



Date: February 3, 2015
To: Thomas J. Bonfield, City Manager
Through: W. Bowman Ferguson, Deputy City Manager
From: Joel V. Reitzer, Director, General Services Department
Subject: Sale of Property between the City of Durham and The North Carolina Department of Transportation for the Pedestrian Enhancement Project located at 4702 Old Chapel Hill Road, Parcel ID140067 (City Tract 1911)

Executive Summary:

The North Carolina Department of Transportation (hereafter referred to as "NCDOT") requests the purchase of a portion of property owned by the City of Durham located at 4702 Old Chapel Hill Road (parcel ID140067). The parcel, consisting of 23.7 acres, is a City-owned community park, Old Chapel Hill Road Park. The park is maintained by Durham Parks and Recreation Department.

NCDOT requests acquisition of 0.166 acres as right-of-way, 0.013 acres as temporary construction easement, 0.166 acres as permanent utility easement, and 0.007 acres as permanent drainage easement. The areas to be acquired are located at the entrance to the park on Old Chapel Hill Road. The remainder of the park will not be affected.

NCDOT is acquiring the portions of the parcel as noted above in order to complete the pedestrian enhancement project that will make the area more pedestrian and bike friendly due to the increased volume of traffic in the immediate area. The proper name of the project is "SR 1838 (Old Durham Road) /SR 2220 (Old Chapel Hill Road) from US 15-501 in Orange County to SR 1116 (Garrett Road) in Durham County." The type of work being performed is street widening, multi-use trail construction, sidewalk, drainage, signing & signals, culvert and pavement markings.

NCDOT submitted a Summary Statement/Offer to Purchase Real Property stating compensation of \$10,230.00 for the right- of-way and easement areas and additional compensation of \$1,919.00 for the removal of sidewalk, asphalt and 48 linear feet of fencing. The total compensation to the City is \$12,140.00.

Recommendations:

The General Services Department recommends that City Council:

1. Propose to accept the offer of \$12,140.00 from The North Carolina Department of Transportation;

2. Authorize the City Manager to sell 0.166 acres as right-of way, 0.013 acres of temporary construction easement, 0.166 acres of permanent utility easement, and 0.007 acres as permanent drainage easement by deed to the North Carolina Department of Transportation;
3. Authorize the City Manager or Mayor to convey portions of parcel ID140067 by deed to the North Carolina Department of Transportation.

Background

Old Chapel Hill Road Park is a community park located on a site between Githens Middle School and the New Hope Creek Bottomlands area. The park was established to provide joint recreational use for both the Durham Public Schools and the citizens of Durham. Land acquisitions for the park took place between 1995 and 2000. During the planning phase, careful consideration was given to the park's location adjacent to the 100 year floodplain of New Hope Creek.

Currently, the park has two soccer fields, a section of greenway trail, a restroom building, a basketball court and a playground. It is likely that the park will not be expanded due to its location within a floodplain area.

The section of the park that will be affected by NCDOT's request is the main entrance to the park located along Old Chapel Hill Road. Pedestrian access to the trail will not be interrupted, during construction or at any time in the future. The fencing removed by NCDOT during construction will be replaced.

Issues/Analysis

After notification to City Departments, General Services did not receive any objections to the conveyance of a portion of the property to NCDOT. The Parks and Recreation Department were made aware of how the entrance to the park would be affected. They had no objection to NCDOT's acquisition and were pleased that this section of Old Chapel Hill Road Park is being made more pedestrian and bike friendly since the park entrance is dedicated for such use.

General Services Department Real Estate Division Staff determined that the proposed compensation offered by NCDOT is reasonable compared to current market values for comparable vacant land in the area.

Alternatives

City Council may not elect to authorize to the sale of 0.166 acres of right-of way, 0.013 acres of temporary construction easement, 0.166 acres of permanent utility easement, and 0.007 acres as permanent drainage easement by deed to the North Carolina Department of Transportation. This is not recommended because the pedestrian improvement project will be of benefit to the City and does not hinder use of the City-owned park.

Financial Impact

The revenue generated to the City is \$12,140.00.

SDBE Summary

This item does not require review by the Equal Opportunity/Equity Assurance Department.

Attachments:

Location Map of Parcel ID140067, Map of Right-of-Way and Easement areas, Summary Statement/Offer to Purchase Real Property, Deed for Recordation