



## Legislation Details (With Text)

**File #:** 21-0042 **Version:** 1 **Name:** 2/1/21 Kennedy Conservation Easement  
**Type:** Resolution **Status:** Passed  
**File created:** 2/1/2021 **In control:** City Council  
**On agenda:** 2/1/2021 **Final action:** 2/1/2021  
**Enactment date:** 2/1/2021 **Enactment #:** R-21-033  
**Title:** Resolution to Approve the Purchase of a Conservation Easement on the Kennedy Property in Northfield Township, Approve a Participation Agreement with Washtenaw County Parks and Recreation Commission, and Appropriate \$756,367.00 (8 Votes Required)

### Sponsors:

### Indexes:

### Code sections:

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

| Date     | Ver. | Action By    | Action   | Result |
|----------|------|--------------|----------|--------|
| 2/1/2021 | 1    | City Council | Approved | Pass   |

Resolution to Approve the Purchase of a Conservation Easement on the Kennedy Property in Northfield Township, Approve a Participation Agreement with Washtenaw County Parks and Recreation Commission, and Appropriate \$756,367.00 **(8 Votes Required)**

This resolution approves the purchase of a conservation easement on the Kennedy Property in Northfield Township. The resolution also approves a participation agreement with Washtenaw County Parks and Recreation and appropriates up to \$457,617.00 for the purchase from the Open Space and Parkland Preservation Fund.

On December 16, 2019 (R-19-555), City Council approved a grant application to the NRCS - Agriculture Conservation Easement Program (ACEP) for the Kennedy Property in Northfield Township. On September 16, 2019, City Council approved the acceptance of grant funds in the amount of \$264,250.00 under an agreement with NRCS to be applied toward the purchase of a conservation easement on the property (R-20-311).

### Kennedy Property, Northfield Township

The farm is approximately 100 acres and is located along Sutton Road in Northfield Township. The property is considered large enough to sustain agricultural production and is in a location that will encourage additional farmland and agricultural preservation activities. It is adjacent to an existing Greenbelt project. The property scored in the top 90% of all Greenbelt applications in the scoring system developed and approved by the Greenbelt Advisory Commission. The protection of this property is a priority for the Greenbelt Program due to the size and quality of the farmland, proximity to other protected properties, and possibility to leverage funds from federal and other local sources of funding. The property also meets the priorities for both the Greenbelt Program and ACEP Program.

An appraisal for a conservation easement on the property was completed in in October 2019, and updated in September 2020, which determined the fair market value to be \$940,000.00.

**Proposed Project Budget:**

|                            |                     |
|----------------------------|---------------------|
| <b>Purchase Price</b>      | <b>\$940,000.00</b> |
| Washtenaw County           | \$235,000.00 25%    |
| ACEP Grant (Reimbursement) | \$470,000.00 50%    |
| City of Ann Arbor          | \$142,000.00 25%    |

|                         |                    |
|-------------------------|--------------------|
| <b>Other Costs</b>      | <b>\$51,367.00</b> |
| Estimated Due Diligence | \$20,000.00        |
| Estimated Closing Costs | \$7,500.00         |
| Endowment               | \$23,867.00        |

**City Funds Appropriation      \$756,367.00**

City and ACEP purchase price share plus Other Costs. The ACEP grant is a reimbursement paid back to the City after purchase.

**City Final Costs                      \$286,367.00**  
Estimated final costs after federal grant reimbursement.

The Greenbelt Advisory Commission recommended this purchase at its January 7, 2021 meeting. Approval of the resolution is recommended by staff.

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

Reviewed by: Derek Delacourt, Community Services Area Administrator

Approved by: Tom Crawford, 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 specifically authorizes City Council to enter into agreements for joint acquisition of land in the Greenbelt District with other government agencies; and

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

RESOLVED, That City Council approves the purchase of a conservation easement on the Kennedy Property in Northfield Township;

RESOLVED, That approval of the purchase is contingent upon the approval by City staff and all entities participating in the purchase of the following:

- The appraisal;
- An environmental site assessment of the property;
- A survey of the property;
- Conveyance of good and marketable title to the conservation easement; and
- Agreement to the terms and conditions of the conservation easement;

RESOLVED, That the Mayor and City Clerk are authorized and directed to execute a purchase agreement with the owner of the Kennedy Property reflecting the requirements of this resolution, after

approval as to form by the City Attorney and as to content by the City Administrator;

RESOLVED, That the Mayor and City Clerk are authorized and directed to execute a participation agreement with the Washtenaw County Parks and Recreation Commission for purchase of a conservation easement on the Kennedy Property, after approval as to form by the City Attorney and as to content by the City Administrator;

RESOLVED, That the City Administrator is authorized to execute all other documents necessary to complete this purchase after approval as to form by the City Attorney; and

RESOLVED, That \$756,367.00 is appropriated for this purchase from the Open Space and Parkland Preservation Fund for the life of the project without regard to fiscal year.