



# MEMORANDUM

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**To:** Mayor and Members of the City Council

**From:** Montre' Freeman, City Manager  
Deborah Malenfant, Elizabeth City Downtown, Inc.  
Sean Clark, EC-PC Parks & Recreation

**Date:** November 9, 2023

**Re:** Consideration – Acceptance of land parcels; permission to make improvements

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***BACKGROUND:***

During its June 27, 2022 meeting, the City Council voted to approve a lease for the former Elizabeth City Middle School gymnasium to begin no sooner than August 1, 2023 for a period of 20 years, with an offer to purchase option between year six and year seven. The developer has been working on the renovations and improvements to the gymnasium, with communications and input from the Parks and Recreation Department.

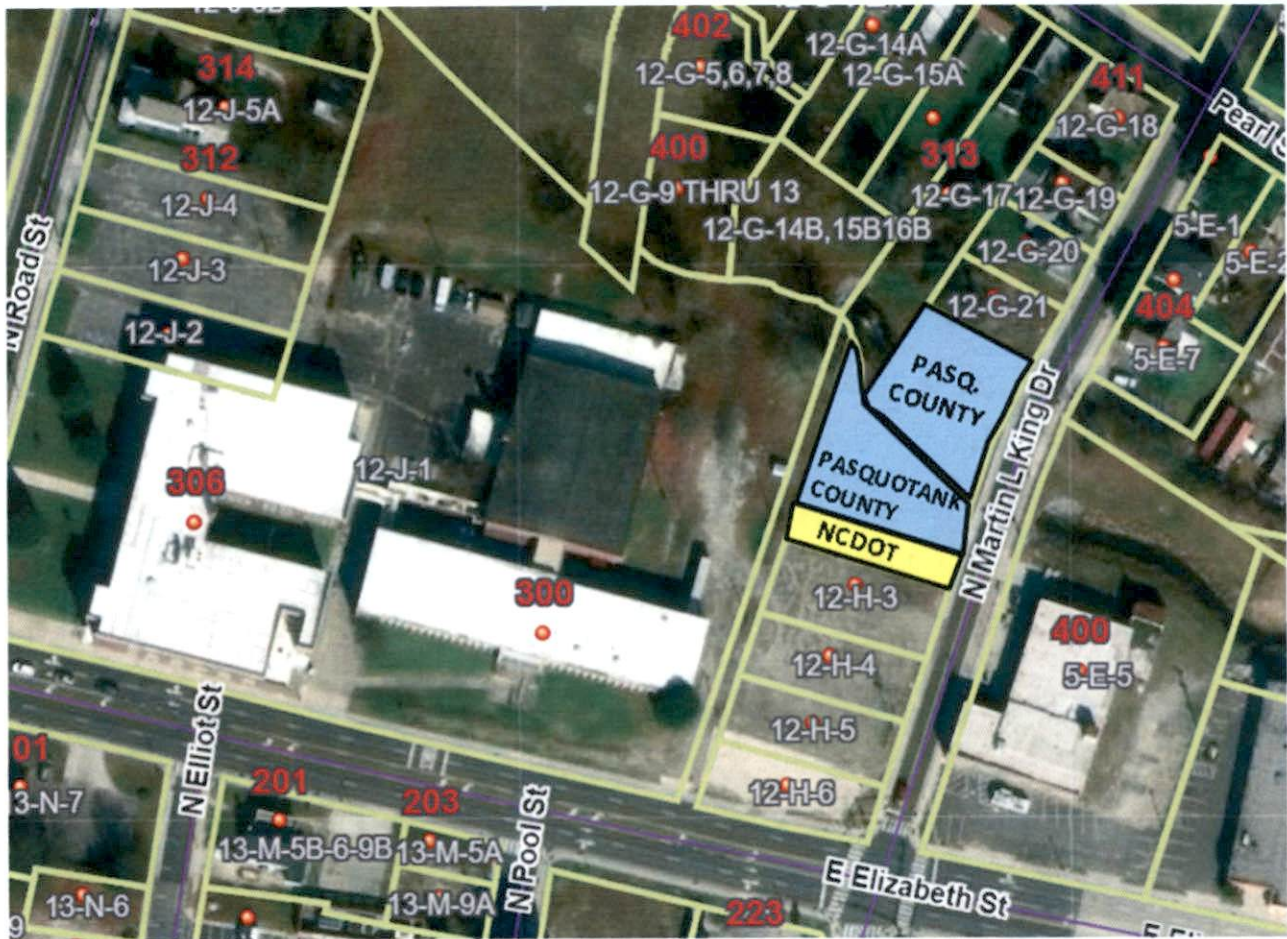
As the work on the structure is nearing completion, it is time for the site work for the parking and drive access to begin. The main access to the gymnasium will be from Martin Luther King Jr. Drive.

There are three parcels of land that are critical to the design and site work of the parking lot and main ingress/egress of the project.

One parcel (Parcel 891420807386) is currently owned by the North Carolina Department of Transportation.

Two parcels (Parcels 891420807490 and 891420808437) are currently owned by Pasquotank County.

The developer needs written permission from the owners of the parcels in order to begin the site work.



**ANALYSIS:**

The Pasquotank County Board of Commissioners has approved transferring ownership of their two parcels to the City of Elizabeth City. They are in the process of legally doing so. They need official action by the City Council to accept ownership of those parcels.

The NC Department of Transportation is in the process of transferring ownership of their parcel to the City of Elizabeth City. They need an official letter from the City asking for the donation of the land for public use and a statement as to what the public use would be, along with an acknowledgement that if the land ceases to be used for public use the City would be required to pay the value of the property to the NC Department of Transportation.

Once ownership of the respective parcels is granted, the developer would need written permission from the City in the form of either a letter or an easement to complete the site work on those parcels.

**STAFF RECOMMENDATION:**

1. By motion, approve the acceptance of land parcels 891420807490 and 891420808437 from Pasquotank County.
2. By motion, approve the letter to the NC Department of Transportation requesting donation of land parcel 891420807386 for public use. (Letter attached)

3. By motion, authorize a letter of permission and/or an easement for the developer to make site improvements specifically for the parking lot, ingress/egress drive, landscaping, and other elements necessary for public and employee access to the gymnasium.

November 13, 2023

Caitlin Spear, PE  
District Engineer  
NC Department of Transportation  
**Field Office**  
1929 North Road St.  
Elizabeth City, 27909  
Email: caspear@ncdot.gov

Dear Caitlin,

The City of Elizabeth City would like to officially request the transfer of property located at 309 N. Martin Luther King Jr Drive (Tax Map #12-H-2, Parcel information 891420807386) as a donation to the City of Elizabeth City for public use. That parcel is key in the development of the site for access to the Elizabeth City-Pasquotank County Parks and Recreation community gymnasium.

The land will be utilized as part of the primary ingress/egress from Martin Luther King Jr Drive and for parking for the Elizabeth City-Pasquotank Parks and Recreation gymnasium being renovated on an adjacent parcel. There is an executed twenty-year lease between the City of Elizabeth City and the developer that provides details and purpose of the renovation and documents that it will be for public use. Between year six and year seven, the City has the option to either purchase the gymnasium or continue the lease for the remainder of the 20 years. Attached are the minutes from the City of Elizabeth City City Council's meeting of June 27, 2022, showing approval of the lease. Also attached is a letter from the Interim City Manager dated September 15, 2022, showing the use of the property and that the City will be utilizing it for at least 20 years.

The City understands that, if at any point in the future, the parcel is not utilized for public use, it would be required to pay the value of the property to NC Department of Transportation.

Sincerely,

Montre' D. Freeman  
City Manager