

ITEM # 37
DATE: 09-26-23
DEPT: P & R

COUNCIL ACTION FORM

SUBJECT: DONATION OF PROPERTY LOCATED AT 1000 JARRETT CIRCLE

BACKGROUND:

The property owners of the residential lot at 1000 Jarrett Circle, Herman Quirmbach Leigh Tesfatsion, have offered to donate this property to the City of Ames. Attachment A provides more detail regarding the donation offer. The lot is 0.60 acres and has an assessed value of \$78,500 according to the City Assessor's Office. However, according to the owner's, the lot was purchased for \$110,000 in 2013.

The owner's have two stipulations attached to this donation:

1. The City would incorporate the lot in question as part of the Emma McCarthy Lee Park and Munn Woods greenbelt and it would remain in its undeveloped natural state in perpetuity.
2. The City would agree not to install or develop at 1000 Jarrett Circle any formal entrance to the greenbelt area (e.g., through signage, creation of a marked path, or similar) for a period of twenty years or until the date at which both Quirmbach and Tesfatsion have vacated their residence at 1002 Jarrett Circle, whichever date comes first.

This property is shown in Attachment B as a close-up of the property and in Attachment C as it relates to the overall relationship to Emma McCarthy Lee Park and Munn Woods. Attachment C also shows existing access points to the park and woods.

Staff is always excited when property owners desire to donate property to be included in the park system. The question when a donation is presented is whether it makes sense for the City to accept the property. In this case, staff believes it makes sense for the following reasons:

1. The property is adjacent current park land
2. The property is being donated so there is no cost to purchase
3. The property is free of any man-made structures or remnants of any structures (clean and green)
4. It will provide a convenient access point to the park and woods in the future for those living in the area

PARKS AND RECREATION COMMISSION FEEDBACK:

This information was presented to the Parks and Recreation Commission at its August 17, 2023 meeting in order to obtain a recommendation for City Council. The Commission asked the property owners the following questions related to the stipulations in Attachment A:

1. What do you mean by “undeveloped natural state”?
2. If staff wanted to remove invasive species and/or plant native vegetation, is this allowed under your stipulations?
3. Would the City be able to install stairs if needed since it is to remain undeveloped?

The property owners responded that the intent of “undeveloped” was to not have any buildings on this site and that stairs would be okay. The owners also indicated that staff will be able to manage this property in the same manner they manage other park properties.

The Commission recommended City Council accept the donation of this property if the City can put stairs on it in the future and that staff can manage it in a manner they determine is most appropriate for the area. The motion passed 6-0 with one member absent. After the meeting, the property owners followed up with clarification regarding the stipulations which can be seen in Attachment D.

ALTERNATIVES:

1. Accept the donation of 0.60 acres of land at 1000 Jarret Circle with the stipulations cited in Attachment D and direct staff to finalize the deed transfer from the current property owners to the City.
2. Do not accept the donation of this land to be included as part of Emma McCarthy Lee Park and Munn Woods.
3. Refer back to staff with direction on how to proceed with this donation.

CITY MANAGER’S RECOMMENDED ACTION:

The City is appreciative of the property owner’s for offering to donate to the City land that will be included as part of Emma McCarthy Lee Park and Munn Woods. The property is “clean and green” and ready for inclusion into the park system. Part of the Parks and Recreation Department’s mission statement includes “...offering ...excellent parks...for current and future generations”. The acceptance of this land will add greenspace to the Emma McCarthy Lee Park and Munn Woods greenbelt and allow the City to develop an access in the future. Additionally, prior to the deed transfer, staff will ensure that all relevant taxes are paid and that there are no liens against the property. Therefore, it is

the recommendation of the City Manager that City Council approve Alternative #1 as stated above.

