

INTRODUCED: June 8, 2015

AN ORDINANCE No. 2015-130-140

To accept a deed from the School Board conveying 1722 Arlington Road to the City and to authorize the Chief Administrative Officer to act on behalf of the City in executing such deed.

\_\_\_\_\_  
Patron – Mayor Jones

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

PUBLIC HEARING: JUNE 22 2015 AT 6 P.M.

WHEREAS, section 22.1-129 of the Code of Virginia (1950), as amended, provides for a school board to convey title to real property owned by the school board for which the school board has determined that it has no use to the city comprising the school division by adopting a resolution that such real property is surplus and recording such resolution along with the deed to the property with the clerk of the circuit court for the city where such property is located; and

WHEREAS, section 15.2-1803 of the Code of Virginia (1950), as amended, provides that no deed purporting to convey real estate to a locality shall be valid unless accepted by the locality and executed by a person authorized to act on behalf of the locality; and

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

ADOPTED:    JUNE 22 2015    REJECTED: \_\_\_\_\_    STRICKEN: \_\_\_\_\_

WHEREAS, by adopting a resolution dated April 22, 2015, the School Board of the City of Richmond declared that real property located at 1722 Arlington Road in the city was surplus; and

WHEREAS, the School Board is expected to deliver a deed memorializing the conveyance of every interest it may have in the real property located at 1722 Arlington Road; and

WHEREAS, in conformance with section 15.2-1803 of the Code of Virginia (1950), as amended, the City Council desires to accept from the School Board the conveyance of every interest the School Board might have in the real property located at 1722 Arlington Road and to authorize the execution of the deed by the Chief Administrative Officer;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That (i) the City hereby accepts the deed from the School Board conveying every interest it might have in the real property located at 1722 Arlington Road, provided such deed is in a form approved by the City Attorney, (ii) the Chief Administrative Officer is hereby authorized to act on behalf of the City in executing such deed, (iii) the Chief Administrative Officer's signature on the deed shall be deemed acceptance by the City of such deed and (iv) the Chief Administrative Officer, with the assistance of the City Attorney, is hereby authorized to take such other actions as may be necessary to complete the conveyance of every interest the School Board might have in the real property located at 1722 Arlington Road by the School Board to the City.

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

MAY 12 2015

4-3574

Chief Administration Office  
City of Richmond



# CITY OF RICHMOND

INTRACITY CORRESPONDENCE

RECEIVED

O&R REQUEST

MAY 13 2015

OFFICE OF CITY ATTORNEY

EDITION: 1

**DATE:** May 12, 2015

**TO:** THE HONORABLE MEMBERS OF CITY COUNCIL

**THROUGH:** DWIGHT C. JONES, MAYOR

**THROUGH:** CHRISTOPHER L. BESCHLER, INTERIM CHIEF ADMINISTRATIVE OFFICER

**THROUGH:** PETER L. DOWNEY, INTERIM DEPUTY CHIEF ADMINISTRATIVE OFFICER FOR ECONOMIC DEVELOPMENT AND PLANNING

**FROM:** DOUGLAS C. DUNLAP, INTERIM DIRECTOR OF ECONOMIC & COMMUNITY DEVELOPMENT

**RE:** Acceptance of real estate located at 1722 Arlington Road by the City from the School Board of Richmond, Virginia.

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

**PURPOSE:** TO ACCEPT A DEED FROM THE SCHOOL BOARD CONVEYING 1722 ARLINGTON ROAD (TAX PARCEL # N0001317004) TO THE CITY AND TO AUTHORIZE THE CHIEF ADMINISTRATIVE OFFICER TO ACT ON BEHALF OF THE CITY IN EXECUTING SUCH DEED.

**REASON:** In conformance with Section 15.2-1803 of the Code of Virginia, an ordinance is needed to accept from the School Board the conveyance of the real property located at 1722 Arlington Road and to authorize the execution of the deed by the Chief Administrative Officer.

This property was formerly controlled by the School Board and was formerly operated as the location of the Richmond Public Schools' Driver's Education Program and the building was used for storage of various school supplies and equipment. At the beginning of the 2014-2015 school year the Driver's Education Program was moved to the Norrell School site. On April 20, 2015 the School Board approved the attached Resolution executed on April 22, 2015 conveying management and control of the property to the City for disposition. The building is currently only used for storage of equipment and furniture which Richmond Public Schools intends to relocate prior to

O & R Request

transfer of the property to the City. The City's intent is to sell the property for redevelopment. By selling this property, the City will stimulate private investment, job creation and economic development in the area.

**RECOMMENDATION:** The City Administration including the Department of Economic Development and Community Development recommend approval.

