

INTRODUCED: November 9, 2015

AN ORDINANCE No. 2015-243-239

To accept a quitclaim deed from the School Board conveying 2717 Alexander Avenue to the City and to authorize the Chief Administrative Officer to act on behalf of the City in executing such deed.

Patron – Ms. Trammell

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: DEC 14 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: 9 NOES: 0 ABSTAIN: _____

ADOPTED: DEC 14 2015 REJECTED: _____ STRICKEN: _____

WHEREAS, by adopting a resolution dated December 5, 2012, the School Board of the City of Richmond declared that real property located at 2717 Alexander Avenue in the city was surplus; and

WHEREAS, the School Board has delivered a quitclaim deed memorializing the conveyance of every interest it may have in the real property located at 2717 Alexander Avenue; 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 2717 Alexander Avenue 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 2717 Alexander Avenue, 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 2717 Alexander Avenue by the School Board to the City.

§ 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

RECEIVED

OCT 29 2015

OFFICE OF CITY ATTORNEY

TO Allen Jackson, City Attorney

THROUGH Lou Ali, Council Chief of Staff *LA*

FROM Steven Taylor, Council Policy Analyst *ST*

COPY Reva Trammell, 8th District Council Member
Haskell Brown, Deputy City Attorney
Vincent Jones, Council Deputy Chief of Staff *V. Jones*

DATE October 23, 2015

PAGE/s 1 of 2

TITLE Accepting the Quitclaim Deed for the former RPS Property at 2717 Alexander Avenue.

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

REQUESTING COUNCILMEMBER/PATRON

Trammell

SUGGESTED STANDING COMMITTEE

Nov. 2, 2015 Council Meeting

ORDINANCE/RESOLUTION SUMMARY

The patron requests that legislation be drafted for City Council's consideration that accepts the Quitclaim Deed from Richmond Public Schools (RPS) for the property at 2717 Alexander Avenue which was formerly known as Summer Hill School.

BACKGROUND

RPS declared, by resolution, Summer Hill School, located at 2717 Alexander Avenue, surplus property on December 5, 2012. The property had been used as a school since 1919. The students and staff have been relocated to a new building. The Deed was delivered to the City Attorney's Office on October 20 2015. This Deed conveys ownership and control of the property to the City of Richmond.

FISCAL IMPACT STATEMENT

Fiscal Impact Yes No

Budget Amendment Required Yes No

Estimated Cost or Revenue Impact \$ N/A

Note: The City will be responsible for costs and upkeep of the building and property. These costs are not known at this time.

Attachment/s Yes No Copy of Quitclaim Deed and cover letter from RPS.

HARRELL & CHAMBLISS LLP
ATTORNEYS AT LAW
EIGHTH & MAIN BUILDING
SUITE 1000
707 EAST MAIN STREET
RICHMOND, VIRGINIA 23219

MAILING ADDRESS:
POST OFFICE BOX 518
RICHMOND, VA 23218-0518

cc. Coq
to attach to
OFR

TELEPHONE (804) 643-8401
FACSIMILE (804) 648-2707
WWW.HCLAWFIRM.COM

October 19, 2015

Allen Jackson, Esquire
City Attorney
City of Richmond
900 East Broad Street, Suite 300
Richmond, Virginia 23219

RECEIVED
OCT 20 2015
OFFICE OF CITY ATTORNEY

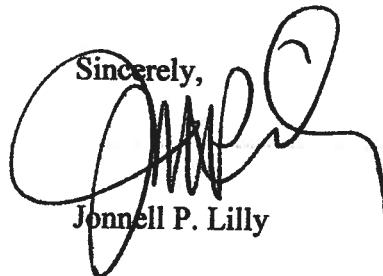
**Re: Quitclaim Deed
2717 Alexander Avenue**

Dear Mr. Jackson:

On behalf of the School Board of the City of Richmond, I have enclosed the quitclaim deed for 2717 Alexander Avenue. This property was declared to be surplus by the School Board on December 5, 2012. I have also enclosed a copy of the approved resolution for your reference as well.

Should you have any questions or concerns, please feel free to contact me at (804) 915-3223.

Sincerely,



Jonnell P. Lilly

cc: Angela Lewis, School Board Clerk (via e-mail)
Tommy Kranz, Asst. Superintendent for Support Services (via e-mail)

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

Tax Parcel # S008-0808/001 – 2717 Alexander Avenue, Richmond, VA 23234

THIS QUITCLAIM DEED, made and entered into as the 5th day of October, 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 December 5, 2012; 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 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: 
Donald L. Coleman, Chairman

STATE OF VIRGINIA

CITY/COUNTY OF Richmond, to-wit:

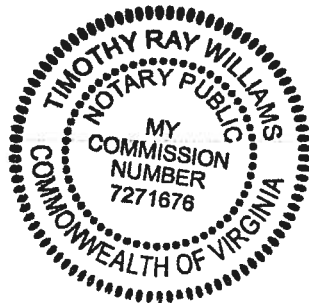
The foregoing instrument was acknowledged before me this 14 day of October, 2015 by Donald L. Coleman, as Chairman of the School Board of the City of Richmond.

My commission expires: 4/30/2017

Notarial Registration Number: 7271676


Notary Public

[SEAL]



GRANTEE:

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

By: _____

**Selena Cuffee-Glenn
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 Selena Cuffee-Glenn, 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 lots, pieces of parcels of land, lying and being in the City of Richmond and designated as 2717 Alexander Avenue.

RESOLUTION

WHEREAS, certain real property, further described herein, (the "Property") was obtained by the City of Richmond, Virginia (the "City") through annexation from the County of Chesterfield; and

WHEREAS, the Property, including the building and the surrounding real estate, with the street address of 2717 Alexander Avenue, Richmond, Virginia 23234 (Tax Parcel Number S008-0808/001) was the site of Summer Hill Elementary School since 1919 and later merged with Ruffin Road Elementary School; and

WHEREAS, effective at the end of the 2012-2013 school year, the students and staff at Summer Hill/Ruffin Road Elementary School will be relocated to a new school facility; and

WHEREAS, the Property is currently under the management and control of the School Board of the City of Richmond (the "School Board"); and

WHEREAS, pursuant to Section 22.1-129(A) of the Code of Virginia, the School Board determined that it will have no further use for the Property upon the relocation of the current students and staff and voted on November 12, 2012 to declare the Property to be surplus property at the conclusion of the 2012-2013 school year; and

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 for disposition effective June 30, 2013.

BE IT FURTHER RESOLVED by the School Board that pursuant to Section 42-21 of the City Code, as amended, the School Board requests that should the City sell, lease or otherwise receive revenue for the use of the Property, economic benefit received by the City reflective of just compensation from such transaction, subject to certain withholdings, shall be credited to the reserve fund for permanent public improvements to be specifically earmarked and

used only for the construction of new school properties or for the capital repair or renovation of existing active school properties and shall not supplant general or capital improvement funds.

Dawn C. Page
Chairman

Date: 12, 2012

STATE OF VIRGINIA

CITY/COUNTY OF Richmond, to-wit:

The foregoing instrument was acknowledged before me this 5 day of December, 2012 by Dawn C. Page, as Chair of the School Board of the City of Richmond.

My commission expires: 11.30.15

Notary Registration Number: 28359

Notary Public

Antonia Sampson

[SEAL]