Legislation Details (With Text)

File #:	23-1265	**Version:** 1	**Name:**	8/7/23 Amaizin Pop Property	
Type:	Resolution		**Status:**	Passed	
File created:	8/7/2023		**In control:**	City Council	
On agenda:	8/7/2023		**Final action:**	8/7/2023	
Enactment date:	8/7/2023		**Enactment #:**	R-23-289	

Title: Resolution to Approve Participation in the Purchase of a Conservation Easement on the Amaizin Pop LLC Property in Webster Township, Approve a Participation Agreement with Legacy Land Conservancy, and Appropriate $75,000.00 (8 Votes Required)

Sponsors:

Indexes:

Code sections:

Attachments: 1. AmazinPop_MacroMap.pdf, 2. AmazinPop_PropertyMap.pdf

Date	Ver.	Action By	Action	Result
8/7/2023	1	City Council	Approved	Pass

Resolution to Approve Participation in the Purchase of a Conservation Easement on the Amaizin Pop LLC Property in Webster Township, Approve a Participation Agreement with Legacy Land Conservancy, and Appropriate $75,000.00 **(8 Votes Required)**
This resolution approves a participation agreement with Legacy Land Conservancy for the purchase of a conservation easement on a 17-acre property owned by Amaizin Pop LLC in Webster Township. The resolution also approves an appropriation of funds not to exceed $75,000.00 (53.5% of purchase price) from Open Space and Parkland Preservation Millage proceeds for the purchase.

The landowners applied to Legacy Land Conservancy for a conservation easement and Legacy has been the lead agency in the negotiations with the landowners. Legacy commissioned an appraisal, completed in April 2023, that determined the fair market value of a conservation easement on the property to be $140,000.00. Legacy Land Conservancy is the lead agency and will be the holder of the conservation easement. They applied for and received a USDA grant that will cover the remaining 46.5% of the purchase price. Legacy will also cover due diligence and closing costs.

Amaizin Pop LLC Property, Webster Township
The property is approximately 17 acres and is located in Section 27 of Webster Township on the corner of Farrell Road and Zeeb Road. It is owned by the business Amaizin Pop LLC. The property has a woodlot smaller than 1 acre and is otherwise actively farmed for popcorn, sold locally. There is a farmstead on the property that will be covered by a building envelope. The property is adjacent to the Greenbelt's 180.644-acre Cares conservation easement and Webster Township's Smyth easement, both purchased with funds from the Open Space and Parkland Preservation Millage, plus the in-progress Cares II easement property to which Council committed funds on January 9, 2023 (R-23-004). These easements share borders with seven additional easements, forming a 976-acre protected block of land. The property scored in the 63rd percentile of agricultural applications received by the Greenbelt Program in the scoring system developed and approved by the Greenbelt Advisory Commission. The Greenbelt Advisory Commission considers this Amaizin Pop LLC parcel a priority

for acquisition due to not merely the proximity but the direct physical link to other protected properties. The Commission recommended approving the participation agreement at their June 1, 2023 meeting.

Project Budget:

Total Acquisition Costs	**$140,000.00**
City of Ann Arbor	$75,000.0053.5%
Legacy Land Conservancy (via USDA NRCS grant)	$65,000.0046.5%

Staff recommends approval.
Prepared by: Rosie Pahl Donaldson, Land Acquisition Supervisor
Reviewed by: Derek Delacourt, Community Services Area Administrator
Approved by: Milton Dohoney Jr., 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 fair market value for the conservation easement on the Amaizin Pop LLC property was determined by an appraisal as required by Section 1:321 of Ann Arbor City Code;

Whereas, The purchase price for the conservation easement is $140,000.00, of which Legacy Land Conservancy has offered to pay $65,000.00 via grant awards plus due diligence and closing costs;

Whereas, Legacy Land Conservancy, as the lead agency on this purchase, will be the holder of the conservation easement; and

Whereas, At its June 1, 2023 meeting, the Greenbelt Advisory Commission recommended entering into a participation agreement with Legacy Land Conservancy for the purchase of the conservation easement, with the City contributing up to $75,000.00;

RESOLVED, That the Mayor and City Clerk are authorized and directed to execute a participation agreement with Legacy Land Conservancy for the purchase of a conservation easement on the Amazing Pop LLC property after approval as to form by the City Attorney and as to content by the City Administrator;

RESOLVED, That $75,000.00 is appropriated for contribution toward the purchase of the conservation easement on the Amaizin Pop LLC property from the Open Space and Parkland Preservation Millage proceeds for the life of the project without regard to fiscal year;

RESOLVED, That the contribution is 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; and

RESOLVED, That the City Administrator is authorized to take all appropriate action to implement this resolution, including the determination of satisfactory due diligence and execution of all appropriate

documents.