



Independent, locally owned and operated!

www.lamorindaweekly.com 925-377-0977

Published May 4th, 2016

MOFD Avoids Drama, Sells Lafayette Property

By Nick Marnell

The Moraga-Orinda Fire District will make a handsome profit on its recent real estate holdings, based on offers from private citizens it accepted for property it owns at 1035 Lorinda Lane in Lafayette. The move avoids a possible dispute over an easement request by the City of Lafayette. The district had purchased the property in 2013 for \$1.2 million as a fire station site but decided not to build there; it then split the property into two parcels and put them on the market. Fire Chief Stephen Healy on April 27 announced pending sales prices of \$1.25 million for the house and \$449,000 for the vacant lot.

Apparently potential buyers did not blink at a special easement request by the city.

The city had pressured the district to obtain easements for a hiking trail on the outskirts of the MOFD holdings. The right of way requested by Lafayette runs atop ones already granted for roadway and utility use along the Lorinda Lane parcels, but the district did not want to risk compromising the sale of the property with the addition of another easement.

Lafayette offered the district \$10,000 for the easements. Healy and city manager Steve Falk negotiated a contract specifying terms of the transfer, and the chief presented the contract to his board at its April 6 meeting.

The reaction was not positive.

One-time board member Dick Olsen, out of concern for both the privacy and security of the Lorinda Lane residents, and also for how the price of the trail easements might negatively impact the future value of all easements granted in that neighborhood, urged the board to vote no.

Lorinda Lane resident Mark Debusschere pleaded with the district to not make the deal. "I assume the city is extorting the district to get these easements," he said. "I wouldn't sign this at all. If you made this same request of the new property owner, what do you think they are going to say?"

The issue has become a matter of public controversy, director Brad Barber said. "To the extent that this matter is drawn out by the city of Lafayette in its desire to obtain the easement, we face the likelihood that the value of the property will be impaired."

MOFD counsel John Bakker said that the city could get an injunction to preclude the sale of the property.

"That would be a hostile act," director Fred Weil said. "I would hope they understand our situation and react like decent human beings."

Weil also noted that Lafayette could condemn the property for public use any time it chooses, but to this point, why hadn't it done so? The city said it would be challenging and time consuming to secure the easements from private owners, which is why it pushed for acquisition from the district. The board declined to grant the easements but will revisit the motion at its May 4 meeting.

Any concerns the district had about diminishment of value of its property because of the easement request likely have been obviated by the strength of the initial offers.

Reach the reporter at: nick@lamorindaweekly.com

[back](#)

Copyright © Lamorinda Weekly, Moraga CA