

AN ORDINANCE No. 86-295-267  
ADOPTED DEC 8 1986

To accept the offer of Simons Hauling Company, Inc., for the purchase of a parcel of land containing 45 acres, more or less, shown shaded on Department of Public Works Drawing No. N-21533, dated May 12, 1986, offered for sale pursuant to adoption of Ordinance No. 86-165-157 on June 9, 1986.

\_\_\_\_\_  
Patron - City Manager

\_\_\_\_\_  
Approved as to form and legality  
by City Attorney  
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1. WHEREAS, the City of Richmond, pursuant to the
2. adoption of Ordinance No. 86-165-157 on June 9, 1986,
3. declared surplus and authorized the sale of certain real
4. estate situate, lying and being in Henrico County, owned by
5. the City of Richmond, fronting 493 feet, more or less, on
6. the east right of way line of Darbytown Road and lying south
7. of the Chesapeake and Ohio Railway track #2240, containing
8. 45 acres, more or less, shown shaded on Department of Public
9. Works Drawing No. N-21533, entitled: "Sale of City Property
10. Along the Eastern R/W Line of Darbytown Road South of the
11. C. & O. Railway Track.", dated May 12, 1986, a copy of which
12. is attached to the draft of this ordinance; and
13. WHEREAS, the City Manager, pursuant to Sections
14. 12-206, et seq. of the Code of the City of Richmond, 1985,
15. and specifically Section 12-210 of said Code, recommended

1. that Council reject all bids received as being in the best  
2. interest of the City; and

3. WHEREAS, pursuant to the provisions of Section 12-211  
4. of the Code of the City of Richmond, 1985, the Director of  
5. General Services was authorized to solicit and receive bids  
6. or offers for the property for transmittal to Council with  
7. recommendations as provided in Section 12-210 of said Code;  
8. and

9. WHEREAS, the Director of General Services has received  
10. an offer from Simons Hauling Company, Inc., to purchase said  
11. property for the sum of \$187,500 and has recommended that  
12. the City Manager advise Council to accept such offer; and

13. WHEREAS, the City Manager, pursuant to Sections 12-206  
14. and 12-207 of the Code of the City of Richmond, 1985, may  
15. recommend acceptance of a bid for the purchase of real  
16. estate if the City Manager shall determine the bid to be in  
17. the best interest of the City; and

18. WHEREAS, the City Manager, after considering and  
19. weighing all factors, has recommended to Council that the  
20. offer of Simons Hauling Company, Inc., for the purchase of  
21. the property should be accepted; NOW, THEREFORE,  
22. THE CITY OF RICHMOND HEREBY ORDAINS:

23. § 1. That the offer of Simons Hauling Company, Inc.,  
24. to purchase for \$187,500 surplus real estate situate, lying  
25. and being in Henrico County, owned by the City of Richmond,

1. fronting 493 feet, more or less, on the east right of way  
2. line of Darbytown Road and lying south of the Chesapeake and  
3. Ohio Railway track #2240, containing 45 acres, more or less,  
4. shown shaded on Department of Public Works Drawing No.  
5. N-21533, entitled: "Sale of City Property Along the Eastern  
6. R/W Line of Darbytown Road South of the C. & O. Railway  
7. Track.", dated May 12, 1986, a copy of which is attached to  
8. the draft of this ordinance, is hereby accepted. The City  
9. Manager, or his designee, is authorized and directed to  
10. execute a special warranty deed conveying the said real  
11. estate in conformatnce with the terms of Ordinance No.  
12. 86-165-157, adopted June 9, 1986, and Ordinance No.  
13. 86-212-194, adopted August 11, 1986.

14.           Conveyance of said property shall be made by Special  
15. Warranty deed and shall be made expressly subject to (1) any  
16. and all easements, whether of record or discernible from an  
17. accurate survey and inspection of the property, and to  
18. conditions and restrictions of record and (2) a disclaimer  
19. of any liability arising out of usage by the County of  
20. Henrico of any portion of the land (offered for sale) for  
21. landfill purposes and for deposit of any materials whether  
22. placed thereon by Henrico County, by trespassers or anyone  
23. doing so under any license or claim of right to do so,  
24. whether of record or otherwise.

