

INTRODUCED: June 24, 2024

AN ORDINANCE No. 2024-177

To accept a quitclaim deed from the School Board of the City of Richmond conveying a portion of the real property located at 813 North 28<sup>th</sup> Street and commonly known as Ethel Bailey Furman Park to the City and to authorize the Chief Administrative Officer to act on behalf of the City in executing such deed. (7<sup>th</sup> District)

\_\_\_\_\_  
Patrons – Mayor Stoney and Ms. Newbille

\_\_\_\_\_  
Approved as to form and legality  
by the City Attorney  
\_\_\_\_\_

PUBLIC HEARING: JUL 22 2024 AT 6 P.M.

WHEREAS, section 22.1-129 of the Code of Virginia (1950), as amended, provides for a school board to convey title to real property owned by the school board for which the school board has determined that it has no use to the city comprising the school division by adopting a resolution that such real property is surplus and recording such resolution along with the deed to the property with the clerk of the circuit court for the city where such property is located; and

WHEREAS, section 15.2-1803 of the Code of Virginia (1950), as amended, provides that no deed purporting to convey real estate to a locality shall be valid unless accepted by the locality and executed by a person authorized to do so on behalf of the locality; and

AYES:            9            NOES:            0            ABSTAIN:        \_\_\_\_\_

ADOPTED:      JULY 22 2024      REJECTED:        \_\_\_\_\_      STRICKEN:        \_\_\_\_\_

WHEREAS, by adopting a resolution dated April 8, 2024, the School Board of the City of Richmond, hereinafter referred to as the “School Board,” declared that a portion of the real property located at 813 North 28<sup>th</sup> Street and commonly known as Ethel Bailey Furman Park, hereinafter referred to as “Ethel Bailey Furman Park,” and more particularly shown as “Proposed New Lot 1A,” on a plat entitled “Subdivision Plat for 813 N. 28<sup>th</sup> Street, Parcel ID Number: E0000525001, City of Richmond, VA.,” prepared by Cardinal Civil Resources, and dated January 12, 2024, a copy of which is attached to and made a part of this Ordinance, was surplus; and

WHEREAS, the School Board is expected to deliver a quitclaim deed memorializing the conveyance of every interest it may have in the portion of real property located at 813 North 28<sup>th</sup> Street known as Ethel Bailey Furman Park; and

WHEREAS, in conformance with section 15.2-1803 of the Code of Virginia (1950), as amended, the City Council desires to accept from the School Board conveyance of every interest the School Board might have in the portion of real property located at 813 North 28<sup>th</sup> Street known as Ethel Bailey Furman Park and to authorize the execution of the quitclaim deed by the Chief Administrative Officer;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That (i) the City hereby accepts the quitclaim deed from the School Board conveying every interest it might have in the portion of real property located at 813 North 28<sup>th</sup> Street and known as Ethel Bailey Furman Park provided such quitclaim deed is in a form approved by the City Attorney, (ii) the Chief Administrative Officer is hereby authorized to act on behalf of the City in executing such deed, (iii) the Chief Administrative Officer’s signature on the quitclaim deed shall be deemed acceptance by the City of such deed, and (iv) the Chief Administrative

Officer, with the assistance of the City Attorney, is hereby authorized to take such other actions as may be necessary to complete the conveyance of every interest the School Board might have in the portion of real property located at 813 North 28<sup>th</sup> Street known as Ethel Bailey Furman Park by the School Board to the City.

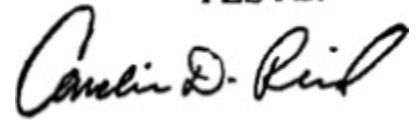
§ 2. This ordinance shall be in force and effect upon adoption.

APPROVED AS TO FORM:

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CITY ATTORNEY'S OFFICE

**A TRUE COPY:  
TESTE:**



**City Clerk**



# City of Richmond

900 East Broad Street  
2nd Floor of City Hall  
Richmond, VA 23219  
www.rva.gov

## Master

**File Number: Admin-2024-0589**

**File ID:** Admin-2024-0589

**Type:** Request for Ordinance or Resolution

**Status:** Regular Agenda

**Version:** 1

**Reference:**

**In Control:** City Clerk Waiting Room

**Department:**

**Cost:**

**File Created:** 06/06/2024

**Subject:**

**Final Action:**

<b>Title:</b>
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**Internal Notes:**

**Code Sections:**

**Agenda Date:** 06/24/2024

**Indexes:**

**Agenda Number:**

**Patron(s):**

**Enactment Date:**

**Attachments:** Admin-2024-0589 Resolution - Ethel Furman Park Surplus, Admin-2024-0589 WD - Acceptance - Ethel Bailey Park AATF, Admin-2024-0589ARCH C COMBO 03-14-24

