

INTRODUCED: September 11, 2023

AN ORDINANCE No. 2023-255

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 a certain 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: SEP 25 2023 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 perpetual easement for the disposal of stormwater on the surface of the land located in the area labeled item No. 12 as shown on the plat entitled "ALTA/NSPS Land Title Survey #2017 & #2021 Roane St., City of Richmond, Virginia," prepared by Shadrach & Associates, LLC, and dated March 25, 2023, attached to this ordinance as Attachment B and on the instrument recorded in the

AYES: 9 NOES: 0 ABSTAIN: _____

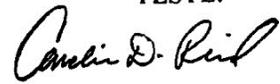
ADOPTED: SEP 25 2023 REJECTED: _____ STRICKEN: _____

Office of the Clerk for the Circuit Court of the City of Richmond, Virginia, in Book 561D, Page 412, that may exist on the property known as 2021 Roane Street, for nominal consideration, to Roane Street, LLC. Such Deed of Quitclaim of Utility Easement shall be approved as to form by the City Attorney and shall be substantially in the form of the document attached to this ordinance.

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

A TRUE COPY:

TESTE:

A handwritten signature in black ink, appearing to read "Amelia D. Reed". The signature is written in a cursive style with a large initial "A".

City Clerk



City of Richmond

900 East Broad Street
2nd Floor of City Hall
Richmond, VA 23219
www.rva.gov

Master

File Number: Admin-2023-1219

File ID: Admin-2023-1219

Type: Request for Ordinance or Resolution

Status: Regular Agenda

Version: 1

Reference:

In Control: City Clerk Waiting Room

Department:

Cost:

File Created: 08/02/2023

Subject:

Final Action:

Title:

Internal Notes:

Code Sections:

Agenda Date: 09/11/2023

Indexes:

Agenda Number:

Patron(s):

Enactment Date:

Attachments: Admin20231219 - Deed of QuitClaim of Utility Easement, Admin20231219 - O&R Quitclaim - Attachment A, Admin20231219 - O&R Quitclaim - Attachment B - Drawings

Enactment Number:

Contact:

Introduction Date:

Drafter: marla.johnson@rva.gov

Effective Date:

Related Files:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	8/3/2023	Daniel Rifenburg	Approve	8/4/2023
1	2	8/4/2023	April Bingham	Approve	8/7/2023
1	3	8/4/2023	Robert Steidel	Approve	8/8/2023
1	4	8/25/2023	Lincoln Saunders	Approve	8/10/2023
1	5	9/7/2023	Mayor Stoney	Approve	9/29/2023

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File Admin-2023-1219

O&R REQUEST

DATE: August 2, 2023

EDITION: 1

TO: The Honorable Members of Richmond 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

FROM: Daniel Rifenburgh, Director
Richmond Gas Works

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 perpetual easement under and across the whole of the land owned by Grantors for the construction, maintenance, repair, and operation of methane gas control (well #36 and a temporary construction easement on the property.

REASON: To property owner proposed a 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 the adoption of this Ordinance.

BACKGROUND: The Department of Public Utilities determined that the easement to be quit-claimed, and the gas 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: September 11, 2023

CITY COUNCIL PUBLIC HEARING DATE: September 25, 2023

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 Utility Easement

STAFF: Daniel Rifenburg, Director, Richmond Gas Works, 804-646-8307

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 perpetual easement under and across the whole of said real estate for the disposal of stormwater on the surface of land (the "Easement") was conveyed to the GRANTOR by deed recorded in the Clerk's Office, Circuit Court in the City of Richmond, Virginia in Book 561D, page 412 and marked "Exhibit A," attached hereto and made a part hereof;

WHEREAS, the location of the Easement (the "Easement Area") is more particularly shown item No. 12 on that certain drawing entitled "ALTA/NSPS Land Title Survey #2017 & #2021 Roane St.," prepared by Shadrach & Associates, dated March 25, 2023, 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 storm water 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

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.

