



Legislation Details (With Text)

File #: 24-0215 **Version:** 1 **Name:** 3/4/24 Easement on Heller Property
Type: Resolution **Status:** Passed
File created: 3/4/2024 **In control:** City Council
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Title: Resolution to Approve Participation in the Purchase of a Conservation Easement on the Heller Property in Webster Township, Approve a Participation Agreement with Webster Township, and Appropriate \$78,400.00 (8 Votes Required)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Heller_MacroMap.pdf, 2. Heller_PropertyMap.pdf

| Date | Ver. | Action By | Action | Result |
|----------|------|--------------|----------|--------|
| 3/4/2024 | 1 | City Council | Approved | Pass |

Resolution to Approve Participation in the Purchase of a Conservation Easement on the Heller Property in Webster Township, Approve a Participation Agreement with Webster Township, and Appropriate \$78,400.00 **(8 Votes Required)**

This resolution approves a participation agreement with Webster Township for the purchase of a conservation easement on the 71-acre Heller property in Webster Township. The resolution also approves an appropriation of funds not to exceed \$78,400.00 (20% of purchase price) from Open Space and Parkland Preservation Millage proceeds for the purchase.

The landowners applied to Webster Township’s land preservation program and the Township has been the lead agency in the negotiations with the landowner. The Township commissioned an appraisal with a date of value October 27, 2023, that determined the fair market value of a conservation easement on the property to be \$392,000.00. As the lead agency, the Township will be the holder of the conservation easement and will cover due diligence and closing costs in addition to the acquisition costs below. The Township was also awarded a USDA-NRCS ACEP-ALE grant to cover part of the acquisition costs.

Heller Property, Webster Township

The 71-acre Heller property is in the northwest corner of the Greenbelt boundary on Gregory Road. Its land use is nearly evenly split between corn/soy farming and healthy forest. These upland woods are rich in microtopographies and steep, interconnected vernal pools, resulting in high plant diversity, including a threatened species. It is expected to have high herpetological diversity as well. This forested patch extends into several neighboring properties, including two other properties protected with conservation easements. The property scored in the 70th percentile of agricultural applications and 71st percentile of open space applications received by the Greenbelt in the scoring systems developed and approved by the Greenbelt Advisory Commission. The protection of this property is a priority for the Greenbelt program due to its compatible neighboring land uses, mature trees and rare species, and water features (vernal pools, small perennial creek). The Greenbelt Advisory

Commission recommended approving the participation agreement at their January 11, 2024 meeting.

Project Budget:

| | |
|--------------------------------|-----------------|
| Total Acquisition Costs | \$392,000.00 |
| City of Ann Arbor | \$78,400.0020% |
| Webster Township | \$43,120.0011% |
| USDA-NRCS ACEP-ALE | \$192,080.0049% |
| Washtenaw County (WCPARC-NAPP) | \$78,400.0020% |

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 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;

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; and

Whereas, Webster Township will hold the conservation easement;

RESOLVED, That the Mayor and City Clerk are authorized and directed to execute a participation agreement with Webster Township for the purchase of a conservation easement on the Heller property after approval as to form by the City Attorney and as to content by the City Administrator;

RESOLVED, That \$78,400.00 is appropriated for contribution toward the purchase of the conservation easement on the Heller property from the Open Space and Parkland Preservation Millage proceeds for the life of the project without regard to fiscal year;

RESOLVED, That the City's 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, as appropriate; and

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