

INTRODUCED: March 13, 2023

AN ORDINANCE No. 2023-087

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 Atlantic LLC, for the purpose of vacating by quitclaim deed certain easements on the property known as 1809 Roane Street, for nominal consideration, to Roane Atlantic LLC.

Patron – Mayor Stoney

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: MAR 27 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 Atlantic LLC, for the purpose of vacating by quitclaim deed (i) the City's perpetual easement for the construction, reconstruction, maintenance, and operation of methane gas control and (ii) a temporary construction easement located in the area shown on the plat attached to the instrument recorded in the Office of the Clerk for the Circuit Court of the City of Richmond, Virginia, in Book 758, Page 1317, that may exist on the property known as 1809 Roane

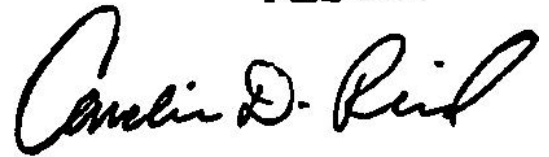
AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: MAR 27 2023 REJECTED: _____ STRICKEN: _____

Street, for nominal consideration, to Roane Atlantic 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 "Carolin D. Reil". The signature is written in a cursive, flowing style.

City Clerk



City of Richmond

Intracity Correspondence

O&R REQUEST

DATE: January 12, 2023

EDITION: 1

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor

Handwritten signature of Levar M. Stoney.

THROUGH: J.E. Lincoln Saunders, Chief Administrative Officer

Handwritten signature of J.E. Lincoln Saunders.

THROUGH: Robert C. Steidel, Deputy Chief Administrative Officer Robert C Steidel

Digitally signed by Robert C Steidel
Date: 2023.01.13 09:19:51 -05'00'

THROUGH: April Bingham, Director of Public Utilities

Handwritten signature of April Bingham.

FROM: Daniel Rifenburgh, Engineering Manager, Richmond Gas Works

DWR

RE: Approval for Chief Administrative Officer to authorize Quitclaim to Vacate an Existing Utility Easement at 1809 Roane Street, Parcel No. N0000399010

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, reconstruction, maintenance, repair, and operation of methane gas control (well #36) and a temporary construction easement on the property.

REASON: The property owner proposed 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 adoption of this Ordinance.

BACKGROUND: The Department of Public Utilities determined that the easement to be quitclaimed, 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: February 13, 2023

CITY COUNCIL PUBLIC HEARING DATE: February 27, 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 Rifenburgh, Engineering Manager, Richmond Gas Works, 804-646-8537

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 NOS.: N0000399029, N0000399027

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 ATLANTIC, 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 Nos. N0000399029 and N0000399027 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. 200025457 (the "Property");

WHEREAS, a perpetual easement under and across the whole of said real estate for the construction, reconstruction, maintenance, repair, and operation of methane gas control (well #36) and a temporary construction easement on the Property (collectively, the "Easement") were conveyed to the GRANTOR by deed of easement recorded in the Clerk's Office, Circuit Court in the City of Richmond, Virginia in Book 758, page 1317 and marked "Exhibit A," attached hereto and made a part hereof;

WHEREAS, the location of the Easement (the "Easement Area") is more particularly shown on that certain plat entitled "ALTA/NSPS LAND TITLE SURVEY," prepared by AEI Consultants, dated September 10, 2020, 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 gas 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:

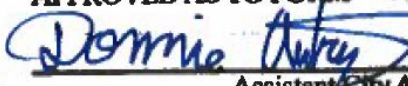
1. GRANTOR hereby vacates, conveys, remises, releases, and forever quitclaims to GRANTEE and their successors and assigns, all rights, title and interests of GRANTOR in and to the property conveyed by the Easement.
2. Each of the Parties hereto releases to the other, and their respective predecessors, 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

APPROVED AS TO FORM

Assistant City Attorney

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: _____

ROANE ATLANTIC, 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 Atlantic, 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 _____, 20_.

Notary Public

Notary Registration Number: _____

My commission expires: _____

EXHIBIT A

EXHIBIT A

THIS DEED OF EASEMENT, made this 24th day of August, 1979, between

9280

BOOK 758 PAGE 1317

EMRICK CHEVROLET SALES CORPORATION

hereinafter referred to as "Grantors," and the CITY OF RICHMOND, a municipal corporation of the Commonwealth of Virginia, hereinafter referred to as "Grantee";

W I T N E S S E T H :

WHEREAS, Grantors are the owners of certain land wherein an easement for methane gas control thereto is to be granted, pursuant to the provisions of Section 2-22 of the 1975 Richmond City Code, and are willing to grant to Grantee the said easement.

