



## Legislation Text

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**File #:** ORD. 2019-215, **Version:** 1

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To close, to public use and travel, certain right-of-way areas comprised of portions of East Leigh Street, East Clay Street, North 5<sup>th</sup> Street, and North 7<sup>th</sup> Street, such portions together consisting of 44,590± square feet, to retain easements in certain of the closed right-of-way areas, and to authorize the Chief Administrative Officer to accept the dedication of right-of-way improvements and property, consisting of approximately 66,977± square feet, in connection with the closing of the right-of-way areas, for the purpose of facilitating the redevelopment of the area bounded generally by East Leigh Street on the north, North 10<sup>th</sup> Street on the east, East Marshall Street on the south, and North 5<sup>th</sup> Street on the west.

### THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That right-of-way areas comprised of portions of East Leigh Street located between its intersections with North 4<sup>th</sup> Street and North 10<sup>th</sup> Street, East Clay Street located between its intersections with North 7<sup>th</sup> Street and North 10<sup>th</sup> Street, North 5<sup>th</sup> Street located between its intersections with East Clay Street and East Leigh Street, and North 7<sup>th</sup> Street located between its intersections with East Clay Street and East Leigh Street, such portions together consisting of approximately 44,590 square feet, are hereby closed to public use and travel as rights-of-way of the City of Richmond, as generally shown hatched and hatched with dashed lines on sheets 1 through 11 of a drawing prepared by the Department of Public Works, designated as DPW Drawing No. N-28848, dated July 22, 2019, and entitled “North of Broad Redevelopment Right-of-Way Exhibit” (the “Drawing”), a copy of which is attached to this ordinance, for the purpose of facilitating the redevelopment of the area bounded generally by East Leigh Street on the north, North 10<sup>th</sup> Street on the east, East Marshall Street on the south, and North 5<sup>th</sup> Street on the west.

§ 2. That the Chief Administrative Officer is authorized to accept for the purpose of public right-of-way the dedication of the following, all as provided in the Development Agreement and as generally shown crosshatched on the Drawing:

(a) A portion of the property known as 500 North 10<sup>th</sup> Street, with Tax Parcel No. E000-0235/001 in

the 2019 records of the City Assessor, consisting of approximately 17,845 square feet;

(b) A portion of the property known as 808 East Clay Street, with Tax Parcel No. N000-0009/001 in the 2019 records of the City Assessor, consisting of approximately 1,195 square feet;

(c) A portion of the property known as 800 East Clay Street, with Tax Parcel No. N000-0009/002 in the 2019 records of the City Assessor, consisting of approximately 575 square feet;

(d) Portions of the property known as 601 East Leigh Street, with Tax Parcel No. N000-0007/001 in the 2019 records of the City Assessor, consisting of a total of approximately 47,362 square feet; and

(e) Any other property required by the document entitled “Right-of-Way Reconfiguration Conditions” incorporated into the Development Agreement to be rededicated to the City by the Economic Development Authority of the City of Richmond.

§ 3. That the City shall retain a temporary full-width easement for public use and travel in the areas to be closed by section 1 of this ordinance, generally shown on the Drawing, as provided in a development agreement authorized by Ordinance No. 2019-\_\_\_\_, adopted \_\_\_\_\_, 20\_\_ (the “Development Agreement”).

§ 4. That, at such time as section 1 of this ordinance becomes effective, the City shall have no further right, title, or interest in the closed right-of-way area other than that expressly retained under the provisions of this ordinance or granted to satisfy the terms and conditions of this ordinance.

§ 5. That the activities and transactions contemplated by sections 1, 2, 3, and 4 of this ordinance are hereby conditioned on the strict performance of all requirements and the strict satisfaction of all conditions applicable to these activities and transactions set forth in a document entitled “Right-of-Way Reconfiguration Conditions” incorporated into the Development Agreement.

§ 6. That this ordinance, as to the closing of the right-of-way areas identified in section 1 above, shall be in force as provided in section 4.09 of the Charter of the City of Richmond (2019), as amended, and shall become effective only when all parties thereto have signed the Development Agreement and all conditions

precedent to the effectiveness of the Development Agreement, as set forth therein, have been fully satisfied.