

INTRODUCED: March 8, 2021

AN ORDINANCE No. 2021-066

To declare surplus and direct the conveyance of a portion of City-owned real estate on Brown’s Island, located at the south end of the South 5th Street footbridge and consisting of 2,036.32± square feet, for nominal consideration to the Commonwealth of Virginia for the purpose of facilitating the installation and maintenance of the Emancipation Proclamation and Freedom Monument by the Commonwealth of Virginia, and to repeal certain sections of Ord. No. 2019-277, adopted Nov. 12, 2019.

Patron – Mayor Stoney

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: MAR 22 2021 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That a portion of City-owned real estate on Brown’s Island, located at the south end of the South 5th Street footbridge, identified as a portion of Tax Parcel No. W000-0072/001 in the 2021 records of the City Assessor, and consisting of approximately 2,036.32 square feet shown enclosed in a bold line on sheet 1 of 2 of a survey entitled “Plan Showing a Portion of Browns Island Located near the Fifth Street Footbridge,” prepared by Austin Brockenbrough Engineering + Consulting, and dated January 6, 2021, a copy of which is attached to this ordinance, is hereby

AYES: 9 NOES: 0 ABSTAIN: _____

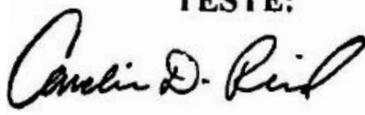
ADOPTED: MAR 22 2021 REJECTED: _____ STRICKEN: _____

declared surplus real estate and directed to be conveyed to the Commonwealth of Virginia for nominal consideration, for the purpose of facilitating the installation and maintenance of the Emancipation Proclamation and Freedom Monument by the Commonwealth of Virginia, in accordance with the applicable provisions of Chapter 8 of the Code of the City of Richmond (2020), as amended, the Charter of the City of Richmond (2020), as amended, the Code of Virginia (1950), as amended, and the Constitution of Virginia.

§ 2. That, pursuant to section 8-65(b) of the Code of the City of Richmond (2020), as amended, the Chief Administrative Officer is hereby directed to execute, on behalf of the City, the deed and such other documents, all of which must first be approved as to form by the City Attorney, as may be necessary to consummate the conveyance of the aforementioned portion of City-owned real estate.

§ 3. That sections 1 and 2 of Ordinance No. 2019-277, adopted November 12, 2019, are hereby repealed.

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

A TRUE COPY:
TESTE:

City Clerk



CITY OF RICHMOND

INTRACITY CORRESPONDENCE

O&R REQUEST

DATE: February 9, 2021 **EDITION:** 2

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor 

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

THROUGH: Sharon Ebert, Deputy Chief Administrative Officer

FROM: Kevin J. Vonck, Acting Director - Planning and Development 

RE: Conveyance of Real Property to Commonwealth of Virginia for the Emancipation Proclamation and Freedom Monument

ORD. OR RES. No. _____

PURPOSE: To declare surplus a 2036.32 square foot portion of City-owned property known as Brown’s Island (City Tax Parcel No. W0000072001), as shown on the plans prepared by Austin Brockenbrough dated January 6, 2021, attached hereto (the “Conveyance Property”), and to authorize the CAO to execute documents necessary to convey to the Commonwealth of Virginia for nominal consideration, for the purpose of facilitating the Commonwealth utilizing the Conveyance Property to install and maintain the Emancipation Proclamation and Freedom Monument, and to repeal Ord. No. 2019-277.

REASON: The Emancipation Proclamation and Freedom Monument will be funded through an appropriation made by the General Assembly in 2012, and private donations. The Commonwealth wants to retain ownership of the monument. The City cannot grant an easement in excess of 40 years, so the Commonwealth has requested transfer of the approximately 2036.32 square foot parcel to the Commonwealth in order to facilitate the construction of the monument on Brown’s Island. This Ordinance will authorize the CAO to execute documents necessary to convey the property to the Commonwealth.

On November 12, 2019, City Council adopted the Conveyance through the adoption of Ord. No. 2019-277. However, as the design of the Emancipation Proclamation and Freedom Monument progressed, it became clear that the location selected and shown in Ord. No. 2019-277 would not accommodate the number of pedestrians and service vehicles that are present on Brown’s Island on a regular basis. This Ordinance, once adopted, would replace Ord. No. 2019-277.

RECOMMENDATION: The City Administration recommends approval.

BACKGROUND: The Dr. Martin Luther King, Jr., Memorial Commission is a statutory and bi-partisan agency of the Virginia General Assembly, created in 1992, to honor the memory and legacy of Dr. King and to continue his work through educational, historical, and cultural programs, among other activities. The Commission is implementing the development, creation, and erection of the Virginia Emancipation Proclamation and Freedom Monument to serve as an education site and tool for educating the public about the importance of the Emancipation Proclamation and to memorialize as part of the Monument notable African American Virginians who have made significant contributions to the emancipation and freedom of formerly enslaved persons or descendants.

The Commission received funding to help in the planning, design, fabrication, and installation from the General Assembly in 2012 and has selected artist Thomas J. Warren of Oregon to fabricate and install the 12-foot monument on Brown's Island in time to commemorate the 400th anniversary of the arrival of the first recorded Africans to English North America in Jamestown.

As owner of Brown's Island, City staff have been part of the discussions related to the placement of the Monument on Brown's Island, and have advised the Commission on the necessary processes necessary to place the Monument on Brown's Island. In order to make it possible for the Emancipation Proclamation and Freedom Monument to be located at this particular site a total of three (3) Ordinances will ultimately need to be adopted by Council. Those Ordinances include:

1. To declare and direct conveyance of a portion of City-owned real estate to the Commonwealth of Virginia to facilitate the installation, and maintenance of the Emancipation Proclamation and Freedom Monument
2. To grant a non-exclusive permanent deed of easement to install, access, and maintain the Emancipation Proclamation and Freedom Monument. All maintenance costs associated with the installation of the Emancipation Proclamation and Freedom Monument will be borne by the Commonwealth of Virginia.
3. To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute a Fourth Amendment to the Controlled Public Access Lease Agreement between the City of Richmond and Venture Richmond, Inc., for the purpose of excluding from the "Demised Premises" certain real property.

FISCAL IMPACT / COST: None.

FISCAL IMPLICATIONS: None.

BUDGET AMENDMENT NECESSARY: None.

REVENUE TO CITY: None.

DESIRED EFFECTIVE DATE: Upon adoption.

REQUESTED INTRODUCTION DATE: March 8, 2021

CITY COUNCIL PUBLIC HEARING DATE: March 22, 2021

REQUESTED AGENDA: Consent Agenda.

RECOMMENDED COUNCIL COMMITTEE: Planning Commission.

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: None.

AFFECTED AGENCIES: Office of City Attorney, Department of Planning and Development Review.

RELATIONSHIP TO EXISTING ORD. OR RES.: Ord. No. 2019-277

REQUIRED CHANGES TO WORK PROGRAM(S): None.

ATTACHMENTS: Conveyance of Property Survey prepared by Austin Brockenbrough dated January 6, 2021.

STAFF: Kevin J. Vonck, Acting Director - Planning and Development Review
Kevin.Vonck@richmondgov.com - 804.646.3741

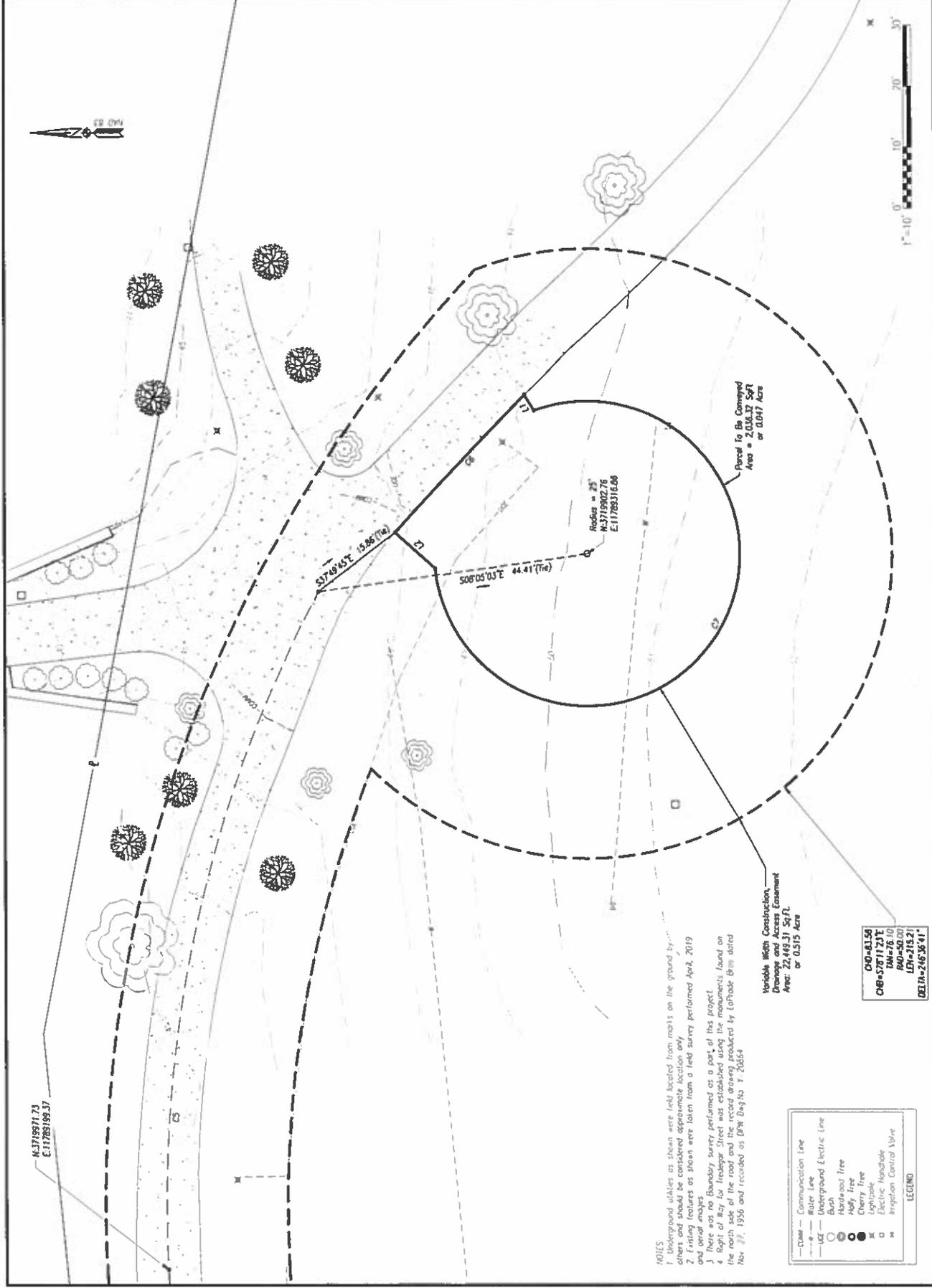
DATE	1/8/21
APPROVED	
DESIGN	16-100
TAC	VA DCS
CLIENT	
SCALE	
DC REVIEW	
AS SHOWN	

Brockenbrough
 ENGINEERING & CONSULTING
 1075 Browns Drive, Suite 200, Richmond, Virginia 23229
 (804) 622-2900, Fax (804) 622-2901
 www.brockenbrough.com

CONVEYANCE PROPERTY SURVEY
 PLAN SHOWING A PORTION OF
 BROWNS ISLAND
 LOCATED NEAR THE
 FIFTH STREET FOOTBRIDGE
 CITY OF RICHMOND
 VIRGINIA



SHEET NO
 1 of 2



- NOTES**
- Underground utilities as shown were field located from maps on the ground by others and should be considered approximate location only.
 - Existing features as shown were taken from a field survey performed April, 2019.
 - There was no boundary survey performed as a part of this project.
 - Right of Way for Tredegar Street was established using the monuments found on the north side of the road and the record drawing produced by LoPride & Co. dated Nov. 27, 1956 and recorded as BPM Deq/No. 7, 20564.

Variable Width Construction,
 Drainage and Access Easement
 Area: 22,448.31 SQ FT
 or 0.515 Acre

CG=61.56
 CB=578.1721
 CM=76.10
 CM=50.00
 CM=215.2
 CM=246.36 41'

LEGEND

—	Communication Line
—	River Line
---	Underground Electric Line
○	Bush
●	Medium Tree
●	Small Tree
●	Cherry Tree
□	Electric Manhole
□	Electric Control Valve
✕	Iron Pipe