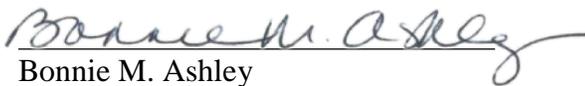
Given under my hand this _____ day of _____, 20__.

Notary Public

Notary Registration Number: _____

My commission expires: _____

Approved as to form:


Bonnie M. Ashley

ROANE STREET, LLC (GRANTEE)

By: _____

Name: _____

Title: _____

COMMONWEALTH OF VIRGINIA
CITY OF _____, to-wit:

I, _____, Notary Public in and for the City and State aforesaid, do hereby certify that _____, 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 _____ day of _____, 2023.

Notary Public

Notary Registration Number: _____

My commission expires: _____

ATTACHMENT

A

Given under my hand this 14 day of February, 1954.


Notary Public

City of Richmond—do hereby

In the City of the Court of Chancery for said City

On the 15th day of February 1954

This deed was presented and with the Customs account
advised to record at 11:30 o'clock A. M.

Taxes

± _____ Tax

 Clerk

WITNESSETH

THIS DEED, made this 14th day of December, 1954, by and between the CITY OF RICHMOND, a municipal corporation of the Commonwealth of Virginia, hereinafter referred to as "Grantor", and C. FORTER WASHAM, C. FORTER VALDEAN, JR., and T. FREYTON TURNER, of Richmond, Virginia, hereinafter referred to as "Grantees";

WITNESSETH:

That for and in consideration of the conveyance by the Grantees to the Grantor of the easements in the land hereinafter described, the Grantor hereby transfers, releases and quit-claims to the Grantees the rights and easements owned by the Grantor for disposing of storm water on the surface of the land shown enclosed in green lines on the copy of the plan on file in the office of the Department of Public Works entitled: "Plan Showing Relocation of Surface Easements in Erie's Addition", marked "Drawing No. E-12291" attached to and hereby made a part of this deed; reserving unto the Grantor the rights and easements for disposing of storm water and sewage under the land in which such rights and easements are transferred, released and quit-claimed; and the Grantees, for themselves, their heirs, devisees and successors and assigns, hereby covenant and agree with the Grantor that the rights and easements for disposing of storm water and sewage under each land will not be interfered with, affected or impaired in any manner, and have executed this deed for that purpose.

That for and in consideration of the transfer, release and quit-claim by the Grantor to the Grantees of the rights and easements in the land hereinbefore described, the Grantees hereby grant and convey to the Grantor rights and easements for

the disposal of storm water on the surface of the land shown enclosed in red lines on the aforesaid copy of said plan.

IN WITNESS WHEREOF, the Grantor has caused its name to be subscribed hereunto by its City Manager and its corporate seal to be hereto affixed and attested by its City Clerk, they being only authorized so to do by an ordinance of the Grantor's Council adopted December 13, 1954, numbered 54-281-246; and the Grantee has hereto affixed their signatures and seals.

CITY OF RICHMOND

Thomas O. Edwards
City Manager

ATTEST:
[Signature]
City Clerk

BY:

[Signature]

[Signature] (SEAL)
[Signature] (SEAL)
[Signature] (SEAL)

COMMONWEALTH OF VIRGINIA

CITY OF RICHMOND, to wit:

I, *Columbia D. Nolan*, a notary public in and for the City of Richmond, Commonwealth of Virginia, do certify that **ROBERT E. EDWARDS** and **MILLIAN T. WILLS**, whose names are signed to the foregoing deed bearing date on the 13th day of December, 1954, as City Manager and City Clerk of the City of Richmond, respectively, have acknowledged the same before me in my city aforesaid.

Given under my hand this *10th* day of *February*, 1955.
My commission expires: *December 1955, 1956*
Columbia D. Nolan
Notary Public

COMMONWEALTH OF VIRGINIA
CITY OF RICHMOND, to wit:

I, William B. Gentry, a notary public in and for
the City of Richmond, Commonwealth of Virginia, do certify that
C. Porter Vaughan, C. Porter Vaughan, Jr., and T. Preston
Turner, whose names are signed to the foregoing deed bearing
date on the 14th day of December, 1954, personally appeared
before me in my city and state aforesaid and acknowledged the

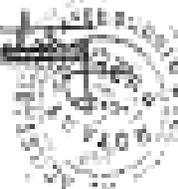
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same to be their act and deed.

