



## Legislation Text

---

File #: 19-5476, Version: 1

---

### Title:

### Memorandum of Agreement and Greenway Donation - Plum Creek Greenway

### Summary

#### ACTION:

1. Authorize the County Manager to negotiate and execute a Memorandum of Agreement between the County and Town of Cornelius for operation and maintenance of the portion of greenway referred to as "Plum Creek Greenway" located in the Town of Cornelius
2. Accept the donation of permanent greenway easement on Tax Parcel 007-281-13 from the Town of Davidson for construction and maintenance of greenway trail on "Plum Creek Greenway"

Staff Contact: Jacqueline McNeil, Asset and Facility Management

Presentation: No

#### BACKGROUND/JUSTIFICATION:

The County, Town of Cornelius, and Town of Davidson have partnered together to extend greenway trail along South Prong River. The trail has yet to be named and is informally referred to as "Plum Creek Greenway". It is included in the Fiscal Year 2019 - 2023 Capital Improvement Plan and is designed as a half-mile trail with portions of the trail in the Towns of Cornelius and Davidson. The trail will begin at South Bailey Road across from W.A. Hough High School and run northward to existing greenway trail. Included in the project is donation of a greenway easement by the Town of Davidson on Town-owned property. The exact acreage of the easement being donated by the Town will be based on a forthcoming survey.

The partnership included the Town of Cornelius funding and completing all construction drawings, specifications, cost estimates, and permits to standards suitable for the County's bidding process. The County is responsible to manage and provide funds for all bidding and contract management for construction of the greenway. Construction is set to begin Fall, 2019. Following completion of the greenway, the County is responsible for operations and maintenance of the greenway. The major terms of the Memorandum are:

**Term - Ten (10) years with automatic renewals for twelve (12) month following the initial term.**

**Operations** - The County will be responsible for responding to the public's concerns regarding operations and maintenance of the greenway. The Town shall have no obligations related to day-to-day operations or maintenance of the greenway.

**Programming** - All requests for recreational programming on the greenway shall be submitted to and approved by the County.

**Maintenance** - The County shall be responsible for all routine maintenance, repair and upkeep on the greenway.

**Town Improvements** - The Town shall be responsible for all improvements it installs on the greenway.

**Park Ranger Service** - The County shall provide park ranger service on the greenway in a manner consistent with other greenways owned and maintained by the County.

**PROCUREMENT BACKGROUND:**

N/A

**POLICY IMPACT:**

N/A

**FISCAL IMPACT:**

N/A