

INTRODUCED: January 9, 2023

AN ORDINANCE No. 2023-023

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute a Deed of Designation of Open-Space Land between the City of Richmond and the Virginia Outdoors Foundation, for the purpose of designating, retaining, and using parcels in the City's Bellemeade Park in perpetuity as open-space land pursuant to Va. Code § 10.1-1701, for nominal consideration, to the Virginia Outdoors Foundation.

Patrons – Mayor Stoney and Ms. Robertson

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: JAN 23 2023 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That the Chief Administrative Officer, for and on behalf of the City of Richmond, is hereby authorized to execute a Deed of Designation of Open-Space Land between the City of Richmond and the Virginia Outdoors Foundation for the purpose of designating, retaining, and using parcels in the City's Bellemeade Park in perpetuity as open-space land pursuant to Va. Code § 10.1-1701, for nominal consideration, to the Virginia Outdoors Foundation. Such Deed of

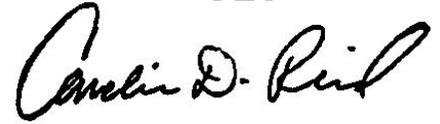
AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: FEB 13 2023 REJECTED: _____ STRICKEN: _____

Designation of Open-Space Land shall be approved as to form by the City Attorney and shall be substantially in the form of the document attached to this ordinance.

§ 2. 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. Reed". The signature is written in a cursive style with a large initial 'C'.

City Clerk



CITY OF RICHMOND

INTRACITY CORRESPONDENCE

O&R REQUEST

DATE: November 14, 2022 **EDITION:** 1

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor

THROUGH: Lincoln Saunders, Chief Administrative Officer

THROUGH: Reginald E. Gordon, Deputy Chief Administrative Officer for Human Services

FROM: Christopher Frelke, Director of Parks, Recreation and Community Facilities

RE: To authorize the Chief Administrative Officer to execute a Deed of Designation of Open-Space Land for parcels in Bellemeade Park to preserve them in perpetuity in accordance with Ord. 2021-079 and the terms of the related Grant Award from Virginia Outdoors Foundation in the amount of \$150,000.00.

ORD. OR RES. No. _____

PURPOSE: To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute a Deed of Designation between the City of Richmond and the Virginia Outdoors Foundation (VOF) for the purpose of retaining and using parcels in Bellemeade Park in perpetuity as open-space land pursuant to VA Code §10.1-1701, as amended, in accordance with Ord. 2021-079 adopted by the Richmond City Council on April 12, 2021 that authorizes the Chief Administrative Officer to accept funds in the amount of \$150,000.00 from VOF for the purpose of funding the design, permitting, and construction of an outdoor classroom at Bellemeade Park consistent with the VOF Open Space Lands Preservation Trust Fund-Public Access Recognition of Grant Award to the City.

REASON: VOF has awarded the City an Open Space Lands Preservation Trust Fund-Public Access Recognition of Grant Award in the amount of \$150,000.00. As conditions of the Grant Award the City is required to:

1. Convey to VOF a right, interest, or privilege that will protect up to 13.73 acres of open-space in Bellemeade Park in accordance with VA Code §§ 10.1-1801.1 and 10.1-1700.
2. Consistent with such right, interest, or privilege also convey a permanent right of public access to Bellemeade Park.

3. Develop an outdoor classroom at Bellemeade Park.

In accordance with the Open Space Lands Preservation Trust Fund-Public Access Recognition of Grant Award, parcels in Bellemeade Park will be placed under a Deed of Designation of Open-Space Land in perpetuity and may not be converted or diverted from open-space use unless both the City and VOF determine doing so would be in compliance with VA Code § 10.1-1704 (the Open-Space Land Act). As such, the City will permanently protect Bellemeade Park as a public space for residents of the City and all who visit the park.

RECOMMENDATION: Approval is recommended by the City Administration.

BACKGROUND: Bellemeade Park is a 13.73-acre park adjacent to Oak Grove Bellemeade Elementary School in South Richmond and is comprised of the following six (6) parcels:

- Parcel ID S0071381011 – 1600 Overlook Street, Richmond, Virginia 232224 - 10.21 acres
- Parcel ID S0071432022 – 1600 A Overlook Street, Richmond, Virginia 23224 - 0.435 acres
- Parcel ID S0071432031 – 1600 B Overlook Street, Richmond, Virginia 23224 - 1.219 acres
- Parcel ID S0071432027 – 2101 Royall Avenue, Richmond, Virginia 23224 - 0.205 acres
- Parcel ID S0071381020 – 1800 Krouse Street, Richmond, Virginia 23224 - 0.366 acres
- Parcel ID S0071379020 – 1613 Overlook Street, Richmond, Virginia 23224 - 1.295 acres

Surveys, Land Title Reports and Special Commissioner’s Deeds denoting the boundaries and ownership of the above properties are attached.

In recent years, Bellemeade Park has been transformed into a thriving green space in an under-served part of South Richmond. Through the work of DPRCF, an extremely active Friends of Bellemeade Park group, Groundwork RVA and the efforts of other volunteer groups, this park has undergone major improvements. These improvements include a network of walking and biking trails, a native plant garden, a working neighborhood bike repair shop, bird house installations, honeybee hive installation, streambed restoration and invasive plant removal projects, among others. Execution of the Deed of Designation will protect Bellemeade Park in perpetuity as open-space land and allow VOF to disburse the \$150,000.00 Grant Award to the City for the purpose of funding the design, permitting, and construction of an outdoor classroom.

FISCAL IMPACT / COST: N/A

FISCAL IMPLICATIONS: N/A

BUDGET AMENDMENT NECESSARY: N/A

REVENUE TO CITY: Upon execution of the Deed of Designation, VOF will transfer \$150,000.00 to the City in accordance with Ord. 2021-079 and the terms of the Grant Award.

DESIRED EFFECTIVE DATE: Upon Adoption

REQUESTED INTRODUCTION DATE: December 12, 2022

CITY COUNCIL PUBLIC HEARING DATE: January 9, 2023

REQUESTED AGENDA: Consent Agenda

RECOMMENDED COUNCIL COMMITTEE: Land Use, Housing, and Transportation

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: N/A

AFFECTED AGENCIES: Department of Parks, Recreation and Community Facilities, Finance, Budget and Strategic Planning

RELATIONSHIP TO EXISTING ORD. OR RES: Ord. 2021-079

REQUIRED CHANGES TO WORK PROGRAM(S): N/A

ATTACHMENTS: Attachment A – Deed of Designation
Attachment B – Virginia Outdoors Foundation Open Space Lands Preservation Trust Fund-Public Access Recognition of Grant Award
Attachment C - Ord. 2021-079
Attachment D – Bellemeade Survey 1 by VHB dated June 13, 2019
Attachment E – Bellemeade Survey 2 by Timmons Group dated February 17, 2020
Attachment F – Stewart Land Title Services Report dated August 29, 2022
Attachment G – 1800 Krouse Street - Special Commissioner’s Deed dated September 13, 2019
Attachment H – 1613 Overlook Street - Special Commissioner’s Deed dated September 13, 2019

STAFF: Christopher Frelke, Director – Parks, Recreation and Community Facilities (646-1128)
Ryan Rinn, Economic Development Business Services Manager – Parks, Recreation and Community Facilities (646-4347)
Michael Burton, Maintenance and Operations Superintendent, Senior – Parks, Recreation and Community Facilities (646-5942)

NOTE TO TITLE EXAMINERS: This deed contains a restriction on use of the property described below, which runs with the land and is applicable to the property in perpetuity.

