Legislation Details (With Text)

File #:	24-1212	**Version:**	1	**Name:**	7/1/24 Resolution to Approved Conservation Easement DeForest Salem Property
Type:	Resolution			**Status:**	Passed
File created:	7/1/2024			**In control:**	City Council
On agenda:	7/1/2024			**Final action:**	7/1/2024
Enactment date:	7/1/2024			**Enactment #:**	R-24-273

Title: Resolution to Approve Participation in the Purchase of a Conservation Easement on the DeForest Salem property in Salem Township, Approve a Participation Agreement with the Washtenaw County Parks and Recreation Commission, and Appropriate $214,000.00 (8 Votes Required)

Sponsors:

Indexes:

Code sections:

Attachments: 1. DeForest Salem Aerial Map.pdf, 2. DeForest Salem Protected Map.pdf

Date	Ver.	Action By	Action	Result
7/1/2024	1	City Council	Approved	Pass

Resolution to Approve Participation in the Purchase of a Conservation Easement on the DeForest Salem property in Salem Township, Approve a Participation Agreement with the Washtenaw County Parks and Recreation Commission, and Appropriate $214,000.00 **(8 Votes Required)**
This resolution approves a participation agreement with the Washtenaw County Parks and Recreation Commission (WCPARC) for the purchase of a conservation easement on the 115-acre DeForest Salem property in Salem Township. The resolution also approves an appropriation of funds not to exceed $214,000.00 (25% of purchase price) from Open Space and Parkland Preservation Millage proceeds for the purchase.

After being awarded a USDA-NRCS ACEP-ALE grant to cover part of the acquisition costs, WCPARC commissioned an appraisal with a date of value October 6, 2023, that determined the fair market value of a conservation easement on the property to be $856,000.00. As the lead agency, WCPARC will be the holder of the conservation easement and will cover due diligence and closing costs in addition to the acquisition costs below.

<u>DeForest Property, SalemTownship</u>
The DeForest farm property is notably scenic, adjacent to two other Greenbelt protected properties, postured at the corner of Joy and Tower Rds, extending a half mile in each direction. 99 acres are actively being using for agricultural in the form of cash crops. At the north edge of the property sits a 6-acre patch of open woods with a picturesque farm pond in the center. The conservation easement will cover 115.6 acres of the entire 134-acre tax parcel, excluding an area around the existing farmstead and another area planned for solar utilities. The DeForest family completed a conservation easement with the Greenbelt on their property in Superior Township in 2022.

The property scored in the 98th percentile of agricultural 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,

proximity to protected lands, high amount of road frontage, and generally larger size. The Greenbelt Advisory Commission recommended contributing funds and approving the participation agreement at their May 2, 2024 meeting.

Project Budget:

Total Acquisition Costs	$856,000.00	
City of Ann Arbor	$214,000.00	25%
USDA-NRCS ACEP-ALE	$428,000.00	50%
Washtenaw County (WCPARC-NAPP)	$214,000.00	25%

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 DeForest Salem property 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 $856,000.00, of which the Washtenaw County Parks and Recreation Commission has offered to pay $214,000.00 plus due diligence and closing costs;

Whereas, Webster Township, as the lead agency on this purchase, will be the holder of the conservation easement; and

Whereas, At its May 2, 2024 meeting, the Greenbelt Advisory Commission recommended entering into a participation agreement with Webster Township for the purchase of the conservation easement, with the City contributing up to $214,000.00;

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 the purchase of a conservation easement on the DeForest Salem property after approval as to form by the City Attorney and as to content by the City Administrator;

RESOLVED, That $214,000.00 is appropriated for contribution toward the purchase of the conservation easement on the DeForest Salem 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 actions to implement this resolution, including approvals, the determination of satisfactory due diligence, and the execution of all appropriate documents.