

INTRODUCED: June 13, 2022

AN ORDINANCE No. 2022-181

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 Roane Street LLC for the purpose of vacating by quitclaim deed the City’s ten-foot sewer and surface flow easement on the property known as 2021 Roane Street, for nominal consideration, to Roane Street, LLC.

Patron – Mayor Stoney

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: JUN 27 2022 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 Roane Street LLC for the purpose of vacating by quitclaim deed the City’s ten-foot sewer and surface flow easement on the property known as 2021 Roane Street, for nominal consideration, to Roane Street, LLC. Such Deed of Quitclaim of Utility Easement shall be

AYES: 8 NOES: 0 ABSTAIN: _____

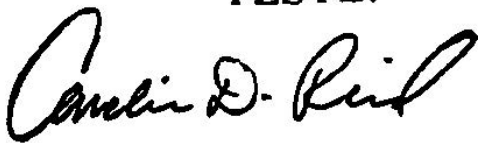
ADOPTED: JUN 27 2022 REJECTED: _____ STRICKEN: _____

approved as to form by the City Attorney and shall be substantially in the form of the document attached to this ordinance.

§ 2. That, pursuant to section 8-65(b) of the Code of the City of Richmond (2020), as amended, the Chief Administrative Officer is hereby directed to execute, on behalf of the City, such other documents, all of which must first be approved as to form by the City Attorney, as may be necessary to consummate the conveyance of the City's easement described in section 1 of this ordinance.

§ 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. Reil". The signature is fluid and cursive, with the first name "Carlin" being more prominent.

City Clerk



City of Richmond

Intracity Correspondence

O&R REQUEST

DATE: May 3, 2022

EDITION: 1

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor

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

THROUGH: Robert C. Steidel, Deputy Chief Administrative Officer

THROUGH: April Bingham, Director of Public Utilities

THROUGH: Patrick Bradley, Deputy Director, Collection Systems and Regulatory Affairs

FROM: Howard Glenn, Operations Manager, DPU

RE: Approval for Chief Administrative Officer to authorize Quitclaim to Vacate an Existing Utility Easement at 2021 Roane Street, Parcel No. N0000399001

ORD. OR RES. No. _____

PURPOSE: To authorize the Chief Administrative Officer to execute a quitclaim deed to vacate a ten (10)-foot sewer and surface flow easement across the property, as shown on Exhibits A and B of the attached Deed of Quitclaim of Utility Easement.

REASON: The property owner proposed development on the property that is in conflict with the existing easement. Vacation of the existing easement will release the property interest and all utility facilities within the easement to the owner.

RECOMMENDATION: The City Administration recommends adoption of this Ordinance.

BACKGROUND: The Department of Public Utilities determined that the easement to be quit-claimed, and the sanitary sewer line therein, is no longer necessary.

FISCAL IMPACT / COST: None

FISCAL IMPLICATIONS: None

BUDGET AMENDMENT NECESSARY: No

REVENUE TO CITY: None

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: June 13, 2022

CITY COUNCIL PUBLIC HEARING DATE: June 27, 2022

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Land Use, Housing and Transportation

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: None

AFFECTED AGENCIES: Department of Public Utilities

RELATIONSHIP TO EXISTING ORD. OR RES.: None

REQUIRED CHANGES TO WORK PROGRAM(S):

ATTACHMENTS: Deed of Quitclaim of Utility Easement

STAFF: Howard Glenn, Operations Manager, DPU

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.: N0000399001

DEED OF QUITCLAIM OF UTILITY EASEMENT

THIS DEED OF QUITCLAIM OF UTILITY EASEMENT (this "Deed") is made this ____ day of _____, 20____, 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"), and **ROANE STREET LLC**, a Virginia limited liability company (the "GRANTEE").

RECITALS

WHEREAS, GRANTEE is the owner of certain real property located in the City of Richmond, Virginia, designated as Tax Map No. N0000399001 and being the same real estate conveyed to GRANTEE by deed recorded in the Clerk's office of the Circuit Court of Richmond, Virginia (the "Clerk's Office") as Instrument No. 200012540 (the "Property");

WHEREAS, a ten (10-)foot sewer easement and surface overflow easement on the Property (collectively, the "Easement") was conveyed to the GRANTOR by that certain subdivision plat entitled "BRIEL'S ADDITION RICHMOND, VA", prepared by Chas. H. Fleet & Associates, dated March 23, 1954, approved by the City Planning Commission on May 12, 1954, recorded in the Clerk's Office, Chancery Court, in Plat Book 14, page 32, and marked as "Exhibit A," attached hereto and made a part hereof;