**BACKGROUND:** The 1722 Arlington Road property is noted for its significant location visibility to and from the interstate. The site consists of approximately 4.629 acres of land and a warehouse/office building that was constructed in 1940. The building improvements total approximately 60,668 square feet. On April 20, 2015 the School Board approved the attached Resolution conveying management and control of the 1722 Arlington Road property to the City for disposition. The 1722 Arlington Road site is adjacent to Interstate 95/64 within close proximity to the Boulevard/The Diamond Property. The property was originally acquired by the City of Richmond for the use of the School Board of the City of Richmond on September 10, 1976 with the condition that the building be utilized continuously for education purposes for a period of thirty (30) years from that date set forth by the United States of America's Secretary of Health, Education and Welfare. That use restriction expired as of 2006. The property was being operated as the location of the Driver's Education Program and the site was used storage of for various school supplies and equipment. The building is currently only used for storage of equipment and furniture.

**FISCAL IMPACT/COST TO CITY:** The City will continue to maintain the property until it is transferred to a purchaser for development. The City intends to maintain the property at a cost of approximately \$40,000 per year until it is sold.

**REVENUE TO CITY:** Once the property is sold for redevelopment will become taxable real estate on the City's real estate tax rolls.

**DESIRED EFFECTIVE DATE:** Upon adoption.

**REQUESTED INTRODUCTION DATE:** June 8, 2015

**CITY COUNCIL PUBLIC HEARING DATE:** July 13, 2015

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** Land Use, Housing & Transportation - June 16, 2015; or City Planning Commission.

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** None

**AFFECTED AGENCIES:** Mayor, Chief Administrative Officer, Public Utilities, Finance, Budget, Public Works, Economic and Community Development

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

O & R Request

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

**ATTACHMENTS:** School Board Resolution dated April 20, 2015 and executed April 22, 2015. Quitclaim Deed dated April 22, 2015.

**STAFF:** Lee Downey, Economic Development and Planning 646- 7646

Douglas Dunlap, Economic & Community Development 646-6822

Jane Ferrara, Economic & Community Development 646-6737

Paul McClellan, Economic & Community Development 646-3061

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## RESOLUTION

**WHEREAS**, certain real property, further described herein, (the "Property") was obtained by the City of Richmond, Virginia (the "City") in 1976;

**WHEREAS**, the Property, including the building and the surrounding real estate, with the street address of 1722 Arlington Road, Richmond, Virginia 23230 (Tax Parcel Number N000-1317/004) was utilized by the School Board of the City of Richmond (the "School Board") as a transportation and warehouse facility;

**WHEREAS**, the Property is currently under the management and control of the School Board; and

**WHEREAS**, pursuant to Section 22.1-129(A) of the Code of Virginia, the School Board has now determined that it will have no further use for the Property.

**BE IT THEREFORE RESOLVED** by the School Board that the Property will be deemed surplus, and the management and control of the Property will convey to the City upon approval of this Resolution.

**BE IT FURTHER RESOLVED** by the School Board that pursuant to Section 42-41 of the City Code, as amended, the School Board requests that, when payments are made to the City of money arising from the sale of the Property, such receipts, with the exception of certain withholdings, shall be credited to a special reserve assigned to support the public schools in the City to be appropriated for the construction of new public school facilities or for the capital repair or renovation of existing active school properties.

**BE IT FURTHER RESOLVED** that upon approval of this Resolution, the School Board authorizes the Chair of the School Board to execute a quitclaim deed to the City for the Property.

4/20/2015

Donald L. Coleman  
School Board Chair

Date: 4, 22, 2015

Angela C. Lewis  
School Board Clerk

STATE OF VIRGINIA

CITY/COUNTY OF Richmond, to-wit:

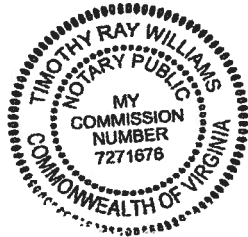
The foregoing instrument was acknowledged before me this 22 day of April,  
2015 by Donald L. Coleman, as Chair of the School Board of the City of Richmond.

My commission expires: 4/30/2017

Notary Registration Number: 7271676

Timothy Williams  
Notary Public

[SEAL]



Prepared By:  
Harrell & Chambliss LLP  
VSB# 22098  
707 E. Main Street, Suite 1000  
Richmond, VA 23219

Tax Parcel # N0001317004 – 1722 Arlington Road, Richmond, VA 23230

**THIS QUITCLAIM DEED**, made and entered into as the 22nd day of April, 2015, by and between the **SCHOOL BOARD OF THE CITY OF RICHMOND** (“Grantor”) and the **CITY OF RICHMOND** (“Grantee”).

