



Beaty Park Conservation Easement: Summary of Terms as DRAFTED, Subject to Change

Prepared for:	Neighbors & Community Members
Project Name:	Beaty Park Conservation Easement
Easement Donor:	Town of Davidson
Date Prepared:	May 30, 2019
Location of Property:	Beaty Street, Davidson
Acreeage in Conservation:	Approximately 20 acres, south side of Beaty Street
Conservation Importance:	Riparian buffers for water quality protection, scenic open space, relatively natural habitat for wildlife and plants, public access and enjoyment, education and research potential. Property is owned by the Town of Davidson and will become a public park.

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Prohibited Uses by All Parties

- Subdivision of any kind
- Commercial use except as ancillary to park use (concessions, etc.); industrial or residential uses (following permitted interim residential use of dwelling)
- No structures except for park related buildings; only enclosed structures in the Development Zone
- Surface alteration or alteration of water courses except as specifically permitted – wide range of activities permissible for development or enhancement of water features to improve water quality. No mining.
- Installation of utilities, except as needed for park use. No cell or transmission towers.
- Signage except for park name sign, boundary lines, posting for trespass, conservancy signs
- Motorized vehicles in Preservation zone except for development of park uses and emergency access. (Unlimited use in the Development Zone.)
- Unlawful use or disposal of hazardous substances
- Removal of vegetation and timbering (except per plan and for health of the forest, invasive eradication, etc.)

Rights of the Town of Davidson

- Recreation uses and improvements; passive in Preservation Zone and active in the Development Zone
- Business uses only as ancillary to public park use, such as concession stands, P&R offices, etc.
- Install utilities and improvements consistent with permitted uses
- Alter water courses, replace or repair dam, improve water ways and erosion controls, etc.
- Transfer of property
- Landscaping and general maintenance
- Recycling
- Trails and boardwalks
- Timber management per approved plan
- Small scale agriculture such as bee keeping, community gardens, etc.
- Roads and driveways as needed for permissible uses in both zones; parking permitted in the Development Zone, subject to impervious area limitation
- Replacement of improvements
- Temporary interim residential or office use of dwelling in Development Zone to be extinguished when the park is developed or within __ years

Rights of Davidson Lands Conservancy

- Conveyance and extinguishment of all development rights, except rights for park development

- Right to preserve and protect conservation values
- Right to enter the property as specified in the Easement, and to post conservation signage
- Right to prevent activity or use of the property inconsistent with, or damaging to, the conservation values
- Review and approval of certain activities
- Right of first refusal to purchase

Use Zones

The Property is divided into two use zones: Preservation Zone and Development Zone.

Preservation Zone

The Preservation Zone encompasses the majority of the Property's land area and includes 17.1+/- acres, as shown on attachment. The purpose of the Preservation Zone is to limit use and development to passive recreation uses (except for sidewalks or multi-purpose paths which are permissible). Development is limited to unenclosed structures such as tree houses, amphitheaters, docks and foot bridges, public art installations, shelters, and decks, picnic areas, benches, trails, multi-purpose paths, and the establishment or enhancement of water features including erosion control installations, dams and ponds, and wetlands and stream alteration installations. Roads, driveways, cell or transmission towers, and utility lines and facilities are prohibited except as required for public safety or to support permitted uses. Active recreational uses, other than multi-purpose paths, such as disc golf, ball fields, playfields, playgrounds, tennis courts, volleyball courts, basketball courts, shuffleboard courts, bocce courts, horseshoe areas, swimming pools, mountain bike trails, enclosed structures, parking areas, or driveways, are prohibited.

Development Zone

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Questions or concerns:

Dave Cable

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Davidson Lands Conservancy, Volunteer Director of Land Conservation

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704-577-2004



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Prepared for:	Neighbors & Community Members
Project Name:	Beaty Park Conservation Easement
Easement Donor:	Town of Davidson
Date Prepared:	May 30, 2019
Location of Property:	Beaty Street, Davidson
Acreeage in Conservation:	Approximately 20 acres, south side of Beaty Street
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- Installation of utilities, except as needed for park use. No cell or transmission towers.
- Signage except for park name sign, boundary lines, posting for trespass, conservancy signs
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Rights of the Town of Davidson

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- Transfer of property
- Landscaping and general maintenance
- Recycling
- Trails and boardwalks
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- Temporary interim residential or office use of dwelling in Development Zone to be extinguished when the park is developed or within __ years

Rights of Davidson Lands Conservancy

- Conveyance and extinguishment of all development rights, except rights for park development

- Right to preserve and protect conservation values
- Right to enter the property as specified in the Easement, and to post conservation signage
- Right to prevent activity or use of the property inconsistent with, or damaging to, the conservation values
- Review and approval of certain activities
- Right of first refusal to purchase

Use Zones

The Property is divided into two use zones: Preservation Zone and Development Zone.