To: Keith Abraham, Director
Ames Parks & Recreation Department

From: Herman Quirnbach
Leigh Tesfatsion
William Gutowski

Re: Donation of lot at 1000 Jarrett Circle, Ames

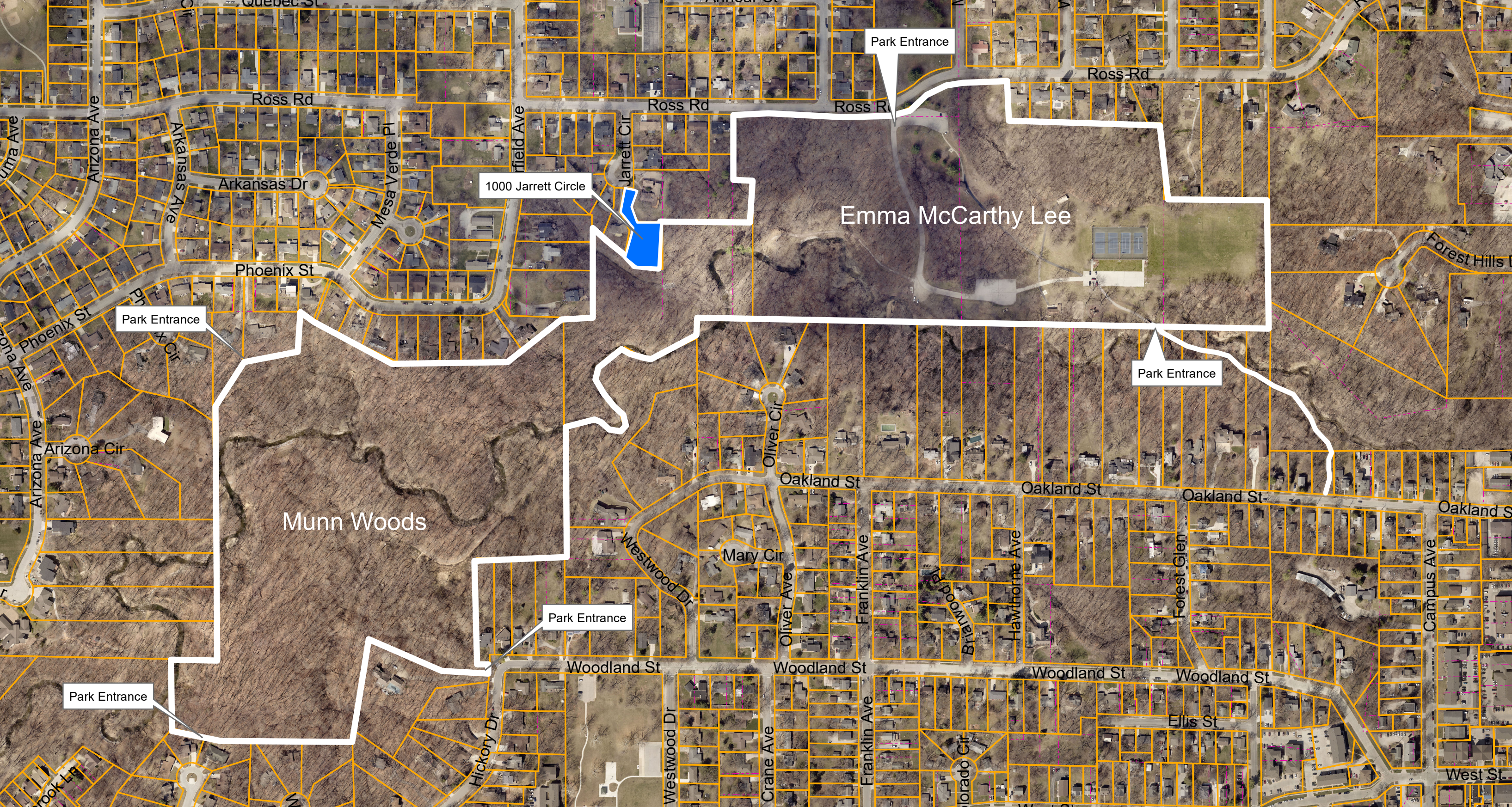
Date: August 1, 2023

As we have discussed with you, we, the co-owners of the undeveloped lot at 1000 Jarrett Circle in Ames, would like to donate this lot to the City of Ames. This lot is contiguous with the city-owned greenbelt that runs along Clear Creek between the city-owned properties of Emma McCarthy Lee Park and Munn Woods on the west side of Ames.

