

# Parks, rec board nixes idea to take over land for course

BY BILL ROLKE

The Columbus (Ind.) Parks and Recreation Board has decided not to use eminent domain to acquire the land needed for a proposed municipal golf course.

Negotiations between the board and owners of the property along the Highway 46 city entryway have lasted for nearly 18 months. While some owners of the land needed for the 18-hole golf course are willing to sell, at least two apparently are not.

Initially the board considered

using eminent domain to acquire the property. A question was immediately raised, however, as to whether or not this procedure could be used for this purpose.

While it has been employed to obtain land needed for highways, bridge construction, airport expansions and similar projects, there was doubt that eminent domain could be used to get land for a golf course.

Eminent domain procedures are also used to determine the fair value of land when a buyer and

seller are unable to negotiate a price.

These jury-decided procedures are often lengthy and costly.

It was reported the purchase of land needed for an Indianapolis airport was delayed by six years of litigation, and the original estimate of \$800,000 was increased 50 percent by the final \$1,200,000 verdict.

The president of the Columbus Parks and Recreation Department announced recently the board will not use eminent domain to obtain

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land needed for the golf course from unwilling sellers. He said the eminent domain procedure would be used only when the owner was willing to sell but a negotiated price could not be reached.

The board had originally planned to sell up to \$5.3 million in tax-supported bonds to pay for the course, designed by architect Michael Hurzdan. Officials felt the course would be self-supporting if players were charged a \$16 to \$20 greens fee.

The park board was to meet later in June to vote on a resolution regarding the golf course and bond issue.

Meantime, a local state representative has submitted a bill to the Indiana General Assembly that would prevent appointed bodies from exercising eminent domain procedures and make only elected officials responsible for this action.

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for that purpose. Jurigi planned to open the course to the public on a limited basis for the first two years, giving the city the opportunity to build other municipal courses, and then make West Loch private.

"You can't justify the condemnation for one purpose (municipal course) and then sell it for something else (private course). We're still public officials and we have to live up to the faith voters put in us," said Abercrombie.

The committee's second objection was the price Jurigi offered for the 150-acre course, said Abercrombie.

"When you talk about \$111 million, it sounds like a lot. But that's peanuts. You have a company that's willing to pay \$100 million for just a permit. Why should we take \$91 million (Jurigi's \$111 million offer minus the city's \$20 million cost to build the course) for an already-built course and 150 acres. Do you know what 150 acres would cost in Japan? Probably somewhere between \$1-1/2 billion and \$2 billion," the committee chairman said.

On the first point, City Finance Director Ted Jung said it is not unusual for any governmental body, including the city of Honolulu, to condemn land for one purpose only to use it for something else as times and circumstances change.

As for the committee's second objection that Jurigi's \$111 million offer for the course was too low since it was willing to pay \$100 million impact fee for just a permit, Jung said: "The impact fee is not a sure thing. Jurigi would like to build another course. But whether they can or not depends on if they can find the land, if it is suitable for a golf course and if they can get a permit.

The impact fee is a different issue entirely. To put that together (with whether the \$111 million bid for West Loch is reasonable) is ridiculous."

The impact fee is a new concept that is gaining popularity with developers. Pacific Atlas Hawaii, Inc. recently offered a \$20 million impact fee if its proposed expansion of 119-acre Bay View Golf Course is approved.

The \$291 million would pay for 15 years worth of capital improve-

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