

**I, Amy T. Harvey, Deputy Town Clerk of the Town of Chapel Hill, North Carolina, hereby certify that the attached is a true and correct copy of (2021-11-17/R-2) adopted by the Chapel Hill Town Council on November 17, 2021.**

**This the 18th day of November, 2021.**

*Amy T. Harvey*

**Amy T. Harvey  
Deputy Town Clerk**



**A RESOLUTION AUTHORIZING \$100,000 CONTRIBUTION TOWARDS NC BOTANICAL GARDEN FOUNDATION'S PURCHASE OF PROPERTY FOR STILLHOUSE BOTTOM NATURE PRESERVE (2021-11-17/R-2)**

WHEREAS, the NC Botanical Garden Foundation, Inc. ("Foundation") and NC Botanical Garden ("Garden") have asked the Town to provide a \$100,000 contribution towards the purchase of approximately 25 acres of privately held property (identified as Orange County GIS PIN 9787650461), which it desires to add to its Stillhouse Bottom Nature Preserve; and

WHEREAS, upon the completion of additional fundraising and pledge receipts, the Foundation intends to enter into an offer to purchase the property from the owner; and

WHEREAS, upon successful acquisition, the Foundation would own the property and dedicate it for conservation purposes, rendering it free from future development; and

WHEREAS, the Town's Parks, Greenways, and Recreation Commission has petitioned the Town Council to support the Foundation's request; and

WHEREAS, the Town, the Garden, and the Foundation have a long history of collaboration, including similar recent land acquisitions for conservation purposes; and

WHEREAS, the Town, the Garden, and the Foundation find this acquisition to be integral to open space conservation efforts in and near southern Chapel Hill.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill that the Town pledges the requested \$100,000 contribution to the NC Botanical Garden Foundation, Inc. to be used towards the purchase of the aforementioned property; and

BE IT FURTHER RESOLVED by the Council of the Town of Chapel Hill that the Town will provide such funds to the Foundation prior to closing on the property; and

BE IT FURTHER RESOLVED by the Council of the Town of Chapel Hill that, prior to the contribution, an executed performance agreement will be required between the Town and the NC Botanical Garden Foundation, Inc. providing that the property will be bound by a perpetual conservation easement and will allow free public access in perpetuity, with reasonable restrictions consistent with the property's use for conservation purposes. The agreement shall further condition the contribution on the Foundation's satisfaction of the requirements of the February 25, 2019 agreement between the Town and the Foundation regarding the Town's contribution towards the Cochrane property acquisition.

This the 17th day of November, 2021.