

INTRODUCED: October 10, 2022

AN ORDINANCE No. 2022-285

To declare that a public necessity exists and to authorize the acquisition by gift, purchase, condemnation or otherwise, permanent utility easements for the public purpose of facilitating the construction, operation, and maintenance of the Robin Road sewer replacement project.

Patron – Mayor Stoney

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: NOV 14 2022 AT 6 P.M.

WHEREAS, in the opinion of the City Council of the City of Richmond, a public necessity exists for the acquisition of permanent utility easements, each hereinafter referred to as an “Easement” and all hereinafter referred to as the “Easements” as shown on a plat entitled “Easement Plat Showing Two Temporary Construction Easements & a Permanent Utility Easement for Sanitary Sewer Across Parcel ID: W0210471002 (4 Robin Road), City of Richmond, Virginia,” prepared by H & B Surveying and Mapping, LLC, and dated October 7, 2020, and entitled “Easement Plat Showing Two Temporary Construction Easements & a Permanent Utility Easement for Sanitary Sewer Across Parcel ID: W0210471004 (17 Robin Road), City of Richmond, Virginia,” prepared by H & B Surveying and Mapping, LLC, and dated October 7, 2020, copies of which are attached to and made a part of this ordinance, for the

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: NOV 14 2022 REJECTED: _____ STRICKEN: _____

public purpose of facilitating the construction, operation, and maintenance of the Robin Road sewer replacement project;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

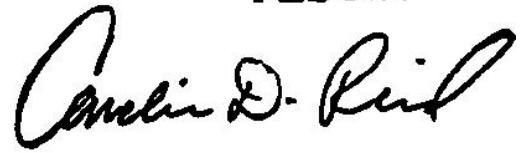
§ 1. That a public necessity exists for the acquisition of the Easements as shown on a plat entitled “Easement Plat Showing Two Temporary Construction Easements & a Permanent Utility Easement for Sanitary Sewer Across Parcel ID: W0210471002 (4 Robin Road), City of Richmond, Virginia,” prepared by H & B Surveying and Mapping, LLC, and dated October 7, 2020, and entitled “Easement Plat Showing Two Temporary Construction Easements & a Permanent Utility Easement for Sanitary Sewer Across Parcel ID: W0210471004 (17 Robin Road), City of Richmond, Virginia,” prepared by H & B Surveying and Mapping, LLC, and dated October 7, 2020, copies of which are attached to and made a part of this ordinance, for the public purpose of facilitating the construction, operation, and maintenance of the Robin Road sewer replacement project.

§ 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 Easements, (ii) act for and on behalf of the City of Richmond in agreeing or disagreeing with the owners of the properties from whom such Easements must be acquired upon the compensation to be paid therefor, and (iii) to execute the deeds and other documents necessary to complete the acquisition and acceptance of such 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 in the event the City cannot agree with any owner of an Easement to be acquired pursuant to this ordinance on the terms of purchase thereof, the City Attorney is authorized to acquire the Easement by undertaking appropriate condemnation proceedings to exercise the City's power of eminent domain for the purpose of facilitating the construction, operation, and maintenance of the Robin Road sewer replacement project.

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

**A TRUE COPY:
TESTE:**

A handwritten signature in black ink, appearing to read "Camelin D. Reif". The signature is written in a cursive, flowing style.

City Clerk



City of Richmond

Intracity Correspondence

O&R REQUEST

DATE: September 7, 2022

EDITION: 1

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor

THROUGH: J.E. Lincoln Saunders, Chief Administrative Officer

J.E. Lincoln
Saunders / RCS

Digitally signed by J.E. Lincoln
Saunders / RCS
Date: 2022.09.22 13:09:03 -04'00'

THROUGH: Robert Steidel, Deputy Chief Administrative Officer

THROUGH: April Bingham, Director of Public Utilities

FROM: L. Alan Harrison, Deputy Director of Public Utilities

L. Alan Harrison

Digitally signed by L. Alan
Harrison
Date: 2022.09.07 17:50:36 -04'00'

RE: To declare that a public necessity exists and to authorize the Chief Administrative Officer (CAO) or designee thereof, to acquire two permanent utility easements, by voluntary conveyance or by condemnation proceedings, for the Robin Road Sewer Replacement Project.

