

INTRODUCED: September 14, 2020

AN ORDINANCE No. 2020-199

To declare a public necessity for and to authorize the acquisition of the parcel of real property owned by the Virginia Department of Transportation and known as 311 South Belmont Avenue for the purpose maintaining the property as a City green space, playground, and recreational area.

Patron – Mayor Stoney

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: SEP 28 2020 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

WHEREAS, in the opinion of the Council of the City of Richmond, a public necessity exists for the acquisition of the property known as 311 South Belmont Avenue, identified as Tax Parcel No. W000-1352/025 in the 2020 records of the City Assessor, and depicted on a plat entitled “Boundary Survey with Improvements of 0.579 Acre of Land Know [sic] as Grayland Playground, City of Richmond, Virginia,” prepared by nxl, and dated June 14, 2018, for the purpose of maintaining the property as a City green space, playground, and recreational area; and

WHEREAS, the Virginia Department of Transportation, the owner of the aforementioned property, has agreed to give the property to the City;

NOW, THEREFORE,

AYES: 8 NOES: 0 ABSTAIN: _____

ADOPTED: SEP 29 2020 REJECTED: _____ STRICKEN: _____

THE CITY OF RICHMOND HEREBY ORDAINS:

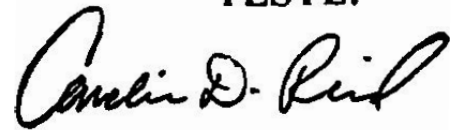
§ 1. That a public necessity exists for the acquisition of the parcel of real property known as 311 South Belmont Avenue, identified as Tax Parcel No. W000-1352/025 in the 2020 records of the City Assessor, and depicted on a plat entitled “Boundary Survey with Improvements of 0.579 Acre of Land Know [sic] as Grayland Playground, City of Richmond, Virginia,” prepared by nxl, and dated June 14, 2018, a copy of which is attached hereto and incorporated herein, for the purpose of maintaining the property as a City green space, playground, and recreational area.

§ 2. That the Chief Administrative Officer, for and on behalf of the City of Richmond, be and is hereby authorized to acquire such parcel of real property from the Virginia Department of Transportation for nominal consideration and to execute the deed and such other documents as may be necessary to complete the acquisition and acceptance of such parcel of real property, provided that such deed and other documents have first been approved as to form by the City Attorney.

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

A TRUE COPY:

TESTE:

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

City Clerk



CITY OF RICHMOND


INTRACITY CORRESPONDENCE


RECEIVED
By Barbara Fore at 4:00 pm, Aug 24, 2020


O&R REQUEST


DATE: July 23, 2020 **EDITION:** 1

TO: The Honorable Members of City Council

THROUGH: Levar M. Stoney, Mayor 

THROUGH: Lenora G. Reid, Acting Chief Administrative Officer 

THROUGH: Reginald E. Gordon, DCAO for Human Services 

FROM: Christopher E. Frelke, Director of Parks, Recreation & Community Facilities 

RE: To accept the transfer of real property known as 311 South Belmont Avenue, Richmond, VA 23221 also known as Grayland Playground (Tax Parcel #W0001352025) from the Virginia Department of Transportation.

ORDINANCE OR RESOLUTION NO.: _____

PURPOSE: To authorize the Acting Chief Administrative Officer, on behalf of the City of Richmond, to accept the transfer of real property known as 311 South Belmont Avenue, Richmond, VA 23221 also known as Grayland Playground (Tax Parcel #W0001352025) from the Virginia Department of Transportation. Further, to authorize the Acting Chief Administrative Officer to accept deed and title to said property for the purpose of maintaining the property as public green space, a playground, and for recreational use.

REASON: The property known as 311 South Belmont Avenue currently functions as a community playground and basketball court. The Department of Parks, Recreation and Community Facilities maintains the property even though it is not officially part of the Department's portfolio. Transfer of this property will allow the Department of Parks, Recreation and Community Facilities to more adequately maintain the property and allocate existing resources for improvements to the property when needed.

