

**DEPARTMENT OF  
PUBLIC SERVICE**

Roger H. Rousse  
Director

Telephone  
248.656.4685  
FAX  
248.656.4758

Billing / Account  
Information  
248.656.4688

Engineering Services  
248.656.4640

Pathways  
248.656.4640

Roads  
248.656.4685

Water / Sewer  
248.656.4685

TO: Green Space Advisory Board  
FROM: Roger H. Rousse Director,  
DATE: March 24, 2006

Recommendations for Acquisitions of Property Rights and Property  
Management

Thank you for providing me the opportunity to propose guidelines for the acquisition and management of City property. As you know, I have been involved in attempts to resolve issues surrounding the management of conservation easements currently conveyed to the City of Rochester Hills. During research into this issue, it became abundantly clear that opportunities to resolve these issues were limited by the terms in which property rights were originally acquired. In an effort to assist the Green Space Advisory Board in avoiding some of these same issues, I would recommend the following actions:

Prior to Acquisition

1. **Establish and maintain a stewardship fund.** The GSAB should request a voluntary donation from the property owner before purchase. For example: an investment of approximately \$4000 is needed to generate \$200 annually for a monitoring and education program. If such a contribution is not possible, consider fundraising, memberships or non-cash donations.
2. **Determine whether or not to purchase property.** The GSAB should avoid ownership if monitoring costs are too expensive or if the potential for violations will make monitoring impractical. Evaluate the size, adjoining land uses and remoteness of properties. Failure to properly manage properties can erode public confidence and risk protection of those parcels.
3. **Prepare a Baseline Documentation Report for each parcel.** Baseline documentation reports are critical for establishing the condition of the property at the time property is acquired and is the basis for future monitoring and enforcement. Three copies should be prepared for the seller, GSAB monitoring file and one in a secure, fireproof location.

City Hall  
General Information  
248.656.4600

Pat Somerville  
Mayor  
248.656.4664

## After Acquisition

1. **Establish a Monitoring Program.** Policies should be developed to describe the purpose, frequency and method of monitoring, documentation and record keeping. Procedures should clearly detail each step of the monitoring process so that properties are inspected in a uniform manner. Lands with a greater potential for violations may need more frequent inspections.
2. **Build Strong Relations With Adjoining Land Owners and the Public.** Provide informational and educational outreach activities including, field trips, tours and media updates. Assist landowners in obtaining resources that improve or initiate land stewardship activities.
3. **Protect the Value of Property Rights Through Enforcement.** Addressing violations proves to the public that property values are being protected. Delayed enforcement could signal to a court that additional breaches should be tolerated. Start with a voluntary resolution attempt and use legal action as a last resort.

4.

The above-mentioned recommendations have been summarized to provide the basics of property rights acquisition and management. For a more in-depth explanation of these concepts, please visit the webpage of the Land Trust Alliance or any one of the many land trusts dedicated to land preservation. For additional information from the City archives contact me directly at 248-841-2497.