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

The undersigned offers to pay to the City of Richmond the sum of  
\$ 187,500.00 for the purchase of the following real  
estate: 45 ACRES MORE OR LESS SHOWN SHAPED ON CITY DRAWING  
#N-21533 BEING ON DARBYTOWN ROAD, HENRICO COUNTY  
VA.

Enclosed is a certified or cashier's check in the amount of  
\$ Note Below, which will be credited on the purchase price if  
accepted, and refunded if not accepted by City Council. It is understood  
that if a sale of this property is authorized by the Council, the balance  
of the purchase price should be paid to the City upon delivery of the deed  
within fifteen days after notice is given to the undersigned that the deed  
is ready for delivery; otherwise, sale of the real estate shall be void and  
the proceeds of the check accompanying this offer shall be retained by  
the City as liquidated damages and not as a penalty.

The undersigned agrees also to pay to the City of Richmond the  
cost of recording the deed to the said property which cost will be paid  
at the same time as the balance of the purchase price.

The undersigned hereby requests and authorizes the City Attorney  
or any person designated by him to present a deed of recordation in the  
clerk's office of the appropriate court and agrees that presenting the said  
deed for recordation shall constitute delivery of said deed by the City to  
the undersigned.

Simons Hauling Company, Inc.

By

Joseph A. Simons III President

Address

P. O. Box 7733

Richmond, Virginia 23231

Telephone

(804)222-6222

Note: Deposit Requirement waived by Mr. Straughan Richardson on  
10-31-86. Deposit will be provided within 24 hours of  
notification from the City of Richmond of award recommendation to see

Cashier's Check rec'd 11-7-86

NR

**ORDINANCE OR RESOLUTION SUMMARY**  
**CITY OF RICHMOND, VIRGINIA**

<b>Resolution Ordinance No.</b> ..... 86-295	<b>Subject</b>  To Accept Offer for 45 Acres of Surplus Property/\$187,500 from Simons Hauling Company
<b>Requested by</b> ..... City Manager	
<b>Received City Manager's Office</b> ..... --	
<b>Summarized</b> ..... 12/3/86	

**SUMMARY**

This Ordinance would accept the offer of Simons Hauling Company, Inc. to purchase for \$187,500 a parcel of land containing approximately 45 acres, in Henrico County, owned by the City of Richmond. The land is located on the east right-of-way line of Darbytown Road, approximately 493 ft., and lies south of the Chesapeake & Ohio Railway Truck #2210.

**Background:** The City Council rejected all (4) sealed bids by Ordinance No. 86-212-194, August 25, 1986. The highest bid received -- \$47,412.00

September 4, 1986, land was appraised at \$4,000 per acre.

This offer is \$4,166.67 per acre = \$187,500.

