

INTRODUCED: December 13, 2021

AN ORDINANCE No. 2021-353

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to convey a portion of City-owned right-of-way known as the northwest quadrant of the intersection of West Leigh Street and North Belvidere Street, consisting of 1,364± square feet, for nominal consideration to the Virginia Department of Transportation, for the purpose of adjusting the boundaries of state and City right-of-way.

\_\_\_\_\_  
Patron – Mayor Stoney (By Request)

\_\_\_\_\_  
Approved as to form and legality  
by the City Attorney  
\_\_\_\_\_

PUBLIC HEARING: JAN 10 2022 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That a right-of-way area of the City of Richmond consisting of approximately 1,364 square feet, comprised of the northwest quadrant of West Leigh Street and North Belvidere Street, and as shown enclosed with bold lines on a drawing prepared by the Department of Public Works, designated as DPW Drawing No. N-28977, dated October 28, 2021, and entitled “Proposed Conveyance of Public ROW Located at the Northwest Corner of the Intersection of N. Belvidere Street and W. Leigh Street from City of Richmond to Commonwealth of Virginia,” hereinafter referred to as the “Drawing,” a copy of which is attached to this ordinance, is hereby conveyed to

AYES: 9 NOES: 0 ABSTAIN: \_\_\_\_\_

ADOPTED: JAN 10 2022 REJECTED: \_\_\_\_\_ STRICKEN: \_\_\_\_\_

the Virginia Department of Transportation for the purpose of adjusting the boundaries of state and City right-of-way.

§ 2. That this ordinance, as to the conveyance of the right-of-way area identified in section 1 above, shall be in force as provided in section 4.09 of the Charter of the City of Richmond (2020), as amended, and shall become effective only when, within 12 months from the day this ordinance is adopted:

(a) The applicant obtains consent to the conveyance from each of the owners of land, buildings, or structures from whom consent is required under section 24-314 of the Code of the City of Richmond (2020), as amended, which consents shall be in writing, approved as to form by the City Attorney, and filed in the Office of the City Clerk.

(b) The applicant makes arrangements satisfactory to public utility or public service corporations whose properties or facilities are in the right-of-way area to be conveyed either for the removal, relocation, or abandonment thereof or for the construction, reconstruction, maintenance, and repair thereof, evidence of which shall be in writing, approved as to form by the City Attorney, and filed in the Office of the City Clerk.

(c) To the extent permitted by law, the applicant bears all costs associated with the conveyance, including, but not limited to, realignment, relocation or removal of utilities or infrastructure, installation of new utilities or infrastructure, new or revised street name or directional signs, streetlights, and similar infrastructure, as required by City agencies, and the interference with the drainage, flow, or overflow of surface or subsurface water resulting directly or indirectly therefrom.

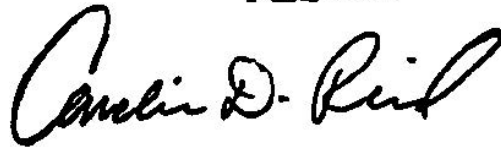
(d) The applicant satisfies all terms and conditions requisite for the conveyance of the right-of-way area to be conveyed by this ordinance and provides the Department of Planning and

Development Review, the Office of the City Attorney, and the Office of the City Clerk with written evidence that all terms and conditions of this ordinance have been satisfied.

§ 3. That, at such time as this ordinance becomes effective pursuant to section 2, the City shall have no further right, title or interest in the conveyed right-of-way area.

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

**A TRUE COPY:  
TESTE:**

A handwritten signature in black ink, appearing to read "Amelia D. Reed". The signature is written in a cursive, flowing style.

