

## Community Development Committee

For the Metropolitan Council meeting of September 25, 2013

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**Subject:** Park Acquisition Opportunity Fund Grant for Blakeley Bluffs Park Reserve (JMJM Parcel), Scott County

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### **Proposed Action**

That the Metropolitan Council:

1. Authorize a grant of up to \$744,927 from the Parks and Trails Legacy Fund Acquisition Account to Scott County to finance up to 75% of the costs to acquire approximately 114 acres for the Blakeley Bluffs Park Reserve. The grant should be financed with:

\$446,956 from the FY2014 Parks and Trails Legacy Fund appropriation, and  
\$297,971 from Metropolitan Council bonds

2. Authorize the Community Development Director to sign the grant agreement and accompanying documents including the restrictive covenant.

3. Consider reimbursing Scott County up to \$248,309, its 25% share of the total acquisition costs, from a future Regional Park Capital Improvement Program. The Council does not under any circumstances represent or guarantee that reimbursement will be granted, and expenditure of local funds never entitles a park agency to reimbursement.

### **Summary of Committee Discussion/Questions**

The Community Development Committee unanimously recommended approval of the proposed action at its September 16 meeting.

## Community Development Committee

Meeting date: September 16, 2013

For the Metropolitan Council meeting of September 25, 2013

**Subject:** Park Acquisition Opportunity Fund Grant for Blakeley Bluffs Park Reserve (JMJM Parcel), Scott County

**District(s), Member(s):** Council District 4, Gary VanEyll

**Policy/Legal Reference:** Minnesota Statute Section 473.315

**Staff Prepared/Presented:** Tori Dupre, Senior Planner-Regional Parks and Natural Resources (651-602-1621)

**Division/Department:** Community Development Division

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### Proposed Action

That the Metropolitan Council:

1. Authorize a grant of up to \$744,927 from the Parks and Trails Legacy Fund Acquisition Account to Scott County to finance up to 75% of the costs to acquire approximately 114 acres for the Blakeley Bluffs Park Reserve. The grant should be financed with:  
\$446,956 from the FY2014 Parks and Trails Legacy Fund appropriation, and  
\$297,971 from Metropolitan Council bonds
2. Authorize the Community Development Director to sign the grant agreement and accompanying documents including the restrictive covenant.
3. Consider reimbursing Scott County up to \$248,309, its 25% share of the total acquisition costs, from a future Regional Park Capital Improvement Program. The Council does not under any circumstances represent or guarantee that reimbursement will be granted, and expenditure of local funds never entitles a park agency to reimbursement.

### Background

In 2001, the Metropolitan Council established a Park Acquisition Opportunity Fund grant program to assist regional park agencies in acquiring land for the Metropolitan Regional Park System. Land that is acquired must be within Metropolitan Council approved master plan boundaries for that particular park or trail unit. To-date, about \$32.6 million has been granted to acquire 2,408 acres.

All park acquisition opportunity grant agreements include an "agreement and restrictive covenant" that park agencies record to ensure that the property remains in regional recreation use. The proposed action 2 authorizes the Community Development Director to sign the grant agreement and accompanying documents including the restrictive covenant. The Metropolitan Parks and Open Space Commission did not act on proposed action number 2 at their September 3 meeting because it was inadvertently left out of their recommended actions.

On August 15, 2013 the Council received Scott County's acquisition opportunity grant request for \$744,927 to finance up to 75% of the estimated total costs to acquire

approximately 114 acres owned by JMJM Holdings for the Blakeley Bluffs Park Reserve. (Attachments 1 and 2)

Scott County has been working with the land owner (JMJM) to acquire this central part of the Blakeley Bluffs Park Reserve. The property is located in Blakeley Township and includes Minnesota River frontage, floodplain, bluffs, ravines and scenic vistas of the river valley. The 114 acres are primarily in a natural state, with a portion in pasture and cropland.

Scott County indicates that the acquisition costs total \$993,236, and requests a park acquisition opportunity fund grant for 75% of the total cost, \$744,927. The County also requests consideration of reimbursement for its 25% share of the total acquisition costs, \$248,309, from a future regional parks capital improvement program.

**Rationale**

The request is consistent with the adopted rules for Park Acquisition Opportunity Fund Grants (MC Item 2012-260).