**Enactment Number:**

**Contact:**

**Introduction Date:**

**Drafter:** Wanda.Marable@richmondgov.com

**Effective Date:**

**Related Files:**

### Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	6/6/2024	Chris Frelke	Approve	6/10/2024
1	2	6/6/2024	Traci DeShazor - FYI	Notified - FYI	
1	3	6/7/2024	Jeff Gray	Approve	6/10/2024
1	4	6/18/2024	Lincoln Saunders	Approve	6/11/2024
1	5	6/18/2024	Mayor Stoney	Approve	6/20/2024

### History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File Admin-2024-0589

# City of Richmond

## Intracity Correspondence

### O&R Transmittal

**DATE:** June 6, 2024

**TO:** The Honorable Members of City Council

**THROUGH:** The Honorable Levar M. Stoney, Mayor

**THROUGH:** Lincoln Saunders, Chief Administrative Officer

**FROM:** Christopher E. Frelke, Director of Parks, Recreation & Community Facilities

**RE:** Transfer of 1 Richmond Public School Parcel to the City of Richmond for the purpose of operating a public park.

**ORD. OR RES. No.**

**PURPOSE:** To authorize the Chief Administrative Officer (CAO) on behalf of the City of Richmond, to accept the transfer of real property from Richmond Public Schools (RPS) known as Ethel Bailey Furman Memorial Park, with boundaries of the transfer described in the attached subdivision plat and identified as a portion of 813 North 28th Street (Tax Parcel Number E0000525001). This ordinance would also authorize the CAO to accept deed and title to such property for the purpose of preserving and maintaining such properties as public greenspaces.

**BACKGROUND:** The Department of Parks, Recreation and Community Facilities (PRCF) previously owned and operated the property as a public park. PRCF transferred the parcel to RPS to build Henry L. Marsh III Elementary School. PRCF is currently managing the existing public greenspaces with assistance from the Department of Public Works (DPW).

**COMMUNITY ENGAGEMENT:** PRCF will engage the surrounding community for feedback on future park improvements at Ethel Bailey Furman Memorial Park.

**STRATEGIC INITIATIVES AND OTHER GOVERNMENTAL:** None.

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** RPS, DPW

**FISCAL IMPACT / COST:** The City will accept the property as a simple transfer by deed of gift with no funds being applied to the acquisition. PRCF and DPW will manage the ongoing maintenance and improvements of the public park.

**DESIRED EFFECTIVE DATE:** Upon adoption

**REQUESTED INTRODUCTION DATE:** June 24, 2024

**CITY COUNCIL PUBLIC HEARING DATE:** July 22, 2024

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** Land Use, Housing and Transportation Committee (July 16, 2024)

**AFFECTED AGENCIES:** PRCF, RPS, DPW

**RELATIONSHIP TO EXISTING ORD. OR RES.:** None.

**ATTACHMENTS:** Attachment A - Subdivision Plat, Attachment B - RPS Executed Resolution

**STAFF:** Christopher Frelke, Director, PRCF - (804) 646-1128  
Nissa Richardson, Deputy Director, PRCF - (804) 646-5619  
Daniel Hazlett, Senior Management Analyst, PRCF - (804) 646-7506

RESOLUTION

WHEREAS, the School Board of the City of Richmond, Virginia has determined that it has no further use for the property known as Ethel Furman Park and described as Proposed New Lot 1A in the attached Quitclaim Deed and Gift of Easement and in the Plat referenced therein (hereinafter the "Property"); and

WHEREAS, the School Board desires to transfer the Property to the City of Richmond, Virginia pursuant to § 22.1-129A of the Code of Virginia.

NOW, THEREFORE, BE IT RESOLVED that the School Board of the City of Richmond, Virginia, pursuant to § 22.1-129A of the Code of Virginia, hereby declares the Property to be surplus;

BE IT FURTHER RESOLVED that a copy of this Resolution, signed by the Chairman and certified by the Clerk, shall be filed with the Clerk of the Circuit Court of the City of Richmond; and

BE IT FURTHER RESOLVED that the Chair and the Clerk are authorized to execute a deed and such other documents and to do such other things as may be necessary to transfer title to the Property to the City of Richmond, Virginia.

*Stephanie M. Rizzi*

\_\_\_\_\_  
CHAIR

Certificate

I hereby certify that the foregoing Resolution was duly adopted by the School Board of the City of Richmond its meeting held on April 8, 2024.