Prepared By:

Return To: Virginia Outdoors Foundation
PO Box 85073, PMB 38979,
Richmond, Virginia 23285-5073

TAX MAP NUMBERS: S0071381011, S0071432022, S0071432031, S0071432027,
S0071381020, S0071379020

Exempt from recordation tax under the Code of Virginia (1950), as amended, Section 58.1-811 A.3 and from Circuit Court Clerk's fee under Section 17.1-266.

THIS DEED OF DESIGNATION OF OPEN-SPACE LAND made this day of _____, 2022, by the City of Richmond, Virginia, a Virginia municipality, ("City of Richmond") the address of which is 900 East Broad Street, Richmond, Virginia 23219.

with a right of approval or disapproval of the conversion or diversion of the property in the Virginia Outdoors Foundation, an agency of the Commonwealth of Virginia (VOF), witnesseth:

RECITALS

Pursuant to Chapter 18, Title 10.1, Section 10.1-1801.1 the Virginia Outdoors Foundation (VOF) has provided an Open-Space Lands Preservation Trust Fund Grant in the amount of \$150,000 to City of Richmond for development of the Richmond Outdoor Classroom at Bellemeade Park located at 1600 Overlook Street, Richmond, Virginia 23224, 1600 A Overlook Street, Richmond, Virginia 23224, 1600 B Overlook Street, Richmond, Virginia 23224, 2101 Royall Avenue, Richmond, Virginia 23224, 1800 Krouse Street, Richmond, Virginia 23224, and 1613 Overlook Street, Richmond, Virginia 23224, as more fully described in the Virginia Outdoors Foundation Open-Space Lands Preservation Trust Fund-Public Access Grant Agreement attached hereto as Exhibit A.

In accordance with the grant agreement, the Property is to be retained and used by City of Richmond in perpetuity as open-space land pursuant to Chapter 17, Title 10.1, Section 10.1- 1701 of the Code of Virginia (1950), as amended.

NOW, THEREFORE, City of Richmond does hereby designate the following described Property in the City of Richmond, Virginia as open-space land pursuant to Chapter 17, Title 10.1, Section 10.1-1701 of the Code of Virginia (1950), as amended, to-wit:

ALL those certain tracts, lots or parcels of land, with improvements thereon and appurtenances thereto belonging, lying and being in the City of Richmond, Virginia and being designated as TAX PARCELS : S0071381011, S0071432022, S0071432031, S0071432027, S0071381020, and S0071379020 and containing 13.73 acres of land, LESS AND EXCEPT those pieces or parcels of land consisting of an unopened portion of Webber Avenue, a portion of Overlook Street and a thirty (30) foot road adjacent to Overlook Street, as shown on DPW Drawing Nos. M-19782 and M-20496 (Exhibit B), without reference to specific Ordinances vacating same of the 10.21-acre portion of TAX PARCEL S0071381011, as detailed in the Status of Public Records Report prepared by Stewart Title, dated August 29, 2022, and attached hereto and incorporated herein as Exhibit C and two Special Commissioner's Deeds dated September 13, 2019 attached hereto and incorporated herein as Exhibit D.

The Property is shown as Tax Map Numbers: S0071432022, S0071432031, S0071432027, S0071381020, S0071379020, and a portion of S0071381011 among the records of the Assessor of the City of Richmond, Virginia. **Even though the Property consists of six parcels in their entirety, it shall be considered one parcel for purposes of this deed, and the restrictions and covenants of this deed shall apply to the Property as a whole.**

Adhering to the terms of the VOF grant, it is the intent of City of Richmond to do the following on the Property:

1. To keep the Property as an undivided parcel,
2. To allow public access on the Property on a regular basis,
3. To establish an Outdoor Classroom area.

Notwithstanding the VOF grant, responsibility for compliance with the preceding terms rests solely with City of Richmond in accordance with the grant agreement attached hereto as Exhibit A.

No part of the Property may be converted or diverted from its open-space use unless such conversion or diversion is determined by both VOF and City of Richmond to be in compliance with the provisions of Section 10.1-1704 of the Open-Space Land Act.

This deed is executed by the Chief Administrative Officer of City of Richmond, after having been authorized to act on behalf of the City of Richmond by resolution duly adopted on 2022, by the City Council of the City of Richmond.

WITNESS the following signatures and seals: [Counterpart signature pages follow.]

[Counterpart signature page 1 of 2 of Deed of Designation]

GRANTOR
City of Richmond

By: _____

COMMONWEALTH OF VIRGINIA,
CITY/COUNTY OF _____, TO WIT:

The foregoing instrument was acknowledged before me this ___ day of _____, 2022
by _____ of City of Richmond.

Notary Public

(SEAL) My commission expires: _____
Registration No. _____

Approved as to Form: Keisha Dillard-Brady
Keisha Dillard-Brady
Senior Assistant City Attorney

11/10/22
Date

[Counterpart signature page 2 of 2 of Deed of Designation]

Accepted:
VIRGINIA OUTDOORS FOUNDATION,

By: _____

COMMONWEALTH OF VIRGINIA,
CITY/COUNTY OF _____, TO WIT:

The foregoing instrument was acknowledged before me this _____ day of _____, 2022 by Leslie H. Grayson, a Deputy Director of the Virginia Outdoors Foundation.

Notary Public

(SEAL)

My commission expires: _____
Registration No. _____



**VIRGINIA OUTDOORS FOUNDATION
OPEN SPACE LANDS PRESERVATION TRUST FUND-PUBLIC ACCESS
RECOGNITION OF GRANT AWARD**

On February 9, 2017, the Board of Trustees of the Virginia Outdoors Foundation (VOF) awarded a Preservation Trust Fund-Public Access (PTF-PA) grant in the amount of \$150,000 to the City of Richmond, Department of Parks, Recreation, and Community Facilities in the support of the Bellemeade Park Outdoor Classroom, as described below:

This project involves the City of Richmond dedicating up to 4.804 acres of city-owned land to as permanent open space and developing it as an outdoor classroom serving the city's public schools. The outdoor classroom will be utilized by the school district's K-12 schools for outdoor education.

