



## Legislation Text

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**File #:** ORD. 2019-076, **Version:** 1

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To declare a public necessity for and to authorize the acquisition from Virginia Commonwealth University of a perpetual, non-exclusive easement located in the block bounded by East Leigh Street, North 11<sup>th</sup> Street, East Clay Street, and North 10<sup>th</sup> Street for the public purpose of laying, erecting, constructing, operating, maintaining, and repairing a 12-inch sewer line and all equipment, accessories, and appurtenances necessary in connection therewith, and to vacate two sewer easements located in such block.

WHEREAS, Virginia Commonwealth University is constructing a new facility, which construction necessitates a replacement of two existing sewer easements with a new sewer easement; and

WHEREAS, in the opinion of the Council of the City of Richmond, a public necessity exists for the acquisition from Virginia Commonwealth University of a perpetual, nonexclusive easement located in the block bounded by East Leigh Street, North 11<sup>th</sup> Street, East Clay Street, and North 10<sup>th</sup> Street, as shown on a drawing entitled "Compiled Plat Showing a Proposed 16' Sewer Easement across Parcel Numbers E0000236001 and E0000236005," prepared by Draper Aden Associates, and dated October 22, 2018, a copy of which is attached to this ordinance, for the public purpose of laying, erecting, constructing, operating, maintaining, and repairing a 12-inch sewer line and all equipment, accessories, and appurtenances necessary in connection therewith; and

WHEREAS, the vacation of two sewer easements shown on a plat entitled "Compiled Plat Showing Existing Sewer Easements to Be Vacated across Parcel Numbers E0000236005 & E0000236001," prepared by Draper Aden Associates, and dated October 22, 2018, a copy of which is attached to this ordinance, is necessary to facilitate the aforementioned construction by Virginia Commonwealth University;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That a public necessity exists for the acquisition from Virginia Commonwealth University of a perpetual, nonexclusive easement located in the block bounded by East Leigh Street, North 11<sup>th</sup> Street, East

Clay Street, and North 10<sup>th</sup> Street, as shown on a drawing entitled “Compiled Plat Showing a Proposed 16’ Sewer Easement across Parcel Numbers E0000236001 and E0000236005,” prepared by Draper Aden Associates, and dated October 22, 2018, a copy of which is attached to and hereby incorporated into this ordinance, for the public purpose of laying, erecting, constructing, operating, maintaining, and repairing a 12-inch sewer line and all equipment, accessories, and appurtenances necessary in connection therewith.

§ 2. That the Chief Administrative Officer, for an on behalf of the City of Richmond, be and is hereby authorized to acquire from Virginia Commonwealth University, the property interest described in section 1 of this ordinance and to execute and accept a Deed of Easement, provided that such deed must be substantially in the form of the document attached to this ordinance and must first be approved as to form by the City Attorney or the designee thereof.

§ 3. That, after the acceptance, in accordance with section 15.2-1803 of the Code of Virginia (1950), as amended, by the City of the deed described in section 2 of this ordinance, two sewer easements shown on a plat entitled “Compiled Plat Showing Existing Sewer Easements to Be Vacated across Parcel Numbers E0000236005 & E0000236001,” prepared by Draper Aden Associates, and dated October 22, 2018, a copy of which is attached to and incorporated into this ordinance, shall be vacated, provided that such vacation shall be by means of a Quitclaim Deed, which deed the Chief Administrative Officer, for and on behalf of the City of Richmond, is hereby authorized to execute, provided that such deed must be substantially in the form of the document attached to this ordinance and must first be approved as to form by the City Attorney or the designee thereof.

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