

ARTICLE VI. - PRESERVATION OF FARMLAND AND OPEN SPACE

Footnotes:

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State Law reference— *Farmland and open space preservation, MCL 324.36101 et seq.; agricultural preservation fund, MCL 324.36201 et seq.; preservation of development rights program, MCL 125.3507 et seq.*

Sec. 16-307. - Findings and declaration of purpose.

The board of trustees finds that:

- (1) The township is a desirable place to live, work and visit in large part due to the presence of farmland and other open space lands.
- (2) The community continues to experience substantial residential development pressure because of the social, cultural and education benefits of their proximity to the City of Ann Arbor and other urbanized areas of southeast Michigan.
- (3) Development in the areas around the City of Ann Arbor has affected quality of life by fragmentation of open space and wildlife habitat; loss of productive farmland and forestland; alteration of rural beauty; the decline in water quality and the loss of wetlands.
- (4) The conversion of farmland, open space and wetlands to residential or other more developed uses is made at the expense of a critical community resource being permanently lost to community residents.
- (5) The township's adoption of its master plan, zoning ordinance, open space and greenway plan and other ordinances and plans for the protection and preservation of open space and wetlands are not sufficient safeguards against the continuing growth and development of residential and commercial uses.
- (6) The permanent acquisition by the township of voluntarily offered interests in farmland, open space, wetlands and other property, as provided in this article and as authorized by the statutes of the state, will permit these lands to remain as farmland or otherwise in their current natural state near developing urban areas and provide longterm protection for the public interest in preservation and management of the land.
- (7) Michigan Public Act No. 262 of 2000 (MCL 324.36201 et seq.) created an agricultural preservation fund with the state treasury. Money in this fund may be used to provide grants to local units of government to assist in acquiring agricultural conservation easements, provided that the local unit has adopted an ordinance for the purchase of development rights and that the local unit has a comprehensive land use plan that includes a plan for agricultural preservation. Acceptable plans for agricultural preservation can include provisions for uses that allow agriculture and open space designations that allow agriculture.
- (8) The voters of the township approved in November 2004, a one-half mill tax for ten years to provide funds for permanently preserving farmland, open space, wildlife habitat scenic views, and protecting drinking water sources and the water quality of rivers and streams, and providing new parks, recreational opportunities and trails by the acquisition and management of land and land rights.
- (9) It is the policy of the township to protect, preserve and enhance farmland and open space lands through its ordinances and plans, the authority granted it by the Michigan Farmland and Open Space Preservation Act (MCL 324.36101 et seq.), the Michigan Conservation and Historic Preservation Easement Act (MCL 324.2140 et seq.) and other state laws and the use of grants, donations and other available fund sources.
- (10) The acquisition of land and land rights as provided in this article is a public purpose of the township.

(Ord. No. 2005-2, § 1, 2-15-2005)

Sec. 16-308. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Agricultural rights means an interest in and the right to use and possess land for the purposes and activities related to open space, natural habitat, horticultural and other agricultural use or open space character.

Agricultural use means substantially undeveloped land devoted to the production of plants and animals useful to humans, including fruits, nuts, vegetables, greenhouse plants, berries, herbs, flowers, seeds, nursery stock, grasses, Christmas trees and lumber, forages and sod crops, grains and feed crops, dairy and dairy products, livestock (including breeding and grazing), poultry and poultry products and other similar uses and activities. The term "agricultural use" does not include intensive animal husbandry operations in which poultry or livestock are raised for market in large numbers or tightly confined environments (concentrated animal feeding operations).

Application means the documentation and information submitted to the township by a landowner on the approved application form offering to sell, donate or otherwise grant to the township a conservation easement, development right or fee title.

Conservation easement means a non-possessory interest in real property, which is acquired in accordance with MCL 324.2140 et seq., for the purpose of retaining and enhancing agriculture, preserving natural, scenic or open space values of real property; restricting or preventing the development or improvement of the land for purposes other than agricultural production; or other like or similar purposes.

Development means an activity that materially alters or affects the existing conditions or use of any land in a manner that is inconsistent with agricultural use or open space character.

Development rights means an interest in and the right to use, divide or subdivide land for any and all residential, office, commercial, research, industrial, or other use, purposes or activities, including intensive animal husbandry operations, not incident to agricultural use or open space character.

Full ownership means fee simple title.

Governmental agency means the United States or any agency thereof, the state or any agency thereof or any municipal corporation.

