



Dallas Park & Recreation

Park Property Surveys



Dallas Park and Recreation Board
June 7, 2018

Purpose

- To inform the Park and Recreation Board of initiatives by Park Maintenance staff to identify potential encroachments onto park land
- To inform the Board of the procedures currently underway to mitigate these encroachments

What is an Encroachment?

Encroachment is the unlawful, unauthorized, or unpermitted use of the property of another

Types of Encroachments

- **Buildings or structures**, including garages, sheds, fences, playhouses or tree houses, swing sets or other play equipment
- **Private-use areas**, including parking spaces, patios, gardens, play or sport areas
- **Storage areas** for belongings, including boats, RV's, firewood, gardening equipment
- **"Stuff you usually keep out of sight"**, including trash cans, compost bins, yard waste piles, junk cars, dumping of other debris or litter
- **Privately installed landscaping**, including hedges or borders that "claim" public property or limit the public's use or enjoyment of it

CAPRA Standards

7.3 - Defense Against Encroachment Procedures

Standard: The agency shall have procedures for protecting park and recreation lands and facilities from encroachment. The procedures should include progressive steps to address escalated encroachment issues.

Suggested Evidence of Compliance: Provide the procedures regarding defense against encroachment.

Informational reference in the *Management of Park and Recreation Agencies*, (2010), 3rd Ed., Chapter 11 – Physical Resource Planning, pp. 208 and 224.

Agency Evidence of Compliance:

When an encroachment issue is discovered the procedure for correction is as follows. The offending property owner is notified in writing¹ and requested to remedy the encroachment within a specified period of time. If the encroachment is not removed in the specified time period, the City Attorney's Office will issue a formal notification of either the intent to pursue legal action or the intent of the City to remove the encroachment at the owner's expense.

7.3 Evidence of Compliance	Document Link	Internet Link (if available)
¹ Sample Encroachment Letter	Sample Encroachment Letter	

Agency Self Review: Met Not Met

Identification of Encroachments

- Visual surveys of parks
- Inventory of undeveloped park areas
- Initial research of property boundaries
- Compile list of potential encroachments
- Request an official survey for property lines

White Rock Lake - Case #1



Lakewood Park - Case #2



Olive Shapiro Park - Case #3



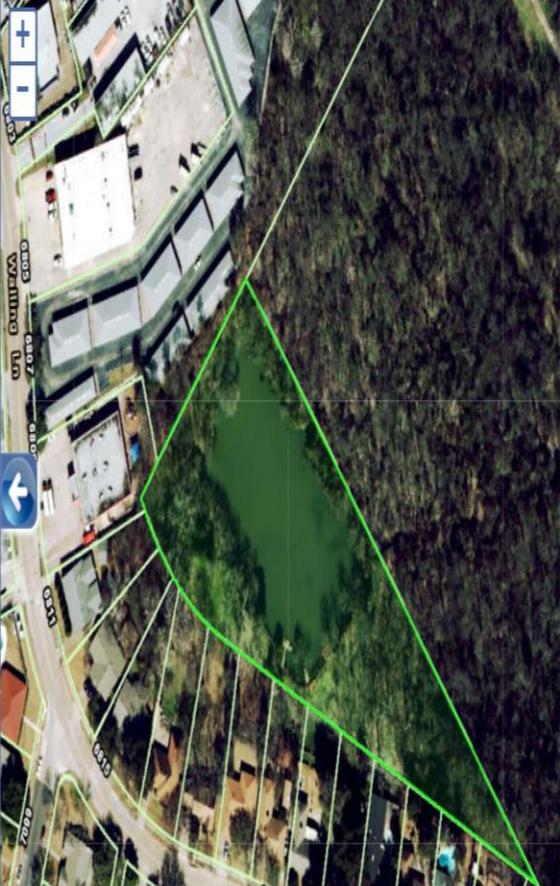
Olive Shapiro Park - Case #3

Search by: Search

6900 WALLING LN

Parcel ID: 00000398599000000
Account Number: 00000398599000000
Neighborhood: N/A
Site Address: 6900 WALLING LN
Map Grid: 27-W (DALLAS)
Account Type: Commercial
Legal Description 1: LOT 1
Legal Description 2: 3.244 ACRES
Owner Name: DALLAS CITY OF
Owner Address: 1500 MARILLA ST
Owner City: DALLAS
Owner State: TX
Owner Zip: 75201
Owner Zip +4: 6318
Certified Values
Improvement Value: N/A
Land Value: \$ 16,200

Appraised Value: \$ 16,200
Prev. Appr. Value: \$ 16,200
Revaluation Year: 2016
Previous Revaluation: 2015



