



**COUNTY ATTORNEY'S OFFICE**

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**MEMORANDUM**

**TO:** Chairman Bob Taylor and Members of the Finance Committee  
**FROM:** Kimberly Wunder, Assistant County Attorney  
**DATE:** November 6, 2020  
**RE:** Terminate Notice of Trail Use for Rails-to-Trails property in Unity Park and Convey to City of Greenville

**SUMMARY**

The purpose of this item is to obtain authorization from County Council to terminate an existing Notice of Trail Use (NITU) for a portion of Greenville County's rails-to-trails property that the County does not have any current or future use for, and convey a portion of the former rails-to-trails property to the City of Greenville. The County will request a replacement NITU for its remaining rails-to-trails property.

**BACKGROUND**

Greenville County is the owner of a railroad right-of-way extending from milepost 0.0 in the City of Greenville to milepost 11.8 in Travelers Rest. The County's railroad right-of-way is subject to a Notice of Interim Trail Use (NITU) allowing the County to use the right-of-way as rails-to-trails property. Although the entire length of the County's rails-to-trails property is subject to a NITU, the County does not have a current or future use for the segment between milepost 0.0 and milepost 0.8 in the City of Greenville (the "Segment").

The City of Greenville has requested that the County terminate the existing Notice of Trail Use (NITU) on the Segment, and convey a portion of the Segment to the City. These steps are necessary to allow the City to implement much needed storm water management improvements and flood control along the northern bank of the Reedy River between S. Hudson Street and Willard Street in Unity Park.

The County's remaining 11 miles of rails-to-trails property from milepost 0.8 in the City of Greenville to milepost 11.8 in Travelers Rest will continue to be subject to the NITU consistent with the National Trails System Act, 16 U.S.C. § 1247(d) ("Trails Act").

## REQUESTED ACTION

To move forward with the City of Greenville's request while protecting the County's remaining rails-to-trails property, the County Attorney's Office recommends two actions by County Council:

- (1) Approval of a Motion to authorize the termination of an existing Notice of Trail Use from milepost 0.0 to milepost 0.8 and issuance of a replacement Notice of Trail Use from milepost 0.8 to milepost 11.8; and
- (2) Approval of an Ordinance conveying the County's remaining interests in a portion of the former rails-to-trails property to the City of Greenville.