Land preservation commission means the commission formed pursuant to this article to advise the township board in the selection of property for protection.

Open space character or *open space use* means substantially undeveloped land devoted to the maintenance or enhancement of natural processes (e.g., water quality, plant and wildlife habitat, groundwater recharge), or scenic enjoyment of the public.

Owner means the individual having fee simple title to land.

Parcel means all property under a single ownership that is included in an application.

Parkland means all property undeveloped and developed dedicated for the use of the public as a park.

Qualified appraisal means an appraisal done by an independent, qualified appraiser to establish the value of land or development rights, as defined in the Treasury Regulations, section 1.170A-13(c)(3)(5).

Residential development rights means the right to sell portion of a parcel, or to construct a residence and related accessory buildings such as a garage or shed on a parcel, for residential uses not related to the agricultural use or open space character of the parcel.

Substantially undeveloped land means land on which there is no more than one residential dwelling unit and related accessory buildings such as a garage or shed for each 40 acres of land. For parcels less than 40 acres in existence prior to the date of the ordinance from which this article is derived, and which cannot be joined to a larger contiguous parcel, substantially undeveloped land means land on which there is no more than one residential dwelling unit and related accessory buildings for the parcel.

(Ord. No. 2005-2, § 2, 2-15-2005)

Sec. 16-309. - Township board authority.

The township board is authorized under state law and this article to:

- (1) Expend revenue to acquire interests in land in accordance with the criteria and procedures established in this article. The interest acquired may either be fee title, development rights, conservation easements, or any lesser interest, easement, covenant or other contractual right pertaining to such rights. Acquisition of land and land rights may be achieved through purchase, grant, covenant or contract. In particular, the township can acquire development rights to agricultural land. The revenue shall be used to acquire interests only upon application of the owner and as authorized by this article.
- (2) Enter into cash purchase contracts, installment purchase contracts, cash purchase/non-cash donation agreements or similar agreements establishing the rights and responsibilities of the township and the owner in the transfer of land, purchase of development rights, or the granting of conservation easement or other easement or covenant consistent with applicable law and this article.
- (3) Enter into contracts with nonprofit land trusts, legally established and in good standing, or other similarly qualified nonprofit groups to participate jointly in the acquisition, retention and management of land and development rights, conservation easements or other easements.
- (4) Enter into contracts with qualified licensed professionals, nonprofit land trusts, legally established and in good standing, or other similarly qualified nonprofit groups to provide appraisal, environmental analysis and testing, acquisition evaluation and negotiation support, maintenance or other services necessary or appropriate to accomplish the purpose of this article.
- (5) Enter into agreements for joint acquisition, retention and management of land and development rights, conservation easements or other easements with another governmental agency to the extent permitted by law and in accordance with this article.
- (6) Issue bonds for the borrowing of money for any purpose within the scope of this article and the general powers of the township.

(Ord. No. 2005-2, § 3, 2-15-2005; Ord. No. 2016-06, § 1, 9-27-2016)

Sec. 16-310. - Land preservation commission—Established, membership.

- (a) The land preservation commission (LPC) shall consist of seven members nominated and approved by the township board. In making appointments of members to LPC, the township board shall appoint at least one person who has expertise or affiliation as follows:

- (1) One member who is a botanist or zoologist.
 - (2) One member of the township board of trustees.
 - (3) The remaining members shall be from the public-at-large. It will be desirable that at least one of these at-large members is an agricultural landowner or operates an agricultural business.
- (b) The terms of office of the first LPC appointed hereunder shall be fixed by the township board so that the terms of four members shall be for two years, and three for three years. After the initial LPC is formed, all members, except the township board member, thereafter will be appointed for three years. The township board member shall be appointed for a one-year term. A township board member shall cease to be a member of LPC if he ceases to be a member of the township board. All members of LPC shall serve without compensation. Members shall be residents of the township.
- (c) The township clerk shall notify the township board at least 45 days prior to the expiration date of the term of office of any person serving on LPC. The township board shall place on the table the name of all reappointments no later than 60 days after the expiration date of the term of office.
- (d) No land in which a member of the commission has an ownership or other financial interest will be considered during the tenure of that member or for a period of one year from the end of the member's tenure.
- (e) No member may serve more than three consecutive full terms after his initial term.
- (f) A member of LPC may be removed by a majority vote of township board for cause.

(Ord. No. 2005-2, § 4, 2-15-2005; Ord. No. 2017-03, § 1, 5-23-2017)

Sec. 16-311. - Same—Organization.

