

INTRODUCED: October 10, 2023

AN ORDINANCE No. 2023-302

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute a Deed of Quitclaim of Utility Easement between the City of Richmond and Deepwater I, LLC and Matan Deepwater, LLC, for the purpose of vacating by quitclaim deed certain easements on the property known as 2301 Commerce Road, for nominal consideration, to Deepwater I, LLC and Matan Deepwater, LLC.

Patron – Mayor Stoney

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: NOV 13 2023 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That the Chief Administrative Officer, for and on behalf of the City of Richmond, is hereby authorized to execute a Deed of Quitclaim of Utility Easement between the City of Richmond and Deepwater I, LLC and Matan Deepwater, LLC, for the purpose of vacating by quitclaim deed the City's one perpetual easement for a utility easement and two perpetual easements for sanitary sewers as shown on a plat entitled "Plat of a 1.743 Acre Variable Width Utility Easement to be Dedicated & Two Sanitary Easements to be Vacated Over the Property of

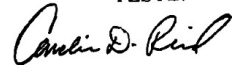
AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: NOV 13 2023 REJECTED: _____ STRICKEN: _____

Deepwater I, LLC,” prepared by Timmons Group, dated August 21, 2023, and attached to this ordinance as “Exhibit C” on the Deed of Quitclaim of Utility Easement, that may exist on the property known as 2301 Commerce Road, for nominal consideration, to Deepwater I, LLC and Matan Deepwater, LLC. Such Deed of Quitclaim of Utility Easement shall be approved as to form by the City Attorney and shall be substantially in the form of the document attached to this ordinance.

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

A TRUE COPY:
TESTE:


City Clerk



City of Richmond

900 East Broad Street
2nd Floor of City Hall
Richmond, VA 23219
www.rva.gov

Master

File Number: Admin-2023-1640

File ID: Admin-2023-1640

Type: Request for Ordinance or Resolution

Status: Regular Agenda

Version: 1

Reference:

In Control: City Clerk Waiting Room

Department:

Cost:

File Created: 09/18/2023

Subject:

Final Action:

Title:

Internal Notes:

Code Sections:

Agenda Date: 10/10/2023

Indexes:

Agenda Number:

Patron(s):

Enactment Date:

Attachments: Quitclaim 1 Approved as to Form, 2023-1640
Quitclaim 1 Ex. A, 2023-1640 Quitclaim 1 Ex. B,
2023-1640 Quitclaim 1 Ex. C, 2023-1640 Quitclaim 1
Ex. D, Quitclaim 2 Approved as to Form, 2023-1640
Quitclaim 2 Ex. A, 2023-1640 Quitclaim 2 Ex. B,
2023-1640 Quitclaim 2 Ex. C

Enactment Number:

Contact:

Introduction Date:

Drafter: Adam.Hohl@rva.gov

Effective Date:

Related Files:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/19/2023	April Bingham	Approve	9/20/2023
1	2	9/19/2023	Adam Hohl - FYI	Notified - FYI	
1	3	9/19/2023	Robert Steidel	Approve	9/20/2023
1	4	9/19/2023	Adam Hohl - FYI	Notified - FYI	
1	5	9/19/2023	Caitlin Sedano - FYI	Notified - FYI	
1	6	9/19/2023	Lincoln Saunders	Delegated	
Notes: Delegated: Out Of Office					
1	7	9/21/2023	Sabrina Joy-Hogg	Approve	9/21/2023
1	8	10/3/2023	Mayor Stoney	Approve	10/9/2023

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
---------------	--------------	-------	---------	----------	-----------	-----------------	---------

Text of Legislative File Admin-2023-1640

City of Richmond

INTRACITY CORRESPONDENCE

O&R REQUEST

DATE: September 13, 2023 **EDITION:** 1

TO: The Honorable Members of City Council

THROUGH: Levar M. Stoney, Mayor

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

THROUGH: Robert Steidel, Deputy Chief Administrative Officer

FROM: April N. Bingham, Director, Public Utilities

RE: Deepwater I, LLC - Sewer Easement Vacation

ORD. OR RES. No.

PURPOSE: To authorize the Chief Administrative Officer to execute two (2) quitclaim deeds (the “Quitclaim Deeds”) to vacate the following existing sewer easements: 1) twenty (20) foot sewer easement located on the plat attached to the instrument recorded in the Clerk’s Office, Circuit Court in the City of Richmond, Virginia in Book 565, page 1075; 2) twenty (20) foot sewer easement located on the plat attached to the instrument recorded in the Clerk’s Office, Circuit Court in the City of Richmond, Virginia in Book 302, page 1; 3) twenty (20) foot sewer easement located on the plat attached to the instrument recorded in the Clerk’s Office, Circuit Court in the City of Richmond, Virginia in Book 372, page 61; 4) twenty (20) foot sewer easement located on the plat attached to the instrument recorded in the Clerk’s Office, Circuit Court in the City of Richmond, Virginia in Book 372, page 508; and 5) twenty (20) foot sewer easement located on the plat attached to the instrument recorded in the Clerk’s Office, Circuit Court in the City of Richmond, Virginia in Book 379, page 108 (collectively as the “Existing Easements”). Execution of the Quitclaim Deeds is contingent upon the execution of two (2) Deeds of Utility Easements (the “Replacement Deeds”) by the property owner and the City. The Replacement Deeds shall grant the City easements to operate and maintain utility facilities, both existing and future, upon specified areas of the property owner’s property.

REASON: The Property owner proposed development on the Property that is in conflict with the

Existing Easements. Vacation of the Existing Easements will release the City's property interest(s). The sanitary sewer has been re-routed and will be set within a separate easement making these existing easements unnecessary.

RECOMMENDATION: The Department of Public Utilities with concurrence from the Administration recommends the adoption to vacate these easements.

BACKGROUND: The Department of Public Utilities ("DPU") determined that the Existing Easements are no longer necessary.

FISCAL IMPACT / COST: N/A

FISCAL IMPLICATIONS: N/A

BUDGET AMENDMENT NECESSARY: N/A

REVENUE TO CITY: N/A

DESIRED EFFECTIVE DATE: Effective immediately upon adoption.

