

INTRODUCED: October 12, 2015

AN ORDINANCE No. 2015-225-219

To accept a deed from the School Board conveying 100 West Baker Street to the City and to authorize the Chief Administrative Officer to act on behalf of the City in executing such deed.

Patron – Mayor Jones

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: NOV 9 2015 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 act on behalf of the locality; and

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: NOV 9 2015 REJECTED: _____ STRICKEN: _____

WHEREAS, by adopting a resolution dated June 1, 2015, the School Board of the City of Richmond declared that real property located at 100 West Baker Street in the city was surplus; and

WHEREAS, the School Board has delivered a deed memorializing the conveyance of every interest it may have in the real property located at 100 West Baker Street; 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 the conveyance of every interest the School Board might have in the real property located at 100 West Baker Street and to authorize the execution of the deed by the Chief Administrative Officer;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That (i) the City hereby accepts the deed from the School Board conveying every interest it might have in the real property located at 100 West Baker Street, provided such 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 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 real property located at 100 West Baker Street by the School Board to the City.

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



CITY OF RICHMOND
INTRACITY CORRESPONDENCE

Chief Administration Office
City of Richmond

O&R REQUEST

DATE: September 22, 2015

TO: THE HONORABLE MEMBERS OF CITY COUNCIL

THROUGH: DWIGHT C. JONES, MAYOR *[Signature]*

THROUGH: SELENA CUFFEE- GLENN, CHIEF ADMINISTRATIVE OFFICER *[Signature]*

THROUGH: PETER L. DOWNEY, INTERIM DEPUTY CHIEF ADMINISTRATIVE OFFICER FOR ECONOMIC DEVELOPMENT AND PLANNING *[Signature]*

FROM: DOUGLAS C. DUNLAP, INTERIM DIRECTOR OF ECONOMIC & COMMUNITY DEVELOPMENT *[Signature]*

RE: Acceptance of real estate located at 100 W. Baker Street by the City from the School Board of Richmond, Virginia.

RECEIVED

OCT 01 2015

OFFICE OF CITY ATTORNEY

ORD. OR RES. No. _____

PURPOSE: To ACCEPT A DEED FROM THE SCHOOL BOARD CONVEYING 100 W. BAKER STREET (TAX PARCEL # N0000126001) TO THE CITY AND TO AUTHORIZE THE CHIEF ADMINISTRATIVE OFFICER TO ACT ON BEHALF OF THE CITY IN EXECUTING SUCH DEED.

REASON: In conformance with Section 15.2-1803 of the Code of Virginia, an ordinance is needed to accept from the School Board the conveyance of the real property located at 100 W. Baker Street and to authorize the execution of the deed by the Chief Administrative Officer.

This property was formerly controlled by the School Board and was formerly operated as the Baker Elementary School. The building was constructed in 1939. On June 1, 2015 the School Board approved the attached Resolution executed on June 3, 2015 conveying management and control of the property to the City for disposition. The building is currently vacant and not being used. The City's intent is to convey the property to RRHA for redevelopment of senior housing as a part of the Fay Towers RAD conversion. By conveying this property, the City will stimulate private investment, job creation and economic development in the area.

RECOMMENDATION: The City Administration including the Department of Economic Development and Community Development recommend approval.

BACKGROUND: The 100 W. Baker Street property consists of approximately 1.69 acres of land and a school building that was constructed in 1939. The building improvements total approximately 75,657 square feet including the basement level. On June 1, 2015 the School Board approved the attached Resolution conveying management and control of the 100 W. Baker Street property to the City for disposition. The 100 W. Baker Street site is adjacent to the Gilpin Court housing development. The property was originally acquired by the City of Richmond by condemnation in 1938 for school purposes. The property was being operated as an elementary school until it closed in 2013. The building is currently not being used.

FISCAL IMPACT/COST TO CITY: The City intends to maintain the property at a cost of approximately \$50,000 per year until it is conveyed to RRHA.

REVENUE TO CITY: Once the property is sold for redevelopment will become taxable real estate on the City's real estate tax rolls.

DESIRED EFFECTIVE DATE: Upon adoption.

REQUESTED INTRODUCTION DATE: September 14, 2015

CITY COUNCIL PUBLIC HEARING DATE: September 28, 2015

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Land Use, Housing & Transportation -- September 22, 2015; or City Planning Commission on September 21, 2015.

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: None

AFFECTED AGENCIES: Mayor, Chief Administrative Officer, Public Utilities, Finance, Budget, Public Works, Economic and Community Development

RELATIONSHIP TO EXISTING ORD. OR RES.: None

REQUIRED CHANGES TO WORK PROGRAM(S): None

ATTACHMENTS: School Board Resolution dated June 1, 2015 and executed June 3, 2015. Quitclaim Deed dated June 3, 2015.

