



COUNTY ATTORNEY'S OFFICE

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MEMORANDUM

TO: Chairman Bob Taylor and Members of the Finance Committee

FROM: Kimberly Wunder, Assistant County Attorney

DATE: November 6, 2020

RE: Terminate Notice of Trail Use for Rails-to-Trails property in Unity Park and Convey to City of Greenville

SUMMARY

The purpose of this item is to obtain authorization from County Council to terminate an existing Notice of Trail Use (NITU) for a portion of Greenville County's rails-to-trails property that the County does not have any current or future use for, and convey a portion of the former rails-to-trails property to the City of Greenville. The County will request a replacement NITU for its remaining rails-to-trails property.

BACKGROUND

Greenville County is the owner of a railroad right-of-way extending from milepost 0.0 in the City of Greenville to milepost 11.8 in Travelers Rest. The County's railroad right-of-way is subject to a Notice of Interim Trail Use (NITU) allowing the County to use the right-of-way as rails-to-trails property. Although the entire length of the County's rails-to-trails property is subject to a NITU, the County does not have a current or future use for the segment between milepost 0.0 and milepost 0.8 in the City of Greenville (the "Segment").

The City of Greenville has requested that the County terminate the existing Notice of Trail Use (NITU) on the Segment, and convey a portion of the Segment to the City. These steps are necessary to allow the City to implement much needed storm water management improvements and flood control along the northern bank of the Reedy River between S. Hudson Street and Willard Street in Unity Park.

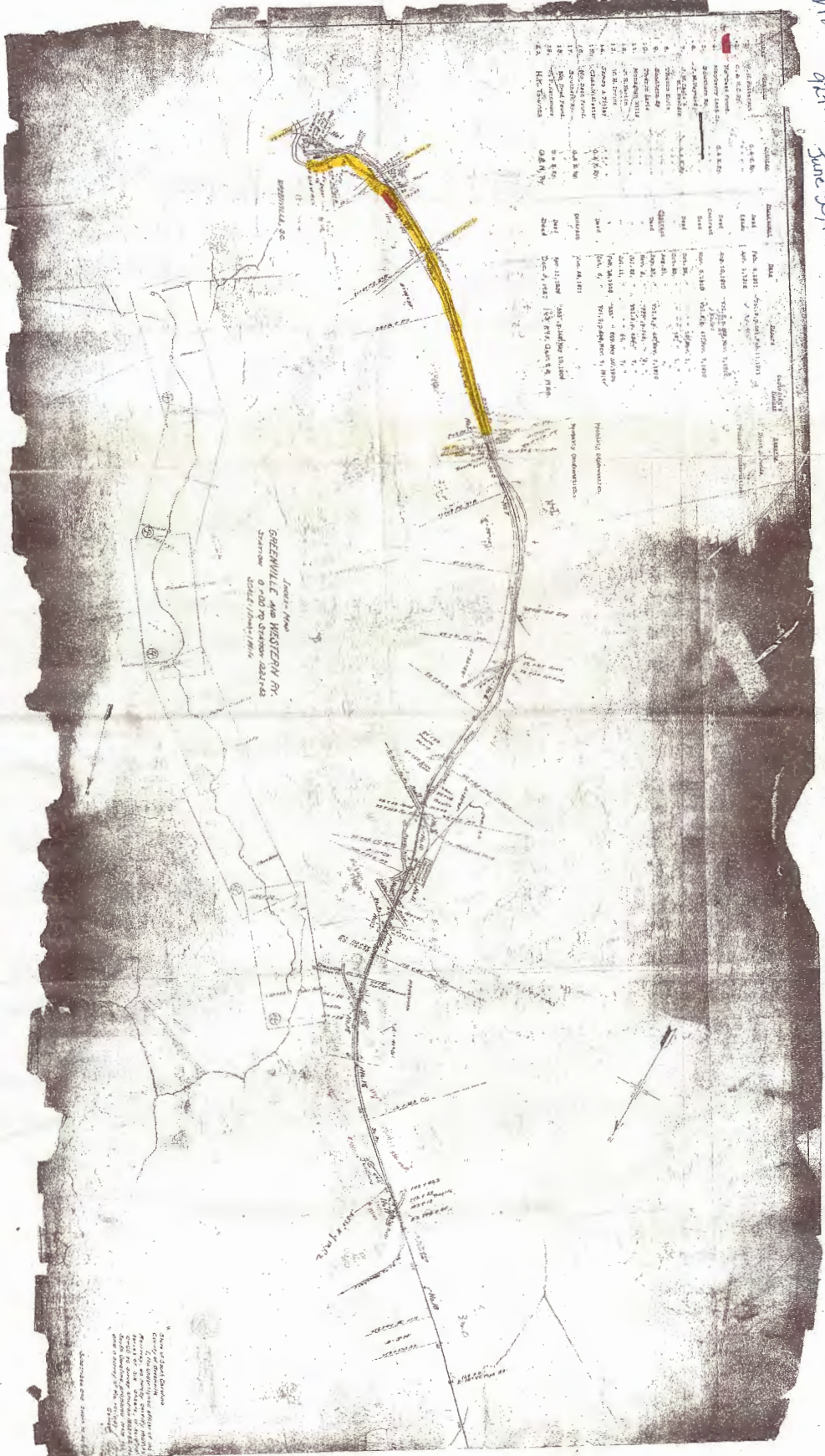
The County's remaining 11 miles of rails-to-trails property from milepost 0.8 in the City of Greenville to milepost 11.8 in Travelers Rest will continue to be subject to the NITU consistent with the National Trails System Act, 16 U.S.C. § 1247(d) ("Trails Act").