NOW, THEREFORE, in consideration of the sum of One Thousand Dollars (\$1,000.00) and other good and valuable consideration, receipt of which is hereby acknowledged, the Grantors do hereby grant and convey to the Grantee, with General Warranty of Title, a perpetual easement in and across the land owned by the Grantors, for the construction, reconstruction, maintenance, repair, and operation of methane gas control (well #36), as shown enclosed in red lines, and a temporary construction easement as shown enclosed in green lines on the plan on file in the office of the Department of Public Works of the Grantee, entitled, "Proposed Easements for Landfill Gas Control in the Area of Chamberlayne Avenue".

_____, Sheet _____ of _____, parcel-lot No. 3, marked "Drawing No. 0-20340", a copy of which is attached hereto and made part of this deed of easement, being a portion of the same real estate conveyed to the grantor by deed recorded in the Clerk's office, Circuit Court, City of Richmond, Part I in Deed Book 756, page 315.

The Grantee hereby covenants and agrees with the Grantors that the Grantee will restore or replace the land and the surface thereof within the boundaries of the easement to its original condition as far as practicable upon the completion of the construction, reconstruction, maintenance or repair of said methane gas control (well #36).

IN WITNESS WHEREOF, the Grantors have hereunto affixed their signatures and seals as of the day and year first hereinabove written.

EMRICK CHEVROLET SALES CORPORATION

ATTEST:

By: [Signature] (SEAL)

(SEAL)

(SEAL)

STATE OF VIRGINIA
CITY OF RICHMOND, to-wit:

I, S. S. RICHARDSON, Notary Public in and for the City and State aforesaid, do hereby certify that A. M. WILLIAMS AND CHARLES W. APPICH, JR.

whose names are signed to the foregoing deed of easement, bearing date on the 24th day of AUGUST, 1979, personally appeared before me in my City and State aforesaid and acknowledged the same to be their act and deed.

Given under my hand this 24 day of AUGUST, 1979.

My commission expires:

Nov 30, 1982

S. S. Richardson
Notary Public

The foregoing deed of easement from Emrick Chevrolet Sales Corporation

is hereby accepted this 19th day of September, 1979, pursuant to authority granted by Section 2-22 of the 1975 Richmond City Code.

CITY OF RICHMOND

By: Manuel Reese
City Manager

APPROVED AS TO FORM:

[Signature]
Assistant City Attorney

Grantee: City of Richmond
300 City Hall
Richmond, Virginia 23219

See Plat Book 32 pg 98

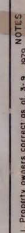
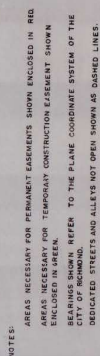
VIRGINIA: IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE CITY OF RICHMOND, DIVISION I.

This deed was presented, and, with the Certificate annexed, admitted to record on

OCT 1 1979 at 10:25 o'clock A . M.

Clerk's Fee 20 *File: City of Richmond*
 Transfer Fee 00
 State Tax 00
 City Tax 00 Teste: Edmond D. Kish
 Grantor's Tax 00
 Total 00 Clerk

CSJ 39047



1. Property owners correct as of 3-2, 1870

NOTES

REFERENCES: D.V., G.W., G.H.E., 19-SW., 19-SE., N-2677, N-10186, N-12010,
D-34, BAL SHEET # 2*, N-18244, N-18245, W-100356, W-100569, Q-3710, Q-15871.

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Mr. J. M. Mearns
 Director of Public Works
 Richmond, Virginia

PROPOSED EASEMENT FOR LAND FILL GAS CONTROL
IN THE AREA OF CHAMBERLAYNE AVENUE, WICKHAM
STREET, FENDALL AVENUE, & STURGEON STREET
AUTHORITY DIRECTOR, SANITATION DEPARTMENT, OCTOBER 19, 1975, LOS 75-980-272