ORD. OR RES. No. _____

PURPOSE: Chief Administrative Officer (CAO) or designee thereof, to acquire two permanent utility easements, by voluntary conveyance or by condemnation proceedings, for the Robin Road Sewer Replacement Project as illustrated on the attached plats prepared by H&B Land Surveying & Mapping, LLC entitled, "Easement Plat Showing Two Temporary Construction Easements & a Permanent Utility Easement for Sanitary Sewer Across Parcel ID: W0210471002 (4 Robin Road)" and "Easement Plat Showing Two Temporary Construction Easements & a Permanent Utility Easement for Sanitary Sewer Across Parcel ID: W0210471004 (17 Robin Road)."

REASON: Permanent easements are required to construct, operate and maintain the improvements.

RECOMMENDATION: DPU recommends approval of this ordinance.

BACKGROUND: The Robin Road Sewer Replacement Project has been fully designed for the replacement of a sewer line running across four private properties, i.e. 6110 St. Andrews Lane, 6112 St. Andrews Lane, 4 Robin Road, and 17 Robin Road. DPU acquired the needed temporary and permanent easements for two of the four properties, 6110 St. Andrews Lane and

6112 St. Andrews Lane, pursuant to City Code § 8-33. DPU also acquired temporary easements for 4 Robin Road and 17 Robin Road pursuant to City Code § 8-33 in order to begin the project and avoid a sewer emergency. DPU needs two additional permanent easements for 4 Robin Road and 17 Robin Road to continue to operate and maintain the replaced sewer line.

The Robin Road Sewer Replacement Project will affect four single-family homes. The estimated cost of the permanent easement acquisition is estimated at \$75,000 based on appraised values. Funds are available within the project budget and the sewer enterprise fund.

There are no relocations of businesses or residences required with this project. Property rights will be purchased using fair market value and negotiations. However, if we are unable to negotiate with the property owners DPU will request the CAO exercise the authority delegated through Council to perform condemnation action of all easements under City Charter § 18.03. If condemnation is required, the City will continue negotiations with the property owners during the condemnation process. This will allow the project to continue to proceed.

FISCAL IMPACT / COST: Appraisals have been conducted for both easements and their total anticipated cost is \$75,000. The actual acquisition cost is to be negotiated by DPU and will be set at fair market value as determined pursuant to state and local regulations. Funds are available within the project budget and the sewer enterprise fund.

FISCAL IMPLICATIONS: None.

BUDGET AMENDMENT NECESSARY: No.

REVENUE TO CITY: None.

DESIRED EFFECTIVE DATE: Upon adoption.

