

INTRODUCED: July 27, 2015

AN ORDINANCE No. 2015-163-177

To declare that a public necessity exists and to authorize the acquisition of certain permanent easements on the parcel of real property located at 5011 Riverside Drive for the purpose of ensuring public access to Buttermilk Trail in James River Park.

Patron – Mayor Jones

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: SEPT 28, 2015 AT 6 P.M.

WHEREAS, in the opinion of the Council of the City of Richmond, a public necessity exists for the acquisition of certain permanent easements, as shown on a drawing prepared by the Timmons Group, dated March 5, 2015, last revised May 19, 2015, and entitled “Compiled Plat Showing Trail Easement across the Properties of Richard P. and Susan B. Hankins, City of Richmond, Virginia,” for the public purpose of ensuring public access to Buttermilk Trail in James River Park.

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

AYES: 7 NOES: 0 ABSTAIN: _____

ADOPTED: SEPT 28 2015 REJECTED: _____ STRICKEN: _____

§ 1. That a public necessity exists for the acquisition of certain permanent easements, as shown on a drawing prepared by the Timmons Group, dated March 5, 2015, last revised May 19, 2015, and entitled “Compiled Plat Showing Trail Easement across the Properties of Richard P. and Susan B. Hankins,” a copy of which drawing is attached to and incorporated into this ordinance, for the purpose of ensuring public access to Buttermilk Trail in James River Park.

§ 2. That the Chief Administrative Officer or the designee thereof is hereby authorized and directed to, within the constraints imposed by this ordinance, (i) acquire, by gift, purchase, condemnation or otherwise, the aforementioned permanent easements, (ii) act for and on behalf of the City of Richmond in agreeing or disagreeing with the owners of the property from whom such permanent easements must be acquired upon the compensation, if any, to be paid therefor, and (iii) execute the deeds and other documents necessary to complete the acquisition and acceptance of such permanent easements, provided that all such deeds and other documents first must be approved as to form by the City Attorney or the designee thereof.

§ 3. That none of the aforementioned permanent easements may be acquired by condemnation proceedings unless and until such condemnation proceedings have been authorized by ordinance adopted by this Council.

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



CITY OF RICHMOND
INTRACITY CORRESPONDENCE

O & R REQUEST

JUL 7 2015
4-3809
Chief Administration Office
City of Richmond

O&R REQUEST

DATE: July 6, 2015 **EDITION:** 1

TO: The Honorable Members of City Council

THROUGH: Dwight C. Jones, Mayor *DCJ*

THROUGH: Selena Cuffee-Glenn, Chief Administrative Officer *SCG*

THROUGH: Debra D. Gardner, Deputy CAO for Human Services *DGardner*

FROM: Norman Merrifield, Ed. D., Director *NM*
Department of Parks, Recreation and Community Facilities

RE: Buttermilk Trail Easement

ORDINANCE OR RESOLUTION NO.: _____

PURPOSE: To declare a public necessity exists and to authorize the Chief Administrative Officer (the "CAO") to acquire permanent easements from Richard P. Jr. and Susan Hankins for pedestrian and bicycle trails "the Trails" to be a part of the Buttermilk Trail as shown on the attached drawing entitled "Compiled Plat Showing 10' Trail Easement Across the Properties of Richard and Susan Hankins" and dated March 5, 2015.

REASON: The Trails are a part of the Buttermilk Trail and have been consistently used as trails by the public. This ordinance would allow the CAO to acquire easements for the Trails and ensure public access to the Trails.

RECOMMENDATION: Approval is recommended by the City Administration.

BACKGROUND: For a number of years, the public has used the Trails despite the fact the Trails exist on private property. The Trails are considered a vital portion of the Buttermilk Trail. The Buttermilk Trail is a wonderful resource for the City and composes a portion of routes in multiple races that bring thousands of participants to Richmond every year.

FISCAL IMPACT/COST: There is no fiscal impact or associated cost to the City.

