

# Eagle River Park eyes construction on private land

Date: April 16, 2017

By: Pam Boyd



The land in the foreground of this photo belongs to Phyllis Johnson of Eagle and Harlan House of Kansas, as does the knob to the left, behind the fence...

EAGLE — There is a problem with the plans for the new Eagle River Park — some of the public park amenities are proposed on private land, and the people who own that land say they are not interested in selling.

A 7.5-acre parcel of land owned jointly by Phyllis Johnson of Eagle and Harlan House of Kansas extends from the southern side of the Eagle River, across the riverbed and through the eastern edge of the current parking area where the river park is proposed. Their land encompasses the ground where the existing parking area entrance is located and extends next to the Chambers Park entry. In early artist renderings and conceptual plans for the river park, their land is earmarked for construction of a bike path and future pedestrian bridge connection.

But 92-year-old Mrs. Johnson says she isn't interested in selling the land where those improvements are proposed.

## FAMILY LAND

“If you are asked if you want to sell something and you say no, people should take that as a no. You know, when you own land, I don't think you should be continuously asked to

## sell. When you said no once, you should be left alone.” Phyllis Johnson Private land owner, Eagle

Mrs. Johnson said a group of town and county officials approached her last year to talk about the river park plan and to discuss purchase of her property on the north side of the river. She said she told the group the land was not for sale.

"If you are asked if you want to sell something and you say no, people should take that as a no," Mrs. Johnson said. "You know, when you own land, I don't think you should be continuously asked to sell. When you said no once, you should be left alone."

That, in simple terms, is what Mrs. Johnson wants. She wants the people planning the river park to leave her alone.

### **RIVER PARK PLAN**

Last spring, Eagle voters approved a 0.5 percent sales tax to finance construction of the Eagle River Park on land owned by Eagle County. The plan envisions a new amenity both in and along the river at a current truck parking site east of the Eagle County Fairgrounds. The town has hired consultants to plan both the in-stream features and the upland park area, conducted two public input sessions and formed a steering committee to plan the park. All told, the project is estimated to cost \$8.3 million, with approximately \$5.8 million of that amount coming from the sales tax increase bond issue. The town also hopes to attract \$2 million in grant dollars and generate more than \$1 million in private fundraising to complete the park.

When contacted this week, town officials did not respond to a direct question about when they learned about the Johnson and House land issue. The town's statement also failed to address how Eagle plans to amend its river plan in response to the landowners' stated refusal to sell their property.

The town did offer a statement regarding the issue that states:

"Since the river corridor planning process began in 2014, the town staff and trustees have been in regular communication about the project with Mrs. Johnson and House, co-owners of the Barnes Ranch property. The town of Eagle would like to acquire a portion of their property on the north side of the river beside Fairgrounds Road to build a safe trail for pedestrians linking Chambers Park to the new Eagle River Park. There are no water park features in the river on the Barnes property. The town has been, and remains in, negotiations with each of the owners of the property and, therefore, cannot speak to specifics. We remain committed to working with the property owners to be able to build a safe trail in a mutually beneficial manner and remain hopeful we can reach that goal."

## PERSONAL SPACE

This isn't the first time Mrs. Johnson has dealt with a public entity regarding the land her father — Guy Truman Barnes — owned. Interstate 70 was routed through the family property 30 years ago.

"The land isn't as big as it used to be," Mrs. Johnson said. The I-70 construction resulted in re-routing the Eagle River to its current location. "The road and the river changed places, so to speak," Mrs. Johnson explained.

Neither Mrs. Johnson, nor any of her immediate family members, knows exactly how the truck parking entrance ended up on their land. She noted her late husband, Jack Johnson, was a former Eagle County surveyor so she believes he must have been aware of the situation. The county's property maps clearly show the land's ownership boundaries.

For Mrs. Johnson, the land in question is more than 7.5 riverside acres. It is an intimate part of her family's history. She grew up there. Her brother Boyd was just 13 years old when he drowned in the Eagle River at the site.

Alexis Kensinger, Mrs. Johnson's daughter, said town representatives have also shown her plans for the park. "We all listened and then mom and Harlan responded with 'We aren't interested in selling,'" Kensinger said.

Kensinger noted that the town did invite family members to participate in the steering committee, an offer they declined. Additionally, she said there has been no formal offer to purchase the land. Kensinger emphatically stated that in addition to not wanting to sell, the landowners are not interested in subdividing their property so the land next to the river park can be separated from the rest of the holdings.

Kensinger said her family's desire is to ensure her mother's wishes are respected.

"It's all about respect. My mother has lived here most of her life and I think she deserves respect," Kensinger said.

"At my age, I think I should be left alone. They should respect my wishes," Mrs. Johnson said.