**City Clerk**




# CITY OF RICHMOND

## INTRACITY CORRESPONDENCE

**O&R REQUEST**


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

**TO:** The Honorable Members of City Council

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

**THROUGH:** J. E. Lincoln Saunders, Chief Administrative Officer 

**THROUGH:** Robert Steidel, Deputy Chief Administrative Officer 

**THROUGH:** Bobby Vincent Jr., Director, Department of Public Works 

**THROUGH:** M.S. Khara, P.E., City Engineer, Department of Public Works 

**FROM:** Joseph Davenport, Acting ROW Manager, Department of Public Works 

**RE:** **PROPOSED CONVEYANCE OF A PORTION OF CITY OF RICHMOND  
RIGHT OF WAY IN THE NORTHWEST QUADRANT OF THE  
INTERSECTION OF W. LEIGH STREET AND BELVIDERE STREET TO THE  
VIRGINIA DEPARTMENT OF TRANSPORTATION**

**ORD. OR RES No.** \_\_\_\_\_

**PURPOSE:** To authorize the Chief Administrative Officer to convey a portion of City public right of way in the northwest quadrant of the intersection of W. Leigh St. and Belvidere St. consisting of 1,364 sq. feet as shown on DPW Drawing No. N-28977 (dated 10/28/2021) entitled "PROPOSED CONVEYANCE OF PUBLIC ROW LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF N. BELVIDERE STREET AND W. LEIGH STREET FROM CITY OF RICHMOND TO COMMONWEALTH OF VIRGINIA" to the Virginia Department of Transportation (VDOT).

**REASON:** Letter of request dated August 23, 2021 from Haley Robertson, Right of Way Agent at the Virginia Department of Transportation (VDOT). The purpose of this request is to correct an historical defect in the property lines separating VDOT right of way from City right of way such that all of the existing VDOT roadway(s) at the intersection of W. Leigh St. and Belvidere St. are completely within the VDOT right of way.

**RECOMMENDATIONS:** The Department of Public Works offers no objections to the proposed right-of-way conveyance and requests that any approvals be subject to, and including without limitation, the following terms and conditions:

1. The applicant(s)/owner(s)/successor(s) shall be responsible for any and all costs associated with the proposed closing, including without limitation, realignment, relocation, or removal of utilities, or infrastructures, installment of new utilities or infrastructures, new or revised street name or directional signs, streetlights, etc., as required or directed by City Agencies.
2. The applicant(s)/owner(s)/successor(s) shall provide evidence that they have identified any public or private utilities that may have a vested interest in or facilities located within the subject right of way and worked out arrangements with the owners of any such utilities to protect the owner's rights.
3. The applicant(s)/owner(s)/successor(s) shall be responsible for surface storm water overflow in the area to be closed.
4. The applicant(s)/owner(s)/successor(s) shall be responsible for obtaining the written consent of all abutting landowners to the closing and other property owners within the block affected by the closing.
5. The applicant(s)/owner(s)/successor(s) is responsible for providing the Law Department with written evidence within twelve (12) months of the ordinance adoption that all conditions of the ordinance have been satisfied. Should this written evidence not be submitted to the said offices prior to the expiration date after final approval of the ordinance, the ordinance will become null and void automatically.

**BACKGROUND:**

The subject property consists of approximately 1,364 square feet and is currently depicted as City of Richmond right of way.

During preparations for the original construction of I-95, properties were obtained by both the City and the State to facilitate the future work. The right of way lines were set based on construction plans prepared for this purpose. At some point in the process of either design or construction of the on ramp for I-95 South, in the vicinity of the intersection of W. Leigh St. and Belvidere St., changes were made that caused a small section of this onramp to be located within City right of way instead of State right of way.

Currently, VDOT is undertaking a project to rework this existing interchange to remove the vestiges of the old toll plaza and create a smoother and safer merging condition. Although no work is taking place at the specific area of this proposed conveyance, VDOT requested to adjust the right of way line to correct the inaccurate right of way line conditions.

The value of the right of way to be conveyed (1,364 sf) has been determined to be \$ 21,796.72 (\$ 15.98 per square foot) and is based on assessed values of adjacent parcels. Due to the fact that the conveyance is requested to place the lines of infrastructure ownership/responsibility correctly, it is not recommended that a fee be charged to the State for this property.