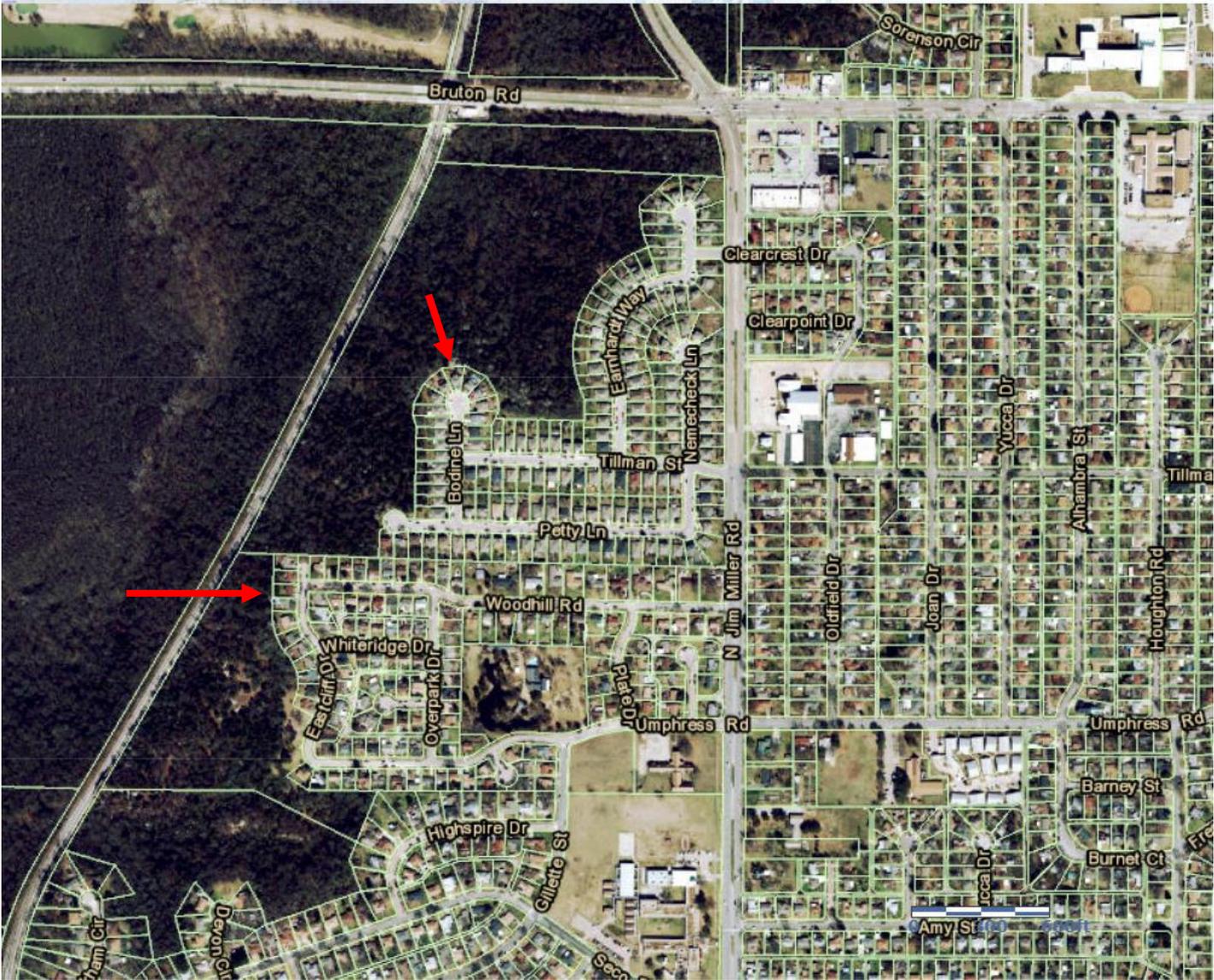
McCommas Bluff Preserve - Case #4



McCommas Bluff Preserve - Case #4



Devon Anderson Park/White Rock Greenbelt South - Case #5



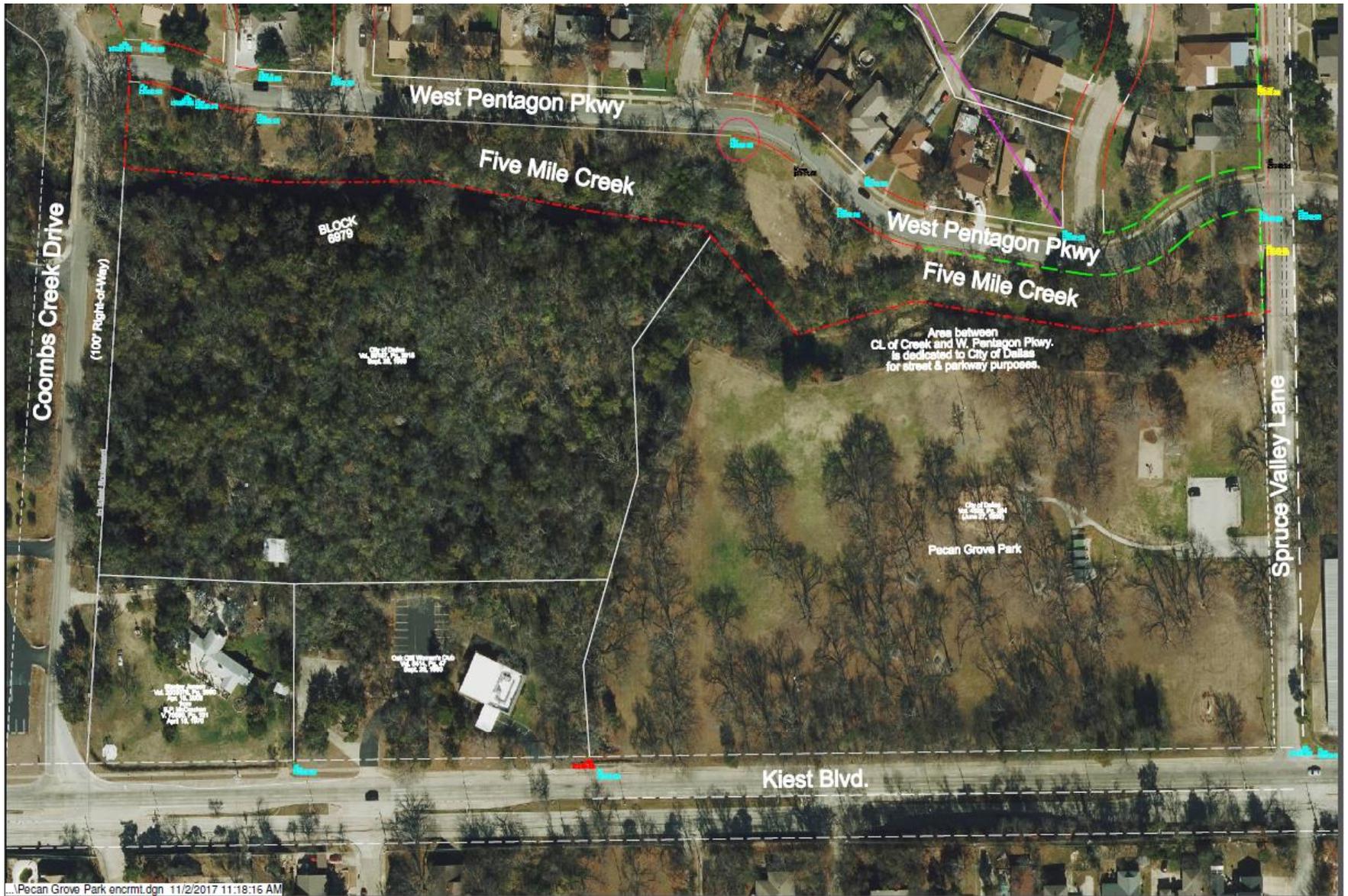
Devon Anderson Park/White Rock Greenbelt South - Case #5



Devon Anderson Park/White Rock Greenbelt South - Case #5



Pecan Grove Park - Case #6



Pecan Grove Park - Case #6



Pecan Grove Park - Case #6



Mitigation Process



1. Department discovers a potential encroachment issue
2. Requests an official survey
3. Determines needed mitigation
4. Works with CAO to prepare and send encroachment notification, with request for a response within 30 days
5. Refer to CAO Litigation Office if there is no response or an agreement cannot be reached



Encroachment Notification Sample



00/00/2018

Sent Via Certified Mail #
and USPS Mail

Mr. & Mrs. John Smith
0000 Main St.
Dallas, Texas 00000

RE: Dallas Park Encroachment

Dear To Whom It May Concern:

The City of Dallas Park and Recreation Department recently completed a property boundary survey in order to locate the boundary between park property and properties with addresses on Generic Dallas Drive which are adjacent to the park property. This survey was performed in response to concerns that have been brought to our attention regarding possible encroachments of a housing structure, memorial statues and cement landings onto park property.

