



Date: September 12, 2024

To: Board of Directors

Submitted by: David Aranda, Interim General Manager

Subject: Discussion and Direction Regarding an Issue With the Owner at 79 Arlington Encroaching Upon District Property at 59 Arlington

Recommendation

For the Board to approve allowing Interim General Manager to negotiate with the property owner at 79 Arlington in resolving the encroachment issue by selling a small portion of the 59 Arlington property at the current fair market value.

Background

Back in 2016, the District began looking into an issue with the owner at 79 Arlington regarding landscaping and other “things” encroaching on the District property located at 59 Arlington. The fact that this was never resolved and brought to my attention, this agenda item is an effort to resolve the issue.

I have met with the owner of 79 Arlington and walked his property and ours. The items that are encroaching the District property primarily revolve around efforts on the 79 Arlington owners’ part to keep water runoff from impacting his home.

Based on my observation and the effort he has made to see that the water stays away from his home I am recommending that the Board of Directors give me permission to work with the owner at 79 Arlington in negotiating a price for him to purchase a small sliver of the 59 Arlington property. This would take the responsibility off the District’s hands and allow him to do what he feels best in seeing that water runoff makes it to Arlington and does not impact his home.

The process to make this happen would involve additional surveying with a lot line adjustments being recorded and a sale based on fair market value for the small amount of land that would be described in the grant deed.