GRANT POLICIES

The City of Richmond Department of Parks, Recreation, and Community Facilities, in consideration of the grant funds in the amount of \$150,000 being provided to it pursuant to this agreement by VOF, agrees to comply to the following terms and conditions:

Deliverables

1. The following deliverables are expected to be completed:
 - Conveyance by the City of Richmond of a right, interest, or privilege that that will protect, in accordance with Virginia Code § 10.1-1801.1 and § 10.1-1700, up to 4.8 acres of open space.
 - Such right, interest, or privilege shall also convey a permanent right of public access to the property.
 - Development of an outdoor classroom.

2. The following due diligence must be provided:
 - a. A survey of the property prepared by a Virginia licensed surveyor or professional engineer, preferable in digital form, depicting the metes and bounds of the property unless VOF determines that an adequate legal description of the Property is available.
 - b. Copies of title work showing grantor's fee simple interest in the property and/or a title insurance policy showing title vested in the grantor as well as any easements, rights, and other encumbrances of record acceptable to VOF.

3. The grant recipient must provide copies of all recorded deeds of transfer, open space easements, and right-of-way or trail easements for which VOF monies have been awarded, showing the locality, deed book, page of recordation, and/or instrument number to VOF no later than one month after recordation.

Funding

4. Grant funds distributed shall not exceed eligible documented costs incurred, not to exceed the total grant amount of \$150,000.

5. Funding may be disbursed only once a real estate interest has been conveyed to VOF or a locality, such as the recordation of an open space easement, the dedication of land to open space, or another mechanism approved by VOF.

Land Protection Requirements

- 6. A recordable legal instrument reflecting the conveyance of a real estate right, interest, or privilege, such as deed of Open-Space dedication or easement executed on behalf of Grant Recipient, must be previously approved in form and substance by VOF.

Contract Authority

- 7. This Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors.
- 8. The individuals executing this Agreement possess all necessary power and authority to bind the parties hereto and, upon execution, this Agreement shall constitute a legal and valid obligation of the parties hereto.

Termination:

- 9. VOF reserves the right to reclaim grant funds, or properties purchased with grant funds, or to nullify the grant agreement if recipient fails to meet land transfer deadlines, obtain appropriate open space protection, or provide required documentation regardless of transfer of ownership. If no significant progress has been made at the one-year review of the project, the grant contract may be cancelled.

In witness whereof, the parties hereto have executed this contractual agreement as of the dates entered below.

The Virginia Outdoors Foundation

By: _____ Date: _____
 Leslie Grayson, Deputy Director

Grant Recipient, City of Richmond, Department of Parks, Recreation, and Community Facilities:

By: _____ Date: _____
 [Signature]

Please print name here: _____

Title: _____

INTRODUCED: March 22, 2021

AN ORDINANCE No. 2021-079

To authorize the Chief Administrative Officer to accept funds in the amount of \$150,000.00 from the Virginia Outdoors Foundation; to amend the Fiscal Year 2020-2021 Special Fund Budget by creating a new special fund for the Department of Parks, Recreation and Community Facilities called the Bellemeade Park Outdoor Educational Classroom Facility Special Fund; and to appropriate the grant funds received to the Fiscal Year 2020-2021 Special Fund Budget by increasing estimated revenues and the amount appropriated to the new Department of Parks, Recreation and Community Facilities' Bellemeade Park Outdoor Educational Classroom Facility Special Fund by \$150,000.00 for the purpose of funding the design, permitting, and construction of an outdoor classroom at Bellemeade Park located at 1800 Krouse Street in the city of Richmond.

Patron – Mayor Stoney

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: APR 12 2021 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That the Chief Administrative Officer is authorized to accept funds in the amount of \$150,000.00 from the Virginia Outdoors Foundation for the purpose of funding the design, permitting, and construction of an outdoor classroom at Bellemeade Park located at 1800 Krouse Street in the city of Richmond.

AYES: 8 NOES: 0 ABSTAIN: _____

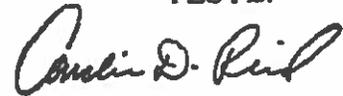
ADOPTED: APR 12 2021 REJECTED: _____ STRICKEN: _____

2. That Ordinance No. 2020-050, adopted May 11, 2020, which adopted a Special Fund Budget for the fiscal year commencing July 1, 2020, and ending June 30, 2021, and made appropriations pursuant thereto, be and is hereby amended by creating a new special fund for the Department of Parks, Recreation and Community Facilities called the Bellemeade Park Outdoor Educational Classroom Facility Special Fund for the purpose of funding the design, permitting, and construction of an outdoor classroom at Bellemeade Park located at 1800 Krouse Street in the city of Richmond.

§ 3. That Ordinance No. 2020-050, adopted May 11, 2020, which adopted a Special Fund Budget for the fiscal year commencing July 1, 2020, and ending June 30, 2021, and made appropriations pursuant thereto, be and is hereby amended by increasing revenues from the funds accepted pursuant to section 1 of this ordinance by \$150,000.00 and increasing the amount appropriated to the new Department of Parks, Recreation and Community Facilities' Bellemeade Park Outdoor Educational Classroom Facility Special Fund by \$150,000.00 for the purpose of funding the design, permitting, and construction of an outdoor classroom at Bellemeade Park located at 1800 Krouse Street in the city of Richmond.

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

**A TRUE COPY:
TESTE:**



City Clerk



CITY OF RICHMOND

INTRACITY CORRESPONDENCE

OAR REQUEST

DATE: February 10, 2021 **EDITION:** 1

TO: The Honorable Members of City Council

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

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

THROUGH: John Wack, Director of Finance *Jaw*

THROUGH: Jay Brown, Director of Budget & Strategic Planning *JAB*

THROUGH: Reginald E. Gordon, DCAO for Human Services *REG*

FROM: Christopher Frelke, Director of Parks, Recreation and Community Facilities *CF*

RE: Acceptance and Appropriation of grant funds in the amount of \$150,000 to be used to complete the construction of an Outdoor Educational Classroom Facility at Bellemeade Park.

ORD. OR RES. No. _____

PURPOSE: To authorize the Acting Chief Administrative Officer to accept and appropriate a state grant in the amount of \$150,000 from the Virginia Outdoor Foundation (VOF)

REASON: The City of Richmond Department of Parks, Recreation and Community Facilities (DPRCF) is seeking approval to receive a grant award in the amount of \$150,000 from the State of Virginia. This grant is administered by the Virginia Outdoor Foundation and will be used for the design, permitting and construction costs associated with the establishment of an outdoor educational classroom at Bellemeade Park. The park is located on the city's southside next to Bellemeade Community Center

RECOMMENDATION: It is recommended that these grant funds be appropriated to the Department of Parks, Recreation and Community Facilities Special Fund Budget and amend ordinance 2020-050, by creating a new special fund line item titled " Bellemeade Park Outdoor Educational Classroom Facility."