My commission expires Sept 20, 1955

Given under my hand this 21st day of December, 1954.

William B. Gentry
Notary Public



Count check of 1/4 page 54

City of Richmond-to-wit:

In the office of the Court of Chancery for said City
the 15th day of February 1955

This deed was presented and with the Cashier 1000 amount
deposited to record at Rich which M
Tax

\$ 50⁰⁰ Tax

W. B. Gentry Not

City of Richmond- to wit:
In the Office of the Court of Chancery for said City
the 15th day of February 1955
The deed was prepared and with the Certificate attached
submitted to record at _____
Texas _____

\$ 50⁰⁰ Tax

[Handwritten Signature] Clerk

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THIS DEED OF TRUST, made this 14th day of February, 1955,
by and between Cornelia B. Gault and Joseph Davis, her husband,
of the City of Richmond, Virginia, party of the first part
and GRANTOR herein, and T. H. Easton, Jr. and E. A. Hill
of the City of Richmond, Virginia, Trustees as hereinafter set forth, parties of the second part
and GRANTEEES herein,

WITNESSETH: That in consideration of a certain loan herein described, the party of the first part doth grant and convey unto the parties of the second part, with General Warranty of Title, the following property, to-wit:

That parcel of land in the City of Richmond, Virginia, situated on the southern line of Hanover Avenue, between Rowland Street and Michala Avenue (formerly Spencere Street), together with all the improvements on said parcel of land and appurtenances thereto belonging, known as Tract No. 2011 Hanover Avenue, and bounded and described as follows, to-wit:

Beginning on the said southern line of said Hanover Avenue at a point distant thereon one hundred and forty-two (142') feet, more (7") inches westerly from the point of intersection thereof with the western line of said Rowland Street, and from said point of beginning running westerly along and fronting on the said southern line of said Hanover Avenue, twenty-eight (28') feet, and from said front extending back westerly at right angles and between parallel lines, one hundred and seventy-nine feet (179') nine (9") inches, to an alley in cross twenty (20') feet wide.

Being the same real estate conveyed to Cornelia B. Gault by deed from J. Lee Davis and Cornelia B. Davis, his wife, dated April 4, 1947, and recorded in Book 493-C, page 235, Clerk's Office, Richmond Chancery Court.

