



Legislation Details (With Text)

File #: 17-1185 **Version:** 1 **Name:** 9/5/17 Participation Agreement w/Ann Arbor Twp Development Rights Stiles-Kaldjian Property
Type: Resolution **Status:** Passed
File created: 9/5/2017 **In control:** City Council
On agenda: 9/5/2017 **Final action:** 9/5/2017
Enactment date: 9/5/2017 **Enactment #:** R-17-341

Title: Resolution to Approve Participation Agreement with Ann Arbor Township and Washtenaw County Parks and Recreation for the Purchase of the Development Rights on the Stiles-Kaldjian Property in Ann Arbor Township, and Appropriate Funds, not to Exceed \$242,500.00, from the Open Space and Parkland Preservation Millage Proceeds (8 Votes Required)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Stiles and Kaldjian Aerial Map v2, 2. Stiles and Kaldjian Protected Map v2

Date	Ver.	Action By	Action	Result
9/5/2017	1	City Council	Approved	Pass

Resolution to Approve Participation Agreement with Ann Arbor Township and Washtenaw County Parks and Recreation for the Purchase of the Development Rights on the Stiles-Kaldjian Property in Ann Arbor Township, and Appropriate Funds, not to Exceed \$242,500.00, 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 Ann Arbor Township and Washtenaw County Parks and Recreation for the Purchase of the Development rights on the 112.479-acre Property owned by Cynthia Stiles and Eric Kaldjian in Ann Arbor Township. The landowners applied to the Ann Arbor Township Farmland and Open Space Land Protection Program and the Township has been the lead agency in the negotiations with the landowners.

Ann Arbor Township commissioned an appraisal with an effective date of June 27, 2017, which determined the Fair Market Value of the development rights of the property to be \$730,000.00. The resolution also approves an appropriation of funds for 33.2% of the purchase price, not to exceed \$242,500.00, from the Open Space and Parkland Preservation Millage Proceeds.

Stiles - Kaldjian Property, Ann Arbor Township

The property is approximately 112.479 acres and is located in Sections 10 and 11 of Ann Arbor Township with legal access from Warren Road. It is owned by Cynthia Stiles and Eric Kaldjian. The property scored in the top 25% of applications received by the Greenbelt Program in the scoring system developed and approved by the Greenbelt Advisory Commission. The property is primarily wooded with approximately 39 acres of wetlands, contains a branch of Fleming Creek, and is located within the Huron River watershed. It is located within a half mile of two conservation easements and one park owned by the City of Ann Arbor that were purchased with funds from the Open Space and Parkland Preservation Millage. The Greenbelt Advisory Commission considers this parcel a priority for acquisition due to its natural features, proximity to other protected properties, and possibility to leverage funds from other local sources of funding. The Commission recommended approving the

participation agreement with Ann Arbor Township and Washtenaw County Parks and Recreation Commission.

Participation Agreement:

Ann Arbor Township commissioned an appraisal, which was completed in June 2017, which determined the Fair Market Value of the development rights of the property to be \$730,000. The resolution approves an appropriation of funds for 33.2% of the purchase price, not to exceed \$242,500.00, from the Open Space and Parkland Preservation Millage Proceeds.

Approval of the Participation Agreement and appropriation of funds for the purchase of the property was recommended by the Greenbelt Advisory Commission at their August 3, 2017 meeting. The Greenbelt Advisory Commission recommended to move forward with the Agreement 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 Ann Arbor Township and Washtenaw County Parks. Approval of the resolution is recommended by staff.

Project Budget:

Purchase Price:

Appraised Fair Market Value: \$730,000.00

Washtenaw County Amount: \$242,500.00 (33.2%)

Ann Arbor Township Amount: \$245,000.00 (33.6%)

City portion of purchase price: \$242,500.00 (33.2%)

Prepared by: Ruth Thornton, Greenbelt Program Manager, The Conservation Fund

Reviewed by: Derek Delacourt, Community Services Area Administrator
Mary Joan Fales, Senior Assistant City Attorney

Approved by: Howard S. Lazarus, 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 Parkland Preservation Millage Proceeds;

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

Whereas, Ann Arbor Township has matching funds available for the purchase of the Stiles - Kaldjian Property;

Whereas, Washtenaw County has matching funds available for the purchase of the Stiles - Kaldjian Property; and

Whereas, The Greenbelt Advisory Commission supported approval of the Participation Agreement with Ann Arbor Township and Washtenaw County Parks and Recreation for the purchase of the development rights on the Stiles - Kaldjian property and expenditure of funds at its August 3, 2017 meeting;

RESOLVED, That City Council approve participation with Ann Arbor Township and Washtenaw County Parks and Recreation in the purchase of development rights on the Stiles - Kaldjian property located in Ann Arbor Township for the reasons stated above;

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

RESOLVED, That \$242,500.00 be appropriated for the purchase of the development rights on the Stiles - Kaldjian property from the Open Space and Parkland Preservation Millage Proceeds for the life of the project without regard to fiscal year.