Although we paid \$110,000 for the lot in 2013, we would not ask the City for any financial compensation for this donation. However, we would ask the City to make two stipulations. First, the City would stipulate that the lot in question would become part of the aforementioned greenbelt and would remain in its undeveloped natural state in perpetuity. Second, the City would agree not to install or develop at 1000 Jarrett Circle any formal entrance to the greenbelt area (e.g., through signage, creation of a marked path, or similar) for a period of twenty years or until the date at which both Quirnbach and Tesfatsion have vacated their residence at 1002 Jarrett Circle, whichever date comes first.

We would ask that you bring this matter to the Parks and Recreation Commission at your earliest opportunity. We would hope that the donation could be successfully concluded before the end of calendar year 2023.

Please let us know if you need any further information or if you have any concerns to discuss. One or more of us would be happy to appear before the Commission if that would be helpful. Just let us know.



Park Entrance

Ross Rd

Ross Rd

Ross Rd

Ross Rd

Arkansas Dr

1000 Jarrett Circle

Jarrett Cir

Emma McCarthy Lee

Phoenix St

Park Entrance

Park Entrance

Munn Woods

Park Entrance

Park Entrance

Oliver Cir

Oakland St

Oakland St

Oakland St

Oakland St

Mary Cir

Westwood Dr

Oliver Ave

Franklin Ave

Brampton

Hawthorne Ave

Forest Glen

Campus Ave

Woodland St

Woodland St

Woodland St

Woodland St

Ellis St

Hickory Dr

Westwood Dr

Crane Ave

Franklin Ave

Colorado Cir

West St

To: Keith Abraham, Director, Ames Parks & Recreation Department
Members, Ames Parks & Recreation Commission

From: Herman Quirnbach
Leigh Tesfatsion
William Gutowski

Re: Donation of lot at 1000 Jarrett Circle, Ames

Date: August 19, 2023

Thank you all for your support of the above project. We appreciated the discussion on Thursday. The questions raised helped to clarify some issues which we address here.

On Thursday we indicated that we would like two stipulations on our gift. The first is that the lot in question would become part of the city-owned greenbelt between Emma McCarthy Lee Park and Munn Woods and would remain in its undeveloped natural state in perpetuity. As indicated during the commission discussion, “undeveloped” would preclude any permanent buildings or paving. Our intention, however, is that the types of safety improvements and conservation policies that the City typically pursues in other areas of the greenbelt and Munn Woods would not be precluded. An example of the first would be stairs on steep walking paths. An example of the second would be activities to respond to invasive species.

The second stipulation is that the City would agree not to install or develop at 1000 Jarrett Circle any formal entrance to the greenbelt area (e.g., through signage, creation of a marked path, or similar) for a period of twenty years or until the date at which both Quirnbach and Tesfatsion have vacated their residence at 1002 Jarrett Circle, whichever date comes first. At the date at which the property becomes public land, members of the public would of course have access. We would anticipate that the City would eventually provide signage to indicate an entrance, perhaps similar to the signage at the entrance to Munn Woods near the corner of Mesa Verde and Phoenix Streets. We simply ask that such signage be delayed until after we vacate.

As we indicated previously, although we bought the lot for over \$100,000, we are asking no compensation for our gift to the City. The two stipulations are all we ask.

The next step would appear to be to bring the proposal forward to the City Council. If they approve the concept, then we would direct our attorney to work with the City Attorney to craft the appropriate formal transfer document. We would also need at that point to arrange for an appraisal to be done at our expense for our tax purposes. Finally, with Council approval of the transfer document, the City and the three owners would sign and complete the transaction. We would hope that all these steps could be concluded before the end of calendar year 2023.

Please let us know if you need any further information or if you have any concerns to discuss. One or more of us would be happy to appear before the Council if that would be helpful. Just let us know.