

AN ORDINANCE No. 87-188-177

ADOPTED SEP 14 1987

To authorize the acquisition in the manner prescribed by Section 18.03 of the Charter of the City of Richmond of a permanent easement and a temporary construction easement in a parcel of land lying on the west right of way line of Covington Road south of Media Road; the permanent easement in the land being shown shaded and the temporary construction easement in the land being shown hatched on Department of Public Works Drawing No. M-21587, for the purpose of drainage improvements in the Reedy Creek area (Reedy Creek Improvements, Phase VIII).

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Patron - City Manager

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Approved as to form and legality  
by City Attorney

WHEREAS, by Ordinance No. 87-172- , adopted July 27, 1987, the Council declared that a public necessity existed for the construction, operation and maintenance of permanent drainage improvements and for the acquisition of a permanent easement and a temporary construction easement in a parcel of land, the permanent easement in the land being shown shaded and the temporary construction easement in the land being shown hatched on Department of Public Works Drawing No. M-21587, for the purpose of drainage improvements in the Reedy Creek area (Reedy Creek Improvements, Phase VIII), and authorized negotiations for the acquisition of the necessary easements in land for the purpose by gift,

purchase, condemnation or otherwise, but provided that no concluded action should be taken toward the acquisition of the property by purchase of said easements until the price at which said easements can be acquired shall have been reported to and the purchase authorized by the Council; nor shall the property be acquired by condemnation proceedings unless so authorized by Council and the condemnation award therefor has been approved by Council; and

WHEREAS, it has been reported to Council that a bona fide effort has been made to agree with the owners of the property in which the drainage easement is needed and the improvements to be constructed on the terms of purchase, but the City has been unable to agree with said owners on such terms; NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That the City Attorney is hereby authorized to acquire a permanent easement and a temporary construction easement in a parcel of land lying on the west right of way line of Covington Road south of Media Road, the permanent easement in said parcel of land being shown shaded and the temporary construction easement in land being shown hatched on Department of Public Works Drawing No. M-21587, entitled: "Proposed Permanent Drainage Easement on the W/L of Covington Road South of Media Road. (Reedy Crk. Impr. Phase VIII)", dated September 8, 1986, said drawing being

on file in the office of the Director of Public Works and a copy of said drawing being attached to the draft of this ordinance, by condemnation proceedings in the manner prescribed by Section 18.03 of the Charter of the City of Richmond for the purpose of constructing drainage improvements in the Reedy Creek area.

§ 2. That the Director of General Services is hereby authorized to act for and on behalf of the City of Richmond in agreeing or disagreeing with the owner of the property in which said drainage control easement is to be located upon the compensation to be paid therefor.

§ 3. That in order to provide funds for the acquisition of the property the sum of \$200.00 together with such additional funds as may be necessary to defray the costs thereof, is hereby authorized to be expended by the Director of Finance from the funds appropriated for the acquisition of real estate and easements necessary for the project.

§ 4. That the names and address of the present owners of the property (Lot 33, Section D, Forest View Heights) shown shaded and designated parcel 1 on DPW Drawing No. M-21587, together with the estimated compensation thereof, and identification of same are as follows:

<u>Parcel No.</u>	<u>Owners</u>	<u>Just Compensation</u>
1	D. B. Soulios and Anna Soulios 4600 Park Avenue Richmond, VA 23226	\$200.00

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

ALL of that certain permanent easement, approximately triangular in shape, having an 8 foot base and sides 78 feet, more or less, in length, containing 432 square feet, more or less, extending generally from north to south abutting the west right of way line of Covington Road, and shown shaded on DPW Drawing No. M-21587, together with a temporary construction easement ten feet in width containing 787 square feet, more or less, adjacent to and lying west of the permanent easement, and shown hatched on said drawing.

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