REQUESTED INTRODUCTION DATE: October 10, 2022

CITY COUNCIL PUBLIC HEARING DATE: November 14, 2022

REQUESTED AGENDA: Consent Agenda

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission

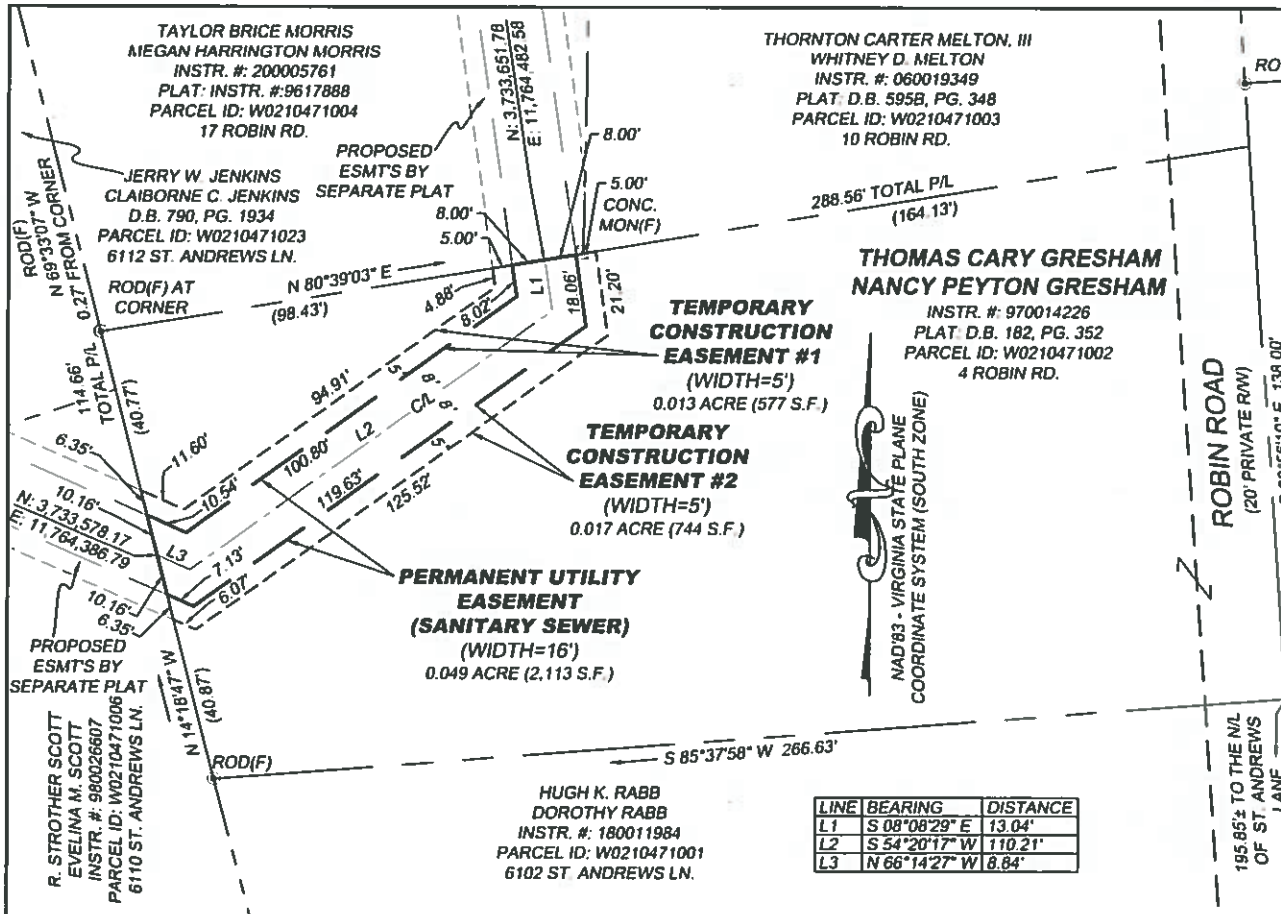
AFFECTED AGENCIES: Public Utilities

RELATIONSHIP TO EXISTING ORD. OR RES.: None

REQUIRED CHANGES TO WORK PROGRAM(S): None

ATTACHMENTS: Plats for 4 Robin Rd and 17 Robin Rd

STAFF: L. Alan Harrison, DPU Deputy Director
Susan Hamilton, DPU Program Manager



GENERAL NOTES:

- THIS PLAT IS BASED UPON A FIELD SURVEY, CONCLUDED ON SEPTEMBER 09, 2019 BY H & B SURVEYING AND MAPPING, LLC.
- THE PROPERTY SHOWN HEREON FALLS IN THE FOLLOWING FLOOD HAZARD ZONE: "X"(UNSHADED)-AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOOD PLAIN AS SCALED FROM FEMA FLOOD INSURANCE RATE MAP, MAP NUMBER 5101290009D, REVISED DATE: 04-02-2009.
- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT AND MAY NOT SHOW ALL EASEMENTS OR ENCUMBRANCES THAT MAY AFFECT THE SUBJECT PROPERTY. THIS PARCEL IS SUBJECT TO ALL ENCUMBRANCES AND/OR EASEMENTS OF RECORD.
- DIMENSIONS IN () ARE PROPERTY LINE OR EASEMENT TIES.
- BEARINGS FOR EASEMENT LINES SHOWN WITH ONLY DISTANCE DIMENSIONS ARE TO BE TAKEN FROM THE ADJACENT EASEMENT CENTERLINE OR THE PERTINENT P/L.
- COORDINATE VALUES ARE BASED ON NAD'83, VIRGINIA STATE PLANE COORDINATE SYSTEM (SOUTH ZONE).
- THIS PLAT PORTRAYS PROPOSED EASEMENTS WITH RESPECT TO THE PROPERTY LINES OF RECORD FOR THE SUBJECT PARCEL AND IS NOT TO BE CONSTRUED AS A BOUNDARY SURVEY.

