

## Legislation Text

File #: 15-21508, Version: 1

### Property Transaction Related to Hambright Park and Ride

**Action:**

- A. Approve payment to the North Carolina Department of Transportation for removal of a Deed Restriction (a property interest), in the amount of \$141,450, and**
- B. Adopt a budget ordinance appropriating \$141,450 from Beltway 77 Phase I Owner, LLC to the CATS Capital Projects Fund.**

**Staff Resource(s):**

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**Explanation**

- In July 2021, the North Carolina Department of Transportation (NCDOT) conveyed to the City of Charlotte a 21.182-acre site in Huntersville, NC along Hambright Road, at no cost, for the purpose of building a Park and Ride Facility.
- As part of the conveyance, NCDOT included a deed restriction that stated if the property was no longer used for a public purpose, the property would revert to NCDOT, and NCDOT would have the right to terminate all rights, titles, and interests held by the City of Charlotte.
- Plans for the CATS Park & Ride Facility initially included a driveway connection onto Hambright Road, which was designed to allow for a future roadway to extend through the adjacent property to Alexandriana Road.
- In 2022, the adjacent property owner, Beltway 77 Phase I Owner LLC (Beltway 77), approached CATS with a proposal to pay for and construct a road from Hambright Road to Alexandriana Road. The Town of Huntersville is supportive of this proposal and has approved the developer's site plan.
- The proposal would provide CATS with more direct access to the park-and-ride lot than the initially proposed driveway, provide access for the Beltway 77 development, and improve connectivity in the area.
- As a standard requirement for development along state-owned roads, NCDOT requires a dedication of 50-feet of right-of-way along Hambright Road. This dedication must occur for NCDOT to issue a driveway permit for the new road to be constructed by Beltway 77.
- NCDOT is requiring that the city pay NCDOT for the removal of the deed restriction for the portion of the property where the roadway would be constructed. The appraised value of the deed restriction is \$141,450.
- The city would grant Beltway 77 a non-exclusive permanent access easement, with the following terms:
  - Payment of \$141,450
  - Maintenance of roadway improvements within the Access Easement Area
  - Installation of utility improvements that would extend from Beltway 77's parcel to the CATS park and ride lot.
- Upon completion of the road and acceptance of the improvements by the Town of Huntersville, the city would dedicate the road as public right-of-way to the Town of Huntersville via an access easement agreement, and the Town would then be responsible for maintenance of the road.

**Attachment(s)**

Map  
Site Plan  
Budget Ordinance