



Legislation Text

File #: 16-0028, **Version:** 1

Resolution to Approve Participation Agreement with Legacy Land Conservancy for the Purchase of the Carol Proctor Landsberg Trust Property in Webster Township, and Appropriate Funds, not to Exceed \$157,140 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 the Legacy Land Conservancy for the purchase of development rights on the property owned by Carol Proctor Landsberg Trust, in Webster Township. The landowner applied to the Webster Township Land Preservation Program, however Legacy Land has been the lead agency in the negotiations with the landowner.

Legacy Land Conservancy commissioned an appraisal which was completed in March 2015. The Fair Market Value was determined to be \$792,000 for the fee and \$396,000 purchase of development rights on the property. The resolution approves an appropriation of funds for 39% of the easement price, not to exceed \$157,140 from the Open Space and Parkland Preservation Millage Proceeds. The Carol Proctor Landsberg Trust is donating 30% of the fair market value of the transaction. Washtenaw County is purchasing the fee for the property and putting in a parking lot. Webster Township is completing the baseline. Legacy Land Conservancy will hold the easement, pay the closing costs, monitoring cost and appraisal cost. The City will have successor rights if Legacy Land Conservancy is no longer able to hold the easement.

The property is approximately 81.77 acres with access from Jennings Road. The property is located in the headwaters of Arms Creek, a high quality tributary of the Huron River. Huron River Watershed Council has completed a Bioreserve Site Assessment and notes a small oak barren, a wet prairie and oak hickory forest. The property is a spectacular example of glacial outwash with rolling hills. The property is less than a half a mile from the Independence Lake County Park.

Approval of the Participation Agreement and appropriation of funds for the purchase of development rights on the property was recommended by the Greenbelt Advisory Commission at their January 7, 2106 meeting. The Greenbelt Advisory Commission recommended to move forward with the application, due to the quality of 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 Legacy Land Conservancy, Washtenaw County Parks, the landowner donation and Webster Township.

Attachment: Location Map
Prepared by: Peg Kohring, The Conservation Fund
Reviewed by: Larry Collins, Interim Community Services Area Administrator
Approved by: Tom Crawford, Interim 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 Park Land Preservation Millage Proceeds;

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

Whereas, Legacy Land Conservancy, Washtenaw County, and Webster Township have matching funds available for the purchase of the Carol Proctor Landsberg property and the landowner is willing to make a 30% donation; and

Whereas, The Greenbelt Advisory Commission supports approval of the Participation Agreement with Legacy Land Conservancy, Washtenaw County and Webster Township for the purchase of development rights on the Carol Proctor Landsberg property and expenditure of funds at its January 7, 2016 meeting;

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

RESOLVED, That \$157,140 be appropriated for the purchase of the development rights on the Carol Proctor Landsberg property from the Open space and Parkland Preservation Millage Proceeds for the life of the project without regard to fiscal year.