WHEREAS, the location of the Easement (the "Easement Area") is more particularly shown on that certain plat entitled "BOUNDARY AND TOPOGRAPHIC SURVEY ON LOTS 1, 2, AND 3 BLOCK 'A' CHAMBERLAYNE INDUSTRIAL PARK," prepared by HGP, Inc., dated March 12, 2020, and marked as "Exhibit B," 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 C." GRANTOR has agreed to vacate, convey, remise, release, and forever quitclaim to GRANTEE the Easement, 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 conveyed by the Easement.
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 Easement.
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: _____
A. Ross Phillips
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: _____

ROANE STREET, LLC (GRANTEE)

By: [Signature]

Name: John PAYNE

Title: OWNER

COMMONWEALTH OF VIRGINIA
CITY OF Spotsylvania, to-wit:

I, Sherry Gillispie, Notary Public in and for the City and State aforesaid,
do hereby certify that John Payne, on behalf of Roane Street, 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 1st day of January, 2022

[Signature]
Notary Public

Notary Registration Number: 310738

My commission expires: March 31, 2025

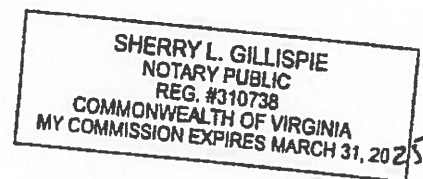


EXHIBIT A

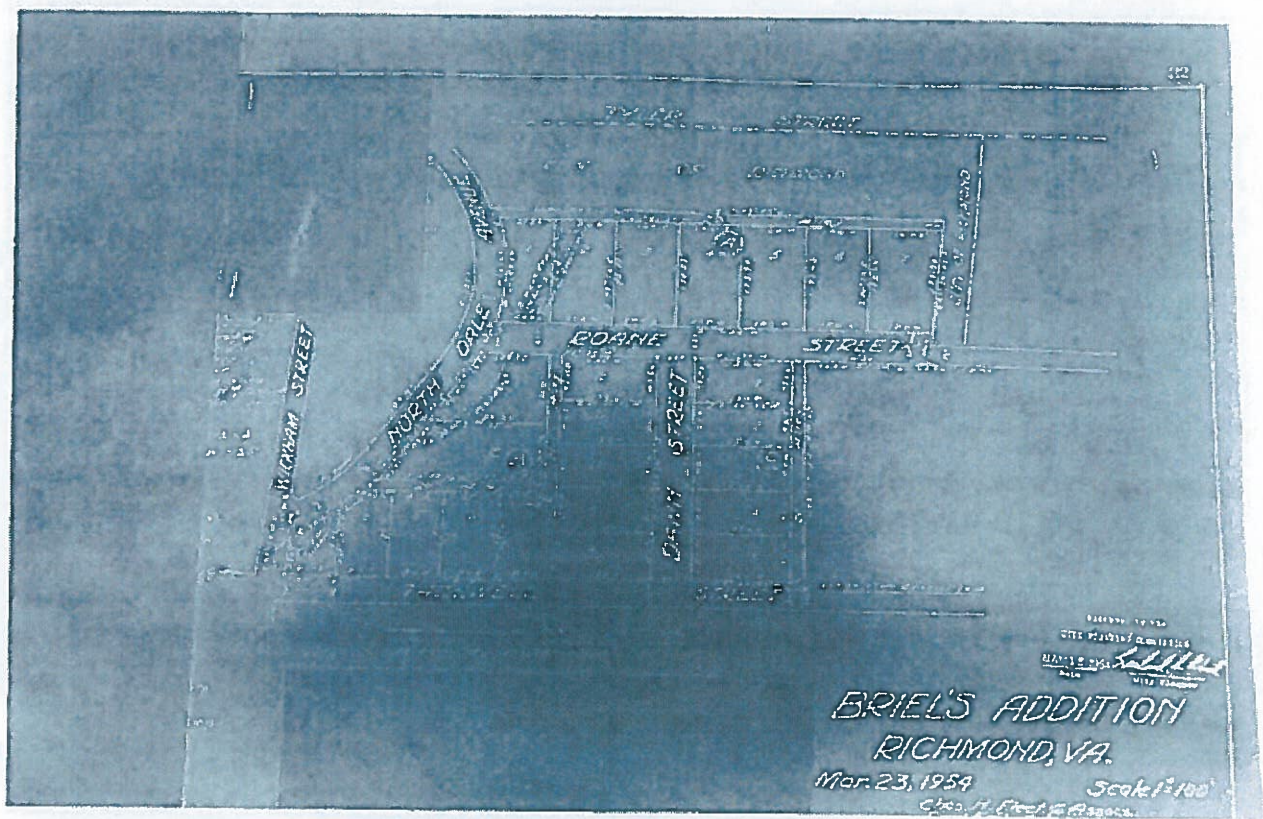


EXHIBIT B