REQUESTED INTRODUCTION DATE: October 10, 2023

CITY COUNCIL PUBLIC HEARING DATE: November 13, 2023

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Land Use, Housing, and Transportation

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: N/A

AFFECTED AGENCIES: Department of Public Utilities

RELATIONSHIP TO EXISTING ORD. OR RES.:

REQUIRED CHANGES TO WORK PROGRAM(S):

ATTACHMENTS: Two (2) Deeds of Quitclaim Utility Easement

STAFF:

Eric Whitehurst - 804-646-3780

Susan D. Hamilton - 804-646-1392

AFTER RECORDING RETURN TO:
City of Richmond, City Attorney's Office
900 E. Broad Street, Suite 400
Richmond, Virginia 23219

CITY OF RICHMOND, VIRGINIA
TAX MAP NO.: S0080601053

DEED OF QUITCLAIM OF UTILITY EASEMENTS

THIS DEED OF QUITCLAIM OF UTILITY EASEMENTS (this "Deed") is made this _____ day of _____, 2023, by and between the **CITY OF RICHMOND**, a municipal corporation organized under the laws of the Commonwealth of Virginia, to be indexed as grantor (the "GRANTOR"), **DEEPWATER I, LLC**, a Virginia limited liability company ("Deepwater"), and **MATAN DEEPWATER, LLC**, a Delaware limited liability company ("Matan" and collectively with Deepwater, the "GRANTEE").

RECITALS

WHEREAS, Deepwater is the owner of certain real property located in the City of Richmond, Virginia, designated as Tax Map No. S0080601053 and being the same real estate conveyed to Deepwater by deed recorded in the Clerk's office of the Circuit Court of Richmond, Virginia (the "Clerk's Office") as Instrument No. 21-17069 (the "Property"), and Matan is the contract purchaser of the Property;

WHEREAS, two (2) twenty (20-) foot sewer easements (collectively the "Easements") on the property were conveyed to the GRANTOR, by that certain plat on file in the Department of Public Works City of Richmond, Virginia, entitled "PROPOSED SANITARY SEWER EASEMENT AT COMMERCE RD.-ALLEGHANY WAREHOUSE CORP.-WHSE #49," marked "Drawing No. N-20552," dated May 16, 1980, recorded in the Clerk's Office in Deed Book 565 page 1075 and marked as "Exhibit A," attached hereto and made a part hereof, and by that certain plat on file in the Department of Public Works City of Richmond, Virginia, entitled "PROPOSED 20' EASEMENT FOR SANITARY SEWER BETWEEN GOODES CREEK AND COMMERCE ROAD NORTH OF RUFFIN ROAD," marked "Drawing No. O-15951," dated August 26, 1964, recorded in the Clerk's Office in Deed Book 302, page 1 and marked as "Exhibit B," attached hereto and made a part hereof;

WHEREAS, the location of the Easements (the "Easement Area") are more particularly shown on that certain plat entitled "PLAT OF A 1.743 ACRE VARIABLE WIDTH UTILITY EASEMENT TO BE DEDICATED & TWO SANITARY EASEMENTS TO BE VACATED OVER THE PROPERTY OF DEEPWATER I, LLC," prepared by Timmons Group, dated August 21, 2023, and marked as "Exhibit C," attached hereto and made a part hereof; and

WHEREAS, pursuant to the terms of Ordinance No. 20____-_____, adopted by the Richmond City Council on _____, 20____, attached hereto and incorporated herein without its attachments as "Exhibit D," GRANTOR has agreed to vacate, convey, remise, release, and forever quitclaim to GRANTEE the Easements, as well as any of GRANTOR's sewer improvements within the Easement Area, all as more particularly set forth in this Deed.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing recitals, incorporated herein and made a part hereof, and in consideration of the mutual undertakings herein contained, ten dollars cash in hand paid (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, GRANTOR and GRANTEE agree as follows:

1. GRANTOR hereby vacates, conveys, remises, releases, and forever quitclaims to GRANTEE and their successors and assigns, all rights, title and interests of GRANTOR in and to the property in and to the Easements and Easement Area conveyed by the Easements.

2. Each of the Parties hereto releases to the other, and their respective predecessors, successors and assigns, from any and all other conditions, covenants, provisions and obligations, whether accrued or not, or performed in whole, in part, or not at all, or express or implied, with respect to the Easements.

3. Each individual executing this Deed represents that he or she is duly authorized to bind GRANTOR or GRANTEE, as the case may be, to the terms and provisions of this Deed.

SIGNATURES ON FOLLOWING PAGES

IN WITNESS WHEREOF, GRANTOR has hereunto affixed its signature and seal as of the day and year first herein above written.

CITY OF RICHMOND (GRANTOR)

By: _____

J. E. Lincoln Saunders
Chief Administrative Officer
City of Richmond, Virginia

Approved as to form:

By: Emily Messer

Emily Messer
Assistant City Attorney
City of Richmond, Virginia

COMMONWEALTH OF VIRGINIA

CITY OF RICHMOND, to-wit:

I, _____, Notary Public in and for the City and State aforesaid, do hereby certify that J. E. Lincoln Saunders, whose name is signed to the foregoing deed of quitclaim of utility easement bearing date _____ day of _____, 20____, personally appeared before me in my City and State aforesaid and acknowledged the same to be his act and deed.

Given under my hand this _____ day of _____, 20____.

Notary Public

Notary Registration Number: _____

My commission expires: _____

DEEPWATER I, LLC (GRANTEE)

By: _____

Name: Joseph P. Marchetti, III

Title: Vice President

COMMONWEALTH OF VIRGINIA

CITY OF _____, to-wit:

I, _____, Notary Public in and for the City and State aforesaid, do hereby certify that Joseph P. Marchetti, III, Vice President, on behalf of Deepwater I, LLC, a Virginia limited liability company, whose name is signed to the foregoing deed of quitclaim of utility easement personally appeared before me in my City and State aforesaid and acknowledged the same to be his act and deed.

Given under my hand this _____ day of _____, 20_.

Notary Public

Notary Registration Number: _____

My commission expires: _____

MATAN DEEPWATER, LLC (GRANTEE)

a Delaware limited liability company

By: Matan Deepwater Holdings, LLC,
a Virginia limited liability company, Manager

By: WIM II, LLC
a Maryland limited liability company, Manager

By: _____

Name: Mark C. Matan

Title: Manager

STATE/COMMONWEALTH OF _____
CITY/COUNTY OF _____, to-wit:

I, _____, Notary Public in and for the City and State aforesaid, do hereby certify that Mark C. Matan, Manager, on behalf of WIM II, LLC, a Maryland limited liability company, as Manager of Matan Deepwater Holdings, LLC, a Virginia limited liability company, as Manager of Matan Deepwater, LLC, a Delaware limited liability company, whose name is signed to the foregoing deed of quitclaim of utility easement personally appeared before me in my City and State aforesaid and acknowledged the same to be his act and deed.

Given under my hand this _____ day of _____, 20__.

Notary Public

Notary Registration Number: _____

My commission expires: _____

EXHIBIT A

NOV 5 1975

THIS DEED OF EASEMENT, made this 20th day of May, 19 80, between
Alleghany Warehouse Co., Inc.

hereinafter referred to as "Grantors," and the CITY OF RICHMOND, a municipal corporation of the Commonwealth of Virginia, hereinafter referred to as "Grantee";

W I T N E S S E T H :

WHEREAS, Grantors are the owners of certain land wherein an easement for
a sanitary sewer thereto is to be granted,
 pursuant to the provisions of Section 2-22 of the 19 75 Richmond City Code, and
 are willing to grant to Grantee the said easement.