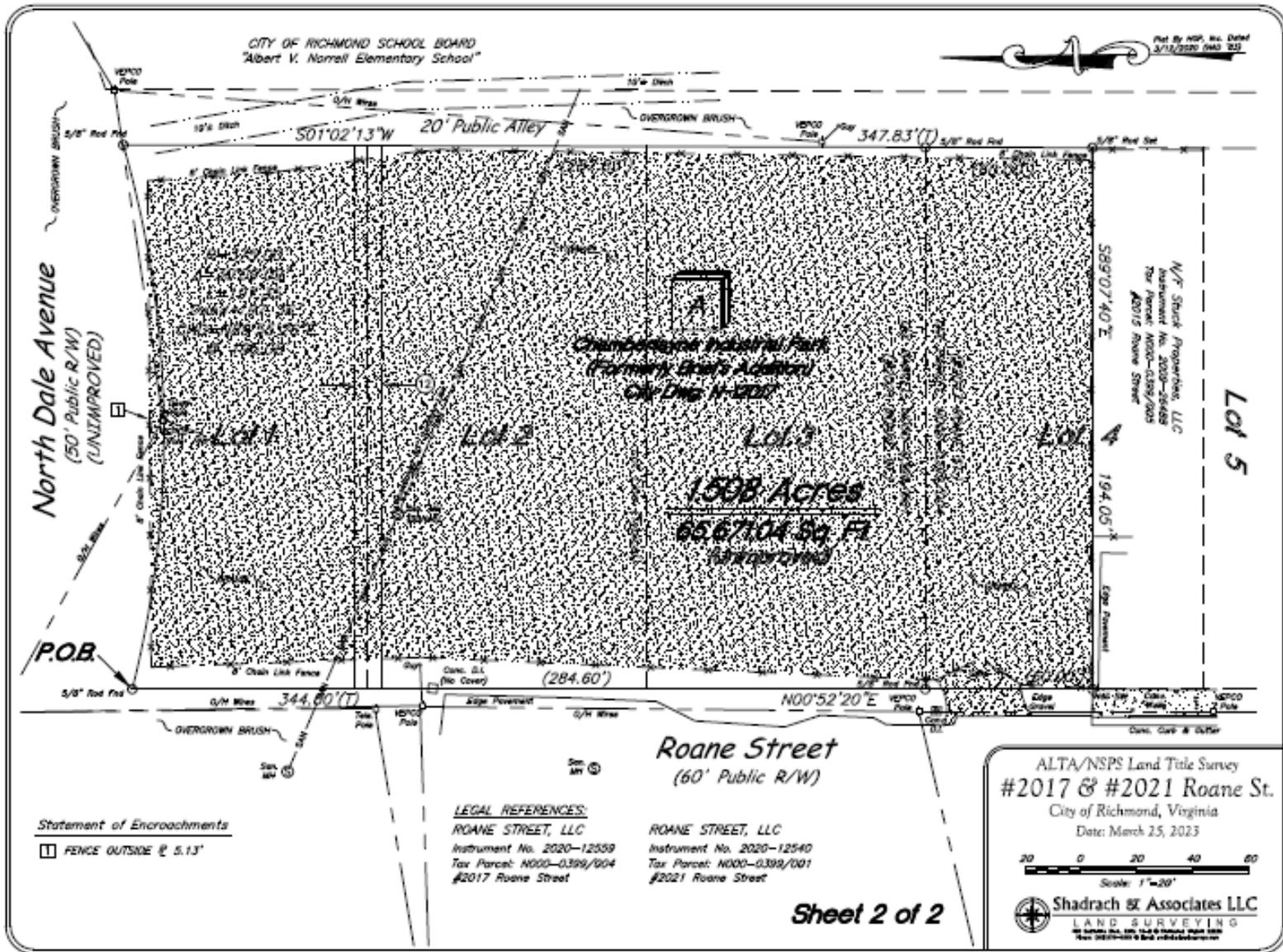
Together with all improvements thereon and rights, privileges and appurtenances thereto belonging, and all wiring, plumbing and heating fixtures, appliances for heating, cooling, lighting, ventilation, and refrigeration, air conditioning and all screens, awnings, shades, Venetian blinds, laundry fixtures or other equipment now or hereafter installed in or on said premises by first party, or any subsequent owner or owners thereof, it being mutually agreed that the same shall be held to be real fixtures and part of the property hereby conveyed, and subject to the terms of this deed of trust, whether attached to the threshold or not.

ATTACHMENT B

ATTACHMENT B

CITY OF RICHMOND SCHOOL BOARD
"Albert V. Norrell Elementary School"

Plot By NSPS, Inc. Dated
3/15/2023, PLOD 233



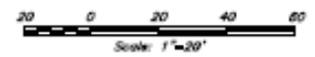
Statement of Encroachments
 FENCE OUTSIDE @ 5.13'

LEGAL REFERENCES:
ROANE STREET, LLC
 Instrument No. 2020-12559
 Tax Parcel: N000-0399/004
 #2017 Roane Street

ROANE STREET, LLC
 Instrument No. 2020-12540
 Tax Parcel: N000-0399/001
 #2021 Roane Street

Roane Street
 (60' Public R/W)

ALTA/NSPS Land Title Survey
#2017 & #2021 Roane St.
 City of Richmond, Virginia
 Date: March 25, 2023



Shadrach & Associates LLC
 LAND SURVEYING
 10000 W. 10th St., Suite 100, Richmond, VA 23234
 Tel: (804) 781-1111 Fax: (804) 781-1112

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