

CITY OF HIGH POINT

AGENDA ITEM



Title: HPU/City of High Point Land Conversion

From: Lee Tillery, Director Parks and Recreation

Public Hearing: N/a

Meeting Date: March 2, 2015

Advertising Date February 20, 2015

Advertised By: City Clerk

Attachments: Resolution
Conversion Approval Letter
Maps of both Properties
Legal Notice

PURPOSE:

The City of High Point and High Point University (HPU) proposal to exchange land where 3.94 acres is granted to the City from HPU at 902/904 N. College adjacent to the High Point Greenway and the City deeds .52 acres at the corner of Lexington and Panther Drive to HPU. Since the property the City is deeding to HPU is located within McCain Park and the Park was acquired with Land Water Conservation (LWCF) funds, a conversion or exchange must take place to legally transfer this property to another party. High Point City Council must also approve the exchange of land.

BACKGROUND:

High Point University (HPU) approached the City in 2014 about acquiring a portion of land at the corner of Lexington and Panther Drive located within McCain Park. McCain Park was established with the assistance of monies from the Land Water and Conservation Fund(LWCF), which requires land be used in “perpetuity” for recreational use. However, the grant does allow for a “conversion” or a process where portions of lands purchased with LWCF may be exchanged for land of equal or greater value. The City and HPU then began the process of evaluating options for the land exchange. HPU offered land adjacent to the greenway located at 902/904 N. College Drive which is composed of just less than four acres. The value of this property was appraised at \$45,287 while the portion of land at McCain Park was valued at \$19,000. This met the regulations set aside for the conversion. The conversion documentation was then filtered through the North Carolina DENR and the National Park Service and was approved in early February 2015.

BUDGET IMPACT: There is no budget impact.

RECOMMENDATION / ACTION REQUESTED:

Council is requested to adopt a Resolution authorizing the exchange of real property owned by the City of High Point for property owned by High Point University.

**RESOLUTION TO AUTHORIZE THE EXCHANGE OF REAL PROPERTY
OWNED BY THE CITY OF HIGH POINT FOR PROPERTY OWNED BY
HIGH POINT UNIVERSITY**

WHEREAS, the City of High Point ("City") owns a .52 acre tract of land known as a portion of Lots 51-53, Plat Book 6, Page 160, 1037 West College Drive, Guilford County Tax Maps, located off of East Lexington Avenue, High Point, North Carolina and known more specifically as a portion of McCain Park. This tract of land has been appraised at a value of \$19,000.; and

WHEREAS, High Point University ("HPU") owns a 3.94 acre tract of land consisting of a triangular tract of land adjacent to and just east of Lots Nos. 109-120, both inclusive as shown on the "Revised Record Map of College Development and Improvement Co.", Plat Book 7, Page 159 in the office of the Register of Deeds of Guilford County which is adjacent to the High Point Greenway Pilot Project. This tract of land has been appraised at a value of \$42,287.; and

WHEREAS, the City and HPU wish to make an even exchange of the two described properties; and

WHEREAS, North Carolina General Statute § 160A-271 authorizes the City to make such an exchange if authorized by the City Council by a resolution adopted at a regular meeting of the City Council upon at least ten (10) days' public notice; and

WHEREAS, the City has provided the required public notice, and the City Council is convened in a regular meeting.

NOW, THEREFORE, THE HIGH POINT CITY COUNCIL RESOLVES THAT:

1. The exchange of properties described above is authorized.
2. The appropriate city officials are directed to execute the appropriate instruments necessary to carry out the exchange.

Adopted this the 2nd day of March, 2015

Lisa B. Vierling, City Clerk



United States Department of the Interior



IN REPLY REFER TO:
L3219 (SER-RPB)
37-00043.2
37-00901.3

NATIONAL PARK SERVICE
Southeast Regional Office
Atlanta Federal Center
1924 Building
100 Alabama St., SW.
Atlanta, Georgia 30303

January 20, 2015

Ms. John C. Poole
Alternate State Liaison Officer
Department of Environment and
Natural Resources
Division of Parks and Recreation
1615 Mail Service Center
Raleigh, North Carolina 27699-1615

Dear Mr. Poole:

We have reviewed and approved the State's request for a partial conversion of .52± of an acre of land at Tennis Court and Small Park Development Program (specifically McCain Park), which received Land and Water Conservation Fund (L&WCF) development assistance under project number 37-00043 in October of 1964. Approximately, 7.03±/- acres of land will remain unconverted and available for outdoor recreation use. According to the State, the converted property will be used as an enhancement for the High Point University campus entrance. Recreation facilities and opportunities developed at McCain Park with L&WCF assistance included, but were not limited to, the development of sports and playfields.