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other
 good and valuable consideration, receipt of which is hereby acknowledged, the Grantors
 do hereby give, grant, dedicate and convey to the Grantee, with General Warranty of
 Title, a perpetual easement in and across the land owned by the Grantors for the
 construction, reconstruction, maintenance, repair, and operation of a sanitary
sewer line, as shown enclosed in red lines, and a
 temporary construction easement as shown enclosed in green lines on the plan on file
 in the office of the Department of Public Works of the Grantee, entitled,
"Proposed Sanitary Sewer Easement at Commerce Rd.-Alleghany Warehouse
Corp.-Whse #49"

~~XXXXXX~~, marked "Drawing No. N-20552", a copy of which is attached hereto and
 made a part of this deed of easement, being a portion of the same real estate con-
 veyed to Grantors

by deed recorded in the Clerk's office Circuit Court of the City of Richmond,
 in Deed Book 462, page 723. Division II

The Grantee hereby covenants and agrees with the Grantors that the Grantee will
 restore or replace the land and the surface thereof within the boundaries of the
 easement to its original condition as far as practicable upon the completion of the
 construction, reconstruction, maintenance or repair of said sanitary sewer

IN WITNESS WHEREOF, the Grantors have hereunto affixed their signatures and
 seals as of the day and year first hereinabove written.

ALLEGHANY WAREHOUSE CO., INC.

ATTEST:

By: Constant R. Ray, President
 (Title)

Harold C. Bell, Assistant Secretary

STATE OF VIRGINIA

CITY OF RICHMOND, to-wit:

I, Erwin L. Martin, Notary Public in and for the City and State
 aforesaid, do hereby certify that Constant R. Ray, President, and
Harold C. Bell, Asst. Secy.

whose names are signed to the foregoing deed of easement, bearing date on the 20th
 day of May, 19 80, personally appeared before me in my City and State
 aforesaid and acknowledged the same to be their act and deed.

Given under my hand this 22nd day of May, 19 80.

My commission expires:

Oct. 16, 1982

Erwin L. Martin
 Notary Public

The foregoing deed of easement from Alleghany Warehouse Co., Inc.

is hereby accepted this 30th day of May, 19 80, pursuant to authority
 granted by Section 2-22 of the 19 75 Richmond City Code.

CITY OF RICHMOND

By: Wm. M. Deese
 City Manager

APPROVED AS TO FORM:

C. John Cook
 Assistant City Attorney

Grantee: City of Richmond, Room 300 City
 Hall, Richmond, VA 23219

1076

C E R T I F I C A T E

I, HAROLD E. BEDELL, Assistant Secretary of Alleghany Warehouse Company, Incorporated, do hereby certify that the following resolutions were duly adopted by Action in Writing of Alleghany Warehouse Company, Incorporated dated May 21, 1980, said Action having been taken by a quorum of the Board of Directors of the corporation:

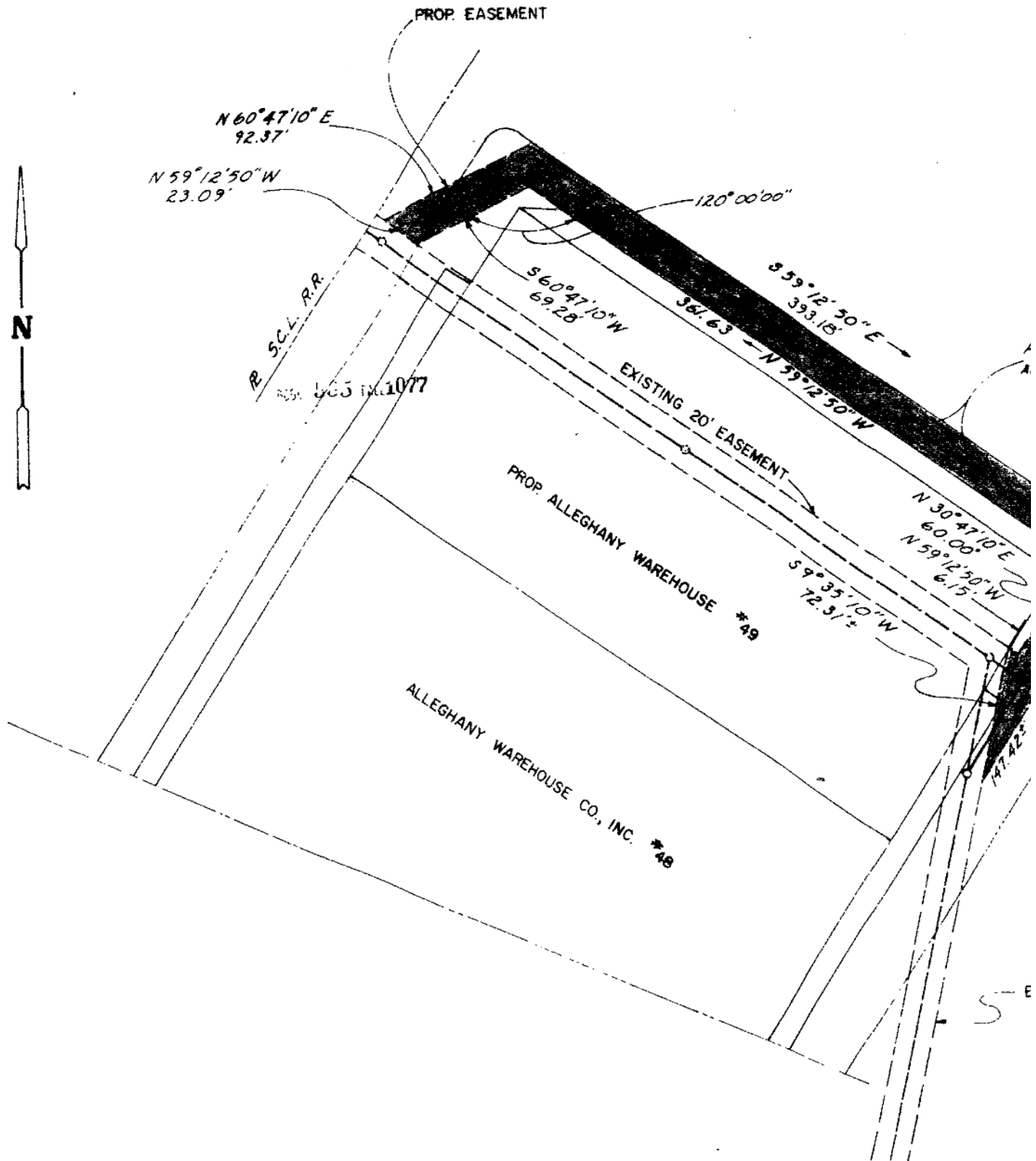
RESOLVED: That it is in the best interest of the corporation for it to grant and convey a certain sanitary sewer easement to the City of Richmond, all as shown on a certain deed from the corporation to the City of Richmond dated May 20, 1980, with plat of Department of Public Works Drawing No. N-20552 attached thereto, a copy of said deed and a copy of said plat being attached to this action in writing as a part thereof; and

RESOLVED FURTHER that Constant R. Ray, President of the corporation, be and he hereby is authorized and directed to sign and deliver the aforementioned deed on behalf of the corporation, and Harold E. Bedell, Assistant Secretary of the corporation, be and he is hereby authorized and directed to affix the corporate seal thereto and attest the same.