Preservation Zone

The Preservation Zone encompasses the majority of the Property's land area and includes 17.1+/- acres, as shown on attachment. The purpose of the Preservation Zone is to limit use and development to passive recreation uses (except for sidewalks or multi-purpose paths which are permissible). Development is limited to unenclosed structures such as tree houses, amphitheaters, docks and foot bridges, public art installations, shelters, and decks, picnic areas, benches, trails, multi-purpose paths, and the establishment or enhancement of water features including erosion control installations, dams and ponds, and wetlands and stream alteration installations. Roads, driveways, cell or transmission towers, and utility lines and facilities are prohibited except as required for public safety or to support permitted uses. Active recreational uses, other than multi-purpose paths, such as disc golf, ball fields, playfields, playgrounds, tennis courts, volleyball courts, basketball courts, shuffleboard courts, bocce courts, horseshoe areas, swimming pools, mountain bike trails, enclosed structures, parking areas, or driveways, are prohibited.

Development Zone

The Development Zone encompasses the easterly sections of the property adjacent to Main Street, consisting of 2.3+/- acres, as shown on attachment. Development of active recreational park facilities is permitted in this zone, including play structures, active recreation improvements, structures, utilities lines and services, public art installations, patios, walkways, landscaping, parking and driveway areas, and other improvements supporting public park use of the property. The extent of development of impervious area in the Development Zone shall comply with local, state, and federal land use regulations, and the total amount of impervious ground surface coverage, including driveways, access roads, and associated parking areas, shall be limited to seventy percent (70%) of the Development Zone area. No building or other structure may be constructed within the Development Zone that exceeds thirty feet (30') in height.

Questions or concerns:

Dave Cable

Beaty Park Task Force Member

Davidson Lands Conservancy, Volunteer Director of Land Conservation

dave@davidsonlands.org

704-577-2004



Beaty Park Conservation Easement: Summary of Terms as DRAFTED, Subject to Change

Prepared for:	Neighbors & Community Members
Project Name:	Beaty Park Conservation Easement
Easement Donor:	Town of Davidson
Date Prepared:	May 30, 2019
Location of Property:	Beaty Street, Davidson
Acres in Conservation:	Approximately 20 acres, south side of Beaty Street
Conservation Importance:	Riparian buffers for water quality protection, scenic open space, relatively natural habitat for wildlife and plants, public access and enjoyment, education and research potential. Property is owned by the Town of Davidson and will become a public park.

Summary of Easement Terms (as drafted and subject to change)

Prohibited Uses by All Parties

- Subdivision of any kind
- Commercial use except as ancillary to park use (concessions, etc.); industrial or residential uses (following permitted interim residential use of dwelling)
- No structures except for park related buildings; only enclosed structures in the Development Zone
- Surface alteration or alteration of water courses except as specifically permitted – wide range of activities permissible for development or enhancement of water features to improve water quality. No mining.
- Installation of utilities, except as needed for park use. No cell or transmission towers.
- Signage except for park name sign, boundary lines, posting for trespass, conservancy signs
- Motorized vehicles in Preservation zone except for development of park uses and emergency access. (Unlimited use in the Development Zone.)
- Unlawful use or disposal of hazardous substances
- Removal of vegetation and timbering (except per plan and for health of the forest, invasive eradication, etc.)

Rights of the Town of Davidson

- Recreation uses and improvements; passive in Preservation Zone and active in the Development Zone
- Business uses only as ancillary to public park use, such as concession stands, P&R offices, etc.
- Install utilities and improvements consistent with permitted uses
- Alter water courses, replace or repair dam, improve water ways and erosion controls, etc.
- Transfer of property
- Landscaping and general maintenance
- Recycling
- Trails and boardwalks
- Timber management per approved plan
- Small scale agriculture such as bee keeping, community gardens, etc.
- Roads and driveways as needed for permissible uses in both zones; parking permitted in the Development Zone, subject to impervious area limitation
- Replacement of improvements
- Temporary interim residential or office use of dwelling in Development Zone to be extinguished when the park is developed or within __ years

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