

AN ORDINANCE No. 87-95-83

ADOPTED MAY 26 1987

To authorize the execution of an option agreement for the purchase by the Virginia Department of Transportation of a parcel of land required by the Commonwealth of Virginia, Department of Transportation, for the construction of the Parham-Chippenham Connector, and for the acquisition of certain easements adjacent to or in the proximity of the land to be acquired in fee, and further to authorize the conveyance of said land and easements to the Virginia Department of Transportation (easements may be granted to designees or assigns of the Virginia Department of Transportation).

Patron - City Manager

Approved as to form and legality
by City Attorney

WHEREAS, the Department of Highways and Transportation (to become known as the Virginia Department of Transportation) of the Commonwealth of Virginia, by letter dated September 2, 1986, advised the City of Richmond of the necessity of its acquiring certain land as right of way required for construction of the Parham-Chippenham Connector (Route 150, Project 0150-127-103, RW-202, City of Richmond), and the necessity to acquire certain easements in order that existing easements may be relocated and additional utilities provided in conjunction with construction of said Parham-Chippenham Connector, a copy of which letter is attached to the draft of this ordinance; and

WHEREAS, the Virginia Department of Transportation has submitted an option agreement, a copy of which is attached to the draft of this ordinance, for the purchase of the land identified with particularity in the option agreement and shown "shaded" on Department of Public Works Drawing No. 0-21612, entitled: "Proposed Sale of City Property to Virginia Department of Highways and Transportation (Parham Chippenham Connector)", along with certain easements shown "hatched", "cross-hatched" and marked "50' Ut. Ease. Commonwealth Natural Gas", on the above-identified Department of Public Works drawing; and

WHEREAS, the City of Richmond has heretofore petitioned the Commonwealth of Virginia to construct the Parham-Chippenham Connector and has requested that construction of the Parham-Chippenham Connector be financed through the use of tolls collected by the Richmond-Petersburg Turnpike Authority, and it is the concensus of Council that the offer submitted to the City and recommended to Council for acceptance by the City Manager should be accepted and that the City Manager should be authorized to execute the option agreement; and further that the City Manager should be authorized, for and on behalf of the City of Richmond, to execute a deed of bargain and sale conveying to the Virginia Department of Transportation the land required for construction of the Parham-Chippenham Connector and to execute deeds

of easement to the Virginia Department of Transportation or to its designees or assigns, granting the several easements shown on Department of Public Works Drawing No. 0-21612;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

That the offer made by the Virginia Department of Transportation to pay to the City of Richmond the sum of \$98,725 in full for the acquisition of the fee simple title to the land required by said Department for the construction of the portion of the Parham-Chippenham Connector to be located within the area shown shaded on Department of Public Works Drawing No. 0-21612, entitled: "Proposed Sale of City Property to Virginia Department of Highways and Transportation (Parham Chippenham Connector)", and to acquire for either said Virginia Department of Transportation or its designees or assigns the several easements identified with particularly on the said drawing, be and is hereby accepted, and the City Manager, for and on behalf of the City of Richmond, be and is hereby authorized to execute an option agreement with the Virginia Department of Transportation, such option agreement to be substantially in the form attached to the draft of this ordinance, and the City Manager is further authorized and directed to convey to the Commonwealth of Virginia the land shown "shaded" on the above-identified drawing, and to grant to the Virginia

Department of Transportation, or its designees or assigns, several easements identified on the plan, the documents conveying said land and granting the easements to be approved as to form by the City Attorney.

The provisions of Section 12-4 of the Code of the City of Richmond, 1985, or any other Code section or ordinance of the City of Richmond to the contrary notwithstanding, the proceeds of the sale and granting of easements shall be deposited in a special fund, and unless otherwise authorized by Council, shall be expended only for purposes directly associated with the construction of the Parham-Chippenham Connector.

