

INTRODUCED: July 27, 2015

AN ORDINANCE No. 2015-164-178

To declare that a public necessity exists and to authorize the acquisition of certain permanent easements on the parcel of real property located at 5009 Riverside Drive for the purpose of ensuring public access to Buttermilk Trail in James River Park.

\_\_\_\_\_  
Patron – Mayor Jones

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

PUBLIC HEARING: SEPT 28, 2015 AT 6 P.M.

WHEREAS, in the opinion of the Council of the City of Richmond, a public necessity exists for the acquisition of certain permanent easements, as shown on a drawing prepared by the Timmons Group, dated March 5, 2015, and entitled “Compiled Plat Showing 10’ Trail Easement across the Properties of Scott D. and Georgia J. Stolte, City of Richmond, Virginia,” for the public purpose of ensuring public access to Buttermilk Trail in James River Park.

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That a public necessity exists for the acquisition of certain permanent easements, as shown on a drawing prepared by the Timmons Group, dated March 5, 2015, and entitled

AYES:            7            NOES:            0            ABSTAIN:            \_\_\_\_\_

ADOPTED: SEPT 29 2015 REJECTED: \_\_\_\_\_ STRICKEN: \_\_\_\_\_

“Compiled Plat Showing 10’ Trail Easement across the Properties of Scott D. and Georgia J. Stolte, City of Richmond, Virginia,” a copy of which drawing is attached to and incorporated into this ordinance, for the purpose of ensuring public access to Buttermilk Trail in James River Park.

§ 2. That the Chief Administrative Officer or the designee thereof is hereby authorized and directed to, within the constraints imposed by this ordinance, (i) acquire, by gift, purchase, condemnation or otherwise, the aforementioned permanent easements, (ii) act for and on behalf of the City of Richmond in agreeing or disagreeing with the owners of the property from whom such permanent easements must be acquired upon the compensation, if any, to be paid therefor, and (iii) execute the deeds and other documents necessary to complete the acquisition and acceptance of such permanent easements, provided that all such deeds and other documents first must be approved as to form by the City Attorney or the designee thereof.

§ 3. That none of the aforementioned permanent easements may be acquired by condemnation proceedings unless and until such condemnation proceedings have been authorized by ordinance adopted by this Council.

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



**CITY OF RICHMOND**  
INTRACITY CORRESPONDENCE

O & R REQUEST

JUL 7 2015

4-3810

Chief Administration Office  
City of Richmond

**O&R REQUEST**

**DATE:** July 6, 2015 **EDITION:** 1

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

**THROUGH:** Dwight C. Jones, Mayor *D.C. Jones*

**THROUGH:** Selena Cuffee-Glenn, Chief Administrative Officer *SCG*

**THROUGH:** Debra D. Gardner, Deputy CAO for Human Services *Debra Gardner*

**FROM:** Norman Merrifield, Ed. D., Director *NM*  
Department of Parks, Recreation and Community Facilities

**RE:** Buttermilk Trail Easement

**ORDINANCE OR RESOLUTION NO.:** \_\_\_\_\_

**PURPOSE:** To declare a public necessity exists and to authorize the Chief Administrative Officer (the "CAO") to acquire permanent easements from Scott and Georgia Stolte for pedestrian and bicycle trails "the Trails" to be a part of the Buttermilk Trail as shown on the attached drawing entitled "Compiled Plat Showing 10' Trail Easement Across the Properties of Scott and Georgia Stolte" and dated March 5, 2015.

**REASON:** The Trails are a part of the Buttermilk Trail and have been consistently used as trails by the public. This ordinance would allow the CAO to acquire easements for the Trails and ensure public access to the Trails.

**RECOMMENDATION:** Approval is recommended by the City Administration.

**BACKGROUND:** For a number of years, the public has used the Trails despite the fact the Trails exist on private property. The Trails are considered a vital portion of the Buttermilk Trail. The Buttermilk Trail is a wonderful resource for the City and composes a portion of routes in multiple races that bring thousands of participants to Richmond every year.

**FISCAL IMPACT/COST:** There is no fiscal impact or associated cost to the City.

**FISCAL IMPLICATIONS:**

**BUDGET AMENDMENT NECESSARY:** None

**REVENUE TO CITY:** None

**RECEIVED**

JUL 17 2015

OFFICE OF CITY ATTORNEY

**DESIRED EFFECTIVE DATE:** Upon adoption

**REQUESTED INTRODUCTION DATE:** July 27, 2015

**CITY COUNCIL PUBLIC HEARING DATE:** September 14, 2015

**REQUESTED AGENDA:** Consent Agenda

**RECOMMENDED COUNCIL COMMITTEE:** Land Use, Housing and Transportation (August 18<sup>th</sup>)

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** None

**AFFECTED AGENCIES:** Department of Parks, Recreation, and Community Facilities,

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

**REQUIRED CHANGES TO WORK PROGRAM(S):**

Continued routine maintenance costs are expected in the future years after approval.

