

INTRODUCED: May 28, 2019

AN ORDINANCE No. 2019-139

To declare that a public necessity exists and to authorize the Chief Administrative Officer or the designee thereof, for and on behalf of the City of Richmond, to acquire, at a tax delinquent judicial sale, the property located at 1613 Overlook Street and to authorize the Chief Administrative Officer or the designee thereof to accept title to such property for the expansion and maintenance of Bellemeade Park as public green space and for recreational uses.

\_\_\_\_\_  
Patron – Mayor Stoney

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

PUBLIC HEARING: JUN 10 2019 AT 6 P.M.

WHEREAS, pursuant to sections 58.1-3970 and 58.1- 3970.1 of the Code of Virginia (1950), as amended, the City of Richmond is authorized to acquire tax delinquent properties sold pursuant to sections 58.1-3965 through 58.1-3974 of the Code of Virginia (1950), as amended, or pursuant to any other provision of law for the enforcement of tax liens; and

WHEREAS, the property located at 1613 Overlook Street, with Tax Parcel No. S007-1379/020, is eligible to be sold at a judicial sale for delinquent taxes; and

WHEREAS, the City desires to acquire the aforesaid property for the purpose of the expansion and maintenance of Bellemeade Park as public green space and for recreational uses; and

AYES:            8            NOES:            0            ABSTAIN: \_\_\_\_\_

ADOPTED:   JUN 10 2019   REJECTED: \_\_\_\_\_ STRICKEN: \_\_\_\_\_

WHEREAS, any such acquisition is subject to the approval of the Circuit Court of the City of Richmond; and

WHEREAS, upon acquisition, the City desires to obtain title to the aforesaid property for the purpose of the expansion and maintenance of Bellemeade Park as public green space and for recreational uses; and

WHEREAS, the Chief Administrative Officer's authority to accept title to the aforesaid property is contingent upon the City's acquisition of the aforesaid property and is, therefore, null and void if the Circuit Court of the City of Richmond should reject the City's offer to acquire;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That pursuant to sections 58.1-3970 and 58.1-3970.1 of the Code of Virginia (1950), as amended, the Chief Administrative Officer, or the designee thereof, is hereby authorized to acquire, at a tax delinquent judicial sale, the property located at 1613 Overlook Street, with Tax Parcel No. S007-1379/020, for the purpose of the expansion and maintenance of Bellemeade Park as public green space and for recreation uses.

§ 2. That the acquisition is necessary for the public purpose of expanding and maintaining Bellemeade Park as public green space and for recreational uses.

§ 3. That upon acquisition of the property, the Chief Administrative Officer, or the designee thereof, is hereby authorized on behalf of the City of Richmond to accept title to the property located at 1613 Overlook Street, with Tax Parcel No. S007-1379/020, for the purpose of the expansion and maintenance of Bellemeade Park as public green space and for recreation uses.

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



CITY OF RICHMOND
INTRACITY CORRESPONDENCE

RECEIVED
48796
APR 25 2019

Budget & Strategic Planning

O&R REQUEST

DATE: April 15, 2019

EDITION:

RECEIVED

TO: The Honorable Members of City Council

Handwritten signature and date 5/20/19

MAY 02 2019

THROUGH: The Honorable Levar M. Stoney, Mayor

Handwritten signature: or behalf of Mayor Stoney

OFFICE OF CITY ATTORNEY

THROUGH: Selena Cuffee-Glenn, Chief Administrative Officer

Handwritten initials: SCG

THROUGH: Reginald E. Gordon, DCAO for Human Services

Handwritten initials: RD

THROUGH: Lenora Reid, Deputy CAO for Finance and Administration

Handwritten initials: LR

RECEIVED

THROUGH: Jay A. Brown, Ph.D., Director of Budget and Strategic Planning

JAB MAY 20 2019

FROM: Christopher Freike, Director Parks, Recreation & Community Facilities

Handwritten initials: CF

OFFICE OF THE CITY ATTORNEY

RE: To declare that a public necessity exists and to authorize the Chief Administrative Officer to acquire through the Tax Delinquent Sale process, the property at 1613 Overlook Street

ORD. OR RES. No. \_\_\_\_\_

PURPOSE: To declare that a public necessity exists and to authorize the Chief Administrative Officer or designee, through the Tax Delinquent Sale process, to petition the Court for and accept title to 1613 Overlook Street.

REASON: A public necessity exists to acquire this property for the expansion of Bellemeade Park and maintain the land as public green space and for recreational uses. The land is adjacent to the overall boundaries of Bellemeade Park.

RECOMMENDATION: Approval is recommended by the City Administration.

BACKGROUND: As part of the search for continuous opportunities to expand existing park properties and provide for enhanced public use, the City, at times, acquires tax delinquent parcels pursuant to Sections 58.1-3970 and 58.1-3970.1 of the Code of Virginia. 1613 Overlook Street is a tax delinquent vacant parcel and the only reason it was not acquired as a Level One property is that it is a vacant lot. According to the City's Parcel Mapper the parcel is assessed at \$30,000. By transferring the title to the city via the provisions of VA Code 58.1-3970.1, the city does not have to purchase the property from its owner and pay a higher price to acquire the parcel.