The documentation that the State submitted indicates that the replacement property totals 3.94±/- acres of land and is located in Guilford County, North Carolina. It will be incorporated into the previous L&WCF project of High Point Greenway Pilot Project, project no. 37-00901 and will incorporate the installation of a valuable buffer between the city's heavily used greenway and adjacent single family residences. In addition, the appraisal for the converted property is for \$19,000.00; and the appraisal for the replacement property is for \$42,287.00 were approved by the State's Review Appraiser and concurred with by the Alternate State Liaison Officer.

Enclosed is your copy of the signed Amendment to the Project Agreement approving this partial conversion. If you have any questions, please do not hesitate to contact me at (404) 507-5800 or by email at gwen_smith@nps.gov.

Sincerely,

Gwenevere P. Smith
Chief, Recreation Programs Branch
Southeast Region

Enclosure

Expires: 10/31/2016

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

STATE North Carolina
37-00043.2
Project Amendment No. 37-00901.3

AMENDMENT TO PROJECT AGREEMENT

THIS AMENDMENT To Project Agreement No. 37-00043 is hereby made and agreed upon by the United States of America, acting through the Director of the National Park Service and by the State of North Carolina pursuant to the Land and Water Conservation Fund Act of 1965, 78 Stat. 897 (1964).

The State and the United States, in mutual consideration of the promises made herein and in the agreement of which this is an amendment, do promise as follows:

That the above mentioned agreement is amended by adding the following:

Convert 0.52 acres of land at McCain Park in the City of High Point, Guilford County, North Carolina valued at \$ 19,000 and replace it with 3.94 acres of land adjacent to High Point Greenway Pilot Project in the City of High Point, Guilford County, North Carolina valued at \$ 45,287.

In all other respects the agreement of which this is an amendment, and the plans and specifications relevant thereto, shall remain in full force and effect. In witness thereof the parties hereto have executed this amendment as of the date entered below.

THE UNITED STATES OF AMERICA

By 

(Signature)

Chief
Recreation Programs Branch
Southeast Regional Office
(Title)

National Park Service
United States Department of the Interior

Date 01/20/2015

STATE

North Carolina

(State)

By 

(Signature)

John C. Poole

(Name)