The conveyance of this portion of right of way will not negatively impact the local City transportation network and would have a positive impact that properly demarcation lines between maintenance responsibilities will be established. Other reviewing administrative agencies offered no objections to the conveyance request.

**FISCAL IMPACT/COST:** There will be no fiscal impact/cost to City.

**FISCAL IMPLICATIONS:** None

**BUDGET AMENDMENT NECESSARY:** None

**REVENUE TO CITY:** None

**DESIRED EFFECTIVE DATE:** Upon Adoption.

**REQUESTED INTRODUCTION DATE:** December 13, 2021

**CITY COUNCIL PUBLIC HEARING DATE:** January 10, 2022

**REQUESTED AGENDA:** Consent Agenda

**RECOMMENDED COUNCIL COMMITTEE:** None

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** Planning Commission

**AFFECTED AGENCIES:** Public Works; Public Utilities; City Attorney's Office; Planning and Development Review; Economic and Community Development; Assessor; Finance; Fire Department; Police Department, Mayor's Office, CAO's Office

**RELATIONSHIP TO EXISTING ORD. OR RES.:** None

**REQUIRED CHANGES TO WORK PROGRAM(S):** None.

**ATTACHMENTS:**

Applicant's request letter  
DPW Drawing No. N-28977  
Vicinity Map

**STAFF:**

Prepared for Bobby Vincent, Jr., Director, DPW  
Prepared by Doug Mawby, DPW  
Research and Drawing Coordinated by Shenouda Guergues, DPW  
Department of Public Works / 646-0435



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF TRANSPORTATION

Stephen C. Brich, P.E.  
Commissioner

1401 East Broad Street  
Richmond, Virginia 23219

(804) 786-2701  
Fax: (804) 786-2940

August 23, 2021

Transportation Facility: Interstate: 95  
State Project: 0095-127-970, R201  
Federal Project: NHPP-095-1(377)  
City: Richmond  
UPC: 109320

RIGHT OF WAY - Property of City of Richmond  
Parcel 002

City of Richmond  
900 East Broad Street, Suite 704  
Richmond, Virginia 23219

RE: RIGHT OF WAY AND LIMITED ACCESS LINE MODIFICATION  
I-95 SB AT N BELVIDERE ST RAMP IMPROVEMENTS (UPC 109320, Parcel 002)

Dear City of Richmond Official:

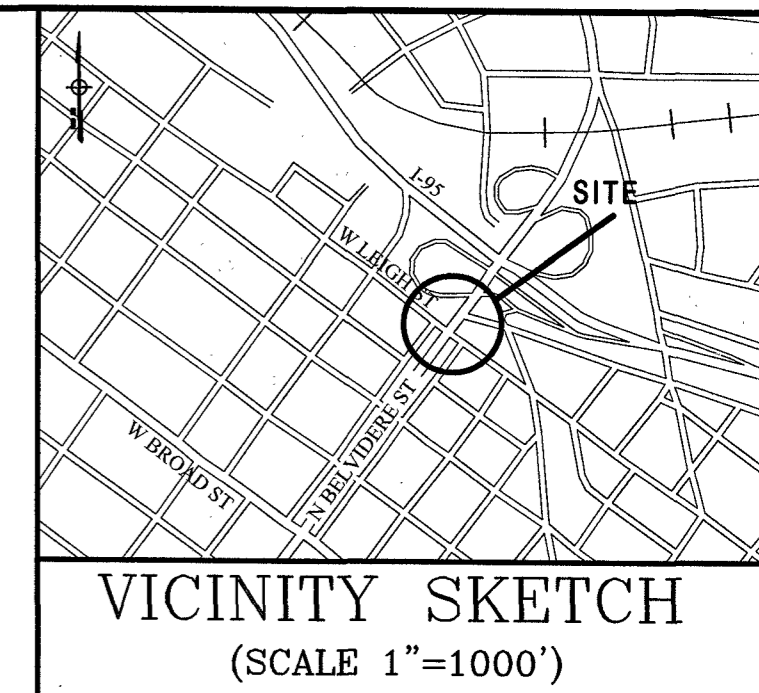
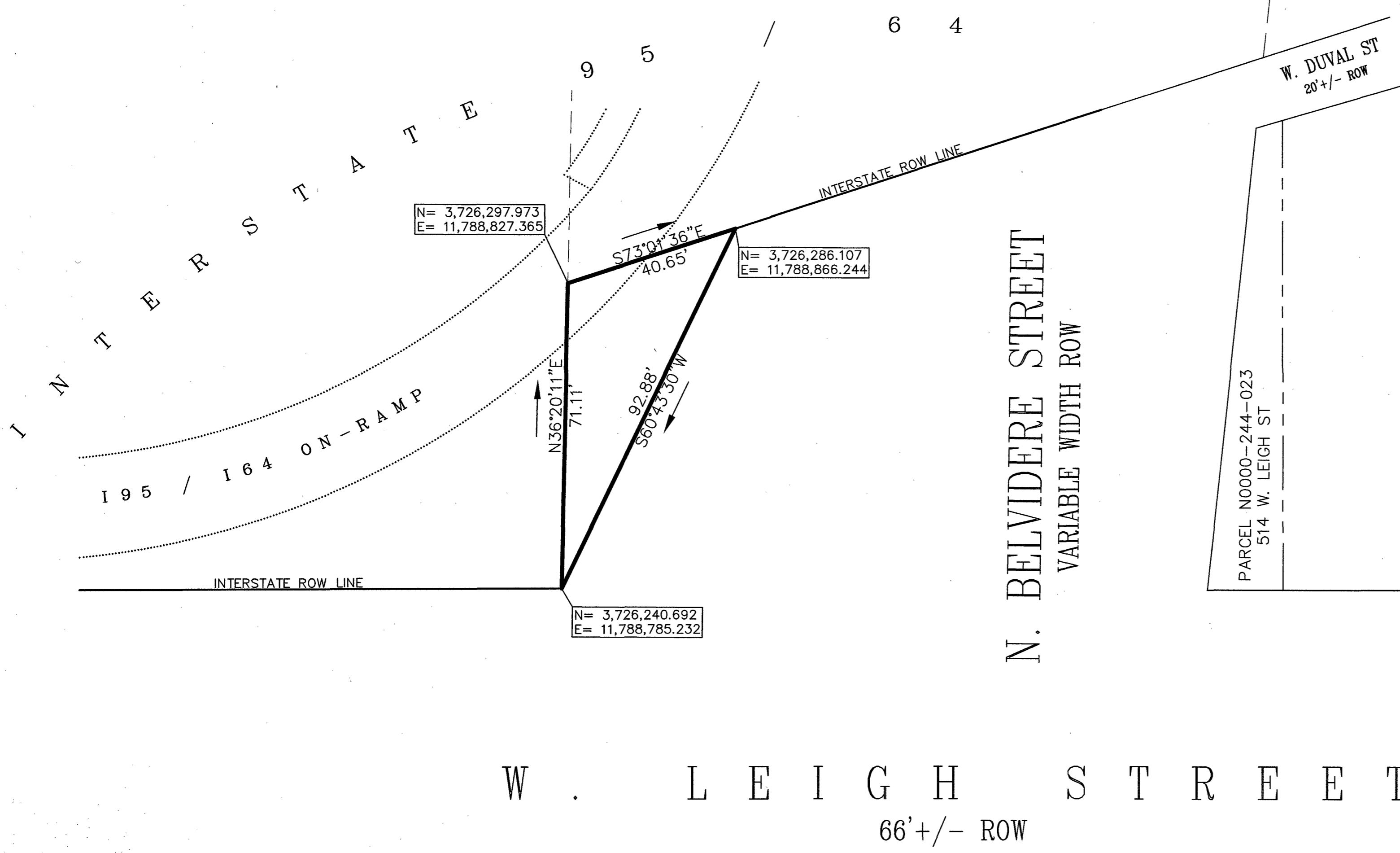
The Virginia Department of Transportation (VDOT) seeks to modify the Limited Access Control Change (LACC) lines in regards to the above referenced location. VDOT is requesting this modification be part of the proposed Right-of-Way adjustment as regards to the I-95 southbound/I-64 eastbound on-ramp from N. Belvidere St (southbound) to ensure the road improvements area are within the limits of respective Right-of-Way. This adjustment is required for the operational need and safety improvement by modification of the LACC lines, which will also clarify the maintenance responsibility delineation between the City of Richmond and VDOT. This modification will correct a historical condition that was never rectified and is being addressed now as part of the general interchange upgrades and will correct Right-of-Way records to be consistent with actual roadway conditions.

