

Appendix F – Land Acquisition Tips

The following recommendations come from the book entitled: *Greenways for America*, by Charles E. Little, Johns Hopkins University Press, 1990. This source was written for greenways, but most of the tips apply to land acquisition for park land also.

- Land for the corridor need not be conveyed in fee - that is, in full title, free and clear. A negative conservation easement may be all that is necessary for corridor areas not actually open to the public – adjoining a trail for example, or the view involved in a scenic route. A purchase in fee means to purchase all rights in land. An easement acquisition concerns only certain rights, including the negative right to prohibit development or otherwise change the use of the land. A positive easement (access agreement) is required for a trailway itself or other public access to an area, however.
- The land along rivers and streams in most cases is already protected to some degree by floodplain zoning. It therefore has little if any new development value and may be acquired in fee or easement for a corridor relatively cheaply, assuming a willing seller and assuming the land is vacant.
- In special cases, already developed land in a floodplain can be acquired from owners under grants from the Federal Emergency Management Agency under its flood insurance program, assuming local law prohibits development or redevelopment in the floodplain. To qualify, existing properties within the floodplain which have been damaged must have lost greater than 50 percent of their value through a flood disaster.
- Land along ridgelines, another favored route for greenways, is often in private ownership and may have significant development value. With ridgeline trails, however, there is more flexibility in routing than with riparian greenways, so a corridor can be routed through land whose owners are sympathetic to a project or through land too steep to be developed economically.
- Trail easements can be piggybacked on public rights-of-way such as sewer easements or power lines.
- In most jurisdictions, residential developers are required to donate part of their site for park or recreational use. If privately owned land ready for development is located along a potential greenway corridor, arrangements should be made with municipal authorities and with the developer for this land (and not some other part of the site) to be dedicated as part of the corridor.
- Residential development plans can also be modified to produce corridor land (over and above mandatory dedications) by means of cluster development (keeping overall housing density the same but reducing individual lot sizes to produce an open-space surplus). This may also be achieved by allowing the transfer of development rights (TDR) from a greenway corridor to another site not in the corridor, permitting the builder to construct the same number of housing units overall.
- Greenway authorities (whether governmental or a public-private foundation) can also produce corridor land by various purchase and resale approaches. For example, a large parcel may be purchased outright from a private owner, the land needed for the greenway corridor divided from it, and the remainder resold either as a single parcel or further

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subdivided into multiple parcels. In the latter case, it is altogether conceivable that the authority might come out of the transaction with no financial loss or even with a surplus that can be used to acquire corridor land elsewhere. If the division of the property is impractical, then a conservation easement with a trail right-of-way can be placed in the deed and the parcel resold in its entirety with covenants protecting the corridor and providing public access along a trail established in perpetuity.

- Some public authorities favor purchase and leaseback (to adjoining farmer, for example) rather than purchase and resale. In cases other than state or federal scenic highways, however, for which this approach is sometimes used, purchase and resale with restrictions is probably a better means to establish a greenway corridor since it eliminates the need to administer leases.
- Philanthropic land donation (fee or easement) or a bargain sale of land to a greenway authority should always be sought but rarely expected – especially now that lowered income tax rates make land donation less desirable from an estate-planning standpoint. The best approach is to involve the landowners along the corridor in the project at the outset. Then the opportunity for a donation of land will arise naturally. When it does, ask - and it may be given.

Appendix G – How You Can Help

There are numerous ways in which the citizens of Muhlenberg County can help to improve the quality of life, sense of pride, and health of the residents of Muhlenberg County. Listed here are just some of the ways in which you can make a difference.

- Let the Fiscal Court know that you support the recommendations of the Master Plan.
- Volunteer to help the new Parks and Recreation Department in their planning efforts for parks and programs.
- Use the parks. Parks with positive use deter vandalism and unwanted activities.
- Be a good neighbor. Report any unwanted activities or problems that you see in the parks to the City or County.
- Volunteer to clean up the parks and help in the maintenance and development of trails.
- Donate land to be used for parks and open space. Many of the existing parks are the result of donated land.
- Assist the proposed Friends of Muhlenberg County Parks and Recreation in fund raising efforts.
- Volunteer to assist in youth activities. The organizations need coaches, maintenance help, referees and umpires, concession workers, and much more.
- Sponsor an event. Many organizations show their community support by providing corporate sponsorships for events.
- Sponsor a park facility. Many organizations sponsor facilities such as picnic shelters, amphitheaters, or playgrounds and are recognized with a sign on the facility.
- When the County plans the proposed new parks, get involved in the planning process. Then help in the development.
- Encourage your friends and neighbors to get involved also. As the saying goes, many hands make light work.
- As the County and cities build the network of trails to link parks, schools, and neighborhoods, they will need access to land. Help by providing an easement for the trail if the proposed path is on or near your property.

This is just a start. The communities that are the most desirable places to live have an active community which supports the efforts of the local government. Be creative. How can you help?