

AN ORDINANCE **No. 87-173-165****ADOPTED JUL 27 1987**

To authorize the acquisition in the manner prescribed by Section 18.03 of the Charter of the City of Richmond of permanent easements and temporary construction easements in two parcels of land (parcels 13 and 14 lying on the south right of way line of Walmsley Boulevard east of Woodmere Drive), permanent easements in land being shown shaded and temporary construction easements in land being shown hatched on Department of Public Works Drawing No. O-21641 (sheet 2 of 2 sheets), for the purpose of drainage improvements in the Falling Creek Watershed.

Patron - City Manager

Approved as to form and legality
by City Attorney

WHEREAS, by Ordinance No. 87-104-73, adopted April 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 permanent easements and temporary construction easements in sixteen parcels of land, permanent easements in land being shown shaded and temporary construction easements in land being shown hatched on Department of Public Works Drawing No. O-21641 (2 sheets), for the purpose of drainage improvements in the Falling Creek Watershed, 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 owners of the property in which the drainage easement is to be constructed on the terms of purchase, but the City has been unable to agree with two owners on such terms; NOW, THEREFORE, THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That the City Attorney is hereby authorized to acquire permanent easements and temporary construction easements in two parcels of land, parcels 13 and 14 lying on the south right of way line of Walmsley Boulevard east of Woodmere Drive, permanent easements in said parcels of land being shown shaded and temporary construction easements in land being shown hatched on Department of Public Works Drawing No. O-21641 (sheet 2 of 2 sheets), entitled: "Acquisition of Permanent Drainage Easements and Temporary Construction Easements along Branch West of Branchwood Dr., South of Walmsley Blvd. (Falling Creek Watershed)", dated

March 20, 1987, said drawing being on file in the office of the Director of Public Works and a copy of sheet 2 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 Goodes Creek Watershed.

§ 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 owners 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 \$900.00 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 addresses of the present owners of Parcels 13 and 14 (DPW Drawing No. O-21641, sheet 2 of 2 sheets), together with the estimated compensation thereof, and identification of same are as follows:

<u>Parcel No.</u>	<u>Owner</u>	<u>Just Compensation</u>
13	Mary C. Mayhew 4219 Walmsley Blvd. Richmond, VA 23234	\$300.00

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

ALL of that certain permanent easement, 30 feet in width, containing 3,109 square feet, more or less, extending generally from east to west through parcel 13, a distance of 102 feet, more or less, and shown shaded on DPW Drawing No. O-21641, together with a temporary construction easement five feet in width containing 509 square feet, more or less, adjacent to and lying south of the permanent easement shown hatched on said drawing.

<u>Parcel No.</u>	<u>Owners</u>	<u>Just Compensation</u>
14	Junius W. Cobb, Jr. and Virginia H. Cobb 4227 Walmsley Blvd. Richmond, VA 23234	\$600.00

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

ALL of that certain permanent easement, 30 feet in width, containing 5,229 square feet, more or less, extending generally from east to west through parcel 14, a distance of 175 feet, more or less, and shown shaded on DPW Drawing No. O-21641, together with a temporary construction easement 5 feet in width, containing 876 square feet, more or less, adjacent to and lying south of the permanent easement, said temporary construction easement shown hatched on said drawing.

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

ORDINANCE OR RESOLUTION SUMMARY

CITY OF RICHMOND, VIRGINIA

Resolution	Subject
Ordinance No. <u>87-173</u>	Acquisition of easements in the Falling Creek Watershed, south of Walmsley Boulevard
Patron(s) <u>City Manager</u>	

SUMMARY

This Ordinance would authorize the acquisition of permanent easements and temporary construction easements in 2 parcels of land, the south right of way line of Walmsley Boulevard, east of Woodmere Drive for the purpose of drainage improvements in the Falling Creek Watershed.

PARCEL NO.	SQUARE FEET		OWNERS	JUST COMPENSATION
	PERM. EASEMENT	TEMP. EASEMENT		
13	3,109	509	Mary C. Mayhem 4219 Walmsley Blvd. Richmond, VA 23234	\$ 300
14	5,229	876	Junius W. Cobb, Jr. Virginia H. Cobb 4227 Walmsley Blvd. Richmond, VA 23234	\$ 600

This Ordinance shall be in force and effect upon adoption.

COUNCIL ACTION

On Docket 07/27/87

Amended _____

Adopted _____

Rejected _____

Stricken _____