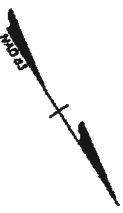
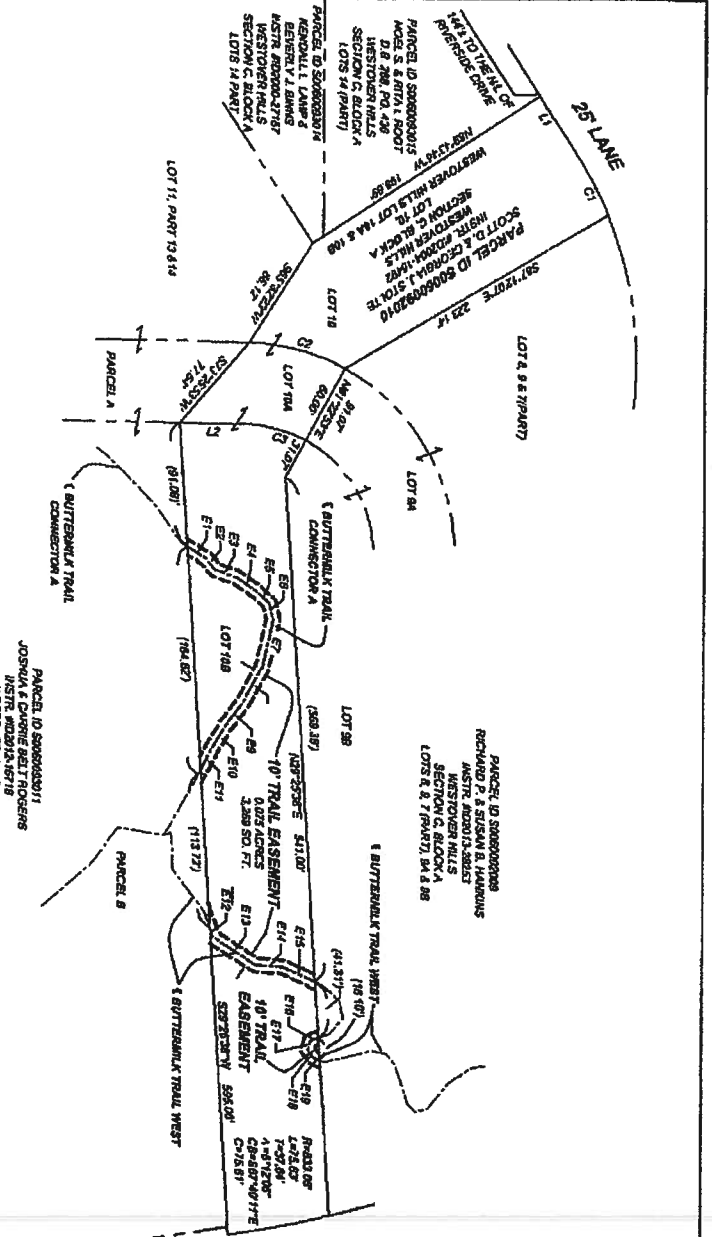
**ATTACHMENTS:**

- A. General Warranty Deed
- B. Exhibit A - Drawing entitled "Compiled Plat Showing 10' Trial Easement Across the Properties of Scott and Georgia Stolte" and dated March 5, 2015

**STAFF:** Norman Merrifield, Ed. D, Director  
Parks, Recreation and Community Facilities, 646-5717

Barry Russell, Deputy Director  
Parks, Recreation and Community Facilities, 646-5944

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NOTE: EASEMENT BEARING DISTANCES AND THE DIMENSIONS ARE INDICATED TO THE CENTER LINE OF THE EASEMENT.

NOTE: DISTANCES AND LENGTHS SHOWN IN PARENTHESES ARE THE DISTANCES FROM PROPERTY LINE BREAKS TO THE CENTERLINE OF THE EASEMENT.

LINE	BEARING	LENGTH
L1	N07°56'17"E	44.05'
L2	N55°02'29"W	48.12'

CURVE	RADIUS	LENGTH	TANGENT	DELTA	CHORD BEARING	CHORD
C1	385.29'	88.35'	27.75'	170°03'	N57°46'09"E	66.28'
C2	958.67'	72.73'	37.26'	27°15'15"	N42°14'14"W	73.64'
C3	564.07'	48.19'	23.07'	27°15'15"	N42°14'14"W	44.78'

LINE	BEARING	LENGTH
E1	N29°28'17"W	18.61'
E2	N4°45'57"W	11.26'
E3	N29°12'11"W	18.75'
E4	N27°17'25"W	17.45'
E5	N16°12'17"W	13.07'
E6	N09°19'44"E	12.81'
E7	N49°28'44"E	35.15'
E8	N51°41'13"E	20.75'
E9	N57°02'38"E	22.14'

LINE	BEARING	LENGTH
E10	N05°12'49"E	12.15'
E11	N20°01'48"E	19.00'
E12	N42°17'59"E	8.12'
E13	N28°21'00"W	32.11'
E14	N52°38'07"W	20.61'
E15	N29°38'44"W	55.20'
E16	S70°21'53"E	6.59'
E17	N49°52'17"E	6.69'
E18	N42°02'27"W	7.44'
E19	N51°45'27"W	1.53'

NOTES

1. All dimensions to parentheses are from dots.
2. Property owners consent as of 2/07/2015.
3. Ordinance No. ...
4. Adopted. ...
5. Accepted. ...

DESIGNER: **TIMMONS GROUP**  
 ENGINEER: [Signature]  
 DATE: 02/05/2015



CITY OF RICHMOND, VA  
 DEPARTMENT OF PARKS, RECREATION  
 AND COMMUNITY FACILITIES



SCALE: 1" = 60'  
 DATE: 02/05/2015

COMPLETED PLAT SHOWING  
 10' TRAIL EASEMENT  
 ACROSS THE PROPERTIES OF  
 SCOTT D. AND GEORGIA J. STOLTE  
 CITY OF RICHMOND, VIRGINIA