GIVEN under my hand and the seal of my corporation this 21st day of May, 1980.

Harold E. Bedell Assistant Secretary
HAROLD E. BEDELL, Assistant Secretary

SEAL OF
ALLEGHANY WAREHOUSE COMPANY, INCORPORATED



NOTES

1. Data and facts shown represent the difference in elevation of ground at property line and the sidewalk grade.
 2. 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.

3. Lot dimensions in parentheses are from deeds
 4. Grades adopted by City Manager .19
 5. Damages made final .19
 6. Property owners correct as of .19

Design

Permits & Engineering Services Admin. *Channing*
 Surveys Admin. *Robert E. Sauer*
 Bureau of Engineering

Robert E. Sauer 5-16-80
 Director of Public Works

**PROF.
AT CO.
CORP.**

AUTHORITY: DIR.

REFERENCES

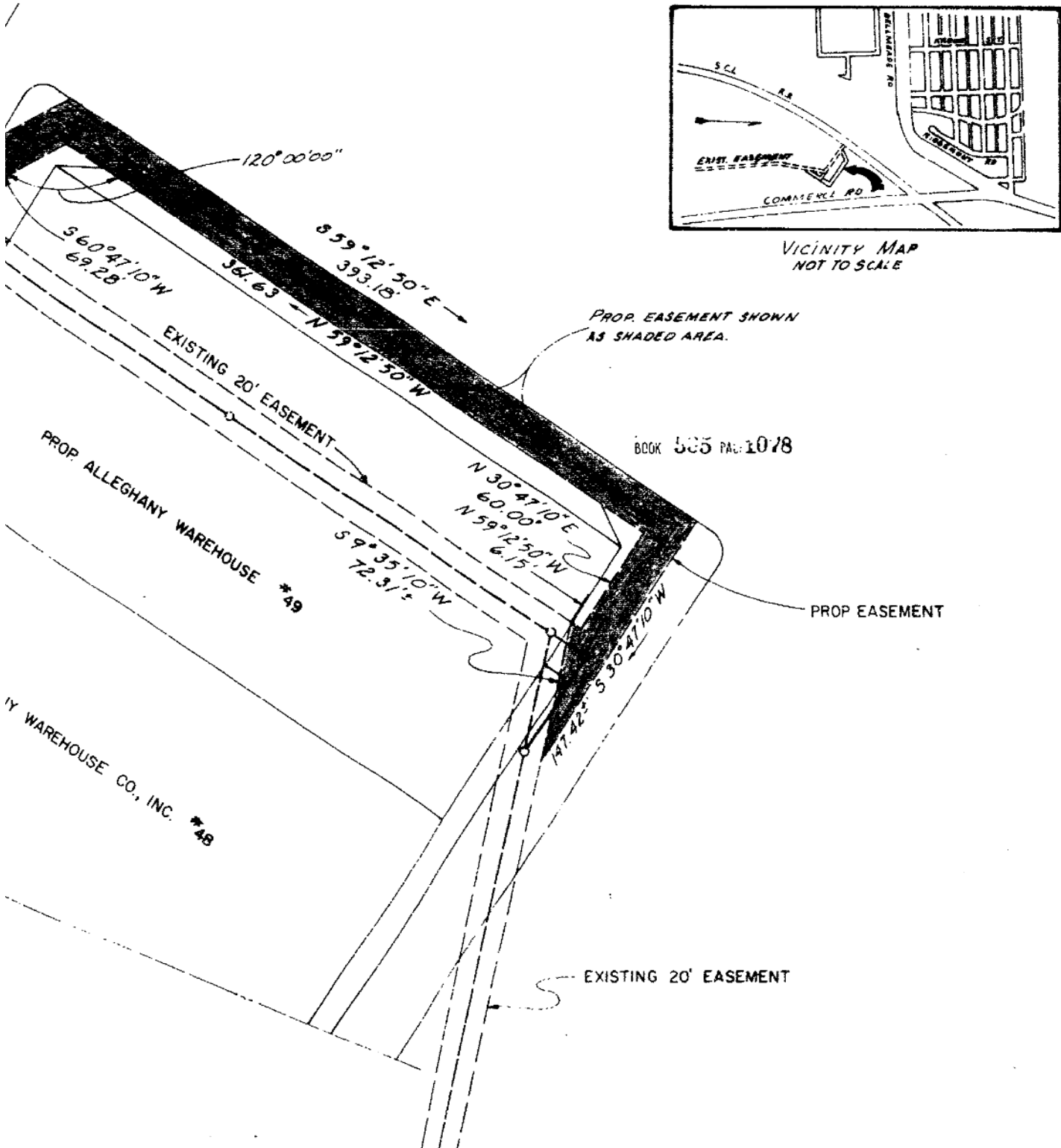
15950, 0-15951, B/L 86 N.E., 86 S.E.

REVISIONS

DEPARTMENT OF PUBLIC WORKS
 RICHMOND, VIRGINIA

DESIGNED BY DLW
 DRAWN BY AL Conner
 CHECKED BY CLO

EASEMENT



Design Permits & Engineering Services Admin. <i>Chibing</i> Surveys Admin. <i>asb</i> Bureau of Engineering <i>Robert E. Simon</i> <i>Director of Public Works</i> 5-16-80	PROPOSED SANITARY SEWER EASEMENT AT COMMERCE RD - ALLEGHANY WAREHOUSE CORP.-WHSE #49					
	AUTHORITY: DIRECTOR, VERBAL REQUEST OF CITY ATTORNEY					
DEPARTMENT OF PUBLIC WORKS RICHMOND, VIRGINIA	DESIGNED BY <i>DLW</i> DRAWN BY <i>KL Collins</i> CHECKED BY <i>CLO</i>	FIELD NOTES	SCALE 1"=50'	DATE 5/15/80	PROJECT SHEET OF	DRAWING NO N-20552

PG# 505 IN 1079

Virginia:

In the Clerk's Office of the
Circuit Court of the City of
Richmond, Division II, this
instrument was presented

JUN 3 1980 11:45 AM
and with Certificate annexed,
admitted to record.