BACKGROUND: In recent years, Bellemeade Park has been transformed into a thriving green space in an under-served part of South Richmond. Through the work of DPRCF, an extremely active Friends of Bellemeade Park group, Groundwork RVA and the efforts of other volunteer groups this park has undergone major improvements. These improvements include a network of walking and biking trails, a native plant garden, a working neighborhood bike repair shop, bird house installations, honeybee hive installation, streambed restoration and invasive plant removal projects, among others. This location was identified as an ideal setting for an outdoor educational classroom facility. This facility will be available for use by Richmond Public Schools (RPS) teachers, DPRCF outdoor educational programmers as well as other partner organizations.

FISCAL IMPACT / COST: While the exact final cost is not yet known, the expected cost for the facility is expected to not exceed \$150,000

FISCAL IMPLICATIONS: The acceptance of this award will allow DPRCF to complete the design and construction of the outdoor classroom facility at Bellemeade Park.

BUDGET AMENDMENT NECESSARY: Yes, Amendment to the Special Fund Ordinance No. 2020-050

REVENUE TO CITY: \$150,000

DESIRED EFFECTIVE DATE: Upon Adoption

REQUESTED INTRODUCTION DATE: March 22, 2021

CITY COUNCIL PUBLIC HEARING DATE: April 12, 2021

REQUESTED AGENDA: Consent Agenda

RECOMMENDED COUNCIL COMMITTEE: Education and Humans Services Committee

CONSIDERATION BY OTHER GOVERNMENTAL AGENCIES: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: N/A

AFFECTED AGENCIES: Department of Parks, Recreation and Community Facilities, Finance, Budget and Strategic Planning.

RELATIONSHIP TO EXISTING ORD. OR RES: None

REQUIRED CHANGES TO WORK PROGRAM(S): N/A

ATTACHMENTS: Virginia Outdoors Foundation Award Letter

STAFF: Deborah Morton, Deputy Director – Parks, Recreation and Community Facilities



December 9, 2020

Mr. Michael Burton
City of Richmond Parks & Recreation
1209 Admiral Street
Richmond, VA 23220

RE: Confirmation of Award letter for the City of Richmond "Outdoor Classroom" project

Dear Mr. Burton:

Please accept this letter as confirmation that the Virginia Outdoors Foundation has awarded up to \$150,000 from the Open-Space Lands Preservation Trust Fund to establish an "outdoor classroom" to serve the City of Richmond's school district. This project originally involved a proposal for the City of Richmond to transfer 4.804 acres, more or less, to the Enrichmond Foundation, which would then place an easement on the property and use the proceeds of the grant to develop it as an outdoor classroom.

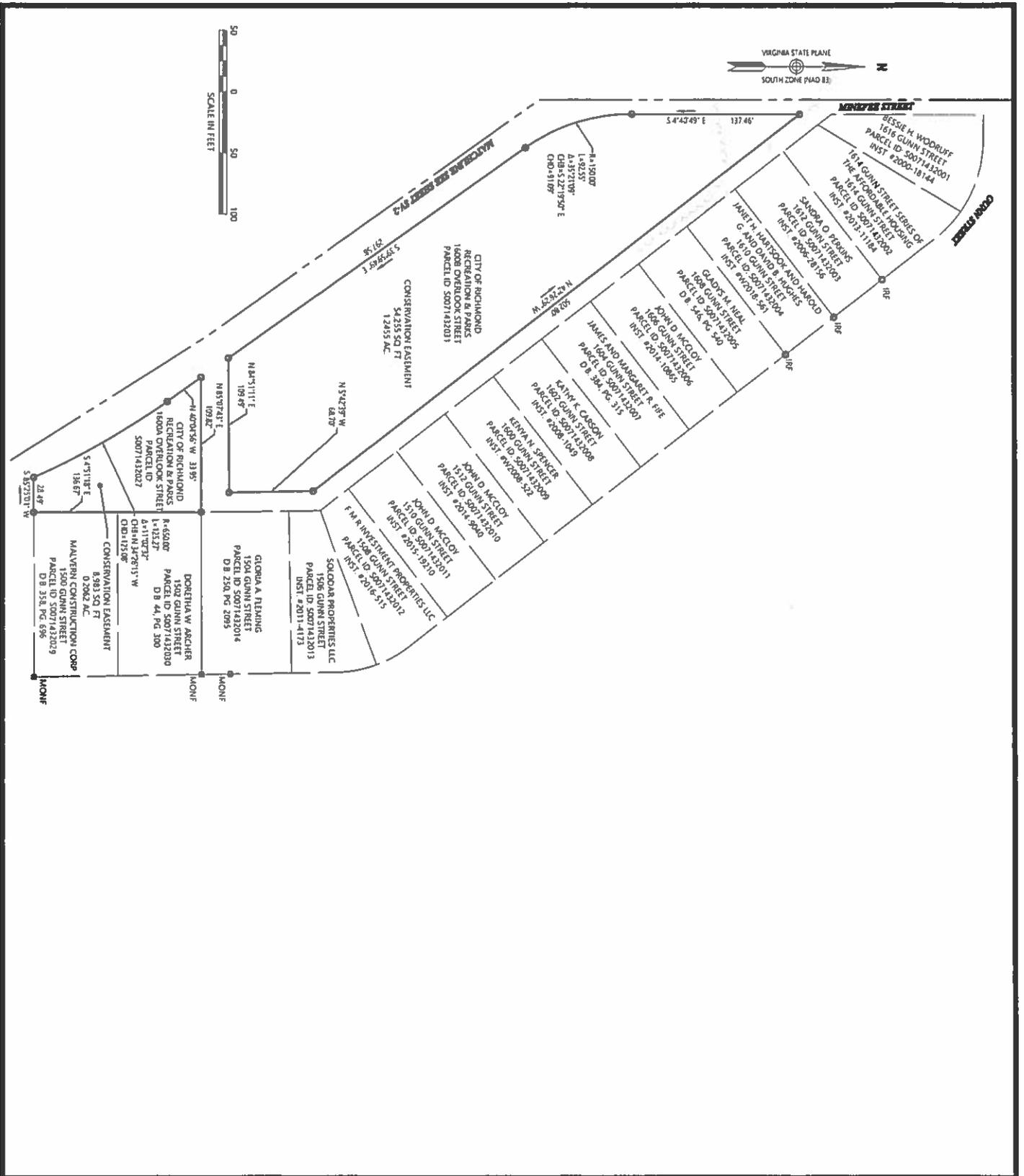
The \$150,000 award is available for the purchase of an easement on 4.804 acres and the related the acquisition costs up the amount of the grant. The grant funds will be paid out when an easement is recorded in favor of the Virginia Outdoors Foundation.