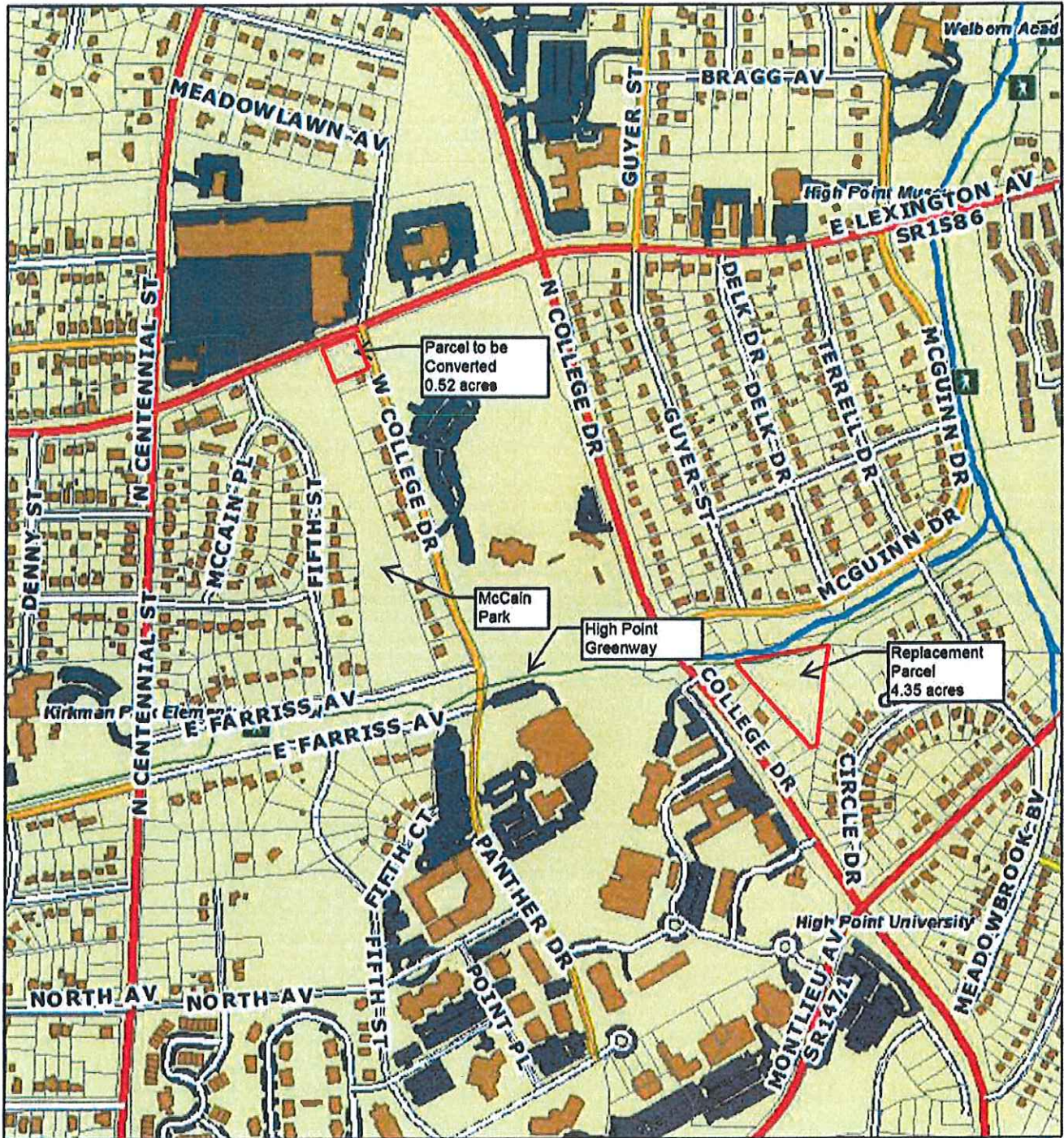
Alternate State Liaison Officer

(Title)

Paperwork Reduction Act Statement: This information collection is authorized by the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-4 et seq.). Your response is required to obtain or retain a benefit. We use this information to document changes made to original grant agreement. We estimate that it will take 3 hours to complete this form, including the time necessary to review instructions gather data and review the form.

You may send comments on the burden estimate or any aspect of this form to the Information Collection Clearance Officer, National Park Service, 1849 C Street, NW, (2601), Washington, DC 20240. We may not collect or sponsor and you are not required to respond to a collection of information unless it displays a currently valid OMB control number.

