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## MEMORANDUM

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P.O. Box 4100 ♦ FRISCO, COLORADO 80443

**TO:** MAYOR AND TOWN COUNCIL  
**FROM:** JEFF GOBLE, PUBLIC WORKS DIRECTOR  
**RE:** ACCEPTANCE OF PERMANENT SIDEWALK EASEMENT FROM WAL-MART CORPORATION  
**DATE:** OCTOBER 11, 2022

**Summary and Background:** Over the past several years, staff has been working with various individuals from Wal-Mart real estate corporation to acquire a permanent easement to construct the pathway on the west side of Hwy 9 from Ten Mile Dr. to Hawn Dr.. During this process we were delayed several times by staff turnover at Wal-Mart. With the help of our lobbyists, we were able to contact the right individual at Wal-Mart a couple months ago and were able to get this process completed.

**Analysis:** We now have a signed permanent easement from Wal-Mart that will allow us to construct the pathway starting next spring. This easement document has been included in the CDOT TAP grant application sent to CDOT on September 30<sup>th</sup> to show that we now have the required right of way to build the path. The easement document has been reviewed and approved by the Town Attorney.

**Financial Impact:** The cost of this easement is \$1.00 (one dollar) which will be paid using Public Works Administration Professional Services line item (10-1130-4250).

**Alignment with Strategic Plan:** The acceptance of this easement aligns with the Quality Core Services, Vibrant Culture, Arts and Recreation and Sustainable Environment sections of the Town of Frisco Strategic Plan by allowing for the construction of a new pedestrian & bicycle pathway from a large commercial & retail center to nearby residential areas.

**Environmental Sustainability:** This easement acceptance will assist the Town with its environmental sustainability goals by creating a safe way to get from residential areas to the commercial & retail areas on the west side of SH 9 without the use of vehicles.

**Staff Recommendation:** Staff recommends that Council accept the easement from Wal-Mart and direct the Mayor to sign the easement document.

**Approved By:**

Tom Fisher, Town Manager  
Leslie Edwards, Finance Director

**Attachments:**

Attachment 1 – Easement Document

Attachment 2 – Easement Exhibit A

Attachment 3 – Easement Exhibit B