

INTRODUCED: June 8, 2015

AN ORDINANCE No. 2015-129-139

To accept a deed from the School Board conveying 1000 Goddin Street to the City and to authorize the Chief Administrative Officer to act on behalf of the City in executing such deed.

Patron – Mayor Jones

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: JUNE 22 2015 AT 6 P.M.

WHEREAS, section 22.1-129 of the Code of Virginia (1950), as amended, provides for a school board to convey title to real property owned by the school board for which the school board has determined that it has no use to the city comprising the school division by adopting a resolution that such real property is surplus and recording such resolution along with the deed to the property with the clerk of the circuit court for the city where such property is located; and

WHEREAS, section 15.2-1803 of the Code of Virginia (1950), as amended, provides that no deed purporting to convey real estate to a locality shall be valid unless accepted by the locality and executed by a person authorized to act on behalf of the locality; and

AYES: 8 NOES: 0 ABSTAIN: _____

ADOPTED: JUNE 22 2015 REJECTED: _____ STRICKEN: _____

WHEREAS, by adopting a resolution dated April 22, 2015, the School Board of the City of Richmond declared that real property located at 1000 Goddin Street in the city was surplus; and

WHEREAS, the School Board is expected to deliver a deed memorializing the conveyance of every interest it may have in the real property located at 1000 Goddin Street; and

WHEREAS, in conformance with section 15.2-1803 of the Code of Virginia (1950), as amended, the City Council desires to accept from the School Board the conveyance of every interest the School Board might have in the real property located at 1000 Goddin Street and to authorize the execution of the deed by the Chief Administrative Officer;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That (i) the City hereby accepts the deed from the School Board conveying every interest it might have in the real property located at 1000 Goddin Street, provided such deed is in a form approved by the City Attorney, (ii) the Chief Administrative Officer is hereby authorized to act on behalf of the City in executing such deed, (iii) the Chief Administrative Officer's signature on the deed shall be deemed acceptance by the City of such deed and (iv) the Chief Administrative Officer, with the assistance of the City Attorney, is hereby authorized to take such other actions as may be necessary to complete the conveyance of every interest the School Board might have in the real property located at 1000 Goddin Street by the School Board to the City.

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

MAY 12 2015

4-3576

Chief Administration Office
City of Richmond



CITY OF RICHMOND

INTRACITY CORRESPONDENCE

RECEIVED

O&R REQUEST

MAY 13 2015

OFFICE OF CITY ATTORNEY

EDITION: 1

DATE: May 12, 2015

TO: THE HONORABLE MEMBERS OF CITY COUNCIL

THROUGH: DWIGHT C. JONES, MAYOR *DW*

THROUGH: CHRISTOPHER L. BESCHLER, INTERIM CHIEF ADMINISTRATIVE OFFICER *CLB*

THROUGH: PETER L. DOWNEY, INTERIM DEPUTY CHIEF ADMINISTRATIVE OFFICER FOR ECONOMIC DEVELOPMENT AND PLANNING *PLD*

FROM: DOUGLAS C. DUNLAP, INTERIM DIRECTOR OF ECONOMIC & COMMUNITY DEVELOPMENT *D.C. Dunlap*

RE: Acceptance of real estate located at 1000 Goddin Street by the City from the School Board of Richmond, Virginia.

ORD. OR RES. No. _____

PURPOSE: TO ACCEPT A DEED FROM THE SCHOOL BOARD CONVEYING 1000 GODDIN STREET (TAX PARCEL # N0002030001) TO THE CITY AND TO AUTHORIZE THE CHIEF ADMINISTRATIVE OFFICER TO ACT ON BEHALF OF THE CITY IN EXECUTING SUCH DEED.

REASON: In conformance with Section 15.2-1803 of the Code of Virginia, an ordinance is needed to accept from the School Board the conveyance of the real property located at 1000 Goddin Street and to authorize the execution of the deed by the Chief Administrative Officer.

This property was formerly controlled by the School Board and was formerly used as a Robert Fulton School playground. On April 20, 2015 the School Board approved the attached Resolution executed April 22, 2015 conveying management and control of the property to the City for disposition. The site is currently undeveloped and is used for outdoor recreation. The City's intent is to sell the property for redevelopment. By selling this property the City will stimulate private investment, job creation and economic development in the area.

O & R Request

RECOMMENDATION: The City Administration including the Department of Economic Development and Community Development recommend approval.

