

INTRODUCED: November 12, 2024

AN ORDINANCE No. 2024-295

To declare a public necessity exists and to authorize the acquisition of certain fee simple interests and easements for the public purpose of facilitating the construction, operation, and maintenance of the Seaton Acres Drainage Improvement Project.

Patron – Mayor Stoney

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: DEC 9 2024 AT 6 P.M.

WHEREAS, in the opinion of the City Council of the City of Richmond, a public necessity exists for the acquisition of certain fee simple interests, temporary construction easements, and permanent drainage easements, each hereinafter referred to as an “Interest” and all hereinafter referred to as the “Interests,” as shown on the plats entitled “Plat Showing Variable Width Temporary Construction Easement on the Property of Robert Clark, 2705 McLeod Road, PID: C0080736022, City of Richmond, Virginia,” “Plat Showing Variable Width Temporary Construction Easement on the Property of Widmark & Debbie L Cadet, 5434 Kendall Road, PID: C0080694034, City of Richmond, Virginia,” and “Plat Showing Variable Width Temporary

AYES: _____ NOES: _____ ABSTAIN: _____

ADOPTED: _____ REJECTED: _____ STRICKEN: _____

Construction Easements and Permanent Drainage Easements on the Property of Victoria A. Woodward, 5430 Snead Road, PID: C0080615022, City of Richmond, Virginia,” all prepared by Cardinal Civil Resources and all dated September 20, 2023, and last revised February 27, 2024, copies of which are attached to and made a part of this ordinance, for the public purpose of facilitating the construction, operation, and maintenance of the Seaton Acres Drainage Improvement Project;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That a public necessity exists for the acquisition of the Interests as shown on the plats entitled “Plat Showing Variable Width Temporary Construction Easement on the Property of Robert Clark, 2705 McLeod Road, PID: C0080736022, City of Richmond, Virginia,” “Plat Showing Variable Width Temporary Construction Easement on the Property of Widmark & Debbie L Cadet, 5434 Kendall Road, PID: C0080694034, City of Richmond, Virginia,” and “Plat Showing Variable Width Temporary Construction Easements and Permanent Drainage Easements on the Property of Victoria A. Woodward, 5430 Snead Road, PID: C0080615022, City of Richmond, Virginia,” all prepared by Cardinal Civil Resources and all dated September 20, 2023 and last revised February 27, 2024, copies of which are attached to and made a part of this ordinance, for the public purpose of facilitating the construction, operation, and maintenance of the Seaton Acres Drainage Improvement Project.

§ 2. That the Chief Administrative Officer, or the designee thereof, is hereby authorized and directed to, within the constraints imposed by this ordinance, (i) acquire, by gift, purchase, condemnation, or otherwise the aforementioned Interests, (ii) act for and on behalf of the City of Richmond in agreeing or disagreeing with the owners of the properties from whom such Interests

must be acquired upon the compensation to be paid therefor, and (iii) to execute the deeds and the other documents necessary to complete the acquisition and acceptance of such Interests, provided that all such deeds and other documents must first be approved as to form by the City Attorney or the designee thereof.

§ 3. That, in the event the City cannot agree with any owner of an Interest to be acquired pursuant to this ordinance on the terms of the purchase thereof, the City Attorney is authorized to acquire such Interest by undertaking appropriate condemnation proceedings to exercise the City's power of eminent domain for the public purpose of facilitating the construction, operation, and maintenance of the Seaton Acres Drainage Improvement Project.

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

APPROVED AS TO FORM:

CITY ATTORNEY'S OFFICE



City of Richmond

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

Master

File Number: Admin-2024-1353

File ID: Admin-2024-1353	Type: Request for Ordinance or Resolution	Status: Regular Agenda
Version: 1	Reference:	In Control: City Clerk Waiting Room
Department:	Cost:	File Created: 10/23/2024
Subject:	Final Action:	
Title:		

Internal Notes:

Code Sections:

Agenda Date: 11/12/2024

Indexes:

Agenda Number:

Patron(s):

Enactment Date:

Attachments: Admin-2024-1353 Seaton Acres Ordinance AATF and Plats

Enactment Number:

Contact:

Introduction Date:

Drafter: jenn.clarke@rva.gov

Effective Date:

Related Files:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	10/23/2024	John "Billy" Vaughan - FYI	Notified - FYI	
1	2	10/23/2024	Jennifer Clarke - FYI	Notified - FYI	
1	3	10/23/2024	April Bingham	Approve	10/24/2024
1	4	10/24/2024	Robert Steidel	Approve	10/24/2024
1	5	10/25/2024	Jeff Gray	Approve	10/25/2024
1	6	10/25/2024	Jennifer Clarke - FYI	Notified - FYI	
1	7	10/28/2024	Lincoln Saunders	Approve	11/5/2024
1	8	11/1/2024	Mayor Stoney	Approve	11/13/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File Admin-2024-1353

City of Richmond

Intracity Correspondence

O&R TRANSMITTAL

DATE: October 23, 2024

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 N. Bingham, Director, Department of Public Utilities

FROM: Billy Vaughan, Deputy Director Senior, Department of Public Utilities

RE: To declare that a public necessity exists and to authorize the Chief Administrative Officer (CAO) or designee thereof to acquire certain fee simple interests, permanent and temporary easements, by voluntary conveyance or by condemnation proceedings, for the construction, operations, and maintenance of the Seaton Acres Drainage Improvement Project.

ORD. OR RES. No.

PURPOSE: To declare that a public necessity exists and to authorize the Chief Administrative Officer, or the designee thereof, to acquire certain fee simple interests, permanent and temporary easements, by voluntary conveyance or by condemnation proceedings, for the construction, operation, and maintenance of the Seaton Acres Drainage Improvement Project as illustrated on the attached plats prepared by Cardinal Civil Resources.

BACKGROUND: The purpose of this O&R transmittal is to declare that a public necessity exists and to authorize the Chief Administrative Officer, or the designee thereof, to acquire certain fee simple interests, permanent and temporary easements, by gift, purchase, condemnation, or otherwise for the Seaton Acres Drainage Improvement Project as illustrated on the attached plats prepared by Cardinal Civil Resources entitled "Plat Showing Variable Width Temporary Construction Easement on the Property of Robert Clark 2705 McLeod Road PID: C0080736022, City of Richmond, Virginia," "Plat

Showing Variable Width Temporary Construction Easement on the Property of Widmark & Debbie L Cadet 5434 Kendall Road PID: C0080694034, City of Richmond, Virginia,” and “Plat Showing Variable Width Temporary Construction Easements and Permanent Drainage Easements on the Property of Victoria A. Woodward 5430 Snead Road PID: C0080615022, City of Richmond, Virginia.”

The Seaton Acres Drainage Improvement Project will bring updated and adequate stormwater infrastructure to this 9th City Council District neighborhood, including the replacement of existing ditches with nearly 3,000 linear feet of underground stormwater pipe and vertical adjustments to Bertram Road, McLeod Road, and Kendall Road to minimize low-lying areas. The project will also involve installing stormwater inlets, new curb and gutter alongside the roadways, and a new outfall ditch to allow for the proper drainage of the new piped system.

Thus far, the Department of Public Utilities has acquired 33 temporary easements and 10 temporary and permanent easements for 43 of the 46 properties within the project area, pursuant to Richmond City Code (2020) § 8-33. The Department of Public Utilities needs additional easements for 2705 McLeod Road, 5434 Kendall Road, and 5430 Snead Road in order to progress with and facilitate the construction, operation, and maintenance of the Seaton Acres Drainage Improvement Project.

The cost of the remaining easement acquisitions is estimated at \$13,000. Funds are available within the project budget and will be paid from the Stormwater Utility Fund.

Relocations of residences or businesses are not required or necessary for this project. Property rights for the easements will be purchased using fair market value and negotiations. However, if the Department of Public Utilities is unable to negotiate successfully with the property owners the Department of Public Utilities will request that the Chief Administrative Officer, or the designee thereof, exercise the authority delegated through City Council to perform condemnation action of the necessary easements under Richmond City Charter § 18.03. If condemnation is required, the Department of Public Utilities will continue negotiations with the property owners during the condemnation process in order to allow the Seaton Acres Drainage Improvement Project to continue to proceed.

