Legislation Details (With Text)

File #:	23-0745	**Version:**	1	**Name:**	6/5/23 Resolution to Purchase DeVine Easement
Type:	Resolution			**Status:**	Passed
File created:	6/5/2023			**In control:**	City Council
On agenda:	6/5/2023			**Final action:**	6/5/2023
Enactment date:	6/5/2023			**Enactment #:**	R-23-166

Title: Resolution to Approve the Purchase of a Conservation Easement on the DeVine Property in Scio Township, Approve a Participation Agreement with Washtenaw County Parks and Recreation Commission, and Appropriate $206,367.00 (8 Votes Required)

Sponsors:

Indexes:

Code sections:

Attachments: 1. DeVinePropertyMap.pdf, 2. MacroMap.pdf

Date	Ver.	Action By	Action	Result
6/5/2023	1	City Council	Approved	Pass

Resolution to Approve the Purchase of a Conservation Easement on the DeVine Property in Scio Township, Approve a Participation Agreement with Washtenaw County Parks and Recreation Commission, and Appropriate $206,367.00 **(8 Votes Required)**
This resolution approves the purchase of a conservation easement on the DeVine, property located in Scio Township. The resolution also approves a participation agreement with Washtenaw County Parks and Recreation and appropriates up to $206,367.00 for the purchase from the Open Space and Parkland Preservation Fund.

DeVine Forest, Scio Township

The DeVine property is a lush 20-acre forested parcel along Zeeb Road between Jackson and Liberty Roads in Scio Township. The landowner worked with the Greenbelt in 2019 to preserve the adjacent 95-acre farm and woodlands. That 2019 Greenbelt easement contains 40 acres of forest contiguous to the subject property, enhancing its ecological value. Continuing next door to the west is the Washtenaw County Parks & Recreation Commission's 157-acre public DeVine Preserve.

The otherwise upland oak-hickory forest covering the property is frequently punctuated by healthy vernal ponds ideal for amphibians. A Floristic Quality Assessment produced an index of 29, which is considered potentially significant at a state level. There is a suspected state listed T/E/S species on the property.

The property scored the 46th percentile 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 field assessed quality, proximity to other protected properties, and wetland resources. The property is also a top priority for protection for the Washtenaw County Parks and Recreation Commission, a committed funding partner.

An appraisal for a conservation easement on the property was completed in November 2022, which

determined a fair market value of $300,000.00.

Proposed Project Budget

Purchase Price	**$300,000.00**		
Washtenaw County		$150,000.00	50%
City of Ann Arbor		$150,000.00	50%
Other Costs	**$56,367.00**		
Estimated Due Diligence	$25,000.00		
Estimated Closing Costs	$7,500.00		
Endowment	$23,867.00		
City Funds Appropriation	**$206,367.00**		

City purchase price share plus Other Costs.

The Greenbelt Advisory Commission recommended this purchase at its March 2, 2023 meeting. Approval of this resolution is recommended by staff.
Prepared by: Rosie Pahl Donaldson, Land Acquisition Supervisor
Reviewed by: Derek Delacourt, Community Services Area Administrator
Approved by: Milton Dohoney, City Administrator
Whereas, Chapter 42 of Ann Arbor City Code establishes the Greenbelt District and authorizes the City to purchase land and 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 land and easements 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 1:321 of Ann Arbor City Code;

RESOLVED, That City Council approves the purchase of a conservation easement on the DeVine property in Scio 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 for the property, 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 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;

RESOLVED, That $206,367.00 is appropriated for this purchase from the Open Space and Parkland Preservation Fund for the life of the project without regard to fiscal year: and

RESOLVED, That the City Administrator is authorized to take all appropriate action to implement this resolution.