

AN ORDINANCE No. 85-257-239

**ADOPTED OCT 14 1985**

To authorize the acquisition in the manner prescribed by Section 18.03 of the Charter of the City of Richmond of certain temporary construction easements in the land and permanent easements in the land necessary for the construction, reconstruction, maintenance, operation and repair of sanitary sewer lines in the land located in the area of Hastings Drive (east of Hastings Drive, north of Hobby Hill Road) - Hastings Drive Sanitary Sewer Project.

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Patron - City Manager

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Approved as to form and legality  
by City Attorney

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1. WHEREAS, by Ordinance No. 85-113-96, adopted April 29,
2. 1985, the Council declared that a public necessity existed
3. for the construction, reconstruction, maintenance, operation
4. and repair of sanitary sewer lines in the area of Hastings
5. Drive (east of Hastings Drive, north of Hobby Hill Road) -
6. Hastings Drive Sanitary Sewer Project, and authorized the
7. acquisition of the necessary temporary construction ease-
8. ments and permanent easements in the land for the purpose
9. by gift, purchase, condemnation or otherwise, but provided
10. that no concluded action shall be taken toward the
11. acquisition of the easements in the land by purchase until
12. the price at which they can be acquired shall have been
13. reported to and the purchase of the said easements in

1. the land at such price has been authorized by the Council;  
2. nor shall the property be acquired by condemnation  
3. proceedings unless so authorized by the Council and the  
4. condemnation award therefor has been approved by the  
5. Council; and

6. WHEREAS, it has been reported to the Council that a  
7. bona fide effort has been made to agree with owners of some  
8. of the parcels of land to be subject to the easements (per-  
9. manent easements and also temporary construction easements)  
10. on the terms of settlement, but the City has been unable to  
11. agree with such owners on such terms of settlement; NOW,  
12. THEREFORE,  
13. THE CITY OF RICHMOND HEREBY ORDAINS:

14. § 1. That the City Attorney is hereby authorized to  
15. acquire the easements (temporary construction and permanent)  
16. in the land, said easements being generally east of Hastings  
17. Drive and north of Hobby Hill Road, the temporary construc-  
18. tion easements being shown hatched on Department of Public  
19. Works Drawing No. 0-20978, which said plan is on file in the  
20. office of the Director of Public Works, and the permanent  
21. easements in the land being shown shaded on said drawing, a  
22. copy of which is attached to the draft of this ordinance, in  
23. the manner prescribed by Section 18.03 of the Charter of the  
24. City of Richmond, for the construction, reconstruction,

1. maintenance, operation and repair of sanitary sewer lines  
2. in the area of Hastings Drive, north of Hobby Hill Road.

3. § 2. That the Director of General Services is hereby  
4. authorized to act for and on behalf of the City of Richmond  
5. in agreeing or disagreeing with the owners of the property  
6. upon the compensation to be paid therefor.

7. § 3. That in order to provide funds for the acquisition  
8. of the property the sum of \$1,850 for temporary construction  
9. and permanent easements, together with such additional funds  
10. as may be necessary to defray the costs thereof, is hereby  
11. authorized to be expended by the Director of Finance from  
12. the funds appropriated for the acquisition of real estate.

13. § 4. That the names and address of the present owners  
14. of Parcel 2, wherein temporary easements are located,  
15. together with the estimated compensation thereof, and  
16. description of the temporary easements are as follows:

17. Drawing No. 0-20978

18. Parcel		Just
19. <u>No.</u>	<u>Owners</u>	<u>Compensation</u>
20. 2	21. Harry K. Herr and 22. Judith J. Herr 23. 3600 Hastings Drive 24. Richmond, VA 23223	\$ 50.00