COMMUNITY OUTREACH: Community engagement efforts have been ongoing throughout the conception, design, and the easement acquisition process of the Seaton Acres Drainage Improvement Project.

Since January 2024, the project team has specifically engaged with 48 of the project’s neighboring properties and property owners in order to coordinate the acquisition of necessary easements, including the three properties from whom easements are still needed. These outreach efforts have included notification letters sent in relation to the easement acquisition process on January 8, 2024 and March 14, 2024. Following these mailings, easement acquisition conversations have occurred on a parcel-/owner-specific level and have included in-person conversations, phone calls, emails, additional letters, and business cards, contact information, and letters, in both English and Spanish, left when residents and property owners were not available during attempted in-person visits.

Information about the Seaton Acres Drainage Improvement Project has also been made available at www.rvah2o.org/city-projects <<<http://www.rvah2o.org/city-projects>>> throughout the project's design and has been updated with additional relevant information as the effort has progressed. Robust community engagement will continue throughout the remainder of the Seaton Acres Drainage Improvement Project, especially leading up to and during the construction phase. Project information will continue to be updated until the project's construction is complete and will remain available online.

STRATEGIC INITIATIVES AND OTHER GOVERNMENTAL: Completing the Seaton Acres Drainage Improvement Project will upgrade the neighborhood's drainage system and, via its construction, supports the City's delivery of capital improvement projects. Improving stormwater facilities, as will be done through the Seaton Acres Drainage Improvement Project, helps the Department of Public Utilities to better deliver efficient and high-quality service, a priority included in the City's adopted FY 2025 budget.

FISCAL IMPACT: The total anticipated cost for the remaining easements is \$13,000.00. The actual acquisition cost is to be negotiated by the Department of Public Utilities and will be set at fair market value as determined pursuant to state and local regulations. Funds are available within the project budget and will be paid from the Stormwater Utility Fund.

DESIRED EFFECTIVE DATE: Upon adoption.

REQUESTED INTRODUCTION DATE: November 12, 2024.

CITY COUNCIL PUBLIC HEARING DATE: December 9, 2024.

REQUESTED AGENDA: Consent Agenda.

RECOMMENDED COUNCIL COMMITTEE: City Planning Commission. (November 19, 2024)

AFFECTED AGENCIES: Department of Public Utilities, Planning & Community Development, Economic Development, Finance Department, Budget and Strategic Planning

RELATIONSHIP TO EXISTING ORD. OR RES.: None.

