



Legislation Text

File #: 15-1408, **Version:** 1

Resolution to Approve Grant Application to the USDA Agriculture Conservation Easement Program (ACEP) for the Purchase of Development Rights (PDR) on the Drake Farm in Lodi Township Attached for your review and action is a resolution to approve the Agriculture Conservation Easement Program (ACEP) application for the purchase of development rights (PDR) for a property located in Lodi Township.

Grant Application:

Applications to the USDA ACEP program are for funds up to 50% of the appraised fair market value of the development rights to a maximum of \$5,000 per acre. Completed applications must be submitted by January 15, 2016. It is anticipated that a request for approvals of grants, if awarded, will be presented to City Council in the summer of 2016.

The Greenbelt Advisory Commission recommended submission of the grant applications at its November 5, 2015 meeting.

The attached resolution also approves Voluntary Agreement for the Sale of Agricultural Land Development Rights for the farms.

The Voluntary Agreement for the sale of the development rights (pending offer) is contingent on the following:

- a. Establishment of a fair market price for the development rights to be determined by an appraisal and approved by the City and USDA ACEP.
- b. Conveyance of good and marketable title to the development rights by Farmland Development Rights Easement.
- c. Acceptable environmental site assessment of property.
- d. Acceptance of the Farmland Development Rights Easement by Ann Arbor City Council and the Agriculture Conservation Easement Program.

An appraisal will be completed and if awarded grant funds, a complete budget, along with purchase agreement will be submitted to Council for review and action.

Matching grant funds are through the USDA Natural Resources Conservation Service. The City's share is from the Open Space and Parkland Preservation Millage proceeds. The ACEP program is voluntary and provides matching funds for local governments to acquire development rights on farmland. The landowners retain the right to use their property for agriculture.

A brief description of the properties for grant applications is as follows:

Donald Drake Farm, Lodi Township

The farm is approximately 78 acres and is located along Waters Road in Lodi Township. 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. A portion of the farm on the south side of Waters Road was protected in January 2013. The protection of this property is a priority to the Greenbelt due to the size and quality of the farmland, proximity to other protected properties, and possibility to leverage funds from federal and other local sources of funding. The property also meets the priorities for both the Greenbelt Program and ACEP Program.

Attachment: Location Maps

Prepared by: Ginny Trocchio, The Conservation Fund

Reviewed by: Larry Collins, Interim Community Services Area Administrator

Approved by: Tom Crawford, Interim City Administrator

Whereas, USDA Agricultural Conservation Easement Program (ACEP) program has matching grant funds available for up to 50% of Purchase of Development Rights on eligible agricultural land not to exceed \$5,000 per acre;

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, Purchase of Development Rights may be funded through the Open Space and Parkland Preservation Millage proceeds;

Whereas, The owners of said parcels agree to establish a Farmland Development Rights Grant of Easement that conforms to standards established by the City of Ann Arbor and the Natural Resources Conservation Service; and

Whereas, The Greenbelt Advisory Commission approved a motion recommending approval of this application at its November 5, 2015 meeting;

RESOLVED, That City Council approve the grant application to the Agricultural Conservation Easement Program for matching grant funds for the Purchase of Development Rights for the Drake farm property in Lodi Township as indicated on attached map.