

Contract for Services Agreement

This is an Agreement by and between the Grand Traverse Regional Land Conservancy, located at 3860 North Long Lake Road, Suite D, Traverse City, MI 49684 (Conservancy) and Acme Township located at 6042 Acme Road, P.O. Box 434, Acme, MI 49610 (Township).

Whereas, Acme Township has in place a publicly-funded Purchase of Development Rights (PDR) Program.

Whereas, due to limited Township staff time available to administer the PDR Program, assistance is needed to administer the PDR Program.

Whereas, the Conservancy's mission is to preserve natural, scenic, and farm lands for future generations.

Whereas, the Conservancy has significant experience and expertise working with landowners to preserve land through many mechanisms, including the purchase of development rights.

Whereas, the Township and Conservancy see a mutual benefit in working together to ensure a successful PDR program.

Now Therefore, the Township and Conservancy agree as follows:

1. The Township agrees to contract with the Conservancy for assistance in administering their Purchase of Development Rights (PDR) program from June 1, 2010 to May 31, 2011.
2. The Conservancy hereby agrees to provide the following services to assist Acme Township, Acme Township's Farmland Preservation Advisory Committee, and the Grand Traverse County Farmland Preservation Board as it relates to Acme Township's PDR Program including, but not limited to the following:
 - a. Maintain a working relationship with current PDR applicants.
 - b. Continue work with those outside of application round who have expressed interest in program and field other calls of interest.
 - c. Provide oversight of a new PDR application round if necessary.
 - d. Administer the implementation of the recently obtained FY 2010 Farm and Ranch lands Protection Program (FRPP) grant award in the amount of approx. \$612K for remainder of the Engle, Send and CCC LLC. projects including:
 - 1) Work with Township Manager and Michigan Department of Agriculture (MDA) staff to execute Cooperative Grant Agreement with the USDA NRCS.
 - 2) Develop and implement Installment Purchase Agreements for FRPP Grant with 3 project owners.
 - 3) Procure services for and oversee Phase I Baseline Environmental Reports for the 3 FRPP funded parcels – Send, Engle and CCC LLC.
 - 4) Work with NRCS field staff to procure updated Conservation Plans for the applicant parcels.
 - 5) Coordinate FRPP funded project / PDR closings.
 - 6) Work with landowner's tax and legal advisors re income, estate, and property tax implications of transactions, bargain sales, etc..
 - e. Prepare PDR/conservation easements, Baseline Documentation Reports and all other documents necessary to execute closing of purchases as approved by the Township Board;
 - f. Work with Township and grantee's legal counsel to finalize legal documents;
 - g. Assist with closing transactions related to the projects and publicity;
 - h. Negotiate, draft and oversee the procurement of letters on intent, option agreements or other documents to keep interested landowners committed to the preservation of their properties pending available funding.

- i. Establish and implement conservation easement monitoring procedures.
 - j. Monitor township easements.
 - k. Continue to track available funding from the USDA-NRCS FRPP program, Great Lakes Restoration Initiative funds and the MI Dept. of Agriculture's (MDA) Agricultural Preserve Fund Program as it relates to funding opportunities for Acme's Program.
 - l. Advocate, as appropriate, for the flow of funding, and rules and procedures with various public funders that best position Acme Township to receive matching funds.
 - m. Work with partners such as the MI Farm Bureau, USDA-NRCS, MDA, Heart of the Lakes Center for Conservation Policy and American Farmland Trust to raise the profile of Acme's program and develop partnerships that benefit Acme's program both financially and programmatically.
 - n. Showcase the township's farmland preservation efforts to private funders in an effort to increase private investment in the program.
 - o. Monitor and apply for State and Federal PDR funding;
 - p. Disseminate land conservation information to the public and otherwise work with Acme Township to promote their PDR Program by assisting in the development of press releases and other outreach strategies; and
 - q. Work closely with the farmland preservation board of Grand Traverse County per the governing ordinances and approved ballot referenda as necessary.
 - r. Any Baseline Documentation Reports necessary beyond the three (3) included in this contract shall be completed by mutual agreement of the parties at a cost of \$1200 each.
3. The fee for services shall be Twenty Eight Thousand Dollars (\$28,000) for the term of the contract.
4. Township shall provide payment to the Conservancy for above services as follows:
- a. Payment #1 shall be due on July 15, 2010, in the amount of \$7,000;
 - b. Payment #2 shall be due on September 15, 2010 in the amount of \$7,000;
 - c. Payment #3 shall be due on December 15, 2010 in the amount of \$7,000;
 - d. Payment #4 shall be due on March 15, 2011, in the amount of \$7,000;
5. This agreement shall run from June 1, 2010, through May 31, 2011, and may be renewed, expanded or otherwise amended by mutual consent of the parties.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the date indicated below:

Grand Traverse Regional Land Conservancy:

Glen A. Chown, Executive Director

Date

Acme Township:

Wayne J. Kladder
Wayne J. Kladder, Supervisor

8-7-2010
Date