EXHIBIT NO.	DATE	REVISION	BY
020340	8-25-79	1" x 10"	JB, JC
ISSUED BY	DATE	REVISION	BY
SEE #	3-25-79	1" x 10"	JB, JC

EXHIBIT B

TITLE COMMITMENT INFORMATION

LEGAL DESCRIPTION

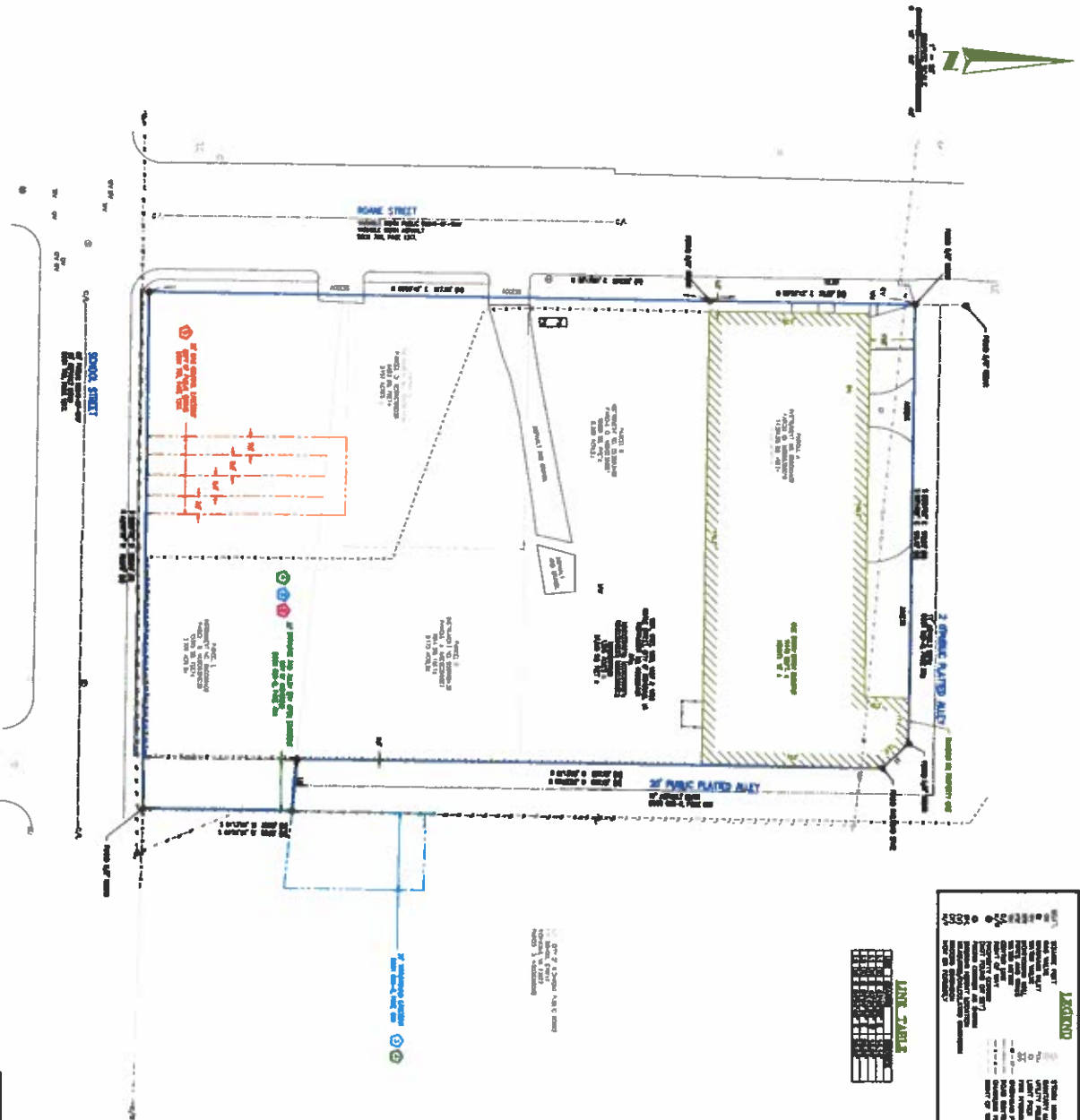
the 1990s, the number of people in the U.S. who are obese has increased by 50 percent. And, according to the Centers for Disease Control, the number of people who are obese in the U.S. is expected to increase by 100 percent by the year 2010.

NOTES CORRESPONDING TO SCHEDULE 3

- [illegible]

STATEMENT OF INTERPOLARIMENTS

THE COMPANY AT THE TIME OF ENTRY



VICTIMITY MAP

PAGE 1 OF 1

LAND AREA

Multiple-Choice Test

PARADOX

100

PLANNING

THE **NEW** **YORK** **PUBLIC** **LIBRARY**

GENERAL NOTES

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ALTA/NIEBE LAND TOL SURVEY

AD JOB #1263172

RICHMOND CITY COUNTY RICHMOND, VA 23222

How Picturists



AEI
Consultants

**FOR FINANCIAL MARKETS
AND FINANCIAL INSTITUTIONS
IN THE U.S. & ABROAD**

INTERNATIONAL AND DOMESTIC

SUPERIOR'S DIRECT CARS

[illegible]

DATE	NUMBER HISTORY	BY	REMARKS AND SIGNATURE
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			known as
			M
			approved by

EXHIBIT C