

Item Title: Conveyance of Multiuse Path Easements to the Town of Apex

Specific Action Requested:
That the Board of Commissioners:

- 1. Approves the conveyance of Multiuse Path Easements to the Town of Apex; and**
- 2. Acknowledges that the Town of Apex will compensate the current life estate holder in the amount of \$4,000 for the life estate holder's interest in the easement area; and**
- 3. Authorizes the Chair to execute said deed of easement document (along with any other supporting documentation), subject to the terms and conditions acceptable to the County Attorney.**

Item Summary:

Purpose: The Board of Commissioners must approve all real estate transactions, including conveyances. NC General Statute 160A-274 authorizes the Board of Commissioners to convey any interest in real property to other governmental agencies.

Background: In August 2000, Wake County acquired two properties on Olive Chapel Road in Apex anticipating a future trailhead to be constructed adjacent to the American Tobacco Trail. On one of the two parcels, Rachel Price, the prior owner of 2925 Olive Chapel Road, retained a life estate interest in that parcel and has lived there since the County purchased the property. The Town of Apex is now planning a bike and pedestrian connection to the American Tobacco Trail along Olive Chapel Rd. This project will provide numerous residential developments immediate connection to the American Tobacco Trail. The Town of Apex has requested a dedication from Wake County for multiuse path easements in support of the project.

Board Goal: This action supports routine County operations.

Fiscal Impact: There is no fiscal impact to the County associated with this easement conveyance to the Town of Apex.

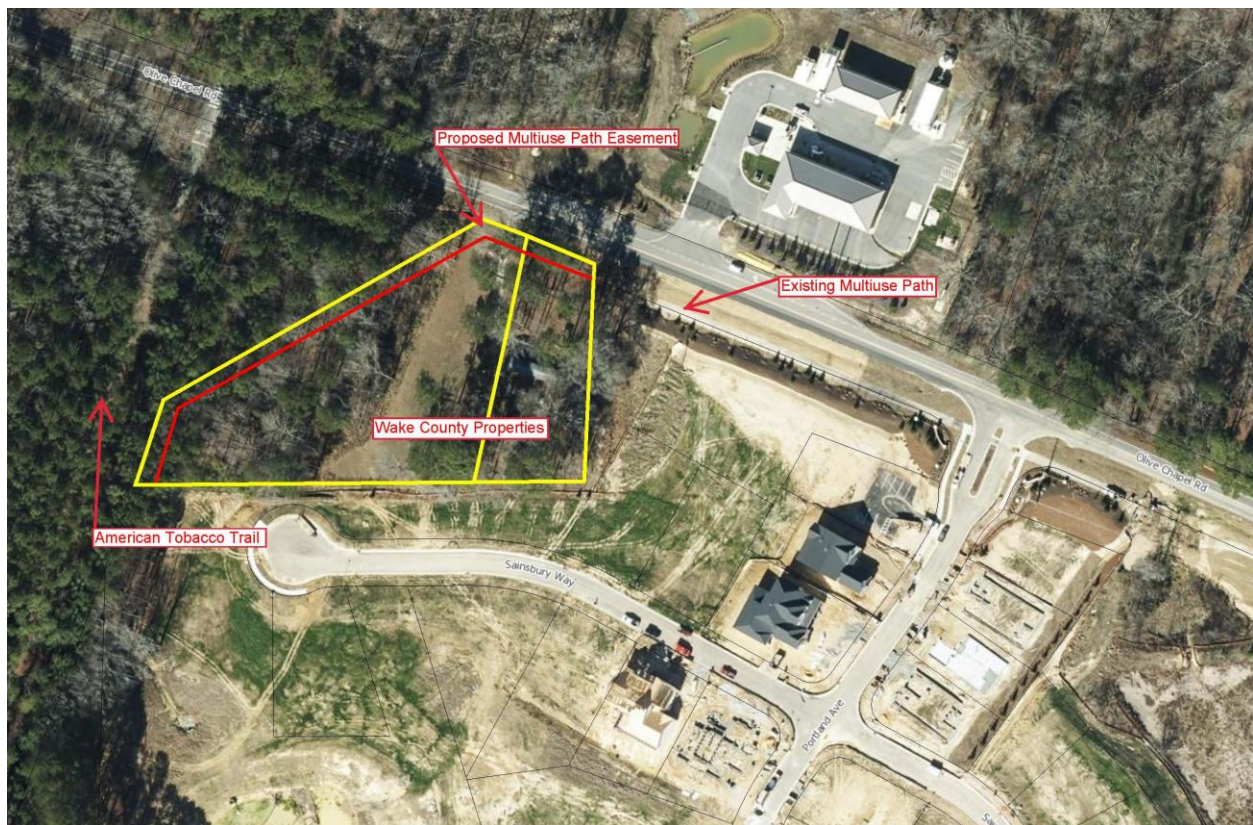
Additional Information:

This Town of Apex project will install approximately 650 feet of new multiuse trail. Saddlebrook subdivision, an adjacent residential development, installed a 10' paved multiuse trail along Olive Chapel Rd. The Town is proposing to construct a 10' wide multi-use trail extension from its existing terminus, to the American Tobacco Trail.

The County received the attached letter from the Town requesting the dedication of

multiuse path easements due to the public benefit related to the nature and scope of the project. The aerial photo below displays the County owned property and general location of the proposed easements in red. More detailed maps showing the multiuse path easements are attached (Easement Acquisition Exhibits).

The Town obtained an appraisal of the property at 2925 Olive Chapel Road with an easement value of \$2,400. After Apex staff discussed the project with Ms. Price's attorneys, Linda F. Johnson, (Guardian Ad Litem and Paul Stam), the parties have agreed on compensation in the amount of \$4,000 for Ms. Price's life estate interest in the easement area.



Staff from Facilities Design & Construction, Parks Recreation and Open Space and the County Attorney's office have reviewed the request and associated information provided by Apex. Wake staff has concluded this dedication will have no negative effect on the value and future use of the property by Wake County. Staff recommends approving the request, subject to the terms and conditions acceptable to the County Attorney.

Attachments:

1. Apex Letter
2. Easement Acquisition Exhibits
3. Appraisal
4. Deeds of Easement