

INTRODUCED: June 12, 2017

AN ORDINANCE No. 2017-118

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute a Right of Entry License between the City of Richmond and the Virginia Department of Transportation, for the purpose of allowing the Virginia Department of Transportation to access City-owned real estate located at 1800 Lakeside Avenue for the installation of handicapped accessible crosswalks and pedestrian traffic lights.

Patron – Ms. Gray

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: JUNE 26 2017 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, be and is hereby authorized to execute a Right of Entry License between the City of Richmond and the Virginia Department of Transportation for the purpose of allowing the Virginia Department of Transportation to access City-owned real estate located at 1800 Lakeside Avenue for the installation of handicapped accessible crosswalks and pedestrian traffic lights. The Right of Entry License shall be approved as to form by the City Attorney and shall be substantially in the form of the document attached to this ordinance.

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: JUNE 26 2017 REJECTED: _____ STRICKEN: _____

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



Richmond City Council

The Voice of the People

Richmond, Virginia

Office of the Council Chief of Staff

Ordinance/Resolution Request

TO Allen Jackson, City Attorney

THROUGH Lou Ali, Council Chief of Staff *MYB on Behalf*

FROM Steven Taylor, Council Policy Analyst *ST*

COPY Kim Gray, 2nd District Council Member
 Craig Bieber, 2nd District Liaison
 Haskell Brown, Deputy City Attorney
 Meghan Brown, Deputy Council Chief of Staff *MYB*

RECEIVED

MAY 12 2017

OFFICE OF CITY ATTORNEY

DATE May 12, 2017

PAGE/s 1 of 2

TITLE Grant of Easements to VDOT at Lewis Ginter Botanical Gardens for purposes of installing crosswalks & pedestrian traffic lights

This is a request for the drafting of an **Ordinance** **Resolution**

REQUESTING COUNCILMEMBER/PATRON

K. Gray

SUGGESTED STANDING COMMITTEE

Land Use, Housing & Transportation

ORDINANCE/RESOLUTION SUMMARY

The patron requests that legislation be drafted for Council's consideration to grant two permanent easements to VDOT on the City property leased to Lewis Ginter Botanical Garden, Inc., at 1800 Lakeside Avenue, at the intersection of Hilliard Road and Lakeside Avenue. The purposes of the easements are to allow for the installation of handicapped accessible crosswalks and pedestrian traffic lights.

BACKGROUND

The City owns the property known as the Lewis Ginter Botanical Garden, despite its location in Henrico County. Council approval of land transactions involving City owned property is required, including the granting of easements. The Board of Directors of the Botanical Garden has endorsed this project to improve safe pedestrian access to the garden and recommends Council approval of this project.

FISCAL IMPACT STATEMENT

Fiscal Impact Yes No

Budget Amendment Required Yes No

Estimated Cost or Revenue Impact \$ N/A

Note: No compensation is expected for the easements and the State has no intention to condemn the property. See the attached VDOT/Botanical Garden communication about the project and map.

Attachment/s Yes No VDOT/Botanical Garden communication about the project and map.

May 22, 2017

Route: 356
State Project: 9999-964-336, P101, M501
Federal Project: BR-5A27 (293)
County: Henrico
UPC: 106240

RIGHT OF WAY - Property of City of Richmond, Virginia

To: Ms. Lori A. Snider, State Right of Way & Utilities Director


Re: Right of Entry License

The City of Richmond (the "City") understands that the Commonwealth of Virginia Department of Transportation ("VDOT") plans to upgrade a pedestrian crossing and related accommodations (the "Work") on and near property of the City described as 1800 Lakeside Avenue and designated as Grid Parcel ID No. 780-751-9222 on the maps of Henrico County (the "Property"). Plans for the Work, to occur specifically in the area of the intersection of Hilliard Road and Lakeside Avenue, have been fully explained to an agent of the City, and the City is fully aware of the effects on its property.

By this Right of Entry License (this "License"), the City hereby grants to VDOT, its agents, assigns and contractors, the right to enter upon a portion of the Property, more particularly shown as two areas, one measuring 26 square feet and the other 715 square feet, outlined in GREEN on the plat entitled "Traffic Control Device Plans," prepared by VDOT, dated March 24, 2017, and attached hereto and incorporated herein, for the purpose of performing the Work on and near the Property. The City grants this License with the understanding that the City will not be liable for any acts or omissions on the part of VDOT or VDOT's agents, assigns, contractors or subcontractors.

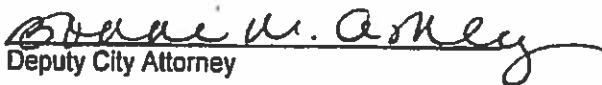
The City reserves all rights, title and interest in and to the Property. The right of entry this License conveys is granted to VDOT until expressly withdrawn in a writing sent to your office, or until such time as VDOT has completed the Work.

City of Richmond

By: 

Name: Selena Cuffee-Glenn
Title: Chief Administrative Officer

Approved as to form:


Deputy City Attorney