Thank you for your consideration of our request. Through your cooperation, Virginia's transportation system will remain among the nation's finest.

Sincerely,

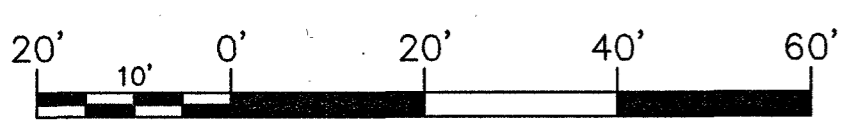
*Haley Robertson*

Haley Robertson  
Right-of-Way Agent  
(804) 774-5197



**NOTE:**

- THIS DRAWING IS BASED ON A COMPILATION OF DATA FROM RECORD SOURCES AND RECENT FIELD SURVEY BY VIRGINIA DEPARTMENT OF TRANSPORTATION - LOCATION AND DESIGN (RICHMOND DISTRICT) ON PLAT TITLED "COMPILED PLAT SHOWING 1,364 SQUARE FEET FEE ROW FROM CITY OF RICHMOND TO THE COMMONWEALTH OF VIRGINIA (VDOT)" DATED 08/23/2021
- THE PORTION OF RIGHT OF WAY PROPOSED TO BE CONVEYED IS ENCLOSED IN BOLD LINES:  1,364 S.F.



Council District: 2 Block No. N308 / N244

**NOTES**

- Property owners correct as of 10/28/2021
- Ordinance \_\_\_\_\_
- Adopted \_\_\_\_\_
- Accepted \_\_\_\_\_

Engineering Specialist:  
Shenouda Guergues *Shenouda Guergues*

Op. Mgr. For Surveys:  
Marvin W. Anderson *Marvin W. Anderson*

ROW Manager (Acting):  
Joseph L. Davenport Jr *Joe Davenport Jr*



PROPOSED CONVEYANCE OF PUBLIC ROW LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF N. BELVIDERE STREET AND W. LEIGH STREET FROM CITY OF RICHMOND TO COMMONWEALTH OF VIRGINIA

Requested By: Haley Robertson, ROW Agent, VDOT

Surveys Division, Room 600 City Hall  
900 E. Broad Street, Richmond, Va. 23219

DEPARTMENT OF PUBLIC WORKS  
RICHMOND, VIRGINIA

DRAWN BY: SG  
CHECKED BY: MWA

FIELD NOTE	SCALE	DATE	PROJECT	DRAWING NO.
	1" : 20'	10/28/2021	N308/N244-SC	N-28977

REFERENCES: BL 006SW, VDOT PLAT 095-127-970 c501, 0-13714, RICHMOND-PETERSBURG TURNPIKE CONTRACT No. A-4-G ROW PLANS SHEET 6/41

REVISIONS:





**PROPOSED CLOSING TO PUBLIC USE AND TRAVEL OF PUBLIC RIGHT-OF-WAY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF N BELVIDERE STREET AND W LEIGH STREET**

**PROPOSED AREA IS ENCLOSED IN RED**

**VICINITY MAP**

The map is only for graphical purposes and is not a legal reference.