

RESOLUTION NO. 02-2019-8

RESOLUTION REGULATING EASEMENT RETURN

WHEREAS, currently Cumberland County does not have policies regulating easement returns; and,

WHEREAS, on February 7, 2019 the Environmental Committee of the Cumberland County Commission voted unanimously to create policies concerning the return of easements; and,

NOW, THEREFORE, BE IT RESOLVED that the following policies be adopted:

1. When appropriate, a title review should be conducted to determine the terms of the easement.
2. The Property Assessor should be consulted to help determine the value of the property with and without the easement.
3. The County Mayor, Regional Planning Commission, and Road Department should be consulted to ensure return of the easement will not cause access issues to other properties and to ensure the easement will not be more important to county needs in the future.
4. Adjacent property owners should be contacted to ensure easement return does not adversely affect other properties.
5. The easement should be fully on the applicant's property. If not, surrounding landowners should be given equal opportunity to purchase the portion of the easement on their property.
6. The value of the easement shall be determined based on all factors and mitigating circumstances. The value placed on the easement should not exceed costs to the county.

FURTHERMORE, BE IT RESOLVED, that the Cumberland County Board of Commissioners hereby formally approve to adopt these policies for the return of county owned easements.

On this 19th day of February, 2019.

SPONSOR:

County Commissioner

APPROVED:

County Mayor

ATTEST:

County Clerk