



Legislation Details (With Text)

File #: 14-1181 **Version:** 1 **Name:** 11/6/14 Participation Agreement for Zella Polley Property
Type: Resolution **Status:** Passed
File created: 11/6/2014 **In control:** City Council
On agenda: 11/6/2014 **Final action:** 11/6/2014
Enactment date: 11/6/2014 **Enactment #:** R-14-373
Title: Resolution to Approve Participation Agreement with Pittsfield Township for the Purchase of Development Rights on the Zella Polley Property in Pittsfield Township, and Appropriate Funds, Not to Exceed \$59,367.00 from the Open Space and Parkland Preservation Millage Proceeds (8 Votes Required)

Sponsors:

Indexes:

Code sections:

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

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|----------|--------|
| 11/6/2014 | 1 | City Council | Approved | Pass |

Resolution to Approve Participation Agreement with Pittsfield Township for the Purchase of Development Rights on the Zella Polley Property in Pittsfield Township, and Appropriate Funds, Not to Exceed \$59,367.00 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 Pittsfield Township for the purchase of development rights on the property owned by Zella Polley in Pittsfield Township.

An appraisal was completed and the Fair Market Value for the purchase of development rights was determined to be \$38,000. Pittsfield Township Board of Trustees has obligated \$5,000 toward the purchase price. In addition, funds from Cherry Republic have been donated to the City's Greenbelt program, which will be allocated to the purchase price.

Budget:

| | |
|--------------------------|----------------------|
| Purchase Price = | \$38,000.00 |
| Township contribution = | (\$ 5,000.00) |
| <u>Cherry Republic =</u> | <u>(\$ 5,200.00)</u> |
| City Contribution = | \$27,800.00 |

Additional Budget Items:

| | |
|-----------------------------|--------------------|
| Closing and Due Diligence = | \$ 7,700.00 |
| <u>Endowment =</u> | <u>\$23,867.00</u> |
| Additional costs = | \$31,567.00 |

Total City Contribution

| | |
|------------------|-------------|
| Purchase Price = | \$27,800.00 |
|------------------|-------------|

| | |
|---------------------------|--------------------|
| <u>Additional Costs =</u> | <u>\$31,567.00</u> |
| Total Costs = | \$59,367.00 |

The parcel is 10 acres and is located along Marton Road, just north of Textile Road. The property is surrounded on 3 sides by the Pittsfield Preserve, which is owned and managed by Pittsfield Township.

Approval of the Participation Agreement and appropriation of funds for the purchase of development rights and due diligence was recommended by the Greenbelt Advisory Commission at their May 1, 2014 meeting. The Greenbelt Advisory Commission recommended to move forward with the application due to the proximity of other properties already protected and the possibility of additional preservation in close proximity, the property is in active agriculture, and the possibility to leverage the City funds through a partnership with Pittsfield Township and Cherry Republic.

Attachment: Location Map
Prepared by: Ginny Trocchio, The Conservation Fund
Reviewed by: Sumedh Bahl, Community Services Area Administrator
Approved by: Steven D. Powers, 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 Development Rights 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, Pittsfield Township Board of Trustees has approved \$5,000.00 in matching funds available for the purchase of development rights on the Polley farm property; and

Whereas, The Greenbelt Advisory Commission supports approval of the Participation Agreement with Pittsfield Township for the purchase of development rights on the Polley farm and expenditure of funds at its May 1, 2104 meeting;

RESOLVED, That City Council approve the purchase agreement to be subject to the approval of the appraisal by the City; environmental site assessment approved by the City at its sole discretion; conveyance of good and marketable title to the development rights by Farmland Development Rights Easement;

RESOLVED, That City Council authorize the Mayor and City Clerk to execute all documents necessary to complete purchase of development rights after approval as to form by the City Attorney;

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

RESOLVED, That \$59,367.00 be appropriated for the purchase of development rights for the Polley farm from the Open space and Parkland Preservation Millage Proceeds for the life of the project without regard to fiscal year.