

AN ORDINANCE No. 85-254-236

ADOPTED OCT. 14 1985

To authorize the sale of a certain parcel of land, containing 0.54 acre, adjoining the east right of way line of the northbound lane of Virginia State Highway 150 (Chippenham Parkway) to the Commonwealth of Virginia, Department of Highways and Transportation, for Route 76, Project TR00-020-101 RW-201, Powhite Parkway Extension.

Patron - City Manager

Approved as to form and legality
by City Attorney

1. WHEREAS, a parcel of land acquired for public purposes
2. by the City for providing access to and parking for Powhite
3. Park (City of Richmond Project 13-905), but because of
4. proximity to Chippenham Parkway will not be utilized for
5. construction of the City's roadway and parking facilities,
6. is needed by the Department of Highways and Transportation
7. of the Commonwealth of Virginia for the Powhite Parkway
8. Extension Project; and

9. WHEREAS, the Department of Highways and Transportation
10. has offered to purchase such parcel of land for \$7,250; NOW,

11. THEREFORE,

12. THE CITY OF RICHMOND HEREBY ORDAINS:

13. § 1. That the offer of the Department of Highways and
14. Transportation of the Commonwealth of Virginia to purchase

1. for \$7,250 a parcel of land shown enclosed in red lines on
2. the copy of the plan on file in the office of the Department
3. of Highways and Transportation, identified as "Sheet 14A of
4. Route 76 Project TR00-020-101, RW 201", attached to the
5. draft of this ordinance, is hereby accepted; and the City
6. Manager, for and on behalf of the City of Richmond, is
7. hereby authorized and directed to convey such parcel of land
8. to the Commonwealth of Virginia by deed approved by the City
9. Attorney; and the City Clerk is hereby authorized and
10. directed to attach the corporate seal of the City of
11. Richmond to the deed and to attest same.

City of Richmond
City Planning Commission



900 East Broad Street, Richmond, Virginia 23219
804 • 780-4347

October 8, 1985

To the Honorable Council of the
City of Richmond, Virginia

At its meeting of October 7, 1985, the City Planning Commission voted (8-0)
to recommend APPROVAL of:

Ordinance No. 85-254

To authorize the sale of a certain parcel of land, containing
0.54 acre, adjoining the east right of way line of the
northbound lane of Virginia State Highway 150 (Chippenham
Parkway) to the Commonwealth of Virginia, Department of
Highways and Transportation, for Route 76, Project
TR00-020-101 RW-201, Powhite Parkway Extension.

This paper would accept the offer of the Virginia Department of Highways & Transportation to purchase for \$7250 a 30-foot wide, 1300-foot long parcel of City-owned property lying adjacent to Chippenham Parkway between Jahnke Road and the Powhite Parkway on-ramp. The parcel is part of a larger tract acquired recently by the City for purposes of access from Jahnke Road to the Powhite Park. The parcel is needed by the State for road widening in conjunction with the Powhite Parkway extension project. It is not needed in conjunction with the City's park due to its proximity to Chippenham and topography. Final plans for the park and its access were approved by the Commission at its August 19, 1985 meeting. Those plans were designed to accommodate the potential need by the State.

Very truly yours,

Jon P. Weersing
Secretary

JPW:lk

cc: Director - Department of General Services
City Real Estate Agent

Exempted from recordation tax
under Sections 58.1-811(A) (3),
58.1-811(C) (4) and 25-249

City of Richmond
Parcel: 108

R.W. 10 (LA)
Revised 8-1-76

Route 76 Project TR00-020-101, R/W201

~~From~~ City of Richmond

Magisterial District

From

To

(This block for Highway and Transportation Department use only.)

This Option, Granted this _____ day of _____, 19_____

by _____

hereinafter referred to as "landowner" even though more than one, to the Commonwealth of Virginia, Department of Highways and Transportation, hereinafter referred to as "Commonwealth".

Witnesseth: That for and in consideration of one dollar cash in hand paid to the landowner by the Commonwealth, receipt of which is hereby acknowledged, the landowner does hereby grant the Commonwealth the option to purchase the land hereinafter described, and if such option be exercised as hereinafter provided, the landowner will convey all his rights and interests in such land unto the Commonwealth by deed of general warranty, properly executed, acknowledged, and delivered with usual covenants of title, free of all encumbrances.

The land subject to this option is described as follows:

Being as shown on Sheet 14A of the plans for Route 76 State Highway Project TR00-020-101, R/W201 and lying on the east (right) side of and adjacent to the east existing right of way line of present Chippenham Parkway (Route 150) from a point in the lands of the landowner opposite approximate northbound lane (Route 150) centerline Station 541+00 to the lands of Richmond Metropolitan Authority opposite approximate Station 550+28 and containing 0.54 acre more or less land; and being a part of the same land acquired by the landowner from George W. Wilson and Mildred E. Wilson by Deed dated March 17, 1982 and recorded in Deed Book 582, Page 1529, in the office of the Clerk of the Circuit Court of said City.

It is understood and agreed that the risk of loss or damage by fire, wind storm or any other cause to the structure or structures, if any, hereunder optioned and situated in whole or in part upon the hereinabove described land will remain with the landowner until final settlement is made.

AND FURTHER WITNESSETH: THAT WHEREAS, all or part of said highway has been designated as a Limited Access Highway in accordance with the provisions of Article 4, Chapter 1, Title 33.1, of the 1950 Code of Virginia, as amended;

NOW, THEREFORE, for the aforesaid considerations the landowner doth also agree to grant and convey unto the Commonwealth with general warranty any and all easements of access, light or air incident to the lands of the landowner abutting upon said Limited Access Highway, and/or upon any of its ramps, loops, or connections at and with intersecting highways, the line or lines along which said easements to be conveyed lie being described as follows:

From a point lying on the proposed east right of way and limited access line opposite approximate Chippenham Parkway northbound lane (Route 150) centerline Station 541+00, the lands of the landowner; thence along said proposed right of way and limited access line to a point opposite approximate Station 550+28, the lands of Richmond Metropolitan Authority as shown in blue on said photo copy.

The landowner by the execution of this instrument acknowledges that the plans for the aforesaid project as they affect his property have been fully explained to him or his authorized representative.

There have been no other promises, consideration or representations made which are not set forth in this instrument.

The consideration hereinabove mentioned represents the value of all estates or interests in such land, and the damages to remaining lands of the landowner which may result by reason of the use to which the Commonwealth will put the land to be conveyed. The landowner agrees to accept his legally proportionate share to such total consideration for his interest and rights in the said land.

In the event the landowner is unable to convey marketable title to the Commonwealth as herein provided, and the Commonwealth should elect to institute condemnation proceedings for the purpose of acquiring title to such land, it is agreed by the landowner that this instrument may be introduced in such proceedings as evidence of the value of the land and damages, if any, to the remaining property of the landowner.

The option granted hereby may be exercised by the Commonwealth at any time within one year from the date hereof, or any further extensions as may be agreed upon in writing by the parties. The option shall be exercised by any one of the following methods:

(1) By the mailing of notice to the landowner, such notice to be by certified letter mailed to the last known place of abode of the landowner, and effective as of the time of