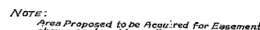
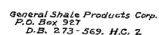
Teste: *Lina P. Purdy*

Clerk D.B.

No. 2012
State Tax ✓
Trf. fee ✓
City Tax ✓
Cik's. Fee ✓
Grantor's
Tax ✓
Total ✓
Pg. 2

Box: City of Richmond

EXHIBIT B

[illegible]

WE BELIEVE 191355 P-51'S 1-5-45 HAVE BEEN ACQUIRED ON THIS PLAN. SALADINA 11 20 11P. 240 241PM. 10.0 11-45-15A. 21FA 11 24 11P.

EXHIBIT C

Y:\90140966.022-DEEPWATER\DWG\40966.022V-XPESMT-DEDICATION-VACATION LOT 2 8-21-23.dwg | Plotted on 9/18/2023 11:54 AM | by Zachary Viney

NOTES:

1.) OWNERS OF RECORD:

DEEPWATER I, LLC
INST. #210017608
PARCEL ID: S0080601053
2301 COMMERCE ROAD

2.) THIS PLAT IS BASED ON A CURRENT TIMMONS GROUP FIELD SURVEY.
FIELDWORK WAS PERFORMED THE WEEKS OF JUNE 12, 19 & 24, 2023.

3.) NO IMPROVEMENTS SHOWN HEREON.

4.) THE PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE "X" DESIGNATION, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL FLOOD CHANCE AND ZONE "X" AREAS OF 0.2% ANNUAL FLOOD CHANCE (INDICATED BY 'ZONE "X" - SHADED' HEREON) BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ON FLOOD INSURANCE RATE MAPS NO. 5101290077D AND 5101290081D DATED APRIL 2, 2009. LOCATION OF FLOOD ZONES SHOWN ARE SCALED FROM ABOVE MENTIONED MAPS.

5.) THIS PLAT WAS PREPARED WITH THE BENEFIT OF A TITLE BINDER PREPARED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NO. 230555FN, WITH AN EFFECTIVE DATE OF JUNE 19, 2023. EASEMENTS WITHIN TITLE BINDER ARE SHOWN HEREON.

6.) ZONING IS M-2 (HEAVY INDUSTRIAL) PER G.I.S..

EXIST. EASEMENT LEGEND

- [A] APPROX. LOCATION VIRGINIA RAILWAY & POWER CO. POLE LINE EASEMENT D.B. 178, PG. 334
- [B] APPROX. LOCATION VEPCO POLE LINE EASEMENT D.B. 208, PG. 502
- [C] APPROX. LOCATIONS ESMTS. (LISTED HEREON) INST. #22-23410
- [D] APPROX. LOCATION OF C&P TELEPHONE ESMT. D.B. 334, PG. 124
- [E] APPROX. LOCATION C/L STORMWATER MAINTENANCE ACCESS PATH INST. #22-9498

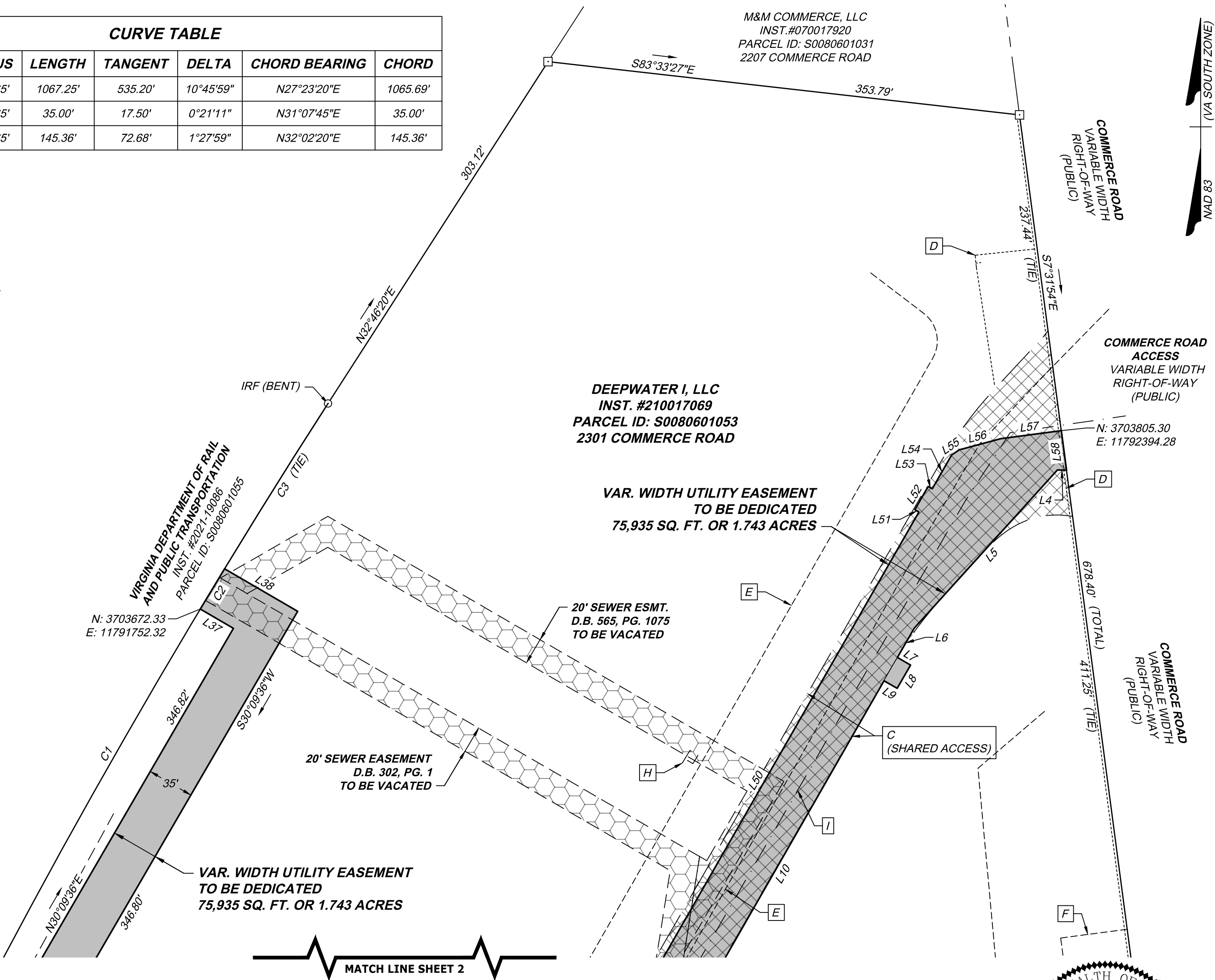
- [F] ENCROACHMENT & EASEMENT AGREEMENT AREA INST. #17-21751
- [G] APPROX. LOCATION 10' VEPCO ESMT. D.B. 561, PG. 479
- [H] APPROX. LOCATION OF GAS METER EASEMENT D.B. 249, PG. 552
- [I] APPROX. LOCATION OF C/L STORM UTILITY MAINTENANCE AGREEMENT INST. #210026633

