



## Legislation Text

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**File #:** ORD. 2020-217, **Version:** 1

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To close to public travel certain medians located in Monument Avenue and North Allen Avenue at or near General Robert E. Lee Circle, to retain the City's legal interests in such medians, and to designate such medians as official City Parks, upon certain terms and conditions. (As Amended)

WHEREAS, the Council believes that it is in the best interests of the City of Richmond that certain medians located in Monument Avenue and North Allen Avenue near their intersection at General Robert E. Lee Circle should be closed to public travel and designated as official City parks;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That, pursuant to the authority granted to the City by section 2.03(b) of the Charter of the City of Richmond (2020), as amended, and notwithstanding any provision of Chapter 24, Article IV of the Code of the City of Richmond (2015), as amended, to the contrary, (i) a portion of the median, beginning one foot behind the paved crosswalk, located in Monument Avenue west of the property known as General Robert E. Lee Circle at the intersection of Monument Avenue and North Allen Avenue, labeled as "Parcel A," and consisting of approximately 27,000 square feet; (ii) a portion of the median, beginning one foot behind the paved crosswalk, located in North Allen Avenue south of the property known as General Robert E. Lee Circle at the intersection of North Allen Avenue and Monument Avenue, labeled as "Parcel B," and consisting of approximately 13,500 square feet; (iii) a portion of the median, beginning one foot behind the paved crosswalk, located in Monument Avenue east of the property known as General Robert E. Lee Circle at the intersection of Monument Avenue and North Allen Avenue, labeled as "Parcel C," and consisting of approximately 28,000 square feet; (iv) a portion of the median, beginning one foot behind the paved crosswalk, located in North Allen Avenue north of the property known as General Robert E. Lee Circle at the intersection of Monument Avenue and North Allen Avenue, labeled as "Parcel D," and consisting of approximately 10,100 square feet; and (v) a portion of the median, beginning one foot behind the paved crosswalk, located in North Allen Avenue north of the property known

as General Robert E. Lee Circle at the intersection of North Allen Avenue and West Grace Street, labeled as “Parcel E,” and consisting of approximately 12,500 square feet, each of which medians is referred to hereinafter as a “Median Area” and all of which Median Areas are labeled and generally shown with hatched lines on a drawing prepared by the Department of Public Works, designated as DPW Drawing No. N-28926, dated September 10, 2020, and entitled “Illustration Showing Proposed Closure of Public Use and Travel of Portions of Rights of Way that Make-up Two Median Areas within Monument Avenue and Three Median Areas within N Allen Avenue near the Intersection of These Two Streets,” hereinafter referred to as “the Drawing,” a copy of which is attached to and made a part of this ordinance, are hereby closed to public travel as right-of-way of the City of Richmond.

§ 2. That this ordinance, as to the closing of each Median Area, shall be in force as provided in section 4.09 of the Charter of the City of Richmond (2020), as amended, and shall become effective only when, with respect to that Median Area:

(a) Each owner of land abutting the Median Area executes a quitclaim deed, approved as to form by the City Attorney, that dedicates to the City, at no cost to the City, a fee simple interest in such Median Area for the public purpose of establishing such Median Area as a City park.

(b) The Chief Administrative Officer, on behalf of the City, makes arrangements satisfactory to public service corporations whose properties or facilities are in the Median Area for the continued use or maintenance of such properties or facilities in that Median Area, for the removal, relocation, or abandonment thereof, or for the construction, reconstruction, maintenance, and repair thereof, evidence of which shall be in writing, approved as to form by the City Attorney, and filed in the Office of the City Clerk.

(c) The Chief Administrative Officer causes to be prepared a survey identifying with particularity the Median Area, provided that such survey shall by no means depict, for any Median Area, the closing of an area that is greater than the corresponding Median Area shown on the Drawing.

§ 3. That the inability to fulfill the conditions set forth in section 2 of this ordinance for the closing of any one Median Area shall not prevent the closing of any other Median Area upon fulfillment of the requisite conditions therefor.

§ 4. That each Median Area closed pursuant to section 1 of this ordinance upon fulfillment of the conditions set forth in section 2 of this ordinance is deemed to be no longer needed for the public convenience for use as right-of-way, there existing a superseding public need to establish such Median Area as park property for public purposes and uses incidental thereto. Such Median Area shall not be deemed abandoned by the City, as such property is necessary for the public park purposes referred to above and shall be converted to appropriate public use in connection therewith, and the City shall retain all of its legal interests in the closed Median Area.

§ 5. That each Median Area, upon fulfillment of the conditions set forth in section 2 of this ordinance therefor, hereby is designated and established as a City park and incorporated into the City's park system. Notwithstanding any provision of section 8-7 through 8-10 of the Code of the City of Richmond (2015), as amended, to the contrary, each park established pursuant to this section shall be named as shown on the document entitled "List of Parcels for Conversion from Medians to City Parks," a copy of which is attached to and made a part of this ordinance. Each Median Area, upon designation as a City Park, shall be placed under the maintenance and supervision of the Department of Parks, Recreation and Community Facilities.

§ 6. That the Chief Administrative Officer, for and on behalf of the City of Richmond, be and is hereby authorized to accept the dedications described in subsection (a) of section 2 of this ordinance and to execute the deeds and such other documents as may be necessary to complete the acceptance of such dedications, provided that such deeds and other documents have first been approved as to form by the City Attorney.

§ 7. This ordinance shall be in force and effect only upon satisfaction of the terms and conditions set out above.