Should you have any questions, please don't hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Chisholm", written in a cursive style.

Anna G. Chisholm
Administrative Director



vhb.com

351 Midwest Circle
Suite 3
Williamsburg, VA 23185
757.220.0500



Bellemeade
Conservation Easement
for the
James River Park
Service

Richmond, Virginia

SV-3

3 3

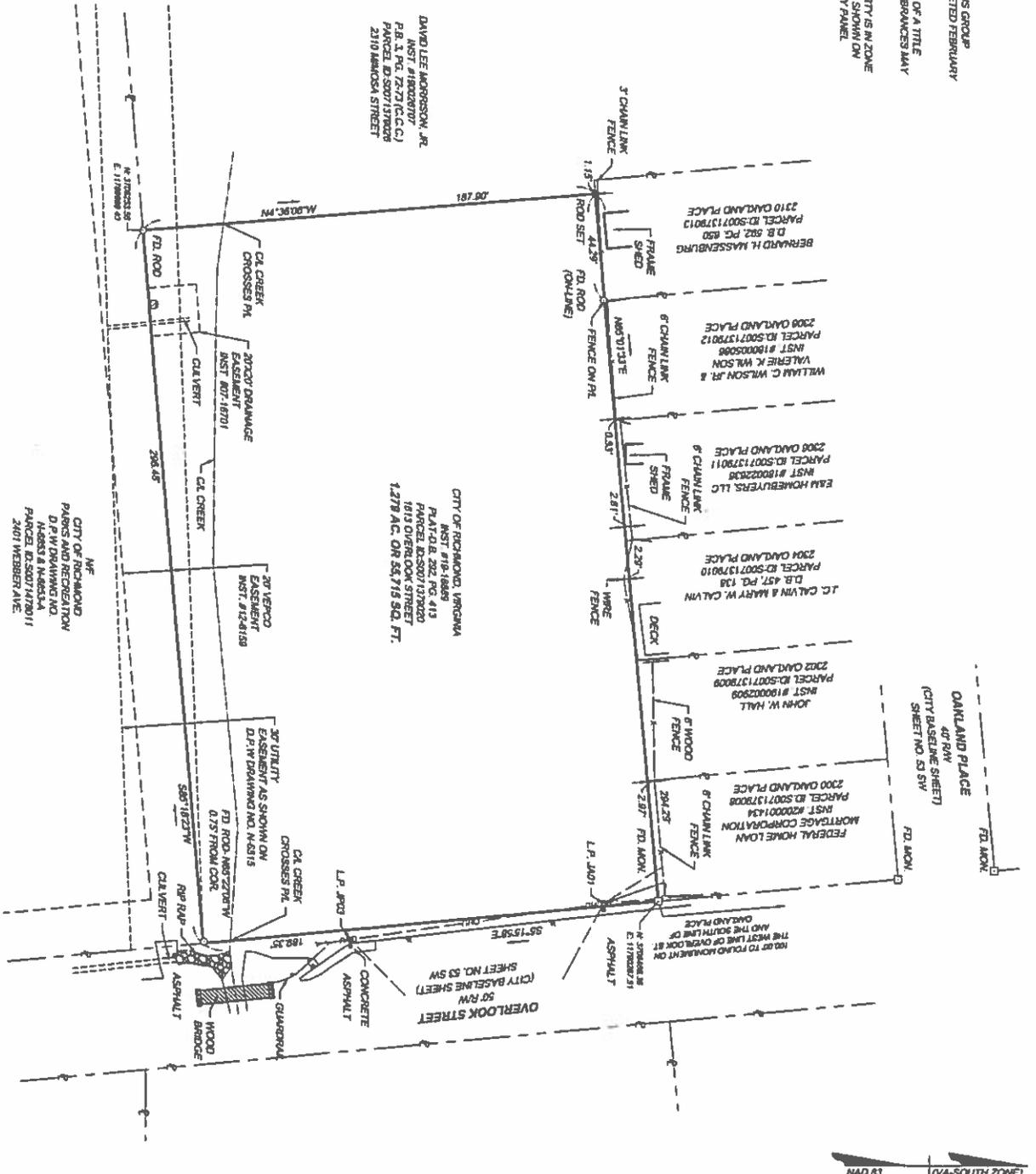
3055544

GENERAL NOTES:

A CURRENT SURVEY WAS PERFORMED BY TIMMONS GROUP FEBRUARY 12, AND 17, 2020. FIELDWORK COMPLETED FEBRUARY 17, 2020.
THIS PLAN WAS PREPARED WITHOUT THE BENEFIT OF A TITLE BINDER, THEREFORE ALL EASEMENTS AND ENCUMBRANCES MAY NOT BE SHOWN HEREON.
BASED ON READING DETERMINATION, THE PROPERTY IS IN ZONE F-2. THE LAND USE DESIGNATION IS AS SHOWN ON F-2.01 FLOOD RESISTANCE RATE MAP CONSULTANT PANEL #3101280077D, DATED APRIL 2, 2008.

LEGEND:

- FOUND MONUMENT/STONE
- FOUND ROD FOUND
- PROPERTY CORNER TO BE SET
- LIGHT POLE
- GUT WARE
- SANITARY SEWER M.H.
- CA-CENTRAL LINE
- CR-CENTRAL LINE



DAVID LEE MORRISON, JR.
INST #18020707
P.L. 1 PG. 75-72 (C.C.C.)
PARCEL ID: 5007137028
2110 NIMMOCA STREET

CITY OF RICHMOND, VIRGINIA
INST #18-1888
PLAT 02. 202 PG. 419
PARCEL ID: 5007107020
113 OVERTON STREET
1278 A.C. OR 56,715 SQ. FT.

CITY OF RICHMOND
PAVING AND RECREATION
D.P.W. DRAWING NO.
HARRIS & HARRIS
PARCEL ID: 5007108011
2801 WEBSTER AVE.



