

INTRODUCED: July 25, 2022

AN ORDINANCE No. 2022-239

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute the deeds and other documents necessary to effect the vacation of certain permanent easements approved by Ord. No. 2015-93-76, adopted May 11, 2015, on the parcel of real property located at 5005 Riverside Drive, for the purpose of establishing a portion of the parcel of real property located at 5005 Riverside Drive as a permanent part of the James River Park System.

\_\_\_\_\_  
Patron – Mayor Stoney

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

PUBLIC HEARING: SEP 26 2022 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 the deeds and other documents necessary to effect the vacation of certain permanent easements approved by Ordinance No. 2015-93-76, adopted May 11, 2015, on the parcel of real property located at 5005 Riverside Drive for the purpose of establishing a portion of the parcel of real property located at 5005 Riverside Drive as a permanent part of the James River Park System, provided that all such deeds and other documents necessary to effect the

AYES: 7 NOES: 0 ABSTAIN: \_\_\_\_\_

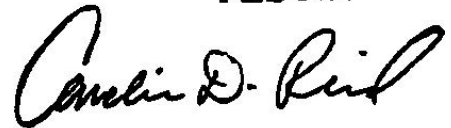
ADOPTED: SEP 26 2022 REJECTED: \_\_\_\_\_ STRICKEN: \_\_\_\_\_

vacation of those certain permanent easements on the parcel of real property located at 5005 Riverside Drive shall first be approved as to form by the City Attorney or designee thereof.

§ 2. That the Chief Administrative Officer is hereby directed to execute, on behalf of the City, such other documents, all of which must first be approved as to form by the City Attorney or the designee thereof, as may be necessary to effect the vacation of those certain permanent easements described in section 1 of this ordinance.

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

**A TRUE COPY:  
TESTE:**

A handwritten signature in black ink, appearing to read "Carlin D. Reil". The signature is fluid and cursive, with the first name "Carlin" being more prominent.

**City Clerk**



# CITY OF RICHMOND

## INTRACITY CORRESPONDENCE

### O&R REQUEST

**DATE:** June 17, 2022

**EDITION:** 1

**TO:** The Honorable Members of City Council

**THROUGH:** The Honorable Levar M. Stoney, Mayor

**THROUGH:** Lincoln Saunders, Chief Administrative Officer

**THROUGH:** Reginald E. Gordon, DCAO for Human Services

**FROM:** Christopher E. Frelke, Director of Parks, Recreation & Community Facilities

**RE:** To vacate permanent easement on the parcel of real property located at 5005 Riverside Drive adopted in Ordinance No. 2015-93-76 pursuant to section 8 of this ordinance.

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

**PURPOSE:** To declare that a public necessity exists and to authorize the Chief Administrative Officer or designee thereof, for and on behalf of the City of Richmond, to vacate the easement on the parcel of real property located at 5005 Riverside Drive adopted in Ordinance No. 2015-93-76 pursuant to section 8: "The Easement shall continue to benefit the Grantee in perpetuity unless Grantee vacates the Easement in writing or discontinues use of the Easement for a period of 12 months with no intention of restoring the use thereof. Notwithstanding the foregoing, beginning five years after the execution of the Easement, the Grantor may terminate the Easement by providing the Grantee with six (6) months written notice of its intent to terminate. Such termination shall not take effect until 6 months after such written notice and until Grantor records such termination with Circuit Court of the City of Richmond."

**REASON:** The holders of the easement on the parcel of real property at 5005 Riverside Drive, Joshua and Carrie Belt Rogers, would like to vacate the easement pursuant to section 8 of Ordinance 2015-93-76 in order to access the Virginia Land Preservation Tax Credit in gifting the property to the City of Richmond via the Capital Region Land Conservancy (CRLC). The property will become a permanent part of the James River Park System (JRPS) and be protected under the James River Park System Conservation Easement co-held by CRLC, the Department of Conservation and Recreation (DCR) of the Commonwealth of Virginia, and the EnRichmond Foundation upon the next update and filing of the JRPS conservation easement.

**RECOMMENDATION:** Approval is recommended by the City Administration.

**BACKGROUND:** As part of the search for continuous opportunities to expand existing park properties and provide for enhanced public use, the City, at times, accepts the transfer of real property from public and private entities. In order for a property transfer to be initiated, the trail easement adopted via Ordinance 2015-93-76 must be vacated.

**FISCAL IMPACT / COST:** None

**FISCAL IMPLICATIONS:** No new impacts.

**BUDGET AMENDMENT NECESSARY:** None

**REVENUE TO CITY:** None

**DESIRED EFFECTIVE DATE:** Upon adoption

**REQUESTED INTRODUCTION DATE:** July 25, 2022

**CITY COUNCIL PUBLIC HEARING DATE:** September 12, 2022

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** Land Use, Housing & Transportation

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** None

**AFFECTED AGENCIES:** Parks, Recreation and Community Facilities

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

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

**ATTACHMENTS:** Attachment A – Ordinance No.2015-93-76

**STAFF:** Ryan Rinn, Parks, Recreation & Community Facilities 646-4347  
Christopher Frelke, Parks, Recreation & Community Facilities 646-1128