

INTRODUCED: June 14, 2021

AN ORDINANCE No. 2021-159

To declare that a public necessity exists and to authorize the acquisition of certain fee simple interests for the public purpose of facilitating the construction of the East Main Street and Williamsburg Avenue intersection improvement project.

Patron – Mayor Stoney

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: JUN 28 2021 AT 6 P.M.

WHEREAS, in the opinion of the Council of the City of Richmond, a public necessity exists for the acquisition of certain fee simple interests, hereinafter referred to as an “Interest” as shown on sheets 1A, dated June 3, 2021, and entitled “DPW Drawing O-28918 Plat Parcel 001,” dated February 24, 2021, of a drawing designated as DPW Drawing No. O-28918, for the public purpose of facilitating the construction of the East Main Street and Williamsburg Avenue intersection improvement project;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: JUL 26 2021 REJECTED: _____ STRICKEN: _____

§ 1. That a public necessity exists for the acquisition of the Interests as shown on a sheets 1A, dated June 3, 2021, and entitled “DPW Drawing O-28918 Plat Parcel 001,” dated February 24, 2021, of a drawing designated as DPW Drawing No. O-28918, copies of which sheets are attached to and hereby incorporated into this ordinance, for the public purpose of facilitating the construction of the East Main Street and Williamsburg Avenue intersection improvement project.

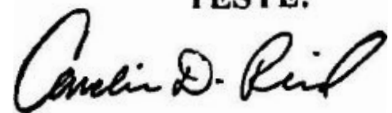
§ 2. That the Chief Administrative Officer or the designee thereof is hereby authorized and directed to, within the constraints imposed by this ordinance, (i) acquire, by gift, purchase, condemnation or otherwise, the aforementioned Interests, (ii) act for and on behalf of the City of Richmond in agreeing 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 other documents necessary to complete the acquisition and acceptance of such Interests, provided that all such deeds and other documents first must 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 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 purpose of facilitating the construction of the East Main Street and Williamsburg Avenue intersection improvement project.

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

A TRUE COPY:

TESTE:



City Clerk



CITY OF RICHMOND

INTRACITY CORRESPONDENCE

O & R Request

DATE: May 13, 2021 **EDITION:** 1

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney; Mayor *[Signature]*

THROUGH: J. E. Lincoln Saunders; Acting Chief Administrative Officer *JELS*

THROUGH: Robert C. Steidel; Deputy Chief Administrative Officer - Operations *[Signature]*

THROUGH: Bobby Vincent; Director of Public Works *[Signature]*

THROUGH: M. S. Khara, PE; City Engineer *MBS*

THROUGH: Lamont Benjamin, PE; Capital Projects Administrator *[Signature]*

FROM: Winston D, Phillips, PMP; Capital Projects Manager

RE: **TO DECLARE THAT A PUBLIC NECESSITY EXISTS AND TO AUTHORIZE THE ACTING CHIEF ADMINISTRATIVE OFFICER (ACAO) OR DESIGNEE THEREOF, TO ACQUIRE CERTAIN FEE SIMPLE INTRESTS, BY VOLUNTARY CONVAYANCE, PURCHASE OR BY CONDEMNATION OF ONE PROPERTY FOR THE EAST MAIN STREET /WILLIAMSBURG AVENUE INTERSECTION IMPROVEMENT PROJECT.**

ORD. OR RES. NO: _____

PURPOSE: To declare that a public necessity exists and to authorize the Acting Chief Administrative Officer or designee thereof to acquire certain fee simple interests, by voluntary conveyance, purchase or by condemnation proceedings of certain properties for the construction of the East Main Street/Williamsburg Avenue Intersection Improvement Project as shown in drawings prepared by Whitman, Requardt & Associates, LLP designated as DPW Drawing No. O-28918

REASON: Additional fee simple right of way is required to construct the proposed improvements.

RECOMMENDATION: Department of Public Works recommends approval of this Ordinance.

BACKGROUND: The City's planned improvement is the intersection at East Main Street and Williamsburg Avenue. The project will reassign the through movement traffic from East Main Street to Williamsburg Avenue and East Main Street. No additional capacity is included in this roadway improvement.

The improvements consist of two lanes in each direction along Williamsburg Avenue and one lane in each direction along East Main Street north and south of the intersection. Pedestrian access will be improved with the reconstruction upgrade to the sidewalks and include high visibility cross walks. The project will also include a new signal, lighting, drainage, pavement, pavement markings and landscaping.

