



Legislation Details (With Text)

**File #:** ORD. 2023-287      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Adopted

**File created:** 8/29/2023      **In control:** City Council

**On agenda:** 11/13/2023      **Final action:** 11/13/2023

**Title:** To provide for the granting by the City of Richmond to the person, firm or corporation to be ascertained in the manner prescribed by law of an easement upon, over, under, and across certain property located at 1 Hull Street, 101 Hull Street, and 2 Decatur Street for the relocation, construction, maintenance, and operation of improvements and associated appurtenances of communication systems and facilities in accordance with a certain Deed of Easement. (6th District)

**Sponsors:** Mayor Stoney

**Indexes:**

**Code sections:**

**Attachments:** 1. Ord. No. 2023-287

Date	Ver.	Action By	Action	Result
11/13/2023	1	City Council	adopted	Pass
10/17/2023	1	Land Use, Housing and Transportation Standing Committee	recommended for approval	
9/25/2023	1	City Council	introduced and referred	

To provide for the granting by the City of Richmond to the person, firm or corporation to be ascertained in the manner prescribed by law of an easement upon, over, under, and across certain property located at 1 Hull Street, 101 Hull Street, and 2 Decatur Street for the relocation, construction, maintenance, and operation of improvements and associated appurtenances of communication systems and facilities in accordance with a certain Deed of Easement. (6<sup>th</sup> District)

WHEREAS, following the introduction of this ordinance, the City Clerk has caused to be advertised, once a week for two successive weeks in a newspaper of general circulation published in the city of Richmond, a descriptive notice of the Deed of Easement attached to this ordinance, which notice:

1. included a statement that a copy of the full text of the ordinance is on file in the office of the City Clerk;
2. invited bids for the easements offered to be granted in and by this ordinance, which bids were to be:
  - a. delivered in writing to the presiding officer of the Council of the City of Richmond at its

- regular meeting to be held on November 13, 2023, at 6:00 p.m., in open session;
  - b. presented by the presiding officer to the Council; and
  - c. then dealt with and acted upon in the mode prescribed by law;
3. required that all bids for the easement hereby offered to be granted shall be submitted in writing as required by law; and
  4. reserved the Council's right to reject any and all bids; and

WHEREAS, the deadline for the receipt of bids has passed, all bids have been received, and the Council is prepared to act in accordance with sections 15.2-2102 or 15.2103, or both, of the Code of Virginia (1950), as amended;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That there shall be granted in the manner prescribed Article VII, Section 9 of the Constitution of Virginia and Title 15.2, Chapter 21, Article 1, §§ 15.2-2100-15.2-2108.1:1 of the Code of Virginia (1950), as amended, an easement upon, over, under, and across certain property located at 1 Hull Street, 101 Hull Street, and 2 Decatur Street for the relocation, construction, maintenance, and operation of improvements and associated appurtenances of communication systems and facilities on that property as described and under the conditions set forth in the Deed of Easement, a copy of which is attached to and incorporated into this ordinance, to the following grantee:

\_\_\_\_\_.

§ 2. That the Chief Administrative Officer, for and on behalf of the City of Richmond, be and is hereby authorized to execute the Deed of Easement between the City of Richmond as grantor and the grantee identified in section 1 of this ordinance to grant an easement upon, over, under, and across certain real property located at 1 Hull Street, 101 Hull Street, and 2 Decatur Street and identified as Tax Parcel Nos. S000-0052/006, S0000-0052/001, and S000-0101/010, respectively, in the 2023 records of the City Assessor for the relocation,

construction, maintenance, and operation of improvements and associated appurtenances of communication systems and facilities by such grantee, provided that:

- (a) The Deed of Easement has first been approved as to form by the City Attorney and is substantially in the form of the document attached to this ordinance;
- (b) The grantee identified in section 1 of this ordinance has first executed a bond, with good and sufficient security, in favor of the City of Richmond, Virginia, in the amount of \$50.00 and conditioned upon the relocation, construction, maintenance, and operation of improvements and associated appurtenances of communication systems and facilities as provided for in the granted easements, with such bond in a form acceptable to the Chief Administrative Officer and approved as to form by the City Attorney; and
- (c) The grantee identified in section 1 of this ordinance has first paid all costs incurred in connection with the advertisement of this ordinance, as required by section 15.2-2101 of the Code of Virginia (1950), as amended.