- (a) *Elections; meetings; quorums.* The organization of the land preservation commission is as follows:
- (1) The land preservation commission (LPC) shall annually elect a chair, vice-chair and secretary. The commission shall meet at a minimum on a quarterly basis at a date, place and time to be determined by the commission.
 - (2) A majority of members appointed to the commission, that is, four members, shall constitute a quorum. An affirmative vote of a majority of the members present shall be necessary to authorize any action by the commission.

Consistent with this article and subject to township board approval, LPC may develop bylaws and standing rules that further define the functional and procedural aspects of LPC's duties and provide for keeping a record of its proceedings.

- (b) *Powers and duties.* The powers and duties of the land preservation commission shall be as follows:
- (1) To advise and make recommendations to the township board on land matters; enhancing public awareness, commitment and active participation in stewardship of open space, natural features and parkland; and land and land rights acquisition, management and disposition.
 - (2) To review applications for the purchase of land and development rights in accordance with the provisions of this article and recommend to township board the properties on which to expend funds.
 - (3) To advise the township board on monitoring and enforcement of the terms and provisions of any rights and/or conservation easements acquired by the township.
 - (4) To publish and present an annual report, which shall include a listing of all parcels of land donated or for which development rights or conservations easements or other easements were acquired, and the method of acquisition; a map showing the location of acquired lands and dates of acquisition; financial cost and land

characteristics; other parcels on which other governmental entities hold conservation easements; a listing of the number of applications made; the number of unsuccessful applications and the categorical reasons they were not accepted.

- (5) To prepare and present to the township board an annual budget for land and land rights acquisition, preservation and management.
- (6) To review and recommend to the township board alternate sources of funding, such as grants, gifts, endowments, etc., for land and land rights acquisition, preservation, and management.
- (7) To work collaboratively with other township boards and commissions which have responsibilities for specific issues.
- (8) To hold public forums, separately or with other township boards or commissions, for the purpose of identifying needs in the community on natural lands matters.
- (9) To meet with commissions in other jurisdictions and other public and private organizations to address regional and state land and land rights preservation matters.

In addition to the powers and functions herein provided, the township board may delegate to the LPC by resolution other powers and functions permitted by law concerning the acquisition of development rights.

(Ord. No. 2005-2, § 5, 2-15-2005)

Sec. 16-312. - Criteria for selection.

The following criteria shall be used in determining the order in which applications will be prioritized for review and recommendation to the township board for acquisition:

- (1) Process. The land preservation commission (LPC) shall publish notice annually in a newspaper of general circulation in the township. The notice shall invite owners that meet the primary criteria outlined below to make application for sale of land, development rights, conservation easements or other easements. Application materials shall be available from the township clerk and shall include a summary of the criteria and guidelines for selection and a list of required documentation that must be attached to the application. Applications may be made at any time, but need not be considered until the next regular meeting of LPC. LPC shall have the right to convene extraordinary meetings to consider purchases requiring timely action.
- (2) Land acquisition criteria. Sites for consideration shall be evaluated using the following criteria, together with any other criterion determined by LPC to be appropriate to accomplishing the purpose of this article:
 - a. Agricultural land criteria.
 1. Characteristics of the land: soil quality, parcel size, road frontage, groundwater recharge/protection, woodlands, public water resource frontage/proximity.
 2. Context: adjacent zoning classification, adjacent land use, proximity to protected land, scenic value, historic value, connectivity.
 3. Acquisition considerations: matching funds, landowner contribution, development pressure.
 - b. Natural areas and open space criteria.
 1. Characteristics of the land: woodlands, rare species/habitat, parcel size, road frontage, wetlands and/or floodplain (especially headwater areas), groundwater recharge/protection, slopes, public water resource frontage/proximity.
 2. Context: adjacent zoning, adjacent land use, proximity to protected land, scenic value, historic value,

