



Saugatuck Dunes

Last Chance to Save a Last Great Place

Purchase and Sale Agreement Details:

- **Project Costs:**
 - Purchase Price \$20 million
 - Project related costs (transactional, interest, management): \$3.1 million
- **Seller:** Aubrey McClendon (Singapore Dunes, LLC)
- **Purchaser:** Land Conservancy of West Michigan, on behalf of the City of Saugatuck
- **Purchase and sale agreement contingent upon** Michigan Natural Resources Trust Fund Board approval of \$12.6 million grant award at December 2009 meeting.
- **Closing** required in December 2009

Sources of Funding and Financing:

- A total of \$6 million in private donations have been pledged, thanks to the generosity of The Frey Foundation, Fred and Lena Meijer, Jim Brooks and the Brooks Family of Holland, the J.A. Woollam Foundation, and anonymous donors.
- Private gifts received to date have helped cover the costs of appraisals, legal assistance, and administrative costs associated with the project.
- The City of Saugatuck hopes to be successful in securing a \$12.6 million grant from the Michigan Natural Resources Trust Fund. The Trust Fund vote will take place at its December 2009 meeting. At the Trust Fund's February 4, 2009 meeting, the Trust Fund board passed a resolution stating "We [the Board] support the purchase of the property at a Trust Fund contribution amount to be determined and that has been determined by the MNRTF staff in previous years of not less than \$11.6 million, but in any event not exceed \$15 million. It may be necessary to make this contribution over more than one year."
- Interim financing is being made available by an array of private sources and foundations, including The Frey Foundation, The Meijer Foundation, J.A. Woollam Foundation, the Conservation Fund and James W. Brooks and the Brooks Family of Holland.
- If the Trust Fund grant is approved, the closing will take place in December this year. The closing will be made possible by the \$6 million in private donations pledged to date, and the interim financing made available by private individuals and foundations. Along with the Trust Fund grant, a remaining amount of \$4.5 million will need to be raised to repay the interim financing and cover all the costs to complete the project. Additional applications are being submitted to public and private sources by The Nature Conservancy and the Land Conservancy of West Michigan to cover these costs.
- Following the hoped-for closing and purchase of the property in December, the Land Conservancy of West Michigan will lead a regional campaign to raise the remaining funds required. Gifts are not encouraged at this time, however, after December, it is hoped that the entire local and regional community of West Michigan will come together to provide the remaining resources needed.

Future Use of Property:

- The City of Saugatuck will enter into a lease with the Land Conservancy of West Michigan to use and manage the property as a Natural Area extension of Oval Beach City Park shortly after the acquisition of the property by the Land Conservancy of West Michigan. Management of the property will maintain, and where necessary, restore the diverse natural features found at the property.
 - The Land Conservancy of West Michigan, the City of Saugatuck and The Nature Conservancy are working together to finalize a land management plan that will protect the property's unique resources and provide for compatible non-motorized recreation. An endowment will be sought to help underwrite the appropriate management of the property.
 - The property will be open to pedestrian access through a system of designated trails with educational signage, including sets of wooden stairways and platforms at key locations to protect the dunes while allowing visitors to enjoy the views from high points on the property.
 - Visitors will be able to fish from the south pier on the Kalamazoo River mouth, and in the future from one or two platforms to be developed on the Ox-Bow Lagoon.
 - Sunbathing will be permitted along the Lake Michigan beach of the property. While swimming at one's own risk in Lake Michigan will be permitted, users will be encouraged to swim at Oval Beach where the Beach Patrol Program will be present.
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Leadership Gift Commitments That Are Making this Agreement Possible:

- The Frey Foundation
- Fred and Lena Meijer
- James W. Brooks and the Brooks Family of Holland
- J.A. Woollam Foundation
- Anonymous

West Michigan Community Leaders whose advice, input, and expertise have helped the negotiating team immensely, and made this agreement possible:

- Patty Birkholz, Michigan State Senator
- David Frey
- Dick Haworth
- James W. Brooks
- Phil Miller

Negotiating Team:

- Jack Marquis, Warner, Norcross & Judd, of counsel to The Nature Conservancy
- Keith Walker, McShane & Bowie; and Tim Lundgren, Varnum, Riddering, Schmidt & Howlett, of counsel to the Land Conservancy of West Michigan
- Gail Lewellan and Leslie Gillette, legal counsel, The Nature Conservancy
- Helen Taylor, State Director for The Nature Conservancy, Michigan
- Peter Homeyer, Executive Director for the Land Conservancy of West Michigan
- Rich Tuzinsky, Director of Land Protection, The Nature Conservancy
- April Scholtz, Director of Land Protection, Land Conservancy of West Michigan

Exploratory Group Members – summer/fall 2008, whose work provided the foundation that led to the negotiation of an agreement:

- Helen Taylor, State Director for The Nature Conservancy, Michigan
- Stephen Neumer, of counsel to Aubrey McClendon (Singapore Dunes, LLC)
- Tony Vettori, Saugatuck City Council member
- Jack Marquis, Warner Norcross, of counsel to The Nature Conservancy
- Rich Tuzinsky, Director of Land Protection, The Nature Conservancy
- Phil Miller, Saugatuck resident, Chair of Saugatuck Save Our Shoreline
- Chris Roerig, Saugatuck Township
- William W. Wester, Sr., Saugatuck Township
- James W. Brooks

Background on the partnering organizations who made this project possible:

City of Saugatuck

The City of Saugatuck was incorporated as a village in 1868 and officially became a city in 1984. Saugatuck, meaning "mouth of the river," derives its name from the area's Native American heritage and proximity to the Kalamazoo waters. Saugatuck's Oval Beach has been rated by Conde Nast's Traveler Magazine as one of the 25 best shorelines in the world, and MTV has ranked Oval Beach as one of the top five beaches in the country. Local residents have been seeking public access and protection of the Denison property since 1952. Learn more about Saugatuck at <http://www.saugatuck.com>

Land Conservancy of West Michigan

The Land Conservancy of West Michigan is a local, nonprofit organization that preserves natural land and open space in eight West Michigan counties. It is the only organization devoted solely to preserving natural and scenic lands that are an important part of West Michigan's community character. With more than 30 years of experience keeping nature nearby, the Land Conservancy has protected more than 5,000 acres with nature preserves, conservation easements, and project assistance to local governments. For more information, visit <http://www.naturenearby.org>

The Nature Conservancy:

The Nature Conservancy is the leading conservation organization working to protect the most ecologically important lands and waters around the world for nature and people. To date, the Conservancy and its 1 million members have been responsible for the protection of more than 120 million acres worldwide, including 360,000 acres in Michigan. The Nature Conservancy is working to make the Great Lakes the best managed freshwater ecosystem in the world. For more information, visit <http://nature.org/michigan>.