



## Legislation Details (With Text)

<b>File #:</b>	15-1315	<b>Version:</b>	1	<b>Name:</b>	11/16/15 Nixon-Toll Brothers Purchase
<b>Type:</b>	Resolution	<b>Status:</b>	Passed		
<b>File created:</b>	11/16/2015	<b>In control:</b>	City Council		
<b>On agenda:</b>	11/16/2015	<b>Final action:</b>	11/16/2015		
<b>Enactment date:</b>	11/16/2015	<b>Enactment #:</b>	R-15-373		

**Title:** Resolution to Approve the Purchase of 10.1 acres of Parcel Tax ID Number I-09-10-450-001, Located at the Northwest Corner of Nixon and Dhu Varren Roads and Appropriate \$39,850.00 from the Open Space and Parkland Preservation Millage Proceeds (8 Votes Required)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 13001862 North LAC AREA.pdf

Date	Ver.	Action By	Action	Result
11/16/2015	1	City Council	Approved	Pass

Resolution to Approve the Purchase of 10.1 acres of Parcel Tax ID Number I-09-10-450-001, Located at the Northwest Corner of Nixon and Dhu Varren Roads and Appropriate \$39,850.00 from the Open Space and Parkland Preservation Millage Proceeds **(8 Votes Required)**

Attached for your review and action is a resolution to purchase approximately 10.1 acres of open space land, which consists of a portion of the parcel located at the northwest corner of Nixon and Dhu Varren Roads.

The remaining parcel is currently undergoing a site plan development review (Nixon Farm North), initiated by Toll Brothers. In addition, the parcel immediately to the south is going through a separate site plan development review (Nixon Farm South), also initiated by Toll Brothers. The purchase by the City Parks and Recreation would be conditioned upon Toll Brothers completing the purchase of the sites, which they currently have an executed option on from the Don Nixon estate. Per the request for park dedication during the site plan review, Toll Brothers is willing to donate a 5.9 acre piece of land that contains a portion of the high quality woods and wetlands on the site. The 5.9 acres represents the total acreage requested for the site plans -- Nixon Farm North and Nixon Farm South-- per the formula approved in the PROS Plan, based on density of the proposed developments. This resolution would approve the City Parks to purchase the remaining 10.1 of woods and wetlands on the site, bringing the total to approximately 16 acres of the site to be parkland.

The area to be purchased by the City Parks and Recreation features woodlands, wetlands and watercourses that are substantially intact ecologically. This mature oak-hickory native forest fragment contains many landmark trees and a large buttonbush swamp. This area is connected to Foxfire South Park. The site would be maintained by the Natural Area Preservation staff, consistent with the adjoining and nearby natural areas.

An appraisal was completed for the purchase of the wetland and woodland portion of the site in

August 2015, and the fair market value was determined to be \$3,500.00 / acre. The resolution approves a purchase price of \$35,350.00 based on a fair market appraisal of the property, and approves a total project budget of \$39,850.00 from the Open Space and Parkland Preservation Millage Proceeds to cover the purchase price, due diligence and closing costs.

**Project Budget:**

City purchase price	\$ 35,350.00
Est. Closing Costs	\$ 3,000.00
Est. Due Diligence Expenses	\$ 1,500.00
Total Appropriation	\$ 39,850.00

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, Purchase of parkland may be funded through the Open Space and Park Land Preservation Millage Proceeds;

Whereas, The property is adjacent to an existing park (Fox Fire South) and has qualities suitable for park use as determined by the Park Advisory Commission and Parks and Recreation Staff;

Whereas, The property has been appraised as required by Section 1:320 of the Ann Arbor City Code;

Whereas, The Purchase Price of the property is \$35,350.00; and

Whereas, There are sufficient funds in the Open Space and Parkland Preservation Millage Proceeds to cover the purchase price, due diligence and closing costs;

RESOLVED, That City Council approve the purchase of 10.1 acres of woods and wetland being a portion of real property identified as Tax Parcel ID of I-09-10-450-001 and further identified on the attached map;

RESOLVED, That City Council approve appropriation of \$39,850.00 from the Open Space and Parkland Preservation Millage Proceeds for the acquisition of parkland to cover the costs of acquisition, closing, and incidental costs to be available for expenditure without regard to fiscal year;

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute the purchase and sales agreement after approval as to substance by the City Administrator and as to form by the City Attorney; and

RESOLVED, That the City Administrator be authorized and directed to implement this resolution, including the execution of necessary closing documents specified in the purchase and sale agreement after approval as to form by the City Attorney.