



## Legislation Text

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**File #:** 13-0128, **Version:** 1

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Resolution to Approve Grant Applications to the USDA Farm and Ranch Land Protection Program for the Purchase of Development Rights on Properties in Lodi, Webster and Superior Townships  
Attached for your review and action is a resolution to approve the USDA Farm and Ranch Land Protection Program (FRPP) applications for the purchase of development rights (PDR) for various properties located in Lodi Township.

### **Grant Applications:**

Applications to the USDA FRPP program are for funds up to 50% of the appraised fair market value of the development rights to a maximum of \$5,000.00 per acre. Completed applications must be submitted by March 8, 2013. It is anticipated that a request for approvals of grants, if awarded, will be presented to City Council in June 2013.

The Greenbelt Advisory Commission recommended submission of the grant applications at its February 7, 2013 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 FRPP.
- 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 Farm and Ranch Lands Protection 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.

### **Conservation Easement:**

The easement is made pursuant to section 36111b of the Natural Resources and Environmental Protection Act (MCL 324.36111b; MSA 13A.36111b) and Chapter 42 of the Ann Arbor City Code. The easement is for the purpose of preservation of the Property's agricultural use, including the protection of prime, unique or important soils, by preventing any use that would significantly impair or interfere with the agricultural value.

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 FRPP 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 72 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 was protected in January 2013.

**Carol Schumacher Property, Lodi Township**

The farm is approximately 100 acres and is located along Pleasant Lake 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. The property is adjacent to the Lindemann and Weidmayer farm that was protected by the Greenbelt and FRPP in December 2011.

Attachment: Location Maps

Prepared by: Ginny Trocchio, The Conservation Fund

Reviewed by: Sumedh Bahl, Community Services Area Administrator

Approved by: Steven D. Powers, City Administrator

Sponsored by: Councilmember Taylor

Whereas, FRPP has matching grant funds available for up to 50% of Purchase of Development Rights on eligible agricultural land not to exceed \$5,000.00 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 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 these applications at its February 7, 2013 meeting;

RESOLVED, That City Council approve the application to the Farm and Ranch Lands Protection Program for matching grant funds for the Purchase of Development Rights for the Donald Drake farm in Lodi Township as indicated on attached map;

RESOLVED, That City Council approve the application to the Farm and Ranch Lands Protection Program for matching grant funds for the Purchase of Development Rights for the Carol Schumacher farm in Lodi Township as indicated on attached map;

RESOLVED, That the approval of these grant applications be subject to the establishment of a fair

market price for the development rights to be determined by an appraisal; conveyance of good and marketable title to the development rights by Farmland Development Rights Easement and acceptance of the Farmland Development Rights Easement by Ann Arbor City Council.