LEGEND

- IRON ROD FOUND
- STONE FOUND
- [A] EASEMENT (SEE EASEMENT TABLE)

- VAR. WIDTH UTILITY EASEMENT TO BE DEDICATED
- SANITARY EASEMENTS TO BE VACATED
- DRAINAGE EASEMENT
- ACCESS EASEMENT

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	DELTA	CHORD BEARING	CHORD
C1	5679.65'	1067.25'	535.20'	10°45'59"	N27°23'20"E	1065.69'
C2	5679.65'	35.00'	17.50'	0°21'11"	N31°07'45"E	35.00'
C3	5679.65'	145.36'	72.68'	1°27'59"	N32°02'20"E	145.36'



LINE TABLE		
LINE	BEARING	LENGTH
L1	S84°55'15"W	17.07'
L2	N74°32'36"W	87.87'
L3	N67°59'39"W	126.86'
L4	N88°46'00"W	6.74'
L5	S42°09'30"W	159.21'
L6	S29°50'03"W	25.13'
L7	S60°06'02"E	11.31'
L8	S29°53'58"W	20.00'
L9	N60°06'02"W	11.29'
L10	S29°50'03"W	324.09'
L11	S8°57'25"W	448.25'
L12	N74°32'36"W	3.46'

LINE TABLE		
LINE	BEARING	LENGTH
L13	N8°57'25"E	341.06'
L14	S64°33'07"W	42.41'
L15	S16°48'20"W	66.43'
L16	S9°31'17"W	98.72'
L17	S2°09'56"W	149.31'
L18	S10°36'00"E	1.32'
L19	N74°32'36"W	20.96'
L20	N2°55'23"E	43.39'
L21	N87°50'04"W	5.47'
L22	N2°09'56"E	20.00'
L23	S87°50'04"E	5.00'
L24	N2°09'56"E	83.68'

LINE TABLE		
LINE	BEARING	LENGTH
L25	N9°31'17"E	32.78'
L26	N80°00'18"W	18.02'
L27	N9°59'42"E	20.00'
L28	S80°00'18"E	17.85'
L29	N9°31'17"E	48.50'
L30	N16°48'20"E	15.58'
L31	N73°11'40"W	11.93'
L32	N15°28'36"E	12.72'
L33	S64°33'07"W	27.34'
L34	S8°38'35"E	27.90'
L35	S81°21'25"W	35.00'
L36	N8°38'35"W	32.51'

LINE TABLE		
LINE	BEARING	LENGTH
L37	N59°50'24"W	28.60'
L38	S59°50'24"E	63.01'
L39	N64°33'07"E	13.95'
L40	N59°55'50"W	2.89'
L41	N29°57'57"E	26.50'
L42	S59°55'50"E	13.17'
L43	S39°45'26"E	6.78'
L44	N64°33'07"E	36.16'
L45	N16°48'20"E	12.75'
L46	N24°03'11"E	78.55'
L47	N65°56'49"W	5.00'
L48	N24°03'11"E	20.00'

LINE TABLE		
LINE	BEARING	LENGTH
L49	S65°56'49"E	4.87'
L50	N29°50'03"E	467.35'
L51	N60°06'02"W	3.55'
L52	N29°53'58"E	20.00'
L53	S60°06'02"E	3.52'
L54	N29°51'16"E	29.01'
L55	N55°42'18"E	6.89'
L56	N74°53'58"E	31.95'
L57	N82°29'35"E	45.59'
L58	S7°31'54"E	29.71'

SCALE 1"=60'

0 60' 120'



PLAT
OF A 1.743 ACRE VARIABLE WIDTH
UTILITY EASEMENT TO BE
DEDICATED & TWO SANITARY
EASEMENTS TO BE VACATED
OVER THE PROPERTY OF
DEEPWATER I, LLC

CITY OF RICHMOND, VIRGINIA	
DATE: AUG. 21, 2023	SCALE: 1"=60'
SHEET 1 OF 2	J.N.:40966.022
DRAWN BY: ZV	CHECK BY: L.M.T.

TIMMONS GROUP

THIS DRAWING PREPARED AT THE
CORPORATE OFFICE
1001 Builders Parkway, Suite 300 | Richmond, VA 23225
TEL 804.200.6500 FAX 804.560.1016 www.timmons.com

YOUR VISION ACHIEVED THROUGH OURS.