BACKGROUND: The 1000 Goddin Street property consists of approximately 1.292 acres of undeveloped land. The site was formerly used as a Robert Fulton School playground. The site is currently used for outdoor recreation. On April 20, 2015 the School Board approved the attached Resolution executed April 22, 2015 conveying management and control of the 1000 Goddin Street property to the City for disposition. The 1000 Goddin Street site is adjacent to Powhatan Hill Community Center & Park. The site is currently undeveloped and used for outdoor recreation.

FISCAL IMPACT/COST TO CITY: The City will continue to maintain the property until it is transferred to a purchaser for development. The City currently provides grounds maintenance services for this site along with all school properties.

REVENUE TO CITY: Once the property is sold for redevelopment will become taxable real estate on the City's real estate tax rolls.

DESIRED EFFECTIVE DATE: Upon adoption.

REQUESTED INTRODUCTION DATE: June 8, 2015

CITY COUNCIL PUBLIC HEARING DATE: July 13, 2015

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Land Use, Housing & Transportation - June 16, 2015; or City Planning Commission.

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: None

AFFECTED AGENCIES: Mayor, Chief Administrative Officer, Public Utilities, Finance, Budget, Public Works, Economic and Community Development

RELATIONSHIP TO EXISTING ORD. OR RES.: None

REQUIRED CHANGES TO WORK PROGRAM(S): None

ATTACHMENTS: School Board Resolution dated April 20, 2015 and executed April 22, 2015. Quitclaim Deed dated April 22, 2015.

STAFF: Lee Downey, Economic Development and Planning 646- 7646

Douglas Dunlap, Economic & Community Development 646-6822

Jane Ferrara, Economic & Community Development 646-6737

O & R Request

Paul McClellan, Economic & Community Development 646-3061

RESOLUTION

WHEREAS, certain real property, further described herein, (the "Property") was obtained by the City of Richmond, Virginia (the "City");

WHEREAS, the Property, consists of a vacant lot, with the street address of 1000 Goddin Street, Richmond, Virginia 23231 (Tax Parcel Number E0002030001);

WHEREAS, the Property is currently under the management and control of the School Board; and

WHEREAS, pursuant to Section 22.1-129(A) of the Code of Virginia, the School Board has determined that it will have no further use for the Property.

BE IT THEREFORE RESOLVED by the School Board that the Property will be deemed surplus, and the management and control of the Property will convey to the City upon approval of this Resolution.

BE IT FURTHER RESOLVED by the School Board that pursuant to Section 42-41 of the City Code, as amended, the School Board requests that, when payments are made to the City of money arising from the sale of the Property, such receipts, with the exception of certain withholdings, shall be credited to a special reserve assigned to support the public schools in the City to be appropriated for the construction of new public school facilities or for the capital repair or renovation of existing active school properties.

BE IT FURTHER RESOLVED that upon approval of this Resolution, the School Board authorizes the Chair of the School Board to execute a quitclaim deed to the City for the Property.

4/20/2015

D. L. Coleman
School Board Chair

Date: 4/22/2015

Angela C. Lewis
School Board Clerk

STATE OF VIRGINIA

CITY/COUNTY OF Richmond, to-wit:

The foregoing instrument was acknowledged before me this 22 day of April, 2015 by Donald L. Coleman, as Chair of the School Board of the City of Richmond.

My commission expires: 4/30/2017

Notary Registration Number: 7271676

Timothy Williams
Notary Public

[SEAL]



Prepared By:
Harrell & Chambliss LLP
VSB# 22098
707 E. Main Street, Suite 1000
Richmond, VA 23219

Tax Parcel # E0002030001 - 1000 Goddin Street, Richmond, VA 23231

THIS QUITCLAIM DEED, made and entered into as the 22nd day of April, 2015, by and between the **SCHOOL BOARD OF THE CITY OF RICHMOND** (“Grantor”) and the **CITY OF RICHMOND** (“Grantee”).

WHEREAS, pursuant to Section 22.1-129(A) of the Code of Virginia (“Section 22.1-129 (A)”), Grantor has declared surplus, the real estate described in the Schedule A attached hereto (the “Property”) and conveyed the management and control of the Property to Grantee, by resolution approved April 20, 2015; and

WHEREAS, Grantor has no ownership interest in the Property but desires to comply with Grantee’s request that it enter into a quitclaim deed pursuant to Section 22.1-129(A), to evince that it has released and conveyed any interest it might have in the Property.

WITNESSETH:

That for valuable consideration received, the receipt of which is hereby acknowledged by the Grantor, the Grantor hereby quitclaims, releases, and conveys unto the Grantee any and all right, title and interest it may possess in and to the Property.

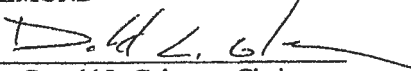
Notwithstanding, pursuant to Section 42-21 of the City Code, and City Council Ordinance No. 2013-22-71, adopted May 13, 2013, (the “Ordinance”) should Grantee sell, lease or otherwise otherwise utilize the Property, the proceeds of the sale, lease or other use of the Property, subject to certain withholdings described in the Ordinance, shall be placed into a special reserve assigned to support public schools in the City. The City

Council may appropriate funds from this reserve for the construction of new public school facilities or for the capital repair or renovation of existing active school properties.

WITNESS the following signatures and seals:

GRANTOR:

**SCHOOL BOARD OF THE CITY OF
RICHMOND**

By: 
Donald L. Coleman, Chairman

STATE OF VIRGINIA

CITY/COUNTY OF Richmond, to-wit:

The foregoing instrument was acknowledged before me this 22 day of April, 2015 by Donald L. Coleman, as Chairman of the School Board of the City of Richmond.

My commission expires: 4/30/2017

Notarial Registration Number: 7271676


Notary Public

[SEAL]



GRANTEE:

CITY OF RICHMOND, VIRGINIA,
a municipal corporation

By: _____

Christopher L. Beschler
Acting Chief Administrative Officer

As authorized by Ordinance No.: _____,

Adopted _____, 201__.

COMMONWEALTH OF VIRGINIA
CITY OF RICHMOND, to-wit:

The foregoing Deed was acknowledged before me this ___ day of _____, 2015,
by Christopher L. Beschler, Acting Chief Administrative Officer of City of Richmond,
Virginia, a municipal corporation, on behalf of such municipal corporation.

My commission expires: _____

Notary Registration Number: _____

Notary Public

[SEAL]

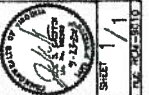
SCHEDULE A

ALL those certain lots, pieces of parcels of land, lying and being in the City of Richmond and designated as 1000 Goddin Street, all as shown on the following plat, a copy of which is attached hereto and by this reference made a part hereof, which plat is more particularly described below and reference to which is hereby made for a more particular description of the property hereby conveyed:

Survey made by: Gene Watson & Associates, P.C.

Dated: May 23, 2013

Entitled: "Map of Existing Conditions on Five Parcels of Land lying West of Union Street and North of Goddin Street being the Fulton Hill Properties in the City of Richmond, Virginia."



MAP OF EXISTING CONDITIONS ON FIVE PAGES OF LAND LYING WEST OF UNION STREET AND NORTH OF GODDIN STREET IN THE CITY OF RICHMOND, VIRGINIA

GENE WATSON R.
Land Surveyor
4221 DOWNSIDE ROAD
RICHMOND, VIRGINIA 23234

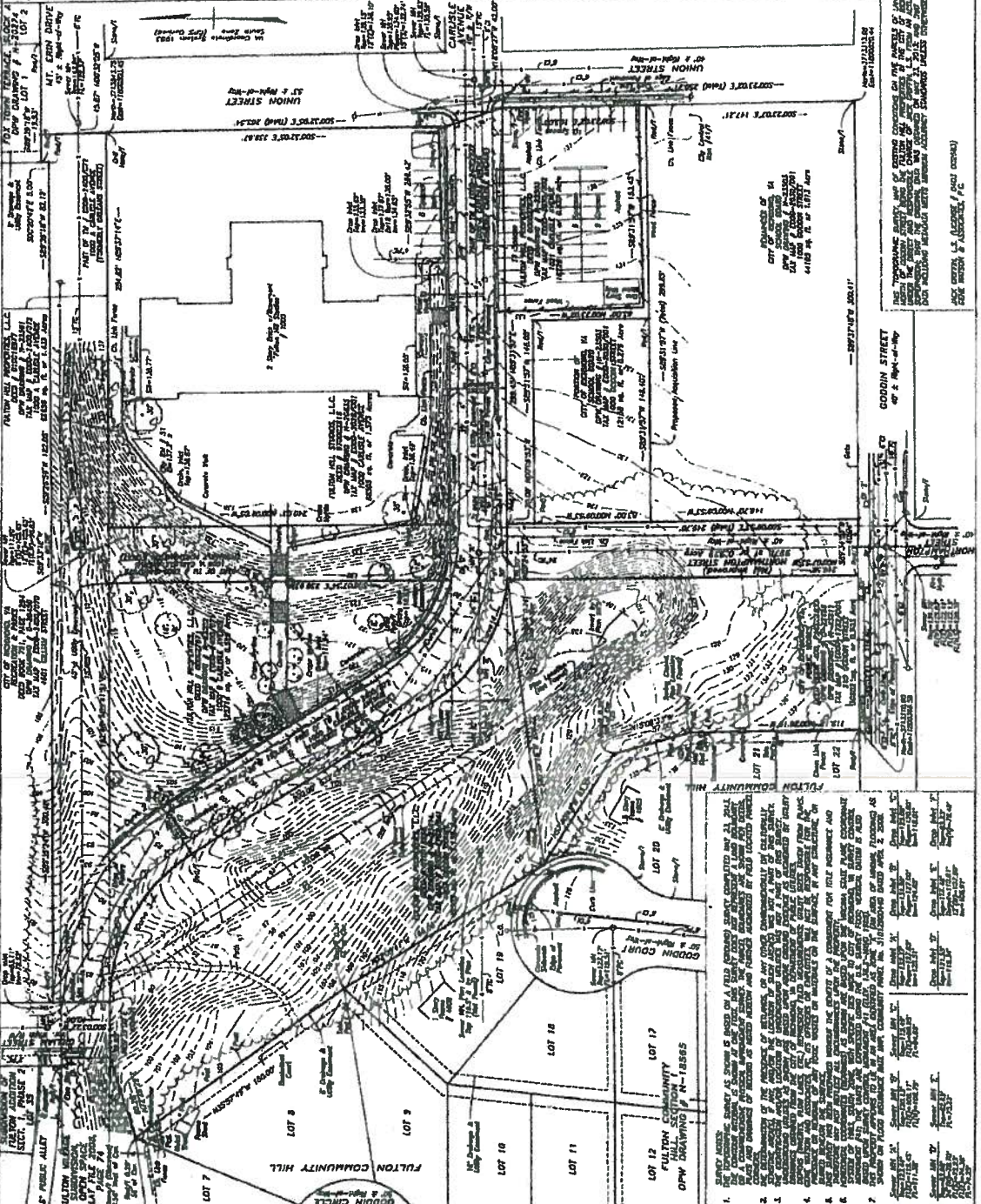
NO.	DESCRIPTION	DATE
1
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TOPOGRAPHIC SURVEY

THIS SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT COMES IN ACCORDANCE WITH THE REQUIREMENTS OF THE STATUTES OF THE COMMONWEALTH OF VIRGINIA. I AM A LICENSED LAND SURVEYOR IN THE STATE OF VIRGINIA.

DATE: 10/15/2011

BY: GENE WATSON R.



1. THE PROPERTY SHOWN IS BASED ON A FIELD SURVEY MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT COMES IN ACCORDANCE WITH THE REQUIREMENTS OF THE STATUTES OF THE COMMONWEALTH OF VIRGINIA. I AM A LICENSED LAND SURVEYOR IN THE STATE OF VIRGINIA.
2. THIS SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT COMES IN ACCORDANCE WITH THE REQUIREMENTS OF THE STATUTES OF THE COMMONWEALTH OF VIRGINIA. I AM A LICENSED LAND SURVEYOR IN THE STATE OF VIRGINIA.
3. THE PROPERTY SHOWN IS BASED ON A FIELD SURVEY MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT COMES IN ACCORDANCE WITH THE REQUIREMENTS OF THE STATUTES OF THE COMMONWEALTH OF VIRGINIA. I AM A LICENSED LAND SURVEYOR IN THE STATE OF VIRGINIA.
4. THIS SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT COMES IN ACCORDANCE WITH THE REQUIREMENTS OF THE STATUTES OF THE COMMONWEALTH OF VIRGINIA. I AM A LICENSED LAND SURVEYOR IN THE STATE OF VIRGINIA.
5. THE PROPERTY SHOWN IS BASED ON A FIELD SURVEY MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT COMES IN ACCORDANCE WITH THE REQUIREMENTS OF THE STATUTES OF THE COMMONWEALTH OF VIRGINIA. I AM A LICENSED LAND SURVEYOR IN THE STATE OF VIRGINIA.
6. THIS SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT COMES IN ACCORDANCE WITH THE REQUIREMENTS OF THE STATUTES OF THE COMMONWEALTH OF VIRGINIA. I AM A LICENSED LAND SURVEYOR IN THE STATE OF VIRGINIA.
7. THE PROPERTY SHOWN IS BASED ON A FIELD SURVEY MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT COMES IN ACCORDANCE WITH THE REQUIREMENTS OF THE STATUTES OF THE COMMONWEALTH OF VIRGINIA. I AM A LICENSED LAND SURVEYOR IN THE STATE OF VIRGINIA.

GENE WATSON R.
Land Surveyor
4221 DOWNSIDE ROAD
RICHMOND, VIRGINIA 23234

DATE: 10/15/2011

BY: GENE WATSON R.