

**Item Title:** Conveyance of Additional Right-of-Way and Temporary Construction Easement to North Carolina Department of Transportation (NCDOT) Rail Division at the General Services Center at 401 Capital Boulevard

**Specific Action Requested:**

**That the Board of Commissioners:**

- 1. Approves the conveyance of additional right-of-way and temporary construction easement to NCDOT;**
- 2. Authorizes the Chairman to execute a Deed and Temporary Construction Easement to NCDOT (along with any supporting documentation), subject to terms and conditions acceptable to the County Attorney;**
- 3. Accepts the amount of \$447,775.00 from NCDOT as just compensation for this conveyance; and**
- 4. Appropriates \$275,000 of these funds into the County Buildings element of the Capital Improvement Plan for required improvements to Wake County property impacted by this work as well as from the Capital Boulevard realignment per attached budget memo; remaining balance of \$172,775 will go to County CIP Uncommitted funds for future appropriation.**

**Item Summary:**

As work proceeds with the realignment of Capital Boulevard, the NCDOT Rail Division is simultaneously planning construction of a new railroad track. The Rail project constructs a new lead track from the NCDOT Capital Yard south along the single track CSX S-Line crossing over Capital Boulevard to Harrington Street. Increased CSX freight service and increased passenger train frequencies have created congestion and conflicts on the lead tracks used for accessing and exiting the NCDOT Capital Yard and CSX Raleigh Yard located east of Capital Boulevard. For this reason, the NCDOT Rail Division is proceeding with the Capital Yard South Lead Track Project. This new lead track will be constructed 15' to the north of the existing CSX S-line track in the area of County-owned property. The project will create a more efficient freight and passenger train operation coming into and leaving both CSXT and NCDOT yards.

In the specific area of the Wake County property, this will require additional Right-of-Way and Temporary Construction Easement along County property occupied by the General Services Administration (GSA) at 401 Capital Boulevard. The proposed right-of-way and temporary construction easement are shown on the attached map entitled "Construction Plan Sheet" and located along the southern boundary of the County property which borders the railroad (see site map attached). This is a separate easement request along Wake County property from the roadway easements along Capital Boulevard approved by the Board in July 2016.

In June of this year, NCDOT made a formal offer to Wake County to purchase this additional property for the sum of \$422,775.00 for 0.108 acres (4,691 square feet) of right-of-way and 0.136 acres (5,939 square feet) of temporary construction easement. The attached "Summary Statement Offer" outlines the particulars of this offer.

Wake County staff reviewed the attached appraisal performed for NCDOT and concluded the appraisal did not take into consideration the extensive landscaping and vegetative buffer being removed within the proposed right-of-way and temporary construction easement. The County provided a landscape buffer concept plan and cost estimate to NCDOT for consideration in the amount of \$25,000.00 to replace the landscaping after the project is constructed. Based on this additional information, NCDOT increased the settlement amount to \$447,775.00 which includes the cost to replace the landscaping. Wake County staff recommends acceptance of \$447,775.00 as just compensation for the right-of-way and temporary construction easement.

As plans for the separate but concurrent Capital Boulevard road realignment project have evolved, the effects of that project will create multiple impacts to the General Services Center site, the most significant of which is the temporary elimination of the service drive around the site. This will result in a series of site improvements that will be required. These include:

1. Re-grading the north exit from the Physical Plant onto the realigned Johnson Street to provide ADA access.
2. Providing a parking gate system to efficiently move county traffic through the site while blocking through-traffic from Capital Blvd. to Harrington Street.
3. Other miscellaneous fencing and landscaping around the periphery of the site.

The circulation of County traffic on this site will be especially critical for daily operations over the next couple of years in order to accommodate traffic for the temporary relocation of the HR Training Area to the General Services Center due to renovations downtown.

A portion of the settlement amount for this conveyance is proposed to be applied to the cost of the above improvements so that no additional County funds are required. It is proposed that \$275,000.00 of these funds be appropriated in the County Improvements Element of the Capital Improvement Plan. The remaining balance will be directed to County CIP uncommitted funds for future appropriation.

County staff from Facilities Design & Construction and General Services Administration reviewed the proposed plans and the potential impact on General Services Center operations. GSA and FDC staff concluded this conveyance will have no direct impact on the long-term operation and maintenance of the General Services Center. Staff recommends approval of the conveyance subject to terms and conditions acceptable to the County Attorney.

**Attachments:**

1. Construction Plan Sheet
2. Site Map
3. Summary Statement (Offer)
4. NCDOT Appraisal
5. Right-of-way Deed & TCE
6. (W-9) FRM4-M-ROW
7. List of Improvements and Expenditure Forecast
8. Budget Memos