The project is included in the City of Richmond's Capital Improvement Plan.

These improvements require additional right of way. The right of way acquisition is shown in the attached plat prepared by Whitman, Requardt & Associates, LLP designated as DPW Drawing No. 0-28918. The estimated cost of the right of way acquisition is \$18,000.00.

The project is funded through Virginia Department of Transportation (VDOT) State and City of Richmond (COR) Revenue Share funds with a 50/50 match. The City of Richmond is responsible for the project development, acquisition, construction and maintenance. With the City match of \$1,400,000, the total funding for the project is \$2,801,806.

FISCAL IMPACT/COST: None. The costs for acquiring right of way is included in the project budget. The actual acquisition cost is to be negotiated with the property owner.

FISCAL IMPLICATIONS: None. This acquisition is necessary to complete the project construction. By not adopting this ordinance the City will not be able to acquire the needed fee take.

BUDGET AMENDMENT NECESSARY: No.

COST TO THE CITY: Property acquisition shall be negotiated and set at fair market value as determined by appropriate State and local regulations. Acquisition cost is 50% reimbursable.

REVENUE TO CITY: None.

DESIRED EFFECTIVE DATE: Upon adoption.

FISCAL IMPLICATIONS: None. This right of way fee take is necessary to complete the construction of this project

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: June 14, 2021

CITY COUNCIL PUBLIC HEARING DATE: June 28, 2021

O&R Request

Page 3 of

REQUESTED AGENDA: Consent Agenda

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission.

AFFECTED AGENCIES: Public Works; Law Department; Planning & Community Development, Economic Development; Public Utilities; Finance Department; Budget and Strategic Planning. Copies also sent to: City Mayor (Honorable Levar M. Stoney); Acting Chief Administrative Officer and City Attorney (2).

RELATIONSHIP TO EXISTING ORD. OR RES: None

REQUIRED CHANGES TO WORK PROGRAM(S): None

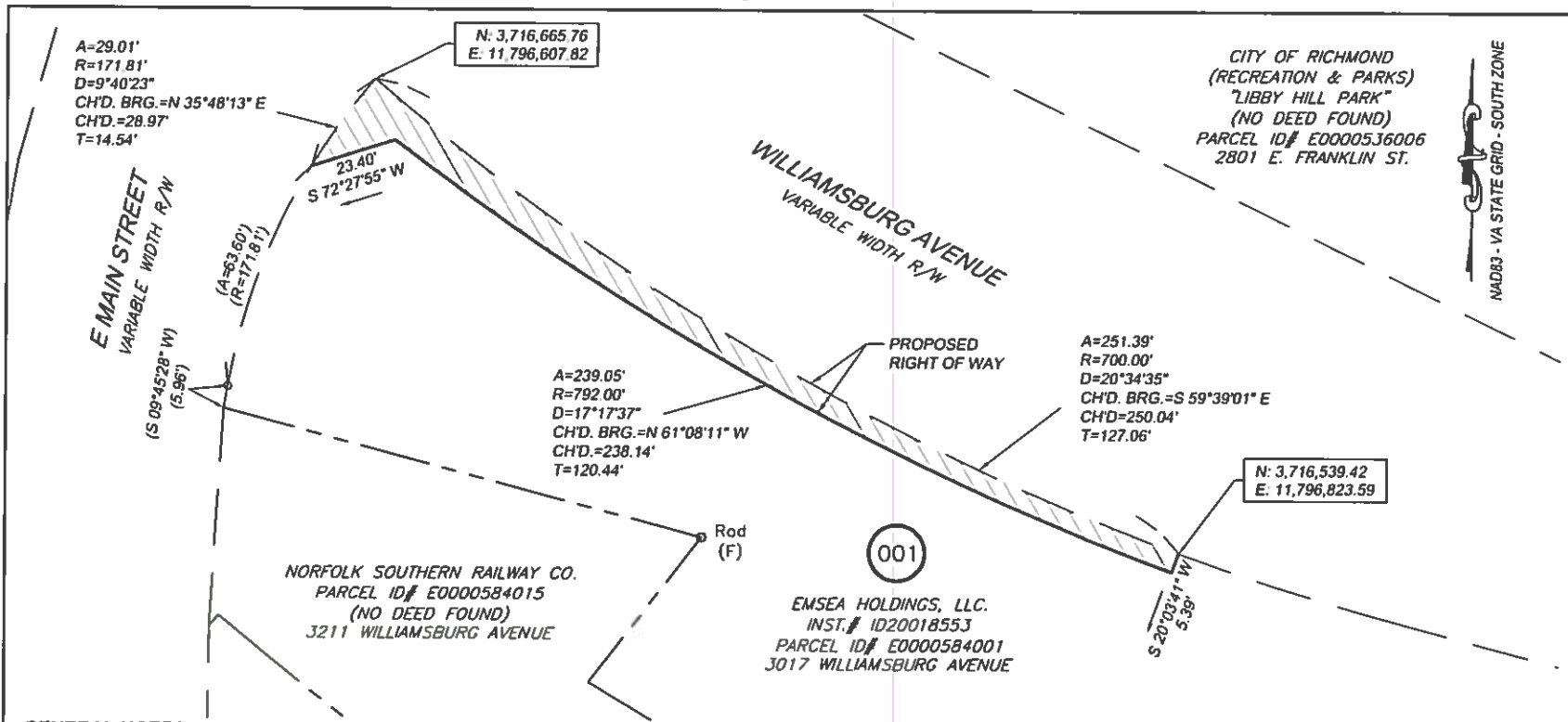
ATTACHMENTS: Drawing No. O-28918-Sheet 1A and Plat Parcel 001.