A BOUNDARY SURVEY
OF A PARCEL OF LAND
TOTALING 1.279 ACRES
LYING WEST OF OVERLOOK STREET
AND SOUTH OF OAKLAND PLACE

CITY OF RICHMOND, VA
DATE: FEB. 17, 2020
SHEET: OF 1
DRAWN BY: L. TURNER

SCALE: 1"=30'
1:8,640
CHECK BY: G. DELIANO

TIMMONS GROUP

THIS DRAWING PREPARED AT THE CORPORATE OFFICE
1881 Boulevard Highway, Suite 200 | Richmond, VA 23228
TEL: 804.288.6200 FAX: 804.540.1818 www.timmons.com

Site Development Residential Infrastructure Technology



STATUS OF PUBLIC RECORDS REPORT

Case No.:

The information contained in this report is issued to and for the benefit of Department of Parks and Recreation, City of Richmond, Virginia. We have searched and examined the land records and tax records which impart constructive notice, of the , for the period beginning April 09, 1956 and ending August 29, 2022 at 8:00 A.M. for the property described as:

SEE SCHEDULE C ATTACHED FOR DESCRIPTION

According to the Deed recorded in Official Records Volume 299, Page 290 and, title is vested in:

the City of Richmond, Virginia as to Tract I, Parcel A; and according to the Deed recorded in Deed Book 299, Page 288, title is vested in the City of Richmond, Virginia as to Tract I, Parcel B; and according to the Deed recorded in Deed Book 485, Page 297, title is vested in the City of Richmond, Virginia as to Tract I, Parcel C; and according to the Deed recorded in Deed Book 528, Page 41, title is vested in the City of Richmond, Virginia as to Tract I, Parcel D; and **as a result of the failure of Ordinances vacating streets to be found or record, title to Tract I, Parcel E can not affirmatively be determined to be vested in the City of Richmond, Virginia;** and according to the condemnation documents recorded in Deed Book 400, Page 475, title is vested in the City of Richmond, Virginia as to Tracts II, III and IV.

TAX ASSESSMENT:

2022 Tract I Tax Assessment Information 1600 Overlook Street, City of Richmond, Virginia - Land: \$500,000.00; Improvements: \$0.00; Total: \$500,000.00. Tax Map No./GPIN No.: S0071381011. Property is Tax Exempt.

2022 Tract II Tax Assessment Information: 1600 A Overlook Street, City of Richmond, Virginia - Land: \$2,000.00; Improvements: \$0.00; Total: \$2,000.00. Tax Map No./GPIN No.: S0071432022. Property is Tax Exempt.

2022 Tract III Tax Assessment Information: 1600 B Overlook Street, City of Richmond, Virginia - Land: \$30,000.00; Improvements: \$0.00; Total: \$30,000.00. Tax Map No./GPIN No.: S0071432031. Property is Tax Exempt.

2022 Tract IV Tax Assessment Information: 2101 Royal Avenue, City of Richmond, Virginia - Land: \$27,000.00; Improvements: \$0.00; Total: \$27,000.00. Tax Map No./GPIN No.: S0071432027. Property is Tax Exempt.

NOTE: TAX INFORMATION IS PROVIDED FOR INFORMATION PURPOSES ONLY. CONFIRM INFORMATION WITH LOCAL TAX AUTHORITY.

OPEN LIENS OF RECORD:

None

OTHER OBJECTIONS OF TITLE:



STATUS OF PUBLIC RECORDS REPORT

Case No.:

1. Rights or claims of parties in possession and easements or claims of easements not shown by the public records, boundary line disputes, overlaps, encroachments, deficiency in quantity of ground, and any matters not of record which would be disclosed by an accurate survey and inspection of the premises.
2. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law, and not shown by the public records.
3. Rights of tenants in possession under unrecorded leases.
4. No liability is assumed with respect to any matters of record, including but not limited to liens, deed(s) of trust or mortgages, taxes, easements, encumbrances, rights of way and other interests of title, prior to April 09, 1956
5. Lack of Ordinances evidencing the vacation of the unopened portion of Webber Avenue, a portion of Overlook Street and an adjacent thirty (30) foot road. (Affects 1600 Overlook Street)
6. Waterline easement granted to the City of Richmond, Virginia by instrument dated June 30, 1938, recorded in Deed [Book 245, Page 500](#) Book 245, Page 500, Chesterfield County. (Affects 1600 Overlook Street)
7. Thirty (30) foot underground utility easement as shown on DPW drawing N-15838 as acquired by Court Order recorded in Deed [Book 92-B, Page 449](#), City of Richmond, Division II. (Affects 1600 Overlook Street)
8. Easement granted to Virginia Electric and Power Company by instrument dated October 20, 1950, recorded in Deed [Book 159, Page 289](#), City of Richmond, Division II (Affects 1600 A and 1600 B Overlook Street)
9. Restrictions as contained in the agreement dated February 10, 1959, recorded in Deed [Book 146, Page 404](#), City of Richmond, Division II, as affected by the further restrictions recorded in Deed [Book 157, Page 128](#), City of Richmond, Division II. (Affects 1600 B Overlook Street)
10. Restrictive Covenants recorded in Deed [Book 226, Page 67](#). (Affects 2101 Royal Avenue)
11. Subdivision plat of Melrose recorded in Plat [Book 6, Page 128](#), City of Richmond, Division II, shows: a. twenty-five (25) foot building setback line along Royal Avenue; b. twenty (20) planting strip along Minefee Street; c. no ingress or egress to and from Minefee Street. (Affects 2101 Royal Avenue)
12. Subdivision plat of Southside Gardens recorded in Plat [Book 6, Page 42](#), City of Richmond, Division II, shows: a. thirty (30) foot building setback line from Minefee Street; b. sixteen (16) foot alley abuts the northeastern lot line. (Affects 1600 B Overlook Street)

This STATUS OF PUBLIC RECORDS REPORT is not to be construed as an opinion of title or as title insurance. This STATUS OF PUBLIC RECORDS REPORT contains no legal opinions of any kind, and makes no representation or opinion as to the insurability or marketability of title. An ALTA Title Insurance Policy may be obtained through Stewart Land Title Services, LLC upon request.



STATUS OF PUBLIC RECORDS REPORT

Case No.:

This STATUS OF PUBLIC RECORDS REPORT contains summary information on the condition of title to the subject property for an inferred period of not less than 40 years, unless otherwise stated herein. This information is derived from documents and instruments disclosed from the public records contained in the jurisdictions in which the subject property is located. No inspection of the premises has been made, and no research has been undertaken in any court other than the local Circuit Court in which matters of title are customarily and routinely recorded or docketed.

Stewart Land Title Services, LLC undertakes no responsibility to provide information not set forth in the public records of the jurisdiction where the property is located as of the effective date, and shall have no liability for the accuracy or completeness of information set forth in recorded documents or other public records.

This report does not include facts as might be disclosed by an accurate survey, or facts relating to any rights of parties in possession. Nor does this report include any information regarding building locations, encroachments, overlaps, overhangs, unrecorded easements, violated restrictive covenants or declarations, deficiency in quantity of ground, environmental matters, presence of hazardous waste, or any other matters which would be disclosed by a physical inspection of the property.

Tax payment and assessment information are furnished for information purposes only. No liability of any nature whatsoever is assumed for errors as to any tax figures supplied herein.

