



Date* **Sequence**
08/19/2026 2026-3

Topic*
TEN MILE NEIGHBORHOOD ASSOCIATION'S HERITAGE FARM GREENBELT PROPERTY ENCROACHMENT UPDATE

Information Provided By ERIC DAVIS	Department* HOUSING AND LAND MANAGEMENT
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Approvals:

Department Head Approval Provided By ERIC DAVIS	
DCA Approval Provided By STEVE L. THIGPEN	
Flexi Approval LEGAL	Approval Provided By EDWARD L. KNISLEY
Approved for Distribution BILL TUTEN	

Report:

In August of 2011, Council approved an award of \$1,072,700 to the Ten Mile Neighborhood Association for its Ten Mile Community Heritage Farm urban Greenbelt project. In 2021, Greenbelt staff observed and documented encroachments from an adjoining property owner during an annual monitoring visit. The encroachments include concrete paving of driveways and sidewalks intended for the private use of the adjacent property owner and were confirmed by Public Works surveying. If left in place on the Greenbelt property, this would constitute a change in use from public greenspace to private residential use. The encroaching party (Kershaw Living Trust; Pearl Ascue, Tim Ascue and other family members reside on the property) claimed confusion over the exact locations of property lines as the reason for the encroachment.

In March of 2023, Council conditionally approved the sale of approximately 0.4 acres from Ten Mile Neighborhood Association to the encroaching property owner (Council Directive and committee report attached). This acreage would encompass the encroachments and constitute a conversion of greenbelt property to non-greenbelt-restricted land. The conditions of approval were that the actual purchase price would be based on a staff-verified appraisal funded by the encroaching party and that the encroaching party construct a barrier along its side of the property line clearly delineating the public park from private property.

In July of 2023, the encroaching party provided an updated survey to determine the exact acreage to be include in the transaction, which is 0.32 acres. Based on this survey, the encroaching party obtained an appraisal in November of 2023 valuing the subject acreage at \$135,000, which upon closing would be returned to the Urban Unincorporated Greenbelt allocation. The encroaching party communicated that they needed time to secure a loan to purchase the property. Meanwhile, the surveyor was supposedly working with the County Zoning and Planning Department on plat approval. In June and July of 2024 staff was notified that the loan had been secured and that closing would occur as soon as the survey was approved. Closing attorney information was provided to staff. Despite repeated attempts by County staff, communication from the encroaching party slowed to a trickle shortly thereafter and the last response received by staff was in September of 2025. To date, the plat is still unapproved due to lack of responsiveness from the surveyor and closing has not occurred.

The intent of this report is to make Council fully aware that its directive has not been implemented due to unresponsiveness from the encroaching party. Council may want to consider potential options to implement its directive upon the advice of County Legal.

Senior Director of Community Investment, Anna Eskridge, has approved this report and an email documenting her approval is attached.

Contact Point
ERIC DAVIS

Supporting Documents (2)
Attach Support Document(s) 8/19/2026 – HOUSING AND LAND MANAGEMENT – TEN MILE NEIGHBORHOOD ASSOCIATION'S HERITAGE FARM GREENBELT PROPERTY ENCROACHMENT UPDATE – ERIC DAVIS 8/19/2026 – HOUSING AND LAND MANAGEMENT – TEN MILE NEIGHBORHOOD ASSOCIATION'S HERITAGE FARM GREENBELT PROPERTY ENCROACHMENT UPDATE – ERIC DAVIS