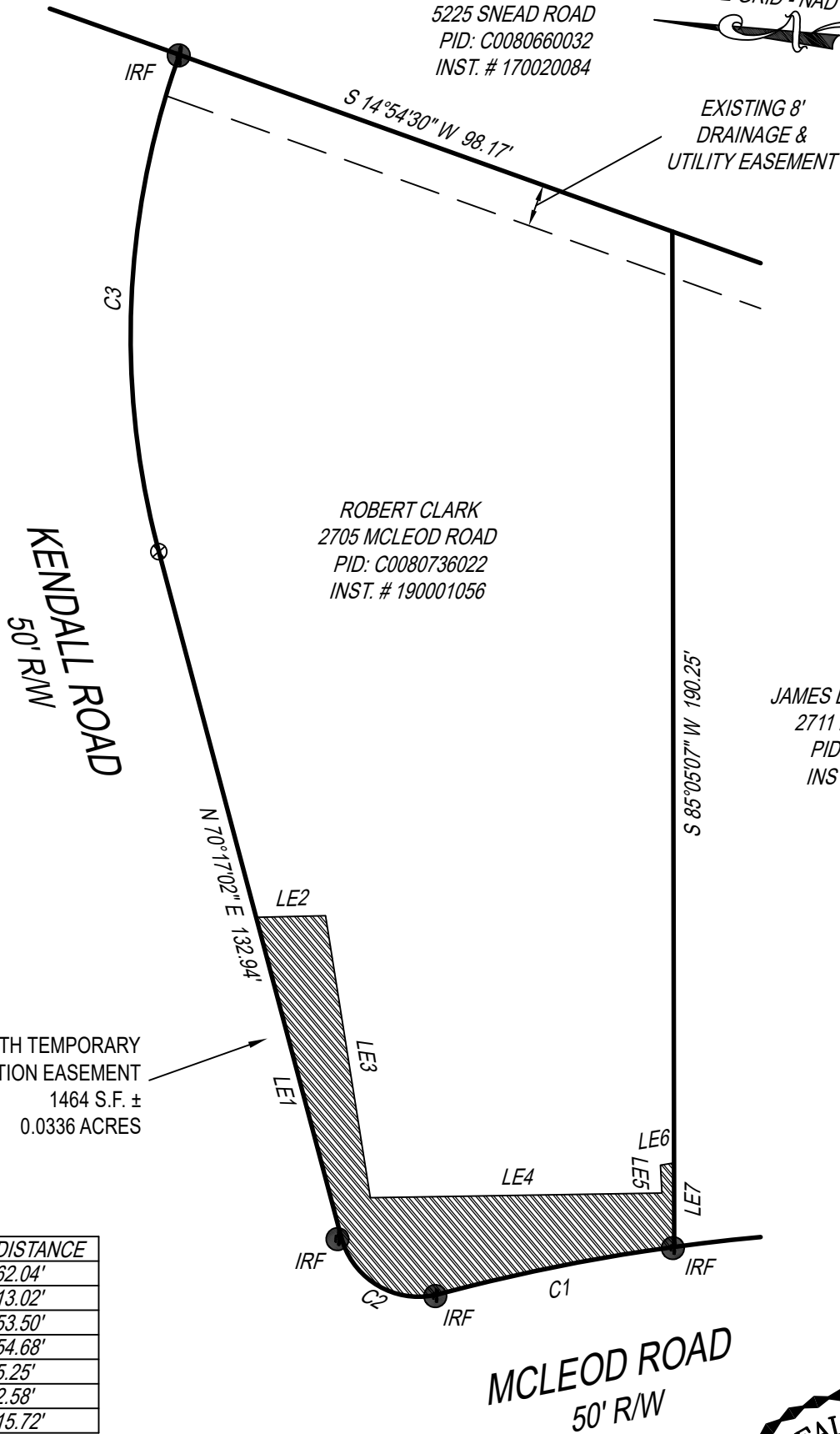
ATTACHMENTS: Plats for 2705 McLeod Road, 5430 Snead Road, and 5434 Kendall Road.

STAFF: Billy Vaughan, Deputy Director Senior, DPU, 804-646-5232
Bill Boston, Capital Improvement Program Manager, DPU, 804-646-8161
Jenn Clarke, Program and Operations Supervisor, DPU, 804-646-8131

- NOTES:
- THIS PLAT IS FOR THE SOLE PURPOSE OF SHOWING EASEMENTS AND THE BOUNDARY LINES SHOWN HEREON DO NOT REPRESENT A CURRENT BOUNDARY SURVEY. BEARINGS AND DISTANCES SHOWN HEREON ARE BASED ON THE SURVEY USED FOR THE DESIGN OF THE PROPOSED EASEMENTS. DISTANCES OR LINE TAGS IN PARENTHESIS () DENOTE TIES TO PROPERTY LINES.
 - THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT NECESSARILY INDICATE ALL EASEMENTS OR ENCUMBRANCES UPON THE TITLE.

CLYDE J. BRANCH
5225 SNEAD ROAD
PID: C0080660032
INST. # 170020084

VA. STATE GRID - NAD '83 - SOUTH ZONE

ROBERT CLARK
2705 MCLEOD ROAD
PID: C0080736022
INST. # 190001056

JAMES LESLIE SMITH, JR.
2711 MCLEOD ROAD
PID: C0080736020
INST. # 000029917

LINE	BEARING	DISTANCE
LE1	S 70°17'02" W	62.04'
LE2	S 6°07'01" E	13.02'
LE3	N 76°09'42" E	53.50'
LE4	N 5°42'24" W	54.68'
LE5	S 82°05'03" W	5.25'
LE6	N 14°00'28" W	2.58'
LE7	S 85°05'07" W	15.72'

