

Dedication of Parkland, Facilities, and Other Critical Infrastructure

In the course of development, a project will often require the construction and dedication of certain critical infrastructure necessary to serve the project and the surrounding community. Such critical infrastructure includes parkland, fire station sites, electrical substations, water towers, pump stations, lift stations, etc.

Because these pieces of infrastructure are vital to the long-term well-being of the City and its residents, the property on which they will sit must be conveyed to the City via deed, as fee simple. The developer has two options regarding the construction and dedication of these sites:

1. The developer may build the playground, lift station, or other facility (and have it accepted by Parks or Engineering, as applicable), then convey the property to the City in fee, all prior to approval of the plat, or
2. Post fiscal surety. If the developer chooses to post fiscal surety in lieu of constructing the piece of critical infrastructure pre-plat, the process involves first executing either a Public Infrastructure Construction Agreement, a Subdivision Construction Agreement, or a Parkland Improvement Agreement with the City, and then providing a bond, letter of credit, or cash. Fiscal surety allows the City, in the event the developer doesn't perform, to self-perform and draw down on the fiscal surety to pay for the critical infrastructure. When a developer posts fiscal surety, the plat is allowed to proceed, but the City doesn't officially own the infrastructure or the land it sits upon until Engineering or Parks has accepted the infrastructure and the lot has been deeded to the City.

If your development will require the dedication of parkland, a fire station site, or other critical infrastructure, please reach out to realestate@georgetown.org early in the development process to coordinate title review and conveyance of the property, or to learn more about the option to post fiscal surety and deed the property upon completion of construction.