



**City of Missoula, Montana  
City Council Committee Agenda Item**

**Committee:** Climate, Conservation and Parks

**Item:** Easement – Mansion Heights Trails 2025

**Date:** May 5, 2025

**Sponsor(s):** David Selvage

**Department or function:** Parks and Recreation

**Prepared by:** David Selvage

**Ward(s) Affected:**

<input type="checkbox"/> Ward 1	<input checked="" type="checkbox"/> Ward 4
<input type="checkbox"/> Ward 2	<input type="checkbox"/> Ward 5
<input type="checkbox"/> Ward 3	<input type="checkbox"/> Ward 6
<input type="checkbox"/> All Wards	<input type="checkbox"/> N/A

**Action Required:**  
Approve new easement and authorize the Mayor to sign

**Recommended Motion(s):**  
I move the City Council: Approve the trail easement agreement with Stone Mountain Homeowners Association and authorize the Mayor to sign.

**Timeline:**

Committee discussion:	May 21, 2025
Council action (or sets hearing):	June 2, 2025
Public Hearing (if required):	<a href="#">Click or tap here to enter text.</a>
Deadline:	<a href="#">Click or tap here to enter text.</a>

**Background and Alternatives Explored:**  
In 1997 the City placed conditions on the Mansion Heights Subdivision requiring the developer to implement a system of trails through the development. At the time, no substantive public infrastructure was in place to connect adjoining neighborhoods to public trails on Mount Dean Stone. The then City Attorney's office and Public Works staff worked with the developer to prepare a formal trail easement agreement that included 7 sets of stairs connecting portions of the development's trail network. The easement agreement was subsequently approved and conveyed to City Parks & Recreation for maintenance.

The stairs are made of 4"x 4" wood posts, steel railings, and gravel tread. The stairs were custom built to fit the slopes. The HOA has long requested the stairs be maintained, however, the method of construction, materials, and location are unsustainable for repair or replacement. Indeed, Parks and Recreation prepared and submitted multiple CIP funding requests over the years that if approved would have replaced the stairs with custom metal stairs at a probable cost well in excess of \$1.0M.

In 2024, the HOA requested a meeting with Parks & Recreation staff to express concerns and consternation over lack of funding and action by the City. Parks and Rec staff and the HOA subsequently agreed that the portion of the trail system with stairs no longer met a public need, mainly due to substantial buildout of their Subdivision. The HOA and City staff further agreed that the cost and need to replace the stairs no longer made sense and that the current condition of these stairs represented a safety and liability concern.

The HOA and Parks & Recreation staff subsequently negotiated in good faith to refine the public trail system to be only those trails that are most used by the public; to establish permanent trail easements for those beneficial trails; and, to eliminate the stairs and associated trail segments.

The proposed easement agreement presented provides for Parks & Recreation to remove the stairs by or before end of October 2025 and to provide for crack repair and sealing of the public asphalt trail along Spanish Peaks Drive. The HOA will convey permanent easement to those trail segments that are used by the public.

**Financial Implications:**

Funds for removal of the stairs will come out of the Department's operating budget. The Department intends to use its maintenance staff and equipment to remove the stairs. This outcome is far less costly than replacing the stairs.

**Links to external websites:** None