Site Development | Residential | Infrastructure | Technology

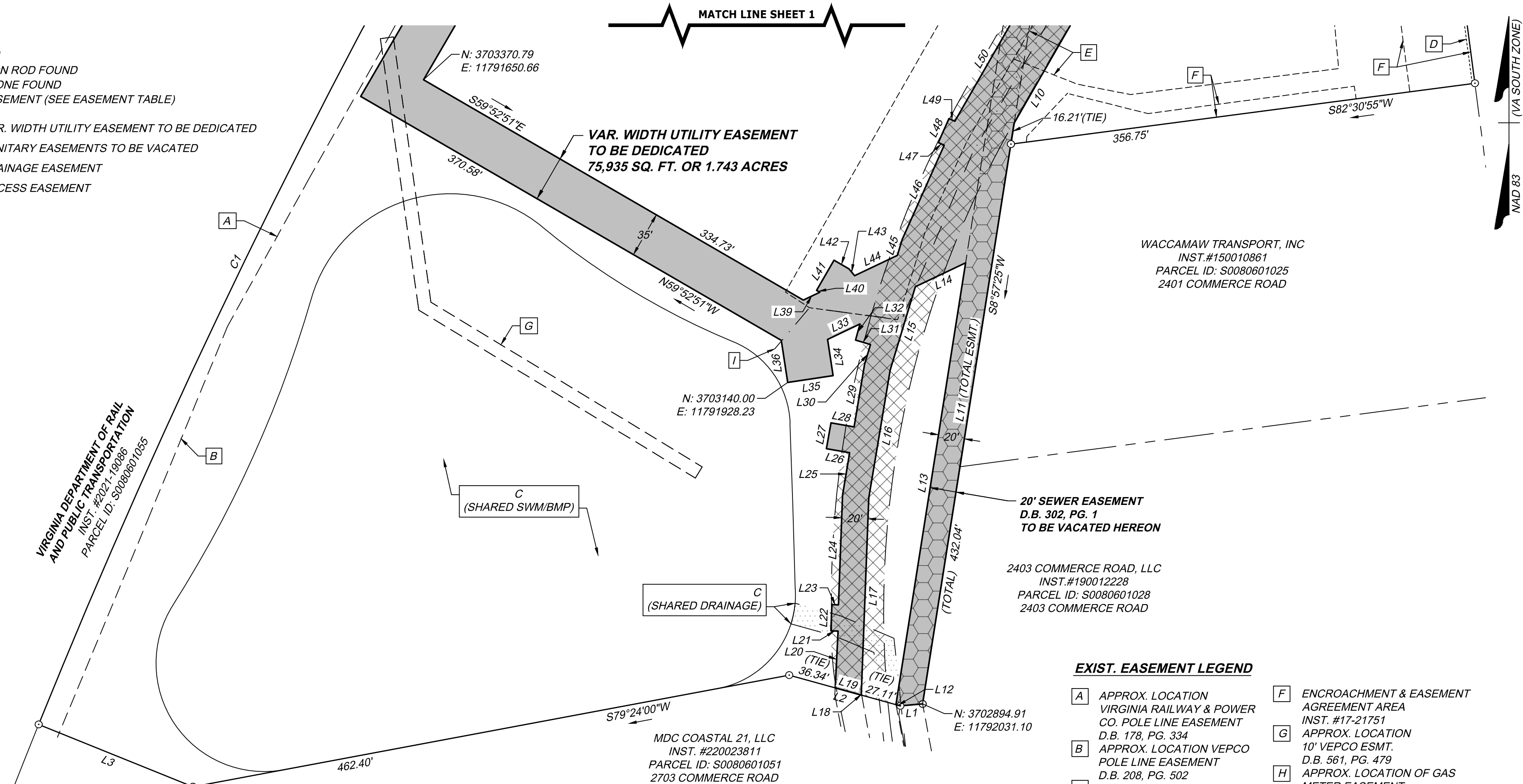
EXHIBIT D

Y:\90140966.022-DEEPWATER\DWG\40966.022V-XPESMT-DEDICATION-VACATION LOT 2 8-21-23.dwg | Plotted on 9/18/2023 11:54 AM | by Zachary Viney

LEGEND

- IRON ROD FOUND
- STONE FOUND
- EASEMENT (SEE EASEMENT TABLE)
- VAR. WIDTH UTILITY EASEMENT TO BE DEDICATED
- SANITARY EASEMENTS TO BE VACATED
- DRAINAGE EASEMENT
- ACCESS EASEMENT

VIRGINIA DEPARTMENT OF RAIL
AND PUBLIC TRANSPORTATION
INST. #2021-19086
PARCEL ID: S0080601035



VAR. WIDTH UTILITY EASEMENT
TO BE DEDICATED
75,935 SQ. FT. OR 1.743 ACRES

WACCAMAW TRANSPORT, INC
INST. #150010861
PARCEL ID: S0080601025
2401 COMMERCE ROAD

20' SEWER EASEMENT
D.B. 302, PG. 1
TO BE VACATED HEREON

2403 COMMERCE ROAD, LLC
INST. #190012228
PARCEL ID: S0080601028
2403 COMMERCE ROAD

MDC COASTAL 21, LLC
INST. #220023811
PARCEL ID: S0080601051
2703 COMMERCE ROAD

CURVE TABLE

CURVE	RADIUS	LENGTH	TANGENT	DELTA	CHORD BEARING	CHORD
C1	5679.65'	1067.25'	535.20'	10°45'59"	N27°23'20"E	1065.69'
C2	5679.65'	35.00'	17.50'	0°21'11"	N31°07'45"E	35.00'
C3	5679.65'	145.36'	72.68'	1°27'59"	N32°02'20"E	145.36'

EXIST. EASEMENT LEGEND

- A APPROX. LOCATION VIRGINIA RAILWAY & POWER CO. POLE LINE EASEMENT D.B. 178, PG. 334
- B APPROX. LOCATION VEP CO POLE LINE EASEMENT D.B. 208, PG. 502
- C APPROX. LOCATIONS ESMTS. (LISTED HEREON) INST. #22-23410
- D APPROX. LOCATION OF C&P TELEPHONE ESMT. D.B. 334, PG. 124
- E APPROX. LOCATION C/L STORMWATER MAINTENANCE ACCESS PATH INST. #22-9498

- F ENCROACHMENT & EASEMENT AGREEMENT AREA INST. #17-21751
- G APPROX. LOCATION 10' VEP CO ESMT. D.B. 561, PG. 479
- H APPROX. LOCATION OF GAS METER EASEMENT D.B. 249, PG. 552
- I APPROX. LOCATION OF C/L STORM UTILITY MAINTENANCE AGREEMENT INST. #210026633

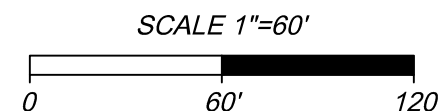
LINE TABLE		
LINE	BEARING	LENGTH
L1	S84°55'15"W	17.07'
L2	N74°32'36"W	87.87'
L3	N67°59'39"W	126.86'
L4	N88°46'00"W	6.74'
L5	S42°09'30"W	159.21'
L6	S29°50'03"W	25.13'
L7	S60°06'02"E	11.31'
L8	S29°53'58"W	20.00'
L9	N60°06'02"W	11.29'
L10	S29°50'03"W	324.09'
L11	S8°57'25"W	448.25'
L12	N74°32'36"W	3.46'

LINE TABLE		
LINE	BEARING	LENGTH
L13	N8°57'25"E	341.06'
L14	S64°33'07"W	42.41'
L15	S16°48'20"W	66.43'
L16	S9°31'17"W	98.72'
L17	S2°09'56"W	149.31'
L18	S10°36'00"E	1.32'
L19	N74°32'36"W	20.96'
L20	N2°55'23"E	43.39'
L21	N87°50'04"W	5.47'
L22	N2°09'56"E	20.00'
L23	S87°50'04"E	5.00'
L24	N2°09'56"E	83.68'

LINE TABLE		
LINE	BEARING	LENGTH
L25	N9°31'17"E	32.78'
L26	N80°00'18"W	18.02'
L27	N9°59'42"E	20.00'
L28	S80°00'18"E	17.85'
L29	N9°31'17"E	48.50'
L30	N16°48'20"E	15.58'
L31	N73°11'40"W	11.93'
L32	N15°28'36"E	12.72'
L33	S64°33'07"W	27.34'
L34	S8°38'35"E	27.90'
L35	S81°21'25"W	35.00'
L36	N8°38'35"W	32.51'