CURVE	ARC L.	RADIUS	DELTA	TAN.	CHORD B.	CHORD L.
C1	44.96'	360.31'	7°09'00"	22.51'	N 16°08'13" W	44.94'
C2	23.56'	15.00'	90°00'00"	15.00'	N 25°17'17" E	21.21'
C3	94.61'	156.89'	34°33'00"	48.79'	N 87°33'32" E	93.18'

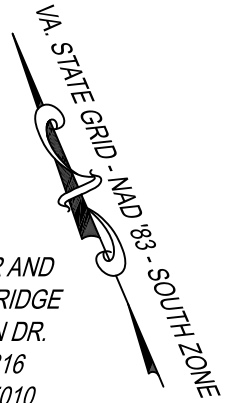


156 STRAWBERRY PLAINS ROAD, SUITE D
WILLIAMSBURG, VIRGINIA 23188
(757) 345-2866 FAX (757) 345-2877

PLAT SHOWING VARIABLE WIDTH TEMPORARY CONSTRUCTION EASEMENT ON THE PROPERTY OF
ROBERT CLARK
2705 MCLEOD ROAD
PID: C0080736022
CITY OF RICHMOND, VIRGINIA

REV #	02/27/2024
CHECKED BY:	BB
PROJECT #	22-261
SCALE:	1"=30'
DWG BY:	RCH/ZT
DATE:	09/20/2023
SHEET #	1 OF 1

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C. PETER COLE AND
JULIE D. COLE
2519 CRUMPTON DR
D.B. 327, PG. 1646
PID C0080535006

HERBERT R. WILKERSON AND
LELA D. WILKERSON
2513 CRUMPTON CR
INST. 030042733
PID C0080535008

LUTHER P. TYLER AND
BONNIE Y. WOOLRIDGE
2520 CRUMPTON DR.
INST. 180021816
PID C00806535010

JUDY WRIGHT
WAGGONER
5436 SNEAD ROAD
INST. 210017758
P.I.D.: C0080615026

TONYA A. BROWN AND
RONETTA D. BROWN
5353 WHITE OAK DR.
D.B. 284, PG. 47
PID C0080615002

VARIABLE WIDTH PERMANENT
DRAINAGE EASEMENT
3,673 S.F. ±
0.0843 ACRES ±

VARIABLE WIDTH TEMPORARY
CONSTRUCTION EASEMENT
1,515 S.F. ±
0.035 ACRES ±

DUSTIN E. HAECKER
5424 SNEAD ROAD
INST. 220007644
PID C0080615020

VICTORIA A. WOODWARD
5430 SNEAD ROAD
INST. 230014328
PID C0080615022

LINE	BEARING	DISTANCE
LE1	S 77°50'10" W	10.00'
LE2	N 12°09'50" W	69.96'
LE3	N 23°12'30" E	1.05'
LE4	S 79°33'32" E	43.90'
LE5	S 12°04'39" E	48.94'
LE6	S 77°50'10" W	11.06'
LE7	S 12°09'50" E	51.36'
LE8	S 23°02'34" W	34.69'
LE9	N 12°09'50" W	79.70'
LE10	S 23°02'34" W	14.25'
LE11	N 14°19'05" W	150.93'
LE12	N 23°12'30" E	6.72'
LE13	S 12°04'39" E	35.76'
LE14	S 23°02'34" W	19.08'

