

# Eagle officials address river park private land issue

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EAGLE — The town of Eagle officials say they have always been aware that part of the proposed improvements at the Eagle River Park project involved private property. In a statement this week, officials stressed they still hope to come to an agreement with the property owners.

If they don't, then the town is prepared to proceed with planning the park without the private property included.

In a Vail Daily story published on Monday, the owners of the 7.5-acre Barnes property said their property is not for sale. The parcel is owned jointly by Phyllis Johnson, of Eagle, and Harlan House, of Kansas, and 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 approximately half of the ground where the existing parking area entrance is located and extends 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.

Mrs. Johnson said a group of town and county representatives approached her last year to talk about the river park plan and discuss purchase of her property. She told the group she did not want to sell her land.

**“If you are asked if you want to sell something and you say ‘no’, people should take that as a ‘no’.”**Phyllis Johnson  
Private land owner, Eagle

"We acknowledge and realize that our early concept drawings for the park, and especially its connection to Chambers Park, did show development on the Barnes Ranch property on the north side of the river and may have been misleading," read the town's statement.

The statement noted that those drawings were part of a future planning effort that encompassed all of the properties along the north side of the Eagle River, including land that belongs to individuals, the town, Eagle County and the Colorado Department of Transportation.

"We have apologized for this misunderstanding directly to Mrs. Johnson and Mr. House and we remain hopeful that we can continue to work with them to respect their ownership and the values they place in the property," said the town's statement.

This week's statement from the town also cleared up questions about when the property issue was first detected.

"The boundaries of the Barnes Ranch property are public record and were known and considered in the development of the Eagle River Corridor Plan, from which the Eagle River Park concept arose," reads the town's statement.

The town's statement says that Mrs. Johnson and House have agreed to some actions including a civil survey to establish exact property corners, completion of a wetlands survey on the river banks including those on the Barnes Ranch parcel, and completion of an appraisal of the parcel. Additionally, town officials stated their Army Corps of Engineers Section 404 permit has been modified to exclude the Barnes Ranch property.

"The white water park itself does not involve any of the Barnes Ranch property," noted the town's statement. "The concept design for the Eagle River Park does involve a small portion of the Barnes Ranch property on the north side of the river. Our primary interest in this part of the property is in being able to construct a pedestrian path that will connect the Eagle River Park with Chambers Park. This will be of benefit to users of both parks and the county fairgrounds and will provide a safe constructed path to replace the existing social trail, users of which trespass on the Barnes Ranch property."

The statement said including the property in the river park development would also enable improvements to the eastern access to what is now the truck parking lot, which the county has used and maintained for many years and allow this to become the eastern access to the Eagle River Park.

### **TAKING NO FOR AN ANSWER?**

Unlike the town's initial response to the ownership issue, Eagle officials stressed this week they can proceed with park planning without the Barnes property.

"If we are not able to reach an agreement with Mrs. Johnson and Mr. House on being able to use this portion of the Barnes Ranch property, we can design around it and leave it alone," said the town's statement. "We would like to continue to work with Mrs. Johnson and Mr. House to see if we can reach an agreement to avoid that outcome."

Town officials said they have been involved in discussions with both parties, particularly since the ballot measure passed last April, to determine available options.

"From the town's perspective, several options are still on the table," noted the statement.

The town then outlined those options. They include the purchase the portion of the Barnes Ranch property north of the Eagle River.

"Based on the recent appraisal, it is the appraiser's opinion that this would not reduce the value of the remainder of the parcel, which would remain intact and undisturbed on the south side of the river," noted the statement.

Mrs. Johnson and House have emphatically stated they are not interested in subdividing their property to allow this option.

Other options include negotiating for an easement for the affected area and acquisition of the entire parcel. But, as firmly stated by Mrs. Johnson this week, the land is 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 in an interview conducted last week.

In the meantime, the town statement said that Eagle has offered to pay for a second appraisal of the property by an appraiser of the owners' choosing.

"Because the Eagle River Park design work is under way, the town is interested in getting to a decision soon, but the design process is now identifying the trail connection as a possible future phase of construction, and showing the work that may involve parts of the Barnes Ranch property as contingent upon landowner agreement. Ultimately, if the Barnes Ranch parcel needs to be avoided, the park plans will proceed with modifications to provide for that."