Stewart Land Title Services, LLC expressly disclaims any liability hereunder to anyone other than the recipient of this report, who is City of Richmond. By receipt of this report, the recipient of this report acknowledges and agrees that the report is prepared for the recipient's use and benefit only, and that this report may not be relied upon, delivered to, or utilized by any third party for any purpose whatsoever. Since an ALTA Title insurance policy may be obtained through Stewart Land Title Services, LLC, the maximum liability for negligence, errors, or omissions in or under this report and all continuations shall be limited for all purposes and in all cases to an amount not to exceed the actual fee(s) paid to Stewart Land Title Services, LLC for this report, or \$2000.00, whichever amount is greater. Payment for this report and/or reliance thereon for any purpose shall be binding upon and constitute and confirm the express and complete agreement of the parties to each and all of the terms set forth herein. Notwithstanding anything to the contrary herein, the liability under this STATUS OF PUBLIC RECORDS REPORT shall terminate six months from the effective date and any continuations thereof.

Stewart Land Title Services, LLC

By:

A handwritten signature in black ink that reads "Mary Ann Bryant".

Mary Ann Bryant



STATUS OF PUBLIC RECORDS REPORT

Case No.:

SCHEDULE C PROPERTY DESCRIPTION

Tract I 1600 Overlook Street S007-1381/011:

Parcel A:

ALL that certain parcel of land located in the City of Richmond, Virginia, designated as Parcel No. 1 on DPW Drawing No. [N-15838](#) on file with the Department of Public Works in the City Hall of Richmond, Virginia.

BEING the same real estate conveyed to the City of Richmond, Virginia by deed from Charles Franklin Shepperson and Hazel G. Shepperson, his wife, dated September 24, 1964, recorded October 5, 1964 in the Clerk's Office, Circuit Court, City of Richmond, Division II, Virginia in Deed [Book 299, Page 290](#).

Parcel B:

ALL that certain parcel of land located in the City of Richmond, Virginia, designated as Parcel No. 2 on DPW Drawing No. [N-15838](#) on file with the Department of Public Works in the City Hall of Richmond, Virginia.

BEING the same real estate conveyed to the City of Richmond, Virginia by deed from Bruce Builders and Developers, Incorporated, a Virginia corporation, dated September 25, 1964, recorded October 5, 1964 in the Clerk's Office, Circuit Court, City of Richmond, Virginia in Deed [Book 299, Page 288](#) parcel C:

ALL that certain parcel of land located in the City of Richmond, Virginia, designated as Parcel No. 2 on DPW Drawing No. [N-19617-A](#) on file with the Department of Public Works in the City Hall of Richmond, Virginia.

BEING the same real estate conveyed to the City of Richmond, Virginia by deed from L.L. Lauterbach and Nora G. Lauterbach, his wife, dated April 29, 1976, recorded May 14, 1976 in the Clerk's Office, Circuit Court, City of Richmond Virginia in Deed [Book 485, Page 297](#).

Parcel D:

ALL that certain parcel of land located in the City of Richmond, Virginia, designated as Parcel No. 1 on DPW Drawing No. [N-19617](#) on file with the Department of Public Works in the City Hall of Richmond, Virginia.

BEING the same real estate conveyed to City of Richmond, Virginia by deed from A. M. Melius and Edna E. Melius, his wife, dated January 4, 1978, recorded July 18, 1978 in the Clerk's Office, Circuit Court, City of Richmond, Virginia in Deed [Book 528, Page 41](#).

Parcel E:

Those pieces or parcels of land consisting of an unopened portion of Webber Avenue, a portion of Overlook Street and a thirty (30) foot road adjacent to Overlook Street, as shown on DPW Drawing Nos.



STATUS OF PUBLIC RECORDS REPORT

Case No.:

M-19782 and M-20496, without reference to specific Ordinances vacating same.

Tract II 1600 A Overlook Street S007-1432/022:

ALL that certain parcel of land located in the City of Richmond, Virginia, designated as Parcel No. 10 on DPW Drawing No. O-15813-A referenced in and recorded with condemnation documents recorded in the Clerk's Office, Circuit Court, City of Richmond, Virginia in Deed Book 400, Page 475.

BEING a portion of the same real estate acquired by the City of Richmond, Virginia by condemnation as evidenced by condemnation documents recorded in the Clerk's Office, Circuit Court, City of Richmond, Virginia in Deed Book 400, Page 475.

Tract III 1600 B Overlook Street S007-1432/031:

ALL that certain parcel of land located in the City of Richmond, Virginia, designated as Parcel No. 11 on DPW Drawing No. O-15813-A referenced in and recorded with condemnation documents recorded in the Clerk's Office, Circuit Court, City of Richmond, Virginia in Deed Book 400, Page 475.

BEING a portion of the same real estate acquired by the City of Richmond, Virginia by condemnation as evidenced by condemnation documents recorded in the Clerk's Office, Circuit Court, City of Richmond, Virginia in Deed Book 400, Page 475.

Tract IV 2101 Royal Avenue S007-1432/027:

ALL that certain parcel of land located in the City of Richmond, Virginia, designated as Parcel No. 13 on DPW Drawing No. O-15813-A referenced in and recorded with condemnation documents recorded in the Clerk's Office, Circuit Court, City of Richmond, Virginia in Deed Book 400, Page 475.

BEING a portion of the same real estate acquired by the City of Richmond, Virginia by condemnation as evidenced by condemnation documents recorded in the Clerk's Office, Circuit Court, City of Richmond, Virginia in Deed Book 400, Page 475.

This Document Prepared By:
Richmond Office of the City Attorney
900 East Broad Street, Room 400
Richmond, Virginia 23219
1800 Krouse Street
TaxMap/GPIN# S0071381020
THE EXISTENCE OF TITLE INSURANCE IS UNKNOWN TO THE PREPARER

19-18890

SPECIAL COMMISSIONER'S DEED

THIS SPECIAL COMMISSIONER'S DEED, made this 13th day of September, 2019, by and between William R. Clark, owner of record, (the "Grantor"), and Gregory A. Lukanuski, Special Commissioner (the "Grantor"), and City of Richmond, Virginia (the "Grantee"); herein for recordation purposes.

RECITAL:

This conveyance is exempt from grantor's recordation taxes pursuant to § 58.1-802(A) of the Code of Virginia (1950), as amended.

WITNESSETH:

Whereas on September 13, 2019 the Circuit Court of the City of Richmond entered an Order of Confirmation in the case *City of Richmond v. William R. Clark, et al.*, Case No. CL12-5220, to Gregory A. Lukanuski, appointed Special Commissioner, on behalf of all parties to this suit and others bound thereby, to prepare, execute and deliver a deed conveying the real property described herein to the City of Richmond, Virginia the Grantee.

NOW, THEREFORE, in consideration of the premises and of the sum of \$1,924.60, cash in hand paid by the Grantee to the Special Commissioner, and other such good and valuable consideration, the receipt of which is hereby acknowledged, and in accordance with the terms of the Court's order, The Grantors hereby grant and convey with Special Warranty of Title unto the Grantee the real property situated in the City of Richmond, Virginia described in Schedule "A" attached hereto and made a part hereof.