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

### O&R REQUEST

**DATE:** August 25, 2023

**EDITION:** 1

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

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

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

**THROUGH:** Sharon L. Ebert, DCAO - Planning & Economic Development Portfolio

**FROM:** Matt Welch, Senior Policy Advisor - Planning & Economic Development Portfolio  
Chris Nizamis, Real Estate Manager - Real Estate Strategies/DED

**RE:** PROPOSED EASEMENT FOR THE RELOCATION OF EXISTING COMMUNICATION FACILITIES IN SUPPORT OF A CITY ADMINISTERED VDOT PROJECT KNOWN AS THE MANCHESTER CANAL BRIDGE REPLACEMENT PROJECT LOCATED ON CITY PROPERTY CATEGORICALLY AT HULL STREET OVER THE MANCHESTER CANAL (VDOT PROJECT #: 0360-127-035; C501)

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

**PURPOSE:** To authorize the Chief Administrative Officer to grant to the person, firm or corporation to be ascertained in the manner prescribed by law, an easement with a term of 40 years for the purpose of relocating communication facilities in support of the bridge replacement project located at 101 Hull Street (Parcel ID S0000052001); 2 Decatur Street (Parcel ID S0000101010) and 1 Hull Street (Parcel ID S0000052006) as depicted on the attached plans “PAOHBCC-23-274034-R; PAOHBCC-23-274035-R and PAOHBCC-23-274035-R” cumulatively known as the Easement Area.

**REASON:** This O&R will allow the person, firm or corporation to relocate the existing communication facilities associated with the replacement of the Manchester Canal Bridge.

**RECOMMENDATIONS:** The Administration recommends approval of the easements as described within the Deed of Easement and depicted on the plan sheets.

**BACKGROUND:** As part of the Manchester Canal Bridge Replacement project, this easement will be required for the relocation of the existing communication facilities. The bridge is City owned and maintained and is being improved through a City Capital Project which is being administered/managed by City personnel. The project is receiving Federal and State funding that passes through VDOT.

**FISCAL IMPACT:** None.

**FISCAL IMPLICATIONS:** None.

**BUDGET AMENDMENT NECESSARY:** No.

**REVENUE TO CITY:** None anticipated.

**DESIRED EFFECTIVE DATE:** Upon adoption.

**REQUESTED INTRODUCTION DATE:** September 25, 2023

**CITY COUNCIL PUBLIC HEARING DATE:** October 10, 2023

**REQUESTED AGENDA:** Consent Agenda

**RECOMMENDED COUNCIL COMMITTEE:** No committee referral pursuant to City Council’s Rule of Procedure - Rule VI(B)(3)(c)

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** None

**AFFECTED AGENCIES:** Public Works; Law Department; Planning & Development Review; Public Utilities; Mayor’s Office, and CAO’s Office

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

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

**ATTACHMENTS:** Plan “PAOHBCC-23-274033-R”

Plan "PAOHBCC-23-274024-R"  
Plan "PAOHBCC-23-274035-R"  
Deed of Easement  
Richmond Parcel Mapper Site Plan  
Aerial Photo

**STAFF:**

Thomas Westbrook, Engineer II/Project Manager - Dept. of Public Works

Joseph Davenport, Chief of Construction & Inspection/ROW Manager - Dept. of Public Works

Matt Welch, Senior Policy Advisor - Planning & Economic Development Portfolio

Christopher Nizamis, Real Estate Manager - Real Estate Strategies/DED