25. The property to be taken is more particularly  
26. described as follows:

1. BEGINNING at a point near the common  
 2. property corner of Parcels 2, 3, and 9;  
 3. said point being the intersection of the  
 4. existing eight foot easement lines along  
 5. the western and southern property lines  
 6. of Parcel 2; thence N 47° 51' 30" W  
 7. (plat) along the existing 8-foot  
 8. easement line as it runs eight feet east  
 9. of and parallel to the western property  
 10. line of said Parcel 2, 186 feet, more or  
 11. less, to a point on the northern  
 12. property line of said Parcel 2; thence N  
 13. 76° 21' 53" E (plat) along the said  
 14. northern proeprty line 18 feet, more or  
 15. less, to a point; thence S 47° 51' 30" E  
 16. (plat) along a line 23 feet east of and  
 17. parallel to the western property line of  
 18. said Parcel 2, 182 feet, more or less,  
 19. to a point on the 8-foot easement line  
 20. as it runs 8 feet north of and parallel  
 21. to the southern proeprty line of said  
 22. Parcel 2; thence S 66° 10' 00" W (plat)  
 23. along the aforementioned 8-foot easement  
 24. line 16 feet, more or less, to the point  
 25. of BEGINNING, all as shown "hatched" on  
 26. D.P.W. Drawing No. 0-20978, containing  
 27. 2760 square feet, more or less, to be  
 28. used as a temporary construction  
 29. easement.

30. § 5. That the names and addresses of the present  
 31. owners of Parcel 4, wherein easements (temporary and  
 32. permanent) are located, together with the estimated  
 33. compensation thereof, and description of the permanent  
 34. easements and identification of temporary construction  
 35. easements are as follows:

36. Parcel 37. <u>No.</u>	<u>Owners</u>	<u>Just Compensation</u>
38. 4	39. Edward M. Bridgforth, Jr. 40. and Louise P. Bridgforth 41. 3520 Hastings Drive Richmond, VA 23223	\$ 200.00

1. The property to be taken is more clearly described

2. as follows:

3. BEGINNING at a point on the common  
4. division line of Parcels 4 and 5, N 67°  
5. 39' 00" E (plat) a distance of 26.09  
6. feet, more or less, from the common  
7. corners of Parcels 4, 5 and 9; thence S  
8. 67° 39' 00" W (plat) a distance of 18  
9. feet, more or less, to a point being on  
10. the eastern line of an existing 16-foot  
11. alley easement; thence along said  
12. eastern line of existing 16-foot alley  
13. easement N 23° 50' 00" W (plat) a  
14. distance of 110 feet, more or less, to a  
15. point; thence N 23° 35' 10" W a distance  
16. of 22 feet, more or less, to a point  
17. being on the common division line of  
18. Parcels 3 and 4; thence along said  
19. common division line N 66° 10' 00" E  
20. (plat) a distance of 16 feet, more or  
21. less, to a point; thence S 23° 35' 10" E  
22. a distance of 98 feet, more or less, to  
23. a point; thence S 59° 00' 10" E a  
24. distance of 43 feet, more or less, to  
25. the point of BEGINNING, all as shown  
26. "shaded" on D.P.W. Drawing No. 0-20978,  
27. containing 1,304 square feet, more or  
28. less, to be used as a permanent sewer  
29. easement, together with a 10-foot  
30. temporary construction easement running  
31. 10 feet east of and parallel to the  
32. above-described permanent easement, as  
33. shown "hatched" on D.P.W. Drawing No.  
34. 0-20978 and containing 1,468 square  
35. feet, more or less.

36. § 6. That the names and address of the present owners  
37. of Parcels 5 and 6, wherein easements (temporary and  
38. permanent) are located, together with the estimated  
39. compensation thereof, and description of the permanent  
40. easements and identification of the temporary construction  
41. easements are as follows:

1.	Parcel		Just
2.	<u>No.</u>	<u>Owners</u>	<u>Compensation</u>
3.	5 and 6	Willard P. Milby, Jr.	\$ 350.00
4.		and Jean B. Milby	
5.		3510 Hastings Drive	
6.		Richmond, VA 23223	