REQUESTED ACTION

To move forward with the City of Greenville's request while protecting the County's remaining rails-to-trails property, the County Attorney's Office recommends two actions by County Council:

- (1) Approval of a Motion to authorize the termination of an existing Notice of Trail Use from milepost 0.0 to milepost 0.8 and issuance of a replacement Notice of Trail Use from milepost 0.8 to milepost 11.8; and
- (2) Approval of an Ordinance conveying the County's remaining interests in a portion of the former rails-to-trails property to the City of Greenville.

Grading
 No. 1
 June 30, 1919
 Greenville - Western Ry.
 (1571 - Greenville)



Station	Grade	Profile	Notes
1.0	1.0	1.0	Station 1.0
2.0	2.0	2.0	Station 2.0
3.0	3.0	3.0	Station 3.0
4.0	4.0	4.0	Station 4.0
5.0	5.0	5.0	Station 5.0
6.0	6.0	6.0	Station 6.0
7.0	7.0	7.0	Station 7.0
8.0	8.0	8.0	Station 8.0
9.0	9.0	9.0	Station 9.0
10.0	10.0	10.0	Station 10.0
11.0	11.0	11.0	Station 11.0
12.0	12.0	12.0	Station 12.0
13.0	13.0	13.0	Station 13.0
14.0	14.0	14.0	Station 14.0
15.0	15.0	15.0	Station 15.0
16.0	16.0	16.0	Station 16.0
17.0	17.0	17.0	Station 17.0
18.0	18.0	18.0	Station 18.0
19.0	19.0	19.0	Station 19.0
20.0	20.0	20.0	Station 20.0
21.0	21.0	21.0	Station 21.0
22.0	22.0	22.0	Station 22.0
23.0	23.0	23.0	Station 23.0
24.0	24.0	24.0	Station 24.0
25.0	25.0	25.0	Station 25.0
26.0	26.0	26.0	Station 26.0
27.0	27.0	27.0	Station 27.0
28.0	28.0	28.0	Station 28.0
29.0	29.0	29.0	Station 29.0
30.0	30.0	30.0	Station 30.0

GREENVILLE AND WESTERN RY.
 SHEPHERD STATION
 SHEPHERD BRIDGE



Scale of 1 inch = 100 feet
 Drawing of Greenville and Western Railway
 SHEPHERD STATION AND BRIDGE
 SHEPHERD BRIDGE