This conveyance is made subject to easements, conditions, agreements and restrictions of record to the extent that they may lawfully apply.

This conveyance, executed pursuant to Section 58.1-3965 et seq. of the Code of Virginia, is made on behalf of all parties to this suit, and others bound thereby.

WITNESS the following signature and seal:


Special Commissioner

COMMONWEALTH OF VIRGINIA
CITY OF RICHMOND, to-wit:

I, the undersigned, a Notary Public hereby certify that Gregory A. Lukanuski, Special Commissioner, having been duly sworn before me this 13th day of September, 2019 states that he is counsel of record for the City of Richmond, Virginia, in the above cause; that he has the foregoing Certificate; and that the contents thereof are true and correct based upon his knowledge, information and belief.

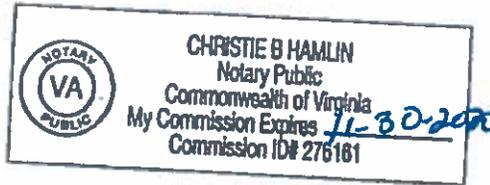


Notary Public 276161

My Commission expires: November 30, 2020

Grantee's Address:

City of Richmond, Virginia
900 East Broad Street
Richmond, Virginia 23219



"SCHEDULE A"

ALL that certain lot, piece or parcel of land, with the improvement thereon and the appurtenances thereto belonging, lying and being in the City of Richmond, Virginia, commonly known as 1800 Krouse Street, Richmond, Virginia, all as shown on a plat of survey by Leland F. DySard, CLS, dated October 13, 1988, such plat being attached to the deed recorded in Deed Book 182 at page 1906, reference to which is hereby made for a more particular description of the property.

BEING the same property conveyed to William R. Clark, by deed from Raymond R. Broache and Elsie M. Broache, husband and wife, dated October 17, 1988 and recorded October 21, 1988, in the Clerk's Office, Circuit Court, City of Richmond, Virginia in Deed Book 182, page 1903.

1800 Krouse Street
Tax Map No. S0071381020

INSTRUMENT # 19-18890
RECORDED IN THE CLERK'S OFFICE OF
CITY OF RICHMOND ON
SEP 13 2019 AT 1:05
EDWARD F. JEWETT, CLERK
BY: Androg Skit DEPUTY CLERK

PG0211 SEP 13 2019

This Document Prepared By:
Richmond Office of the City Attorney
900 East Broad Street, Room 400
Richmond, Virginia 23219
1613 Overlook Street
TaxMap/GPIN# S0071379020

19- 18889

THE EXISTENCE OF TITLE INSURANCE IS UNKNOWN TO THE PREPARER

SPECIAL COMMISSIONER'S DEED

THIS SPECIAL COMMISSIONER'S DEED, made this 13th day of September, 2019, by and between Oliver C. Lawrence, owner of record, (the "Grantor"), and Gregory A. Lukanuski, Special Commissioner (the "Grantor"), and City of Richmond, Virginia (the "Grantee"); herein for recordation purposes.

RECITAL:

This conveyance is exempt from grantor's recordation taxes pursuant to § 58.1-802(A) of the Code of Virginia (1950), as amended.

WITNESSETH:

Whereas on September 13, 2019 the Circuit Court of the City of Richmond entered an Order of Confirmation in the case *City of Richmond v. Oliver C. Lawrence, et al.*, Case No. CL13-2908, to Gregory A. Lukanuski, appointed Special Commissioner, on behalf of all parties to this suit and others bound thereby, to prepare, execute and deliver a deed conveying the real property described herein to the City of Richmond, Virginia the Grantee.

NOW, THEREFORE, in consideration of the premises and of the sum of \$2,016.81, cash in hand paid by the Grantee to the Special Commissioner, and other such good and valuable consideration, the receipt of which is hereby acknowledged, and in accordance with the terms of the Court's order, The Grantors hereby grant and convey with Special Warranty of Title unto the Grantee the real property situated in the City of Richmond, Virginia described in Schedule "A" attached hereto and made a part hereof.

This conveyance is made subject to easements, conditions, agreements and restrictions of record to the extent that they may lawfully apply.

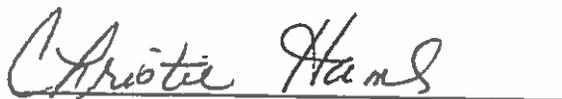
This conveyance, executed pursuant to Section 58.1-3965 et seq. of the Code of Virginia, is made on behalf of all parties to this suit, and others bound thereby.

WITNESS the following signature and seal:


Special Commissioner

COMMONWEALTH OF VIRGINIA
CITY OF RICHMOND, to-wit:

I, the undersigned, a Notary Public hereby certify that Gregory A. Lukanuski, Special Commissioner, having been duly sworn before me this 13th day of September, 2019 states that he is counsel of record for the City of Richmond, Virginia, in the above cause; that he has the foregoing Certificate; and that the contents thereof are true and correct based upon his knowledge, information and belief.

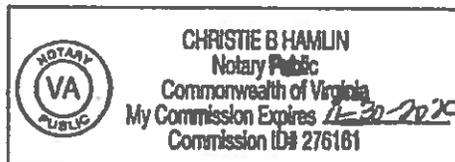


Notary Public 276161

My Commission expires: November 30, 2020

Grantee's Address:

City of Richmond, Virginia
900 East Broad Street
Richmond, Virginia 23219



"SCHEDULE A"

ALL that certain lot or parcel of land with the improvements thereon and appurtenances thereto belonging, lying and being in the City of Richmond, Virginia, containing 1.277 acres as shown on plat of survey entitled "Survey & Map of 1.277 acres of land on Overlook Street in Richmond, Virginia", prepared by Robert K. Thomas and Associates, dated September 4, 1991, and recorded with a certain deed from A. N. Melius to H & P Properties, dated January 20, 1992, in Deed Book 292, at page 410 of the Clerk's Office of the Circuit Court of the City of Richmond, Virginia, and to which plat reference is hereby made for a more particular description of said real estate.

BEING the same real estate conveyed to Oliver C. Lawrence, a married man by Deed from First Federal Savings Bank of Virginia dated May 5, 2003, recorded May 16, 2003, in the Clerk's Office, Circuit Court, City of Richmond, Virginia, at Instrument Number 03-017701.

1613 Overlook Street
TaxMap/GPIN# S0071379020

INSTRUMENT # 19-18889
RECORDED IN THE CLERK'S OFFICE OF
CITY OF RICHMOND ON
SEP 13 2014 AT 1:05
EDWARD F. JEWETT, CLERK
BY: ASW DEPUTY CLERK