

AN ORDINANCE No 86-177-169

ADOPTED JUN 23 1986

To abandon a portion of a 16-foot L-shaped drainage and utility easement 16.19 feet, more or less, in width shown shaded on the hereinafter identified plan, that lies north of Douglasdale Road and crosses Lots 6 and 7 of the proposed Portland Place Subdivision, in exchange for the dedication of a permanent drainage easement, shown hatched on Department of Public Works Drawing No. N-21532, dated May 8, 1986, and to authorize the City Manager to quitclaim, discharge, transfer and release to the fee simple owners all right, title and interest of the City of Richmond in and to the land in which the easement to be abandoned exists, upon certain terms and conditions.

Patron - Acting City Manager (By Request)

Approved as to form and legality
by City Attorney

1. THE CITY OF RICHMOND HEREBY ORDAINS:
2. § 1. That a portion of a 16-foot L-shaped drainage and
3. utility easement 16.19 feet, more or less, in width shown
4. shaded on the hereinafter identified plan, that lies north
5. of Douglasdale Road and crosses Lots 6 and 7 of the proposed
6. Portland Place Subdivision, in exchange for the dedication
7. of a permanent drainage easement, shown hatched on Depart-
8. ment of Public Works Drawing No. N-21532, entitled:
9. "Vacation of a 16 ft. Drainage & Utility Easement North of
10. Douglasdale Rd. & West of Portland Place", dated May 8,
11. 1986, a copy of which is attached to the draft of this
12. ordinance, be and is hereby abandoned; and the City Manager

1. is authorized and directed to quitclaim, discharge and
2. release to the fee simple owners all right, title and
3. interest of the City of Richmond in and to the land in which
4. the easement exists by deed in form satisfactory to the City
5. Attorney, and that the City Clerk is authorized and directed
6. to attach the corporate seal of the City of Richmond to the
7. deed and to attest the same.

8. § 2. This ordinance shall be in force as provided in
9. Section 4.09 of the Charter and shall become effective when,
10. within six months from the day this ordinance is in force,
11. (a) the owners of the property through which said drainage
12. easement in the land runs consent thereto and agree in
13. writing with the City that for themselves, successors and
14. assigns, they will assume responsibility for the abandoned
15. easement and any damage which may result from or by virtue
16. of constructing improvements over the same, and shall, in
17. addition thereto, indemnify, reimburse, keep and hold the
18. City of Richmond free and harmless from liability on account
19. of injury or damage to persons, firms or corporations or
20. property which may result directly or indirectly from the
21. abandonment of the easement in the land abandoned by this
22. ordinance and the obstruction or interference with the flow
23. or overflow of surface or subsurface water resulting directly
24. or indirectly therefrom; and in the event that any suit or

1. proceeding is brought against the City at law or in equity,
2. either independently or jointly on account thereof, they
3. will defend the City in any such suit or proceeding at their
4. costs; and in the event of a final judgment or decree being
5. obtained against the City, either independently or jointly,
6. they will pay such judgment or comply with such decree
7. including payment of all costs and expenses of whatsoever
8. nature and hold the City harmless therefrom, which said
9. consent and agreement shall be in form approved by the City
10. Attorney and filed in the office of the City Clerk; (b) that
11. the said owners furnish evidence satisfactory to the
12. Director of Public Works that no utility facility is located
13. within the said easement, or if such be the case, that
14. arrangements satisfactory to the owner of the said facility
15. have been made for its removal or abandonment; and (c) the
16. owners dedicate to the City of Richmond in form satisfactory
17. to the City Attorney a permanent drainage easement along the
18. western line of Lot 7 from the existing easement to
19. Douglasdale Road, as shown hatched on said drawing, by a
20. deed approved as to form by the City Attorney.

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ORDINANCE OR RESOLUTION SUMMARY
CITY OF RICHMOND, VIRGINIA

Resolution Ordinance No. 86-177	Subject Abandonment/Dedication of Drainage and Utility Easement/Douglasdale Road and Portland Place.
Requested by ... Acting City Manager, By Request	
Received City Manager's Office --	
Summarized 6/16/86	

SUMMARY

This Ordinance would abandon a portion of 16-foot wide "L"-shaped drainage and utility easement and accept dedication of replacement easement.

The easement lies north of Douglasdale Road and west of Portland Place, south of the Windsor Farms area.

The existing easement contains no utilities or drainage facilities.

A portion of the lot where the present easement is located has been sold and is included into the new proposed Portland Place subdivision.

Resolution of the easement is requested in order to conform to the new subdivision layout and to provide more buildable areas on adjoining properties.

COUNCIL ACTION

On Docket 6/23/86
Amended
Adopted
Rejected