**Funding**

The Parks and Trails Legacy Fund Acquisition Account balance is \$1,989,152, based on the Metropolitan Council’s approval of grants to Ramsey County for the Phalen Keller Regional Park and to Dakota County for the Vermillion Highlands Greenway and Rosemount Greenway Regional Trails.

Scott County’s acquisition costs for the JMJM parcel total \$993,236 and include the purchase price, appraisal, environmental assessment, taxes and other closing costs, as shown in Table 1.

**Table 1:** Acquisition Costs

Cost Items	Amount
Purchase Price	\$962,862
Appraisal	\$1,750
Taxes, Closing costs, Title Insurance, Land Stewardship	\$28,624
Total	\$993,236

The Park Acquisition Opportunity Fund grant will be financed with the following revenue sources, shown in Table 2.

**Table 2:** Acquisition Grant Revenue Sources

Revenue Sources	Amount
Grant Total (up to 75% acquisition total)	\$744,927
FY2014 Parks and Trails Legacy Fund (60%)	\$446,956
Metropolitan Council bonds (40%)	\$297,971

If the Metropolitan Council approves this grant to Scott County, plus grants to Ramsey and Dakota Counties, the Parks and Trails Legacy Fund Acquisition Account balance is \$1,244,225.

**Known Support / Opposition**

The Metropolitan Parks and Open Space Commission (MPOSC) unanimously supported the recommendations presented in the attached memorandum to the MPOSC at their September 3, 2013 meeting.

There is no known opposition to Scott County's grant request.

## Metropolitan Parks and Open Space Commission

Meeting date: September 3, 2013

For the Community Development Committee meeting of September 16, 2013

For the Metropolitan Council meeting of September 25, 2013

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**Subject:** Park Acquisition Opportunity Fund Grant for Blakeley Bluffs Park Reserve (JMJM Parcel), Scott County

**District(s), Member(s):** Metropolitan Parks & Open Space Commission District B, Robert Moeller

**Policy/Legal Reference:** Minnesota Statute Section 473.315

**Staff Prepared/Presented:** Tori Dupre, Senior Planner-Regional Parks and Natural Resources (651-602-1621)

**Division/Department:** Community Development Division

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### Proposed Action

That the Metropolitan Council:

1. Authorize a grant of up to \$744,927 from the Parks and Trails Legacy Fund Acquisition Account to Scott County to finance up to 75% of the costs to acquire approximately 114 acres for the Blakeley Bluffs Park Reserve. The grant should be financed with: \$446,956 from the FY2014 Parks and Trails Legacy Fund appropriation, and \$297,971 from Metropolitan Council bonds
2. Consider reimbursing Scott County up to \$248,309, its 25% share of the total acquisition costs, from a future Regional Park Capital Improvement Program. The Council does not under any circumstances represent or guarantee that reimbursement will be granted, and expenditure of local funds never entitles a park agency to reimbursement.

### Background

On August 15, 2013 the Council received Scott County's acquisition opportunity grant request for \$744,927 to finance up to 75% of the estimated total costs to acquire approximately 114 acres owned by JMJM Holdings for the Blakeley Bluffs Park Reserve. (Attachments 1 and 2)

Scott County has been working with the land owner (JMJM) to acquire this central part of the Blakeley Bluffs Park Reserve. The property is located in Blakeley Township and includes Minnesota River frontage, floodplain, bluffs, ravines and scenic vistas of the river valley. The 114 acres are primarily in a natural state, with a portion in pasture and cropland.

The total planned acreage for the Blakeley Bluffs Park Reserve is 2,440 acres, and of this, Scott County has acquired 293 acres to date (includes the Albrecht Hutchinson property). With the additional JMJM property, the total acquisition will be 407 acres. Therefore, Scott County's proposed acquisition is consistent with the Metropolitan Council-approved master plan (03/14/12; 2012-67) for the Park Reserve.

Scott County indicates that the acquisition costs total \$993,236, and requests a park acquisition opportunity fund grant for 75% of the total cost, \$744,927. The County also requests consideration of reimbursement for its 25% share of the total acquisition costs, \$248,309, from a future regional parks capital improvement program. The County's request is consistent with the Park Acquisition Opportunity Grant Rules approved by the Metropolitan Council on January 9, 2013 (Business Item 2012-260).

