arbor Township and Washtenaw County Parks and Recreation for the Purchase of the Development Rights on the Lada Rolling Acres, LLC Property in Ann Arbor Township, and Appropriate Funds, Not to Exceed \$81,000.00, from the Open Space and Parkland Preservation Millage Proceeds (**8 Votes Required**)

Attached for your review and action is a Resolution to approve a Participation Agreement with Ann Arbor Township and Washtenaw County Parks and Recreation for the Purchase of the Development rights on the 37.67 acre Property owned by Lada Rolling Acres, LLC in Ann Arbor Township. The landowner applied to the Ann Arbor Township Farmland and Open Space Land Protection Program and the Township has been the lead agency in the negotiations with the landowner.

Ann Arbor Township commissioned an appraisal with an effective date of July 20, 2016, and revised in May 2017, which determined the Fair Market Value of the development rights of the property to be \$243,000.00. The resolution also approves an appropriation of funds for 33% of the purchase price, not to exceed \$81,000.00, from the Open Space and Parkland Preservation Millage Proceeds.

Lada Rolling Acres, LLC Property, Ann Arbor Township

The property is approximately 37.67 acres, is located in Section 10 of Ann Arbor Township with legal access from Warren Road, and is owned by Lada Rolling Acres, LLC. The property scored in the top 10% of applications received by the Greenbelt Program in the scoring system developed and approved by the Greenbelt Advisory Commission. Approximately 17 acres of the property are tillable and in agricultural production, and the remainder of the property is wooded. It is located adjacent to a property protected with funding contributed by the Open Space and Parkland Program in 2012, and adjacent to another property protected by the County. The Greenbelt Advisory Commission considers this parcel a priority for acquisition and recommended approving the participation agreement with Ann Arbor Township and Washtenaw County Parks and Recreation Commission.

Participation Agreement:

Ann Arbor Township commissioned an appraisal, which was completed in July 2016 and revised in May 2017, which determined the Fair Market Value of the development rights of the property to be \$243,000. The resolution approves an appropriation of funds for 33% of the purchase price, not to exceed \$81,000.00, from the Open Space and Parkland Preservation Millage Proceeds.

Approval of the Participation Agreement and appropriation of funds for the purchase of the property was recommended by the Greenbelt Advisory Commission at their September 1, 2016 meeting. The Greenbelt Advisory Commission recommended to move forward with the Agreement due to the quality of agricultural and natural areas on the property, the property's proximity to other protected land, and the opportunity to leverage the City's funds through partnership with Ann Arbor Township and Washtenaw County Parks.

Prepared by: Ruth Thornton, Greenbelt Program Manager, The Conservation Fund

Reviewed by: Derek Delacourt, Community Services Area Administrator
Mary Joan Fales, Senior Assistant City Attorney

Approved by: Howard S. Lazarus, City 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 property may be funded through the Open Space and Parkland Preservation Millage Proceeds;

Whereas, There are sufficient funds in the Open Space and Parkland Preservation Millage Proceeds available for the expenditure;

Whereas, Ann Arbor Township has matching funds available for the purchase of the Lada Rolling Acres, LLC Property;

Whereas, Washtenaw County has matching funds available for the purchase of the Lada Rolling Acres, LLC Property; and

Whereas, The Greenbelt Advisory Commission supported approval of the Participation Agreement with Ann Arbor Township and Washtenaw County Parks and Recreation for the purchase of the development rights on the Lada Rolling Acres, LLC property and expenditure of funds at its September 1, 2016 meeting;

RESOLVED, That City Council approve participation with Ann Arbor Township and Washtenaw County Parks and Recreation in the purchase of development rights on the Lada Rolling Acres, LLC property located in Ann Arbor Township for the reasons stated above;

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute the Participation Agreement defining each party's interest in the acquisition of the development rights of the property and, if required, any supplemental documents necessary to document the appropriation of funds for the purchase of the development rights on the Lada Rolling Acres, LLC property, after approval as to form by the City Attorney; and

RESOLVED, That \$81,000.00 be appropriated for the purchase of the development rights on the Lada Rolling Acres, LLC property from the Open Space and Parkland Preservation Millage Proceeds for the life of the project without regard to fiscal year.