7.           The property to be taken is more clearly described  
8. as follows:

9.           BEGINNING at a point 26.09 feet, more  
10. or less, northeast of the common  
11. division lines of lots 4, 5, and 9;  
12. thence S 59° 00' 10" E, 29 feet, more or  
13. less, to a point; thence S 4° 06' 25" E,  
14. 164 feet, more or less, to a point on  
15. the north line of the existing 16-foot  
16. drainage easement and 8 feet north of  
17. the division line between lots 6 and 7;  
18. thence N 76° 24' 40" W (field), 18 feet,  
19. more or less, along the north line of  
20. the existing 16-foot drainage easement  
21. to a point; thence N 4° 06' 25" W, 151  
22. feet, more or less, to a point; thence N  
23. 59° 00' 10" W, 27 feet, more or less, to  
24. a point on the common division line  
25. between lots 4 and 5; thence N 56° 22'  
26. 20" E (field), 18 feet, more or less,  
27. along the common division line between  
28. lots 4 and 5 to the point of BEGINNING,  
29. containing 2,968 square feet, more or  
30. less, and being the permanent sewer  
31. easement as shown "shaded" on a plan  
32. prepared by the Department of Public  
33. Works, designated: "D.P.W. Drawing No.  
34. 0-20978", together with a temporary  
35. construction easement 10 feet in width,  
36. east of and parallel to the east line of  
37. the permanent sewer easement and a  
38. variable width temporary construction  
39. easement west of the 16-foot permanent  
40. sewer easement and east of the existing  
41. 16-foot alley easement, containing 5,053  
42. square feet, more or less, as shown  
43. "hatched" on the above-mentioned plan.

1. § 7. That the names and address of the present owners  
 2. of Parcel 7, wherein easements (temporary and permanent) are  
 3. located, together with the estimated compensation thereof,  
 4. and description of the permanent easements and identifica-  
 5. tion of the temporary construction easements are as follows:

6. Parcel		Just
7. <u>No.</u>	<u>Owners</u>	<u>Compensation</u>
8. 7	William K. Smith, Jr. and Nancy C. Smith 3420 Hastings Drive Richmond, VA 23223	\$1,000.00

12. The property to be taken is more clearly described  
 13. as follows:

14. BEGINNING at a point 7.65 feet, more  
 15. or less, southeast of the intersection  
 16. of the property lines of lots 7 and 8  
 17. and the centerline of an existing  
 18. 16-foot alley easement; thence N 5° 48'  
 19. 50" W (field), 23 feet, more or less,  
 20. along the east line of existing 16-foot  
 21. alley easement to a point; thence N 0°  
 22. 19' 20" E, 146 feet, more or less, to a  
 23. point; thence N 4° 06' 25" W, 32 feet,  
 24. more or less, to a point on the south  
 25. line of an existing 16-foot drainage  
 26. easement; thence S 76° 24' 40" E  
 27. (field), 18 feet, more or less, along  
 28. the south line of the existing 16-foot  
 29. drainage easement and 8 feet south of  
 30. and parallel to the common property line  
 31. of lots 6 and 7 to a point; thence S 4°  
 32. 06' 25" E, 32 feet, more or less, to a  
 33. point; thence S 0° 19' 20" W, 164 feet,  
 34. more or less, to a point on the common  
 35. property line of lots 7 and 8; thence N  
 36. 86° 06' 40" W (field), 14 feet, more or  
 37. less, along the common property line of  
 38. lots 7 and 8 to the point of BEGINNING,  
 39. containing 3,135 square feet, more or  
 40. less, and being the permanent sewer  
 41. easement as shown "shaded" on a plan

1. prepared by the Department of Public  
2. Works, designated "D.P.W. Drawing No.  
3. 0-20978", together with a temporary  
4. construction easement 10 feet in width  
5. east of and parallel to the east line of  
6. the permanent sewer easement and a  
7. variable width temporary construction  
8. easement west of the 16-foot permanent  
9. sewer easement and east of the existing  
10. 16-foot alley easement, containing 3,723  
11. square feet, more or less as shown  
12. "hatched" on the above-mentioned plan.