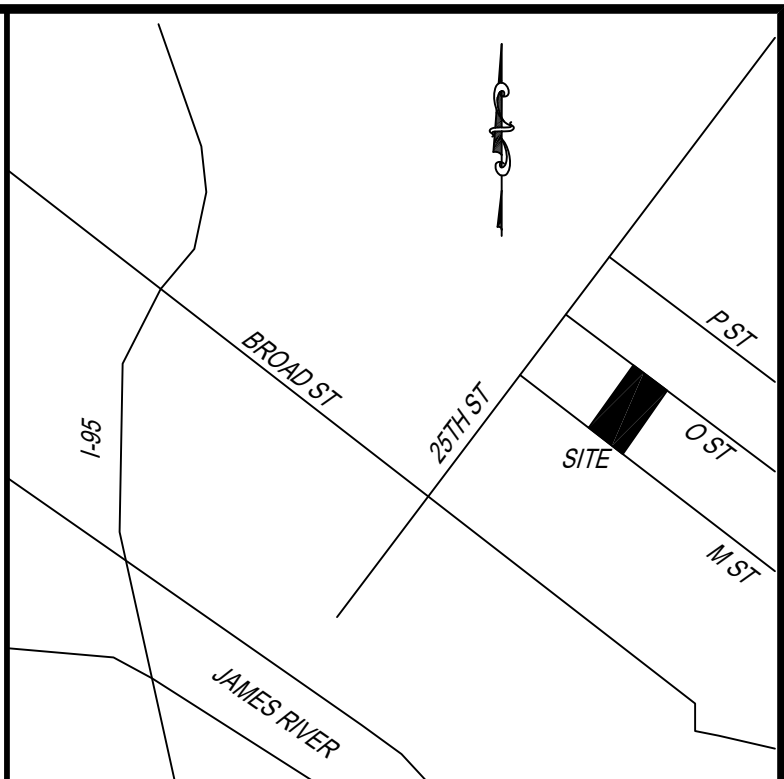
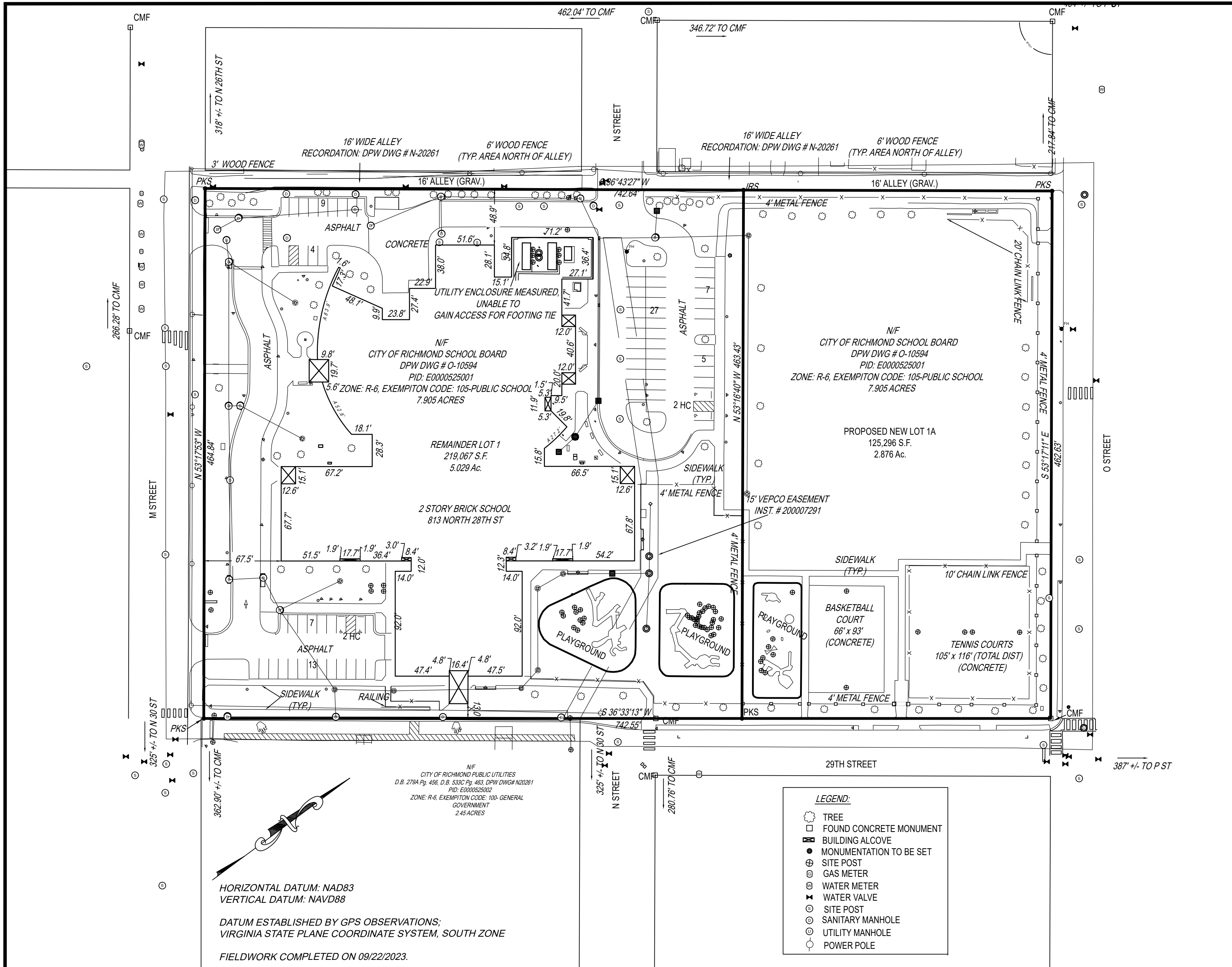


