



AGENDA ITEM

Other Business - County Attorney

REPORT TO: Work Session (03/25/24)

REPORT TO: Voting Meeting (03/28/24)

ITEM NO: 162/2024

SUBJECT: Approve the Notice of Limitation of Use and Declaration of Covenant for all Butler Park property and authorize the Chairman to execute the Notice and any documents necessary to limit the use of the Butler Park property in accordance with the Land and Water Conservation Fund Act of 1965, subject to the review and approval of the County Attorney.

Meetings:

Work Session Date: 03/25/24

Voting Meeting Date: 03/28/24

Executive Summary:

Presenter: WLCA

Recommendation:

Approval.

Purpose of Request:

Approve the Notice of Limitation of Use and Declaration of Covenant for all Butler Park property and authorize the Chairman to execute the Notice and any documents necessary to limit the use of the Butler Park property in accordance with the Land and Water Conservation Fund Act of 1965, subject to the review and approval of the County Attorney.

History:

In 2021 the County entered into an Agreement with the Georgia Department of Natural Resources under the Outdoor Recreation Legacy Partnership Grant Program for its Butler Park development project. The Agreement required the County to perform its part of the Agreement in accordance with the Land and Water Conservation Fund Act in order to get Federal financial assistance from the National Park Service. Under the terms of the Grant, the property must be restricted to public outdoor recreational uses.

Facts and Issues:

Options:

To obtain the grant money in connection with the development of Butler Park for continued use as a park, the Butler Park property must be restricted to public outdoor recreational uses. If approved, the Notice of Limitation of Use and Declaration of Covenant would restrict the use of the Butler Park property, including the Fieldale donation property, to outdoor recreational use. The Chairman is required to sign the Notice and an Affidavit attesting that the property is restricted to outdoor recreational use.

Approve or deny the Notice.

Funding Requested \$ 0.00
Are funds within current budget? No
Source of Funds N/A
Does the action involve a Resolution, Ordinance, Contract, Agreement, etc.? Yes
Has it been reviewed by the County Attorney? Yes
Is there a deadline for this item? 2024-03-29

Approvals:

Submit	Attorney	Administration	Clerk
WLI	WLI	CR	JR

Attachments:

- Butler Park DNR Grant Project Agreement
- Butler Park DNR Grant Project General Conditions
- Butler Park DNR Grant Affidavit (Draft)
- Notice of Limitation of Use and Declaration of Covenant



**HALL COUNTY BOARD OF COMMISSIONERS
FINANCIAL SUPPLEMENT REPORT**

AGENDA ITEM 162/2024

Funds Requested: \$ 0.00

Request Budgeted: No

Proposed Source of Funding:

Budget Transfer Requested:

N/A

No

Funding Source Items:

Budget Transfer Items:

Additional Information/Comments:

Contact for Questions: WLCA

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