



## Legislation Details (With Text)

**File #:** 19-1140      **Version:** 1      **Name:** 6/17/19 Conservation Easement Lambarth Property  
**Type:** Resolution      **Status:** Passed  
**File created:** 6/17/2019      **In control:** City Council  
**On agenda:** 6/17/2019      **Final action:** 6/17/2019  
**Enactment date:** 6/17/2019      **Enactment #:** R-19-278

**Title:** Resolution to Approve Participation in the Purchase of a Conservation Easement on the Lambarth Property in Lodi Township, Approve a Participation Agreement with Washtenaw County Parks and Recreation Commission, and Appropriate \$228,500.00 (8 Votes Required)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Lambarth Aerial Map.pdf, 2. Lambarth Protected Map.pdf, 3. Lambarth Scoring.pdf

Date	Ver.	Action By	Action	Result
6/17/2019	1	City Council	Approved	Pass

Resolution to Approve Participation in the Purchase of a Conservation Easement on the Lambarth Property in Lodi Township, Approve a Participation Agreement with Washtenaw County Parks and Recreation Commission, and Appropriate \$228,500.00 **(8 Votes Required)**

This resolution approves a participation agreement with Washtenaw County Parks and Recreation Commission for the purchase of a conservation easement on approximately 142 acres of property owned by Lambarth Farms in Lodi Township. The resolution also appropriates \$228,500.00 (50% of purchase price) from Open Space and Parkland Preservation Millage proceeds for the purchase.

The landowners applied to the Washtenaw County Natural Areas Preservation Program and the County has been the lead agency in the negotiations with the landowners. The County commissioned an appraisal, completed in April 2019, that determined the fair market value of a conservation easement on the property to be \$457,000.00. The County is the lead agency and will be the holder of the conservation easement. In addition to the acquisition costs below, the County will cover due diligence and closing costs.

### **Lambarth Farms Property, Lodi Township**

The property consists of 2 parcels of approximately 171 total acres located in Section 16 and 21 of Lodi Township with legal access from Pleasant Lake Road. It is owned by Lambarth Farms. The property scored in the top 21% (79th percentile) of agricultural land applications received by the Greenbelt Program in the scoring system developed and approved by the Greenbelt Advisory Commission. The conservation easement will cover approximately 142 acres of the property, which contain 18 acres of forest and 34 acres of wetlands and floodplain forest. The property is located 0.8 miles from the Greenbelt's Lindemann Conservation Easement and 1 mile from the Greenbelt's Drake South and Darke North Conservation Easements purchased with funds from the Open Space and Parkland Preservation Millage. The property is also adjacent to another active Greenbelt project. The Greenbelt Advisory Commission considers this parcel a priority for acquisition due to its prime agricultural soils, size, proximity to other protected properties, and location within a Strategic

Farmland Complex. The Commission recommended approving the participation agreement at their May 3, 2019 meeting.

**Project Budget:**

**Total Acquisition Costs \$457,000.00**

City of Ann Arbor	\$228,500.00	50%
Washtenaw County	\$228,500.00	50%

Staff recommends approval.

Prepared by: Remy Long, Greenbelt Program Manager, The Conservation Fund

Reviewed by: Derek Delacourt, Community Services Area Administrator

Approved by: Howard S. Lazarus, City Administrator

Whereas, Chapter 42 of Ann Arbor City Code establishes the Greenbelt District and authorizes the City to purchase conservation easements on property within the district with Open Space and Parkland Preservation Millage proceeds;

Whereas, Chapter 42 of Ann Arbor City Code authorizes City Council to enter into agreements for joint acquisition of conservation easements in the Greenbelt District with other government agencies;

Whereas, The owners of the Lambarth Farms property (Tax Parcel No. M -13-16-300-003 and M -13-21-200-001, Lodi Twp.) applied to Washtenaw County for the purchase of a conservation easement on 142 acres of the property;

Whereas, Washtenaw County Parks and Recreation, as the lead agency on this purchase, will be the holder of the conservation easement;

Whereas, The fair market value for the conservation easement was determined by an appraisal as required by Section 1:320 of Ann Arbor City Code;

Whereas, The purchase price for the conservation easement is \$457,000.00, of which Washtenaw County Parks and Recreation has offered to pay \$228,500.00 plus due diligence and closing costs; and

Whereas, At its May 3, 2019 meeting, the Greenbelt Advisory Commission recommended entering into a participation agreement with Washtenaw County Parks and Recreation Commission for the purchase of the conservation easement, with the City contributing up to \$228,500.00;

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute a participation agreement with Scio Township and Washtenaw County Parks and Recreation Commission for the purchase of a conservation easement on approximately 142 acres of the Lambarth Farms property after approval as to form by the City Attorney and as to content by the City Administrator;

RESOLVED, That \$228,500.00 be appropriated from the Open Space and Parkland Preservation Millage proceeds for contribution toward the purchase of the conservation easement on the Lambarth Farms property, for the life of the project, without regard to fiscal year;

RESOLVED, That the City's contribution be contingent upon the approval by the City of the conservation easement document and appropriate due diligence, including review of title work, an

environmental assessment, and survey, as appropriate; and

RESOLVED, That the City Administrator be authorized to take all appropriate actions to implement this resolution, including the determination of satisfactory due diligence and execution of all appropriate documents.