**EASEMENT PLAT SHOWING
TWO TEMPORARY
CONSTRUCTION EASEMENTS & A
PERMANENT UTILITY EASEMENT
FOR SANITARY SEWER ACROSS
PARCEL ID: W0210471002
(4 ROBIN ROAD)
CITY OF RICHMOND, VIRGINIA
SCALE 1"= 30'**

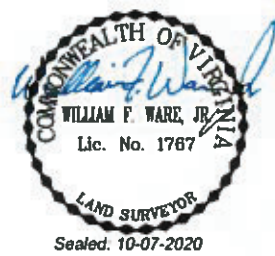
Job #: DB1901.01
Date: 10-07-2020
Sheet: 1 of 1
Drawn By: WFW
Checked By: AWH

Rev. #	Rev. Date

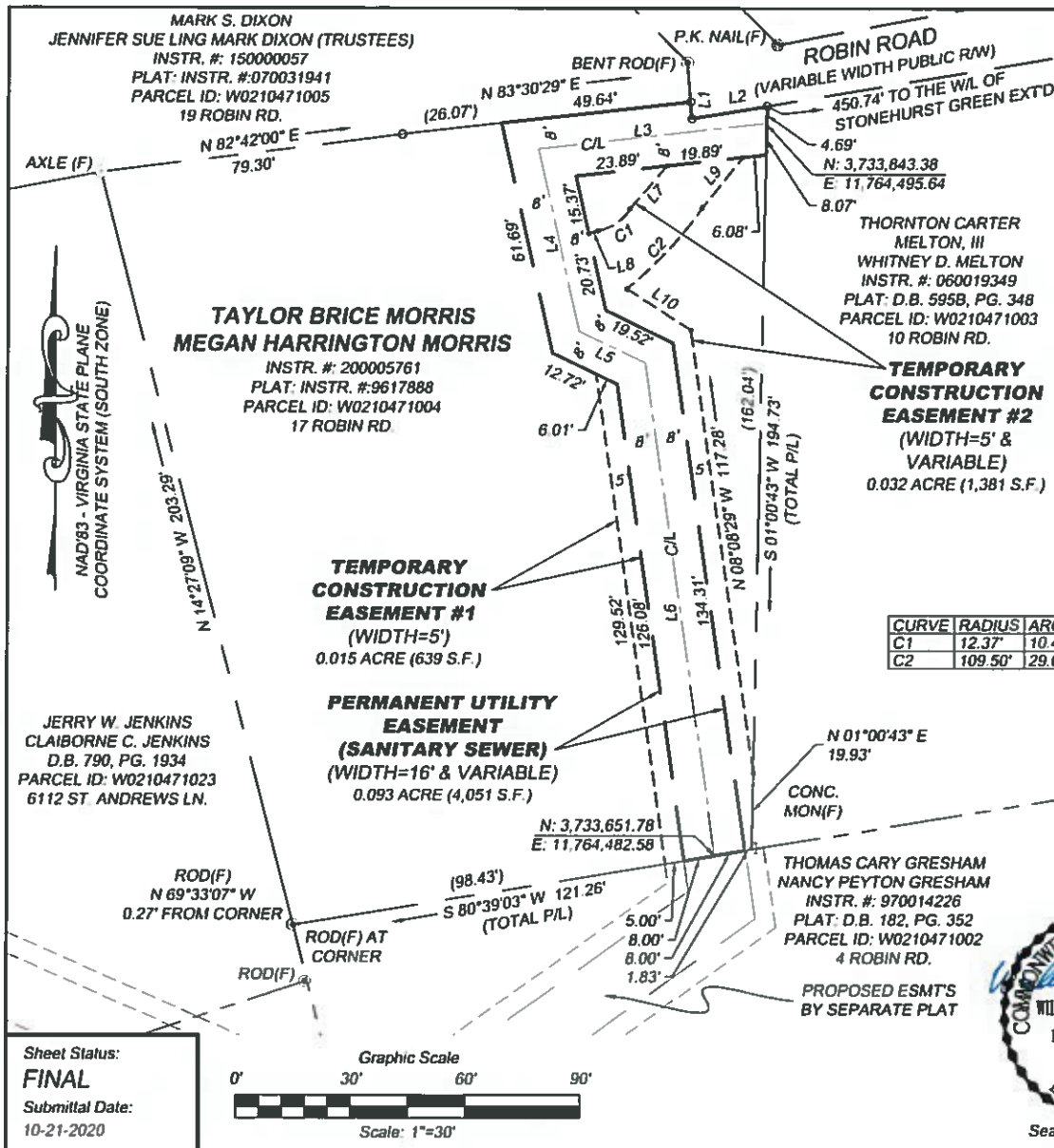
H&B Surveying and Mapping, LLC
insightful solutions, quality service
A DBENBSE SWaM Certified Business