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

RAJ D. PETHTEL, COMMISSIONER

FOGAR BACON, JONESVILLE, BRISTOL DISTRICT

STEPHEN A. MUSSELWHITE, ROANOKE, SALEM DISTRICT

JAMES L. DAVIDSON, JR., LYNCHBURG, LYNCHBURG DISTRICT

M. PHILMORE HOWLETTE, RICHMOND, RICHMOND DISTRICT

C. ROGER MALBON, VIRGINIA BEACH, SUFFOLK DISTRICT

H. R. HUMPHREYS, JR., WEEBNS, FREDERICKSBURG DISTRICT

CONSTANCE R. KINCHELOE, CULPEPER, CULPEPER DISTRICT

ROBERT W. SMALLEY, BERRYVILLE, STAUNTON DISTRICT

JOSEPH M. GAFFRE, ALEXANDRIA, NORTHERN VIRGINIA DISTRICT

HERBERT V. KELLY, SR., NEWPORT NEWS, AT-LARGE URBAN

ROBERT A. QUICKE, BLACKSTONE, AT-LARGE RURAL



COMMONWEALTH of VIRGINIA

DEPARTMENT OF HIGHWAYS & TRANSPORTATION

P. O. Box 259

Colonial Heights, Va. 23834

September 2, 1986

L. E. BRETT, JR.
DISTRICT ENGINEER

OSCAR E. MABRY
DEPUTY COMMISSIONER

J. M. WRAY, JR.
CHIEF ENGINEER

J. T. WARREN
DIRECTOR OF OPERATIONS

JACK HODGE
DIRECTOR OF ENGINEERING

SALLY H. COOPER
DIRECTOR OF RAIL AND PUBLIC TRANSPORTATION

J. G. RIPLEY
DIRECTOR OF PLANNING AND PROGRAMMING

ALBERT W. COATES, JR.
DIRECTOR OF ADMINISTRATION

J. W. ATWELL
DIRECTOR OF FINANCE

Please Reply To
Department of Highways and
Transportation

Route 150
Proj. 0150-127-103, RW-202
City of Richmond

Property of City of Richmond
Parcel No. 228

City of Richmond
Recreation & Parks
c/o Mr. Straughan S. Richardson, M.A.I.
1603 City Hall
Richmond, Va. 23219

Dear Mr. Richardson:

The Department of Highways and Transportation is in the process of acquiring the right of way needed for the construction of the above noted project. In preparation, the Department has had your property studied and appraised for the purpose of determining the fair market value of the lands needed from you for construction of this project. These studies and appraisal have also included the effects the construction and the acquiring of a portion of your property will have on your remaining property.

In order to determine the fair market value of the properties involved, the appraisers assigned to this project made a thorough study of the real estate market for the area through which this project passes. This study involved the confirmation of sales that have been made within the area during the past several years. In addition, the area has been studied to determine any change in the trends of market values that may be caused by the influence of any activities that affect the market of real estate. After the appraisers completed this neighborhood study and had the information assembled, they appraised or are now appraising each property affected by the proposed highway improvement in order to determine the fair market value. This study and the appraisals are based upon approved appraisal techniques used in determining values of real estate.

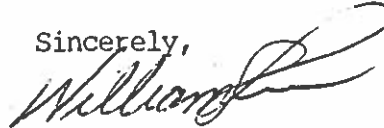
The appraised value of the right of way needed from your property is \$98,725.00 for 8.232 acres of land in fee, 0.394 acre in easements for permanent drainage, relocation of utilities, and any and all damages that will result to your remaining property by reason of the required acquisition and construction of the said project. This includes \$79,804.00 for land, including easements and improvements thereon, and \$18,921.00 as damages to the remainder of the property.

Attached is a copy of a proposed option, which describes the area lying within the proposed right of way together with a print of Sheet Nos. 6 and 7 of the plans for this project.

Outlined in Red is the area required in fee and in GREEN additional easement area needed for drainage purposes. The area outlined in YELLOW is for the additional easement areas for the relocation of the Virginia Electric and Power lines.

If you have need for any further information regarding this acquisition, please contact W. S. Lee as shown below.

Sincerely,



W. S. Lee
Right of Way Agent
P. O. Box 259
Colonial Heights, Virginia 23834
Telephone No. 526-2121

WSL/cfp

8.232
0.394

8.626 for VEPCO.

City of Richmond
City Planning Commission



900 East Broad Street, Richmond, Virginia 23219
804 • 780-4347

May 19, 1987

To the Honorable Council of the
City of Richmond, Virginia

At its meeting of May 18, 1987, the City Planning Commission voted (9-0) to recommend APPROVAL of:

Ordinance No. 87-95

To authorize the execution of an option agreement for the purchase by the Virginia Department of Transportation of a parcel of land required by the Commonwealth of Virginia, Department of Transportation, for the construction of the Parham-Chippenham Connector, * etc.**

The purpose of this paper is to authorize acceptance of the offer of the Virginia Department of Transportation to acquire from the City, right-of-way and easements necessary for construction of the Parham-Chippenham Connector. The Commission continued this paper from its April 21 meeting at the request of the Administration in order to consider its potential relationship to other real estate transactions being negotiated with V.D.O.T. Those other negotiations are being pursued independently of this issue, and it is now suggested that action be taken on this paper.

The proposed right-of-way includes a total of 8.323 acres of land across the City-owned park land lying north of Huguenot Road and adjacent to the Stony Point development site. Due to irregular property configurations in the affected area, the right-of-way width across City property varies from a narrow sliver to as much as 250 feet. Approximately one-half of the area to be acquired lies within existing Virginia Power and Commonwealth Natural Gas easements, and is cleared of major vegetation.

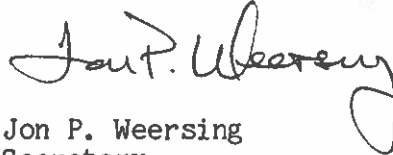
In addition to the right-of-way, the paper provides for easements necessary for drainage and to relocate portions of existing utilities. The easement areas total approximately 56,000 square feet. The total compensation to the City for the right-of-way, easements and "damages" to the remaining property would be \$98,725 as determined by V.D.O.T. appraisal. In addition, V.D.O.T. has recently committed to fund a box culvert under the new roadway to provide maintenance vehicle and emergency access between the portions of the park land split by the roadway.

