



## Legislation Text

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File #: 19-5309, Version: 1

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### **Title:**

**Easement Acquisition - Mallard Creek Greenway**

### **Summary**

#### **ACTION:**

**Authorize the County Manager to negotiate and execute all documents necessary for acquisition of a permanent greenway easement ( $\pm 0.0270$  acres) on Tax Parcel 047-412-06 from Caroland Development, LLC as receiver for Countryside Montessori School for Mallard Creek Greenway for a purchase price of \$485**

**Staff Contact:** Katie Daughtry, Asset & Facility Management

**Presentation:** No

#### **BACKGROUND/JUSTIFICATION:**

The section of Mallard Creek Greenway from the Clark's/Mallard Creek Greenway split to Kirk Farm Fields was constructed in 2006. A small portion of the trail, slightly more than two feet, was inadvertently constructed over the property line and onto the adjacent property owned by Countryside Montessori School. Once current staff realized the issue existed, steps were taken to secure an easement over the portion of the trail that is encroaching onto the adjacent property.

The greenway easement was appraised in 2018 by Fortenberry Lambert, Inc. for \$485, which is also the purchase price. This acquisition would rectify an existing encroachment of the greenway onto the neighboring property. Per the greenway acquisition process outlined for the Board at its October 20, 2015 meeting, this item is not being reviewed in closed session because the purchase price is less than \$30,000 and the purchase price is appraised value or less.

#### **PROCUREMENT BACKGROUND:**

N/A

#### **POLICY IMPACT:**

N/A

**FISCAL IMPACT:**

**Funding for the purchase will come from the fiscal year land fund account for Park and Recreation acquisitions.**