- connectivity.
3. Acquisition considerations: matching funds, landowner contribution, development pressure, recreational potential.
 4. Special attention should be given to properties that lie within the natural resource complexes identified in the township's open space and greenways plan.
- c. Parkland acquisition criteria.
1. Characteristics of the land: parcel size, woodlands, public water resources frontage/proximity, develop ability for active recreation.
 2. Context: adjacent zoning, adjacent land use, proximity to protected land, connectivity.
 3. Acquisition considerations: matching funds, landowner contribution, development pressure, recreation potential, proximity to existing parking, securability, demonstrated need (location or use), accessibility.
- (3) Land acquisition mechanisms.
- a. Purchase of development rights (PDR) shall be the preferred method of protecting agricultural land.
 - b. Natural areas and open space may be protected by conservation easements or fee simple purchase, or by acquiring other interests in land.
- (4) Any application which fulfills the criteria set forth in this article and in the regulations adopted by the LPC and approved by township board, but which is not offered a contract to purchase because available funds are not sufficient within the current fiscal year, shall be considered in the next application cycle, provided that the owner updates the information on the application or states that the information is accurate. These applications shall not be given any preference or priority at that time, but will be considered under the terms and conditions of this article along with all other applications submitted at that time.
- (5) The owner shall be and remain subject to all ordinances, rules and regulations regardless of the transfer to and the acquisition of development rights, conservation easements or other easements by the township whether now in effect or which may be subsequently adopted for the regulation of land uses or for the protection of the health, safety and welfare of residents of the jurisdiction.
- (6) The township, its officials, employees and agents shall not be liable for any injury that may occur to any person, or for any damage that may occur to any property, as a result of any act, decision or other consequence or occurrence arising out of the acts or omission of the owner or any person or entity other than the township based on the existence of an application or the acquisition of development rights, conservation easements or other easements.

(Ord. No. 2005-2, § 6, 2-15-2005; Ord. No. 2007-01, § 1, 3-13-2007)

Sec. 16-313. - Application procedure; approval by the township board.

- (a) In order for an application to be considered for purchase, it must meet the following:
- (1) The applicant must have good, marketable, fee simple title to the land.
 - (2) If a development rights purchase, the applicant must agree to maintain the land in accordance with a conservation easement approved by the township board.
 - (3) A completed application must be submitted on the approved application form by the deadline established by the land preservation commission (LPC). An owner or a duly authorized representative of the owner may apply. All applications must be signed. A separate application is required for each parcel of land offered for acquisition. The

LPC shall establish and publish procedures for submission and to assist owners with the application process. These procedures shall be available from the township clerk.

- (b) The following information shall be included in a completed application:
- (1) Adequate identification by deed reference of the parcel of land to be considered for purchase. The description should also include a map showing the location of the parcel.
 - (2) A description of the agricultural use carried out on the parcel or other current uses on the parcel.
 - (3) A statement by the owner of any contingencies that may affect the property in the future, such as death, estate plans, etc.
 - (4) A description of the features of the property, such as presence of water bodies, scenic views, streams, wetlands, rare species, or other desirable feature.
 - (5) A statement by the owner granting access for the purpose of inspection and appraisal of the parcel by the township, its employees or contractors and the LPC.
 - (6) A list of any and all liens and encumbrances on the parcel.
 - (7) Existence of any surface or subsurface leases or easements.
 - (8) All other information requested on the application.
- (c) If the application is complete and the minimum criteria established are met, the application shall be evaluated. A member of the LPC, authorized contractor or township staff assigned to the LPC, shall view each application and a written report shall be made to the LPC prioritizing the applications according to the established selection criteria.
- (d) After consideration of the written report, the LPC shall upon an affirmative vote of four members determine the annual list of owners with which negotiation for purchase of land or land rights will be initiated. The determination shall be made with the goal of purchasing land, development rights and conservation easements from as many owners as possible in order to accumulate a critical mass of land to be retained for preservation and management purposes.
- (e) Prior to initiating formal negotiation, a title search shall be completed to determine if the owner has clear, marketable, fee simple title. For purchases of development rights or conservation easements, a "before and after" qualified appraisal of the property and the interest offered for purchase shall be conducted. The qualified appraisal shall contain an analysis of the highest and best use of the parcel of land, the valuation methodology used by the appraiser to determine value, the fair market value of the full ownership of the land (excluding the buildings thereon, if any), and the value of the agricultural rights and any residential developments rights to be retained by the owner for development right purchases; or the value of all rights to be retained by the owner for conservation easement purchases. The value of the owner's retained rights or interest in the land shall be listed separately in the qualified appraisal. For purchases of land in fee simple, the qualified appraisal shall contain only the analysis of the highest and best use of the parcel of land, the valuation methodology used by the appraiser to determine value and the fair market value of the full ownership of the land (excluding the buildings thereon, if any). If appropriate, an environmental assessment, soil analysis, boundary survey or other testing may be conducted. At the conclusion of all testing and completion of the title search, a complete property analysis, including a baseline documentation of the property, and recommendation shall be prepared as to whether negotiation should continue. The owner shall be entitled to a copy of the property analysis.
- (f) The LPC or another authorized negotiator on behalf of the township shall submit a written purchase offer to the owner. The offer shall be for a time certain accompanied by a proposed deed of easement or title in accordance with the offer made in the application.
- (g) An owner may, at his own expense, provide additional information to the LPC on the findings and determinations

included in the property analysis or withdraw his application within 30 days of receipt of the property analysis.