STAFF: Lee Downey, Economic Development and Planning 646- 7646

Douglas Dunlap, Economic & Community Development 646-6822

O & R Request

Jane Ferrara, Economic & Community Development 646-6737

Paul McClellan, Economic & Community Development 646-3061

Prepared By:
Harrell & Chambliss LLP
VSB# 22098
707 E. Main Street, Suite 1000
Richmond, VA 23219

Tax Parcel # N0000126001 – 100 W. Baker Street, Richmond, VA 23220

THIS QUITCLAIM DEED, made and entered into as the 3rd day of June, 2015, by and between the **SCHOOL BOARD OF THE CITY OF RICHMOND** (“Grantor”) and the **CITY OF RICHMOND** (“Grantee”).

WHEREAS, pursuant to Section 22.1-129(A) of the Code of Virginia (“Section 22.1-129 (A)”), Grantor has declared surplus, the real estate described in the Schedule A attached hereto (the “Property”) and conveyed the management and control of the Property to Grantee, by resolution approved June 1, 2015; and

WHEREAS, Grantor has no ownership interest in the Property but desires to comply with Grantee’s request that it enter into a quitclaim deed pursuant to Section 22.1-129(A), to evince that it has released and conveyed any interest it might have in the Property.

WITNESSETH:

That for valuable consideration received, the receipt of which is hereby acknowledged by the Grantor, the Grantor hereby quitclaims, releases, and conveys unto the Grantee any and all right, title and interest it may possess in and to the Property.

Notwithstanding, pursuant to Section 42-21 of the City Code, and City Council Ordinance No. 2013-22-71, adopted May 13, 2013, (the “Ordinance”) should Grantee sell, lease or otherwise utilize the Property, the proceeds of the sale, lease or other use of the Property, subject to certain withholdings described in the Ordinance, shall be placed into a special reserve assigned to support public schools in the City. The City

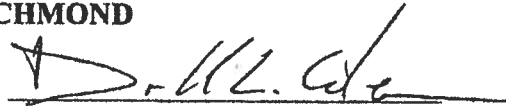
Council may appropriate funds from this reserve for the construction of new public school facilities or for the capital repair or renovation of existing active school properties.

WITNESS the following signatures and seals:

GRANTOR:

SCHOOL BOARD OF THE CITY OF
RICHMOND

By:



Donald L. Coleman, Chairman

STATE OF VIRGINIA

CITY/COUNTY OF Richmond, to-wit:

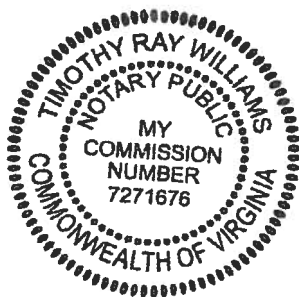
The foregoing instrument was acknowledged before me this 3 day of June, 2015 by Donald L. Coleman, as Chairman of the School Board of the City of Richmond.

My commission expires: 4/30/2017

Notarial Registration Number: 7271676


Notary Public

[SEAL]



GRANTEE:

CITY OF RICHMOND, VIRGINIA,
a municipal corporation

By: _____
Selena Cuffee - Glenn
Chief Administrative Officer

As authorized by Ordinance No.: _____,

Adopted _____, 201_.

COMMONWEALTH OF VIRGINIA
CITY OF RICHMOND, to-wit:

The foregoing Deed was acknowledged before me this ___ day of _____, 2015,
by Selena Cuffee - Glenn, Chief Administrative Officer of City of Richmond, Virginia, a
municipal corporation, on behalf of such municipal corporation.

My commission expires: _____

Notary Registration Number: _____

Notary Public

[SEAL]

SCHEDULE A

ALL those certain lots, pieces of parcels of land, lying and being in the City of Richmond and designated as 100 W. Baker Street.

6/1/2015

RESOLUTION

WHEREAS, certain real property, further described herein, (the "Property") was obtained by the City of Richmond, Virginia (the "City");

WHEREAS, the Property, the former site of the alternative school, with the street address of 100 West Baker Street, Richmond, Virginia 23220 (Tax Parcel Number N0000126001);

WHEREAS, the Property is currently under the management and control of the School Board; and

WHEREAS, pursuant to Section 22.1-129(A) of the Code of Virginia, the School Board has determined that it will have no further use for the Property.

BE IT THEREFORE RESOLVED by the School Board that the Property will be deemed surplus, and the management and control of the Property will convey to the City upon approval of this Resolution.

BE IT FURTHER RESOLVED by the School Board that pursuant to Section 42-41 of the City Code, as amended, the School Board requests that, when payments are made to the City of money arising from the sale of the Property, such receipts, with the exception of certain withholdings, shall be credited to a special reserve assigned to support the public schools in the City to be appropriated for the construction of new public school facilities or for the capital repair or renovation of existing active school properties.

BE IT FURTHER RESOLVED that upon approval of this Resolution, the School Board authorizes the Chair of the School Board to execute a quitclaim deed to the City for the Property.

6/1/2015

D. L. Coleman

School Board Chair

Date: 6, 3, 2015

Angela C. Lewis
School Board Clerk

STATE OF VIRGINIA

CITY/COUNTY OF Richmond, to-wit:

The foregoing instrument was acknowledged before me this 3 day of June, 2015 by Donald L. Coleman, as Chair of the School Board of the City of Richmond.

My commission expires: 4/30/2017

Notary Registration Number: 7271676

Timothy Williams
Notary Public

[SEAL]

