



## Legislation Text

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**File #:** ORD. 2023-254, **Version:** 1

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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 in Joseph Bryan Park at 4308 Hermitage Road for the construction, maintenance, and operation of improvements and associated appurtenances for the generation, distribution and transmission of electricity in accordance with a certain Right of Way Agreement. (3<sup>rd</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 Right of Way Agreement 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 October 10, 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 in Joseph Bryan Park at 4308 Hermitage Road for the construction, maintenance, and operation of improvements and associated appurtenances for the generation, distribution and transmission of electricity on that property as described and under the conditions set forth in the Right of Way Agreement, 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 Right of Way Agreement 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 in Joseph Bryan Park at 4308 Hermitage Road and identified as Tax Parcel No. N017-0250/001 in the 2023 records of the City Assessor for the construction, maintenance, and operation of improvements and associated appurtenances for the generation, distribution and transmission of electricity by such grantee, provided that: (a) The Right of Way Agreement 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 construction, maintenance, and operation of improvements and associated appurtenances for the generation, distribution and transmission of electricity 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.