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CLERK







LOCATION MAP, SCALE: 1" = 2,000'

- NOTES:**
1. THIS SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
  2. OTHER EASEMENTS MAY EXIST THAT ARE NOT SHOWN ON THE PROPERTY.
  3. THE PROPERTY SHOWN ON THIS PLAT IS LOCATED BY PID E0000525001.
  4. THE PROPERTY SHOWN HERON APPEARS TO BE IN FLOOD ZONE "X" AREA OF MINIMAL FLOOD HAZARD, AS SHOWN ON FEMA FIRM RATE MAP 5101290041E, EFFECTIVE DATE: 7/16/2014
  5. ZONING: R - 6 RESIDENTIAL ( SINGLE FAMILY ATTACHED ) , EXEMPTION CODE 105 ( PUBLIC SCHOOL )
  6. UNDERGROUND UTILITIES AND SUBSURFACE FACILITIES NOT LOCATED.
  7. THIS SURVEY DOES NOT ADDRESS WETLANDS, TOXIC OR CONTAMINATED WASTE OR SOIL CONDITIONS NOR HAVE ANY REPORTS, STUDIES, ETC., BEEN FURNISHED TO THIS SURVEYOR OTHER THAN THOSE NOTED.
  8. BOUNDARY INFORMATION SHOWN HERON IS FROM A CURRENT FIELD SURVEY BY THIS FIRM.
  9. OWNER: CITY OF RICHMOND
  10. DEVELOPER: TIMMONS GROUP C/O SCOTT WILEY
  11. PROPERTY ADDRESS: #813 N 28TH STREET RICHMOND, VA 23219

HORIZONTAL DATUM: NAD83  
 VERTICAL DATUM: NAVD88  
 DATUM ESTABLISHED BY GPS OBSERVATIONS;  
 VIRGINIA STATE PLANE COORDINATE SYSTEM, SOUTH ZONE  
 FIELDWORK COMPLETED ON 09/22/2023.

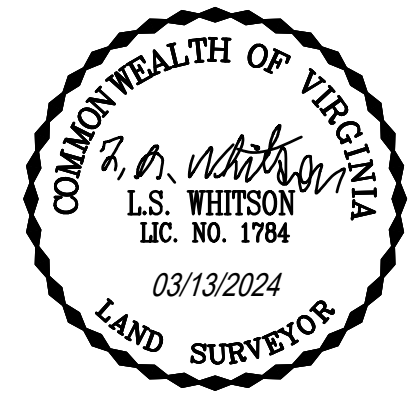
**LEGEND:**

- TREE
- FOUND CONCRETE MONUMENT
- BUILDING ALCOVE
- MONUMENTATION TO BE SET
- ⊕ SITE POST
- ⊗ GAS METER
- ⊕ WATER METER
- ⊗ WATER VALVE
- SITE POST
- SANITARY MANHOLE
- UTILITY MANHOLE
- POWER POLE

**SURVEYOR'S CERTIFICATE**  
 I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS PLAT COMPLIES WITH ALL THE REQUIREMENTS OF THE CITY/COUNTY OF RICHMOND REGARDING THE PLATTING OF SUBDIVISIONS.

THE PERIMETER SURVEY SHOWN HEREON IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, INCLUDING AN ACCURACY OF NOT LESS THAN ONE (1) FOOT IN TWENTY THOUSAND (20,000) FEET.

*L.S. Whitson*  
 L.S. WHITSON, L.S. #1784  
 DATE: 03/13/2024



**SUBDIVISION PLAT**  
 FOR  
**813 N. 28TH STREET**  
 PARCEL ID NUMBER: E0000525001  
 CITY OF RICHMOND, VA.  
 DATE: 01/12/24 SCALE: 1"=60'  
 PROJ. # 23-242



7419 WHITEPINE RD  
 NORTH CHESTERFIELD, VA 23237  
 (804) 272-1003 FAX (757) 345-2877



DATE:	01/12/2024
REV 1:	01/17/2024
REV 2:	01/22/2024
REV 3:	03/04/2024
REV 4:	03/13/2024