Legislation Details (With Text)

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Type:	Ordinance			**Status:**	Adopted
File created:	4/13/2021			**In control:**	City Council
On agenda:	4/19/2021			**Final action:**	4/26/2021
Title:	To declare that a public necessity exists and to authorize the acquisition of certain fee simple interests and easements for the public purpose of facilitating the construction of the East Richmond Road over Gillies Creek bridge replacement project. (7th District)				
Sponsors:	Mayor Stoney				
Indexes:					
Code sections:					
Attachments:	1. Ord. No. 2021-092, 2. Staff Report, 3. Plan, 4. Map				

Date	Ver.	Action By	Action	Result
4/26/2021	1	City Council	adopted	Pass
4/19/2021	1	Planning Commission	recommended for approval	
4/12/2021	1	City Council	introduced and referred	

To declare that a public necessity exists and to authorize the acquisition of certain fee simple interests and easements for the public purpose of facilitating the construction of the East Richmond Road over Gillies Creek bridge replacement project. (7th District)

WHEREAS, in the opinion of the Council of the City of Richmond, a public necessity exists for the acquisition of certain fee simple interests, permanent slope easement, temporary construction easements, bridge maintenance easement, permanent right-of-way easements, and utility easements, each hereinafter referred to as an "Interest" and all hereinafter referred to as the "Interests," as shown on sheets C-1a and C-5 of a drawing designated as DPW Drawing No. O-28948, dated March 31, 2021, and entitled "E. Richmond Rd. (Gillies Creek)," for the public purpose of facilitating the construction of the East Richmond Road over Gillies Creek bridge replacement project;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That a public necessity exists for the acquisition the Interests as shown on a sheets C-1a and C-5 of a drawing designated as DPW Drawing No. O-28948, dated March 31, 2021, and entitled "E. Richmond Rd. (Gillies Creek)," copies of which sheets are attached to and hereby incorporated into this ordinance, for the public purpose of facilitating the construction of the East Richmond Road over Gillies Creek bridge replacement 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 or easement by undertaking appropriate condemnation proceedings to exercise the City's power of eminent domain for the purpose of facilitating the construction of the East Richmond Road over Gillies Creek bridge replacement project.

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

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