**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:** May 28, 2019

**CITY COUNCIL PUBLIC HEARING DATE:** June 10, 2019

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** Land Use, Housing & Transportation

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** None

**AFFECTED AGENCIES:** Parks, Recreation and Community Facilities, Assessor's Office and Real Estate Services

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

**REQUIRED CHANGES TO WORK PROGRAM(S):** None

**ATTACHMENTS:** Attachment A – Property Information Sheet  
Attachment B – Parcel Mapper Aerial  
Attachment C – Order of Sale Agreement

**STAFF:** Christopher Frelke – Parks, Recreation & Community Facilities  
646-1128

## Attachment A

[Print](#)**Property: 1613 Overlook St Parcel ID: S0071379020**

## Detail

**Parcel**

**Street Address:** 1613 Overlook St Richmond, VA 23224-0  
**Owner:** LAWRENCE L V TRUSTEE LMT LAND TRUST  
**Mailing Address:** 1646 CASTLE CREEK DR, MISSOURI CITY, TX 77489  
**Subdivision Name:** BELLEMEADE  
**Parent Parcel ID:**  
**Assessment Area:** 358 - Bellemeade North  
**Property Class:** 101 - R Single Family Vacant (R1-R7)  
**Zoning District:** R-5 - Residential (Single Family)  
**Exemption Code:** -

**Current Assessment**

**Effective Date:** 01/01/2019  
**Land Value:** \$30,000  
**Improvement Value:**  
**Total Value:** \$30,000  
**Area Tax:** \$0  
**Special Assessment District:** None

**Land Description**

**Parcel Square Feet:** 56406  
**Acreage:** 1.295  
**Property Description 1:** W OVERLOOK S OF OAKLAND PL  
**Property Description 2:** 0188.02X0300.00 0000.000  
**State Plane Coords( ?):** X= 11790125.000011 Y= 3706358.925422  
**Latitude:** 37.49734574 , **Longitude:** -77.44063697

## Attachment B

# Richmond Parcel Map



4/18/2019, 1:40:29 PM

 City Boundary  Parcels

Address Labels

1:1,128



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS.

Citations appear in map service do not include Richmond. However, this map product is produced from a City of Richmond application source. The default map service is provided by ESRI and the City has no control over metadata tags appearing therein.



## Attachment C

VIRGINIA:

**IN THE CIRCUIT COURT OF THE CITY OF RICHMOND  
John Marshall Courts Building**

**CITY OF RICHMOND,**

**Plaintiff,**

**v.**

**Case No.: CL12-5220-1**

**WILLIAM R. CLARK a/k/a WILLIAM RANDOLPH  
CLARK, et al.,**

**Defendants.**

**ORDER OF SALE**

This cause came before the Court this day upon the pleadings and documents filed herein, and exhibits presented,

Upon consideration wherefore, the Court **ADJUDGES, ORDERS and DECREES** that the parcel of real estate known as **1800 Krouse Street, Tax Map/GPIN# S007-1381/020**, involved herein be sold free and clear of all liens, including the beneficial interest under any deed of trust, claim of title of any person or interest of any lienor made parties defendant or provided with notice of this proceeding and the proceeds from such sale be applied to the payment of the cost of this proceeding and to the payment of the tax lien of the City of Richmond; with the residue, if any, to be distributed to the persons entitled thereto.

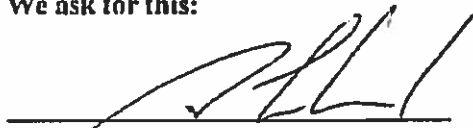
In order to carry the foregoing provisions of this decree, the Court **ORDERS** that **Bonnie M. Ashley and Gregory A. Lukanuski**, either of whom may act, be appointed as Special Commissioner to proceed to sell the said real estate for cash, either privately or publicly, subject to confirmation by the Court or to petition the Court to convey the said real estate to the City of Richmond. If by public auction, the Special Commissioner shall advertise the sale by publication in a newspaper of general circulation once a week for four (4) consecutive weeks. Until further order of the Court, the Special Commissioner is not authorized to receive any funds. The proceeds of the sale after confirmation are to be paid to the City of Richmond to the credit of the Court in this cause.

The giving of a bond by the Special Commissioner is dispensed with and the Special Commissioner is directed to report their actions to the Court.

ENTER 5128113

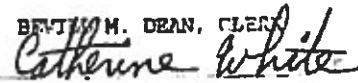
  
JUDGE

We ask for this:

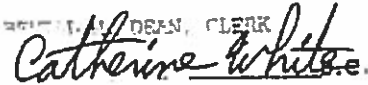


Bonnie M. Ashley, VSB#33465  
Gregory A. Lukanuski, VSB#36598  
Office of the City Attorney  
900 East Broad Street, Room 300  
Richmond, Virginia 23219  
(804) 646-7940  
(804) 646-6653 Fax

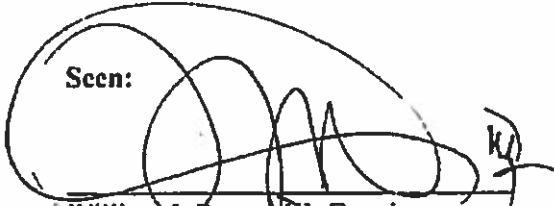
A Copy,  
To: BEVIL H. DEAN, CLERK



BEVIL H. DEAN, CLERK



Seen:



William J. Doran, III, Esquire  
Guardian Ad Litem-Unknowns  
4914 Radford Avenue, #100  
Richmond, Virginia 23230  
(804) 355-4212