- (h) After receipt of all information relating to an application, the LPC shall forward a recommendation for acquisition to the township board for action.

(Ord. No. 2005-2, § 7, 2-15-2005)

Sec. 16-314. - Related costs.

The costs of appraisal, engineering, surveying, planning, financial, environmental, legal or other services lawfully incurred incident to the acquisition of land, development rights, conservation easements or other easements by the township in accordance with this article shall be paid by the township and may be paid from millage proceeds. The township shall not be responsible for expenses incurred by the owner incident to the owner's application.

(Ord. No. 2005-2, § 8, 2-15-2005)

Sec. 16-315. - Retained residential development rights.

- (a) To promote agricultural use of properties on which the township has purchased the development rights, it has been determined that such properties should remain substantially undeveloped.
- (b) It may be in the best interest of property owners and of the program to purchase development rights that property owners retain some residential development rights so long as the land remains substantially undeveloped. When property owners retain some development rights their land value remains higher than it would be if they sold all their development rights and the value of the development rights to be purchased is correspondingly reduced.
- (c) Conservation easements conveying development rights to the township may include a provision for a landowner to retain the right to build additional residential dwellings on the following schedule:

0—40 acres	0
41—80 acres	1
81—160 acres	2
161 and more acres	3

Initially, these dwellings must be owned or occupied by a direct family member or for a farm laborer with a demonstrable employment record or financial investment in the farming operation.

- (d) Both residential and nonresidential buildings must be identified in the negotiated conservation easement in order to protect other important features of the property. Building locations and lot sizes must also conform to existing zoning in the municipality where the property is located.
- (e) A landowner may choose to omit a maximum of two residential building lots from the nominated property of the minimum size allowed by local zoning. The LPC and the township board may consider such omission when evaluating on which properties to purchase development rights.

- (f) Once action to select properties for the purchase of development rights has been taken by the township board, a baseline documentation report will be prepared describing, through photographic, pictorial and narrative means, the condition of the property at the time of the grant and a development rights easement. The baseline report shall contain a signature page where the owner and the supervisor sign to state that the report is an accurate description of the property at the time of grant. The easement shall similarly feature a page where the signatures of the owner and the supervisor are notarized, following which the easement shall be recorded with the county register of deeds so that it is effective on all current and future owners.

(Ord. No. 2005-2, § 9, 2-15-2005)

Sec. 16-316. - Land preservation fund established.

- (a) Revenues received for the preservation of farmland, open space, wildlife habitat, scenic views, and the protection of drinking water sources and the water quality of rivers and streams, and the provision of new parks, recreational opportunities and trails through acquisition and management of land, development rights, conservation easements and other easements shall be placed in a designated land preservation fund which is hereby created in the township budget.
- (b) The fund shall be invested and managed in the same manner as existing funds of the township. No part of the fund may be transferred to any other fund, nor be encumbered, nor be utilized for any purpose except the purposes specifically set forth in this article. Expenditures from the fund require authorization of the township board.

(Ord. No. 2005-2, § 10, 2-15-2005)

Sec. 16-317. - Duration of acquired rights; release.