### Rationale

In 2001, the Metropolitan Council established a Park Acquisition Opportunity Fund grant program to assist regional park agencies in acquiring land for the Metropolitan Regional Park System. Land that is acquired must be within Metropolitan Council approved master plan boundaries for that particular park or trail unit.

All park acquisition opportunity grant agreements include an "agreement and restrictive covenant" that park agencies record to ensure that the property remains in regional recreation use. The Metropolitan Council's action authorizes the Community Development Director to sign the grant agreement and accompanying documents including the restrictive covenant.

### Funding

The Metropolitan Council's approval of Scott County's acquisition grant leaves a balance in the FY 2014 Parks and Trails Legacy Fund acquisition account of \$1,244,225. Scott County's acquisition costs for the JMJM parcel total \$993,236 and include the purchase price, appraisal, environmental assessment, taxes and other closing costs, as shown in Table 1.

**Table 1:** Acquisition Costs

Cost Items	Amount
Purchase Price	\$962,862
Appraisal	\$1,750
Taxes, Closing costs, Title Insurance, Land Stewardship	\$28,624
Total	\$993,236

The Fiscal Year 2014 Parks and Trails Legacy Fund appropriation amount is \$1,682,000 and Scott County's request of \$446,956.20 leaves a fund balance of \$754,267.20. The Park Acquisition Opportunity Fund grant will be financed with the following revenue sources, shown in Table 2.

**Table 2:** Acquisition Grant Revenue Sources

Revenue Sources	Amount
Grant Total (up to 75% acquisition total)	\$744,927
FY2014 Parks and Trails Legacy Fund (60%)	\$446,956
Metropolitan Council bonds (40%)	\$297,971

**Known Support / Opposition**

The request is consistent with the rules for Park Acquisition Opportunity Fund Grant Rules (MC Item 2012-260). The Council has received no communication of known opposition to the County's grant request.

## Attachment 1: Scott County letter requesting an acquisition grant for the Blakeley Bluffs Park Reserve



August 15, 2013

Mr. Ame Stefferud  
Manager, Regional Parks and Natural Resources Unit  
Metropolitan Council  
390 North Robert Street  
St. Paul, MN 55101  
(via email)

Subject: Acquisition Opportunity Grant Request for JMJM Holdings LLC, Blakeley Bluffs Park Reserve

Dear Mr. Stefferud,

I am writing to submit an Acquisition Opportunity Grant Request for an acquisition associated with Blakeley Bluffs Park Reserve in Scott County.

#### *Proposed Land Purchase*

JMJM Holdings LLC owns approximately 308 acres of land in the heart of the planned Blakeley Bluffs Park Reserve, located west of County Highway 1 in Blakeley Township (**Attachment A**). The land consists of a small amount of Minnesota River frontage, floodplain, and uplands that contain bluffs, steep slopes and ravines, plateaus, and high knolls providing incredible vistas of the Minnesota River Valley.

Scott County has been working with the land owner for the past three years as the owner has considered options for the future, and we have come to terms on the purchase of a portion of the property for park reserve purposes – approximately 114 acres. The owner has tentatively agreed to sell an additional 146 acres in the future, and will retain the balance of the property that contains the existing home and outbuildings for personal use until no longer needed.

This acquisition is an important acquisition for the planned park reserve as the owner has prepared a plat and engineering plans for a proposed subdivision that would create seven 40-acre executive home sites. However, after our ongoing discussions with the owner, they have agreed to sell for park purposes instead of subdivide.

Scott County Government Center, 200 Fourth Avenue West, Shakopee, Minnesota 55379-1220  
Information 952.496.8475 • Fax 952.496.8496 • [www.ThreeRiversParks.org](http://www.ThreeRiversParks.org) • [www.co.scott.mn.us/parktrails](http://www.co.scott.mn.us/parktrails)



The 114 acres being acquired exist mostly in their natural state. The land cover consists of some tilled land, pasture, flood plain and woodlands. The former homestead on the property has been removed, but the barn remains. At this point, the barn appears to be in such poor condition that it would likely be removed as it would not likely support park activities in the future.

*Grant Request*

Scott County is requesting the Metropolitan Council's consideration of an acquisition opportunity grant in the amount of \$744,927 that would fund 75% of the acquisition and associated costs, with 25% local match coming from county funds. In addition, Scott County requests that the 25% local match \$248,309 be eligible for reimbursement in future Regional Park CIP requests.

