

*For Paul.
From the 1988 Master Plan
for Nichols Arboretum.
A master's project of SNE+E*

LAND ACQUISITION

In order to prescribe a development plan for Nichols Arboretum, one needs to understand the Arboretum's historical development and administration. By looking at Arboretum activities that did and did not work and their corresponding factors, it is hoped that future efforts will be more successful. Historical information was found primarily in the Nichols Arboretum files, which date back to the Arboretum's origin. Several articles were available through the Michigan Historical Collection at Bentley Historical Library, The University of Michigan.

Much of the land which now makes up Nichols Arboretum first entered private hands when it was granted to an individual named Harvey Austin. Several additional conveyances and divisions of the property occurred during the nineteenth century. John Woodmansee owned and farmed a large parcel of what would later become Arboretum property during the latter part of the 1800's. Upon his death in 1893, Woodmansee's lands were divided between his son, his widow, and the Forest Hills Cemetery (which forms a portion of the Arboretum's west border). In 1894, Mrs. Woodmansee sold her parcel of land to Walter Hammond Nichols. (30)

Walter H. Nichols (UM '91) and his wife Esther C. Nichols (UM '94) can be credited with providing the catalyst for the creation of Nichols Arboretum. Interest in developing such a facility had been initiated in the law of August 26, 1817, which created The University of Michigan. The law provided for the establishment of "various useful literary and scientific institutions," among which "botanic gardens" were named. (3) However, it was not until 1897 that the University would fulfill the goal of having a botanical garden. The first garden was located on campus as a facility for both the Department of Botany and the School of Pharmacy. By 1899, though, crowding due to increased enrollment and construction became so problematic for the gardens that efforts were begun to locate a new site.

One of the individuals involved in the search, Professor Frederick C. Newcombe of the Department of Botany, approached Dr. and Mrs. Nichols in 1906 with the idea that the Nichols' offer a portion of their property, about twenty seven and one-half acres, to the University. The Nichols' acted on the recommendation and offered a segment of their farmland for the future site of the botanical gardens.

At the July, 1906 meeting of The University of Michigan Board of Regents, Professor Newcombe presented the following to the Board:

"...In this University we have been able to work without a botanic garden, because we have been able to use the whole surrounding country for our field of study. But one can foresee that in 25 years the farmer's woodlots will be put under cultivation for timber, the bogs will be drained, and no land will be left where vegetation can be studied in natural conditions."

"The land of the proposed donation (Nichols) is ideal for the purpose of bringing together in a small area all the vegetation of this climate, giving to each plant society its characteristic conditions. The tract is made up of hills, ravines, level low land, and a bog, and a rivulet. The northern part is sand, and the southern heavy clay.

"It is the idea of the donors and myself that the tract of land could be treated and maintained at relatively small expense by restoring to these hills, ravines and small meadows the natural grouping of plants, leaving them with a little aid to care for themselves. This done, the University students of the future and the school children would have a field within fifteen minutes walk of the Campus where practically all the lessons taught by vegetation growth can be learned. Even now all lessons can be taught only by excursions to many localities from two and one-half to five miles distant..." (27)

At the same meeting, Dr. George P. Burns, Assistant Professor for The University of Michigan Department of Botany, and Park Commissioner of the City of Ann Arbor, proposed a joint development of the Nichols' property with the City's abutting property. Prior to and during the period of time that the University was discussing the Nichols' offer, the City of Ann Arbor was in the process of acquiring approximately twenty-five acres of land along the Huron River, along the west and north boundaries of the Nichols' property. Three separate tracts of land were purchased from Arthur J. Mummery, Nathan Woodmansee, and William M. Clark;

see 7A for this layout

In his statement to the Regents, Dr. Burns commented that "whereas, the Board of Regents of The University of Michigan expect soon to come into possession of a parcel of land known as the Nichols Farm, in the City of Ann Arbor, and the City of Ann Arbor owns a parcel of land lying between the aforesaid Nichols Farm and the Huron River to the north, the Board of Regents for the University and the Park Commission for the City of Ann Arbor hereby enter into contract to cooperate in the development of the two parcels of land before named, according to the following terms:

1. "The two parcels of land shall be treated as one, and shall be developed as a botanical garden and arboretum primarily for the use of the University and the city schools.
2. "A competent landscape gardener shall be employed to lay out the said plot under the supervision of the Board of Park Commissioners and the University authorities, and the expense shall be shared equally by the city and the University.
3. "The city shall bear the expense of constructing roads to be laid out by said landscape gardener through said parcels of land.
4. "The University shall furnish the general directorship of the whole garden by the assignment of the same to the botanical department of the University, while the city shall police the entire plot.
5. "The University shall expend annually not less than \$500.00 for planting and care of such portions of lands as shall be mutually agreed upon by the Board of Park commissioners and the University authorities, and the city shall expend annually not less than \$500.00 for improving said lands, including the construction of roads.
6. "The roads constructed by the city shall be permanently dedicated to the use of the public.
7. "The terms of this agreement shall go into effect as soon as the University has acquired title to the property herein mentioned, and shall remain in effect for the period of three years." (27)

In a letter dated July 16, 1906 from Boulder, Colorado, ~~Esther~~ and Walter Nichols concurred with the proposed agreement between the University and the City, and in 1907 they formally presented The University of Michigan with the parcel of land as a gift. This twenty-seven and one-half acre tract of land was a portion of the original Nichols Farm, located on Geddes Road and running north towards the Huron River. Three specific conditions were

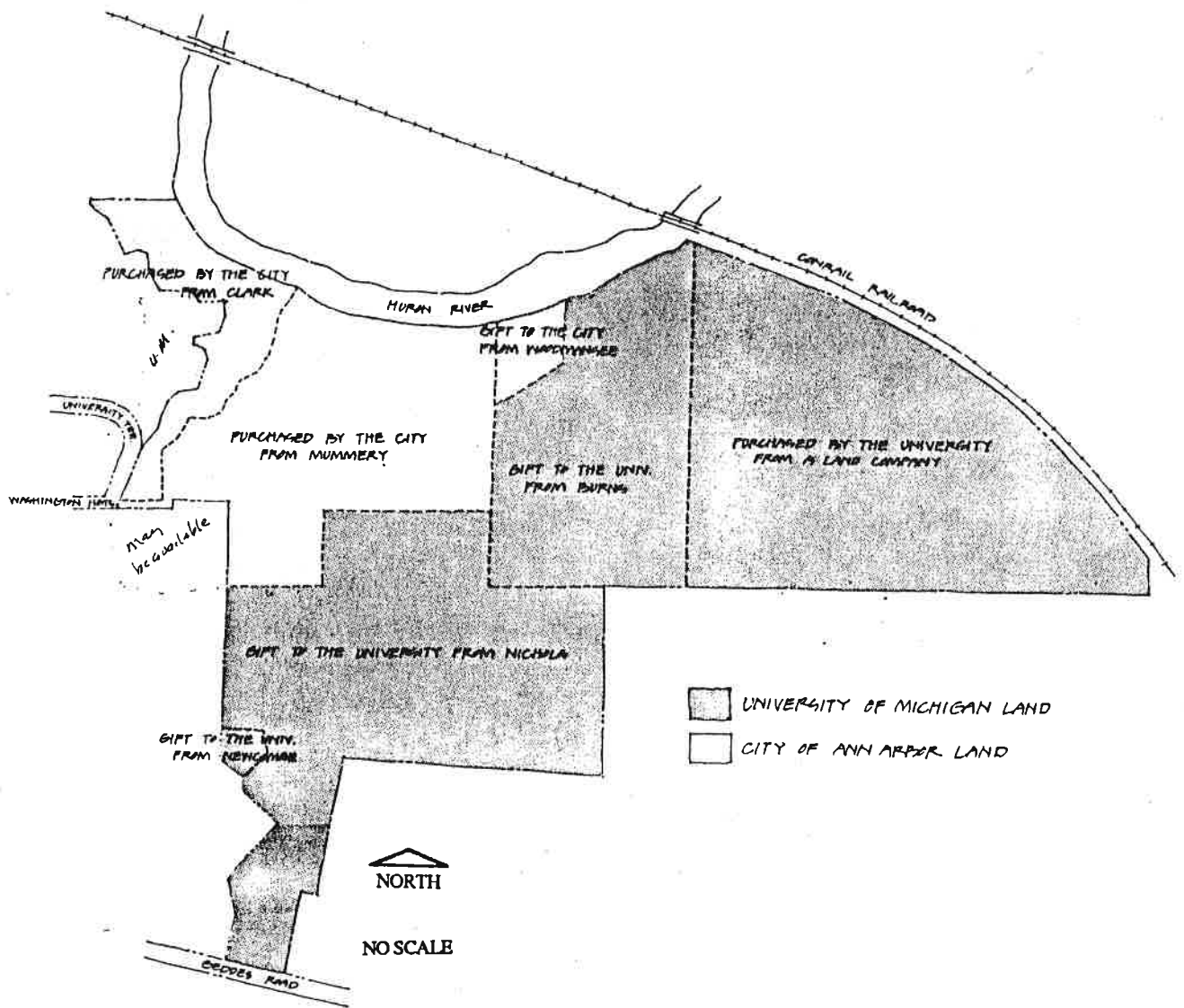
required of the University in order to receive the gift. The conditions were as follows:

1. "The said land shall be used as a botanical garden and arboretum for The University of Michigan and for the schools of the City of Ann Arbor, Michigan, and shall be under the exclusive management and control of the Botanical Department of said University.
2. "The party of the second part further covenants and agrees to expend not less than seven hundred-fifty dollars (\$750.00) per year for three years following the day and year first above written for planting and care of said lands...
3. "The party of the second part further agrees as soon as practicable to construct northerly from Geddes Avenue, in the City of Ann Arbor, a public driveway along and within the western boundary of said land..." (36)

Upon receipt of the Nichols' letter, the Board of Regents agreed to accept the parcel and the City's proposal, thereby establishing a botanical garden and arboretum. These and subsequently added parcels are shown in Figure 1.

The original three-year agreement between the City and University concerning the joint operation of the Arboretum was to be renewed in 1910 and again in 1913. In 1917, it was decided to continue the agreement "in force indefinitely, to be terminated upon three months' written notice by either party." (26)

After the formal designation of the Nichols gift as a botanical garden and arboretum, other lands continued to be added to the original 53-acre tract. On December 11, 1907, approximately one acre of land, "to be used only for a botanical garden," was received from Dr. Frederick and Susan Newcombe. (37) On November 25, 1911 another 30 acres, including frontage along the Huron River, was received from Dr. George and Annette Burns. The flowage rights of the river, however, had previously been granted to Alex Dow, Trustee for the Detroit Edison Company. The deeded requirements stated that the "said land [is] to be used as a park, botanical garden, or for other educational purposes, for the use of The University of Michigan and City of Ann Arbor, Michigan." (38) In 1923, the first condition of the Nichols' deed was changed to give exclusive management of the Arboretum



Nichols Arboretum
Land Acquisitions

Figure 1
December 1988

to the Regents of The University of Michigan. The Regents, in turn, placed the operation of the Arboretum under the control of the Department of Landscape Design. That same year, the Botanical Garden, which had been a part of the Arboretum since 1907, was relocated to Iroquois Road, off Packard Road, in Ann Arbor, and the words "Botanical Garden" were dropped from the Arboretum's name. The Board of Regents formally changed the name to Nichols Arboretum, in honor of the original donors.

The final addition to Nichols Arboretum occurred on July 6, 1943. The land was a gift to the University from a land company known as Huron Farms Company (a subsidiary of the Detroit Edison Company). Prior to this, however, the land had been sold in 1911 by George P. Burns to Alex Dow of Detroit Edison. The following restrictions applied:

1. "In the original deed from Burns to Dow, in 1911, a right of way, four rods wide, for a boulevard across said lands was reserved;
2. "The interim owner [Huron Farms Company] granted the City of Ann Arbor a 30 foot sewer right of way in 1932;
3. "Flowage rights were retained by Mr. Dow of the Detroit Edison Company." (20)

Dow Field, as it came to be known, was composed of 36 acres of land, south of both the Huron River and the Conrail right-of-way. Collectively, Dow Field and the four previously mentioned land segments make up the approximate 123 acres of the present Nichols Arboretum. (A summary of the land parcels which compose the Arboretum can be found in Appendix C.)

For the most part, the original donors' intent was that the Arboretum be a place for education and research for use by The University of Michigan and the schools of the City of Ann Arbor. The intention that the land be used as a botanical garden was not carried out, due to the Arboretum's diverse conditions. In developing a Master Plan, it appears that the original interests for the Arboretum, in 1907, and current available opportunities are very compatible.