IPF



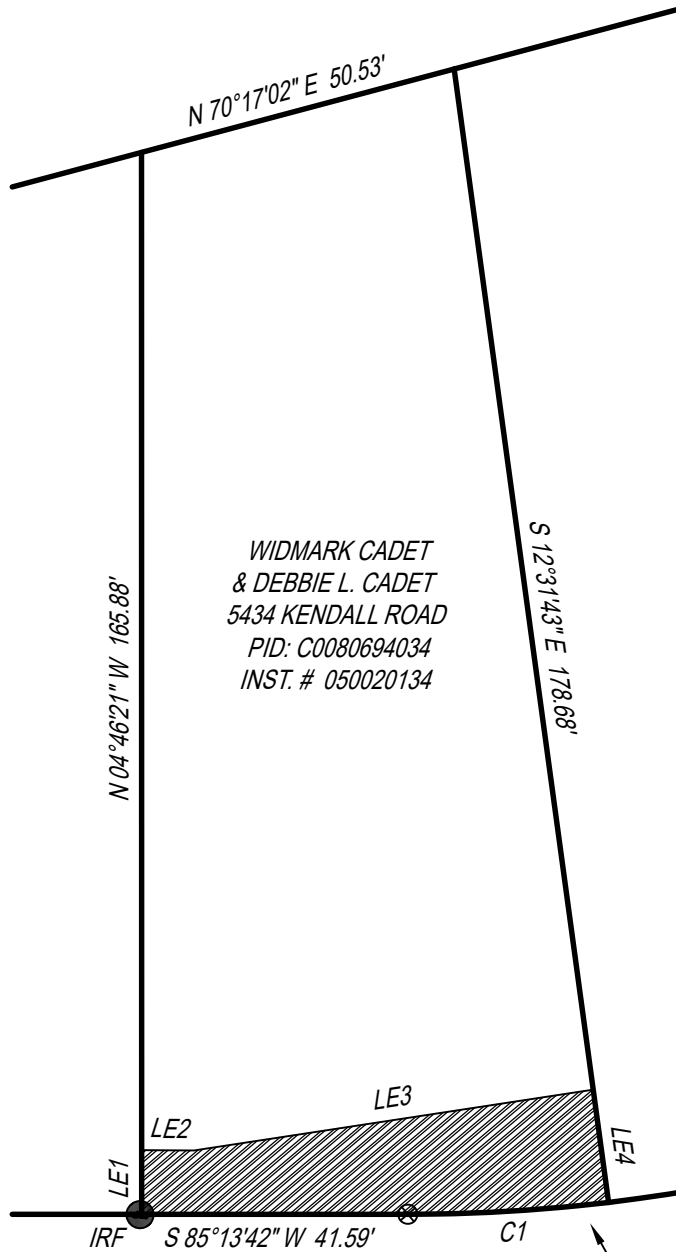
156 STRAWBERRY PLAINS ROAD, SUITE D
WILLIAMSBURG, VIRGINIA 23188
(757) 345-2866 FAX (757) 345-2877

PLAT SHOWING VARIABLE WIDTH TEMPORARY
CONSTRUCTION EASEMENTS AND PERMANENT
DRAINAGE EASEMENTS ON THE PROPERTY OF
VICTORIA A. WOODWARD
5430 SNEAD ROAD
PID: C0080615022
CITY OF RICHMOND, VIRGINIA

REV #	02/27/2024
CHECKED BY:	BB
PROJECT #	22-261
SCALE:	1"=30'
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SUSAN R. LOGAN
 5425 SNEAD ROAD
 PID: C0080694018
 IW 2013-74



GLADYS LETICIA GARCIA
 5428 KENDALL ROAD
 PID: C0080694032
 INST. # 180009818

WIDMARK CADET
 & DEBBIE L. CADET
 5434 KENDALL ROAD
 PID: C0080694034
 INST. # 050020134

TERESA RODRIGUEZ ROSALES
 5440 KENDALL ROAD
 PID: C0080694036
 INST. # 230000810

VARIABLE WIDTH TEMPORARY
 CONSTRUCTION EASEMENT
 1005 S.F. ±
 0.0231 ACRES ±

KENDALL ROAD
 50' R/W

LINE	BEARING	DISTANCE
LE1	N 4°46'21" W	10.02'
LE2	N 85°38'28" E	8.18'
LE3	N 76°33'30" E	63.08'
LE4	S 12°31'43" E	17.77'

CURVE	ARC L.	RADIUS	DELTA	TAN.	CHORD B.	CHORD L.
C1	31.42'	266.25'	6°45'41"	15.73'	S 81°50'52" W	31.40'



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PLAT SHOWING VARIABLE WIDTH TEMPORARY
 CONSTRUCTION EASEMENT ON
 THE PROPERTY OF
 WIDMARK & DEBBIE L CADET
 5434 KENDALL ROAD
 PID: C0080694034
 CITY OF RICHMOND, VIRGINIA

REV #	02/27/2024
CHECKED BY:	BB
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