It has been determined that the fence improvements, some of which are on your property, have encroached beyond your property boundaries onto park land as identified in the attached survey. Per State Law, Chapter 26 of the Texas Parks and Wildlife Code, the City cannot allow private use of municipal park land. As such, the City of Dallas Park and Recreation Department kindly requests that you modify your fence and swimming pool improvements in a manner that does not encroach onto park land.

If you feel the attached survey is in error, please provide us with documentation that you may have for our review that may support a different property alignment. In order to resolve this issue in a timely manner, please contact (name of Area Manager), Area Manager, at (fill in specific Area Manager phone number), within 30 days of the receipt of this letter. We will be glad to meet with you to discuss this issue further. Thank you in advance for your cooperation in this matter.

Sincerely,

Willis C. Winters, FAIA
Director
Park and Recreation Department
1500 Marilla 6FN
Dallas, TX 75201

CC: The Honorable Council Member, District
Oscar Carmona, Assistant Director, Park and Recreation Department
Louise Elam, Assistant Director, Park and Recreation Department
Area Manager, Park and Recreation Department
Christine Lanners, Assistant City Attorney, Office of the City Attorney
Benjamin Samples, Assistant City Attorney, Office of the City Attorney

"One Product is Service"
Equity | Empathy | Ethics | Excellence

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