**WHEREAS**, pursuant to Section 22.1-129(A) of the Code of Virginia (“Section 22.1-129 (A)”), Grantor has declared surplus, the real estate described in the Schedule A attached hereto (the “Property”) and conveyed the management and control of the Property to Grantee, by resolution approved April 20, 2015; and

**WHEREAS**, Grantor has no ownership interest in the Property but desires to comply with Grantee’s request that it enter into a quitclaim deed pursuant to Section 22.1-129(A), to evince that it has released and conveyed any interest it might have in the Property.

**WITNESSETH:**

That for valuable consideration received, the receipt of which is hereby acknowledged by the Grantor, the Grantor hereby quitclaims, releases, and conveys unto the Grantee any and all right, title and interest it may possess in and to the Property.

Notwithstanding, pursuant to Section 42-21 of the City Code, and City Council Ordinance No. 2013-22-71, adopted May 13, 2013, (the “Ordinance”) should Grantee sell, lease or otherwise otherwise utilize the Property, the proceeds of the sale, lease or other use of the Property, subject to certain withholdings described in the Ordinance, shall be placed into a special reserve assigned to support public schools in the City. The City



Council may appropriate funds from this reserve for the construction of new public school facilities or for the capital repair or renovation of existing active school properties.

WITNESS the following signatures and seals:

GRANTOR:

SCHOOL BOARD OF THE CITY OF RICHMOND

By: *D. L. Coleman*  
Donald L. Coleman, Chairman

STATE OF VIRGINIA

CITY/COUNTY OF Richmond, to-wit:

The foregoing instrument was acknowledged before me this 22 day of April, 2015 by Donald L. Coleman, as Chairman of the School Board of the City of Richmond.

My commission expires: 4/30/2017

Notarial Registration Number: 7271676

*Timothy Williams*  
Notary Public

[SEAL]



**GRANTEE:**

**CITY OF RICHMOND, VIRGINIA,**  
a municipal corporation

By: \_\_\_\_\_  
Christopher L. Beschler  
Acting Chief Administrative Officer

As authorized by Ordinance No.: \_\_\_\_\_,

Adopted \_\_\_\_\_, 201\_.

**COMMONWEALTH OF VIRGINIA**  
**CITY OF RICHMOND, to-wit:**

The foregoing Deed was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 2015,  
by Christopher L. Beschler, Acting Chief Administrative Officer of City of Richmond,  
Virginia, a municipal corporation, on behalf of such municipal corporation.

My commission expires: \_\_\_\_\_

Notary Registration Number: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

[SEAL]

## SCHEDULE A

ALL THOSE CERTAIN tracts of land, together with all rights, hereditaments, easements, appurtenances and improvements thereunto belonging, located in the City of Richmond, State of Virginia, and bounded and described as follows:

### Tract No. 1

BEGINNING at a point on the northerly marginal right-of-way line of Arlington Road, which point bears S 89° 06' 30" W and is 150 feet distant from a stone monument which marks the point of intersection of the northerly right-of-way line of Arlington Road and the westerly marginal right-of-way line North Boulevard, running thence N 00° 53' 30" W a distance of 344.85 feet to the southerly marginal right-of-way line of Kelly Road; thence, following the southerly marginal right-of-way line of Kelly Road S 89° 36' 30" W a distance of 279.85 feet to a point on the said marginal right-of-way line; thence, continuing along the southerly marginal right-of-way line of Kelly Road S 89° 33' 30" W a distance of 310.20 feet to a point in the said southerly marginal right-of-way line; thence, S 00° 53' 30" E a distance of 349.58 feet to the northerly marginal right-of-way line of Arlington Road; thence, following the northerly marginal right-of-way line of Arlington Road N 89° 06' 30" E a distance of 590.00 feet to the point of beginning, and containing a total area of 4.7 acres, more or less.

### Tract No. 2

ALL THAT CERTAIN easement right-of-way being 16 feet in width, except for that portion thereof lying north of the northern line of Arlington Road, for which last mentioned distance, that is, from the north line of Arlington Road to the western line of Tract No. 1, the easement width shall be twenty-five feet. Centerline location of said easement as described as follows:

BEGINNING at a point in the western boundary line of said 4.7 acre tract of land, said point of beginning being approximately thirty feet north of the northern line of Arlington Road measured along the western boundary of said 4.7 acre tract of land; and thence, from said point of beginning, extending in a southwesterly direction along a twelve degree curve across Arlington Road a distance of three hundred and fifty feet, more or less, to the point of curvature of said curve, and thence, continuing from said point in a southwesterly direction, along a straight line, tangent of said curve, a distance of three hundred thirteen feet, more or less, to a switch point located in spur track, now known as the Rubber-Reserve Company track and thence continuing in a southwesterly direction along the centerline of said Rubber-Reserve Company spur track to the property of the Seaboard Air Line Railway Company at north end of its Hermitage Yard.