McCain Park



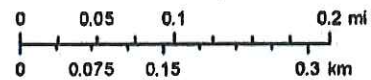
January 9, 2014

City of High Point, NC

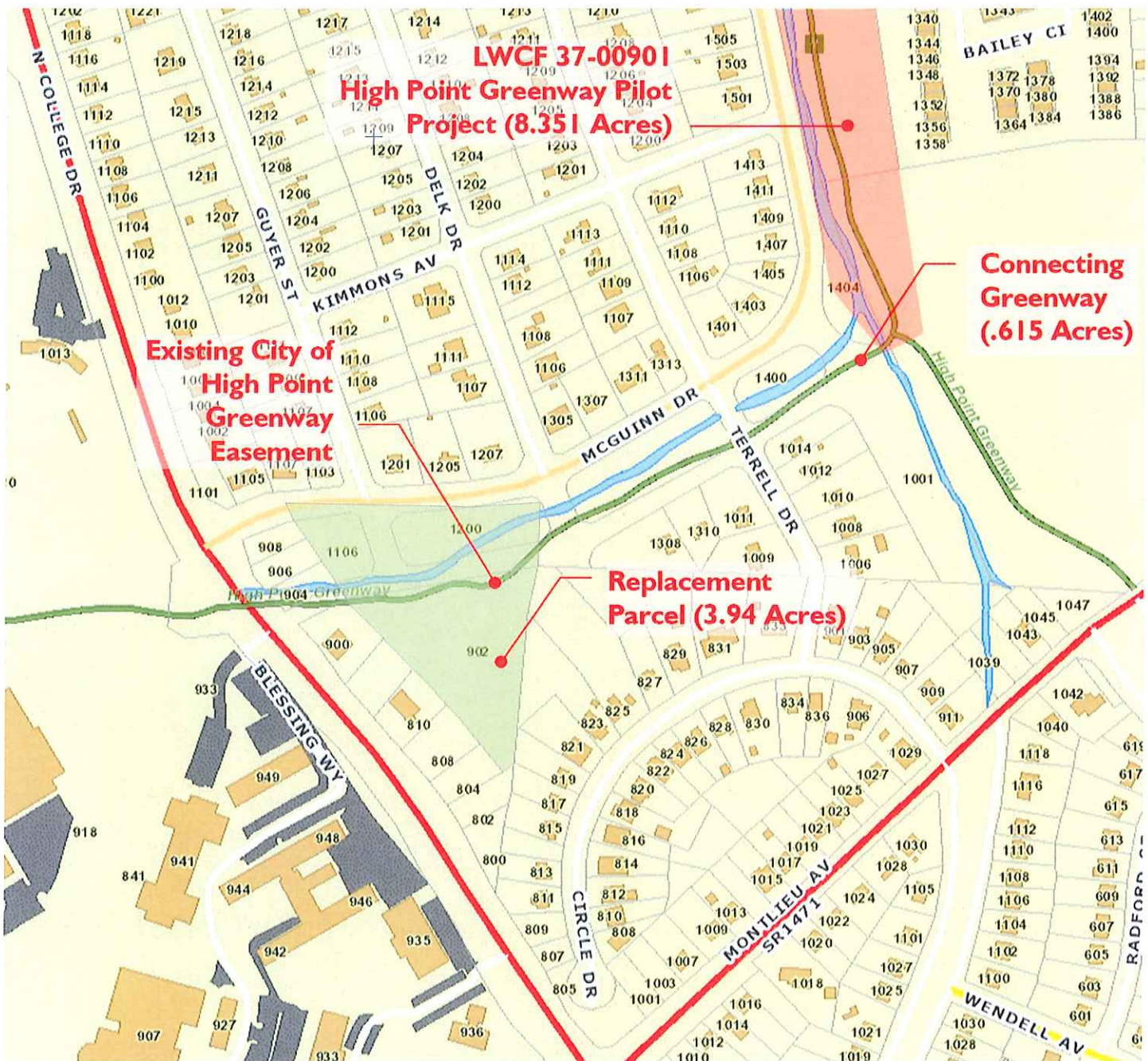
1:7,089

Streetnames

Tax Parcels



Replacement Parcel Area Map



November 25, 2014

City of High Point, NC

Legend

- LWCF 37-00901 (12.906 acres after conversion approved)
- Replacement Parcel (3.94 acres)
- Connecting Greenway (.615 acres)

SLO/ASLO Original Signature: _____ Date: _____

Typed Name, Title, Agency: John Poole, Alternate State Liaison Officer, NCDENR

EXCHANGE OF PROPERTY
PUBLIC NOTICE

The High Point City Council intends, at its regular meeting to be held at 5:30 p.m. on Monday, March 2, 2015, to authorize the exchange of the real property of the City of High Point described below for the real property of High Point University described below:

1. Property of the City of High Point: A .52 acre of land, located off of E. Lexington Avenue, and specifically known as a portion of McCain Park in the City of High Point, Guilford County, North Carolina.
2. Property of High Point University: Approximately 3.94 acres of land adjacent to the High Point Greenway Pilot Project in the City of High Point, Guilford County, North Carolina.

Or.....

a triangular tract of land adjacent to and just East of Lots Nos. 109-120 as shown on the "Revised Record Map of College Development and Improvement Co.", Plat Book 7 at Page 159 in the Office of the Register of Deeds of Guilford County, and being particularly bounded and described as follows:

BEGINNING at an iron pipe, the Northeast corner of Lot No. 121 of College Development and Improvement Co.; thence North 8 degrees 45 minutes East 429.85 feet more or less to an iron pipe; thence North 2 degrees 03 minutes 30 seconds East 133.1 feet to a point; thence North 85 degrees 56 minutes 30 seconds West 556.2 feet to a stake in the rear of Lot No. 109 of said subdivision; thence with the rear of Lots Nos. 109-120, inclusive, and along the East ends of said lots following the calls and distances thereof as shown on the aforesaid plat in Plat Book 7 at Page 159 and as shown on an unrecorded plat of O.A. Kirkman property as prepared by T.C. Kirkman, Engineer, dated July 25, 1968, a total distance of 784.75 feet more or less to an iron pipe in the North line of Lot No. 121, said iron pipe being the Southeast corner of Lot No. 120; thence with the North line of Lot No. 121 North 59 degrees 41 minutes East 25.39 feet, more or less, to an iron pipe, the point and place of BEGINNING.

The estimated value of the property of the City of High Point is \$19,000; the estimated value of the property of High Point University is \$45,287.

No other consideration will change hands.

At the meeting, all interested persons will be given an opportunity to be heard.

This notice is published in accordance with G.S. 160A-271.

Lisa B. Vierling, City Clerk