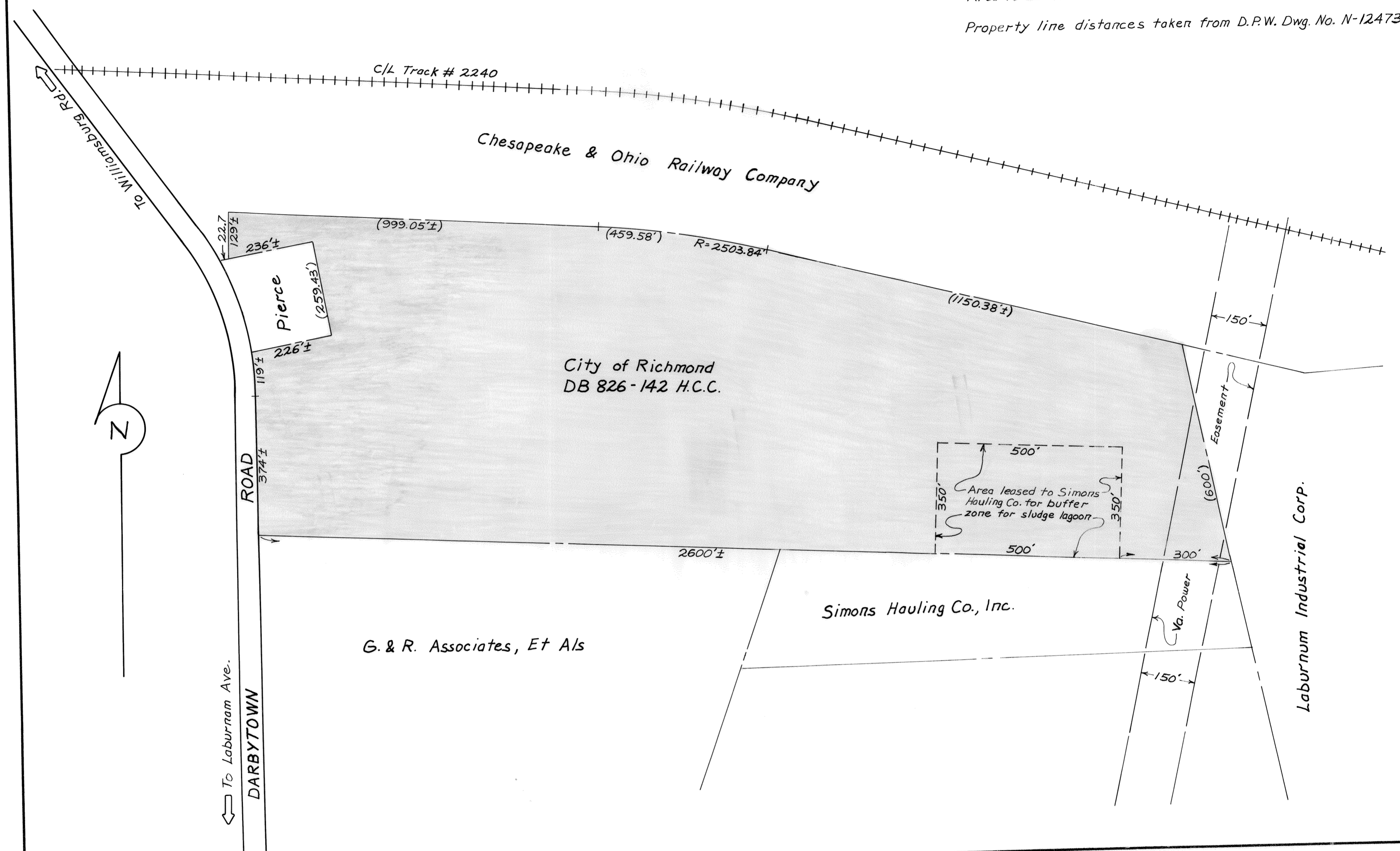
One other bid received was for \$2,500 per acre = \$112,500.

**COUNCIL ACTION**

<b>On Docket</b> ..... 12/8/86
<b>Amended</b> .....
<b>Adopted</b> .....
<b>Rejected</b> .....

# Notes

Area to be sold shown shaded  = 45 ± Acres.  
 Property line distances taken from D.P.W. Dwg. No. N-12473.



## NOTES

- Cuts and fills shown represent the difference in elevation of ground at property line and the sidewalk grade.
- Fences, walks, steps, or coping walls adjacent to the street line, affected by the grading of streets, will not be replaced or repaired at the City's expense unless otherwise shown on plan.
- Lot dimensions in parentheses are from deeds.
- Property owners correct as of 5-12, 19 86

REFERENCES  
 N-12473, Henrico Co. Section Sheet - 10

REVISIONS

Surveys Administrator *Arthur M. Masley*  
 Streets & Sewers Administrator *[Signature]*  
 Permits & Engr. Services Administrator *[Signature]*  
 Chief, Bureau of Engineering *[Signature]*  
 Director of Public Works *[Signature]* 5-15-86

DEPARTMENT OF PUBLIC WORKS  
 RICHMOND, VIRGINIA

Sale of City Property Along the Eastern R/W Line of Darbytown Road South of the C. & O. Railway Track.  
 AUTHORITY: Director - Letter of request from S.S. Richardson, City Real Estate Agent on 4-17-86

DESIGNED BY DRAWN BY CHECKED BY	FIELD NOTES	SCALE 1" = 200'	DATE 5-12-86	PROJECT 8-22D #2 SHEET OF	DRAWING NO. <b>N-21533</b>
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