RECOMMENDATION: Approval is recommended by the City Administration.

BACKGROUND: The Virginia Department of Transportation acquired the property known as 311 South Belmont Avenue, Richmond, VA 23221 during the construction of Interstate 95. The Virginia Department of Transportation has determined that the property is no longer needed for highway purposes and has offered the City the opportunity to acquire the property at no cost. The property will be conveyed by a quitclaim deed. If the property is used for any purpose other than public use, the City's title and interest in the property will terminate immediately and the property will revert back to the Virginia Department of Transportation. The City will be obligated to pay for recording of the deed and any tax or fee associated with the recordation or transfer of the property. The property which currently functions as Grayland Playground for the Carytown and City Stadium neighborhoods, is not currently included in the Department of Parks, Recreation and Community Facilities portfolio of properties. Transfer of the property will allow the Department of Parks, Recreation and Community Facilities to more appropriately maintain the property and designate current resources to make improvements to the property when necessary. According to the City's Parcel Mapper as of January 1, 2020 the parcel was assessed at \$718,000.00.

FISCAL IMPACT/COST: None

FISCAL IMPLICATIONS: No new impacts

BUDGET AMENDMENT NECESSARY: None

REVENUE TO CITY: None

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: September 14, 2020

CITY COUNCIL PUBLIC HEARING DATE: September 28, 2020

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Land Use, Housing & Transportation

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: None

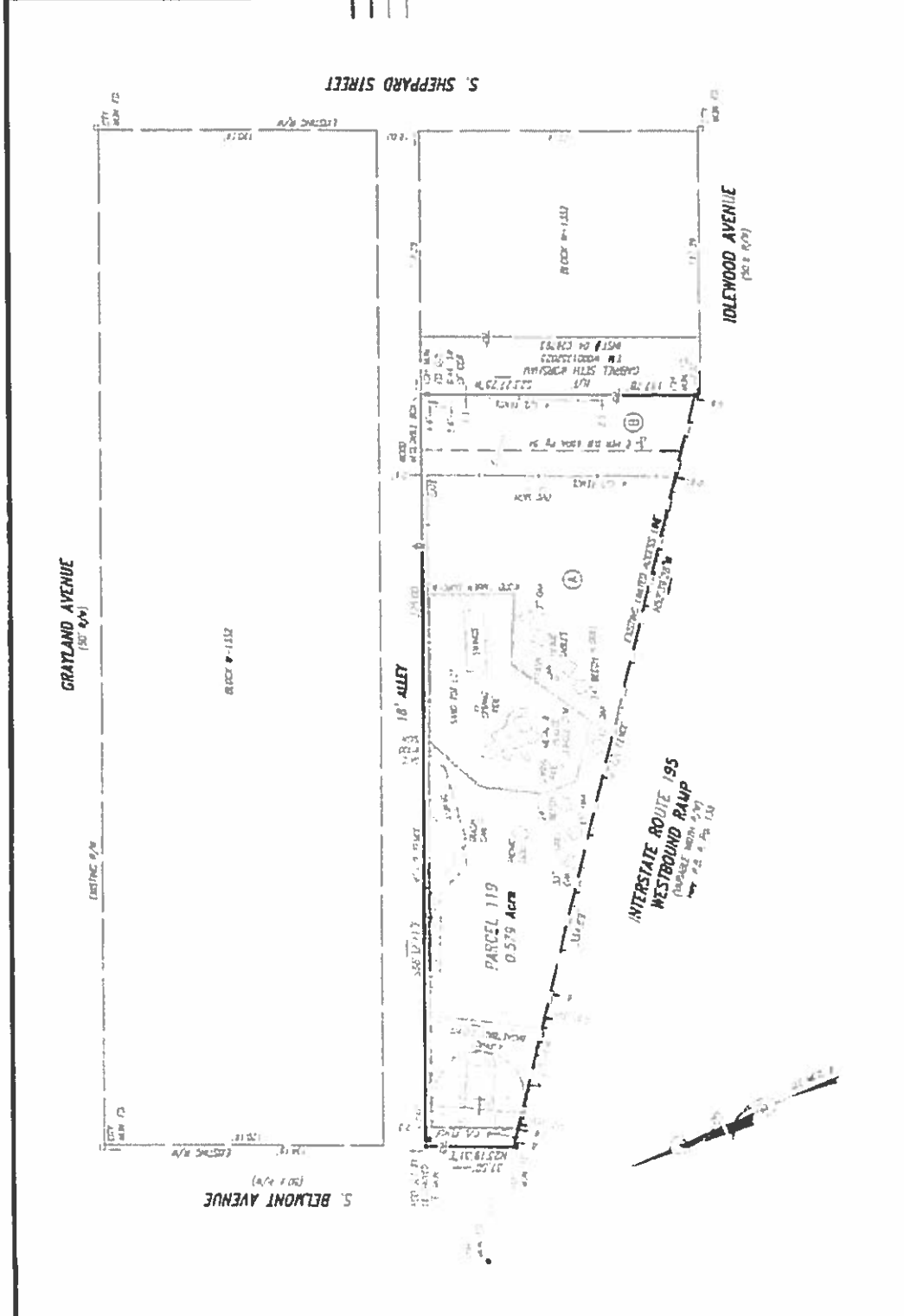
AFFECTED AGENCIES: Parks, Recreation and Community Facilities