FISCAL IMPLICATIONS:

BUDGET AMENDMENT NECESSARY: None

REVENUE TO CITY: None

RECEIVED

JUL 17 2015

OFFICE OF CITY ATTORNEY

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: July 27, 2015

CITY COUNCIL PUBLIC HEARING DATE: September 14, 2015

REQUESTED AGENDA: Consent Agenda

RECOMMENDED COUNCIL COMMITTEE: Land Use, Housing & Transportation (August 18th)

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: None

AFFECTED AGENCIES: Department of Parks, Recreation, and Community Facilities,

RELATIONSHIP TO EXISTING ORD. OR RES.: None

REQUIRED CHANGES TO WORK PROGRAM(S):

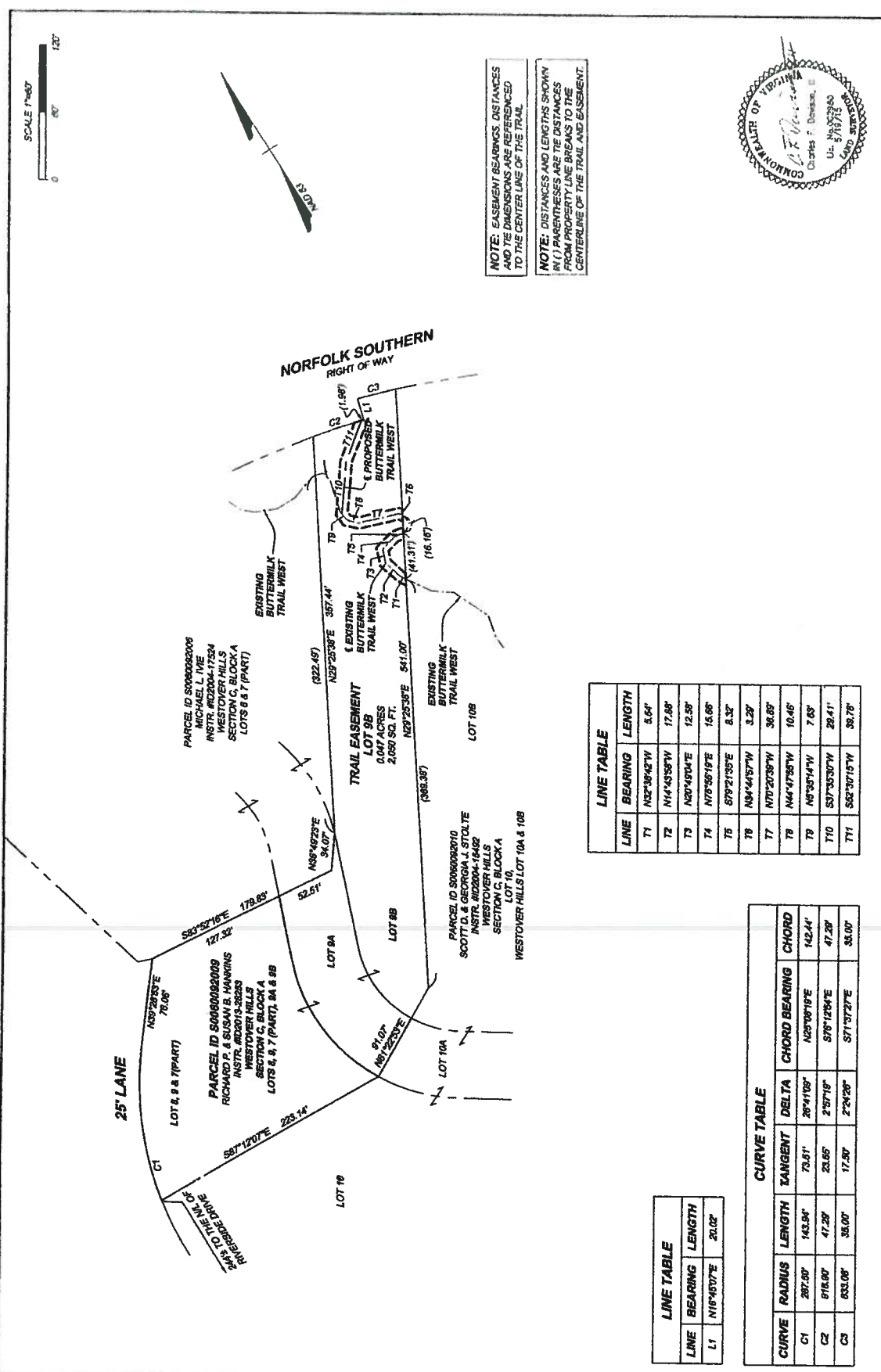
Continued routine maintenance costs are expected in the future years after approval.