City Council petitioned the State to construct the Parham-Chippenham Connector by resolution adopted in May, 1984. The Planning Commission and City Council approved the location and general design of the Connector in January and March of 1986. Last March the Commission approved the more detailed design, with conditions, and City Council adopted a resolution

May 19, 1987

authorizing execution of necessary construction agreements for this phase of the project with V.D.O.T. Approval of the subject paper is necessary to enable implementation of these prior actions and to enable V.D.O.T. to proceed with the project.

Very truly yours,



Jon P. Weersing
Secretary

JPW:lk

cc: Director - Department of Public Works
Director - Department of General Services
City Real Estate Agent

City of Richmond, Dept. of Parks & Recreation
Parcel No. 228

R/W 10(LA)
Revised 2-86

Exempted from recordation taxes
under Sections 58.1-811(A)(3),
58.1-811(C)(4) and 25-249.

Route 150 Project 0150-127-103, RW-202

County City of Richmond

Magisterial District

From 0.385 Mi. E. Rte. 147 (Huguenot Road)

To 0.249 Mi. N. Rte. 650 (Rives Road)

(This block for Highway and Transportation Department use only.)

This Option, Granted this _____ day of _____, 19__ by

hereinafter referred to as "landowner" even though more than one, to the Commonwealth of Virginia, Department of Highways and Transportation, hereinafter referred to as "Commonwealth".

Witnesseth: That for and in consideration of one dollar cash in hand paid to the landowner by the Commonwealth, receipt of which is hereby acknowledged, the landowner does hereby grant the Commonwealth the option to purchase the land hereinafter described, and if such option be exercised as hereinafter provided, the landowner will convey all his rights and interests in such land unto the Commonwealth by deed of general warranty, properly executed, acknowledged, and delivered with usual covenants of title, free of all encumbrances.

The land subject to this option is described as follows:

Being as shown on Sheets 6 and 7 of the plans for Route 150 State Highway Project 0150-127-103, RW-202 and lying on the southwest (left) side of the proposed Route 150 construction centerline and adjacent to the south property line of Stoney Point Estate from a point in the lands of the landowner opposite approximate Station 198+59 to a point in the lands of the landowner at approximate Station 203+94 thence, lying on both sides of and adjacent to the said centerline, from the last said station to a point in the lands of the landowner at approximate Station 212+13, thence, lying on the northeast (right) side of the said centerline and adjacent to the northeast property line of Thomas C. Redford and Hazel C. Redford from the last said station to a point in the lands of the landowner at approximate Station 214+35, thence, lying on both sides of and adjacent to the said centerline, from the last said station to the lands of Stoney Point Estates at approximate Station 221+68, and containing 8.232 acres, more or less, land, together with the permanent right and easement to use the additional area shown as being required for the proper construction and maintenance of a proposed drainage ditch left of approximate Station 206+25 and containing 0.034 acre, more or less; and being a part of the same land acquired by the landowner from _____

by Deed dated _____,
and recorded in Deed Book _____, Page _____, in the office of the
Clerk of the Circuit Court of the City of Richmond.

The landowner, by his signature to this instrument, agrees to grant unto the

R/W 10 (LA)
Revised 2-86

The landowner hereby covenants and agrees for himself, his heirs and assigns and successors, that the consideration herein mentioned shall be in lieu of any and all claims to compensation and damages by reason of the location, construction and maintenance of the highway or other project by the Commonwealth, including such drainage facilities as may be necessary, and that the Commonwealth shall have the right to enter upon and take possession of the land prior to the execution and delivery of the deed which is to be executed in the event this option is exercised.

Witness the following signatures and seals:

(SEAL)

(SEAL)

(SEAL)

STATE OF VIRGINIA

COUNTY OF _____, To-wit:

I, _____, a Notary Public, in and for the State of Virginia, at large, do certify that _____ and _____ whose names are signed to the foregoing and annexed writing, bearing date on the ____ day of _____, 19____, have acknowledged the same before me in the County aforesaid.

My Commission expires _____.

Given under my hand this ____ day of _____, 19____.

Notary Public

ORDINANCE OR RESOLUTION SUMMARY
CITY OF RICHMOND, VIRGINIA

Resolution Ordinance No. 87-95	Subject
Requested by City Manager	To Execute an Option Agreement to Sell Land to the Department of Transportation/Parham-Chippenham Connector
Received City Manager's Office --	
Summarized 5/19/87	

SUMMARY

This Ordinance would authorize the execution of an option agreement for purchase, by the Virginia Department of Transportation, the acquisition of certain easements adjacent to or in the proximity of the land to be acquired, and to further authorize the conveyance of said land and easements to the Virginia Department of Transportation.

Total acreage -- 8.323 acres of park land lying north of Huguenot Road and adjacent to the Stony Point development site. Approximately 1/2 of the area to be acquired lies within existing Virginia Power and Commonwealth Gas easements and is cleared of major vegetation.

Approval of this ordinance is necessary to enable implementation of prior City Council actions, relative to the Parham-Chippenham Connector Project, and to enable the Virginia Department of Transportation to proceed with the project.

Planning Commission granted approval (9-0) May 18, 1987.

COUNCIL ACTION

On Docket 5/26/87
Amended
Adopted
Rejected