STAFF:

M. S. Khara, P.E.; City Engineer, 646-5413

Lamont L. Benjamin, P.E.; Capital Project Administrator, 646-6339

Winston D. Phillips, PMP; Project Manager, 646-5994



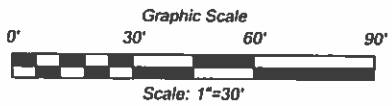
Job #: WR2006.01
 Date: 02-24-2021
 Sheet: 1 of 1
 Drawn By: DBG
 Checked By: LRB

Rev. #	Rev. Date

GENERAL NOTES:

1. THE SOLE PURPOSE OF THIS PLAT IS TO SHOW THE RIGHT-OF-WAY TO BE ACQUIRED AS THEY RELATE TO THE BOUNDARY OF THE AFFECTED PARCEL. THE PROPERTY LINES SHOWN HEREON DO NOT REPRESENT A CURRENT BOUNDARY SURVEY AND HAVE BEEN COMPILED FROM RECORD INFORMATION AND FOUND MONUMENTATION OBTAINED DURING THE DESIGN SURVEY. IMPROVEMENTS (IF ANY EXIST ON THE AFFECTED PARCEL) ARE NOT SHOWN.
2. RIGHT-OF-WAY TO BE ACQUIRED DIMENSIONS SHOWN HEREON ARE BASED ON ENGINEERING PLANS PRODUCED BY WHITMAN, REQUARDT & ASSOCIATES, LLP, PROJECT UPC #45846.
3. DIMENSIONS OR LABELS IN PARENTHESIS () DENOTE TIES TO PROPERTY LINES.
4. THE RIGHT-OF-WAY TO BE ACQUIRED SHOWN HEREON LIE UPON A PORTION OF THE PROPERTY DESCRIBED IN INSTR. #: 20018553, AND BEING KNOWN BY PARCEL ID # E0000584001.
5. THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT NECESSARILY INDICATE ALL EASEMENTS OR ENCUMBRANCES THAT MAY APPLY TO THIS PARCEL.

Sheet Status:
FINAL
 Submittal Date:
 02-24-2021



VARIABLE WIDTH R/W TO BE ACQUIRED
 0.042 ACRE
 (1,836 S.F.)



SURVEY OF PLAT SHOWING A VARIABLE WIDTH RIGHT-OF-WAY TO BE ACQUIRED THROUGH THE PROPERTY OF EMSEA HOLDINGS, LLC. PARCEL ID #: E0000584001 CITY OF RICHMOND VIRGINIA SCALE 1"= 30'

H&B Surveying and Mapping, LLC
insightful solutions, quality service
 A DBE/WBE SWaM Certified Business

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 Richmond, VA 23226
 804.330.3781 Office
 804.659.5330 Fax

Survey Produced at Richmond Office Location