- (a) Development rights acquired pursuant this article shall be held in trust by the township for the benefit of its citizens in perpetuity. After 50 years have passed, however, the owner may make application to the land preservation commission (LPC) to repurchase the development rights. The LPC shall review such application and determine whether the property has become landlocked with nonagricultural uses, farming is no longer feasible and the release is for the public good. The LPC shall evaluate the feasibility of farming by determining whether the land is no longer and never will be suitable for any kind of agriculture, with wooded land or land left fallow not necessarily to be considered unsuitable. The LPC shall hold a public hearing to gain input from citizens on the application and make recommendation to the township board on the request.
- (b) Upon receiving the recommendations of the LPC, the township board shall take final action on such recommendations. The board must support the request by an owner to repurchase development rights by a five-member majority of the total seven members of the board. For properties 100 acres and greater, the board's five-member majority support of the request shall result in a referendum to allow the public to decide the matter. If the township board or the public supports the request, the owner shall have one year to complete the process of repurchasing the rights and all associated actions. All costs associated with the request shall be borne by the applicant.
- (c) For those properties which the township board approves the return of development rights as specified in subsection (a) of this section, the LPC shall cause a qualified appraisal of the applicant's property interest to be made at the owner's expense. Payment for this appraisal shall be made by the owner in advance. A "before and after" appraisal shall be made to determine the value of development rights. One appraisal shall determine the fair market value of full ownership of the land (excluding buildings thereon) and one shall determine the fair market value of the agricultural rights plus any specifically retained residential development rights.

- (d) The selected appraiser shall not have a property interest, personal interest or financial interest in the subject lands.
- (e) Appraisals shall be in writing and shall be furnished to the respective owners for review. Errors of fact in any appraisal may be called to the attention of the appraiser by the LPC or by owners of the property appraised, but corrections of the appraisal may be made only by the appraiser.
- (f) At any time in this process, the owner may choose to withdraw the request for the return of development rights without penalty, while still being responsible for the township's appraisal of the property and any other costs incurred.
- (g) If the township board approves return of development rights, the township shall have a right of first refusal to purchase the remaining rights at the fair market value of the agricultural rights plus any retained development rights for the purposes of a park or other publicly accessible property. Upon receiving the recommendations of the LPC, the township board shall take final action on such recommendations. If the board chooses to exercise this right of first refusal, an offer to purchase the remaining rights at the appraised value shall be submitted within 180 days. Acquisition of lands for public purposes shall be made with funds designated for such purchases and not with funds authorized for development rights acquisition pursuant to this article. The owner may at that time choose to not sell the remaining rights and instead retain ownership of the property. If the township board approves the sale of development rights back to the owner, proceeds from that sale shall be placed in the land preservation fund.
- (h) If a request to repurchase development rights is denied by the township board or the public, or the landowner chooses to not sell the remaining rights when the township chooses to exercise its right of first refusal, or more than a year passes from the township board's authorization for the repurchase of rights, the landowner must wait five years before reapplying to repurchase development rights.
- (i) The township may convey development rights acquired pursuant to this article to a conservation, open space preservation, historic preservation or similar organization under terms ensuring that the public benefits for which the township purchased the development rights will be maintained.

(Ord. No. 2005-2, § 11, 2-15-2005)

Sec. 16-318. - Enforcement.

Township staff or its designees shall administer and the township board shall enforce this article and conservation easements agreements. The land preservation commission (LPC) will advise and make recommendations to the township board concerning monitoring and investigation of complaints of violation of township acquired land and land rights. The LPC shall at least once annually ascertain whether the owner is complying with all conditions of the easement or deed. Inspection findings shall be in writing and maintained. Any violation identified shall be referred to the township board.

(Ord. No. 2005-2, § 12, 2-15-2005)

Sec. 16-319. - Administrative costs.

- (a) Reasonable administrative expenses can be paid from the farmland and open space land preservation millage revenues for both the acquisition of land and conservation easements. The following activities shall be considered administration expenses that may be paid for from millage revenues:
 - (1) Staff or consultant time, including benefits, devoted directly to the acquisition process.
 - (2) Staff or consultant time, including benefits, devoted directly to program support.
 - (3) Travel/vehicle costs incurred.
 - (4) Monitoring of conservation easements.

- (5) Enforcement of conservation easements.
- (6) Legal expenses directly related to the acquisition of property or property interests, including staff or outside counsel time.
- (b) The actual cost of property or property interests, plus charges for the following items, can be paid from millage revenues, but are not considered administrative expenses:
 - (1) Title commitments.
 - (2) Payment of property taxes on acquired property.
 - (3) Preparation of appraisals of property.
 - (4) Preparation of legal surveys of property.
 - (5) Preparation of phase 1 environmental assessments of property, as well as subsequent phases, if required.
 - (6) Baseline documentation for conservation easements.
 - (7) Interest and other costs directly related to the sale of bonds supported by this millage.

(Ord. No. 2005-2, § 13, 2-15-2005)

Sec. 16-320. - Donations.

The provisions of this article shall not apply to a donation of any interest in land to the township by a gift or bequest.

(Ord. No. 2005-2, § 14, 2-15-2005)