Survey Produced at Richmond Office Location
2105 Electric Road SW, Suite 103
Roanoke, VA 24024
540.904.2559 Off.

614 Moorefield Park Drive
Richmond, VA 23226
804.330.2781 Office
804.859.5330 Fax



Sheet Status:
FINAL
Submittal Date:
10-07-2020



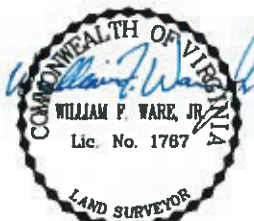
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2. THE PROPERTY SHOWN HEREON FALLS IN THE FOLLOWING FLOOD HAZARD ZONE: "X"(UNSHADED) AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOOD PLAIN AS SCALED FROM FEMA FLOOD INSURANCE RATE MAP, MAP NUMBER 5101290009D, REVISED DATE: 04-02-2009.
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7. THIS PLAT PORTRAYS PROPOSED EASEMENTS WITH RESPECT TO THE PROPERTY LINES OF RECORD FOR THE SUBJECT PARCEL AND IS NOT TO BE CONSTRUED AS A BOUNDARY SURVEY.

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	TANGENT	CHORD BEARING	CHORD LENGTH
C1	12.37'	10.43'	48°17'36"	5.55'	S 55°36'22" W	10.12'
C2	109.50'	29.01'	15°10'52"	14.59'	N 42°50'22" E	28.93'

LINE	BEARING	DISTANCE
L1	S 04°50'01" E	4.45'
L2	N 80°19'39" E	19.85'
L3	S 83°30'29" W	59.81'
L4	S 12°36'51" E	48.90'
L5	S 64°28'46" E	19.12'
L6	S 08°08'29" E	130.20'
L7	S 40°35'49" W	14.92'
L8	S 74°14'43" W	2.40'
L9	N 38°19'44" E	16.93'
L10	N 57°19'24" W	19.89'

**EASEMENT PLAT SHOWING
TWO TEMPORARY
CONSTRUCTION EASEMENTS & A
PERMANENT UTILITY EASEMENT
FOR SANITARY SEWER ACROSS
PARCEL ID: W0210471004
(17 ROBIN ROAD)
CITY OF RICHMOND, VIRGINIA
SCALE 1"= 30'**



Sealed: 10-07-2020

Job #: DB1901.01
Date: 10-07-2020
Sheet: 1 of 1
Drawn By: WFW
Checked By: AHW

Plat #1

Rev. #	Rev. Date

H&B Surveying and Mapping, LLC
insightful solutions, quality service
A DBENBE SWaM Certified Business

2105 Electric Road SW, Suite 103
Roanoke, VA 24224
540.904.2559 OFF
Survey
Produced
at Richmond
Office Location

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Richmond, VA 23225
804.330.3781 Office
804.859.5310 Fax



www.hbsurveying.com

Sheet Status:
FINAL
Submission Date:
10-21-2020