RELATIONSHIP TO EXISTING ORD. OR RES.: None

REQUIRED CHANGES TO WORK PROGRAM(S): None

ATTACHMENTS: Attachment A – Grayland Park Boundary Survey
Attachment B – Offer to Purchase

STAFF: Heywood Harris – Parks, Recreation and Community Facilities – 646.5608
Christopher Irelke, Director of Parks, Recreation & Community Facilities – 646.1128



BOUNDARY SURVEY WITH IMPROVEMENTS OF 0.579 ACRE OF LAND KNOWN AS GRAYLAND PLAYGROUND CITY OF RICHMOND, WISCONSIN

RED Engineers, Surveyors & Construction Managers
1100 East Main Street, Suite 100
Richmond, WI 53081-1000
Phone: 414.255.1100
Fax: 414.255.1101

HORIZONTAL DATUM	North American Datum of 1983
VERTICAL DATUM	NAVD 83
SCALE	AS SHOWN
DATE	JUNE 11, 2018
BY	DAVID J. BROWN, S.E.
CHECKED BY	DAVID J. BROWN, S.E.
DATE	JUNE 11, 2018
PROJECT	GRAYLAND PLAYGROUND



OWNER INFORMATION

(A) THE CORPORATION OF WISCONSIN
 1100 EAST MAIN STREET
 311 S. DELMONT AVENUE

(B) THE CORPORATION OF WISCONSIN
 1100 EAST MAIN STREET
 311 S. DELMONT AVENUE

- NOTES**
- CURRENT OWNER: THE CORPORATION OF WISCONSIN
 P.O. BOX 3400
 COLWAUWEE, WISCONSIN 53001
 - PROPERTY CORNER MARKS: ALL CORNER MARKS ARE METERS BY URBAN PLAT STANDARDS OF THE WISCONSIN SURVEYING BOARD.
 - ALL PROPERTY PHYSICAL IMPROVEMENTS ARE SHOWN PER CURRENT FIELD SURVEY.
 - THIS BOUNDARY SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A BDC WHICH MAY AFFECT THE PROPERTY BOUNDARIES.
 - NO ADJACENT OR LOCATION OF SURFACE UTILITIES WAS PERFORMED DURING THE PREPARATION OF THIS PLAN.
 - PARCEL ACRES ARE BASED ON CURRENT FIELD SURVEY.
 - PARCEL DESCRIPTION TAKEN FROM 18 9 20 10 PL. 210
 - ALL SURVEY POINTS, STATION, ZONE, COORDINATES