13. § 8. That the names and address of the present owners  
14. of Parcel 8, wherein easements (temporary and permanent) are  
15. located, together with the estimated compensation thereof,  
16. and description of the permanent easements and identifi-  
17. cation of the temporary construction easements are as  
18. follows:

19. Parcel		Just
20. <u>No.</u>	<u>Owners</u>	<u>Compensation</u>
21. 8	Anderson J. Walters 22. and Peggy S. Walters 23. 3410 Hastings Drive 24. Richmond, VA 23223 25.	\$ 150.00

26. The property to be taken is more clearly described  
27. as follows:

28. BEGINNING at a point on the common  
29. division line between Parcels 7 and 8,  
30. said point being 21.65 feet, more or  
31. less, from the northwest corner of  
32. Parcel 8; thence along a line having a  
33. bearing of S 0° 19' 20" W, a distance of  
34. 53 feet, more or less, to a point;  
35. thence along a line 12 feet north of and  
36. parallel to the western property line of

1. said Parcel 8, S 6° 00' 45" E a distance  
 2. of 97 feet, more or less, to a point on  
 3. the common dividing line between parcel  
 4. 8 and Parcel 11; thence along the said  
 5. common dividing line between Parcels 8  
 6. and 11, N 88° 06' 40" W 8 feet, more or  
 7. less, to a point on the eastern line of  
 8. an 8-foot existing permanent easement;  
 9. thence N 6° 00' 45" W along the existing  
 10. 8-foot permanent easement line, which  
 11. line runs 8 feet east of and parallel to  
 12. the western property line of Parcel 8, a  
 13. distance of 151 feet, more or less, to a  
 14. point on the common dividing line of  
 15. Parcels 7 and 8; thence along the common  
 16. dividing line of Parcels 7 and 8, S 88°  
 17. 06' 40" E a distance of 14 feet, more or  
 18. less to the point of BEGINNING, all as  
 19. shown "shaded" on D.P.W. Drawing No.  
 20. 0-20978 and containing 1,370 square  
 21. feet, more or less, together with a  
 22. 10-foot temporary construction easement  
 23. running 10 feet east of and parallel  
 24. with the above-described permanent ease-  
 25. ment, as shown "hatched" on D.P. W.  
 26. Drawing No. 0-20978 and containing 1500  
 27. square feet, more or less.

28. § 9. That the names and address of the present owners  
 29. of Parcel 11, wherein easements (temporary and permanent)  
 30. are located, together with the estimated compensation  
 31. thereof, and description of the permanent easements and  
 32. identification of the temporary construction easements are  
 33. as follows:

34. Parcel 35. <u>No.</u>	<u>Owners</u>	<u>Just Compensation</u>
36. 11	37. Charles Burrell 38. and Virginia Burrell 39. 3400 Hastings Drive Richmond, VA 23223	\$ 100.00

1. The property to be taken is more clearly described
2. as follows:
3. BEGINNING at a point a distance of 8.02 feet, more
4. or less, from the most southern common corner of
5. Parcels 11 and 9 and being on the north line of
6. Hobby Hill Road and on the eastern line of an
7. existing 16-foot alley easement; thence along said
8. eastern line of an existing 16-foot alley easement N
9. 6° 00' 45" W a distance of 174 feet, more or less,
10. to a point, being on the common division line of
11. Parcels 8 and 11; thence along said common division
12. line S 76° 50' 00" E (plat) a distance of 8 feet,
13. more or less, to a point; thence S 6° 00' 45" E a
14. distance of 174 feet, more or less, to a point being
15. on the north line of Hobby Hill Road; thence N 74°
16. 33' 40" W 8 feet, more or less, along said north
17. line of Hobby Hill Road to the point of BEGINNING,
18. all as shown "shaded" on D.P.W. Drawing No. 0-20978,
19. containing 1,392 square feet, more or less, to be
20. used as a permanent sewer easement, together with a
21. 10-foot temporary construction easement running 10
22. feet east of and parallel to the above-described
23. permanent easement, as shown "hatched" on D.P.W.
24. Drawing No. 0-20978 and containing 1,740 square
25. feet, more or less.
  
26. § 8. This ordinance shall be in force and effect
27. upon adoption.