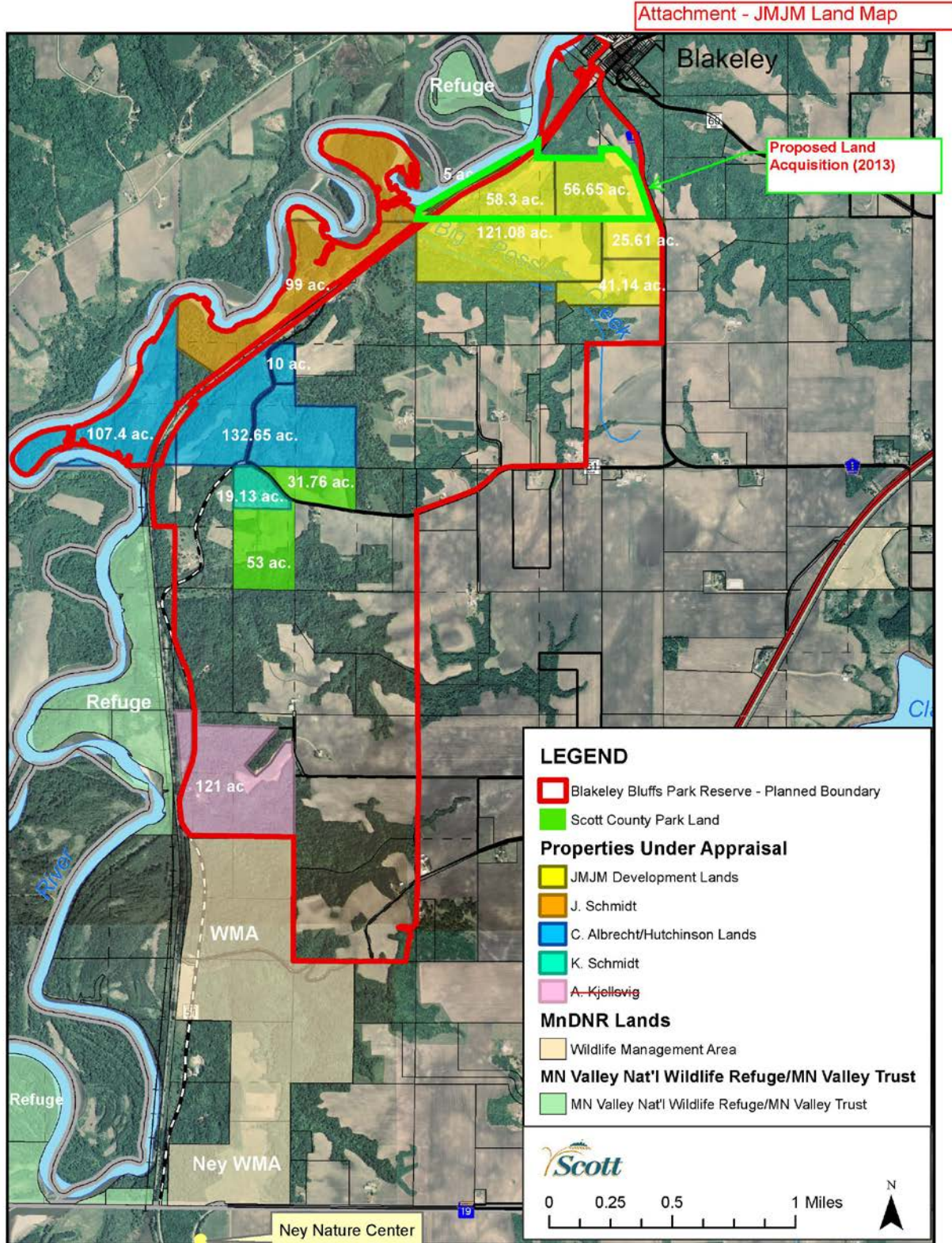
Thank you for your consideration of this request, and I want to extend my thanks to the Metropolitan Parks and Open Space Commission and the Metropolitan Council for their continued support of our efforts. If you have any questions regarding the proposed acquisition, negotiations, or land exchange, please contact me directly at 952-496-8783.

Sincerely,

A handwritten signature in blue ink that reads "Mark Themig". The signature is fluid and cursive, with the first name "Mark" being more prominent than the last name "Themig".