ATTACHMENTS:

- A. General Warranty Deed
- B. Exhibit A - Drawing entitled "Compiled Plat Showing 10' Trail Easement Across the Properties of Richard P. Jr. and Susan Hankins" and dated March 5, 2015

STAFF: Norman Merrifield, Ed. D, Director
Parks, Recreation and Community Facilities, 646-5717

Barry Russell, Deputy Director
Parks, Recreation and Community Facilities, 646-5944



NOTE: EASEMENT BEARINGS, DISTANCES AND THE DIMENSIONS ARE REFERENCED TO THE CENTER LINE OF THE TRAIL.

NOTE: DISTANCES AND LENGTHS SHOWN IN () PARENTHESES ARE THE DISTANCES FROM PROPERTY LINE BREAKS TO THE CENTERLINE OF THE TRAIL AND EASEMENT.



LINE	BEARING	LENGTH
T1	N27°38'42"W	5.64'
T2	N14°43'58"W	17.85'
T3	N20°49'04"E	12.58'
T4	N78°50'19"E	15.88'
T5	S79°21'35"E	8.32'
T6	N44°45'57"W	3.28'
T7	N70°20'38"W	36.85'
T8	N44°47'55"W	10.46'
T9	N83°35'44"W	7.68'
T10	S37°35'30"W	29.41'
T11	S22°30'15"W	38.78'

CURVE TABLE						
CURVE	RADIUS	TANGENT	DELTA	CHORD	BEARING	CHORD
C1	287.80'	143.94'	73.51'	29°41'09"	N23°07'19"E	142.44'
C2	615.80'	47.28'	23.65'	2°57'19"	S78°12'54"E	47.28'
C3	633.08'	38.00'	17.50'	2°24'28"	S71°37'27"E	38.00'

LINE TABLE	
LINE	BEARING
L1	N16°46'07"E

NOTES

- Lot dimensions in parentheses are from deeds.
- Property owners correct as of 8/02/2015
- Ordinance No.
- Adopted.....
- Accepted.....

REFERENCES:

REVISIONS: 4-8-15 Easement

Consultant Project Number:

Reviewed By:

Engineering Project Manager:

Drafting Technician:

TIMMONS GROUP
 THE DIVISION OF THE
 CONSULTANT OFFICE
 101 BROADWAY
 RICHMOND, VA 23275
 TEL: 804-338-6200 FAX: 804-338-6141 WWW.TIMMONSGROUP.COM

RICHMOND VIRGINIA

DEPARTMENT OF PARKS, RECREATION AND COMMUNITY FACILITIES

CITY OF RICHMOND, VA

COMPILED PLAN SHOWING TRAIL EASEMENT ACROSS THE PROPERTIES OF RICHARD P. AND SUSAN B. HANKINS CITY OF RICHMOND, VIRGINIA

DATE: 08/06/2015
REV: 06/19/15 Easement

SCALE: 1" = 60'

DATE: 08/06/2015
REV: 06/19/15 Easement

PROJECT:

DATE: 08/06/2015
REV: 06/19/15 Easement

SCALE: 1" = 60'

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PROJECT: