

**Item Title:** Approval of the Acquisition of the Perry Property through the County's Open Space Program

**Specific Action Requested:**  
**That the Board of Commissioners:**

- 1. Authorizes the County Manager to execute a, \$2,035,000 agreement to purchase the Perry property, subject to terms and conditions acceptable to the County Attorney; and**
- 2. Appropriates \$400,000 of NCDOT 540 Settlement funding for contribution to the Open Space purchase.**

**Item Summary:**

**Purpose:** The Board of Commissioners approves all County real estate transactions and appropriates all expenditures.

**Background:** One goal of the 2018 Parks Greenways Recreation & Open Space bond was to continue the County's efforts toward open space preservation. To this end, staff put forward an open space Request for Proposals (RFP) in 2019 to solicit responses from landowners interested in preserving their property. Forty target acquisitions were presented to the Board of Commissioners at their October 26, 2020 work session.

The approximately 150-acre Mack and Giles Perry farm on Cedar Fork Creek would be the first project from the 2019 Open Space RFP. The property, located in Northeast Wake County, is a mix of woods and agricultural farmland. The property is located on a tributary to the Little River and would protect water quality in this future water supply watershed as well as the nearby Mitchell Mill State Natural Area.

The Perry brothers have agreed to a sales price of \$2,000,000, which equates to \$13,375 per acre. An appraisal substantiates this price. Total cost of the acquisition including due diligence is estimated at \$2,035,000.

**Board Goal:** This action supports Growth and Sustainability Goal 4: Preserve open space and expand access to parks, preserves, recreation resources, and greenways.

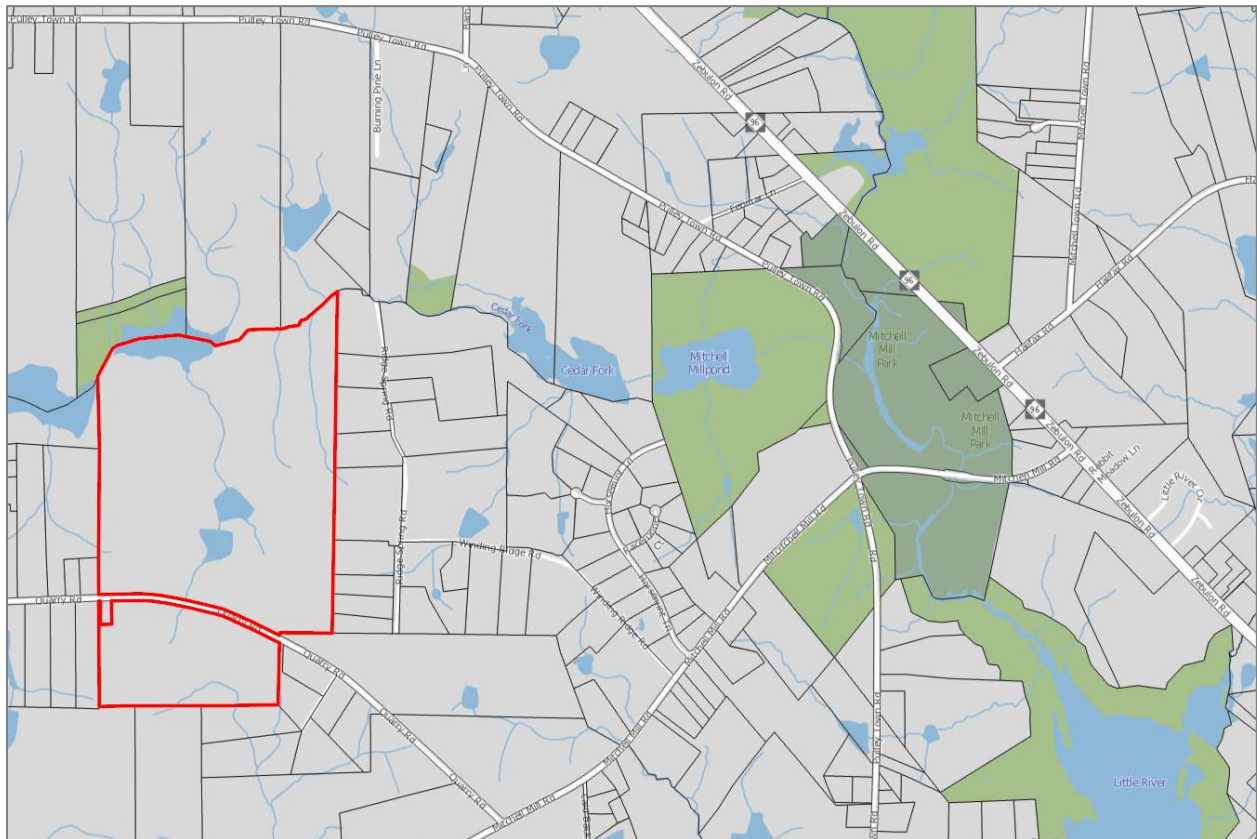
**Fiscal Impact:** \$400,000 will be appropriated from the NCDOT 540 settlement. The remaining \$1,635,000 is reallocated from previously appropriated PGROS bonds. The budget for delayed new park and park

renovations are reallocated to Open Space acquisition and Greenway development to match the updated PGROS plan.

### **Additional Information:**

The successful 2018 Parks Greenways Recreation & Open Space bond reserved approximately \$20 million to continue the County's efforts toward open space preservation. In 2019, County staff put forward an open space Request for Proposals (RFP) to solicit responses from landowners interested in preserving their property. From over two hundred responses, staff presented approximately 40 target acquisitions to the Board of Commissioners at their October 26, 2020 work session.

The approximately 150-acre Mack and Giles Perry Farm on Cedar Fork Creek in eastern Wake County would be the first project from the 2019 Open Space RFP. The property is mostly wooded with about one quarter of the acres in active agriculture. The property is located on Cedar Fork Creek, a tributary to the Little River and would protect water quality in this future water supply watershed. The property is also upstream of the State's Mitchell Mill Natural Area, a 105-acre tract that protects granitic flatrock outcrops and a fragile and rare ecosystem.



The Perry Farm was listed for sale with a local real estate broker with an asking price for the property is \$2,100,000. The Perry brothers have agreed to a sales price of \$2,000,000, which equates to \$13,375 per acre. An appraisal by real estate appraiser Carter Kennemur substantiates this price. The County's \$2,035,000 investment including due diligence would come from the Recreation, Greenways & Open Space Element of

the County Capital CIP, including \$400,000 of funding from NC DOT through the Complete I-540 lawsuit settlement.

In August 2019, The N.C. Department of Transportation (NCDOT) and Sound Rivers, Inc., Center for Biological Diversity, and Clean Air Carolina, represented by the Southern Environmental Law Center, signed a settlement agreement allowing the N.C. Turnpike Authority to proceed with the Triangle Expressway Southeast Extension (also known as Complete 540) project while simultaneously setting in place protections for clean air, clean water and endangered aquatic species. As a part of the settlement agreement, NCDOT agreed to support the acquisition of open space in Wake County by providing matching funds equal to 25% of funds expended by Wake County in calendar years 2020, 2021, 2022 and 2023 under the Wake County Public Open Space Preservation Program Policy.

| <b>Projects Funding Source</b> | <b>Amount</b>       |
|--------------------------------|---------------------|
| NC DOT                         | \$ 400,000          |
| Wake County                    | \$ 1,635,000        |
| <b>Total</b>                   | <b>\$ 2,035,000</b> |

Due to the COVID-19 related economic downturn, the FY21 budget delayed future PGROS bond sales by one year. To adjust for this timeline and to leverage the NCDOT 540 settlement, the County has pulled forward Open Space and Greenway projects in the PGROS plan and delayed new park and park renovation projections. The design and construction of Beech Bluff County Park, design and construction of Procter Farm Preserve, and the design for Kellam Wyatt Preserve will continue on the original schedule, but other park projects will have a delayed start. This reallocation will allow the County to focus on Open Space acquisition and Greenway projects until the next bond sale, which will focus on funding future park development.

**Reallocations: Element 74 – Parks, Recreation, Greenways, and Open Space CIP**

| <b>Project</b>                     | <b>Current Appropriation</b> | <b>Proposed CIP Transfer</b> | <b>Revised Appropriation</b> |
|------------------------------------|------------------------------|------------------------------|------------------------------|
| Lake Myra County Park              | 2,400,000                    | (2,400,000)                  | 0                            |
| Historic Oak View Park Renovations | 290,000                      | (290,000)                    | 0                            |
| Lake Crabtree Renovations          | 600,000                      | (600,000)                    | 0                            |
| Harris Lake Renovations            | 580,000                      | (580,000)                    | 0                            |
| Blue Jay Point Renovations         | 550,000                      | (550,000)                    | 0                            |
| Crowder Park Renovations           | 1,141,940                    | (1,141,940)                  | 0                            |
| Kellam Wyatt Preserve              | 3,500,260                    | (3,250,260)                  | 250,000                      |
| Perry Property                     | 0                            | 1,635,000                    | 1,635,000                    |
| Future Open Space                  | 0                            | 1,977,200                    | 1,977,200                    |
| Crabtree Creek West Greenway       | 0                            | 2,800,000                    | 2,800,000                    |
| Future Greenways                   | 0                            | 2,200,000                    | 2,200,000                    |
| Open Space Administration          | 32,512                       | 200,000                      | 232,512                      |
|                                    | <b>\$9,094,712</b>           | <b>\$0</b>                   | <b>\$9,094,712</b>           |

The remaining first sale bond funding of \$16,537,815 for Future Open Space is unallocated in the Parks, Recreation, Greenways, and Open Space CIP. Specific projects will come back before the Board for appropriation after they are identified by the RFP process.

Community Services staff is also recommending an additional \$200,000 within the Recreation, Greenways & Open Space Element of the County Capital CIP to perform due diligence work (appraisals, surveys, environmental studies, etc.) on the remaining slate of open space acquisitions. These funds would be detailed and accounted for as each property is brought forward for approval.

The Open Space and Parks Advisory Committee (OSAPAC) reviewed this acquisition at its February 22, 2021 meeting and voted unanimously to forward the item to the Board of Commissioners for their consideration.

**Attachments:**

1. Perry Area Map
2. Perry Site Map
3. CIP Budget Memo – FY 2021 County Capital - PGROS