LINE TABLE		
LINE	BEARING	LENGTH
L37	N59°50'24"W	28.60'
L38	S59°50'24"E	63.01'
L39	N64°33'07"E	13.95'
L40	N59°55'50"W	2.89'
L41	N29°57'57"E	26.50'
L42	S59°55'50"E	13.17'
L43	S39°45'26"E	6.78'
L44	N64°33'07"E	36.16'
L45	N16°48'20"E	12.75'
L46	N24°03'11"E	78.55'
L47	N65°56'49"W	5.00'
L48	N24°03'11"E	20.00'

LINE TABLE		
LINE	BEARING	LENGTH
L49	S65°56'49"E	4.87'
L50	N29°50'03"E	467.35'
L51	N60°06'02"W	3.55'
L52	N29°53'58"E	20.00'
L53	S60°06'02"E	3.52'
L54	N29°51'16"E	29.01'
L55	N55°42'18"E	6.89'
L56	N74°53'58"E	31.95'
L57	N82°29'35"E	45.59'
L58	S7°31'54"E	29.71'



PLAT
OF A 1.743 ACRE VARIABLE WIDTH
UTILITY EASEMENT TO BE
DEDICATED & TWO SANITARY
EASEMENTS TO BE VACATED
OVER THE PROPERTY OF
DEEPWATER I, LLC

CITY OF RICHMOND, VIRGINIA	
DATE: AUG. 21, 2023	SCALE: 1"=60'
SHEET 2 OF 2	J.N.:40966.022
DRAWN BY: ZV	CHECK BY: L.M.T.

TIMMONS GROUP

THIS DRAWING PREPARED AT THE
CORPORATE OFFICE
1001 Boulders Parkway, Suite 300 | Richmond, VA 23225
TEL 804.200.6500 FAX 804.560.1016 www.timmons.com

YOUR VISION ACHIEVED THROUGH OURS.

Site Development | Residential | Infrastructure | Technology



City of Richmond

900 East Broad Street
2nd Floor of City Hall
Richmond, VA 23219
www.rva.gov

Master

File Number: Admin-2023-1640

File ID: Admin-2023-1640

Type: Request for Ordinance or Resolution

Status: Regular Agenda

Version: 1

Reference:

In Control: City Clerk Waiting Room

Department:

Cost:

File Created: 09/18/2023

Subject:

Final Action:

Title:

Internal Notes:

Code Sections:

Agenda Date: 10/10/2023

Indexes:

Agenda Number:

Patron(s):

Enactment Date:

Attachments: Quitclaim 1 Approved as to Form, 2023-1640
Quitclaim 1 Ex. A, 2023-1640 Quitclaim 1 Ex. B,
2023-1640 Quitclaim 1 Ex. C, 2023-1640 Quitclaim 1
Ex. D, Quitclaim 2 Approved as to Form, 2023-1640
Quitclaim 2 Ex. A, 2023-1640 Quitclaim 2 Ex. B,
2023-1640 Quitclaim 2 Ex. C

Enactment Number:

Contact:

Introduction Date:

Drafter: Adam.Hohl@rva.gov

Effective Date:

Related Files:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	9/19/2023	April Bingham	Approve	9/20/2023
1	2	9/19/2023	Adam Hohl - FYI	Notified - FYI	
1	3	9/19/2023	Robert Steidel	Approve	9/20/2023
1	4	9/19/2023	Adam Hohl - FYI	Notified - FYI	
1	5	9/19/2023	Caitlin Sedano - FYI	Notified - FYI	
1	6	9/19/2023	Lincoln Saunders	Delegated	
Notes: Delegated: Out Of Office					
1	7	9/21/2023	Sabrina Joy-Hogg	Approve	9/21/2023
1	8	10/3/2023	Mayor Stoney	Approve	10/9/2023

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
---------------	--------------	-------	---------	----------	-----------	-----------------	---------

Text of Legislative File Admin-2023-1640

City of Richmond

INTRACITY CORRESPONDENCE

O&R REQUEST

DATE: September 13, 2023 **EDITION:** 1

TO: The Honorable Members of City Council

THROUGH: Levar M. Stoney, Mayor

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

THROUGH: Robert Steidel, Deputy Chief Administrative Officer

FROM: April N. Bingham, Director, Public Utilities

RE: Deepwater I, LLC - Sewer Easement Vacation

ORD. OR RES. No.

PURPOSE: To authorize the Chief Administrative Officer to execute two (2) quitclaim deeds (the “Quitclaim Deeds”) to vacate the following existing sewer easements: 1) twenty (20) foot sewer easement located on the plat attached to the instrument recorded in the Clerk’s Office, Circuit Court in the City of Richmond, Virginia in Book 565, page 1075; 2) twenty (20) foot sewer easement located on the plat attached to the instrument recorded in the Clerk’s Office, Circuit Court in the City of Richmond, Virginia in Book 302, page 1; 3) twenty (20) foot sewer easement located on the plat attached to the instrument recorded in the Clerk’s Office, Circuit Court in the City of Richmond, Virginia in Book 372, page 61; 4) twenty (20) foot sewer easement located on the plat attached to the instrument recorded in the Clerk’s Office, Circuit Court in the City of Richmond, Virginia in Book 372, page 508; and 5) twenty (20) foot sewer easement located on the plat attached to the instrument recorded in the Clerk’s Office, Circuit Court in the City of Richmond, Virginia in Book 379, page 108 (collectively as the “Existing Easements”). Execution of the Quitclaim Deeds is contingent upon the execution of two (2) Deeds of Utility Easements (the “Replacement Deeds”) by the property owner and the City. The Replacement Deeds shall grant the City easements to operate and maintain utility facilities, both existing and future, upon specified areas of the property owner’s property.

REASON: The Property owner proposed development on the Property that is in conflict with the

Existing Easements. Vacation of the Existing Easements will release the City's property interest(s). The sanitary sewer has been re-routed and will be set within a separate easement making these existing easements unnecessary.

RECOMMENDATION: The Department of Public Utilities with concurrence from the Administration recommends the adoption to vacate these easements.

BACKGROUND: The Department of Public Utilities ("DPU") determined that the Existing Easements are no longer necessary.

FISCAL IMPACT / COST: N/A

FISCAL IMPLICATIONS: N/A

BUDGET AMENDMENT NECESSARY: N/A

REVENUE TO CITY: N/A

DESIRED EFFECTIVE DATE: Effective immediately upon adoption.

REQUESTED INTRODUCTION DATE: October 10, 2023

CITY COUNCIL PUBLIC HEARING DATE: November 13, 2023

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Land Use, Housing, and Transportation

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: N/A

AFFECTED AGENCIES: Department of Public Utilities

RELATIONSHIP TO EXISTING ORD. OR RES.:

REQUIRED CHANGES TO WORK PROGRAM(S):

ATTACHMENTS: Two (2) Deeds of Quitclaim Utility Easement

STAFF:

Eric Whitehurst - 804-646-3780

Susan D. Hamilton - 804-646-1392