OFFER TO PURCHASE

Route: 88, Project: 0088-127-101, RW-201, City/County: Richmond
Former Property of Richmond Metropolitan Authority, Parcel 005 and 021
PMI #: 10409
Date: October 17, 2019

Brief legal description of Virginia Department of Transportation property: Being as shown in RED on Sheet 2 of the plans for Route 88, State Highway Project 0088-127-101, RW-201 and east of and adjacent to the east revised existing right of way (6/19/19) and limited access line of Route 88 from a point approximately 11 feet opposite approximate Station 11+37 [(Ramp I-W (Idlewood West) Construction Baseline)] to a point 28.02 feet opposite Station 14+46.41 [(Ramp I-W (Idlewood West) Construction Baseline)], containing 2,867.29 square feet or 0.5133 acre, more or less, land; and being a part of the same lands acquired from Richmond Metropolitan Authority by Deed dated March 23, 1971, recorded in Deed Book 6708, Page 216, in the Office of the Clerk of the Circuit Court of Richmond, Virginia. ("Property")

The City of Richmond, a Virginia Municipal Corporation, ("Purchaser(s)") AGREE(s) to purchase the Property described above for \$ 1.00.

This Offer is conditionally accepted by the Virginia Department of Transportation subject to Notice of Offer Acceptance, to be provided in writing, by the State Director of Right of Way and Utilities or his/her designee.

Purchaser(s) understand the Property is sold "as is", and will be conveyed by quitclaim deed. Purchaser(s) understand that a formal closing will take place within 60 days of Notice of Offer Acceptance, at which time Purchaser(s) will be required to pay for recording of the deed and any tax or fee associated with the recordation or property transfer.

The Purchaser(s) acknowledges that it has received all environmental reports in possession of the Department relating to the Property, and will be granted a right of entry as the opportunity to conduct a Phase I Environmental Site Assessment solely at Purchaser(s)' expense, to satisfy due diligence requirements under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) prior to closing on the Property, and agrees that completion of such Assessment shall not exceed a period of 30 days from the date of Notice of Offer Acceptance or be deemed waived by the Purchaser(s) without further action.

Check one:

- Purchaser(s) will conduct a Phase I Environmental Site Assessment, which shall begin on the day of Notice of Offer Acceptance and shall not exceed 30 days.
 Purchaser(s) will not conduct a Phase I Environmental Site Assessment

Purchaser(s) understand the Property is subject to the following easement(s):

- NA

It is further understood and agreed by and between the parties hereto, that should the Purchaser(s) discontinue use of the lands herein conveyed for public purposes, all of Purchaser(s) right title and interest to said lands shall immediately terminate and the lands shall revert to the Commonwealth of Virginia, Department of Transportation, without demand or action on the part of the Department. For the purpose of public notice in the event of reversion, the Purchaser(s) shall quitclaim and release said property by deed to the Commonwealth of Virginia, Department of Transportation immediately on written request by the Department. If the Purchaser(s), its successors or assigns, fails to immediately comply with the terms hereof, the Department may petition any court of competent jurisdiction to enforce the re-conveyance of said property.

OFFER TO PURCHASE

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CITY OF RICHMOND,
A Municipal Corporation

BY _____ (SEAL)

ITS: _____

COMMONWEALTH OF VIRGINIA

City/County/Town of _____, to-wit:

The foregoing instrument was acknowledged before me this _____ day of
_____, 2019 by _____, the
_____ of the City of Richmond, a Virginia Municipal Corporation.

Notary Public

Affix Stamp for Notary ID and Commission Expiration Date

APPROVED AS TO LEGAL SUFFICIENCY AND FORM:

City Attorney

Date