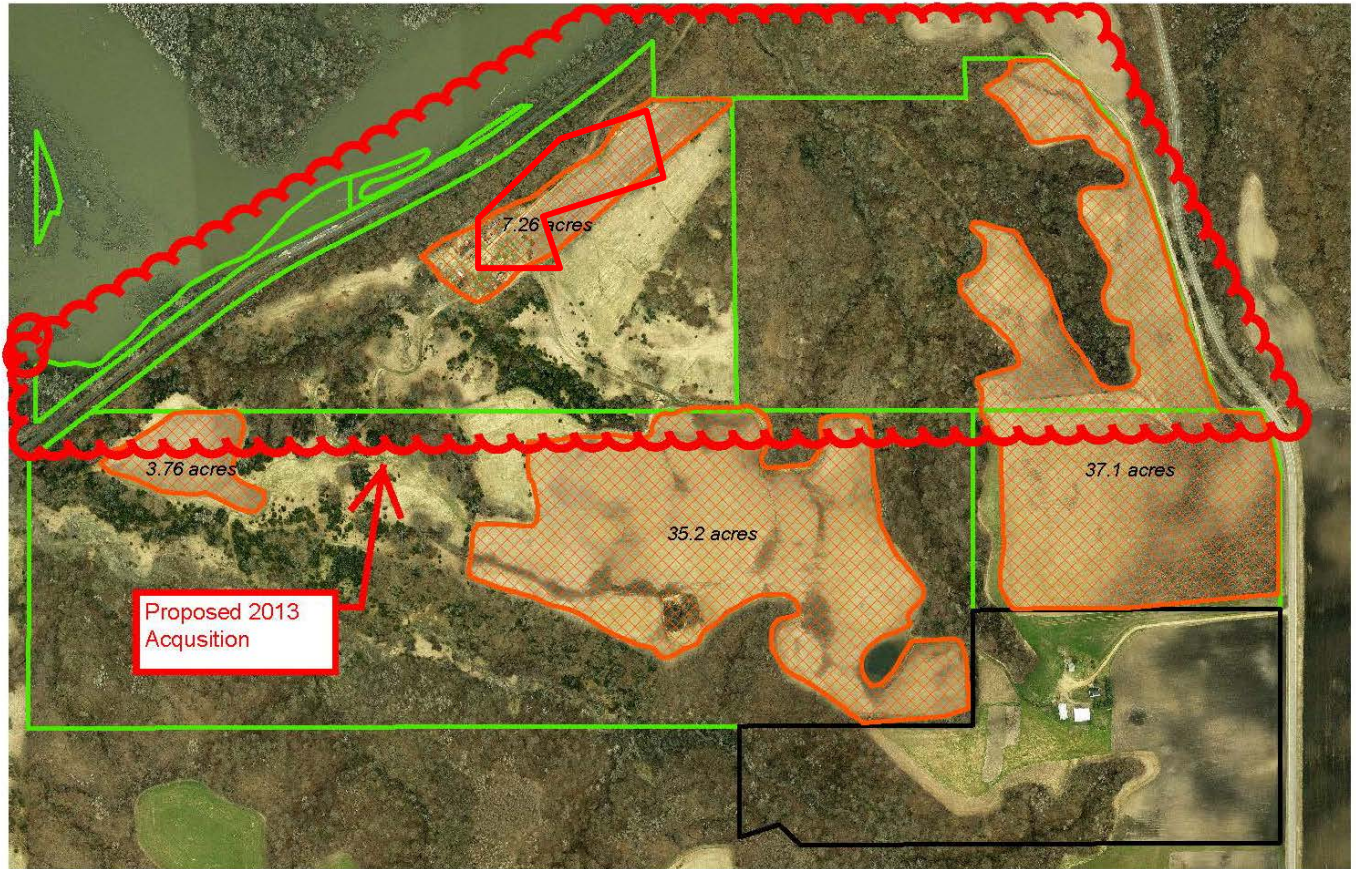
Mark Themig  
General Manager Scott County Parks

# Attachment 2: Scott County Property Acquisition





**Attachment 3: Aerial Photo of Scott County Property Acquisition in Blakeley Bluffs Park Reserve**



JMJM Holding Property  
 Blakeley Bluffs Park Reserve



**LEGEND**

- Generalized Land Cover**
- Cropland (83.32 acres)
  - Natural (259.66 acres)
  - Residential (40.38 acres)



0 210 420 840 Feet

PJF 4/22/15