



Beaty Park - Conservation Easement

To: Davidson Board of Commissioners
From: Cindy Reid, Town Attorney and Kathryn Spatz, Parks & Recreation Director
Date: August 13, 2019
Re: Beaty Park – Conservation Easement

1. OVERVIEW

At its March 26, 2019 meeting, the commissioners voted unanimously to adopt the recommendations of the Park at Beaty Task Force, including permanently protecting all 6 parcels (20+acres) that make up the Beaty Property with a conservation easement. Permanent conservation is the only way to ensure the land is kept open, undeveloped, and in the public realm, forever. The Park at Beaty Leadership Committee, primarily Dave Cable, and staff have been working to develop easement language that addresses town, neighbor, and Davidson Land Conservancy (DLC) interests. The Task Force Leadership Committee and staff met with neighbors May 30 to present information on the proposed conservation easement and respond to any questions or concerns. The information was positively received. Dave Cable and Kathryn Spatz presented the draft conservation easement to the BOC at its July 9 meeting.

2. RELATED TOWN GOALS

Goal: *The Town of Davidson will increase physical and mental health of Davidson citizens. Preserve open space. Provide ample opportunities for play and discovery (active and passive).*
Goal: *Davidson will have inclusive engagement with the community to encourage substantive, respectful, and open dialogue, increase participation, and foster a sense of belonging.*

3. OPTIONS/PROS & CONS

Pros: conservation easements (CE) vs. deed restrictions vs. fee simple; easements are permanent, irrevocable, very difficult to amend; can only be undone by judicial action; 55 million U.S. acres preserved by CE; terms of the CE will be specific to Beaty Park, its conservation values, and park use; stewardship endowment fund & monitoring; legal defense fund & enforcement

Con: \$30,000 for stewardship could be used for something else

4. FYI or RECOMMENDED ACTION

We recommend the board of commissioners approve the Resolution to Convey the Conservation Easement as presented.

5. NEXT STEPS

The purpose and terms of the easement will be published in a local publication for 10 days and, after that, the conveyance can be finalized by the mayor signing the easement agreement. A celebration of the easement is scheduled October 5.